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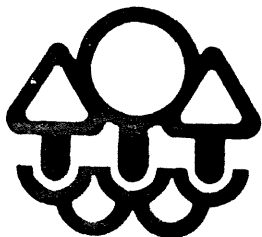
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# FINAL

## Environmental Impact Statement

### Prior Lake Northshore Trunk Sewer



Minnesota Pollution Control Agency

PRIOR LAKE NORTH SHORE TRUNK SEWER  
FINAL ENVIRONMENTAL IMPACT STATEMENT

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## 1.0 SUMMARY

### 1.1 PURPOSE AND FORMAT OF THE FINAL EIS

This final environmental impact statement (EIS) has been prepared in accordance with the Minnesota Environmental Quality Board (MEQB) rules (Minnesota Rules Part 4410.0300 through 4410.7800). As is required by the MEQB rules, the Minnesota Pollution Control Agency (MPCA), as the responsible governmental unit (RGU), has prepared responses to the timely, substantive comments on the draft EIS.

The purposes of the final EIS are to:

- o Provide information supplementary to or revising the draft EIS.
- o Provide errata correcting the draft EIS.
- o Respond to comments on the draft EIS.

The final EIS consists of this document, plus the draft EIS which was distributed on March 11, 1985.

### 1.2 PROPOSED ACTION

The City of Prior Lake proposes to construct a wastewater trunk sewer and tributary lateral sewers along the North Shore of Lower Prior Lake. In a related action, a trunk watermain is proposed to be constructed parallel to the trunk sewer and some existing roads disturbed by construction would be paved and provided with curb and gutter and storm sewer. The design flow of the proposed trunk sewer would be approximately 0.9 MGD (million gallons per day). The trunk line would discharge to an existing Metropolitan Waste Control Commission (MWCC) interceptor sewer (MSB 7020) at County Highway 21. Wastewater would ultimately be treated at the MWCC Blue Lake Treatment Facility.

The trunk sewer project would enable the abandonment of an existing wastewater lift station at the east end of Manitou Road, by rerouting the existing flows by gravity to the proposed trunk sewer. This alteration would result in decreases in operation and maintenance costs, and increased system reliability. The project would further enable gravity wastewater collection capacity for future planned development, including the Sand Pointe 3rd and 4th Additions located on the east side of the project area. Capacity would also be available for future developments, presently unplanned, within the project area.

### 1.3 GOVERNMENTAL APPROVALS REQUIRED

Ten state, regional, county, or local permits or approvals were identified during preparation and review of the draft EIS as required for construction of the North Shore Trunk Sewer. No federal approvals are necessary. These approvals, their current status and relevant comments are presented below.

<u>Permit</u>	<u>Status</u>	<u>Comments</u>
<u>State</u>		
Minnesota Pollution Control Agency Sewer Extension Permit	Pending	For construction of trunk sewer.
Minnesota Department of Health Watermain Extension Permit	Pending	Water supply system plan approval.
Minnesota Department of Natural Resources Protected Waters Permit	Pending	For construction of stormwater outlets.
Minnesota Department of Natural Resources Water Appropriation Permit	Pending	For dewatering well operation during construction.
<u>Local</u>		
Prior Lake City Council Project Approval	Pending	-
Prior Lake/Spring Lake Watershed District	Pending	Plan review.
Prior Lake City Council Comprehensive Plan Amendment	Not Applied For	For alternative routes 1, 2, and 3, only.
<u>Regional</u>		
Metropolitan Waste Control Commission Sewer Extension and Connection Permit	Pending	Coordination procedure with MWCC and connection approval.
Metropolitan Waste Control Commission Comprehensive Plan Amendment Approval	Not Applied For	For alternative routes 1, 2, and 3, only.
Metropolitan Council Comprehensive Plan Amendment Approval	Not Applied For	For alternative routes 1, 2, and 3, only.

#### 1.4 ENVIRONMENTAL AND ECONOMIC IMPACTS AND MITIGATION

The environmental issues associated with the proposed project were explored in detail, in Section 4 of the draft Environmental Impact Statement. This evaluation included a discussion of construction impacts, economic impacts, water quality impacts, and impacts on vegetation, wildlife, and historical sites. Those impacts are summarized below. Additional information and corrections to the draft EIS text are included in Section 2.0 of the final EIS.

##### Economic Impacts

A hypothetical typical lot (0.3 acres) assessment for the proposed project was estimated at \$4,100, with a typical large parcel (10 acres) assessment estimated at \$79,290. Analogous assessments for the respective alternatives ranged between \$2,700 and \$3,550 for the small lot and \$51,945 and \$68,775 for the large lot. The capital costs and the assessments associated with the proposed project and Alternative 3 were higher than capital costs and assessments associated with Alternatives 1 and 2, which included the use of lift stations to minimize depths of excavation. The increased costs of lift station operation and maintenance are not reflected in capital costs or assessments. When the alternatives were compared on the basis of total equivalent uniform annual disbursement to reflect operations, maintenance, and financing costs, they were roughly comparable with the exception of Alternative 1, the service area of which did not include the Beach Street and Meadowlawn portions of the project area. Economic impacts of the no-build alternative were not comparable to those of the build alternatives.

##### Impacts on Vegetation and Wildlife

The "Big Woods" remnant located in the vicinity of Chatonka Beach was evaluated by the Minnesota Department of Natural Resources staff and by an independent investigator. It was determined that the remnant has been degraded by grazing, harvesting, and Dutch Elm disease, and is not a "Big Woods" remnant of statewide or county significance.

Certain woodlands in the project area would be affected by any of the build alternatives. Construction would result in open corridors in wooded areas and losses of trees. Trees near residential homes would also be lost as a result of construction. It is possible to minimize tree loss to some extent by using special construction techniques to reduce the width of the construction trench and/or by jacking the pipe through high hills rather than creating an open trench. Also, tree loss may be mitigated by using nursery stock to replant areas where trees were removed. Impacts upon vegetation could be reduced by foregoing construction of the proposed roadway combined with careful construction of the trunk sewer. Construction of a watermain only, without the associated paving project, is likely to have the least impacts of any of the action alternatives.

Direct impacts on wildlife as a result of the build alternatives are limited to the construction period and are of relatively short duration. Some minor benefits would result from the corridor openings by introducing

habitat diversity within the wooded areas. Some minor changes in wildlife species composition would occur as a result of implementing a build alternative. Long term indirect impacts on wildlife populations would result from development in the project area. Wildlife populations presently characterized by woodland and agricultural land species would be replaced by species more tolerant of urban habitats.

