

FINAL AUAR ORDER

ALTERNATIVE URBAN AREAWIDE REVIEW

Kelzer Property Data Center

Location: Site northwest of the intersection of Highway 212 and Engler Blvd in Chaska

Responsible Governmental Unit (RGU): City of Chaska

	RGU	Proposer
Contact person(s)	City of Chaska Elizabeth Hanson	CloudHQ Brett Burnette
Title	City Planner	Development Manager
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As the Responsible Governmental Unit (RGU), the City of Chaska has determined that an Alternative Urban Areawide Review (AUAR) is required for the proposed redevelopment of the site northwest of the intersection Highway 212 and Engler Blvd in Chaska. The project is proposed by CloudHQ. This document constitutes an order for review.

The notice of availability of the Draft AUAR Order and Scoping Document was published in the Minnesota Environmental Quality Board's *EQB Monitor* on June 7, 2022. The Scoping Document, included as Attachment A, was available for review and comment as part of the AUAR process as described in Minnesota Rules, part 4410.3610, subpart 5a. The 30-day comment period began on June 7, 2022 and closed at 4:00 PM on July 7, 2022.

During the public comment period, comments were received from six government agencies and are included in Attachment B.

Pursuant to Minnesota Rules, part 4410.3610, subpart 5a(C), the purpose of the comments on a Scoping Document for an AUAR is to suggest additional development scenarios and relevant issues to be analyzed in the review. Comments may suggest alternatives to the specific large project or projects proposed to be included in the review, including development at sites outside of the proposed geographic boundary. The comments must provide reasons why a suggested development scenario or alternative to a specific project is potentially environmentally superior to those identified in the RGU's draft order. Responses to the comments received are included in Attachment C.

The study area and development scenarios to be evaluated in the AUAR are described below.

AUAR Study Area

The AUAR study area encompasses approximately 72.3 acres, including 2 parcels, located northwest of the intersection Highway 212 and Engler Blvd, in Chaska, Carver County, Minnesota (see Figure 1).

Figure 1: AUAR Study Area



Development Scenarios

Two scenarios are proposed for evaluation in the AUAR as outlined in Table 1. Scenario 1 includes multiple buildings for a total of 500,00 square feet of proposed industrial development (see Figure 2). Scenario 2 includes up to 1.8 million square feet of proposed industrial development (see Figure 3).

Table 1: AUAR Development Scenarios

Component	Scenario 1	Scenario 2
Industrial (square feet)	500,000	1.8 million
Total Project Area (acres)	72.3 acres	72.3 acres

Figure 2: AUAR Scenario 1



Figure 3: AUAR Scenario 2



ATTACHMENT A

Kelzer Property AUAR

SCOPING DOCUMENT

JUNE 2022

PREPARED FOR:



City of Chaska

PREPARED BY:

Kimley»»Horn



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Scoping Document

This EAW form is being used to delineate the issues and analyses to be reviewed in an Alternative Urban Areawide Review (AUAR). Where the AUAR guidance provided by the Minnesota Environmental Quality Board (EQB) indicates that an AUAR response should differ notably from what is required for an EAW, the guidance is noted in *italics*.

Note to reviewers: Comments must be submitted to the Responsible Governmental Unit (RGU) during the 30-day comment period following notice of the Scoping Document in the *EQB Monitor*.

1. PROJECT TITLE

Kelzer Property AUAR

2. PROPOSER

Proposer: CloudHQ

Contact Person: Brett Burnette

Title: Development Manager

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City, State, ZIP: Washington D.C. 20005

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3. RGU

RGU: City of Chaska

Contact Person: Elizabeth Hanson, AICP

Title: City Planner

Address: 1 City Hall Plaza

City, State, ZIP: Chaska, MN 55318

Phone: 952-448-9200

Email: EHanson@chaskamn.com



4. REASON FOR PREPARATION

AUAR Guidance: Not applicable to an AUAR.

5. PROJECT LOCATION

County: Carver

City/Township: Chaska

PLS Location (¼, ¼, Section, Township, Range): ¼ NW, ¼ SW, Section 31, Township 116N, Range 23W; ¼ NE, ¼ SW, Section 31, Township 116N, Range 23W; ¼ SW, ¼ NW, Section 31, Township 116N, Range 23W

Watershed (81 major watershed scale): Lower Minnesota River

Tax Parcel Number: 300311090 and 300311010

At a minimum, attach each of the following to the AUAR:

- **US Geological Survey 7.5 minute, 1:24,000 scale map indicating project boundaries** (see Figure 1)

Map depicting the boundaries of the AUAR and any subdistricts used in the AUAR analysis (see Figure 2 through Figure 4)

Cover type map as required for Item 7 (see Figure 5)

- **Land use and planning and zoning maps as required in conjunction with Item 9** (see Figure 6 and Figure 7)

Figure 1: USGS Map

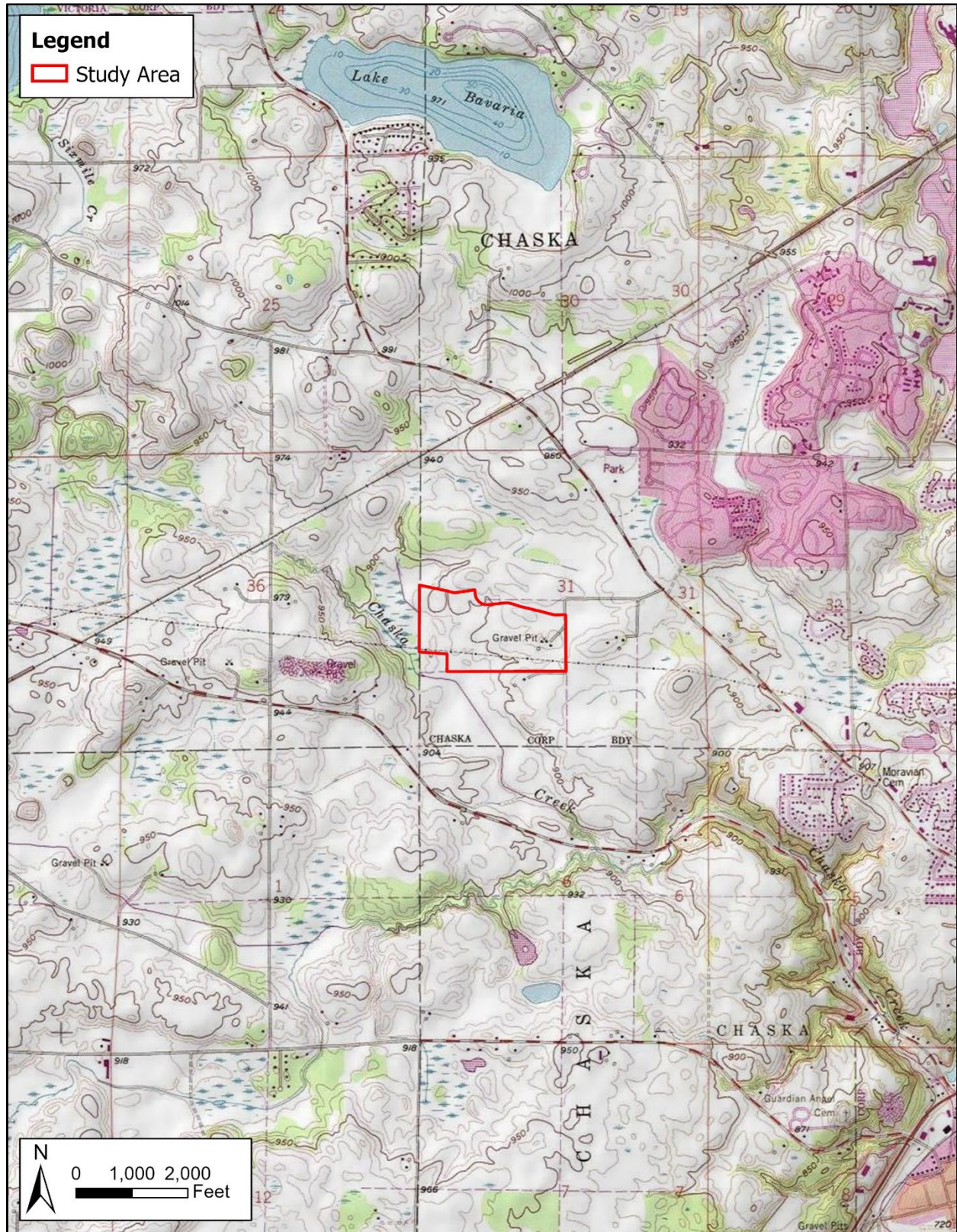




Figure 2: AUAR Study Area





6. PROJECT DESCRIPTION

AUAR Guidance: Instead of the information called for on the EAW form, the description section of an AUAR should include the following elements for each major development scenario included:

- *Anticipated types and intensity (density) of residential and commercial/warehouse/light industrial development throughout the AUAR area.*
- *Infrastructure planned to serve development (roads, sewers, water, stormwater system, etc.). Roadways intended primarily to serve as adjoining land uses within an AUAR area are normally expected to be reviewed as part of an AUAR. More “arterial” types of roadways that would cross an AUAR area are an optional inclusion in the AUAR analysis; if they are included, a more intensive level of review, generally including an analysis of alternative routes, is necessary.*
- *Information about the anticipated staging of various developments, to the extent known, and of the infrastructure, and how the infrastructure staging will influence the development schedule.*

The AUAR study area encompasses an area totaling approximately 72.3 acres on two parcels in the City of Chaska, Carver County, Minnesota (shown on Figure 2). CloudHQ is proposing to redevelop the study area from existing agriculture to industrial uses.

Redevelopment of the study area would include new infrastructure, including water service, sewer, stormwater, streets, and utilities, and most of the new services would be extensions to existing infrastructure or upgrading existing systems to support the new land uses.

Two scenarios are proposed for evaluation in the AUAR as outlined in Table 1. Scenario 1 includes multiple buildings for a total of 500,00 square feet of proposed industrial development (see Figure 3). Scenario 2 includes up to 1.8 million square feet of proposed industrial development (see Figure 4). The proposed development within the AUAR study area is anticipated to start in 2023 and will be constructed over multiple phases over the next several years, depending on the market. A general development timeline and phasing will be discussed in the AUAR.

The intent of the AUAR is to recognize the worst-case potential impacts and identify mitigation measures that may be taken to compensate for those impacts. Redevelopment of the study area would include new infrastructure, including water service, sewer, stormwater, streets, and utilities. All of these new services would be extensions to existing infrastructure or upgrading existing systems to support the new land development.

A more detailed discussion of infrastructure needs will be included in the AUAR.

Table 1: Development Scenarios

Component	Scenario 1	Scenario 2
Industrial (square feet)	500,00	1.8 million
Total Project Area (acres)	72.3 acres	72.3 acres



Figure 3: Development Scenario 1





Figure 4: Development Scenario 2





7. COVER TYPES

AUAR Guidance: The following information should be provided:

