

DRAFT FINDINGS OF FACT AND RECORD OF DECISION

ENVIRONMENTAL ASSESSMENT WORKSHEET

Superior Plating Site Redevelopment EAW

Location: 315 1st Avenue NE, 101 4th Street NE, 115 4th Street NE, 119 4th Street NE, 125 4th Street NE, 108 5th Street NE, 116 5th Street NE, and 120 5th Street NE, City of Minneapolis, Hennepin County, Minnesota

Responsible Governmental Unit (RGU): City of Minneapolis

	RGU	Proposer / Project Contact
Contact persons	City of Minneapolis Becca Farrar-Hughes	Lennar Multifamily Communities, LLC Doug Bober
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Final action (refer to Exhibit D): Based on the Environmental Assessment Worksheet, the “Findings of Fact and Record of Decision,” and related documentation for the above project, the City of Minneapolis concluded the following on April 23, 2015:

1. The Environmental Assessment Worksheet, the “Findings of Fact and Record of Decision” document, and related documentation for the Superior Plating Site Redevelopment project were prepared in compliance with the procedures of the Minnesota Environmental Policy Act and Minn. Rules, Parts 4410.1000 to 4410.1700 (2009).
2. The Environmental Assessment Worksheet, the “Findings of Fact and Record of Decision” document, and related documentation for the project have satisfactorily addressed all of the issues for which existing information could have been reasonably obtained.
3. The project does not have the potential for significant environmental effects based upon the above findings and the evaluation of the following four criteria (per Minn. Rules, Parts 4410.1700 Subp. 7):
 - Type, extent, and reversibility of environmental effects;
 - Cumulative potential effects;
 - Extent to which the environmental effects are subject to mitigation by ongoing public regulatory authority;
 - Extent to which environmental effects can be anticipated and controlled as a result of other environmental studies undertaken by public agencies or the project proposer, including other EISs.
4. The finding by the City that the EAW is adequate and no EIS is required provides no endorsement, approval or right to develop the proposal and cannot be relied upon as an indication of such approval. This finding allows the proposer to formally initiate the City’s process for considering the specific discretionary permissions necessary

for redevelopment, and for the City in this process, informed by the record of the EAW, to identify and encourage the elements for compatible redevelopment, and assure their implementation at this site.

Consequently, the City does not require the development of an Environmental Impact Statement (EIS) for the project.

I. ENVIRONMENTAL REVIEW AND RECORD OF DECISION

The City of Minneapolis prepared a Mandatory Environmental Assessment Worksheet (EAW) for the Superior Plating Site Redevelopment project according to the Environmental Review Rules of the Minnesota Environmental Quality Board (EQB) under Rule 4410.4300 subpart 19, Residential Development (D) - Greater than 375 attached residential units, and Subpart 32, Mixed residential and industrial-commercial projects with a sum of quotients exceeding 1.0, and Connected Actions or Phased Actions per 4410.1000, subpart 4. Exhibit A includes the project summary, and Exhibit B includes the Record of Decision.

II. EAW NOTIFICATION AND DISTRIBUTION

On February 23, 2015, the City published the EAW and distributed it to the official EQB mailing list and to the project mailing list. The EQB published notice of availability in the *EQB Monitor* on March 2, 2015, as well. Exhibit C includes the public notification record and mailing list for distribution of this EAW.

III. COMMENT PERIOD, PUBLIC MEETING, AND RECORD OF DECISION

Exhibit E includes the comment letters received. The Zoning and Planning Committee of the Minneapolis City Council considered the EAW and the draft of this "Findings of Fact and Record of Decision" document during its April 23, 2015, meeting. Notification of this Zoning and Planning Committee public meeting was provided with the EAW and to all persons or agencies commenting on the EAW.

IV. SUBSTANTIVE COMMENTS / COMMENTS RECEIVED AND RESPONSES TO THESE COMMENTS

The City received five (4) written comments during the public comment period on the dates identified from the following:

1. Minnesota Department of Transportation, March 30, 2015
2. Metropolitan Council, March 31, 2015
3. Minnesota Historical Society – State Historic Preservation Office, March 31, 2015
4. Hennepin County, March 31, 2015

The following section provides a summary of these comments and responses to them (Exhibit E includes the complete comment).

I. Minnesota Department of Transportation (MnDOT)

Comment: Traffic – “Please identify how the developer intends to restrict the service entrance to service vehicles only.”

Response: The service entrance on University Avenue NE (TH 47) would be clearly signed to restrict the access to service traffic only. The applicant would need to continue to work with MnDOT and Public Works to address or mitigate any potential concerns.

Comment: Permits – “Any use of or work within or affecting MnDOT right of way requires a permit.”

Response: Noted for the record. The applicant has been provided with a copy of the letter that includes the appropriate MnDOT contact.

2. Metropolitan Council

Comment: “The staff review finds that the EAW is complete and accurate with respect to regional concerns and does not raise major issues of consistency with Council policies. An EIS is not necessary for regional purposes.”

Response: Noted for the record.

Comment: Item 8 - Permits and Approvals Required – “Metropolitan Council Interceptor (8255) is within the 5th Street NE right-of-way. The interceptor was built in 1988 and is a 120-inch reinforced concrete pipe at a depth of approximately 77 feet. To assess the potential impacts to our interceptor system, prior to initiating this project, preliminary plans should be sent to Scott Dentz, Interceptor Engineering Manager at the Metropolitan Council Environmental Services for review and comment.”

Response: Noted for the record. The applicant has been provided with a copy of the letter that includes the appropriate Metropolitan Council contact.

Comment: Item 9 – Land Use – “The proposed development could increase housing in the local area beyond levels previously forecasted. The City can request a higher forecast for TAZ #424 when the City and the Council next revise zonal forecasts.”

Response: Noted for the record.

Comment: Item 11 – Water Resources; and Item 12 – Contamination/Hazardous Materials Wastes – “The EAW acknowledges the significant contamination on the site and the MPCA requirements. While Minneapolis has adequate water supply for this redevelopment, there is an opportunity to implement new water conservation and stormwater reuse strategies as part of construction and site landscaping. The Council’s Conservation Toolbox and Stormwater Reuse Guide may be useful tools to reduce per capita water demand.”

Response: Noted for the record. The applicant has been provided with a copy of the letter that includes the applicable website link.

Comment: Item 18 – Transportation – “It is unclear how the mode split goals in Table I-1 of the Travel Demand Management (TDM) Plan were derived. The mode split goal of 70% for auto is higher than data from the most recent American Communities Survey Journey to Work data for surrounding block groups, which is 65%.

TDM Strategy Commitment #5 could include language to maintain clear sidewalks along University Avenue and 5th Street NE in addition to 1st Avenue NE. Specific references to snow removal and transit stops would also be helpful.