#### Water Quality Impacts

It was not possible to quantify positive impacts of the proposed alternative on water quality, and those impacts appear to be relatively small from a qualitative standpoint. The major impacts on water quality of Lower Prior Lake were associated with non-point phosphorus inputs. Development associated with any of the alternatives has the potential to result in increased phosphorus loading to the lake from stormwater runoff. It appears likely that stormwater runoff is now and will continue to be the most significant source of phosphorus input to Lower Prior Lake.

#### Impacts on Historical and Archaeological Resources

Impacts on archaeological resources are unlikely. No sites were found in the project area during an archaeological survey of a suspected site.

### 1.5 PUBLIC PARTICIPATION AND REVIEW

Measures to inform the public were conducted throughout the preparation of the EIS. A public meeting was held at the Prior Lake City Hall on July 2, 1984 to obtain input as to the scope of the EIS. A public informational meeting was held on December 18, 1984, at the City Hall to advise interested persons of the progress made in EIS preparation, and to obtain any information pertaining to the EIS issues from members of the public.

The formal public meeting on the draft EIS was held at the City Hall on April 2, 1985. The purpose of that meeting was the solicitation of comments pertaining to the adequacy of the EIS. A number of persons indicated that they had not been aware of the project and had not seen a copy of the draft EIS. Copies of the draft EIS were provided to these persons, all residents of Rolling Oaks Circle, the following day. An informational meeting was held on April 9, 1985 to review the draft EIS and receive further comments. Comments received at both public meetings generally focused on opposition to the project. The public comment period ended on April 16, 1985. Response to written and oral comments are contained in Section 3 of this document.

Extensive efforts were made by the MPCA to inform the public as to the issues and status of the draft EIS. Notification was provided, as required by MEQB Rules, in the EQB Monitor, dated July 2, 1984, November 5, 1984, and March 25, 1985. Newspaper articles on the project were published in the Prior Lake American on July 5, 1984, October 17, 1984, December 17, 1984, March 25, 1985 and April 8, 1985. In the October article, the alternative routes to be evaluated in the EIS were described, including the alternate route serving Rolling Oaks Circle.

## 2.0 SUPPLEMENTARY INFORMATION AND ERRATA

During review of the draft EIS, the only area identified as requiring supplementary information pertained to consistency of project alternatives with the comprehensive plan of the City of Prior Lake. In addition some minor errors were noted, and corrected in the errata, Section 2.2. Section 2.0 of this document and its subsections are intended to be integrated into the draft EIS.

### 2.1 RELATIONSHIP OF THE PROJECT TO THE COMPREHENSIVE PLAN

The staff of the Metropolitan Council, in a memorandum dated April 8, 1985 to the Metropolitan Systems Committee of the Metropolitan Council, raised several concerns pertaining to the consistency of the EIS alternatives with the Comprehensive Plan.

The Prior Lake Comprehensive Plan was approved by the Metropolitan Waste Control Commission (MWCC) and the Metropolitan Council (MC) in 1980. The Comprehensive Plan provided for the sewerage of two new development areas, one of which was the area served by the North Shore Trunk Sewer as originally proposed by the City. This project is the Original Route described in the EIS.

As required by the rules of the MEQB Environmental Review Program, alternatives to the project proposal were identified and evaluated as to costs and environmental impacts. The City of Prior Lake has not indicated that the original proposal will be abandoned in favor of any of the alternatives. If any of the alternatives are implemented by the City, an amendment to the Comprehensive Plan and sewer policy plan will be required.

It is noted, by way of clarification, that Figure 1-2 of the draft EIS is a map of the EIS study area. The service area of the North Shore trunk sewer as proposed by the city is shown in Figure 4-1 of the draft EIS. It is consistent with the Comprehensive Plan Public Utilities plan. A copy of the MC Staff memorandum to the Metropolitan Systems Committee is reproduced in the responses to letters of comment, Section 3.4.

## 2.2 ERRATA

The City of Prior Lake, in its comment letter, offered specific corrections of a small number of errors in the draft EIS. The Minnesota Department of Natural Resources also noted a minor error. The changes are incorporated into the draft EIS by the following errata. Several errors on Table 5-1 of the draft EIS have been corrected in revised Table 5-1, which appears as Appendix 1 to this document.

Page 36, Draft EIS, fifth complete paragraph, line 1. (Comment No. 4, MnDNR)

Delete: "endangered or protected"  
Substitute: "or endangered"

Page 44, Draft EIS, first complete paragraph, lines 7 and 8. (Comment No. 9, City of Prior Lake)

Delete: all after "agriculture"  
Substitute: "for a considerable period of time because Leo Vierling has, on several occasions, stated to City officials that he intends to farm his land for many years."

Page 80, Draft EIS, paragraph A, in denominator of formula. (Comment No. 10, City of Prior Lake)

Delete: "28 D.U./yr"  
Substitute: "49 D.U./yr"

Page 82, Draft EIS, first complete paragraph, line 4 parenthetical. (Comment No. 11, City of Prior Lake)

Delete: "40 acre minimum lot size"  
Substitute: "1 acre minimum lot size, 4 lots per 40 maximum"

Table 5-1, Subsequent to the distribution of the draft EIS, some errors in Table 5-1 were found by the EIS consultant. The table is revised and presented as Appendix 1.

### 3.0 RESPONSES TO COMMENTS ON THE DRAFT EIS

#### 3.1 SUMMARY OF PUBLIC MEETING (APRIL 2, 1985) COMMENTS AND RESPONSES

The April 2 public meeting, in the Prior Lake City Council chambers, was preceded by a two-hour "open house" during which attendees were offered an opportunity to examine and discuss the Draft Environmental Impact Study (EIS) with the Minnesota Pollution Control Agency (MPCA) staff and the staff of Bennett-Ringrose-Wolsfeld-Jarvis-Gardner, Inc., the EIS consultant. The public meeting commenced at 7:00 PM. A transcript of the meeting was made, and is available for inspection at the offices of the MPCA. Copies of the transcript are not being incorporated into the Final EIS. Substantive comments relating to the adequacy of the EIS are paraphrased from the transcript and appear below, with the response.

The majority of persons attending the public meeting voiced opposition to the project in general and indicated that they had no desire to be provided with either sewer, water or street improvements. The bulk of the discussion during the public meeting was in fact related to the issue of the need for and desirability of the project. Relatively few comments were made which pertained to the EIS itself.