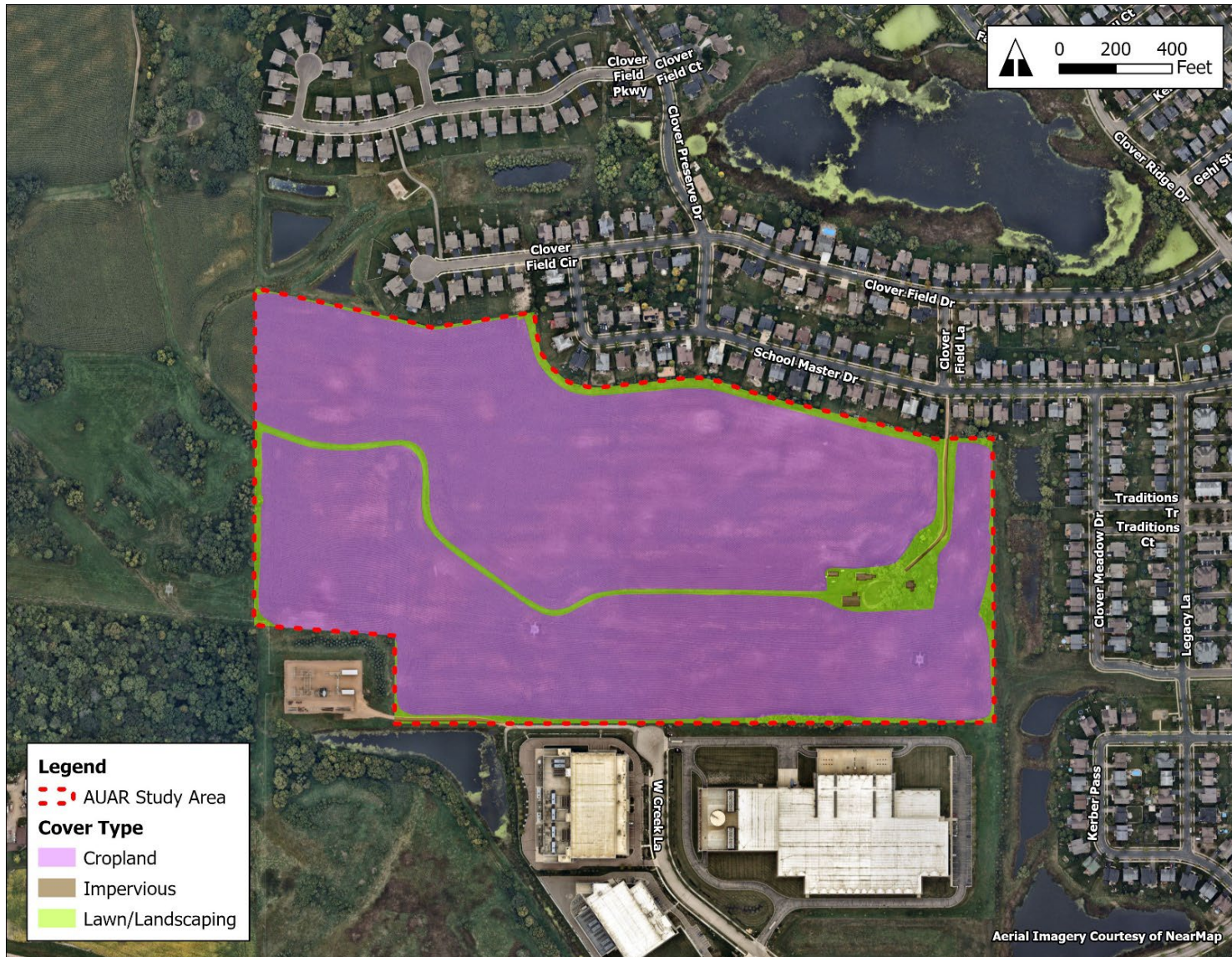
- *A cover type map, at least at the scale of a USGS topographic map, depicting:
 - *Wetlands (identified by Circular 39 type)*
 - *Watercourses (rivers, streams, creeks, ditches)*
 - *Lakes (identify public waters status and shoreland management classification)*
 - *Woodlands (break down by classes where possible)*
 - *Grassland (identify native and old field)*
 - *Cropland*
 - *Current development**

- *An overlay map showing anticipated development in relation to the cover types. This map should also depict any “protection areas,” existing or proposed, that will preserve sensitive cover types. Separate maps for each major development scenario should be generally provided.*

The AUAR study area is approximately 72.3 acres of residential and rural land. Currently, the study area is largely being used for agricultural purposes. There are four existing residential buildings and structures within the study area. The AUAR will include an analysis of proposed and existing cover types within the study area that are shown on Figure 5 and were determined by reviewing 2021 aerial photography.



Figure 5: Cover Types





8. PERMITS AND APPROVALS REQUIRED

AUAR Guidance: A listing of major approvals (including any comprehensive plan amendments and zoning amendments) and public financial assistance and infrastructure likely to be required by the anticipated types of development projects should be given for each major development scenario. This list will help orient reviewers to the framework that will protect environmental resources. The list can also serve as a starting point for the development of the implementation aspects of the mitigation plan to be developed as part of the AUAR.

Table 2: Anticipated Permits and Approvals

Unit of Government	Type of Application	Status
Federal		
US Army Corps of Engineers	Section 404 Permit	To be applied for, if applicable
State		
Minnesota Pollution Control Agency	Section 401 Water Quality Certification	To be applied for, if applicable
	National Pollutant Discharge Elimination System Stormwater Permit for Construction Activities	To be applied for, if applicable
	Sanitary Sewer Extension Permit	To be applied for, if applicable
	Construction Contingency Plan and Response Action Plan approval	To be applied for, if applicable
Minnesota Department of Natural Resources	Temporary Groundwater Appropriation Permit for Construction Dewatering	To be applied for, if applicable
Minnesota Department of Health	Water Main Installation Permit	To be applied for, if applicable
Regional		
Metropolitan Council	Sewer Connection/Extension Permit	To be applied for, if applicable
County		
Carver County	Building Permit	To be applied for, if applicable
	Application for Water Management Rules Conformance and Approval	To be applied for, if applicable
City		
City of Chaska	Preliminary/Final Plat	To be applied for, if applicable
	Land Use/Development Application	To be applied for, if applicable
	Building Permit	To be applied for, if applicable
	Demolition Permit	To be applied for, if applicable
	AUAR Approval	In process



9. LAND USE

a. Describe:

i. Existing land use of the site as well as areas adjacent to and near the site, including parks, trails, and prime or unique farmlands.

The AUAR study area consists of two existing parcels. The larger parcel comprises the majority of the study area and is approximately 70.7 acres consisting of agricultural land and a roadway. The smaller parcel is approximately 1.6 acres and consists of a residence and associated outbuildings (see Figure 6). The residence is located in the east-central portion of the study area.

The study area is generally bounded by W Creek Lane to the south, Clover Meadow Drive to the east, Schoolmaster Drive to the north, and the Chaska city municipal boundary to the west. Residential land surrounds the property on the northern and eastern sides, with an industrial development to the south, and agricultural land and wooded areas to the west.

There are no existing parks or trails within or adjacent the study area. According to the Natural Resources Conservation Service (NRCS), 95.3 percent of the study area is considered prime farmland or prime farmland if drained (see Table 4).

ii. Planned land use as identified in comprehensive plans (if available) and any other applicable plan for land use, water, or resource management by a local, regional, state, or federal agency.

Chaska 2040 Comprehensive Plan

The study area is identified as business park 2040 future land use with anticipated phasing in 2021-2030¹.

Carver County 2040 Comprehensive Plan

The Carver County 2040 Comprehensive Plan² is an update of the 2030 Comprehensive Plan, which was adopted in the year 2010. This plan is used to guide the County's housing, transportation, county facilities, parks, and land use planning over the next 20 years. Chaska is classified as suburban edge community. Communities with the suburban edge classification includes areas managing rapid growth and change. These areas have significant amounts of land for future development. Primary concerns in suburban edge communities include protecting water supplies and preserving open space.

¹ Source: City of Chaska 2040 Comprehensive Plan. Available at: <https://chaskamn.com/DocumentCenter/View/2624/Appendix-A-Anticipated-Development-Phasing-2018-to-2040-PDF>

² Source: Carver County 2040 Comprehensive Plan. Available at: <https://www.co.carver.mn.us/home/showpublisheddocument/19425/637194393883230000>



iii. Zoning, including special districts or overlays such as shoreland, floodplain, wild and scenic rivers, critical area, agricultural preserves, etc.

AUAR Guidance: Water-related land use management districts should be delineated on appropriate maps, and the land use restrictions applicable in those districts should be described. If any variances or deviations from these restrictions within the AUAR area are envisioned, this should be discussed.

Existing Zoning

The two parcels are currently zoned PID 07, Planned Industrial Development (see Figure 7). According to Chaska’s city code³, Planned Industrial Development districts are primarily intended for industrial and related uses of a generally “clean and quiet” nature can be developed and operated in a high-quality physical environment. Permitted uses include manufacturing, fabrication, and packaging of goods, wholesaling, research, office and administrative facilities, and retail commercial facilities.

Any new development, redevelopment, change in land use, or change in zoning is required to be consistent with the current City’s Comprehensive Plan.

Shoreland Overlay District

The City’s shoreland overlay district⁴ covers the Chaska Creek, which is located within 200 feet of the study area (see Figure 9). This overlay zoning district was established to preserve and enhance the quality of surface waters and the economic values of shoreland areas within the city and to comply with the requirements of state law regarding the management of shoreland areas. See Table 3 for the overlay zoning district requirements for development near Chaska Creek.

Table 3: Shoreland Overlay District Development Requirements

Requirement	
Lot area	20,000 square feet
Water frontage and lot width at building line	100 feet
Structure setback from Ordinary High Water Mark	75 feet
Structure setback from roads and highways	30 feet for municipal/private 50 feet for federal/state/county
Maximum lot area covered by impervious surface	30%
Sewage system setback from Ordinary High Water Mark	50 feet

³ Source: City of Chaska Zoning Code. Available at: [https://chaska.municipalcodeonline.com/book?type=zoning#name=15.12.020_R - Rural](https://chaska.municipalcodeonline.com/book?type=zoning#name=15.12.020_R_-_Rural)

⁴ Source: City of Chaska Zoning Code. Available at: https://chaska.municipalcodeonline.com/book?type=zoning#name=15.24_Shoreland_Management



FEMA National Flood Hazard

According to the Federal Emergency Management Agency's (FEMA's) Flood Insurance Rate Map (panel numbers 27019C0217D and 27019C0209D, effective 12/21/2018), the AUAR study area is located in an area of minimal flood hazard and not located within a FEMA 100-year floodplain.

b. Discuss the project's compatibility with nearby land uses, zoning, and plans listed in Item 9a above, concentrating on implications for environmental effects.

AUAR Guidance: The extent of conversion of existing farmlands anticipated in the AUAR should be described. If any farmland will be preserved by special protection programs, this should be discussed.

If development of the AUAR will interfere or change the use of any existing designated parks, recreation areas, or trails, this should be described in the AUAR. The RGU may also want to discuss under this item any proposed parks, recreation areas, or trails to be developed in conjunction with development of the AUAR area.

The AUAR must include a statement of certification from the RGU that its comprehensive plan complies with the requirements set out at Minnesota Rules, part 4410.3610, subpart 1. The AUAR document should discuss the proposed AUAR area development in the context of the comprehensive plan. If this has not been done as part of the responses to Items 6, 9, 11, 18, and others, it must be addressed here; a brief synopsis should be presented here if the material has been presented in detail under other items. Necessary amendments to comprehensive plan elements to allow for any of the development scenarios should be noted. If there are any management plans of any other local, state, or federal agencies applicable to the AUAR area, the document must discuss the compatibility of the plan with the various development scenarios studied, with emphasis on any incompatible elements.

The AUAR will discuss the project's compatibility with nearby land uses, zoning, parks and trails, and other relevant plans. The AUAR will also include a statement of certification from the RGU that its comprehensive plan complies with the requirements set out at Minnesota Rules, part 4410.3610, subpart 1.

c. Identify measures incorporated into the proposed project to mitigate any potential incompatibility as discussed in Item 9b above.

The proposed development scenarios are anticipated to be compatible with planned land use in the project vicinity. The AUAR will identify measures to mitigate any potential incompatibilities.

