

**INVER GROVE HEIGHTS
ENVIRONMENTAL ADVISORY COMMISSION MEETING AGENDA
Thursday, November 21, 2019
8150 Barbara Avenue
7:00 P.M.**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PRESENTATIONS** – Items that do not require action.
- 4. ANNOUNCEMENTS**
 - A. Next meeting - December 19, 2019 (third Thursday due to holiday)
Regular Meeting 7:00pm
 - B. Xcel Energy's Partners in Energy Program Update
 - C. MSP Airport Noise Joint Meeting with City Council and Environmental Commission 1st Quarter 2020
- 5. CONSENT AGENDA** – All items on the Consent Agenda are considered routine and have been made available to the City Council at least two days prior to the meeting; the items will be enacted in one motion. There will be no separate discussion of these items unless a Council member or citizen so requests, in which event the item will be removed from this Agenda and considered in normal sequence.
 - A. Minutes of October 24, 2019 Environmental Commission Meeting
- 6. PUBLIC COMMENT** – Public comment provides an opportunity for the public to address the Council on items that are not on the Agenda. Comments will be limited to three (3) minutes per person
- 7. REGULAR AGENDA** – Items requiring an action.
 - A. Consider a request for a Land Alteration Permit (LAP) for excavating and grading of material in the amount of 21,194 cubic yards for Flint Hills Resources Pine Bend, LLC.
 - B. Consider a resolution regarding Empire Builder Investments' recent request to annually pump and ship 500 million gallons of groundwater from Dakota County to southwestern states
- 8. ADMINISTRATIVE PRESENTATIONS** – Items that need to be discussed without any actions.
- 9. COMMISSION COMMENTS** – An opportunity for Commissions to raise additional questions or comments.
- 10. ADJOURN**

**INVER GROVE HEIGHTS
ENVIRONMENTAL ADVISORY COMMISSION MEETING MINUTES
Thursday, October 24, 2019
8150 Barbara Avenue
7:00 P.M.**

1. CALL TO ORDER

The Environmental Advisory Commission of Inver Grove Heights met in regular session on Thursday, October 24, 2019, in the City Council Chambers. Chair Trenzeluk called the meeting to order at 7:00 p.m.

2. ROLL CALL

Present: Chair Ted Trenzeluk, Commissioners; Sarah Brass, Katherine Teiken, Patricia Todd, Aditya Jayam, Matt Mills.

Absent: Lauren DeGidio (Excused), Robert Heidenreich and Nichole Boehmke.

3. PRESENTATIONS – Items that do not require action.

A. Brad Juffer, MAC (Metropolitan Airports Commission) - MSP Airport Update

Mr. Brad Juffer from the Metropolitan Airports Commission (MAC) presented an informational presentation to the Commission on MAC, MSP Airport construction, trends in MSP aircraft activity and local noise complaints.

To describe how local noise complaints are handled, Mr. Juffer presented the roles of the entities involved in regulating noise oversight. The United States Congress has ultimate jurisdiction over air transportation. The Federal Aviation Administration (FAA) is appointed by Congress to be responsible for safe and efficient movement of aircraft and therefore, makes the ultimate decision of how airways are used at federally funded and controlled airports. The FAA ensures airports with Noise Reduction Programs comply with Federal airport noise rules.

MAC owns and maintains MSP national airport. The MAC collects and analyses noise data and reports on aircraft noise trends. MAC also facilitates discussions with the airlines, FAA and citizens. MAC receives and records noise complaints and administers residential noise reduction programs. MAC cannot dictate how, when or where airplanes fly. Only the FAA can.

The MSP Noise Oversight Committee (NOC) consists of city and airline representatives. The Committee works with MAC and the FAA to help identify ways to reduce aircraft noise in communities surrounding MSP.

Mr. Juffer noted that all aircraft noise complaints should be filed at www.macnoise.com so that all complaints are recorded by MAC.

Mr. Juffer noted that the volume of complaints received from Inver Grove Heights residents has receded since 2017, but the number of households filing complaints increased in 2019.

Chair Trenzeluk asked what is the most effective way for a resident to submit a complaint. Mr. Juffer stated that contacting either the city or MAC. If the resident contacts the city, they will ultimately be referred to MAC and asked to submit a formal complaint through MAC's online reporting system.

Commissioner Mills asked how air quality is affected by a shift towards large planes. Mr. Juffer stated the MSP Airport is subject to both Federal and State environmental laws. New planes are more fuel efficient, have decreased emissions and have quieter engines than older planes that they replace.

B. Xcel Energy - Partners in Energy Program

Mrs. Tami Gunderzik from the Xcel Energy presented an informational presentation to the Commission about Xcel Energy's Partners in Energy program.

Mrs. Gunderzik noted the program is a voluntary two-year collaboration with Xcel Energy and a partner city established to develop and implement the community's energy planning goals. Once a community is selected to participate in the program, a stakeholder group of city representatives and community members is created. Xcel Energy will work with the task force to inform the group of the community's current energy use, demographics and existing utility program participation. Throughout the program, Xcel Energy will continue to collaborate with the community and provide resources to help identify the community's future energy vision and ultimately develop an Energy Action Plan.

Ms. Gunderzik noted that applications for the next program round are due in January 2020.

Commissioner Jayam asked staff if the City Council would need to approve the program. Ms. Sutherland responded that if the Environmental Commission supported this program that staff will bring this item to the City Council and would seek their support as well.

Commissioner Teiken stated she likes how communities are allowed flexibility to develop their own goals while relying on Xcel Energy resources to help plan and implement the goals. Commissioner Teiken stated she is in support of the program.

Ms. Sutherland asked how Xcel Energy would partner with Dakota Electric as Inver Grove Heights is also within their utility territory. Mrs. Gunderzik stated that they would be invited to be a part of the stakeholder group. They also work with Dakota Electric to co-promote to those areas during outreach implementation. Dakota Electric has previously collaborated with Xcel Energy on other city's Partners in Energy programs.

Commissioner Jayam asked if there is any funding support or if there is only design support for communities. Mrs. Gunderzik stated that there is typically only design support in the planning phase, but the consulting services provided to communities are equivalent to about \$40,000 to \$60,000. In the implementation phase, the cost of Xcel Energy project management services provided to communities is near this same rate. During the implementation phase, there may be some dollars available to assist with printing and purchasing food for workshops depending on the community's available resources. Commissioner Teiken noted that community members complete energy audits as a result of targeted outreach may benefit from qualifying for rebates or other incentives. This provides direct support to community members.

Commissioner Jayam asked how much of the community is served by Xcel Energy versus Dakota Electric. Ms. Sutherland noted the majority of Inver Grove Heights community members are served by Xcel Energy but that there are still users in Dakota Electric so the city would want to involve that utility as well. Mrs. Rand stated that the more rural south western portion of our city falls within Dakota Electric territory.

Commissioner Jayam asked if we have any existing energy planning goals. Ms. Sutherland responded that the city does not have any goals directly related to energy however this program fits within our existing Greenstep Cities program and sustainability goals.

Chair Trenzeluk noted that this program would be a benefit to both the existing Greenstep Cities program and small businesses.

Motion by Commissioner Teiken, seconded by Commissioner Jayam to recommend City Council pursues the Partners in Energy Program.

Ayes: 6

Nays: 0 Motion carried.

4. ANNOUNCEMENTS

A. Updated agenda format

Agenda and minutes have been updated to a similar format used by other City Advisory Commissions and City Council.

B. Next meeting - November 21, 2019 (third Thursday due to holiday) Regular Meeting 7:00pm.

5. CONSENT AGENDA

A. Minutes of June 27, 2019 Environmental Commission Meeting

Motion by Commissioner Trenzeluk, seconded by Commissioner Teiken to approve the minutes from June 27, 2019 with suggested changes.

Ayes: 6

Nays: 0 Motion carried.

6. PUBLIC COMMENT – Public comment provides an opportunity for the public to address the Council on items that are not on the Agenda. Comments will be limited to three (3) minutes per person

7. REGULAR AGENDA – Items requiring an action.

8. ADMINISTRATIVE PRESENTATIONS – Items that need to be discussed without any actions.

9. COMMISSION COMMENTS – An opportunity for Commissions to raise additional questions or comments.

Commissioner Trenzeluk noted that he is still interested in discussing rain garden marketing and student commissioners at future Commission meetings. Once he completes background research on the topic he will bring the item to the Commission.

Commissioner Brass is interested in researching what resource other communities are providing to their residents to help manage buckthorn. Once she completes background research on the topic she will bring the item to the Commission.

Commissioner Trenzeluk reminded the Commissioners they are welcome to suggest an environmental topic of interest for the Commission to consider by adding it to an agenda for discussion.

10. ADJOURN

Motion by Commissioner Brass, seconded by Commissioner Jayam to adjourn. The Commission meeting adjourned at 8:22 pm. Motion approved unanimously.

Ayes: 6

Nays: 0 Motion carried.

MEMORANDUM

CITY OF INVER GROVE HEIGHTS

TO: Ally Sutherland, Environmental Specialist

FROM: Jake Moser, Civil Engineer

DATE: November 21, 2019

RE: Engineering Staff Review Comments
Flint Hills Resources - Land Alteration Permit
Land Alteration Permit No. C-100-19

ACTION REQUESTED: Consider a request for a land alteration permit (LAP) for excavating and grading of material in the amount of 21,194 cubic yards for Flint Hills Resources Pine Bend, LLC.

BACKGROUND: In October 2019, Flint Hills Resources (FHR) applied for a land alteration permit for the land disturbance within Inver Grove Heights associated with a proposed 4-inch propane pipeline. The proposed pipeline will be approximately 5 miles long and will transport liquified petroleum gases from the FHR Pine Bend Refinery in Rosemount to the FHR Wescott Terminal at 10325 Robert trail, Inver Grove Heights.

The land alteration is to be located on a new 17,741 linear foot alignment within private utility easements on private and public property within the City of Inver Grove Heights. The total land disturbance within the City of Inver Grove Heights is proposed at 18.5 acres. The new pipeline will be installed via horizontal drilling beneath wetlands, public waters, public rights-of-way, and railroad crossings. The remaining sections of pipeline will be installed via open trench excavation. A Location Map is attached.

Per Inver Grove Heights City Code Title 9 Chapter 5, City Council approval is required to issue the Land Alteration Permit for the proposed land alteration volume of 21,194 CY. City Council approval is required for permits with material volumes exceeding 10,000 CY.

PRIMARY ISSUES AND ANALYSIS: FHR has submitted a construction Stormwater Pollution Prevention Plan (SWPPP) describing and illustrating the construction activities, stormwater management, and erosion control best management practices to comply with the Minnesota Pollution Control Agency (MPCA) Construction Stormwater Permit and the Inver Grove Heights Land Alteration Permit. We have noticed the following items to consider:

Permanent Grading and Drainage: The SWPPP submitted states that all disturbed areas will be restored to existing grades with no permanent stormwater or drainage impacts. Earthwork will be balanced on site; excavated material will be used for backfilling.

Erosion Control and Turf Restoration: The plans in the SWPPP appendix show that open trench and boring pit excavations will have perimeter erosion control and appropriate soil stabilization BMPs. A MPCA construction stormwater permit is required, FHR received permit coverage from the MPCA on October 7, 2019 (permit #C00055039). Select SWPPP sheets and erosion control plan are attached.

Environmental Review: FHR described in the permit application and submitted SWPPP that the proposed 4-inch pipeline did not trigger mandatory environmental review by the Minnesota Public Utilities Commission or Environmental Quality Board. City consultant, Wenck, performed a review of the submittals and applicable state statutes and concurred that the project does not trigger mandatory environmental review under Minnesota Rules 4410.4300. In addition to being below the regulatory thresholds for a mandatory environmental review, FHR has completed the following assessments for environmental due diligence: Special and impaired waters search, Public waters with work in water restrictions, Wetland impacts, Endangered or threatened species review, Historic and archeological site review, Karst areas or drinking water supply management areas, Groundwater or soil contamination, Erosion prevention and sediment control BMPs, Leak detection monitoring, and a Spill response plan. A copy of the Technical Memo by Wenck dated 11/13/19 is Attached.

Tree Preservation: Some tree removals will be necessary where the proposed pipeline crosses wooded areas, primarily on property owned by FHR and Bituminous Roadways. The exact alignment of the pipeline and tree removals will be dependent on FHR's easement acquisitions. A condition of the permit will be to receive approval from the City Planner verifying that the proposed tree removals are following the City Tree ordinance.

Wetlands: Work in wetlands will be covered under by the U.S. Army Corps of Engineers (USACE) Utility Regional General Permit and the Minnesota Wetland Conservation Act. A copy of the USACE Utility Regional General Permit and associated documentation is provided in the Appendix. FHR will follow best practices, including using construction mats where the access route or temporary workspaces crosses wetlands, in order to minimize ground disturbance and tracking. Impacts to the wetland will be temporary as the site will be restored to pre-construction conditions upon Project completion. No wetland impacts will occur at Horizontal Directional Drilling (HDD) crossings; however, temporary wetland impacts are anticipated for trench method crossings. The total area of temporary disturbance to wetlands will be approximately 0.41 acre. All impacts to wetlands will result in no permanent loss of wetland area or function. FHR intends to submit the Joint Application Form for Activities Affecting Water Resources in Minnesota to the Dakota County Soil and Water Conservation District the week of November 11, 2019. The application will request an Exemption/ No Loss Determination. FHR will provide a copy of this correspondence and/or approval if requested.

Hours of Operation: Earthwork will be balanced on site; excavated material will be used for backfilling. Operations will occur between the permitted hours of 7:00 am to 7:00 pm, Monday through Saturday. No Fueling, unloading, or running equipment can occur outside of these hours.

Resident Notification: FHR must mail written notice to all adjacent property owners. The written notice must include a description of the work being performed, a project schedule, and a Flint Hills Resources contact name and phone number for a project contact authorized to represent the owner.

CONCLUSIONS AND RECOMMENDATIONS: Public Works/Engineering recommends approval of the land alteration permit subject to the standard land alteration permit conditions and in accordance with the following comments and conditions:

1. A plan checking fee of \$1055.97 shall be submitted with the Land Alteration application.
2. A surety bond in the amount of \$92,500 shall be provided before excavation can begin. Per IGH Land Alteration Permit: \$5000/acre X 18.5acres = \$92,500.

3. An Engineering Construction escrow of \$2500 shall be submitted. This account will be used for City Engineering staff field review and inspection of construction operations.
4. An environmental consultant review escrow of \$3000 shall be submitted. The plan review escrow will be used to cover City expenses associated with additional environmental reviews.
5. City Council approval is required to issue the Land Alteration Permit for the proposed land alteration volume of 21,194 CY.
6. A grading permit fee of \$655.97 shall be submitted upon City approval and before issuance of land alteration permit documents.
7. Applicant must provide a copy of wetland determination letter from Dakota County Soil and Water Conservation District.
8. Applicant must comply with the requirements of all DCSWCD, USACE, DNR and MPCA wetland protection requirements.
9. Applicant must comply with requirements of DNR hydrologist public waters protection requirements.
10. Applicant must provide a copy of a Dakota County Right-of-Way permit.
11. A City Right-of-Way Permit is required for work in 120th Street and Arnold Avenue. Permit fees and bonds to be determined at time of ROW permit application.
12. Applicant must comply with conditions of the project SWPPP, dated October 2019.
13. Owner will be responsible for performing weekly NPDES erosion control inspections as required by MPCA Construction Stormwater General Permit.
14. Owner is responsible for supplying the City Engineer with weekly NPDES reports
15. Applicant must restore all existing grades and drainage patterns to pre-project conditions.
16. Applicant must mail written notice to all adjacent property owners. The written notice must include a description of the work being performed, a project schedule, and a Flint Hills Resources contact name and phone number for a project contact authorized to represent the owner.
17. Where the project alignment uses private property or easements owned by others, the applicant must submit written authorization from the private property or private easement owners.
18. Applicant must submit final alignment to City and receive approval from the City Planner verifying that the proposed tree removals are following the City Tree ordinance. The exact alignment of the pipeline and tree removals will be dependent on FHR's easement acquisitions.
19. The plan indicates approximately 700 lineal feet of City bituminous trail impacted by excavation, and an additional 700 lineal feet of trail that could be impacted by construction traffic. If the bituminous trail is damaged by excavation or construction traffic, it must be restored to pre-construction conditions or better. If existing concrete barricades are move for temporary access, they must be returned to the pre-construction locations. Attached is City Plate STR-15 detailing the City's minimum bituminous trail section.