Several residents of the Rolling Oaks Circle area also complained of inadequate public notice pertaining to the project. It is noted that the measures taken to advise the public about the project complied in every way with the rules of the Environmental Review program. Nevertheless, copies of the Draft EIS were hand-delivered to residents on Rolling Oaks Circle on the afternoon of April 3, 1985. A discussion meeting was held on April 9, 1985, at the Prior Lake Public Library. Comments and questions received at the discussion meeting are noted, and responses made, in this document (See Section 3.2).

#### COMMENTS RECEIVED

Comment No. 1: Meeting Transcript Page 15

Mr. Cushing: Mr. Cushing asked whether the EIS included analysis of an alternative addressing the environmental and economic impacts of a water system only.

Response:

The water-only alternative was addressed but not presented as a specific alternative. The costs of watermain construction are given on page 87 of the DEIS and broken out in detail in Appendix D, page D-13. These costs would be the same for the original route as well as for the three proposed alternatives. The watermain follows the alignment shown in Figure 3-9, page 75 in the DEIS.

The economic impacts for a typical .3 acre lot for water service only are shown in Table 4-5 on page 98 in the DEIS and also in Table 5-1 as revised in the Errata Section of the FEIS.

The environmental impacts would be less than for any of the sewer alternatives and would be limited to a construction corridor 40 feet or less in width. It is noted that the impacts associated with roadway construction along the project alignment are frequently far greater than the impacts associated with utility construction.

Comment No. 2: Meeting Transcript Page 21

Mr. Doud: Mr. Doud asked about the location of the proposed stormwater ponding area and which properties would be affected by the holding ponds.

Response:

The project calls for the construction of one stormwater holding pond to be located at the east end of Beach Street. The easement location for this pond is shown as a gray square area at the east end of Beach street in Figures 3-2c, 3-6b and 3-8b in the DEIS. The pond would occupy parts of three separate lots as shown in the figures. Acquisition of the land in question by the City would be necessary.

Comment No. 3: Meeting Transcript Page 22

Mr. Doud: Mr. Doud asked whether the easements to be acquired by the City for the construction of the sewer line included the area required for the operation of construction equipment and equipment access.

Response:

The construction easements to be acquired by the City of Prior Lake will include the area needed for the operation of construction equipment, access to the trench and for the movement of construction equipment. The width of the trench at the point of its maximum depth of 60 feet is expected to be approximately 100 feet.

Comment No. 4: Meeting Transcript Page 23

Mr. Doud: Mr. Doud asked about the width of Chatonka Beach Trail at the intersection with Beach Street.

Response:

As a part of the Original Route Alignment, it was proposed to widen Beach street to 26 feet including curb and gutter. Chatonka Beach Trail would also be widened to a width of 26 feet for a distance of 100 feet north of the intersection with Beach Street. No other improvements or reconstruction of Chatonka Beach Trail are proposed as part of the Original Route proposal.

### 3.2 SUMMARY OF DISCUSSION MEETING (APRIL 9, 1985) COMMENTS AND RESPONSES

#### COMMENTS RECEIVED

##### Comment No. 1:

C.C. Berger: Mr. Berger asked about the basis for drawing inferences about wildlife populations in the project area by using data from Ohio and Wisconsin.

##### Response:

The DEIS referenced a study by Bailey (1978), in which the U.S. was divided into ecoregions. Ecoregions are broad geographic areas having similarities in climate, vegetation and landform. These same elements influence wildlife habitat and the types of wildlife expected to inhabit those regions. The regional classification of vegetation into ecoregions or biotic communities is not a new concept and Bailey (1978) references numerous similar studies and the basis for such classification approaches.

The Prior Lake Study Area is in the ecoregion called the Eastern Deciduous Forest Province and in the Maple-Basswood Forest Section. This section includes the southern half of Wisconsin. Ohio is in a closely related section called the Beech-Maple Section. In the breeding birds studies published by American Birds, census data are reported by plots within certain habitat types. We reviewed the breeding bird data and other published reports to locate study plots in similar habitat as close to Minnesota as possible. The best available data for the same census plots with more than one year of data were only available from Wisconsin and Ohio.

##### Comment No. 2

Will accessibility to residences be maintained during the construction period?

##### Response:

Vehicular access to residences must be provided during the construction period in order to allow emergency vehicles to reach homes. Residents will be able to continue to reach their individual homes by car however, streets and roads will be in a disturbed condition during the construction period. Active construction in the vicinity of any one group of homes is expected to last 2-3 weeks with street resurfacing occurring shortly after that period.

##### Comment No. 3

Ed Petsch: What will the sewer depths be through Rolling Oaks Circle?

Response:

Average trench depths of the sewer along Rolling Oaks Circle will be 15 feet with a maximum depth of 17 feet. Average trench width will be 30 feet with a maximum top width of 34 feet.

Comment No. 4

What are the lateral costs at Rolling Oaks Circle?

Response:

One lateral line would be required to provide service to five lots at the east end of Rolling Oaks Circle. The remaining lots along Rolling Oaks Circle could have service lines connected directly to the trunk sewer. Estimated cost of the lateral line to serve the extreme end of Rolling Oaks Circle is \$11,200. Given the error inherent in the estimation of costs ( $\pm 5\%$ ), this additional cost is not expected to impact the accuracy of the total estimate.

Comment No. 5

Richard Zierhut: Mr. Zierhut indicated that he has hunted extensively in the Chatonka Woods area in the past, and that the quality of the woodlands impacted by the alternatives is better than the quality of Chatonka Woods.

Response:

This comment is noted. The field evaluation of the Chatonka Woods area showed that Chatonka woods was a Maple-Basswood remnant, but not one of statewide or even county significance due to its degraded condition.

Comment No. 6

Lane Hawkinson: Mr. Hawkinson expressed concern that construction runoff from the construction of the alternatives could impact a wetland just north of Rolling Oaks Circle.

Response:

If a sewer expansion permit is issued for the project, conditions of the permit will include requirements for erosion and sedimentation control. Control measures include the use of fabric silt barriers, straw bales, sedimentation settling areas, and prompt revegetation of disturbed areas. Excavation in the wetland will be prohibited.

### 3.3 COMMENT LETTERS NOT REQUIRING RESPONSES

Written comments were received from the Minnesota Historical Society, the Minnesota Department of Transportation, and the U.S. Army Corps of Engineers. These letters did not require responses. They are reproduced here in full.



