

**CITY OF NORTHFIELD, MN
CITY COUNCIL RESOLUTION 2021-096**

**RESOLUTION APPROVING THE CITIZEN PETITION FOR PREPARATION OF AN
ENVIRONMENTAL ASSESSMENT WORKSHEET FOR THE PROPOSED KRAEWOOD
PROJECT**

WHEREAS, by letter, dated September 17, 2021, from Katrina Hapka, Environmental Review Program Coordinator, the City of Northfield (“City”) received from the Minnesota Environmental Quality Board (“EQB”) a petition, dated August 26, 2021 (“Petition”), requesting that the City Council require an environmental assessment worksheet (“EAW”) for the proposed project known as the Kraewood Development, to be located at 600 Greenvale Ave., Parcel ID - 2236150010, and Parcel ID – 2236125002, Northfield, MN 55057 (the “Project”); and

WHEREAS, the Petition was signed by 751 individuals, more than half of which are Northfield residents; and

WHEREAS, the EQB has designated the City as the responsible governmental unit (“RGU”) for the Project; and

WHEREAS, the Petition has been submitted pursuant to Minnesota Rules, part 4410.1100, which requires, within thirty (30) days of receipt of the Petition from the EQB, the City to review the evidence presented by the petitioners, evidence provided by the Project proposer, and other evidence otherwise known to the City and determine whether, because of the nature or location of the Project, the Project may have the potential for significant environmental effects; and

WHEREAS, Minnesota Rules, part 4410.1100, Subp. 2, requires in part that the Petition contain: “E. material evidence indicating that, because of the nature or location of the proposed project, there may be potential for significant environmental effects. The material evidence must physically accompany the petition. It is not sufficient to merely provide a reference or citation to where the evidence may be found.”; and

WHEREAS, Minnesota Rules, part 4410.1100, Subp. 6, states that: “The RGU shall order the preparation of an EAW if the evidence presented by the petitioners, proposers, and other persons or otherwise known to the RGU demonstrates that, because of the nature or location of the proposed project, the project may have the potential for significant environmental effects. The RGU shall deny the petition if the evidence presented fails to demonstrate the project may have the potential for significant environmental effects. In considering the evidence, the RGU must take into account the factors listed in part 4410.1700, subpart 7. The RGU shall maintain, either as a separate document or contained within the records of the

RGU, a record, including specific findings of fact, of its decision on the need for an EAW”; and

WHERAS, in deciding whether the Project may have the potential for significant environmental effects, Minnesota Rules, part 4410.1700, subp. 7, requires the City Council to consider the following criteria:

- A. The type, extent, and reversibility of environmental effects;
- B. The cumulative potential effects, including the following factors: whether the cumulative potential effect is significant; whether the contribution from the Project is significant when viewed in connection with other contributions to the cumulative potential effect; the degree to which the project complies with approved mitigation measures specifically designed to address the cumulative potential effect; and the efforts of the proposer to minimize the contributions from the Project;
- C. The extent to which the environmental effects are subject to mitigation by ongoing public regulatory authority. The RGU may rely on mitigation measures that are specific and that can be reasonably expected to effectively mitigate the identified environmental impacts of the Project; and
- D. The extent to which environmental effects can be anticipated and controlled as a result of other available environmental studies undertaken by public agencies or the project proposer, including other environmental impact statements (“EIS”).

WHERAS, the City Council considered the Petition for an EAW at its meeting on October 5, 2021. The petitioners and the Project proposer were provided the opportunity to present information and comment. The City Council considered all of the evidence and information presented as well as the staff report, which are incorporated herein by reference into this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL THAT:

1. The City Council, having reviewed the Petition, hereby makes and adopts the Petition and the evidence provided and referenced therein as its Findings of Fact, which are attached hereto and incorporated herein by reference as Exhibit A; and
2. Based on material evidence, submitted with the Petition for a discretionary EAW, the Council finds the project has the potential for significant environmental effects by directly impacting the Federally Endangered rusty patched bumble bee population, and further finds the project does not include adequate mitigation

measures designed to address the cumulative potential effects.

3. Based upon the attached petition filing that shall serve as Findings of Fact and hearing record, the City Council hereby concludes that the evidence presented by the petitioners and in the hearing record is material and demonstrates that the Project, based on its nature or location, may have the potential for significant environmental effects. The Petition is therefore hereby granted and an EAW is hereby ordered to be prepared on the Project in accordance with applicable law.
4. City staff are authorized and directed, within five days of this decision, to notify, in writing, the Project proposer, the EQB staff, and the petitioner's representative of this decision.

PASSED by the City Council of the City of Northfield on this _____ day of _____, 2021.

ATTEST

City Clerk

Mayor

VOTE: POWNELL GRABAU NAKASIAN NESS
 PETERSON WHITE REISTER ZUCCOLOTTO

EXHIBIT A

PETITION