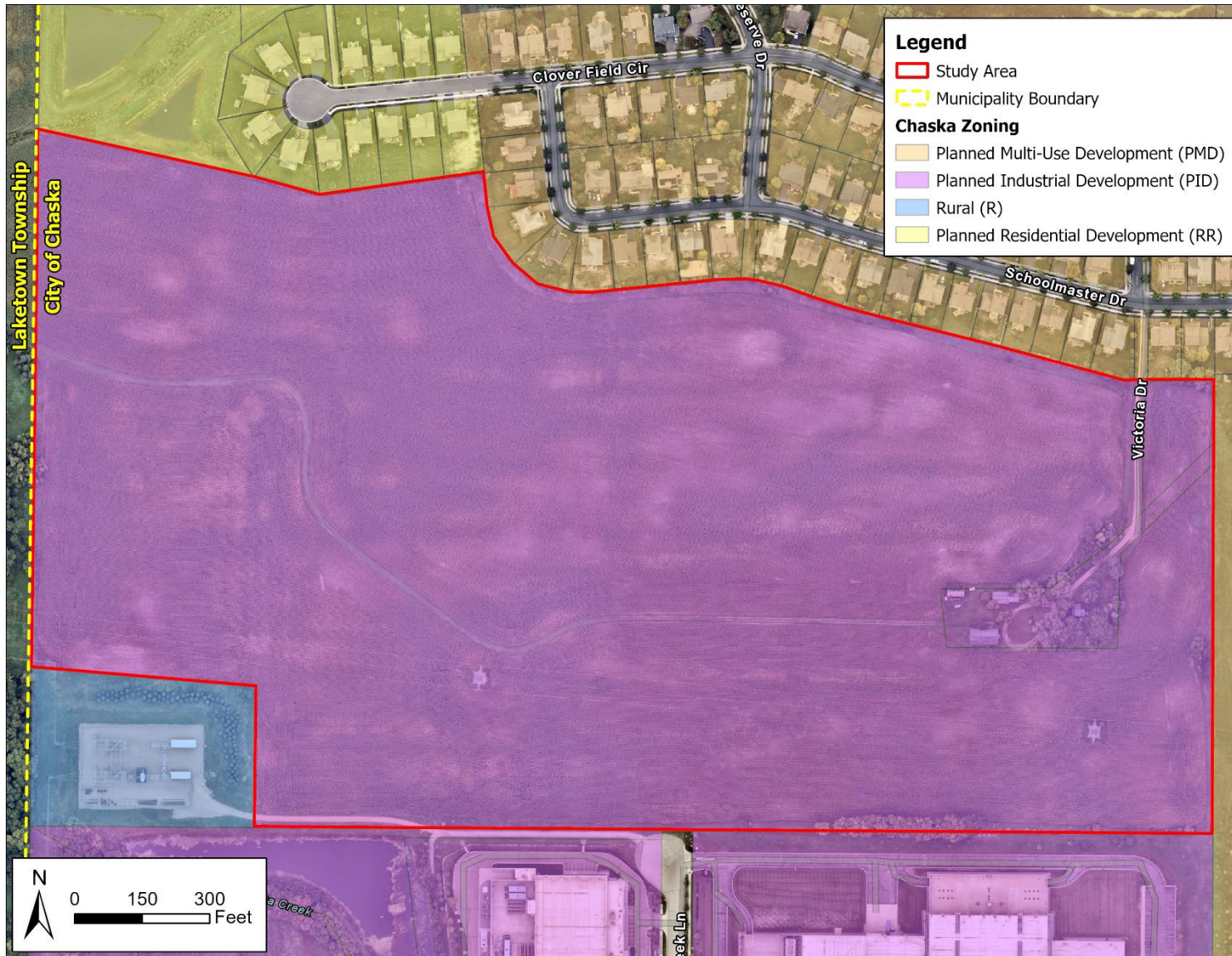


Figure 6: Existing Land Use





Figure 7: Existing Zoning Map





10. GEOLOGY, SOILS, AND TOPOGRAPHY/LAND FORMS

- a. Geology – Describe the geology underlying the project area and identify and map any susceptible geologic features such as sinkholes, shallow limestone formations, unconfined/shallow aquifers, or karst conditions. Discuss any limitations of these features for the project and any effects the project could have on these features. Identify any project designs or mitigation measures to address effects to geologic features.**

AUAR Guidance: A map should be included to show any groundwater hazards identified.

Based on a geotechnical report completed for the study area in January 2022, the AUAR study area lies above Paleozoic bedrock. The bedrock formation generally lies within the lower Ordovician system, which consists of dolostone, sandy to silty dolostone, and sandstone, include the Shakopee formation, and Oneota dolomite of the Prairie du Chien Group. The depth to bedrock in the study area vicinity ranges from 100 feet to 200 feet below the existing grade.

Groundwater is present at approximately 4 to 12 feet below the existing grade. Based on the Geotechnical Report, the AUAR study area may be underlain by two types of groundwater: perched and a water table aquifer. Due to the results of the geotechnical report, additional testing including the installation of temporary groundwater monitoring wells at the study area is recommended. Test pit excavations should also be considered particularly in areas requiring over-excavation that will extend below observed groundwater levels. Test pits should also be considered in areas where the borings encountered sandy soils and higher groundwater elevations.

There are no known sinkholes, unconfined/shallow aquifers, or karst conditions located within the AUAR study area.

No further analysis for geology and soils will be included in the AUAR.⁵

- b. Soils and Topography – Describe the soils on the site, giving NRCS (SCS) classifications and descriptions, including limitations of soils. Describe topography, any special site conditions relating to erosion potential, soil stability, or other soil limitations, such as steep slopes or highly permeable soils. Provide estimated volume and acreage of soil excavation and/or grading. Discuss impacts from project activities (distinguish between construction and operational activities) related to soils and topography. Identify measures during and after project construction to address soil limitations including stabilization, soil corrections, or other measures. Erosion/sedimentation control related to stormwater runoff should be addressed in response to Item 11.b.ii.**

AUAR Guidance: The number of acres to be graded and number of cubic yards of soil to be moved need not be given; instead, a general discussion of the likely earthmoving needs for development of the area should be given, with an emphasis on unusual or problem areas. In

⁵ The following additional sources were consulted for this section: Carver County Geologic Atlas (geologic atlas), Minnesota Well Index, and the Carver County Soil Survey.



discussing mitigation measures, both the standard requirements of the local ordinances and any special measures that would be added for AUAR purposes should be included. A standard soils map for the area should be included.

According to the Natural Resources Conservation Service (NRCS) Web Soil, the area is comprised of 12 different soil types. Soil information is included in Table 4 and Figure 8.

Topography within the study area varies from 884 feet in elevation in the west and south portions of the site to 924 feet in elevation in the southeast portion of the site. The site generally drains from the north and northeast to the southwest, towards Chaska Creek. The AUAR will include a general discussion of the likely earthmoving needs for the development and identify measures to minimize erosion and identify short-term and long-term establishment and erosion control plans that account for seasonal changes and comply with permit conditions.

Any additional information provided by the developer will be utilized to supplement the information provided above.

Table 4: Soil Types

Map Unit Symbol	Soil Type	Farmland Classification	Acres within Study Area	Percent of Site
CW	Cordova-Webster complex	Prime farmland if drained	12.8	17.7%
EB	Estherville sandy loam, 2 to 6 percent slopes	Farmland of statewide importance	1.0	1.4%
EB2	Estherville sandy loam, 2 to 6 percent slopes, eroded	Farmland of statewide importance	15.4	21.3%
HC2	Estherville-Hawick sandy loams, 6 to 12 percent slopes, eroded	Not prime farmland	3.4	4.7%
KB	Kilkenny-Lester loams, 2 to 6 percent slopes	All areas are prime farmland	5.1	7.0%
KB2	Lester-Kilkenny loams, 2 to 6 percent slopes, eroded	All areas are prime farmland	17.4	24.1%
KC2	Lester-Kilkenny complex, 6 to 10 percent slopes, moderately eroded	Farmland of statewide importance	0.9	1.2%
MK	Muskego and Houghton soils, 0 to 1 percent slopes	Farmland of statewide importance	4.4	6.1%
PM	Klossner muck, 0 to 1 percent slopes	Farmland of statewide importance	7.3	10.1%
TB	Terril loam, 2 to 6 percent slopes	All areas are prime farmland	<0.1	<0.1%



Map Unit Symbol	Soil Type	Farmland Classification	Acres within Study Area	Percent of Site
WA	Wadena loam, 0 to 2 percent slopes	All areas are prime farmland	3.4	4.7%
WB	Wadena loam, 2 to 6 percent slopes	All areas are prime farmland	1.2	1.7%
Total			72.3	100%



Figure 8: Soil Types





11. WATER RESOURCES

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

a. Describe surface water and groundwater features on or near the site below.

- i. Surface Water – lakes, streams, wetlands, intermittent channels, and county/judicial ditches. Include any special designations such as public waters, trout stream/lake, wildlife lakes, migratory waterfowl feeding/resting lake, and outstanding resource value water. Include water quality impairments or special designations listed on the current MPCA 303d Impaired Waters List that are within one mile of the project. Include DNR Public Waters Inventory number(s), if any.**

There are no designated trout streams a mile of the study area.

In 2017, Kimley-Horn delineated aquatic resources within the AUAR study. In total, five wetlands totally approximately 2.42 acres, one channel, and one drainage swale were delineated. The AUAR will include a discussion of the findings of the wetland delineation and a summary of the wetland delineation report.

There are six DNR Public Water Basins within one mile of the AUAR study area. The AUAR will further investigate DNR Public Water Basins located in the vicinity of the AUAR study area.

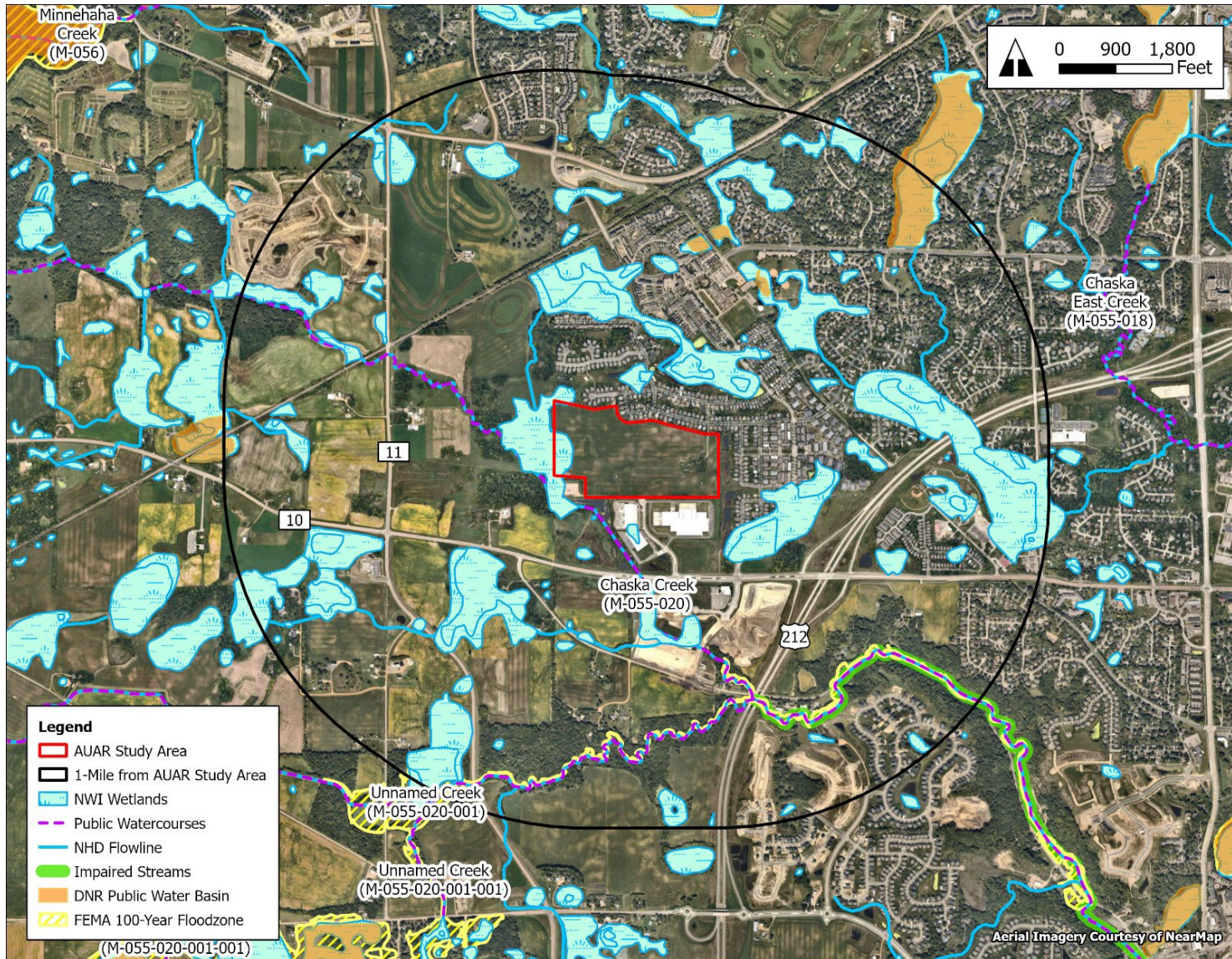
Chaska Creek extends approximately northwest-southeast and is located to the west and south of the study area. At the nearest point, Chaska Creek is located within 200 feet of the study area. Chaska Creek is identified within the Minnesota Pollution Control Agency’s (MPCA) Part 303d impaired waters list with fish bioassessments and benthic macroinvertebrate bioassessments impairments (see Figure 9).

The project site is located within the Lower Minnesota River Watershed.

Drainage from the project area flows south-southwest towards Chaska Creek, which is located to the south and west of the study area.



Figure 9: Water Resources





- ii. **Groundwater – aquifers, springs, and seeps. Include 1) depth to groundwater; 2) if project is within a MDH well protection area; and 3) identification of any onsite and/or nearby wells, including unique numbers and well logs, if available. If there are no wells known on site or nearby, explain the methodology used to determine this.**

According to the Minnesota Department of Natural Resource (DNR) Minnesota Hydrology Atlas, the depth to groundwater within the AUAR study area is 0 to 20 feet below the surface.