DEPARTMENT OF THE ARMY  
ST PAUL DISTRICT CORPS OF ENGINEERS  
1135 U S POST OFFICE & CUSTOM HOUSE  
ST PAUL MINNESOTA 55101

REPLY TO  
ATTENTION OF: April 26, 1984  
Construction-Operations  
Regulatory Functions  
84-N095]-30

Mr. James P. Morton P.E.  
202 East Hennepin Avenue  
Suite 238  
Minneapolis, MN 55413

Re City of Prior Lake, North Shore Trunk  
Sewer and Water, Project No. 82-3  
Lower Prior Lake, secs. 15, 26 & 35, T. 15N.,  
R. 22E., Scott County, MN.

Dear Mr. Morton:

We have reviewed the information provided us about your project. The work you propose at the location stated above is authorized by an existing nationwide Department of the Army permit, provided the work is done in compliance with the conditions and management practices listed in the enclosure.

This determination covers only the project referenced above. If the design, location, or purpose of the work is changed, you should contact us to make sure the work would not result in a violation of Federal law. Our telephone number is 612-725-7557. This authorization expires 22 July 1987.

It is your responsibility to insure that the work complies with the terms of this letter and the enclosures. PLEASE NOTE THAT THIS CONFIRMATION LETTER DOES NOT ELIMINATE THE NEED FOR STATE, LOCAL, OR OTHER AUTHORIZATIONS.

If you have any questions, please call Mary Marx 725-7712.

Sincerely,

TF

Dennis E. Cin  
Chief, Regulatory Functions Branch  
Construction-Operations Division

Enclosure(s)

Determination: 330.5(a)(2)

Map Number:  
350 D

cc: Minnesota Pollution Control Agency  
Mr. Eric Kilberg  
1935 West County Road B-2  
Roseville, MN 55113

*No changes in comments of the draft FIS.*

84-90951-30



20 March 1985

Mr. Eric Kilberg  
Minnesota Pollution Control Agency  
Office of Planning and Review  
1935 West County Road B2  
Roseville, Minnesota 55113

Dear Mr. Kilberg:

RE: Prior Lake North Shore Trunk Sewer

MHS Referral File Number: S-641  
(PLEASE REFER TO THIS NUMBER IN  
ALL FUTURE CORRESPONDENCE)

Thank you for the opportunity to review the draft E.I.S. on the above-referenced project. It accurately describes the fact that reported archaeological properties will not be affected by this project.

If you have any questions on our review, please contact Ted Lofstrom, Environmental Assessment Officer, Minnesota Historical Society, Fort Snelling History Center, St. Paul, Minnesota 55111.

Thank you for your continued close attention to historic values in your planning process.

Sincerely,

Russell W. Fridley  
State Historic Preservation Officer

cc: Larry Anderson  
City of Prior Lake  
4629 Dakota Street Southeast  
Prior Lake, MN 55372

BRW, Inc.  
Attn: Franklin J. Svoboda  
Thresher Square  
700 Third Street South  
Minneapolis, MN 55415



Minnesota Department of Transportation  
Transportation Building, St. Paul, MN 55155

April 16, 1985

(612)  
Phone 296-1652

Eric Kilberg  
Office of Planning and Review  
Minnesota Pollution Control Agency  
1935 West County Road B2  
Roseville, Minnesota 55113

Re: Prior Lake North Shore Trunk Sewer (DEIS)  
Draft Environmental Impact Statement  
District 5 (Prior Lake-Scott County)

Dear Mr. Kilberg:

Thank you for the opportunity to review the Draft Environmental Impact Statement on Prior Lake North Shore Trunk Sewer. The Minnesota Department of Transportation (Mn/DOT) anticipates that the proposed project will cause little adverse impact to our transportation facilities.

If you require additional information from Mn/DOT, please contact Carl Hoffstedt, Transportation Planning Engineer at our District Office in Golden Valley, phone number (612) 545-3761.

Sincerely,

Cheryl Heide, Planner  
Office of Environmental Services

F

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### 3.4 COMMENT LETTERS AND RESPONSES TO COMMENTS

Comment letters requiring responses were received from the Minnesota Department of Natural Resources, the Metropolitan Council, the Metropolitan Waste Control Commission, the City of Prior Lake, and Verne and Kay Dahlgren. These letters are reproduced in reduced form, with each substantive comment identified in the margin by a number which corresponds to the following response.

Minnesota Department of Natural Resources	pg 16 - 18
Metropolitan Council	pg 19 - 24
Metropolitan Waste Control Commission	pg 25
City of Prior Lake	pg 26 - 27
Verne and Kay Dahlgren	pg 28

STATE OF MINNESOTA  
DEPARTMENT OF NATURAL RESOURCES

100

DNR INFORMATION  
100

April 15, 1985

Mr. Eric J. Kilberg  
Office of Planning and Review  
Minnesota Pollution Control Agency  
1935 West County Road B2  
Roseville, Minnesota 55113

RE: Prior Lake North Shore Trunk Sewer  
Draft Environmental Impact Statement (DEIS)

Dear Mr. Kilberg:

The Department of Natural Resources (DNR) has reviewed the above-referenced document and we offer the following comments for your consideration.

1 From the information provided in Table 3-1 we have concluded that the impacts of secondary development on the natural resources of the project area will be greater than the mostly temporary impacts of constructing the trunk sewer. Unfortunately, the DEIS touches only briefly on the impacts of this secondary development. The tables on pages 106-110 provide a good description of vegetative and habitat losses resulting directly from construction of the sewer. We would like to see a similar attempt at quantification of secondary development effects based on estimated numbers of dwelling units from Table 3-1 and an estimation of areas most likely to be developed, which are referred to in the first paragraph on page 107.

2 In addition to this analysis, we feel that it would be appropriate to examine an alternative that would involve upgrading of existing on-site wastewater systems that are deficient. Such an alternative would have less stimulus of secondary development than any of the build alternatives described in the DEIS and could prevent water quality deterioration in the lake. Even if such an alternative proves to be infeasible, it appears to be worthy of examination in the EIS.

3 The description of existing habitat and wildlife species composition in the project area are generally adequate. An addition to the evaluation of sensitive wildlife species on page 36 is the Blanding's turtle. A large male of this State Threatened species was recently observed in the N1/4 Sec. 2, T.114N, R.22W. The preferred habitat for the Blanding's turtle includes calm shallow water, rich aquatic vegetation, and sandy upland areas for nesting. We expect that suitable habitat exists in the project area. A minor comment is that the word "protected" should be dropped from the fifth paragraph on page 36. There are many wildlife species in the project area that are protected, including deer, pheasants, migratory birds, songbirds, etc.

