



City Council AGENDA

**CITY COUNCIL MEETING
MONDAY, OCTOBER 27, 2025
COUNCIL CHAMBERS
BLOOMINGTON CIVIC PLAZA
1800 W. OLD SHAKOPEE RD.
BLOOMINGTON, MN 55431
6:30 PM**

Mayor: Tim Busse

Councilmembers:

Victor Rivas
Chao Moua
Dwayne Lowman

Lona Dallessandro
Jenna Carter
Shawn Nelson

ANNOUNCEMENT

This meeting will be held in person and electronically via Webex. Some members of the City Council, testifiers, and presenters may participate electronically as permitted by Minnesota Statutes. Members of the public may participate in person or electronically. Directions are provided below.

To watch the meeting:

- Attend in person
- Watch online at blm.mn/btv-live or the City's YouTube channel blm.mn/youtube
- Watch BTV (Comcast channels 859 or 14)

To provide testimony on a public hearing item:

- Attend in person and speak at the podium; or
- Speak by phone during a public hearing by dialing **1-415-655-0001**. Enter access code **2862 812 0201#** and password **102725 #**. Press ***3** to "raise your hand" to indicate a desire to speak; your line will remain muted until it is your turn. When it is your turn to speak, the Council Secretary will call on you by the first six digits of your phone number and will unmute your line. Listen for notification that your line has been unmuted and state your name before speaking.

CALL TO ORDER

The City Council requests that attendees silence cell phones during the meeting. A paper copy of the full City Council packet is available to the public in the ring binder at the entrance of Council Chambers.

PLEDGE OF ALLEGIANCE

1. APPROVAL OF AGENDA

2. INTRODUCTORY

2.1 Introduction of New Employees

- 2.2 Proclamation: Veterans Day
- 2.3 Proclamation: Native American Heritage Month
- 2.4 Communications Awards

3. CONSENT BUSINESS

The following items are considered to be routine by the City Council and will be acted on by one motion.

There will be no separate discussion of these items unless a Councilmember so requests, in which event the item will be removed from the consent agenda and considered at the end of Consent Business or at another stated time on the agenda as determined by the City Council. If you desire to have an item removed from the consent agenda, then please alert the Council Secretary prior to the start of the City Council meeting.

The Council Secretary will notify the City Council of a request to remove an item from the consent agenda.

- 3.1 Approval of City Council Meeting Minutes
- 3.2 Approval of Janitorial Services Contract from RFP 25-24
- 3.3 Authorization to Add Contingency for City Project 2025-901 for the Removal of Pedestrian Bridge
- 3.4 Amend Contract – JLG Architects, Architectural and Engineering Services for Fleet Repair Facility
- 3.5 Resolution Approving Environmental Assessment Worksheet (EAW) and Making Negative Declaration on the Need for an Environmental Impact Statement (EIS) for the Nine Mile Creek Corridor Renewal Project
- 3.6 Cancellation of Special Assessments on City Properties for the 2025-101 PMP Reconstruction Project
- 3.7 Encroachment Agreement Approval - 10837 Irwin Avenue South
- 3.8 Encroachment Agreement Approval - 10832 Harrison Avenue South
- 3.9 Resolution Authorizing Application For And Execution Of A Grant Agreement With National Recreation And Parks Association (Grantor) and Making Related Budget Adjustments
- 3.10 Off-Sale Liquor License Application for Seven-Eight's Liquors
- 3.11 Approve Travel Expenses - City Council
- 3.12 Agreement for Solid Waste Collection at City Facilities
- 3.13 Resolution Authorizing Application for and Execution of Grant Agreement with the Office of the MN Secretary of State (Grantor) and Making Related Budget Adjustments

4. HEARINGS, RESOLUTIONS, AND ORDINANCES

To address the Council on a public hearing item, please approach the podium, clearly state your name, and after you have spoken, please sign the roster so the City can accurately include your comments in the official meeting minutes.

4.1 Public Hearing - Liquor License

4.2 Approve Budget Alteration and Authorizing Funds for Nutritional Assistance and Food Shelves

5. ORGANIZATIONAL BUSINESS

5.1 Hennepin County Nicollet Avenue Street Reconstruction Project Update

5.2 Review of American Boulevard Transit Study

5.3 2026 Budget Discussions: Public Safety and Legal

COUNCIL POLICY AND ISSUE UPDATES

Council will discuss policy updates

6. ADJOURNMENT

ATTACHMENTS

Additional Meetings Attachments

Additional Attachments

View regular meetings live or via archive at blm.mn/meetings. Catch the replay on Comcast cable by tuning to Bloomington TV channels 14(SD) and 859(HD) the Wednesday after a meeting at 6:00 p.m. and Thursday at 12:00 a.m., 6:00 a.m. and 12:00 p.m.

BloomingtonMN.gov: A yearly meeting schedule, agendas, and the official minutes once approved are available. If you require a reasonable accommodation, please call 952-563-8733 (MN Relay 711) as soon as possible, but no later than 9:00 a.m. one business day before the meeting day.

Our mission is to cultivate an enduring and remarkable community where people want to be.



Request for Council Action

Originator City Manager's Office	Item 2.1 Introduction of New Employees
Agenda Section INTRODUCTORY	Date October 27, 2025

Requested Action:

Welcome the following new employee(s) to the City of Bloomington, being introduced by City staff:

Public Health:

- Dennis Vu, Accountant
- Ross McKenzie, Public Health Specialist - Community Resilience
- Brittany Nguyen, Public Health Specialist – Health
- Christine Lees, Population Health Program Manager

Finance:

- Evan Iacoboni, Small Business Procurement Program Coordinator

Item created by: Priyanka Rai, City Manager's Office

Item presented by: Megan Drake-Pereyra, Assistant Public Health Administrator
Lori Economy -Scholler, Chief Financial Officer

Description:

As new employees are hired by the City of Bloomington, we want to introduce them to the organization and to the community, so the City Council, residents, and businesses can get to know the public servants working on their behalf.



Request for Council Action

Originator Community Outreach and Engagement	Item 2.2 Proclamation: Veterans Day
Agenda Section INTRODUCTORY	Date October 27, 2025

Requested Action:

Mayor reads proclamation. Bloomington resident, Duane Brinkman, will accept the proclamation. Duane served with the Air Force during the Vietnam war.

Item created by: Kayla Dvorak Feld, Community Outreach and Engagement

Item presented by: Mayor Tim Busse, accepted by Duane Brinkman

Description:

The City of Bloomington proudly issues a Veterans Day Proclamation to honor the courage, dedication, and sacrifice of those who have served our nation. It's a time for our community to come together in gratitude and reflection, recognizing the lasting impact of our veterans through shared moments like the Veterans Appreciation Celebration and the Veterans Photo Wall.

Attachments:

[Proclamation - Vets Day 2025](#)

THE CITY OF BLOOMINGTON

Proclamation

Veterans Day November 11, 2025

WHEREAS, the courage, dedication, and sacrifice of those who served in our armed forces have safeguarded the freedoms we cherish; and

WHEREAS, our veterans embody resilience, leadership, and commitment to the well-being of our nation and community; and

WHEREAS, it is our shared duty to honor their service with gratitude, recognition, and support; and

WHEREAS, the City of Bloomington extends special thanks to American Legion Post 550 for their steadfast support of our Veterans Appreciation Celebration and our veterans year-round.

THEREFORE, I, Mayor Tim Busse, do hereby proclaim November 11, 2025, as **Veterans Day** in the City of Bloomington.

To honor our veterans, the City will display a Veterans Photo Wall at Civic Plaza from October 21 through November 6, which will also be available online. A Veterans Appreciation Reception will be held on Thursday, November 6, at Civic Plaza, bringing our community together to celebrate and thank those who served. In addition, the POW/MIA flag will be flown at Civic Plaza and Public Works from November 8 through November 15 in tribute to those who remain unaccounted for.

I encourage all residents to join in remembering and thanking our veterans for their service and sacrifice.



Tim Busse, Mayor

City of Bloomington, Minnesota

Dated this 27th day of October, 2025



Request for Council Action

Originator Human Rights Commission	Item 2.3 Proclamation: Native American Heritage Month
Agenda Section INTRODUCTORY	Date October 27, 2025

Requested Action:

Mayor reads the proclamation. Proclamation will be accepted by Clarissa Seidl, a staff member in the Bloomington Public Schools American Indian Education Program.

Item created by: Kayla Dvorak Feld, Human Rights Commission

Item presented by: Mayor Tim Busse, accepted by Clarissa Seidl

Description:

Native American Heritage Month is a time to acknowledge and celebrate the history, culture, and traditions of Native American people. It is also a time to educate the public about the tribes that have called Bloomington home, and to raise awareness about the unique challenges faced by Native American People, both in the past and in present times.

Attachments:

[Native American Heritage Month 2025](#)

Proclamation

Native American Heritage Month

November 2025

WHEREAS, during Native American Heritage Month, we celebrate the rich tapestry of Indigenous Peoples and honor their vibrant and diverse cultures, which we recognize as inextricably woven into the history and present times of this country; and

WHEREAS, the Indigenous people who have resided on this land, prior to the arrival of European settlers, experienced injustices attempting to suppress and eradicate the knowledge, practice, and observances of their own cultural and spiritual heritage; and

WHEREAS, from time immemorial, Native Americans have a long and rich history and presence in Bloomington, including Dakota, Ojibwe, and Iowa, and we recognize the eleven tribal nations that call Minnesota home; and

WHEREAS, Indigenous people have and continue to make essential contributions to law and justice, arts, environmental stewardship, government, and many other endeavors; and

WHEREAS, the Bloomington City Council resolves to support their legacy and preserve their sacred heritage for generations to come; and

WHEREAS, the Bloomington City Council includes equity and inclusion as one of its strategic priorities, and strives to make continued and meaningful progress towards equity and inclusion for Native Americans; and

WHEREAS, the Bloomington City Council recommits to supporting Native Americans and working side-by-side with their leaders to secure stronger and safer communities; and

WHEREAS, during the month of November, we commemorate the rich and diverse culture of Native American people and recognize their continued contributions in strengthening the diversity of our society.

THEREFORE, I, Mayor Tim Busse, do hereby proclaim November as Native American Heritage Month.



Tim Busse, Mayor
City of Bloomington, Minnesota
Dated this 27th day of October 2025.



Request for Council Action

Originator Communications	Item 2.4 Communications Awards
Agenda Section INTRODUCTORY	Date October 27, 2025

Requested Action:

No action requested.

Item created by: Sharon Williams, Communications

Item presented by: Janine Hill, Communications Administrator

Description:

Bloomington received multiple communications awards in 2025, most recently from the national organization the City-County Communications and Marketing Association (3CMA). Communications Administrator Janine Hill will present those awards and the highlights from the Minnesota Association of Government Communicators (MAGC) Northern Lights contest last spring.



Request for Council Action

Originator City Manager's Office	Item 3.1 Approval of City Council Meeting Minutes
Agenda Section CONSENT BUSINESS	Date October 27, 2025

Requested Action:

Motion by _____, seconded by _____ to approve the city council meeting minutes as presented.

Item created by: Priyanka Rai, City Manager's Office

Item presented by: Priyanka Rai, Council Secretary

Description:

October 13, 2025 - Listening Session Minutes

October 13, 2025 - Regular Meeting Minutes

October 20, 2025 - Listening Session Minutes

October 20, 2025 - Regular Meeting Minutes

Attachments:

[10-13-25 Listening Session.pdf](#)

[10-13-25 Regular Meeting.pdf](#)

[10-20-25 Listening Session.pdf](#)

[10-20-25 Regular Meeting.pdf](#)

**City Council Listening Session Meeting
Monday, October 13, 2025 - 5:45 p.m.
Bloomington Civic Plaza – Haeg Conference Room
1800 W. Old Shakopee Road
Bloomington, MN 55431**

CALL TO ORDER

Mayor Busse called the meeting to order at 5:46 pm and noted attendance.
Present: Mayor Tim Busse and Councilmembers Chao Moua, Dwayne Lowman, Lona Dallessandro, and Shawn Nelson (arrived at 5:47 pm)
Absent: Councilmembers Jenna Carter and Victor Rivas

Staff present: Interim City Manager Kathy Hedin, City Attorney Melissa Manderschied, Council Secretary Priyanka Rai

LISTENING SESSION

Elizabeth Cambronne expressed neighborhood concerns and updates about the impact of the CHWC project-related construction on their street.

Brian Emerson reiterated his support for Ms. Cambronne's feedback and requested a meeting with Councilmember Dallessandro.

ADJOURNMENT

Motion by Lowman, seconded by Moua to adjourn. Motion carried 5-0.

The listening session adjourned at 6:00 pm.

Listening Session Monday October 13

Hello, I'm Elizabeth Cambronne. I'm here to update you all on some key issues regarding the Community Health and Wellness Center (CHWC) project: ^{1st} construction disruptions and ^{2nd} communication failures with city staff.

****First, construction concerns.**** We were promised Newton Ave would not be used for heavy machinery, that Penn Ave would be the primary entrance, and that quiet hours would be respected. A few times in the past two weeks, heavy vehicles have parked outside my home with engines idling before 7:00 AM, alongside city vehicles. One instance blocked some residents' trash cans, preventing pickup that week. Just this morning, another heavy vehicle was idling before 7:00 AM. The driver said he wasn't given clear instructions on which gate to use, saw that there was already a backup at the Penn Ave entrance, and chose Newton Ave instead. I understand miscommunications happen; people are human and make mistakes. But we're so early in this two-year project, and this has already happened a few times. I'm asking city staff to contact the person directing heavy machinery, clarify these violations, and take steps to prevent them happening again.

****Second, I'll address some communication issues with city staff.**** On August 25, six of you voted to move forward with the CHWC, despite it not being code-compliant, and promised to direct staff to work with Newton Ave residents on traffic mitigation solutions. I've attended both Newton Neighbors meetings and listened to the construction meeting, but I'm deeply concerned about how our input is being handled.

1. ***Input ignored.*** At the first meeting, residents were asked for our input. I emailed two staff members, one being the meeting facilitator, with a clear summary of my and my neighbors' suggestions and evidence-based studies on noise and light mitigation. At the next meeting, staff admitted my input and studies weren't shared with the whole team. Why ask for input if it's not shared? Which one of you will follow up to ensure this doesn't happen again?

2. ***Evidence-based studies dismissed.*** I provided studies showing effective ways to mitigate noise and lights from slow-moving or idling vehicles. The data clearly shows the current mitigation plans are inadequate. Yet, my first attempt to share these studies was declined by Kirk Roberts, who then presented irrelevant studies to you all instead. My second attempt, after the first Newton meeting, wasn't passed on to decision-makers. Which one of you will review these studies with staff and ensure evidence-based solutions are incorporated? None of us want to waste money on ineffective solutions.

3. *Resident preferences overlooked.* At the last Park and Rec meeting, a sidewalk on Newton Ave was proposed. At the Newton Residents meeting, we ranked mitigation options, and a sidewalk was our least favorite—it would remove our mature trees and increase noise and foot traffic in our yards. We voiced these concerns clearly, and a survey was conducted to confirm this. What happened to our feedback? Which one of you will review the survey results or meeting minutes? My neighbor has a recording of the meeting if needed.

4. *this has proven to be a Disingenuous process.* The solutions offered by staff had some serious flaws. Most (like the sidewalk) did not mitigate at all. Staff admitted that their own ideas were unlikely to be approved by the fire marshal or nearby businesses. And most alarming? All of their ideas lack funding clarity. Staff admitted there's little budget for mitigation, and they couldn't say whether homeowners' taxes would have to cover costs. They even suggested that some of it may have to be paid by homeowners 100% out of pocket.

Demolition begins in days. They've already began some work ahead of schedule. If you have competent staff, you both have known that this residential road needed mitigation from the very beginning stages of this project. And yet, here it is an afterthought with no money in the budget, no real solutions, and no real communication.

Going forward, I'm asking for you all to ensure staff communicate effectively, review our input and evidence-based studies, and prioritize real solutions that respect our concerns.

Lastly, many of the homeowners on Newton Ave are interested in the city purchasing at least some of the Newton Ave homes in order to preserve the integrity of the rest of the neighborhood. I would love to share some creative ways in which this could happen if anyone is interested.

Thank you.

Questions for me?

anything I can help clarify?

**City Council Regular Business Meeting
Monday, October 13, 2025 - 6:30 pm
Bloomington Civic Plaza - Council Chambers
1800 W. Old Shakopee Road
Bloomington, MN 55431**

CALL TO ORDER

Mayor Busse called the meeting to order at 6:30 pm and noted attendance.

Present: Mayor Tim Busse and Councilmembers Chao Moua, Dwayne Lowman, Shawn Nelson, and Lona Dallessandro

Absent: Councilmembers Jenna Carter and Victor Rivas

All votes taken by voice vote.

Staff present: Interim City Manager Kathy Hedin, Interim City Manager Elizabeth Tolzmann, City Attorney Melissa Manderschied, Council Secretary Priyanka Rai, and other staff

**PLEDGE OF
ALLEGIANCE**

Mayor Busse led the audience in the pledge of allegiance to the flag.

1.0 Approval of Agenda

Mayor Busse proposed moving item 5.3 up on the agenda, after item 2.2, ahead of Consent Business, to save consultant time.

Motion by Busse, seconded by Lowman to approve the agenda with changes as noted. Motion carried 5-0.

2.0 INTRODUCTORY

**2.1 Update from Hennepin
County Commissioner
Debbie Goettel**

Commissioner Goettel provided updates on County-related functions and services.

**2.2 Introduction of New
Employees**

Nick Kelley, Public Health Administrator, introduced two new staff members-
Meggan Gronli, Operations Manager
Ruth Bidwell, Public Health Specialist- Informatics

Dave Hanson, Assistant Director - Parks & Natural Resources, introduced one new staff member-
Nathan Paul, Parkkeeper

**5.1 Community Health
and Wellness Center
Update & Approval of
Guaranteed Maximum
Price (GMP)**

Motion by Moua, seconded by Lowman to approve the guaranteed maximum price (GMP) of \$82,157,823 for the construction manager at risk (J.E. Dunn) for the Community Health and Wellness Center plus a 5% contingency (\$4,107,891) for a total of \$86,265,714, as further described in the staff report, and to authorize the Mayor, City Manager, CFO, and Director of Parks and Recreation to execute required and related documents and agreements consistent with the intent of this motion. Motion carried 5-0.

3. **CONSENT BUSINESS** *Councilmember **Lowman** had the consent agenda and moved to approve 3.1-3.2 and 3.4-3.25. Seconds by Dallessandro. Motion carried 5-0. Item 3.3 was held by Mayor Busse.*
- 3.1 **Approval of City Council Meeting Minutes** Motion by Lowman, seconded by Dallessandro to approve the city council meeting minutes as presented.
- 3.2 **Resolution to Amend 2025 City Council Meeting Schedule** Motion by Lowman, seconded by Dallessandro to approve Resolution No. 2025-137, a resolution amending the 2025 meeting schedule of the city council.
- 3.4 **Adopt Resolution to Order Feasibility Report for 2026-101 Pavement Management Program (PMP) Street Reconstruction** Motion by Lowman, seconded by Dallessandro to adopt Resolution no. 2025-138 authorizing the City Engineer to prepare a feasibility report for the 2026-101 Pavement Management Program (PMP) Street Reconstruction Project.
- 3.5 **Adopt Resolution Approving Assessment Roll 2025-2 for W 78th Street Median Modification Project (City Project 2025-301)** Motion by Lowman, seconded by Dallessandro to adopt Resolution no. 2025-139 approving Assessment Roll 2025-2 for the W 78th Street Median Modification Project (City Project 2023-301).
- 3.6 **Adopt Resolution Approving Assessment Roll 2025-3 for Nicollet Ave Hydrant Installation (City Project 2025-502)** Motion by Lowman, seconded by Dallessandro to adopt Resolution no. 2025-140 approving Assessment Roll 2025-3 for the Nicollet Ave Hydrant Installation (City Project 2025-502).
- 3.7 **Resolution Authorizing Signing of Memorandums of Agreement and Accepting Easements for the Normandale Boulevard PMP Trail and Sidewalk Improvement Project (City Project 2024-110)** Motion by Lowman, seconded by Dallessandro to adopt resolution no. 2025-141, a resolution authorizing signing of Memorandums of Agreement and accepting easements for the Normandale Blvd PMP Trail and Sidewalk Project (City Project 2024-110).
- 3.8 **Resolutions Authorizing the Full Optional Redemption of the Series 45 Bonds,** Motion by Lowman, seconded by Dallessandro to adopt Resolution No. 2025-142 providing for the redemption and prepayment of the City of Bloomington's General Obligation Permanent Improvement Revolving Fund Bonds of 2011, Series 45.

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| <p>Series 2013A Bonds, and the Series 49 Bonds</p> | <p>Motion by Lowman, seconded by Dallessandro to adopt Resolution No. 2025-143 providing for the redemption and prepayment of the City of Bloomington's General Obligation Permanent Improvement Revolving Fund Refunding Bonds, Series 2013A.</p> <p>Motion by Lowman, seconded by Dallessandro to adopt Resolution No. 2025-144 providing for the redemption and prepayment of the City of Bloomington's General Obligation Permanent Improvement Revolving Fund Bonds of 2015, Series 49.</p> |
| <p>3.9 Approval of Purchasing Card (P-card) Policy Revision</p> | <p>Motion by Lowman, seconded by Dallessandro to approve the revised Purchasing Card (P-card) Policy.</p> |
| <p>3.10 Memorandum of Understanding with Northwestern Health Sciences University</p> | <p>Motion by Lowman, seconded by Dallessandro to approve a Memorandum of Understanding (MOU) with Northwestern Health Sciences University (NWHUSU).</p> |
| <p>3.11 Approval of MOU with the State of MN by and Through its Board of Trustees of MN State Colleges and Universities on behalf of Normandale Community College</p> | <p>Motion by Lowman, seconded by Dallessandro to approve a Memorandum of Understanding (MOU) with the State of Minnesota by and through its Board of Trustees of the Minnesota State Colleges and Universities on behalf of Normandale Community College.</p> |
| <p>3.12 Resolution Authorizing Application for and Execution of Grant Agreement with Bloomington Crime Prevention Association and Related Budget Adjustments</p> | <p>Motion by Lowman, seconded by Dallessandro to approve Resolution no. 2025-145 authorizing application for and execution of a grant agreement with the Bloomington Crime Prevention Association and making related budget adjustments.</p> |
| <p>3.13 Resolution Approving Selection of Brazos Citation Software Solution in Cooperation with Local Government Information System (LOGIS) Association</p> | <p>Motion by Lowman, seconded by Dallessandro to approve Resolution no. 2025-146 approving the selection of the Brazos Citation Software Solution in cooperation with the Local Government Information System (LOGIS) Association.</p> |
| <p>3.14 Resolution Authorizing Application for and Execution of Grant</p> | <p>Motion by Lowman, seconded by Dallessandro to approve Resolution no. 2025-147 authorizing application for and execution of a grant agreement with</p> |

- Agreement with the MN Chiefs of Police Foundation and Related Budget Adjustments** the Minnesota Chiefs of Police Foundation and making related budget adjustments.
- 3.15 Approve Purchase of the Setup of a New Flusher Truck** Motion by Lowman, seconded by Dallessandro to approve the purchase of the setup of a new flusher truck.
- 3.16 Approve First Amendment - 8A.2 HM Doors, Frames and Hardware for Bloomington Ice Garden Modernization** Motion by Lowman, seconded by Dallessandro to authorize First Amendment to the agreement with Bredemus Hardware Company for the Bloomington Ice Garden Modernization Project, increasing the contract amount by \$31,623.00 for a new contract not-to-exceed amount of \$241,911.00 and authorize the Mayor and City Manager to enter into the related agreements.
- 3.17 Resolution to Accept Statewide Health Improvement Partnership (SHIP) Grant Funds from the Minnesota Department of Health** Motion by Lowman, seconded by Dallessandro to adopt Resolution No. 2025-148 to accept Statewide Health Improvement Partnership (SHIP) Grant Funds from the Minnesota Department of Health.
- 3.18 Approve First Amendment to MN Department of Health Special Supplemental Nutrition Program for Women, Infants, and Children (WIC Program) Grant** Motion by Lowman, seconded by Dallessandro to approve the First Amendment to Minnesota Department of Health Special Supplemental Nutrition Program for Women, Infants, and Children (WIC Program) Grant.
- 3.19 Resolution accepting WIC Peer Breastfeeding Support Program (PBSP) Grant Funds from the Minnesota Department of Health** Motion by Lowman, seconded by Dallessandro to adopt Resolution No. 2025-149 to accept WIC Peer Breastfeeding Support Program Grant Funds from the Minnesota Department of Health.
- 3.20 Resolution to Accept Title V Maternal and Child Health Block Grant Funds from the Minnesota Department of Health** Motion by Lowman, seconded by Dallessandro to adopt Resolution No. 2025-150 to accept Title V Maternal and Child Health Block Grant Funds from the Minnesota Department of Health.

- 3.21 Resolution to Accept Cannabis and Substance Use Prevention Grant Funds from the Minnesota Department of Health** Motion by Lowman, seconded by Dallessandro to adopt Resolution No. 2025-151 to accept Cannabis and Substance Use Prevention Grant Funds from the Minnesota Department of Health.
- 3.22 Resolution to Approve a Premises Permit for MN Youth Athletic Services to Conduct Lawful Gambling at Las Cuatro Milpas** Motion by Lowman, seconded by Dallessandro, to adopt Resolution No. 2025-152, a resolution Approving a Minnesota Lawful Gambling Premises Permit for MN Youth Athletic Services to Conduct Lawful Gambling at Las Cuatro Milpas, 415 East 78th Street, Bloomington, MN 55420.
- 3.23 On-Sale Liquor and Sunday Liquor License - Wyndham Bloomington at 1901 Killebrew Dr** Motion by Lowman, seconded by Dallessandro to approve an On-Sale Liquor and Sunday Liquor License for Hotel Equities Group LLC, doing business as Wyndham Bloomington located at 1901 Killebrew Dr.
- 3.24 On-Sale Liquor and Sunday Liquor License - Mogouyan Hand Pulled Noodle at 344 South Avenue (MOA)** Motion by Lowman, seconded by Dallessandro to approve an On-Sale Liquor and Sunday Liquor License for Mogouyan MN LLC, doing business as Mogouyan Hand Pulled Noodle located at 344 South Avenue.
- 3.25 On-Sale Wine and 3.2% Malt Liquor License - Shiki Buffet at 7730 Normandale Blvd** Motion by Lowman, seconded by Dallessandro to approve an On-Sale Wine and 3.2% Malt Liquor License for Shiki Buffet LLC, doing business as Shiki Buffet at 7730 Normandale Blvd.
- 3.3 Proposal to Rename Valley View Tennis Courts to "Marcia Bach Tennis Courts"** Marcia Bach was recognized by the council as a 'Living Contributor to the Community' for her many contributions to the City and Bloomington's tennis community.
- Motion by Busse, seconded by Lowman to approve the renaming of the Valley View Tennis Courts to "Marcia Bach Tennis Courts" in recognition of Marcia Bach's significant and enduring contributions to the City of Bloomington's Parks and Recreation system. Motion carried 5-0.

4. HEARINGS, RESOLUTIONS, AND ORDINANCES

4.1 The Heights HIA project Bond Award Resolution and assessment roll)

Mayor Busse opened the public hearing at 8:05 pm.
Motion by Lowman, seconded by Moua to close the public hearing at 8:05 pm.
Motion carried 5-0.

Motion by Dallessandro, seconded by Moua to adopt Resolution No. 2025-153, a Resolution awarding the sale of taxable general obligation housing improvement area bonds, Series 2025C, in the original aggregate principal amount of \$959,000; fixing their form and specifications; directing their execution and delivery; and providing for their payment. Motion carried 5-0.

Motion by Dallessandro, seconded by Moua to adopt Resolution No. 2025-154, a Resolution adopting the Final Assessment Roll for The Heights Housing Improvement Area. Motion carried 5-0.

4.2 Public Hearing: MnDOT I-494 Project 2 Municipal Consent

Mayor Busse opened the public hearing at 8:12 pm.
Motion by Lowman, seconded by Moua to close the public hearing at 8:12 pm.
Motion carried 5-0.

Motion by Moua, seconded by Lowman to approve the MnDOT request for Municipal Consent for the I-494 Project 2 via adoption of the resolution of support, Resolution no. 2025-155. Motion carried 5-0.

4.3 Public Hearing: 3rd Avenue Parking Restriction Change Appeal

Mayor Busse opened the public hearing at 8:19 pm.
Motion by Lowman, seconded by Moua to close the public hearing at 8:19 pm.
Motion carried 5-0.

Motion by Moua, seconded by Dallessandro to approve parking restrictions be modified on the east side of 3rd Avenue between E 96th Street and E 98th Street. The current restriction is posted as No Parking 8am to 2pm, Mon-Fri, September to June. The new restriction will be posted as 'No Parking 24 Hours.' Motion failed 2-3, with Busse, Lowman and Nelson in opposition.

Motion by Nelson, seconded by Lowman to approve parking restrictions be modified on the west side of 3rd Avenue between E 96th Street and E 98th Street. The current restriction is posted as No Parking 8am to 2pm, Mon-Fri, September to June. The new restriction will be posted as 'No Parking 24 Hours.' Motion failed 3-2, with Moua and Dallessandro in opposition.

Motion by Nelson, seconded by Lowman to reconsider the motion to approve parking restrictions be modified on the west side of 3rd Avenue between E 96th Street and E 98th Street. The current restriction is posted as No Parking 8am to 2pm, Mon-Fri, September to June. The new restriction will be posted as 'No Parking 24 Hours.' Motion passed 4-1, with Moua in opposition.

- 4.4 Public Hearing: Adopt Resolution Approving Assessment Roll 2025-1 for 2025-101 PMP Street Reconstruction (City Project 2025-101)**
- Mayor Busse opened the public hearing at 8:33 pm. 1 person testified. Motion by Moua, seconded by Dallessandro to close the public hearing at 8:37 pm. Motion carried 5-0.
- Motion by Dallessandro, seconded by Moua to adopt Resolution No. 2025-156 approving Assessment Roll 2025-1, for the 2025 PMP Reconstruction Project, Street Reference Segments 1-13. Motion carried 5-0.
- 4.5 Public Hearing: Comprehensive Plan Amendment to Update the South Loop District Plan**
- Mayor Busse opened the public hearing at 8:58 pm. Motion by Moua, seconded by Lowman to close the public hearing at 8:58 pm. Motion carried 5-0.
- Motion by Moua, seconded by Lowman, to adopt Resolution No. 2025-157, a resolution approving a Comprehensive Plan Amendment, updating the 2012 South Loop District Plan. Motion carried 5-0.
- Motion by Mayor Busse, seconded by Moua to extend the adjournment deadline to no later than 10 pm. Motion carried 5-0.
- 4.6 Public Hearing: Normandale Lake District Plan Amendment**
- Mayor Busse opened the public hearing at 9:10 pm. Motion by Moua, seconded by Lowman to close the public hearing at 9:10 pm. Motion carried 5-0.
- Motion by Moua, seconded by Dallessandro, to approve and adopt the findings of the pedestrian safety study, which include short-term and long-term pedestrian improvements to the intersection of W 84th Street and Normandale Boulevard. Motion carried 5-0.
- Motion by Moua, seconded by Dallessandro, to adopt Resolution No. 2025-158, a resolution approving the Normandale Lake District Plan Update Amendment to remove the reference to the pedestrian bridge over the W 84th St and Normandale Blvd intersection. Motion carried 5-0.
- 5. ORGANIZATIONAL BUSINESS**
- 5.2 Bloomington. Tomorrow. Together. (BTT) Strategic Plan Update and 2026 Strategic Priorities Fund Budget**
- Staff presented an update on the community-based strategic plan, Bloomington. Tomorrow. Together. and discussed the 2026 Strategic Priorities Fund budget request.
- 5.3 2026 Budget Discussions: Internal Enterprise Services Team (IEST) and Finance Department**
- Staff discussed the proposed 2026 budgets for: Internal Enterprise Services Team Funds, City Clerk's Office, Communications, Community Outreach and Engagement (COED), Human Resources, Information Technology, Office of Racial Equity, Inclusion, and Belonging (OREIB), and Finance Department.

**City Council
Policy/Issue Updates**

Mayor Busse summarized the City Council Listening Session held at 5:45 pm. He also recognized Interim City Managers Kathy Hedin and Elizabeth Tolzmann for their exceptional work in leading the staff and overseeing all projects and processes over the past nine months.

6. ADJOURNMENT

Motion by Moua, seconded by Dallessandro to adjourn the meeting at 10:01 pm. Motion carried 5-0.

*Priyanka Rai
Council Secretary*

**City Council Listening Session Meeting
Monday, October 20, 2025 - 5:45 p.m.
Bloomington Civic Plaza – Haeg Conference Room
1800 W. Old Shakopee Road
Bloomington, MN 55431**

CALL TO ORDER

Mayor Busse called the meeting to order at 5:50 pm and noted attendance.
Present: Mayor Tim Busse and Councilmembers Jenna Carter, Dwayne Lowman, and Shawn Nelson
Absent: Councilmembers Chao Moua, Lona Dallessandro and Victor Rivas

Staff present: City Manager Zach Walker, Deputy City Manager Kathy Hedin, City Attorney Melissa Manderschied, Council Secretary Priyanka Rai

LISTENING SESSION

Dennis Ordahl shared concerns related to painting his house. He also shared his thoughts on the name and use of the upcoming Community Health and Wellness Center.

Jody Chanin asked some clarifying questions about the proposed property taxes, Community Health and Wellness Center, and the state of some run-down hotels and other businesses in the city.

ADJOURNMENT

Motion by Lowman, seconded by Carter to adjourn. Motion carried 4-0.

The listening session adjourned at 6:16 pm.

Speakers Register

ALL SPEAKERS PLEASE SIGN IN

City Council Listening Session

Date: 10/20/2025

Please PRINT your name, address and/or email address. Thank you.

<u>Name</u>	<u>Address/Email Address</u>
Dennis Ortolano	
Jody Chanin	

**City Council Regular Business Meeting
Monday, October 20, 2025 - 6:30 pm
Bloomington Civic Plaza - Council Chambers
1800 W. Old Shakopee Road
Bloomington, MN 55431**

CALL TO ORDER

Mayor Busse called the meeting to order at 6:31 pm and noted attendance.

Present: Mayor Tim Busse and Councilmembers Jenna Carter, Dwayne Lowman, and Shawn Nelson

Absent: Councilmembers Chao Moua, Lona Dallessandro and Victor Rivas
All votes taken by voice vote

Staff present: City Manager Zach Walker, Deputy City Manager Kathy Hedin, City Attorney Melissa Manderschied, Council Secretary Priyanka Rai, and other staff

**PLEDGE OF
ALLEGIANCE**

Mayor Busse led the audience in the pledge of allegiance to the flag.

1.0 Approval of Agenda

Motion by Busse, seconded by Carter to approve the agenda as listed. Motion carried 4-0.

2.0 INTRODUCTORY

**2.1 Oath of Office – City
Manager**

City Clerk Jamy Hanson provided the Oath of Office to incoming City Manager Zach Walker. Mayor Busse provided a brief introduction and welcomed him to the City of Bloomington.

3. CONSENT BUSINESS

*Councilmember **Nelson** had the consent agenda. Seconds by Carter. Motion carried 4-0*

**3.1 Approval of Fund
Balance Policy
Revision**

Motion by Nelson, seconded by Carter to approve the revised Fund Balance Year-End Classification Policy (Per GASB 54).

**3.2 Authorize the
Bloomington-Edina-
Richfield Family
Services Collaborative
Governing Agreement**

Motion by Nelson, seconded by Carter to authorize the Bloomington-Edina-Richfield Family Services Collaborative Governing Agreement.

**3.3 Approval of City
Council Meeting
Minutes**

Motion by Nelson, seconded by Carter, to approve the city council meeting minutes as presented.

**4. HEARINGS,
RESOLUTIONS, AND
ORDINANCES**

- 4.1 Resolution Awarding the Sale of Taxable CIP Bonds, Series 2025D** Motion by Lowman, seconded by Carter to adopt Resolution No. 2025-159 awarding the sale of Taxable General Obligation Capital Improvement Plan Bonds, Series 2025D, in the original aggregate principal amount of \$3,210,000; fixing their form and specifications; directing their execution and delivery; and providing for their payment. Motion carried 4-0.
- 4.2 Resolution Awarding the Sale of GO PIR Fund Bonds of 2025, Series 57** Motion by Carter, seconded by Nelson to adopt Resolution No. 2025-160 authorizing the sale of General Obligation Permanent Improvement Revolving Fund Bonds of 2025, Series 57, in the original aggregate principal amount of \$2,900,000; fixing their form and specifications; directing their execution and delivery; and providing for their payment. Motion carried 4-0.
- 5. ORGANIZATIONAL BUSINESS**
- 5.1 Study Item - Missing Middle Housing Phase II** Staff sought City Council feedback on proposed performance standard concepts in support of the creation of Missing Middle housing types. No formal action was requested.
- 5.2 Reserve Study Results** Deputy Finance Officer Kari Carlson and GFOA Senior Research Manager Shayne Kavanagh provided an overview of a risk-based analysis of the City's fund reserves to establish recommended target ranges based on the analysis.
- 5.3 2026-2035 Capital Improvement Plan (CIP) Draft** City Council was asked to review and provide feedback on the proposed 2026-2035 Capital Improvement Plan.
- 5.4 2026 Budget Discussions: External Services Team and Utility Rates** Staff discussed the proposed 2026 budgets for: Community Development, Parks and Recreation, Public Health, Public Works, and Utility Rates.
- Motion by Mayor Busse, seconded by Lowman to extend the meeting to no later than 9:20 pm. Motion carried 4-0.
- City Council Policy/Issue Updates** Mayor Busse summarized the City Council Listening Session held at 5:45 pm.
- 6. ADJOURNMENT** Motion by Carter, seconded by Lowman to adjourn the meeting at 9:20 pm. Motion carried 4-0.

Priyanka Rai
Council Secretary



Request for Council Action

Originator Maintenance	Item 3.2 Approval of Janitorial Services Contract from RFP 25-24
Agenda Section CONSENT BUSINESS	Date October 27, 2025

Requested Action:

Motion by _____, seconded by _____ to award the janitorial services agreement to Commercial Cleaning Experts.

Item created by: David Melin, Maintenance

Item presented by: Tim Behrendt, Maintenance Superintendent

Description:

Council is requested to award a two-year contract for janitorial services for the cleaning of ten City-owned buildings at various locations throughout Bloomington. The current contract will end on October 27, 2025.

Please be advised that the original contract awarded to Perfection Plus in July of 2025 is being terminated effective October 27, 2025. As a result, we intend to award a new contract to Commercial Cleaning Experts, the second-highest scored vendor from the original RFP process. The new contract is scheduled to begin on October 28, 2025. The proposal submitted by Commercial Cleaning Experts demonstrated their understanding of the scope of work to be provided and had the appropriate resources needed to accomplish this project within the city's request for proposals.

Funding for this service is budgeted annually in the General Fund, the Facilities Replacement & Maintenance Fund, the Recreation Facilities Funds, and the Water Utility Operating Fund.

The contract amount will be \$37,131.41 monthly over a 24-month period with a 24 month not-to-exceed value of \$891,153.73. The contract will include an option for one two-year extension with a \$40,502.94 increase which would bring the total not-to-exceed value of the contract to \$1,822,810.40 over a four-year period.

This agreement would reflect a 3.16% increase from the 2023-2025 janitorial services cleaning contract which had a monthly cost of \$35,976.81.



Request for Council Action

Originator Public Works	Item 3.3 Authorization to Add Contingency for City Project 2025-901 for the Removal of Pedestrian Bridge
Agenda Section CONSENT BUSINESS	Date October 27, 2025

Requested Action:

Motion by _____, seconded by _____ to approve a Contract Change to City Project 2025-901 to remove a pedestrian bridge over Nine Mile Creek.

Item created by: Rena Weis, Public Works

Item presented by: Julie Long, City Engineer

Description:

The City of Bloomington owns and maintains several pedestrian bridges over Nine Mile Creek located in the parkland south of Old Shakopee Road, within Moir and Central Park. One of these bridges, City ID 42-11-Y (also known as Bridge 8 for Nine Mile Creek Corridor Renewal Project) has experienced significant erosion around the southern abutment in recent years. As a result, the Bridge is planned for replacement as part of the Nine Mile Creek Corridor Renewal Project. The erosion at the Bridge was exacerbated during the summer of 2025. Due to the severity of erosion, City staff, in consultation with a licensed bridge engineer, have determined that the bridge is currently unfit for use, due to safety concerns. The Bridge is currently closed. The Bridge also poses a risk to Nine Mile Creek; if it were to fail and fall into the Creek, the creek bank may become further susceptible to erosion, the bridge and abutment may block or redirect flow in an unnatural and undesirable manner, and removal of the fallen bridge would be more difficult and expensive than removal of the in-place Bridge. It is uncertain whether the Bridge will withstand the freeze-thaw cycles and snowmelt flows associated with Winter/Spring 2025-2026.

Removal of the Bridge prior to Winter 2025-2026 is prudent to protect trail users and Nine Mile Creek. The removal of the pedestrian bridge is anticipated to cost \$50,000. Staff is requesting authorization to add \$50,000 to the 2025-901 (2025 Storm Sewer Maintenance) contingency to remove the bridge. Adding this work to the 2025-901 construction contract is the most efficient method of removing the Bridge prior to Winter 2025-2026. The funding is available from the Storm Utility and will be repaid to the Storm Utility from the Nine Mile Creek Corridor Renewal project budget in 2026; no assessments are necessary for this work. A new bridge will be constructed in the same location, but with a more resilient design, as part of the Nine Mile Creek Corridor Renewal project.

Attachments:

[Staff Report to Council - Change Order for Bridge Removal - 2025-901.pdf](#)



Re: Staff Memo to Council, Supporting Authorization to add Contingency to City Project 2025-901 for the Removal of a Structurally Unsound Pedestrian Bridge over Nine Mile Creek

Date: October 10, 2025

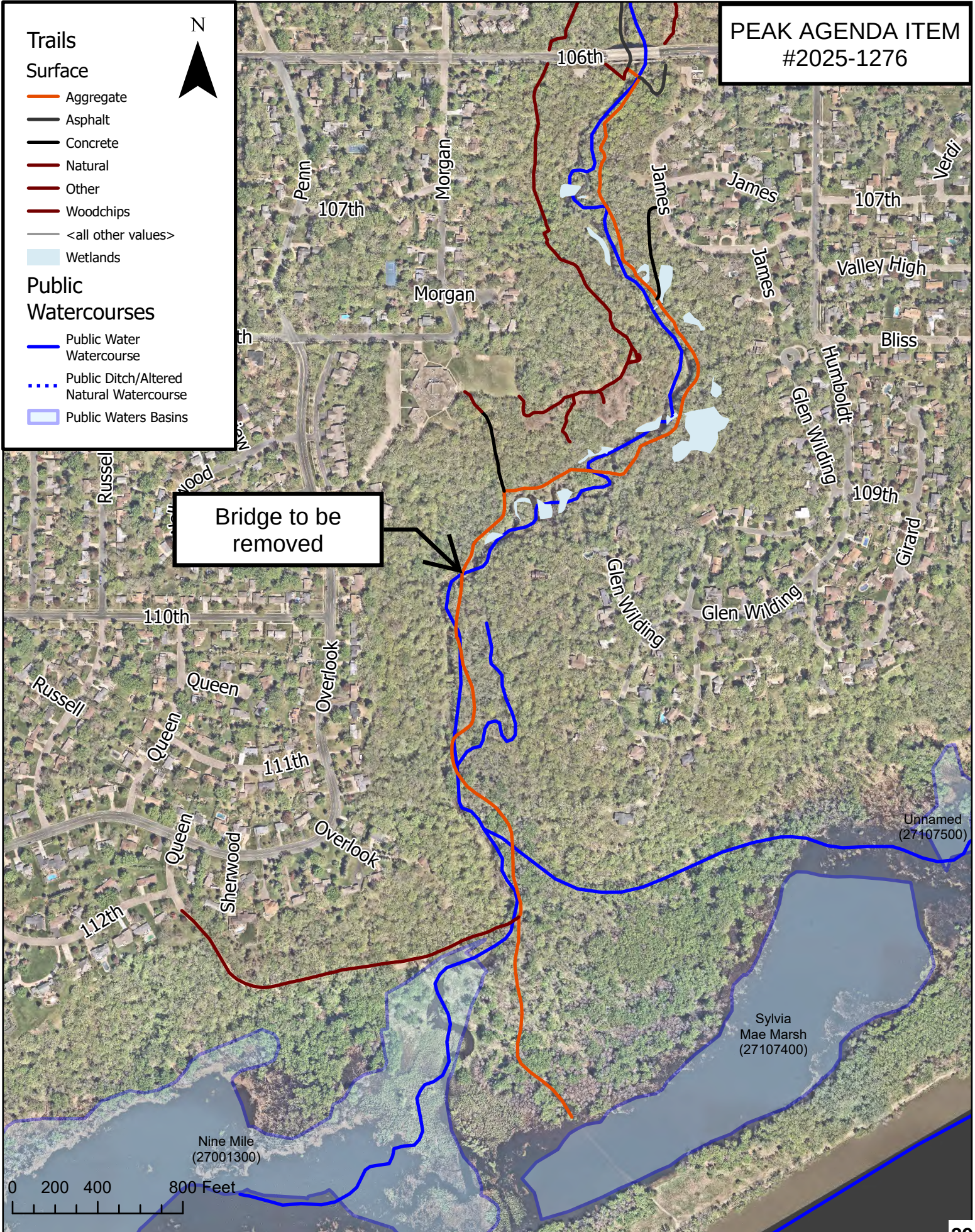
Background

In 2025, the City of Bloomington's Engineering Division prepared plans and specifications for the maintenance of various storm sewer infrastructure throughout the City (City project 2025-901). The work was awarded to Shoreline Landscaping, LLC. (Contractor), in an amount of \$569,646.00, based on a low bid. As standard practice, Bloomington City Council authorizes 15% contingency for construction projects to be used at the discretion of staff to accomplish project goals due to unforeseen project needs.

Proposed Change

The City of Bloomington owns and maintains several pedestrian bridges over Nine Mile Creek located in the parkland south of Old Shakopee Road, within Moir and Central Park. One of these bridges, City ID 42-11-Y (also known as Bridge 8), has experienced significant erosion around the southern abutment in recent years. As a result, the Bridge is planned for replacement as part of the Nine Mile Corridor Renewal Project. The erosion at the Bridge was exacerbated during the summer of 2025. Due to the severity of erosion, City staff, in consultation with a licensed bridge engineer, have determined that the bridge is currently unfit for use, due to safety concerns. The Bridge is currently closed. The Bridge also poses a risk to Nine Mile Creek; if it were to fail and fall into the Creek, the creek bank may become further susceptible to erosion, the bridge and abutment may block or redirect flow in an unnatural and undesirable manner, and removal of the fallen bridge would be more difficult and expensive than removal of the in-place Bridge. It is uncertain whether the Bridge will withstand the freeze-thaw cycles and snowmelt flows associated with Winter/Spring 2025-2026.

Removal of the Bridge prior to Winter 2025-2026 is prudent to protect trail users and Nine Mile Creek. The removal of the pedestrian bridge is anticipated to cost \$50,000. Staff is requesting authorization to add \$50,000 to the 2025-901 contingency to remove the bridge. This approach would preserve the original project contingency for use in achieving storm sewer maintenance goals. Shoreline Landscaping, LLC is a specialty stormwater contractor well-suited for work in and adjacent to water resources. Adding this work to the 2025-901 construction contract is the most efficient method of removing the Bridge prior to Winter 2025-2026. The funding is available from the Storm Utility and will be repaid to the Storm Utility from the Nine Mile Creek Corridor Renewal project budget in 2026; no assessments are necessary for this work. A new bridge will be constructed in the same location, but with a more resilient design, as part of the Nine Mile Creek Corridor Renewal project.





Request for Council Action

Originator Maintenance	Item 3.4 Amend Contract – JLG Architects, Architectural and Engineering Services for Fleet Repair Facility
Agenda Section CONSENT BUSINESS	Date October 27, 2025

Requested Action:

Motion by _____, seconded by _____ to amend a contract with JLG Architects for architectural and engineering services for a new fleet repair facility and increase the contract by \$354,385.00 for a new not-to-exceed amount of \$1,533,742.50 and to authorize Mayor and City Manager to enter into the related agreements.

Item created by: Kalea Fischer, Maintenance

Item presented by: Tim Behrendt, Maintenance Superintendent

Description:

On May 20, 2024, City Council approved a contract with JLG Architects for architectural and engineering services for a new fleet repair facility in the amount of \$1,179,357.50.

City Council is requested to approve a contract amendment to increase the contract by \$354,385.00 for a new not-to-exceed amount of \$1,533,742.50.

The requested increase includes additional fees for designing the salt shed on existing public works property which required changes to elevation of the existing drainage area and traffic flow changes. The existing site could not support the salt shed, brine building and wash off bays to properly meet the design and code requirements. Staff determined this site was not feasible and started looking for different options. Staff determined that 9715 James Ave was for sale. This site could support a salt shed, brine building and wash off bays. With approval from Council this property is being purchased by the city.

Included in the contract amendment is the design of the salt shed, brine building and wash off bays at 9715 James Ave. The previously developed plans for the brine building and wash off bays will be adjusted to be a separate building from the salt shed. The building plans can be adjusted so we are not starting from scratch so the previous design can still be used at the new site.

Funding is provided through account 765702-57030.



Request for Council Action

Originator Engineering	Item 3.5 Resolution Approving Environmental Assessment Worksheet (EAW) and Making Negative Declaration on the Need for an Environmental Impact Statement (EIS) for the Nine Mile Creek Corridor Renewal Project
Agenda Section CONSENT BUSINESS	Date October 27, 2025

Requested Action:

Motion by _____, seconded by _____ approving resolution no. 2025-____ for the Environmental Assessment Worksheet (EAW) and making a negative declaration on the need for an Environmental Impact Statement (EIS) for the Nine Mile Creek Corridor Renewal Project.

Item created by: Bob Simons, Engineering
Item presented by: Julie Long, City Engineer

Description:

The Nine Mile Corridor Renewal Project includes the natural resource preservation and enhancement of 260 acres of land in the Moir and Central Park areas, which also includes stream and streambank restoration along Nine Mile Creek. Per the Minnesota Environmental Quality Board Rules, this project meets the requirement to complete an Environmental Assessment Worksheet (EAW) pursuant to Minnesota Rules 4410.4300, Subpart 18F - Land Conversion and Habitat Restoration Projects.

The EAW was completed for the Nine Mile Creek Corridor Renewal Project and put on public notice per the MN Environmental Quality Board requirements for 30 days. The public notice period was from September 2, 2025 to October 2, 2025. Comments were received from the MN DNR and Metropolitan Council during the review period. Based on the comments received and the criteria set forth in Minnesota Rule 4410, it has been determined that the project impact's can be mitigated through established design standards, permits and best management practices and do not have the potential for significant environmental effects. Therefore an Environmental Impact Statement (EIS) would not be required.

The Resolution of Approval, which includes the Findings of Fact and response to agency comments, and EAW are included in the agenda materials.

Attachments:

[Resolution of Approval](#)
[Bloomington Nine Mile Creek Corridor EAW](#)

RESOLUTION NO. 2025-

A RESOLUTION APPROVING THE ENVIRONMENTAL ASSESSMENT WORKSHEET AND MAKING A NEGATIVE DECLARATION ON THE NEED FOR AN ENVIRONMENTAL IMPACT STATEMENT FOR THE NINE MILE CREEK CORRIDOR RENEWAL PROJECT

WHEREAS, the City Council of the City of Bloomington is the official governing body of the City of Bloomington, Minnesota (“City”); and

WHEREAS, the City of Bloomington is the Responsible Government Unit (“RGU”) for the Nine Mile Creek Corridor Renewal Project (“Project”) located in Bloomington, pursuant to Minnesota Rules, Chapter 4410; and

WHEREAS, preparation of an environmental assessment worksheet (“EAW”) is mandatory for the Project, pursuant to Minnesota Rule 4410.4300, subpart 26; and

WHEREAS, the EAW, and information gathered during the EAW process, are used as the basis for an RGU’s determination on whether an Environmental Impact Statement (“EIS”) is required for the Project; and

WHEREAS, the EAW for the Project was prepared by Short Elliot Hendrickson (“SEH”) on behalf of the City of Bloomington, and a notice of its availability was published in the Minnesota Environmental Quality Board (“EQB”) Monitor on September 2, 2025; and

WHEREAS, pursuant to Minnesota Rule 4410.1600, a public comment period was held for 30 days, beginning on September 2, 2025 and concluding on October 2, 2025; and

WHEREAS, Minnesota Rule 4410.1700, subpart 4 requires the City, as RGU for the Project, to maintain a record supporting its decision. The record must include:

- Findings of Fact supporting the RGU’s decision.
- Specific responses to all substantive and timely comments on the EAW; and

WHEREAS, the City of Bloomington has prepared written Findings of Fact to document its decision regarding the need for an EIS, and provided responses to all substantive and timely comments on the EAW; and

WHEREAS, Minnesota Rule 4410.1700, subpart 1 states that “An EIS shall be ordered for projects that have the potential for significant environmental effects” based on the criteria outlined in Minnesota Rule 4410.1700, subpart 7; and

WHEREAS, the record for the City’s determination on the need for an EIS is comprised of:

- The Project EAW prepared by SEH.
- Findings of Fact, attached to this Resolution as Exhibit A.

