technical memo

Project Name |	Windsong Farm Golf Club North Course	**Date** |	9/07/2022
To / Contact info |	Mark Kaltsas - City of Independence		
Cc / Contact info |	Jon Dailing - Fox Lake, LLC (Windsong Farm Golf Club)		
Cc / Contact info |	Jason Naber / EOR		
From / Contact info |	Derek R. Lash, PE		
Regarding |	Response to EAW Comments		

Summary

The City of Independence received two comment letters from different government agencies in response to the EAW prepared for the Windsong Farm Golf Club North Course Project. In addition, the City's consultants provided comments. The comments have been compiled and categorized by agency. Following are responses to each of the subjects for which comments were received.

1.0 Metropolitan Council

The Metropolitan Council submitted one comment letter (Ms. Angela R. Torres) with comments regarding Section 11. Water Resources AND Section 18. Transportation.

1.1 Item 11. Water Resources – Surface Water

Comment 1: The developer noted they will be working with the City as the Wetland Conservation Act (WCA) authority and will be applying for wetland banking credits. We encourage the developer look within the same watershed/sub-watershed to do the wetland banking replacement.

Response: The proposer (Fox Lake LLC) submitted a Joint Permit Application (JPA) to the Local Government Unit (LGU) and US Army Corps of Engineers (Corps) for permitting of wetland impacts. The proposer indicated in the original JPA they intend to enter into an agreement to purchase credits from an approved and established wetland bank but have not reached a tentative agreement to utilize specific bank credits yet. The review of the Board of Water and Soil Resources (BWSR) database indicates there are credits available in the major watershed (South Fork Crow River), but none in the minor watershed (Pioneer Sarah Creek) or in Hennepin County. Since submitting the original JPA the proposer has entered into a tentative purchase agreement to purchase credits from a bank in the same major watershed.

Comment 2: The applicant makes note of how the project would improve stormwater management from the land's current agricultural state. The applicant does not address how the use of pesticides and fertilizers for golf course maintenance would impact surrounding waters. The developer should use organic fertilizers when possible and apply fertilizers in a safe way that protects air, water, and soil quality.

Response: Golf course staff are trained and licensed by the Minnesota Department of Agriculture (MDA) to apply pesticides with a non-commercial pesticide applicators license. All handling and usage of pesticides and fertilizers are done in accordance with the written label and Safety Data Sheets (SDS) of the products. All Environmental Protection Agency (EPA) and MDA rules and regulations are followed. In addition, the golf course does intend to use Milorganite Fertilizer and Humic Coated Urea organic fertilizers as well as only 1.80 pounds of Nitrogen per 1000 square feet for the entire year. Furthermore, all wetlands including Fox Lake are required to have vegetated buffers that minimize impacts from runoff.

Comment 3: The developer should consider placing a small layer of sand on greens to improve aeration and water drainage.

Response: The greens construction will be based on United States Golf Association (USDA) guidelines with 12" of approved sand mix over 4" of gravel and drain tile.

Comment 4: We commend the applicant for the use of an irrigation pond to limit stress on groundwater sources. We recommend the applicant look into water reuse to further conserve water, and reuse water when possible.

Response: To ensure the irrigation ponds capture the most drainage possible, they are being placed at the lowest points on the site that capture the most runoff while being located outside of wetlands to ensure no impact. This will ensure the most runoff water is reused.

1.2 Item 11. Water Resources – Water Supply

Comment 1: The project should work with the Minnesota Department of Health (MDH) and Department of Natural Resources (DNR) to ensure that the repurposing of the identified unsealed well is of condition to be repurposed and acquire any necessary permits for new wells and water appropriation.

Response: The proposer will work with the Minnesota Department of Health (MDH) and the Department of Natural Resources (DNR) to secure permits to properly repurpose, seal, and drill new wells, as well as for water appropriations for water usage.

Comment 2: The EAW should be more explicit about any potable water needs beyond the maintenance building or if no additional potable water is needed.

Response: The proposer will repurpose an existing well for the maintenance building, drill a new well for the starter building, and drill a new well for the satellite restroom.

Comment 3: Pumping of groundwater for course irrigation should be limited to those times when the irrigation pond cannot meet the course needs. Pumping groundwater into the irrigation pond for storage or future need should be avoided to limit evaporative loss and limit unnecessary energy consumption. Utilizing best practices to help limit evaporation from the irrigation pond surface will help preserve the water needed for irrigation and conserve the energy needed to pump additional water.

Response: The proposer intends to irrigate only during evening hours and pump groundwater during the same hours.

Comment 4: Ensuring the course irrigation system is "smart" will help the course managers to be efficient in the water and energy use. Smart irrigation systems utilize real-time weather data and other information to determine the need for irrigated water helping landscape managers to take the guesswork out of irrigation. If such a system is not feasible for the course itself the development would still benefit from including these controllers for any irrigated non-course areas.

Response: The proposer intends to irrigate only during evening hours. Each sprinkler head is adjustable to dial in the water arc of the heads and minimize wasted water usage. In addition, the heads can be controlled based on the current evapotranspiration rates. Lastly the golf course has been designed to have less irrigated areas that will reduce water usage by 30 to 40% compared to the existing south golf course.

Comment 5: We recommend working with the University of Minnesota Extension Turfgrass Science Program to identify grass species that will meet the course needs, work well in Minnesota, and help limit the need for irrigation and lower fertilizer use. The extension will also be able to provide information regarding smart irrigation systems. https://turf.umn.edu/

Response: All bent grass species proposed to be used are bred for drought tolerance and disease resistance. The strength of these species is evaluated by the National Turfgrass Evaluation Program (NTEP). Information such as turfgrass quality, color, density, resistance to diseases and insects, tolerance to heat, cold, drought and traffic is collected and summarized by NTEP annually. The golf course is a member of the Minnesota Golf Course Superintendents Association, which works closely with the University of Minnesota to ensure golf courses are properly maintained (including grass species) that minimizes impacts on the environment.

Comment 6: Planting native prairie plants and pollinator species where feasible will contribute natural beauty to the course, increase area biodiversity, while lowering the carbon footprint of the course. Limiting herbicide, pesticide, and fertilizer use and considering chemical alternatives where feasible will also help to maintain habitat and limit negative impacts to wildlife, insects, groundwater, and surface waters.

Response: The proposer intends to plant non-maintained turf areas with a native grass blend. A grassing plan has been prepared that indicates locations for bluegrass, bentgrass, native grass blend, and trees or landscaping.

Comment 7: Cart paths and other impervious surfaces could be developed with pervious pavement or other pervious materials to lower runoff and promote shallow groundwater recharge. This may also help limit the need for groundwater pumping by ensuring adequate infiltration that replenishes the shallow aquifer and maintains surface water levels, particularly during periods of high heat or drought.

Response: The cart paths are intended to be asphalt pavement where a hard surface is necessary. This course has been designed to mirror golf as it was played before there were golf carts. Therefore, cart paths are limited to strongly encourage walking on the course, as there are also no long walks between greens and tees.

1.3 Item 18. Transportation - Transit

Comment 1: Transit service in the area is available with Transit Link through the Metropolitan Council.

Response: There are currently no pedestrian or bicycle facilities along the parcel on Watertown Road or Copeland Road due to the location's rural setting. Additionally, there is no routine transit service that is provided to this area of Hennepin County. Because of this, it is assumed that all trips to the site would be vehicle trips. It should be noted that the Metropolitan Council operates Transit Link in this area, which is a shared ride service available in parts of the metro where routine transit service is unavailable.

2.0 Department of Natural Resources

The Department of Natural Resources (Ms. Melissa Collins) submitted one comment letter with comments regarding Section 11. Water Resources, Section 13 Fish, Wildlife, Plant Communities, and Ecological Resources AND Section 16 Air.

