

**East Oaks Planned Unit Development EAW
Decision Postponement Distribution List**

Ms. Nancy P. Rozycki, City Clerk, City of North Oaks
100 Village Center Drive, Suite 150, North Oaks, MN 55127

Mr. Gary Eagles, North Oaks Company
One, Pleasant Lake Road, North Oaks, MN 55127

Mr. Jeff Roos, McCombs Frank Roos Associates, Inc.
15050 23rd Ave. North, Plymouth, MN 55447

Environmental Quality Board, Environmental Review Program
300 Centennial Office Building, 658 Cedar Street, St. Paul, MN 55155

Ramsey Soil and Water Conservation District, Attn: Mr. Tom Petersen
2015 Rice Street, Roseville, MN 55113

Minnesota Department of Natural Resources, Attn: Mr. Tom Balcom
Office of Management and Budget Services, 500 Lafayette Road, Box 10, St. Paul, MN 55155

Minnesota Pollution Control Agency, Attn: Ms. Barbara Conti
Metro District Operations and Planning, 520 Lafayette Road, St. Paul, MN 55155

Minnesota Department of Transportation, Attn: Mr. Scott Peters
Metro Divison, Waters Edge, 1500 West County Road B2, Roseville, MN 55113

Metropolitan Council, Attn: Ms. Helen Boyer, Environmental Services
Mears Park Centre, 230 East Fifth Street, St. Paul, MN 55101



Minnesota Pollution Control Agency

September 23, 1998

Ms. Nancy Rozycki, City Clerk
City of North Oaks
100 Village Center Drive, Suite 150
North Oaks, Minnesota 55127

FAXED 9/25
BOLTA
ROOS
EAGLES

Re: Environmental Assessment Worksheet for the East Oaks Planned Unit Development

Dear Ms. Rozycki:

The Minnesota Pollution Control Agency's (MPCA) staff have reviewed the Environmental Assessment Worksheet (EAW) for the East Oaks Planned Unit Development (PUD). This development includes residential and commercial components, encompassing 780 acres. Another 866 acres will include a conservation easement and agricultural easement. We have the following comments for your consideration and response in your decision on the need for an Environmental Impact Statement (EIS).

The MPCA is pleased that the City of North Oaks has taken an environmentally sensitive approach to designing the project. Clustered development, preservation of open space, and minimization of impervious surfaces are all good ways to preserve the quality of the watershed and surrounding areas. We hope that other communities could follow this example and employ similar strategies.

Item 8. Permits and Approvals Required

A possible concern is that the types of commercial businesses have not been definitely identified. The EAW indicates they are likely to be retail, office, and restaurants. The MPCA is not sure whether the RCM zoning designation would prohibit industrial facilities. If an industrial facility were to be located there, please keep in mind such a project may also require the preparation of an EAW, and/or permits from the MPCA. We have seen this situation arise, for example, when a company with air emissions over 100 tons per year moves into an existing industrial park.

Item 9. Land Use

The EAW notes that at least two (2) active, underground storage tanks larger than 1,100 gallons are in the project's area. MPCA or federal requirements may apply to these tanks. The owners may contact the MPCA's tanks program, at (651)297-8679, if they have questions about these requirements.

Ms. Nancy Rozycki
Page Two

Item 12. Physical Impacts on Water Resources, Item 17. Erosion and Sedimentation, and Item 18. Water Quality - Surface Water Runoff

While the discussion in these items is generally good, information is lacking about the stormwater ponds. Staff could not find the location or watershed draining to each pond. Therefore, the MPCA cannot determine if the ponds are properly sized.

The MPCA is concerned about a statement on page 23. The EAW indicates that the pond discharges will be routed through wetlands before being discharged to the lakes. Development will cause increases in the peak flow and the flow volume that may or may not be attenuated by ponds. Some wetlands will be able to take increased flow. Other wetlands are very sensitive and should not have additional flow or duration of inundation. On page 22, the EAW states that the ponds will be designed to limit the 5 and 100 year events. Sensitive wetlands are affected by events occurring once a year or more frequently. Since no mention is made of these more frequent events, we cannot tell if the potential to impact wetlands has been fully addressed.