AN EQUAL OPPORTUNITY EMPLOYER

## RESPONSES:

- 1 Each of the "build" alternatives provides for construction of an interceptor sewer designed to serve a large service area, and in each case, a complement area. Complete service of the alternate service area and its complement may require the eventual construction of lateral sewers. It is assumed that the entire area will be developed eventually, and except for the no-build alternative, densities will be equivalent. In all cases, including the no-build condition, development is likely to occur and this likelihood is reflected in the City's comprehensive plan. Specific determinations regarding the precise sequence of development and the changes in land-use of specific parcels or portions thereof will be made by individual property owners, subject to marketplace forces and local zoning decisions. It was not intended that the EIS evaluate in detail the ecological impacts of this development.

- 5 We feel that the build alternatives will cause impacts on wildlife populations beyond those identified on pages 114-118 of the DEIS. This section contains information on species composition impacts that is basically valid. However, other impacts affecting species diversity, wildlife population levels, and disruption or creation of wildlife travel corridors are not analyzed. We feel that some of these other impacts, particularly those resulting from secondary development, will be significant when considered on a project area scale. We would like to see this section include an evaluation of specific impacts on the pileated woodpecker, identified as an important indicator species on page 36. This evaluation should include a description of the suitability of the existing habitat for these birds and an estimate of habitat suitability after construction of the sewer line and development of the area.
- 6 In the list of required governmental approvals on page 3, no mention is made of the need for a temporary water appropriation permit for trench dewatering. We expect that dewatering volumes during construction will exceed the 10,000 gallons per day or 1 million per year thresholds.

Thank you for the opportunity to provide you with our comments on this project.

Sincerely,



Thomas W. Balcom  
Environmental Review Coordinator

pje 38C  
c: Kathleen Wallace  
Earl Huber  
Ron Harnack  
Gregg Downing - EOE  
Larry Anderson - City of Prior Lake

## RESPONSES:

Development in the various service areas and their complements, as stated in the EIS, will exert a dramatic impact on the types and numbers of species present. The detailed quantification of these impacts was not identified in the Scoping Decision Document as part of the intended scope of the EIS.

The secondary impacts on vegetation related to the build alternatives are evaluated on page 107 of the DEIS to the extent consistent with the analysis described in the scoping decision. The effects of secondary impacts on wildlife are described on pages 116 and 117 in the DEIS. In particular a study was cited describing the effects of urbanization on wildlife populations in the Washington, D.C. area. Even though the study area is geographically distant from Minnesota, the information is useful in understanding some of the changes which might occur as a result of the development.

- 2 The no-build alternative as described on page 79 of the DEIS is the alternative that considers the continued use of on-site systems both currently existing as well as for any future development.

The impacts of the no-build alternative on vegetation are described on page 107 of the DEIS and on wildlife are described on page 115 in paragraphs 3 and 4.

- 3 The observation of this species in the project area is noted.
- 4 See Errata Section

## RESPONSES:

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- 5 As indicated in the response to the first paragraph in this letter, it was beyond the scope of this document to provide a detailed examination of the secondary impacts of the project. The project as proposed is consistent with the comprehensive plan developed by the City of Prior Lake and the purpose of the EIS was not to evaluate the impacts of development per se but rather the direct impacts related to the construction of the trunk sewer. The EIS did accomplish this purpose.

The habitat existing in the area presently is well-suited for woodpeckers in general because of the abundance of dead and dying trees (particularly elms). There is a high mortality of elms as a result of Dutch elm disease. It is worthwhile to point out that any long-term projections about the effect of development on woodpecker species would be speculative. Populations of these species are likely quite high now because of the abundance of dead and dying elm trees and the favorable habitat and food resources that these trees are now providing for the woodpeckers. Once the Dutch elm disease cycle has peaked and most of the mature elms have died and been removed, this favorable habitat condition will no longer exist. Consequently, woodpecker populations will decline as the amount of habitat declines. This will occur independently of suburban development.

Pileated woodpeckers require fairly extensive blocks of woodland in order to satisfy their habitat requirements. Intensive development in the project area would likely reduce the desirability and suitability of the habitat for pileated woodpeckers.

- 6 Temporary dewatering is expected to be required during construction. The construction contractor will be responsible for obtaining a temporary dewatering permit from the Department of Natural Resources.



Metropolitan Council  
300 Metro Square Building  
Seventh and Robert Streets  
St. Paul, Minnesota 55101  
Telephone (612) 291-6354

April 8, 1985

Eric Kilberg  
Minnesota Pollution Control Agency  
1935 West County Road B-2  
Roseville, MN 55113

RE: Prior Lake North Shore Trunk Sewer Draft Environmental Impact  
Statement  
Metropolitan Council Referral File No. 12045-2

Dear Mr. Kilberg:

Enclosed is a copy of the staff report. It is scheduled to be considered by the Council and its committees according to the following schedule.

April 15 Metropolitan Systems Committee  
April 25 Metropolitan Council

If you have any questions regarding the staff report or review schedule, please contact me at 291-6404.

Sincerely,

A handwritten signature in cursive script that reads "Karl Burandt".

Karl Burandt  
Environmental Planner

KB:sje

Enclosure

An Equal Opportunity Employer

DATE: April 8, 1985  
TO: Metropolitan Systems Committee  
FROM: Parks and Environmental Planning Department (Karl Burandt) KB  
SUBJECT: Comments on Draft Environmental Impact Statement (EIS)  
for the Prior Lake Northshore Trunk Sewer  
Metropolitan Council Referral No. 12045-2  
Metropolitan Council District No. 14

#### INTRODUCTION

The Minnesota Pollution Control Agency (MPCA) has submitted a draft EIS for a trunk sanitary sewer located along the northwest shoreline of Prior Lake. The trunk sewer is a city facility that will serve existing and proposed development and will discharge into the Prior Lake Interceptor owned by the Metropolitan Waste Control Commission (MWCC). Wastewater from this facility is treated at the Blue Lake Wastewater Treatment Plant which discharges to the Minnesota River. The draft EIS is submitted to the Council for comment and the comment deadline is April 16, 1985.