- Appendix A to the Findings of Fact, documenting the comments received regarding the EAW and the City’s responses to those comments.
- This Resolution; and

WHEREAS, the City, as RGU, makes the determination, based on the complete record, that the Project does not have the potential for significant environmental effects; and

WHEREAS, the City, as RGU, and pursuant to Minnesota Rule 4410.1700, subpart 3, makes a negative declaration on the need for an EIS for the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BLOOMINGTON, MINNESOTA:

1. The Environmental Assessment Worksheet (“EAW”) for the Nine Mile Creek Corridor Renewal Project is hereby approved. The EAW, Appendix A to the EAW, the Findings of Fact attached hereto as Exhibit A, the recitals to this Resolution, and all information submitted during the review process are incorporated by reference.
2. The extent to which environmental effects are subject to mitigation by ongoing public regulatory authority indicates that this project does not have the potential for significant environmental effects.
3. Based on the completed EAW, the comments received, and the Findings of Fact, the City of Bloomington hereby determines that the proposed Nine Mile Creek Corridor Renewal Project does not have the potential for significant environmental effects.
4. The City of Bloomington provides a negative declaration on the need for an Environmental Impact Statement for the Nine Mile Creek Corridor Renewal Project.
5. The Mayor and Council Secretary are authorized to sign, and City staff is authorized to transmit, the Findings of Fact attached hereto as Exhibit A, as required by law.
6. City staff and city public officials are authorized and directed to take all additional necessary actions with the intent of this Resolution.

Passed and adopted this 27th Day of October, 2025.

Mayor

Attest:

Secretary to the Council

EXHIBIT A
FINDINGS OF FACT AND CONCLUSIONS

**Nine Mile Creek Corridor Renewal Project
EAW Findings of Fact
City of Bloomington, Minnesota**

ADMINISTRATIVE BACKGROUND

Pursuant to Minnesota Rules 4410.4300, the City of Bloomington prepared an Environmental Assessment Worksheet (EAW) for the proposed Nine Mile Creek Corridor Renewal Project. The EAW was prepared in accordance with Minnesota Rules 4410.4300, Subpart 18F – Land Conversion and Habitat Restoration Projects. The City of Bloomington is the Responsible Governmental Unit (RGU) and the project proposer.

The EAW was filed with the Minnesota Environmental Quality Board (EQB) and distributed to the official EAW review list. The EAW was distributed for agency and public review with a 30-day comment period beginning on September 2nd, 2025 and ending on October 2nd 2025.

During the comment period, comments were received from the following:

- Minnesota Department of Natural Resources (DNR)
- Metropolitan Council

Copies of all comments and responses are provided in **Appendix A**.

PROJECT DESCRIPTION

The Nine Mile Creek Corridor Renewal Project is located in Bloomington, Hennepin County, Minnesota, along approximately 2.5 miles of the Nine Mile Creek corridor between Moir Park and the Minnesota River.

The purpose of the project is to:

- Restore ecological health and habitat diversity within the creek corridor.
- Stabilize eroded streambanks and repair degraded slopes.
- Improve floodplain connectivity and hydrologic function.
- Enhance oak savanna, prairie, and wetland habitats.
- Replace aging bridges and trail crossings.
- Improve recreational amenities in surrounding park areas.

The project area totals approximately 259 acres and includes City parklands and open space within the Nine Mile Creek Watershed District jurisdiction.

EAW Process Overview

The purpose of the EAW process is to determine whether a proposed project has the potential for significant environmental effects and whether preparation of an Environmental Impact Statement (EIS) is warranted.

The outcome of an EAW is one of the following:

- A negative declaration, meaning the project does not require an EIS; or
- A positive declaration, requiring the preparation of an EIS to further evaluate potential significant impacts.

The EAW and Findings of Fact do not constitute project approval but rather document the City's determination on the need for an EIS. Any necessary permitting or approvals will follow subsequent to environmental review.

Decision on the Need for an EIS

MN Rule 4410.1700, subpart 7 establishes the criteria for determining the potential for significant impact. This includes:

- a) The type, extent, and reversibility of the environmental effects have been considered and they do contain the potential for significant environmental effects.
- b) The cumulative potential of environmental effects has been considered and the project does contain the potential for significant environmental effects.
- c) The extent to which the environmental effects are subject to mitigation by ongoing public regulatory authority indicates that this proposed project does have the potential for significant effects.
- d) The extent to which environmental effects can be anticipated and controlled as a result of other environmental studies undertaken by public agencies and the project proposed has been considered and it indicates that this project does have the potential for significant environmental effects.

Type, Extent, and Reversibility of Environmental Effects

The EAW and review comments identify limited potential for environmental effects related to temporary construction disturbance, vegetation management, and hydrologic modifications. These effects are localized, short-term, and reversible.

The type of environmental impacts and mitigation efforts anticipated as part of this project include:

Soils and Slopes:

Tree removal will occur through cutting only, with stumps left in place to minimize

disturbance. In steep areas, hand-cutting methods will be used as recommended by the contractor. Ground disturbance is primarily associated with grading for stream and trail improvements, with erosion control and revegetation conducted under NPDES and watershed district requirements.

Wetlands and Groundwater:

Seepage wetlands and groundwater discharge zones will not be impacted. All work is within existing disturbance footprints, and no alteration to surface or subsurface hydrology is anticipated.

Rare Features:

The DNR Natural Heritage Review (September 10, 2025) identified several state-listed species requiring avoidance and coordination measures. The City will implement the recommended actions, including a rare plant survey and species-specific avoidance plans. Coordination with DNR ecologists will continue for native plant community management.

Climate and Greenhouse Gases:

Project activities are designed to enhance flood resilience and stabilize the creek corridor under increasing precipitation trends. The City's participation as a 2024 *Low Salt Design Pilot City* further demonstrates its commitment to reducing chloride use and promoting sustainable maintenance practices.

Based on the analysis in the EAW and supporting materials, the project does not present potential for significant environmental effects.

FINDINGS OF FACT AND CONCLUSIONS

Based on the EAW, comments received, and the criteria set forth in Minnesota Rule 4410.1700, the City of Bloomington finds that:

- The project does not have the potential for significant environmental effects.
- The project's impacts can be mitigated through established design standards, permits, and best management practices.
- An Environmental Impact Statement (EIS) is not required.

Passed and adopted this 27th Day of October, 2025.

Attest:

Mayor

Secretary to the Council

Appendix A to Findings of Fact and Conclusions

Environmental Assessment Worksheet: Response to Comments

Nine Mile Creek Corridor Renewal Project

Bloomington, Minnesota

SEH No. BLMGT 179178

October 2025

INTRODUCTION

Notice of the Environmental Assessment Worksheet (EAW) for the Nine Mile Creek Corridor Renewal Project was published in the EQB Monitor on September 2nd, 2025. The 30-day comment period ended October 2nd, 2025. During the comment period, comments from two (2) parties were received:

- 1) Angela R. Torres, Metropolitan Council
- 2) Melissa Collins, Minnesota Department of Natural Resources

We would like to thank those who took the time to review the EAW for the proposed Nine Mile Creek Corridor Renewal Project (Project) and for submitting comments. This memorandum provides a response to the comments provided to City of Bloomington, the Responsible Governmental Unit (RGU) and administrator of the EAW review process, concerning the Project. The questions and comments received, along with these responses, will be included as part of the environmental review documents.

The decision for a positive or negative declaration on the need of an Environmental Impact Statement (EIS) will be made in compliance with MN Rule 4410.1700, Subp 2a, which states: If the decision is to be made by a board, council, or other body which meets only on a periodic basis, the decision shall be made between three and 30 days after the close of the review period. If a decision cannot be made within 30 days, due to insufficient information, under Subp 2b the RGU may extend the timeframe for decision making by up to an additional 30 days.

A decision on the need for an EIS is anticipated to be made at the regular meeting of the Bloomington City Council on October 27th, 2025.

To decide whether the Project has the potential for significant environmental effects, the City of Bloomington must compare the impacts that may be reasonably expected to occur from the Project with the criteria outlined below:

- Type, extent, and reversibility of environmental effects
- Cumulative potential effects of related or anticipated future projects
- The extent to which the environmental effects are subject to mitigation by public regulatory authority
- The extent to which environmental effects can be anticipated and controlled because of other available environmental studies undertaken by public agencies or the project proposer, including other EISs.

The EAW serves to identify environmental issues, not to solve or approve of mitigation efforts. This information is then used as a guide in issuing, amending, and denying permits and carrying out other responsibilities of governmental units to avoid or minimize adverse environmental effects and to restore and enhance environmental quality. The EAW is not used to justify a decision, nor do indications of adverse environmental effects necessarily require that a project be disapproved.

The City of Bloomington will base its decision regarding the need for an EIS on the information gathered during the EAW process, including the comments received on the EAW. The following documents were used as reference in responding to the comments and questions received:

- MN Rules Chapter 4410 Environmental Review
- Guide to Minnesota Environmental Review Rules, EQB
- EAW Guidelines: Preparing Environmental Assessment Worksheets, EQB
- Minnesota Statutes (various sections).

In general, seven areas of concern were identified in the comments received. These areas require additional explanation and include:

1. Permitting and Regulatory Requirements
2. Soils, Slopes, and Erosion
3. Wetlands, Groundwater, and Hydrology
4. Climate and Greenhouse Gases
5. Lighting and Visual Impacts
6. Rare Natural Features, Ecological Protection, and Biodiversity

Responses to these areas of concern are provided in the following section.

Comments from:

Angela R. Torres, AICP, Senior Manager

Metropolitan Council (Regional Office & Environmental Services)

Local Planning Assistance

The Metropolitan Council received the EAW for the Nine Mile Creek Corridor Renewal project in Bloomington on September 2, 2025. The proposed project is located in the southern portion of Bloomington, starting south of Old Shakopee Road West and extending until the Minnesota River. The proposed development consists of 259 acres along the Creek, which will see the improvement of the ecological health of the Nine Mile Creek corridor by improving woodland and prairie habitat, repairing unstable stream embankments and eroded slopes, restoring creek meanders, replacing bridges and trails, and improving amenities in several parks.

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.

Comment:

Item 7: Climate (MacKenzie Young Walters, CD 651-602-1373). The discussion of projected climate impacts and associated adaptations are appropriate to the project. The proposed activities relating to the stream will improve its resilience in the face of increased precipitation and larger rain events. The project proposer should also consider how elements of the proposed park and trail amenities could interact with the identified climate trends. For example, could a chloride management plan or low salt design be incorporated into the parking areas to protect nearby surface water resources from the impact of increased freeze-thaw cycles.

Response: We agree that the project activities are intended to improve the long-term resilience of Nine Mile Creek in response to increased precipitation and larger storm events. The City has also been working for many years to reduce salt use in recognition of the growing concerns of chloride pollution in local water bodies. In December 2024, Bloomington was recognized by Bolton & Menk as one of five Low Salt Design Pilot Cities, underscoring the City's leadership in sustainable winter maintenance practices. This certification reflects the City's ongoing commitment to exploring innovative approaches for environmental stewardship and demonstrates that chloride reduction strategies are already part of City operations.

Comment:

Item 11: Geology, soils and topography/land forms (Lila Franklin, ES 651-602-1179). The section on geology, soils, and topography does not mention the fact that the project site is within a high sensitivity area for pollution of near-surface materials as indicated by the County Groundwater Atlas (MnDNR, pg. 50). The City should consider addressing this and discuss how measures will be taken to mitigate pollution of near-surface materials in this area. Additionally, in section 11a. Geology, the preparer has noted that "field observations of the project corridor have identified seepage wetlands and groundwater discharge, which indicates a high potential for additional characteristics of karst terrain." However, there is no additional information as to how project designs or mitigation measures will be taken to address these conditions and keep seepage wetlands/groundwater discharge areas undisrupted. The City should consider adding this information.

Response: We concur that the project is within a high sensitivity area for groundwater contamination. The proposed project will manage stormwater runoff but it is not proposed to have a significant change in runoff quantity or quality. The majority of the proposed improvements are within existing infrastructure footprints, and there are no changes in overall drainage patterns. Rain gardens will be used for primary treatment of runoff, which encourages infiltration. Contractors will be required to manage and safely store chemicals during construction, which includes having spill kits readily available.

The project area contains numerous seepage wetlands, which originate as infiltration along the tops of the bluffs, and discharge along the valley bottom into Nine Mile Creek. Construction has been planned to avoid working within the seepage wetlands, and in general these areas have been specified to not allow entrance of heavy equipment. No new crossings of seepage wetlands are proposed. While there may be some limited activity to manage invasive plant species that may be present, there are no plans or intent to reduce the quantity or quality of the seepage wetlands that are present.

Comment:

Greenhouse Gas (GHG) (MacKenzie Young Walters, CD 651-602-1373). The discussion of the project's anticipated GHG emissions is adequate, as are the mitigation measures proposed for the construction portion of the project. The project proposer should consider installing EV charging infrastructure in the reconstructed parking lots to mitigate the GHG emissions generated by vehicles visiting the parks.

Response: We agree that the discussion of the project's anticipated greenhouse gas emissions and mitigation measures is adequate for the scale of the proposed improvements. While we appreciate the suggestion to consider EV charging infrastructure, this park functions as a local, neighborhood-serving amenity rather than a regional destination. As such, installation of EV charging stations is not anticipated to provide meaningful benefits and is not included as part of the project scope.

Comments from:

Melissa Collins

**Regional Environmental Assessment Ecologist/ Ecological and Water Resources Minnesota
Department of Natural Resources
1200 Warner Road St. Paul, MN 55106**

Dear Nick Johnson,

Thank you for the opportunity to review the Nine Mile Creek Corridor Renewal Project Environmental Assessment Worksheet (EAW) located in Hennepin County. DNR has reviewed the document and would like to respectfully submit the following comments for your consideration:

Comment:

Page 11, Table 5: Permits and Approvals. Table 5 mentions the need for a No-Rise certification. Please note that if a No-Rise condition is not achieved through the district H&H modeling, a Conditional Letter of Map Revision is required prior to project commencement, and a Letter of Map Revision is required within six months of project completion.

Response: Understood. The City acknowledges that if a No-Rise condition is not achieved through the district H&H modeling, a Conditional Letter of Map Revision will be required prior to project commencement, with a Letter of Map Revision submitted within six months of project completion. The proposed infrastructure improvements and associated earthwork have been modeled, and initial results indicate that a no-rise is achievable and is the expected outcome.

Comment:

Page 17, Soils. This section described over 100 acres of soil disturbance. Does that include areas of tree removal or is that the amount that will be graded and/or excavated? This section also states that, “There are no soil limitations to address.” The slope of the project area is a significant limitation to the project. It is unclear what level of disturbance will occur in sloped, highly erodible areas, and what specific precautions will be taken to address these conditions.

Response: The estimated 100 acres of soil disturbance refers to areas anticipated for grading and excavation and does not include tree removal where stumps will remain in place and minimal ground disturbance is anticipated.

The majority of the soil disturbance is associated with grading at Moir and Harrison Parks, or reconstruction of the trail system, which can be managed with BMPs. The remeander area, which is a few acres in size, will require grubbing. Individual stumps from trees in Moir Park will be removed, but these have been included in the total estimated area of disturbance. In areas with steep slopes (greater than 20 degrees), tree removal and invasive species management will be conducted using hand cutting and manual removal and will not permit use of heavy equipment. Several areas where erosion is already occurring on steep slopes are also proposed for stabilization and repair. It is the responsibility of the contractor to evaluate site conditions and implement preferred methods that minimize disturbance while also ensuring safety and the ability to meet the project objectives.

Comment:

Page 18–19, Wetlands; page 30, Rare Features. The geology section (page 15) states, “Field observations of the project corridor have identified seepage wetlands and groundwater discharge

(...).” Were these areas evaluated during the wetland delineation? They are also discussed in the groundwater section and described as “numerous.” It will be important that these seepage wetlands are identified and evaluated for Native Plant Communities (NPCs) and Rare Natural Communities (RNCs) under the Wetland Conservation Act (WCA). Please note that NPCs with a Conservation Status Rank of S1 through S3 or wetlands within High or Outstanding MBS Sites of Biodiversity Significance may qualify as RNCs under WCA. Minnesota Rules, part 8420.0515, subpart 3 states that a wetland replacement plan for activities that modify a RNC must be denied if the local government unit determines the proposed activities will permanently adversely affect the RNC. If the proposed project includes a wetland replacement plan under WCA, please contact your DNR Regional Ecologist for further evaluation.

Response: Many of the seepage wetlands are dominated by native species, and likely would meet the criteria for a RNC. The seepage wetlands were delineated, classified, and evaluated during the wetland delineation. Their locations within the park is documented and included in the wetland delineation report, and they have been field-reviewed and approved. While there are a few small areas of temporary wetland impact proposed as a result of this project, there is a net gain of wetland habitat quality and quantity proposed, and we are not planning to impact the seepage wetlands. All proposed pervious surfaces are located within existing disturbance footprints, and no changes to subsurface or surface hydrology are anticipated as part of this project because no impact to these communities is anticipated, Minnesota Rules, part 8420.0515, subpart 3 is not applicable, however the MNDNR Technical Evaluation Panel representative will be included on any WCA reviews.

Comment:

Page 24, Water Appropriation. A DNR Water Appropriation Permit is required if the water pumped exceeds 10,000 gallons in a day, or one million gallons in one year. The DNR General Permit for Temporary Appropriation, with its lower permit application fee and reduced time for review, may be used for the dewatering if the dewatering volume is less than 50 million gallons and the time of the appropriation is less than one year.

Response: The City acknowledges the DNR requirements for water appropriation. If construction dewatering is necessary, the project will comply with applicable thresholds, and the appropriate permit will be obtained based on the anticipated volume and duration of dewatering.

Comment:

Page 31–33, Rare Species. This section was completed prior to receiving the September 10, 2025, Natural Heritage Review (NHR) letter (attached). The NHR letter identifies several state-listed threatened and endangered species that will require further action and coordination with DNR, including a rare plant survey completed by a qualified surveyor, a Blanding’s turtle avoidance plan, and a Blanchard’s cricket frog avoidance plan. Please refer to the NHR letter for more details. The discussion of state-listed species within this section of the EAW does not reflect the required avoidance measures and next steps provided in the attached NHR letter. Due to the extensive coordination required, we suggest initiating coordination with DNR as soon as possible to avoid any delays to the project.

Response: Qualified botanists completed initial site assessments and identified a few listed species and potential habitat that would support state-listed plant species, but much of the site has been disturbed or has been impacted by an abundance of invasive species. Prior to restoration, efforts will be made to identify where suitable habitat is

present, and the selected contractor will be required to have experience working in sensitive areas and the ability to identify listed species so that impacts can be avoided. Specific plans will be prepared for Blanding's turtles and Blanchard's cricket frogs but work within their habitat is very limited and impacts can be avoided. Discussion with the MNDNR will be beneficial to understand the objectives of the project and how impacts can be avoided.

Comment:

Page 33–34, Rare Features. Sections 14c and 14d mention the temporary nature of the disturbance several times. There is no exemption to the prohibition against take of state-listed threatened or endangered species because the impact is incidental or temporary.

Response: While there is no intent to impact listed species, and the overall project intends to provide habitat improvements to benefit listed species, there is a chance that unintended impacts could occur. Therefore, it may be prudent for the City to seek consultation and obtain an incidental take permit from the MNDNR to formally recognize the project which acknowledging that impacts may not be fully avoidable.

Comment:

Page 34, Rare Features. Further coordination is needed regarding the updated NPC mapping that was completed as part of the pre-project condition assessment. Please contact DNR regional plant ecologist, Amanda Weise (amanda.weise@state.mn.us) and DNR assistant regional plant ecologist, Linnea Lopez (linnea.lopez@state.mn.us) to discuss NPC mapping as well as appropriate seed mixes and vegetation management within the mapped NPCs and Minnesota Biological Survey Sites of Biodiversity Significance. In some situations, such as the proposed dry sand prairie, it may be best to allow the existing seed bank a chance to respond to the removal of woody species before introducing a seed mix. A seed mix may not be needed for the site to improve.

Response: As part of the agency coordination, information on the mapped communities can be included in future discussions with the MNDNR. The City intends to seed areas following disturbance or removal of invasive species, as that may assist with the long-term management and control of undesirable species. It is true that there may be viable native seed bank present but it is expected that long-term management may provide the opportunity for these remnant species to persevere after the initial impacts of the invasive species dominating some of these areas is alleviated. Reintroduction of beneficial disturbance, such as fire, may also assist with liberating a native seed bank.

Comment:

Page 35, Visual. Given the proximity to sensitive ecological areas, we recommend that special attention be given to project lighting, especially in the expanded parking area. Animals depend on the daily cycle of light and dark for behaviors such as hunting, migrating, sleeping, and protection from predators. Light pollution can affect their sensitivity to the night environment and alter their activities. In addition to the undesirable effects of upward-facing lighting, the hue of lights can also affect wildlife. LED lighting has become increasingly popular due to its efficiency and long lifespan. However, these bright lights tend to emit blue light, which can be harmful to birds, insects, and fish. The DNR recommends that any projects using LED luminaries follow the MnDOT Approved Products for luminaries, which limits the Uplight rating to 0. A nominal color temperature below 2700K is preferable for wildlife, and so we recommend

choosing products that have the lowest number for backlight and glare (all approved products should already be 0 for Uplight).

Response: The City recognizes the importance of minimizing light pollution, particularly given the proximity of the project to sensitive ecological areas. Lighting design for the project will follow best practices to reduce ecological impacts, including the use of downcast fixtures and compliance with MnDOT's Approved Products for luminaries, which limit uplight to 0. Where LED lighting is used, the City will prioritize products with lower color temperatures (below 2700K) and minimal glare and backlight to further reduce potential impacts on wildlife.

December 2022 version

Environmental Assessment Worksheet

This most recent Environmental Assessment Worksheet (EAW) form and guidance documents are available at the Environmental Quality Board's website at: <https://www.eqb.state.mn.us/>. The EAW form provides information about a project that may have the potential for significant environmental effects. Guidance documents provide additional detail and links to resources for completing the EAW form.

Cumulative potential effects can either be addressed under each applicable EAW Item or can be addressed collectively under EAW Item 21.

Note to reviewers: Comments must be submitted to the RGU during the 30-day comment period following notice of the EAW in the *EQB Monitor*. Comments should address the accuracy and completeness of information, potential impacts that warrant further investigation and the need for an EIS.

1. Project title: [Nine Mile Creek Corridor Renewal Project](#)

2. Proposer: [City of Bloomington](#)

Contact person: [Bob Simons](#)

Title: [Senior Civil Engineer](#)

Address: [1700 West 98th St](#)

City, State, ZIP: [Bloomington, MN 55431](#)

Phone: [952-563-8758](#)

Email: bsimons@bloomingtonmn.gov

3. RGU: [City of Bloomington](#)

Contact person: [Nick Johnson](#)

Title: [Planning Manager](#)

Address: [1800 W Old Shakopee Rd](#)

City, State, ZIP: [Bloomington, MN 55431](#)

Phone: [952-563-8925](#)

Email: nmjohnson@bloomingtonmn.gov

4. Reason for EAW Preparation: (check one)

Required:

☐ EIS Scoping

☒ Mandatory EAW

Discretionary:

☐ Citizen petition

☐ RGU discretion

☐ Proposer initiated

If EAW or EIS is mandatory give EQB rule category subpart number(s) and name(s):

[Subp. 26. Stream diversion.](#)

[For a diversion, realignment, or channelization of any designated trout stream, or affecting greater than 500 feet of natural watercourse with a total drainage area of ten or more square miles unless exempted by part 4410.4600, subpart 14, item E, or 17, the DNR or local governmental unit is the RGU.](#)

5. Project Location:

- County: [Hennepin](#)
- City/Township: [Bloomington](#)
- PLS Location ($\frac{1}{4}$, $\frac{1}{4}$, Section, Township, Range):
[Sections 16, 21, and 28, Township 27N, Range 24W](#)
- Watershed (81 major watershed scale): [#33120- Nine Mile Creek](#)
- GPS Coordinates: [93.3203222°W 44.8319502°N](#)

- **Tax Parcel Numbers:**

The proposed project is located within numerous parcels owned by the City of Bloomington and is also adjacent to numerous parcels which include single family residential, multi-family residential, and institutional owners.

Please note: The EAW project area is intentionally defined larger than the anticipated work footprint to ensure all potential environmental impacts are evaluated and to provide flexibility in determining final work locations. The project area boundaries will be refined during later stages of plan development.

The parcels that are within or adjacent to the project area are listed below.

City of Bloomington Parcels:

2802724240001, 2802724230001, 2102724210001, 2102724310005, 2902724140002, 2102724240002, 2102724330029, 1602724340045, 2802724220029, 2102724220012, 2802724320001, 2102724220006, 2102724220005.

Privately owned parcels that intersect project boundary:

1602724340044, 2102724210016, 2102724210017, 2102724210004, 2102724220004, 2102724220003, 2102724210008, 2102724220007, 2102724220008, 2102724220009, 2102724220010, 2102724240001, 2102724340001, 2102724340003, 2102724340004, 2102724340029, 2102724340030, 2102724340026, 2102724340025, 2102724340008, 2102724340009, 2102724340015, 2102724340016, 2802724210002, 2802724210003, 2102724210007, 2802724210006, 2802724210007, 2802724210009, 1602724330018, 2102724230010, 2102724330045, 2102724330047, 2102724330048, 2102724330002, 2102724330004, 2102724330052, 2802724220025, 2802724220026, 2802724220034, 2802724220035, 2802724220028, 2802724220031, 2802724220032, 2802724220002, 2802724230003, 2802724230004, 2802724230006, 2102724210005, 2802724210004, 2102724330003, 2102724340017, 2102724340002, 2102724330046, 2102724340006, 2102724340014, 2102724340010, 2802724220033, 2802724220024, 2102724210009, 2802724220027, 2102724330051, 2802724210005, 2802724230002, 2902724140008, 2802724239000, 1602724339004.

At a minimum attach each of the following to the EAW:

- County map showing the general location of the project;
- U.S. Geological Survey 7.5 minute, 1:24,000 scale map indicating project boundaries (photocopy acceptable); and
- Site plans showing all significant project and natural features. Pre-construction site plan and post-construction site plan.
- List of data sources, models, and other resources (from the Item-by-Item Guidance: *Climate Adaptation and Resilience* or other) used for information about current Minnesota climate trends and how climate change is anticipated to affect the general location of the project during the life of the project (as detailed below in item 7. Climate Adaptation and Resilience).

The figures and tables included within the EAW are summarized in **Table 1**. Attachments have been included at the end of the document.

Table 1. List of Figures, Tables, and Attachments

Figures
Figure 1 – Site Location Map
Figure 2 – Site Topographic Map
Figure 3 – Project Overview
Figure 4 – Existing Land Cover
Figure 5 – Soil Survey and Prime Farmland
Figure 6 - Minnesota Geological Survey Hennepin County Map Series
Figure 7 – National Wetland and Public Waters Inventory
Figure 8 – Wetland Delineation
Figure 9 – 100-Year Floodplain
Figure 10 – County Well Index and Wellhead Protection Areas
Figure 11 – City of Bloomington Zoning
Tables
Table 1 – List of Figures, Tables, Exhibits and Attachments
Table 2 – Project Magnitude
Table 3 - Resources and Climate Trends
Table 4 – Land Cover
Table 4a – Green Infrastructure
Table 4b – Tree Cover
Table 5 – Permits Required
Table 6 – Mapped Soils
Table 7 – Wetland Delineation Results
Table 8 – County Well Index
Table 9 – What’s in my Neighborhood Query Results
Table 10 – Summary of Native Plant Communities
Table 11 – Summary of Native Plant Communities Quality Ratings
Table 12 – Emission Categories for GHG Assessment
Table 13 – Comparison of GHG Emissions to State Goals
Attachments
Attachment A – Construction Plans
Attachment B – USFWS Information, Planning, and Consultation System (IPaC) Letter
Attachment C – Greenhouse Gas Emissions Workbooks

6. Project Description:

- a. Provide the brief project summary to be published in the *EQB Monitor*, (approximately 50 words).

The Nine Mile Creek Corridor Renewal Project is a comprehensive effort to improve the ecological health of the Nine Mile Creek corridor by improving woodland and prairie habitat, repairing unstable stream embankments and eroded slopes, restoring creek meanders, replacing bridges and trails, and improving amenities in several parks.

Give a complete description of the proposed project and related new construction, including infrastructure needs. If the project is an expansion include a description of the existing facility. Emphasize: 1) construction, operation methods and features that will

cause physical manipulation of the environment or will produce wastes, 2) modifications to existing equipment or industrial processes, 3) significant demolition, removal or remodeling of existing structures, and 4) timing and duration of construction activities.

The Nine Mile Creek (NMC) Corridor Renewal Project is a comprehensive, multi-year effort directed by the City of Bloomington, which is being completed as a component of the Bloomington Forward initiative (www.bloomingtonforward.org). The project is being carried out in collaboration with the Nine Mile Creek Watershed District (NMCWD).

Community involvement is a cornerstone of the project, with seven community events and an online feedback portal held in 2024 and 2025, alongside open houses and ongoing collaboration with the Parks, Arts, and Recreation Commission (PARC), the Sustainability Commission, and the City Council. Advocacy groups have also contributed input, highlighting the importance of ecological preservation and reflecting broader public sentiment.

The anticipated project timeline spans from initial community engagement and predesign in mid-2024 through concept refinement and council review in early 2025, with design development continuing into late 2025. Final design and permitting will conclude in early 2026, with construction expected to begin in spring 2026 and continue through 2027. Continued management of the natural resource components are planned to achieve long-term objectives.

This project is intended to restore, protect, and enhance the ecological integrity, recreational opportunities, and community value of the Nine Mile Creek corridor. The majority of the project is associated with improving natural resources, but it also includes infrastructure and recreational improvements within Moir, Harrison, and Central Parks. The key project elements are discussed below:

Natural Resources

The natural resource components of the project include work within Nine Mile Creek and the adjacent upland communities with the goal of repairing and restoring habitat to improve overall quality and incorporate resiliency components to enhance long-term viability.

Several sections of Nine Mile Creek have developed areas where the embankments are unstable and are experiencing above average rates of erosion. Three of the more significant areas are within the northern portion of the project area, where natural channel migration has resulted in outside meanders along the valley wall, leading to large areas of eroded soil, and a risk of accelerated bank failure without intervention. Many of these areas also have residential structures at the top of the valley, making stabilization more important. For these areas it is proposed to relocate portions of the existing channel away from the valley wall and repair the valley wall to be less steep and vegetated. To prevent or slow the rate of future erosion, large, round, field rock will be placed along the embankment to provide protective armor.

Areas with embankment failure that are less extensive or not associated with potential impacts to infrastructure will be repaired through the placement of root wads, toe wood, rock vanes, and brush mats to provide softer material than hard armoring to protect the embankment from the scour associated with moving water and to assist with holding soil while vegetation is established.

A portion of the Nine Mile Creek channel upstream of the dam and downstream of Harrison Park contains a section of channel that is currently straight but has historically been an active and meandering reach. This location is within an older mill pond reservoir, which has since drained and naturally revegetated following the removal of the structure. The current channel alignment developed in the late 1980's when several storms caused extreme flows to rapidly cause the channel to cut through existing meanders and truncate the creek.

The project seeks to reestablish this straightened reach to a meandering channel, which will require the excavation of a new channel followed by filling of the existing one. This will restore meander to the system and allow the channel to naturally migrate, add length to the channel, and reduce the slope to moderate flows through this reach. The constructed channel has a sinuosity that is consistent with stable portions of the system, and will have logs, rock vanes, and in-channel features constructed to provide habitat and manage flows. Land adjacent to the reconstructed channel will be excavated to be lower in elevation. This will allow more frequent connections to the floodplain during bank full events and will create additional flood storage capacity within this reach. This area is currently wooded, but the composition of the trees is younger and less desirable. Tree removal will be required to construct the new channel and create the areas of floodplain. The area of the creek remeander will be seeded with a wet meadow seed mixture and portions will likely develop into wetland habitat.

The wooded portions of the project area are a key feature of the park, but they have become infested with invasive species such as European buckthorn (*Rhamnus cathartica*) and garlic mustard (*Alliaria petiolate*), and lack of disturbance and management has resulted in dense stands with lack of regeneration, overcrowding, and loss of historic savannah conditions. There has also been a loss of savannah and prairie habitat with the encroachment of understory woody species. Green ash (*Fraxinus pennsylvanica*) trees have also been impacted by emerald ash borer and many stands of dead trees are present.

Within the wooded portions of the site, a primary proposed activity is to focus on removing invasive species, with a focus initially on European buckthorn, and a secondary focus on garlic mustard, which may become more prevalent as buckthorn is removed and the canopy is opened up. Tree thinning is proposed where the existing woods are overly dense, to restore areas of savanna, and where the canopy is complete and shading out the understory entirely. Up to 20% of the trees may be removed from some of the wooded areas as part of the restoration efforts. Tree thinning will focus specifically on restoring areas of old growth bur oak, particularly along the tops of the valley, where encroachment is threatening these ancient trees. Areas with old growth trees that were historically savannah will also be restored by removing competing woody species and establishing a native herbaceous plant community.

Concentrated areas of dead green ash trees will be managed to remove and replace the dead trees with native species in areas that are near the trail and would benefit from accelerating the succession to other tree species. Some areas of dead ash trees will also be left standing when they are not near the trail system or other infrastructure, as forest ecology includes dead trees and the habitat they provide.

In the center of the site at the top of a south facing bluff is a small area of dry sand prairie. This area has been managed to keep it high quality and it is representative of historic prairie that would have been present along the tops of the river valley before fire

suppression encouraged the establishment of woody species. This area is threatened by the encroachment of trees and shrubs. It is proposed to double the size of the dry sand prairie by removing the encroaching woody species and seeding an expanded prairie along the south facing slope. This area will be extended into the proposed bur oak and oak savanna areas as it is a natural compliment to those habitats.

Trails, Boardwalks, Retaining Walls and Stairs

The existing trail system is comprised of asphalt and gravel for the portions parallel to Nine Mile Creek with numerous less formal earthen trails within the adjacent hills. The project proposes to have a pedestrian-only trail system, with the portions north of 106th Street paved, and trails south of 106th Street composed of crushed limestone. All of the trails will be 10-feet or less in width and will generally follow the existing alignments. The informal trails will remain and will be unchanged.

The existing causeway at the southern end of the project area crosses the backwater marsh of the Minnesota River and is proposed to be resurfaced with crushed limestone but will not otherwise be modified. This portion of the trail is frequently submerged, which seasonally limits use and prevents access to the future State trail along the Minnesota River but is acceptable given the location within the Minnesota River floodplain.

Several existing retaining walls will be reconstructed to ensure their purpose and structural integrity is preserved.

Areas that have developed gullies from erosion or have had infrastructure damaged by erosion will be repaired and infrastructure replaced and stabilized. Many of these areas are associated with discharge to the creek, and may be completed as components of the channel embankment stabilization activities.

A new switchback trail will be constructed to provide a more accessible route between Moir Park and the trails along Nine Mile Creek. An existing debilitated stairway that leads from the parking lot at 106th street to the creek will be replaced with a new stairway.

In conjunction with the section of the creek that is being remeandered, the existing asphalt trail will be removed and replaced with an elevated boardwalk. This will remove one of the existing bridge crossings, but will also remove fill from within the floodplain, allow the channel to have a larger area of floodplain connection, avoid impacts to wetlands, and will improve hydraulic capacity and storage.

Bridges

There are currently nine bridges that cross Nine Mile Creek within the project area. One bridge will be replaced with a boardwalk within the creek remeander reach. One bridge that is currently submerged during high water events will be replaced with a longer and higher structure. One bridge that was recently damaged from high water exposing an abutment and has since been closed will also be replaced with a longer and higher structure. The bridges that are not being replaced will be redecked but will not otherwise be modified.

Park Amenities

Additional features of the project include a new plaza and picnic shelter, upgraded playgrounds, consolidation to a single parking lot, construction of rain gardens, construction of a promenade, trail and wayfinding, landscaping, and expanded gathering

spaces in Moir Park.

Harrison Park improvements include reconstruction of the parking lot, landscaping, and the addition of a Veteran’s Memorial.

Accessibility and equity are central to the project’s vision, with plans to upgrade facilities for ADA compliance and introduce new park amenities that serve a broader segment of the community.

a. Project magnitude:

The magnitude of the EAW-required project components are summarized in **Table 2**.

Table 2: Project Magnitude

Description	Number
Total Project Acreage	259
Linear project length	13,262 - linear ft
Trails – Paved	7,079 - linear ft
Trails – Crushed Limestone	6,183 - linear ft
Number and type of residential units	N/A
Residential building area (in square feet)	N/A
Commercial building area (in square feet)	N/A
Industrial building area (in square feet)	N/A
Institutional building area (in square feet)	8,300
Other uses – specify (in square feet)	N/A
Structure height(s)	Maximum of 25 feet

b. Explain the project purpose; if the project will be carried out by a governmental unit, explain the need for the project and identify its beneficiaries.

The purpose of the Nine Mile Creek Corridor Renewal Project is to restore, protect, and enhance the Nine Mile Creek corridor to address long-standing ecological degradation, aging recreational infrastructure, and community access challenges. Led by the City of Bloomington, this project responds to multiple critical needs identified through internal assessments and public feedback. Decades of streambank erosion, wetland loss, and outdated park facilities have impacted both the environmental health of the creek and the safe, equitable use of Moir, Harrison, and Central Parks by local residents and visitors.

The project will stabilize eroded creek banks, improve water quality, restore wetland areas, and rebuild essential park infrastructure such as trails, bridges, and parking lots that are currently in poor or unsafe condition. By enhancing trail connectivity to the Minnesota River, adding ADA-compliant amenities, and designing for climate resilience, the project ensures that all community members can safely enjoy the corridor’s recreational and natural resources.

Beneficiaries include the residents of Bloomington and neighboring communities who use the parks for walking and recreation, as well as local ecosystems that will benefit from restored habitat and improved water quality. Additionally, the project supports stormwater management goals and helps protect downstream resources, extending its benefits beyond the immediate project area.

Through robust community engagement and thoughtful design, the City of Bloomington aims to

meet current needs while ensuring the Nine Mile Creek corridor remains an accessible, resilient, and valued community asset for generations to come.

- c. Are future stages of this development including development on any other property planned or likely to happen? ☐ Yes ☒ No
If yes, briefly describe future stages, relationship to present project, timeline and plans for environmental review.
- d. Is this project a subsequent stage of an earlier project? ☒ Yes ☐ No
If yes, briefly describe the past development, timeline and any past environmental review.

Previous projects within the Nine Mile Creek corridor have primarily focused on stream stabilization to address erosion and protect stream banks. Common interventions have included streambank stabilization measures such as timber posts, sheet pile, retaining walls, toe woods, rootwads, boulder vanes, and riprap. In addition, several grade control practices have been used to prevent the creek from downcutting or degrading and to help redirect flows away from vulnerable banks. These include dams, riffles, cross-vanes, rock filter dikes, and rock fords. One unique project downstream of the 106th Street bridge involved a channel realignment to raise the stream grade and address excess sediment accumulation caused by a flatter reach of the channel. Together, these efforts have contributed to stabilizing the creek, improving habitat, and supporting long-term stream health. Most of these stabilization efforts remain effective, but several have reached their end of life and would benefit from reconstruction.

7. Climate Adaptation and Resilience:

- a. Describe the climate trends in the general location of the project (see guidance: *Climate Adaptation and Resilience*) and how climate change is anticipated to affect that location during the life of the project.

General projections in central Minnesota predict that the climate will be warmer and wetter at the end of the century as compared with the historical period of 1981-2010. According to the DNR Climate Trends website, Hennepin County has warmed by approximately 3 degrees Fahrenheit between 1895 and 2020, and annual precipitation has increased by an average of 3.1 inches across the state.¹

A review of the University of Minnesota's "Minnesota Climate Projections" indicates that the climate in Hennepin County is trending towards increased number of days with 1 or more inches of rain, decreased number of sub-zero temperature nights, and an increase in the number of days reaching above 90 degrees Fahrenheit.

In general, projections for Minnesota predict that the days per year with more than 1-inch of precipitation will increase, but summer precipitation will be lower (i.e., precipitation events will be larger, but more infrequent) by the end of the century, as compared with the historical period of 1981-2010. Climate change impacts at the location of the project, will likely include warmer temperatures and more periods of drought with periodic flooding.²

The proposed Project actions include providing improved hydrologic connection which should improve the resilience of the City of Bloomington and Hennepin County to changing precipitation events. Vegetation should also be able to better react to changes in water level

¹ [Climate trends | Minnesota DNR \(state.mn.us\)](https://climate.trends.mn.us/)

² [Minnesota Climate Projections | Climate \(umn.edu\)](https://climate.umn.edu/)

due to increased variability and gradual coastline gradients. Improvements in forest health by removing invasive species and mimicking beneficial natural disturbance will also improve the resilience to climate change for the natural communities.

- b. For each Resource Category in the table below: Describe how the project's proposed activities and how the project's design will interact with those climate trends. Describe proposed adaptations to address the project effects identified.

The proposed Project actions will interact with climate trends, primarily during construction, but long-term considerations are also provided in **Table 3**. Components of this analysis are described in greater detail in other portions of the EAW. The majority of the interactions with climate trends are positive.

Table 3 – Climate Considerations

ResourceCategory	Climate Considerations	Project Information	Adaptations
Project Design	The proposed Project should consider increased frequency and intensity of storm events and increased precipitation.	In the coming decades, the location of the study area is anticipated to experience: • Increased annual temperatures • Increased freeze thaw cycles • Medium urban heat island effect	The proposed project's goal to stabilize the channel would prevent further erosion and make the channel more resilient to the increase in rainfall and peak flows.
Land Use	The proposed project design should consider existing land use, potential land use changes, and the potential for impacts on climate. Climate trends for the general location predict a wetter climate with more frequent and higher intensity storm events.	It is anticipated that Nine Mile Creek will experience: • Increased annual precipitation and more frequent heavy rainfall events • Increased flow within Nine Mile Creek channel from increased runoff at peak events	The proposed Project would not affect floods levels or increase flooding risk to critical facilities. One of the goals of the proposed Project is to improve the resilience of Nine Mile Creek to changing precipitation and event intensity by improving the stability of the creek and increasing connectivity of the creek to the floodplain <i>See Question 8 and 10 of the EAW for additional details</i>
Water Resources	Addressed in item 12	Addressed in item 12	Addressed in item 12
Contamination/ Hazardous Materials/Wastes	The proposed project should consider the risks associated with contamination, the use of hazardous materials, and waste generation during construction and operation. However, climate change predictions are not anticipated to influence the potential environmental effects related to the generation, use, or storage of hazardous waste and materials for this project.	The proposed project would use construction equipment that requires potentially hazardous materials such as fuels, oils, and hydraulic fluids, and would dredge, store, and transport contaminated sediments. Climate change is not expected to significantly affect the environmental risks related to these activities.	During construction, contractors would protect soil and water resources from contamination and hazardous materials. Vehicles would have spill kits for quick response, and all hazardous materials would be stored in containment units when not in use.
Fish, wildlife, plant communities, and sensitive ecological resources (rare features)	Addressed in item 14.	Addressed in item 14.	Addressed in item 14.

8. **Cover types:** Estimate the acreage of the site with each of the following cover types before and after development:

The estimated cover types for the existing and proposed conditions are summarized in **Table 4**. Subcomponents of the cover types related to green infrastructure and tree cover are provided in **Tables 4a** and **4b**.

Please note: The EAW project area is intentionally defined larger than the anticipated work footprint to ensure all potential environmental impacts are evaluated and to provide flexibility in determining final work locations. The project area boundaries will be refined during later stages of plan development.

Table 4 – Cover Types

Cover Types	Before(acres)	After (acres)
Wetlands and shallow lakes (<2 meters deep)	5.5	5.4
Wooded/forest ¹	198.0	195.0
Rivers/streams	12.5	12.6
Brush/Grassland	2.0	4.4
Lawn/landscaping	37.8	37.8
Green infrastructure TOTAL (from table below*)	0.1	0.5
Impervious surface	3.1	3.3
Other (describe)		
TOTAL	259.0	259.0

¹Wooded habitat includes ~65 acres of floodplain forest associated with the Minnesota River, which is also wetland.

Table 4a – Summary of Green Infrastructure

Green Infrastructure*	Before(acres)	After (acres)
Constructed infiltration systems (infiltration basins / infiltration trenches / rainwater gardens / bioretention areas without underdrains / swales with impermeable check dams)	0.1	0.2
Other (describe)	-	-
TOTAL*	0.1	0.2

Table 4b – Summary of Changes in Tree Cover

Trees	Percent	Number
Percent tree canopy removed or number of mature trees removed during development	20% ¹	
Number of new trees planted		90 ²

¹A component of the woodland management includes restoration of oak savannah, buckthorn removal, expansion of prairie, green ash removal, and thinning where tree densities are more dense than desired. While the estimated tree canopy removal has been identified as 20%, that is from the entire project area and is not concentrated or intended to remove a significant number of high-quality trees.

²Planted trees will be within Moir and Harrison Parks as part of the landscape plan.

9. **Permits and approvals required:** List all known local, state and federal permits, approvals, certifications and financial assistance for the project. Include modifications of any existing permits, governmental review of plans and all direct and indirect forms of public financial assistance including bond guarantees, Tax Increment Financing and infrastructure. *All of these final decisions are prohibited until all appropriate environmental review has been completed. See Minnesota Rules, Chapter 4410.3100.*

The anticipated permits and approvals required for this project are summarized in **Table 5**, followed by a summary of the project financing. While the majority of these permits have not been applied for, considerable pre-application consultation has been completed and preliminary agency feedback has been favorable and supportive of the project objectives.

Table 5: Permits and Approvals

Unit of Government	Type of Application	Status
Federal		
U.S. Army Corps of Engineers	Clean Water Act Section 404	To be obtained
Federal Emergency Management Agency	Certified Letter of Map Revision / Letter of Map Revision (CLOMR/LOMR)	Preliminary modeling and mapping completed
U.S. Fish and Wildlife Service	Endangered Species Act (ESA) Consultation and Approval	To be completed
State		
Minnesota Pollution Control Agency	National Pollutant Discharge Elimination System (NPDES) Construction Storm Water Permit	To be obtained
	Section 401 Certification	To be obtained
Minnesota Department of Natural Resources	Public Waters Work Permit	To be obtained
	No-rise Certification	Preliminary modeling and mapping completed
	State-listed Species and Rare Feature Review (Natural Heritage Information System)	To be obtained
	Water Appropriations Permit – Temporary	To be obtained
Local		
City of Bloomington	Building Permit	To be obtained
	Moving a Structure and Parking lot Permit	To be obtained
Nine Mile Creek Watershed District	Nine Mile Creek Watershed District Permit	To be obtained
Lower MN River Watershed District	Individual Project Permit	To be obtained

The Project is being funded by the City of Bloomington as a component of the Bloomington Forward initiative. In November 2023, Bloomington residents approved a referendum for a half-percent local sales tax to finance the Nine Mile Creek Corridor, Bloomington Ice garden, and Community Health and Wellness Center.

Components of the project have also been agreed to be funded by the Nine Mile Creek Watershed

District, in recognition that the objectives align with their Water Management Plan. Project funding will also include City of Bloomington Pavement Management Program Park Trail funds along with Stormwater Utility funds.

Cumulative potential effects may be considered and addressed in response to individual EAW Item Nos. 10-20, or the RGU can address all cumulative potential effects in response to EAW Item No.22. If addressing cumulative effect under individual items, make sure to include information requested in EAW Item No. 21.

10. Land use:

a. Describe:

- i. Existing land use of the site as well as areas adjacent to and near the site, including parks and open space, cemeteries, trails, prime or unique farmlands.

The project corridor features a steep-sided valley with rolling uplands, narrow floodplain terraces, and sandy, well-drained soils. Two formal parks are also present, which have open space and recreational amenities.

The majority of the project area is primarily natural or naturalized woodland habitat including:

- Large expanses of dry-mesic oak forest, mesic oak-basswood and maple-basswood forests, wet-mesic hardwood forests, and floodplain forests.
- Smaller areas of prairie remnants, including a notable Southern Dry Prairie on a sandy south-facing slope.
- Various wetland types (marshes, wet meadows, seepage wetlands, hardwood swamps) mainly associated with Nine Mile Creek and the Minnesota River floodplain, but also including seepage and oxbow wetlands.
- Some actively managed parkland and open green space with mature trees but maintained understories (like mowed turf).

Recreational land uses include:

- Parks and Open Space: The site overlaps with Moir, Harrison, and Central Parks, which include shelter, picnic, and recreation areas with mature tree cover. These park areas historically were oak forest but now have a modified understory for recreational use.
- Trails: The corridor includes and connects to local trail systems that provide pedestrian access through wooded slopes and along the creek, linking neighborhoods and the larger Nine Mile Creek regional trail network.
- Minnesota River Corridor: To the south, Nine Mile Creek flows into the Minnesota River floodplain, a broad, flat expanse with floodplain forest, marsh, and riparian habitat.
- Surrounding Land: The uplands at the top of the valley are mostly residential neighborhoods. Historically, this area was a mix of prairie and oak savanna. Older aerial imagery shows the corridor as a wooded buffer within former agricultural lands now mostly developed into housing and urban infrastructure.

Key Open Space Features:

- The corridor functions as a greenway with high ecological, recreational, and educational value.
- It provides habitat connectivity between the urban uplands and the Minnesota

River floodplain.

- Remnant high-quality prairie and oak savanna sites are rare in this urban setting, making them locally significant natural resources.

- ii. Plans. Describe planned land use as identified in comprehensive plan (if available) and any other applicable plan for land use, water, or resources management by a local, regional, state, or federal agency.

The proposed project has been planned for many years and is included in numerous planning documents. A summary of the key planning documents and plans associated with his project are provided, including links to the documents.

Bloomington Forward 2040: Comprehensive Plan

[www.bloomingtonmn.gov/sites/default/files/2023-](http://www.bloomingtonmn.gov/sites/default/files/2023-07/Comp%20Plan_Foward%202040_Chapter_2_%28updated_06_23%29_0.pdf)

[07/Comp%20Plan_Foward%202040_Chapter_2_%28updated_06_23%29_0.pdf](http://www.bloomingtonmn.gov/sites/default/files/2023-07/Comp%20Plan_Foward%202040_Chapter_2_%28updated_06_23%29_0.pdf)

The Plan forecasts future growth, identifies infrastructure and public service needs, guides development and zoning decisions, sets priorities for public investments, and serves as a comprehensive source of information to support funding and community planning. It lays out the City's long-term vision while helping residents, businesses, and agencies understand trends, opportunities, and tools for improvement.

City of Bloomington Park System Master Plan

www.bloomingtonmn.gov/pr/park-system-master-plan-2021

The Park System Master Plan (PSMP) is a road map for planning park improvements and guiding investments so the park system meets the community's needs now and in the future. Informed by trends, demographics, facility needs, and extensive community input gathered from late 2019 to mid-2021, the PSMP reveals that the City's parks are similar, have outdated amenities, and need updates and new facilities to better serve current residents and attract new ones, forming the basis for future decisions, programs, budgets, and investments.

City of Bloomington – Minnesota River Valley Strategic Plan

www.bloomingtonmn.gov/plan/minnesota-river-valley-strategic-plan

The Minnesota River Valley Strategic Plan (MRVSP) identifies several priority activities, including preparation of four more detailed system wide plans addressing natural and cultural resources, trails, signs, and maintenance.

City of Bloomington – Natural Resources Prioritization and Management Strategies for Bloomington Parks

www.bloomingtonmn.gov/sites/default/files/2022-09/Natural-Resources-Prioritization-and-Management-Strategies_July-2022_WEB.pdf

The Bloomington Parks Operations and Management Plan is being implemented by the Bloomington Maintenance Division. It establishes overall maintenance standards for each Bloomington park.

City of Bloomington – Minnesota River Valley Natural and Cultural Systems Plan

www.bloomingtonmn.gov/sites/default/files/media/mn_river_valley_natural_and_cultural_systems_plan_08.06.18.pdf

The Minnesota River Valley Natural and Cultural Systems Plan focuses on lands in the Minnesota River Valley owned by the City of Bloomington.