2.1 Section 11. Water Resources

Comment 1: Page 11, Groundwater. If unknown wells are encountered onsite, they should be sealed in accordance with guidance from the Minnesota Department of Health.

Response: The proposer will work with the Minnesota Department of Health (MDH) to secure permits to properly seal unknown wells if encountered onsite.

Comment 2: Page 12, Wastewater. We appreciate that mound systems will be used and that the depth to the surficial water table has been verified. It would be helpful to identify the placement of the mound system drainfields on figure maps, as well as any secondary drainfield locations preserved for when the life of the initial system has been exhausted. It will be important that these areas are sectioned off and excluded from grading activities and spoil pile/equipment storage in order to preserve soil structure and function and extend the longevity of the system.

Response: A grading plan has been prepared that indicates mound septic system locations. There is a primary and secondary septic field location for the satellite restroom, as well as a primary and secondary septic field location to be used jointly by the maintenance and starter buildings. These areas will be marked off during construction with silt fence or a similar measure.

Comment 3: Page 13, Post Construction Site Runoff. This section states that unmaintained vegetation will be utilized throughout the golf course. We strongly encourage the development to use weed-free, suitable, native seed mixes and plants in project stormwater features and landscaping in order to provide pollinator habitat and reduce the loss of wildlife habitat onsite. Native species also require very little fertilizing or irrigation. The Board of Soil and Water Resources' website contains many great resources for choosing seed mixes and establishing native plants.

Response: The proposer intends to plant non-maintained turf areas with a native grass blend. A grassing plan has been prepared that indicates locations for bluegrass, bentgrass, native grass blend, and trees or landscaping. All of the seed is certified to be 99.99% weed free from the seed manufacturer.

Comment 4: Page 14, Water Appropriations. A single DNR Water Appropriation Permit can be used for establishing the turf and providing the long-term irrigation of the golf course provided the proposer uses the same well and pond for the irrigation. We appreciate that portions of the golf course will utilize native fescues in order to reduce irrigation needs.

Response: The proposer will work with the Department of Natural Resources (DNR) to secure permits for water appropriations for temporary and long-term water usage.

Comment 5: Page 14, Water Appropriations. It is likely that a temporary DNR Water Appropriation Permit will be required for the construction of the golf course. If construction dewatering exceeds 10,000 gallons in a day or one million gallons in a year, a DNR Water Appropriation Permit will be required.

Response: The proposer will work with the Department of Natural Resources (DNR) to secure permits for water appropriations for temporary water usage if dewatering exceeds 10,000 gallons in a day or one million gallons in a year.

2.2 Section 13. Fish, Wildlife, Plant Communities, and Ecological Resources

Comment 6: Page 19, Rare Features. DNR concurs that impacts to rare features are not anticipated as a result of this project.

Response: The DNR concurs with the approach to the project. The proposer will avoid impacts to ecological resources in the manner described in the EAW; primarily avoiding wetlands and conducting tree removal in the winter.

Comment 7a: Page 21, Ecological Impact Mitigation. It is still unclear from the EAW how much of the site will be planted in native fescue versus what portion of the site will be "unmaintained" as described in the Stormwater section. It is also unclear how the unmaintained areas will be managed for invasive species.

Response: A grassing plan has been prepared that indicates locations for bluegrass, bentgrass, native grass blend, and trees or landscaping as well as pollinator blends. Regarding maintenance of the unmaintained areas: once they are established, the unmaintained areas will be mowed once per year, as well as receive one application of preemergent treatment in the spring followed by spot treatments of broad leaf herbicide throughout the season.

Comment 7b: Page 21, Ecological Impact Mitigation. From an ecological perspective, traditional golf courses are essentially "green deserts" that maintain turf monocultures while providing very little wildlife habitat. Some golf courses have found ways to maintain necessary turf while utilizing rough and landscaped areas to actually improve wildlife habitat. This course is located within a Regional Ecological Corridor as well as a Low Potential Zone for the federally-listed Rusty patched bumble bee, which could become a High Potential Zone as maps are revised in the near future. Given that, there is an opportunity to improve habitat for pollinators and other wildlife utilizing the site by actively planting more diverse native vegetation that includes flowering plants, and managing it to prevent the spread of invasive species.

Response: The proposer intends to plant non-maintained turf areas with a native grass blend. A grassing plan has been prepared that indicates locations for bluegrass, bentgrass, native grass blend, and trees or landscaping. The grassing plan indicates areas proposed for pollinator species.

2.3 Section 16. Air

Comment 8: Page 25, Dust and Odors. Please do not use products that contain calcium chloride or magnesium chloride for dust control in areas that drain to public waters. Please note that the use of more than 10,000 gallons of water in a day, or one million gallons in year, for dust control requires a DNR Water Appropriation Permit.

Response: The proposer will only use water for controlling dust. The proposer will work with the Department of Natural Resources (DNR) to secure permits for water appropriations for temporary water usage if dewatering exceeds 10,000 gallons in a day or one million gallons in a year.

3.0 City of Independence

The City of Independence (Mr. Mark Kaltsas) submitted one comment letter with comments regarding Section 7 Cover Types AND Section 11 Water Resources.

3.1 Section 7. Cover Types

Comment 1: Provide more information related to overall site vegetation (areas planned for native fescue versus unmaintained areas).

Response: A grassing plan has been prepared that indicates locations for bluegrass, bentgrass, native grass blend, and trees or landscaping as well as pollinator blends.

3.2 Section 11. Water Resources

Comment 2: Provide details for post construction stormwater management.

Response: The proposer has prepared a stormwater management plan that includes hydrology and water quality calculations. Based on the land cover changes, which are converting the existing agricultural area on the site to either maintained grass areas or unmaintained native grass or landscaping areas, the proposed project will be improving land cover conditions by retaining more water on the site and decreasing runoff rates and volumes. There are no proposed structural stormwater BMPs for the site as the land cover change will meet the stormwater management requirements for PSCWMC and the City.

Comment 3: Will the site preserve/protect an area for replacement septic/mounds?

Response: A grading plan has been prepared that indicates mound septic system locations. There is a primary and secondary septic field location for the satellite restroom, as well as a primary and secondary septic field location to be used jointly by the maintenance and starter buildings. These areas will be marked off during construction with silt fence or a similar measure.

Comment 4: What tpes of fertilizers (organic?) are planned to be used on the course?

Response: The golf course does intend to use Milorganite Fertilizer and Humic Coated Urea organic fertilizers as well as only 1.80 pounds of Nitrogen per 1000 square feet for the entire year.

4.0 Other

In addition to the comments received from the Metropolitan Council, the Department of Natural Resources, and the City of Independence, additional information was submitted by the Department of Natural Resources (Ms. Samantha Bump) for the Natural Heritage Information System review, as well as from Nienow Cultural Consultants, LLC for the Phase 1A Archaeological and Cultural Resources review, both a part of preparing the EAW.

4.1 Minnesota Department of Natural Resources

4.1.1 Section 13. Fish, Wildlife, Plant Communities, and Ecological Resources

Comment 1: As requested, the above project has been reviewed for potential effects to rare features. Given the project details provided on the cover page, I do not believe the proposed project will negatively affect any known occurrences of rare features. To ensure compliance with federal law, conduct a federal regulatory review using the U.S. Fish and Wildlife Service's (USFWS) online Information for Planning and Consultation (IPaC) tool.

Response 1: This letter is the response to the Natural Heritage Information System (NHIS) review that was requested by the proposer. The letter was not received until after the EAW was published and is included in the comments for informational purposes.

Response 2: The proposer produced an IPaC Resource list from the U.S. Fish and Wildlife Service (USFWS's) online tool that was the basis for the discussion and conclusions in Section 13 of the EAW.

