

**Resolution No. 2023-186**

**Resolution Adopting The Final Hermantown Business Park Alternative Urban Areawide Review (AUAR) Document And Mitigation Plan**

WHEREAS, the Hermantown City Council desires to consider the construction of roads and utilities for the Hermantown Business Park (“Hwy 53 Business Park”) within the City of Hermantown and as shown on the attached Figure 1 and Figure 2 hereto (“Project”); and

WHEREAS, the Project is approximately 119.8 areas (Study Area); and

WHEREAS, Project proposes to construct one through street and up to 22 new buildings of variable sizes from 7,800 to 299,000 square feet, totaling up to 942,000 square feet of new and existing buildings. The proposed uses of the newly constructed buildings would be light industrial, warehousing, and commercial uses including offices and retail; and

WHEREAS, there are no specific end users or specific projects planned within the Study Area and the AUAR will be used as a planning and environmental review document for future project specific individual plans and uses within the Study Area; and

WHEREAS, the City, as the Responsible Governmental Unit (hereinafter referred as the “RGU”), had ordered that an Alternative Urban Areawide Review (hereinafter referred to as the “AUAR”) is required for the Project per Minnesota Rules 4410.3610; and

WHEREAS, the City Council has received the AUAR Large Specific Project Scoping document (hereinafter reviewed as “Scoping AUAR”), for the Hermantown Business Park (Project); and

WHEREAS, the Scoping AUAR was submitted to the Minnesota Environmental Quality Board’s EQB Monitor on/before May 9, 2023 for public review and comment as part of the AUAR process as described in Minnesota Rules 4410.3610, Subp. 5.A.; and

WHEREAS, at the conclusion of the 30 day public comment period on June 15, 2023 the RGU had not received any public or government agency comments, and

WHEREAS, pursuant to Minnesota Rules 4410.3610, subpart 5.a (D), the RGU must adopt a Final Order for Review for the preparation of a Draft AUAR and mitigation plan (based on the development scenario presented in the Scoping AUAR document) to analyze the individual and cumulative potential effects from the largest building footprints possible and lot configurations with consideration given to existing natural resources, planning and zoning requirements, market trends, and infrastructure needs, and

WHEREAS, HEDA directed City staff to proceed with the preparation of the draft AUAR and mitigation plan for the development scenario; and

WHEREAS, pursuant Hermantown City Council authorized the preparation of the draft AUAR document on July 5, 2023 (Resolution No. 2023-91), and

WHEREAS, the draft AUAR and mitigation plan for the development scenario was prepared and public noticed from September 12, 2023 through October 12, 2023, and

WHEREAS, one public comment was received by the Minnesota Department of Natural Resources on October 11, 2013 (refer to attached Exhibit A); and

WHEREAS, the City of Hermantown acknowledges the existing Missing Link Snowmobile Trail 196, and will continue to provide this connection to the adjacent trail systems as development occurs within the Project area; and

WHEREAS, due to the nature of the comments received, no revisions are proposed to the draft AUAR, and

WHEREAS, on November 7, 2023 City staff deemed the draft AUAR as final and distributed the final AUAR to State agencies and proceed to adopt the final AUAR at a future City Council meeting.

WHEREAS, City staff submitted the Notice of RGU Acceptance and Distribution of Final AUAR for the Proposed Hermantown Business Park to the Environmental Quality Board Distribution List on November 22, 2023 (pursuant to Minnesota Rules 4410.3610, subpart 5).

WHEREAS, State agencies have 10 days from receipt of the final AUAR to file an objection (4410.3610 subpart 5), and no objection was filed within the allotted timeframe,

NOW, THEREFORE, BE IT RESOLVED that the City of Hermantown hereby approves and adopts the Final AUAR and directs city staff to submit evidence of this adoption to the Minnesota Environmental Quality Board pursuant to Minnesota Rules 4410.3610 subpart 5.D.E.

Councilor Geissler introduced the foregoing resolution and moved its adoption.

The motion for the adoption of such resolution was seconded by Councilor Hjelle and, upon a vote being taken thereon, the following voted in favor thereof:

Councilors Jones, Hjelle, LeBlanc, Geissler, and Mayor Boucher, aye.

and the following voted in opposition thereto:

None

WHEREUPON, such resolution was declared duly passed and adopted December 4, 2023.