Based on the Minnesota Department of Health’s Minnesota Well Index, there is one domestic well located within the AUAR study area:

- Use: Domestic, Minnesota Unique Well Number: 191327, Static Water Level: 120 feet, Depth: 260 feet, Date Completed: August 1983.

The AUAR study area is located within the Chaska South drinking water supply management area and majority of the study area is located within a wellhead protection area. The AUAR will further investigate drinking water supply management areas as well as wellhead protection areas located in the vicinity of the AUAR study area.

b. Describe effects from project activities on water resources and measures to minimize or mitigate the effects below.

- i. **Wastewater – For each of the following, describe the sources, quantities, and composition of all sanitary, municipal/domestic, and industrial wastewaters projected or treated at the site.**

AUAR Guidance: Observe the following points of guidance in an AUAR:

- *Only domestic wastewater should be considered in an AUAR—industrial wastewater would be coming from industrial uses that are excluded from review through an AUAR process*
- *Wastewater flows should be estimated by land use subareas of the AUAR area; the basis of flow estimates should be explained*
- *The major sewer system features should be shown on a map and the expected flows should be identified*
- *If not explained under Item 6, the expected staging of the sewer system construction should be described*
- *The relationship of the sewer system extension to the RGU’s comprehensive sewer plan and (for metro area AUARs) to Metropolitan Council regional systems plans, including MUSA expansions, should be discussed. For non-metro area AUARs, the AUAR must discuss the capacity of the RGU’s wastewater treatment system compared to the flows from the AUAR area; any necessary improvements should be described.*



- *If on-site systems will serve part of the AUAR, the guidance in the February 2000 edition of the EAW Guidelines on page 16 regarding item 18b under Residential development should be followed.*

1) If the wastewater discharge is to a publicly owned treatment facility, identify any pretreatment measures and the ability of the facility to handle the added water and waste loadings, including any effects on, or required expansion of, municipal wastewater infrastructure.

The AUAR study area is located within the Metropolitan Urban Service Area. It is assumed that sanitary sewer service for the AUAR study area will be provided by existing City sanitary sewer connections in the area, which will be shown on a map. No land uses that would generate wastewater requiring pretreatment are anticipated in the AUAR study area.

The AUAR will evaluate the estimated wastewater flows for the proposed development scenarios, and the existing City sanitary sewer system will be evaluated to determine if there is adequate capacity to convey wastewater. Appropriate mitigation measures or system improvements will be identified, if needed.

2) If the wastewater discharge is to a subsurface sewage treatment system (SSTS), describe the system used, the design flow, and suitability of site conditions for such a system.

No subsurface sewage treatment systems (SSTS) are anticipated within the AUAR study area for either development scenario.

3) If the wastewater discharge is to surface water, identify the wastewater treatment methods, discharge points, and proposed effluent limitations to mitigation impacts. Discuss any effects to surface or groundwater from wastewater discharges.

No wastewater discharge to surface waters is anticipated for either development scenario.

ii. Stormwater – Describe the quantity and quality of stormwater runoff at the site prior to and post construction. Include the routes and receiving water bodies for runoff from the site (major downstream water bodies as well as the immediate receiving waters). Discuss any environmental effects from stormwater discharges. Describe stormwater pollution prevention plans including temporary and permanent runoff controls and potential BMP site locations to manage or treat stormwater runoff. Identify specific erosion control, sedimentation control, or stabilization measures to address soil limitations during and after project construction.

AUAR Guidance: For an AUAR the following additional guidance should be followed in addition to that in EAW Guidelines:



- *It is expected that an AUAR will have a detailed analysis of stormwater issues*
- *A map of the proposed stormwater management system and of the water bodies that will receive stormwater should be provided*
- *The description of the stormwater systems would identify on-site and “regional” detention ponding and also indicate whether the various ponds will be new water bodies or converted existing ponds or wetlands. Where on-site ponds will be used but have not yet been designed, the discussion should indicate the design standards that will be followed.*
- *If present in or adjoining the AUAR area, the following types of water bodies must be given special analyses:*
 - *Lakes: Within the Twin Cities metro area, a nutrient budget analysis must be prepared for any “priority lake” identified by the Metropolitan Council. Outside of the metro area, lakes needing a nutrient budget analysis must be determined by consultation with the MPCA and DNR staffs.*
 - *Trout streams: If stormwater discharges will enter or affect a trout stream, an evaluation of the impacts on the chemical composition and temperature regime of the stream and the consequent impacts on the trout population (and other species of concern) must be included.*

The existing impervious surface area within the study area totals approximately 0.4 acres. The total amount of impervious surface under the development scenarios will be documented in the AUAR.

The AUAR will address stormwater rates, water quality, and volumes for the AUAR study area, and any temporary and permanent stormwater run-off controls will be identified.

The National Pollution Discharge Elimination System (NPDES) permit requirements will be adhered to.

Based on the results of the climate trends analysis and flooding risk assessment, any additional volume and rate control needed for stormwater management will be discussed in the AUAR. Stormwater management strategies including any proposed green infrastructure will be documented in the AUAR.

- iii. Water Appropriation – Describe if the project proposes to appropriate surface or groundwater (including dewatering). Describe the source, quantity, duration, use, and purpose of the water use and if a DNR water appropriation permit is required. Describe any well abandonment. If connecting to an existing municipal water supply, identify the wells to be used as a water source and any effects on, or required expansion of, municipal water infrastructure. Discuss environmental effects from water appropriation, including an assessment of the water resources available for**



appropriation. Identify any measures to avoid, minimize, or mitigate environmental effects from the water appropriation.

AUAR Guidance: If the area requires new water supply wells, specific information about that appropriation and its potential impacts on groundwater levels should be given; if groundwater levels would be affected, any impacts resulting on other resources should be addressed.

Construction dewatering may be required for the development of the AUAR study area. No permanent dewatering is anticipated as no underground structures will be constructed adjacent to a waterbody.

The water supply for the study area will be obtained from the City of Chaska. Six ground water wells are the source of drinking water for the city. A preliminary review indicates that the existing infrastructure may need to be expanded to accommodate the anticipated development scenarios.

Handling of any construction dewatering discharge required will be addressed in the AUAR. The AUAR will also address the water demands for the site and the existing city water system capacity. Mitigation strategies or system improvements, if applicable, will be identified in the AUAR.

iv. Surface Waters

1) Wetlands – Describe any anticipated physical effects or alterations to wetland features, such as draining, filling, permanent inundation, dredging, and vegetative removal. Discuss direct and indirect environmental effects from physical modification of wetlands, including the anticipated effects that any proposed wetland alterations may have to the host watershed. Identify measures to avoid (e.g., available alternatives that were considered), minimize, or mitigate environmental effects to wetlands. Discuss whether any required compensatory wetland mitigation for unavoidable wetland impacts will occur in the same minor or major watershed and identify those probable locations.

In 2017, Kimley-Horn prepared a wetland delineation report which identified approximately 2.42 acres of wetland within AUAR study area. The AUAR will include a general discussion of the findings of this wetland delineation report.

The AUAR will address potential wetland impacts based on the proposed scenarios, and mitigation strategies will be identified, if applicable.

2) Other surface waters – Describe any anticipated physical effects or alterations to surface water features (lakes, streams, ponds, intermittent channels, county/judicial ditches) such as draining, filling, permanent inundation, dredging, diking, stream diversion, impoundment, aquatic plant removal, and riparian alteration. Discuss direct and indirect environmental effects from physical modification of water features. Identify measures to avoid, minimize, or mitigate



environmental effects to surface water features, including in-water Best Management Practices that are proposed to avoid or minimize turbidity/sedimentation while physically altering the water features. Discuss how the project will change the number or type of watercraft on any water body, including current and projected watercraft usage.

AUAR Guidance: Water surface use need only be addressed if the AUAR area would include or adjoin recreational water bodies.

Based on a review of aerial imagery, no other surface waters have been identified within the AUAR study area. No further analysis will be included in the AUAR.

12. CONTAMINATION/HAZARDOUS MATERIALS/WASTES

- a. Pre-project Site Conditions – Describe existing contamination or potential environmental hazards on or in close proximity to the project site, such as soil or groundwater contamination, abandoned dumps, closed landfills, existing or abandoned storage tanks, and hazardous liquid or gas pipelines. Discuss any potential environmental effects from pre-project site conditions that would be caused or exacerbated by project construction and operation. Identify measures to avoid, minimize, or mitigate adverse effects from existing contamination or potential environmental hazards. Include development of a Contingency Plan or Response Action Plan.**

A Subsurface Environmental Investigation was completed for the study area in March 2022 which included collection of four soil four soil samples and one soil/gas sample for chemical analysis. Exceedances of applicable exposure pathways were not identified within the soil and soil/gas samples collected from the AUAR study area.

- b. Project Related Generation/Storage of Solid Wastes – Describe solid wastes generated/stored during construction and/or operation of the project. Indicate method of disposal. Discuss potential environmental effects from solid waste handling, storage, and disposal. Identify measures to avoid, minimize, or mitigate adverse effects from the generation/storage of solid waste including source reduction and recycling.**

AUAR Guidance: Generally, only the estimated total quantity of municipal solid waste generated and information about any recycling or source separation programs of the RGU need to be included.

The AUAR will provide information on the estimated quantity of municipal solid waste to be generated during construction and operational phases of the development scenarios.

- c. Project Related Use/Storage of Hazardous Materials – Describe chemicals/hazardous materials used/stored during construction and/or operation of the project including method of storage. Indicate the number, location, and size of any above or below ground tanks to store petroleum or other materials. Discuss potential environmental effects from accidental spills or releases of hazardous materials. Identify measures to avoid, minimize, or mitigate**



adverse effects from the use/storage of chemicals/hazardous materials including source reduction and recycling. Include development of a spill prevention plan.

AUAR Guidance: Not required for an AUAR. Potential locations of storage tanks associated with commercial uses in the AUAR should be identified (e.g., gasoline tanks at service stations).

The AUAR will identify any potential future storage tank locations anticipated as part of the proposed development and if any existing storage tanks are anticipated to be used under the development scenarios.

- d. Project Related Generation/Storage of Hazardous Wastes – Describe hazardous wastes generated/stored during construction and/or operation of the project. Indicate method of disposal. Discuss potential environmental effects from hazardous waste handling, storage, and disposal. Identify measures to avoid, minimize, or mitigate adverse effects from the generation/storage of hazardous wastes including source reduction and recycling.**

AUAR Guidance: Not required for an AUAR.

13. FISH, WILDLIFE, PLANT COMMUNITIES, AND SENSITIVE ECOLOGICAL RESOURCES (RARE FEATURES)

- a. Describe fish and wildlife resources as well as habitats and vegetation on or near the site.**

AUAR Guidance: The description of fish and wildlife resources should be related to the habitat types depicted on the cover types map. Any differences in impacts between development scenarios should be highlighted in the discussion.

The majority of the land within the AUAR study area has been previously disturbed through farming and provides limited and low-quality habitat. Minimal wildlife habitat is located within the AUAR study area due to the prior extent of continued ground disturbance and minimal natural vegetation. Wildlife that can be found within the study area include birds and small mammals that have adapted to the highly disturbed environment. No native plant communities or areas of biodiversity significance have been identified within a mile of the AUAR study area; however, a calcareous fen, which is considered ecologically significant, was documented in the vicinity of the study area.

The AUAR will address the cover types for the existing conditions and the post-construction scenarios.

- b. Describe rare features such as state-listed (endangered, threatened, or special concern) species, native plant communities, Minnesota County Biological Survey Sites of Biodiversity Significance, and other sensitive ecological resources on or within close proximity to the site. Provide the license agreement number and/or correspondence number (ERDB) from which the data were obtained and attach the Natural Heritage letter from the DNR. Indicate if any additional habitat or species survey work has been conducted within the site and describe results.**



AUAR Guidance: For an AUAR, prior consultation with the DNR Division of Ecological Resources for information about reports of rare plant and animal species in the vicinity is required. Include the reference numbers called for on the EAW form in the AUAR and include the DNR’s response letter. If such consultation indicates the need, an on-site habitat survey for rare species in the appropriate portions of the AUAR area is required. Areas of on-site surveys should be depicted on a map, as should any “protection zones” established as a result.

Kimley-Horn conducted a review of the DNR Natural Heritage Information System (NHIS) in April 2022 per license agreement LA-1074 for the site and the surrounding area within a one-mile radius. This review of state-listed threatened, endangered, and special concern species identified no species of concern within the vicinity of the project.

However, the DNR NHIS review identified an overlap in the study area and a Rusty Patched Bumble Bee High Potential Zone.