20. Pipeline trench backfill beneath the City bituminous trail must be compacted to 100% standard proctor density. Pipeline trench backfill in green space within any city property must be compacted to 90% standard proctor density.
21. A maximum of 400 lineal feet of trench excavation shall be open at any time. Trench backfilling and soil stabilization must begin prior to continuing open trench excavation.
22. Coordinate and comply with City of Eagan comments and avoid water tower utility conflicts.
23. Erosion control shall be installed and inspected by the City Engineer prior to commencing work.
24. Only rock, sand, gravel, dirt or similar natural earth fill is permitted. No concrete, asphalt, or demolition wastes will be permitted as fill unless a demolition landfill permit is first obtained from Dakota County (see attached). All imported fill shall be certified as clean fill per county standards.
25. Operations shall be limited to the hours of 7:00 a.m. to 7:00 p.m., Monday - Saturday, and shall not interfere with the health and safety of surrounding residents and the premises shall always be maintained so as not to create a nuisance. No Fueling, unloading, or running equipment can occur outside of these hours.
26. Use of explosives is not anticipated. Any explosives used must be done so in accordance with Inver Grove Heights Code and any other applicable standards, e.g., Federal, State, Industrial, etc. Obtain all required permits.
27. Each day, or when required by the City, material from this operation that is found to exist on City streets and County roads shall be cleaned to the City's satisfaction by the applicants.
28. Upon completion of land alteration operations, the land must be left according to the plans and contours submitted with this application and planted with vegetation (subject to approval by the City) to prevent erosion.
29. Identify and provide haul roads: Applicant is responsible for maintenance of haul routes approved by City Engineer. Parking, transportation of equipment and material hauling must use County or State highways unless approved by the City Engineer.
30. Upon completion of land alteration operations or expiration of this permit, an inspection will be made by the City of the premises and adjoining streets. Any damage to have been caused by these operations will be corrected by the applicant upon notification of the City.
31. A preconstruction meeting with the City Engineering Division must be held at a suitable location prior to the start of construction.
32. The City Engineer reserves the right to apply additional conditions.

Attachments: Land Alteration Permit Application No. C-100-19
Location Map
Erosion Control Plan
Correspondence
Wetland Report

Exhibit 1:

Land Alteration Permit Application



APPLICATION FOR LAND ALTERATION PERMIT

Date of Application 10/16/19

Excavator

Excavator To be determined; work is pending bid and award
Contact Person _____
Address _____
Telephone _____ Fax _____

Land Owner(s)

Land Owner Flint Hills Resources Pine Bend, LLC
Address 12555 Clark Road
Telephone 651-437-0700 Fax _____
PID Refer to attached figure
Legal Description Lot _____ Block _____ Addition _____
Section _____ Township _____ **Refer to SWPPP narrative*

~~Land Owner _____
Address _____
Telephone _____ Fax _____
PID No. 20- _____
Legal Description Lot _____ Block _____ Addition _____
Section _____ Township _____~~

Description of Land Being Altered

General Location of Land Being Altered Refer to SWPPP narrative

Purpose of Land Alteration Installation of new propane pipeline

Value of Work \$ 5.4 million Estimated Start Date October 2019

Estimated Completion Date May 2020

Source and Composition of Fill Excavated material will be backfilled and returned to the original elevations.

Cubic Yards of Fill 0 c.y.

Cubic Yards of Excavation/Grading 21,194 c.y.

Total Volume of Land Alteration = 21,194 c.y.

Total Area of Land Altered 18.5 Acres

A. Plan Checking Fees

0 up to 29 Cubic Yards	NO FEE
30 up to 499 Cubic Yards	\$25.00 plus \$0.25 per Cubic Yard.....\$32.50 - \$150.00
500 up to 9,999 Cubic Yards	\$150.00 plus \$0.03 per Cubic Yard.....\$165.00 - \$450.00
10,000 up to 99,999 Cubic Yards	\$950.00 plus \$0.005 per Cubic Yard.....\$1000.00 - \$1450.00
100,000 Cubic Yards or more	\$1150.00 plus \$0.003 per Cubic Yard.....\$1450.00 and above

B. Grading Permit Fees

0 up to 29 Cubic Yards	NO FEE
30 up to 499 Cubic Yards	\$25.00 plus \$0.25 per Cubic Yard.....\$32.50 - \$150.00
500 up to 9,999 Cubic Yards	\$150.00 plus \$0.02 per Cubic Yard.....\$160.00 - \$350.00
10,000 up to 99,999 Cubic Yards	\$550.00 plus \$0.005 per Cubic Yard.....\$550.00 - \$1,000.00
100,000 Cubic Yards or more	\$800.00 plus \$0.002 per Cubic Yard.....\$1000.00 and above

CITY USE ONLY

A. Plan Checking Fee	\$ _____
B. Grading Permit Fee	\$ _____
Total Fee (A + B)	\$ _____
Amount of Bond	\$ _____

(\$5,000 per acre, minimum \$10,000; Must be submitted upon approval of application, if applicable).

Attachments to Application (The following plans, drawings, calculations, bonds and/or statements are required by the City Engineer).

- ☒ Half-section map or sketch of property showing all adjacent property indicating the existing buildings and/or structures. Provided as figure 3 in the SWPPP.
- ☒ Grading plan showing existing and proposed finished contours and elevations. N/A, no grading anticipated; all contours will be pre-construction elevations and conditions.
- ☒ Drainage plan showing existing and proposed drainage ways, culverts, storm sewer pipe, drainage structures, stabilization walls, retaining walls, cribbing, dams, or other protective items. N/A, project area will be returned to pre-construction elevations and conditions.
- ☒ Calculations for and approximate quantities of excavation and/or fill required. Provided in the SWPPP; no fill required, as the excavated material will be backfilled in the original location that it was removed.
- ☒ Signed statement from the property owner accepting responsibility for the operation and granting permission for land alteration/mining operation. Easements documents can be provided upon finalization, if required.
- ☒ Statement to be attached to deed advising of potential need for soil tests prior to any construction on lots where additional fill material has been placed. N/A, no additional fill required.
- ☒ Sediment and erosion control plan meeting the requirements of the City of Inver Grove Heights City Code Title 9, Chapter 5: Stormwater Management. Provided in the SWPPP.
- ☒ Conformance with the City of Inver Grove Heights Water Resource Management Plan. Provided in the SWPPP.
- ☒ Soil borings. Refer to attached documents
- ☒ Conformance with the City of Inver Grove Heights' Tree Preservation Ordinance. Per phone conversation with the City, no additional information is required at this time.
- ☒ A final use plan, illustrating the ultimate land uses projected for the property. N/A, project area will be returned to original use and pre-construction elevations and conditions.
- ☒ Location and surface type of access roads. Existing public roads will be used to access the project areas (depicted on figure 3 in the SWPPP).
- ☒ Certification of Comprehensive General Liability Insurance. Refer to the attached documents
- ☒ Compaction and/or Soil Density Requirements. N/A, excavated material will be backfilled in the original location that it was removed.
- ☒ Other: N/A

Stipulations

1. A plan checking fee of \$ _____ shall be submitted with the Land Alteration application.
2. A grading permit fee of \$ _____ shall be submitted upon City approval and before issuance of land alteration permit documents.
3. A \$1500.00 escrow shall be provided for non-compliance activities that are identified by an inspection. A written notice will be issued if the escrow funds will be used to correct a non-compliant issue.
4. The above fees do not include City expenses for environmental reviews such as: EAWs, AUARs, or EISs. The City reserves the right to collect additional costs if the project requires additional environmental reviews.
5. A surety bond or certified check in the amount of \$ _____ (\$5,000 per acre, minimum \$10,000) must be submitted after approval of application and prior to any work. This bond or check is to ensure satisfactory performance and compliance with the below stated stipulations. The surety bond or check shall be kept active until the completion work and/or expiration of permit and can only be released by written notification of the City after a satisfactory final inspection has been performed by the City.
6. All land alteration permits issued to a specific location shall be based on the cumulative quantity of earthwork as the final determination of fees. The City reserves the right to adjust fees based on cumulative quantities.
7. All access and street frontage of the land site must be controlled by a fence, a minimum of four (4) feet in height. All entrances must have gates that are capable of being locked.
8. Only rock, sand, gravel, dirt or similar natural earth fill is permitted. No concrete, asphalt, or demolition wastes will be permitted as fill unless a demolition landfill permit is first obtained from Dakota County (see attached).
9. Operations shall be limited to the hours of 7:00 a.m. to 7:00 p.m., Monday - Saturday, and shall not interfere with the health and safety of surrounding residents and the premises shall be maintained at all times so as not to create a nuisance.
10. Any explosives used must be done so in accordance with Inver Grove Heights Code and any other applicable standards, e.g., Federal, State, Industrial, etc. Obtain all required permits.
11. At end of each season's operations and no later than the last day of December, each year, the site is to be left in a neat and orderly condition, with maximum slopes of 3:1 with no overhang of vertical banks and with a level bottom.
12. Each day, or when required by the City, material from this operation that is found to exist on City streets shall be cleaned to the City's satisfaction by the applicants.
13. Upon completion of land alteration operations, the land must be left according to the plans and contours submitted with this application and planted with vegetation (subject to approval by the City) to prevent erosion.
14. Upon completion of land alteration operations or expiration of this permit, an inspection will be made by the City of the premises and adjoining streets. Any damage to have been caused by these operations will be corrected by the applicant upon notification of the City.


Applicant's Signature

Date 10-23-19


Property Owner's Signature

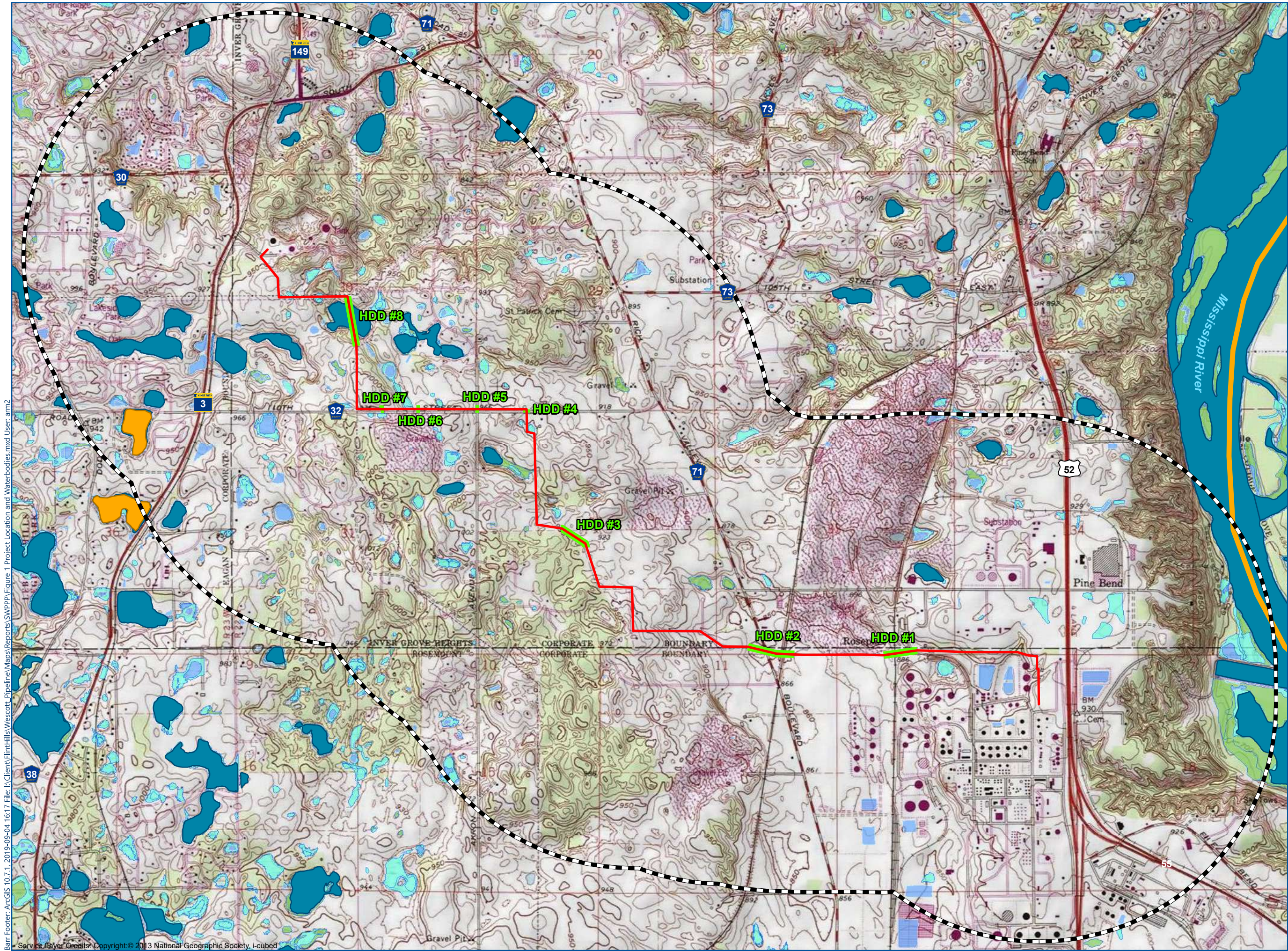
Date 10-23-19

Property Owner's Signature

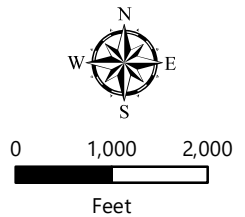
Date _____

Exhibit 2:

Location Map



- 1-mile Buffer
- Proposed 4-inch Pipeline
- Approximate HDD Locations
- MPCA Impaired Streams (Proposed 2018)
- MPCA Impaired Lakes (Proposed 2018)
- Public Waters Inventory (PWI) Basins
- Wetlands (MN DNR NWI Update)
 - Freshwater Emergent Wetland
 - Freshwater Forested/Shrub Wetland
 - Freshwater Pond
 - Lake
 - Riverine

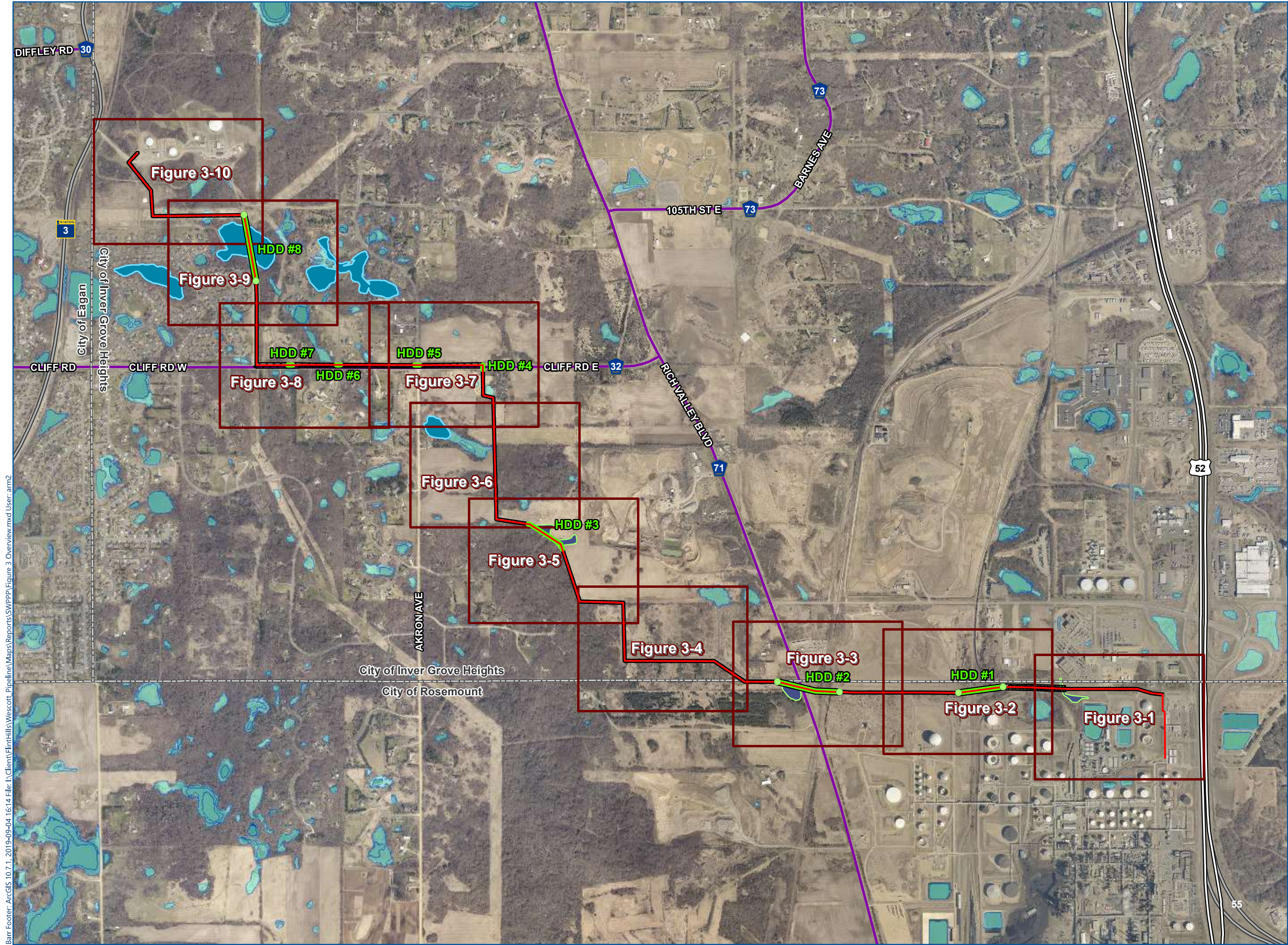


PROJECT LOCATION
AND WATER BODIES
Wescott Pipeline
Flint Hills Resources

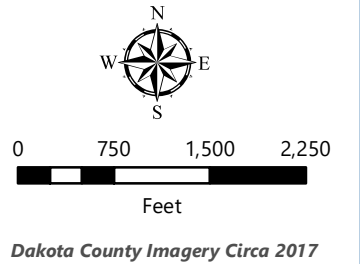
LARGE FIGURE 1

Exhibit 3:

