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Recommended Content and Format Alternative Urban Areawide Review Documents

Updated by EQB staff September 2008

This guidance has been prepared by the EQB staff to assist in the preparation of AUAR documents. It is based on the directive of 4410.3610, subp. 4 that “the content and format [of an AUAR document] must be similar to that of an EAW, but must provide for a level of analysis comparable to that of an EIS for impacts typical of urban residential, commercial warehousing, and light industrial development and associated infrastructure.”

General Guidance

This guidance is based on the items of the standard EAW form (August 2008 revised version); the numbers listed below refer to the item numbers of that form. Except where stated otherwise, the information requested here is intended to augment (or clarify) the information asked for on the EAW form; therefore, the EAW form and the guidance booklet *EAW Guidelines* (February 2000 edition) must be consulted along with this guidance. Both documents are available at the EQB website:

www.eqb.state.mn.us/EnvRevGuidanceDocuments.htm). Although *EAW Guidelines* dates from 2000, and some of the content is out-of-date, this document still provides useful advice for answering the questions on the EAW form.

The information requested must be supplied for each of the major development scenarios being analyzed, and it is important to clearly explain the differences in impacts between the various scenarios.

If this guidance indicates that an EAW item is not applicable to the AUAR, the item # and its title (the text in bold print on the EAW form) should be included with an indication that the EQB guidance indicates that no response is necessary in an AUAR (as opposed to just skipping reference to that item at all).

One general rule to keep in mind throughout the preparation of the AUAR document is that whenever a certain impact may or may not occur, depending on the exact design of future developments, the AUAR should cover the possible impacts through a “worst case scenario” analysis or else prevent the impacts through the provisions of the mitigation plan. Failure to cover possible impacts by one of these means risks the invalidation of the environmental review exemption for specific development projects.

Specific Guidance by EAW Form Item

1. **Title.** An appropriate descriptive title for the geographical area of the AUAR should be chosen.
2. **Proposer.** It is not necessary for AUAR purposes to identify property owners within the AUAR area (although it may be useful to use such names as identifiers of various land parcels).

3. **RGU.** No changes from EAW form
4. **Reason for EAW preparation.** Not applicable to AUAR.
5. **Location and maps.** a. The county map is not needed for an AUAR. b. The USGS map should be included. c. Instead of a site plan, include: (1) a map clearly depicting the boundaries of the AUAR and any subdistricts used in the AUAR analysis; (2) land use and planning and zoning maps as required in conjunction with items 9 and 27; and (3) a cover type map as required for item 10. Additional maps may be included throughout the document wherever maps are useful for displaying relevant information.
6. **Description.** Instead of the information called for on the form, the description section of an AUAR should include the following elements for each major development scenario included:
 - anticipated types and intensity (density) of residential and commercial/warehouse/light industrial development throughout the AUAR area;
 - infrastructure planned to serve development (roads, sewers, water, stormwater system, etc.)
 Roadways intended primarily to serve as adjoining land uses within an AUAR area are normally expected to be reviewed as part of an AUAR. More “arterial” types of roadways that would cross an AUAR area are an optional inclusion in the AUAR analysis; if they are included, a more intensive level of review, generally including an analysis of alternative routes, is necessary;
 - information about the anticipated staging of various developments, to the extent known, and of the infrastructure, and how the infrastructure staging will influence the development schedule.

Important Note: Every AUAR document MUST review one or more development scenarios based on and consistent with the RGU’s Comprehensive Plan in effect when the AUAR is officially ordered. (This is equivalent to reviewing the “no-build” alternative in an EIS.) If an RGU expects to amend its existing Comprehensive Plan, it has the options of deferring the start of the AUAR until after adopting the amended plan or reviewing developments based on both the existing and amended comprehensive plans; however, it cannot review *only* a development based on an expected amendment to the existing plan. Also, the rules require that one or more development scenarios analyzed must be consistent with known development plans of property owners within the AUAR area.

7. **Project magnitude data.** No changes from the EAW form, except that the information should be given for each major development scenario.
8. **Permits and approvals required.** A listing of major approvals (including any comprehensive plan amendments and zoning amendments) and public financial assistance and infrastructure likely to be required by the anticipated types of development projects should be given for each major development scenario. This list will help orient reviewers to framework that will protect environmental resources. The list can also serve as a starting point for the development of the implementation aspects of the mitigation plan to be developed as part of the AUAR.
9. **Land use.** No changes from the EAW form.
10. **Cover types.** The following information should be provided instead:
 - a. cover type map, at least at the scale of a USGS topographic map, depicting:
 - wetlands – identified by type (Circular 39)
 - watercourses – rivers, streams, creeks, ditches

- lakes – identify public waters status and shoreland management classification
- woodlands – breakdown by classes where possible
- grassland – identify native and old field
- cropland
- current development

- b. an “overlay” map showing anticipated development in relation to the cover types; this map should also depict any “protection areas,” existing or proposed, that will preserve sensitive cover types. Separate maps for each major development scenario should generally be provided.

