

**ENVIRONMENTAL ASSESSMENT  
WORKSHEET AND  
SUPPORTING DOCUMENTS**

**THE BLUFFS**

**CITY OF MENDOTA HEIGHTS  
DAKOTA COUNTY  
MINNESOTA**

**DATE : August 26, 2003**



## LIST OF E.A.W. CONTRIBUTORS

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# ENVIRONMENTAL ASSESSMENT WORKSHEET

**Note to preparers:** This form is available at [www.mnplan.state.mn.us](http://www.mnplan.state.mn.us). *EAW Guidelines* will be available in Spring 1999 at the web site. The Environmental Assessment Worksheet provides information about a project that may have the potential for significant environmental effects. The EAW is prepared by the Responsible Governmental Unit or its agents to determine whether an Environmental Impact Statement should be prepared. The project proposer must supply any reasonably accessible data for — but should not complete — the final worksheet. If a complete answer does not fit in the space allotted, attach additional sheets as necessary. The complete question as well as the answer must be included if the EAW is prepared electronically.

**Note to reviewers:** Comments must be submitted to the RGU during the 30-day comment period following notice of the EAW in the *EQB Monitor*. Comments should address the accuracy and completeness of information, potential impacts that warrant further investigation and the need for an EIS.

1. **Project title** The Bluffs of Mendota Heights

2. **Proposer** Minnstar Builders  
Contact person: Ron Clark  
Title: President, Minnstar Builders  
Address: 7500 West 78<sup>th</sup> Street  
City, state, ZIP: Edina, Minnesota 55439  
Phone: (952) 947-3003  
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3. **RGU** City of Mendota Heights  
Contact person: Cari Lindberg  
Title: City Administrator  
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4. **Reason for EAW preparation** (check one)  
 EIS scoping     Mandatory EAW     Citizen petition     RGU discretion  
Proposer volunteered\_

If EAW or EIS is mandatory give EQB rule category subpart number \_\_\_\_\_ and subpart name \_\_\_\_\_

5. **Project location** County: Dakota City/Township: Mendota Heights

SE<sup>1</sup>/<sub>4</sub> Sec. 28 Township: 28 Range: 23  
SW<sup>1</sup>/<sub>4</sub> Sec. 27 Township: 28 Range: 23

**Attach each of the following to the EAW:**

- County map showing the general location of the project; *See exhibit A, appendix 1*
- U.S. Geological Survey 7.5 minute, 1:24,000 scale map indicating project boundaries (photocopy acceptable); *See exhibit B, appendix 1*
- Site plan showing all significant project and natural features.  
*See exhibits C through I, appendix 1*

6. **Description**

a. Provide a project summary of 50 words or less to be published in the *EQB Monitor*.

*The proposed development consists of 25 acres to be developed as a mixed density residential development with 31 single-level classic townhomes and 126 two-story veranda style townhomes. The development plan also provides open spaces with naturalized plantings, a commemorative open space, and an overlook providing views of the Minnesota River Valley.*

b. Give a complete description of the proposed project and related new construction. Attach additional sheets as necessary. Emphasize construction, operation methods and features that will cause physical manipulation of the environment or will produce wastes. Include modifications to existing equipment or industrial processes and significant demolition, removal or remodeling of existing structures. Indicate the timing and duration of construction activities.

*The housing types proposed on the plat are the classic townhomes, which are two and three unit buildings. These units are terraced on the west facing slopes and are accessed primarily by a public street with connecting driveways. The units use a mix of front and side loaded garages, which give a variety of approaches and a certain amount of dexterity needed for the sloping terrain. Townhomes on the Acacia property, east of Pilot Knob Road, are arranged along a curvilinear roadway in four, six, eight and ten unit structures. These veranda townhomes are two-story with a basement and access is gained through a combined driveway into a motor court area. All the buildings are accessed through a public road system.*

*An internal street network will be built along with sanitary sewer, storm sewer, watermain connections and utility connections as detailed on the preliminary site, grading and utility plans in Appendix I. The installation of these utilities and the street system will involve grading but there are no significant natural features within the project area that will be impacted. Sanitary sewer will generally be ten feet deep and separated from the watermain by ten feet.*

*When necessary, unified trenches will be used to install small utilities such as gas, electric, telephone and cable, in order to minimize repeated site disturbances. These utilities will generally be located three feet behind the curb at a depth of three feet.*

*The existing farmhouse on the Acacia property section of the subject property will be demolished during site grading. No other structures remain elsewhere on the subject property.*

#### **Proposed Mitigation**

*The plan being considered by the City of Mendota Heights and studied and detailed in this EAW incorporates a number of mitigation aspects. The City has requested changes to the plan through the review process that offers potential mitigation for the impacts on the historic setting of the area.*

- *The edge of right-of-way along Highway 52 and 110 is proposed to be bermed and landscaped to screen portions of the views to the development.*
- *The development does not significantly alter the grades or elevation of the landform, and instead carefully terraces the townhomes into the existing landform.*
- *Commemorative settings and overlooks have been placed at the lower portion of the development, creating a trail head off the Dakota County Regional Trail System to connect with the proposed local trail that winds through the development.*
- *The proposed development on the slopes facing the river valley consists of one story buildings with the larger buildings placed out of site to the east without impact to river valley views.*
- *The entire project is fully landscaped with over story trees, which will over time emulate a wooded site similar to Acacia Cemetery.*

*All of the above aspects of this development have been specifically tailored to help mitigate the visual affects on the historic area.*

c. Explain the project purpose; if the project will be carried out by a governmental unit, explain the need for the project and identify its beneficiaries.