A review of U.S. Fish and Wildlife Service (USFWS) federally listed threatened, endangered, and special concern species identified one federally listed species and one candidate species within this area: Northern Long-eared Bat and Monarch Butterfly. The results of the NHIS data will be provided to the DNR and a correspondence letter has been requested. This information and information on any potential impacts to wildlife habitat, federally listed species, and state-listed species will be provided in the AUAR.

Rusty Patched Bumble Bee

The rusty patched bumble bee (*Bombus affinis*) is listed as a federally threatened species by USFWS. From April through October this species uses underground nests in upland grasslands, shrublands, and forest edges, and forages where nectar and pollen are available. From October through April the species overwinters under tree litter in upland forests and woodlands. The rusty patched bumble bee may be impacted by a variety of land management activities including, but not limited to, prescribed fire, tree-removal, haying, grazing, herbicide use, pesticide use, land-clearing, soil disturbance or compaction, or use of non-native bees. Given that the study area has been disturbed for agricultural use and may utilize various agricultural pesticides, the potential for the rust patched bumble bee to utilize the study area is considered low.

Northern Long-Eared Bat

The northern long-eared bat (NLEB) (*Myotis septentrionalis*) was designated as a federally threatened species by the USFWS in April 2015 and is documented within Carver County. According to the DNR, in the southern part of the state NLEB may use attics, bridges, and buildings for hibernating. In summer, the species is often found within forested habitats, especially around wetlands. Summer roosts may include under loose tree bark, in buildings, behind signs or shutters, caves, mines, and quarry tunnels. The spread of white-nose syndrome across the eastern portion of the United States has become the major threat to the NELB, with some sites documenting up to 100% mortality. According to the DNR’s *Townships Containing*



Documented NLEB Maternity Roost Trees and/or Hibernacula Entrances in Minnesota list, there are no known hibernacula or roost trees within or adjacent to the AUAR study area. Additionally, given that the study area has been disturbed for agricultural use and does not contain caves or large expanses of forested habitat, the potential for the NLEB to utilize the study area is considered low.

Monarch Butterfly

The monarch butterfly (*Danaus plexippus*) is designated as a candidate species for official listing by the USFWS and is located within Dakota County. According to the USFWS, there are many potential reasons for the butterfly's decline, including habitat loss at breeding and overwintering sites, disease, pesticides, logging at overwintering sites, and climate change. The study area has been disturbed for agricultural use and does not contain natural prairie vegetation; therefore, impacts to the monarch butterfly are not anticipated.

- c. Discuss how the identified fish, wildlife, plant communities, rare features, and ecosystems may be affected by the project. Include a discussion on introduction and spread of invasive species from the project construction and operation. Separately discuss effects to known threatened and endangered species.**

Invasive species will be controlled on site during construction, and turf grass and other ornamental landscape plants will be used on the site and may provide some additional habitat for songbirds, small mammals, and insects.

The AUAR will further investigate the potential for impacts to any federally listed species, state-listed species, or protected wildlife habitats.

- d. Identify measures that will be taken to avoid, minimize, or mitigate adverse effects to fish, wildlife, plant communities, and sensitive ecological resources.**

The AUAR will address any potential mitigation measures identified by the DNR to minimize and avoid adverse impacts to any protected species and wildlife habitats. Measures to minimize impacts to listed species that may be present on the site will also be included in the AUAR as appropriate.

14. HISTORIC PROPERTIES

Describe any historic structures, archeological sites, and/or traditional cultural properties on or in close proximity to the site. Include 1) historic designations; 2) known artifact areas; and 3) architectural features. Attach letter received from the Minnesota State Historic Preservation Office (SHPO). Discuss any anticipated effects to historic properties during project construction and operation. Identify measures that will be taken to avoid, minimize, or mitigate adverse effects to historic properties.

AUAR Guidance: For an AUAR, contact with the State Historic Preservation Office and State Archeologist is required to determine whether there are areas of potential impacts to these



resources. If any exist, an appropriate site survey of high probability areas is needed to address the issue in more detail. The mitigation plan must include mitigation for any impacts identified.

A State Historic Preservation Office (SHPO) database search was requested in April 2022. The AUAR will discuss the results of this database review and any potential impacts to archaeological, historical, and/or architectural resources as well as any applicable mitigation strategies.

15. VISUAL

Describe any scenic views or vistas on or near the project site. Describe any project related visual effects such as vapor plumes or glare from intense lights. Discuss the potential visual effects from the project. Identify any measures to avoid, minimize, or mitigate visual effects.

AUAR Guidance: Any impacts on scenic views and vistas present in the AUAR should be addressed. This would include both direct physical impacts and impacts on visual quality or integrity. EAW Guidelines contains a list of possible scenic resources.

If any non-routine visual impacts would occur from the anticipated development, this should be discussed here along with appropriate mitigation.

There are no scenic views or vistas on or near the AUAR study area. The AUAR will discuss any potential visual impacts of the proposed development scenarios on the surrounding area and any applicable mitigation strategies.

16. AIR

- a. Stationary Source Emissions – Describe the type, sources, quantities, and compositions of any emissions from stationary sources such as boilers or exhaust stacks. Include any hazardous air pollutants, criteria pollutants, and any greenhouse gases. Discuss effects to air quality including any sensitive receptors, human health, or applicable regulatory criteria. Include a discussion of any methods used to assess the project’s effect on air quality and the results of that assessment. Identify pollution control equipment and other measures that will be taken to avoid, minimize, or mitigate adverse effects from stationary source emissions.**

AUAR Guidance: This item is not applicable to an AUAR. Any stationary air emissions source large enough to merit environmental review requires individual review.

No further analysis will be included in the AUAR as stationary sources such as boilers or exhaust stacks are not proposed for either scenario.

- b. Vehicle Emissions – Describe the effect of the project’s traffic generation on air emissions. Discuss the project’s vehicle-related emissions effect on air quality. Identify measures (e.g., traffic operational improvements, diesel idling minimization plan) that will be taken to minimize or mitigate vehicle-related emissions.**

AUAR Guidance: Although the MPCA no longer issues Indirect Source Permits, traffic-related air quality may still be an issue if the analysis in Item 18 indicates that development would cause or



worsen traffic congestion. The general guidance from the EAW form should still be followed. Questions about the details of air quality analysis should be directed to MPCA staff.

The Minnesota Department of Transportation (MnDOT) has developed a screening method designed to identify intersections that will not cause a carbon monoxide (CO) impact above state standards. MnDOT has demonstrated that even the 10 highest traffic volume intersections in the Twin Cities do not experience CO impacts. Therefore, intersections with traffic volumes lower than these 10 highest intersections will not cause a CO impact above state standards. MnDOT’s screening method demonstrates that intersections with total daily approaching traffic volumes below 82,300 vehicles per day will not have the potential for causing CO air pollution problems. None of the intersections in the study area exceed the criteria that would lead to a violation of the air quality standards.

No further air quality analysis is anticipated for the AUAR.

- c. Dust and Odors – Describe sources, characteristics, duration, quantities, and intensity of dust and odors generated during project construction and operation. (Fugitive dust may be discussed under Item 16a). Discuss the effect of dust and odors in the vicinity of the project including nearby sensitive receptors and quality of life. Identify measures that will be taken to minimize or mitigate the effects of dust and odors.**

AUAR Guidance: Dust and odors need not be addressed in an AUAR, unless there is some unusual reason to do so. The RGU might want to discuss as part of the mitigation plan, however, any dust control ordinances in effect.

The AUAR will include discussion of dust control ordinances, including best management practices that would be applicable during demolition and construction within the AUAR study area.

17. NOISE

Describe sources, characteristics, duration, quantities, and intensity of noise generated during project construction and operation. Discuss the effect of noise in the vicinity of the project including 1) existing noise levels/sources in the area; 2) nearby sensitive receptors; 3) conformance to state noise standards; and 4) quality of life. Identify measures that will be taken to minimize or mitigate the effects of noise.

AUAR Guidance: Construction noise need not be addressed in an AUAR, unless there is some unusual reason to do so. The RGU might want to discuss as part of the mitigation plan, however, any construction noise ordinances in effect.

If the area will include or adjoin major noise sources, a noise analysis is needed to determine if any noise levels in excess of standards would occur, and if so, to identify appropriate mitigation measures. With respect to traffic-generated noise, the noise analysis should be based on the traffic analysis of Item 18.



Existing Noise

The AUAR study area is currently agricultural land. The existing noise sources at the site consist mainly of the surrounding roadways.

Traffic Generated Noise

A sound increase of 3 dBA is barely noticeable by the human ear, a 5 dBA increase is clearly noticeable, and a 10 dBA increase is heard as twice as loud. For example, if the sound energy is doubled (i.e., the amount of traffic doubles), there is a 3 dBA increase in noise, which is just barely noticeable to most people. On the other hand, if traffic increases by a factor of 10, the resulting sound level will increase by about 10 dBA and be heard as twice as loud.

Traffic volumes in the project area are either on roadways that do not have receivers that are sensitive to noise, or the traffic levels attributable to the project are well below the amount that would generate a sound increase that could be noticeable.

The change in traffic noise levels is not anticipated to be readily perceptible.

Operational Noise

The MPCA regulates mechanical noise associated with building operation. All future development will be required to comply with these requirements.

Construction Noise

As stated in the AUAR guidelines, construction noise need not be addressed unless there is some unusual reason to do so. No unusual circumstances have been identified that would necessitate a detailed construction noise analysis. The city of Chaska municipal code regulates the hours of operation for construction equipment. Construction of the proposed project would comply with these requirements.

No further noise analysis is anticipated for the AUAR.

18. TRANSPORTATION

- a. Describe traffic-related aspects of project construction and operation. Include 1) existing and proposed additional parking spaces; 2) estimated total average daily traffic generated; 3) estimated maximum peak hour traffic generated and time of occurrence; 4) source of trip generation rates used in the estimates; and 5) availability of transit and/or other alternative transportation modes.**

The information listed above will be provided in the traffic and transportation analysis that will be included in the AUAR. Coordination will occur with the City of Chaska to determine analysis scenarios and trip generation for the traffic study. The trip generation will be calculated based on the latest edition of the Institute of Transportation Engineers (ITE) Trip Generation, 10th Edition.

Transit

Currently, there are no convenient alternative transportation routes serving the study area. It is not anticipated that there will be significant change in transit usage.



Bike and Pedestrian Infrastructure

There is currently no dedicated bike or pedestrian infrastructure serving the study area.

- b. Discuss the effect on traffic congestion on affected roads and describe any traffic improvements necessary. The analysis must discuss the project’s impact on the regional transportation system. If the peak hour traffic generated exceeds 250 vehicles or the total daily trips exceeds 2,500, a traffic impact study must be prepared as part of the EAW. Use the format and procedures described in the Minnesota Department of Transportation’s Access Management Manual, Chapter 5 (available at: <http://www.dot.state.mn.us/accessmanagement/resources.html>) or a similar local guidance.**

AUAR Guidance: For AUAR reviews, a detailed traffic analysis will be needed, conforming to the MnDOT guidance as listed on the EAW form. The results of the traffic analysis must be used in the response to Items 16 and 17.