- iii. Zoning, including special districts or overlays such as shoreland, floodplain, wild and scenic

rivers, critical area, agricultural preserves, etc.

The project corridor is zoned by the City of Bloomington as Conservation (SC), with the southern portion within a Flood Hazard overlay (FH).

A City of Bloomington Bluff Protection overlay district is also present to recognize the steep slopes that are present and limit disturbance and development. The Lower Minnesota River Watershed District also has steep slope standards.

www.bloomingtonmn.gov/sites/default/files/3_table_1_standards_comparison.pdf

- iv. If any critical facilities (i.e. facilities necessary for public health and safety, those storing hazardous materials, or those with housing occupants who may be insufficiently mobile) are proposed in floodplain areas and other areas identified as at risk for localized flooding, describe the risk potential considering changing precipitation and event intensity.

Not Applicable

- b. Discuss the project's compatibility with nearby land uses, zoning, and plans listed in Item 10a above, concentrating on implications for environmental effects.

The Project is identified as an objective within multiple comprehensive, regional, and local plans. It is compatible with the adjacent land use, zoning, and is consistent with long-term City of Bloomington objectives. The project seeks environmental improvement, and while there may be short-term implications associated with construction, the project is a long-term benefit.

- c. Identify measures incorporated into the proposed project to mitigate any potential incompatibility as discussed in Item 10b above and any risk potential.

No incompatibility has been identified.

11. Geology, soils and topography/land forms:

- a. Geology - Describe the geology underlying the project area and identify and map any susceptible geologic features such as sinkholes, shallow limestone formations, unconfined/shallow aquifers, or karst conditions. Discuss any limitations of these features for the project and any effects the project could have on these features. Identify any project designs or mitigation measures to address effects to geologic features.

The surficial geology of the general area around the corridor is characterized by glacial features from the Late Pleistocene, New Ulm Formation as well as post glacial recent Holocene terrace and lacustrine deposits (MGS, 2018). The glacial deposits were formed during the advancement and retreat of the Grantsburg sublobe of the Des Moines lobe. Terrace deposits (consisting of sands and gravels) deposited from glacial River Warren are present and underlying much of the site and general area surrounding the corridor. Terrace scarps (abrupt changes in elevation sloping towards the east) are mapped in the near vicinity. Postglacial aged materials are colluvial and lacustrine sediments related to the Nine Mile Creek and Minnesota River characterized by fine-grained organic matter, which may be both massive and laminated, fine-grained sand, silt, and/or clay. The surficial deposits across the corridor are expected to be near the surface to 25 feet below ground surface.

The bedrock geology across the corridor is comprised of sedimentary rocks of Paleozoic age. The western edge of the corridor is within the start of a bedrock valley. A bedrock is a depression carved

through rock layers where younger rocks remain at the valley edges while older, deeper rocks are exposed in the center of the valley floor. Generally, the depth of surficial geology increases towards the center of bedrock valleys. In the eastern position of the corridor the uppermost bedrock unit is the Ordovician Prairie du Chien Group (OPDC). The OPDC is described as fine-grained dolostone, sandstone, and shale. The lower 60 to 100 feet (Oneota Dolomite) is primarily dolostone, while the upper 75 to 100 feet (Shakopee Formation) is composed of mixed dolostone and fine-to coarse-grained quartz sandstone. The approximate thickness of the unit is up to 200 feet, although the thickness of the OPDC is highly variable due to an erosional surface at the top of the formation and leading to the bedrock valley to the west. To the west as the bedrock valley exposed new units, the Jordan Sandstone is the uppermost bedrock and is described as a white, fine- to coarse-grained, poorly cemented sandstone; the fine clastic component is moderately- to tightly cemented with minor siltstone and shale. The MGS noted that the Jordan is typically thought of as a homogenous unit; however, a more accurate description is two interlayered facies with a coarse unit underlain by a fine-grained unit. The coarse and fine components of the Jordan Sandstone are preferentially located in vertical horizons. The fine component is typically found in the lower 5 to 50 feet and the coarse component in the upper 50 to 80 feet of the formation. at the start of the bedrock valley the Jordan Sandstone is the uppermost bedrock unit.

The bedrock units and generally laid horizontally from uppermost (youngest) to lower (oldest) and are the following: Prairie du Chien Group, Jordan Sandstone, St Lawrence Formation, Tunnel City Group, Wonewoc Sandstone, Eau Claire Formation, Mt Simon Sandstone, Hinckley Sandstone, and undifferentiated igneous or metamorphic rocks. At the bedrock valley's deepest point, which is over 2,000 feet to the west, the uppermost bedrock unit is depicted as the Tunnel City Group. Near the Minnesota River, bedrock can be found at or very near the surface (MGS, 2018). The shallowest areas of the bedrock are present in the southern portions of the site, near the MN River, and then along Nine Mile Creek.

Regional water table, or groundwater, flow direction at the Project is south along Nine Mile Creek towards the MN River (DNR, Hennepin County Part B Geologic Atlas 2021). The water-table elevation ranges between 670 and 800 feet msl with depth to water ranging from near surface up to 50 feet below ground surface. The shallowest groundwater is depicted adjacent to Nine Mile Creek and on the southern portion of the project near the MN River. Depth to groundwater is greater with elevation change away from these surface water features. The water table aquifer is the uppermost aquifer at the site. Multiple potential deeper aquifers may exist at the site generally corresponding to the previously described bedrock units.

Local geology at the project location has not been published as a karst terrain, which is defined by the MGS as a distinctive landform created primarily from the dissolution of soluble rocks. Generally characterized by sinkholes, caves, springs, and underground drainage dominated by rapid conduit flow. These features can range from a nuisance to an actual hazard in the event of a sinkhole collapse. The MnDNR (206) published regionals prone to surface karst features and defines areas prone to surficial karst features in which bedrock is less than 50 feet of sediment cover overlays carbonate bedrock such as the Prairie Du Chien found within the corridor. The Minnesota Spring Inventory (MSI) contains reported and verified spring locations throughout Minnesota. Mapping depicts multiple potential springs within the corridor, although none have been field verified within the inventory. Field observations of the project corridor have identified seepage wetlands and groundwater discharge, which indicates a high potential for additional characteristics of karst terrain.

- b. Soils and topography - Describe the soils on the site, giving NRCS (SCS) classifications and descriptions, including limitations of soils. Describe topography, any special site conditions relating to erosion potential, soil stability or other soils limitations, such as steep slopes, highly

permeable soils. Provide estimated volume and acreage of soil excavation and/or grading. Discuss impacts from project activities (distinguish between construction and operational activities) related to soils and topography. Identify measures during and after project construction to address soil limitations including stabilization, soil corrections or other measures. Erosion/sedimentation control related to stormwater runoff should be addressed in response to Item 12.b.ii.

A review of the NRCS Web Soil Survey indicates that most of the site is comprised of loamy sand, sandy loam or urban soils (**Figure 5**) with sandy outwash and alluvium as the parent material throughout the majority of the Project site. At the southern limits of the Project, by the Minnesota River, soils are mapped as organic with a surface texture of Muck. Soils throughout the project area are mapped as either Mollisols, Entisols, or Histosols; this is typical to this region of the state.

The project area includes many steep slopes that generally follow the alignment of Nine Mile Creek. According to the USDA SSURGO soil data, erodibility (measured as Factor K) within the project area ranges from 0.10 to 0.33, which is considered low to moderate. Factor K represents the susceptibility of soil particles to detachment and transport by rainfall and surface runoff. It is one of six components used in both the Universal Soil Loss Equation (USLE) and the Revised Universal Soil Loss Equation (RUSLE) to estimate average annual soil loss from sheet and rill erosion, expressed in tons per acre per year.

There are no soils identified as prime farmland or statewide importance present within the project limits.

Table 6 summarizes the soil types and texture for those series mapped within the project limits.

Table 6: Mapped Soils

Soil Map Unit	Soil Name	Surface Texture	Erodibility (K Factor)
L12A	Muskego, Blue Earth, and Houghton soils, ponded, 0 to 1 percent slopes, frequently flooded	Muck	Not Rated
L28A	Suckercreek fine sandy loam, 0 to 2 percent slopes, occasionally flooded	Fine sandy loam	0.2
L32F	Hawick loamy sand, 20 to 40 percent slopes	Loamy sand	0.1
L39A	Minneiska fine sandy loam, 0 to 2 percent slopes, occasionally flooded	Fine sandy loam	0.24
L55B	Urban land-Malardi complex, 0 to 8 percent slopes	None	Not Rated
L55C	Urban land-Malardi complex, 8 to 18 percent slopes	None	Not Rated
U4A	Urban land-Udipsammments (cut and fill land) complex, 0 to 2 percent slopes	None	Not Rated

Site elevations range from approximately 830 feet above mean sea level (msl) at the northwestern corner (Moir Park) of the Project to 690 msl near the Minnesota River in the South. Generally, the site exhibits high terrain along the eastern and western edges of the Project, and steep slopes down to the Nine Mile Creek Valley through the center. The project will grade and stabilize some of the steepest land. Other earth work includes vegetative habitat improvements, including tree grubbing and clearing. Erosion and sediment control related to stormwater runoff is addressed below in Section 12. b. ii.

There are no soil limitations to address. Erosion control measures will be used during construction to minimize surface erosion and areas of soil disturbance will be revegetated and managed for erosion and weed control. The Project aims to stabilize the corridor and provide long-term erosion control through natural and engineered approaches. Treatment for stormwater runoff is discussed in greater detail in section 12.b.ii.

Soil and geotechnical borings have been completed to analysis project conditions. A geotechnical engineer will review the results to ensure that local soils and site conditions are suitable for placement of trails, bridges, and park amenities.

The Project will have over 100 acres of ground disturbance including excavation/grading. It will require an NPDES/SDS Construction Stormwater Permit from the MPCA. The NPDES/SDS permit requirements will include both temporary (during construction) and permanent soil stabilization and erosion control measures. A Stormwater Pollution Protection Plan (SWPPP) will also be prepared for the project.

12. Water resources:

- a. Describe surface water and groundwater features on or near the site in a.i. and a.ii. below.
 - i. Surface water - lakes, streams, wetlands, intermittent channels, and county/judicial ditches. Include any special designations such as public waters, shoreland classification and floodway/floodplain, trout stream/lake, wildlife lakes, migratory waterfowl feeding/resting lake, and outstanding resource value water. Include the presence of aquatic invasive species and the water quality impairments or special designations listed on the current MPCA 303d Impaired Waters List that are within 1 mile of the project. Include DNR Public Waters Inventory number(s), if any.

Watersheds

As defined by the MNDNR, the project area is located within the Lower Minnesota River (#33) major watershed, and Nine Mile Creek minor watershed (# 33120).

Public Waters

The MNDNR public waters dataset was used to identify surface waters within or nearby (within 0.5-mile) the project area. The review identified Nine Mile Creek, Nine Mile Basin (P 27-13), and Sylvia Mae Marsh (P 27-1074) within the Project area. The Minnesota River, and two unnamed public water basins (P 27-1075 and P 27-1076) are located directly adjacent, but outside, the Project area. Public waters within or adjacent to the project area are shown in **Figure 7**.

Wild and Scenic Rivers

As defined by the MNDNR, the closest Wild and Scenic Rivers include the St. Croix River (24.65 miles east of the Project) the Cannon River (22.84 miles south of the Project) and the Minnesota River (From the Lac qui Parle dam to the U.S. Highway 212 bridge in the corporate limits of Montevideo- located over 100 miles west of the Project).

MPCA 303d Impaired Waters

Two 303d Impaired Waters are located within the Project area.

Nine Mile Creek, the primary aquatic resource within the project area and focus of the restoration efforts, is identified as being impaired for Aquatic Life for both fish and

macroinvertebrates. Nine Mile Creek is also listed as impaired for Aquatic Recreation for *Escherichia coli*, although that impairment is within a 2020 TMDL (PRJ07673-001).

The Minnesota River from RM22 to the Mississippi River confluence is identified as impaired for aquatic consumption for mercury in fish tissue, mercury in water column and PCBs in fish tissue. It is also identified as impaired for Aquatic Life for dissolved oxygen and turbidity. The mercury impairments are addressed in a 2008 TMDL (PRJ07770-001), while Aquatic Life impairment for dissolved oxygen is within a 2004 TMDL (PRJ07741-001) and a 2020 TMDL for turbidity (PRJ00012-002A).

MPCA Exceptional Aquatic Life Use Waters or Outstanding Resource Value Waters

There are no MPCA Exceptional Aquatic Life Use Waters or Outstanding Resource Value Waters within a 1-mile radius of the Project area.

Aquatic Invasive Species

Aquatic invasive species that are present within the project vicinity include purple loosestrife (*Lythrum salicaria*) in portions of the deep marsh wetlands associated with the Minnesota River and reed canary grass (*Phalaris arundinacea*) within many of the wet meadow wetlands throughout the project area. Several aquatic invasive species are also present within the Minnesota River including zebra mussels (*Dreissena polymorpha*), grass carp (*Ctenopharyngodon idella*), and bighead carp (*Hypophthalmichthys nobilis*).

Floodway/Floodplain

The project area falls within a FEMA-mapped detailed study and includes both a 100-year floodplain and a designated floodway; however, the 500-year floodplain has not been mapped. Several erosion repair activities within the project reach will involve placing fill or modifying the stream channel within the 100-year floodplain. Two bridges (Bridge 5 and Bridge 8) will be raised, which will require additional fill in the floodplain. A new switchback trail designed for accessibility will also introduce fill within the mapped floodplain. While most trail reconstruction will occur at existing grades, some sections will include minor fill within the 100-year floodplain. A hydraulic analysis is being conducted to determine whether these activities can meet FEMA's no-rise requirement. For any components that cannot meet this standard, a Conditional Letter of Map Revision (CLOMR) will be prepared and submitted if the project will result in a change to the 100-year floodplain from an increase in flood elevations. The Nine Mile Creek Watershed District also has no-rise requirements for stage height of Nine Mile Creek and requires compensatory storage when floodplain impacts occur.

Wetlands

The Project area includes many wetlands, primarily concentrated along Nine Mile Creek and the Minnesota River. All wetlands exhibited surficial connectivity to Nine Mile Creek in some form, either directly connected or via culverts. Wetlands were grouped into five habitat classifications: Fresh (wet) Meadows, Seasonally Flooded Basins, Shallow Marshes, Floodplain Forests, and Hardwood Swamps. The large expanse of floodplain forest within the Minnesota River floodplain is also wetland, but was separated to allow focus on the smaller wetlands within the project area that are more likely to be impacted by the project.

Wetland Community Descriptions

- Fresh (wet) Meadows - Characterized by predominance of reed canary grass (*Phalaris arundinacea*). Hydrology indicators include high water table and saturation.
- Seasonally Flooded Basins - Vegetation dominated by reed canary grass. Soils

exhibit redox dark surface hydric indicators. Hydrology includes high water table and saturation.

- Shallow Marshes - Dominated by narrowleaf cattail (*Typha angustifolia*) with reed canary grass on fringes. Hydrology includes surface water, high water table, and saturation, with some shallow inundation.
- Floodplain Forests - Characterized by silver maple (*Acer saccharinum*), green ash (*Fraxinus pennsylvanica*), and American elm (*Ulmus americana*) in the tree layer, with reed canary grass and jewelweed (*Impatiens capensis*) in the herbaceous layer. Hydrology includes high water table and saturation. These forests are primarily adjacent to the stream channel with distinct upland transitions.
- Hardwood Swamps - Vegetation includes skunk cabbage (*Symplocarpus foetidus*) and jewelweed in the herbaceous layer, with green ash and American elm trees. Hydrology includes hillside seeps in many of the wetlands. These wetlands occur mainly on slopes and hillsides above the stream channel. Many of the green ash trees within these wetlands have died from emerald ash borer.

Figure 7 shows wetlands delineated within the Project.

The results of the wetland delineation are summarized in **Table 7**. The project includes the large floodplain wetlands associated with the Minnesota River. As this area was flooded during the wetland delineations, the 100-year floodplain elevation was used as the boundary for this feature, and it is not included in the table but has been incorporated in the land use calculations as forested habitat.

Table 7: Wetland Delineation Results

Wetland ID	Wetland Type (Eggers and Reed/ Circular 39/ Cowardin)	Wetland Size (acres)	Delineation Method
1	Floodplain Forest / Type 1 / PFO1A	0.09	Level 2
2	Floodplain Forest / Type 1 / PFO1A	0.03	Level 2
3	Floodplain Forest / Type 1 / PFO1A	0.04	Level 2
4	Floodplain Forest / Type 1 / PFO1A	0.02	Level 2
5	Floodplain Forest / Type 1 / PFO1A	0.09	Level 2
6	Shallow Marsh / Type 3 / PEMC	0.24	Level 2
7	Floodplain Forest / Type 1 / PFO1A	0.01	Level 2
8	Seasonally Flooded Basin / Type 1 / PEMA	0.04	Level 2
9	Seasonally Flooded Basin / Type 1 / PEMA	0.02	Level 2
10	Floodplain Forest / Type 1 / PFO1A	0.03	Level 2
11	Fresh (wet) Meadow / Type 2 / PEM1B	0.03	Level 2
12	Fresh (wet) Meadow / Type 2 / PEM1B	0.21	Level 2
13	Floodplain Forest / Type 1 / PFO1A	0.02	Level 2
14	Fresh (wet) Meadow / Type 2 / PEM1B	0.15	Level 2
15	Fresh (wet) Meadow / Type 2 / PEM1B	0.12	Level 2
16	Fresh (wet) Meadow / Type 2 / PEM1B	0.11	Level 2
17	Fresh (wet) Meadow / Type 2 / PEM1B	0.02	Level 2
18	Seasonally Flooded Basin / Type 1 / PEMA	0.25	Level 2
19	Hardwood Swamp / Type 7 / PFO1A	0.10	Level 2
20	Hardwood Swamp / Type 7 / PFO1A	0.15	Level 2
21	Hardwood Swamp / Type 7 / PFO1A	0.16	Level 2
22	Fresh (wet) Meadow / Type 2 / PEM1B	0.40	Level 2
23	Shallow Marsh / Type 3 / PEMC	0.11	Level 2
24	Fresh (wet) Meadow / Type 2 / PEM1B	0.01	Level 2
25	Fresh (wet) Meadow / Type 2 / PEM1B	0.10	Level 2
26	Hardwood Swamp / Type 7 / PFO1A	0.06	Level 2

27	Fresh (wet) Meadow / Type 2 / PEM1B	0.18	Level 2
28	Hardwood Swamp / Type 7 / PFO1A	0.08	Level 2
29	Hardwood Swamp / Type 7 / PFO1A	0.07	Level 2
30	Fresh (wet) Meadow / Type 2 / PEM1B	0.87	Level 2
31	Fresh (wet) Meadow / Type 2 / PEM1B	0.10	Level 2
32	Fresh (wet) Meadow / Type 2 / PEM1B	0.07	Level 2
33	Fresh (wet) Meadow / Type 2 / PEM1B	0.11	Level 2
34	Fresh (wet) Meadow / Type 2 / PEM1B	0.11	Level 2
35	Fresh (wet) Meadow / Type 2 / PEM1B	0.05	Level 2
36	Fresh (wet) Meadow / Type 2 / PEM1B	0.06	Level 2
A	Fresh (wet) Meadow / Type 2/ PEM1B	0.06	Level 1
B	Floodplain Forest / Type 1/ PFO1A	0.01	Level 1
C	Fresh (wet) Meadow / Type 2/ PEM1B	0.03	Level 1
D	Fresh (wet) Meadow / Type 2/ PEM1B	0.02	Level 1
E	Fresh (wet) Meadow / Type 2/ PEM1B	0.02	Level 1
F	Fresh (wet) Meadow / Type 2/ PEM1B	0.27	Level 1
G	Fresh (wet) Meadow / Type 2/ PEM1B	0.02	Level 1
H	Fresh (wet) Meadow / Type 2/ PEM1B	0.49	Level 1
I	Fresh (wet) Meadow / Type 2/ PEM1B	0.03	Level 1
J	Fresh (wet) Meadow / Type 2/ PEM1B	0.07	Level 1
K	Fresh (wet) Meadow / Type 2/ PEM1B	0.01	Level 1
L	Fresh (wet) Meadow / Type 2/ PEM1B	0.01	Level 1
M	Fresh (wet) Meadow / Type 2/ PEM1B	0.03	Level 1
N	Fresh (wet) Meadow / Type 2/ PEM1B	0.01	Level 1
O	Fresh (wet) Meadow / Type 2/ PEM1B	0.15	Level 1
P	Fresh (wet) Meadow / Type 2/ PEM1B	0.03	Level 1

- ii. Groundwater – aquifers, springs, seeps. Include: 1) depth to groundwater; 2) if project is within a MDH wellhead protection area; 3) identification of any onsite and/or nearby wells, including unique numbers and well logs if available. If there are no wells known on site or nearby, explain the methodology used to determine this.

Groundwater

Regional groundwater flows into the Minnesota River. The depth to groundwater ranges from 0 to 50 feet below ground surface. The project area includes numerous seepage wetlands that discharge groundwater from the base of the valley into Nine Mile Creek.

Water Wells

A review of the Minnesota Well Index identified several wells within 0.5 miles of the proposed project corridor, and one well located within proposed Project boundary as shown in **Figure 8**. Wells in and adjacent to the Project are summarized in **Table 8**.

Table 8: Minnesota Well Index

Unique Well No.	Well Depth (feet)	Unique Well No.	Well Depth (feet)
205482	151	205473	112
222977	118	205363	91
205413	212	223133	115
205409	121	205485	154
205416	121	223143	285
223136	170	223152	189
223146	285	222961	90
205477	128	222976	237
205372	55	223058	280
223144	305	205410	118
205417	118	222962	294
223170	60	205479	287
223153	161	223137	180
205361	91	223145	271
205415	117	223050	168
205478	114	205408	53
205476	135	205418	153
223171	56	222960	244
205474	294	205475	256
223154	180	205364	119
205358	89	223141	178
205360	167	223142	321
223151	184	205412	191
205499	245	205411	150
114303	365	650745	258
205481	234	591514	139
205414	156	788527	181
222959	229	276838	216
223155	182	434010	50
205470	114	434013	94
223140	157	240803	30
205407	213	1000020922	0
223134	119		

The Minnesota Well Index does not represent all wells that may be present, but it is the single most complete listing available. If any unused or unsealed wells are discovered in the project area during the design process or construction, they would be addressed following Minnesota Rules, Chapter 4725.

Wellhead Protection Areas

Wellhead Protection Areas (WHPAs) are areas around a public water supply well that contribute groundwater to the well. Contamination of water or the land surface in these areas can affect the drinking water supply provided by the well. The purpose of a WHPA is

to protect the surface and subsurface area surrounding a public water supply from contaminants entering the drinking water supply.

The Minnesota Department of Health's (MDH) Wellhead Protection Areas (WHPA) database was reviewed to identify WHPAs in or near the project corridor. The boundary of the Bloomington WHPA is located approximately 0.5-miles west and outside the Project area. The project will not impact the City of Bloomington's water supply.

Drinking Water Supply Management Areas

Drinking Water Supply Management Areas (DWSMAs) are areas containing the wellhead protection area. The boundary of the Bloomington DWSMA is located approximately 0.27 miles northwest and outside of the Project area. The Bloomington DWSMA is managed in the City of Bloomington's Wellhead Protection Plan.

b. Describe effects from project activities on water resources and measures to minimize or mitigate the effects in Item b.i. through Item b.iv. below.

i. Wastewater - For each of the following, describe the sources, quantities and composition of all sanitary, municipal/domestic and industrial wastewater produced or treated at the site.

- 1) If the wastewater discharge is to a publicly owned treatment facility, identify any pretreatment measures and the ability of the facility to handle the added water and waste loadings, including any effects on, or required expansion of, municipal wastewater infrastructure.

A small quantity of wastewater is generated from the restrooms located within Moir Park. Wastewater is collected through the Metropolitan Council Environmental Services system and is routed to the Seneca Treatment Facility in Eagan, MN. There is no local pretreatment. The quantity of wastewater generated is expected to be marginally increased with more park users but will be well within the capacity of the current system.

- 2) If the wastewater discharge is to a subsurface sewage treatment systems (SSTS), describe the system used, the design flow, and suitability of site conditions for such a system. If septic systems are part of the project, describe the availability of septage disposal options within the region to handle the ongoing amounts generated as a result of the project. Consider the effects of current Minnesota climate trends and anticipated changes in rainfall frequency, intensity and amount with this discussion.

There are no subsurface sewage treatment systems present in the project area.

- 3) If the wastewater discharge is to surface water, identify the wastewater treatment methods and identify discharge points and proposed effluent limitations to mitigate impacts. Discuss any effects to surface or groundwater from wastewater discharges, taking into consideration how current Minnesota climate trends and anticipated climate change in the general location of the project may influence the effects.

Following treatment, the Seneca Treatment Facility discharges into the Minnesota River.

- ii. **Stormwater** - Describe changes in surface hydrology resulting from change of land cover. Describe the routes and receiving water bodies for runoff from the project site (major downstream water bodies as well as the immediate receiving waters). Discuss environmental effects from stormwater discharges on receiving waters post construction including how the project will affect runoff volume, discharge rate and change in pollutants. Consider the effects of current Minnesota climate trends and anticipated changes in rainfall frequency, intensity and amount with this discussion. For projects requiring NPDES/SDS Construction Stormwater permit coverage, state the total number of acres that will be disturbed by the project and describe the stormwater pollution prevention plan (SWPPP), including specific best management practices to address soil erosion and sedimentation during and after project construction. Discuss permanent stormwater management plans, including methods of achieving volume reduction to restore or maintain the natural hydrology of the site using green infrastructure practices or other stormwater management practices. Identify any receiving waters that have construction-related water impairments or are classified as special as defined in the Construction Stormwater permit. Describe additional requirements for special and/or impaired waters.

Minor changes in surface hydrology are anticipated from improvements in Moir and Harrison Parks, primarily due to small increases in impervious surface and the relocation/consolidation of parking lots. Stormwater runoff from new or reconstructed parking areas will be treated through infiltration basins. Where feasible, new basins will be constructed, and existing basins will be refurbished to ensure adequate treatment. No changes in runoff are expected from existing impervious trails and bridges. All runoff will discharge to Nine Mile Creek, the current receiving water.

The project will improve water quality by adding treatment to previously untreated impervious areas, positioning the project to meet NMCWD requirements of 60% TP and 90% TSS removal annually. These improvements, combined with infiltration practices, are expected to reduce pollutant loading and may decrease peak runoff rates in some areas. Permanent stormwater management will emphasize volume reduction and green infrastructure practices to maintain natural hydrology and address anticipated increases in rainfall intensity and frequency under Minnesota climate trends.

The project will disturb sufficient area to require NPDES/SDS Construction Stormwater permit coverage. A Stormwater Pollution Prevention Plan (SWPPP) will be prepared, incorporating best management practices (BMPs) for erosion and sediment control during and after construction. Because the Minnesota River is impaired for turbidity, enhanced erosion prevention and sediment control BMPs and more frequent inspections will be implemented, consistent with permit requirements. These enhanced measures apply to temporary construction-phase BMPs rather than permanent stormwater treatment systems.

- iii. **Water appropriation** - Describe if the project proposes to appropriate surface or groundwater (including dewatering). Describe the source, quantity, duration, use and purpose of the water use and if a DNR water appropriation permit is required. Describe any well abandonment. If connecting to an existing municipal water supply, identify the wells to be used as a water source and any effects on, or required expansion of, municipal water infrastructure. Discuss environmental effects from water appropriation, including an assessment of the water resources available for appropriation. Discuss how the proposed water use is resilient in the event of changes in total precipitation, large precipitation events, drought, increased temperatures, variable surface water flows and elevations, and

longer growing seasons. Identify any measures to avoid, minimize, or mitigate environmental effects from the water appropriation. Describe contingency plans should the appropriation volume increase beyond infrastructure capacity or water supply for the project diminish in quantity or quality, such as reuse of water, connections with another water source, or emergency connections.

No water appropriation is anticipated, although temporary stream diversions and isolation of portions of Nine Mile Creek to complete components of the restoration may be required to allow construction to occur in drier conditions.

iv. Surface Waters

- a) Wetlands - Describe any anticipated physical effects or alterations to wetland features such as draining, filling, permanent inundation, dredging and vegetative removal. Discuss direct and indirect environmental effects from physical modification of wetlands, including the anticipated effects that any proposed wetland alterations may have to the host watershed, taking into consideration how current Minnesota climate trends and anticipated climate change in the general location of the project may influence the effects. Identify measures to avoid (e.g., available alternatives that were considered), minimize, or mitigate environmental effects to wetlands. Discuss whether any required compensatory wetland mitigation for unavoidable wetland impacts will occur in the same minor or major watershed and identify those probable locations.

The Project will involve limited physical alterations to wetlands, primarily in association with streambank stabilization, trail reconstruction, and erosion control activities associated with gully repair. Anticipated wetland impacts may include minor fill, vegetation removal, and temporary disturbance due to construction access and grading. The remainder will require crossing oxbow wetlands with the new channel alignment and excavation of portions of those old channels to accommodate the new one. The project will result in a small, localized excavation within the wetland, which constitutes a permanent wetland impact of approximately one-tenth of an acre. However, this work will not result in the loss of aquatic habitat.

Avoidance and minimization measures have been incorporated into the Project design. Alternatives were considered to reduce impacts to wetland areas by routing trails at existing grades, limit construction footprints, completing tree removal components in winter to limit ground disturbance and using hand labor or low-impact equipment in sensitive areas.

Where wetland impacts are unavoidable, appropriate mitigation will be implemented in accordance with federal, state, and local requirements. Compensatory wetland mitigation, if required, is expected to occur through the purchase of wetland credits.

- b) Other surface waters- Describe any anticipated physical effects or alterations to surface water features (lakes, streams, ponds, intermittent channels, county/judicialditches) such as draining, filling, permanent inundation, dredging, diking, stream diversion, impoundment, aquatic plant removal and riparian alteration. Discuss direct and indirect environmental effects from physical modification of water features, taking into consideration how current Minnesota

climate trends and anticipated climate change in the general location of the project may influence the effects. Identify measures to avoid, minimize, or mitigate environmental effects to surface water features, including in-water Best Management Practices that are proposed to avoid or minimize turbidity/sedimentation while physically altering the water features. Discuss how the project will change the number or type of watercraft on any water body, including current and projected watercraft usage.

The proposed project includes work within Nine Mile Creek to stabilize eroding embankments and restore meanders within a section of the channel that has been straightened. These projects will have some temporary and permanent impacts to the channel during construction but are intended to provide long-term ecological improvements and will have no net loss of aquatic resources. As there are multiple components of the work within surface waters, the proposed activities will be discussed separately.

Stabilize Eroded and Unstable Channel Embankments

Throughout the Nine Mile Creek corridor, natural processes have developed areas where the existing embankments have become unstable and large areas of erosion have developed. Some of these are related to natural channel migration, which includes large unstable areas where the channel is undercutting the valley walls and can extend for hundreds of feet. In many of these areas, previous stabilization efforts have been attempted with timber posts, sheet pile, wood, concrete jacks, and riprap. Previous efforts to protect the slopes have been successful in most areas, while some have only reduced the rate and need reconstruction to remain effective. Less excessive areas of instability and embankment erosion are also present where embankments have eroded, or frequent pedestrian use has exposed the soil.

Areas with extensive or perpetual embankment erosion are proposed to be stabilized by placing woody material or soil within the outside bank, and backfilling above the embankment to create a new slope. This will result in moving the channel away from the valley wall and providing a shallower slope that can be vegetated and stabilized. The preferred material for stabilizing the embankments is logs, rootwads, brush mats, and fabrics where water velocities and the rate of stream meander is moderate or less. Where the rate of channel change is more rapid, which is typically correlated to areas with high velocities and shear stress, large rocks will be used to provide harder armoring along the embankment. Some of the more severe erosion is occurring within the northern portion of the project, where there is active erosion along the valley wall and there are residential structures located at the top of the bluff. A more aggressive approach to relocating the channel away from the valley wall and providing rock armoring is proposed for this section given the risks of eventual infrastructure impacts.

Unstable channel embankments that are less extensive or not located along the valley walls will be repaired and reinforced using root wads, brush blankets, or other softer materials than riprap to stabilize them and prevent or reduce the impacts from erosion.

Creek Remeander

The project will restore a 435-foot straightened reach of Nine Mile Creek to a ~900-foot meandering alignment (net gain ~465 feet) by excavating a new 20-

30-foot-wide channel, filling the existing one, and lowering adjacent floodplain elevations to improve hydraulic capacity, flood storage, and habitat connectivity. Construction will cross portions of oxbow wetlands, resulting in a localized permanent wetland impact of ~0.10 acre without loss of aquatic habitat; disturbed areas will be seeded with a wet meadow mix, and some will transition to wetland habitat. One bridge will be removed and replaced with an elevated boardwalk, eliminating fill from the floodplain, avoiding additional wetland impacts, and enhancing floodplain connection. In-water Best Management Practices such as flow diversions, sediment controls, staged excavation, and rapid stabilization will minimize turbidity and sedimentation during physical alteration. The project will not change watercraft use and, considering current and anticipated climate trends toward more frequent high-intensity rain events, is expected to improve channel resilience by increasing sinuosity, moderating flows, and reducing erosive energy. Avoidance and minimization measures include limiting wetland impacts, removing floodplain fill, and incorporating habitat features such as large wood, rock vanes, and in-channel structures to promote long-term stability and ecological function.

Bridge Replacements

There are currently nine bridges that cross Nine Mile Creek within the project area. These are all single span steel truss structures. Several of these bridges may require moderate repair where there has been modest erosion around the abutments, but the existing structures will remain unchanged. Two bridges are proposed to be replaced with new structures. These new crossings will be longer and higher in elevation to ensure there are no hydrologic or hydraulic changes but will require some rock to be placed along the abutments to protect from erosion. One bridge associated with an area of the channel that will be remeandered is proposed to be replaced using a timber boardwalk.

Watercraft Usage

There will be no changes to the type and number of watercraft using Nine Mile Creek or associated water resources.

13. Contamination/Hazardous Materials/Wastes:

- a. Pre-project site conditions - Describe existing contamination or potential environmental hazards on or in close proximity to the project site such as soil or ground water contamination, abandoned dumps, closed landfills, existing or abandoned storage tanks, and hazardous liquid or gas pipelines. Discuss any potential environmental effects from pre-project site conditions that would be caused or exacerbated by project construction and operation. Identify measures to avoid, minimize or mitigate adverse effects from existing contamination or potential environmental hazards. Include development of a Contingency Plan or Response Action Plan.

A query of the Minnesota Pollution Control Agency's (MPCA) "What's in my Neighborhood" online database (<https://www.pca.state.mn.us/data/whats-my-neighborhood> - accessed July 2025) identified 34 active sites within 0.5 miles of the Project, 23 inactive sites within 0.5 miles of the Project, and one (1) inactive site within the Project. **Table 9** outlines all the active sites within 0.5 miles of the Project.

Table 9 – Active Sites: What’s in my Neighborhood Query Results

Site ID / MPCA ID	Name	Activity
4369	ISD 271 - Oak Grove Middle School	Air Quality; Hazardous Waste, Minimal quantity generator; Petroleum Remediation, Leak Site; Underground Tanks
7712	Bloomington Collection System	Environmental Review; Wastewater, Municipal Collection System
14587	Tjornhom Chiropractic	Hazardous Waste
14734	Marine Electric	Hazardous Waste
17094	Bloomington city of Traffic	Hazardous Waste, Minimal quantity generator; Petroleum Remediation, Leak Site
17098	Gas For Less	Hazardous Waste, Investigation and Cleanup, Tanks
17408	Metals Joining Lab Co Inc	Hazardous Waste
17469	Milhoff Steel Products Corp	Hazardous Waste
20623	Winter Co - Bloomington	Hazardous Waste
24818	Modular Concepts Inc	Hazardous Waste
31737	Agri Marketing Corp	Hazardous Waste
31894	Andersen Earl F Inc	Hazardous Waste
33836	98th St Auto Service	Hazardous Waste
38920	Bloomington city of	Hazardous Waste, Stormwater
39115	Bloomington city of - James Ave	Hazardous Waste
39349	Bloomington city of Utilities Division	Hazardous Waste, Investigation and Cleanup
91985	Bloomington Police Dept	Hazardous Waste
98287	Bloomington city of James Ave Fac	Stormwater, Tanks
112270	98th Street Auto Service	Tanks
130544	City Of Bloomington	Tanks
131654	Nine Mile Creek Senior Living - Bloomington	Stormwater
137939	Bloomington Public Health	Hazardous Waste
139220	Nine Mile Senior Living	Hazardous Waste
144852	Amy and Mike's Handy Services	Hazardous Waste
156586	Saint Lukes Church	Tanks
186771	Diede Residence	Investigation and Cleanup
188354	Bloomington City Hall	Investigation and Cleanup
196914	Old City Hall	Investigation and Cleanup
221085	Accurate Painting FSC LLC	Hazardous Waste
224577	2018-101 PMP - Girard Area	Stormwater
231104	2019-101 PMP Street Improvement Project	Stormwater
234712	2020-101 PMP Street Improvement Project	Stormwater
249103	Christine Stuber Residence	Tanks
257751	Dorsey Property	Investigation and Cleanup

The project does not expect to encounter contaminants during construction. Any contaminants encountered during site work will be appropriately handled in accordance with all applicable federal, state, and local protocols, procedures, and policies.

- b. Project related generation/storage of solid wastes - Describe solid wastes generated/stored during construction and/or operation of the project. Indicate method of disposal. Discuss potential environmental effects from solid waste handling, storage and disposal. Identify

measures to avoid, minimize or mitigate adverse effects from the generation/storage of solid waste including source reduction and recycling.

Construction waste is anticipated to be minimal and would be managed as municipal solid waste (MSW) or construction / demolition debris. Regulated solid waste generated by construction would be handled and disposed of in a permitted, licensed solid waste facility or a similarly regulated facility following applicable local, state, and federal regulations. The contractor would be required to manage and dispose of all construction-generated waste in accordance with MPCA requirements and all other applicable regulatory requirements. Construction waste would either be recycled or stored in approved containers and disposed of in the proper facilities. Any excess soil material that is not suitable for use onsite would become the property of the contractor and would be disposed of properly. All solid waste would be managed and disposed of according to MPCA and other regulatory requirements.

The majority of the project will not generate or store solid waste after construction is completed. However, as is presently the case, usage of Moir and Harrison Parks will generate a small volume of waste from park users, and this is not expected to significantly change from current operational conditions. Refuse collection will continue to be provided and managed by the City of Bloomington..

- c. Project related use/storage of hazardous materials - Describe chemicals/hazardous materials used/stored during construction and/or operation of the project including method of storage. Indicate the number, location and size of any new above or below ground tanks to store petroleum or other materials. Indicate the number, location, size and age of existing tanks on the property that the project will use. Discuss potential environmental effects from accidental spill or release of hazardous materials. Identify measures to avoid, minimize or mitigate adverse effects from the use/storage of chemicals/hazardous materials including source reduction and recycling. Include development of a spill prevention plan.

Fuel and lubricants necessary for construction equipment during construction would be present in the proposed Project area. These materials would be used during active construction only, and the contractor would be required to abide by the Pollution Prevention Management Measures (Part IV.F.2) of the NPDES Construction Stormwater Permit. No other toxic or hazardous materials would be present. All toxic or hazardous materials would be removed from the project area upon completion of construction. If a spill occurs, appropriate action to remediate would be taken immediately in accordance with the MPCA guidelines and regulations.

No permanent above- or below-ground fuel storage tanks are planned for use in conjunction with this project. Temporary fuel storage tanks would be positioned in the project corridor for construction equipment during construction. Appropriate measures would be taken to avoid leaks and/or spills. If a leak or spill occurs, appropriate action to remediate the leak or spill would be taken immediately in accordance with MPCA guidelines and regulations.

- d. Project related generation/storage of hazardous wastes - Describe hazardous wastes generated/stored during construction and/or operation of the project. Indicate method of disposal. Discuss potential environmental effects from hazardous waste handling, storage, and disposal. Identify measures to avoid, minimize or mitigate adverse effects from the generation/storage of hazardous waste including source reduction and recycling.

The Project will not generate or require the storage of hazardous waste during construction. During operations, the Project will not generate or require the storage of hazardous waste.

14. Fish, wildlife, plant communities, and sensitive ecological resources (rare features):

- a. Describe fish and wildlife resources as well as habitats and vegetation on or in near the site.

The project area is dominated by natural or naturalized woodland habitat, with smaller areas of prairie, wetland, and areas utilized as active parkland and green space. Natural habitat is the dominant feature and represents approximately 90% of the land cover of the project area. Nine Mile Creek is a key feature of the project area. Being an urban stream located within a natural setting, the channel and the adjacent wooded uplands are key ecological resources.

The Nine Mile Creek corridor lies at the bottom of a relatively steep and narrow valley. The entire area has relatively steep sideslopes, which are wooded and difficult to traverse. The tops of the valley are generally flat but have rolling hill qualities and are not as uniform as the bottomlands. On the southern extent of the project area, Nine Mile Creek flows into the Minnesota River floodplain, which is also broad and flat.

Fish habitat is present within Nine Mile Creek, which supports a non-game population of native species. Flow is generally consistent but can be fast at times; and can draw down during droughts. Stormwater is a large contributor to the volume of flow, which can exacerbate high flows and has a negative impact on water quality. Rock and gravel are dominant substrates in the lower portion of the channel, while the upper reaches are more sand and gravel substrate. Woody debris and leaf litter are prevalent throughout, and most of the channel is shaded. Groundwater seeps contribute to the flow, but are not significant by volume, and the system is still considered to be warm water. Fish sampling completed as part of the Nine Mile Creek Watershed District monitoring program have identified the fishery to be dominated by creek chub, green and bluegill sunfish, blacknose dace, flathead minnow, bigmouth shiner, and white sucker. Nine Mile Creek is considered impaired for aquatic life for both fish and macroinvertebrates.

A low head dam is located just north of the project midpoint at 106th Street. This structure was constructed in the 1990's and assists with moderating flows and water levels. This structure may be an impediment to fish passage, with fish sampling data indicating that fish species diversity and Index of Biotic Integrity (IBI) score being greater below the structure than above it. As the dam is structurally in good condition and it is providing value for flow management, there are no plans to modify it as part of the proposed project.

The project does not include work within the Minnesota River, but the lowest portion of the project includes the Minnesota River floodplain and an existing gravel causeway that crosses a portion of Sylvia Mae Marsh (Public Water #1074P), also known as Welters Wildwood Park Pond. Fisheries habitat is present in the Minnesota River floodplain, including the marsh, which is important for spawning and would support more game species than the creek itself.

Wildlife are abundant within the park, and include populations of whitetail deer, wild turkey, and small mammals typical of an urban woodland setting. Given the size of the area, and the proximity to the Minnesota River flyway, this area is an important habitat for woodland bird species that are both migratory and year-round residents. Spring ephemeral woodland flowers and flowering plants within a small area of prairie also provide important pollinator habitats.

Plant communities were evaluated and mapped in a pre-project condition assessment to determine what natural communities were present and the overall health and quality (**Figure 4**). Overall, wooded communities dominate, with smaller areas of wetland and dry prairie (**Table 10**).

Table 10 – Summary of Native Plant Communities

Natural Community or Cover Type	MNDNR Community Code	Acres	Percent of Natural Community
Upland Communities			
Forested Habitat			
Southern Dry-Mesic Oak Forest	MHs37	51.94	22.11%
Southern Mesic Oak-Basswood Forest	MHs38	56.10	23.88%
Southern Mesic Maple Basswood Forest	MHs39	26.17	11.14%
Southern Wet Mesic Hardwood Forest	MHs49	19.32	8.22%
Prairie and Grassland Habitat			
Southern Dry Prairie	UPs13	1.91	0.81%
Wetland Communities			
Southern Floodplain Forest	FFs68	43.99	18.72%
Northern Bulrush-Spikerush Marsh	MRn93	17.34	7.38%
Fresh wet meadow, shallow marsh, hardwood swamp, and Nine Mile Creek-associated floodplain forest	Multiple	5.70	2.43%
Riverine (Nine Mile Creek)	N/A	12.45	5.30%
Total		234.92	

Habitat quality was also assessed for each community. Although natural communities are present, invasive species, disease, disturbance, urban pressures, and lack of natural processes have degraded the quality of habitat present. A few areas remain the highest quality, but most of the habitat present is considered in Moderate condition (**Table 11**). The project seeks to improve the quality of habitat and will use the existing ratings as baseline conditions to evaluate performance.

Table 11 – Summary of Habitat Quality Ratings

Habitat Quality Ranking	Natural Community	Acres	Percent of Natural Communities
A	Dry Sand - Gravel Prairie	1.84	0.85%
	Southern Mesic Maple Basswood Forest	0.28	0.13%
	Subtotal	2.12	0.98%
B	Bulrush Marsh	17.34	8.00%
	Southern Dry-Mesic Oak Forest	2.11	0.97%
	Southern Mesic Maple Basswood Forest	18.92	8.73%
	Subtotal	38.37	17.70%
C	Dry Sand - Gravel Prairie	0.07	0.03%
	Floodplain Forest	43.99	20.29%
	Southern Dry-Mesic Oak Forest	49.83	22.99%
	Southern Mesic Maple Basswood Forest	6.97	3.22%
	Southern Mesic Oak-Basswood Forest	48.73	22.48%
	Southern Wet-Mesic Hardwood Forest	19.32	8.91%
	Subtotal	168.91	77.92%
D	Southern Mesic Oak-Basswood Forest	7.38	3.40%
	Subtotal	7.38	3.40%

A – Highest quality natural community. No disturbances, and natural processes intact.

B – Good quality natural community. Natural processes are intact but shows signs of past human impacts. Low levels of exotics.

C – Moderate condition natural community with obvious past disturbance but is still clearly recognizable as a native community. Not dominated by weedy species in any layer.

D – Poor condition of a natural community. Includes some natives but is dominated by nonnatives and/or has been widely disturbed and altered

Sensitive ecological resources are present and include the area of dry sand prairie, seepage wetlands, and old-growth oak forest. It is proposed to protect or enhance these features as a component of the project.

- b. Describe rare features such as state-listed (endangered, threatened or special concern) species, native plant communities, Minnesota Biological Survey Sites of Biodiversity Significance, and other sensitive ecological resources on or within close proximity to the site. Provide the license agreement number (LA- [2024-062](#)) and/or correspondence number (MCE [2025-00524](#)) from which the data were obtained and attach the Natural Heritage Review letter from the DNR. Indicate if any additional habitat or species survey work has been conducted within the site and describe the results.

State of Minnesota Listed Species

A Natural Heritage Information System (NHIS) review request was made through the Minnesota Department of Natural Resources; however, the response has not yet been received. Instead, utilizing a MNDNR license agreement, a Natural Heritage Information System (NHIS) search was conducted for the project area and a one-mile radius to identify species of concern. This review identified several species to consider, including recommendations on how to avoid impacts to listed species. The results are outlined below.

A review of the NHIS database identified multiple state-listed species within the project or immediate vicinity. A discussion of these species and how they may be impacted by the proposed project are provided in the following subsections.

Freshwater Mussels – There are numerous state-listed freshwater mussel species that are present within the Minnesota River. The proposed project has no work within the Minnesota River and will have no impact on these species.

Large River Fish and Amphibians – There are several state-listed fish species in the project vicinity but outside of Nine Mile Creek, including the special concern American eel (*Anguilla rostrata*), threatened black buffalo (*Ictiobus niger*), and the fully aquatic Special Concern amphibian mudpuppy (*Necturus maculosus*). The proposed project has no work within the Minnesota River and will have no impact on these species.

Blanchard's Cricket Frog (*Acris blanchardi*) – The Endangered Blanchard's cricket frogs have been confirmed within the project area utilizing marsh and deep-water habitat associated with Sylvia Mae Marsh (P 27-1074) in the Minnesota River backwater and within the Minnesota Valley National Wildlife Refuge (located adjacent the Minnesota River). They also utilize floodplain forest, river shores and small rivers and streams. There is significant floodplain forest habitat mapped in the southern portion of the project site (Figure 8). The proposed Project has a trail that crosses Sylvia Mae Marsh along an elevated causeway. This trail will have the surface refreshed, but will not be modified, and there are no impacts expected to frog habitat. The floodplain forest habitat will not be significantly affected by the Project.

Blanding's Turtle (*Emydoidea blandingii*) – The Threatened Blanding's turtle has been documented in the project area, where it could be present in both wetland and upland habitats. No recent sightings have been documented, and the likelihood of encountering a Blanding's turtle is very small. Information on avoiding impacts to turtles and what to do if a turtle is observed will be provided to the contractor.

American Goshawk (*Accipiter atricapillus*) – This Special Concern raptor has been observed in the project area. Completing the majority of tree removal in winter, when there is no nesting activity, will minimize the potential to disturb this species.

Bat Species – The Special Concern tricolored bat (*Perimyotis subflavus*) and little brown myotis (*Myotis lucifugus*) have been observed using large highway bridges for nesting and roosting. They may also utilize the habitat in the project area for feeding and roosting. Completing the majority of tree removal in winter, when there is no nesting activity, will minimize the potential to disturb this species.

Kitten Tails (*Synthyris bullii*) – The Threatened kitten tails is a plant found in prairies, fire dependent forests, and savannas. This species has been confirmed within the central portion of the Project area in several locations, including within the Humbolt Avenue restoration area where tree thinning and invasive species management have already occurred. The abundance of kitten tails increased following these activities as the habitat was more suitable with a less dense tree canopy.

Hooded Arrowhead (*Sagittaria montevidensis* ssp. *Calycina*) – The Threatened hooded arrowhead has been observed within the Minnesota Valley National Wildlife Refuge within deep marsh habitat. Suitable habitat is present in the Minnesota River backwater and Sylvia Mae Marsh (P 27-1074).

Butternut (*Juglans cinerea*) – This endangered tree species is present within Central Park, although the mature species observed have been infested with butternut canker and are senescing.

Federally Listed Species

A query of the Information, Planning, and Conservation (IPaC) system was completed to identify potential federally listed species and critical habitats that may be present within the project area (**Attachment C**). This exercise identified several species that may be present, and includes the following:

Northern Long-eared (*Myotis septentrionalis*), Endangered and Tricolored Bat (*Perimyotis subflaus*), Proposed Endangered – Suitable wooded habitat is present to support these bat species. The project is proposing to remove trees for infrastructure improvements, but these are isolated individuals and not a significant number overall. Proposed woodland restoration will also require the removal of trees but will focus on removing younger and less desirable species that are less likely to provide suitable habitat. It is proposed that tree removal will occur outside the roosting season to minimize disturbance. Overall, there will be no decrease in potential habitat, but temporary impacts during restoration support a “may affect, not likely to adversely affect” determination by the USFWS.

Whooping Crane (*Grus americana*), Experimental Population, Non-Essential – While whooping crane may be a migratory species observed seasonally, there is no critical habitat present and no effects on this species are anticipated. Critical habitat designations are determined by the USFWS and refer to specific areas within the species’ geographic range that contain features essential to its conservation.

Monarch butterfly (*Danaus Plexippus*), Proposed Threatened – In general the project area does not contain large areas of critical habitat to support monarch butterflies, although they are observed within the park. More habitat is expected to be present following conclusion of the restoration activities in the expanded prairies and Oak Savanna portions of the Project.

Rusty Patched Bumble Bee (*Bombus affinis*), Endangered – Critical habitat for the rusty patched bumble bee (RPBB) is present within the project area, including forest and prairie. Overall, the Project will result in a net gain of habitat for the RPBB by the addition of prairie communities and oak savanna.

- c. Discuss how the identified fish, wildlife, plant communities, rare features and ecosystems may be affected by the project including how current Minnesota climate trends and anticipated climate change in the general location of the project may influence the effects. Include a discussion on introduction and spread of invasive species from the project construction and operation. Separately discuss effects to known threatened and endangered species.

Any potential impacts to listed species are anticipated to be temporary in nature. There are no permanent impacts anticipated as result of the Project. There is the potential to temporarily impact plant and animal species during the restoration activities when heavy equipment will be used to remove trees, remove buckthorn, small areas of earthwork and grading, and completion of infrastructure improvements. There may be direct impacts to some plant species from construction equipment, which would be incidental. Animal species may be disturbed by construction activities but are not expected to be directly impacted. Any temporary impacts will be offset by the long-term habitat enhancements achieved through the project’s goals.

While there is the potential for impacts during construction, one of the objectives of the project is to restore habitat that is more conducive to supporting listed species. By improving forest health and expanding areas of prairie, listed species habitat will be enhanced. A healthier system will also be more resilient to climate change.