We also noted that the phosphorus analysis is directed only to the lakes. Some wetlands are altered dramatically by additional phosphorus inputs, which will almost certainly happen with additional hydraulic loads, which are almost certain from new development. A thorough analysis of potential wetland impacts should be discussed.

Thank you for the opportunity to review this project. We look forward to receiving your written responses to our comments. If you have any questions, please contact me at (651)296-6703.

Sincerely,

Barbara Conti

Barbara Conti
Metro District Operations and Planning

BC:sjs

cc. Gregg Downing, Environmental Quality Board



Metropolitan Council

Working for the Region, Planning for the Future

FAXED 9/24
BOLTA
ROOS
EAGLES

September 18, 1998

Ms. Nancy P. Rozycki, City Clerk
City of North Oaks
100 Village Center Drive, Suite 150
North Oaks, MN 55127

RE: East Oaks Planned Unit Development - Environmental Assessment Worksheet
Metropolitan Council District 11
Referral File No. 16847-1

Dear Ms. Rozycki:

Council staff have concluded their review of the above referenced environmental assessment worksheet (EAW) to determine its adequacy and accuracy in addressing regional concerns.

This PUD proposes to develop a total of 1,666 acres in the northeast part of the city of North Oaks over a 20 to 30 year time span. The development will consist of residential and commercial development (a maximum of 645 residential units and 109,770 square feet of commercial development) covering 780 acres in 12 sites. The plan also calls for an additional 886 acres of protected land to be managed under a 621-acre conservation easement and 265-acre agriculture land easement. The protected land will be conveyed to the Minnesota Land Trust.

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

However, staff provides the following comments for your consideration.

- It appears that from information previously submitted by the City under a complete Comprehensive Plan update and the information contained in the EAW which basically describes identical development scenarios, the areas will generate less sanitary sewer volumes than the current identified capacity availability for the City. Therefore, there will be no adverse impact on metropolitan sanitary sewer facilities as a result from the development as described in the EAW.
- At some point in time flows from the East Oaks PUD area will exceed the maximum allowable discharge as outlined in the inter-community agreement currently in force between the City of North Oaks and the Town of White Bear. Therefore, the following options are available to the City in order to rectify this situation.
 - The City and Town will need to re-negotiate the inter-community agreement outlining sanitary sewer service via the Centerville Trunk sewer such that the full capacity of 164,160 gpd is provided for, or
 - The EAW and Comprehensive Plan be revised to reflect a reduction in service area to the Centerville Trunk sewer such that the projected flows do not exceed 120,000 gpd as specified under the current inter-community agreement. Another possible option that could be taken in conjunction with this would be to limit direct discharge to the Centerville Trunk sewer to the maximum 120,000 gpd, and the City/Developer constructed a separate trunk to accommodate the remaining 45,160 gpd discharge to MCES 6901.
 - Regardless of the direction the City chooses, the MCES will request in the comments related to the Comprehensive Plan Update, that the Plan be revised to address the issue of limited capacity available in the Centerville Trunk sewer under the current inter-community agreement.

AREA CODE CHANGES TO 651 IN JULY, 1998

- The Council's Regional Growth Strategy designates the majority of North Oaks as an urban reserve area. Within this type of area, the Council assumes an average overall residential density of 1 unit per forty acres. The city's 1998 Comprehensive Plan Update (currently under review at the Council) designates a number of areas that it proposes to add to the Metropolitan Urban Service Area (MUSA). These areas are adjacent to the proposed development sites indicated in the EAW. It is the Council's policy that areas within the MUSA achieve an overall residential density of at least 3 units per acre. The EAW indicates that an average residential density of approximately 1.2 units per acre would be achieved for the proposed development. This would be inconsistent with the Council's policies.
- It is also the Council's policy that communities plan for the provision of affordable housing. The EAW contained no information related to the price or rents of the units, so staff was unable to determine if this development will assist the community in meeting its affordable housing needs.

