

**SAN FRANCISCO TOWNSHIP
CARVER COUNTY, MINNESOTA
Resolution No. 2021-__**

**RESOLUTION REQUIRING ADDITIONAL
INFORMATION REGARDING OLSON SAND AND GRAVEL MINE
ENVIRONMENTAL ASSESSMENT WORKSHEET**

WHEREAS, Ron Olson Construction, LLC (“Proposer”) is proposing to establish a sand and gravel mining operation on 184 acres of property located in San Francisco Township, Carver County (“Town”) on the SE1/4 of the NW1/4, the NE1/4 of the SW1/4, the NW1/4 of the SE1/4 and part of the NW1/4 lying south of 159th Avenue of Section 4, Township 114N, Range 24W, with mining taking place on 37 acres within the site (the “Project”);

WHEREAS, the Project site is currently used for agricultural production, and reclamation of the Project will include returning the land to agricultural production;

WHEREAS, the Project does not meet the threshold for mandatory environmental review under Minnesota Rule, part 4410.4300, subpart 12, but in accordance with Minnesota Rule, part 4410.1000, subpart 3, an environmental review was required at the Town’s discretion as the Responsible Governmental Unit (“RGU”) as the Town requires all new mineral extraction facilities to prepare an environmental assessment worksheet (“EAW”);

WHEREAS, an EAW was ordered and submitted for review and comment as is required by law;

WHEREAS, the EAW was available for public comment from February 16, 2021 to March 17, 2021;

WHEREAS, Town received more than 45 comment letters, which included more than 250 individual comments, including substantive comments from the Minnesota Department of Agricultural, Minnesota Pollution Control Agency and many Town residents requesting additional information with regard to certain aspects of the proposed mining operations;

WHEREAS, the Town Engineer reviewed the EAW and the comments and reported to the Town’s Board of Supervisors (“Town Board”) that additional information was required to allow for a reasoned decision about the potential for, or the significance of, potential environmental impacts of the Project;

WHEREAS, the Town Engineer specifically cited the following additional information required to appropriately review the EAW:

- Additional details from the Proposer regarding mining operations as to how groundwater resources at the Project site will be monitored and protected to ensure compliance with the Town’s ordinances.

- Information from the Proposer regarding mining operations as to the specific roadway improvements that will be completed and how daily traffic will be managed.
- Additional details from the Proposer regarding mine reclamation practices that will ensure preservation of agricultural lands, preserve integrity of the soil, and achieve sustainable final management of stormwater.

WHEREAS, the Town Board hereby determines the following additional information (referred to herein collectively as the “Additional Information”) is needed in order to consider the EAW sufficiently complete:

- Additional details from the Proposer regarding mining operations as to how groundwater resources at the Project site will be monitored and protected to ensure compliance with the Town’s ordinances.
- Information from the Proposer regarding mining operations as to the specific roadway improvements that will be completed and how daily traffic will be managed.
- Additional details from the Proposer regarding mine reclamation practices that will ensure preservation of agricultural lands, preserve integrity of the soil, and achieve sustainable final management of stormwater.

WHEREAS, in accordance with Minnesota Rule, part 4410.1700, subpart 2a, if the RGU determines more information is needed concerning an EAW it must either make a positive declaration concerning the need for an environmental impact statement (“EIS”) or postpone the decision for 30 days or such other period as the RGU and Proposer agree to, in order to allow sufficient time to gather the Additional Information needed by the RGU to make its determination; and

WHEREAS, the Proposer of the Project has agreed to a 31-day extension of time for the Town Board to make a positive or negative declaration with regard to an EIS, which recognizes the fact that the Town Board needs to receive the Additional Information and that the Town Board will need sufficient time to review the Additional Information and for the Town Engineer and those who submitted comments during the comment period to submit supplemental comments;

WHEREAS, a 31-day extension of time would run through May 17, 2021, on which date the Town Board will have a regular Town Board meeting to make a positive or negative declaration with regard to the need for an EIS for the Project;

NOW, THEREFORE, BE IT RESOLVED, the Town Board of San Francisco Township hereby determines, based on the comments it has received and its review of the EAW, the EAW lacks sufficient information to reasonably allow it to make reasoned decision on whether to issue a positive or negative declaration on the Project regarding the need for an EIS;

BE IT FURTHER RESOLVED, the Proposer must create or gather the Additional Information and present it to the Town Board no later than April 30th, 2021 in order for the Town Board to make a decision on the need for an EIS at its May 17, 2021; and

BE IT FINALLY RESOLVED, the Town Clerk is hereby authorized and directed to work with the Town Engineer as needed to accomplish the following:

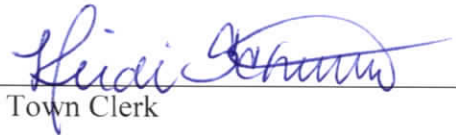
- Provide a copy of this Resolution to the Proposer, the EQB, and all entities and persons that submitted substantive comments on the EAW within 5 days of the date of this Resolution; and
- Within 5 days of the Town's receipt of the complete packet of Additional Information distribute it to the Town Board and to each entity and person that submitted substantive comments on the EAW.

Adopted this 13th day of April, 2021.

BY THE TOWN BOARD


Town Chairperson

Attest:


Town Clerk