While there is a chance that invasive species can be introduced from construction equipment, materials, and transported by people, there is a greater likelihood that the initial disturbance and changes in the tree canopy following tree thinning may stimulate the emergence of invasive species that are already present. These will be targeted through post-construction maintenance and long-term management.

To minimize the spread of aquatic and terrestrial invasive species during construction, the Contractor will follow an Invasive Species Prevention Plan that includes cleaning and decontaminating equipment before entering and leaving the site, using clean or new erosion and sediment control materials, and sequencing work to reduce transfer risk. For aquatic species, measures will focus on ensuring equipment and materials are free of water, mud, and plant material before use in Nine Mile Creek. For terrestrial species, the plan will require cleaning soil and seeds from equipment and footwear, using weed-free materials, and promptly stabilizing disturbed areas with approved seed mixes. Post-construction monitoring and corrective actions will be implemented as needed to maintain long-term control of invasive species.

Overall, the project is expected to protect, preserve, and enhance the habitat associated with listed species and will be a net positive.

- d. Identify measures that will be taken to avoid, minimize, or mitigate the adverse effects to fish, wildlife, plant communities, ecosystems, and sensitive ecological resources.

The primary means to avoid natural resource impacts is to do most of the tree removal over the winter. Work on frozen ground may also have less impact to the ground surface and assist with erosion control.

Work within Nine Mile Creek can be concentrated during periods of low flow (post spring flooding events) and outside the fish spawning seasons. The proposed channel remeander and boardwalk can be constructed while the current channel remains functional, limiting disruption to the period when the existing channel is connected to the new channel.

The majority of the infrastructure improvements (trails, bridges, retaining walls park amenities) are within the locations where these features exist currently will limit the extent of disturbance, although temporary impacts for access, crane pads, and staging of material will occur. Temporary disturbances will be restored after construction is complete.

The primary objective of the project is to restore and rehabilitate natural communities. Over the long term, the project is intended to benefit sensitive natural resources.

15. Historic properties:

Describe any historic structures, archeological sites, and/or traditional cultural properties on or in close proximity to the site. Include: 1) historic designations, 2) known artifact areas, and 3) architectural features. Attach letter received from the State Historic Preservation Office (SHPO). Discuss any anticipated effects to historic properties during project construction and operation. Identify measures that will be taken to avoid, minimize, or mitigate adverse effects to historic properties.

In Situ conducted a Phase Ia cultural resource review for the Nine Mile Creek Corridor Project in Hennepin County, Minnesota. They identified eight past surveys, nine archaeological sites, and 34 architectural resources in the area. One site (21HE0095) overlaps with the project's southern

section. Given the favorable environmental conditions for prehistoric occupation, parts of the area have moderate to high potential for significant cultural resources. In Situ recommends a Phase I archaeological survey focusing on these high-potential areas while avoiding steep slopes and wetlands. They also advise tribal consultation due to the presence of burials, mounds, and the project's location along the Minnesota River.

A review of the project by the State Historic Preservation Office was requested, but a response has not been received yet. It is expected that the response will concur with the recommendations provided by InSitu.

16. Visual:

Describe any scenic views or vistas on or near the project site. Describe any project related visual effects such as vapor plumes or glare from intense lights. Discuss the potential visual effects from the project. Identify any measures to avoid, minimize, or mitigate visual effects.

There are no specific scenic views or vistas within the proposed project, although there are a few areas that are not easily accessed that do provide views of the Nine Mile Creek and Minnesota River valleys.

There would be temporary visual impacts to neighboring properties, roadway users, and recreationalists during construction. These impacts would be minor as they would be confined to the construction zone and during normal daylight hours. Visual impacts may include dust clouds, vapor plumes, and potentially temporary lighting. These impacts would be managed by dust control measures (e.g., wetting soil, reduced machine speeds on exposed soils, limit exposed soils, etc.), the timing of construction, and the orientation of construction lights.

17. Air:

- a. Stationary source emissions - Describe the type, sources, quantities and compositions of any emissions from stationary sources such as boilers or exhaust stacks. Include any hazardous air pollutants, criteria pollutants. Discuss effects to air quality including any sensitive receptors, human health or applicable regulatory criteria. Include a discussion of any methods used assess the project's effect on air quality and the results of that assessment. Identify pollution control equipment and other measures that will be taken to avoid, minimize, or mitigate adverse effects from stationary source emissions.

The proposed project would not result in stationary source air emissions.

- b. Vehicle emissions - Describe the effect of the project's traffic generation on air emissions. Discuss the project's vehicle-related emissions effect on air quality. Identify measures (e.g. traffic operational improvements, diesel idling minimization plan) that will be taken to minimize or mitigate vehicle-related emissions.

The use of heavy machinery and equipment typical of construction projects would result in burning of gasoline and diesel fuel but is not anticipated to adversely impact current air quality. The emissions would be temporary and would not exceed current emissions standards. There are no management measures planned for the proposed project. All equipment would be maintained to operate based on factory-suggested operations, including periodic maintenance intervals to avoid inefficiencies in operations that would increase emissions. The proposed project would not have long-term emissions impacts and would not cause an increase in traffic. No mitigation plans have been established for the proposed project.

- c. Dust and odors - Describe sources, characteristics, duration, quantities, and intensity of dust and odors generated during project construction and operation. (Fugitive dust may be discussed under item 17a). Discuss the effect of dust and odors in the vicinity of the project including nearby sensitive receptors and quality of life. Identify measures that will be taken to minimize or mitigate the effects of dust and odors.

The dust and odors generated during the construction would be minimal and would occur during construction activities. Any dust impacts would be managed by dust control methods. These methods include, but are not limited to, wetting exposed soils, mulching exposed soils, and restricting unnecessary equipment movement on bare soils. Odors generated during construction would be the result of exhaust of diesel engines and fuel storage. The odors would be managed by zone restricting, operation timing, and standard emission controls.

18. Greenhouse Gas (GHG) Emissions/Carbon Footprint

- a. GHG Quantification: For all proposed projects, provide quantification and discussion of project GHG emissions. Include additional rows in the tables as necessary to provide project-specific emission sources. Describe the methods used to quantify emissions. If calculation methods are not readily available to quantify GHG emissions for a source, describe the process used to come to that conclusion and any GHG emission sources not included in the total calculation.

GHG emissions related to the project were calculated using emission factors from the Environmental Protection Agency (EPA)³. The projected GHG emissions are projected for an annual basis using the CO₂ equivalent (CO_{2e}) and include the proposer's best estimate for average emissions related to the project. GHG emissions are categorized as Scope 1, if they are direct emissions released from the project. Scope 2 emissions are indirect emissions and Scope 3 are indirect from processes outside of the project area. The estimate includes emissions for the construction phase of the project only, and there will be no direct operational emissions related to the project. Emission categories for the project are shown below, as provided in EQB Guidance. Emission categories used for the greenhouse gas assessment are provided in **Table 12**. Workbooks used for GHG emission estimates are included as **Attachment C**.

Table 12 -Emission Categories for GHG Assessment

Emission Category	Scope	Project Phase	Type of Emission	Estimated GHG Emissions (short ton of CO _{2e})
Direct	Scope 1	Construction	Combustion – Stationary Sources	693.6
Direct	Scope 1	Construction	Combustion – Mobile Sources	11.6
Direct	Scope 1	Construction	Land Conversion	705.2

Construction Emissions

GHG emissions related to the construction of the project are associated with fuel combustion from mobile vehicles and stationary construction equipment. Construction is anticipated to begin in spring 2026 and finish in 2027 and will primarily be within the 8-month primary construction window. This calculation assumes some exclusions due to weather or other site conditions. For the purposes of this GHG assessment, it is assumed that there is a maximum of 16 months or 480 days of construction for the project.

³ [GHG Emission Factors Hub | US EPA](#)

Operation of on-road vehicles is estimated to consist of two (2) passenger cars per day for commuting construction workers. Off-road vehicle emissions include those generated by construction equipment that will remain within the project area for the duration of construction. There are potential differences in the specific equipment utilized based on the contractor selected to complete the work. For the purposes of this assessment, two (2) pieces of diesel-powered equipment are assumed to be in operation for 10 hours per day, for 4,800 hours total. The default diesel fuel consumption rate of 0.05 gallons per horsepower-hour⁴ is used to determine the fuel usage for all equipment. Gallons of diesel fuel that would be used during construction are estimated using the information provided above.

Emissions related to the construction of the project are estimated to be 705.2 short tons.

b. GHG Assessment

i. Describe any mitigation considered to reduce the project's GHG emissions.

The proposed project has mitigated GHG emissions through the usage of existing trail corridors and previously developed / disturbed areas for project components and through the minimization of tree-clearing and land conversion.

The project proposed will encourage the selected construction contractor to reduce GHG emissions from construction, which would include minimizing idling equipment and properly maintaining equipment. Construction-related emissions would be temporary in nature.

ii. Describe and quantify reductions from selected mitigation, if proposed to reduce the project's GHG emissions. Explain why the selected mitigation was preferred.

The use of existing trail corridors and minimization of tree-clearing and land conversion may be considered to help mitigate the project GHG emissions, however it is not practicable to estimate any reduction in GHG emissions related to these actions.

iii. Quantify the proposed projects predicted net lifetime GHG emissions (total tons/#of years) and how those predicted emissions may affect achievement of the Minnesota Next Generation Energy Act goals and/or other more stringent state or local GHG reduction goals.

The project's GHG emissions are estimated to be 705.2 short tons. This accounts for 0.000795% of the 2022 Minnesota's Climate Action Framework Next Generation Energy Act (NGA) goal⁵ for 2030, as summarized in **Table 13**. The mitigation measures discussed above will likely offset a portion of these emissions, however this was not quantified. Overall, the project is anticipated to have a minimal impact on the State of Minnesota's GHG reduction goals.

Table 13 - State of Minnesota GHG Reduction Goals Comparison

Description	CO ₂ e (short tons)
Project Total Emissions	705.2
2020 MN Emission & Next Generation (NGA) Goal	88,754,387
Project's % of NGA Goal	0.000795%

⁴ [Microsoft Word - Guidelines for Calculating Emissions from Internal Combustion Engines - March 2023 - FINAL.docx](#)

⁵ [Greenhouse Gas Emissions / One Minnesota Plan](#)

19. Noise

Describe sources, characteristics, duration, quantities, and intensity of noise generated during project construction and operation. Discuss the effect of noise in the vicinity of the project including 1) existing noise levels/sources in the area, 2) nearby sensitive receptors, 3) conformance to state noise standards, and 4) quality of life. Identify measures that will be taken to minimize or mitigate the effects of noise.

Existing noise conditions at the site are the result of nearby roadway use, park users, and general residential properties' noise. The existing nearby sensitive receptors are limited to residential properties, one school, and one church. The noise generated during construction would be caused by the mobilization and use of heavy machinery and equipment. Noise impacts would be temporary and restricted to the construction period. Local residents, roadway users, and recreational users adjacent to the construction zone could be affected by increased noise and annoyances during outdoor, everyday activities. All residents and visitors would be notified about the timing and duration of construction prior to the beginning of construction. The proposed project would not have permanent noise pollution impacts to the site. The proposed project would conform to all state and local noise standards.

20. Transportation

- a. Describe traffic-related aspects of project construction and operation. Include: 1) existing and proposed additional parking spaces, 2) estimated total average daily traffic generated, 3) estimated maximum peak hour traffic generated and time of occurrence, 4) indicate source of trip generation rates used in the estimates, and 5) availability of transit and/or other alternative transportation modes.

Existing transportation would not be impacted from the construction activities. The construction is located within the parks or on the City property, well off any roadway. Additionally, equipment storage and construction staff parking may cause some delays in transportation. It is expected that onsite equipment would likely include a front-end loader, cranes, skid steers, small bulldozers, and excavators.

Currently, Moir Park has 40 parking spots located in two locations and uses street parking for overflow. The plans for Moir Park propose to have 60 parking spots, and less need for offsite parking. Harrison Park currently has 50 parking spots in a single lot. The 106th street parking lot has 7 parking spots in a single lot. The number of parking spots will not change with this project.

- b. Discuss the effect on traffic congestion on affected roads and describe any traffic improvements necessary. The analysis must discuss the project's impact on the regional transportation system. *If the peak hour traffic generated exceeds 250 vehicles or the total daily trips exceeds 2,500, a traffic impact study must be prepared as part of the EAW.* Use the format and procedures described in the Minnesota Department of Transportation's Access Management Manual, Chapter 5 (available at: <http://www.dot.state.mn.us/accessmanagement/resources.html>) or a similar local guidance.

No proposed Project-related congestion is expected, and the proposed Project would not generate an additional 250 vehicles or 2,500 trips per day on affected roads.

During peak construction, about 30 vehicles would access the worksite per day. This includes workers' personal vehicles, heavy equipment, fuel delivery, and dump trucks hauling material.

Much of the smaller vehicle traffic would occur on public roads, while the heavy equipment would be within the project.

The proposed Project would not have an impact on the regional transportation system.

- c. Identify measures that will be taken to minimize or mitigate project related transportation effects.

No effects on the transportation system are expected as a result of the proposed Project, and mitigation is not proposed.

21. Cumulative potential effects: (Preparers can leave this item blank if cumulative potential effects are addressed under the applicable EAW Items)

- a. Describe the geographic scales and timeframes of the project related environmental effects that could combine with other environmental effects resulting in cumulative potential effects.

The geographic scale considered in the cumulative potential effects analysis would include land adjacent to and within an approximately one-mile radius of the Project Area. Reasonably foreseeable future projects that are funded or planned to be constructed within the next ten years would be considered for the cumulative potential effects analysis.

- b. Describe any reasonably foreseeable future projects (for which a basis of expectation has been laid) that may interact with environmental effects of the proposed project within the geographic scales and timeframes identified above.

There are no reasonably foreseeable future projects identified that could combine with the environmental effects from the proposed project within the same geographic scales and timeframe of the proposed project.

- c. Discuss the nature of the cumulative potential effects and summarize any other available information relevant to determining whether there is potential for significant environmental effects due to these cumulative effects.

Compliance with public waters, wetlands, stormwater, and erosion and sediment control permits will help ensure that potential environmental impacts remain minimal. Over the long term, the project is expected to reduce flood damage to surrounding areas, improve water quality by stabilizing eroded streambanks and reducing sedimentation, and enhance both aquatic and floodplain habitats by reconnecting the creek to its natural floodplain. Additionally, the project is designed to increase the corridor's resilience to future climate change impacts, such as more frequent and intense rain events.

22. Other potential environmental effects: If the project may cause any additional environmental effects not addressed by items 1 to 19, describe the effects here, discuss the how the environment will be affected, and identify measures that will be taken to minimize and mitigate these effects.

There are no other known or potential environmental effects that were not discussed in EAW items 1 through 21.

RGU CERTIFICATION. *(The Environmental Quality Board will only accept **SIGNED** Environmental Assessment Worksheets for public notice in the EQB Monitor.)*

I hereby certify that:

- The information contained in this document is accurate and complete to the best of my knowledge.
- The EAW describes the complete project; there are no other projects, stages or components other than those described in this document, which are related to the project as connected actions or phased actions, as defined at Minnesota Rules, parts 4410.0200, subparts 9c and 60, respectively.
- Copies of this EAW are being sent to the entire EQB distribution list.

Signature_____



Date 8/25/25

Title City of Bloomington - Planning Manager

Figures

Figure 1 – Site Location Map

Figure 2 – Site Topographic Map

Figure 3 – Project Overview

Figure 4 – Existing Land Cover

Figure 5 – Soil Survey and Prime Farmland

Figure 6 - Minnesota Geological Survey Hennepin County Map Series

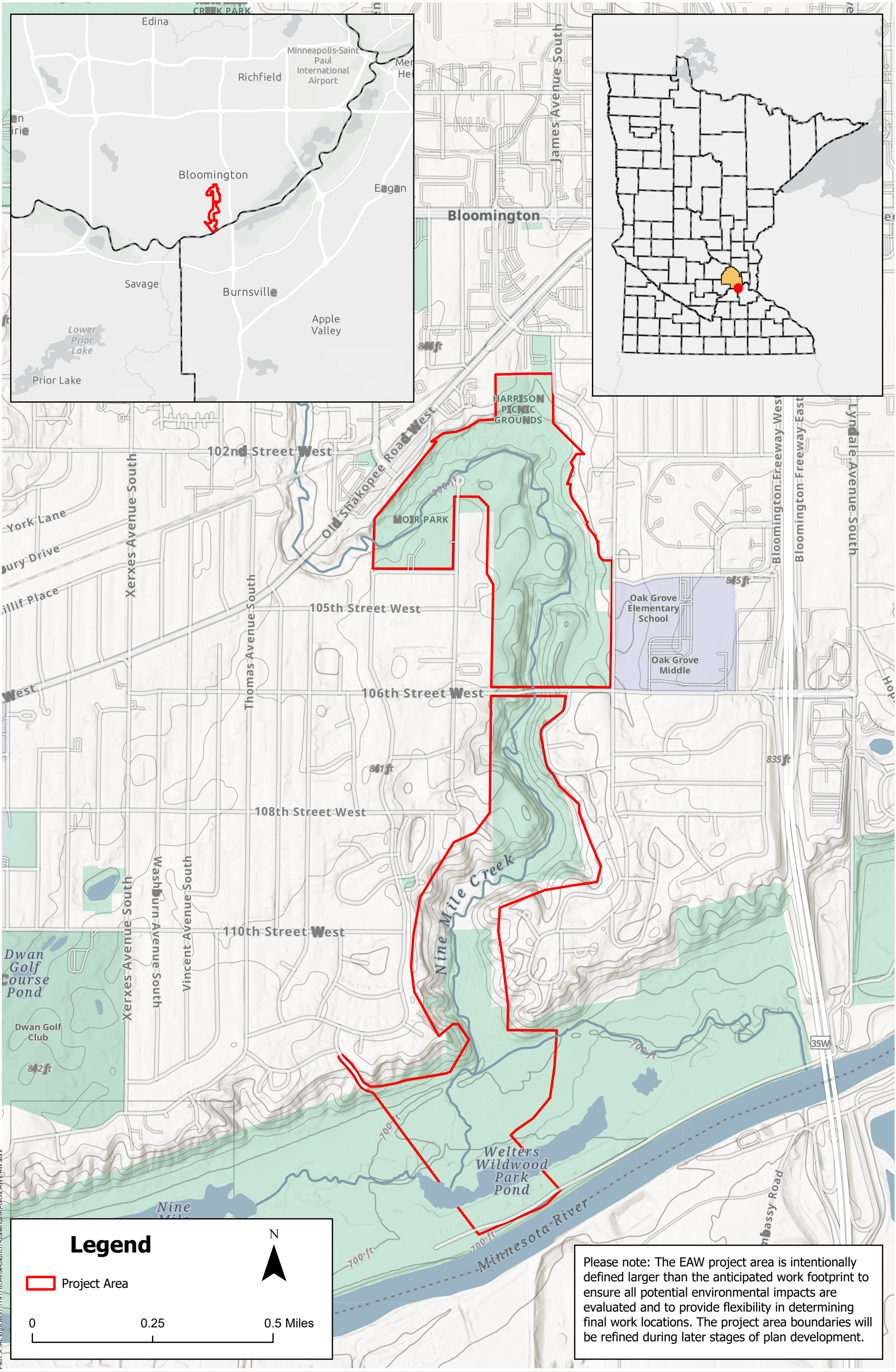
Figure 7 – National Wetland and Public Waters Inventory

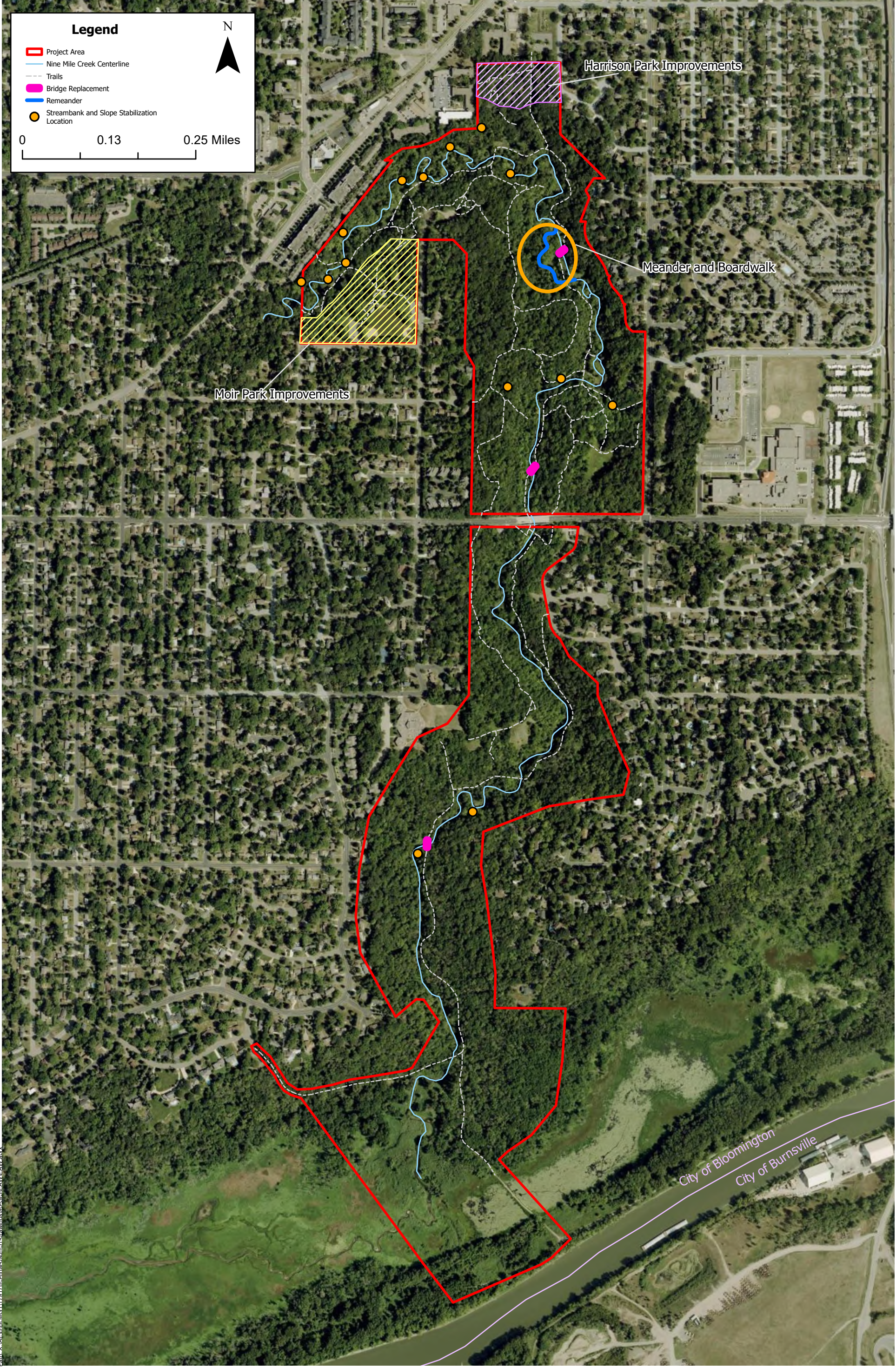
Figure 8 – Wetland Delineation

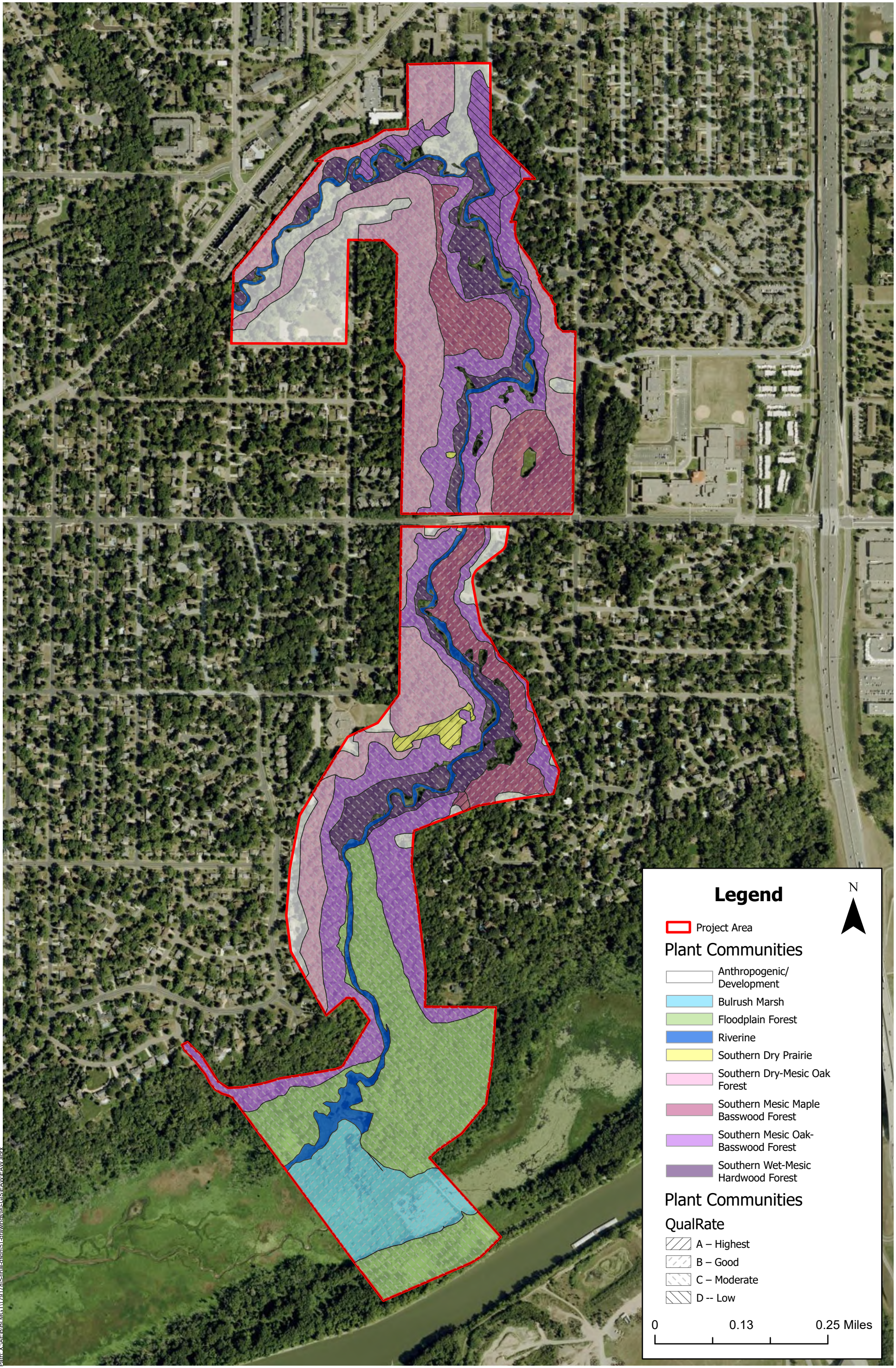
Figure 9 – 100-Year Floodplain

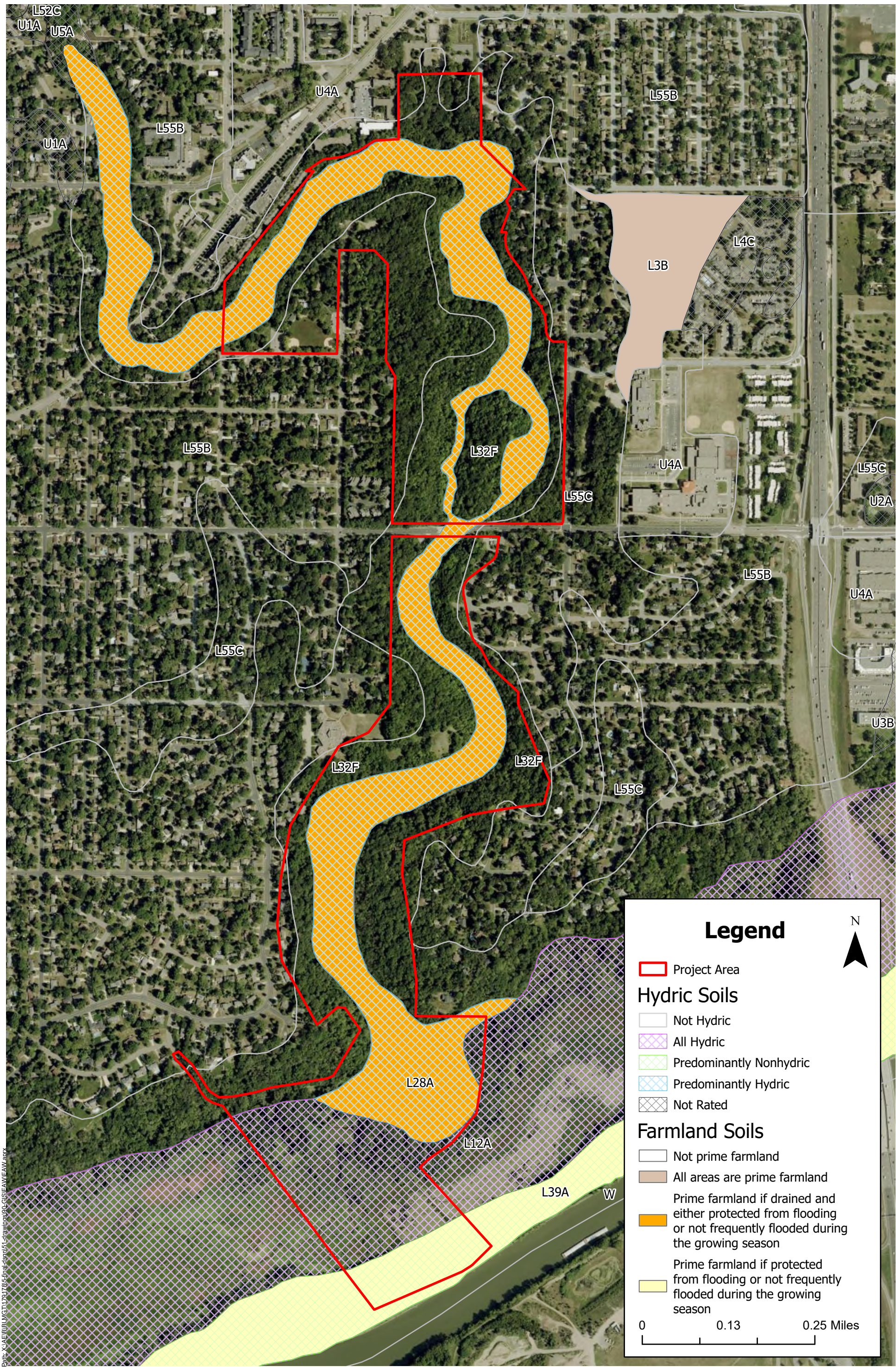
Figure 10 – County Well Index and Wellhead Protection Areas