In addition:

- On Page 27, the Table on Phosphorus Concentration in Charley Lake contains a typographical error in the second column. The number should be 50 ppb not 9 ppb.
- Page 30 refers to the Pigs Eye WWTP. The plant that will treat the wastewater from this development is the Metropolitan Wastewater Treatment Plant located adjacent to Pigs Eye Lake in St. Paul.
- The one area not addressed in the EAW that may be beneficial to the water and wildlife in this project is requiring buffers around all of the wetlands and lakes. This buffer should be left in its natural state or planted with native vegetation. The width of the buffer can vary depending on the priority of the water resources. Typically these buffers vary from 25 to 100 feet. In addition to water quality benefits, the buffers provide habitat for various animals.

This will conclude the Council's review of the EAW. The Council will take no formal action on the EAW. If you have any questions or need further information, please contact Terrence Kayser, principal reviewer, at 602-1356.

Sincerely,



Helen Boyer, Director
Environmental Services

Cc: Ester Newcome, Metropolitan Council District 11
Keith Buttleman, Director, MCES Environmental Planning and Evaluation Department
Donald Bluhm, Kevin Covin, MCES;
Connie Kozlak, Chauncey Case, Ann Braden, Transportation
Lynda Voge, Linda Milashius, Guy Peterson, Terrence Kayser, OLA
Phyllis Hanson, Recreation and Open Space

NO16847-1



7599 Anagram Drive
Eden Prairie, Minnesota 55344
612/937-5150

MEMORANDUM

DATE: October 13, 1998

TO: Interested Parties and Commenting Agencies -- East Oaks Planned Unit Development EAW

FROM: Rob Bouta, Senior Environmental Scientist

A handwritten signature in black ink, appearing to read 'Rob Bouta', with a long horizontal flourish extending to the right.

RE: Postponement of Decision on the Need for an EIS for the East Oaks Planned Unit Development EAW

The East Oaks Planned Unit Development EAW comment period ended on September 23, 1998. Minnesota Rules Part 4410.1700, Subp. 2a. B. requires that the City of North Oaks provide written notice to the project proposer, Environmental Quality Board staff, and authors of substantive comments if the decision on the need for an EIS will not be made within 30 days of the end of the comment period. The purpose of this memo is to provide the required written notice.

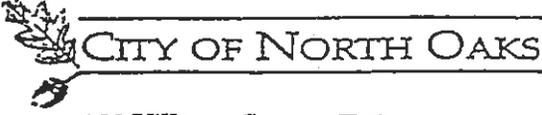
On October 8, 1998, the North Oaks City Council acted to extend the deadline for a decision on the need for an EIS for the East Oaks Planned Unit Development EAW 30 days, from October 23 to November 23, 1998. This decision was made because the City wishes to review forthcoming comments on the City's *1998 Comprehensive Plan Update* before providing a record of decision on the EAW. The City anticipates making a decision regarding the EAW during the November, 1998 Council meeting.

FAXED - 9/23/98

BOUTA

EAGLES

ROOS



100 Village Center Drive
Suite 150
North Oaks
St. Paul, Minnesota 55127

SEND TO FAX NUMBER: 937.5822

TIME SENT: 12:25

SENT BY: City of North Oaks

COVER SHEET

TO: ROB BOUTA - WESTWOOD PROF. SRVC

FROM: LYNN

DATE: 9/23/98

NUMBER OF PAGES (Including Cover Sheet): 5

If you do not receive this FAX properly, please phone 484-5777.

MESSAGE: Comments on EAW for East Oaks Project

Ramsey Soil and Water Conservation District



2015 Rice Street
Roseville, MN 55113
Fax 612/488-3478
Telephone 612/488-1476

September 1, 1998

Ms. Nancy Rozycki, City Clerk
City of North Oaks
100 Village Center Drive, Suite 150
North Oaks, MN 55127

Dear Ms. Rozycki:

On behalf of the Ramsey Soil and Water Conservation District Board of Supervisors, thank you for the opportunity to provide comment on the East Oaks Planned Unit Development EAW.