#### AUTHORITY FOR REVIEW

The Council as the regional planning agency is provided an opportunity by the MPCA to comment on the Prior Lake Trunk Sewer draft EIS. This process of commenting on draft EIS for various projects is to determine if the project is consistent with or in conflict with the Council's Water Resource Management Development Guide (WRMDG) plan. The Council's comments will be considered by the MPCA together with other comments at the time the draft EIS is considered for acceptance.

#### BACKGROUND

In 1980, the Council approved the Prior Lake Comprehensive Plan including the Sewer Policy Plan. The Comprehensive Sewer Plan was approved by the MWCC. The comprehensive plan of Prior Lake plans sanitary sewer service for the northwest shoreline of Prior Lake. The city now wishes to proceed with the installation of a sewer for this area. The MPCA is required to develop an EIS because of a petition by some property owners in the area who are concerned about the effect this sewer trunk will have on the area and lake. The draft EIS is intended to provide background information and clarify issues as to the effect of this trunk sewer on the affected areas.

## ISSUES AND CONCERNS

The Prior Lake Comprehensive Plan approved by the Council in 1980 provided for a Metropolitan Urban Service Area (MUSA) and a rural service area. The plan review adopted by the Council states the following:

Prior Lake is a freestanding growth center with a 1990 urban service area consisting of its existing sewer service area and Priority One and Two new development areas as illustrated on the Public Utilities Plan (Page 37) of the Comprehensive Plan. The remainder of the city is the rural service area.

See attached Comprehensive Plan Public Utilities plan (Exhibit I) which shows the existing utility area and Priority One and Two areas. Also attached is the draft EIS trunk sewer service area map which shows that the two service areas do not agree (Exhibit II).

The draft EIS is incomplete regarding the relation of this project to the city's comprehensive plan. Figure 1-2, showing the proposed sewer's service area, and Section 2.1.3, Planned Land Use, make no mention of the fact that the city's comprehensive plan includes a timing and staging element. Looking at the draft EIS alone would lead one to believe that once the sewer is constructed, all of the service area will be available for development. In fact, only a portion of the service area would be available for development as depicted on the attached map from the city's comprehensive plan. Any deviation from the timing-staging identified in the comprehensive plan approved by the Council would first require that a plan amendment be submitted for Council review and found acceptable.

Similarly, Section 4.2.3 of the draft EIS does not reflect how assessment practices will be linked to the timing and staging of the service area. The draft EIS needs to address how assessments will be applied to the land areas eligible for sewer service prior to 1990 versus those that would be eligible after 1990. There needs to be recognition that assessment practices must be coordinated with the timing and staging of sewer availability as shown in the comprehensive plan to insure the orderly implementation of the plan. How the types of assessments will be used to coincide with service area timing and staging also needs to be addressed.

The draft EIS should clearly identify the fact that provision of sewer service is governed by the city's timing and staging in the approved comprehensive plan and sewer plan, that the service area of this proposed trunk sewer will need to be expanded in a sequential, contiguous manner over time through comprehensive plan amendments, and that sewer assessments will need to be coordinated with the availability of sewer service.

## FINDINGS OF FACT AND CONCLUSION

The Prior Lake Trunk Sanitary Sewer draft EIS area of service is not consistent with the city comprehensive plan sewer service area as delineated in the local comprehensive plan and sewer policy plan approved by the Council.

The draft EIS does not indicate if there will be timing differences for service to part of the service area.

The draft EIS does not state if there will be staging of assessments to coincide with construction facilities and orderly implementation of the local comprehensive plan.

Any departure from the sewer service area or the timing and staging identified in the Local Comprehensive Plan and Sewer Policy Plan approved by the Council will require a plan amendment, which is to be reviewed by the Council.

RECOMMENDATIONS

- 1. That the Metropolitan Council transmit the following comments to Minnesota Pollution Control Agency:
  - a. That the draft environmental impact statement be clarified to show what areas will be served with sewer service before and after 1990.
  - b. That a clarification of financing be made in the draft environmental impact statement as to which areas will be assessed for sewer service and when those areas will have sewer service made available to them.

7

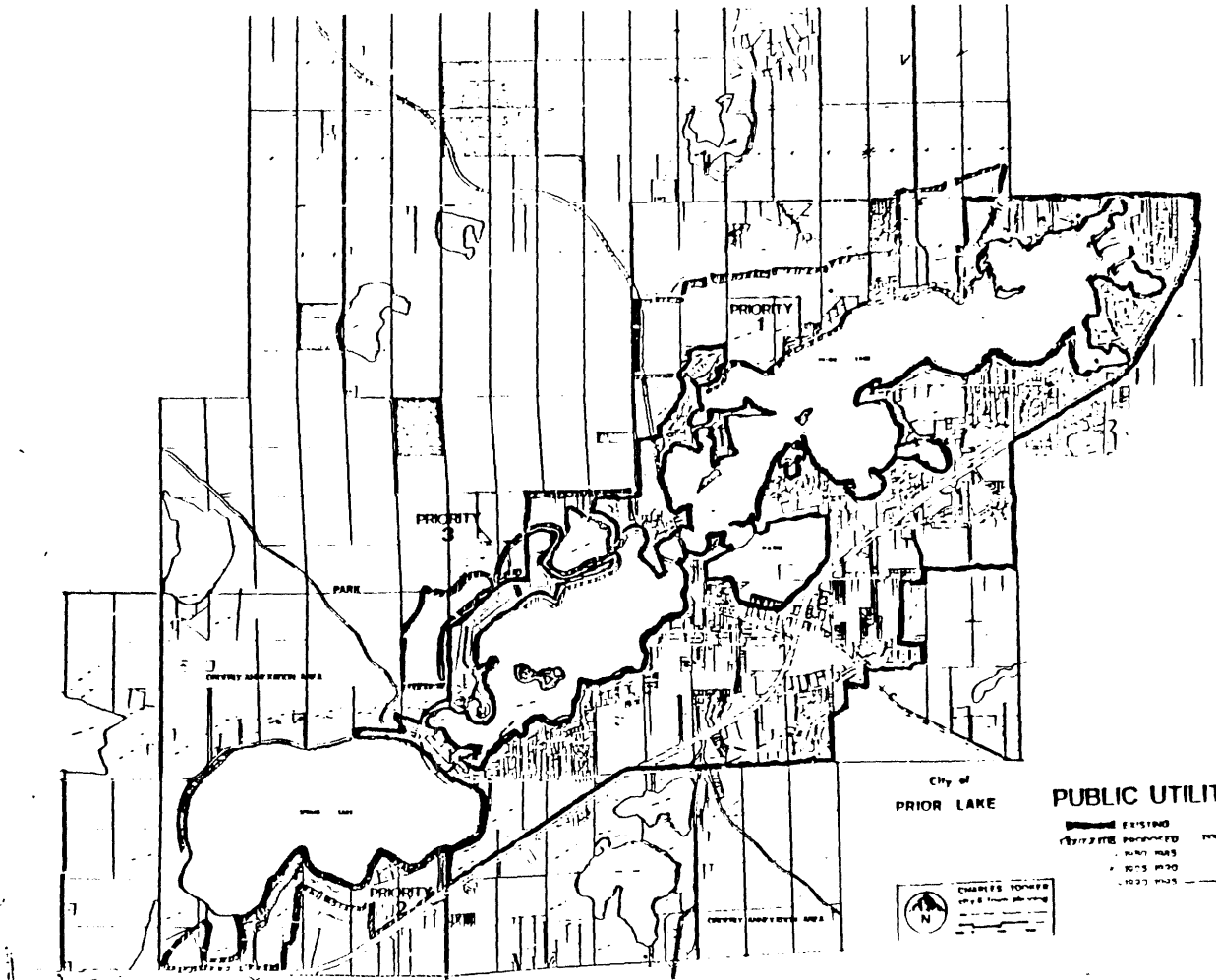
- 2. That the Metropolitan Council transmit the following comment to Prior Lake:
  - The city should amend its comprehensive plan and its comprehensive sewer plan and submit these plans for the Metropolitan Council and Metropolitan Waste Control Commission approval before proceeding with the project.