11. **Fish, wildlife, and ecologically sensitive resources.**

- a. The description of wildlife and fish resources should be related to the habitat types depicted on the cover types maps (of item 10). Any differences in impacts between development scenarios should be highlighted in the discussion.
- b. For an AUAR, prior consultation with the DNR Division of Ecological Resources for information about reports of rare plant and animal species in the vicinity is required. Include the reference numbers called for on the EAW form in the AUAR and include the DNR’s response letter. If such consultation indicates the need, an on-site habitat survey for rare species in the appropriate portions of the AUAR area is required. Areas of on-site surveys should be depicted on a map, as should any “protection zones” established as a result.

12. **Physical impacts on water resources.** The information called for on the EAW form should be supplied for any of the infrastructure associated with the AUAR development scenarios, and for any development expected to physically impact any water resources. Where it is uncertain whether water resources will be impacted depending on the exact design of future development, the AUAR should cover the possible impacts through a “worst case scenario” or else prevent impacts through the provisions of the mitigation plan.

13. **Water Use.** If the area requires new water supply wells specific information about that appropriation and its potential impacts on groundwater levels should be given; if groundwater levels would be affected, any impacts resulting on other resources should be addressed.

14. **Water-related Land Use Management Districts.** Such districts should be delineated on appropriate maps and the land use restrictions applicable in those districts should be described. If any variances or deviations from these restrictions within the AUAR area are envisioned, this should be discussed.

15. **Water surface use.** This item need only be addressed if the AUAR area would include or adjoin recreational water bodies.

16. **Erosion and sedimentation.** The number of acres to be graded and number of cubic yards of soil to be moved need not be given; instead, a general discussion of the likely earthmoving needs for development of the area should be given, with an emphasis on unusual or problem areas. In discussing mitigation measures, both the standard requirements of the local ordinances and any special measures that would be added for AUAR purposes should be included.

17. **Water Quality-stormwater runoff.** For an AUAR the following additional guidance should be followed in addition to that in *EAW Guidelines*:

- it is expected that an AUAR will have a detailed analysis of stormwater issues;

- a map of the proposed stormwater management system and of the water bodies that will receive stormwater should be provided;
- the description of the stormwater systems would identify on-site and “regional” detention ponding and also indicate whether the various ponds will be new water bodies or converted existing ponds or wetlands. Where on-site ponds will be used but have not yet been designed, the discussion should indicate the design standards that will be followed.
- if present in or adjoining the AUAR area, the following types of water bodies must be given special analyses:
 - lakes: within the Twin Cities metro area a nutrient budget analysis must be prepared for any “priority lake” identified by the Metropolitan Council. Outside of the metro area, lakes needing a nutrient budget analysis must be determined by consultation with the MPCA and DNR staffs;
 - trout streams: if stormwater discharges will enter or affect a trout stream an evaluation of the impacts on the chemical composition and temperature regime of the stream and the consequent impacts on the trout population (and other species of concern) must be included;

18. **Water Quality-Wastewater.** Observe the following points of guidance in an AUAR:
 - only domestic wastewater should be considered in an AUAR—industrial wastewater would be coming from industrial uses that are excluded from review through an AUAR process;
 - wastewater flows should be estimated by land use subareas of the AUAR area; the basis of flow estimates should be explained;
 - the major sewer system features should be shown on a map and the expected flows should be identified;
 - if not explained under item 6, the expected staging of the sewer system construction should be described;
 - the relationship of the sewer system extension to the RGU’s comprehensive sewer plan and (for metro area AUARs) to Metropolitan Council regional systems plans, including MUSA expansions, should be discussed. For non-metro area AUARs, the AUAR must discuss the capacity of the RGU’s wastewater treatment system compared to the flows from the AUAR area; any necessary improvements should be described;
 - if on-site systems will serve part of the AUAR the guidance in *EAW Guidelines* on page 16 regarding item 18b under Residential development should be followed.
19. **Geologic hazards and soil conditions.** A map should be included to show any groundwater hazards identified. A standard soils map for the area should be included.
20. **Solid wastes; hazardous wastes; storage tanks.** For a, generally only the estimated total quantity of municipal solid waste generated and information about any recycling or source separation programs of the RGU need to be included. No response is necessary for b. For c, potential locations of storage tanks associated with commercial uses in the AUAR should be identified (e.g., gasoline tanks at service stations).
21. **Traffic.** For AUAR reviews a detailed traffic analysis will be needed, conforming to the MnDOT guidance as listed on the EAW form. The results of the traffic analysis must be used in the response to item 22 and in the noise aspect of item 24.
22. **Vehicle-related air emissions.** Although the Pollution Control Agency no longer issues Indirect Source Permits, traffic-related air quality may still be an issue if the analysis in item 21 indicates that development would cause or worsen traffic congestion. The general guidance for item 22 in *EAW*

Guidelines should still be followed. Questions about the details of air quality analysis should be directed to the MPCA staff.