Illustrations include a bus shelter in the “pedestrian view” at the corner of University and 1st Avenue. Bus routes currently stop on the near side (before the intersection) of 5th Street, the near side of 4th Street, and the near side of 2nd Street. Rather than add a new stop at University Avenue, Metro Transit would likely prefer to

consolidate the stops at 4th and 5th Streets into one stop on the far side of 4th Street. This would be centrally located to serve both phases of this development as well as the retail area along the 4th Street woonerf.

Ideally a transit waiting area would be integrated within the footprint of the development, protected from the elements and with opportunities to provide heat, light, and real time signage. If a transit waiting facility cannot be integrated, we ask that you coordinate with us to ensure adequate space to accommodate a 5' x 8' ADA landing pad, Metro Transit bus shelter and clear zones to accommodate the rear doors of articulated buses; as well as provide connections for heat and light. Streetscape planning and construction should also consider these needs, including the movement and circulation of pedestrians and transit patrons.”

Response: Noted for the record. City Staff is working with the applicant to finalize the TDMP. City Staff concurs that the mode split goals outlined in the TDMP are unacceptable as they are too high and inconsistent with the City’s adopted policies which require 55% auto, 35% transit and 10% walk/bike. The developer would maintain clear sidewalks around the perimeter of the site, including University Avenue and 5th Street. The applicant has been provided with a copy of the letter that includes the appropriate Metropolitan Council contact in order to improve transit operations and facilities in the immediate area.

3. Minnesota Historical Society – State Historic Preservation Office

Comment: “As indicated on page 23-24 of the EAW, the proposed project is located directly adjacent to the boundary of the Saint Anthony Falls Historic District which is listed in the National Register of Historic Places (NRHP). We have no indication that consideration has been given to the assessment of potential adverse impacts to the historic district resulting from this new construction. Typically, new construction directly adjacent to a historic district boundary should be designed to be differentiated from the historic and also compatible with the massing, size, scale, and architectural features of the adjacent historic district.”

Response: Noted for the record. The project proposer is working with the Nicollet Island East Bank Neighborhood Association (NEIBNA) along with the City to ensure the proposed building and site design meets the intent of the design standards as identified in the Zoning Code and within the adopted NIEBNA small area plan. It is important to note that City Staff and the City Planning Commission consider the context, character, and compatibility of new development. It is likely that additional adjustments to the building footprint would be required in order to reinforce the street wall.

Comment: “The EAW also identifies other structures which may be directly affected by the proposed project. These include the Service Station (HE-MPC-2229) located at 100 5th Street NE and the 4th Street Bridge. While it is true that neither has been identified nor is currently designated historic in our records, it does not mean that these properties are not historically significant. Therefore, if they are to be directly affected by construction of this project, then we recommend that they are evaluated for NRHP eligibility.”

Response: Noted for the record. As the EAW states, the property located at 100th 5th Street NE could potentially be acquired and incorporated into the second phase of the development slated for the eastern half of the site. At that time, the property would be evaluated for NRHP eligibility and reviewed by the City’s Historic Preservation Commission (HPC). The 4th Street bridge abutment was not identified by SHPO or on any HPC lists; therefore no further coordination is required by the City. The applicant has been provided with a copy of the letter.

4. Hennepin County

Comment: Item 6 – Project Description – “Additional details on the site’s Superfund status, including the MPCA site identification number and project manager, should be provided in this section and/or under Section

12. There has been and remains significant contamination at the site, and it should be made clear earlier in the document where reviewers can find additional information and get questions answered regarding contamination concerns.”

Response: Noted for the record. The Superior Plating Site was included on the Permanent List of Priorities, or the State’s Superfund List, in 1984 with a Superfund number of SR131. The MPCA is currently considering delisting one of the two Operable Units, or OUs, at the Site. The OU proposed to be removed from the Superfund List includes OUI which comprises unsaturated soil above bedrock. OU2, which includes groundwater, is not proposed for delisting and would remain on the Superfund List. If OUI is delisted, the Superfund Site would be renamed Superior Plating Groundwater Plume. The MPCA is considering delisting OUI because of the cleanup of onsite soils that was completed in 2014 under a MPCA-approved Response Action Plan. Gary Krueger at the MPCA can be reached at 651.757.2509 or gary.krueger@state.mn.us to obtain additional information regarding the Superior Plating Site and the delisting process.

Comment: Item 8 – Permits and Approvals Required – “It is our understanding that several monitoring wells have been present on and in the vicinity of the site for groundwater monitoring activities associated with the groundwater contamination. If these wells are to be abandoned, modified, or reconstructed during the redevelopment, the Minnesota Department of Health (MDH) and Minnesota Pollution Control Agency (MPCA) will need to be contacted for appropriate permissions and/or permits. These items should be added to this section.”

Response: In accordance with the Environmental Covenant recorded for the Site, the three existing monitoring wells at the Site will remain in place until groundwater monitoring is no longer required by the MPCA. Based on the redevelopment plans, MW-3 is located in a future sidewalk area; because it would interfere with future pedestrian traffic, MW-3 will be converted to an at-grade completion by a licensed driller in accordance with Minnesota Rules part 4725.6850. Conversion of the well to an at-grade completion was included in the March 19, 2015 RAP. Minneapolis is the delegated well authority designated by the Department of Health; as such the variance request to convert the well would be made through the City.

Comment: Item 8 – Permits and Approvals Required - “In addition to MPCA approval of a Response Action Plan (RAP), the following additional MPCA documents and approvals should be added to this section and copies should be provided to Hennepin County and the City:

- RAP implementation report approval from MPCA
- Liability assurance letters from MPCA in the form of a “No Further Action” letter or “Certificate of Completion” for the implementation of the RAP for the proposed development.

Acquisition of the above approvals and liability letters would provide Hennepin County, the City and neighboring properties reassurance that all necessary environmental work for the redevelopment will have been satisfactorily completed and associated public health and safety risks addressed. Approval of the RAP only, as currently presented in the EAW, provides approval of the proposed scope of remedial actions-not the assurance that the work was completed as required.”

Response: Following implementation of the RAP, a RAP implementation approval and a No Further Action Determination would be requested from the MPCA.

Comment: “The leachate collection system (LCS) located in the railroad ditch, collects contaminated leachate migrating from the site to off-site properties. The LCS has required onsite storage of hazardous waste during redevelopment activities at the site during the current site owner’s occupancy. Storage of hazardous waste has special permitting, inspection, and regulatory requirements depending on the waste type, storage time, and quantity. Hennepin County’s hazardous waste group should be consulted to determine requirements for continued storage of LCS waste and any additional hazardous waste generated during the redevelopment and

afterwards while leachate continues to be collected from the site. Applicable state, local, and federal regulations should be followed for handling and disposal of hazardous waste associated with the site.”

