

**SAN FRANCISCO TOWNSHIP  
CARVER COUNTY, MINNESOTA  
Resolution No. 21-04**

**RESOLUTION MAKING A NEGATIVE DECLARATION OF  
THE NEED FOR AN ENVIRONMENTAL IMPACT STATEMENT  
FOR THE OLSON SAND AND GRAVEL MINE**

**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 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**, the Town retained Wenck (“Consultant”) to assist the Town to complete the EAW process;

**WHEREAS**, the 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**, the Consultant 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**, 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;

**WHEREAS**, the Proposer of the Project 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 would run through May 17, 2021;

**WHEREAS**, the Proposer submitted the requested additional information, and within five (5) days of receipt of the complete packet of additional information, it was distributed to the Town Board and to each entity and person that submitted substantive comments on the EAW;

**WHEREAS**, the Consultant prepared a report titled Findings of Fact and Record of Decision (“Record of Decision”), which included responses to the comments received, and is incorporated herein by reference;

**WHEREAS**, the Project, or a portion thereof, is located in the Minnesota River Bluff and Ravine Area, as defined in Chapter 3 of the Town’s Mineral Extraction Ordinance – Ordinance No. 8 (“Ordinance”), and in accordance with Chapter 4, Section 3(N) of the Ordinance, the preparation of an EIS is required unless the Town Board determines, based on the information developed and comments submitted as part of the EAW process, that the Project does not have the potential for significant environmental effects;

**WHEREAS**, the Town Board considered the EAW and the Record of Decision at its regular meeting held on May 17, 2021; and

**WHEREAS**, the Town Board, as the RGU, finds and determines as follows:

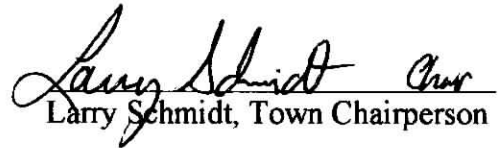
- a. Notice of availability of the EAW for public review for a 30-day comment period was published on the Town’s website on February 11, 2021, in the *Belle Plain Herald* on February 17, 2021, in the *Chaska Herald* on February 18, 2021, and in the Environmental Quality Board (“EGQ”) *Monitor* on February 16, 2021;
- b. Within five (5) days of receipt of the complete packet of additional information from the Proposer, the additional information was distributed to the Town Board and to each entity and person that submitted substantive comments on the EAW, and it was published on the Town’s website on May 11, 2021;
- c. The Town received and reviewed additional comments from the public to the EAW and the additional information provided by the Proposer;
- d. The preparation of the EAW and comments received on the EAW have generated information adequate to determine whether the proposed Project has the potential for significant environmental impacts or effects;
- e. The Project is expected to comply with all Town and review agency standards; and
- f. Based on the criteria established in Minnesota Rules, part 4410.1700, and the Record of Decision, the Project does not have the potential for significant environmental impacts or effects.

**NOW, THEREFORE**, based on the information and advice of the Consultant, the Record of Decision, and the findings contained here, the Town Board of San Francisco Township resolves as follows:

1. The Town Board adopts the Record of Decision, including the responses to comments contained therein.
2. The Town Board makes a negative declaration on the need for an EIS for the Project.
3. The Town Board authorizes and directs the Consultant to distribute this Resolution and the Record of Decision as required by Minnesota Rule, part 4410.1700, subpart 5.
4. This Resolution is effective immediately.

Adopted this 17<sup>th</sup> day of May 2021.

**BY THE TOWN BOARD**

  
Larry Schmidt, Town Chairperson

Attest:   
Heidi Schmidt, Town Clerk