From a conceptual perspective, we applaud the North Oaks Company's proposed land development strategy for this unique area of Ramsey County. Preserving and managing large tracts of wildlife habitat will surely benefit the environment. By concentrating land disturbance activities in areas of inherent suitability for development and requiring strictly enforced environmental protection practices during site disturbance, cumulative environmental impacts should be minimized.

Having completed a cursory review of the EAW, it is unclear to me whether all water management requirements contained in the Vadnais Lake Area Water Management Organization's (VLAWMO) water management plan are clearly identified and sufficiently addressed in the context of this proposed development. However, I will defer to the appropriate and knowledgeable VLAWMO officials to insure that this issue is properly addressed.

I am concerned that soil erosion and sediment control has not been properly addressed in the EAW. Page 21 of the EAW, section 17 (Erosion and Sedimentation) does not include the required use of the *Ramsey County Erosion and Sediment Control Handbook*. The VLAWMO has adopted the aforementioned handbook as its required standards for construction site controls.

cc: Newcorn 9/3
Roos

Page Two - East Oaks PUD, EAW

The District will be happy to assist the City with erosion and sediment control and any other environmental protection issues as this project progresses.

Please call me at the District office if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tom Petersen", followed by a long horizontal flourish.

Tom Petersen, District Manager

cc. Betty Cowie, Ramsey SWCD Supervisor

eastoaks.828



Minnesota Department of Transportation

Metropolitan Division
Waters Edge
1500 West County Road B2
Roseville, MN 55113

September 14, 1998

Nancy Rozycki
City of North Oaks
100 Village Center Drive, Suite 150
North Oaks, MN 55127

Dear Nancy Rozycki:

SUBJECT: East Oaks Planned Unit Development
Mn/DOT Environmental Review EAW98-030
East of Trunk Highway (TH) 35E and North of CSAH 96
North Oaks, Ramsey County
C.S. 6281

The Metro Division of the Minnesota Department of Transportation (Mn/DOT) has reviewed the East Oaks Planned Unit Development Environmental Assessment Worksheet (EAW) for impacts to the state highway system. We find the EAW acceptable with consideration of the following comments.

- We request the opportunity to review a traffic analysis showing the effects of the proposal on the I-35E/CSAH 96 and I-35E/County Road J intersections. We are concerned that this proposal may increase traffic beyond the interchanges' capacity limits.
- We have transferred former Trunk Highways 49 and 96 to Ramsey County's jurisdiction. The EAW document should reflect this.
- Any use of or work within Mn/DOT right of way will require an approved Mn/DOT permit. The permit required depends upon the nature of the proposed work. Bill Warden of our Permits Section may be contacted at 582-1443 for additional information regarding the permit process.

This letter represents the transportation concerns of Mn/DOT Metro Division. Other environmental concerns raised by a wider Mn/DOT review may be forwarded to you in a separate letter. Please contact me at 582-1654 with any questions regarding this review.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Scott Peters'.

Scott Peters
Senior Transportation Planner/Local Government Liaison

c: Gerald Larson, Mn/DOT Environmental Services
Dan Soler, Ramsey County Traffic Engineer
Ros 9/16
An equal opportunity employer



Minnesota Department of Natural Resources

500 Lafayette Road
St. Paul, Minnesota 55155-4010

September 22, 1998

Nancy P. Rozycki, City Clerk
City of North Oaks
100 Village Center Drive, Suite 150
North Oaks, MN 55127

RE: East Oaks Planned Unit Development
Environmental Assessment Worksheet (EAW)

Dear Ms. Rozycki:

The Department of Natural Resources (DNR) has reviewed the EAW for the East Oaks Planned Unit Development project. The document is well written and we believe it accurately portrays how natural resources are affected by the proposed development. We commend the City of North Oaks, the project proposer, and the various consultants, for the quality of both the project's environmental concept and design and the environmental document itself. These acknowledgments given, we now offer the following comments for your consideration.