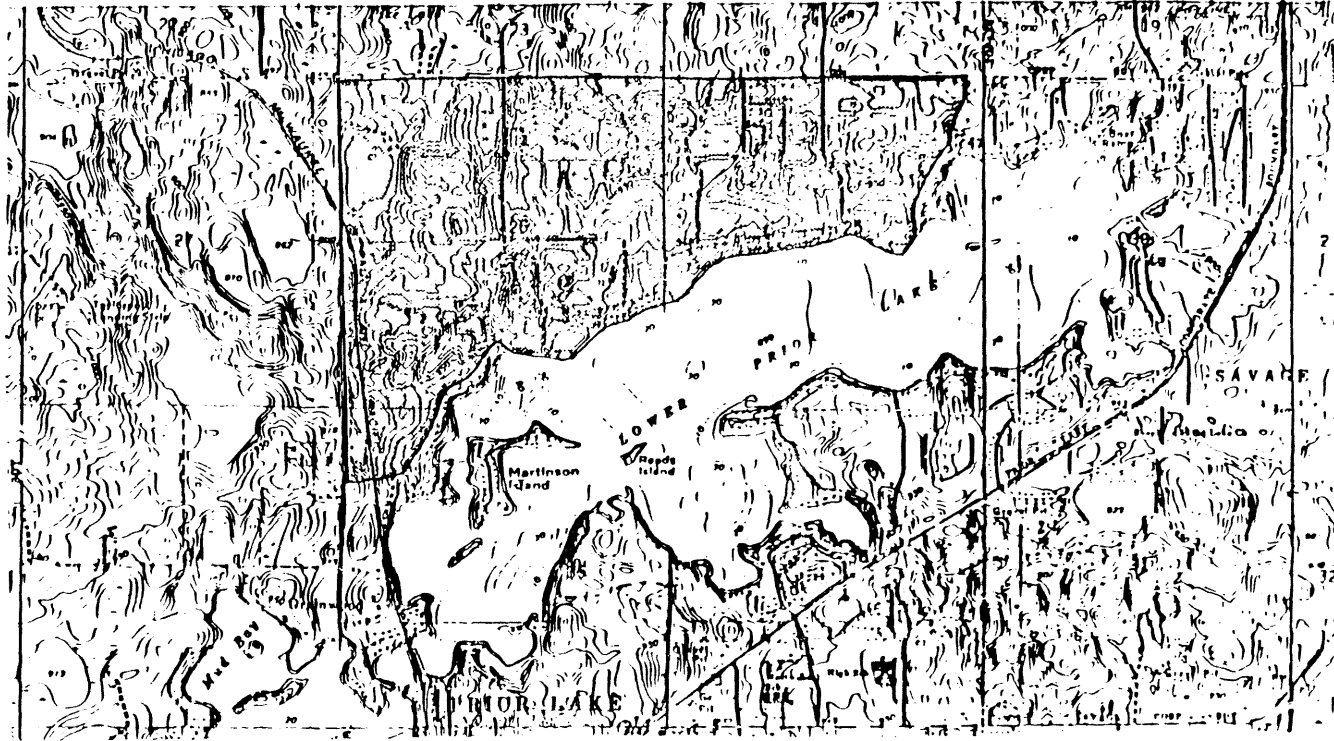
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**RESPONSES:**



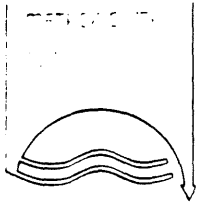
- 7 It is emphasized that the only proposal made to date by the City of Prior Lake, is identified as the "Original Route" in the draft EIS. The alternatives developed in the draft EIS were developed as provided in Minnesota Rules, Parts 4410.2100 Subpart 6E (formerly 6MCAR 3.029A and 3.030E) and as determined during the scoping process. The City has not indicated that any of the alternatives will be implemented in place of the original proposal. Should the City decide in favor of an alternate route, the appropriate changes will be made in the Comprehensive Plan, and appropriate reviews solicited from the MWCC and Metropolitan Council. Supplemental discussion has been included in Section 2.1 of the Final EIS.





**Figure 1-2: USGS Map  
Prior Lake Northshore  
Trunk Sewer EIS**





March 14, 1985

Mr. Eric J. Kilberg  
EIS Project Manager  
Office of Planning and Review  
Minnesota Pollution Control Agency  
1935 West County Road B2  
Roseville, MN 55113-2785

Dear Mr. Kilberg:

The Metropolitan Waste Control Commission has reviewed the Draft Environmental Impact Statement for the Prior Lake Northshore Trunk Sewer located in Prior Lake.

8 Our review indicates that the original North Shore alignment is consistent with the approved Comprehensive Sewer Plan for the city. The Commission, therefore, has no objection to this development. However, if any one of the three Pike Lake Trail alternatives is used, an area outside of the 1990 Metropolitan Urban Service Area boundary would be made available for sewer service. It would then be necessary for the city to amend its Comprehensive Plan/Comprehensive Sewer Plan if sewer service is intended for the area.