*To accommodate the infill<sup>1</sup> growth of the Twin Cities and the demand for lifecycle housing<sup>2</sup> options in the City of Mendota Heights by creating a new cohesive neighborhood of homes nestled into the bluffs with a focus on panoramic views of the Twin Cities as well as a variety of housing choices.*

<sup>1</sup>Metropolitan Council's definition of "infill": Development or redevelopment of land that has been bypassed, remained vacant, and/or is underused as a result of the continuing urban-development process.

<sup>2</sup>Metropolitan Council's definition of "lifecycle housing": Varied housing options that meet people's preferences and circumstances at all of life's stages, and in particular, options other than the predominant larger-lot, detached, single-family home. For example, smaller homes, apartments, townhomes, condominiums senior housing for independent living or with a range of assisted-living services.

d. Are future stages of this development including development on any outlots planned or likely to happen? Yes  No  
 If yes, briefly describe future stages, relationship to present project, timeline and plans for environmental review.

*The infrastructure is designed to integrate adjacent parcels (under separate ownership).*

e. Is this project a subsequent stage of an earlier project? Yes  No  
 If yes, briefly describe the past development, timeline and any past environmental review.

**7. Project magnitude data**

Total project acreage 25.4 acres

Number of residential units: unattached NA attached 157 maximum units per building: 2 – 10 units/building

Commercial, industrial or institutional building area (gross floor space): total square feet NA

Indicate areas of specific uses (in square feet):

Office NA

Manufacturing NA

Retail NA

Other industrial NA

Warehouse NA

Institutional NA

Light industrial NA

Agricultural NA

Other commercial (specify)

Building height 2 stories

If over 2 stories, compare to heights of nearby buildings

**8. Permits and approvals required.** List all known local, state and federal permits, approvals and financial assistance for the project. Include modifications of any existing permits, governmental review of plans and all direct and indirect forms of public financial assistance including bond guarantees, Tax Increment Financing and infrastructure.

Unit of government	Type of application	Status
City of Mendota Heights	Preliminary plat, final plat	in process
City of Mendota Heights	Grading	to be applied for
City of Mendota Heights	Demolition of existing structure	to be applied for
City of Mendota Heights	Building permits	to be applied for
Minnesota Pollution Control Agency	Sanitary Sewer Extension & NPDES General Permit	to be applied for
Minnesota Department of Health	Watermain Extension	to be applied for
Minnesota Department of Transportation	Drainage & Utility permit	to be applied for
Dakota County Plat Commission	Final plat	to be applied for
Dakota County Soil and Water Conservation District	Wetland exemption	in process

9. **Land use.** Describe current and recent past land use and development on the site and on adjacent lands. Discuss project compatibility with adjacent and nearby land uses. Indicate whether any potential conflicts involve environmental matters. Identify any potential environmental hazards due to past site uses, such as soil contamination or abandoned storage tanks, or proximity to nearby hazardous liquid or gas pipelines.

*The Acacia Cemetery part of the site is currently vacant land, and in the past ten years a hotel and residential structure were removed from the site. The other portion of the site, owned by John Allen, currently has an existing farmhouse on it. The area has been disturbed over the years by the hotel site, farming practices, and highway construction for the realignment improvements of TH 13, TH 55 and TH 110 (Historical aerial photographs of site from 1937 to 1997 and MnDOT right-of-way maps located in Appendix 3).*

*There are no environmental hazards from previous site uses. A Phase I Environmental Site Assessment report previously prepared by MnDOT for the TH 13, TH 55 and TH 110 Interchange project supports this (see summary from this report in Appendix 2). Previous uses on the Acacia property, as also documented on the historical photographs located in Appendix 3, supports that past of the site would not have generated any environmentally hazardous conditions or products.*

*The remaining farmhouse will be tested for asbestos and other incidental domestic hazardous materials before it is removed during site preparation and grading. If any hazardous materials are discovered, steps will be taken to dispose of these materials according to State law. Existing wells located on the property will be capped.*

*Adjacent land uses include a cemetery (Acacia Cemetery), dog kennel, single family home and highways. The site will be buffered from the highway, as shown on the preliminary landscape plan (Exhibit I, Appendix 1). Plantings will also create a buffer between the townhomes and the cemetery.*

10. **Cover types.** Estimate the acreage of the site with each of the following cover types before and after development:

	<b>Before</b>	<b>After</b>
<i>Types 1-8 wetlands</i>	<u>0</u>	<u>0</u>
<i>Oak forest</i>	<u>0.1</u>	<u>0</u>
<i>Boxelder – green ash disturbed native forest</i>	<u>2.7</u>	<u>0</u>
<i>Medium tall grassland non-native</i>	<u>15.1</u>	<u>0</u>
<i>Short grasses on upland soils</i>	<u>2.1</u>	<u>0</u>
<i>Short grasses and mixed trees with 4-10% impervious surface</i>	<u>1.3</u>	<u>0</u>
<i>Short grasses and mixed trees with 11-25% impervious surface</i>	<u>4.1</u>	<u>0</u>
<i>Lawn/landscaping</i>	<u>0</u>	<u>11.1</u>
<i>Native grasses</i>	<u>0</u>	<u>1.6</u>
<i>Impervious surfaces</i>	<u>0</u>	<u>12.7</u>
<i>TOTAL</i>	<u>25.4</u>	<u>25.4</u>

If **Before** and **After** totals are not equal, explain why:

*Brush and grassland character of the vacant land will convert to development, landscaped yards and naturalized areas.*

11. **Fish, wildlife and ecologically sensitive resources**

- a. Identify fish and wildlife resources and habitats on or near the site and describe how they would be affected by the project. Describe any measures to be taken to minimize or avoid impacts.