Our only comment involves issues of shoreland management identified in **Item 14**, Water-related Land Use Management Districts. This item is correctly answered "yes." The text indicates that "certain variances to building height and setback requirements might be applied for as part [of] the shoreland PUD approval process for some Development Sites." The document does not provide enough detail for DNR to evaluate the specifics of this project approval feature. Because the City of North Oaks has an approved Shoreland ordinance, DNR maintains only an advise and consent authority over the project. We look forward to continuation of contacts between the City and Molly Shodeen, DNR Area Hydrologist, regarding shoreland management issues; Ms. Shodeen can be reached at (651) 772-7910 as the need arises.

Thank you for the opportunity to review this project. We do not recommend preparation of an environmental impact statement (EIS) based upon natural resource considerations. We look forward to receiving your record of decision and responses to comments. Minnesota Rules part 4410.1700, subparts 4 & 5, require you to send us your Record of Decision within five days of deciding this action. Please contact Bill Johnson of my staff at (651) 296-9229 if you have questions regarding this letter.

Sincerely,

Thomas W. Balcom, Supervisor
Environmental Review and Assistance Unit
Office of Management and Budget Services

c: Kathleen Wallace
Bret Anderson
Jon Larsen, EQB
#990069-01/EASTOAK.WP7

Con Christianson
Lynn M. Lewis, USFWS
Richard E. Leonard, North Oaks Company

DNR Information: 612-296-6157, 1-800-764-6000 • TTY: 612-296-5484, 1-800-657-3929





August 17, 1998

7599 Anagram Drive
Eden Prairie, MN 55344

White Bear Press
Attn: Mr. Gary Mortenson, Editor
4779 Bloom Avenue
White Bear Lake, MN 55110

Phone: 612-937-5150
Fax: 612-937-5822
Toll Free: 1-888-937-5150
Email: wps@westwoodps.com

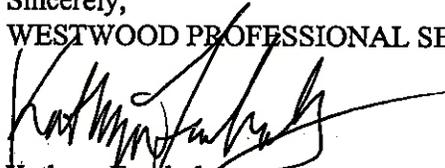
Ref: 97426

**Re: Press Release for East Oaks Planned Unit Development
Environmental Assessment Worksheet (EAW)**

Dear Editor:

Minnesota Environmental Quality Board (EQB) rules require that we submit a press release to a local newspaper regarding the Environmental Assessment Worksheet (EAW) for the East Oaks Planned Unit Development proposed for construction within the City of North Oaks. The following release is for publication in the *White Bear Press*.

Sincerely,
WESTWOOD PROFESSIONAL SERVICES, INC.



Kathryn Ferholz
Associate Environmental Scientist

cc: Ms. Nancy Rozycki, City Clerk, City of North Oaks
100 Village Center Drive, Suite 150, North Oaks, MN 55127

Mr. Gary Eagles, North Oaks Company
One, Pleasant Lake Road, North Oaks, MN 55127

Environmental Quality Board, Environmental Review Program
300 Centennial Office Building, 658 Cedar Street, St. Paul, MN 55155

PRESS RELEASE

A state Environmental Assessment Worksheet (EAW) has been completed for the East Oaks Planned Unit Development. The East Oaks Planned Unit Development is proposed to provide 645 residential units and 109,770 square feet of commercial development distributed among 12 Development Sites on 1,666 acres in North Oaks. Plans include preservation of 886 acres of protected Land under conservation and agricultural easements. Anyone wishing to submit comments on the EAW can request a copy of the document from the City of North Oaks, 100 Village Center Drive, Suite 150, North Oaks, MN 55127. Written comments must be received by 4:30pm on September 23, 1998.

