

**FINDINGS OF FACT
AND
RECORD OF DECISION**

RUSH HOLLOW
ENVIRONMENTAL ASSESSMENT WORKSHEET

Maple Grove
Hennepin County, MN

May 2022

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ATTACHMENT 1. COMMENTS RECEIVED

RESPONSE TO COMMENTS, FINDINGS OF FACT AND RECORD OF DECISION

RUSH HOLLOW ENVIRONMENTAL ASSESSEMENT WORKSHEET

MAPLE GROVE HENNEPIN COUNTY, MINNESOTA

I. ADMINISTRATIVE BACKGROUND

The City of Maple Grove (the “City”) is the Responsible Governmental Unit for this project, and PulteGroup (“Pulte”) is the Project Proposer. An Environmental Assessment Worksheet (EAW) has been prepared for this project (“Proposed Project”) in accordance with Minnesota Rules Chapter 4410. The EAW was developed to assess the potential impacts of the project and other circumstances to determine if an Environmental Impact Statement (EIS) is needed.

The EAW was filed with the Minnesota EQB and circulated for review and comments to the required EAW distribution list. A “Notice of Availability” for the initial EAW was published in the EQB Monitor on April 5, 2022. A Notice of Availability and Press Release were published in the Osseo-Maple Grove Press and on the City of Maple Grove website. These notices provided a brief description of the project and information on where copies of the EAW were available and invited the public to provide comments that would be used in determining the need for an EIS for the Proposed Project. The EAW was made available for public review at Maple Grove City Hall and on the City of Maple Grove website.

All comments received during the EAW comment period were considered in determining the potential for significant environmental impacts. Comments received during the Comment Period can be found in Attachment 1 of this document.

II. RESPONSE TO COMMENTS

The public review period for the Rush Hollow Environmental Assessment Worksheet (EAW) began on April 5, 2022 and was closed on May 5, 2022. The following responses were prepared to address questions and comments received during the public review period.

The following agencies provided comment letters, organized alphabetically:

Metropolitan Council
Minnesota Department of Natural Resources (MnDNR)
Minnesota Department of Transportation (MnDOT)
Minnesota Office of the State Archeologist (OSA)
Minnesota Pollution Control Agency (MPCA)
Minnesota State Historic Preservation Office (SHPO)

A copy of each email/letter is included within Attachment 1. Consistent with state environmental rules, responses have been prepared below for all substantive comments received during the comment period.

AGENCY COMMENTS AND RESPONSES

1. METROPOLITAN COUNCIL

Comment:

Item 8: Permits and Approvals

“A comprehensive plan amendment would be required if the proposed development is not consistent with the City’s adopted 2040 Plan.”

Response:

The City is preparing a Comprehensive Plan Amendment (CPA) application to encompass the full extent of the Territorial Road Master Plan area, which includes the subject Project. Metropolitan Council and City approval of the CPA will be obtained prior to the approval of the Project.

Comment:

Item 9: Land Use

“Council staff encourage the Proposer (Pulte Homes of Minnesota, LLC) and the City to continue coordinating with Three Rivers Park District – the Regional Parks Implementing Agency which will operate and maintain Rush Creek Regional Trail – prior to and during construction of the Rush Hollow development.”

Response:

Comment noted. The City and Project Proposer will continue to work and coordinate with the Three Rivers Park District on the Rush Creek Regional Trail throughout the land use application process.

Comment:

Item 9: Land Use

“The EAW states that the City’s adopted 2040 Plan guides the Project Area for Low-Medium Residential, Medium Density, and High Density Residential uses (Figure 7). The EAW also notes that the 2040 Plan identifies the Project Area as a future development area once a Master Plan Process is complete. Currently, it is unclear what the anticipated density for each of the residential developments will be within the Project Area.

Please note that all of the proposed residential developments must be consistent with the City’s guiding land use policies identified in the 2040 Plan. A comprehensive plan amendment could be required if the proposed densities of the residential developments are not in keeping with the City’s future land use policy. Please contact your Sector Representative prior to submitting an amendment or if there are any questions regarding these comments.”

Response:

Comment Noted. The proposed land uses and density of the Project are consistent with the City’s adopted future land use designations. The City is preparing a Comprehensive Plan Amendment (CPA) application to encompass the full extent of the Territorial Road Master Plan area, which includes the

subject Project. Metropolitan Council and City approval of the CPA will be obtained prior to the approval of the Project.