Erosion Control Plan



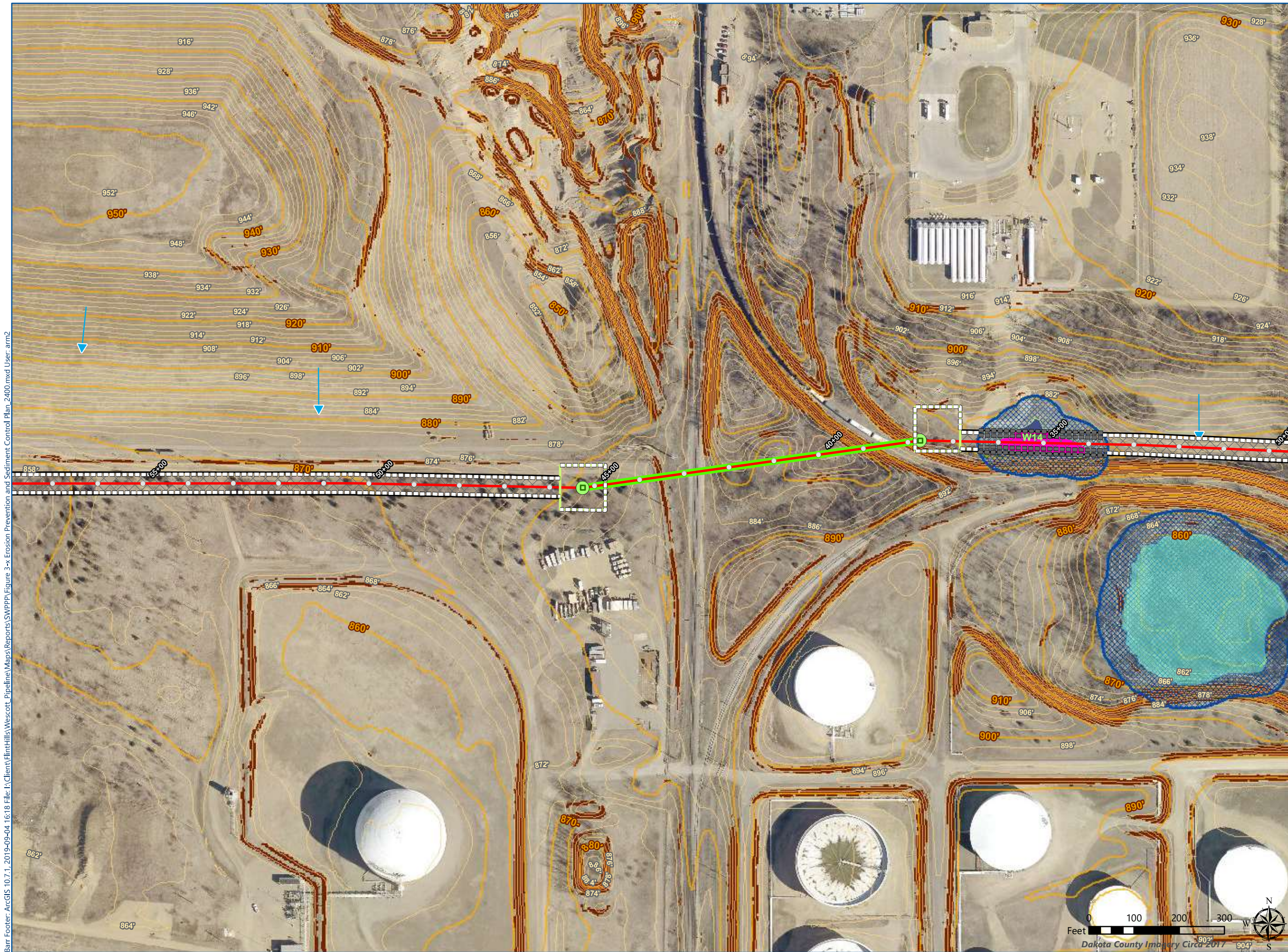
- Plan Sheet Extents
- Proposed 4-inch Pipeline
- Approximate HDD Locations
- HDD Entry/Exit Pit Locations
- Public Waters Inventory (PWI) Basins
- Desktop Identified Wetlands (E3 Environmental)
- Wetlands (MN DNR NWI East Central Update)
- Roadways
 - US
 - State Highway
 - County State Aid Highway



EROSION PREVENTION AND
SEDIMENT CONTROL PLAN
OVERVIEW
Wescott Pipeline
Flint Hills Resources
LARGE FIGURE 3

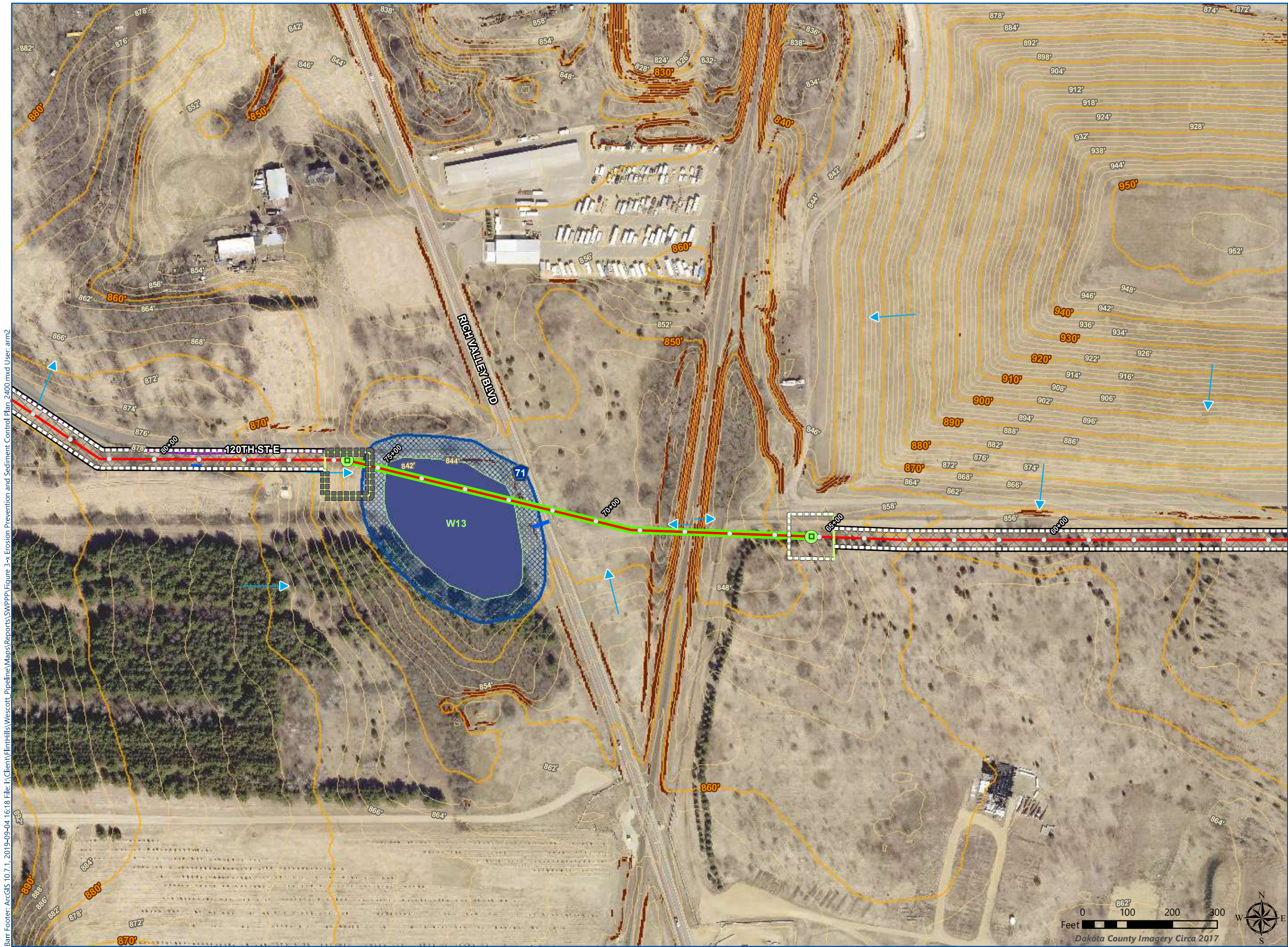
Barr Footer: ArcGIS 10.7.1, 2019-09-04 16:18 File: I:\Client\FlintHills\Wescott Pipeline\Map\Reports\SWPPP\Figure 3-x Erosion Prevention and Sediment Control Plan.2400.mxd User: arm2





- Stationing
- Proposed 4-inch Pipeline
- Approximate HDD Locations
- HDD Entry/Exit Pit Locations
- 10' x 10' Bore Pit
- 100' x 100' Temporary Workspace
- Perimeter Sediment Control
- ■ ■ ■ Redundant Sediment Control
- ▤ Construction Corridor
- Stormwater Flow Arrows
- Lidar Contours
 - Index (10-Foot)
 - Intermediate (2-Foot)
 - >33% Slope
 - 50-foot Buffer on Wetlands/Waterbodies
 - Wetland Impact Area
 - Desktop Identified Wetlands (E3 Environmental)
 - Wetlands (MN DNR NWI East Central Update)

- Notes:
1. BMP locations illustrated on the figures are approximate; final BMP locations will be determined based on field conditions.
 2. Appropriate temporary erosion prevention and sediment control practices shall be followed. Refer to Sections 4.1 Temporary Erosion Prevention Practices and 4.2 Temporary Sediment Control Practices.
 3. Matting will be used where work is occurring in wetlands.
 4. Stabilization of all exposed soils shall be initiated immediately in areas where construction activity in that portion of the site will not resume for a period exceeding 14 calendar days.
 5. Additional erosion prevention measures will be implemented at the site during construction as needed (e.g. construction phasing, minimizing soil disturbance, vegetative buffers, slopes >33%, etc.) in accordance with Section 4.1.5 Additional Erosion Prevention Measures.
 6. Refer to Section 6.0 Inspection and Maintenance Activities for BMP inspection and maintenance requirements.
 7. Pollutant-generating activities will be managed in accordance with Section 7.0 Pollution Prevention Management Measures.
 8. Seed and erosion control BMPs will be placed as necessary depending on field conditions.
 9. Permanent cover will be achieved by seeding and mulching the workspace areas and construction corridor following completion of construction.



- Stationing
- Proposed 4-inch Pipeline
- Approximate HDD Locations
- HDD Entry/Exit Pit Locations
- 10' x 10' Bore Pit
- 100' x 100' Temporary Workspace
- Perimeter Sediment Control
- ■ ■ ■ Redundant Sediment Control
- ▨ Construction Corridor
- ▤ Impervious Surfaces
- Stormwater Flow Arrows
- Sewer
- Lidar Contours
 - Index (10-Foot)
 - Intermediate (2-Foot)
 - >33% Slope
 - ▤ 50-foot Buffer on Wetlands/Waterbodies
 - Desktop Identified Wetlands (E3 Environmental)

- Notes:
1. BMP locations illustrated on the figures are approximate; final BMP locations will be determined based on field conditions.
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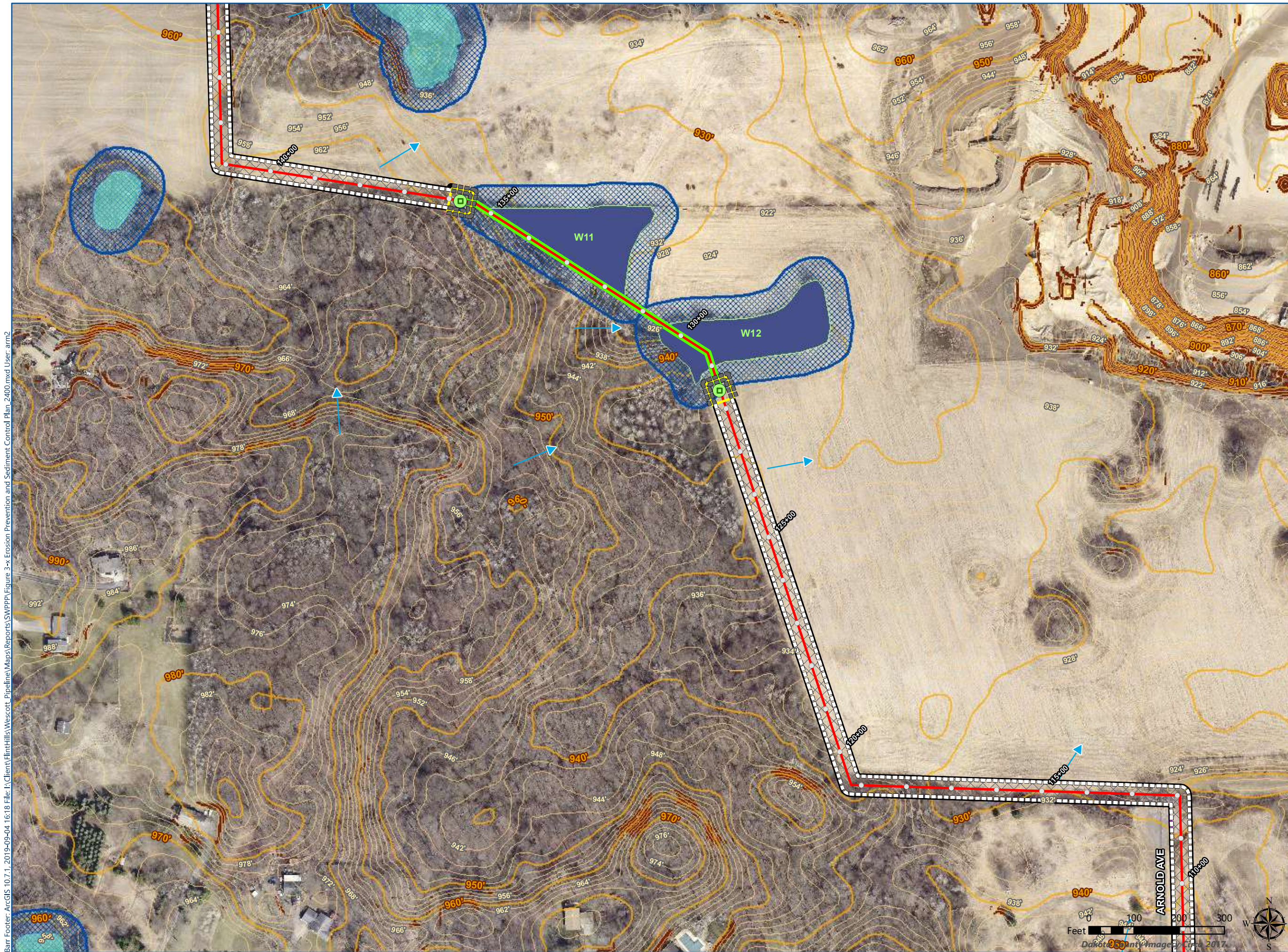
EROSION PREVENTION AND
SEDIMENT CONTROL PLAN