Response: The MPCA is currently negotiating an access agreement with BNSF to construct a permanent treatment system within the rail corridor where the leachate collection system is located. Until the access agreement is in place, the leachate will continue to be stored on the Superior Plating Site. As the redevelopment begins, Hennepin County’s hazardous waste group would be consulted to determine requirements for proper handling and management of the leachate and other hazardous waste that might be encountered so that the material is managed in accordance with local, state and federal guidelines.

Comment: Item 10 – Geology, Soils, and Topography/Land Forms - “This section neglects to mention the presence of perched water at the site (i.e., unconfined/shallow aquifers) is being collected in the LCS as it travels off-site, and that future project limitations and migration efforts are planned to address this continued condition. This is inconsistent with Section 12, where these surface water and groundwater conditions are mentioned.”

Response: No perched groundwater has been encountered at the Site; however, perched water is present above the bedrock in the adjacent BNSF rail corridor. As discussed above and as indicated in the VRAA, the MPCA ultimately will assume responsibility for installation of a permanent treatment system for the leachate and operation of the LCS.

Comment: Item 11 – Water Resources – “This section inaccurately discusses groundwater wells associated with the site. There are, or have been, several monitoring wells on and off-site, including an active off-site groundwater pump-out well and treatment system and associated monitoring activities for the site’s groundwater contamination.”

Response: Currently, there are three monitoring wells located on the Site. These wells along with the other monitoring wells installed offsite are used to monitor the contaminated groundwater plume associated with the Site. In accordance with the VRAA, these wells will be maintained and monitored until the MPCA determines groundwater monitoring is no longer necessary.

Comment: Item 11 – Water Resources – “The report reference in the footnote (dated January 1989) is not the most current report on groundwater conditions at the site. Annual Monitoring reports for contaminant concentrations and hydrogeological conditions are available at the MPCA from the 1990s through the present.”

Response: According to the 2013 Annual Monitoring Report, groundwater occurs at elevations between about 810 and 823 feet above mean sea level at the Site.

Comment: Item 11 – Water Resources – “The document discusses potential dewatering activities and associated water appropriation permitting requirements; however, contact with the MPCA for permission to implement dewatering activities should also be included. Dewatering can affect groundwater gradients (flow directions).The MPCA uses control of groundwater gradients near the site to mitigate groundwater contamination issues down gradient of the site via the pump-out well 7A and associated treatment system. Dewatering could disrupt the effectiveness of the MPCA’s remediation system at capturing the plume. Control of this plume is critical to protecting the Mississippi River from receiving contamination groundwater from the site’s groundwater contamination plume, which travels offsite for several blocks. Additionally, control of the groundwater plume could also be critical to maintaining control of soil gas vapor emissions that could be associated with the volatile organic compounds (VOCs) in the groundwater contamination plume.”

Response: Noted for the record. If dewatering is conducted, the applicant would closely coordinate with the MPCA.

Comment: Item 11 – Water Resources – “The railroad ditch to the north of the site receives surface water drainage and transmits stormwater past the site towards the Mississippi River. This ditch should be mentioned under the surface water section of this question, especially since leachate from the site has historically affected the quality of stormwater in this ditch and impacted the soil outside the former building footprint.”

Response: Noted for the record.

Comment: Item 12 – Contamination/Hazardous Materials/Waste – “Discussion of coordination with Hennepin County's hazardous waste staff should be included in this section also, as discussed above in our comments on Question 8.”

Response: Noted for the record. See above-listed response.

Comment: Item 12 – Contamination/Hazardous Materials/Waste – “Control and management plans for odors and/or dust related to site contamination issues should be added to this section.”

Response: The RAP will address any odors and/or dust related to the site contamination that may be encountered during construction.

Comment: Item 18 – Transportation – “Hennepin County supports the seven TOM strategies identified to encourage alternate modes of travel, enhance pedestrian friendliness, and create a balance between all users of the transportation system.”

Response: Noted for the record.

Comment: Item 18 – Transportation – “With the added westbound right turn volumes on 1st Avenue NE at both 4th Street NE and at University Avenue NE (TH 47), creating right turn lanes are recommended.”

Response: The westbound approach at 1st Avenue NE & University Avenue NE is currently striped with dual right turn lanes (restriped in October 2014).

The westbound approach at 1st Avenue NE & University Avenue NE has three through lanes and a parking lane on each side of the street. The through/parking lane on the north side of the street is approximately 21 feet wide, and the total width of the roadway is approximately 56 feet. In order to meet lane width standards, 1st Avenue NE between 4th Street NE and 5th Street NE should be restriped to allow a right turn lane of acceptable width to be added to the westbound approach of 1st Avenue NE and 4th Street NE.

Comment: Item 18 – Transportation – “Due to northbound 4th Street NE terminating at 1st Avenue NE, sufficient signage is recommended to clearly identify the north leg of the intersection as a site driveway and communicate to motorists that 4th Street NE does not continue as a through route north of the site.”

Response: Noted for the record. The northbound approach would be signed with a “No Outlet” sign to communicate to motorists that 4th Street NE does not continue as a through route north of the site.

Comment: Item 18 – Transportation – “With the proposed addition of the ingress service driveway access from University Avenue NE (TH 47), signage to clearly distinguish this service driveway from the main site full access on 1st Avenue NE should be considered.”

Response: Noted for the record. The service entrance on University Avenue NE (TH 47) would be clearly signed to restrict the access to service traffic only.

V. ISSUES IDENTIFIED IN THE EAW

The proposed project would be located on a designated Superfund Site, which has been partially remediated by the current owner. The three issues identified in the EAW are the environmental contamination, potential traffic issues and a potential historic issue.

Environmental Issues

Investigations conducted in 1983 identified releases of hazardous substances to soil and groundwater. Since that time, extensive investigation to evaluate the extent and magnitude of the releases has been undertaken, the results of which are documented in over 30 environmental reports. Most recently, as the Site was readied for redevelopment, Phase I and Phase II environmental site assessments were conducted on behalf of the Site owner, First and University Investor, LLC (FUI), in 2011 and 2012. A list of the environmental investigations is provided in the MPCA's RAP Implementation Letter, which is included in the attached Amendment to Amended and Restated Voluntary Response Action Agreement (VRAA) (Appendix C).

Primary chemicals of concern on the site include elevated levels of metals, volatile organic compounds (VOCs), polynuclear aromatic hydrocarbons (PAHs), and cyanide. One source of these chemicals was from electroplating activities that occurred on the site between approximately 1956 and 1983. After 1983, facility improvements were thought to control additional releases from the on-going electroplating activities. Other sources included the placement of "junk fill," lead from automotive emissions, and solid demolition wastes from historical structures located on the site. Plating waste has only been identified on Parcel 1.