Comment 2: The Natural Heritage Information System (NHIS) tracks bat roost trees and hibernacula plus some acoustic data, but this information is not exhaustive. Even if there are no bat records listed below, all seven of Minnesota's bats, including the federally threatened northern long-eared bat (Myotis septentrionalis), can be found throughout Minnesota. Tree removal can negatively impact bats by destroying roosting habitat, especially during the pup rearing season when females are forming maternity roosting colonies and the pups cannot yet fly. To minimize these impacts, the DNR recommends that tree removal be avoided during the months of June and July.

Response: To avoid an impact to the wetlands as it meets the definition by the U.S. Army Corps of Engineers, tree removal will be completed under frozen ground conditions or with equipment that does not impact the wetlands / Waters of the US. This work will be completed outside of the months of June and July.

Comment 3: The Natural Heritage Information System (NHIS), a collection of databases that contains information about Minnesota's rare natural features, is maintained by the Division of Ecological and Water Resources, Department of Natural Resources. The NHIS is continually updated as new information becomes available, and is the most complete source of data on Minnesota's rare or otherwise significant species, native plant communities, and other natural features. However, the NHIS is not an exhaustive inventory and thus does not represent all of the occurrences of rare features within the state. Therefore, ecologically significant features for which we have no records may exist

within the project area. If additional information becomes available regarding rare features in the vicinity of the project, further review may be necessary.

Response 1: This letter is the response to the Natural Heritage Information System (NHIS) review that was requested by the proposer. The letter was not received until after the EAW was published and is included in the comments for informational purposes.

Response 2: The letter's conclusions underline the conclusions from the proposer's internal review which was conducted via a licensed access to the same database. The proposer concluded that no impacts to rare natural features are anticipated by the project. Notably, these conclusions were also supported by the previous DNR letter authored by Ms. Melissa Collins (see 2.0 Department of Natural Resources, 2.2 Section 13. Fish, Wildlife, Plant Communities, and Ecological Resources, Comment 6).

4.2 Nienow Cultural Consultants, LLC

4.2.1 Section 14. Historic Properties

Comment 1: To address Section 14. Historic Properties, the proposer (Fox Lake LLC) completed a Phase 1A Archaeological and Cultural Resources Desktop Assessment technical memorandum. The technical memorandum was submitted to the MnSHPO with a request for Project Review and photographs of the farmstead. The MnSHPO responded to the request to comment on the effects the Project may have on potentially historic properties and resources. Because modeling indicates a moderate to high probability of pre-contact archaeological sites in the Project site, they requested that the Project area be inventoried by a professional archaeologist for archaeological resources. The proposer (Fox Lake LLC) contracted with Nienow Cultural Consultants LLC to review the project area, which they did not identify any cultural materials during the survey.

Appendix: Comment Letters

Appendix A: Metropolitan Council

June 7, 2022

Mark Kaltsas, City Administrator/Planner
City of Independence
1290 County Road 90
Independence, MN 55359

RE: City of Independence - Environmental Assessment Worksheet (EAW) – Windsong Farm Golf Club North Course
Metropolitan Council Review No. 22759-1
Metropolitan Council District 1

Dear Mark Kaltsas:

The Metropolitan Council received the EAW for the Windsong Farm Golf Club North Course project on May 9, 2022. The Project proposes to construct a golf course expansion to the existing Windsong Golf Club on six contiguous parcels located on the northeast corner of Watertown Road (CSAH 6) and Copeland Road in Independence. The proposed development consists of 125.6 acres with plans for an 18-hole golf course, an irrigation pond, several supporting structures, starter building, maintenance building, and a satellite restroom. The land is comprised of farmland, forests, and wetlands.

The staff review finds that the EAW is complete and accurate with respect to regional concerns and does not raise major issues of consistency with Council policies. An EIS is not necessary for regional purposes. We offer the following comments for your consideration.

Item 11. Water Resources - Surface Water (Maureen Hoffman, 651-602-1279)

- The developer noted they will be working with the City as the Wetland Conservation Act (WCA) authority and will be applying for wetland banking credits. We encourage the developer look within the same watershed/sub-watershed to do the wetland banking replacement.
- The applicant makes note of how the project would improve stormwater management from the land's current agricultural state. The applicant does not address how the use of pesticides and fertilizers for golf course maintenance would impact surrounding waters. The developer should use organic fertilizers when possible and apply fertilizers in a safe way that protects air, water, and soil quality.
- The developer should consider placing a small layer of sand on greens to improve aeration and water drainage.
- We commend the applicant for the use of an irrigation pond to limit stress on groundwater sources. We recommend the applicant look into water reuse to further conserve water, and reuse water when possible.

Item 11. Water Resources - Water Supply (John Clark, 651-602-1452)

- The project should work with the Minnesota Department of Health (MDH) and Department of Natural Resources (DNR) to ensure that the repurposing of the identified unsealed well is of condition to be repurposed and acquire any necessary permits for new wells and water appropriation.

- The EAW should be more explicit about any potable water needs beyond the maintenance building or if no additional potable water is needed.
- Pumping of groundwater for course irrigation should be limited to those times when the irrigation pond cannot meet the course needs. Pumping groundwater into the irrigation pond for storage or future need should be avoided to limit evaporative loss and limit unnecessary energy consumption. Utilizing best practices to help limit evaporation from the irrigation pond surface will help preserve the water needed for irrigation and conserve the energy needed to pump additional water.
- Ensuring the course irrigation system is "smart" will help the course managers to be efficient in the water and energy use. Smart irrigation systems utilize real-time weather data and other information to determine the need for irrigated water helping landscape managers to take the guesswork out of irrigation. If such a system is not feasible for the course itself the development would still benefit from including these controllers for any irrigated non-course areas.
- We recommend working with the University of Minnesota Extension Turfgrass Science Program to identify grass species that will meet the course needs, work well in Minnesota, and help limit the need for irrigation and lower fertilizer use. The extension will also be able to provide information regarding smart irrigation systems. https://turf.umn.edu/
- Planting native prairie plants and pollinator species where feasible will contribute natural beauty to the course, increase area biodiversity, while lowering the carbon footprint of the course. Limiting herbicide, pesticide, and fertilizer use and considering chemical alternatives where feasible will also help to maintain habitat and limit negative impacts to wildlife, insects, groundwater, and surface waters.
- Cart paths and other impervious surfaces could be developed with pervious pavement or other pervious materials to lower runoff and promote shallow groundwater recharge. This may also help limit the need for groundwater pumping by ensuring adequate infiltration that replenishes the shallow aquifer and maintains surface water levels, particularly during periods of high heat or drought.

Item 18. Transportation -Transit (Patrick Haney, 612-349-7451)
Transit service in the area is available with Transit Link through the Metropolitan Council.

This concludes the Council's review of the EAW. The Council will not take formal action on the EAW. If you have any questions or need further information, please contact Freya Thamman, Principal Reviewer, at 651-602-1750 or via email at Freya.Thamman@metc.state.mn.us.