Wescott Pipeline
Flint Hills Resources

LARGE FIGURE 3-3

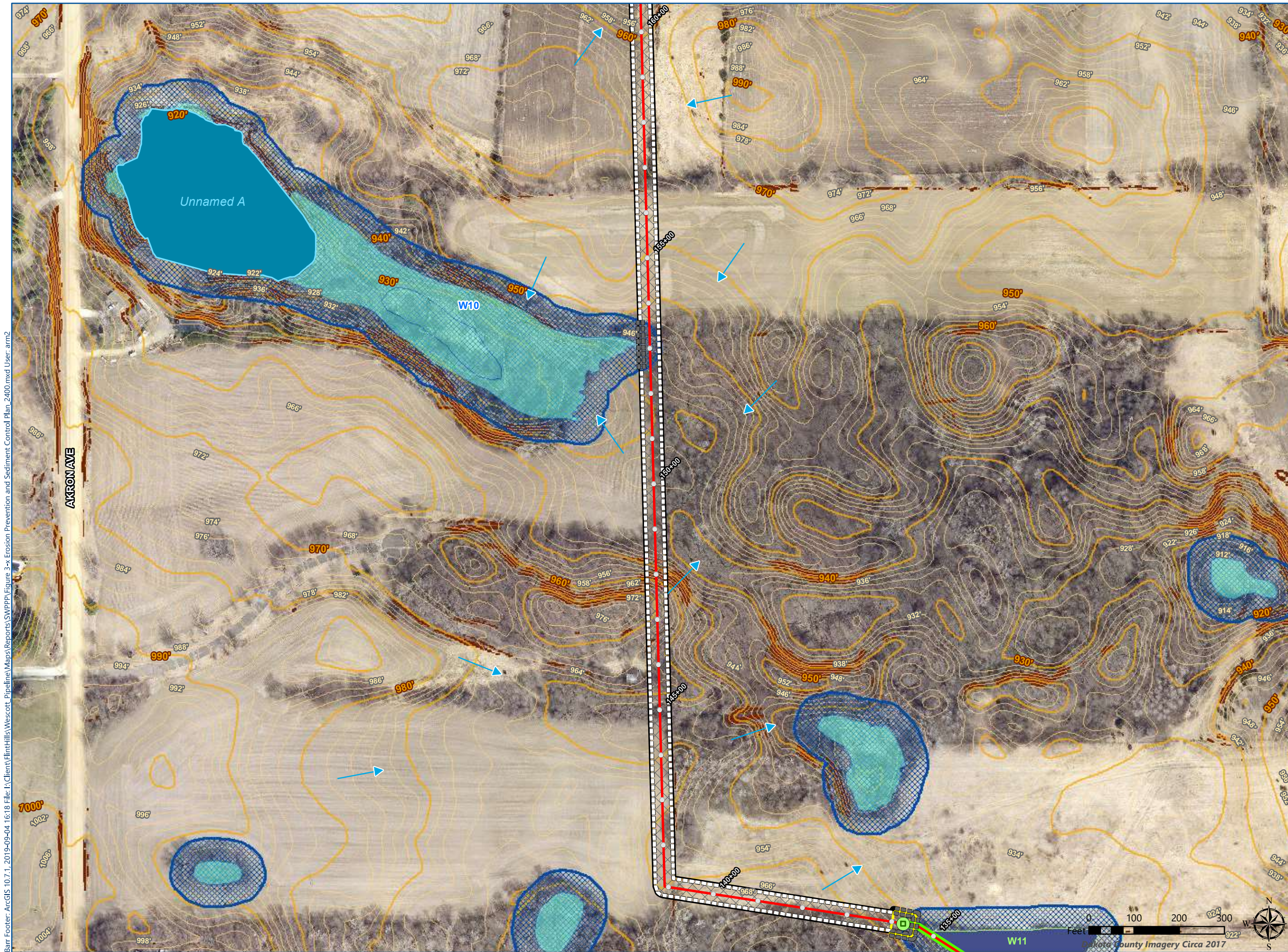
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- Stationing
- Proposed 4-inch Pipeline
- Approximate HDD Locations
- HDD Entry/Exit Pit Locations
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- Stormwater Flow Arrows

Lidar Contours

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EROSION PREVENTION AND SEDIMENT CONTROL PLAN

Wescott Pipeline
Flint Hills Resources

LARGE FIGURE 3-6

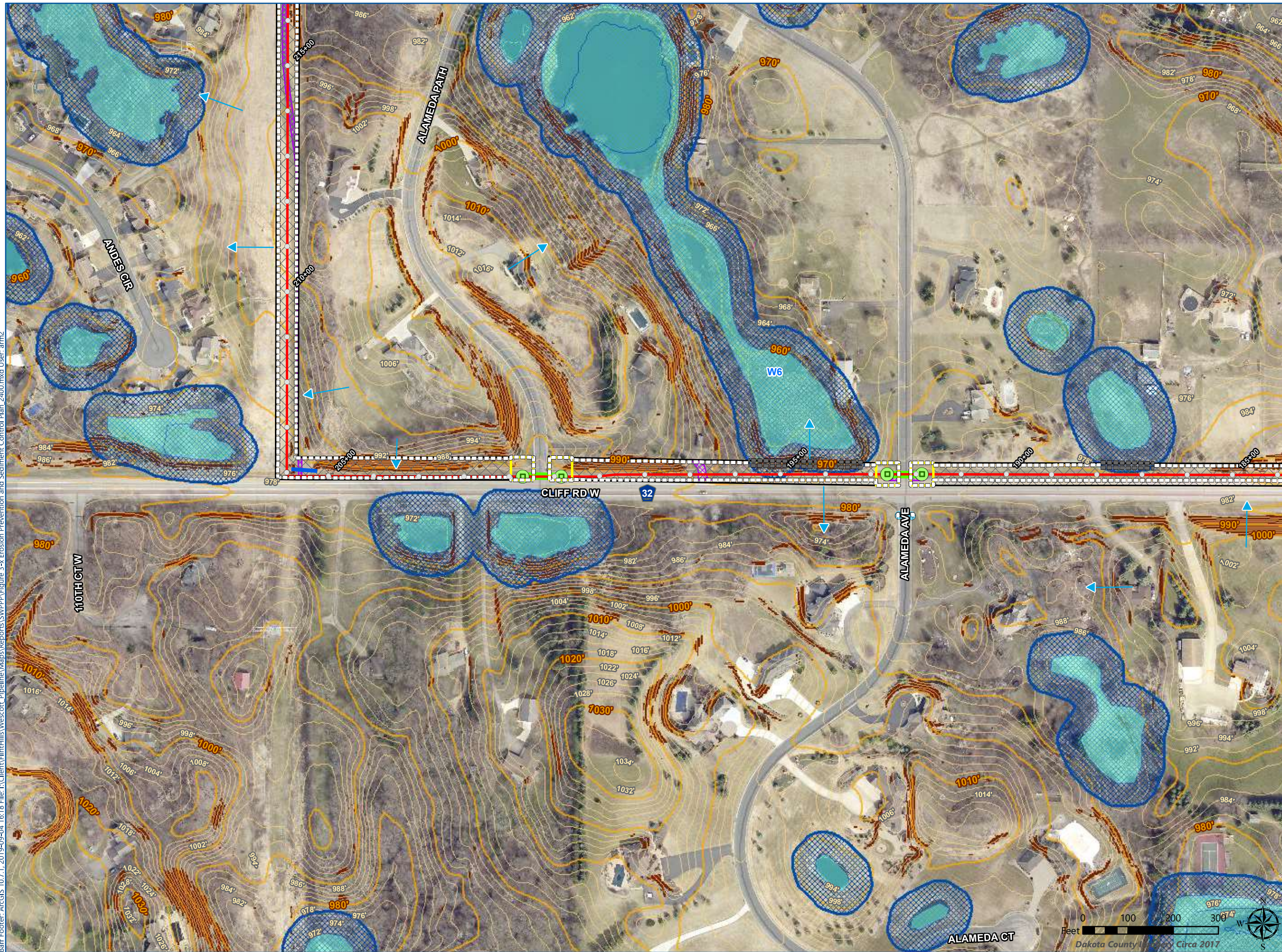
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- Stationing
- Proposed 4-inch Pipeline
- Approximate HDD Locations
- HDD Entry/Exit Pit Locations
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- Perimeter Sediment Control
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- Sewer
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- ▨ 50-foot Buffer on Wetlands/Waterbodies
- Wetland Impact Area
- Wetlands (MN DNR NWI East Central Update)

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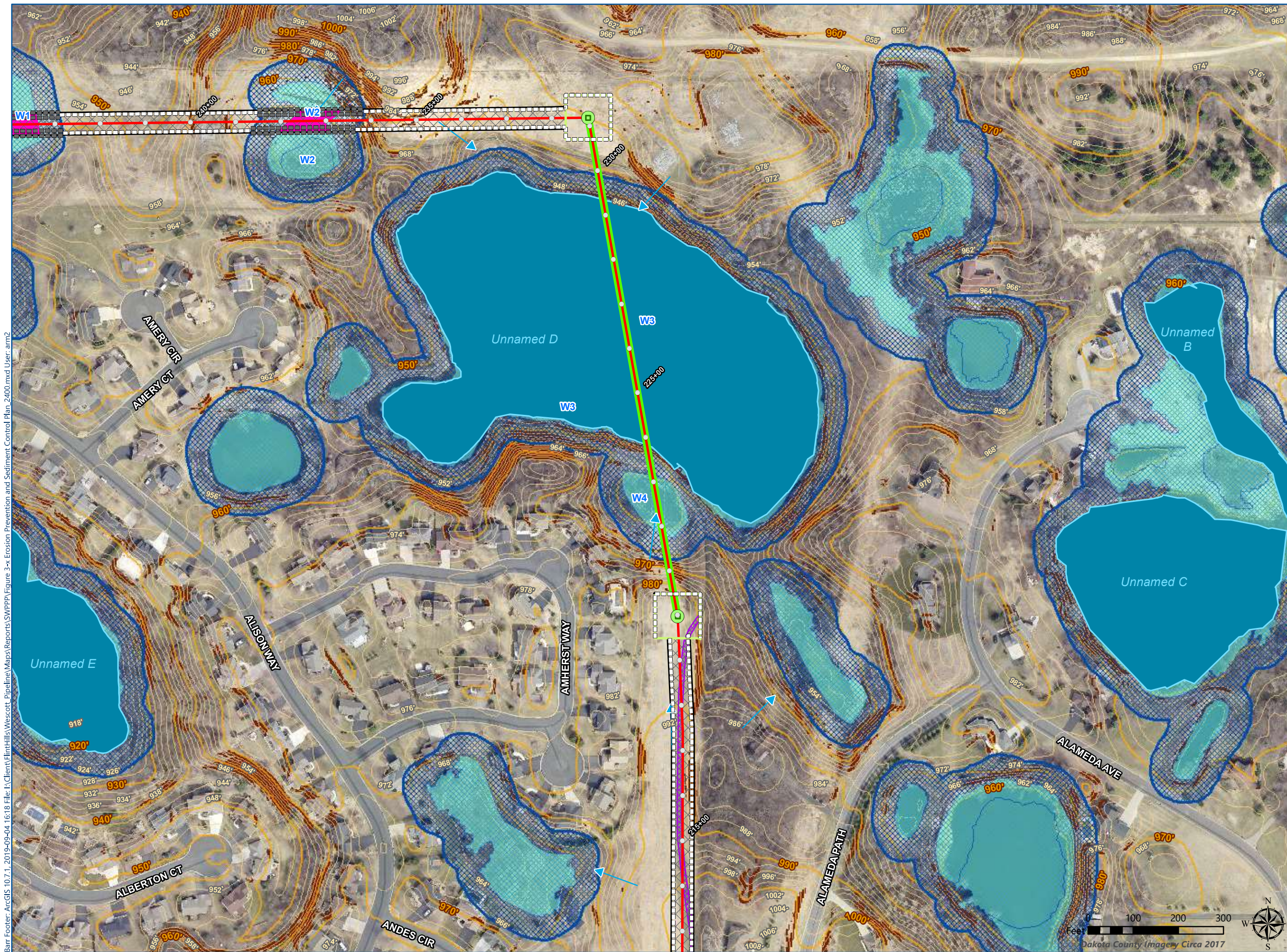


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**EROSION PREVENTION AND
SEDIMENT CONTROL PLAN**
Wescott Pipeline
Flint Hills Resources
LARGE FIGURE 3-8

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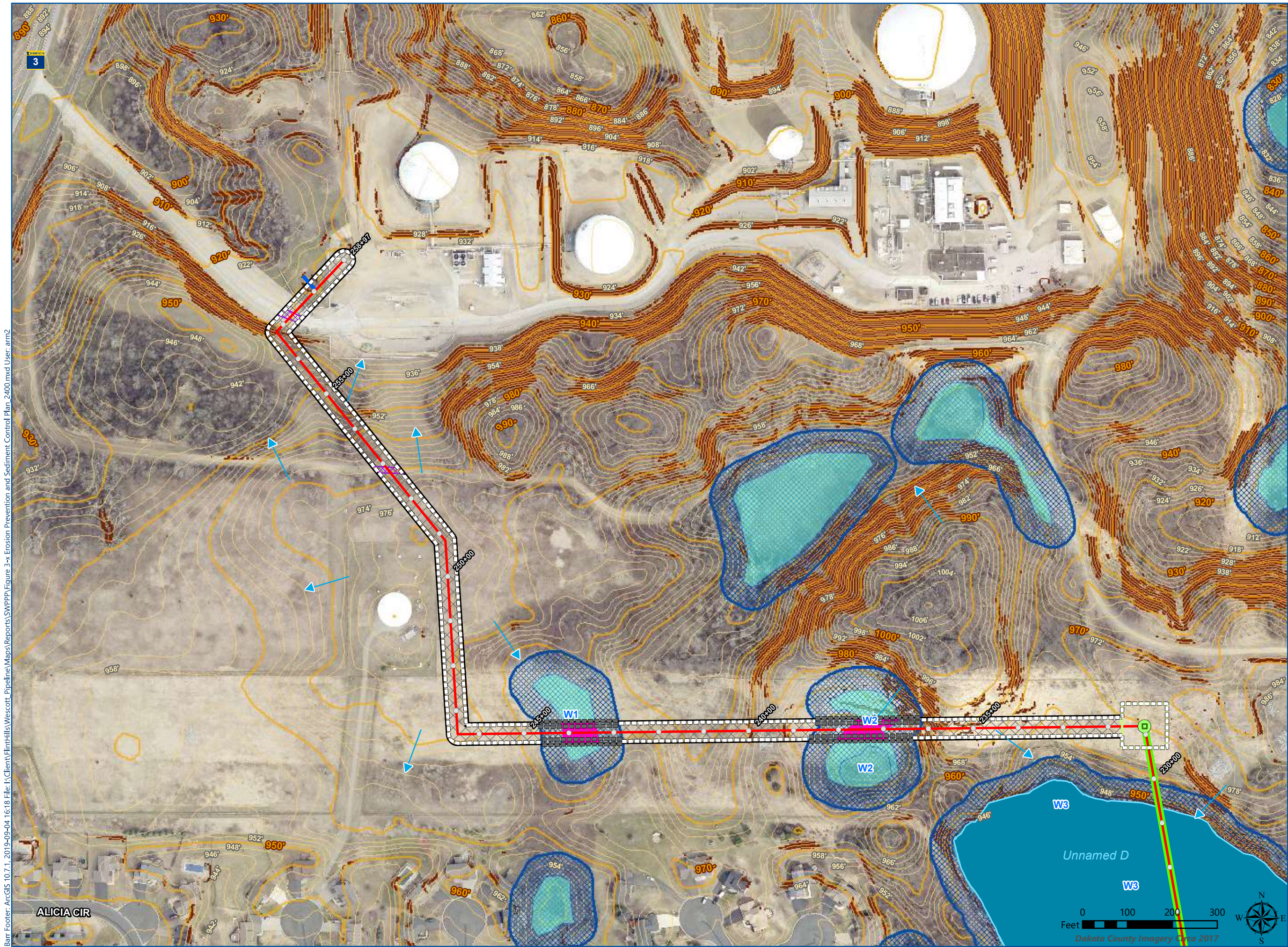


- Stationing
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**EROSION PREVENTION AND
SEDIMENT CONTROL PLAN**
Wescott Pipeline
Flint Hills Resources
LARGE FIGURE 3-9

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Stationing

Proposed 4-inch Pipeline

Approximate HDD Locations

HDD Entry/Exit Pit Locations

10' x 10' Bore Pit

100' x 100' Temporary Workspace

Perimeter Sediment Control

Redundant Sediment Control

Construction Corridor

Impervious Surfaces

Stormwater Flow Arrows

Sewer

Lidar Contours

Index (10-Foot)

Intermediate (2-Foot)

>33% Slope

Public Waters Inventory (PWI) Basins

50-foot Buffer on Wetlands/Waterbodies

Wetland Impact Area

Wetlands (MN DNR NWI East Central Update)

Notes:

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EROSION PREVENTION AND SEDIMENT CONTROL PLAN

Wescott Pipeline

Flint Hills Resources

LARGE FIGURE 3-10

Exhibit 4:

Correspondence

November 1, 2019

Mr. Vinod Borlepwar, Senior Environmental Engineer
Flint Hills Resources, LC

Re: Wescott 4-inch Propane Pipeline Project
Inver Grove Heights - Land Alteration Permit

Dear Mr. Borlepwar:

Land Alteration Permit: Approval Process

1. City Council approval is required to issue the Land Alteration Permit for the proposed land alteration volume of 21,194 CY. City Council approval is required for permits with material volumes exceeding 10,000 CY. City staff will prepare the meeting agendas and attach select plans from application submittals for the November Environmental Commission and December City Council Meetings.
2. Prior to City Council approval, Permit application must be reviewed at the November 21, 2019 Environmental Commission meeting at 7pm, City Hall. Applicant will be required to attend.
3. Final Permit approval will be reviewed and decided by City Council at the December 10, 2019 City Council regular meeting at 7pm, City Hall.
4. A grading permit fee of \$655.97 shall be submitted upon City approval and before issuance of land alteration permit documents.