Comment:

Item 9: Land Use

“The EAW discusses a development with 243 new detached single-family homes, 230 attached townhomes, and a 110-unit Senior Living facility.

The EAW site is the eastern half of Transportation Analysis Zone (TAZ) #809, between County State Aid Highway 81 and the northern city boundary. At this time, the City’s plan expects TAZ #809 to gain +700 households and +2050 population within 2020-2040. This remains a reasonable expectation, the Rush Hollow development fits within that allocation. If a greater level of households and population is expected in this zone, please request a TAZ allocation adjustment by contacting Metropolitan Council Research.”

Response:

Comment Noted. The City will work with the Metropolitan Council Research staff to make the applicable TAZ adjustments when, and if, additional development within the TAZ is proposed.

Comment:

Item 11: Water Resources

“A dewatering permit will need to be applied for through the Minnesota Department of Natural Resources”

Response:

Comment noted. The Project Proposer will be required to obtain a dewatering permit if the activities meet or exceed the applicable threshold.

Comment:

Item 11: Water Resources

“Opportunities to appropriately infiltrate de-watered groundwater on site should be identified where feasible. The increase in impervious surfaces and wetland loss for this project will impact local hydrology including shallow groundwater recharge. The stormwater infiltration ponds will be essential for offsetting these costs.”

Response:

Comment Noted. The City will review the detailed stormwater plan during the land use application process and will ensure that the Project is design to meet the City’s ordinance standards and requirements, including appropriate BMPs.

Comment:

Item 11: Water Resources

“Reusing captured stormwater to irrigate landscaping on this site could help to offset water demand during peak use. Examples of these systems can be found throughout the metro.

Response:

Comment noted. The Project Proposer will explore the feasibility of utilizing captured stormwater for landscape irrigation in the Project.

Comment:

Item 11: Water Resources

“In the Maple Grove Local Water Supply Plan historical residential per capita use between 2010 and 2015 averaged 89 GPCD, while total averaged 129.6 GPCD. 130 GPCD was used to estimate future water demand through 2040. In the water appropriation section of the EAW, the proposers should align the per capita use estimate with the local water supply plan values. Doing so will not dramatically alter the projects projected impact on future water demand.”

Response:

Comment noted. If using 89 GPCD as the rate, the table is adjusted accordingly. The revised table results in a reduction of the estimated water supply by approximately 53,262 GPD.

Table 13: Estimated Water Supply – GPD (REVISED)

Use	Households/ Units	Rate (gal/capita/day)	Persons-per- household (SAC equivalent)	GPD (Gallons Per Day)
Single-Family Detached Residential (Market Rate)	243 HH	89	2.35	50,823
Single-Family Attached (Town Homes)	230 HH	89	2.35	48,105
Senior Living Building	110 Units	89	2.0	19,580
Total Maximum				118,508 GPD

Comment:

Item 11: Water Resources

“Table 13 is referred to in the water appropriated section but it is described incorrectly as table 12.”

Response:

Comment noted.

Comment:

Item 11: Water Resources

“The Metropolitan Council Interceptor (900450) runs to the south through this site. The interceptor was built in 2007 and is a 54-inch PVC Pipe. There are specific processes that must be followed before encroachment on our property or a direct connection to our interceptor can be made. Before encroachment on our property an Encroachment Agreement and a Sewer Connection Permit will be required.”

Response:

Comment Noted. Table 6 should identify that an Encroachment Agreement should be obtained for connection to the Interceptor.

2. MINNESOTA DEPARTMENT OF NATURAL RESOURCES

Comment:

Item 9: Land Use

“This section identifies Parcel 1 as being located within a shoreland overlay district, but does not thoroughly provide the shoreland zoning requirements even though it appears that multiple lots will be located within 300 feet of Rush Creek. Page 23 notes, “all of the planned lots are setback a minimum of 70-feet from the creek with most setback more than 100-feet from the creek.” However, the minimum setback distance is 75-feet. The SND looks forward to a more detailed evaluation of shoreland zoning compliance, including setbacks, lot widths, impervious surfaces, and open space for residential PUDS, during the city’s preliminary plat review process.”

Response:

Comment Noted. The Project Proposer will be required to comply with all standards and rules of the adopted Shoreland Management Overlay District. As shown on Figure 6: Concept Plan contained in the EAW, all homes are setback at least 75 feet from Rush Creek. The City will perform the review for compliance during the land use application process.