Sincerely,

Angela R. Torres, AICP, Senior Manager
Local Planning Assistance

CC: Tod Sherman, Development Reviews Coordinator, MnDOT - Metro Division
Judy Johnson, Metropolitan Council District 1
Freya Thamman, Sector Representative/Principal Reviewer
Reviews Coordinator

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Appendix B: Department of Natural Resources

DEPARTMENT OF NATURAL RESOURCES

Division of Ecological and Water Resources
Region 3 Headquarters
1200 Warner Road
Saint Paul, MN 55106

Transmitted by Email

June 9, 2022

Mark Kaltsas, City Administrator/Planner
City of Independence
1920 County Road 90
Independence, MN 55359

Dear Mark Kaltsas,

Thank you for the opportunity to review the Windsong Farm Golf Club North Course EAW located in Hennepin County. The DNR respectfully submits the following comments for your consideration:

1. Page 11, Groundwater. If unknown well are encountered onsite, they should be sealed in accordance with guidance from the Minnesota Department of Health.
2. Page 12, Wastewater. We appreciate that mound systems will be used and that the depth to the surficial water table has been verified. It would be helpful to identify the placement of the mound system drainfields on figure maps, as well as any secondary drainfield locations preserved for when the life of the initial system has been exhausted. It will be important that these areas are sectioned off and excluded from grading activities and spoil pile/equipment storage in order to preserve soil structure and function and extend the longevity of the system.
3. Page 13, Post construction Site Runoff. This section states that unmaintained vegetation will be utilized throughout the golf course. We strongly encourage the development to use weed-free, suitable, native seed mixes and plants in project stormwater features and landscaping in order to provide pollinator habitat and reduce the loss of wildlife habitat onsite. Native species also require very little fertilizing or irrigation. The Board of Soil and Water Resources' website contains many great resources for choosing seed mixes and establishing native plants.
4. Page 14, Water Appropriations. A single DNR Water Appropriation Permit can be used for establishing the turf and providing the long-term irrigation of the golf course provided the proposer uses the same well and pond for the irrigation. We appreciate that portions of the golf course will utilize native fescues in order to reduce irrigation needs.
5. Page 14, Water Appropriations. It is likely that a temporary DNR Water Appropriation Permit will be required for the construction of the golf course. If construction dewatering exceeds 10,000 gallons in a day or one million gallons in a year, a DNR Water Appropriation Permit will be required.

6. Page 19, Rare Features. DNR concurs that impacts to rare features are not anticipated as a result of this project.
7. Page 21, Ecological Impact Mitigation. It is still unclear from the EAW how much of the site will be planted in native fescue versus what portion of the site will be "unmaintained" as described in the Stormwater section. It is also unclear how the unmaintained areas will be managed for invasive species.

   From an ecological perspective, traditional golf courses are essentially "green deserts" that maintain turf monocultures while providing very little wildlife habitat. Some golf courses have found ways to maintain necessary turf while utilizing rough and landscaped areas to actually improve wildlife habitat. This course is located within a Regional Ecological Corridor as well as a Low Potential Zone for the federally-listed Rusty patched bumble bee, which could become a High Potential Zone as maps are revised in the near future. Given that, there is an opportunity to improve habitat for pollinators and other wildlife utilizing the site by actively planting more diverse native vegetation that includes flowering plants, and managing it to prevent the spread of invasive species.
8. Page 25, Dust and Odors. Please do not use products that contain calcium chloride or magnesium chloride for dust control in areas that drain to public waters. Please note that the use of more than 10,000 gallons of water in a day, or one million gallons in year, for dust control requires a DNR Water Appropriation Permit.

Thank you again for the opportunity to review this document. Please let me know if you have any questions.

Sincerely,

Melissa Collins

Regional Environmental Assessment Ecologist | Ecological and Water Resources
Minnesota Department of Natural Resources

Phone: 651-259-5755
Email: melissa.collins@state.mn.us

CC: Jon Dailing, Fox Lake, LLC

Equal Opportunity Employer

Appendix C: City of Independence

Derek Lash

From: Mark Kaltsas <MKaltsas@ci.independence.mn.us>
Sent: Thursday, June 23, 2022 2:24 PM
To: Derek Lash
Cc: John Dailing ; Chris Long
Subject: Re: Windsong EAW Next Steps

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Blue Category

Derek,

See request for additional information below (from City engineer)…let me know if you have any additional questions. Based on the list of comments that you noted as received, I think that you have everything that the City does.

The applicant (golf course owners/developer) can provide additional details on a couple items it would be good to do so….such as post construction stormwater management, overall site vegetation (areas planned for native fescue vs. "unmaintained areas"), will the site preserve/protect an area for replacement septic/mounds, and what type of fertilizers (organic?) are planned to be used on the course. These items should be addressed in the "Response to Comments" section of the Findings of Fact and Conclusions (FOF&C) document. The new information regarding the cultural resource survey findings and MNDNR NHIS findings should go in the portion of the document meant to provide "Additional Information Obtained Since Publication of the EAW."

Thanks,

Mark Kaltsas | City Administrator | City of Independence
mkaltsas@ci.independence.mn.us
D: 763.479.0044 | O: 763.479.0527

From: Derek Lash <dlash@eorinc.com>
Date: Thursday, June 23, 2022 at 2:18 PM
To: Mark Kaltsas <MKaltsas@ci.independence.mn.us>
Cc: John Dailing <jdailing@wsfarm.com>, Chris Long <clong@eorinc.com>
Subject: RE: Windsong EAW Next Steps

Good afternoon Mark,

I thought I would quickly check-in to see when you might be sending over EAW or CUP comments.

Thanks,

Derek R. Lash, PE, CPESC, ICSD, ICCSPPI
Senior Civil Engineer
EOR: water | ecology | community

Appendix D: Other - Department of Natural Resources

Formal Natural Heritage Review - Cover Page

See next page for results of review. A draft watermark means the project details have not been finalized and the results are not official.

Project Name: Windsong Farm Golf Club North Course

Project Proposer: Fox Lake, LLC

Project Type: Development, Recreational/Entertainment

Project Type Activities: Tree Removal;Wetland impacts (e.g., discharge, runoff, sedimentation, fill, excavation)

TRS: T118 R24 S29, T118 R24 S32

County(s): Hennepin

DNR Admin Region(s): Central

Reason Requested: State EAW

Project Description: The Project is an expansion of the Windsong Farm Golf Club that lies directly to the south of the Project Site across Watertown Highway. The Project proposes ...

Existing Land Uses: A majority of the Project Site is in corn-soybean rotation (~93 acres). Wetlands with the Project Site (which excludes Fox Lake) account for about 14 acres, ...

Landcover / Habitat Impacted: A majority of land that will be impacted is cropland. About 10 acres of trees will be removed from the Project Site which includes areas of forest, brushland, and tree lines along field margins.

Waterbodies Affected: Between 1-2 acres of wetlands will be impacted. Impacts include fill (from grading), tree removal, and excavation to create an irrigation pond and a narrow ...

Groundwater Resources Affected: Yes, The Project will require a permanent groundwater permit for irrigation, and likely a temporary permit for construction.

Previous Natural Heritage Review: No

Previous Habitat Assessments / Surveys: No

SUMMARY OF AUTOMATED RESULTS

Category	Results	Response By Category
Project Details	No Comments	No Further Review Required
Ecologically Significant Area	No Comments	No Further Review Required
State-Listed Endangered or Threatened Species	No Comments	No Further Review Required
State-Listed Species of Special Concern	No Comments	No Further Review Required
Federally Listed Species	No Records	Visit IPaC For Federal Review

DEPARTMENT OF NATURAL RESOURCES

Minnesota Department of Natural Resources
Division of Ecological & Water Resources
500 Lafayette Road, Box 25
St. Paul, MN 55155-4025

April 22, 2022

Natural Heritage Review #: 2022-00259

Christopher Long
Emmons & Olivier Resources, Inc.
1919 University Avenue West, Suite 300
St. Paul, MN 55104

RE: Automated Natural Heritage Review of the proposed Windsong Farm Golf Club North Course
See Cover Page for location and project details.

Dear Christopher Long,

As requested, the above project has been reviewed for potential effects to rare features. Given the project details provided on the cover page, I do not believe the proposed project will negatively affect any known occurrences of rare features. To ensure compliance with federal law, conduct a federal regulatory review using the U.S. Fish and Wildlife Service's (USFWS) online Information for Planning and Consultation (IPaC) tool.

