

ENVIRONMENTAL ASSESSMENT WORKSHEET

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

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

1. **Project title** *Northern Lights Over Roosevelt Lake*

2. **Proposer** *City Lakes Investment Group, LLC*

Contact person *Chris Scott*

Title

Address *2437 Sheridan Ave S*

City, state, ZIP *Minneapolis, MN 55405*

Phone *612-616-2645*

Fax

E-mail *cscottski@yahoo.com*

3. **RGU** *City of Emily*

Contact person *Charles Marohn*

Title *City Planner*

Address *P.O. Box 68*

City, state, ZIP: *Emily, MN 56447*

Phone *218-763-3963*

Fax *218-763-2481*

E-mail *marohn@communitygrowth.net*

4. **Reason for EAW preparation** (check one)

EIS scoping

Mandatory EAW

Citizen petition

RGU discretion

Citizen Petition

If EAW or EIS is mandatory give EQB rule category subpart number

and subpart name

5. **Project location** County *Crow Wing*

City/Township *Emily*

N 1/2

Section *3*

Township *137N*

Range *26W*

Attach each of the following to the EAW:

- County map showing the general location of the project;
- U.S. Geological Survey 7.5 minute, 1:24,000 scale map indicating project boundaries (photocopy acceptable);
- Site plan showing all significant project and natural features.

6. **Description**

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

Northern Lights Over Roosevelt Lake, a proposed single family conservation subdivision in the City of Emily, Minnesota, will consist of 48 single family lots and one common lot (Outlot A) over an 88.7 acre parcel on Roosevelt Lake. The project includes 48 back lots that are 0.75 acres each.

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

The project is a proposed single family conservation subdivision in Emily, Minnesota and will consist of

48 total single family dwellings and 1 common lot (Outlot A). New construction associated with the development will include the construction of approximately ¾-mile of new roadway, including associated storm water management facilities, and construction associated with typical residential lots. Anticipated construction on each residential lot would include tree removal for a proposed driveway, a building pad, an on-site sewer system, and landscaping. On the easterly side of Trunk Highway No. 6 in the designated common area (Outlot A), walking and hiking trails will be constructed for passive recreational use. Additional provisions and space has been set aside for a playground, recreational area, picnic area and parking for resident owners to use. It is anticipated that a 4 space parking area, picnic table area, controlled swimming area, and a 24 slip dock would be constructed on Roosevelt Lake, westerly of the traveled roadway of Trunk Highway No. 6. Wood chip trails would also be constructed west of Trunk Highway No. 6 to access the dock and controlled swimming area.

There will be no filling or manipulation of existing wetland areas. No disturbance of the historic ice ridge along Roosevelt Lake will occur. No additional runoff will be directed or discharged towards the existing Trunk Highway No. 6 ditch system.

The construction of the private road will occur as soon as construction conditions allow after receiving approval and would continue until completed. A 22' wide bituminous roadway would be constructed according to City road standards and specifications. The road construction would begin off of the existing public roadway, Smokey Hollow Road. It is anticipated that the proposed private road would be constructed in approximately 45 days.

The road construction would require a Minnesota Pollution Control Agency (MPCA) National Pollutant Discharge Elimination (NPDES) permit. All construction activity would utilize Best Management Practices (BMPs) to minimize erosion and sediment transport offsite. BMPs would include, but are not limited to, retention and detention basins, silt fence, bio-logs, rock bags, and erosion control blanket. The schedule of residential lot construction would occur on an individual lot basis at the discretion of the future land owner. Individual homeowners would be required to abide by the MPCA NPDES permit requirements, which may include the construction of individual storm water basins such as rain gardens

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

The project will be carried out by the project proposer and not a governmental unit. The purpose of the project is to provide a conservation subdivision for 48 residential lots to be offered for sale on a parcel of wooded land adjacent to Roosevelt Lake, as well as providing private lake amenities for the development.

d. Are future stages of this development including development on any outlots planned or likely to happen? Yes No

If yes, briefly describe future stages, relationship to present project, timeline and plans for environmental review.

e. Is this project a subsequent stage of an earlier project? Yes No

If yes, briefly describe the past development, timeline and any past environmental review.