A Response Action Plan (RAP) was prepared in 2012 and approved by the MPCA. The RAP was subsequently amended, and the amendment was approved by the MPCA in 2013. The amended RAP was implemented on Parcel 1 in 2013 and 2014 during which time the defunct plating operation was decommissioned, the above-grade portions of the building and select portions of the floor slabs demolished, and identified soil with contaminant concentrations in excess of the Residential Soil Reference Values (SRVs) was excavated and disposed of offsite. An area of soil with elevated concentrations of chromium is located along the western sidewall of the excavation on Parcel 1 and was not removed because additional excavation threatened to undermine the adjacent sidewalk and bridge embankment. In areas of Parcel 1, the sites soils were excavated to bedrock. Residual plating waste in the bedrock caused storm water coming in contact with the bedrock to become contaminated. To address the situation, a storm water management plan was developed and is currently being implemented. As part of the management plan, a layer of polyethylene sheeting was placed over the bedrock, and as storm water accumulates in the excavation, the water is removed, tested and properly disposed of.

No cleanup has been conducted on the eastern half of the site (i.e., Parcel 2).

Following review of the RAP Implementation Report for Parcel 1, the MPCA approved the response actions and also issued a Certificate of Completion for Parcel 1. An Environmental Covenant also was executed that places Activity and Use Limitations on the Site. (A copy of the Environmental Covenant is provided as an exhibit to the VRAA and included in Appendix C.). The Environmental Covenant limits disturbance or excavation/removal of soil exposed in the western sidewall of Parcel 1, of soil on Parcel 2 and bedrock in the storm water management area in the northwest corner of Parcel 1 except with MPCA approval. The Environmental Covenant also obligates the owner to ongoing operation and maintenance of the groundwater pump and treat system, the storm water management system, and the Leachate Control System (LCS).

Groundwater within the limestone bedrock is also impacted with chlorinated solvents and metals from the previous plating operations, and a groundwater treatment system located across 1st Avenue NE to the south controls migration of the contaminant plume that extends offsite to the southeast. The current property owner, First and University Investor, LLC, would operate the pump-and-treat system for at least two years and up to five years after impacted soils with contaminant concentrations above Tier I SRVs are excavated from the western block of the site. If after five years the MPCA determines operation of the pump-and-treat system is necessary, the MPCA would take over operation of the system.

An interceptor collection trench (part of the LCS) is also located offsite along the railroad corridor at the southwest corner of the project site. The interceptor trench collects contaminated perched and/or shallow groundwater; the water is then treated and discharged to the sanitary sewer. Operation of the system is being transitioned to the MPCA.

Recent investigations conducted at the site on behalf of Lennar have identified residual impacts in excess of the Residential SRVs on Parcel 1. In addition, contaminated soil remains on Parcel 2 where no cleanup has been conducted to date. To appropriately manage impacted soil (and possibly bedrock or remaining floor slabs) that would be excavated for redevelopment, a MPCA-approved Response Action Plan would be implemented to appropriately manage impacted materials that are encountered. As required by the Environmental Covenant, vapor mitigation would be incorporated into the project design. Local permits may be required for the implementation of the RAP for both construction activities and the proposed structures as applicable.

The MPCA, Hennepin County and the City have been actively involved in the environmental contamination mitigation efforts currently underway on the site. These agencies and all other applicable agencies will continue to be involved in order to comply with local, state and federal guidelines.

Traffic Issues

A Travel Demand Management Plan (prepared by Kimley Horn) was provided for the proposed development. As part of the development of the site, two geometric and signal improvements are recommended to maintain acceptable operations at the intersection of 1st Avenue NE and 4th Street NE.

In addition to the geometric and signal modifications necessary to allow access to and from the site, the following improvements are likely to be implemented at the intersection of 1st Avenue NE and 4th Street NE to minimize project-related transportation impacts:

- Restripe the pedestrian crossing on the southbound approach from the site.
- Restrict right-turn-on-red from the site to minimize conflicts with the northbound left turning movement.
- Restrict left-turn-on-red on the northbound approach to minimize conflicts with southbound site traffic.
- Update the offset at the intersection of 1st Avenue NE and 4th Street NE to accommodate the revised phasing.

With the recommended improvements, traffic operations under the Future Year (2020) Full-Build conditions are expected to operate acceptably. The mitigations would also minimize the potential for vehicle spillback into upstream intersections.

Historic Issues

The adjacent property located at 100 5th Street NE (Anthony Falls Auto Center), adjacent to Parcel 2 located in the southeastern corner of the block was identified on the SHPO database search (Inventory Number HE-MPC-2229). The SHPO records did not identify this property as being included in a report identifying eligibility. Currently, no additional detailed information was obtained from SHPO regarding this adjacent property. As previously noted, it is possible that the subject parcel could potentially be acquired and incorporated into the second phase of development slated for the eastern half of the site. Demolition of the building would potentially require review by the City's Heritage Preservation Commission should the building be deemed an historic resource.

Additional Info

It is important to note, that Staff did not receive a comment letter from the MPCA during the 30-day comment period. As such, Staff followed up to solicit feedback from MPCA Staff on the EAW. The staff member assigned to the EAW said they would not be issuing a comment letter and had no feedback at this time on the content within the document.

VI. COMPARISON OF POTENTIAL IMPACTS WITH EVALUATION CRITERIA

In deciding whether a project has the potential for significant environmental effects and whether an Environmental Impact Statement (EIS) is needed, the Minnesota Environmental Quality Board rules (4410.1700 Subp. 6 & 7) require the Responsible Governmental Unit (RGU), the City of Minneapolis in this circumstance, to compare the impacts that may be reasonably expected to occur from the project with four criteria by which potential impacts must be evaluated. The following is that comparison:

A. Type, extent, and reversibility of environmental effects:

The environmental effects identified in the EAW and within the comment letters are localized and can be mitigated through the City's land use application process in conjunction with the MPCA, Hennepin County and other applicable agencies. The identified effects are reversible until the potential final discretionary approvals of each phase of the proposed project are granted through the City approval process. Each phase will require City approvals including but not limited to the Planning Commission, Zoning and Planning Committee and City Council. As previously noted, the MPCA, Hennepin County and the City have been actively involved in the environmental contamination mitigation efforts currently underway on the site. These agencies and all other applicable agencies will continue to be involved in order to comply with local, state and federal guidelines.

B. Cumulative potential effects:

The issues identified in the EAW shall be resolved via coordination with the MPCA, Hennepin County and other applicable agencies as necessary, in addition to the City's land use approval process on a project by project basis. Any potential future redevelopments within the area would be considered through the formal land use application process that has been applied to this project. The City's existing regulatory process and framework captures and evaluates development proposals not only from a Planning perspective, which encompasses community planning, heritage preservation and development services analysis, but also includes evaluations by the Public Works Department related to stormwater management, sewer design, traffic, streets, water, right-of way, etc. This has and will continue to allow the City to manage potential cumulative effects of future development within the vicinity and throughout the City as a whole.

