UNIVERSITY OF MINNESOTA
BOARD OF REGENTS

RESOLUTION RELATED TO THE ADEQUACY OF THE FINAL ENVIRONMENTAL IMPACT STATEMENT FOR THE UMORE PARK SAND AND GRAVEL RESOURCES PROJECT

WHEREAS, The Board of Regents of the University of Minnesota is the Responsible Governmental Unit for the purpose of conducting the environmental review related to the proposed mining of sand and gravel at UMore Park, located in the City of Rosemount and Empire Township, Dakota County, Minnesota; and

WHEREAS, in fulfillment of its responsibilities as the Responsible Governmental Unit, University staff, with the assistance of expert consultants, prepared and made available for public review and comment during the period between January 12, 2009 and February 16, 2009 a Draft Environmental Assessment Worksheet (EAW) and Draft Scoping Decision Document (SDD); and

WHEREAS, University staff with assistance from the expert consultants analyzed each of the public comments, prepared a written response to each, and revised the Draft SDD, where appropriate, consistent with the responses to the comments; and

WHEREAS, the Board of Regents of the University of Minnesota approved the Scoping Decision Document ("SDD") on June 12, 2009 identifying the alternatives and subject areas to be examined in depth in the environmental impact statement; and

WHEREAS, University staff, with assistance from expert consultants, prepared a draft Environmental Impact Statement analyzing the environmental effects of the issues and alternatives identified in the SDD; and

WHEREAS, in the course of preparing the draft Environmental Impact Statement the Administration concluded that it was appropriate to modify the study area to include an additional 120 acres of land located adjacent to the eastern boundary of the original study area and immediately north of Dakota County Road 46 (160th Street) extending to Akron Avenue and the draft Environmental Impact Statement covers the additional acreage; and
WHEREAS, the Board of Regents of the University of Minnesota approved on June 10, 2010 a Resolution amending the project boundaries, and authorizing distribution of the draft Environmental Impact Statement, the holding of a public informational meeting and the acceptance of comments in accordance with applicable law; and

WHEREAS, during the thirty day comment period and at the public meeting conducted by the University on July 22, 2010 comments were received on the draft Environmental Impact Statement; and

WHEREAS, University staff and expert consultants analyzed each of the public comments on the draft Environmental Impact Statement, prepared written responses as required by law and, where appropriate, revised the draft Environmental Impact Statement consistent with the response to the public comments; and

WHEREAS, the revised draft Environmental Impact Statement was then designated the final Environmental Impact Statement for purposes of a ten day public comment period required by law; and

WHEREAS, (i) the final Environmental Impact Statement appropriately addresses the potentially significant issues and alternatives raised in the SDD; (ii) the final Environmental Impact Statement properly responds to the substantive public comments to the draft Environmental Impact Statement and final Environmental Impact Statement; and (iii) the University complied with all legal requirements in preparing the final Environmental Impact Statement, including those governing public participation; and

WHEREAS, the Board of Regents of the University of Minnesota has reviewed the final Environmental Impact Statement;

WHEREAS, the University has prepared a Record of Decision which documents compliance by the University with the Rules of the Minnesota Environmental Quality Board in the course of preparation of the Final Environmental Impact Statement for the Project, which Record of Decision is herein incorporated.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Regents of the University of Minnesota, does hereby affirm and determine that the final Environmental Impact Statement for the proposed mining of sand and gravel at UMore Park, located in the City of Rosemount and Empire Township, Dakota County, Minnesota, is adequate in accordance with Minnesota law governing its preparation and dissemination.

APPROVED BY THE BOARD OF REGENTS – November 12, 2010