*There are no fish or wildlife resources on the site. The Minnesota River Valley is near the site, but the project will have no impact on the fish and wildlife communities present there.*

- b. Are any state-listed (endangered, threatened or special concern) species, rare plant communities or other sensitive ecological resources such as native prairie habitat, colonial waterbird nesting colonies or regionally rare plant communities on or near the site?  Yes  No

If yes, describe the resource and how it would be affected by the project. Indicate if a site survey of the resources has been conducted and describe the results. If the DNR Natural Heritage and Nongame Research program has been contacted give the correspondence reference number:

*A search of the Minnesota Natural Heritage database conducted by the DNR that encompassed a one-mile radius of the area, indicated and provided information showing there are 50 known occurrences of rare species or natural communities in the area searched. The DNR stated that Standard construction practices (i.e. erosion control devices such as silt fence) should ensure that these features remain unaffected by the proposed project and related activity. Known occurrences of rare species or natural communities were based upon observations in the Minnesota National Wildlife Refuge and other nearby parkland. None of the occurrences were within the proposed project's boundaries. Please review response letter from the Minnesota Department of Natural Resources located in Appendix 2. The MnDNR Natural Heritage and Nongame Research Program Contact Number is ERDB 20030623.*

Describe measures to minimize or avoid adverse impacts.

*Install, maintain and repair silt fencing, rock construction entrance and sediment filters until construction is complete and new vegetation and surfacing is established.*

12. **Physical impacts on water resources.** Will the project involve the physical or hydrologic alteration — dredging, filling, stream diversion, outfall structure, diking, and impoundment — of any surface waters such as a lake, pond, wetland, stream or drainage ditch?  Yes  No

If yes, identify water resource affected and give the DNR Protected Waters Inventory number(s) if the water resources affected are on the PWI: . Describe alternatives considered and proposed mitigation measures to minimize impacts.

*A small type 3 wetland (2,000 sq.ft.) was identified on the site. The wetland does not appear to be natural and was likely created due to soil excavation (See Aquatic EcoSolutions report in Appendix 2.). This wetland is in the northwesterly corner of the site where the retention pond is proposed (for location see Exhibit C, Appendix 1) this wetland would in turn become part of the retention pond. The wetland does not show up on any wetland inventories. An exemption from the Wetland Conservation Act through Dakota County Board of Soil and Water Resources is in process.*

13. **Water use.** Will the project involve installation or abandonment of any water wells, connection to or changes in any public water supply or appropriation of any ground or surface water (including dewatering)?  Yes  No

If yes, as applicable, give location and purpose of any new wells; public supply affected, changes to be made, and water quantities to be used; the source, duration, quantity and purpose of any appropriations; and unique well numbers and DNR appropriation permit numbers, if known. Identify any existing and new wells on the site map. If there are no wells known on site, explain methodology used to determine.

*There are likely to be wells associated with the two existing residences that will need to be capped as shown on the well location maps in Appendix 3. The City's wells along Acacia Boulevard have been capped according to the City Engineer. The existing 6" watermain that runs through Pilot Knob Road will be the connection used for the proposed development. According to the City Engineer, the watermain connection has adequate capacity to support this proposed development. No dewatering will be necessary during construction (Preliminary utility plan is Exhibit G, Appendix 1).*

14. **Water-related land use management district.** Does any part of the project involve a shoreland zoning district, a delineated 100-year flood plain, or a state or federally designated wild or scenic river land use district?  Yes  No  
If yes, identify the district and discuss project compatibility with district land use restrictions.

15. **Water surface use.** Will the project change the number or type of watercraft on any water body?  Yes  No  
If yes, indicate the current and projected watercraft usage and discuss any potential overcrowding or conflicts with other uses.

16. **Erosion and sedimentation.** Give the acreage to be graded or excavated and the cubic yards of soil to be moved:  
acres 20; cubic yards 75,000. Describe any steep slopes or highly erodible soils and identify them on the site map. Describe any erosion and sedimentation control measures to be used during and after project construction.

*Steep slopes along the northwest portion of the project will either remain in place or graded to a 3:1 maximum (Exhibit E, Appendix 1). Fiber blanket will be required on the 3:1 slopes after grading. Temporary silt fence will encompass the entire site and be maintained throughout construction of site.*

17. **Water quality: surface water runoff**

a. Compare the quantity and quality of site runoff before and after the project. Describe permanent controls to manage or treat runoff. Describe any stormwater pollution prevention plans.