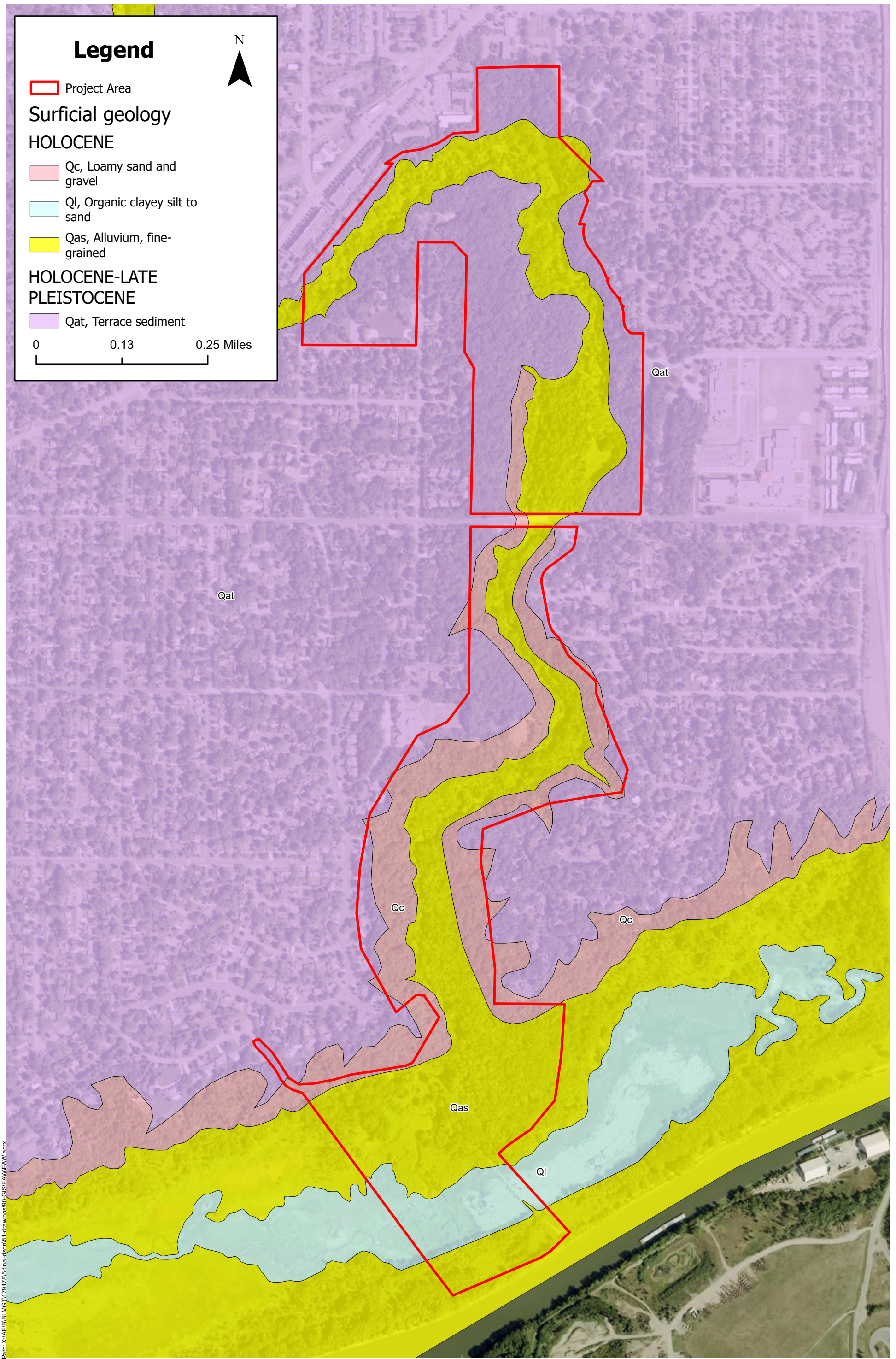
Figure 11 – City of Bloomington Zoning

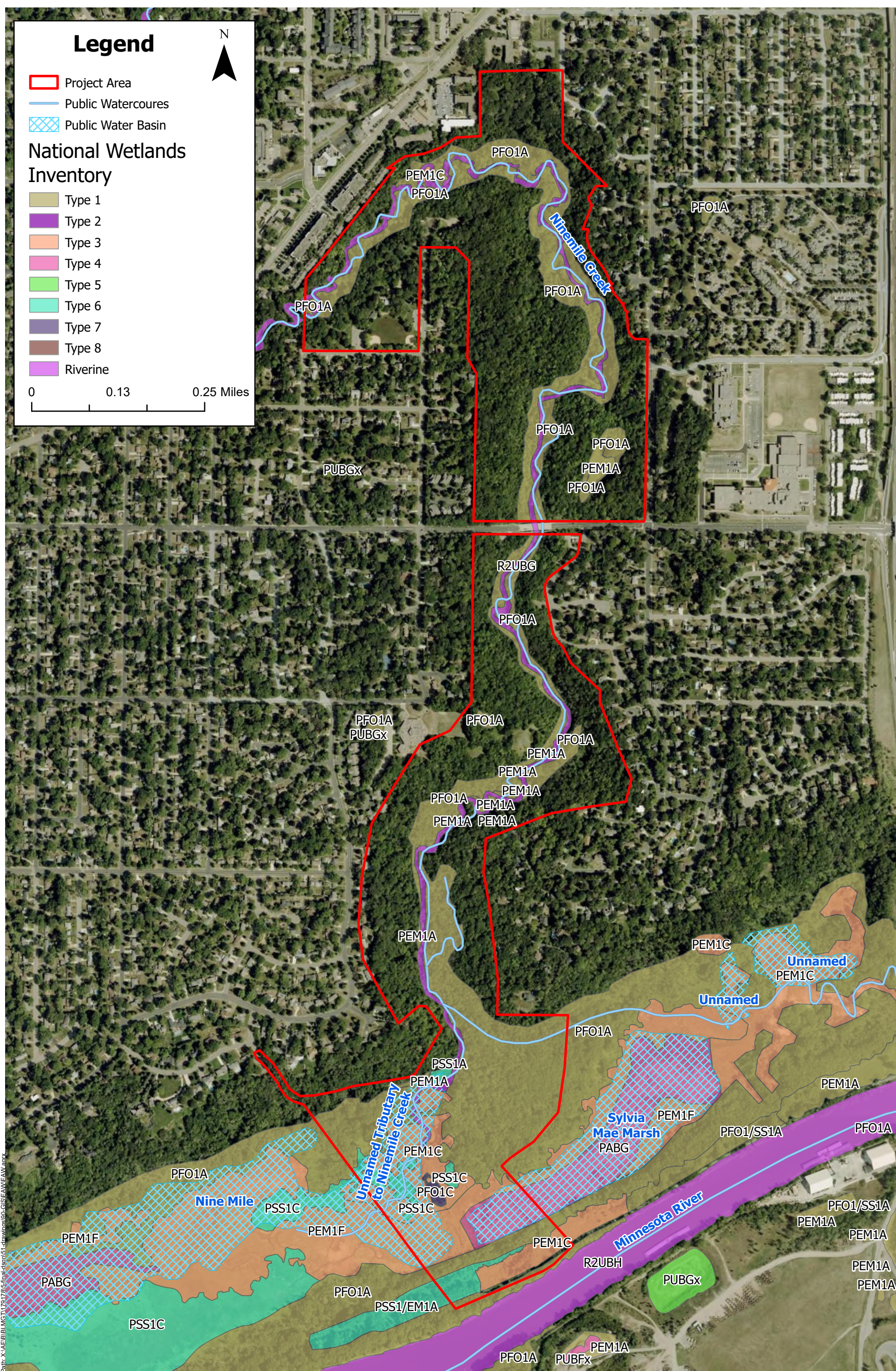


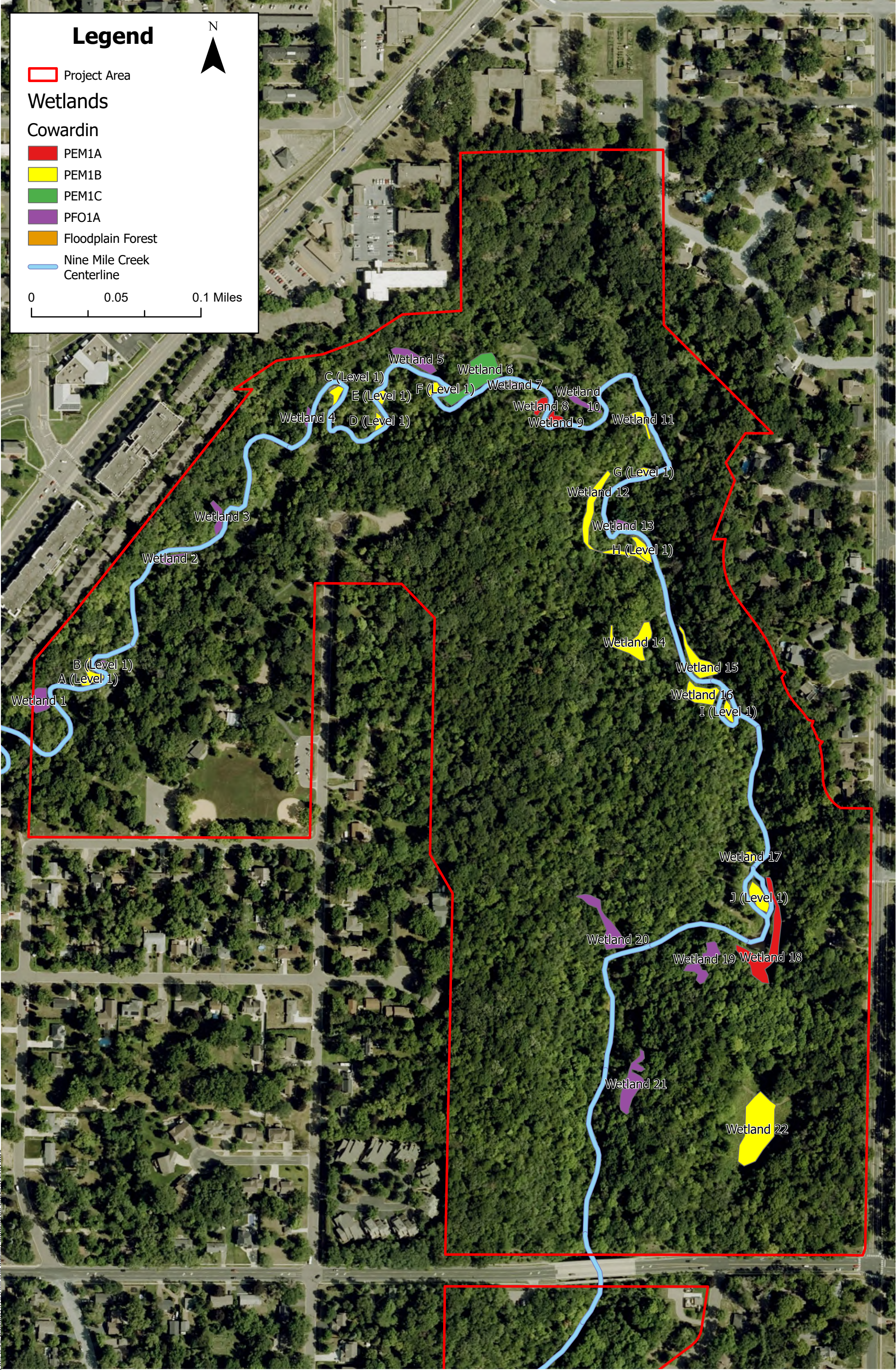


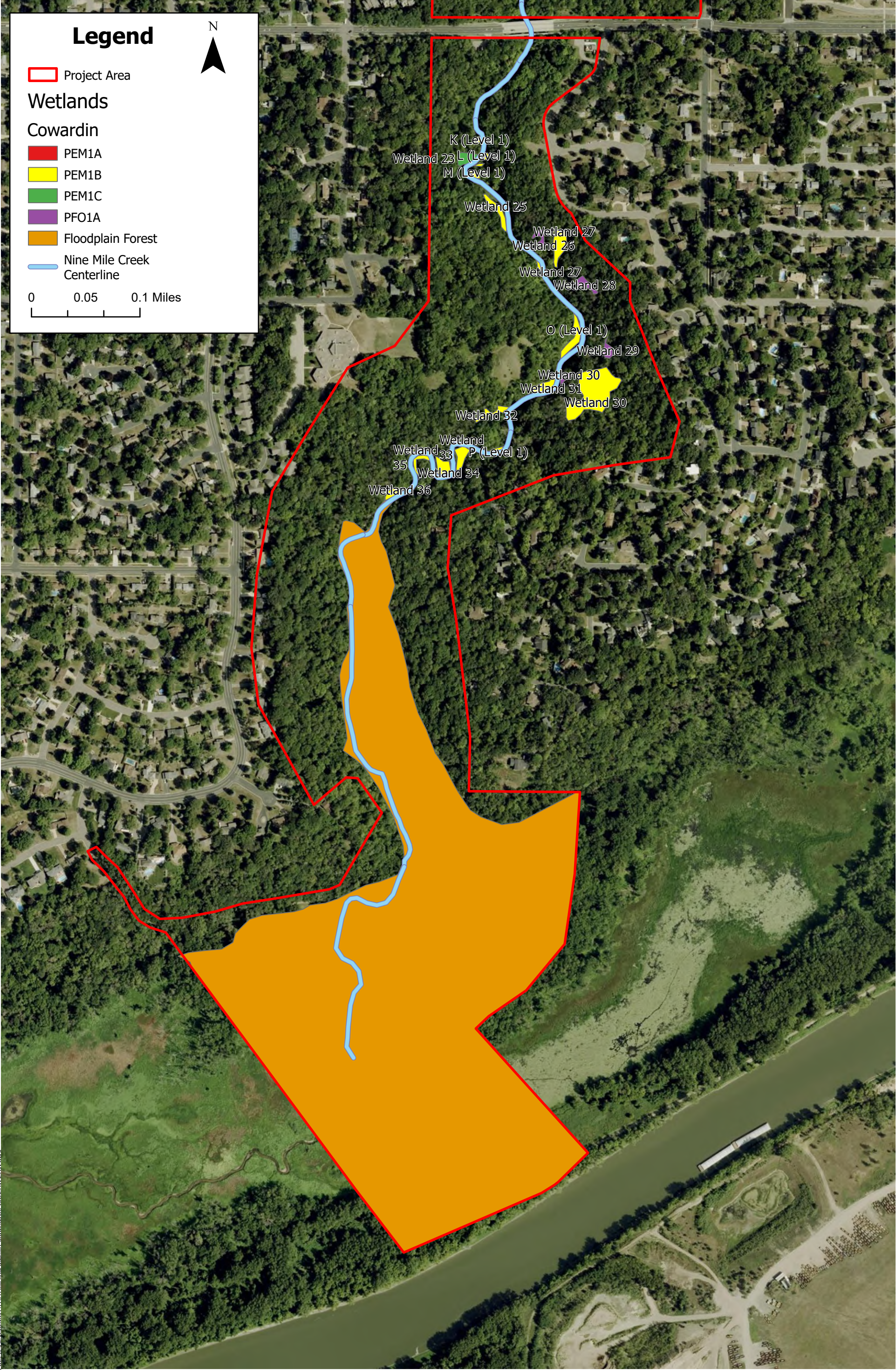












Legend

Project Area

Wetlands

Cowardin

PEM1A

PEM1B

PEM1C

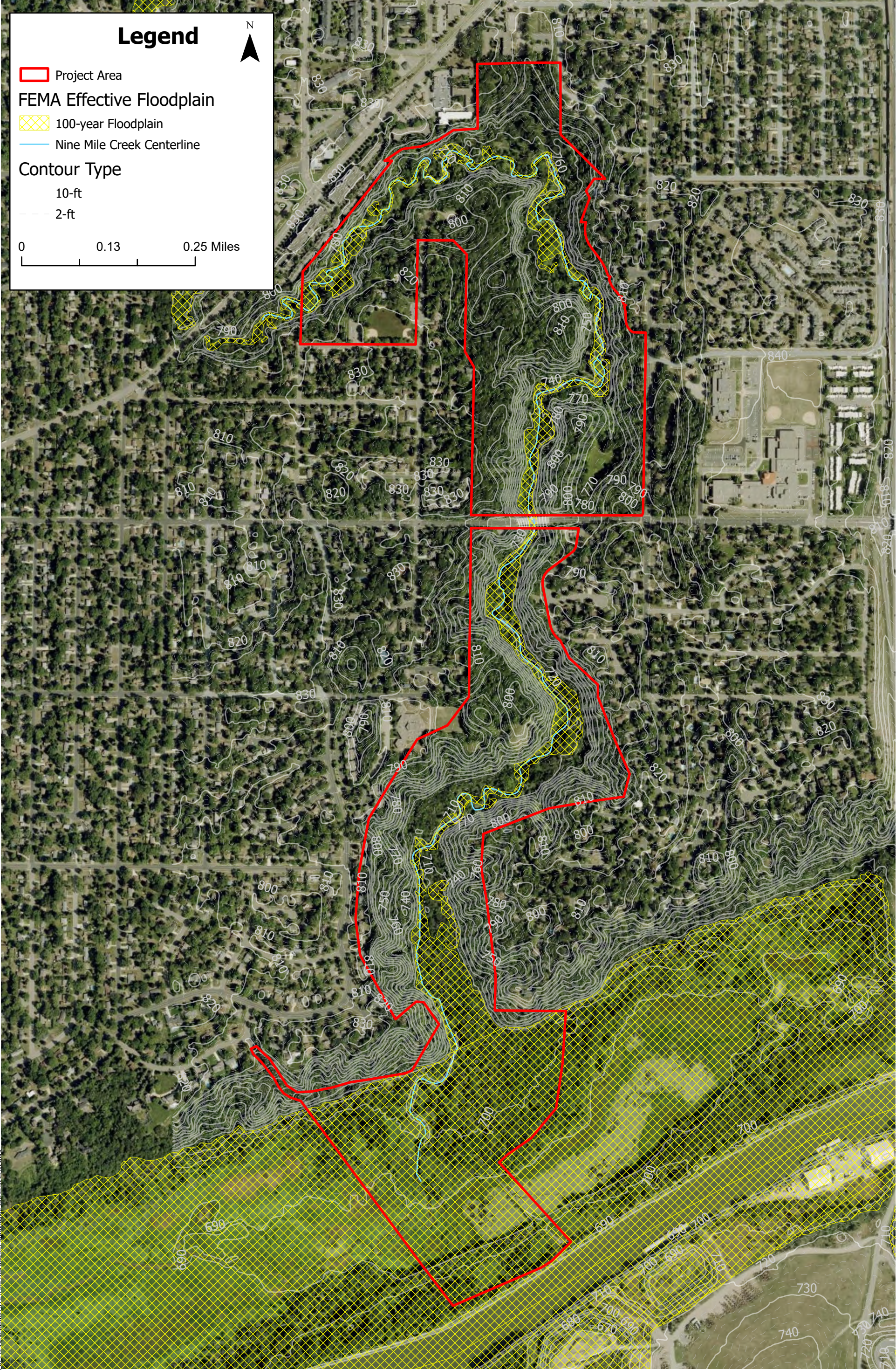
PFO1A

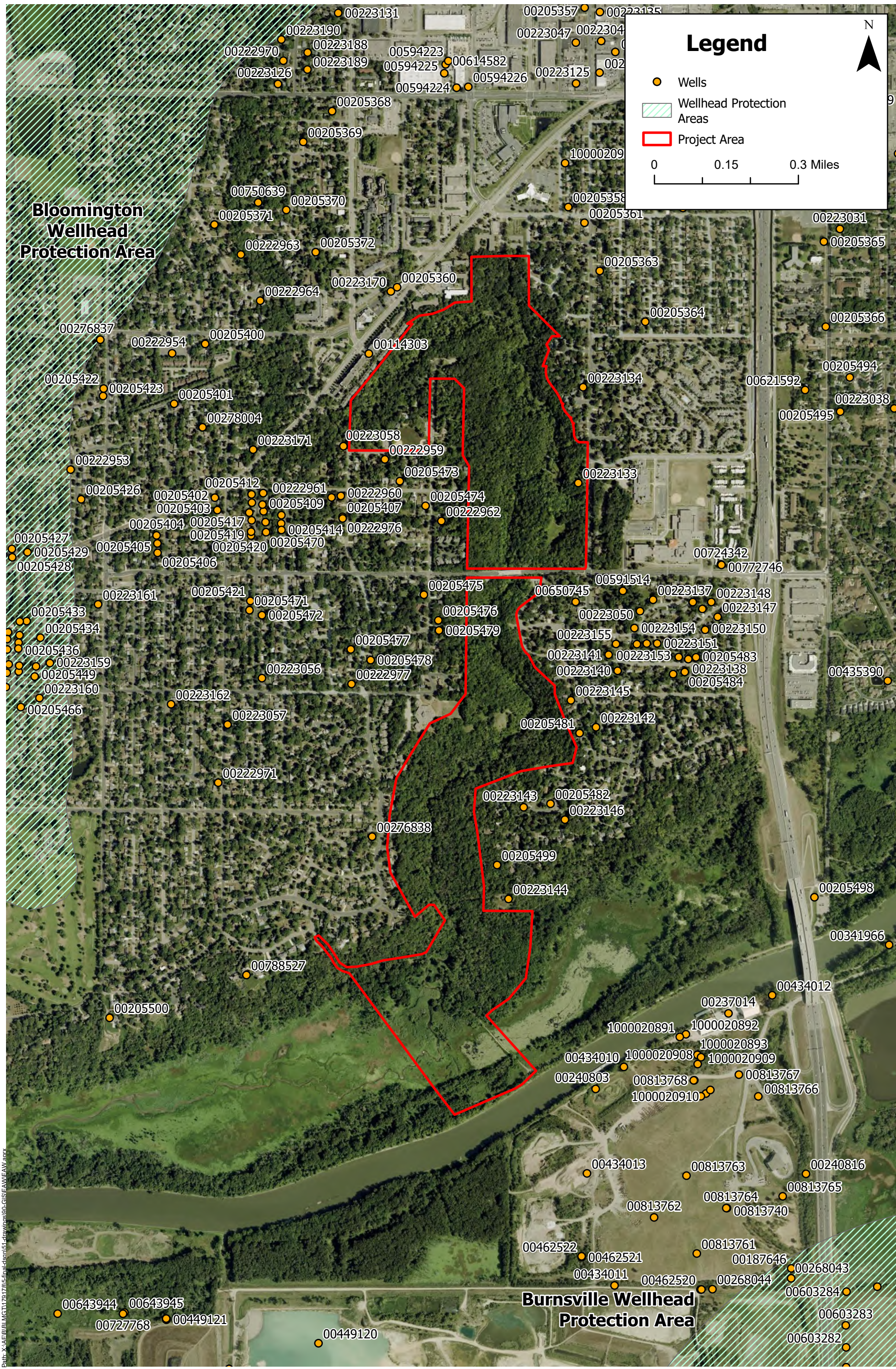
Floodplain Forest

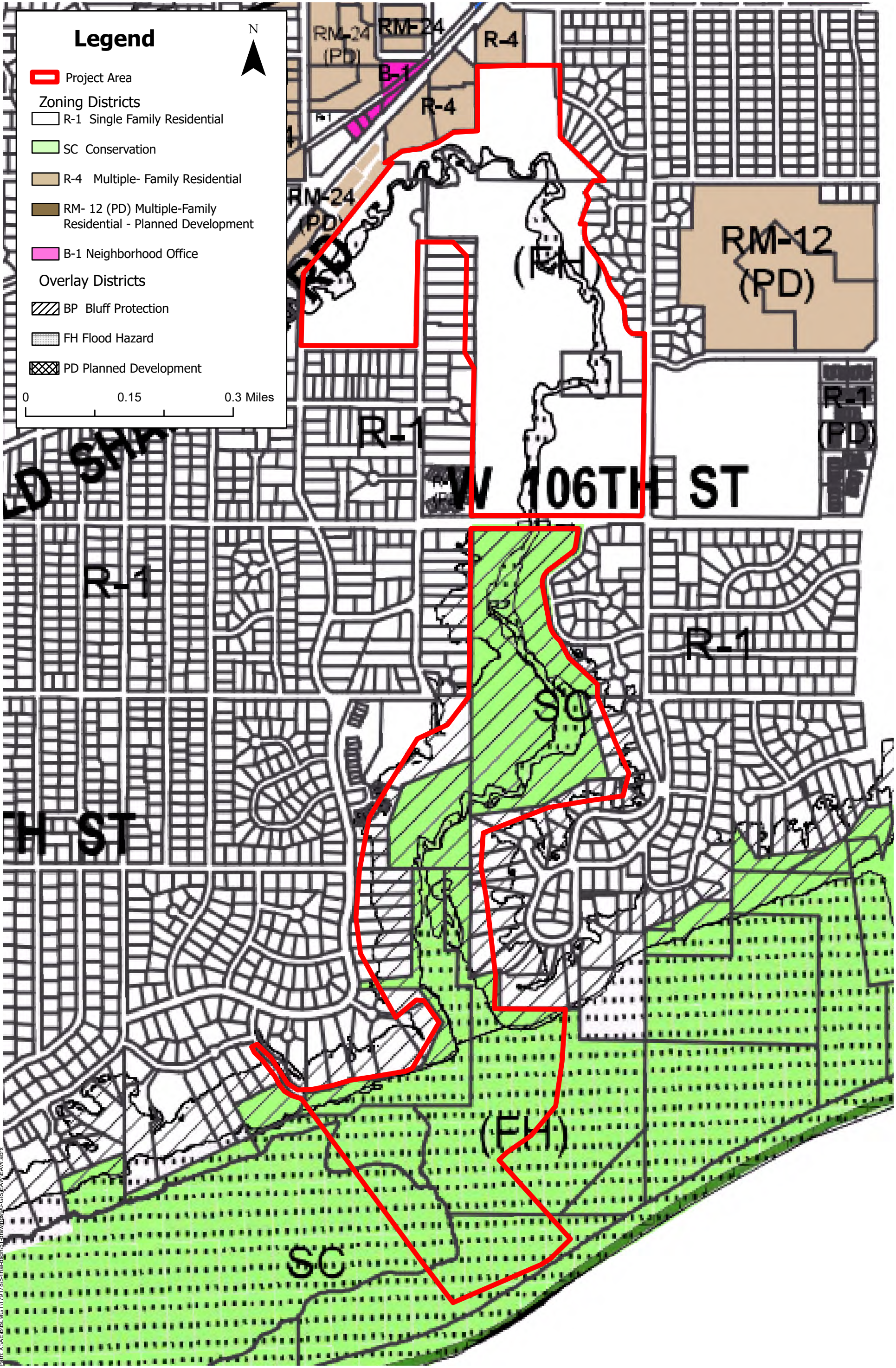
Nine Mile Creek Centerline

00.050.1 Miles

Path: X:\AEB\BLM\GMT179178\5.final.dsm\51.drawing9\GISTE\FAWE\AW.aprx







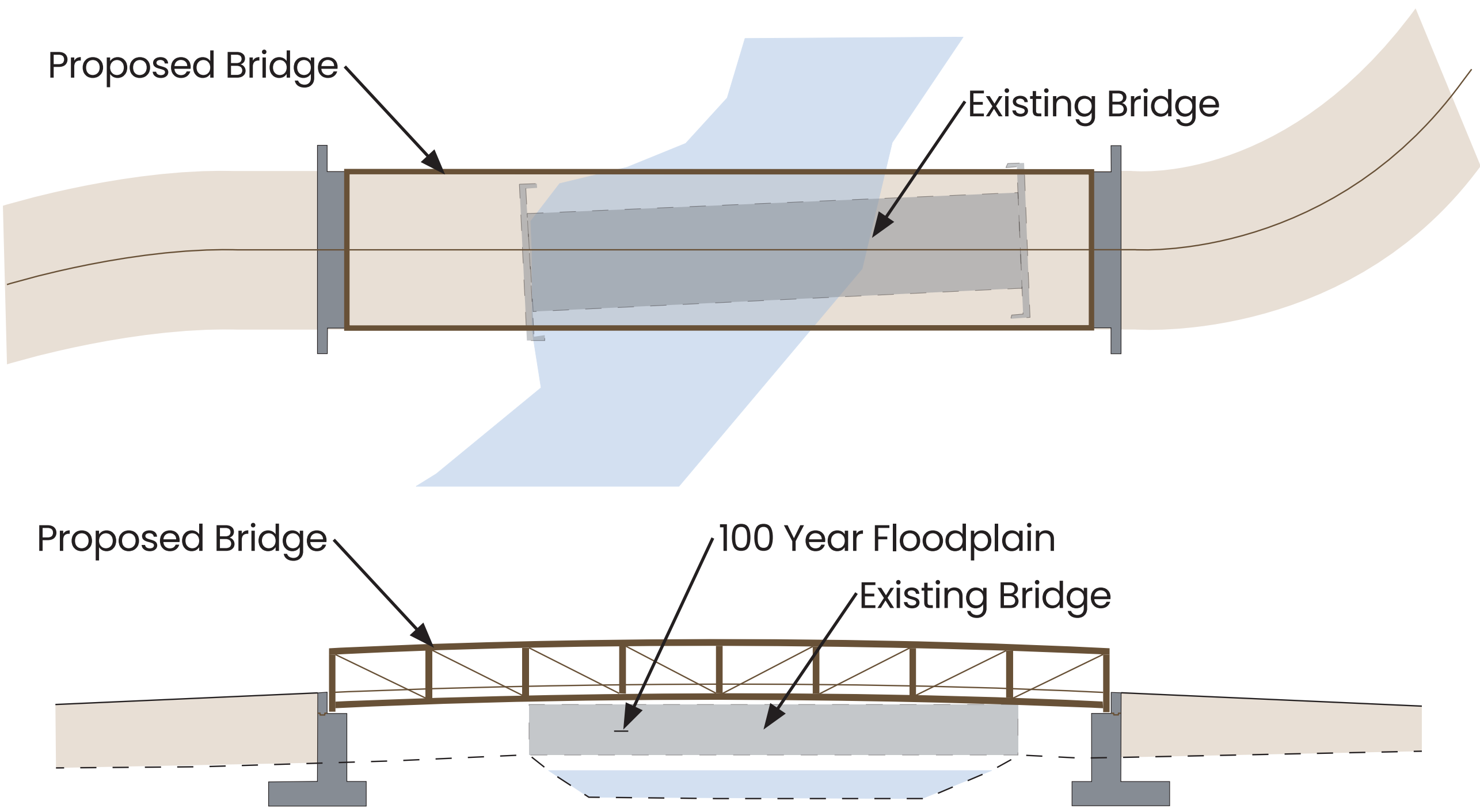
Attachment A – Project Plans

Nine Mile Creek Corridor Renewal Project



Bridge Replacements

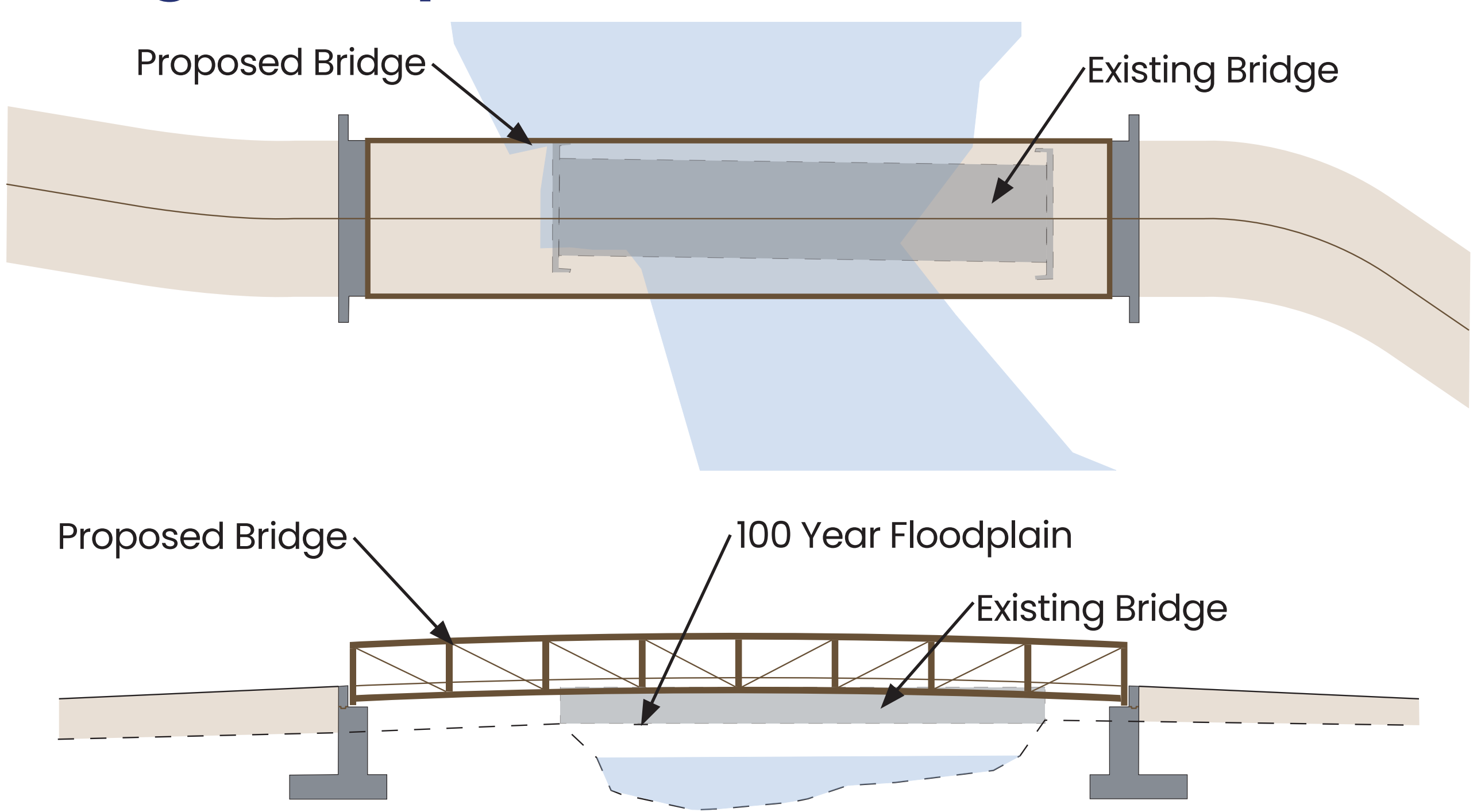
Bridge 5 Replacement



Bridge 5 was constructed lower than the 100-year flood elevation. In large storms, Bridge 5 has water and some debris on the bridge deck, and larger debris gets stuck under the bridge causing the creek flow to back-up, requiring frequent maintenance.

With this project, Bridge 5 will be raised to be higher than the 100-year flood elevation and lengthened. These improvements will increase the area under the bridge, allowing for higher creek flows without overlapping the bridge deck and reducing the occurrences of larger debris getting stuck.

Bridge 8 Replacement



Bridge 8 is currently damaged and is closed for safety reasons. Higher creek flows have eroded the bank under the bridge, exposing the abutment, which is currently not on stable ground. With this project, Bridge 8 will be raised to be higher than the 100-year flood elevation and lengthened. These improvements will allow the creek to have higher flows that won't impact the bridge abutments.



Bridge 8 Existing Condition



Nine Mile Creek Corridor Renewal Project



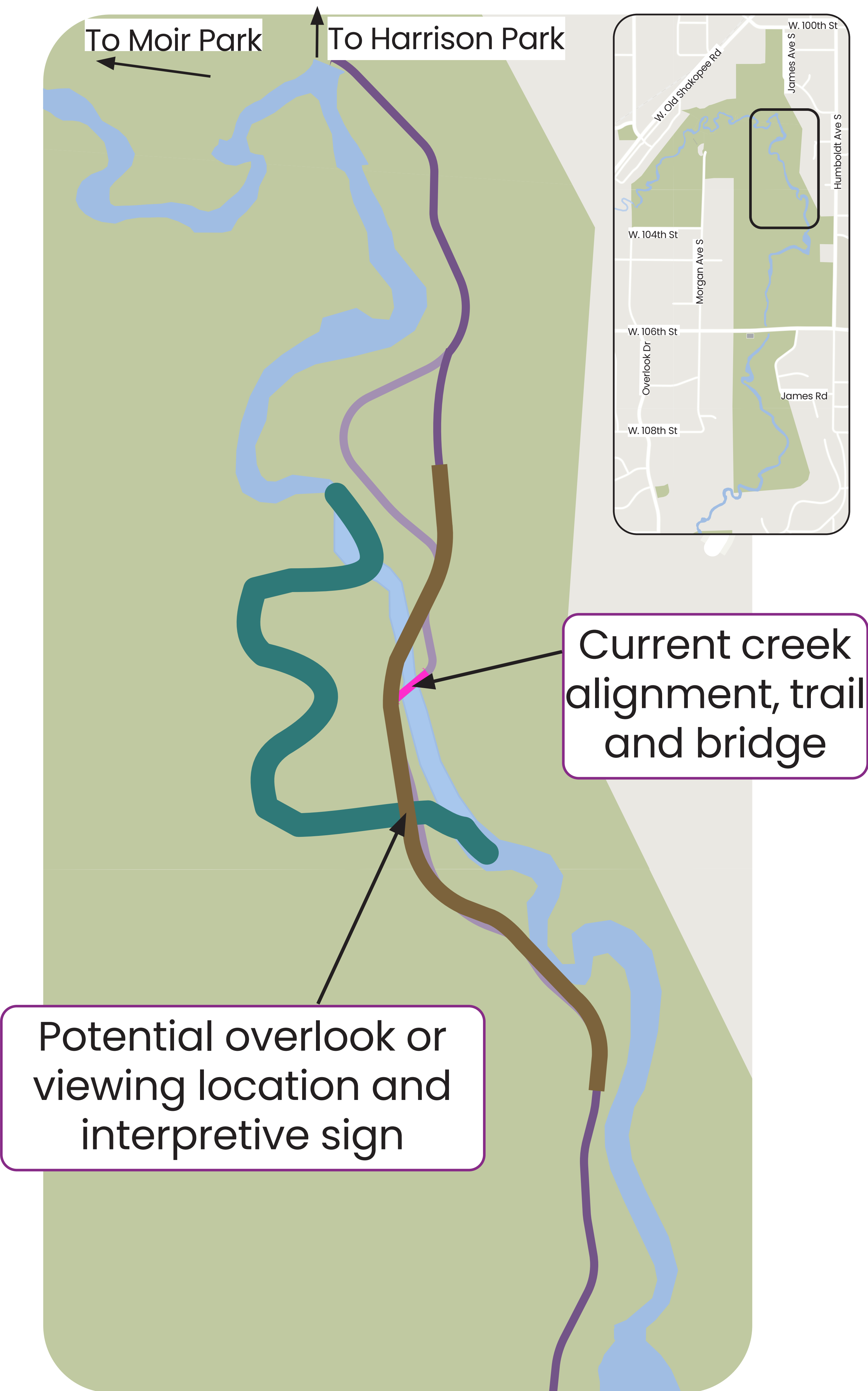
Potential Creek Re-Meander and Boardwalk

- Paved Trail**
- Potential Boardwalk**
- Current Creek Alignment**
- Potential Creek Alignment**

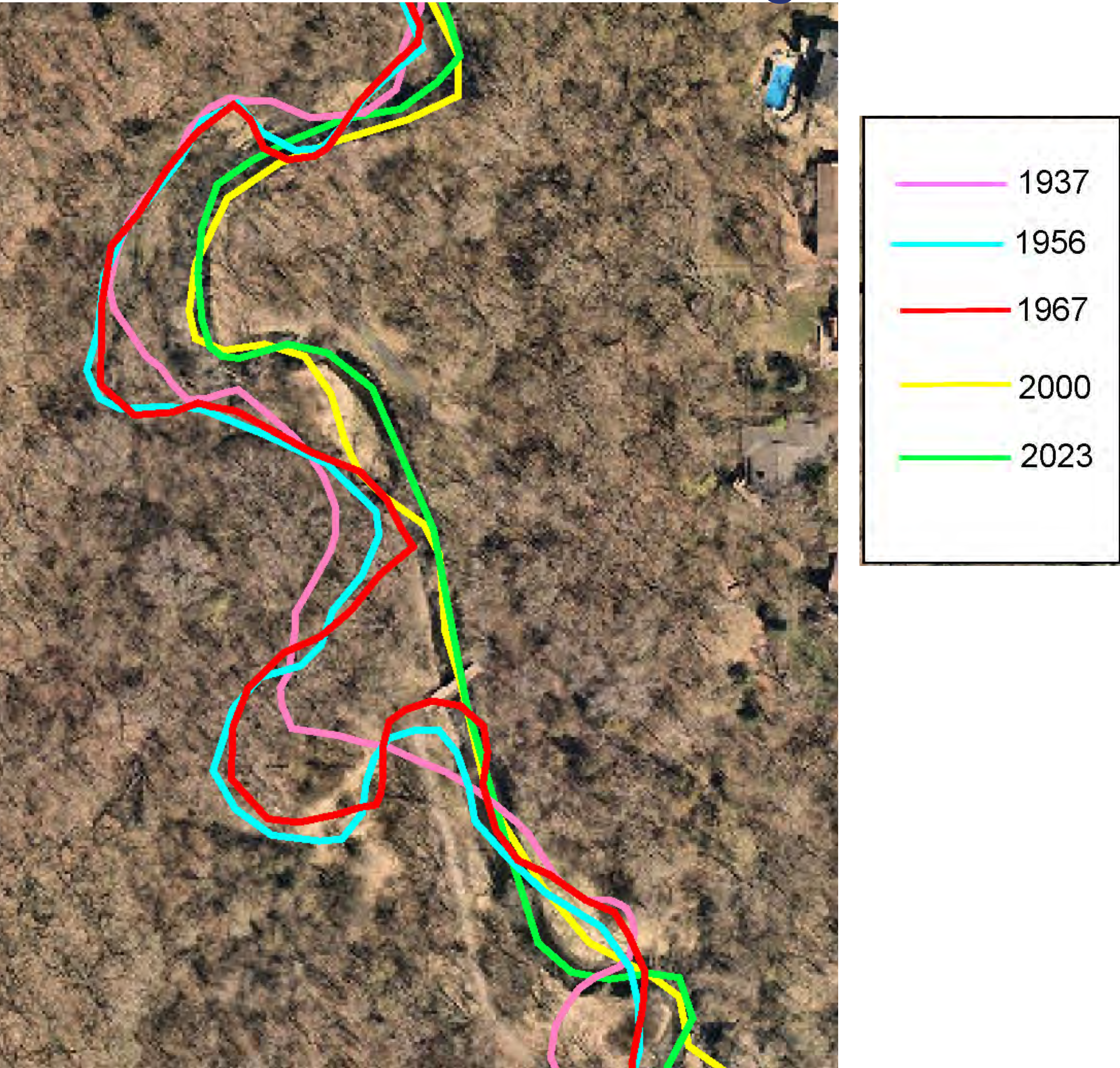
Benefits of the Re-Meander

- Restore meanders to the creek system to double the channel length in this section, diversify habitat, and improve ecological and hydrologic resiliency.
- Enhance adjacent floodplain and wetland functions by reconnecting them to the creek.
- Provide space for the creek to function naturally and meander where no impacts to infrastructure are present.
- Replace bridge and trail with elevated boardwalk.
- Provide additional open space and habitat restoration.
- Use enhanced methods and timing to minimize the risk of impacts during construction as the new channel is stabilized.

Example Boardwalk



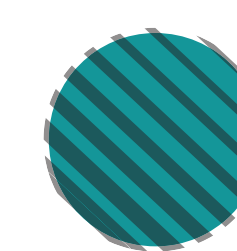
Historic Creek Meandering



Nine Mile Creek Corridor Renewal Project



Proposed Streambank and Slope Stabilization Improvements

 Streambank and slope stabilization locations

*Approximately 1,300ft of Streambank Stabilization (8% of the streambank)

 Bridges

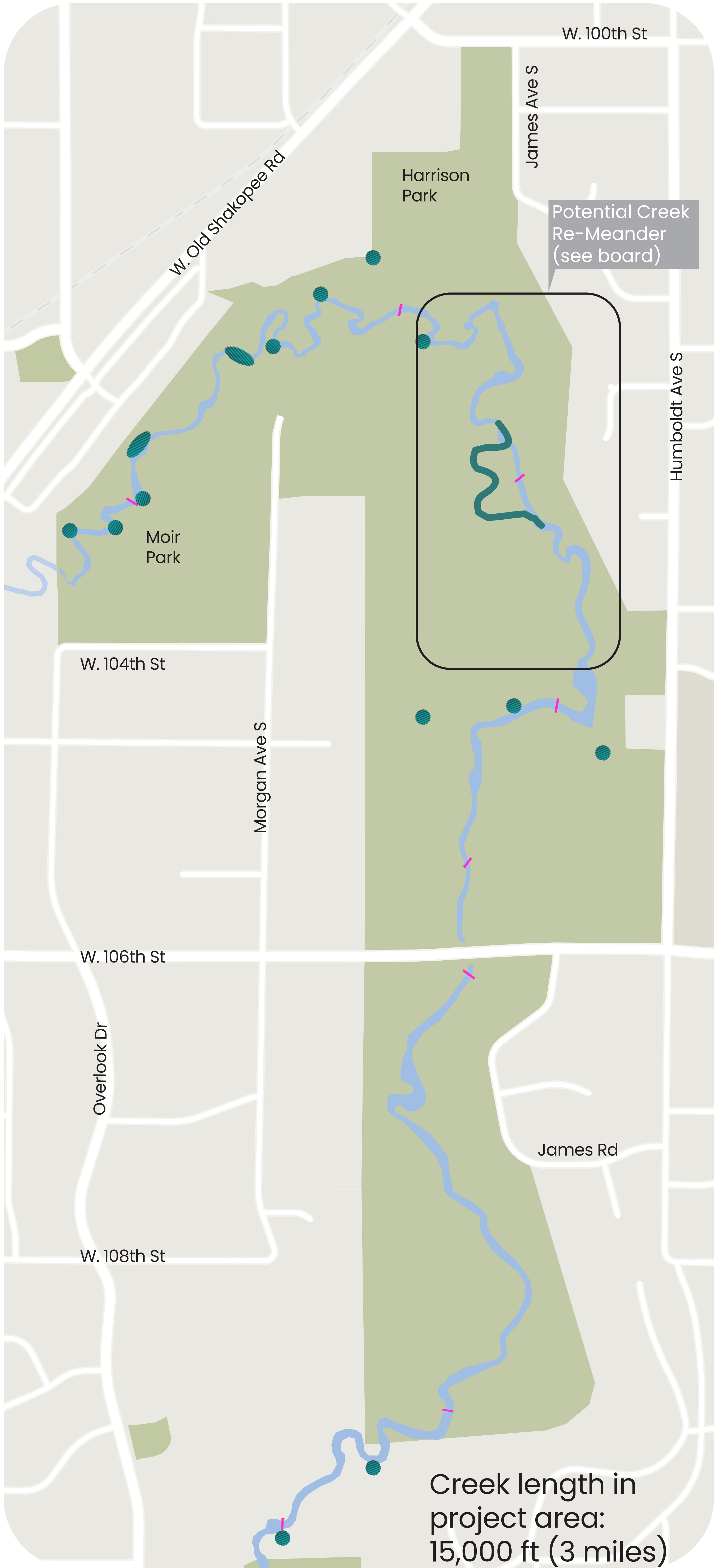
Bioengineering Practices:
Stabilization structures that utilize natural materials (example Rootwads).



Rock Riffle



Rip Rap



HARRISON PARK: VETERANS MEMORIAL



PERSPECTIVE VIEW LOOKING SOUTH

Coming November 2026

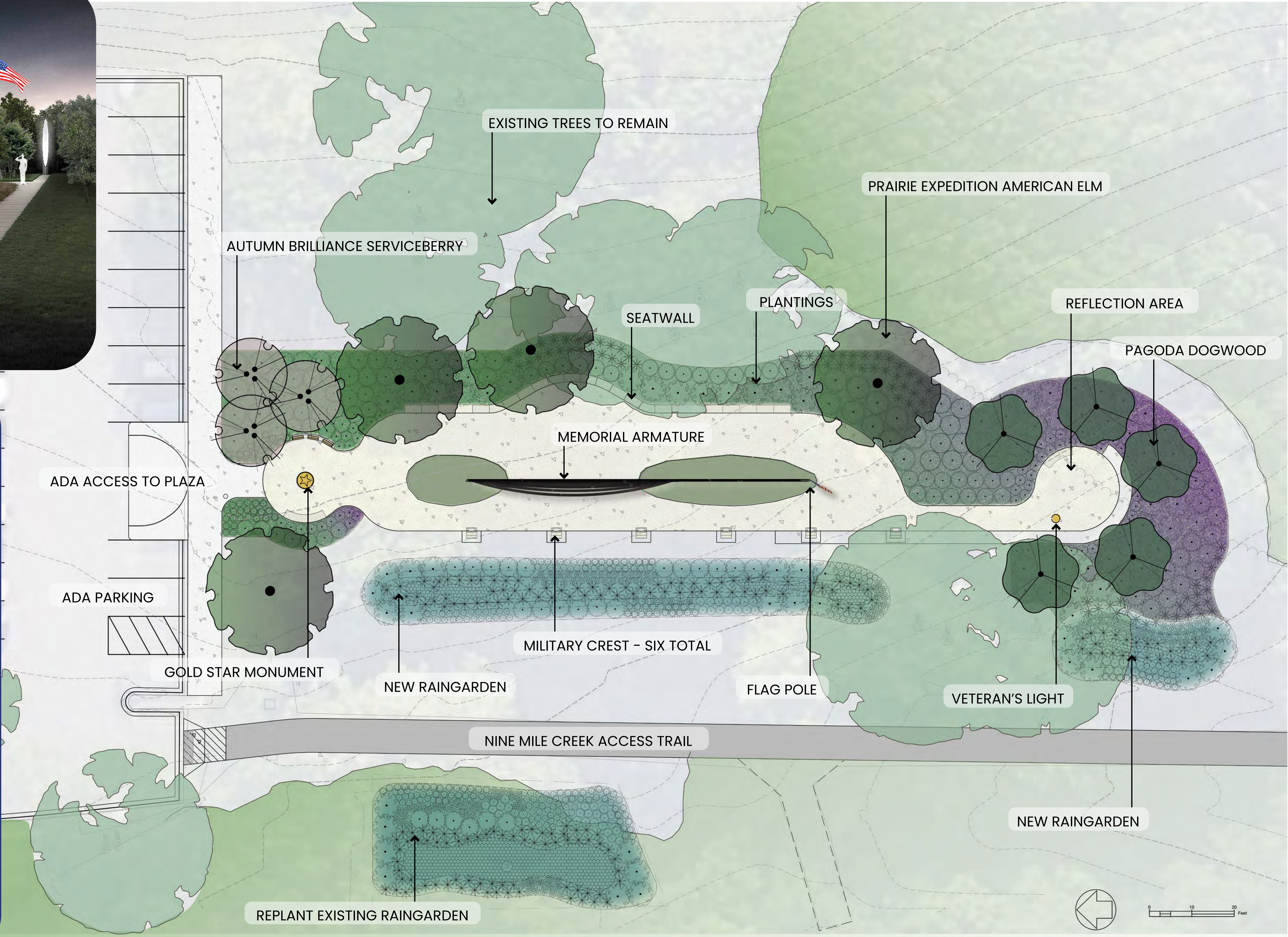
Bloomington has partnered with **Bloomington Remembers Veterans** to construct a veterans memorial at Harrison Park, 1701 W. 100th St. The park naturally provides a beautiful, serene setting for the memorial near the main entrance to one of Bloomington’s most popular amenities the Nine Mile Creek Corridor. Follow the QR codes below for more information.



Harrison Park Veterans Memorial website



Bloomington Veterans Memorial website



MOIR PARK: ILLUSTRATIVE PLAN



KEY

- 1 NEW PICNIC SHELTER
WITH RESTROOMS/ STORAGE BUILDING
- 2 PARKING LOT FOR PARK & NINE MILE CREEK TRAIL ACCESS
66 PARKING STALLS, INCLUDING 3 ADA STALLS
- 3 NEW PLAYGROUND DESIGN & EQUIPMENT
INCLUDING PRE-K, 5-12 YR OLD & TEEN PLAY & NATURE PLAY AREAS
- 4 OPEN LAWN
FLEXIBLE ACTIVITY SPACE WITH TURF
- 5 RE-DESIGNED DISC GOLF COURSE
SAFER COURSE LAYOUT WITH 9-HOLES
- 6 PICNICKING
INDIVIDUAL USE TO GROUPED PICNIC TABLES, INCLUDING ADA TABLES & ACCESS
- 7 HAMMOCK GROVE
PERMANENTLY EMBEDDED METAL POSTS FOR HAMMOCKING
- 8 NEW CONCRETE PROMENADE
10' WIDE WALKWAY FROM PARKING LOT & MORGAN AVE TO CENTRAL PARK HUB AREA
- 9 NEW BITUMINOUS PARK TRAILS
8' WIDE PARK TRAIL & ACCESS TO NINE MILE CREEK TRAIL
- 10 NEW SURFACE AGGREGATE PARK TRAIL
10' WIDE SURFACE AGGREGATE PARK TRAIL & ACCESS TO CREEK TRAIL. SECTION DESIGNED TO ACCOMMODATE MAINTENANCE VEHICLES WITH PROPER SURFACE AGGREGATE & BASE AGGREGATE MATERIALS.
- 11 NEW CONCRETE STAIRS & PARK TRAIL
8' WIDE ACCESSIBLE TRAIL & CONCRETE STAIR ACCESS TO NINE MILE CREEK TRAIL
- 12 RECONSTRUCTED NINE MILE CREEK TRAIL
8' WIDE BITUMINOUS TRAIL
- 13 TURF AREAS
LOW MAINTENANCE TURF WITH REGULAR MOWING & TURF MAINTENANCE STRIPS ALONG TRAILS
- 14 NATIVE SEEDING OR LOW-MOW AREAS
SHADE TOLERANT NATIVE SEEDING (PRAIRIE/ WOODLAND TYPES) & LOW-MOW FESCUE TURF GRASSES
- 15 EXISTING WOODLANDS OR WOODLAND RESTORATION AREAS
SELECT WOODLAND RESTORATION IN DISTURBED AREAS DUE TO PLANNED CONSTRUCTION
- 16 EXISTING TREES
WINTER REMOVAL OF DEAD TREES & TRIMMING OF TREES. PROTECT & USE ROOT-CUTTING TO MAINTAIN TREE HEALTH DURING CONSTRUCTION.
- 17 NEW TREES
PLANT NEW TREES TO ACCOMMODATE NEW DESIGN PROGRAMMING & FOR REPLACEMENT OF MATURE TREE LOSS OVER TIME
- 18 PLANTING BEDS
MAINTAINED PLANTING AREAS ALONG PROMENADE & IN PARKING LOT FOR AESTHICS, ENVIRONMENT & PEDESTRIAN CIRCULATION
- 19 RAINGARDENS
SIZED FOR 1" RAINSTORM WATER QUALITY TREATMENT OF NEW IMPERVIOUS SURFACES, DIMENSIONED AT 1-FOOT TO 1.5-FOOT DEPTHS WITH 3:1 SLOPES. PLANTED WITH SHRUB & PERENNIAL PLANTS FOR SUCCESSFUL ESTABLISHMENT & MAINTENANCE.
- 20 PARK WAYFINDING SIGNAGE
NEW SIGNAGE THROUGHOUT PARK
- 21 SITE FURNISHINGS
BENCHES, BIKE LOOPS & DRINKING FOUNTAIN
- 22 LIGHTING & ELECTRICAL
STANDARD CITY PARKING LOT LIGHTING, SECURITY LIGHTING AT PICNIC SHELTER, POSSIBLE PEDESTRIAN-SCALE LIGHT FIXTURES ALONG PROMENADE & UTILITY ELECTRICAL RECEPTACLE BOLLARDS (POWER SOURCE)

**Attachment B – USFWS Information,
Planning, and Consultation System (IPaC) Letter**



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Minnesota-Wisconsin Ecological Services Field Office
3815 American Blvd East
Bloomington, MN 55425-1659
Phone: (952) 858-0793



In Reply Refer To:

05/14/2025 18:57:08 UTC

Project Code: 2025-0096871

Project Name: Nine Mile Creek Corridor Renewal Project

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

This response has been generated by the Information, Planning, and Conservation (IPaC) system to provide information on natural resources that could be affected by your project. The U.S. Fish and Wildlife Service (Service) provides this response under the authority of the Endangered Species Act of 1973 (16 U.S.C. 1531-1543), the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d), the Migratory Bird Treaty Act (16 U.S.C. 703-712), and the Fish and Wildlife Coordination Act (16 U.S.C. 661 *et seq.*).

Threatened and Endangered Species

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and may be affected by your proposed project. The species list fulfills the requirement for obtaining a Technical Assistance Letter from the U.S. Fish and Wildlife Service under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

Consultation Technical Assistance

Please refer to our [Section 7 website](#) for guidance and technical assistance, including [step-by-step instructions](#) for making effects determinations for each species that might be present and for specific guidance on the following types of projects: projects in developed areas, HUD, CDBG, EDA, USDA Rural Development projects, pipelines, buried utilities, telecommunications, and requests for a Conditional Letter of Map Revision (CLOMR) from FEMA.

We recommend running the project (if it qualifies) through our **Minnesota-Wisconsin Federal Endangered Species Determination Key (Minnesota-Wisconsin ("D-key"))**. A [demonstration video](#) showing how-to access and use the determination key is available. Please note that the Minnesota-Wisconsin D-key is the third option of 3 available d-keys. D-keys are tools to help Federal agencies and other project proponents determine if their proposed action has the potential to adversely affect federally listed species and designated critical habitat. The Minnesota-Wisconsin D-key includes a structured set of questions that assists a project proponent in determining whether a proposed project qualifies for a certain predetermined consultation outcome for all federally listed species found in Minnesota and Wisconsin (except for the northern long-eared bat- see below), which includes determinations of "no effect" or "may affect, not likely to adversely affect." In each case, the Service has compiled and analyzed the best available information on the species' biology and the impacts of certain activities to support these determinations.

If your completed d-key output letter shows a "No Effect" (NE) determination for all listed species, print your IPaC output letter for your files to document your compliance with the Endangered Species Act.

For Federal projects with a "Not Likely to Adversely Affect" (NLAA) determination, our concurrence becomes valid if you do not hear otherwise from us after a 30-day review period, as indicated in your letter.

If your d-key output letter indicates additional coordination with the Minnesota-Wisconsin Ecological Services Field Office is necessary (i.e., you get a "May Affect" determination), you will be provided additional guidance on contacting the Service to continue ESA coordination outside of the key; ESA compliance cannot be concluded using the key for "May Affect" determinations unless otherwise indicated in your output letter.

Note: Once you obtain your official species list, you are not required to continue in IPaC with d-keys, although in most cases these tools should expedite your review. If you choose to make an effects determination on your own, you may do so. If the project is a Federal Action, you may want to review our section 7 step-by-step instructions before making your determinations.

Using the IPaC Official Species List to Make No Effect and May Affect Determinations for Listed Species

1. If IPaC returns a result of "There are no listed species found within the vicinity of the project," then project proponents can conclude the proposed activities will have **no effect** on any federally listed species under Service jurisdiction. Concurrence from the Service is not required for **no effect** determinations. No further consultation or coordination is required. Attach this letter to the dated IPaC species list report for your records.
2. If IPaC returns one or more federally listed, proposed, or candidate species as potentially present in the action area of the proposed project – other than bats (see below) – then project proponents must determine if proposed activities will have **no effect** on or **may affect** those species. For assistance in determining if suitable habitat for listed, candidate, or proposed species occurs within your project area or if species may be affected by project activities, you can obtain [Life History Information for Listed and Candidate Species](#) on our office website. If no impacts will occur to a species on the IPaC species list (e.g., there is no habitat present in the project area), the appropriate determination is **no effect**. No further consultation or coordination is required. Attach this letter to the dated IPaC species list report for your records.

3. Should you determine that project activities **may affect** any federally listed, please contact our office for further coordination. Letters with requests for consultation or correspondence about your project should include the Consultation Tracking Number in the header. Electronic submission is preferred.

Northern Long-Eared Bats

Northern long-eared bats occur throughout Minnesota and Wisconsin and the information below may help in determining if your project may affect these species.

Suitable summer habitat for northern long-eared bats consists of a wide variety of forested/wooded habitats where they roost, forage, and travel and may also include some adjacent and interspersed non-forested habitats such as emergent wetlands and adjacent edges of agricultural fields, old fields and pastures. This includes forests and woodlots containing potential roosts (i.e., live trees and/or snags ≥ 3 inches dbh for northern long-eared bat that have exfoliating bark, cracks, crevices, and/or hollows), as well as linear features such as fencerows, riparian forests, and other wooded corridors. These wooded areas may be dense or loose aggregates of trees with variable amounts of canopy closure. Individual trees may be considered suitable habitat when they exhibit the characteristics of a potential roost tree and are located within 1,000 feet (305 meters) of forested/wooded habitat. Northern long-eared bats have also been observed roosting in human-made structures, such as buildings, barns, bridges, and bat houses; therefore, these structures should also be considered potential summer habitat and evaluated for use by bats. If your project will impact caves or mines or will involve clearing forest or woodland habitat containing suitable roosting habitat, northern long-eared bats could be affected. For bat activity dates, please review Appendix L in the [Range-wide Indiana Bat and Northern Long-Eared Bat Survey Guidelines](#).

Examples of unsuitable habitat include:

- Individual trees that are greater than 1,000 feet from forested or wooded areas,
- Trees found in highly developed urban areas (e.g., street trees, downtown areas),
- A pure stand of less than 3-inch dbh trees that are not mixed with larger trees, and
- A monoculture stand of shrubby vegetation with no potential roost trees.

If IPaC returns a result that northern long-eared bats are potentially present in the action area of the proposed project, project proponents can conclude the proposed activities **may affect** this species **IF** one or more of the following activities are proposed:

- Clearing or disturbing suitable roosting habitat, as defined above, at any time of year,
- Any activity in or near the entrance to a cave or mine,
- Mining, deep excavation, or underground work within 0.25 miles of a cave or mine,
- Construction of one or more wind turbines, or
- Demolition or reconstruction of human-made structures that are known to be used by bats based on observations of roosting bats, bats emerging at dusk, or guano deposits or stains.

If none of the above activities are proposed, project proponents can conclude the proposed activities will have **no effect** on the northern long-eared bat. Concurrence from the Service is not required for **No Effect** determinations. No further consultation or coordination is required. Attach this letter to the dated IPaC

species list report for your records.

If any of the above activities are proposed, and the northern long-eared bat appears on the user's species list, the federal project user will be directed to either the northern long-eared bat and tricolored bat range-wide D-key or the Federal Highways Administration, Federal Railways Administration, and Federal Transit Administration Indiana bat/Northern long-eared bat D-key, depending on the type of project and federal agency involvement. Similar to the Minnesota-Wisconsin D-key, these d-keys help to determine if prohibited take might occur and, if not, will generate an automated verification letter. Additional information about available tools can be found on the Service's [northern long-eared bat website](#).

Whooping Crane

Whooping crane is designated as a non-essential experimental population in Wisconsin and consultation under Section 7(a)(2) of the Endangered Species Act is only required if project activities will occur within a National Wildlife Refuge or National Park. If project activities are proposed on lands outside of a National Wildlife Refuge or National Park, then you are not required to consult. For additional information on this designation and consultation requirements, please review "[Establishment of a Nonessential Experimental Population of Whooping Cranes in the Eastern United States](#)."

Other Trust Resources and Activities

Bald and Golden Eagles - Although the bald eagle has been removed from the endangered species list, this species and the golden eagle are protected by the Bald and Golden Eagle Act and the Migratory Bird Treaty Act. It is the responsibility of the project proponent to survey the area for any migratory bird nests. If there is an eagle nest on-site while work is on-going, eagles may be disturbed. We recommend avoiding and minimizing disturbance to eagles whenever practicable. If you cannot avoid eagle disturbance, you may seek a [permit](#). A [nest take permit](#) is always required for removal, relocation, or obstruction of an eagle nest. For communication and wind energy projects, please refer to additional guidelines below.

Migratory Birds - The Migratory Bird Treaty Act (MBTA) prohibits the taking, killing, possession, transportation, and importation of migratory birds, their eggs, parts, and nests, except when specifically authorized by the Service. The Service has the responsibility under the MBTA to proactively prevent the mortality of migratory birds whenever possible and we encourage implementation of [recommendations that minimize potential impacts to migratory birds](#). Such measures include clearing forested habitat outside the nesting season (generally March 1 to August 31) or conducting nest surveys prior to clearing to avoid injury to eggs or nestlings.

Communication Towers - Construction of new communications towers (including radio, television, cellular, and microwave) creates a potentially significant impact on migratory birds, especially some 350 species of night-migrating birds. However, the Service has developed [voluntary guidelines for minimizing impacts](#).

Transmission Lines - Migratory birds, especially large species with long wingspans, heavy bodies, and poor maneuverability can also collide with power lines. In addition, mortality can occur when birds, particularly hawks, eagles, kites, falcons, and owls, attempt to perch on uninsulated or unguarded power poles. To minimize these risks, please refer to [guidelines](#) developed by the Avian Power Line Interaction Committee and the Service. Implementation of these measures is especially important along sections of lines adjacent to wetlands or other areas that support large numbers of raptors and migratory birds.

Wind Energy - To minimize impacts to migratory birds and bats, wind energy projects should follow the Service's [Wind Energy Guidelines](#). In addition, please refer to the Service's [Eagle Conservation Plan Guidance](#), which provides guidance for conserving bald and golden eagles in the course of siting, constructing, and operating wind energy facilities.

State Department of Natural Resources Coordination

While it is not required for your Federal section 7 consultation, please note that additional state endangered or threatened species may also have the potential to be impacted. **Please contact the Minnesota or Wisconsin Department of Natural Resources for information on state listed species that may be present in your proposed project area.**

Minnesota

[Minnesota Department of Natural Resources - Endangered Resources Review Homepage](#)

Email: Review.NHIS@state.mn.us

Wisconsin

[Wisconsin Department of Natural Resources - Endangered Resources Review Homepage](#)

Email: DNRERReview@wi.gov

We appreciate your concern for threatened and endangered species. Please feel free to contact our office with questions or for additional information.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Bald & Golden Eagles
- Migratory Birds
- Wetlands

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Minnesota-Wisconsin Ecological Services Field Office

3815 American Blvd East

Bloomington, MN 55425-1659

(952) 858-0793

PROJECT SUMMARY

Project Code: 2025-0096871

Project Name: Nine Mile Creek Corridor Renewal Project

Project Type: Management Plans Land Management/Restoration

Project Description: The Project aims to enhance and protect the Nine Mile Creek area in Bloomington, Minnesota. This initiative focuses on restoring creek banks, improving water quality, and enhancing natural habitats. It also includes upgrading trails, adding new bike paths, and improving park amenities. The project involves community engagement, detailed design development, and construction administration. The goal is to create a sustainable environment that provides recreational opportunities and improves the quality of life for residents.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@44.81675745,-93.30194915885724,14z>



Counties: Hennepin County, Minnesota

ENDANGERED SPECIES ACT SPECIES

There is a total of 5 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

BIRDS

NAME	STATUS
Whooping Crane <i>Grus americana</i> Population: U.S.A. (AL, AR, CO, FL, GA, ID, IL, IN, IA, KY, LA, MI, MN, MS, MO, NC, NM, OH, SC, TN, UT, VA, WI, WV, western half of WY) No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/758	Experimental Population, Non- Essential

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> There is proposed critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/9743	Proposed Threatened
Rusty Patched Bumble Bee <i>Bombus affinis</i> There is proposed critical habitat for this species. Your location overlaps the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/9383 General project design guidelines: https://ipac.ecosphere.fws.gov/project/JOY4PLD5ZNAUZLFN6ZJLAA76C4/documents/generated/5967.pdf	Endangered

CRITICAL HABITATS

There is 1 critical habitat wholly or partially within your project area under this office's jurisdiction.

NAME	STATUS
Rusty Patched Bumble Bee <i>Bombus affinis</i> https://ecos.fws.gov/ecp/species/9383#crithab	Proposed

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

BALD & GOLDEN EAGLES

Bald and Golden Eagles are protected under the Bald and Golden Eagle Protection Act ² and the Migratory Bird Treaty Act (MBTA) ¹. Any person or organization who plans or conducts activities that may result in impacts to Bald or Golden Eagles, or their habitats, should follow appropriate regulations and consider implementing appropriate avoidance and minimization measures, as described in the various links on this page.

-
1. The [Bald and Golden Eagle Protection Act](#) of 1940.
 2. The [Migratory Birds Treaty Act](#) of 1918.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

BALD & GOLDEN EAGLES INFORMATION WAS NOT AVAILABLE WHEN THIS SPECIES LIST WAS GENERATED. PLEASE CONTACT THE FIELD OFFICE FOR FURTHER INFORMATION.

MIGRATORY BIRDS

The Migratory Bird Treaty Act (MBTA) ¹ prohibits the take (including killing, capturing, selling, trading, and transport) of protected migratory bird species without prior authorization by the Department of Interior U.S. Fish and Wildlife Service (Service). The incidental take of migratory birds is the injury or death of birds that results from, but is not the purpose, of an activity. The Service interprets the MBTA to prohibit incidental take.

-
1. The [Migratory Birds Treaty Act](#) of 1918.
 2. The [Bald and Golden Eagle Protection Act](#) of 1940.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

MIGRATORY BIRD INFORMATION WAS NOT AVAILABLE WHEN THIS SPECIES LIST WAS GENERATED. PLEASE CONTACT THE FIELD OFFICE FOR FURTHER INFORMATION.

WETLANDS

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

FRESHWATER FORESTED/SHRUB WETLAND

- PFO1C
- PSS1/EM1A
- PFO1A
- PSS1A
- PSS1C

FRESHWATER EMERGENT WETLAND

- PEM1F
- PEM1C
- PEM1A

FRESHWATER POND

- PABH

RIVERINE

- R2UBH

IPAC USER CONTACT INFORMATION

Agency: Bloomington city
Name: Rebecca Beduhn
Address: 3535 Vadnais Center Drive
City: St. Paul
State: MN
Zip: 55110
Email: rbeduhn@sehinc.com
Phone: 6514902146

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Army Corps of Engineers



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Minnesota-Wisconsin Ecological Services Field Office
3815 American Blvd East
Bloomington, MN 55425-1659
Phone: (952) 858-0793



In Reply Refer To:

05/14/2025 19:23:32 UTC

Project code: 2025-0096871

Project Name: Nine Mile Creek Corridor Renewal Project

Federal Nexus: yes

Federal Action Agency (if applicable): Army Corps of Engineers

Subject: Technical assistance for 'Nine Mile Creek Corridor Renewal Project'

Dear Rebecca Beduhn:

This letter records your determination using the Information for Planning and Consultation (IPaC) system provided to the U.S. Fish and Wildlife Service (Service) on May 14, 2025, for 'Nine Mile Creek Corridor Renewal Project' (here forward, Project). This project has been assigned Project Code 2025-0096871 and all future correspondence should clearly reference this number. **Please carefully review this letter. Your Endangered Species Act (Act) requirements are not complete.**

Ensuring Accurate Determinations When Using IPaC

The Service developed the IPaC system and associated species' determination keys in accordance with the Endangered Species Act of 1973 (ESA; 87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) and based on a standing analysis. All information submitted by the Project proponent into IPaC must accurately represent the full scope and details of the Project. **Failure to accurately represent or implement the Project as detailed in IPaC or the Northern Long-eared Bat and Tricolored Bat Range-wide Determination Key (Dkey), invalidates this letter.**

Determination for the Northern Long-Eared Bat and Tricolored Bat

Based on your IPaC submission and a standing analysis completed by the Service, you determined the proposed Project will have the following effect determinations:

Species	Listing Status	Determination
Northern Long-eared Bat (<i>Myotis septentrionalis</i>)	Endangered	May affect
Tricolored Bat (<i>Perimyotis subflavus</i>)	Proposed	May affect
	Endangered	

Other Species and Critical Habitat that May be Present in the Action Area

The IPaC-assisted determination key for the northern long-eared bat and tricolored bat does not apply to the following ESA-protected species and/or critical habitat that also may occur in your Action area:

- Monarch Butterfly *Danaus plexippus* Proposed Threatened
- Rusty Patched Bumble Bee *Bombus affinis* Endangered
- Whooping Crane *Grus americana* Experimental Population, Non-Essential

Critical Habitats:

- Rusty Patched Bumble Bee *Bombus affinis* Endangered

You may coordinate with our Office to determine whether the Action may cause prohibited take of the species listed above.

Conclusion

Consultation with the Service is not complete. Further consultation or coordination with the Service is necessary for those species or designated critical habitats with a determination of “May Affect.” A “May Affect” determination in this key indicates that the project, as entered, is not consistent with the questions in the key. Not all projects that reach a “May Affect” determination are anticipated to result in adverse impacts to listed species. These projects may result in a “No Effect”, “May Affect, Not Likely to Adversely Affect”, or “May Affect, Likely to Adversely Affect” determination depending on the details of the project. Please contact our Minnesota-Wisconsin Ecological Services Field Office to discuss methods to avoid or minimize potential adverse effects to those species or designated critical habitats.

Federal agencies must consult with U.S. Fish and Wildlife Service under section 7(a)(2) of the Endangered Species Act (ESA) when an action *may affect* a listed species. Tricolored bat is proposed for listing as endangered under the ESA, but not yet listed. For actions that may affect a proposed species, agencies cannot consult, but they can *confer* under the authority of section 7(a)(4) of the ESA. Such conferences can follow the procedures for a consultation and be adopted as such if and when the proposed species is listed. Should the tricolored bat be listed, agencies must review projects that are not yet complete, or projects with ongoing effects within the tricolored bat range that previously received a NE or NLAA determination from the key to confirm that the determination is still accurate. Projects that receive a may affect determination for tricolored bat through the key, should contact the appropriate Ecological Services Field Office if they want to conference on this species.

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

Nine Mile Creek Corridor Renewal Project

2. Description

The following description was provided for the project 'Nine Mile Creek Corridor Renewal Project':

The Project aims to enhance and protect the Nine Mile Creek area in Bloomington, Minnesota. This initiative focuses on restoring creek banks, improving water quality, and enhancing natural habitats. It also includes upgrading trails, adding new bike paths, and improving park amenities. The project involves community engagement, detailed design development, and construction administration. The goal is to create a sustainable environment that provides recreational opportunities and improves the quality of life for residents.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@44.81675745,-93.30194915885724,14z>



DETERMINATION KEY RESULT

Based on the answers provided, the proposed Action is consistent with a determination of “may affect” for a least one species covered by this determination key.