Project Type and/or Project Type Activity Comments

- The Natural Heritage Information System (NHIS) tracks bat roost trees and hibernacula plus some acoustic data, but this information is not exhaustive. Even if there are no bat records listed below, all seven of Minnesota's bats, including the federally threatened northern long-eared bat (*Myotis septentrionalis*), can be found throughout Minnesota. Tree removal can negatively impact bats by destroying roosting habitat, especially during the pup rearing season when females are forming maternity roosting colonies and the pups cannot yet fly. To minimize these impacts, the DNR recommends that tree removal be avoided during the months of June and July.

The Natural Heritage Information System (NHIS), a collection of databases that contains information about Minnesota's rare natural features, is maintained by the Division of Ecological and Water Resources, Department of Natural Resources. The NHIS is continually updated as new information becomes available, and is the most complete source of data on Minnesota's rare or otherwise significant species, native plant communities, and other natural features. However, the NHIS is not an exhaustive inventory and thus does not represent all of the occurrences of rare features within the state. Therefore, ecologically significant features for which we have no records may exist within the project area. If additional information becomes available regarding rare features in the vicinity of the project, further review may be necessary.

For environmental review purposes, the results of this Natural Heritage Review are valid for one year; the results are only valid for the project location and the project description provided on the cover page. If project details change or construction has not occurred within one year, please resubmit the project for review.

The Natural Heritage Review does not constitute project approval by the Department of Natural Resources. Instead, it identifies issues regarding known occurrences of rare features and potential effects to these rare features. For information on the environmental review process or other natural resource concerns, you may contact your DNR Regional Environmental Assessment Ecologist.

Thank you for consulting us on this matter, and for your interest in preserving Minnesota's rare natural resources.

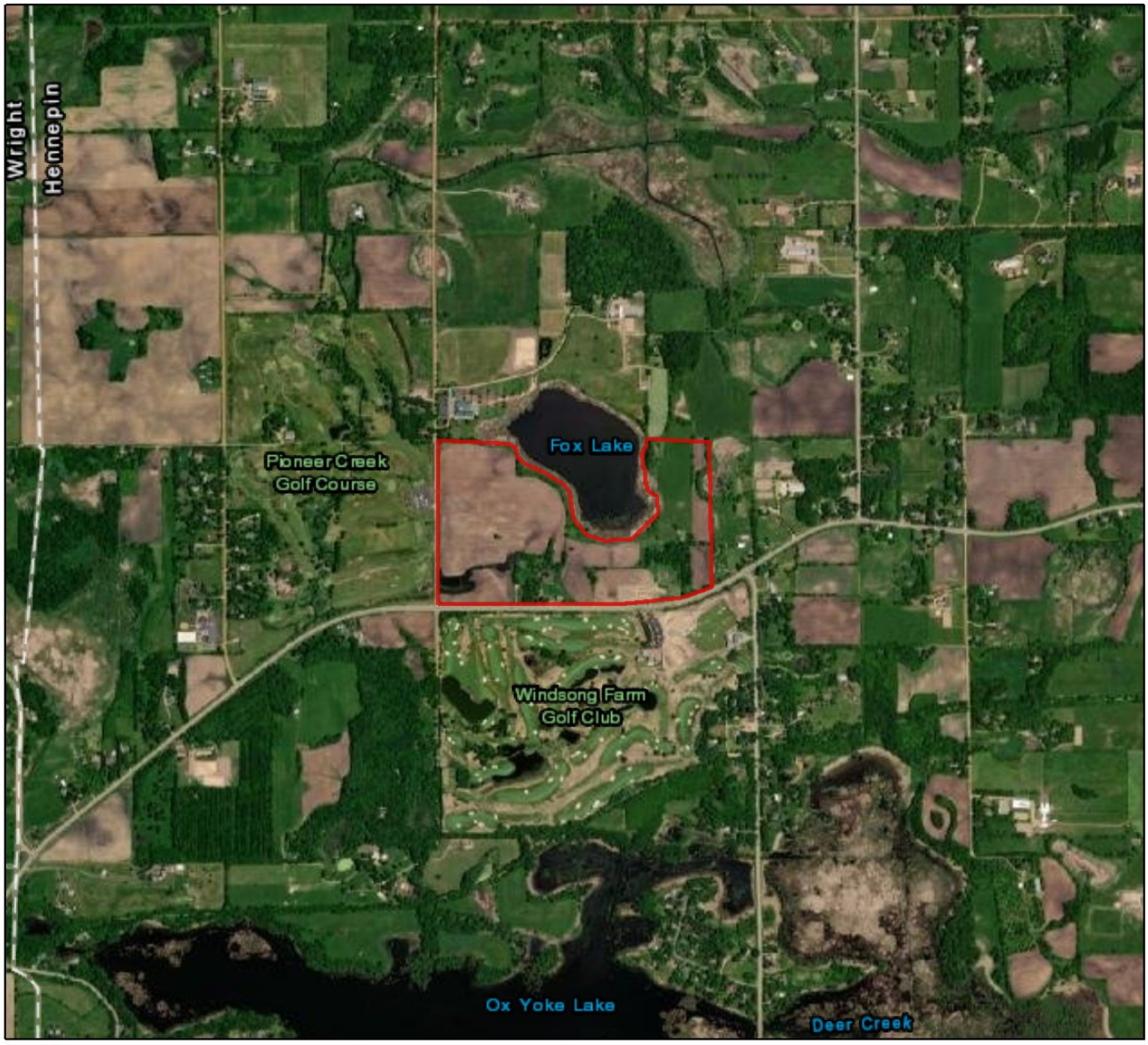
Sincerely,

Samantha Bump
Natural Heritage Review Specialist
Samantha.Bump@state.mn.us

Links: USFWS Information for Planning and Consultation (IPaC) tool
Information for Planning and Consultation (IPaC) tool
DNR Regional Environmental Assessment Ecologist Contact Info
https://www.dnr.state.mn.us/eco/ereview/erp_regioncontacts.html