*Two stormwater quality ponds are proposed for this project (Exhibit E, Appendix 1). The first pond located in the northeasterly portion of the site treats runoff from 12 acres of the overall site 25 acres. The pond has been sized to meet water quality requirements of the Nationwide Urban Runoff Programs (NURP) standards and the quality of water leaving the pond should not be dissimilar to the pre-developed quality. The pond has dead storage in the amount of 0.8 acre feet below the normal water elevation. The required sediment (dead) storage is 0.7 acre feet based on the runoff from a 2.5 inch event over a curve number of 76 which is the calculated curve number for the site. The storm storage for this pond is one acre foot, which is adequate to retain water quantity to pre-developed rates.*

*The other pond is in the northwesterly corner of the site and receives runoff from 10.6 acres plus the routing of water from the pond in the northeasterly part of the project. This pond has sediment (dead) storage in the amount of 0.6 acre feet. The required storage to meet NURP requirements is 0.6 acre feet for runoff from a 2.5 inch event over curve number of 76. The pond has storm storage available in the amount of 1.2 acres feet. The outlet from this pond to storm sewer off site is designed to outlet at a lesser rate than the pre-developed condition for the overall site. The outlets of the ponds will be designed to skim off any floatables or oil that could end up in the ponds. The quality of water leaving the pond to MnDOT storm sewer should be treated sufficiently to not adversely affect downstream waters.*

b. Identify routes and receiving water bodies for runoff from the site; include major downstream water bodies as well as the immediate receiving waters. Estimate impact runoff on the quality of receiving waters.

*Stormwater will outlet from the northwesterly pond (Exhibit E, Appendix 1) to existing MnDOT storm sewer in the northwest portion of the site. The MnDOT storm sewer then discharges to an existing ponding area along the north side of Highway 13 immediately adjacent to the site. This ponding area, which also serves as a water quality pond, then discharges to wetlands within the flood plain of the Minnesota River. Since the runoff is treated through a series of water quality ponds, runoff impact to downstream wetlands should be negligible.*

18. **Water quality: wastewaters**

- a. Describe sources, composition and quantities of all sanitary, municipal and industrial wastewater produced or treated at the site.

*All domestic wastewater is generated from the proposed residential units. No restaurant or commercial wastes are proposed. A total of 43,018 gpd is projected for the site (157 units x 274 gpd).*

- b. Describe waste treatment methods or pollution prevention efforts and give estimates of composition after treatment. Identify receiving waters, including major downstream water bodies, and estimate the discharge impact on the quality of receiving waters. If the project involves on-site sewage systems, discuss the suitability of site conditions for such systems.

*No on-site systems are proposed.*

- c. If wastes will be discharged into a publicly owned treatment facility, identify the facility, describe any pretreatment provisions and discuss the facility's ability to handle the volume and composition of wastes, identifying any improvements necessary.

*Wastewater will be discharged into existing sanitary sewer that is treated at the St. Paul Metropolitan Wastewater Treatment Plant. The lift station (L-61) that supports the City of Mendota Heights wastewater currently is sized to handle a flow of 220,000 gal/per/day. Current lift station usage is 33,000 gal/per/day. The estimated capacity needed for the proposed project is 43,028 gal/per/day based on 157 units x 274 gal/per/day. Don Bluhm, Manager of Municipal Services in the Wastewater division of the Metropolitan Council, has stated that the long-term needs of the City of Mendota Heights would be nowhere near the total capacity of the system, and therefore appears to be enough capacity to serve the proposed project on the existing system.*

- d. If the project requires disposal of liquid animal manure, describe disposal technique and location and discuss capacity to handle the volume and composition of manure. Identify any improvements necessary. Describe any required setbacks for land disposal systems.

*N/A*

19. **Geologic hazards and soil conditions**

- a. Approximate depth (in feet) to ground water: 10 feet minimum >25 feet average to bedrock: 10 feet minimum >50 feet average

Describe any of the following geologic site hazards to ground water and also identify them on the site map: sinkholes, shallow limestone formations or karst conditions. Describe measures to avoid or minimize environmental problems due to any of these hazards.

*None known*

- b. Describe the soils on the site, giving NRCS (SCS) classifications, if known. Discuss soil granularity and potential for groundwater contamination from wastes or chemicals spread or spilled onto the soils. Discuss any mitigation measures to prevent such contamination.

*The soils on the site consist of glacial till and fine alluvium overlaying Decorah Shale. Soils vary from sandy lean clays to silty sand and sand. Granularity is high but groundwater contamination from the proposed land use is negligible (See Exhibit J, Appendix 1).*

20. **Solid wastes, hazardous wastes, storage tanks**

a. Describe types, amounts and compositions of solid or hazardous wastes, including solid animal manure, sludge and ash, produced during construction and operation. Identify method and location of disposal. For projects generating municipal solid waste, indicate if there is a source separation plan; describe how the project will be modified for recycling. If hazardous waste is generated, indicate if there is a hazardous waste minimization plan and routine hazardous waste reduction assessments.

*Solid waste consisting of scrap building materials (approximately 40 cubic yards per unit) will be generated during building construction. This waste will be hauled to the construction waste landfill in Inver Grove Heights.*

*According to EPA estimates household waste generation is 4.6 pounds per person per day. At 2.5 persons per household and 157 units, this equates to 330 tons annually for the development. The City of Mendota Heights requires that all residents contract with a licensed refuse hauler that also provides weekly curbside recycling service.*

b. Identify any toxic or hazardous materials to be used or present at the site and identify measures to be used to prevent them from contaminating groundwater. If the use of toxic or hazardous materials will lead to a regulated waste, discharge or emission, discuss any alternatives considered to minimize or eliminate the waste, discharge or emission.