Land Alteration Permit: Additional Submittals Required

5. A plan checking fee of \$1055.97 shall be submitted with the Land Alteration application.
6. A surety bond in the amount of \$92,500 shall be provided before excavation can begin. Per IGH Land Alteration Permit: $\$5000/\text{acre} \times 18.5\text{acres} = \$92,500$.
7. An Engineering Construction escrow of \$2500 shall be submitted. This account will be used for City Engineering staff field review and inspection of construction operations.
8. An environmental consultant review escrow shall be submitted. The amount is pending until consultant quote is received. The plan review escrow will be used to cover City expenses associated with reviews such as: EAWs, AUARs, or EISs. The City reserves the right to collect additional costs if the project requires additional environmental reviews, contingent upon responses to the following environmental review comments.
9. Submit a narrative describing the review processes required by other agencies, this should include the State Public Utility Commission, any other state or local agency reviews, and all the agencies and reviews described below in items #9-#12.
10. Submit proof of wetland review by Dakota County Soil and Water Conservation District or US Army Corps of Engineers. If review has not been completed, submit written explanation of current wetland

review status. The plans show some temporary wetland impacts but is not clear on wetland delineations or the WCA process with DCSWCD.

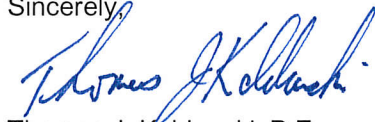
11. Submit proof of public waters review by MN DNR. If review has not been completed, submit written explanation of current public waters review status. There appears to be boring under some DNR protected water bodies and only talk about fish spawning timeframes. There should be some other correspondence from the DNR area hydrologist with their comments on any impacts to the public waters.
12. Submit proof of any environmental reviews by other agencies including MPCA Environmental Assessment Worksheets (EAW), Phase 1 Environmental Site Assessments (Phase 1), Environmental Impact Statements (EIS), or any other agency environmental reviews. If no environmental reviews have not been completed, submit written explanations of the review status. If no reviews have been performed, submit written explanations of why the project is exempt from reviews.
13. Submit proof of Dakota County Right-of-Way permit. If permit has not been acquired, submit written explanation of current permit application status.
14. Signed statement from Flint Hills Resources accepting responsibility for the land alteration.
15. Submit tree removal plan in conformance with the City of Inver Grove Heights' Tree Preservation Ordinance. Trees that the City Planner has identified for preservation should not be removed.
16. A City Right-of-Way Permit is required for work in 120th Street and Arnold Avenue.

Land Alteration Permit: Conditions of the Permit

17. Applicant must comply with the requirements of all DCSWCD, USACE, DNR and MPCA wetland protection requirements.
18. Applicant must comply with the requirements of DNR hydrologist public waters protection requirements.
19. Applicant must comply with all conditions of the project SWPPP as prepared by Barr, dated October 2019.
20. Applicant must restore all existing grades and drainage patterns to pre-project conditions.
21. Applicant must mail written notice to all adjacent property owners. The written notice must include a description of the work being performed, a project schedule, and a Flint Hills Resources contact name and phone number for a project contact authorized to represent the owner.
22. Where the project alignment uses private property or easements owned by others, the applicant must submit written authorization from the private property or private easement owners.
23. The plan indicates approximately 700 lineal feet of City bituminous trail impacted by excavation, and an additional 700 lineal feet of trail that could be impacted by construction traffic. If the bituminous trail is damaged by excavation or construction traffic, it must be restored to pre-construction conditions or better. If existing concrete barricades are move for temporary access, they must be returned to the pre-construction locations. Attached is City Plate STR-15 detailing the City's minimum bituminous trail section.

24. Pipeline trench backfill beneath the City bituminous trail must be compacted to 100% standard proctor density. Pipeline trench backfill in green space within any city property must be compacted to 90% standard proctor density.
25. A maximum of 400 lineal feet of trench excavation shall be open at any time. Trench backfilling and soil stabilization must begin prior to continuing open trench excavation.
26. Coordinate and comply with City of Eagan comments and avoid water tower utility conflicts.
27. Erosion control shall be installed and inspected by the City Engineer prior to commencing work.
28. Only rock, sand, gravel, dirt or similar natural earth fill is permitted. No concrete, asphalt, or demolition wastes will be permitted as fill unless a demolition landfill permit is first obtained from Dakota County (see attached). All imported fill shall be certified as clean fill per county standards.
29. Operations shall be limited to the hours of 7:00 a.m. to 7:00 p.m., Monday - Saturday, and shall not interfere with the health and safety of surrounding residents and the premises shall always be maintained so as not to create a nuisance.
30. Any explosives used must be done so in accordance with Inver Grove Heights Code and any other applicable standards, e.g., Federal, State, Industrial, etc. Obtain all required permits.
31. Each day, or when required by the City, material from this operation that is found to exist on City streets and County roads shall be cleaned to the City's satisfaction by the applicants.
32. Upon completion of land alteration operations, the land must be left according to the plans and contours submitted with this application and planted with vegetation (subject to approval by the City) to prevent erosion.
33. Upon completion of land alteration operations or expiration of this permit, an inspection will be made by the City of the premises and adjoining streets. Any damage to have been caused by these operations will be corrected by the applicant upon notification of the City.
34. A preconstruction meeting with the City Engineering Division must be held at a suitable location prior to the start of construction.

Sincerely,

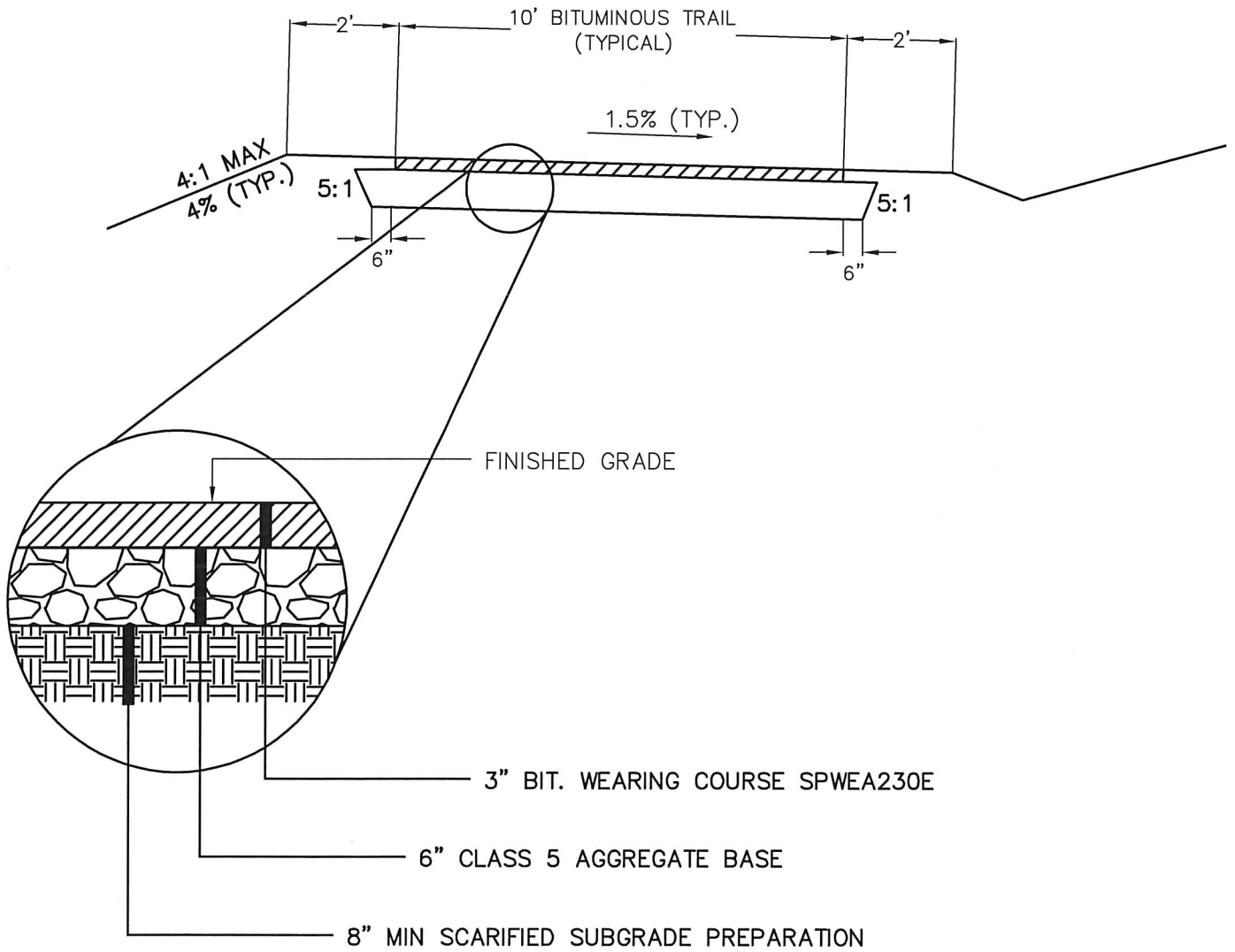


Thomas J. Kaldunski, P.E.
City Engineer

TJK/jm

Att: STR-15 BITUMINOUS TRAIL

cc: Allan Hunting, City Planner
Ally Sutherland, Environmental Specialist
Timothy Kuntz, City Attorney
Jeff Schadegg, Fire Marshal
John Gorder, Eagan City Engineer
Christopher Brown, Project Manager, FHR Pipelines and Terminals



BITUMINOUS TRAIL

CITY OF INVER GROVE HEIGHTS
ENGINEERING DEPARTMENT

3/19

PLATE NO.
STR-15



November 11, 2019

City of Inver Grove Heights
Attn: Ally Sutherland – Environmental Specialist
8150 Barbara Avenue
Inver Grove Heights, MN 55077
asutherland@invergroveheights.org

Re: Land Alteration Permit – Follow up Information submittal
Wescott 4-inch Propane Pipeline Project
Flint Hills Resources Pine Bend, LLC

Ms. Sutherland:

I am submitting the attached document on behalf of Flint Hills Resources Pine Bend, LLC (FHR) in response to the City of Inver Grove Heights' request for information in a letter dated November 1, 2019 regarding the Land Alteration Permit approval process. As discussed during our meeting on November 7, 2019 with city staff, I am enclosing only the information needed for the environmental commission review meeting scheduled on November 21, 2019.

If you have questions about the information presented in this submittal, please contact me at 651-480-2980 or Vinod.Borlepwar@fhr.com.

Sincerely,

A handwritten signature in purple ink, appearing to read 'Borlepwar', with a large circular mark to the left.

Vinod Borlepwar
Senior Environmental Engineer

Enclosures

Cc: Eric Dominiack, Environmental Manager

Land Alteration Permit: Additional Submittals Required

9. **Submit a narrative describing the review processes required by other agencies, this should include the State Public Utility Commission, any other state or local agency reviews, and all the agencies and reviews described below in items#10-#12.**

The project was reviewed by the Minnesota Public Utilities Commission on September 5, 2019 pursuant to MN Statute Chapter 216G. A routing permit is not required from the Minnesota Public Utilities Commission because the proposed pipeline has a nominal diameter of less than six inches and therefore is not considered a “pipeline” per MN Statute 216G.02 subdivision 1.

Under MN Statute 216G.03, subdivision 3, FHR created an Information book and submitted it to the Minnesota Public Utilities Commission. It was brought before the PUC on September 5, 2019, where it was approved for distribution. Per MN Statute 216G.03 subdivision 3(a)(1), a public meeting was held by the Dakota County Board on October 17, 2019. Also, on or before October 17, each landowner from which an easement will be acquired was provided a copy of the information book. This initiated the mandatory 30-day wait period before negotiating easements with affected landowners. FHR has completed the process required by the Minnesota Public Utilities Commission and may begin to negotiate easements on November 16, 2019.

A table with Federal, State, and local permits and/or reviews required as part of the project has been included in Question 10 below.

10. **Submit proof of wetland review by Dakota County Soil and Water Conservation District or US Army Corps of Engineers. If review has not been completed, submit written explanation of current wetland review status. The plans show some temporary wetland impacts but is not clear on wetland delineations or the WCA process with DCSWCD.**

The proposed project will result in 0.10 acres of temporary wetland impacts, with all 0.10 acres of temporary wetland impact occurring within the City of Inver Grove Heights. There is no planned wetland impact occurring within the City of Rosemount. Wetland impacts were determined by a level I desktop wetland determination review and Level II wetland field delineation, completed by Barr Engineering in November 2019, at the request of Andi Moffatt (WSB Environmental) representing the City of Rosemount and Brian Watson (Dakota County Soil and Water Conservation District) representing the City of Inver Grove Heights. Per a discussion between Eric Dominiack (FHR), Andi Moffatt, and Brian Watson on October 24, 2019, it was agreed the City of Inver Grove Heights would take the lead on the project from an LGU standpoint as most of the wetland disturbance was anticipated within the City of Inver Grove Heights.

Per our ongoing discussions with Brian Watson, FHR intends to submit the Joint Application Form for Activities Affecting Water Resources in Minnesota to the Dakota County Soil and Water Conservation District the week of November 11, 2019. The application will request an Exemption/ No Loss Determination. FHR will provide a copy of this correspondence and/or approval if requested.

Additionally, regulated activities will be conducted in accordance with the terms and conditions of the St. Paul District U.S Army Corps of Engineers Utility Regional General Permit. The proposed project does not trigger a pre-construction notification (PCN) per Section E of the referenced permit.

11. **Submit proof of public waters review by MN DNR. If review has not been completed, submit written explanation of current public waters review status. There appears to be boring under some DNR protected water bodies and only talk about fish spawning timeframes. There should be some other correspondence from the DNR area hydrologist with their comments on any impacts to the public waters.**

FHR completed a review using public water inventory (PWI) mapping on May 8, 2019 to determine if the proposed project would impact public waters. Based on the review of applicable PWI maps for Dakota County, the only waterbody identified as a public water is waterbody 296W located at Latitude- 44°47'44.85" N, Longitude-93°5'44.95" W. This waterbody is designated as a public waters wetland, is located on property owned by the City of Inver Grove Heights, and as such does not meet the requirements for a MN DNR utility license to cross state land or waters. Please see attached email confirmation from the MN DNR on May 8, 2019. FHR plans to utilize a no impact crossing technique (i.e. horizontal directional drill) to cross the referenced wetland.

12. **Submit proof of any environmental reviews by other agencies including MPCA Environmental Assessment Worksheets (EAW), Phase 1 Environmental Site Assessments (Phase 1), Environmental Impact Statements (EIS), or any other agency environmental reviews. If no environmental reviews have been completed, submit written explanations of the review status. If no reviews have been performed, submit written explanations of why the project is exempt from reviews.**

FHR completed a permit applicability review of Federal, State, and local permits required for the proposed project. The table below sets out the results of this review and the status of each required item.