QUALIFICATION INTERVIEW

1. Does the proposed project include, or is it reasonably certain to cause, intentional take of listed bats or any other listed species?

Note: Intentional take is defined as take that is the intended result of a project. Intentional take could refer to research, direct species management, surveys, and/or studies that include intentional handling/encountering, harassment, collection, or capturing of any individual of a federally listed threatened, endangered or proposed species?

No

2. Is the action area wholly within Zone 2 of the year-round active area for northern long-eared bat and/or tricolored bat?

Automatically answered

No

3. Does the action area intersect Zone 1 of the year-round active area for northern long-eared bat and/or tricolored bat?

Automatically answered

No

4. Does any component of the action involve leasing, construction or operation of wind turbines? Answer 'yes' if the activities considered are conducted with the intention of gathering survey information to inform the leasing, construction, or operation of wind turbines.

Note: For federal actions, answer ‘yes’ if the construction or operation of wind power facilities is either (1) part of the federal action or (2) would not occur but for a federal agency action (federal permit, funding, etc.).

No

5. Is the proposed action authorized, permitted, licensed, funded, or being carried out by a Federal agency in whole or in part?

Yes

6. Is the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), or Federal Transit Administration (FTA) funding or authorizing the proposed action, in whole or in part?

No

7. Are you an employee of the federal action agency or have you been officially designated in writing by the agency as its designated non-federal representative for the purposes of Endangered Species Act Section 7 informal consultation per 50 CFR § 402.08?

Note: This key may be used for federal actions and for non-federal actions to facilitate section 7 consultation and to help determine whether an incidental take permit may be needed, respectively. This question is for information purposes only.

Yes

8. Is the lead federal action agency the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC)? Is the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC) funding or authorizing the proposed action, in whole or in part?

No

9. Is the lead federal action agency the Federal Energy Regulatory Commission (FERC)?

No

10. [Semantic] Is the action area located within 0.5 miles of a known bat hibernaculum? Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your State wildlife agency.

Automatically answered

No

11. Does the action area contain any winter roosts or caves (or associated sinkholes, fissures, or other karst features), mines, rocky outcroppings, or tunnels that could provide habitat for hibernating bats?

No

12. Does the action area contain (1) talus or (2) anthropogenic or naturally formed rock shelters or crevices in rocky outcrops, rock faces or cliffs?

No

13. Will the action cause effects to a bridge?

Note: Covered bridges should be considered as bridges in this question.

No

14. Will the action result in effects to a culvert or tunnel at any time of year?

No

15. Are trees present within 1000 feet of the action area?

Note: If there are trees within the action area that are of a sufficient size to be potential roosts for bats answer "Yes". If unsure, additional information defining suitable summer habitat for the northern long-eared bat and tricolored bat can be found in Appendix A of the USFWS' Range-wide Indiana Bat and Northern long-eared bat Survey Guidelines at: <https://www.fws.gov/media/range-wide-indiana-bat-and-northern-long-eared-bat-survey-guidelines>.

Yes

16. Does the action include the intentional exclusion of bats from a building or structure?

Note: Exclusion is conducted to deny bats' entry or reentry into a building. To be effective and to avoid harming bats, it should be done according to established standards. If your action includes bat exclusion and you are unsure whether northern long-eared bats or tricolored bats are present, answer "Yes." Answer "No" if there are no signs of bat use in the building/structure. If unsure, contact your local Ecological Services Field Office to help assess whether northern long-eared bats or tricolored bats may be present. Contact a Nuisance Wildlife Control Operator (NWCO) for help in how to exclude bats from a structure safely without causing harm to the bats (to find a NWCO certified in bat standards, search the Internet using the search term "National Wildlife Control Operators Association bats"). Also see the White-Nose Syndrome Response Team's guide for bat control in structures.

No

17. Does the action involve removal, modification, or maintenance of a human-made structure (barn, house, or other building) **known or suspected to contain roosting bats**?

No

18. Will the action cause construction of one or more new roads open to the public?

For federal actions, answer 'yes' when the construction or operation of these facilities is either (1) part of the federal action or (2) would not occur but for an action taken by a federal agency (federal permit, funding, etc.).

No

19. Will the action include or cause any construction or other activity that is reasonably certain to increase average night-time traffic permanently or temporarily on one or more existing roads? **Note:** For federal actions, answer 'yes' when the construction or operation of these facilities is either (1) part of the federal action or (2) would not occur but for an action taken by a federal agency (federal permit, funding, etc.). .

No

20. Will the action include or cause any construction or other activity that is reasonably certain to increase the number of travel lanes on an existing thoroughfare?

For federal actions, answer 'yes' when the construction or operation of these facilities is either (1) part of the federal action or (2) would not occur but for an action taken by a federal agency (federal permit, funding, etc.).

No

21. Will the proposed Action involve the creation of a new water-borne contaminant source (e.g., leachate pond, pits containing chemicals that are not NSF/ANSI 60 compliant)?

Note: For information regarding NSF/ANSI 60 please visit <https://www.nsf.org/knowledge-library/nsf-ansi-standard-60-drinking-water-treatment-chemicals-health-effects>

No

22. Will the proposed action involve the creation of a new point source discharge from a facility other than a water treatment plant or storm water system?

No

23. Will the action include drilling or blasting?

No

24. Will the action involve military training (e.g., smoke operations, obscurant operations, exploding munitions, artillery fire, range use, helicopter or fixed wing aircraft use)?

No

25. Will the proposed action involve the use of herbicides or other pesticides other than herbicides (e.g., fungicides, insecticides, or rodenticides)?

Yes

26. Will the action include or result in herbicide use that may affect suitable summer habitat for the northern long-eared bat or tricolored bat?

Note: Additional information defining suitable summer habitat for the northern long-eared bat and tricolored bat can be found in Appendix A of the USFWS' Range-wide Indiana Bat and Northern long-eared bat Survey Guidelines at: <https://www.fws.gov/media/range-wide-indiana-bat-and-northern-long-eared-bat-survey-guidelines>.

No

27. Will the action include or cause the application or drift of pesticides (e.g., fungicides, insecticides, or rodenticides) into forested areas that are suitable summer habitat for the northern long-eared bat or tricolored bat?

Answer "Yes" if the application may result in transport (e.g., in water) or aerial drift of the pesticide into forested areas that are suitable summer habitat for the northern long-eared bat or tricolored bat.

Note: Additional information defining suitable summer habitat for the northern long-eared bat and tricolored bat can be found in Appendix A of the USFWS' Range-wide Indiana Bat and Northern long-eared bat Survey Guidelines at: <https://www.fws.gov/media/range-wide-indiana-bat-and-northern-long-eared-bat-survey-guidelines>.

Yes

28. Does the action area intersect the northern long-eared bat species list area?

Automatically answered

Yes

29. [Semantic] Is the action area located within 0.5 miles of radius of an entrance/opening to any known NLEB hibernacula? Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your State wildlife agency.

Automatically answered

No

30. [Semantic] Is the action area located within 0.25 miles of a culvert that is known to be occupied by northern long-eared or tricolored bats? **Note:** The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your State wildlife agency.

Automatically answered

No

31. [Semantic] Is the action area located within 0.25 miles of a culvert that is known to be occupied by northern long-eared or tricolored bats?

Automatically answered

No

32. [Semantic] Is the action area located within 150 feet of a documented northern long-eared bat roost site?

Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your State wildlife agency. Have you contacted the appropriate agency to determine if your action is within 150 feet of any documented northern long-eared bat roosts?

Note: A document with links to Natural Heritage Inventory databases and other state-specific sources of information on the locations of northern long-eared bat roosts is available here. Location information for northern long-eared bat roosts is generally kept in state natural heritage inventory databases – the availability of this data varies by state. Many states provide online access to their data, either directly by providing maps or by providing the opportunity to make a data request. In some cases, to protect those resources, access to the information may be limited.

Automatically answered

No

33. Is suitable summer habitat for the northern long-eared bat present within 1000 feet of project activities?

If unsure, answer "Yes."

Note: Additional information defining suitable summer habitat for the northern long-eared bat and tricolored bat can be found in Appendix A of the USFWS' Range-wide Indiana Bat and Northern long-eared bat Survey Guidelines at: <https://www.fws.gov/media/range-wide-indiana-bat-and-northern-long-eared-bat-survey-guidelines>.

Yes

34. Does the action area intersect the tricolored bat species list area?

Automatically answered

Yes

35. [Semantic] Is the action area located within 0.5 miles of radius of an entrance/opening to any known tricolored bat hibernacula? Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your State wildlife agency.

Automatically answered

No

36. [Semantic] Is the action area located within 0.25 miles of a culvert that is known to be occupied by northern long-eared or tricolored bats? **Note:** The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your State wildlife agency.

Automatically answered

No

37. Is suitable summer habitat for the tricolored bat present within 1000 feet of project activities?
(If unsure, answer ""Yes."")

Note: If there are trees within the action area that may provide potential roosts for tricolored bats (e.g., clusters of leaves in live and dead deciduous trees, Spanish moss (*Tillandsia usneoides*), clusters of dead pine needles of large live pines) answer ""Yes."" For a complete definition of suitable summer habitat for the tricolored bat, please see Appendix A in the [Service's Range-wide Indiana Bat and Northern long-eared Bat Survey Guidelines](#).

Yes

38. Do you have any documents that you want to include with this submission?

No

PROJECT QUESTIONNAIRE

IPAC USER CONTACT INFORMATION

Agency: Bloomington city
Name: Rebecca Beduhn
Address: 3535 Vadnais Center Drive
City: St. Paul
State: MN
Zip: 55110
Email: rbeduhn@sehinc.com
Phone: 6514902146

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Army Corps of Engineers



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Minnesota-Wisconsin Ecological Services Field Office
3815 American Blvd East
Bloomington, MN 55425-1659
Phone: (952) 858-0793



In Reply Refer To:

05/14/2025 18:58:51 UTC

Project code: 2025-0096871

Project Name: Nine Mile Creek Corridor Renewal Project

Subject: Technical Assistance letter for 'Nine Mile Creek Corridor Renewal Project' for specified threatened and endangered species that may occur in your proposed project location consistent with the Minnesota-Wisconsin Endangered Species Determination Key (Minnesota-Wisconsin DKey).

Dear Rebecca Beduhn:

The U.S. Fish and Wildlife Service (Service) received on **May 14, 2025** your effect determination(s) for the 'Nine Mile Creek Corridor Renewal Project' (Action) using the Minnesota-Wisconsin DKey within the Information for Planning and Consultation (IPaC) system. You have submitted this key to satisfy requirements under Section 7(a)(2). The Service developed this system in accordance of with the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C 1531 et seq.).

Based on your answers and the assistance of the Service's Minnesota-Wisconsin DKey, you made the following effect determination(s) for the proposed Action:

Species	Listing Status	Determination
Monarch Butterfly (<i>Danaus plexippus</i>)	Proposed	No effect
	Threatened	
Whooping Crane (<i>Grus americana</i>)	Experimental	No effect
	Population, Non-Essential	

Determination Information

Thank you for informing the Service of your "No Effect" determination(s). Your agency has met consultation requirements and no further consultation is required for the species you determined will not be affected by the Action.

Additional Information

Sufficient project details: Please provide sufficient project details on your project homepage in IPaC (Define Project, Project Description) to support your conclusions. Failure to disclose important aspects of your project that would influence the outcome of your effects

determinations may negate your determinations and invalidate this letter. If you have site-specific information that leads you to believe a different determination is more appropriate for your project than what the Dkey concludes, you can and should proceed based on the best available information.

Future project changes: The Service recommends that you contact the Minnesota-Wisconsin Ecological Services Field Office or re-evaluate the project in IPaC if: 1) the scope or location of the proposed Action is changed; 2) new information reveals that the action may affect listed species or designated critical habitat in a manner or to an extent not previously considered; 3) the Action is modified in a manner that causes effects to listed species or designated critical habitat; or 4) a new species is listed or critical habitat designated. If any of the above conditions occurs, additional consultation with the Service should take place before project changes are final or resources committed.

Species-specific information

Bald and Golden Eagles: Bald eagles, golden eagles, and their nests are protected under the Bald and Golden Eagle Protection Act (54 Stat. 250, as amended, 16 U.S.C. 668a-d) (Eagle Act). The Eagle Act prohibits, except when authorized by an Eagle Act permit, the “taking” of bald and golden eagles and defines “take” as “pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb.” The Eagle Act’s implementing regulations define disturb as “... to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, (1) injury to an eagle, (2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or (3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior.”

The following species and/or critical habitats may also occur in your project area and **are not** covered by this conclusion:

- Northern Long-eared Bat *Myotis septentrionalis* Endangered
- Rusty Patched Bumble Bee *Bombus affinis* Endangered
- Tricolored Bat *Perimyotis subflavus* Proposed Endangered

Coordination with the Service is not complete if additional coordination is advised above for any species.

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

Nine Mile Creek Corridor Renewal Project

2. Description

The following description was provided for the project 'Nine Mile Creek Corridor Renewal Project':

The Project aims to enhance and protect the Nine Mile Creek area in Bloomington, Minnesota. This initiative focuses on restoring creek banks, improving water quality, and enhancing natural habitats. It also includes upgrading trails, adding new bike paths, and improving park amenities. The project involves community engagement, detailed design development, and construction administration. The goal is to create a sustainable environment that provides recreational opportunities and improves the quality of life for residents.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@44.81675745,-93.30194915885724,14z>



QUALIFICATION INTERVIEW

1. This determination key is intended to assist the user in evaluating the effects of their actions on Federally listed species in Minnesota and Wisconsin. It does not cover other prohibited activities under the Endangered Species Act (e.g., for wildlife: import/export, Interstate or foreign commerce, possession of illegally taken wildlife, etc.; for plants: import/export, reduce to possession, malicious destruction on Federal lands, commercial sale, etc.) or other statutes. Additionally, this key DOES NOT cover wind development, purposeful take (e.g., for research or surveys), communication towers that have guy wires or are over 450 feet in height, aerial or other large-scale application of any chemical (such as insecticide or herbicide), and approval of long-term permits or plans (e.g., FERC licenses, HCP's).

Click **YES** to acknowledge that you must consider other prohibitions of the ESA or other statutes outside of this determination key.

Yes

2. Is the action being funded, authorized, or carried out by a Federal agency?

Yes

3. Are you the Federal agency or designated non-federal representative?

Yes

4. Does the action involve the installation or operation of wind turbines?

No

5. Does the action involve purposeful take of a listed animal?

No

6. Does the action involve a new communications tower?

No

7. Does the activity involve aerial or other large-scale application of ANY chemical, including pesticides (insecticide, herbicide, fungicide, rodenticide, etc)?

No

8. Will your action permanently affect local hydrology?

Yes

9. Does your project have the potential to impact the riparian zone or indirectly impact a stream/river (e.g., cut and fill; horizontal directional drilling; construction; vegetation removal; pesticide or fertilizer application; discharge; runoff of sediment or pollutants; increase in erosion, etc.)?

Note: Consider all potential effects of the action, including those that may happen later in time and outside and downstream of the immediate area involved in the action.

Endangered Species Act regulation defines "effects of the action" to include all consequences to listed species or critical habitat that are caused by the proposed action, including the consequences of other activities that are caused by the proposed action. A consequence is caused by the proposed action if it would not occur but for the proposed action and it is reasonably certain to occur. Effects of the action may occur later in time and may include consequences occurring outside the immediate area involved in the action. (50 CFR 402.02).

Yes

10. Will your action disturb the ground or existing vegetation?

Note: This includes any off-road vehicle access, soil compaction (enough to collapse a rodent burrow), digging, seismic survey, directional drilling, heavy equipment, grading, trenching, placement of fill, pesticide application (herbicide, fungicide), vegetation management (including removal or maintenance using equipment or prescribed fire), cultivation, development, etc.

Yes

11. Will your action include spraying insecticides?

No

12. Does your action area occur entirely within an already developed area?

Note: Already developed areas are already paved, covered by existing structures, manicured lawns, industrial sites, or cultivated cropland, AND do not contain trees that could be roosting habitat. Be aware that listed species may occur in areas with natural, or semi-natural, vegetation immediately adjacent to existing utilities (e.g. roadways, railways) or within utility rights-of-way such as overhead transmission line corridors, and can utilize suitable trees, bridges, or culverts for roosting even in urban dominated landscapes (so these are not considered "already developed areas" for the purposes of this question). If unsure, select NO..

No

13. Have you determined that the action will have no effect on individuals within the whooping crane nonessential experimental population (NEP)?

Yes

14. [Hidden Semantic] Does the action area intersect the monarch butterfly species list area?

Automatically answered

Yes

15. Under the ESA, monarchs remain warranted but precluded by listing actions of higher priority. The monarch is a candidate for listing at this time. The Endangered Species Act does not establish protections or consultation requirements for candidate species. Some Federal and State agencies may have policy requirements to consider candidate species in planning. We encourage implementing measures that will remove or reduce threats to these species and possibly make listing unnecessary.

If your project will have no effect on monarch butterflies (for example, if your project won't affect their habitat or individuals), then you can make a "no effect" determination for this project.

Are you making a "no effect" determination for monarch?

Yes

IPAC USER CONTACT INFORMATION

Agency: Bloomington city
Name: Rebecca Beduhn
Address: 3535 Vadnais Center Drive
City: St. Paul
State: MN
Zip: 55110
Email: rbeduhn@sehinc.com
Phone: 6514902146

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Army Corps of Engineers

Attachment C – Greenhouse Gas Emissions Workbooks

**Nine Mile Creek
Greenhouse Gas Analysis
Gas On-Road Equipment Emissions**

							Emission Factors ¹			Emissions			
On- road Equipment	Veh/Day	Days	Miles per Day	Miles	Miles per gal	Est. gals	CO ₂	CH ₄	N ₂ O	CO ₂	CH ₄	N ₂ O	CO ₂ e ²
							kg/gal	g/mile	g/mile	short ton	short ton	short ton	short ton
Gasoline Passenger Cars (2018)	2	480	30	28800	24	1200.0	8.78	0.0052	0.0016	11.6	1.65E-04	5.08E-05	11.6
												Total	11.6

Conversion Factors	
g/short ton	907,185
kg/short ton	907

Global Warming Potential	
CO ₂	1
CH ₄	28
N ₂ O	265

Notes

¹ EPA Emission Factors for Greenhouse Gas Inventories Tables 2, 3, and 4 (updated January 15, 2025) <https://www.epa.gov/system/files/documents/2025-01/ghg-emission-factors-hub-2025.pdf>

² CO₂e emissions calculated using Global Warming Potentials from 40 CFR Part 98 Subpart A Table A-1

**Nine Mile Creek
Greenhouse Gas Analysis
Diesel Off-Road Equipment Emissions**

						Emission Factors ¹			Emissions			
Off-road Equipment	No. Vehicles	Consumption Rate (gal / hr per hp-hr) ³	Engine Size (hp)	Hours	Total gals	CO ₂	CH ₄	N ₂ O	CO ₂	CH ₄	N ₂ O	CO ₂ e ²
						kg/gal	g/gal	g/gal	short ton	short ton	short ton	short ton
Bulldozer / Loader	1	0.05	125	4800	30,000	10.21	1.01	0.94	337.64	3.34E-02	3.11E-02	346.8
Roller/ Compactor	1	0.05	125	4800	30,000	10.21	1.01	0.94	337.64	3.34E-02	3.11E-02	346.8
											Total	693.6
Conversion Factors												
g/short ton		907,185										
kg/short ton		907										
Maximum Hours		7,300										

Global Warming Potential	
CO ₂	1
CH ₄	28
N ₂ O	265

Notes

¹ EPA Emission Factors for Greenhouse Gas Inventories Tables 2 and 5 (updated January 15, 2025) <https://www.epa.gov/system/files/documents/2025-01/ghg-emission-factors-l>

² CO₂e emissions calculated using Global Warming Potentials from 40 CFR Part 98 Subpart A Table A-1 (CO₂e= 1*CO₂+25*CH₄+298*N₂O)

³ Microsoft Word - Guidelines for Calculating Emissions from Internal Combustion Engines - March 2023 - FINAL.docx (aqmd.gov)

**Nine Miles Creek
Greenhouse Gas Analysis
Land Conversion**

	Pre-project Land Use	Post-project Land Use	Change
Wooded/forest			
Brush/Grassland			
Cropland			
Lawn/landscaping			
Impervious surface			

Total			
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Best-case Scenario Sequestration Rate ¹	2.6	MT CO ₂ /acre/year
Annual potential loss of sequestration	0.0	short ton CO ₂ /year

Notes

¹ Best Practices for Including Carbon Sinks in Greenhouse Gas Inventories (epa.gov)



Request for Council Action

Originator Engineering	Item 3.6 Cancellation of Special Assessments on City Properties for the 2025-101 PMP Reconstruction Project
Agenda Section CONSENT BUSINESS	Date October 27, 2025

Requested Action:

Motion by _____, seconded by _____ to approve the cancellation of special assessments levied on the City-owned properties listed below in the amount of \$23,370.48.

Item created by: Brian Hansen, Engineering

Item presented by: Julie Long, City Engineer

Description:

This cancellation is an annual housekeeping item in which the City Council formally cancels special assessments associated with properties owned by the City. All assessments that are not paid, deferred, or canceled prior to November 26th are sent to Hennepin County to be placed on property taxes for the following year.

The amount being canceled will be recouped through a levy that is included with debt service each year (e. g., paid from reserve dollars from the debt service).

Cancellation is requested for each of the following City properties:

- 8105 Bloomington Fwy (04-027-24-13-0054) \$1,000.00
- 8500 Oakland Ave (02-027-24-33-0067) \$4,186.50
- 8501 17th Ave (02-027-24-44-0060) \$18,183.98

The cancellation of the assessments on City properties requires the approval of 4/5 of the City Council.



Request for Council Action

Originator Engineering	Item 3.7 Encroachment Agreement Approval - 10837 Irwin Avenue South
Agenda Section CONSENT BUSINESS	Date October 27, 2025

Requested Action:

Motion by _____, seconded by _____ to recommend acknowledging the attached Agreement as to Conditional Approval for Encroachment into Public Easements located at 10837 Irwin Avenue South.

Item created by: Bruce Bunker, Engineering

Item presented by: Julie Long, City Engineer

Description:

Karen Blue, owner of the property located at 10837 Irwin Avenue South , requests that the City Council of the City of Bloomington approve an encroachment agreement. This encroachment agreement is needed for an existing shed that was constructed on her property prior to her taking ownership and for a fence that she had installed. The existing shed lies within a public drainage and utility easement and the installed fence is within the public right-of-way of Irwin Avenue South and within a public drainage and utility easement. The encroaching areas are shown in Exhibit A in the attached encroachment agreement.

New encroachment agreements typically use the same format that the City Council gave as an overall general approval on May 21, 2007 (Item 3.9) for all encroachments, therefore, not needing special Council action for obtaining City signatures. However, this encroachment agreement differs from the standard format the City Council approved by adding an additional condition (Condition No. 7) making it necessary for City Council action to obtain City signatures. The added condition is as follows:

- A new encroachment agreement will be needed if the shed or fence needs to be rebuilt or installed in the future.

Attachments:

[Encroachment Agreement](#)

**AGREEMENT AS TO
CONDITIONAL APPROVAL FOR ENCROACHMENT
INTO PUBLIC EASEMENTS**

This Conditional Approval is given this _____ day of _____, 2025, by the City of Bloomington, a Minnesota municipal corporation, 1800 West Old Shakopee Road, Bloomington, Minnesota 55431 (the "City").

RECITALS

KAREN A. BLUE, as Trustee of The KAREN A. BLUE Trust dated September 1, 2022, (the "Applicant") is the owner of certain property located in the City of Bloomington, Hennepin County, Minnesota, at 10837 Irwin Avenue South, and legally described as follows:

Lot 2, Block 1, DEVOLD 2ND ADDITION, Hennepin County, Minnesota, (the "Premises").
The City holds certain public right-of-way and easements adjacent, over, and across the Premises, to-wit:

Right-of-way of West 109th Street as depicted in the record plat of DEVOLD 2ND ADDITION, Hennepin County, Minnesota,
and;

Drainage and utility easements as dedicated in the record plat of DEVOLD 2ND ADDITION, Hennepin County, Minnesota,
and;

A sidewalk and bikeway easement as described in Document No. 8831298, filed of record in the Office of the County Recorder, Hennepin County, Minnesota, (the "Public Easements").

The Applicant purchased the Premises with an existing shed and constructed a fence within an area of the Public Easements (hereinafter, the "Encroachments") as shown by the drawing attached hereto as Exhibit A.

Bloomington City Code Section 21.301.02 provides that such an encroachment into a public easement is not permitted without the written approval of the City.

The City is willing to approve the Encroachments under the terms and conditions expressed herein.

NOW, THEREFORE, the City does hereby grant its approval for the above-described Encroachments, with the following terms and conditions:

(1) This approval of the Encroachment into the Public Easements is not intended, nor shall it be in any way construed, to be a vacation or abandonment of the Public Easements or of the City's rights and interests thereunder. It is understood that the City continues to fully reserve and maintain all of its rights and interests under the Public Easements on behalf of itself and other public or private utilities authorized to use the Public Easements (hereinafter, the "Other Utilities") and that the City and the Other Utilities may exercise their rights thereunder at any time.

(2) To the extent that the approved Encroachments at any time become inconsistent or incompatible with the utilization of the Public Easements by the City or the Other Utilities, the City may revoke this Conditional Approval. In such cases, the Encroachments shall be removed, to the extent necessary, by the Applicant; if not removed by the Applicant, the City or the Other Utilities may do so.

(3) When removal of the Encroachments are required upon revocation of this Conditional Approval or in order for the City to access, use, and/or perform maintenance within the Public Easements, the City will provide at least twenty-one (21) days' notice of the need for removal to the Applicant, at the address of the Applicant or, if unknown, at the address of the Premises; provided, however, in the case where access is required on an emergency or other basis requiring accelerated action, the notice may be less than twenty-one days.

(4) By acceptance of this Conditional Approval and the prior construction and installation of the Encroachments allowed herein, the Applicant, and their successors and assigns, understands and assumes the risk that current and future use of the Public Easements by the City or Other Utilities may

occur and that damage may result to the Encroachments by reason of such use, and the Applicant agrees, (a) to hold harmless the City and the Other Utilities for any claims involving the removal of the Encroachments or damage thereto necessitated by the removal, and (b) that the Applicant will be responsible in such cases for any repair or replacement of the Encroachments (assuming the Conditional Approval has not been revoked).

(5) This Conditional Approval shall run with the land and the rights and duties hereunder shall be binding upon and inure to the benefit of the parties hereto and their successors and assigns. When the term "Applicant" is used in this document, it shall mean the Applicant herein or their successor(s) in interest to the Premises unless the context indicates otherwise.

(6) The Encroachments shall be constructed, installed, and maintained in such a manner that any public improvements and improvements of the Other Utilities within the Public Easements are not damaged thereby. If any damage to the public improvements or improvements of the Other Utilities occurs by reason of the construction, installation, or maintenance of the Encroachments, the Applicant shall be responsible for the cost of repairs.

(7) A new encroachment agreement will be needed if the shed or fence needs to be rebuilt or installed in the future.

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REVIEWED AND APPROVED

CITY OF BLOOMINGTON

By _____
City Attorney

By _____
Its: Mayor

And By _____
Its: City Manager

STATE OF MINNESOTA)
) SS
COUNTY OF HENNEPIN)

The foregoing instrument was acknowledged before me this _____ day of _____, 2025, by Tim Busse, Mayor, and by Zachary Walker, City Manager of the City of Bloomington, a Minnesota municipal corporation, on behalf of the corporation.

notary stamp or seal in this space

Notary Public

THIS INSTRUMENT WAS DRAFTED BY:

City of Bloomington
1800 West Old Shakopee Road
Bloomington, MN 55431

ACCEPTANCE OF APPLICANT

The Applicant understands and accepts the terms of the Conditional Approval of the City for the requested encroachment into the Public Easements.

**KAREN A. BLUE,
AS TRUSTEE OF THE KAREN A. BLUE TRUST DATED SEPTEMBER 1, 2022**

STATE OF MINNESOTA)
) SS
COUNTY OF HENNEPIN)

The foregoing instrument was acknowledged before me this _____ day of _____, 2025, by KAREN A. BLUE, as Trustee of The KAREN A. BLUE Trust dated September 1, 2022.

notary stamp or seal in this space

Notary Public



Request for Council Action

Originator Engineering	Item 3.8 Encroachment Agreement Approval - 10832 Harrison Avenue South
Agenda Section CONSENT BUSINESS	Date October 27, 2025

Requested Action:

Motion by _____, seconded by _____ to recommend acknowledging the attached Agreement as to Conditional Approval for Encroachment into Public Easements located at 10832 Harrison Avenue South.

Item created by: Bruce Bunker, Engineering

Item presented by: Julie Long, City Engineer

Description:

Nicole and Aaron Kinne, owners of the property located at 10832 Harrison Avenue South , requests that the City Council of the City of Bloomington approve an encroachment agreement. This encroachment agreement is needed for an existing garage that was constructed on their property prior to them taking ownership and for a concrete walkway that they had constructed. The existing garage lies within a public drainage and utility easement and the constructed concrete walkway is within the public right-of-way of Harrison Avenue South and within a public drainage and utility easement. The encroaching areas are shown in Exhibit A in the attached encroachment agreement.

New encroachment agreements typically use the same format that the City Council gave as an overall general approval on May 21, 2007 (Item 3.9) for all encroachments, therefore, not needing special Council action for obtaining City signatures. However, this encroachment agreement differs from the standard format the City Council approved by adding an additional condition (Condition No. 7) making it necessary for City Council action to obtain City signatures. The added condition is as follows:

- Future replacement of the existing Encroachments will require a new Conditional Approval between the Applicants and the City.

Attachments:

[Encroachment Agreement](#)

**AGREEMENT AS TO
CONDITIONAL APPROVAL FOR ENCROACHMENT
INTO PUBLIC EASEMENTS**

This Conditional Approval is given this _____ day of _____, 2025, by the City of Bloomington, a Minnesota municipal corporation, 1800 West Old Shakopee Road, Bloomington, Minnesota 55431 (the "City").

RECITALS

Nicole Kinne and Aaron Kinne, married to each other, as joint tenants, (the "Applicants") are the owners of certain property located in the City of Bloomington, Hennepin County, Minnesota, at 10832 Harrison Avenue South, and legally described as follows:

Lot 1, Block 1, DEVOLD 2ND ADDITION, Hennepin County, Minnesota, (the "Premises"). The City holds certain public right-of-way and easements adjacent, over, and across the Premises, to-wit:

Right-of-way of Harrison Avenue South as depicted in the record plat of DEVOLD 2ND ADDITION, Hennepin County, Minnesota,
and;

Drainage and utility easements as dedicated in the record plat of DEVOLD 2ND ADDITION, Hennepin County, Minnesota,
and;

A sidewalk and bikeway easement as described in Document No. 8831299, filed of record in the Office of the County Recorder, Hennepin County, Minnesota, (the "Public Easements"). The Applicants purchased the Premises with an existing garage and constructed a concrete walkway within an area of the Public Easements (hereinafter, the "Encroachments") as shown by the drawing attached hereto as Exhibit A.

Bloomington City Code Section 21.301.02 provides that such an encroachment into a public easement is not permitted without the written approval of the City.

The City is willing to approve the Encroachments under the terms and conditions expressed herein.

NOW, THEREFORE, the City does hereby grant its approval for the above-described Encroachments, with the following terms and conditions:

(1) This approval of the Encroachment into the Public Easements is not intended, nor shall it be in any way construed, to be a vacation or abandonment of the Public Easements or of the City's rights and interests thereunder. It is understood that the City continues to fully reserve and maintain all of its rights and interests under the Public Easements on behalf of itself and other public or private utilities authorized to use the Public Easements (hereinafter, the "Other Utilities") and that the City and the Other Utilities may exercise their rights thereunder at any time.

(2) To the extent that the approved Encroachments at any time become inconsistent or incompatible with the utilization of the Public Easements by the City or the Other Utilities, the City may revoke this Conditional Approval. In such cases, the Encroachments shall be removed, to the extent necessary, by the Applicants; if not removed by the Applicants, the City or the Other Utilities may do so.

(3) When removal of the Encroachments are required upon revocation of this Conditional Approval or in order for the City to access, use, and/or perform maintenance within the Public Easements, the City will provide at least twenty-one (21) days' notice of the need for removal to the Applicants, at the address of the Applicants or, if unknown, at the address of the Premises; provided, however, in the case where access is required on an emergency or other basis requiring accelerated action, the notice may be less than twenty-one days.

(4) By acceptance of this Conditional Approval and the prior construction of the Encroachments allowed herein, the Applicants, and their successors and assigns, understand and

assume the risk that current and future use of the Public Easements by the City or Other Utilities may occur and that damage may result to the Encroachments by reason of such use, and the Applicants agree, (a) to hold harmless the City and the Other Utilities for any claims involving the removal of the Encroachments or damage thereto necessitated by the removal, and (b) that the Applicants will be responsible in such cases for any repair or replacement of the Encroachments (assuming the Conditional Approval has not been revoked).

(5) This Conditional Approval shall run with the land and the rights and duties hereunder shall be binding upon and inure to the benefit of the parties hereto and their successors and assigns. When the term "Applicants" is used in this document, it shall mean the Applicants herein or their successor(s) in interest to the Premises unless the context indicates otherwise.

(6) The Encroachments shall be constructed and maintained in such a manner that any public improvements and improvements of the Other Utilities within the Public Easements are not damaged thereby. If any damage to the public improvements or improvements of the Other Utilities occurs by reason of the construction and maintenance of the Encroachments, the Applicants shall be responsible for the cost of repairs.

(7) Future replacement of the existing Encroachments will require a new Conditional Approval between the Applicants and the City.

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REVIEWED AND APPROVED

CITY OF BLOOMINGTON

By _____
City Attorney

By _____
Its: Mayor

And By _____
Its: City Manager

STATE OF MINNESOTA)
) SS
COUNTY OF HENNEPIN)

The foregoing instrument was acknowledged before me this _____ day of _____, 2025, by Tim Busse, Mayor, and by Zachary Walker, City Manager of the City of Bloomington, a Minnesota municipal corporation, on behalf of the corporation.

notary stamp or seal in this space

Notary Public

THIS INSTRUMENT WAS DRAFTED BY:

City of Bloomington
1800 West Old Shakopee Road
Bloomington, MN 55431

ACCEPTANCE OF APPLICANTS

The Applicants understand and accept the terms of the Conditional Approval of the City for the requested encroachment into the Public Easements.

NICOLE KINNE

AARON KINNE

STATE OF MINNESOTA)
) SS
COUNTY OF HENNEPIN)

The foregoing instrument was acknowledged before me this _____ day of _____, 2025, by Nicole Kinne and Aaron Kinne, married to each other, as joint tenants.

notary stamp or seal in this space

Notary Public

LOT LINE ADJUSTMENT SURVEY

156



SCALE: 1 INCH = 20 FEET

EXHIBIT A

SITE:
10837 IRWIN AVENUE SOUTH &
10832 HARRISON AVENUE SOUTH
BLOOMINGTON, MINNESOTA

HENNEPIN COUNTY

HARRY S. JOHNSON CO. INC.
LAND SURVEYORS
8043 Lyndale Avenue South
Bloomington, MN 55437
Tel: 952-884-5341 Fax: 952-884-5344
www.hjsurveyors.com

Book	Page No.
2025-185	20
CD	2025185
CT	1 OF 1

EXISTING PROPERTY DESCRIPTIONS:
Lot 1, Block 1, DEVOLD 2ND ADDITION, Hennepin County, Minnesota.
AND
Lot 2, Block 1, DEVOLD 2ND ADDITION, Hennepin County, Minnesota.

PROPOSED PROPERTY DESCRIPTIONS:
PARCEL 1:
Lot 2, Block 1, DEVOLD 2ND ADDITION, Hennepin County, Minnesota.
AND
That part of Lot 1, Block 1, DEVOLD 2ND ADDITION, Hennepin County, Minnesota lying westerly of the following described line:
Beginning at the southeast corner of Lot 1, Block 1, DEVOLD 2ND ADDITION; thence South 89 degrees 36 minutes 40 seconds West on assumed bearing along the south line of said Lot 1 a distance of 138.73 feet to the point of beginning; thence South 89 degrees 36 minutes 40 seconds West 118.56 feet more or less to the north line of said Lot 1 and there terminating.

NOTE: Parcel designations added by Surveyor for clarity, and are not an integral part of the property descriptions.

PARCEL 2:
That part of Lot 1, Block 1, DEVOLD 2ND ADDITION, Hennepin County, Minnesota lying easterly of the following described line:
Beginning at the southeast corner of Lot 1, Block 1, DEVOLD 2ND ADDITION; thence South 89 degrees 36 minutes 40 seconds West on assumed bearing along the south line of said Lot 1 a distance of 138.73 feet to the point of beginning; thence South 89 degrees 36 minutes 40 seconds West 118.56 feet more or less to the north line of said Lot 1 and there terminating.

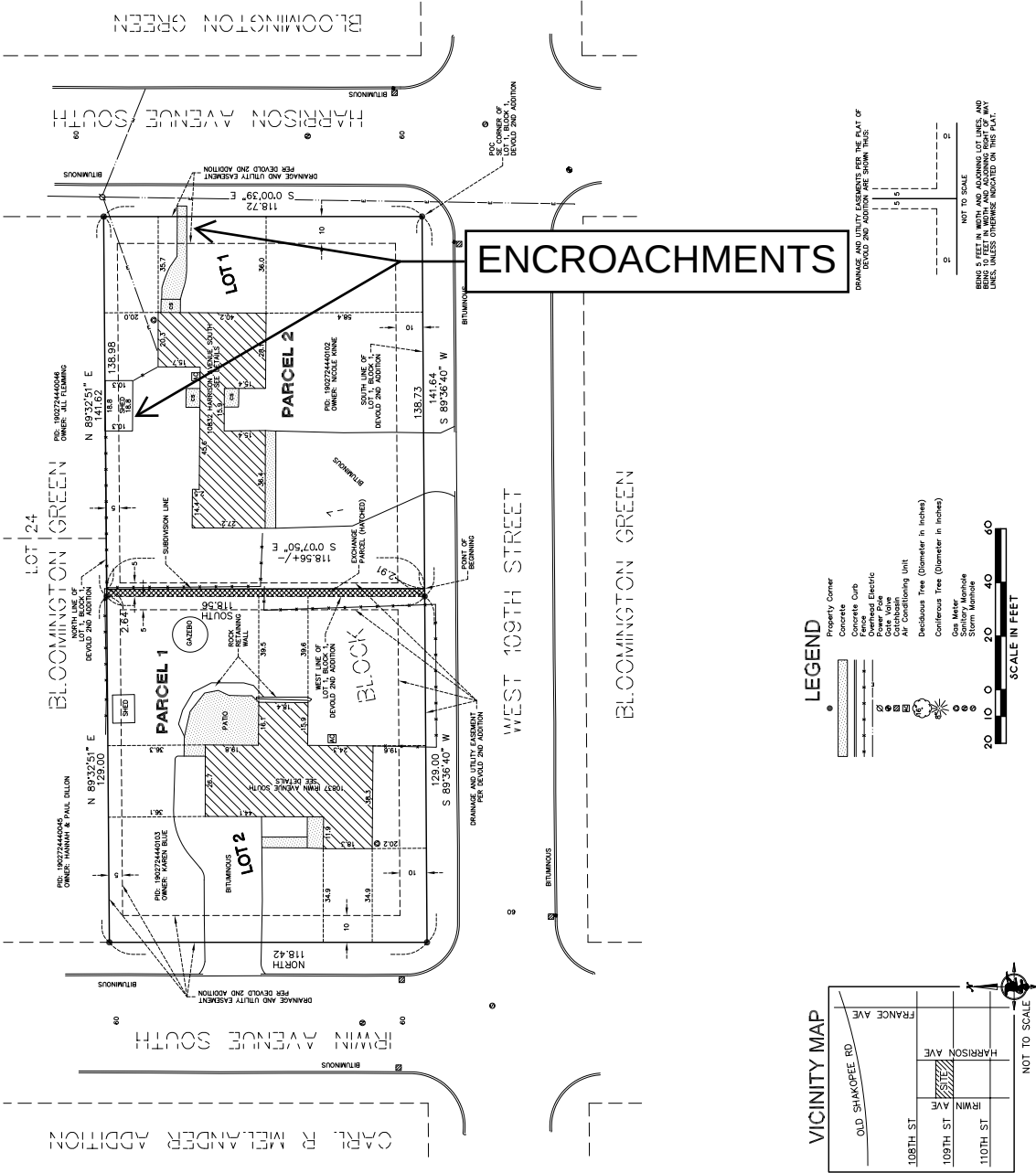
NOTE: Parcel designations added by Surveyor for clarity, and are not an integral part of the property descriptions.

SUBDIVISION SUMMARY:
Lot 1, Block 1, DEVOLD 2ND ADDITION, Hennepin County, Minnesota.
AREA: 16,802 square feet = 0.386 acres.
AND
Lot 2, Block 1, DEVOLD 2ND ADDITION, Hennepin County, Minnesota.
AREA: 15,286 square feet = 0.351 acres.

PROPOSED AREAS:
PARCEL 1: 15,286 square feet = 0.351 acres.
AND
PARCEL 2: 16,473 square feet = 0.378 acres.
DRAINAGE PASSES:
AREA: 329 square feet = 0.008 acres.

HOUSE DETAILS:
1-1 STORY HOUSE
1-1 STORY HOUSE
FOOTPRINT AREA = 2,171 SQ. FT.
1-1 STORY HOUSE
1-1 STORY HOUSE
FOOTPRINT AREA = 2,090 SQ. FT.

GENERAL NOTES:
1. The bearing system used is based on DEVOLD 2ND ADDITION.
2. The location of the underground utilities shown herein, if any, are approximate only, and are not to be used for any excavation.
3. Subject property is identified as being in "Zone X, Other Area" on Flood Insurance Risk Map No. 25020CA027, effective date November 4, 2016.
4. Zoning = Priority A-1 (Single-family Residential) per City of Bloomington's website.
5. Building setbacks required per City of Bloomington's website:
Front = 30 feet
Side = 10 feet
Rear = 30 feet
Minimum 30 feet, Maximum 65 feet.
6. Total Site area = 32,088 square feet = 0.737 acres.
7. This survey was made on the ground.
8. No current title work was furnished for the preparation of this survey, legal description, recorded or unrecorded easements and encroachments are subject to release upon receipt of correct title work.





Request for Council Action

Originator Parks and Recreation	Item 3.9 Resolution Authorizing Application For And Execution Of A Grant Agreement With National Recreation And Parks Association (Grantor) and Making Related Budget Adjustments
Agenda Section CONSENT BUSINESS	Date October 27, 2025

Requested Action:

Motion by _____, seconded by _____, to approve Resolution no. 2025- ____ authorizing application for and execution of a grant agreement, with National Recreation and Parks Association (Youth Sports Access Grant) and making related budget adjustments.

Item created by: Linda Batterson, Parks and Recreation

Item presented by: Anthony DiBella, Recreation Manager

Description:

The National Recreation and Park Association (NRPA), in partnership with Musco Lighting, has launched the Youth Sports Access Grant Program to help communities increase access to sports and reduce barriers to participation. The program supports local park and recreation agencies by providing both financial and in-kind resources to enhance youth sports opportunities.

Background: The Youth Sports Access Grant Program offers:

- \$20,000 in cash funding per grant (7 total grants available nationally).
- \$50,000–\$100,000 in in-kind infrastructure support from Musco Lighting, available for lighting system upgrades or installation of a Mini-Pitch System™.

Awarded agencies will use funding to:

- Address barriers that limit participation in youth sports.
- Improve the quality and accessibility of sports facilities.
- Activate and enhance existing infrastructure to increase program capacity and engagement.

Grant Deliverables

- **Youth Sports Access Project:** The project period for the grant will be January 2026 – June 30, 2027. Awarded agencies will have until June 30, 2027 to install their in-kind infrastructure donation and activate the infrastructure installation using any of the strategies designed to increase access to youth sports for

their communities.

- **Learning Community:** Grantees will participate in a learning community that supports project implementation and identify solutions that break down challenges for access to youth sports and play in their community. The community will prioritize peer networking and dialogue.
 - NRPA will work with grantees to determine the format and structure of the learning community. Grantees are expected to participate in all engagements related to the learning community to complete their grant fulfillment requirements
- **Evaluation:** NRPA will partner with awarded agencies to evaluate the impact of their installed infrastructure and strategies used to activate the space.
 - NRPA staff will check-in with grantees quarterly for updates on infrastructure installation
 - Methods of assessment could include observations, surveys, and focus groups and/or interviews with local park and recreation professionals, youth, parents, coaches, and/or other community stakeholders

Agencies will participate in baseline, quarterly, and final data collection activities as well as a short follow-up call approximately 6-12 months following the end of the grant period

Attachments:

[Resolution Authorizing Grant Agreement NRPA - Youth Sports](#)

RESOLUTION NO. 2025 -

RESOLUTION AUTHORIZING APPLICATION FOR AND EXECUTION OF A GRANT AGREEMENT WITH NATIONAL RECREATION AND PARKS ASSOCIATION (GRANTOR) AND MAKING RELATED BUDGET ADJUSTMENTS

WHEREAS, the City Council of the City of Bloomington is the official governing body of the City of Bloomington, Minnesota (“City”); and

WHEREAS, City Charter Section 6.06 authorizes the Mayor and City Manager, with the City Attorney, to sign and execute contracts, bonds, and instruments in the name of the City; and

WHEREAS, City Charter Section 7.08 requires the City Council to act by resolution to alter the approved budget; and

WHEREAS, Minnesota Statutes Section 465.03, requires a city to act by resolution adopted by a two-thirds majority of its members to accept a grant or devise of real or personal property and expressing the terms in full; and

WHEREAS, the National Recreation and Park Association (“Grantor”) makes funding available for increasing youth sports access through its Youth Sports Access Grant Program (“Grant Opportunity”); and

WHEREAS, the amount of the grant is up to \$120,000, with up to \$20,000 being a cash grant with an additional in-kind grant of lighting infrastructure with a value of up to \$100,000; and

WHEREAS, if awarded the Grant Opportunity, City staff plans to use the funds to upgrade lighting infrastructure at Dred Scott Playfields, Fields #3 and #4; and

WHEREAS, the City Council has determined that it is in the City’s best interests to apply for the Grant Opportunity, and if awarded, enter into a grant agreement to accept the funds and to make the necessary budget adjustments to the approved budget.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BLOOMINGTON, MINNESOTA, based on the foregoing recitals and as required by State Law and City Charter, that the Mayor, City Manager, Chief Financial Officer, and City Attorney, or their designee(s), are hereby authorized and directed to take any and all actions required to apply for and accept the grant funds for and on behalf of the City including executing a grant agreement, and to make any and all necessary related budget adjustments to the approved budget of the City.

Passed and adopted this ____ day of _____, 2025.

Mayor

Attest:

Secretary to the Council



Request for Council Action

Originator City Clerk	Item 3.10 Off-Sale Liquor License Application for Seven-Eight's Liquors
Agenda Section CONSENT BUSINESS	Date October 27, 2025

Requested Action:

Motion by _____, seconded by _____ to approve an Off-Sale Liquor License for TJ Anderson Investments, LLC doing business as Seven-Eight's Liquors located at 7920 Nicollet Ave S.

Item created by: Matt Brillhart, City Clerk

Item presented by: Matt Brillhart, Deputy City Clerk

Description:

TJ Anderson Investments, LLC has applied for an Off-Sale Liquor License for Seven-Eight's Liquors located at 7920 Nicollet Ave S. This is an existing liquor store that is changing ownership. Licensing staff have reviewed the application and find it in order for approval.



Request for Council Action

Originator Mayor's Office	Item 3.11 Approve Travel Expenses - City Council
Agenda Section CONSENT BUSINESS	Date October 27, 2025

Requested Action:

Motion by _____, seconded by _____ to approve the out-of country travel expenses listed for Mayor Busse to attend the State of Minnesota Trade Mission to Switzerland and Germany, from November 15-22, 2025.

Motion by _____, seconded by _____ to approve the out-of state travel expenses listed for Councilmember Rivas to attend the NLC City Summit in Salt Lake City, Utah, from November 19-22, 2025.

Item created by: Priyanka Rai, Mayor's Office

Item presented by: Elizabeth Tolzmann, Interim City Manager

Description:

The City Council is requested to review and approve the following estimated out-of-country travel expenses for Mayor Tim Busse to attend the State of Minnesota Trade Mission to Switzerland and Germany, from November 15-22, 2025. The Port Authority is paying for the registration, and the City is paying for the other expenses.

Registration		\$4000
Flight		\$2000
Hotel/Meals		\$2814
Ground Transportation		\$250.00
	Total	\$9064.00

The City Council is requested to review and approve the following estimated out-of-state travel expenses for Councilmember Rivas to attend the NLC City Summit in Salt Lake City, Utah, from November 19-22, 2025.

Registration/Sessions		\$1305
Flight		\$600
Hotel		\$1390
Meals/Ground Transportation		\$300.00
	Total	\$3595.00



Request for Council Action

Originator Public Works	Item 3.12 Agreement for Solid Waste Collection at City Facilities
Agenda Section CONSENT BUSINESS	Date October 27, 2025

Requested Action:

Motion by _____, seconded by _____ to approve the four-year contract with Waste Management for solid waste collection services at City Buildings and Park Facilities.

Item created by: Andrew Trenne, Public Works

Item presented by: Laura Horner, Solid Waste Program Coordinator

Description:

City Council is requested to award a contract for solid waste and recyclable material collection services for various City buildings and park facilities. The proposed agreement would be effective for a four-year term, beginning October 31, 2025, and continuing through October 31, 2029.

Proposals were solicited from haulers licensed to operate within the City of Bloomington. The City received four proposals, which were evaluated by staff using the following weighted criteria: Cost (50%), Project Approach (30%), Demonstrated Experience (15%), and Project Team (5%).

Following a comprehensive review, staff recommends awarding the contract to Waste Management, the proposer receiving the highest overall evaluation score. The total amount payable under this contract shall not exceed \$656,853.00 over the four-year term.

This service is supported through various Funds including General Park, Bush Lake Park, Valley View Park, Dred Scott, Moir Park, Kelly Park, Normandale Lake, Smith Park, Facilities, Dwan Golf Course, Fire, Fleet, Solid Waste and Water Supply.

Fund	Org Code	Percent of Monthly Invoice to Pay
General Park	161901-53040	23%
Bush Lake Park	161908-53040	9%
Valley View Park	161903-53040	11%
Dred Scott	161902-53040	7%
Moir Park	161906-53040	6%
Kelly Park	161904-5304	4%
Normandale Lake	161909-53040	2%
Smith Park	161905-53040	1%
Facilities	765701-53040	23%
Dwan Golf Course	661701-53040	3%
Fire	765705-53040	3%
Fleet	765601-53040	3%
Solid Waste (Organics Drop-Offs)	665560-53040	3%
Water Supply	665503-53040	1%



Request for Council Action

Originator City Clerk	Item 3.13 Resolution Authorizing Application for and Execution of Grant Agreement with the Office of the MN Secretary of State (Grantor) and Making Related Budget Adjustments
Agenda Section CONSENT BUSINESS	Date October 27, 2025

Requested Action:

Motion by _____, seconded by _____ to approve Resolution No. 2025 - _____, authorizing application for and execution of a 2025 Polling Place Accessibility Grant with the Office of Minnesota Secretary of State.

Item created by: Jamy Hanson, City Clerk

Item presented by: Jamy Hanson, City Clerk

Description:

The City Clerk's Office requests City Council approval of the attached resolution that authorizes the application for and execution of a 2025 Polling Place Accessibility Grant with the Office of the Minnesota Secretary of State and make related budget adjustments.

The City Clerk's Office will use awarded funds to purchase portable curbside voting signs for each of our polling places.

Attachments:

[Resolution.pdf](#)

RESOLUTION NO. 2025 -

**RESOLUTION AUTHORIZING APPLICATION FOR AND EXECUTION OF A
GRANT AGREEMENT WITH OFFICE OF THE MINNESOTA SECRETARY OF
STATE (GRANTOR)
AND MAKING RELATED BUDGET ADJUSTMENTS**

WHEREAS, the City Council of the City of Bloomington is the official governing body of the City of Bloomington, Minnesota (“City”); and

WHEREAS, City Charter Section 6.06 authorizes the Mayor and City Manager, with the City Attorney, to sign and execute contracts, bonds, and instruments in the name of the City; and

WHEREAS, City Charter Section 7.08 requires the City Council to act by resolution to alter the approved budget; and

WHEREAS, Minnesota Statutes Section 465.03, requires a city to act by resolution adopted by a two-thirds majority of its members to accept a grant or devise of real or personal property and expressing the terms in full; and

WHEREAS, Grantor makes funding available for 2025 Polling Place Accessibility Grants (“Grant Opportunity”); and

WHEREAS, the amount of the grant is up to \$20,000.00 ; and

WHEREAS, the City Council has determined that it is in the City’s best interests to apply for the Grant Opportunity, and if awarded, enter into a grant agreement to accept the funds and to make the necessary budget adjustments to the approved budget.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BLOOMINGTON, MINNESOTA, based on the foregoing recitals and as required by State Law and City Charter, that the Mayor, City Manager, Chief Financial Officer, and City Attorney, or their designee(s), are hereby authorized and directed to take any and all actions required to apply for and accept the grant funds for and on behalf of the City including executing a grant agreement, and to make any and all necessary related budget adjustments to the approved budget of the City.