*No toxic or hazardous materials will be used for the proposed development. The existing building that will be demolished will need to be checked for asbestos and disposed of accordingly.*

c. Indicate the number, location, size and use of any above or below ground tanks to store petroleum products or other materials, except water. Describe any emergency response containment plans.

*None know to exist.*

21. **Traffic.** Parking spaces added 54 off-street parking stalls, 310 individual garage stalls.

Existing spaces (if project involves expansion) 0

Estimated total average daily traffic generated 942

Estimated maximum peak hour traffic generated (if known) and time of occurrence 69 trips at 5 p.m.

**ADTs**

	<b><u>Existing (2001/2002)</u></b>	<b><u>Forecasted</u></b>
TH 55 on Mendota Bridge	40,000	40,471
TH 13 south of TH 110	3,319	3,884
TH 55 south of CSAH 31	26,909	27,050
TH 13 west of TH 55	8,728	8,775
TH 13 west of CSAH 31 (Pilot Knob)	6,969	7,016
CSAH 31 (Pilot Knob) south of TH 13	5,000	5,283
Acacia Blvd at TH 55 (4-lane)	1,450	2,015
CSAH 31 (Pilot Knob) south of Acacia Blvd	1,500	1,877

**Intersection Data**

TH 13 and TH 110 (PM Peak)	3,720 movements	3,767
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Provide an estimate of the impact on traffic congestion on affected roads and describe any traffic improvements necessary. If the project is within the Twin Cities metropolitan area, discuss its impact on the regional transportation system.

*Planned roadway connections to Valencour Circle provide loop road system and a temporary emergency connection is provided at the southeast corner for interim uses. The proposed project will have minimal impact on the regional transportation system as the number of new trips added to the regional roads is negligible in all cases.*

22. **Vehicle-related air emissions.** Estimate the effect of the project's traffic generation on air quality, including carbon monoxide levels. Discuss the effect of traffic improvements or other mitigation measures on air quality impacts. Note: If the project involves 500 or more parking spaces, consult *EAW Guidelines* about whether a detailed air quality analysis is needed.

*Traffic generation will have minimal impact to air quality. Low levels of traffic does not trigger EQB threshold for the study of air emissions. See response to question 21 for traffic volume forecasts.*

23. **Stationary source air emissions.** Describe the type, sources, quantities and compositions of any emissions from stationary sources of air emissions such as boilers, exhaust stacks or fugitive dust sources. Include any hazardous air pollutants (consult *EAW Guidelines* for a listing) and any greenhouse gases (such as carbon dioxide, methane, nitrous oxide) and ozone-depleting chemicals (chloro-fluorocarbons, hydrofluorocarbons, perfluorocarbons or sulfur hexafluoride). Also describe any proposed pollution prevention techniques and proposed air pollution control devices. Describe the impacts on air quality.

*N/A*

24. **Odors, noise and dust.** Will the project generate odors, noise or dust during construction or during operation?  Yes  No  
If yes, describe sources, characteristics, duration, quantities or intensity and any proposed measures to mitigate adverse impacts. Also identify locations of nearby sensitive receptors and estimate impacts on them. Discuss potential impacts on human health or quality of life. (Note: fugitive dust generated by operations may be discussed at item 23 instead of here.)

*Dust and noise normal to construction will occur as a result of this project. Dust will be controlled by watering during construction. Construction noise will be limited to daytime hours (7 a.m. to 8 p.m.) in accordance with the City of Mendota Heights general noise ordinance. There is currently one single family residence in the immediate vicinity of the proposed project.*

*The proposed project is located within the Metropolitan Airport Commission's 1996 65 dBA Day-Night Average Sound Level (DNL) contour and the 2005 64-60 DNL contour area. This is the same noise range as the Tangletown neighborhood in Minneapolis and the recently approved subdivision, Augusta Shores, located just across TH 55. The latest noise contour map is included as Exhibit K, Appendix 1. The proposed project is indicated on the map in red, below the word "Mendota".*

*All structures will be built with noise attenuation features as required in the City of Mendota Heights ordinance. The construction techniques for each townhome address the need for noise attenuation, both from overhead airplane flights, and adjacent truck and automobile noise from Highway 55. Special techniques in construction will involve high-grade windows with thicker glass panes and argon gas separation, as well as 2x6 sidewall construction, with additional installation layers. The ceilings will be insulated to higher levels and all venting and other openings will be baffled to reduce noise transmission. Sliding door, front doors, and garage doors will have additional features to minimize noise transmission. The homes will be air-conditioned and will include a fresh air exchange system to provide interior climate control. A noise consultant is being hired to design sound details of these buildings.*

25. **Nearby resources.** Are any of the following resources on or in proximity to the site?  
a. Archaeological, historical or architectural resources?  Yes  No