Comment:

Item 11: Water Resources

“If infiltration is not feasible, DNR recommends that stormwater features be used to irrigate landscaping in the project area as a means to reduce groundwater use and pollutants flowing from the site. For examples, please refer to the Cities of Hugo, Medina, and Minnetrista, all of which successfully reuse stormwater for irrigation purposes. Please note that the use of stormwater from constructed stormwater features does not require a DNR Water Appropriation Permit.”

Response:

Comment noted. The Project Proposer will explore the feasibility of utilizing captured stormwater for landscape irrigation in the Project.

Comment:

Item 11: Water Resources and Item 13: Fish, wildlife, plant communities, and sensitive ecological resources (rare features)

“We recommend that the proposed developments use native seed mixes and plants in stormwater features and landscaping in order to provide pollinator habitat since this project is located within a High Potential Zone for the federally-endangered rusty patched bumble bee. The board of Soil and Water Resources’ website contains many great resources for choosing seed mixes and establishing native plants.”

Response:

Comment Noted. As stated in EAW item 13, the Project Proposer will use either the BWSR or MnDOT approved native seed mixes around the stormwater features on site.

Comment:

Item 11: Water Resources

“This section states that there are 3.66 acres of wetlands present within the project area, but Table 5: Cover types indicates that there are 10.3 acres of wetlands present. The discrepancy should be explained. Also, this section does not state the total number of wetland impacts.”

Response:

Comment Noted. As provided in the asterisk to Table 5, the Cover Types were calculated using the Minnesota Land Cover Classification System (MLCCS) and NWI data and were not adjusted to reflect the approved wetland delineation. For clarification, Table 5 “Wetlands/Ponding” could be adjusted to 3.66 acres, and the “Open Space” cover type could be adjusted to 6.64 acres to reflect the approved delineation. Based on Figure 6 Concept Plan, there is approximately 0.77-acres of wetland impact. This is an estimate based on the Concept Plan and the final impact area will be identified during the land use application process. As indicated in Item 6 of the EAW, the Project Proposer will be required to obtain approval of any wetland replacement and mitigation plans prior to the commencement of any site work.

Comment:

Item 13: Fish, wildlife, plant communities, and sensitive ecological resources (rare features)

“Please see the attached Natural Heritage (NHIS) letter from May 4, 2022, and include it along with DNR comments as part of the public record.”

Response:

Comment noted. The NHIS letter is attached in Attachment 1.

Comment:

Item 13: Fish, wildlife, plant communities, and sensitive ecological resources (rare features)

“This project has the potential to impact this rare turtle [Blanding’s turtles] through direct fatalities and habitat disturbance/destruction due to excavation, fill, and other construction activities associated with the project. Minnesota’s Endangered Species Statue (Minnesota Statutes, section 84.0895) and associated Rules (Minnesota Rules, part 6212.1800 to 6212.2300 and 6134) prohibit the take of threatened or endangered species without a permit. As such, the following avoidance measures are required.

- *Avoid wetland impacts during hibernation season, between October 15th and April 15, unless the area is unsuitable for hibernation.*
- *The use of erosion control blankets shall be limited to ‘bio-netting’ or ‘natural-netting’ types, and specifically not products containing plastic mesh netting or other plastic components.*
 - *Also, be aware that hydro-mulch products may contain small synthetic (plastic) fibers to aid in their matrix strength. These loose fibers could potentially re-suspend and make their way into Public Waters. As such, please review mulch products and not allow any materials with synthetic (plastic) fiber additives in areas that drain to Public Waters.*
- *Areas where there will be construction should be checked for turtles before the use of heavy equipment or any ground disturbance.*
 - *The Blanding’s turtle flyer must be given to all contractors working in the area.*
 - *Monitor for turtles during construction and report any sightings to the DNR Nongame Specialist.*

- *If turtles are in imminent danger they must be moved by hand out of harm's way, otherwise, they are to be left undisturbed.*

Response:

Comment noted. The Project Proposer will comply with the avoidance measures as identified.