23. **Stationary source air emissions.** This item is not applicable to an AUAR. Any stationary air emissions source large enough to merit environmental review requires individual review.
24. **Dust, odors, noise.** Dust, odors, and construction noise need not be addressed in an AUAR, unless there is some unusual reason to do so. The RGU might want to discuss as part of the mitigation plan, however, any dust control or construction noise ordinances in effect.

If the area will include or adjoin major noise sources a noise analysis is needed to determine if any noise levels in excess of standards would occur, and if so, to identify appropriate mitigation measures. With respect to traffic-generated noise, the noise analysis should be based on the traffic analysis of item 21.

25. **Sensitive resources:**
 - Archeological, historic, and architectural resources. For an AUAR, contact with the State Historic Preservation Office and State Archeologist is required to determine whether there are areas of potential impacts to these resources. If any exist, an appropriate site survey of high probability areas is needed to address the issue in more detail. The mitigation plan must include mitigation for any impacts identified.
 - Prime or unique farmlands. The extent of conversion of existing farmlands anticipated in the AUAR should be described. If any farmland will be preserved by special protection programs, this should be discussed.
 - Designated parks, recreation areas, or trails. If development of the AUAR will interfere or change the use of any existing such resource, this should be described in the AUAR. The RGU may also want to discuss under this item any proposed parks, recreation areas, or trails to be developed in conjunction with development of the AUAR area.
 - Scenic views and vistas. Any impacts on such resources present in the AUAR should be addressed. This would include both direct physical impacts and impacts on visual quality or integrity. *EAW Guidelines* contains a list of possible scenic resources on page 13.
26. **Adverse visual impacts.** If any non-routine visual impacts would occur from the anticipated development, this should be discussed here along with appropriate mitigation.
27. **Compatibility with Plans.** *The AUAR must include a statement of certification from the RGU that its comprehensive plan complies with the requirements set out at 4410.3610, subpart 1.* The AUAR document should discuss the proposed AUAR area development in the context of the comprehensive plan. If this has not been done as part of the responses to items 6, 9, 18, 21, and others, it must be addressed here; a brief synopsis should be presented here if the material has been presented in detail under other items. Necessary amendments to comprehensive plan elements to allow for any of the development scenarios should be noted. If there are any management plans of any other local, state, or federal agencies applicable to the AUAR area, the document must discuss the compatibility of the plan with the various development scenarios studied, with emphasis on any incompatible elements.
28. **Impact on infrastructure and public services.** This item should first of all summarize information on physical infrastructure presented under items (such 6, 17, 18 and 21). Other major infrastructure or public services not covered under other items should be discussed as

well — this includes major social services such as schools, police, fire, etc.

The RGU must be careful to include project-associated infrastructure as an explicit part of the AUAR review if it is to exempt from project-specific review in the future.

29. **Cumulative potential effects.** Because the AUAR process by its nature is intended to deal with cumulative potential effects from all future developments within the AUAR area, it is presumed that the responses to all items on the EAW form automatically encompass the impacts from all anticipated developments within the AUAR area.

However, the total impact on the environment with respect to any of the items on the EAW form may also be influenced by past, present, and reasonably foreseeable future projects outside of the AUAR area. The cumulative potential effect descriptions may be provided as part of the responses to other appropriate EAW items, or in response to this item.

30. **Other potential environmental impacts.** If applicable, this item should be answered as requested by the EAW form.

31. **Summary of Issues.** The RGU may answer this question as asked by the form, or instead may choose to provide an Executive Summary to the document that basically covers the same information. Either way, the major emphasis should be on: potentially significant impacts, the differences in impacts between major development scenarios, and the proposed mitigation.

Certification by the RGU. For an AUAR document, no certifications as listed at the end of the EAW form are necessary. (The RGU is legally responsible for the accuracy and completeness of the document and for properly distributing it nonetheless.)

Mitigation Plan. The draft and final AUAR documents must include an explicit mitigation plan. It must be understood that the mitigation plan is a commitment by the RGU to prevent potentially significant impacts from occurring from specific projects. It is more than just a list of ways to reduce impacts—it must include information about how the mitigation will be applied and assurance that it will. Otherwise, the AUAR may not be adequate and/or specific projects may lose their exemption from the individual review.

The RGU’s final action on the AUAR must specifically adopt the mitigation plan; therefore, the plan has a “political” as well as a technical dimension.

Response to comments on the draft AUAR document. The final AUAR document must include a section specifically responding to each timely and substantive comment on the draft that indicates the way in which the comment has been addressed. Similar comments may be combined for purposes of responding.