East Oaks Planned Residential Development EAW Distribution List

Address	Number of Copies
Ms. Nancy P. Rozycki, City Clerk, City of North Oaks 100 Village Center Drive, Suite 150, North Oaks, MN 55127	4
Mr. Gary Eagles, North Oaks Company One, Pleasant Lake Road, North Oaks, MN 55127	2
Mr. Jeff Roos, McCombs Frank Roos Associates, Inc. 15050 23 rd Ave. North, Plymouth, MN 55447	1
Environmental Quality Board, Environmental Review Program 300 Centennial Office Building, 658 Cedar Street, St. Paul, MN 55155	1
Ms. Stephanie McNamara, Vadnais Lake Area Water Management Organization 4701 Hwy. 61, White Bear Lake, MN 55110	1
Mr. Dick Osgood, Ecosystem Strategies 22035 Stratford Place, Shorewood, MN 55331	1
Mr. Dave Schuler, City of St. Paul Water Utility 1900 Rice Street North, St. Paul, MN 55113	1
Ramsey County SWCD 2015 Rice Street, Roseville, MN 55113	1
Department of Public Service, Attn: Mr. Jim Alan 200 Metro Square Building, 121 7th Place East, St. Paul, MN 55101	1
Minnesota Department of Natural Resources, Attn: Mr. Tom Balcom Office of Planning, 500 Lafayette Road, Box 10, St. Paul, MN 55155	3
Minnesota Pollution Control Agency, Attn: Mr. Paul Hoff Environmental Analysis Office, 520 Lafayette Road, St. Paul, MN 55155	3
Minnesota Department of Transportation, Attn: Mr. Gerald Larson Environmental Services, 3485 Hadley Avenue North, Oakdale, MN 55128	3
Minnesota Department of Health, Attn: Ms. Rita Messing 121 East 7 th Place, Suite 220, St. Paul, MN 55101	1
Minnesota Department of Agriculture, Attn: Mr. Paul Burns 90 West Plato Boulevard, St. Paul, MN 55107	1
Office of Environmental Assistance, Attn: Mr. Tom Osdoba 520 Lafayette Rd., St. Paul, MN 55155	1
Board of Water and Soil Resources, Attn: Mr. Doug Thomas One West Water Street, Suite 200, St. Paul, MN 55107	1
Minnesota Historical Society, State Historic Preservation Office 345 Kellogg Blvd. West, St. Paul, MN 55102	1
Legislative Reference Library, Attn: Carol Blackburn 645 State Office Building, St. Paul, MN 55155	2
Environmental Conservation Library 300 Nicollet Mall, Minneapolis, MN 55401	2
U.S. Army Corps of Engineers, Attn: Mr. Ben Wopat Regulatory Branch, 190 Fifth Street East, St. Paul, MN 55101-1638	1
U.S. Environmental Protection Agency, Attn: Mr. William D. Franz Chief, Environmental Review Board, 77 West Jackson Boulevard Chicago, IL 60604-3590	1
U.S. Fish and Wildlife Service, Twin Cities Field Office E.S. 4101 East 80th Street, Bloomington, MN 55425-1665	1
Metropolitan Council, Attn: Ms. Lynda Voge, Referrals Mears Park Centre, 230 East Fifth Street, St. Paul, MN 55101	1
Any other person upon written request	0
Total Number of Copies to Distribute	35+



7599 Anagram Drive
Eden Prairie, Minnesota 55344
612/937-5150

MEMORANDUM

DATE: August 17, 1998

TO: EAW Distribution List for East Oaks Planned Unit Development

FROM: Rob Bouta, Senior Environmental Scientist

RE: **Review and Comment Period for the East Oaks
Planned Unit Development EAW**

Enclosed for your review is/are the number of the *East Oaks Planned Unit Development EAW(s)* indicated for distribution to your agency on the enclosed *EAW Distribution List*. As required under Minnesota Environmental Quality Board (EQB) Rules, the abstract for this EAW has been submitted for publication in the August 24, 1998 edition of the *EQB Monitor* and a press release is being submitted for publication in a local newspaper.

Comments on this EAW must be received by Ms. Nancy Rozycki, City Clerk for the City of North Oaks, no later than 4:30pm on September 23, 1998.