Comment:

Item 13: Fish, wildlife, plant communities, and sensitive ecological resources (rare features)

"This section should discuss the ecological impacts of removing 21.7 acres of trees and forest, which is a significant amount. Big Brown Bat, Little Brown Bat, and Acadian Flycatcher, all state-listed species of special concern, have been documented in the vicinity of the project. The NHIS letter recommends that tree removal not occur during June and July for bat species, and between May 15th through August 15th for the Acadian Flycatcher and other nesting birds that likely utilize the forested areas of the site due to the proximity to Elm Creek Park Reserve and Rush Creek.

Response:

Comment Noted. The Big Brown Bat, Little Brown Bat, and Acadian Flycatcher are identified as "Species of Special Concern" which are not subject to MN State Statute 84.0895 Protection of Threatened and Endangered Species. The Project Proposer will notify its contractor that the species may be present on site, and will provide them with the MnDNR flyer regarding the species and what to watch for while site clearing activities are conducted. If there is any indication that the species are present the Project Proposer will work with the City to establish a reasonable plan for the affected area.

Comment:

Item 16: Air

"Should water for dust control be taken from a lake, wetland, river or stream in volumes that exceed 10,000 gallons of water in a single day, then a DNR Water Appropriation Permit will be needed for the taking of the water. Please do not use products containing chloride (such as magnesium chloride or calcium chloride) for dust control in areas that drain to Public Waters, in this case Rush Creek."

Response:

Comment noted. The Project Proposer will obtain all necessary permits as identified in EAW Table 6. The Project Proposer will not use products containing chloride for any dust control activities.

3. MINNESOTA DEPARTMENT OF TRANSPORTATION (MnDOT)

Comment:

- *"The Minnesota Department of Transportation (MnDOT) has reviewed the plans and has no comments, as we anticipate the proposed project should have little or no impact on MnDOT's highway system."*

Response:

Comment noted.

4. MINNESOTA OFFICE OF THE STATE ARCHEOLOGIST

Comment:

Item 14: Historic Properties

“Review of our files indicates the proposed development contains multiple archaeological sites that have not been evaluated for their potential significance. Additionally, the project area exhibits moderate to high potential for previously unrecorded Pre-contact period and Historical period archaeological sites. Additionally, the Maple Grove Cemetery is located to the immediate west of the proposed project area. While the cemetery is fairly well defined, the possibility still exists for unmarked, historical burials to be located outside of the present boundaries. Therefore, a phase I reconnaissance survey conducted by a qualified archaeologist is recommended.”

Response:

Comment noted. During the City’s Master Plan process for the area, three archaeological sites were identified within the extents of the Project development. Per the existing records obtained from SHPO, the known sites are located within the Rush Creek corridor. Given the proximity of the known archaeological sites to the proposed Project, the Project Proposer will work with a qualified archaeological consultant to define the scope and study area for inclusion within a Phase I reconnaissance survey. The Project Proposer will work with the City to confirm the Phase I approach and extent of the study area prior to commencing the survey work.

The Rush Creek Cemetery is adjacent to the southwest edge of the site and was present on Plat maps as early as 1913. Given the historical nature of the cemetery, additional information regarding the cemetery boundary will be obtained by the Project Proposer. The Project Proposer will work with a qualified archaeological consultant to identify the appropriate process for the area of the Project site adjacent to the known cemetery boundary.

5. MINNESOTA POLLUTION CONTROL AGENCY (MPCA)

Comment:

Item 7: Cover Types

“This section of the EAW indicated the Project proposes 21 acres of tree removal. As you may be aware, trees store carbon and transform it into biomass, making them an excellent source of climate change mitigation. Leaving the forested area intact and planning the development around the forested area would help to reduce the Project’s greenhouse gas footprint, as well as make the Project site aesthetically more pleasing. In addition, trees can reduce urban heat island effects, energy usage of nearby buildings, noise impacts and flooding. Trees can also improve air quality. The MPCA encourages the city of Maple Grove and the Project proposer to rethink how to complete this development in a manner that is more environmentally beneficial.”

Response:

Comment Noted. The proposed Project will protect over 20-acres of existing trees, woodlands and a significant buffer corridor along Rush Creek. New trees and landscaping will be planted as part of the Project, which will replace some of the vegetation removed as part of the Project.

Comment:

Item 8: Permits and Approvals Required

“The table in this section includes the US Army Corps of Engineers (USACE) Section 404 permit and hence the Minnesota Pollution Control agency (MPCA) 401 water quality certification must also be included.”

Response:

Comment Noted. Table 6 should be amended to add the MPCA 401 water quality certification.