7. Project magnitude data

Total project acreage ~ 89.3 acres

Number of residential units: 48 unattached attached maximum units per building

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

Indicate areas of specific uses (in square feet):

Office N/A

Manufacturing N/A

Retail N/A

Other industrial N/A

Warehouse N/A

Institutional N/A

Light industrial N/A

Agricultural N/A

Other commercial (specify) N/A

Building height *N/A*

If over 2 stories, compare to heights of nearby buildings

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

<u>Unit of government</u>	<u>Type of application</u>	<u>Status</u>
<i>City of Emily</i>	<i>Preliminary Plat Approval</i>	<i>Pending</i>
<i>City of Emily</i>	<i>Final Plat Approval</i>	<i>Pending</i>
<i>City of Emily</i>	<i>Conditional Use Permit for Grading</i>	<i>Future Application</i>
<i>State of Minnesota</i>	<i>MNDOT Access Permit</i>	<i>Future Application</i>
<i>State of Minnesota</i>	<i>MPCA NPDES Stormwater Permit</i>	<i>Future Application</i>
<i>City of Emily</i>	<i>Individual Lot Sewage Treatment Systems</i>	<i>Future Application</i>
<i>City of Emily</i>	<i>Individual Lot Building Permits</i>	<i>Future Application</i>
<i>State of Minnesota</i>	<i>Individual Lot Domestic Well Registration</i>	<i>Future Application</i>

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

Current zoning for the property is Rural Preservation. The current land use for the property is predominantly deciduous forest. In the recent past the interior portion of the property had been selectively timber harvested consisting of approximately 75% of the upland portion of the property. There are no known past land uses on this property that are expected to leave soil contamination or other negative impacts. Portions of the property are within 1000' of Roosevelt Lake (ID # 11-43) and Smokey Hollow Lake (ID # 18-220). There are no structures or known wells or septic systems located on the subject property. The northern project boundary is the southerly boundary of Cass County, Minnesota. Development in Cass County consists of residential lakeshore tracts along Roosevelt Lake and Smokey Hollow Lake, while larger rural tracts join Smokey Hollow Road. On the east lies a residential plat of Smokey Hollow consisting of 14 lots and other small metes and bounds residential parcels. To the south there a five acres tracts and Crow Wing County tax-forfeited land, and to the west is Roosevelt Lake. The development property topography varies approximately 60 feet from the high ground (elevation 1330 feet) to the Ordinary High Water (OHW) elevation of 1269.9 determined by the Department of Natural Resources (DNR).

Roosevelt Lake is a general development lake that encompasses a 1,585 acre lake per the DNR website. The maximum depth is 129 feet and 25% of the surface water is less than 15 feet deep. The bottom substrate adjacent to the property is comprised of sand, cobbles, and rock. There is no emergent vegetation adjacent to the project site. Chara vulgaris (muskgrass), Ceratophyllum demersum (coontail) and Elodea Canadensis (elodea) dominated the submerged vegetation adjacent to the project site at depths ranging from 3-4 feet of water.

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

Before	After	Before	After
Types 1-8 wetlands ~ 6.2	~6.2	Lawn/landscaping ~0.0	~20.9
Wooded/forest ~ 80.8	~54.0	Impervious surfaces ~ 1.7	~7.6
Brush/Grassland Cropland~0.0	~0.0	Other (describe)	
	TOTAL	~88.7	~88.7

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

The decrease in wooded/forested areas is expected to result from the clearing for the new construction of the access road, driveways, homes, and garages. This construction activity would also result in an increase in the area of lawn/landscaping and impervious surface on the project site. The 7.6 acres of impervious surface includes 2.2 acres for private road construction and 0.1 acres per lot for roofs and driveways (assuming 4,900 square feet per lot for homes, garage, and driveway). The 20.9 acres of lawn/landscaping includes lot clearing (0.34 acres/lot) and 4.4 acres of road ditch assuming that the dedicated right-of-way would be cleared during construction.

11. Fish, wildlife and ecologically sensitive resources

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

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

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

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

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

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

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

14. Water-related land use management district. Does any part of the project involve a shoreland zoning district, a delineated 100-year flood plain, or a state or federally designated wild or scenic river land use district? Yes No

If yes, identify the district and discuss project compatibility with district land use restrictions.

The subject property falls within 1000 feet of both Roosevelt Lake (General Development Lake) and Smokey Hollow Lake (Recreational Development), requiring adherence to density requirements for lakeshore properties. The minimum lot size for non-riparian development, according to State Shoreland Rules and contained in the City's Land Use Ordinance, is 40,000 square feet. This minimum lot size, in turn, translates into a maximum density of approximately 1.1 units per acre. The proposed development has a residential density of approximately 1 units per 1.6 acres. All proposed structures are outside of the minimum setbacks from the Ordinary High Water Mark (OHW) from Lake Roosevelt (75 feet) and Smokey Hollow Lake (100 feet).

Single-family residential dwellings are a permitted use within the shoreland management area. Shoreland alterations accessory to a permitted use are also allowed, subject to performance criteria

administered by the local unit of government. A conditional use permit is required by the City of Emily for the creation of the swimming area.