A traffic impact study will be completed as part of the AUAR because the trip generation is anticipated to exceed the 250-trip peak hour vehicle threshold. The traffic impact study will be summarized in the AUAR, including information on estimated traffic generation, traffic impacts, relevant information from relevant transportation plans and traffic studies, and potential improvements and mitigation measures. The AUAR will include intersection capacity analyses for intersections adjacent to the AUAR study area and will include the review of intersection operations at site access points. The following intersections will be included in the analysis and are shown in Figure 10:

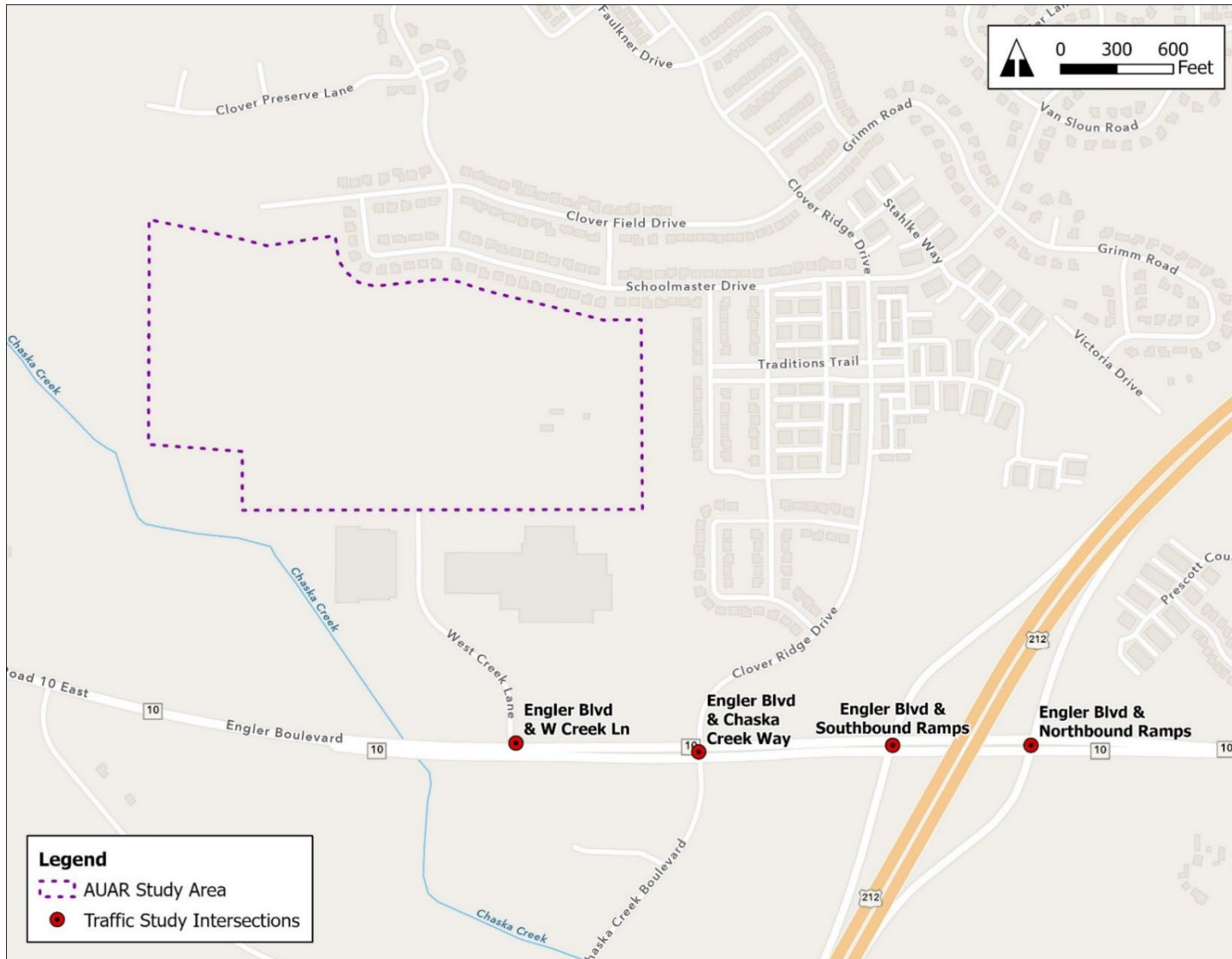
- Engler Boulevard & W Creek Lane
- Engler Boulevard & Chaska Creek Way
- Engler Boulevard & 212 Southbound Ramps
- Engler Boulevard & 212 Northbound Ramps

- c. Identify measures that will be taken to minimize or mitigate project related transportation effects.**

The AUAR will address any mitigation measures identified through the traffic analysis.



Figure 10. Traffic Intersections





19. CUMULATIVE POTENTIAL EFFECTS

AUAR Guidance: Because the AUAR process by its nature is intended to deal with cumulative potential effects from all future developments within the AUAR area, it is presumed that the responses to all items on the EAW form automatically encompass the impacts from all anticipated developments within the AUAR area.

However, the total impact on the environment with respect to any of the items on the EAW form may also be influenced by past, present, and reasonably foreseeable future projects outside of the AUAR area. The cumulative potential effect descriptions may be provided as part of the responses to other appropriate EAW items, or in response to this item.

a. Describe the geographic scales and timeframes of the project related environmental effects that could combine with other environmental effects resulting in cumulative potential effects.

Cumulative effects are defined as the “effect on the environment that results from the incremental effects of a project in addition to other projects in the environmentally relevant area that might reasonably be expected to affect the same environmental resources, including future projects actually planned or for which a basis of expectation has been laid, regardless of what person undertakes the other projects or what jurisdictions have authority over the projects.”⁶ The geographic areas considered for cumulative effects are those areas adjacent to the AUAR study area, and the timeframe considered includes projects that would be constructed in the reasonably foreseeable future.

b. Describe any reasonably foreseeable future projects (for which a basis of expectation has been laid) that may interact with environmental effects of the proposed project within the geographic scales and timeframes identified above.

The expansion of the substation located southwest of the AUAR study area is anticipated as future development occurs in the area. The AUAR will identify any additional reasonably foreseeable projects that may interact with the environmental effects of either development scenario.

c. Discuss the nature of the cumulative potential effects and summarize any other available information relevant to determining whether there is potential for significant environmental effects due to these cumulative effects.

The cumulative potential effects of the substation expansion and other nearby future projects identified above will be addressed in the AUAR.

⁶ Minnesota Rules, part 4410.0200, subpart 11a



20. OTHER POTENTIAL ENVIRONMENTAL EFFECTS

AUAR Guidance: If the project may cause any additional environmental effects not addressed by Items 1 to 19, describe the effects here, discuss the how the environment will be affected, and identify measures that will be taken to minimize and mitigate these effects.

Additional Environmental Effects

Any other potential environmental effects will be addressed in the AUAR.

ATTACHMENT B

From: [Elizabeth Hanson](#)
To: [Kratz, David \(DOT\)](#)
Cc: [Schutt, Jake \(DOT\)](#); [Muhic, P Cameron \(DOT\)](#); [Sherman, Tod \(DOT\)](#); [Nate Kabat](#); [Bunge, Leila](#); [Sieh, Trisha](#)
Subject: RE: [EXTERNAL]RE: Kelzer Property Draft Order and Scoping EAW - Notice Of Availability
Date: Tuesday, June 14, 2022 9:39:26 AM

Thanks David; we will note that.

Elizabeth Hanson, AICP

City Planner
City of Chaska
952-448-9200

From: Kratz, David (DOT) <David.Kratz@state.mn.us>
Sent: Monday, June 13, 2022 5:14 PM
To: Elizabeth Hanson <EHanson@chaskamn.com>
Cc: Schutt, Jake (DOT) <Jake.Schutt@state.mn.us>; Muhic, P Cameron (DOT) <cameron.muhic@state.mn.us>; Sherman, Tod (DOT) <tod.sherman@state.mn.us>
Subject: [EXTERNAL]RE: Kelzer Property Draft Order and Scoping EAW - Notice Of Availability

Hi Elizabeth,

MnDOT has no comment to make on this scoping EAW. We will want to review the TIS once it is complete, since it will be evaluating impacts to the US 212 and Engler Blvd ramp intersections.

Best,

David

David Kratz | 651-234-7792
Senior Planner | MnDOT Metro District

From: Lind, Katherine (DOT) <Katherine.Lind@state.mn.us>
Sent: Thursday, June 9, 2022 9:15 AM
To: MN_DOT_MetroDevReviews <metrodevreviews.dot@state.mn.us>
Subject: FW: Kelzer Property Draft Order and Scoping EAW - Notice Of Availability

The attached Draft Alternative Urban Areawide Review (AUAR) Order and Scoping EAW has been forwarded for your District's possible review and comment.

This EAW form is being used to delineate the issues and analyses to be reviewed in an Alternative Urban Areawide Review (AUAR). The scoping document for an AUAR is to suggest additional development scenarios and relevant issues to be analyzed in the AUAR.

Comments may suggest alternatives to the specific large project or projects proposed to be included in the review. Comments must provide reasons why a suggested development scenario or alternative to a specific project is potentially environmentally superior to those ID'd in the RGU's draft order.

See the attached Draft AUAR Order & Scoping EAW.

Please note the comment period for this AUAR closes on: **July 7, 2022 at 4:00 pm**
(contact information is highlighted below and provided in the attached documents)

Katherine Lind

Environmental Review Specialist

Office: 651-366-4296

Katherine.Lind@state.mn.us

Minnesota Department of Transportation

Central Office | Office of Environmental Stewardship (OES)

395 John Ireland Blvd, Mail Stop 620

St Paul, MN 55155

From: Simmons, Koehl <Koehl.Simmons@kimley-horn.com>

Sent: Tuesday, June 7, 2022 1:18 PM

Cc: EHanson@chaskamn.com

Subject: Kelzer Property Draft Order and Scoping EAW - Notice Of Availability

This message may be from an external email source.

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

Good Morning,

Please find the attached **Draft Order and Scoping EAW** for the **Kelzer Property located in the City of Chaska, Carver County, MN.**

As the designated Responsible Governmental Unit (RGU), the City of Chaska has prepared a Draft Order and Scoping EAW for the Kelzer Property project.

The AUAR study area encompasses approximately 72.3 acres, including 2 parcels, located northwest of the intersection Highway 212 and Engler Blvd, in Chaska, Carver County, Minnesota.

Copies of the Draft Order and Scoping EAW are being distributed to agencies on the current Minnesota Environmental Quality Board distribution list.

The 30-day comment period will begin on **June 7, 2022**. **Written comments on the Draft Order and Scoping EAW will be accepted until July 7, 2022 at 4:00 pm** and should be directed to:

Elizabeth Hanson

City Planner

City of Chaska

1 City Hall Plaza

Chaska, MN 55318

Email: EHanson@chaskamn.com

Thank you,

Koehl Simmons

Kimley-Horn | 767 Eustis Street, Suite 100, St. Paul, MN 55114

Direct: 612 474 4945 | www.kimley-horn.com

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Division of Ecological and Water Resources
Region 3 Headquarters
1200 Warner Road
Saint Paul, MN 55106

Transmitted by Email

July 7, 2022

Elizabeth Hanson, AICP
City Planner
City of Chaska
1 City Hall Plaza
Chaska, MN 55318

Dear Elizabeth Hanson,

Thank you for the opportunity to review the Kelzer Property Data Center Scoping Alternative Urban Areawide Review (SAUAR) located within the City of Chaska in Carver County. The DNR respectfully submits the following comments for your consideration:

1. Page 26, Groundwater. Unknown wells could occur on the site and should be sealed in accordance with the regulations of the Minnesota Department of Health.
2. Page 27, Wastewater. The receiving waterbody for wastewater effluent should be identified within the AUAR.
3. Page 28, Stormwater. Because the project area is located within a High Potential Zone for the federally endangered Rusty Patched Bumble Bee, we recommend that the proposed development use native seed mixes and plants in stormwater features and landscaping in order to provide pollinator habitat. The Board of Soil and Water Resources' [website](#) contains many great resources for choosing seed mixes and establishing native plants.
4. Page 28, Stormwater. The DNR recommends that stormwater features be used to irrigate the landscaping in the project area where infiltration is not feasible. The reuse of stormwater for irrigation would conserve valuable groundwater in an area where the municipal water supply is already at capacity. The reuse of stormwater would also reduce the volume of water and stormwater pollution flowing downstream into Chaska Creek, an impaired stream.
5. Page 28, Stormwater. The planned significant increase in impervious surfaces will also increase the amount of road salt used in the project area. Chloride released into local lakes and streams does not break down, and instead accumulates in the environment, potentially reaching levels that are toxic to aquatic wildlife and plants. Consider promoting local business and city participation in the Smart Salting Training offered through the Minnesota Pollution Control Agency. There are a variety of classes available for road applicators, sidewalk applicators, and property managers. More information and resources can be found at this [website](#). Many winter

maintenance staff who have attended the Smart Salting training — both from cities and counties and from private companies — have used their knowledge to reduce salt use and save money for their organizations.

We encourage local governments to request that project proposers who wish to significantly increase impervious surfaces develop a chloride management plan that outlines what BMP's and strategies will be used to reduce chloride use within the project area. We also encourage cities, counties, and watershed to consider how they may participate in the [Statewide Chloride Management Plan](#) and provide public outreach to reduce the overuse of chloride. Here are some [educational resources](#) for residents as well as a [sample ordinance](#) regarding chloride use.