Comment:

Item 11: Water Resources

- *“The MPCA National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) Construction Stormwater Permit (CSW Permit) requires that the wetlands and other surface waters on the site maintain an existing 50 feet of undisturbed natural buffer during construction. If the buffer cannot be maintained, then redundant (double) down gradient sediment control best management practices (BMPs) must be utilized to protect the surface waters.”*
- *“The Project proposer is strongly encouraged to incorporate green stormwater infrastructure practices into the development to meet stormwater volume reduction requirements of the CSW Permit while also providing resilience to increased precipitation, promoting groundwater recharge, providing pollinator habitat, improved water quality, addressing heat island effects, and other benefits.”*
- *“With the impaired waters of Rush Creek and Elm Creek and other non-impaired waters, within 1-mile of the Project, additional care must be taken during development. To reduce or eliminate total suspended solids (TSS)/sedimentation and possible impacts below the Ordinary High Water Level (OHWL) additional in-water BMPs may be required. These BMPs may include weighted (double) floating silt curtain, low flow, no flow or winter construction conditions, coffer and/or rock check dams.”*

Response:

Comment Noted. As stated in EAW Item 11, the Project Proposer must comply with all applicable City and Elm Creek Watershed Management Commission ordinance standards and requirements, including the incorporation of applicable BMPs. In addition, the Project Proposer is evaluating various options related to storm water management.

Comment:

Item 12: Contamination/Hazardous Materials/Wastes

“The operation of heavy equipment in and near lakes, streams and wetlands obligates the Project proposers to develop a plan for managing fuels and lubricants, including a plan of action to implement in the event of spills. The Project proposer and their contractors should be prepared to respond to spills and to recover and contain spilled material as quickly and thoroughly as possible. For petroleum spills that are five or more gallons, the Project proposer or their contractors are required to contact the State Duty Officer.”

Response:

Comment Noted. As required, the Project Proposer will develop a plan for managing fuels and lubricants as part of the site construction and development process.

6. MINNESOTA STATE HISTORIC PRESERVATION OFFICE

Comment:

Item 14: Historic Properties

- *“There are several known archaeological sites located within the proposed project area. Therefore, due to the nature and location of the proposed project, we recommend that a Phase I archaeological survey be completed.”*

Response:

Comment noted. During the City’s Master Plan process for the area, three archaeological sites were identified within the extents of the Project development. Per the existing records obtained from SHPO, the known sites are located within the Rush Creek corridor. Given the proximity of the known archaeological sites to the proposed Project, the Project Proposer will work with a qualified archaeological consultant to define the scope and study area for inclusion within a Phase I reconnaissance survey. The Project Proposer will work with the City to confirm the Phase I approach and extent of the study area prior to commencing the survey work.

The Rush Creek Cemetery is adjacent to the southwest edge of the site and was present on Plat maps as early as 1913. Given the historical nature of the cemetery, additional information regarding the cemetery boundary will be obtained by the Project Proposer. The Project Proposer will work with a qualified archaeological consultant to identify the appropriate process for the area of the Project site adjacent to the known cemetery boundary.

III. FINDINGS OF FACT

a. Project Description

The Project is a new neighborhood in Maple Grove that is planned for a mix of market rate single-family attached and detached homes, senior living opportunities, parks and open space. Located adjacent and west of the Elm Creek Park Reserve on the northern border of the City, the neighborhood will provide up to 243 new detached single-family homes, 230 attached townhomes, and a 110-unit Senior Living building. There will be a network of private open space areas and parks within the neighborhood along with a trail along Rush Creek that is planned as part of the future Rush Creek Regional Trail.

b. Corrections to the EAW

Table 6: Required Permits and Status is corrected to add the following:

Units of Government	Type of application	Status
Regional		
Metropolitan Council	Encroachment Agreement	To be applied for
Minnesota Pollution Control Agency (MPCA)	401 Water Quality Certification	To be applied for

IV. DECISION REGARDING NEED FOR ENVIRONMENTAL IMPACT STATEMENT

a. Type, Extent and Reversibility of Impacts

The City of Maple Grove finds that the analysis completed for the EAW is adequate to determine whether the project has the potential for significant environmental impacts.

