

ITEM:

Dayton Park Industrial Center Environmental Assessment Worksheet (EAW)

PREPARED BY:

Jason Quisberg, Engineering
Jeff Madejczyk, Engineering

POLICY DECISION / ACTION TO BE CONSIDERED:

Postpone the decision on the need for an EIS for the Dayton Park Industrial Center

BACKGROUND:

Landspec, LLC is the owner of approximately 55 acres in southwest Dayton, generally located between Brockton Lane and East French Lake Road, just north of the Mobile Home Park. The proposed development of this property is expected to exceed the threshold for which preparation of an Environmental Assessment Worksheet (EAW), per Minnesota Rules Part 4410.4300, Subp. 14.A.(2), is required.

The property owner has, consistent with Minnesota Rules 4410.1500, prepared an EAW for the potential development referred to as the Dayton Park Industrial Center. The study was distributed for review, with the 30-day comment period ending September 9, 2021. Per MN Rules, the City of Dayton, as the Responsible Governmental Unit (RGU), has 30 days, from the end of the comment period, to consider comments received and issue a Decision if an Environmental Impact Statement (EIS) should be ordered (due to potential significant environmental impacts that may be anticipated as a result of the development). Therefore, a Decision is required by October 9, 2021.

Council action is required to effect the Decision. The "latest" Council meeting prior to this date is September 28th. City staff believes that additional information would be useful if evaluating several of the comments provided by reviewing agencies; and furthermore, that requiring a decision at the September 28th meeting does not allow sufficient time to obtain and consider any additional information.

Minnesota Rule 4410.1700 Subp. 2a.B provides the RGU authority to postpone the Decision, for up to 30 days, to allow for additional information to be obtained and considered. It is recommended that this provision be exercised for the Dayton Park Industrial Center EAW. It is anticipated the Decision will be recommended, and acted upon, at the October 12th Council meeting.

RECOMMENDATION:

Extend the decision period for on the need for an EIS for the Dayton Park Industrial Center by three (3) days to allow for the evaluation of additional information and to have the Decision made by Council at the next available regular Council meeting.

ATTACHMENT(S):

None