An Environmental Assessment Worksheet (EAW) is not required for the proposed project per Minnesota Administrative Rule 4410.4300, which lists mandatory Environmental Assessment Worksheet (EAW) categories. The proposed propane pipeline will be less than 6 inches in diameter; therefore, the proposed propane pipeline installation project does not meet or exceed the threshold triggering the mandatory EAW under 4410.4300, Subpart 7 for Pipelines.

An Environmental Impact Statement (EIS) is not required for the proposed project per Minnesota Administrative Rule 4410.4400, which list mandatory Environmental Impact

Statement (EIS) categories. The proposed propane pipeline will be less than 6 inches in diameter; therefore, the proposed propane pipeline installation project does not meet or exceed the threshold triggering the mandatory EIS under 4410.4400, Subpart 24 for Pipelines.

Permits required for the project are included in the table below:

Agency	Permit or Approval	Status
U.S. Army Corps of Engineers – St Paul District	Utility Regional General Permit	Permit Required. The regulated activities will be conducted in accordance with the terms and conditions of the St. Paul District U.S Army Corps of Engineers Utility Regional General Permit. The proposed project does not trigger a pre-construction notification (PCN) per Section E of the referenced permit.
U.S. Fish and Wildlife Services	Endangered Species Act Compliance	Required. Review was completed on March 11, 2019 by FHR.
State Historic Preservation Office	National Historic Preservation Act Compliance	Required. Review was completed on March 8, 2019 by FHR.
Department of Natural Resources – National Heritage Information System	MN Endangered Species Law	Required. Review was completed on March 11, 2019 by FHR.
Department of Natural Resources – Real Estate	License to Cross Public Waters	The public waters wetland 296W does not meet the requirements for a MN DNR utility license to cross state land or waters. Email verification with DNR was completed on May 8, 2019. See Question 11 Above.
Department of Natural Resources - Water	Water Appropriation Permit	Not Required. This project does not anticipate appropriations exceeding 10,000 gpd or 1,000,000 gallons per day. No permit is required from DNR.
Minnesota Pollution Control Agency	National Pollutant Discharge Elimination System/State Disposal System - CSW	Required. Permit coverage approved by the MPCA on October 7, 2019. Permit Number C00055039.
Minnesota Pollution Control Agency	National Pollutant Discharge Elimination System/State Disposal System - Hydrotest Discharge	Not Required. Hydrostatic test water will not be discharged to the ground. Permit coverage is not required.
Department of Natural Resources – Board of Water and Soil Resources and Local Government Unit	Wetland Conservation Act	Required. Application for Exemption/ No Loss Determination is anticipated to be submitted in the week of November 11th, 2019. Level I desktop wetland determination review and Level II wetland field delineation completed November 8, 2019.
Union Pacific Railroad	Crossing License	In Progress
Dakota County	Utility ROW Permit(s)	In Progress
City of Rosemount	Grading and Construction Stormwater(s)	In Progress
City of Inver Grove Heights	Land Alteration and Right of Way Permit(s)	In Progress

Responses to the additional items requested by Ally Sutherland from an email dated 11/08/2019 are outlined below:

- 1. Please provide a list of all approvals, reviews, and permits you have received or are in the process of receiving from entities other than the City of Inver Grove Heights. Please identify the date it was received or when it will be received, and the issuing entity.**

A table with Federal, State, and local permits and/or reviews required as part of the project has been included in Question 10 above.

- 2. Please provide a specific description/designation of the material being transported through the pipeline.**

The proposed 4" diameter pipeline will transport liquefied petroleum gases (LPG) from the Flint Hills Resources (FHR) Pine Bend Refinery to the FHR Wescott Terminal. The Wescott Terminal is designed to store light-end petroleum products such as propane and butane.

- 3. Will the material handled by the pipeline ever be changed to a different material?**

FHR's current vision is to only transport liquefied petroleum gases, however, if a future opportunity were to arise FHR would seek out the required approvals for any proposed change in service.

- 4. Will there be control systems in place for leak detections or spills?**

The proposed pipeline would be constructed with the infrastructure to facilitate remote operations and monitoring. The operation of the pipeline would be monitored remotely 24 hours per day by the Pipeline Control Center (PCC) through the use of a SCADA system and Pipeline Leak Detection System (PLDS), with a computerized communications system located in Wichita, Kansas.

- 5. Do they have a contingency plan in case of leaks/spills/environmental emergencies? If so, what is the plan?**

The proposed pipeline will be added to a Spill Response Plan that is approved by PHMSA and made available to local responders. Emergency procedures included in this plan will satisfy the requirements of 49 CFR Part 194 and 49CFR 195.402(e).

Through the Spill Response Plan, and, through planned outreach that includes site visits, training and drills, FHR will respond in cooperation with local responders, in the unlikely event of a release.

- 6. Will a Utility Crossing License be received from the DNR? If not, please provide a written description from the DNR of why.**

Please see Question 11 above.

Borlepwar, Vinod

From: BARTLEY, ELIZABETH
Sent: Tuesday, September 10, 2019 3:27 PM
To: Borlepwar, Vinod
Subject: FW: License to Cross Question - Water

Follow Up Flag: Follow up
Flag Status: Completed

See below.

Elizabeth Bartley

Right of Way Agent | Flint Hills Resources LC
C: 612-244-9950



From: Zoch, Jean M (DNR) <jean.zoch@state.mn.us>
Sent: Wednesday, May 8, 2019 9:13 AM
To: BARTLEY, ELIZABETH <ELIZABETH.BARTLEY@FHR.COM>
Subject: RE: License to Cross Question - Water

Sent by an external sender. Use caution opening attachments, clicking web links, or replying unless you have verified this email is legitimate.

Hello Elizabeth,

No a license will not be required because it is a wetland and we don't issue licenses for crossing wetlands.

Jean Zoch

Real Estate Technician | Division of Lands & Minerals

Minnesota Department of Natural Resources

1200 Warner Road
St. Paul, MN 55106
Phone: 651-259-5843
Email: jean.zoch@state.mn.us
mndnr.gov



From: BARTLEY, ELIZABETH <ELIZABETH.BARTLEY@FHR.COM>

Sent: Wednesday, May 8, 2019 8:59 AM

To: Zoch, Jean M (DNR) <jean.zoch@state.mn.us>

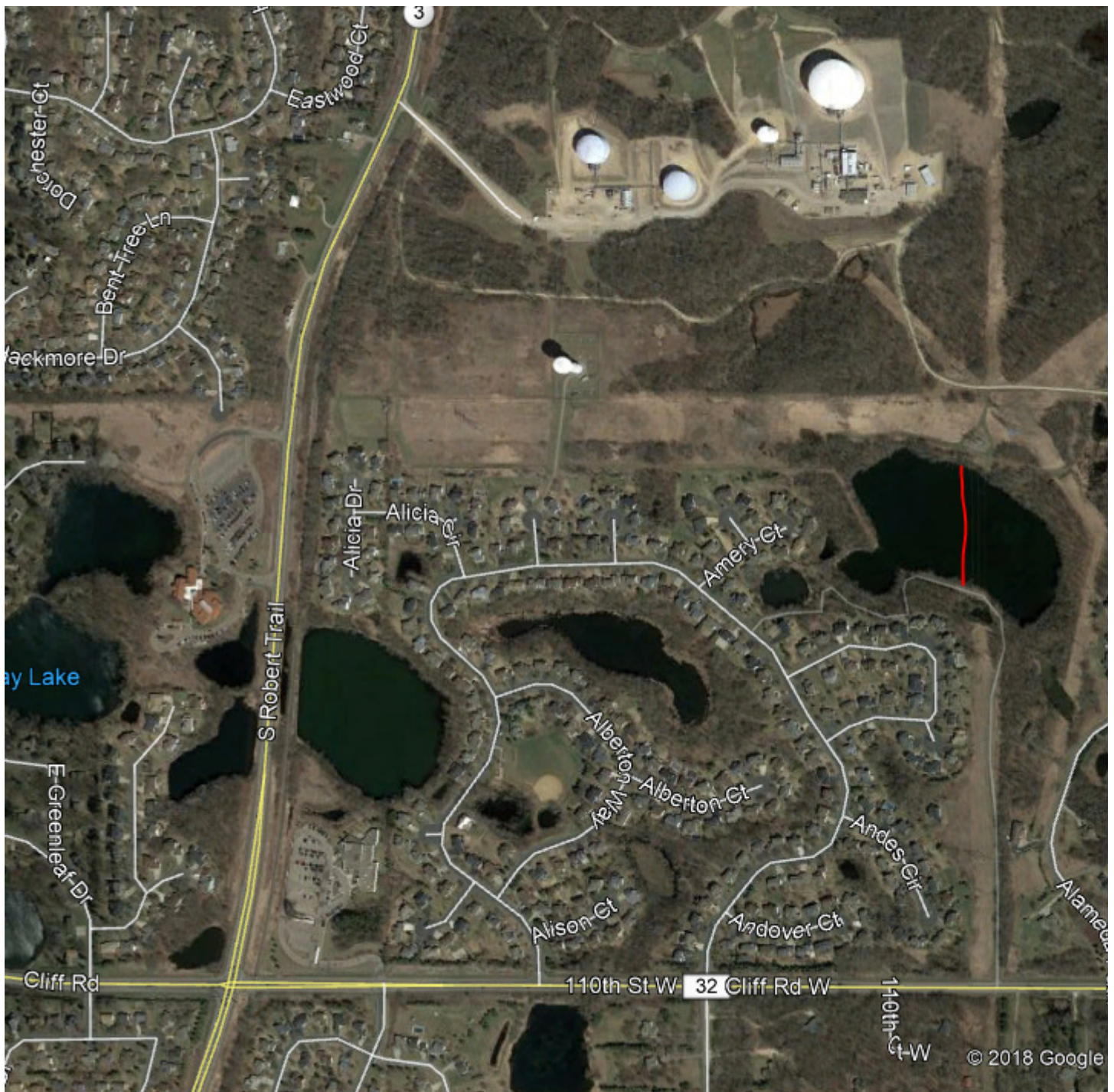
Subject: RE: License to Cross Question - Water

Hi Jean,

Would the water crossing pictured below require a license to cross public waters? It's 19-296W in Inver Grove Heights, Dakota County. It seems like it's classified as a wetland on your list so I was not sure if it was considered a water basin or wetland for licensing purposes.

44.795645°, -93.095984°

Thanks,



Elizabeth Bartley

Right of Way Agent | Flint Hills Resources LC
C: 612-244-9950



From: Zoch, Jean M (DNR) <jean.zoch@state.mn.us>
Sent: Wednesday, March 20, 2019 2:42 PM
To: BARTLEY, ELIZABETH <ELIZABETH.BARTLEY@FHR.COM>
Subject: RE: License to Cross Question - Water

Sent by an external sender. Use caution opening attachments, clicking web links, or replying unless you have verified this email is legitimate.

Hello Elizabeth,

It is hard to give a time frame due to the increase in applications and projects. Also, it takes time to obtain my supervisor's signature on licenses. I would probably have a better idea once I receive the application.

My suggestion would be to give plenty of time between submittal of application and the start of your project. At least two months.

Thanks!

Jean Zoch

Real Estate Technician | Division of Lands & Minerals

Minnesota Department of Natural Resources

1200 Warner Road

St. Paul, MN 55106

Phone: 651-259-5843

Email: jean.zoch@state.mn.us

mndnr.gov



From: BARTLEY, ELIZABETH <ELIZABETH.BARTLEY@FHR.COM>
Sent: Wednesday, March 20, 2019 2:18 PM
To: Zoch, Jean M (DNR) <jean.zoch@state.mn.us>
Subject: License to Cross Question - Water

Hi Jean,

I'm wondering if you can tell me how long it takes typically to get an approved license to cross a DNR managed waterbody (this will be in the Inver Grove Heights area). I haven't yet applied for a license to cross since I've been in this role, so I don't have a time reference on the process.

Thanks so much!

Elizabeth Bartley

Technical Memo



To: Ms. Ally Sutherland & Mr. Jacob Moser, City of Inver Grove Heights

From: Jeff Madejczyk, Wenck Associates, Inc.
Eric Osterdyk, EIT, Wenck Associates, Inc.

Date: November 13, 2019

Subject: Flint Hills Resource Pipeline Environmental Review Applicability Assessment

Background

Flint Hills Resources (FHR) proposes to construct a new propane pipeline, which will be partially located within Inver Grove Heights (City). The new pipeline will connect the refinery to an existing terminal recently acquired by FHR (Figure 1). The pipeline project requires a land alteration permit from the City. FHR provided initial details about the project to the City and has stated that the project does not require environmental review as it is below the thresholds for a pipeline project.

The City requested assistance from Wenck to review the materials submitted. This memo details findings from the document and regulation reviews to determine if an environmental review is required for the proposed pipeline.

Regulation Thresholds

Wenck reviewed the following regulations to determine the threshold limits for a mandatory environmental review:

- ▲ Minnesota Rules 4410.4300 – Mandatory Environmental Assessment Worksheet (EAW) Categories
- ▲ Minnesota Rules 7852 – Pipeline Route Permit [Public Utilities Commission (PUC)]

Subparagraph 7 of statute 4410.4300 states that an EAW must be prepared for the construction of a pipeline that is greater than six inches in diameter and is more than 0.75 miles in length. Per a conversation with the Environmental Quality Board (EQB), subsections for length, pressure, and easements do not apply if the pipeline is less than 6-inches in diameter.

In statute 7852.0100, the PUC defines a pipeline as:

- ▲ Pipe with a nominal diameter of six inches or more that is designed to transport hazardous liquids, but does not include pipe designed to transport a hazardous liquid by gravity, and pipe designed to transport or store a hazardous liquid within a refining, storage, or manufacturing facility; or
- ▲ Pipe designed to be operated at a pressure of more than 275 pounds per square inch (psi) and to carry gas.

Documents Reviewed and Project Specific Information

Wenck reviewed the following documents for comparison to the regulation thresholds for a mandatory environmental assessment. Applicable environmental information from each document is listed below.

Land Alteration Permit – Follow Up Information Submittal, by Flint Hills Resource, dated November 11, 2019.

- ▲ The 4-inch diameter pipeline will transport liquefied petroleum gases (LPG). The Wescott Terminal is designed to store light-end petroleum products such as propane and butane.
- ▲ FHR intends to only transport LPG. However, FHR will obtain the required approvals for any proposed change in service if a future opportunity arises.
- ▲ The Pipeline Control Center (PCC) will remotely monitor the operation of the pipeline 24 hours per day through a supervisory control and data acquisition (SCADA) system and Pipeline Leak Detection System (PLDS).
- ▲ FHR will add the proposed pipeline to a spill response plan approved by the Pipeline and Hazardous Materials Safety Administration (PHMSA). The plan will be made available to local responders.

Construction Stormwater Pollution Prevention Plan (SWPPP), by Barr, dated October 2019.

- ▲ The project will disturb 25.2 acres (18.5 acres of disturbance is within Inver Grove Heights and 6.7 acres is within Rosemount). The project does not include any new impervious surfaces.
- ▲ The 4-inch diameter pipe has a total length of 25,897 feet (17,741 feet is in Inver Grove Heights and 8,156 feet is in Rosemount). The maximum allowable operating pressure (MAOP) is 740 psig. The alignment for the new proposed pipeline route will primarily be new utility corridor.
- ▲ Eight sections of horizontal directional drilling (HDD) will be used to cross wetlands and public waters. The remaining sections of the pipeline will be installed via open trench.
- ▲ There are no special or impaired receiving waters within one mile of the construction areas. Barr identified four unnamed lakes in the project area that have work in water restrictions.
- ▲ The project results in 0.41 acres of temporary disturbance to wetlands. Impacts to wetlands will result in no permanent loss of wetland area function.
- ▲ Barr reviewed Minnesota National Heritage Inventory (NHI) and U.S. National Fish and Wildlife (USFWS) records for potential threatened and endangered species in the project area. The records indicate that one state listed species and four federally listed species are found in the study area.
- ▲ In Situ Archeological Consulting conducted a cultural resource literature review along a 500-foot corridor centered on the Project centerline. The literature review did not identify any previously recorded cultural resources or previously completed cultural resource inventories within the study area.
- ▲ The project is not located within karst or drinking water supply management area (DWSMA).

- ▲ The SWPPP details erosion prevention and sediment control best management practices (BMPs).