C. Extent to Which the Environmental Effects are Subject to Mitigation by Ongoing Public Regulatory Authority

The City has discretionary authority through its land use approval process, and the City, State and Federal agencies have authority through the permit approvals required for this project to address, mitigate or avoid the environmental effects identified in the EAW and the comment letters.

The City's formal land use application process is comprehensively administered by City Staff and implemented by experienced Commissions and the City Council. The City's existing regulatory process and framework captures and evaluates development proposals not only from a Planning perspective which encompasses community planning, heritage preservation and development services analysis but also includes evaluations by the Public Works Department related to stormwater management, sewer design, traffic, streets, water, right-of way, etc. Any potential environmental effects are mitigated by the City's formal development review efforts.

It is important to note that City Staff and the City Planning Commission consider the context, character, and compatibility of new development.

D. Extent to which environmental effects can be anticipated and controlled as a result of other environmental studies undertaken by public agencies or the project proposer, including other EISs:

The construction of additional retail and residential structures in this area follows many precedents, and is a known event with known effects. Redevelopment of this type within an urban setting is neither unique nor unanticipated. The environmental effects of this redevelopment can be anticipated and controlled by the City's formal land use application and regulatory processes.

VII. DECISION ON THE NEED FOR AN ENVIRONMENTAL IMPACT STATEMENT

Based on the EAW, the "Findings of Fact and Record of Decision" document, and related documentation for this project, the City of Minneapolis, as the (RGU) for this environmental review, concludes the following:

1. The Environmental Assessment Worksheet, the "Findings of Fact and Record of Decision" document, and related documentation for the Superior Plating Site Redevelopment project were prepared in compliance with the procedures of the Minnesota Environmental Policy Act and Minn. Rules, Parts 4410.1000 to 4410.1700 (2009).
2. The Environmental Assessment Worksheet, the "Findings of Fact and Record of Decision" document, and related documentation for the project have satisfactorily addressed all of the issues for which existing information could have been reasonably obtained.
3. The project does not have the potential for significant environmental effects based upon the above findings and the evaluation of the following four criteria (per Minn. Rules, Parts 4410.1700 Subp. 7):
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4. The finding by the City that the EAW is adequate and no EIS is required provides no endorsement, approval or right to develop the proposal and cannot be relied upon as an indication of such approval. This finding allows the proposer to formally initiate the City's process for considering the specific discretionary permissions necessary

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for redevelopment, and for the City in this process, informed by the record of the EAW, to identify and encourage the elements for compatible redevelopment, and assure their implementation at this site.

Consequently, the City does not require the development of an Environmental Impact Statement (EIS) for the project.

Exhibits:

- A. Project Description
- B. Environmental Review Record
- C. Public Notification Record
- D. Council/Mayor Action
- E. Comments Received

EXHIBIT A

Project Description

A two-phase, mixed use development is proposed on the former Superior Plating site that would include up to 750 residential units and up to 75,000 square feet of commercial space including but not limited to retail, restaurants, and office space. See Figure 3 for project location. Phase I would encompass the western parcel (Parcel 1) and include low-rise attached residential units, a tower up to 20 stories in height that includes up to 260 dwelling units, 26,000 square feet of commercial space, and approximately 360 parking spaces which would be enclosed within a three level parking structure (one level below ground and two levels above ground). See Appendix A for proposed Phase I plans. Phase II would encompass the eastern parcel (Parcel 2). See Figure 4 for Parcel 1 and Parcel 2 locations. Phase II would be up to 30 stories and would include up to 490 dwelling units and 49,000 square feet of commercial space. Phase I is anticipated to start in Fall of 2015, with a completion date in Fall of 2017. Phase II is anticipated to start in Fall of 2017, with a completion date in Fall of 2019. Currently, the parcel located at 100 5th Street NE uses a portion of the Superior Plating site for business operations. There is potential for acquisition of this parcel during Phase II.

Existing Conditions:

The proposed project would be located on a designated Superfund Site, which has been partially remediated by the current owner. To date, remediation has consisted of demolition and disposal, along with removal of contaminated soil down to the bedrock in northwestern corner of the site (See Section 12 for details on contamination). The majority of the building structure has been removed on Parcel 1. A portion of the concrete building slab is still in place and would be removed prior to redevelopment of the site. Parcel 2 is primarily covered in impervious surface including a storage building and a small area of overgrown vegetation. See Figure 4 for existing conditions on the project site. As a result of the remediation activities, all wet utilities (water, sanitary, storm sewer) have been or would be removed to the edge of the property boundary. A leachate collection system (LCS) was also installed for collecting and treating contaminated groundwater on the site. For more information on the remediation process and status, see Section 12.

Infrastructure improvements are proposed on the project site to serve the needs of the proposed mixed use development. The single proposed main vehicular access point for the project site is in the location of the previously vacated 4th Street NE. The project site is bordered by University Avenue NE (State Highway 47), 1st Avenue NE (County Road 52), 5th Street NE, and the Burlington Northern railroad tracks. University Avenue NE is a four-lane, two-way street; 1st Avenue NE is a three-lane, westbound one-way street; and 5th Street NE is a two-lane, two-way street. A one-way service drive from University Avenue is proposed. This service drive would be used for service vehicles, and retail employee parking only.

EXHIBIT B

Environmental Review Record for the Superior Plating Site Redevelopment EAW

Date	Action
2/23/2015	City Staff distributes EAW to official EQB mailing list and Project List. EAW is posted on the City's website.
3/2/2015	Minnesota Environmental Quality Board (EQB) publishes notice of availability in <i>EQB Monitor</i> and the 30-day comment period commences.
4/1/2015	EAW public comment period closes.
4/23/2015	Zoning and Planning Committee (Z & P) of the City Council considers the "Draft Findings of Fact and Record of Decision" report, provides recommendation to the City Council.
TBD	City Council approves Z & P Committee recommendation and makes a finding of Negative Declaration: EAW is adequate and no EIS is necessary.
TBD	Mayor approves Council action regarding EAW
TBD	City publishes notice of Council/Mayor decision in <i>Finance and Commerce</i> .
TBD	City publishes and distributes Notice of Decision and availability of final "Findings" report to official EQB List and the Project List
TBD	EQB publishes Notice of Decision in <i>EQB Monitor</i> .

EXHIBIT C

Public Notification Record

The following describes the public notification process of CPED for the Superior Plating Site Redevelopment EAW:

1. The City maintains an updated list based on the Official EQB Contact List. The Superior Plating Site Redevelopment EAW project list follows. All persons on that list were sent copies of the EAW. CPED also distributes copies of the EAW to elected and appointed officials, City staff and others who have expressed interest in the project.
2. A notice of the availability of the Superior Plating Site Redevelopment EAW, the dates of the comment period, and the process for receiving a copy of the EAW and/or providing comment was published provided with each copy of the EAW and in the *EQB Monitor* and was provided to the City's CPED Media contact for notice and distribution.
3. CPED distributed the Notice of Decision with information regarding the final "Findings" document to the Official EQB Contact List and the project list.
4. The EQB published the Notice of Decision in the *EQB Monitor*.