*The State Archeologist has stated that there are no indications that burial remains exist on the site. There is, however, anecdotal information indicating past activities on the top of Pilot Knob in Acacia Cemetery, which is approximately 1000 feet to the south and approximately 50-60 feet higher in elevation than the subject property. There is an historic marker located in Acacia Cemetery. As observed on aerial photographs and on-site, the parcel has been rather extensively impacted by previous construction/earth moving. See historical aerial photographs of the site dating from 1937 to 1997 located in Appendix 3, see letter from State Archeologist in Appendix 2.*

*Past improvements of realignments of TH 13, TH 110 and TH 55 have impacted the grades and reduced the size of the subject property (See MnDOT Existing Roadway map (1990) and MnDOT Proposed Layout Map (1990) and historical aerial photographs located in Appendix 3). In Appendix 2 is a report prepared by Gemini Research, "Dakota and Ojibwe Land Cession Treaty Site in Minnesota", that includes an analysis of Pilot's Knob. The report was completed and submitted to the Minnesota Historical Society in September 1990 before the TH 13, TH 110 and TH 55 realignment project, which lasted from July 1993 to August 1994, impacting land referred to in the Gemini report. Also included in Appendix 2 is the project bid summary for the Highway improvements.*

*The plan incorporates a commemorative open space, which replicates the historic hillside setting where treaties and agreements were negotiated. This area is also connected through trails to the upper Pilot Knob historical marker in the center turnaround.*

*During the course of various public hearings that preceded this discretionary EAW, various information was presented concerning the possibility that there is some historical significance to this 25 acre site. There has been no direct evidence that there is any historical significance to this site. The MnDOT EIS, which studied property adjacent to this site for the expansion of Trunk Highway 55, found no evidence to support any historical significance. Furthermore, during legislative hearings to select State Historical Sites in 1973, information was presented to support recognition of the "Pilot Knob" as a State Historical Site. The State Legislature declined to designate "Pilot Knob" as a State Historical Site. The information which the State Legislature found inadequate to support historical significance for this site in 1973 is what was presented to the Mendota Heights City Council in the recent public hearings.*

*Additional Research by the 106 Group Ltd.*

*During the months of February through June of 2003, The 106 Group Ltd., a cultural resources management firm, conducted an historical, cultural, and archaeological evaluation of the proposed The Bluffs of Mendota Heights (Bluffs) development project area. The purpose of this study was to determine if any portion of the development site contains previously recorded or unrecorded intact cultural, historical, or archaeological resources that may be eligible for listing on the National Register of Historic Places (NRHP). Because the project area was potentially contained within the boundaries of the area known as Pilot Knob, this study also included an evaluation of the eligibility of Pilot Knob for listing on the NRHP. The results of this research were presented in a report entitled A Historical, Cultural and Archaeological Evaluation and Determination of Eligibility of Pilot Knob for the Proposed "The Bluffs of Mendota Heights" Development, Mendota Heights, Dakota County, Minnesota completed in June of 2003.*

*Furthermore, the State Historic Preservation Office (SHPO) requested that there be an assessment made of the potential effects of the proposed Bluffs development on historic resources in and around Mendota Heights that are within the development's area of potential effect (APE) (B. Bloomberg to the City of Mendota Heights, January 6, 2003, on file at the SHPO). The purpose of this study was to determine the presence or absence of properties listed on, or determined eligible for listing on, the NRHP that might be impacted by the undertaking and to describe those effects, if any, to each property. A report entitled Assessment of Potential Effects of the Proposed "The Bluffs of Mendota Heights" Development, Mendota Heights, Dakota County, Minnesota that addressed the effects of the development on neighboring properties was included as an appendix to the historical, cultural, and archaeological report.*

*The results of these studies are summarized as follows:*

***Geographic Feature: Pilot Knob***

- *Pilot Knob meets the state criteria established for a geographic feature of historical and cultural significance.*
- *Pilot Knob is recommended as eligible for listing on the NRHP as a geographic feature of historical and cultural significance for its role as a landmark of cultural importance to the Dakota and a landmark during the period of exploration.*
- *The hill of Pilot Knob is approximately bounded to the north and east by Highway 55, to the south by Highway 13, and to the west by Old Highway 13.*

***Traditional Cultural Property***

- *Pilot Knob is known to the Dakota as OHEYAWAHE and PAHA OIPA, and to the Anishinaabe as SAGI AKI. OHEYAWAHE (Pilot Knob) is of cultural importance to the Dakota for its role as a sacred landmark at the confluence of the Mississippi and Minnesota Rivers.*
- *Due to these associations, OHEYAWAHE (Pilot Knob) is recommended as eligible for listing on the NRHP as a traditional cultural property (TCP) as well as a site.*

***Potential MDOTE Traditional Cultural District***

- *Pilot Knob's cultural significance as a landmark is linked to its geographical location at the confluence of the Minnesota and Mississippi Rivers.*
- *The area around the confluence of the Minnesota and Mississippi Rivers is known in the Dakota language alternately as MDOTE, meaning "the mouth or junction of one river with another" or BDOE, meaning "throat of the waters." For the Dakota, MDOTE is the center of the earth and the point of their creation.*
- *The MDOTE area contains a concentration of many properties of traditional cultural significance to the Dakota, including OHEYAWAHE (Pilot Knob) and the Dakota ceremonial ground where the 1851 Mendota Treaty was signed. It is recommended that OHEYAWAHE (Pilot Knob) together with other traditional sites in the area be considered contributing properties to a larger MDOTE Traditional Cultural District.*