Conclusion

The pipeline diameter is 4-inches, which is under the threshold required by the EQB and the PUC. The pipeline is designed to operate above the pressure threshold of 275 psi, but the pipeline will carry liquified propane, not gas. Therefore, the project does not meet the definition of a pipeline under PUC regulation and does not trigger mandatory environmental review under Minnesota Rules 4410.4300.

In addition to being below the regulatory thresholds for a mandatory environmental review, FHR has completed the following assessments for environmental due diligence:

- ▲ Special and impaired waters search
- ▲ Public waters with work in water restrictions
- ▲ Wetland impacts
- ▲ Endangered or threatened species review
- ▲ Historic and archeological site review
- ▲ Karst areas or drinking water supply management areas
- ▲ Groundwater or soil contamination
- ▲ Erosion prevention and sediment control BMPs
- ▲ Leak detection monitoring
- ▲ Spill response plan

Wenck reviewed the information provided by the applicant, the EQB mandatory EAW thresholds, and had a follow-up conversation with the EQB. Through this review, Wenck concurs that a mandatory EAW is not required.

Technical Memo



Responsive partner.
Exceptional outcomes.

Figure 1. Proposed pipeline route, origin, and terminus. (source: Flint Hills Resources)

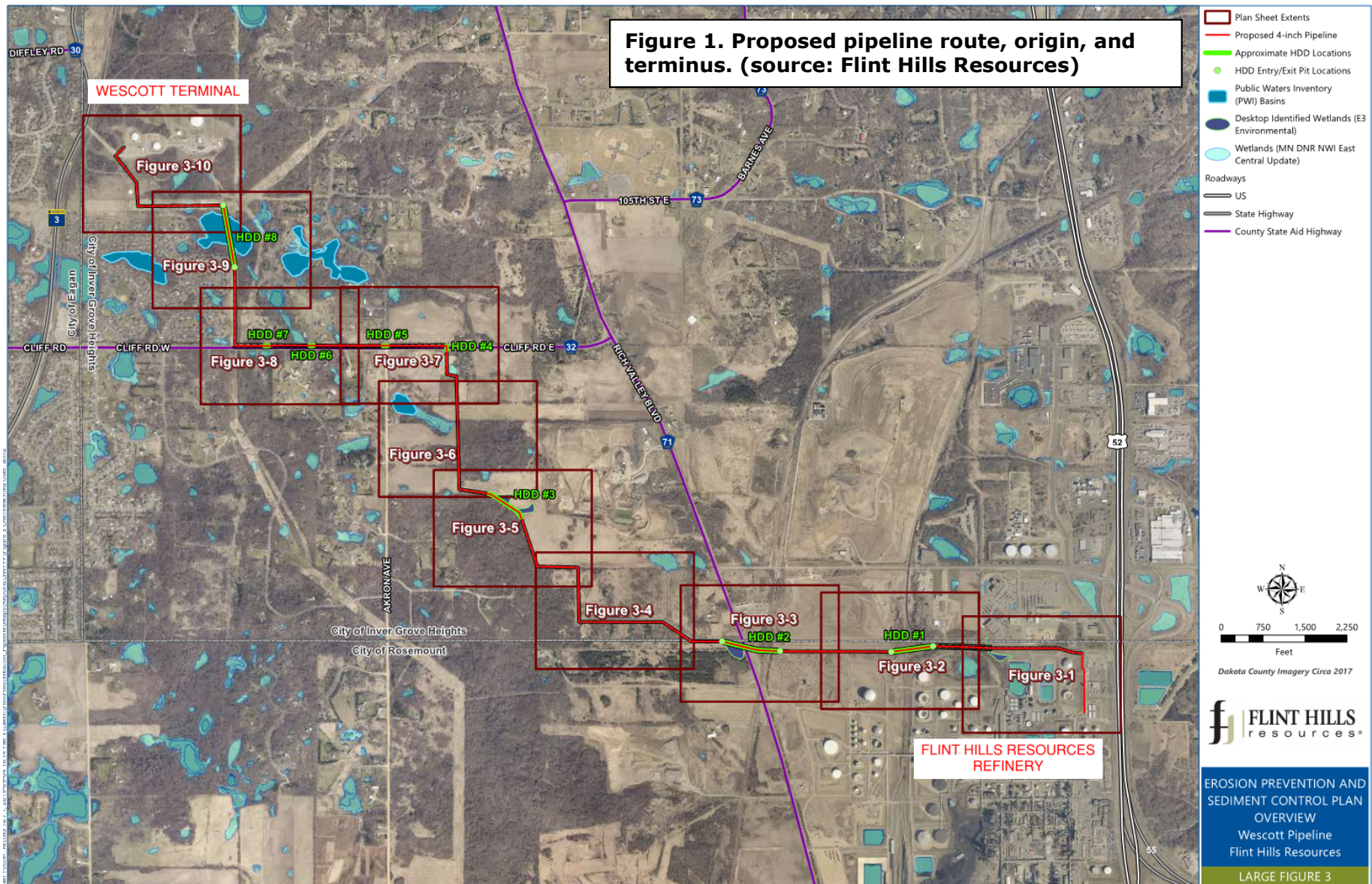


Exhibit 5:

Wetland Report

Westcott Pipeline Project-NWI Feature Crossing Table

Map Label	Map Book Pg.	Type	Jurisdictional WOTUS*	Comment
W1	3	PEM1A	Yes	Crossed by the centerline.
W2	4	PEM1A	Yes	Crossed by the centerline.
W3	5	PUBG, pond	Yes	Crossed by the centerline, planned HDD, also a MN DNR PWI.
W4	6	PEM1C	Yes	Crossed by centerline.
W5	7	PEM1C	Yes	Located approx. 90-feet west of centerline.
W6	8	PEM1F	Yes	Located approx. 10-feet north of centerline.
W7	9	PEM1A	Yes	Located approx. 40-feet north of centerline.
W8	11	PEM1A	Yes	Located approx. 85-feet west of centerline.
W9	12	PEM1A	Yes	Located approx. 20-feet east of centerline.
W10	13	PFO1A	Yes	Located approx. 35-feet west of centerline.
W11	14	PEM	Yes	Adjacent to the centerline, extends to the northeast
W12	15	PEM	Yes	Crossed by the centerline
W13	21	PEM	Yes	Crossed by the centerline.
W14	25	PEM	Yes	Adjacent to the centerline, extends to the north.
W15	26	PEM	Yes	Intermittent waterway, crossed by the centerline.

*Jurisdictional characterization is based upon professional opinion, USACE authority required to make binding determination.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COMMISSION ACTION

Consider resolution regarding Empire Builder Investments' recent request to annually pump and ship 500 million gallons of groundwater from Dakota County to southwestern states.

Meeting Date: November 21, 2019
Item Type: Regular Agenda
Contact: Ally Sutherland, Environmental Specialist
Prepared by: Ally Sutherland, Environmental Specialist
Reviewed by: N/A

PURPOSE/ACTION REQUESTED

Consider a resolution to recommend City Council pass a resolution opposing Empire Builder Investments' recent request submitted to Dakota County to annually pump and ship 500 million gallons of groundwater from Dakota County to southwestern states.

SUMMARY

On November 12, 2019, the Dakota County Board of Commissioners discussed *Item 13.1: Authorization To Submit A Letter To Commissioner Of Natural Resources Opposing Bulk Exportation Of Dakota County Groundwater*. The Dakota County Board voted unanimously to oppose a request by Empire Builder Investments to annually pump and ship 500 million gallons of groundwater from Dakota County to southwestern states like Arizona (Joe Atkins E-Newsletter, 2019). The minutes for November 12, 2019 Dakota County Board Meeting are still pending and will be posted at <https://www.co.dakota.mn.us/Government/BoardMeetings/Board/Pages/default.aspx> once approved.

PROPOSED DRAFT RESOLUTION LANGUAGE

The following draft resolution language has been proposed by the Commission for consideration:

Empire Builder Investments recently submitted a request to annually pump and ship 500 million gallons of groundwater from Dakota County to southwestern states. Recognizing the critical importance of drinking water to the residents of Inver Grove Heights and Dakota County, the Inver Grove Heights Environmental Commission recommends that the City of Inver Grove Heights City Council pass a resolution opposing this request.

Attachments: Dakota County Board of Commissioners Item 13.1 Packet Material is attached.
Commissioner Joe Atkins November 15, 2019 E-newsletter.

DAKOTA COUNTY BOARD OF COMMISSIONERS

Authorization To Submit A Letter To Commissioner Of Natural Resources Opposing Bulk Exportation Of Dakota County Groundwater

Meeting Date: 11/12/2019
 Item Type: Regular-Action
 Division: Physical Development
 Department: Environmental Resources
 Contact: Grover, Valerie
 natural areas
 Contact Phone: (952) 891-7588
 Prepared by: Grover, Valerie

Fiscal/FTE Impact:
☒ None ☐ Other
☐ Current budget ☐ Amendment requested
☐ New FTE(s) requested
 Board Goal: A healthy environment with quality

Public Engagement Level: N/A

PURPOSE/ACTION REQUESTED

Authorize the County Board Chair to submit a letter, on behalf of the Dakota County Board of Commissioners, to the Minnesota Department of Natural Resources (DNR) Commissioner documenting the Dakota County Board position and opposition of any bulk exportation of Dakota County groundwater.

SUMMARY

The DNR recently reviewed a Preliminary Assessment Application from Empire Builder Investments, Inc., for withdrawal of up to 500 million gallons of groundwater per year from two proposed wells north of the City of Randolph. The proposed water use was to transfer the potable water via rail for bulk sale to customers in the western United States.

This request represents a possible new kind of water use in the State of Minnesota. Although the DNR's preliminary assessment report (Attachment A) indicates that the project would not be authorized under Minnesota law for several reasons, it is unknown if Empire Builder Investments, Inc., will modify its proposal to make it more likely to be permitted, or if other companies would submit similar water appropriation requests.

There are few resources, if any, more critical to the wellbeing of Dakota County and its residents both now and in the future than the County's drinking water supply. Removing substantial amounts of groundwater and exporting it outside the County or the watershed could negatively impact Dakota County water availability in future years.

The letter would include the following points:

- Importance of groundwater to Dakota County residents, both current and future generations, for drinking water, irrigation, commercial and industrial purposes.
- Potential concerns with future water availability due to population growth based on Metropolitan Council's water availability projections (Master Water Supply Plan projections).
- Dakota County residents are opposed to transporting Dakota County water resources to other states.
- Dakota County Board of Commissioners are opposed to exporting bulk groundwater from Dakota County.
- Request DNR develop legislative action to restrict any bulk exportation of water resources from Minnesota.

RECOMMENDATION

Staff recommends authorizing the County Board Chair to submit a letter to the DNR Commissioner opposing any bulk exportation of Dakota County groundwater.

EXPLANATION OF FISCAL/FTE IMPACTS

None.

Supporting Documents:

Attachment A: DNR Preliminary Well Assessment

Previous Board Action(s):**RESOLUTION**

WHEREAS, the Minnesota Department of Natural Resources (DNR) recently reviewed a Preliminary Assessment Application from Empire Builder Investments, Inc., for withdrawal of up to 500 million gallons of groundwater per year from two proposed wells north of the City of Randolph; and

WHEREAS, the proposed water use was to transfer the potable water via rail for bulk sale to customers in the western United States; and

WHEREAS, the DNR's preliminary assessment report indicates that the project would not be authorized under Minnesota law for several reasons, but it is unknown if Empire Builder Investments, Inc., will modify its proposal to make it more likely to be permitted, or if other companies would submit similar water appropriation requests; and

WHEREAS, removing substantial amounts of groundwater and exporting it outside the County or the watershed could negatively impact Dakota County water availability in future years; and

WHEREAS, staff recommends authorizing the County Board Chair send a letter to the DNR indicating the importance of groundwater to Dakota County residents, potential concerns with future water availability, Dakota County residents' and Board of Commissioners' opposition to bulk exportation of water resources and request legislative action.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorize the County Board Chair to submit a letter to the Minnesota Department of Natural Resources Commissioner opposing any bulk exportation of Dakota County groundwater.

County Manager's Comments:

- ☒ Recommend Action
- ☐ Do Not Recommend Action
- ☐ Reviewed---No Recommendation
- ☐ Reviewed---Information Only
- ☐ Submitted at Commissioner Request



 County Manager
Reviewed by (if required):

- ☒ County Attorney's Office
- ☒ Financial Services
- ☒ Risk Management
- ☐ Employee Relations
- ☐ Information Technology
- ☐ Facilities Management



Division of Ecological and Water Resources

**1200 Warner Road
St. Paul, MN 55106**

November 1, 2019

David Fellon
Empire Builder Investments, Inc.
21778 Highview Avenue
Lakeville, MN 55044

Bruce Markgren
Cooper Engineering Company, Inc.
2600 College Drive, P.O. Box 230
Rice Lake, WI 54868

RE: DNR Preliminary Well Construction Assessment; Tracking No. 2019-3276; T112N-R18W-S5 NESW, T112N-R18W-S5 SESW; Dakota County

Dear Mr. Fellon and Mr. Markgren,

This letter constitutes the Minnesota Department of Natural Resources' preliminary assessment of your well proposal, based on the information you have provided. Nothing in this letter constitutes an authorization to drill a well or appropriate water. Well drilling is regulated by the Minnesota Department of Health. Appropriation of water requires a DNR water appropriation permit, for which you have not yet applied. The preliminary well assessment provides you with information you can use in deciding whether to proceed further with your proposal. The DNR's preliminary assessment may change if more information becomes available or the proposed details change.

We have reviewed your proposal for new wells based on the information you have provide regarding: proposed location, depth, volume of water requested and pumping rate. Your proposal has been reviewed for compliance with Minnesota law and for potential impacts to other users and the resources of concern listed on the attached sheet. If the details of your proposal change, you will need to submit a new assessment application.

The Minnesota DNR is required to manage the state's water resources for current and future generations. Based on our preliminary findings, the DNR does not believe that an appropriation of this nature is likely to meet the sustainability requirements in Minnesota Statute. We have determined that it is unlikely we would issue a permit to appropriate water, and we do not recommend that you proceed further with this proposed project. Our preliminary findings described below provide more information about our assessment.

Preliminary Findings:

1. You have proposed two or more connected wells located in Randolph Township and the City of Randolph in Dakota County. Your estimated combined maximum pumping rate is 2,600 gallons per minute and your estimated maximum volume of water use is 500 million gallons per year. Based on telephone and email conversations with Mr. Markgren and a review of the website Mr. Markgren referenced (watertrain.us), your proposed use of water is the transfer via rail of potable water in bulk for sale to customers in the western United States. It is unlikely that your project could be authorized under Minnesota law. Furthermore, in accordance with the Upper Mississippi River Basin Charter, any proposal for diversion of water out of the basin that would exceed 5 million gallons per day average in any 30-day period requires notification and consultation between the following states: Illinois, Iowa, Minnesota, Missouri and Wisconsin.
2. Your application identified the Mt. Simon-Hinckley aquifer as the targeted aquifer for the proposed wells. Minnesota Statutes, section 103G.271 forbids the DNR from issuing permits to appropriate water from the Mt. Simon-Hinckley aquifer in a metropolitan county, unless (1) the appropriation is for potable water use, (2) there are no feasible or practical alternatives to this source, and (3) a water conservation plan is incorporated with the permit. The metropolitan counties include Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington.
3. In an email dated October 23, 2019, Mr. Markgren indicated that the proposed project would appropriate up to 40.5 million gallons of water per month. Minnesota Rules, chapter 4410 requires DNR to prepare an Environmental Assessment Worksheet for new projects that would appropriate an average of 30 million gallons of water per month or more for commercial or industrial purposes. We are hereby notifying you that your current proposal exceeds the threshold for a mandatory Environmental Assessment Worksheet. Upon completion of the EAW, the DNR would determine whether the project would require preparation of an Environmental Impact Statement (EIS).

Should your project involve out-of-state diversion of 60 million gallons of water or more in any 30-day period, preparation of an EIS would be mandatory.

No permits or other final decisions for your water use project may be issued until the required environmental review processes are completed.

4. For proposed projects appropriating more than 100 million gallons per year, Minnesota Statutes, section 103G.301 requires the DNR to assess service fees to recover the reasonable costs to the DNR for project evaluation and environmental review. We are hereby notifying you that your project is subject to this statutory requirement. Consequently, if you submit a water appropriation application, the review, evaluation and analysis of your proposed project will be subject to professional service fees. Fees would be charged for services including staff salary (currently \$94/hour), mileage costs and other expenses.