Passed and adopted this 27th day of October, 2025.

Mayor

Attest:

Secretary to the Council



Request for Council Action

Originator City Clerk	Item 4.1 Public Hearing - Liquor License
Agenda Section HEARINGS, RESOLUTIONS, AND ORDINANCES	Date October 27, 2025

Requested Action:

Motion by _____, seconded by _____ to adopt Ordinance 2025 - _____, AN ORDINANCE AMENDING CHAPTER 13 OF THE CITY CODE RELATED TO ALCOHOLIC BEVERAGE CONTROL AND FINES FOR VIOLATIONS OF CHAPTER 13 AS SET FORTH IN APPENDIX A.

Motion by _____, seconded by _____ to adopt Resolution 2025 - _____, A RESOLUTION DIRECTING SUMMARY PUBLICATION OF ORDINANCE 2025 - _____, AN ORDINANCE AMENDING CHAPTER 13 OF THE CITY CODE RELATED TO ALCOHOLIC BEVERAGE CONTROL AND FINES FOR VIOLATIONS OF CHAPTER 13 AS SET FORTH IN APPENDIX A.

Item created by: Jamy Hanson, City Clerk

Item presented by: Jamy Hanson, City Clerk
Matt Brillhart, Deputy City Clerk

Description:

An ordinance amending Chapter 13 of the City Code related to alcoholic beverage control and fines for violations of Chapter 13 as set forth in Appendix A.

Attachments:

[Ordinance.pdf](#)
[Resolution.pdf](#)
[Presentation.pdf](#)

ORDINANCE NO. 2025-_____

**AN ORDINANCE AMENDING CHAPTER 13 OF THE CITY CODE RELATED TO
ALCOHOLIC BEVERAGE CONTROL AND FINES FOR VIOLATIONS OF CHAPTER
13 AS SET FORTH IN APPENDIX A.**

The City Council for the City of Bloomington, Minnesota, ordains:

Section 1. That Chapter 13 of the City Code is hereby amended by deleting those words within brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

CHAPTER 11: ALCHOLIC BEVERAGE CONTROL

Article I: GENERAL PROVISIONS AND LICENSES

§ 13.02 DEFINITIONS.

ALCOHOLIC BEVERAGE TASTING. An event of four hours or less in duration where a person pays a fee or donation to participate, and is allowed to consume wine, malt liquor, or both, by the glass without paying a separate charge for each glass.

APPROVED SERVER TRAINING. Server training approved by the City Clerk's Office.

BREWER. A person who manufactures malt liquor for sale.

§ 13.08 APPLICATION CONTENTS.

(f) Evidence of all servers completing an approved server training within 90 days of their date of hire.

§ 13.41 PENALTIES REGARDING MINORS.

Notwithstanding § 13.40, this section establishes uniform civil penalties for a license holder who furnishes or sells an alcoholic beverage to a minor.

(a) The issuing authority shall impose the fine as set forth in City Code Appendix A for the first violation of ~~[following civil penalties on a license holder when a license holder has admitted to]~~ furnishing or selling an alcoholic beverage to a minor in violation of M.S. § 340A.503~~[, as amended,]~~ and § 13.32.~~[÷]~~

~~[(1) The fine as set forth in City Code Appendix A for the first incident; or~~

~~(2) The fine as set forth in City Code Appendix A and a one-day suspension for a second incident occurring within five years of the date of the previous incident by the same license holder at the same licensed premises.]~~

The issuing authority must provide written notice to the license holder and an opportunity for a hearing before an independent hearing officer before the issuing authority imposes a civil penalty for a first violation under this code. The independent hearing officer will only determine whether the license holder furnished or sold an alcoholic beverage to a minor. The issuing authority may refer the imposition of civil penalties for a first ~~[or second]~~ violation to the City Council upon the request of the City Manager.

(b) Pursuant to city code § 13.40, ~~[F]~~the City Council shall impose the following civil penalties on a license holder when a license holder has ~~[admitted to furnishing or selling]~~ furnished or sold an alcoholic beverage to a minor in violation of M.S. § 340A.503~~, as amended,~~ and § 13.32.

(1) ~~[The fine as set forth in City Code Appendix A and a five-day suspension for a third incident occurring within five years of the date of the previous two incidents by the same license holder at the same licensed premises; or]~~ The fine as set forth in City Code Appendix A and a one-day suspension for a second incident occurring within five years of the date of the previous incident by the same license holder at the same licensed premises; or

(2) ~~[The fine as set forth in City Code Appendix A and a suspension of the license for a minimum of 30 days, or in the alternative, a revocation of the license, for a fourth incident occurring within five years of the date of the previous three incidents by the same license holder at the same licensed premises. A multiple-day license suspension shall run consecutively beginning at 12:01 a.m. on the first day of the suspension period and ending at midnight on the last day of the suspension period.]~~ The fine as set forth in City Code Appendix A and a five-day suspension for a third incident occurring within five years of the date of the previous two incidents by the same license holder at the same licensed premises; or

(3) The fine as set forth in City Code Appendix A and a suspension of the license for a minimum of thirty days, or in the alternative, a revocation of the license, for a fourth incident occurring within five years of the date of the previous three incidents by the same license holder at the same licensed premises.

A multiple-day license suspension shall run consecutively beginning at 12:01 a.m. on the first day of the suspension period and ending at midnight on the last day of the suspension period.

~~[The issuing authority shall give the license holder written notice and the City Council shall give the license holder a public hearing before the City Council imposes a suspension or civil penalty under this section.]~~

Section 2. Effective Date. This Ordinance shall be in full force and effect upon publication.

Passed and adopted this _____ day of _____, 2025.

Mayor

ATTEST:

APPROVED:

Secretary to the Council

City Attorney

RESOLUTION NO. 2025 -

**A RESOLUTION DIRECTING SUMMARY PUBLICATION OF
ORDINANCE NO. 2025 - ____ AN ORDINANCE AMENDING CHAPTER 13 OF
THE CITY CODE RELATING TO ALCOHOLIC BEVERAGE CONTROL AND
FINES FOR VIOLATIONS AS SET FORTH IN APPENDIX A**

WHEREAS, the City Council of the City of Bloomington is the official governing body of the City of Bloomington, Minnesota (“City”); and

WHEREAS, Section 3.08 of the Bloomington City Charter provides as follows:

SEC. 3.08. SIGNING AND PUBLICATION OF ORDINANCES AND RESOLUTIONS.

Every ordinance or resolution passed by the council must be signed by the mayor or by the acting mayor, attested by the secretary of the council and filed and preserved by the secretary. Every ordinance and any resolutions requested by the mayor or by two other members of the council must be published at least once in the official newspaper. The council, by a two-thirds vote of all of its members, can direct publication of only the title and a summary of an ordinance, if the council approves the text of the summary and determines that it would clearly inform the public of the intent and effect of the ordinance. The summary must comply with the requirements of Minnesota Statutes Section 331A.01, subd. 10 and give notice that a full copy of the ordinance is available for inspection during regular office hours at the city clerk’s office. As provided by law, an ordinance can incorporate by reference a statute of Minnesota, a state administrative rule or a regulation, a code, or ordinance or part thereof without publishing the material referred to in full.

; and

WHEREAS, the City Council at its regular meeting on October 27th, 2025, enacted the attached ordinance amending Chapter 13 of the City Code, relating to alcoholic beverage control, required server training, and fines as set forth in Appendix A of City Code related to violations by a licensee for furnishing or selling an alcoholic beverage to a minor.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BLOOMINGTON, MINNESOTA, that the following title and summary of the

ordinance be published in the official newspaper. The City Council determines that the following summary would clearly inform the public of the intent and effect of the ordinance enacted:

NOTICE OF SUMMARY
PUBLICATION OF ORDINANCES

On _____, 2025, at its regular meeting, the Bloomington City Council enacted an ordinance (No. 2025-____) amending Chapter 13 of the City Code relating to alcoholic beverage control, to establish a uniform set of civil penalties and a hearing process for a licensee that furnishes or sells an alcoholic beverage to a minor in violation of city code. The specific title of the ordinance enacted was: **“AN ORDINANCE AMENDING CHAPTER 13 OF THE CITY CODE RELATING TO ALCOHOLIC BEVERAGE CONTROL AND FINES FOR VIOLATIONS OF CHAPTER 13 AS SET FORTH IN APPENDIX A”**. The full ordinance is available to the public for inspection at the Bloomington City Clerk’s Office, 1800 West Old Shakopee Road, Bloomington, Minnesota 55431, (952) 563-8700, during the hours of 8:00 a.m. and 4:30 p.m. and online at www.blm.mn/code.

Passed and adopted this 27th day of October, 2025.

Mayor

ATTEST:

Secretary to the Council



Liquor License Ordinance Amendment

Background



- July 28, 2025 – City Council study session
 - Topics covered:
 - Increase in alcohol compliance check failures and potential mitigations
 - Late renewal applications and payments – will be brought to a future council meeting
 - City Council expressed interest in ordinance amendments that would:
 - Require proof of approved server training as a condition of license renewal
 - Add suspensions for 2nd and 3rd compliance check failures



Proposed ordinance - server training

Renewal applications would require proof of 100% of servers attending server training that has been approved by the city clerk within 90 days of hire.

Proposed ordinance - suspensions



Offense within five years	Suspension
First	0 days
Second	1 day*
Third	5 days*
Fourth	Up to 30 days or revocation (determined by City Council)

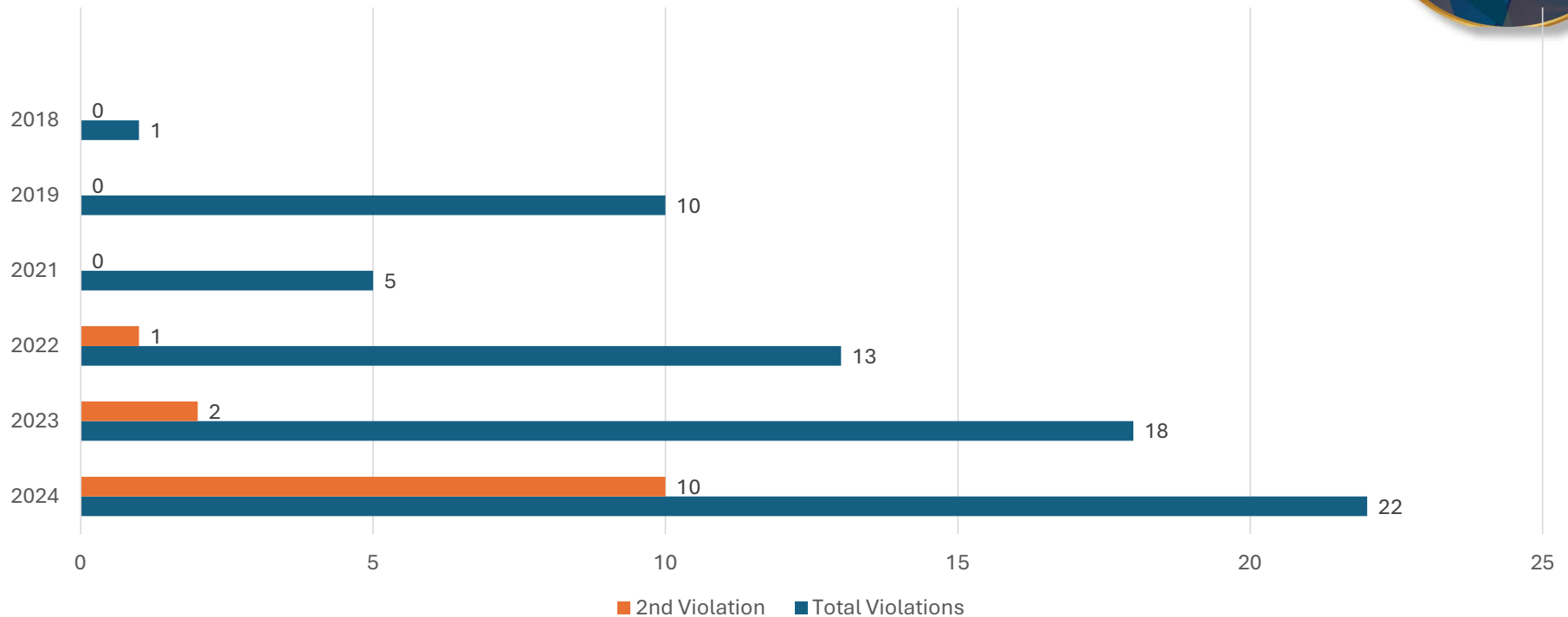
*currently 0 days



- Should the Council choose to adopt the proposed ordinance, staff recommends the following motions:
- Motion made by _____, seconded by _____, move to adopt Ordinance No. 2025 - _____, an ordinance amending Chapter 13 of the City Code related to alcoholic beverage control and fines for violations of Chapter 13 as set forth in Appendix A.
- Motion by _____, seconded by _____, move to adopt Resolution 2025 - _____, a resolution directing summary publication of Ordinance 2025 - _____, an ordinance amending Chapter 13 of the City Code related to alcoholic beverage control and fines for violations of Chapter 13 as set forth in Appendix A.

Compliance Check Violations – 7-Year Trend

*Checks were not completed in 2020 due to Covid-19 with consent of City Council





Request for Council Action

Originator Public Health	Item 4.2 Approve Budget Alteration and Authorizing Funds for Nutritional Assistance and Food Shelves
Agenda Section HEARINGS, RESOLUTIONS, AND ORDINANCES	Date October 27, 2025

Requested Action:

Motion by _____, seconded by _____ to approve Resolution No. 2025- __, a RESOLUTION MAKING ALTERATIONS TO THE APPROVED BUDGET AND AUTHORIZING USE OF FUNDS FOR NUTRITION ASSISTANCE AND FOOD SHELVES.

Item created by: Melissa Manderschied, Public Health

Item presented by: Zach Walker, City Manager

Description:

Due to a lack of funding caused by the federal government shutdown, certain federal financial benefits will not be issued for November until the shutdown ends or the federal government issues further guidance. The City is a recipient of funding for the Special Supplemental Nutrition Program for Women, Infants & Children ("WIC"), which is a nutrition and breastfeeding program that helps eligible pregnant women, new mothers, babies and young children. WIC provides nutrition education and counseling, nutritious foods, and referrals to health and other social services, including but not limited to formula for infants. State law provides authority to the City to appropriate funds in an amount to be determined by the City Council to provide grants to nonprofit organizations operating community food shelves that provide food to the needy without charge. The City Charter includes an all powers clause and the requirement that the Charter be construed liberally to promote the health, safety and welfare of the City and requires that the City Council act be resolution to authorize alterations to the approved budget. Staff is requesting authority for a \$250,000 budget adjustment (a) to provide grants to community food shelves and (b) to make purchases of WIC eligible costs. The authority in the Resolution is only effective in the event the federal government shutdown continues after November 1, 2025. A resolution is attached for your consideration.

Attachments:

[Resolution](#)

RESOLUTION NO. 2025 -

**RESOLUTION MAKING ALTERATIONS TO THE APPROVED BUDGET AND
AUTHORIZING USE OF FUNDS FOR NUTRITION ASSISTANCE
AND FOOD SHELVES**

WHEREAS, the City Council of the City of Bloomington is the official governing body of the City of Bloomington, Minnesota (“City”); and

WHEREAS, City Charter Section 7.08 requires the City Council to act by resolution with the required authorization to alter the approved budget; and

WHEREAS, due to a lack of funding caused by the federal government shutdown, certain federal financial benefits will not be issued for November until the shutdown ends or the federal government issues further guidance; and

WHEREAS, the City is a recipient of funding for the Special Supplemental Nutrition Program for Women, Infants & Children (“WIC”), which is a nutrition and breastfeeding program that helps eligible pregnant women, new mothers, babies and young children. WIC provides nutrition education and counseling, nutritious foods, and referrals to health and other social services, including but not limited to formula for infants; and

WHEREAS, Minnesota Statutes Section 465.039 “Gifts to Organizations Distributing Food” provides authority to the City to appropriate funds in an amount to be determined by the City Council to provide grants to nonprofit organizations operating community food shelves that provide food to the needy without charge; and

WHEREAS, City Charter section 1.02 includes an all powers clause and the requirement that the Charter be construed liberally to promote the health, safety and welfare of the City; and

WHEREAS, through its authority in Minnesota Statutes and City Charter and as a recipient of WIC funding, the City Council desires to authorize a budget adjustment of \$250,000 (a) to provide grants to community food shelves and (b) to make purchases of WIC eligible costs; and

WHEREAS, the 4200 Strategic Priorities Fund requires a budget adjustment of \$250,000 in order to transfer money to the 1001 General Fund; and

WHEREAS, the City Council has determined that it is in the City’s best interests to make the necessary budget alterations to the approved budget.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BLOOMINGTON, MINNESOTA, based on the foregoing recitals and in furtherance of the intent of this Resolution, that this Resolution is hereby approved, and in the event the federal government shutdown continues after November 1, 2025, the Mayor, City Manager, and Chief Financial Officer, or their duly authorized designees, are hereby authorized and directed to execute such agreements and make such disbursements of funds and funds consistent with the requirements of the City's Financial Management Policies; and are hereby authorized and directed to make any and all necessary alterations to the approved budget of the City.

Passed and adopted this 27th day of October, 2025.

Mayor

Attest:

Secretary to the Council



Request for Council Action

Originator Engineering	Item 5.1 Hennepin County Nicollet Avenue Street Reconstruction Project Update
Agenda Section ORGANIZATIONAL BUSINESS	Date October 27, 2025

Requested Action:

No formal action required

Item created by: Bob Simons, Engineering

Item presented by: Emily Goodell, Hennepin County
Nicki Farrington, Short Elliot Hendrickson (SEH)
Bob Simons, Senior Civil Engineer

Description:

Hennepin County, in partnership with the City of Bloomington, is planning to reconstruct Nicollet Avenue (CSAH 52) from American Boulevard to East Old Shakopee Road with construction anticipated to begin in 2027. The project will improve safety and mobility for people walking, biking, rolling and driving along with a full street reconstruction of this street segment in Bloomington.

The project is currently in the schematic design phase and the project team is working on developing a design concept to move forward with design in 2026. Three public engagement events have been held to date, with the most recent occurring on Oct 14th.

Hennepin County and consultant staff will give a project overview along with information on public engagement, multi-modal and safety enhancements, project funding, schedule and next steps.

Attachments:

[Nicollet Ave Recon - Presentation](#)



CSAH 52 (Nicollet Ave) Reconstruction (CP 2143101 & 2143102)

Transportation Project Delivery – Design Division, Emily Goodell, Hennepin County Project Manager

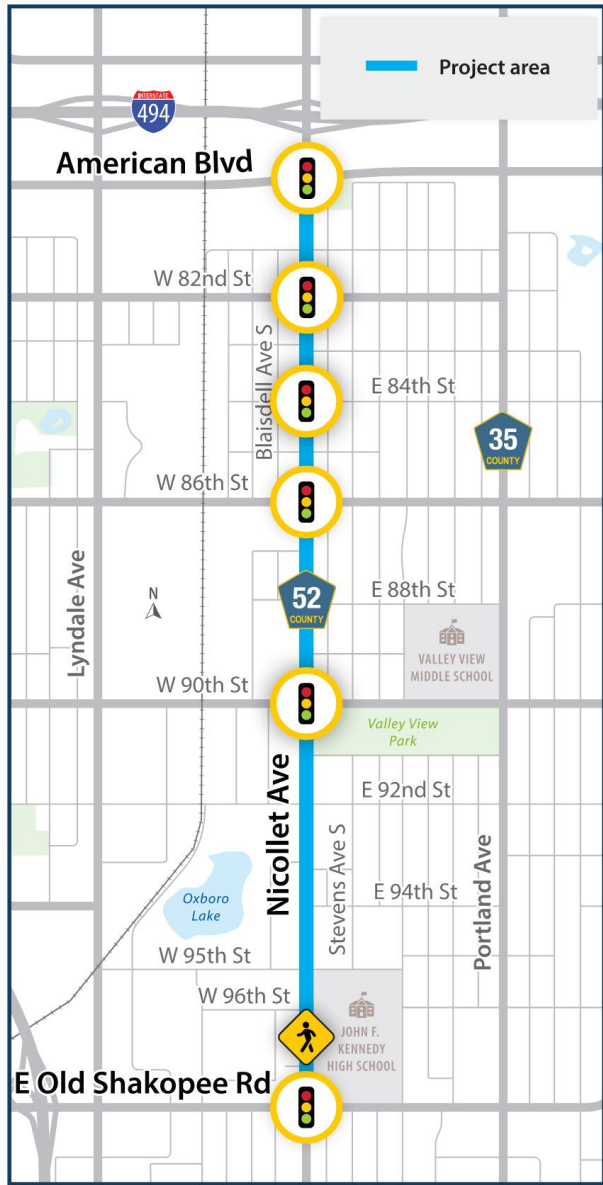
Agenda

- Project update and schedule
- Public engagement summary
- Safety enhancements
- Present multimodal updates
- Project funding
- Next steps



Corridor Context

- 66' right-of-way for majority of the corridor.
- Daily traffic volumes up to 10,200 vehicles.



Project Timeline



Public Engagement – Phase 1

March 2025

- Summarize the project overview, timeline, and goals.
- Present current corridor conditions and traffic data.
- Enable public input through interactive activities.

Engagement Opportunities



Open House #1: 46 participants



Online survey and in-person comments:
Approximately 70 participants



Three community pop-up events with over 120 conversations

- Realife Cooperative of Bloomington
- Kennedy High
- Valley View Middle School

Key Themes

- **Safer crossings near Kennedy High School and busy intersections.**
- **Concerns about speeding and unsafe merges near American Boulevard and Old Shakopee Road**
- **Support for improved walking and biking connections to key destinations.**
- **Accessible sidewalks for all users.**

Public Engagement – Phase 2

June/July 2025

- Share the “toolbox” of potential improvements and ask for feedback on which configurations and intersection treatments they prefer.

Engagement Opportunities



Open House #2: 57 participants



Business Owner Meetings



Four community pop-up events with over 150 conversations:

- Pride and Juneteenth events
- Normandale Summer Fete
- Farmers Market

Key Themes

- **Support for providing off-street bike facilities.**
- **Support for adding green boulevard space with opportunities for tree and native plantings.**
- **Some support for reconstructing Nicollet using the current typical section.**
- **Concerns about losing yard space and parking due to right-of-way acquisition.**

Public Engagement – Phase 3

Sept/Oct 2025

- Share options removed from further consideration including roadway level bike lanes and roundabouts.
- Get feedback on two corridor alternatives: shared-use path on one side or separated one-way bikeways on both sides of the road

Engagement Opportunities



Open House #3: 48 participants



Online survey and in-person comments:
Approximately 49 participants



Business Owner Meetings



Six community pop-up events with over 181 conversations:

- Gideon Pond Candy Event
- Kennedy High School Conferences
- Valley View Middle School PTA Meeting
- Farmers Market
- Bus Stop Pop-up (2)

Key Themes

- **The shared-use path was most favored by Bloomington residents, nearby property owners, and frequent drivers.**
- **Most noted property impacts and costs as reasons for their preference.**
- **Concerns about potentials speeds of cyclist and e-bike users on the shared-use path.**
- **Other comments involved clarifying maintenance responsibilities, a need for lighting and support for additional tree plantings.**

Intersection Treatments

Potential intersection treatments



Traffic signal updates



Closed medians



Removal of slip right-turn lane



Stop sign

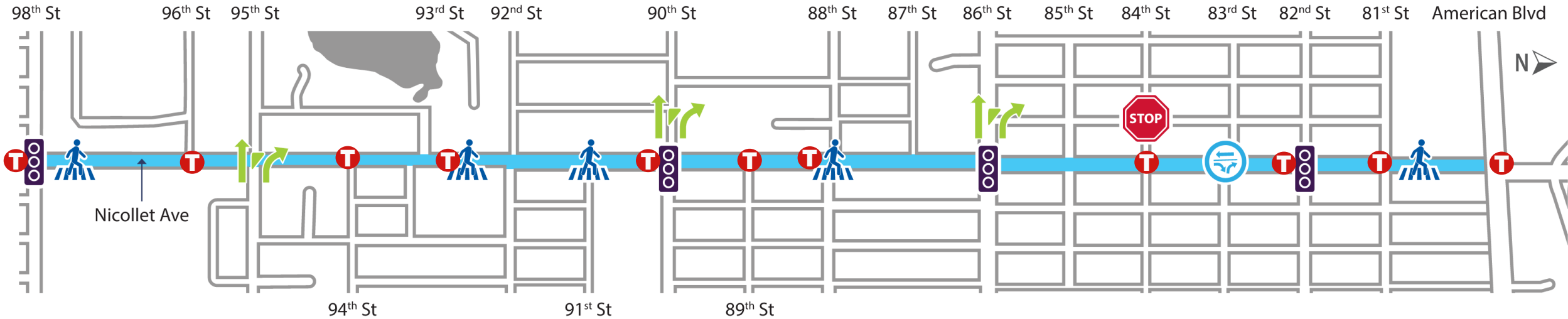


Pedestrian medians*

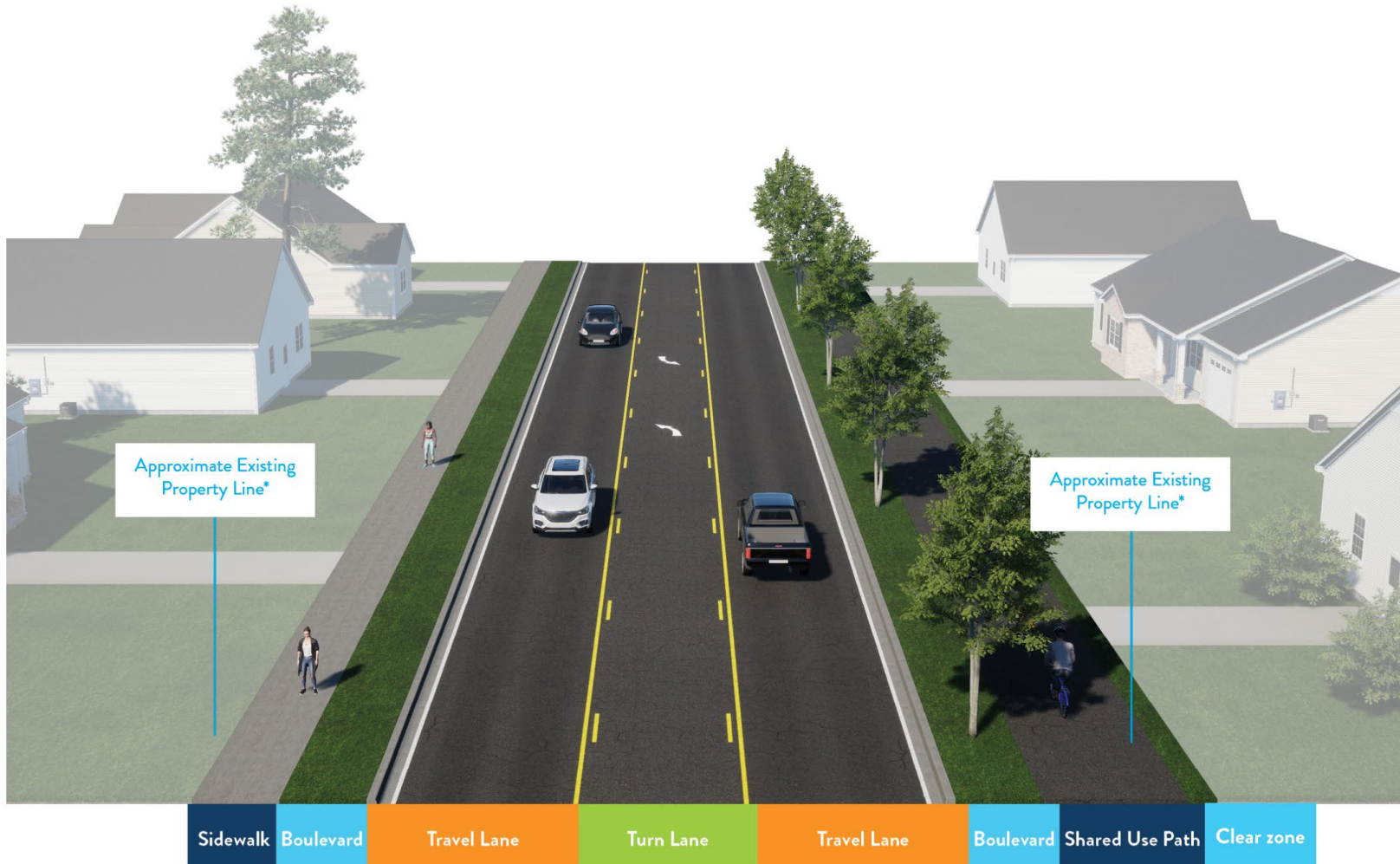


Transit stop pairs

* Pedestrian activated lights will be evaluated for placement at intersections with pedestrian medians.



Shared-Use Path on One Side

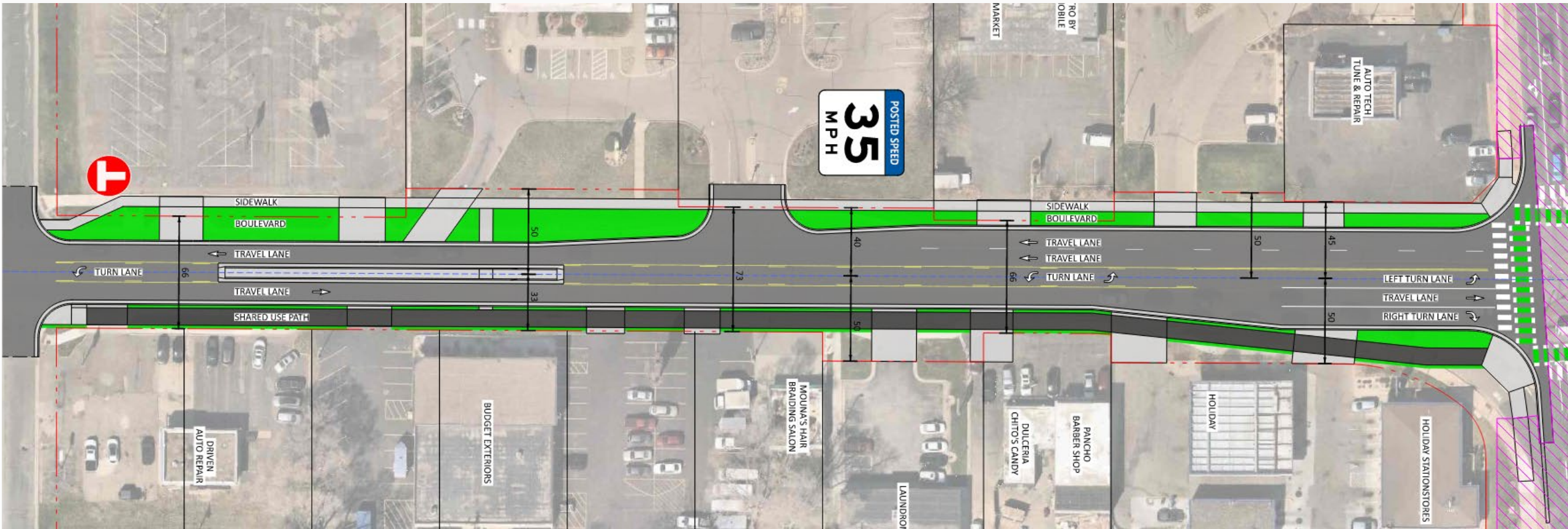


Considerations

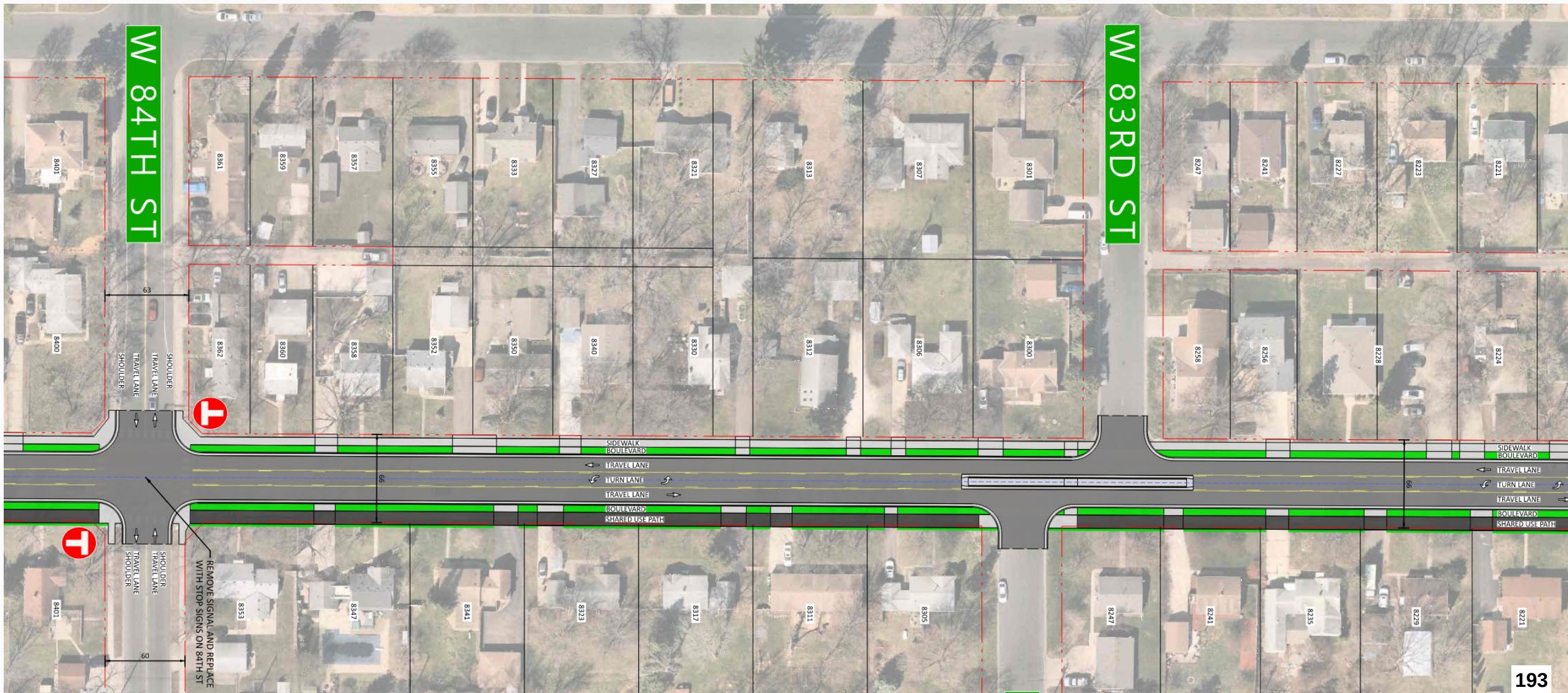
- Accommodates all users
- Pedestrians and bicycles share space
- Less permanent property acquisition anticipated compared to other options considered
- More opportunity for boulevard space and trees
- Lower construction costs than other options considered

*These lines reflect areas where county-owned roadway space is narrowest, indicating the greatest need for property acquisition from nearby parcels.

Key Locations



Key Locations



This aerial map illustrates a proposed road project on E Olds Street. The project area is highlighted in green and includes a 55-foot wide travel lane, a 40-foot wide travel lane, and a 33-foot wide travel lane. The map shows the intersection of E Olds Street with 98th St and 97th St. The intersection with 98th St is marked with a red 'T' symbol, indicating a T-intersection. The intersection with 97th St is marked with a red 'T' symbol, indicating a T-intersection. The map also shows the intersection of E Olds Street with 96th St, which is marked with a red 'T' symbol. The map includes lane markings for travel, right turn, and left turn. The map also shows property addresses along E Olds Street, including 9701, 9702, 9703, 9704, 9705, 9706, 9707, 9708, 9709, 9710, 9711, 9712, 9713, 9714, 9715, 9716, 9717, 9718, 9719, 9720, 9721, 9722, 9723, 9724, 9725, 9726, 9727, 9728, 9729, 9730, 9731, 9732, 9733, 9734, 9735, 9736, 9737, 9738, 9739, 9740, 9741, 9742, 9743, 9744, 9745, 9746, 9747, 9748, 9749, 9750, 9751, 9752, 9753, 9754, 9755, 9756, 9757, 9758, 9759, 9760, 9761, 9762, 9763, 9764, 9765, 9766, 9767, 9768, 9769, 9770, 9771, 9772, 9773, 9774, 9775, 9776, 9777, 9778, 9779, 9780, 9781, 9782, 9783, 9784, 9785, 9786, 9787, 9788, 9789, 9790, 9791, 9792, 9793, 9794, 9795, 9796, 9797, 9798, 9799, 9800. The map also shows the intersection of E Olds Street with 96th St, which is marked with a red 'T' symbol. The map includes lane markings for travel, right turn, and left turn. The map also shows property addresses along E Olds Street, including 9701, 9702, 9703, 9704, 9705, 9706, 9707, 9708, 9709, 9710, 9711, 9712, 9713, 9714, 9715, 9716, 9717, 9718, 9719, 9720, 9721, 9722, 9723, 9724, 9725, 9726, 9727, 9728, 9729, 9730, 9731, 9732, 9733, 9734, 9735, 9736, 9737, 9738, 9739, 9740, 9741, 9742, 9743, 9744, 9745, 9746, 9747, 9748, 9749, 9750, 9751, 9752, 9753, 9754, 9755, 9756, 9757, 9758, 9759, 9760, 9761, 9762, 9763, 9764, 9765, 9766, 9767, 9768, 9769, 9770, 9771, 9772, 9773, 9774, 9775, 9776, 9777, 9778, 9779, 9780, 9781, 9782, 9783, 9784, 9785, 9786, 9787, 9788, 9789, 9790, 9791, 9792, 9793, 9794, 9795, 9796, 9797, 9798, 9799, 9800.

Project Funding and City Cost Share

Preliminary Cost: \$26.4 Million



Next Steps

- Final Design
- Right of way acquisition
- Cooperative Agreement
- Construction



Contacts and Questions

Visit the project website through the link below

beheardhennepin.org/nicollet-bloomington

Emily Goodell, P.E.

emily.goodell@hennepin.us, 612-596-0402



Request for Council Action

Originator Engineering	Item 5.2 Review of American Boulevard Transit Study
Agenda Section ORGANIZATIONAL BUSINESS	Date October 27, 2025

Requested Action:

Review, discuss and provide feedback on the preliminary recommendations and findings for the American Boulevard Transit Study

Item created by: Kirk Roberts, Engineering

Item presented by: Adele Hall, Project Manager, SRF Inc.

Kirk Roberts, Traffic & Transportation Engineer

Description:

The introduction to this Study was provided to the Council on December 16, 2024. Since that time, staff have:

- Engaged with the public to understand perception of the existing corridor and infrastructure changes that users would like to see for the future
- Developed and refined two viable BRT routes for ongoing development efforts
- Identified potential land use changes that could support future redevelopment

Staff will review the overall study, key takeaways and preliminary recommendations, and solicit comment and feedback from the Commission in advance of the December 16 meeting where staff will be seeking adoption of the Study by the City Council.

Attachments:

[PacketPresent.pdf](#)

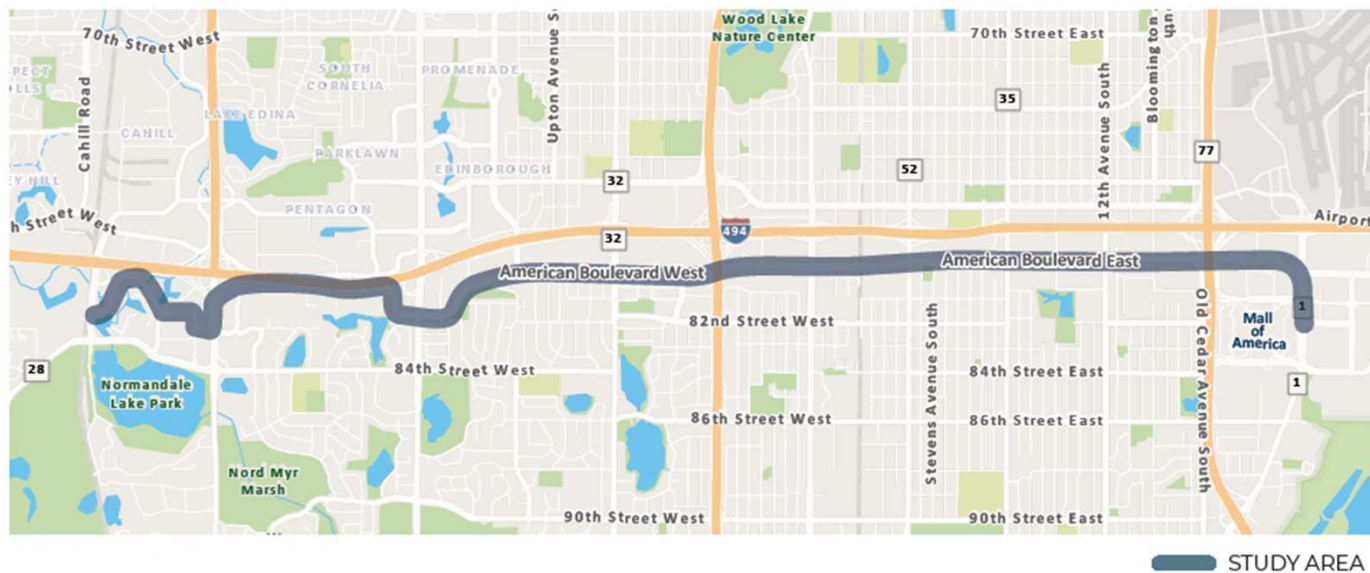
American Boulevard Transit Study City Council – Study Meeting

October 27, 2025



Why did the City study American Boulevard?

Study Area



- Evaluate the feasibility of Bus Rapid Transit (BRT) on American Boulevard
- Identify community priorities to inform the development of street design concepts for American Boulevard
- Consider development possibilities on American Boulevard and make recommendations that will maximize the effectiveness of investments in transit

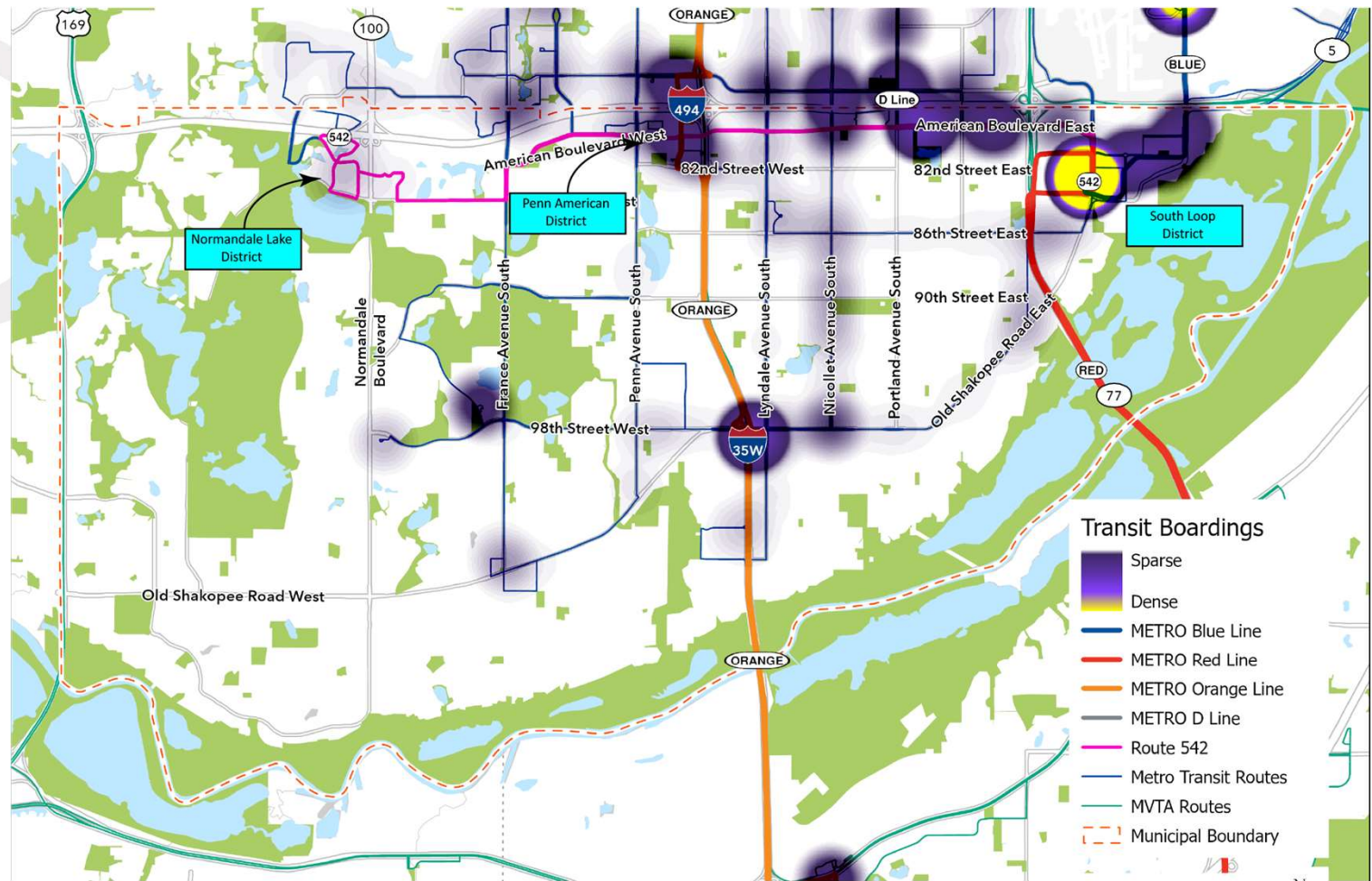
Districts:



Transit Service



Transit Ridership



Existing Infrastructure & Land use



Study Context & Supporting Actions

- I-494 is undergoing capacity improvements
 - The addition of an HOT lane and auxiliary lanes at interchanges
- American is developing with higher density uses
- Transit investment is being made along the corridor
 - D Line, Orange Line, and 542 frequency improvements
- American Blvd has the potential to change its character as a reliever roadway
- Now is the time to plan for the future of the corridor

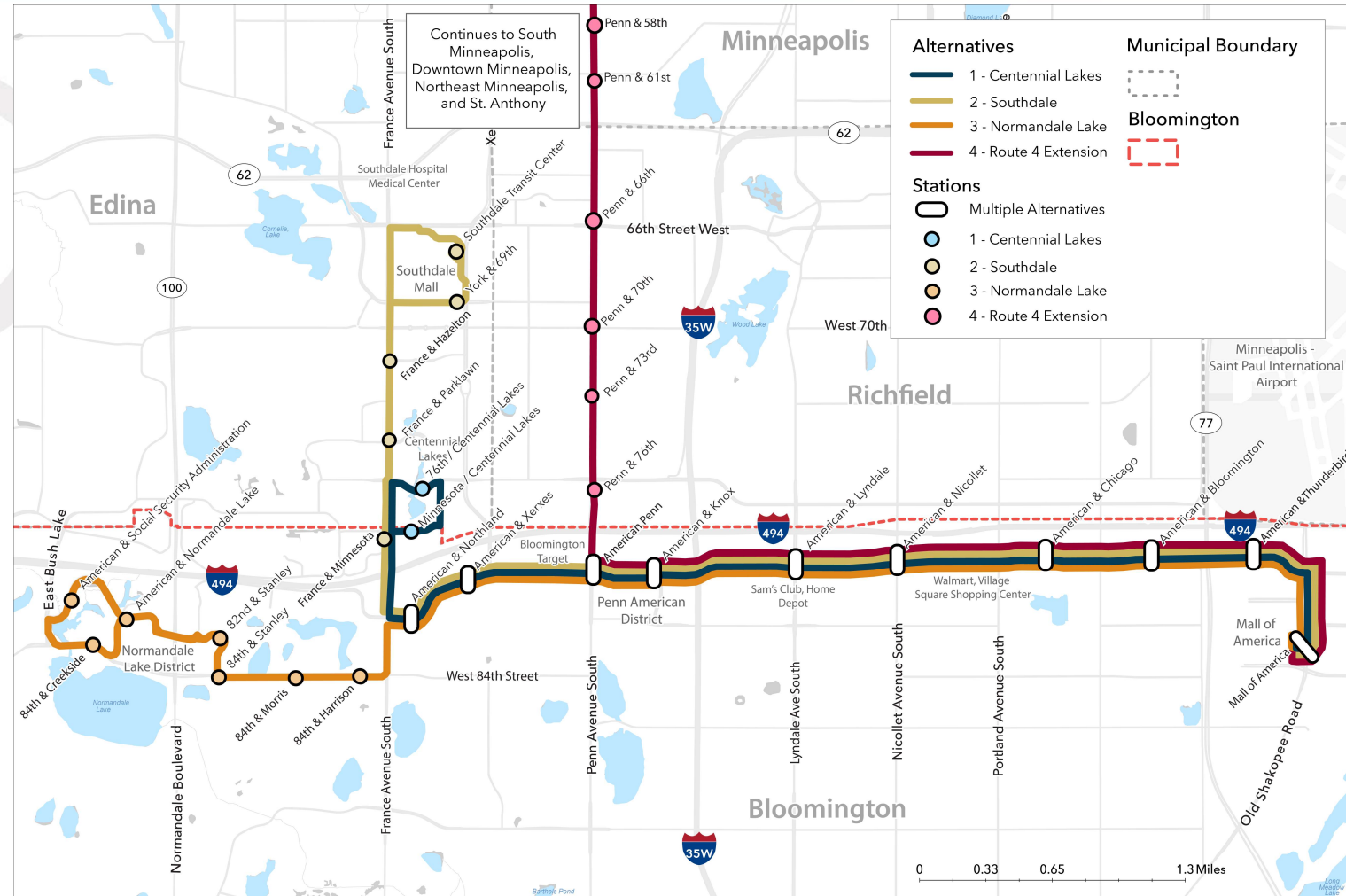
Public Engagement Outcomes

- Dedicated space for transit and cyclists, expanded space for pedestrians
 - “I love a place to bike and walk. It means you can more easily take a family trip to a store or restaurant along American”
- Improved safety
 - “I would prefer a reduced crossing distance, very important to me as someone that walks and uses buses”
- New public space
 - “More greenery for shade” and “tree-lined streets”
 - “Seating areas with public art”
- Access to key destinations with a variety of travel modes



What was studied: BRT

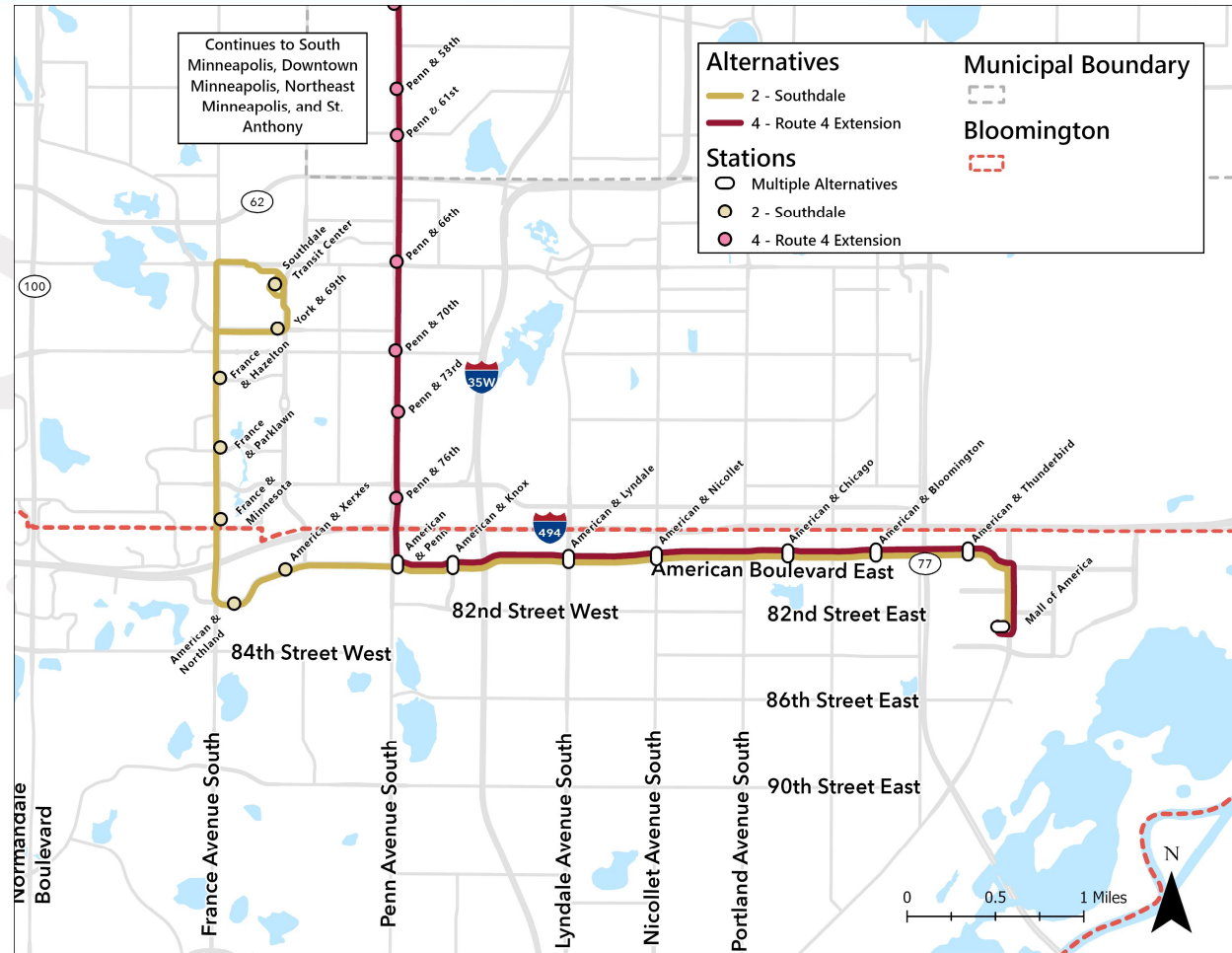
- BRT Alternative 1 : MOA to Centennial Lakes
- BRT Alternative 2: MOA to Southdale Mall
- BRT Alternative 3: MOA to Normandale Lake
- BRT Alternative 4: MOA to northeast Minneapolis via downtown Minneapolis



BRT results

BRT Alternatives 2 and 4 performed best in our evaluation because they:

- Connect many important destinations 2 4
- Serve Bloomington residents likely to use transit 2 4
- Provide good connections to the regional transit system 2 4
- Build on a local route with established ridership 2 4



Note: Metro Transit leads all arterial BRT development in the Twin Cities. Determination and timing of BRT is led by Metro Transit in partnership with local partners.