Attached:

Official EQB Contact List

Project List

EAW DISTRIBUTION LIST
April 22, 2014

STATE AGENCIES

Department of Agriculture (1 copy)

Becky Balk
625 N. Robert St.
St. Paul, MN 55155
Becky.Balk@state.mn.us

Department of Commerce (1 copy)

Ray Kirsch
85 Seventh Place East, Suite 500
St. Paul, MN 55101

Environmental Quality Board (1 copy)

Environmental Review Program
520 Lafayette Road North – 4th Floor
St. Paul, MN 55155-4194
EOB.Monitor@state.mn.us

Department of Health (1 copy, prefer electronic)

Michele Ross
Environmental Health Division
625 N. Robert St.
St. Paul, MN 55155
Health.Review@state.mn.us

Department of Natural Resources (3 copies or electronic)

Randall Doneen
Environmental Review Unit
500 Lafayette Road
St. Paul, MN 55155-4025
Kate.Frantz@state.mn.us

Pollution Control Agency (2 copies and 1 CD)

Craig Affeldt, Supervisor
Environmental Review Unit – 4th Floor
500 Lafayette Road North
St. Paul, MN 55155

Department of Transportation (1 copy)

Debra Moynihan
Mn/DOT Office of Environmental Stewardship
395 John Ireland Blvd., MS 620
St. Paul, MN 55155

Board of Water and Soil Resources (1 copy)

Travis Germundson
520 Lafayette Rd.
St. Paul, MN 55155
Travis.Germundson@state.mn.us

LIBRARIES

Technology and Science (2 copies)

Hennepin County Library – Minneapolis Central
Attn: Helen Burke
Government Documents, 2nd Floor
300 Nicollet Mall
Minneapolis, MN 55401-1992

FEDERAL

U.S. Army Corps of Engineers (1 copy)

Tamara Cameron
Regulatory Functions Branch
190 Fifth St. E
St. Paul, MN 55101-1638

U.S. Environmental Protection Agency (1 copy)

Kenneth Westlake
Environmental Planning & Evaluation Unit
77 W Jackson Blvd., Mailstop B-19J
Chicago, IL 60604-3590

U.S. Fish and Wildlife Service (1 copy)

Twin Cities Field Office E.S.
4101 American Blvd. East
Bloomington, MN 55425-1665

REGIONAL

Metropolitan Council (NOTE: 5 copies IF the project is in the seven-county metro area)

Review Coordinator, Local Planning Assistance
Metropolitan Council
390 Robert St. No.
St. Paul, MN 55101-1805
raya.esmaeili@metc.state.mn.us

OTHER

National Park Service (1 copy)

Stewardship Team Manager
111 E Kellogg Blvd., Suite 105
St. Paul, MN 55101-1288
(If project is located within, or could have a direct impact upon, the Mississippi River Critical Area/ Mississippi National River and Recreation Area. This is a 72-mile stretch of river from the mouth of the Crow River at Dayton/Ramsey to the Goodhue County border.)

Draft Findings of Fact and Record of Decision –Superior Plating Site Redevelopment EAW

State Archaeologist (1 copy)

Fort Snelling History Center
St. Paul, MN 55111-4061

Minnesota Historical Society (1 copy)

State Historic Preservation Office
345 Kellogg Blvd.
St. Paul, MN 55102

Indian Affairs Council (1 copy)

Jim Jones, Cultural Affairs Director
Indian Affairs Council
113 2nd Street NW Ste 110A
Bemidj, MN 56601

Superior Plating Site Redevelopment EAW Project Mailing List 2/23/15

Kimley-Horn
Attn: Ashley Payne
2550 University Avenue West, Suite 238N
Saint Paul, MN 55114

Lennar Multifamily Communities, LLC
Attn: Doug Bober
Division President, Central Division
1300 E. Woodfield Road, Suite 304
Schaumburg, IL 60173

Council Member Jacob Frey
Ward 3 – 307 City Hall

Council Member Lisa Bender
Ward 10 – City Hall

Minneapolis Central Library
300 Nicollet Mall
Minneapolis, MN 55401

St. Anthony West Neighborhood Assn.
909 Main Street NE, Lower Level
Minneapolis, MN 55413

Nicollet Island - East Bank Neighborhood Assn.
132 Bank St SE
Minneapolis, MN 55414-1033

Jason Wittenberg – Room 300 PSC

Becca Farrar – Room 300 PSC (**2 copies**)

Erik Nilsson- 210 CH

Allan Klugman – 300 Border Avenue

Dave Jaeger
Henn. Co. Environmental Services
701 4th Avenue South
Minneapolis MN 55415

EXHIBIT D

Council /Mayor Action (to be added when the process is complete)

EXHIBIT E

Comments Received on the Superior Plating Site Redevelopment EAW:

1. Minnesota Department of Transportation, March 30, 2015
2. Metropolitan Council, March 31, 2015
3. Minnesota Historical Society – State Historic Preservation Office, March 31, 2015
4. Hennepin County, March 31, 2015



Minnesota Department of Transportation

Metropolitan District

Waters Edge Building
1500 County Road B2 West
Roseville, MN 55113

March 30, 2015

Becca Farrar-Hughes
City of Minneapolis – Community Planning and Economic Development
250 4th Street South – Room 300
Minneapolis, MN 55415

SUBJECT: Superior Plating site redevelopment
MnDOT Review # EAW15-005
Northeast quad of MN47 and 1st Ave NE (Hennepin Co 52)
Minneapolis, Hennepin County
Control Section 2726

Dear Ms. Farrar-Hughes:

Thank you for the opportunity to review The EAW for the proposed Superior Plating Site redevelopment. MnDOT's staff has reviewed the document and has the following comments:

Traffic:

Please identify how the developer intends to restrict the service entrance to service vehicles only. Please direct your response to Chad Erickson in MnDOT's Traffic Section (651-234-7806 or Chad.Erickson@state.mn.us).

Permits

Any use of or work within or affecting MnDOT right of way requires a permit. Permit forms are available from MnDOT's utility website at <http://www.dot.state.mn.us/utility/>

Please include one 11 x 17 plan set and one full size plan set with each permit application. Please direct any questions regarding permit requirements to Buck Craig (651-234-7911) of MnDOT's Metro Permits Section.