***1851 Mendota Treaty Signing Site***

- *Pilot Knob has long been assumed to be the site of the 1851 Mendota Treaty. Historical research for this study indicated that the treaty was signed on a Dakota ceremonial gathering location on the terrace that is now occupied in part by St. Peter's Church, outside of the Bluffs project area.*
- *The terrace on which St. Peter's Church is located is recommended as eligible for the NRHP for its association with the event of the treaty signing.*

***Archaeology and Burials***

- *During the archaeological survey of the Bluffs development area, no archaeological sites or burials were identified within the proposed construction limits.*
- *Although no burials were encountered during the archaeological survey, it is possible for undetected burials to still exist within the project area. The 106 Group, therefore, recommends consultation with the State Archaeologist, Mark Dudzik, prior to any construction activities.*

### ***Effects to Nearby Historic Properties***

*An analysis of factors associated with the proposed development indicates that impacts to surrounding historic properties are limited to visual effects. Because the development property is located on a bluff edge above the confluence of the Mississippi and Minnesota Rivers, the visual effect of the property is widespread. Three NRHP listed properties and one NRHP-eligible property have been identified within the project's viewshed: the Mendota Historic District, the Fort Snelling Historic District, the Fort Snelling-Mendota Bridge, and Acacia Park Cemetery (eligible).*

#### ***Mendota Historic District***

- *The proposed development will not be visible from the Sibley, Faribault, and Dupuis Houses within the Mendota Historic District.*
- *St. Peter's Church is the only structure within the Mendota Historic District that is located within view of the proposed project. The development will not be visible from within the sanctuary.*

#### ***Fort Snelling Historic District***

- *The development will be visible from the towers of Fort Snelling and from the Department of Dakota structures located along Taylor Avenue.*
- *Due to heavy tree cover, the proposed development is not visible from the sites of Cantonment New Hope or Camp Coldwater in any season.*

#### ***Fort Snelling-Mendota Bridge***

- *The proposed development will not have a direct impact on the Fort Snelling-Mendota Bridge, but will be visible to eastbound traffic on the bridge.*

#### ***Acacia Park Cemetery***

- *A screen of trees limits the visual effect to Acacia Park Cemetery to the east edge of the cemetery north of Acacia Boulevard and the central plaza located at the west end of Acacia Boulevard.*

### ***Recommendations***

*The City of Mendota Heights should consult with the SHPO, OSA, and Dakota Communities regarding potential effects, appropriate treatment, and mitigation alternatives (See proposed Mitigation response in Section 6b).*

### ***Discussion of SHPO and OSA Opinions***

*The City of Mendota Heights has requested a resolution of the apparent conflict that exists between the information provided by the Office of the State Archaeologist (OSA) and the State Historic Preservation Office (SHPO) regarding the proposed The Bluffs of Mendota Heights (Bluffs) development project area (J. Danielson to R. Clark, letter, May 1, 2003).*

### ***OSA Communication***

*In December of 2000, the OSA was asked to provide comment on a proposed development for the Garron property located on the west side of Pilot Knob Road. The State Archaeologist responded, "there are no identified burial sites" in the project area (M. Dudzik to R. Lantzer, letter, December 1, 2000). Because no known burials were recorded in the then proposed development area, OSA further commented that "there are no burial-related contraindications to the project moving forward." It should be noted that this review was not conducted for the current development and only encompasses a portion of the proposed Bluffs development area.*

### ***SHPO Communication***

*In January of 2003, the SHPO contacted the City of Mendota Heights regarding the proposed Bluffs development (B. Bloomberg to City of Mendota Heights, January 6, 2003). The SHPO stated that "Pilot Knob is an important geographic feature in Minnesota history being the site of a major treaty signing and of long-standing significance to the Dakota Indians" and "the site is potentially eligible to*

*the National Register of Historic Places.” SHPO further commented that “intensive residential development on Pilot Knob would adversely affect Pilot Knob” and the city should “carefully consider the impacts of the proposed development on historic resources in and around Mendota Heights.”*

### **Roles of SHPO and OSA**

*The OSA is charged with the oversight of Minnesota’s archaeological sites and objects, including the authentication and protection of human burial sites. The letter from OSA only addresses burials, and their presence or absence, within the proposed 2000 Garron site project area. According to the files of the OSA, there are no known burials within the Garron property that would impede development. An area that does not contain burials, though, may be historically or culturally significant for other reasons. The SHPO is charged with the identification and preservation of Minnesota's important historic, cultural, and archaeological resources. While burials may not exist in the project area, the development site is part of Pilot Knob and the SHPO regards the area as an important feature in Minnesota history that is also of significance to the Dakota Indians.*

### **Conclusion**

*The comments of these two agencies have been perceived as contradictory, because the letter from the OSA indicates that a development project may move forward on the Garron property, while the letter from the SHPO identifies Pilot Knob as an important historic site and cautions against development. The findings of these letters, though, are not contradictory, but rather stem from the different roles of these two agencies. The OSA and SHPO letters address different aspects of the property’s potential significance (burials vs. cultural and historical significance) and therefore the results of their reviews differ.*