Windsong Farm Golf Club North Course

Aerial Imagery With Locator Map



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Miles

Project Boundary

Project Type: Development, Recreational/Entertainment

Project Size (acres): 124.47

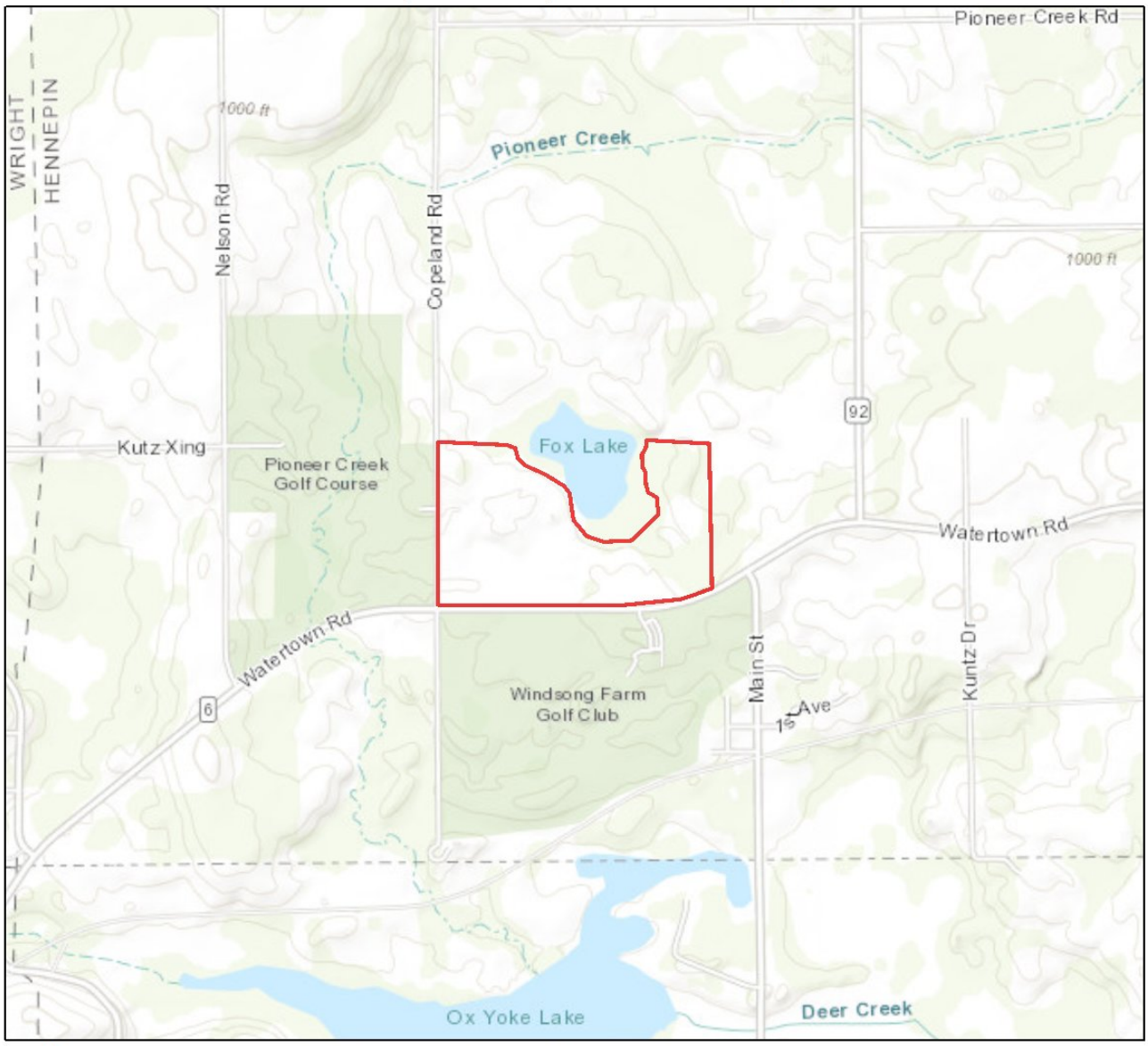
County(s): Hennepin

TRS: T118 R24 S29, T118 R24 S32

Service Layer Credits: Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community
Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri

Windsong Farm Golf Club North Course

USA Topo Basemap With Locator Map



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Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User

Appendix E: Other - Nienow Cultural Consultants, LLC

April 29, 2022

Nienow Cultural Consultants
200 Plato Blvd. East
St. Paul, MN 55107

Jon Dailing
Fox Lake, LLC
18 Golf Walk
Maple Plain, MN 55359

RE: NCC Phase I Archaeological Survey for Fox Lake, LLC, Maple Plain, Hennepin County, Minnesota

Dear Mr. Dailing,

This letter is a summary of fieldwork completed by Nienow Cultural Consultants LLC (NCC) the week of April 25, 2022. This work is associated with the Fox Lake, LLC golf course expansion. The project area is located in Maple Plain, Minnesota in the N ½ of the NW ¼ and the E ½ of the NE ¼ of Section 32, Township 118N, Range 24W (Figure 1). The project proposes a northern expansion of the Windsong Golf Course. Fieldwork consisted of a surface survey of all cultivated areas followed by shovel testing in the northeast corner of the project area due to a lack of surface visibility. A total of six shovel tests were completed. No cultural materials were identified during survey.

Methodology

NCC's Principal Investigator for this project was Jeremy Nienow, PhD., RPA. A literature review was previously completed for this project by Emmons & Olivier Resources, Inc. in February of 2022. NCC conducted a brief literature review April 7, 2022 prior to fieldwork in order to identify any archaeological sites which may have been reported since the previous literature review was completed (see literature review results below).

Fieldwork consisted of surface survey of all cultivated fields, followed by shovel testing in the northeastern corner of the project area due to a lack of surface visibility. Shovel tests were excavated in a single transect on a 15-meter interval. The tested transect was placed on the highest area of the field overlooking the wetland located north-center within the project area. Shovel tests were typically 35-40 centimeters (cm) wide and at least 70cm deep. All soils were screened through ¼" mesh screen, detailed profile notes completed, photographs taken, and GPS points collected for each shovel test. All shovel tests were negative for prehistoric cultural materials.

Updated Literature Review

The archaeological site search includes all sites within a 2-mile radius of the edges of the project area. There are no known archaeological sites previously recorded within the project area. Six formally identified archaeological sites have been recorded within two miles of the project area, along with a single alpha site (Table 1.) Alpha sites are potential site leads identified via literature or mapping resources (i.e. *The History of Hennepin County* cited below). These have not been field-verified through archaeological survey. SHPO records contained no previously recorded architectural sites within the project area.

Table 1: Archaeological Sites Within Two Miles of the Fox Lake LLC Project Area

Site Number	Site Name	Site Type/ Details	Time Period/ Cultural Tradition	T/R/S	Distance from Project Area	Reference
21HE0171	Burkett	Artifact Scatter and Possible Human Burial	Pre-Contact	T118N, R24W, S20 NE ¼ of NE ¼ of SW ¼	1.37 Miles	Mather (1995) Phase I Cultural Resources Report…Alternative Construction Corridors for Reconstruction of T.H. 12 from Wayzata to Montrose
21HE0172	Evans Mounds and Habitation	Earthwork and Artifact Scatter	Pre-Contact: Woodland Period	T118N, R24W, S20 SE ¼ of SW ¼ of NW ¼	1.5 Miles	Mather (1995) Phase I Cultural Resources Report…Alternative Construction Corridors for Reconstruction of T.H. 12 from Wayzata to Montrose
21CR0066	-	Artifact Scatter	Pre-Contact	T117N, R25W, S1 SW ¼ of SE ¼ of NE ¼	1.55 Miles	Lofstrom (1980) An Archaeological Survey of Carver County
21HE0176	Pioneer Creek Overlook	Isolated Lithic Core	Pre-Contact	T118N, R24W, S27 NW ¼ of NW ¼ of NW ¼ of NW ¼	1.55 Miles	Mather (1995) Phase I Cultural Resources Report…Alternative Construction Corridors for Reconstruction of T.H. 12 from Wayzata to Montrose
21CR0067	Lukes Mounds	Mounds and Lithic Scatter	Pre-Contact	T117N, R25W, S1 S ½ of SW ¼ of NE ¼	1.66 Miles	Lofstrom (1980) An Archaeological Survey of Carver County
21HE0173	Brick Kiln	Remnants of a brick kiln	Post-Contact	T118N, R24W, S19 W ½ of NE ¼ of NW ¼	1.91 Miles	Mather (1995) Phase I Cultural Resources Report…Alternative Construction Corridors for Reconstruction of T.H. 12 from Wayzata to Montrose
21HEbd	Armstrong	Ghost Town	Post-Contact	T118N, R24W, S22	1.61 Miles	Neill (1881) History of Hennepin County

Five of the identified sites are Pre-Contact in origin, with the remaining formal site and the alpha site having originated in the Post-Contact Period. The Pre-Contact sites include a combination of artifact scatters (21HE0172, 21CR0066), isolated lithics (21HE0176), one earthwork (not-verified as burial-related, 21HE0172), one burial mounds site (21CR0067), and one artifact scatter with a potential human burial (21HE0171). The Post-Contact sites include a brick kiln (21HE0173) and a Ghost Town alpha site (21HEbd) for the town of Armstrong. None of these sites are within a mile of the project area, and the majority are located along the south fork of the Crow River to the west.

