

m MINNESOTA
ENVIRONMENTAL QUALITY BOARD

Minnesota Environmental Quality Board
520 Lafayette Road North
Saint Paul, MN 55155

VIA E-MAIL (cover letter & petition)

May 7, 2024

Glen Markegard, Planning Manager
City of Bloomington Planning
1800 West Old Shakopee Road
Bloomington, Minnesota 55431
gmarkegard@bloomingtonmn.gov

RE: Petition for an Environmental Assessment Worksheet for the Bloomington Public Schools Project

Dear Glen Markegard,

The Environmental Quality Board (EQB) received a complete petition on May 7, 2024 requesting that an Environmental Assessment Worksheet (EAW) be prepared for the project described in the petition, and on May 7, 2024 the EQB determined that the City of Bloomington is the appropriate governmental unit to decide the need for an EAW.

All requirements for Minnesota's Environmental Review Program, including when review is required and when review is exempt can be found in Minnesota Rules, chapter 4410. Please note, a project may not be started, and a final governmental decision may not be made to grant a permit, approve a project, or begin a project, until a decision has been made for this petition. Project construction includes any activities which directly affect the environment, including preparation of land.

The procedures to be followed in making the decision on the enclosed petition (EAW need decision) are found in part 4410.1100. Key points in the procedures include:

1. As the designated RGU, you are required to decide the need for preparation of an EAW, considering the evidence presented by the petitioners or otherwise known to you about the nature and location of the project. In making your decision, you should consider the evidence submitted and take into account the factors listed in part 4410.1700, subpart 7. Note that these procedures require that a record of decision, including specific findings of fact, be maintained.
2. You have 15 working days from the date of the receipt of this petition to decide on the need for an EAW. (See part 4410.1100.)
 - For RGU decisions made by a board, council, or other body which meets on a periodic basis, the time period may be extended by the RGU for an additional 15 days.
 - For RGU decisions not made by a board, council, or other body, the RGU may request an extension from the EQB of up to an additional 15 days.
3. You must provide written notification of your final decision to the proposer, the petitioners' representative, and the EQB, within 5 working days of that decision.

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- a. To notify the EQB of your decision on the need for an EAW, please email env.review@state.mn.us. The EQB requests that you include a copy of your record of decision, including instances where environmental review is mandatory, voluntary, or exempt.
4. When notices of decision are sent to EQB, please ensure that:
 - a. Decisions have undergone all foreseeable and applicable local administrative processes.
 - b. The representative providing notices is authorized to do so on behalf of your responsible unit of government.
5. Should you have any concerns about the timelines for final decisions and the timing of any needed processes, please contact the EQB as soon as possible.
6. If for any reason you are unable to act on the petition at this time (e.g., no application has yet been filed or the application has been withdrawn or denied), the petition will remain in effect for a period of one year and must be acted upon prior to any final decision concerning the project identified in the petition. It is recommended that you notify in writing both the petitioners' representative and the EQB if you are unable to act on the petition at the time it is received.

Notice of the petition and its assignment to your unit of government will be published in the *EQB Monitor* on Tuesday, May 14, 2024.

If you have any questions or need any assistance, please do not hesitate to contact us at env.review@state.mn.us or 651-757-2873.

Sincerely,

Jesse Krzenski

Jesse Krzenski
Environmental Review Program
Environmental Quality Board

cc: Douglas Herzog, Petitioner's Representative