Sincerely,

*Raymond A. Odde*  
Raymond A. Odde  
Manager of Community Services

cc: City of Prior Lake  
Metropolitan Council

RAO:RWJ:CLL

RECEIVED  
MARCH 15 1985

350 METRO SQUARE BLDG.  
7TH & ROBERT STREET  
MINNAPOLIS, MN 55402  
612 222-8423

## RESPONSES:

8 The MWCC comment is noted. Section 1.2 of the Draft EIS has been amended, by the EIS errata, to include review of the amended comprehensive plan and sewer policy plan. The City of Prior Lake has been provided with a copy of the MWCC comment letter. Should the City decide to implement any of the alternatives to the route, the required amendments to the Comprehensive Plan and Sewer Policy Plan will be made prior to implementation. It is noted that the City of Prior Lake has not indicated that it would pursue any of the alternative routes. Supplemental discussion of this issue has been included in Section 2.1 of the Final EIS.

Lommen, Nelson, Sullivan & Cole, P.A.  
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REPLY TO

April 15, 1985

\* Admitted in Minnesota and Wisconsin  
† Notion Office

Mr. Eric Kilberg  
1935 West County Road B2  
Roseville, Minnesota 55113

Re: Draft Environmental Impact  
Statement, Prior Lake North  
Shore Trunk Sewer

Dear Mr. Kilberg:

On behalf of the City of Prior Lake, we have the following  
comments regarding the Draft Environmental Impact Statement for  
the Prior Lake North Shore Trunk Sewer:

9 1. On page 44, the last sentence of the first complete  
paragraph on that page is incorrectly stated. City planning  
staff had indicated that the Lec Verling property as it relates  
to the proposed project area would probably remain agricultural  
for a considerable period of time because Lec Verling has, on  
several occasions, stated to City officials that he intends to  
farm his land for many years.

10 2. Paragraph A. on page 80 has an incorrect number in the  
formula indicated on that page. The formula should read as  
follows:

$$\frac{\text{Capacity Total}}{\text{Pace}} = \frac{965}{49 \text{ D.U./yr.}} \pm 19.6 \text{ years}$$

The formula denominator indicates 28 D.U./yr.

**RESPONSES:**

9 Change has been noted and made to the draft EIS. See Errata Section.

10 Change has been noted and made to the draft EIS. See Errata Section.

11

3. There is an error in the parenthetical in the first complete paragraph on page 82. The parenthetical should read "(1 acre minimum lot size)" versus "(40 acre minimum lot size)" as set forth on the draft.

12

4. On pages 86 and 87, "Table 4-1. Total Cost of Construction Options" is erroneous in that the service area and complement areas for the four options are not the same. Since they are not the same, the comparisons are meaningless. Alternate 1 has excluded the Chatonka Beach area from either the service area or the complement and therefore the costs associated with that excluded area are not included in the table.

Should you have any questions regarding these comments, please feel free to contact Larry Anderson, Mike McGuire or myself.

Very truly yours,

LOMMEN, NELSON, SULLIVAN & COLE, P.A.

Glenn R. Kessel

GRK:sjf

cc: Mr. Larry Anderson  
Mr. Michael McGuire

## RESPONSES:

- 11 Change has been noted and made to the draft EIS. See Errata Section.
- 12 The City observes, correctly, that Alternative 1 does not include the Chatonka Beach area. This is so stated in the last sentence in Paragraph 2 of Section 4.2, and is the reason why the construction cost of Alternative 1 (trunk sewer) is lower than that for the other alternatives. Alternative 1 was not intended to serve as extensive a service area as the original route or Alternatives 2 or 3.

4/4/88  
4070 Beach St. N.E.  
Prior Lake, Mn. 55372

Mr. Eric Kilberg  
EIS Project Manager  
Mn. Pollution Control Agency  
Roseville, Mn. 55113

Dear Mr. Kilberg:

We received our copy of your EIS and have read and reread it. It is informative, complete and in our opinion so helpful in comparing the environmental impact as well as cost comparison, areas and number of lots serviced etc. It is far more than we anticipated.

- 13 We do have a couple questions. On page 81, Meadowlawn is gray  
14 with platted land with 4 vacant lots ( 152 total) Is Meadowlawn  
15 platted? Is it included in the grandfather clause allowing on-  
the-site sewer and water? On page 2, the alternate alignment  
which would follow the proposed Carriage Road to Pike Lake Trail  
to CSAH 21 was specifically excluded from the scope of EIS? Why?  
Does this not seem a route that would eliminate all the tree destruction, or most of it?

Thank you for a magnificent job well done. It is greatly appreciated.

Sincerely,

Verne Dahlgren  
Ray Dahlgren

4070 Beach St. N.E.  
Prior Lake, Mn. 55372

## RESPONSES:

- 13 A portion of Meadowlawn adjacent to Prior Lake is platted, the rest is not. The 152 lot number pertains to the number of platted lots within the draft EIS study area.
- 14 To our knowledge, there is no grandfather clause allowing on-site sewer and water. Most cities in Minnesota enact some form of ordinance requiring connection to a sewer system within a set time of its availability.
- 15 The alternative alignment between the end of Carriage Hill Road and CSAH 21 was specifically excluded from the EIS scope during the scoping process. Since this alternative would have crossed the natural drainage divide at a very acute angle, it would have resulted in greater distances of extremely deep excavations (greater than 60 feet), and substantially higher costs. Lateral lines serving this alignment would have been similarly impacted by high costs. Selection of this alternative would have resulted in greater environmental impacts beyond loss of vegetation (wider trench, disturbance of open field habitats, greater potential for erosion).

Appendix 1

Table 5-1(Revised). Typical Assessments for Alternative Assessment Policies.\*

	Sewer		Water	
	.3 acre lot	10 acre lot	.3 acre lot	10 acre lot
100% Acreage-Based	\$1,919	\$47,970	\$ 448	\$11,206
100% Lineal-Footage Based	\$4,408	\$87,290	\$1,030	\$20,392
City's Present Policy	\$4,077	\$79,213	\$ 764	\$13,622
50% Costs shared by City with Remaining Costs based on present City Policy	\$1,873	\$35,570	\$ 550**	\$ 9,375**

\*These numbers do not include road improvements.

\*\*No Front Footage Charges would be assessed since trunk charges and connect charges would more than cover half the cost of the entire project.