The proposal includes the creation of 24 mooring slips for the use of property owners within the development. Shoreland regulations 6120.3800 regarding Planned Unit Developments (PUD) regulate in Subpart 5, 3(c) the location, configuration and number of mooring slips. While this development is not a PUD, it more closely resembles a PUD than other types of developments described in the shoreland standards. The development meets the consolidation and configuration requirements from 6120.3800. Due to the location of Highway 6 and the associated easements and rights-of-way, there is no buildable area within the first tier and thus no mooring slips would be allowed utilizing the PUD provisions.

The City of Emily has an ordinance that has provides for a Rural Conservation Subdivision (RCS) for the off-lake property. The property retains riparian access with an RCS and, while the property is zoned Shoreline Residential, the Emily Ordinance is silent on riparian rights within an RCS. Since the proposed docking facility would contain more than three mooring slips and be located on a single parcel, it would be considered a "marina" under the Emily Ordinance and thus a prohibited use.

The Emily Planning Commission has interpreted that the rules as written would apply to a standard residential parcel, which would be 100 feet in width. With 1,600 feet of shoreline, by this interpretation the development would qualify for up to 48 mooring slips before being classified as a "marina".

15. **Water surface use.** Will the project change the number or type of watercraft on any water body?
__Yes __No
If yes, indicate the current and projected watercraft usage and discuss any potential overcrowding or conflicts with other uses.
16. **Erosion and sedimentation.** Give the acreage to be graded or excavated and the cubic yards of soil to be moved:
acres ; cubic yards . Describe any steep slopes or highly erodible soils and identify them on the site map. Describe any erosion and sedimentation control measures to be used during and after project construction.
17. **Water quality: surface water runoff**
a. Compare the quantity and quality of site runoff before and after the project. Describe permanent controls to manage or treat runoff. Describe any stormwater pollution prevention plans.

b. Identify routes and receiving water bodies for runoff from the site; include major downstream water bodies as well as the immediate receiving waters. Estimate impact runoff on the quality of receiving waters.
18. **Water quality: wastewaters**
a. Describe sources, composition and quantities of all sanitary, municipal and industrial wastewater produced or treated at the site.

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

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

d. If the project requires disposal of liquid animal manure, describe disposal technique and location

operation? Yes No

If yes, describe sources, characteristics, duration, quantities or intensity and any proposed measures to mitigate adverse impacts. Also identify locations of nearby sensitive receptors and estimate impacts on them. Discuss potential impacts on human health or quality of life. (Note: fugitive dust generated by operations may be discussed at item 23 instead of here.)

25. **Nearby resources.** Are any of the following resources on or in proximity to the site?

Archaeological, historical or architectural resources? Yes No

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

Designated parks, recreation areas or trails? Yes No

Scenic views and vistas? Yes No

Other unique resources? Yes No

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

None of the above resources have been identified as being located on the property. The DNR Natural Heritage and Nongame Research program database has been queried to verify that no archaeological resources are contained on the site.

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

If yes, explain.

The development project does not proposed the use of any lights that would constitute a strong visual impact. Lighting will be placed on homes and will be of a design typically seen on homes in the area. In addition, the project proposes to retain approximately 100-foot buffer, at a minimum, around the perimeter of the subject property. This buffer will retain the existing vegetation, largely wooded, and supplement where needed to provide appropriate screening as viewed from Minnesota Trunk Highway 6, Smokey Hollow Road, and Roosevelt Lake.

27. **Compatibility with plans and land use regulations.** Is the project subject to an adopted local comprehensive plan, land use plan or regulation, or other applicable land use, water, or resource management plan of a local, regional, state or federal agency?

Yes No. If yes, describe the plan, discuss its compatibility with the project and explain how any conflicts will be resolved. If no, explain.

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

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

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

31. **Summary of issues.** Do not complete this section if the EAW is being done for EIS scoping; instead, address relevant issues in the draft Scoping Decision document, which must accompany the EAW. List

any impacts and issues identified above that may require further investigation before the project is begun. Discuss any alternatives or mitigative measures that have been or may be considered for these impacts and issues, including those that have been or may be ordered as permit conditions.

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

I hereby certify that:

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

Signature

Date

Title

Environmental Assessment Worksheet was prepared by the staff of the Environmental Quality Board at the Administration Department. For additional information, worksheets or for *EAW Guidelines*, contact: Environmental Quality Board, 658 Cedar St., St. Paul, MN 55155, 651-296-8253, or <http://www.eqb.state.mn.us>