An historic farmstead is located along the southern edge of the project area just west of center. The farmstead appears to be first marked in Section 32 on the 1898 Plat of Independence Township (T118N, R24W) in Hennepin County. A 1937 aerial illustrates a large barn and at least five other structures, including two silos, present at the farmstead. Aerials between 1937 and today indicate structures were added and removed over time, but between 2012 and 2016, all farmstead structures besides the original barn, its shed addition, and the adjacent silo (also present since pre-1937) were demolished. The barn, attached shed, and adjacent silo were confirmed standing during the field survey on April 25, 2022 (Figures 8 through 11). A small wetland just north of the farmstead and another in the north-central portion of the project area are both present in the earliest aerials and appear to be majorly unchanged through today. The remainder of the project area was consistently cultivated historically. A monopole cell tower was installed just to the west of the farmstead between 2003 and 2004. NCC does not currently complete historic architectural reviews. NCC recommends the client communicate with a qualified architectural historian to see if evaluation of the barn is necessary.

Fieldwork Results

At the time of survey, the majority of the fields had been previously plowed (save for a section in the northeastern corner of the project area) allowing for a surface visibility of between 50% and 90% (see Figures 4 and 5 for examples of surface visibility). In areas of lowest visibility (50% to 60%) surface survey was completed on a 7 to 10-meter interval. In areas of highest visibility (60% to 90%) surface survey was completed on a 15-meter interval (See Figures 4 and 5 for visibility examples). Recent historic farmstead materials (i.e. shotgun shells, stoneware, whiteware), and modern debris (i.e. plastics, aluminum cans, golf balls) were encountered, but not collected. The project area contains several wetland areas containing thick brush. During survey, it was observed brush removal had begun adjacent to the southeasternmost wetland (Figure 6).

Six shovel tests were placed in a 15-meter interval on a transect overlooking the wetland in the north-center portion of the project area. Shovel tests were placed targeting the length of a high knoll. Soils were relatively consistent with an average profile of 10YR 2/1 Silty Clay Loam from 0 to 25cmbs, followed by 10YR 2/1 Silty Clay Loam mottled with 10YR 3/6 Clay from 25cmbs to 30cmbs, and finished with 10YR 3/6 Clay from 30cmbs to shovel test termination at 70cmbs. Tests were stopped once they were determined to be at least 30cmbs into culturally sterile subsoils. No prehistoric cultural materials were identified during surface survey or shovel testing. See Figure 3 for pedestrian survey and shovel testing locations.

Summary and Recommendation
NCC completed a Phase I Archaeological Survey including both surface survey and shovel testing within the Fox Lake, LLC project area for the Windsong Golf Course expansion. Shovel testing demonstrated consistent agricultural soils. No prehistoric cultural materials were identified during survey. Based on these results, *Nienow Cultural Consultants does not recommend any additional archaeological fieldwork at this time.*

With any project there is the chance of unanticipated discovery. Should archaeological materials surface during any future construction, it is advised a professional archaeologist be consulted. Minnesota Statute 307.08 protects unplatted cemeteries (including burial mounds) and issues guidelines for dealing with unexpected finds. Should human remains be encountered during earth moving activity, all work must stop and local law enforcement must be called.

If you have any additional questions about this work, do not hesitate to contact me at your convenience.

Sincerely,

Jeremy L. Nienow, Ph.D., RPA
Nienow Cultural Consultants LLC.

Included: Figures 1-11

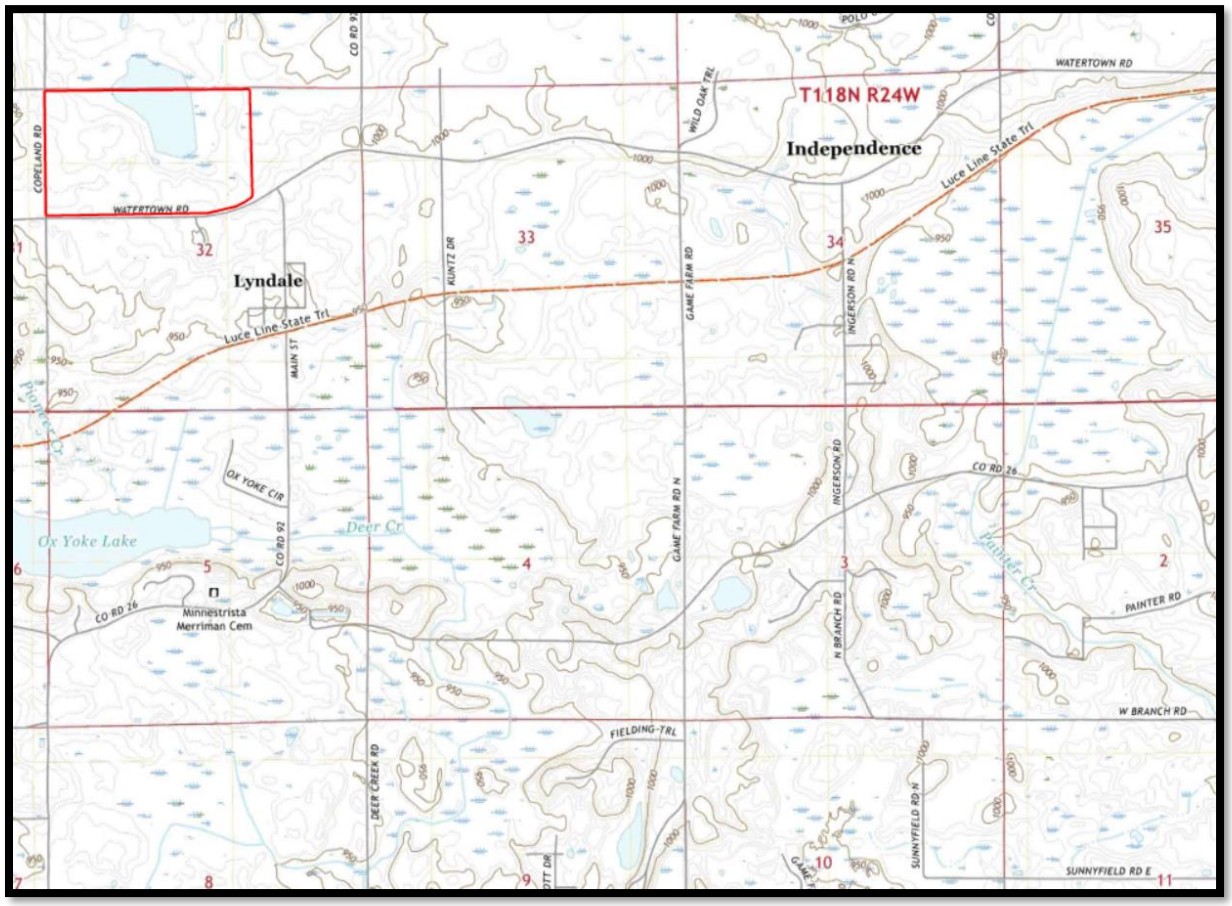

Figure 1: USGS Map of Project Area (red polygon).
7.5’ Mound Quadrangle 2022, 1:24,000