6. Page 29, Water Appropriation. A DNR Water Appropriation Permit is required if the water pumped exceeds 10,000 gallons in a day, or one million gallons in one year. The DNR General Permit for Temporary Appropriation, with its lower permit application fee and reduced time for review, may be used for the dewatering if the dewatering volume is less than 50 million gallons and the time of the appropriation is less than one year. Please note that Seminary Fen is located less than 3 miles to the east of the project area. A calcareous fen is a rare and distinctive peat-accumulating wetland that is legally protected in Minnesota. Many of the unique characteristics of calcareous fens result from the upwelling of groundwater through calcareous substrates. Because of this dependence on groundwater hydrology, calcareous fens can be affected by nearby activities or even those several miles away. Any DNR Water Appropriations Permit in the area will be examined for potential to impact the calcareous fen, which could require additional time.
7. Page 32, Rare Features. Given the presence of the federally endangered Rusty Patched Bumble Bee in the area, we strongly recommend incorporating native plants and seed mixes into development landscaping to the greatest degree possible. Please note that the Rusty Patched Bumble Bee is federally endangered and not threatened.
8. Page 35, Dust and Odors. Should water for dust control be taken from a lake, wetland, stream, or non-municipal well in volumes that exceed 10,000 gallons of water in a single day, or one million gallons per year, then a DNR Water Appropriation Permit will be required. Please do not use products containing chloride for dust control in areas that drain to Public Waters.

Thank you again for the opportunity to review this document. Please let me know if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Melissa Collins". The signature is written in black ink on a light blue rectangular background.

Melissa Collins

Regional Environmental Assessment Ecologist | Ecological and Water Resources
Minnesota Department of Natural Resources

CC: Brett Burnette, CloudHQ

July 6, 2022

Elizabeth Hanson
City Planner
City of Chaska
1 City Hall Plaza
Chaska, MN 55318

Re: Kelzer Property Scoping Environmental Assessment Worksheet

Dear Elizabeth Hanson:

Thank you for the opportunity to review and comment on the Scoping Environmental Assessment Worksheet (EAW) for the Kelzer Property project (Project) located in Chaska, Carver County, Minnesota. The Project consists of a new industrial development. Regarding matters for which the Minnesota Pollution Control Agency (MPCA) has regulatory responsibility and other interests, the MPCA staff has the following comments for your consideration.

Water Resources (Item 11)

- The scoping EAW does not provide many specifics regarding proposed stormwater management. The Alternative Urban Areawide Review (AUAR) should discuss that because the proposed Project can discharge stormwater to Chaska Creek, which has construction-related impairments, additional best management practice (BMP) requirements apply to the Project during construction. The Project proposer will need to ensure BMPs include completing stabilizing inactively disturbed soils within 7 days and providing temporary sediment ponds where 5 or more acres drain to a common location.
- The Scoping EAW does not specifically address permanent stormwater management plans. The AUAR should discuss that because the Project site is within a well head protection area, use of infiltration may be prohibited if the study area is within an Emergency Response Area (ERA) within a Drinking Water Supply Management Area classified as having a high or very high vulnerability as defined by the Minnesota Department of Health. If not, the Project must meet volume reduction requirements via infiltration unless infiltration is prohibited due to other onsite conditions. Regardless, the Project proposer is strongly encouraged to include a range of [green infrastructure practices](#) on the site to help meet stormwater volume reduction requirements. These practices can also help address climate sustainability, as well as providing other [benefits](#) to the site. Questions regarding Construction Stormwater Permit requirements should be directed to Roberta Getman at 507-206-2629 or Roberta.Getman@state.mn.us.

We appreciate the opportunity to review this Project. Please provide your specific responses to our comments and notice of decision on the need for an Environmental Impact Statement. Please be aware that this letter does not constitute approval by the MPCA of any or all elements of the Project for the purpose of pending or future permit action(s) by the MPCA. Ultimately, it is the responsibility of the Project proposer to secure any required permits and to comply with any requisite permit conditions. If you have any questions concerning our review of this Scoping EAW, please contact me by email at Karen.kromar@state.mn.us or by telephone at 651-757-2508.

Sincerely,

Karen Kromar

This document has been electronically signed.

Karen Kromar
Planner Principal
Environmental Review Unit
Resource Management and Assistance Division

KK:rs

cc: Dan Card, MPCA, St. Paul
Roberta Getman, MPCA, Rochester



July 7, 2022

Elizabeth Hanson, AICP, City Planner
City of Chaska
1 City Hall Plaza
Chaska, MN 55318

RE: City of Chaska – Kelzer Property Scoping EAW and Draft Alternative Urban Areawide Review (AUAR) Order

Metropolitan Council Review File No. 22773-1
Metropolitan Council District No. 4

Dear Elizabeth Hanson:

The Metropolitan Council received the Scoping EAW and Draft AUAR Order for the Kelzer Property project in the City of Chaska on June 7, 2022. The proposed study area is located northwest of the intersection of Highway 212 and Engler Boulevard. The Scoping AUAR proposes to evaluate two development scenarios on approximately 72.3 acres for industrial development.

Council staff reviewed the Scoping EAW to determine its adequacy and accuracy in addressing regional concerns, and its potential for significant environmental impact. The following comments are offered concerning specific items that should be incorporated into the AUAR document:

Item 9. Land Use (*Todd Graham, 651-602-1322*)

The City included a Transportation Analysis Zone (TAZ) allocation of the forecast in its 2040 Comprehensive Plan (Plan). The study area is a small part of TAZ #366 (western Chaska between County Road 10 and County Road 14). The City's Plan expects the Chaska portion of TAZ #366 to gain +82 households and +1,164 jobs during 2020-2040. If either of the scenarios are pursued and absorbed into the market by 2040, such development will add employment in this part of Chaska. Scenario #1 of the AUAR likely fits within this expectation. Should development of Scenario #2 proceed, the Metropolitan Council will consider a higher employment forecast in this zone. City staff can contact Council Research to discuss, if needed.

Item 9. Land Use (*Raya Esmaeili, 651-602-1616*)

The Scoping document states that the land use of this site is Business Park, consistent with both the scenarios to be addressed in the AUAR. However, as the Chaska 2040 Planned Land Use map shows (Figure 4.2 of the 2040 Plan), the northern and western part of the site include a contiguous area currently guided for a future land use of Agricultural. In order to accommodate either of the scenarios, the future land use of the site needs to be amended to Business Park.

Item 11. Water Resources – Surface Water (*Joe Mulcahy, 651-602-1104*)

According to the Scoping document, Chaska Creek is within 200 feet of the study area and is designated as impaired. The AUAR should include a map showing the delineated wetlands, channel, and drainage swale and indicate the routes and destinations for stormwater leaving the site. The AUAR should also include a detailed description of the stormwater management practices that will be used to minimize impacts to the creek and groundwater.

Item 11. Water Resources – Water Supply (*John Clark, 651-602-1452*)

- Water and contaminants entering the ground within the study area reach the City’s municipal wells within 10 years. This indicates that any land use conversions and future activities at this locale can have an impact on the groundwater resources that the City relies on for its water supply. Limiting pollutants from entering the ground during construction and after development will be crucial for protecting the City’s source water. This conversion will lower groundwater recharge within this property. Water quality may be improved if proper salt and contaminant management strategies are implemented. Aligning the site development with the City’s wellhead protection plan and source water protection strategies could help to mitigate negative impacts to groundwater resources.
- Using treated groundwater from the City’s municipal supply for industrial processing may be more inefficient and costly than the site’s commercial entities applying for their own permit to access groundwater for processing. Doing so may lower the burden on the City’s water supply and lessen the need and cost of municipal infrastructure expansion. The City should confirm whether current infrastructure and permits can meet the expected increase in demand and ensure that it aligns with the City’s current local water supply plan. Any additional well infrastructure needed by the City will require permitting by the Minnesota Department of Health (MDH) and the Minnesota Department of Natural Resources (DNR) for water appropriation.
- The domestic well identified on site will need to be sealed. The MDH provides guidance and resources for sealing wells.
- A dewatering permit will likely be needed given the shallow groundwater measurements identified in the scoping document.
- Potential climate impacts are not identified in this scoping document. However, Council staff encourage the City and the developer to explore the potential impacts this development may have on greenhouse gas emissions, and identify potential mitigation and climate resiliency measures for the site. This site may be a good opportunity to use solar power and or green roof infrastructure. Landscaped areas could be planted as native prairie to lessen the site’s water demands and increase pollinator habitat and carbon storage.

Item 18. Transportation – Transit (*Steve Mahowald, 612-349-7775*)

The Scoping document notes that there are currently no convenient alternative transportation routes serving the study area and it is not anticipated that there will be significant change in transit usage. However, if the proposed development becomes a significant generator of jobs and given its location just north of Stream Data Centers and with quick access from the Highway 212 corridor, the project team should reach out to SouthWest transit staff to ensure that development does not preclude the possibility of transit serving the site in the future.

The Council will not take formal action on the Scoping EAW and Draft AUAR Order. If you have any questions or need further information, please contact Raya Esmaeili, Principal Reviewer, at 651-602-1616 or via email at Raya.Esmaeili@metc.state.mn.us.

Sincerely,



Angela R. Torres, AICP, Senior Manager
Local Planning Assistance

CC: Tod Sherman, Development Reviews Coordinator, MnDOT - Metro Division
Deb Barber, Metropolitan Council District No. 4
Judy Sventek, Water Resources Manager
Raya Esmaeili, Sector Representative/ Principal Reviewer
Reviews Coordinator

N:\CommDev\LPA\Communities\Chaska\Letters\Chaska 2022 Kelzer Property Scoping EAW and Draf AUAR Order 22773-1.docx

July 8, 2022

Elizabeth Hanson
City Planner
City of Chaska
1 City Hall Plaza
Chaska, MN 55318

RE: Kelzer Property AUAR – Scoping Document
T116 R31 S31, Chaska, Carver County
SHPO Number: 2022-1945

Dear Elizabeth Hanson:

Thank you for providing this office with a copy of the AUAR Scoping Document for the above-referenced project.

Based on our review of the project information, we conclude that there are **no properties** listed in the National or State Registers of Historic Places, and no known or suspected archaeological properties in the area that will be affected by this project.

Please note that this comment letter does not address the requirements of Section 106 of the National Historic Preservation Act of 1966 and 36 CFR § 800. If this project is considered for federal financial assistance, or requires a federal permit or license, then review and consultation with our office will need to be initiated by the lead federal agency. Be advised that comments and recommendations provided by our office for this state-level review may differ from findings and determinations made by the federal agency as part of review and consultation under Section 106.

Please contact Kelly Gragg-Johnson, Environmental Review Program Specialist, at kelly.graggjohnson@state.mn.us if you have any questions regarding our review of this project.

Sincerely,



Sarah J. Beimers
Environmental Review Program Manager



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, ST. PAUL DISTRICT
180 FIFTH STREET EAST, SUITE 700
ST. PAUL, MN 55101-1678

06/13/2022

Regulatory File No. MVP-2017-02502-DCR

THIS IS NOT A PERMIT

Elizabeth Hanson
City of Chaska
One City Hall Plaza
Chaska, MN 55318

Dear Mr./Ms. Hanson:

We have received your submittal described below. You may contact the Project Manager with questions regarding the evaluation process. The Project Manager may request additional information necessary to evaluate your submittal.

File Number: MVP-2017-02502-DCR

Applicant: Corgan Associates, Inc

Project Name: Kelzer Property

Project Location: Section 36 of Township 116 N, Range 24 W, Carver County,
Minnesota (Latitude: 44.8109291841735; Longitude: -93.6369717895915)

Received Date: 06/07/2022

Project Manager: Daniel Reburn
(651) 290-5900
Daniel.C.Reburn@usace.army.mil

Additional information about the St. Paul District Regulatory Program can be found on our web site at <http://www.mvp.usace.army.mil/missions/regulatory>.

Please note that initiating work in waters of the United States prior to receiving Department of the Army authorization could constitute a violation of Federal law. If you have any questions, please contact the Project Manager.

Thank you.

U.S. Army Corps of Engineers
St. Paul District
Regulatory Branch

ATTACHMENT C

OVERVIEW

Pursuant to Minnesota Rules, part 4410.3610, subpart 5a(C), the purpose of the comments on a Scoping Document for an Alternative Urban Areawide Review (AUAR) is to suggest additional development scenarios and relevant issues to be analyzed in the review. Comments may suggest alternatives to the specific large project or projects proposed to be included in the review, including development at sites outside of the proposed geographic boundary. The comments must provide reasons why a suggested development scenario or alternative to a specific project is potentially environmentally superior to those identified in the Responsible Governmental Unit's (RGU's) draft order.

During the public comment period, comments were received from six government agencies. Responses to comments on the Scoping Document are included below. Copies of the comment letters are included in Attachment B.

1. MINNESOTA DEPARTMENT OF TRANSPORTATION (MNDOT)

Comment	Response
MnDOT has no comment to make on this scoping EAW. We will want to review the TIS once it is complete, since it will be evaluating impacts to the US 212 and Engler Blvd ramp intersections.	Comment noted. Thank you for your review.