The EAW described the type and extent of impacts anticipated to result from the Proposed Project. This document provides clarifications and summarizes the dominant and recurring issues within the EAW. Archaeological Resources, Natural Resources and Water Resources were the items within the EAW and within comments received that were found to be impacted by the Proposed Project. By following the mitigation outlined within the EAW and in the response to comments, the impacts will be avoided, minimized, and/or adequately mitigated.

b. Cumulative Potential Effects of Related or Anticipated Future Projects

No cumulative effects were identified during the comment period. The cumulative impacts identified in the EAW were evaluated and determined that if the identified mitigative steps are implemented and all permitting processes are followed that there are no anticipated cumulative environmental impacts as a result of the Proposed Project.

c. Extent to which Environmental Effects are Subject to Mitigation by Ongoing Public Regulatory Authority

The mitigation of environmental impacts will be designed and implemented in coordination with the applicable regulatory agencies. All mitigation efforts will be subject to the plan approval and permitting

process. Permits and approvals that have been obtained, or those that may be required prior to construction, are identified on Table 1.

Table 1: Permits and Approvals

Permit	Agency	Action Required
Road Access Permit	Hennepin County	Permit
Other utility or construction permits (to be confirmed with City)	City of Maple Grove	Permit(s)
NPDES Construction Permit	MPCA	Permit
401 Water Quality Certification	MPCA	Approval
Construction Stormwater Permit	MPCA	Permit
Sanitary Sewer Extension Permit	MPCA, Metropolitan Council	Permit
Water Supply Connection	Minnesota Department of Health	Permit
Watermain Plan Review	Minnesota Department of Health	Approval
Well Abandonment		
Stormwater Permit	Elm Creek Watershed	Permit
Wetland Replacement Plan Review	Elm Creek Watershed	Permit
Section 404 Clean Waters Act – Wetland Permit	US Army Corps of Engineers	Permit
EAW	City of Maple Grove	Record of Decision
EIS Decision	City of Maple Grove	Record of Decision
2040 Comprehensive Plan Amendment	City of Maple Grove	Approval, if applicable
Planned Unit Development	City of Maple Grove	Approval
Preliminary Plat	City of Maple Grove	Approval
Final Plat	City of Maple Grove	Approval
SWPPP	City of Maple Grove	Permit
Wetland Conservation Act	City of Maple Grove	Permit
Demolition Permit	City of Maple Grove	Permit
Building Permits	City of Maple Grove	Permit
Sign Permit	City of Maple Grove	Permit
HVAC, Plumbing, Electrical Permits	City of Maple Grove	Permit
Fire sprinkler and alarm permits	City of Maple Grove	Permit

d. Extent to which Environmental Effects can be Anticipated and Controlled as a Result of Other Environmental Studies.

The City finds:

1. The Proposed Project is reasonably similar to residential projects in the Twin Cities Metropolitan Area. Other projects of similar scope, accompanied by similar land use, natural resources, surface

water, traffic studies, and associated mitigation, have, in general, successfully mitigated potential environmental impacts.

2. The EAW, in conjunction with this document, contains or references the known studies that provide information or guidance regarding environmental effects that can be anticipated and controlled.
3. No EIS that addresses a similarly sized project is known to be available in the City of Maple Grove or the surrounding area.
4. In light of the results of environmental review and permitting processes for similar projects, the City of Maple Grove finds that the environmental effects of the project can be adequately anticipated and controlled.

Based on the original EAW, comments received from agencies and individuals, the responses to comments, and the criteria above, the City of Maple Grove finds that the Rush Hollow Proposed Project does not have the potential for significant environmental effects and does not require the preparation of an EIS.

V. RECORD OF DECISION

Based on the EAW, the Response to Comments and the Findings of Fact, the City of Maple Grove City Council concludes the following:

1. All requirements for environmental review of the Proposed Project have been met.
2. The EAW and the development processes related to the Proposed Project have generated information which is adequate to determine whether the Proposed Project has the potential for significant environmental effects.
3. Areas where potential environmental effects have been identified the City has included proper mitigative responses to be included within the final design of the Proposed Project. Mitigation will be required to be provided where impacts are expected to result from project construction, operation, or maintenance. Mitigative measures will be required to be incorporated into the Proposed Project design and have been or will be coordinated with state and federal agencies during the applicable permit process.
4. Based on the criteria in Minnesota Rules part 4410.1700, the Proposed Project does not have the potential for significant environmental effects.
5. An Environmental Impact Statement is not required for the proposed Rush Hollow Proposed Project.