

RESOLUTION

Adopting a Negative Declaration for an Environmental Impact Statement (EIS) for Environmental Assessment Worksheet No. CD2023-001EAW by Jeff Brown of North Rock Real Estate, for a proposed development located at the southwest corner of the Valleyhigh Rd NW and 50th Ave NW intersection.

WHEREAS, the laws of the State of Minnesota require that an Environmental Assessment Worksheet (EAW) be prepared whenever a proposed development project proposes more than 375 attached dwelling units (Minnesota Rules 4410.4300 Subpart 19); and

WHEREAS, the future Valleyhigh Development project within the City of Rochester meets the criterion established for the preparation of the EAW; and

WHEREAS, an EAW was prepared for the Valleyhigh Development project and reviewed by the Development Review Team and the draft document was circulated for comments to the required state and federal agencies, as provided by law; and

WHEREAS, notice of availability of the EAW was published in the EQB Monitor on October 10, 2023, and the thirty day comment period expired on November 9, 2023, and during such period four written comments were received; and

WHEREAS, the Common Council is required by law to make a finding on the adequacy of the EAW and to determine whether an Environmental Impact Statement (EIS) should be prepared; and

WHEREAS, the Common Council met at a regularly scheduled meeting on December 11, 2023, and considered the EAW, the reports of City staff, and the comments received from the parties as noted above.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Rochester, Minnesota, that the Common Council makes the following findings regarding the environmental impact of the proposed development currently known as Valleyhigh Development:

1. The Environmental Assessment Worksheet and related documentation for the Valleyhigh Development project were prepared in compliance with the procedures of the Minnesota Environmental Policy Act and Minnesota Rules, parts 4410.1000 to 4410.1700. All requirements for environmental review of the proposed project have been met.
2. The EAW has generated information that is adequate to determine whether the project has the potential for significant environmental effects.
3. Based on the criteria in Minnesota Rules, part 4410.1700, the project **does not** have the potential for significant environmental effects.

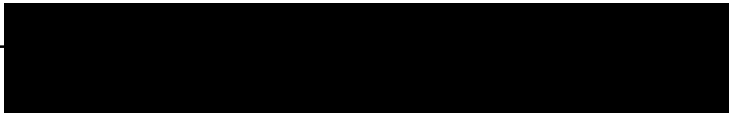
4. The Responsible Government Unit (RGU) makes a Negative Declaration and does not require the preparation of an Environmental Impact Statement (EIS).

BE IT FURTHER RESOLVED, that based on the findings above, the Common Council has determined that the development currently known as Valleyhigh Development does not have the potential for significant environmental effects and that preparation of an Environmental Impact Statement (EIS) is not mandated in this instance; and,

BE IT FURTHER RESOLVED that nothing in this determination that the EAW is adequate should be interpreted in any way to suggest that the City approves of the proposed development.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF

ROCHESTER, MINNESOTA, THIS _____



ATTEST: *Kelly L. Smith*
CITY CLERK

Bearse
RESIDENT OF SAID COMMON COUNCIL

APPROVED THIS _____



Kim Norton
MAYOR OF SAID CITY