2. MINNESOTA DEPARTMENT OF NATURAL RESOURCES (DNR)

Comment	Response
<i>Water Resources (Item 11)</i>	
<i>Page 26, Groundwater.</i> Unknown wells could occur on the site and should be sealed in accordance with the regulations of the Minnesota Department of Health.	Potential unknown wells will be addressed in the AUAR.
<i>Page 27, Wastewater.</i> The receiving waterbody for wastewater effluent should be identified within the AUAR.	The AUAR will address wastewater management.
<i>Page 28, Stormwater.</i> Because the project area is located within a High Potential Zone for the federally endangered Rusty Patched Bumble Bee, we recommend that the proposed development use native seed mixes and plants in stormwater features and landscaping in order to provide pollinator habitat. The Board of Soils and Water Resources' website contains many great resources for choosing seed mixes and establishing native plants.	Thank you for the review. This information will be included in the AUAR.

Comment	Response
<p><i>Page 28, Stormwater.</i> DNR recommends that stormwater features be used to irrigate the landscaping in the project area where infiltration is not feasible. The reuse of stormwater for irrigation would conserve valuable groundwater in an area where the municipal water supply is already at capacity. The reuse of stormwater would also reduce the volume of water and stormwater pollution flowing downstream into Chaska Creek, an impaired stream.</p>	<p>Comment noted. Stormwater best management practices will be described in the AUAR.</p>
<p><i>Page 28, Stormwater.</i> The planned significant increase in impervious surfaces will also increase the amount of road salt used in the project area. Chloride released into local lakes and streams does not break down, and instead accumulates in the environment, potentially reaching levels that are toxic to aquatic wildlife and plants. Consider promoting local business and city participation in the Smart Salting Training offered through the Minnesota Pollution Control Agency. There are a variety of classes available for road applicators, sidewalk applicators, and property managers. More information and resources can be found at this website. Many winter maintenance staff who have attended the Smart Salting training - both from cities and counties and from private companies - have used their knowledge to reduce salt use and save money for their organizations.</p> <p>We encourage local governments to request that project proposers who wish to significantly increase impervious surfaces develop a chloride management plan the outlines what BMP's and strategies will be used to reduce chloride use within the project area. We also encourage cities, counties, and watershed to consider how they may participate in the Statewide Chloride Management Plan and provide public outreach to reduce the overuse of chloride. Here are some educational resources for residents as well as a sample ordinance regarding chloride use.</p>	<p>Comment noted. The project proposer will implement a chloride management plan for the proposed development which will meet state and local requirements. Additionally, Chaska and Carver County winter maintenance staff are current on Smart Salting Certifications and the city does education on reducing salt use to the public.</p>

Comment	Response
<p><i>Page 29, Water.</i> Permit is required if the water pumped exceeds 10,000 gallons in a day, or one million gallons in one year. The DNR General Permit for Temporary Appropriation, with its lower permit application fee and reduced time for review, may be used for the dewatering if the dewatering volume is less than 50 million gallons and the time of the appropriation is less than one year. Please note that Seminary Fen is located less than 3 miles to the east of the project area. A calcareous fen is a rare and distinctive peat-accumulating wetland that is legally protected in Minnesota. Many of the unique characteristics of calcareous fens result from the upwelling of groundwater through calcareous substrates. Because of this dependence on groundwater hydrology, calcareous fens can be affected by nearby activities or even those several miles away. Any DNR Water Appropriations Permit in the area will be examined for potential to impact the calcareous fen, which could require additional time.</p>	<p>The permit requirements will be noted in the AUAR.</p>
<p><i>Fish, Wildlife, Plant Communities, and Sensitive Ecological Resources (Rare Features) (Item 13)</i></p>	
<p><i>Page 34, Rare Features.</i> Given the federally endangered Rusty Patched Bumble Bee in the area, we strongly recommend incorporating native plants and seed mixes into development landscaping to the greatest degree possible. Please note that the Rusty Patched Bumble Bee is federally endangered and not threatened.</p>	<p>The change of status of the RPBB to Endangered from Threatened will be included in the AUAR. Potential impacts to state-listed threatened and endangered species and species of special concern will be addressed in the AUAR.</p>
<p><i>Air (Item 16)</i></p>	
<p><i>Page 38, Dust and Odors.</i> Should water for dust control be taken from a lake, wetland, stream, or non-municipal well in volumes that exceed 10,000 gallons of water in a single day, or one million gallons per year, then a DNR Water Appropriation Permit will be required. Please do not use products containing chloride for dust control in areas that drain to Public Waters.</p>	<p>This request will be incorporated into the AUAR.</p>

3. MINNESOTA POLLUTION CONTROL AGENCY (MPCA)

Comment	Response
<i>Water Resources (Item 11)</i>	
<p>The scoping EAW does not provide many specifics regarding proposed stormwater management. The Alternative Urban Areawide Review (AUAR) should discuss that because the proposed Project can discharge stormwater to Chaska Creek, which has construction-related impairments, additional best management practice (BMP) requirements apply to the Project during construction. The Project proposer will need to ensure BMPs include completing stabilizing inactively disturbed soils within 7 days and providing temporary sediment ponds where 5 or more acres drain to a common location.</p>	<p>Stormwater during and after construction and erosion control BMPs will be addressed in the AUAR.</p>
<p>The Scoping EAW does not specifically address permanent stormwater management plans. The AUAR should discuss that because the Project site is within a well head protection area, use of infiltration may be prohibited if the study area is within an Emergency Response Area (ERA) within a Drinking Water Supply Management Area classified as having a high or very high vulnerability as defined by the Minnesota Department of Health. If not, the Project must meet volume reduction requirements via infiltration unless infiltration is prohibited due to other onsite conditions. Regardless, the Project proposer is strongly encouraged to include a range of green infrastructure practices on the site to help meet stormwater volume reduction requirements. These practices can also help address climate sustainability, as well as providing other benefits to the site. Questions regarding Construction Stormwater Permit requirements should be directed to Roberta Getman at 507-206-2629 or Roberta.Getman@state.mn.us.</p>	<p>Proposed stormwater management and best management practices will be addressed in the AUAR. Green infrastructure practices on site will be evaluated as site design progresses and as stormwater management strategies are finalized.</p>

4. METROPOLITAN COUNCIL

Comment	Response
Land Use (Item 9)	
<p><i>(Todd Graham, 651-602-1322)</i> The City included a Transportation Analysis Zone (TAZ) allocation of the forecast in its 2040 Comprehensive Plan (Plan). The study area is a small part of TAZ #366 (western Chaska between County Road 10 and County Road 14). The City’s Plan expects the Chaska portion of TAZ #366 to gain +82 households and +1,164 jobs during 2020-2040. If either of the scenarios are pursued and absorbed into the market by 2040, such development will add employment in this part of Chaska. Scenario #1 of the AUAR likely fits within this expectation. Should development of Scenario #2 proceed, the Metropolitan Council will consider a higher employment forecast in this zone. City staff can contact Council Research to discuss, if needed.</p>	<p>The City will coordinate with the Metropolitan Council regarding the TAZ forecasts for the area. If any modifications are needed, those will be coordinated with the Metropolitan Council directly.</p>
<p><i>(Raya Esmaeili, 651-602-1616)</i> The Scoping document states that the land use of this site is Business Park, consistent with both the scenarios to be addressed in the AUAR. However, as the Chaska 2040 Planned Land Use map shows (Figure 4.2 of the 2040 Plan), the northern and western part of the site include a contiguous area currently guided for a future land use of Agricultural. In order to accommodate either of the scenarios, the future land use of the site needs to be amended to Business Park.</p>	<p>Any changes in future land use will be addressed in the AUAR.</p>
Water Resources (Item 11)	
<p><i>Surface Water (Joe Mulcahy, 651-602-1104)</i> According to the Scoping document, Chaska Creek is within 200 feet of the study area and is designated as impaired. The AUAR should include a map showing the delineated wetlands, channel, and drainage swale and indicate the routes and destinations for stormwater leaving the site. The AUAR should also include a detailed description of the stormwater management practices that will be used to minimize impacts to the creek and groundwater.</p>	<p>Comment noted. A figure showing water resources will be included and proposed stormwater management will be addressed in the AUAR.</p>

Comment	Response
<p>Water Supply (<i>John Clark, 651-602-1452</i>) Water and contaminants entering the ground within the study area reach the City’s municipal wells within 10 years. This indicates that any land use conversions and future activities at this locale can have an impact on the groundwater resources that the City relies on for its water supply. Limiting pollutants from entering the ground during construction and after development will be crucial for protecting the City’s source water. This conversion will lower groundwater recharge within this property. Water quality may be improved if proper salt and contaminant management strategies are implemented. Aligning the site development with the City’s wellhead protection plan and source water protection strategies could help to mitigate negative impacts to groundwater resources.</p>	<p>Water supply and groundwater resources will be addressed in the AUAR.</p>
<p>Using treated groundwater from the City’s municipal supply for industrial processing may be more inefficient and costly than the site’s commercial entities applying for their own permit to access groundwater for processing. Doing so may lower the burden on the City’s water supply and lessen the need and cost of municipal infrastructure expansion. The City should confirm whether current infrastructure and permits can meet the expected increase in demand and ensure that it aligns with the City’s current local water supply plan. Any additional well infrastructure needed by the City will require permitting by the Minnesota Department of Health (MDH) and the Minnesota Department of Natural Resources (DNR) for water appropriation.</p>	<p>Comment noted.</p>
<p>The domestic well identified on site will need to be sealed. The MDH provides guidance and resources for sealing wells.</p>	<p>Comment noted. This will be addressed in the AUAR.</p>
<p>Potential climate impacts are not identified in this scoping document. However, Council staff encourage the City and the developer to explore the potential impacts this development may have on greenhouse gas emissions, and identify potential mitigation and climate resiliency measures for the site. This site may be a good opportunity to use solar power and or green roof infrastructure. Landscaped areas could be planted as native prairie to lessen the site’s water demands and increase pollinator habitat and carbon storage.</p>	<p>Comment noted. Potential climate resiliency measures on site will be evaluated as site design progresses.</p>
<p>A dewatering permit will likely be needed given the shallow groundwater measurements identified in the scoping document.</p>	<p>A dewatering permit be identified in the anticipated permits and approvals table in the AUAR.</p>

Comment	Response
<i>Transportation (Item 18)</i>	
<p>Transit (Steve Mahowald, 612-349-7775) The Scoping document notes that there are currently no convenient alternative transportation routes serving the study area and it is not anticipated that there will be significant change in transit usage. However, if the proposed development becomes a significant generator of jobs and given its location just north of Stream Data Centers and with quick access from the Highway 212 corridor, the project team should reach out to SouthWest transit staff to ensure that development does not preclude the possibility of transit serving the site in the future.</p>	<p>Comment noted. Thank you for your review.</p>

5. MINNESOTA STATE HISTORIC PRESERVATION OFFICE

Comment	Response
<i>Historic Resources (Item 14)</i>	
<p>Thank you for providing this office with a copy of the AUAR Scoping Document for the above-referenced project.</p> <p>Based on our review of the project information, we conclude that there are no properties listed in the National or State Registers of Historic Places, and no known or suspected archaeological properties in the area that will be affected by this project.</p> <p>Please note that this comment letter does not address the requirements of Section 106 of the National Historic Preservation Act of 1966 and 36 CFR § 800. If this project is considered for federal financial assistance, or requires a federal permit or license, then review and consultation with our office will need to be initiated by the lead federal agency. Be advised that comments and recommendations provided by our office for this state-level review may differ from findings and determinations made by the federal agency as part of review and consultation under Section 106.</p>	<p>Comment noted. Thank you for your review.</p>

6. U.S. ARMY CORPS OF ENGINEERS

Comment	Response
<p>We have received your submittal described below. You may contact the Project Manager with questions regarding the evaluation process. The Project Manager may request additional information necessary to evaluate your submittal.</p> <p>File Number: MVP-2017-02502-DCR</p> <p>Applicant: Corgan Associates, Inc</p> <p>Project Name: Kelzer Property</p> <p>Project Location: Section 36 of Township 116 N, Range 24 W, Carver County, Minnesota (Latitude: 44.8109291841735; Longitude: -93.6369717895915)</p> <p>Received Date: 06/07/2022</p> <p>Project Manager: Daniel Reburn (651) 290-5900 Daniel.C.Reburn@usace.army.mil</p>	<p>Comment noted. Thank you for your review.</p>