*The applicant took upon themselves to complete this extensive analysis of archeological and historical site significance. Copies of the full archeological report referenced above are available at City Hall and the Mendota Heights Public Library.*

b. Prime or unique farmlands or land within an agricultural preserve?  Yes  No

c. Designated parks, recreation areas or trails?  Yes  No

*A regional bike trail is located on the northwestern side of the site along Old Highway 13. West of Old Highway 13 is the Minnesota Valley National Wildlife Refuge and Recreation Area at the confluence of the Minnesota and Mississippi Rivers.*

*The regional trail will be connected into the neighborhood to provide recreational access to the future residents. The plan incorporates a variety of open spaces that are linked through a public trail system. The trail links the regional trail system at the west end of the site and traverses the slopes to the upper portion of the property. The commemorative open space, with water feature, limestone wall and observation area, replicates the historic hillside setting where treaties and agreements were said to be negotiated. The trail will also connect to the historical marker in the center turnaround.*

d. Scenic views and vistas?  Yes  No

*The site offers views of Fort Snelling, Downtown St. Paul, Downtown Minneapolis, and the confluence of the Minnesota and the Mississippi River valleys.*

*In order to preserve public access to these views, a commemorative open space with a water feature, limestone wall and observation area has been incorporated into the plan.*

e. Other unique resources?  Yes  No

If yes, describe the resource and identify any project-related impacts on the resource. Describe any measures to minimize or avoid adverse impacts.

26. **Visual impacts.** Will the project create adverse visual impacts during construction or operation? Such as glare from intense lights, lights visible in wilderness areas and large visible plumes from cooling towers or exhaust stacks?  Yes  No  
If yes, explain.

*There are none.*

27. **Compatibility with plans and land use regulations.** Is the project subject to an adopted local comprehensive plan, land use plan or regulation, or other applicable land use, water, or resource management plan of a local, regional, state or federal agency?  
 Yes  No. If yes, describe the plan, discuss its compatibility with the project and explain how any conflicts will be resolved. If no, explain.

*The site is guided High Density Residential and Medium Density Residential. The site is zoned part B-1a, part R-3 and part R-1. The proposed residential PUD brings the site into compliance with the City Mendota Heights Comprehensive Plan.*

28. **Impact on infrastructure and public services.** Will new or expanded utilities, roads, other infrastructure or public services be required to serve the project?  Yes  No. If yes, describe the new or additional infrastructure or services needed. (Note: any infrastructure that is a connected action with respect to the project must be assessed in the EAW; see *EAW Guidelines* for details.)

*Developer will rebuild the north end of Pilot Knob Road adjacent to Acacia Cemetery and widen it from a rural section to a standard urban city street.*

*Developer will construct the trail system, open spaces and historical feature referred to in question 6b. The City of Mendota Heights will maintain the parks and trails, while the Homeowners' Association will irrigate and maintain the sodded areas.*

*The proposed project is consistent with the City of Mendota Heights's recent Comprehensive Plan, which balances City growth with facility planning.*

*The City Police Chief, Fire Department Head Engineer, and the School District's Director of Curriculum all stated in conversation that this new development could easily be served with their existing facilities.*

29. **Cumulative impacts.** Minnesota Rule part 4410.1700, subpart 7, item B requires that the RGU consider the "cumulative potential effects of related or anticipated future projects" when determining the need for an environmental impact statement. Identify any past, present or reasonably foreseeable future projects that may interact with the project described in this EAW in such a way as to cause cumulative impacts. Describe the nature of the cumulative impacts and summarize any other available information relevant to determining whether there is potential for significant environmental effects due to cumulative impacts (*or discuss each cumulative impact under appropriate item(s) elsewhere on this form*).

*The proposed project will involve extending public roads and utilities to support the orderly redevelopment of housing in the area to the east of the project.*

30. **Other potential environmental impacts.** If the project may cause any adverse environmental impacts not addressed by items 1 to 28, identify and discuss them here, along with any proposed mitigation.

*There are none.*

31. **Summary of issues.** *Do not complete this section if the EAW is being done for EIS scoping; instead, address relevant issues in the draft Scoping Decision document, which must accompany the EAW.* List any impacts and issues identified above that may require further investigation before the project is begun. Discuss any alternatives or mitigative measures that have been or may be considered for these impacts and issues, including those that have been or may be ordered as permit conditions.

*The developer does not believe there are any issues or impacts that may require further investigation.*

**RGU CERTIFICATION.** The Environmental Quality Board will only accept **SIGNED** Environmental Assessment Worksheets for public notice in the EQB Monitor.

**I hereby certify that:**

- The information contained in this document is accurate and complete to the best of my knowledge.
- The EAW describes the complete project; there are no other projects, stages or components other than those described in this document, which are related to the project as connected actions or phased actions, as defined at Minnesota Rules, parts 4410.0200, subparts 9b and 60, respectively.
- Copies of this EAW are being sent to the entire EQB distribution list.

Signature

Date

Title

**Environmental Assessment Worksheet** was prepared by the staff of the Environmental Quality Board at Minnesota Planning. For additional information, worksheets or for *EAW Guidelines*, contact: Environmental Quality Board, 658 Cedar St., St. Paul, MN 55155, 651-296-8253, or [www.mnplan.state.mn.us](http://www.mnplan.state.mn.us)

## APPENDIX 1

## APPENDIX 2

## APPENDIX 3