Why invest in transit?

- Part of a safe, fair, and affordable Bloomington
- Provide a greater range of housing choices and options
- Enable residential/population growth in Bloomington without major changes to established neighborhoods
- Guide development through targeted investments/land use planning
- Foster a continued partnership with Metro Transit and other transit agencies

Land Use Evaluation

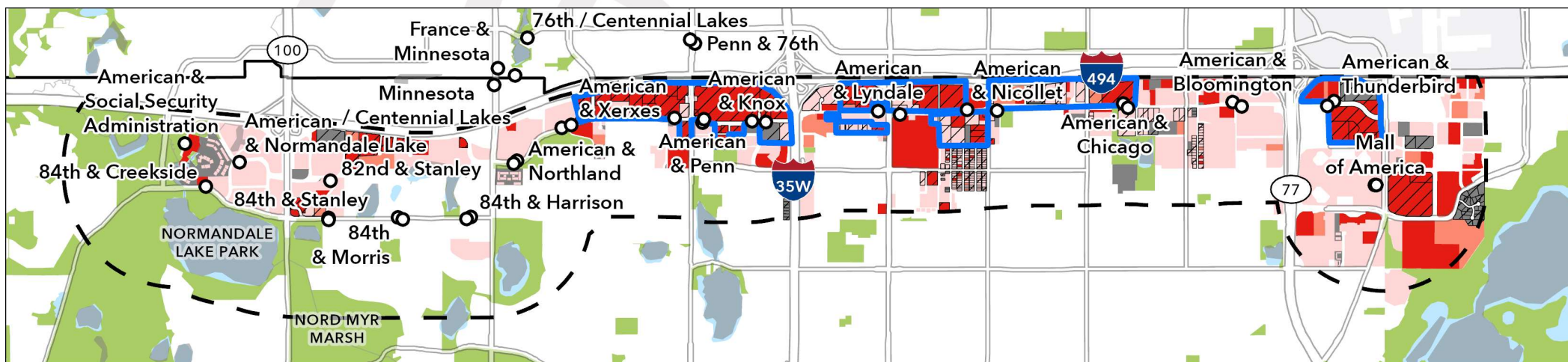
- **Why look at Land Use?**

- Density and land use mix directly correlates with transit ridership
- Land use is one of the main factors within the city's control
- American Boulevard is the city's "front porch"
- Coincides with comprehensive plan – timing is everything

Land Use Evaluation Process

- Existing Zoning and Future Land Use
 - *How does current zoning compare to future plans?*
- Land Value to Structure Value Ratio
 - *How well utilized is the land currently?*
- Redevelopment Priority Parcels
 - *Which parcels have auto-oriented and low-density development?*
- Composite Map

Potential Redevelopment Areas

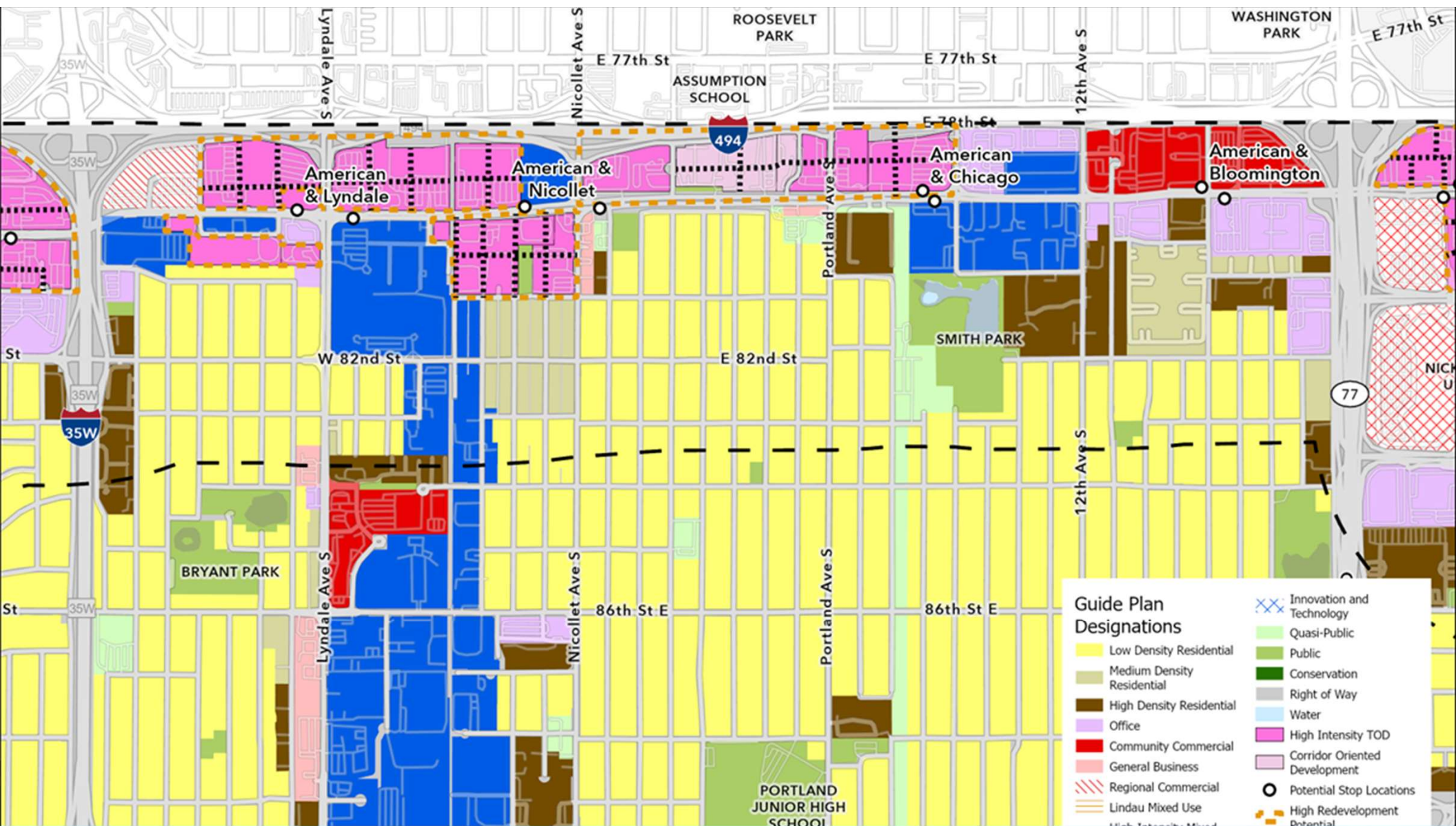


 Potential
Redevelopment
Priority Areas

Zoning and Guide Plan Recommendations

- Current zoning regulations support TOD
- Might need to develop new "guide plan" designations
 - High Intensity TOD (HITOD): parcels within 5-minute walk
 - Corridor Oriented Development (COD): other parcels

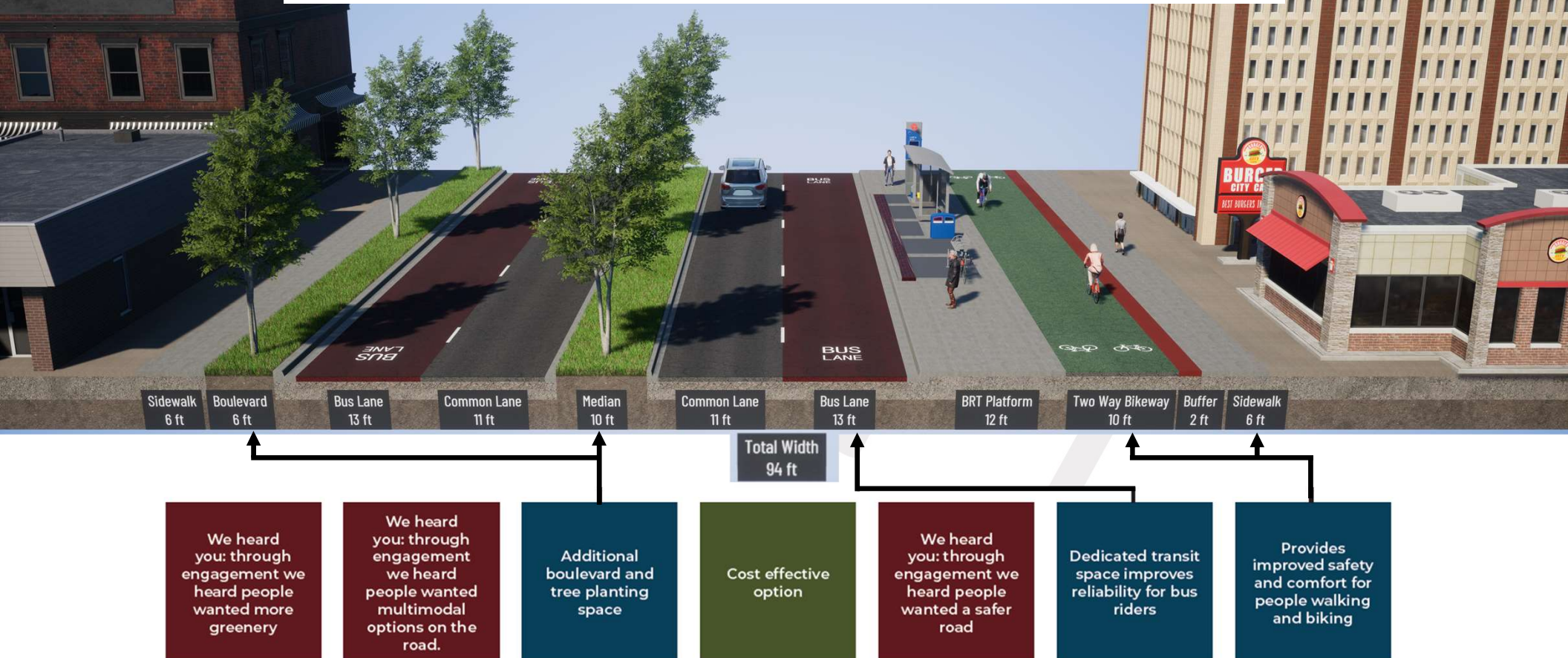




Other Land Use Recommendations

- Formalize and modernize shared parking requirements
- Examine the potential for district parking
- Develop and adopt bicycle parking requirements
- Built form guidelines
- Create internal circulation
- Transit-supportive uses and densities
- Public art
- *Next stop: Comprehensive Plan!*

Preferred concept for testing:



Lyndale Avenue



American Boulevard
near Bloomington Ave



Next Steps

- Metro Transit is the decision-making agency for BRT in the Twin Cities region. The City of Bloomington will work with Metro Transit to continue to consider BRT extension on American Boulevard in their long-term plans.
- The City will begin programming their long-term Capital Improvement Program in conjunction with timing for BRT on American Boulevard.
- The City is prepared to incorporate the land use and development guidance from this study into its update to the Comprehensive Plan.

Implementation Timeline

DRAFT

Study Adoption:

- Final Study Adoption December 08
 - Recommend Consent Calendar



Request for Council Action

Originator Finance	Item 5.3 2026 Budget Discussions: Public Safety and Legal
Agenda Section ORGANIZATIONAL BUSINESS	Date October 27, 2025

Requested Action:

Discussion item

Item created by: Briana Eicheldinger, Finance

Item presented by: Ulie Seal, Fire Chief
Booker T Hodges, Police Chief
Melissa Manderschied, City Attorney
Kari Carlson, Deputy Finance Officer

Description:

Staff will discuss the proposed 2026 budgets for:

- Fire Department
- Police Department
- Legal Department

Attachments:

[Presentation Fire Department](#)
[Presentation Police Department](#)
[Presentation Legal Department](#)



Fire Department 2026 Budget

October 27, 2025

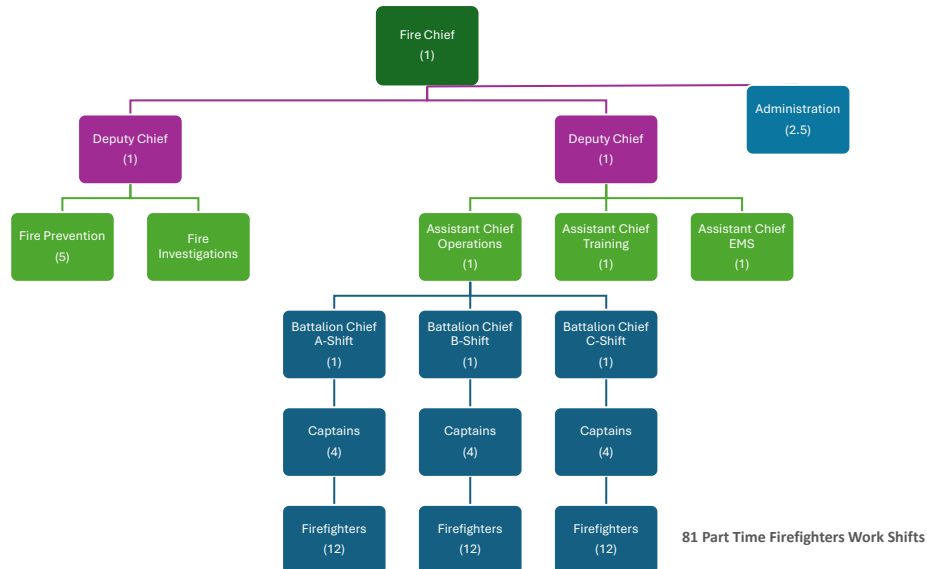


Overview

- Structure and Staffing
- Budget Request
- Priority Based Budgeting Analysis
 - Opportunities for Alignment
 - Opportunities for Revenue Generation
 - Opportunities for Cost Savings or Operational Efficiencies
- Budget Highlights
- Emerging Topics
- Discussion and Questions



Overview of structure and staffing



General Fund - Fire Department 2026 Budget Request

	2024 Actual	2025 Budget	2026 Budget	\$ from 2025	% from 2025
Revenues					
Internal Revenue from other Departments					
Program Income					0.00%
Permits and Licenses	228,675	223,161	230,000	6,839	3.06%
Intergovernmental	2,452,494	-	2,984,023	2,984,023	0.00%
Interest Income				-	0.00%
Other Revenues	300	-	-	-	0.00%
Transfers from Other Funds	382,651	525,000	915,000	390,000	74.29%
Total Revenues	3,064,120	748,161	4,129,023	3,380,862	451.89%
Expenditures					
Salaries and Benefits	8,293,982	7,110,007	12,328,984	5,218,977	73.40%
Materials, Supplies, & Services	1,317,058	1,544,536	1,436,527	(108,009)	-6.99%
Internal Charges	2,503,659	2,885,168	3,285,673	400,505	13.88%
Capital Outlay	83,416	70,000	55,000	(15,000)	-21.43%
Transfer to Other Funds	-	-	-	-	0.00%
Total Expenditures	\$ 12,198,115	\$ 11,609,711	\$ 17,106,184	\$ 5,496,473	47.34%
Less Expenses Charged to Other Funds	-	-	-	-	0.00%
Net Total Expenditures	\$ 12,198,115	\$ 11,609,711	\$ 17,106,184	\$ 5,496,473	47.34%
Revenues less Expenditures	\$ (9,133,994)	\$ (10,861,550)	\$ (12,977,161)	\$ (2,115,611)	19.48%



Priority Based Budgeting Analysis

Insights from PBB analysis - opportunities for alignment or budget efficiencies



PBB Analysis – Key Observations



- Several recommendations align with initiatives already in place
- Staffing and cost allocation data need further refinement
- Comparison entities differ in size and capabilities, limiting direct comparability
- Recommendations appear multiple times, which overstate projected impacts
- The report relies on broad industry examples that don't fully reflect Bloomington's financial and organizational environment



Opportunities for Alignment



- Shared Services and Regional Collaboration:
 - Bloomington already partners regionally for equipment and training. Expanding shared services for administrative or maintenance functions may be limited by jurisdictional and infrastructure factors.
- Strategic Resource Allocation and Efficiency
 - Administrative staffing is already lean and structured to meet the department's mission, leaving limited opportunity for reallocation.
- Partnering Across City Departments
 - Police – Emergency Response, Emergency Management,
 - Public Works - Emergency Response, Emergency Management
 - Park & Rec - Proactive wildland fuels management
 - IT - Emergency Response, Emergency Management
 - Communications – Public Information, Public Notifications
 - Legal – Finance – HR – Community Development



Opportunities for Revenue Generation



- Grant Funding and Alternative Revenue Streams
 - Bloomington actively seeks grant opportunities and has been successful with SAFER (Staffing for Adequate Fire and Emergency Response) and AFG (Assistance to Firefighters) grants. State grant options are limited, but MBFTE (Minnesota Board of Firefighter Training and Education) reimbursements continue to provide strong support totaling \$160,000 for 2024–2025 training costs.
- Fire Prevention and Inspections Revenue
 - Fees for prevention services, development impact fees, and repeat inspection citations are already established and in place.



Opportunities for Cost Savings or Operational Efficiencies



- Firefighter Health and Wellness Programs
 - Programs supporting physical and mental health are already established. Peer-led wellness initiatives are in place.
 - Annual physicals
 - Annual Mental Health Checks
 - Peer Support Team
 - Remi – Therapy Dog
 - CISM – Critical Incident Stress Management
 - MNFire



Operational Highlights



- Performance Metrics
 - Pre model change – Paid on call model with some duty crew shifts staffing units M-F 0800-1700.
 - Calls for service 2021 = 4,781
 - Roll short – inadequate staff = 1333 due to lack of personnel responding
 - Fail to roll – inability to get trucks out the door = 586 due to one or no personnel responding.
 - Post model change (still in progress) – Current Metric
 - Calls for service = 8929 (current total - 11,600 predicted by year end)
 - Roll short – Engine with 2 usually due to firefighter assigned to assist in patient transport (68)
 - Fail to roll – 0



Operational Highlights



- Response Metrics
 - 2025 90% response from time of 911 call to 1st arriving unit 9:15 (Emergent only)
 - 2021 90% response from time of 911 call to 1st arriving unit 11:30 (Emergent Only)
 - Improving but still short of the 7:30 goal.
 - We have not yet met the 11:30 goal for 15 firefighters on scene at a structure fire.
- Staffing
 - 4 Engines staffed all of the time
 - 5 Engines staffed some of the time
 - Goal is to staff 6 engines at 6 stations all of the time and the staffing plan is oriented to meeting that goal
- Paramedic Engine Program
 - Advanced interventions by BFD crews (768 thru September 28)
 - In support of our ALS transport system
 - SWAT Paramedics in support of BPD operations.



Budget Highlights



- The first SAFER grant ends with the 18 firefighters coming onto the budget. This grant saved the City 6.2 million dollars over the 3-year life of the grant.
 - The staffing provided by this grant has been critical in providing and improving service to our community.
- The second SAFER grant is still active until 2028 and will save the City an additional 6.9 million dollars over the 3-year life of the grant.
- American Rescue Plan dollars are expended with 3 Battalion Chiefs coming onto the budget



Emerging Topics



- Call volume continues to increase
 - Increase in EMS and assist calls
 - Aging population – difficulties with assisted living care availability and affordability
 - Decreasing ability to access preventive health care and waiting until the medical issue is acute before seeking help
 - More changes expected in 2026 negatively impacting the health care system from first response to hospitals.
 - The built environment is increasingly challenging
 - Increasing calls for fire/rescue
 - Structural composition
 - Contents continue to increase in heat release potential and speed of fire progression
 - Density and access require more staff to meet the challenge
 - Technology continues to bring additional challenges and is difficult to predict and prepare for (i.e. lithium-ion batteries and power storage)
- Adequate staffing (4 person crews) and stations (6) are important for both fire/rescue and EMS response in a city with significant risk (increasing) and population (increasing) to protect.



Emerging Topics



- MN State Paid leave Paid Parental Leave
 - Ongoing and additional leave programs affect daily staffing and require additional FTEs to maintain safe staffing levels.
- Wellness & Mental health
 - Physical and mental health are significant impacts
 - Cancer is #1 cause of duty related deaths
 - Heart disease is a close second
 - PTSD and Suicide rates are rising rapidly and may overtake cancer and heart disease.
 - Programs have been implemented to try to address these risks.





Council Discussion and Questions



Appendix



FIRE PENSION - FUND 2800

	2023	2024	2025	2026	2027	2028	2029
DESCRIPTION	ACTUAL	ACTUAL	ESTIMATED	BUDGET REQUEST	PROJECTED	PROJECTED	PROJECTED
REVENUES							
Property Tax	1,000,000	1,050,000	1,050,000	1,050,000	1,050,000	1,050,000	1,050,000
Interest Income	260,313	280,836	62,466	100,000	66,659	80,652	47,019
State Aid	804,969	884,039	1,010,430	829,360	837,654	846,030	854,490
Operating Transfers In							
Transfer in (Repay Loan)				1,300,000	2,215,000		2,340,000
TOTAL REVENUE	2,065,282	2,214,875	2,122,896	3,279,360	4,169,313	1,976,682	4,291,509
EXPENDITURES							
Fire Pension Obligation	804,969	2,163,247	1,010,430	829,360	2,000,000	2,000,000	2,000,000
Professional Services	8,543	0					
Transfer for Fire Station Land Acquisition		292,023					
Transfer for Debt Service							
<i>Transfer to General Fund to offset SAFER Grant impact</i>			250,000	915,000	770,000	1,000,000	800,000
Transfer (Loan) for Fire Station				2,215,000		2,340,000	
TOTAL EXPENDITURE S	813,512	2,455,270	1,260,430	3,959,360	2,770,000	5,340,000	2,800,000
NET GAIN (LOSS)	1,251,770	(240,395)	862,466	(680,000)	1,399,313	(3,363,318)	1,491,509
	380%	401%	484%	461%	559%	331%	441%
WORKING CAPITAL BALANCE	6,723,809	6,483,413	7,345,879	6,665,879	8,065,192	4,701,874	6,193,383
WORKING CAPITAL GOAL	1,768,188	1,617,402	1,516,701	1,446,216	1,443,631	1,418,817	1,405,782



Police Department 2026 Budget

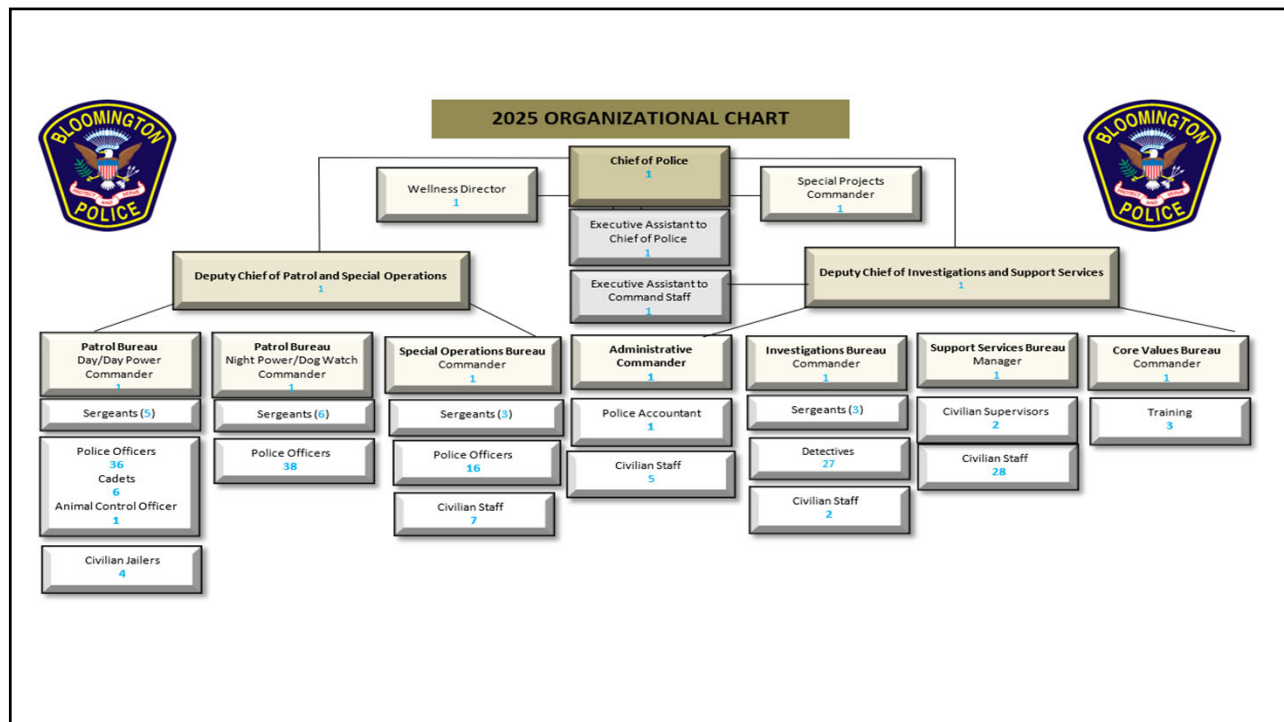
October 27, 2025



Overview

- Structure and Staffing
- Budget Request
- Priority Based Budgeting Analysis
 - Opportunities for Alignment
 - Opportunities for Revenue Generation
 - Opportunities for Cost Savings or Operational Efficiencies
- Budget Highlights
- Emerging Topics
- Discussion and Questions





General Fund - Police Department 2026 Budget Request

	2024 Actual	2025 Budget	2026 Budget	\$ from 2025	% from 2025
Revenues					
Program Income	\$ 575,703	\$ 378,400	\$ 378,400	\$ -	0.00%
Permits and Licenses				-	0.00%
Intergovernmental	1,909,490	1,969,309	1,638,000	(331,309)	-16.82%
Other Revenues	130,412	-	-	-	0.00%
Transfers from Other Funds	2,521,469	2,282,655	2,349,335	66,680	2.92%
Total Revenues	5,137,074	4,630,364	4,365,735	(264,629)	-5.72%
Expenditures					
Salaries and Benefits	28,032,772	28,969,559	30,816,588	1,847,029	6.38%
Materials, Supplies, & Services	2,663,488	2,471,390	2,928,162	456,772	18.48%
Internal Charges	5,841,018	6,901,645	7,502,178	600,533	8.70%
Capital Outlay	16,052	-	-	-	0.00%
Transfer to Other Funds	-	-	-	-	0.00%
Total Expenditures	\$ 36,553,330	\$ 38,342,595	\$ 41,246,929	\$ 2,904,334	7.57%
Less Expenses Charged to Other Funds	(347,315)	(365,517)	(374,655)	(9,138)	2.50%
Net Total Expenditures	\$ 36,206,015	\$ 37,977,078	\$ 40,872,274	\$ 2,895,196	7.62%
Revenues less Expenditures	\$ (31,068,941)	\$ (33,346,714)	\$ (36,506,539)	\$ (3,159,825)	9.48%



Priority Based Budgeting Analysis

Insights from PBB analysis - opportunities for alignment or budget efficiencies



PBB Analysis – Key Observations



- The vast majority of Priority-Based Budgeting insights are already in place or underway.
- Supports the adoption of new technologies that improve efficiency
- The report relies on broad industry examples that don't fully reflect Bloomington's financial and organizational environment



Opportunities for Alignment



- Ongoing investment in innovative technologies aimed at improving efficiency, streamlining operations, and delivering better service to the community.
- Reinvest time and resources gained through these efficiencies into initiatives that strengthen community services and engagement.



Opportunities for Revenue Generation



- Continue actively pursuing grant and other funding opportunities to offset operational and program expenses. (**avg. \$2.35M/yr**)
- Partnering with other Minnesota law enforcement agencies to advance legislative initiatives that secure dedicated funding for key programs.



Opportunities for Cost Savings or Operational Efficiencies



- Continue partnerships with other City departments (e.g., Public Health) and external stakeholders to share resources and reduce costs.
 - Public Health assists in funding programs like the Brain Health Unit
 - Partner with the City's Traffic Engineering for speed sign data collection
 - Partner with IT on technology and GIS efficiencies
 - Partner with Hennepin County for our Embedded Social Worker Program



Budget Highlights



- We are mostly preserving our current staffing and program levels to maintain service delivery.
- One-time Public Safety State Aid ending soon



Emerging Topics



- Paid Parental Leave: Currently, 91 BPD employees are of childbearing age, highlighting the need to plan for leave coverage and support.
- MN Paid Leave Law coming January 2026.
- Growing demand for brain health and wellness services (both internally and for the community. Partnering with Public Health).
- Ongoing development of new initiatives and community-focused services (Vanguard, Diversion, Executive Protection, etc.).
- Patrol Sergeant Staffing
- Rising volume of data requests requiring additional administrative time.



Emerging Topics Cont.



- Rising volume of data requests requiring additional administrative time.
 - 2021 – 3,354
 - 2022 – 4,088
 - 2023 – 4,342
 - 2024 – 4,418
 - 2025 (as of 10/15) – 3,626
- Artificial Intelligence:
Embracing Innovation with Care and Accountability



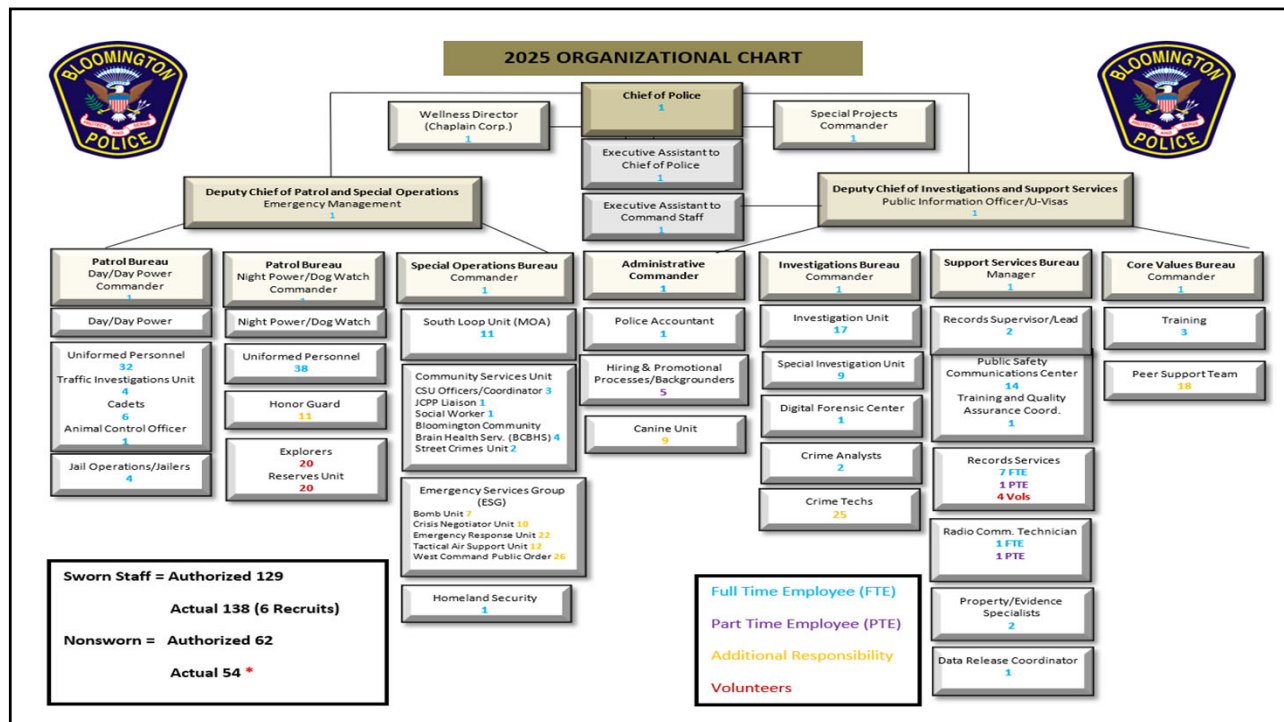


Council Discussion and Questions



Appendix





Revenue Generation

BLOOMINGTON POLICE					
REVENUES TYPE	2022	2023	2024	2025	
4G - FEDERAL GRANTS *	-551,577.99	-427,530.49	-259,943.43	-187,121.90	
4H - STATE GRANTS *	-520,684.69	-520,680.42	-753,737.53	-444,276.99	
4I - STATE AIDS *	-1,115,997.54	-4,137,796.36	-1,529,184.28	0.00	
4J - LOCAL GRANTS *	-31,714.96	-65,749.41	-117,106.23	-55,234.85	
4L - PROGRAM INCOME *	-118,516.56	-138,196.23	-294,074.52	-149,541.39	
4M - GOVERNMENT SERVICES *	-536.75	-175.00	-140.00	-35.00	
4N - PUBLIC SAFETY *	-119,773.04	-110,488.46	-281,488.72	-155,883.55	
4S - FORFEITURES *	-72,114.56	-141,836.50	-166,063.71	-170,084.56	
4U - INVESTMENT INCOME *	128,066.22	-163,588.03	-242,009.11	-88,875.69	
4V - DONATIONS/DEDICATION *	-23,688.41	-30,956.41	-29,641.03	-162,164.21	
4W - INTERFUND TRANSFERS *	-980,500.00	-2,210,346.69	-2,521,469.02	-1,666,993.50	
4X - PROCEEDS OF CAPITAL *	33,287.02	-4,550.43	-6,064.95	-55,876.82	
4Z - OTHER REVENUE *	-25,272.22	-65,513.36	-126,748.08	-82,672.68	
Grand Total *	-3,399,023.48	-8,017,407.79	-6,327,670.61	-3,218,761.14	



Legal Department 2026 Budget

October 27, 2025



1

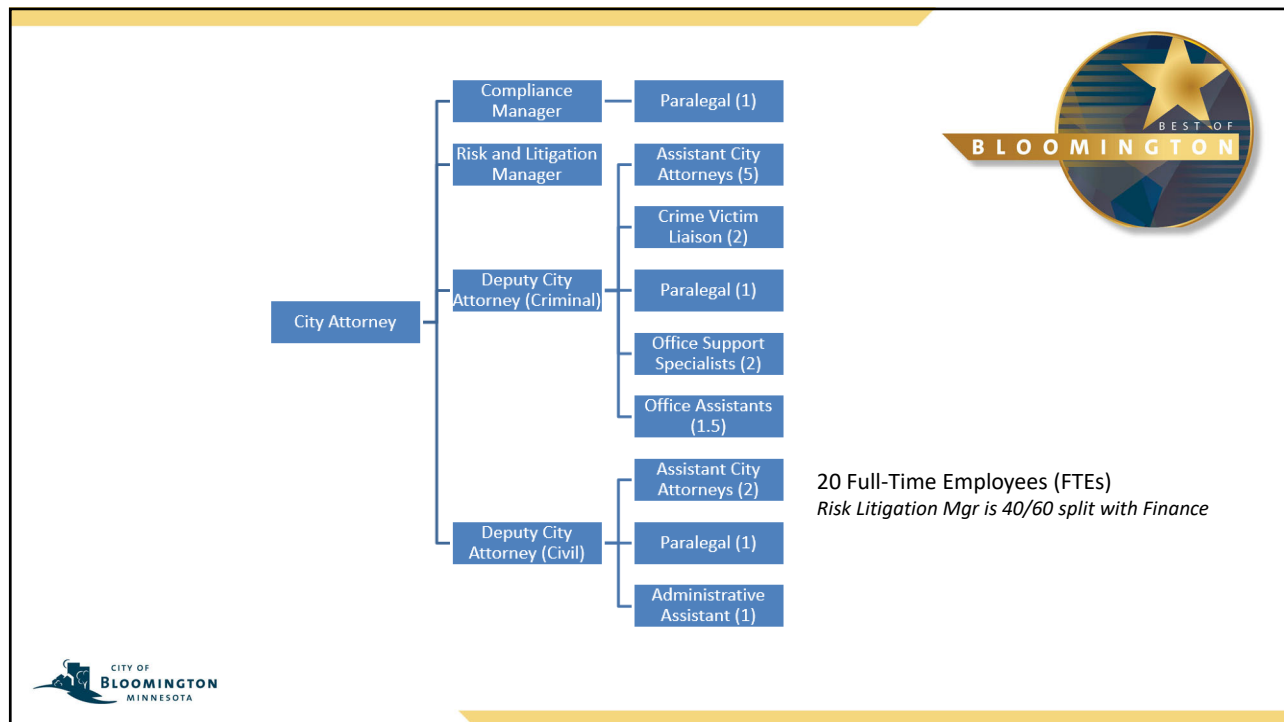


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2



3

Legal Department - General Fund 2026 Budget Request

	2024 Actual	2025 Budget	2026 Budget	\$ from 2025	% from 2025
Revenues					
Program Income	\$ -	\$ -	\$ -	\$ -	0.00%
Permits and Licenses	-	-	-	-	0.00%
Fines	-	-	500,000	500,000	100.00%
Intergovernmental	97,732	217,939	-	(217,939)	-100.00%
Other Revenues	6,500	-	-	-	0.00%
Transfers from Other Funds	-	-	-	-	0.00%
Total Revenues	104,232	217,939	500,000	282,061	129.42%
Expenditures					
Salaries and Benefits	2,704,158	2,962,094	3,202,655	240,561	8.12%
Materials, Supplies, & Services	225,442	448,136	445,265	(2,871)	-0.64%
Internal Charges	293,047	323,433	365,995	42,562	13.16%
Capital Outlay	-	-	-	-	0.00%
Transfer to Other Funds	-	-	-	-	0.00%
Total Expenditures	\$ 3,222,648	\$ 3,733,663	\$ 4,013,915	\$ 280,252	7.51%
Less Expenses Charged to Other Funds	(416,056)	(649,245)	(665,476)	(16,231)	2.50%
Net Total Expenditures	\$ 2,806,592	\$ 3,084,418	\$ 3,348,439	\$ 264,021	8.56%
Revenues less Expenditures	\$ (2,702,360)	\$ (2,866,479)	\$ (2,848,439)	\$ 18,040	-0.63%

4



Priority Based Budgeting Analysis

Insights from PBB analysis - opportunities for alignment or budget efficiencies



5



PBB Analysis – Key Observations

- Many recommendations are already occurring
 - Ex: Restorative Court
- Legal's continued use of technology solutions to increase efficiency was supported by PBB analysis (Ex: LDR)
- Some PBB recommendations had limited applicability to Bloomington (Ex: public education)



6

Opportunities for Alignment



Legal department supports the efforts of every department

Example: Identify most frequent appealed code violations for further analysis and revisions

Example: Revise animal related city ordinances to coincide with animal shelter updates

Example: Enhanced internal coordination to achieve domestic violence working group goals



7

Opportunities for Revenue Generation



- **Cost Recovery & Internal Fees** Internal charge backs, escrow agreements for development proposals
- **Grant Funding** Pursue grants for additional legal tech
- **External Arrangements** Perform prosecution services for other agencies appearing Downtown
- **Efficiency-Driven Gains** Monetize efficiencies from additional technology integrations and enhancements



8

Opportunities for Cost Savings or Operational Efficiencies



Continued
Automations &
Integrations
with internal &
external partners

Prioritization
system for legal
requests (i.e.,
high, low,
emergency)

Additional
use of law clerks
for research



9

Budget Highlights



- One-time Public Safety State Aid ending in 2025
- Shifted city-wide software for prevailing wage to IT (LCPtracker)
- Increases due to software charges (ex: Axon)



10

Emerging Topics



- More diversionary options for certain criminal case types
- Artificial intelligence risks and opportunities
- Educating new generations in the workplace to lower risks
- Cyberattack coverage and preparedness
- Evolving compliance and auditing
- Paid leave coverage
- Extreme Risk Protection Orders (ERPOs)



11

Council Discussion and Questions



12



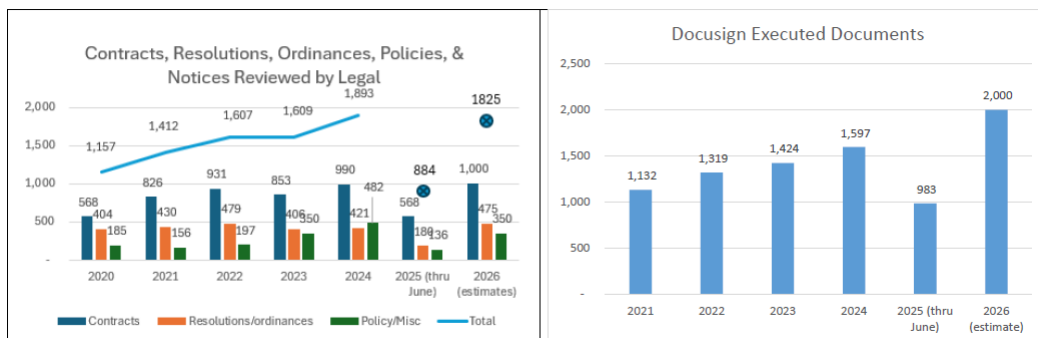
Appendix



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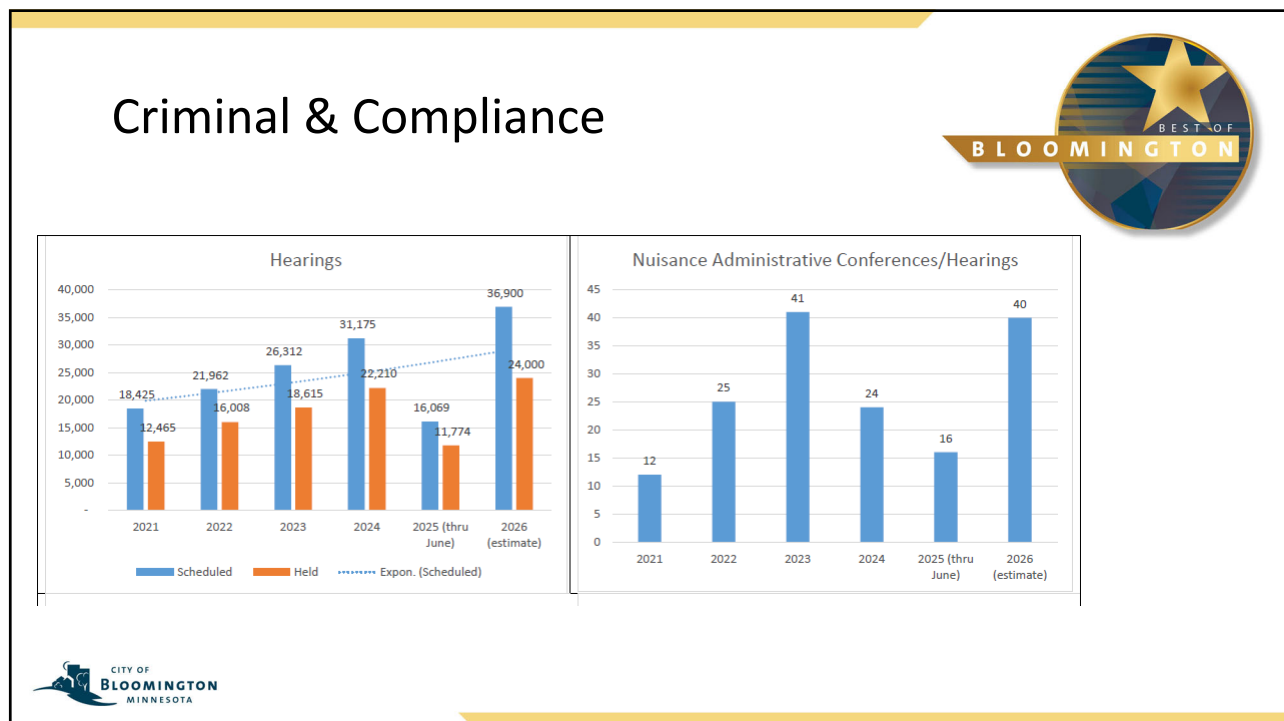
Civil



14



15



16



Request for Council Action

Originator City Manager's Office	Item Additional Attachments
Agenda Section ATTACHMENTS	Date October 27, 2025

Requested Action:

Item created by: Priyanka Rai, City Manager's Office

Description:

Additional Attachments for 10.27.25

Attachments:

[10_27_25.pdf](#)

From: [Walker, Zach](#)
Cc: [Carlson, Kari](#); [Economy-Scholler, Lori](#); [Hanson, Jamy L](#); [Hodges, Booker](#); [Long, Julie](#); [Roberts, Kirk](#); [Simons, Bob](#); [Tolzmann, Elizabeth](#); [Hedin, Kathy](#); [Larson, Kim](#); [Christenson, Denise](#)
Subject: Council Q & A 10/27/25
Date: Monday, October 27, 2025 12:48:31 PM
Attachments: [image001.png](#)

Mayor and City Council,

Councilmember Dallessandro has the Consent Agenda this evening. Please let me know if you have anything you'd like to hold so we can alert staff.

CONSENT BUSINESS

3.5 Resolution Approving Environmental Assessment Worksheet (EAW) and Making Negative Declaration on the Need for an Environmental Impact Statement (EIS) for the Nine Mile Creek Corridor Renewal Project

Councilmember Lowman: What are the specific, measurable environmental metrics—like habitat function, bank stability, or water quality—that we'll use to track the creek's health after construction? How long will we be monitoring those outcomes, and who will be responsible for making sure we're meeting our goals? If the monitoring shows we're not getting the results we expected, what's our process for making adjustments or additional improvements? And will Council and the public receive updates on how things are going?

Bob Simons, Senior Civil Engineer: Monitoring the health of the creek is a multi-agency effort between the Met Council, Mn Pollution Control Agency (MPCA), and the Nine Mile Creek Watershed District (NMCWD). The Met Council conducts ongoing monitoring of water quality and flow in Nine Mile Creek near James Road. Monitoring at this location started in 1989, as part of the Watershed Outlet Monitoring Program (WOMP) and continues today, providing continuous data on creek conditions. Key water quality indicators including Total Suspended Solids, Total Phosphorus, Nitrate, and Chloride are measured and compared against state water quality standards. The Met Council also performs statistical analyses on these data to identify long-term trends and provide actionable insights to guide management and protection efforts for the creek. This established, long-term monitoring is essential for understanding how land use, climate, and community practices affect water quality over time. The information gathered helps local and regional partners make informed, science-based decisions to protect, restore, and sustainably manage Nine Mile Creek.

The City is working closely with the NMCWD on any requirements that need to be met for permit submittal regarding the work that will be occurring in and adjacent to the creek. The permitting process and the best management practices that are in place as part of the permitting process are to ensure that during and post construction the goals of the project are met. Additional improvements that would occur in the future would be coordinated with the NMCWD and the Council and public would be informed of that work.

HEARINGS, RESOLUTIONS, AND ORDINANCES

1. Public Hearing – Liquor License

Councilmember Lowman: When did we stop the “public shaming” of violations?

Jamy Hanson, City Clerk: It was prior to 2019, but will have to do some more digging to find the exact date. City Code for Alcoholic Beverage Control was completely rewritten in 2020, so anything that

occurred prior to that is not accessible on American Legal.

Councilmember Lowman: How does our enforcement action compare to other cities?

Jamy Hanson, City Clerk: Our fees are the same or in some cases higher than other cities. For suspensions, 24% of cities suspend after the 1st violation, 52% of cities after the 2nd violation, and 65% of cities suspend after the 3rd violation. Bloomington currently doesn't suspend until the 4th violation.

ORGANIZATIONAL BUSINESS

5.1 Hennepin County Nicollet Avenue Street Reconstruction Project Update

Councilmember Lowman: How will business access be maintained during construction, especially for small businesses along Nicollet? What is the plan for construction staging to minimize disruption to residents and schools? How will winter maintenance of shared-use paths and sidewalks be handled (city vs. county responsibility)? Will there be traffic calming measures beyond intersection treatments (e.g., speed feedback signs, narrowed lanes)?

Bob Simons, Senior Civil Engineer: The Contractor will be responsible to maintain access to businesses along the corridor during construction. As is typical with any construction project, there will be times when the contractor and staff will have to work closely with the property owners and businesses as work is occurring directly adjacent to their property. Regarding staging of the work, the goal would be to complete work adjacent to the school during the summer months when school is out of session to minimize impacts and the contractor will be required to maintain access to residential properties. The City is responsible for winter maintenance of shared-use paths and sidewalks on county roads. Lanes will be slightly narrower than they are currently, along with an overall reduction in the width of the roadway, which will aid in traffic calming.

5.2 Review of American Boulevard Transit Study

Councilmember Lowman: Has Bloomington or Metro Transit considered whether a fixed-rail option—like a trolley or streetcar—could serve as a similar catalyst for American Boulevard? If not, what factors led us to focus solely on bus rapid transit, and is there a way to design the corridor so it could accommodate a higher-capacity or fixed-rail system in the future if conditions change?

Kirk Roberts, Traffic & Transportation Engineer: Streetcars have been credited with promotion of urban development and improvements in the public realm of cities. However, streetcars in the US also struggle to provide the transportation benefits of access and mobility that BRT provides at a much lower capital and operating cost. Streetcars need the same things as BRT to achieve their best travel performance and make them useful for transportation: dedicated lanes, signal priority, level boarding at dedicated stations, and off-board fare payment. Much like BRT, streetcar ridership is best supported by higher density development and pedestrian-friendly streetscape that make it easy for lots of people to access. However, the capital cost of installing streetcar infrastructure is so much more expensive than BRT that it is a logical choice only in locations where rail infrastructure already exists or where ridership is expected to be so high that the higher capacity of a streetcar vehicle or set of streetcars is needed to accommodate passengers. These are not the conditions on American Blvd so BRT is a better fit, and the only mode currently capable of gaining support from Metro Transit. The best way to position the corridor for transition to rail in the future is to preserve right-of-way for transit use in a redesigned American Boulevard, as outlined in the study.

5.3 2026 Budget Discussions: Public Safety and Legal

Councilmember Lowman: What percentage of the total City budget are we allocating to Public Safety this year, and how does that number compare to, say, five years ago? I want to make sure we're holding our priorities steady.

Kari Carlson, Deputy Finance Officer: In the 2026 Preliminary General Fund Budget, Public Safety accounts for 47% of the total budget, compared to 42% in 2020.

Councilmember Lowman: What are the current staffing levels and hiring plans for the Police Department for 2026? What are we doing to ensure we have the resources for equipment and technology upgrades needed to keep our officers safe and effective?

Booker Hodges, Police Chief: The police department is currently fully staffed in the sworn police officer ranks. We have a few staffing vacancies in our telecommunications centers that we are working to fill. Our budget presentation accurately reflects our needs are being met with the exception of our need for additional facility space.



Zach Walker

City Manager

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