5. Minnesota Statutes, section 103G.287 requires that use of water is sustainable to supply the needs of future generations and does not cause harm to ecosystems, degrade water quality, or reduce water levels beyond the reach of public water supply and private domestic wells.

Conclusion:

Based on our preliminary findings of your well drilling and water use proposal, we have determined it is unlikely we would issue a permit to appropriate water. Therefore, we do not recommend that you proceed with further work on this proposed project.

If you have any questions or if you would like to meet with DNR staff to discuss your proposal, please contact me at 651-259-5732 or daniel.scollan@state.mn.us.

Sincerely,



Dan Scollan
Hydrologist

Enclosures

CC: DNR Ecological and Water Resources Division
Central Region
Conservation Assistance and Regulations Section
Inventory, Monitoring, and Analysis Section
Metropolitan Council
MDH Well Management Program
MDH Source Water Protection Program
Dakota County Environmental Resources Department
City of Randolph

Equal Opportunity Employer



PRELIMINARY WELL CONSTRUCTION ASSESSMENT CHECKLIST

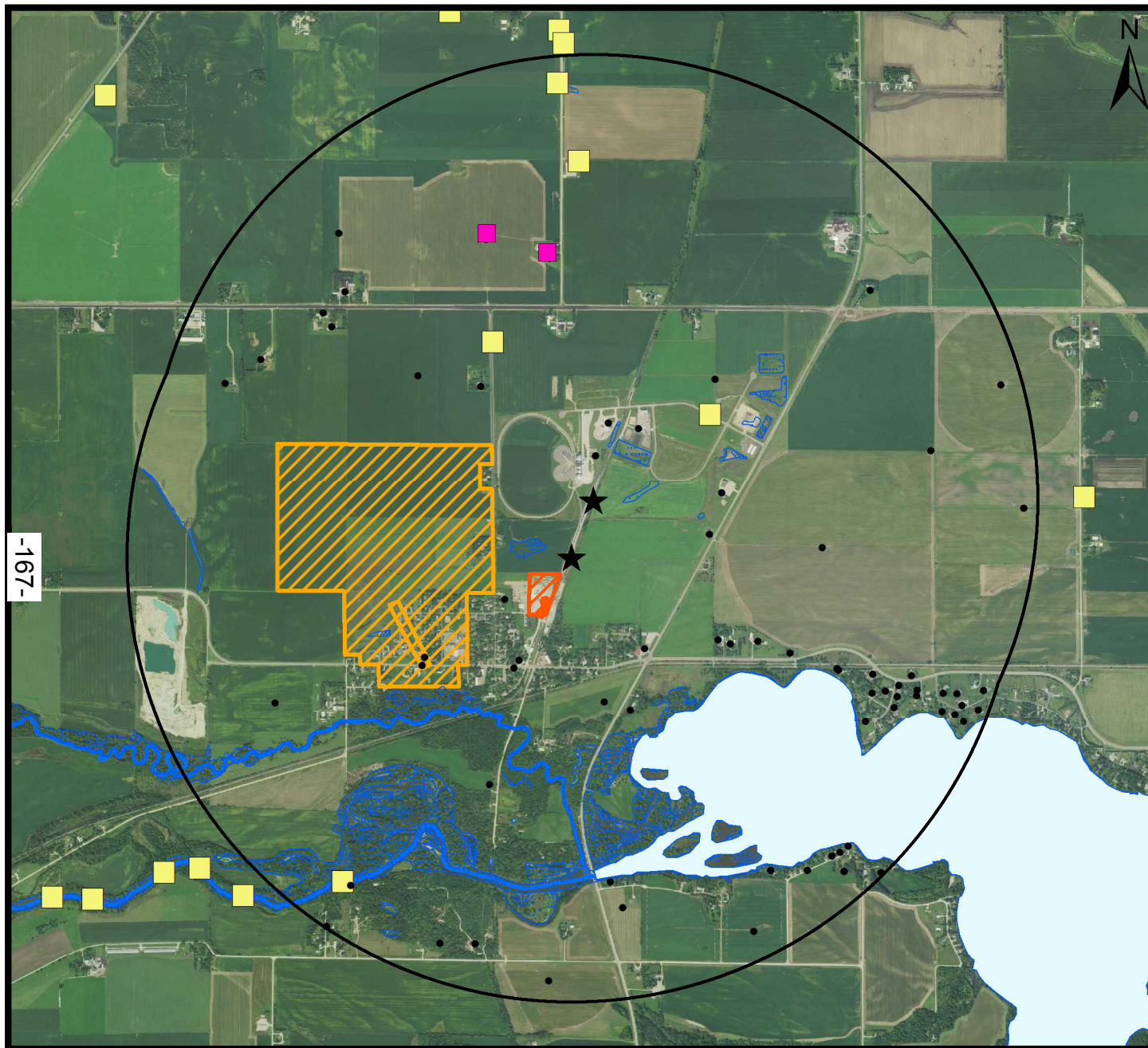
**Re: DNR Well Construction Preliminary Assessment; Tracking No. 2019-3276; T112-R18W-S5 SW;
Dakota County.**

Assessment Factors

The factors checked are of concern in the vicinity of your proposed well location and use of water:

- ☐ Calcareous Fens
- ☒ Trout Streams
- ☒ Lakes, Rivers, and Wetlands
- ☒ Well Interferences
- ☒ Known Groundwater Users
- ☐ Public Lands
- ☒ Drinking Water Protection Areas
- ☒ Contamination Sites
- ☐ Special Well and Boring Construction Areas
- ☒ Rare Species and Native Plant Communities
- ☐ Groundwater Management Areas

Tracking Number: 2019-3276, 1.5 mile distance



Legend

- ★ Proposed well(s)
- 1.5 mile radius
- Well interferences
- Known groundwater users
- ▨ Contamination sites (MDA)
- Rare species*
- ▨ Public water basins
- ▨ Wetlands
- Rivers and streams
- ▨ Drinking water protection areas

* Not the full extent of the feature.

Created by: Dan Scollan

Date: 10/2/2019

UTM coordinates: (498852, 4930885), (498969, 4930885)

Longitude(x), Latitude(y): (-93.01, 44.53), (-93.01, 44.53)

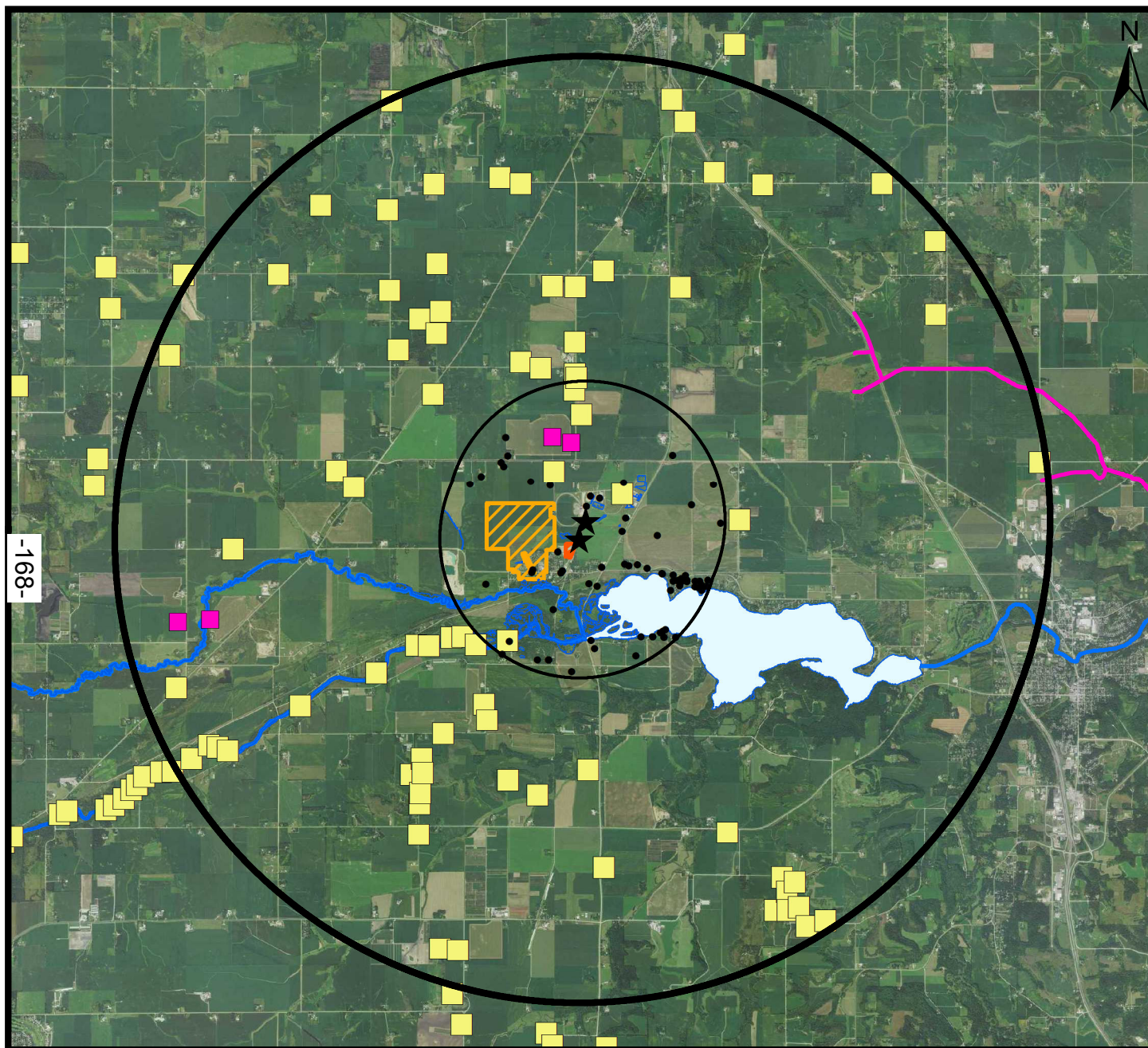
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Town:112, Range:18, Rng Dir: W, Sec:5

m DEPARTMENT OF
NATURAL RESOURCES

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Mil

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Tracking Number: 2019-3276, 1.5 and 5 mile distances



Legend

- ★ Proposed well(s)
- 1.5 mile radius
- 5 mile radius
- Well interferences
- Trout streams
- Known groundwater users
- ▨ Contamination sites (MDA)
- Rare species*
- Public water basins
- Wetlands
- Rivers and streams
- ▨ Drinking water protection areas

* Not the full extent of the feature.

Created by: Dan Scollan

Date: 10/2/2019

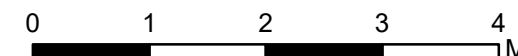
UTM coordinates: (498852, 4930885), (498969, 4930885)

Longitude(x), Latitude(y): (-93.01, 44.53), (-93.01, 44.53)

Town:112, Range:18, Rng Dir: W, Sec:5;

Town:112, Range:18, Rng Dir: W, Sec:5

mn DEPARTMENT OF
NATURAL RESOURCES



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Local veterans were honored at a ceremony as part of Dakota County being designated a Purple Heart County. Find out more about this below, along with developments about the following:



- Unanimous opposition to shipping local groundwater to western states
- The DNR's position on shipping groundwater
- Diffley Road update
- Akron/42, Cliff Road & 117th Street plans
- Library groups celebrating
- Purple Heart County designation
- Mini-storage on Cahill?
- Local author seeks help ranking moments in Minnesota sports history

SHOULD OUR DRINKING WATER BE SHIPPED TO ARIZONA? NO! The Dakota County Board voted unanimously to oppose a request by Empire Builder Investments to annually pump and ship 500 million gallons of groundwater from Dakota County to southwestern states like Arizona. I strongly opposed this exportation of water, particularly since we may face water quantity issues of our own here over the next two decades in cities like Inver Grove, Eagan and Apple Valley. There are few resources, if any, more critical to the well-being of Dakota County and its residents both now and in the future than the County's drinking water supply. The request to export water is unprecedented in Minnesota, with the Minnesota Department of Natural Resources making the final decision.

THE DNR'S POSITION ON SHIPPING WATER. Fortunately, the DNR's preliminary assessment report indicates that the project will not be allowed at this point. However, it is unknown if the applicant Empire Builder Investments will modify its proposal to make it more likely to be permitted by the DNR, or if other companies will submit similar water appropriation requests. I will provide further updates about this issue as they become available.

DIFFLEY ROAD UPDATE. Officials from the City of Eagan, Dakota County and ISD 196 announced an effort to seek all approvals necessary to have a full school zone - along with speed reductions - in place on Diffley Road by the time students return from a holiday break in early January. Doing so will require cooperation between and support from the Eagan City Council, Dakota County Board, and ISD 196 School Board.

LONGER-TERM SAFETY IMPROVEMENTS. Feedback from neighbors and parents at a February 2019 open house regarding proposed improvements at Diffley and Braddock prompted a broader look at Diffley Road this year, with a matrix of possible safety improvements expected to be complete in early December, for additional public input. An upcoming open house on December 11th will seek input about these possible safety improvements, including additional, longer-term improvement options. Following public input, longer-term safety improvements are expected to be selected by March 1st. Education and communication with students and parents is also a key part of improving safety along this challenging stretch.

ROAD SAFETY NEAR SCHOOLS. Already underway in 2019 is a review of pedestrian and bicyclist safety improvements on county roads at and near all schools in Dakota County.

STOPLIGHT AT AKRON AND COUNTY ROAD 42. As I mentioned in my last e-update, I have been pushing for installation of a stoplight at County Road 42 and Akron in Rosemount. At some times of day, there are so few gaps in heavy traffic on County Road 42 that some drivers on cross streets like Akron take ill-advised chances to get onto or cross 42. I invited feedback about this and found that over 90% of the 201 people who weighed in see a need for a stoplight. Many also provided firsthand observations of their experiences at this intersection. I expect design work and significant right-of-way acquisition will occur in 2020, followed by installation of the signal light. Thank you to Rosemount city officials for their strong support of this effort.

CLIFF ROAD OPEN HOUSE. An open house from 4:30-6:30 p.m. on Tuesday, Dec. 3 at the Lebanon Hills Visitor Center (860 Cliff Road, Discovery Room) will share recommended improvements to Cliff Road. Preliminary roadway design will be on display for review and comment. Project staff will be available to answer questions and discuss improvements. No formal presentation will occur – visitors can drop in anytime between 4:30-6:30 p.m.

117th STREET RECONSTRUCTION. One of the worst roads in Dakota is scheduled for reconstruction. Design work for 117th Street from Highway 52 to Rich Valley Boulevard in Inver Grove is set to occur in 2020, with right-of-way acquisition in 2021, and reconstruction in 2022.

THANK YOU... To everyone who joined me for my town meeting on November 9th. I very much appreciate the feedback about critical County issues like the ones above.

BEST FRIENDS READING. Thank you to the Friends of Robert Trail Library for donating the new bronze sculpture entitled "Best Friends Reading" in front of the library. Congratulations to the Friends on celebrating their 10th anniversary recently! Thank you for your service.

MORE LIBRARY CELEBRATIONS. Thank you and congratulations to the Friends of Inver Glen Library, who kick off the start of their 20th year of service in December.

DID YOU KNOW? Visitors to [Dakota County libraries](#) checked out nearly five million books and other materials last year.

PURPLE HEART COUNTY. I am proud to say Dakota County has been proclaimed a [Purple Heart County](#). With the second-largest veteran population in the Minnesota, Dakota County's 25,000 service members and their families are a critical part of our communities. On Veterans Day and every day we appreciate those who have served, and pause in special recognition of Purple Heart recipients who were wounded or paid the ultimate sacrifice. Thank you!

DID YOU KNOW? The South St. Paul Public Library was originally known as the American Legion Memorial Library and was dedicated 92 years ago this week. It was the first library in Dakota County. The library was built as the result of years of fundraising, voter approval of a \$25,000 bond, a pledge of \$7,500 from Dakota County and a campaign by citizens and veterans.

MINI-STORAGE ON CAHILL? A developer has proposed a three-story mini-storage building on Cahill across from Cub Foods in Inver Grove Heights. The IGH Planning Commission voted unanimously to oppose this proposal. A final decision rests with the City Council.

SPORTS WRITER. A publisher sought out an expert on Minnesota sports to write a book about notorious moments in the state's sports history. If you want to help the author rank some of those moments, click [here](#).

As always, I welcome questions and additional comments. I can be reached at (651) 438-4430 or at Joe.Atkins@co.dakota.mn.us. Thanks.

Joe



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