Review Submittal Options:

MnDOT's goal is to complete the review of plans within 30 days. Submittals sent in electronically can usually be turned around faster. There are four submittal options. Please submit either:

1. One (1) electronic pdf. version of the plans. MnDOT can accept the plans via e-mail at metrodevreviews.dot@state.mn.us provided that each separate e-mail is under 20 megabytes.
2. Three (3) sets of full size plans. Although submitting seven sets of full size plans will expedite the review process. Plans can be sent to:

MnDOT – Metro District Planning Section
Development Reviews Coordinator
1500 West County Road B-2
Roseville, MN 55113

3. One (1) compact disc.
4. Plans can also be submitted to MnDOT's External FTP Site. Please send files to: <ftp://ftp2.dot.state.mn.us/pub/incoming/MetroWatersEdge/Planning> Internet Explorer doesn't work using ftp so please use an FTP Client or your Windows Explorer (My Computer). Also, please send a note to metrodevreviews.dot@state.mn.us indicating that the plans have been submitted on the FTP site.

If you have any questions regarding this review please contact me directly,

Sincerely



Karen Scheffing
Principal Planner

Copy sent via E-Mail:

Ron Rauchle, Area Engineer
Brian Kelly, Water Resources
Nancy Jacobson, Design
Buck Craig, Permits
Doug Nelson, Right-of-Way
Chad Erickson, Traffic Engineering
Clare Lackey, Traffic Engineering
Russell Owen, Metropolitan Council

March 31, 2015

Becca Farrar-Hughes
Senior City Planner
City of Minneapolis
250 S. 4th Street, Room 300
Minneapolis, MN 55415

RE: City of Minneapolis Environmental Assessment Worksheet (EAW) – Superior Plating Site Redevelopment
Metropolitan Council Review No. 21375-1
Metropolitan Council District 8

Dear Ms. Farrar-Hughes:

The Metropolitan Council received the EAW for the Superior Plating Site Redevelopment on March 2, 2015. The proposed project is located at University Avenue NE and 1st Avenue NE in Minneapolis. The proposed development consists of approximately 5.5 acres, including 750 dwelling units, 75,000 square feet of commercial space, and 1,000 off-street parking spaces.

The staff review finds that the EAW is complete and accurate with respect to regional concerns and does not raise major issues of consistency with Council policies. An EIS is not necessary for regional purposes.

We offer the following comments for your consideration.

Item 8.1 – Permits and Approvals Required (Roger Janzig, 651-602-1119)

Metropolitan Council Interceptor (8255) is within 5th Street NE right-of way. The interceptor was built in 1988 and is a 120-inch reinforced concrete pipe at a depth of approximately 77 feet. To assess the potential impacts to our interceptor system, prior to initiating this project, preliminary plans should be sent to Scott Dentz, Interceptor Engineering Manager (651-602-4503) at the Metropolitan Council Environmental Services for review and comment.

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

The proposed development could increase housing in the local area beyond levels previously forecasted. The City can request a higher forecast for TAZ #424 when the City and Council next revise zonal forecasts.

Item 11 – Water Resources; and Item 12 – Contamination/Hazardous Materials Wastes (Lanya Ross, 651-602-1803)

The EAW acknowledges the significant contamination on the site and the MPCA requirements. While Minneapolis has adequate water supply for this redevelopment, there is an opportunity to implement new water conservation and stormwater reuse strategies as part of construction and site landscaping. The Council's Conservation Toolbox and Stormwater Reuse Guide may be useful tools to reduce per capita water demand. Both can be found on the Council's Water Supply Planning website at the following:

www.metrocouncil.org/Wastewater-Water/Planning/Water-Supply-Planning/Guidance-Planning-Tools.aspx.

Item 18 – Transportation; and Appendix F – Travel Demand Management Plan (Kyle Burrows, 612-349-7749)

It is unclear how the mode split goals in Table 1-1 of the Travel Demand Management Plan (TDM) Plan were derived. The mode split goal of 70% for auto is higher than data from the most recent American Communities Survey Journey to Work data for surrounding block groups, which is 65%.

TDM Strategy Commitment #5 could include language to maintain clear sidewalks along University Avenue and 5th Street NE in addition to 1st Avenue NE. Specific references to snow removal and transit stops would also be helpful.

Illustrations include a bus shelter in the “pedestrian view” at the corner of University and 1st Avenue. Bus routes currently stop on the near side (before the intersection) of 5th Street, the near side of 4th Street, and the near side of 2nd Street. Rather than add a new stop at University Avenue, Metro Transit would likely prefer to consolidate the stops 4th and 5th Streets into one stop on the far side of 4th Street. This would be centrally located to serve both phases of this development as well as the retail area along the 4th Street woonerf.

Ideally, a transit waiting area would be integrated within the footprint of the development, protected from the elements and with opportunities to provide heat, light, and real time signage. If a transit waiting facility cannot be integrated, we ask that you coordinate with us to ensure adequate space to accommodate a 5’ x 8’ ADA landing pad, Metro Transit bus shelter, and clear zones to accommodate the rear doors of articulated buses; as well as provide connections for heat and light. Streetscape planning and construction should also consider these needs, including as the movement and circulation of pedestrians and transit patrons.

We look forward to coordinating with you on the development of this site, including addressing opportunities for improving transit operations and facilities. Please contact us at your earliest convenience.

This concludes the Council’s review of the EAW. The Council will not take formal action on the EAW. If you have any questions or need further information, please contact Michael Larson, Principal Reviewer, at 651-602-1407.

Sincerely,


LisaBeth Barajas, Manager
Local Planning Assistance

CC: Crystal Sheppeck, MHFA
Tod Sherman, Development Reviews Coordinator, MnDOT - Metro Division
Cara Letofsky, Metropolitan Council District 8
Michael Larson, AICP, Sector Representative / Principal Reviewer
Raya Esmaeili, Reviews Coordinator

STATE HISTORIC PRESERVATION OFFICE

March 31, 2015

Becca Farrar-Hughes
Senior City Planner
City of Minneapolis
250 South 4th Street, Rm 300
Minneapolis, MN 55415

RE: EAW – Superior Plating Site Redevelopment
Minneapolis, Hennepin County
SHPO Number: 2015-1406

Dear Ms. Farrar-Hughes:

Thank you for the opportunity to comment on the above Environmental Assessment Worksheet (EAW) which was reviewed pursuant to the responsibilities given to the Minnesota Historical Society by the Minnesota Historic Sites Act (MS 138.665-138.666) and the Minnesota Field Archaeology Act (MS 138.40).

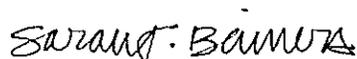
As indicated on pages 23-24 of the EAW, the proposed project is located directly adjacent to the boundary of the Saint Anthony Falls Historic District which is listed in the National Register of Historic Places (NRHP). We have no indication that consideration has been given to the assessment of potential adverse impacts to the historic district resulting from this new construction. Typically, new construction directly adjacent to a historic district boundary should be designed to be differentiated from the historic and also compatible with the massing, size, scale, and architectural features of the adjacent historic district.