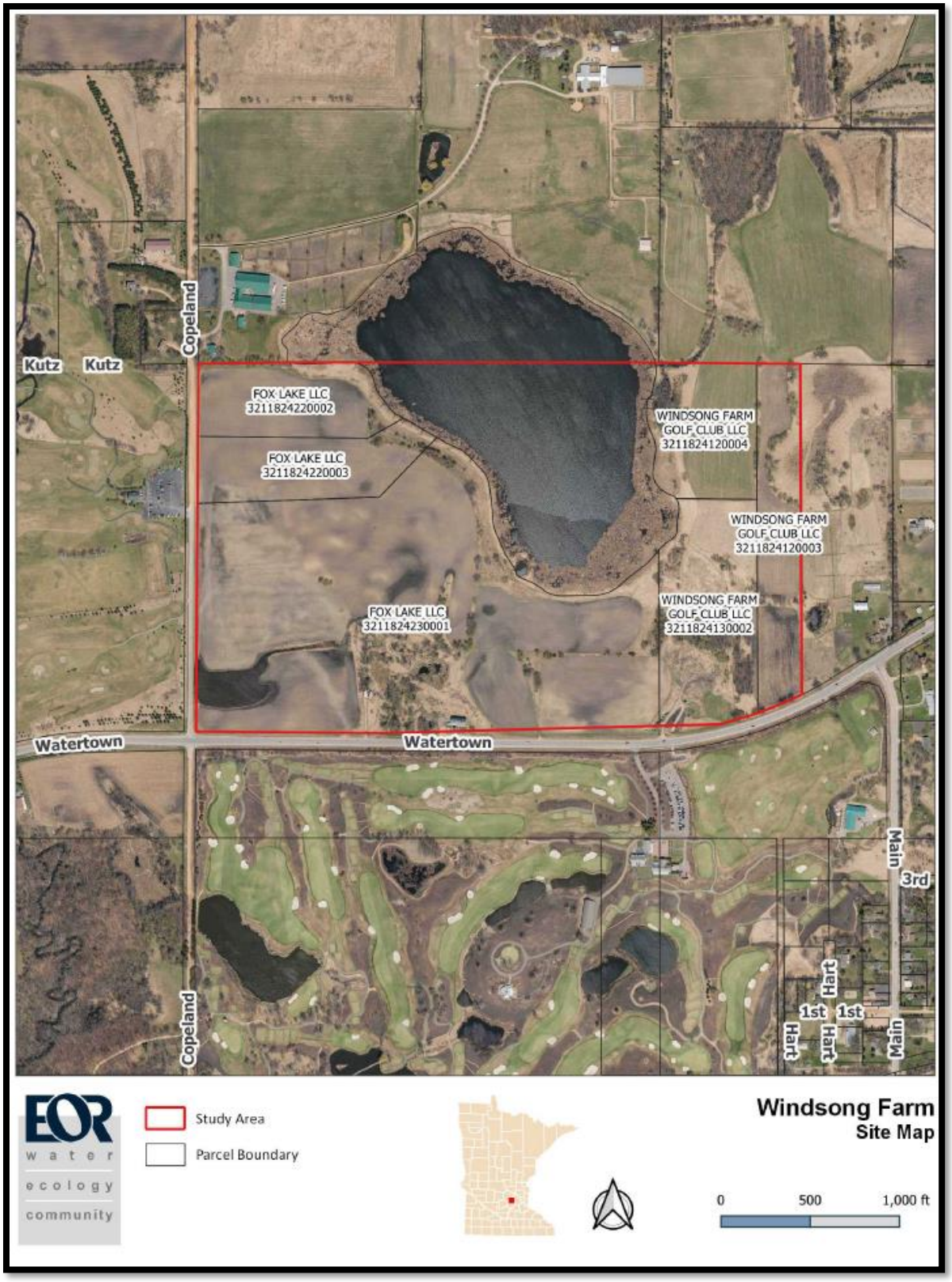

Figure 4: Project Area Map (provided by EOR)

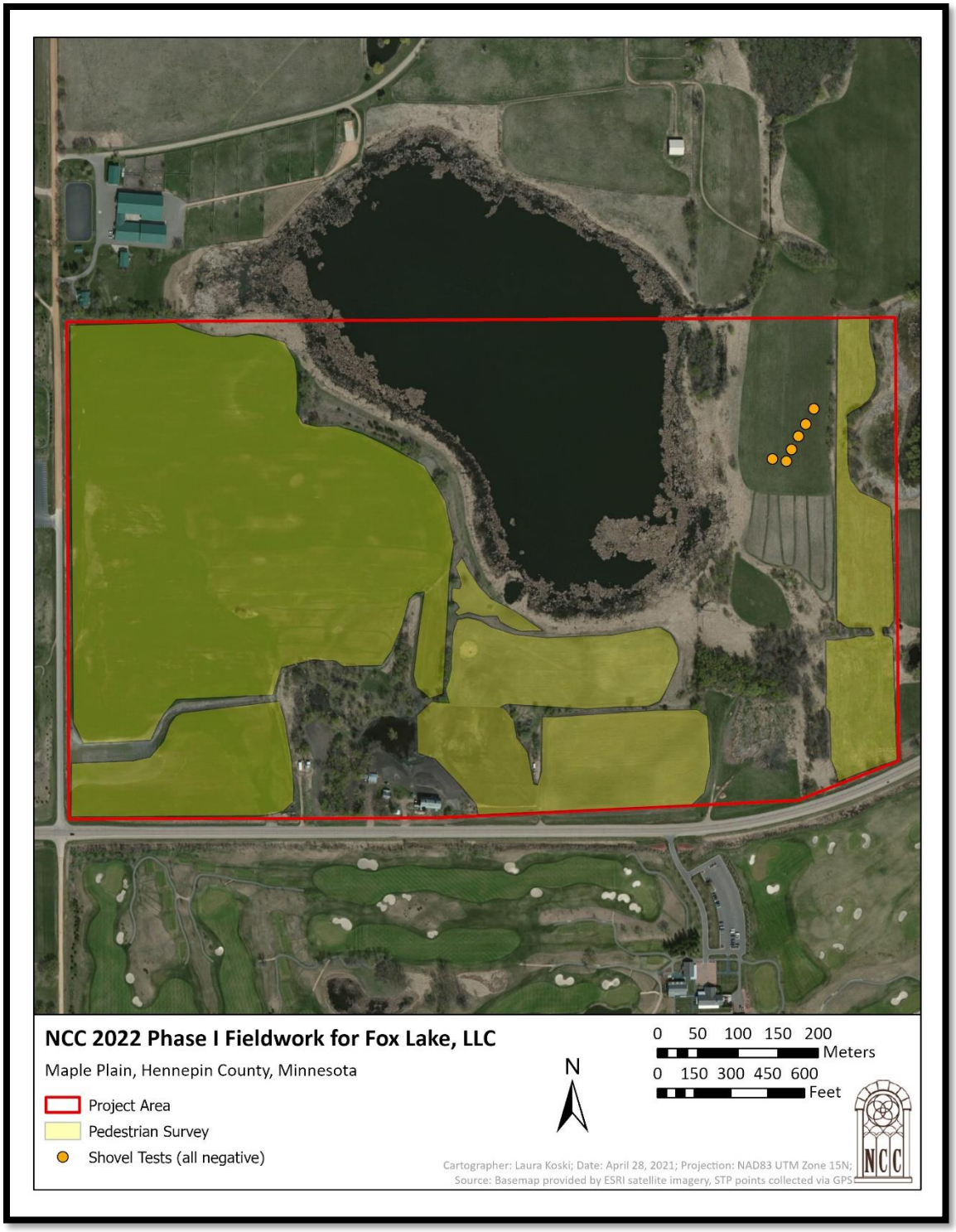

Figure 3: Close-Up Map of Shovel Testing Locations.

Figure 4: Surface visibility within easternmost fields within project area.

Figure 5: Field visibility and conditions in western and southern fields within project area.

Figure 6: Noted tree and brush removal within southeastern portion of project area.

Figure 7: Example shovel test pit.

Figure 8: Barn on Southern Edge of the Property Facing Northeast.

Figure 9: Barn on Southern Edge of the Property Facing Southeast.

Figure 10: Barn on Southern Edge of the Property Facing Southwest.

Figure 11: Barn on Southern Edge of the Property Facing Northwest.