The EAW also identifies other structures which may be directly affected by the proposed project. These include the Service Station (HE-MPC-2229) located at 100 5th Street NE and the 4th Street Bridge. While it is true that neither has been identified nor is currently designated historic in our records, it does not mean that these properties are not historically significant. Therefore, if they are to be directly affected by construction of this project, then we recommend that they are evaluated for NRHP eligibility.

Please note that this comment letter does not address the requirements of Section 106 of the National Historic Preservation Act of 1966 and 36CFR800, Procedures of the Advisory Council on Historic Preservation for the protection of historic properties. If this project is considered for federal assistance, or requires a federal permit or license, it should be submitted to our office with reference to the assisting federal agency.

Please contact us at (651)259-3455 if you have any questions regarding our comments on this project.

Sincerely,



Sarah J. Beimers, Manager
Government Programs and Compliance



**Hennepin County Public Works
Strategic Planning & Resources Department**

701 Fourth Avenue South, Suite 400
Minneapolis, Minnesota 55415-1843

Phone: 612-348-4077
Fax: 612-348-9710
www.hennepin.us

March 31, 2015

Ms. Rebecca Farrar-Hughes
City of Minneapolis
250 South 4th Street, Room 300
Minneapolis, MN 55415

Re: Comments to the Superior Plating Site Redevelopment Environmental Assessment Worksheet, as posted by the Environmental Quality Board March 2, 2015

Dear Ms. Farrar-Hughes:

This letter provides Hennepin County's comments to the Environmental Assessment Worksheet (EAW) completed for the proposed Superior Plating Site Redevelopment in the City of Minneapolis (City), including the supporting Travel Demand Management Plan (TDMP).

Section 6: Project Description:

- Additional details on the site's Superfund status, including the MPCA site identification number and project manager, should be provided in this section and/or under Section 12. There has been and remains significant contamination at the site, and it should be made clear earlier in the document where reviewers can find additional information and get questions answered regarding contamination concerns.

Section 8: Permits and Approvals Required:

- It is our understanding that several monitoring wells have been present on and in the vicinity of the site for groundwater monitoring activities associated with the groundwater contamination. If these wells are to be abandoned, modified, or reconstructed during the redevelopment, the Minnesota Department of Health (MDH) and Minnesota Pollution Control Agency (MPCA) will need to be contacted for appropriate permissions and/or permits. These items should be added to this section.
- In addition to MPCA approval of the Response Action Plan (RAP), the following additional MPCA documents and approvals should be added to this section and copies should be provided to Hennepin County and the City:
 - RAP implementation report approval from MPCA
 - Liability assurance letters from MPCA in the form of a "No Further Action" letter or "Certificate of Completion" for the implementation of the RAP for the proposed redevelopment.

Acquisition of the above approvals and liability letters would provide Hennepin County, the City and neighboring properties reassurance that all necessary environmental work for the redevelopment will have been satisfactorily completed and associated public health and safety risks addressed. Approval of the RAP only, as currently presented in the EAW, provides approval of the proposed scope of remedial actions – not the assurance that the work was completed as required.

- The leachate collection system (LCS) located in the railroad ditch, collects contaminated leachate migrating from the site to off-site properties. The LCS has required onsite storage of hazardous waste during redevelopment activities at the site during the current site owner's occupancy. Storage of hazardous waste has special permitting, inspection, and regulatory requirements depending on the waste type, storage time, and quantity. Hennepin County's hazardous waste group should be consulted to determine requirements for continued storage of LCS waste and any additional hazardous waste generated during the redevelopment and afterwards while leachate continues to be collected from the site. Applicable state, local, and federal regulations should be followed for handling and disposal of hazardous waste associated with the site.

Section 10: Geology, Soils, and Topography/Land Forms:

- This section neglects to mention the presence of perched water at the site (ie, unconfined/shallow aquifers) is being collected in the LCS as it travels offsite, and that future project limitations and mitigation efforts are planned to address this continued condition. This is inconsistent Section 12, where these surface water and groundwater conditions are mentioned.

Section 11: Water Resources:

- This section inaccurately discusses groundwater wells associated with the site. There are, or have been, several monitoring wells on and offsite, including an active offsite groundwater pump-out well and treatment system and associated monitoring activities for the site's groundwater contamination.
- The report reference in the footnote (dated January 1989) is not the most current report on groundwater conditions at the site. Annual monitoring reports for contaminant concentrations and hydrogeological conditions are available at the MPCA from the 1990s through the present.
- The document discusses potential dewatering activities and associated water appropriation permitting requirements; however, contact with the MPCA for permission to implement dewatering activities should also be included. Dewatering can affect groundwater gradients (flow directions). The MPCA uses control of groundwater gradients near the site to mitigate groundwater contamination issues downgradient of the site via the pump-out well 7A and associated treatment system. Dewatering could disrupt the effectiveness of the MPCA's remediation system at capturing the plume. Control of this plume is critical to protecting the Mississippi River from receiving contamination groundwater from the site's groundwater contamination plume, which travels offsite for several blocks. Additionally, control of the groundwater plume could also be critical to maintaining control of soil gas vapor emissions that could be associated with the volatile organic compounds (VOCs) in the groundwater contamination plume.
- The railroad ditch to the north of the site receives surface water drainage and transmits stormwater past the site towards the Mississippi River. This ditch should be mentioned under the surface water section of this question, especially since leachate from the site has historically affected the quality of stormwater in this ditch and impacted the soil outside the former building footprint.

Section 12: Contamination/Hazardous Materials/Wastes:

- Discussion of coordination with Hennepin County's hazardous waste staff should be included in this section also, as discussed above in our comments on Question 8.

Section 16: Air:

- Control and management plans for odors and/or dust related to site contamination issues should be added to this section.

Section 18: Transportation and Superior Plating Site TDMP:

- Hennepin County supports the seven TDM strategies identified to encourage alternate modes of travel, enhance pedestrian friendliness, and create a balance between all users of the transportation system.
- With the added westbound right turn volumes on 1st Avenue NE at both 4th Street NE and at University Avenue NE (TH 47), creating right turn lanes are recommended.
- Due to northbound 4th Street NE terminating at 1st Avenue NE, sufficient signage is recommended to clearly identify the north leg of the intersection as a site driveway and communicate to motorists that 4th Street NE does not continue as a through route north of the site.
- With the proposed addition of the ingress service driveway access from University Avenue NE (TH 47), signage to clearly distinguish this service driveway from the main site full access on 1st Avenue NE should be considered.

I appreciate your consideration of Hennepin County comments at this time and look forward to your response. I would also like to add that these comments are provided as constructive input and that Hennepin County would very much like to see this site developed. If you have any questions, please contact me at 612-348-5714 or david.jaeger@hennepin.us.

Sincerely,



David Jaeger
Manager, Environmental Policy

Cc: Jim Grube, Director of Transportation
Debra Brisk, Assistant County Administrator
Alene Tchourumoff, Director of Strategic Planning and Resources