

**CITY OF DULUTH, MINNESOTA**  
**DULUTH CITY PLANNING COMMISSION**

**FINDINGS OF FACT AND RECORD OF DECISION**

**DATE:** March 29, 2019  
**RE:** Decision on the Need for an Environmental Impact Statement  
**PROJECT:** Essentia Health Vision Northland Project

**RESPONSIBLE GOVERNMENTAL UNIT**

Duluth City Planning Commission  
Keith Hamre, Director of Planning  
and Economic Development  
411 West First Street, Room 208  
Duluth, MN 55802  
218-730-5580  
[khamre@duluthmn.gov](mailto:khamre@duluthmn.gov)

**FINAL ACTION**

Based on the Environmental Assessment Worksheet (EAW) and related documentation for the above Project, the Duluth City Planning Commission, as the Responsible Governmental Unit (RGU) for this environmental review, concluded the following at a Special Meeting on March 26, 2019:

1. The EAW and related documentation for Essentia Health Vision Northland Project were prepared in compliance with the procedures of the Minnesota Environmental Policy Act and Minnesota Rules, chapters 4410.1000 to 4410.1700.
2. The record demonstrates that implementation of this Project does not have the potential for significant environmental effects. Therefore, the Duluth City Planning Commission makes a Negative Declaration and does not require the preparation of an Environmental Impact Statement (EIS) for this Project.

***FINDINGS OF FACT AND RECORD OF DECISION***

The Duluth City Planning Commission is the RGU for environmental review of the Essentia Health Vision Northland Project. The EAW was developed in accordance with the Environmental Review Regulations of the Minnesota Environmental Quality Board (EQB) for a mandatory EAW under Minnesota Rules, Chapters 4410.4300, subp. 14 for institutional facilities in a first class city (Duluth).

The EAW was filed with the EQB and circulated for review and comment to the EQB's EAW Distribution List. The notice was published in the EQB Monitor on February 11, 2019 announcing a 30-day comment period that ended on March 13, 2019. A news release was issued on February 7, 2019 informing the

public that the an electronic copy of the EAW will be made available February 11, 2019 on the City of Duluth's web page, and hard copies of the EAW will be available at the Duluth Public Library's Downtown Location, as well as the Mount Royal and West Duluth branches. The news release provided the public the Essentia Health Vision Northland Project website for additional viewing. The news release directed people wishing to make comments to file them with the City Planning Division or present them at the March 12, 2019 public hearing.

The City of Duluth Planning Commission held an optional/voluntary public hearing on Tuesday, March 12, 2019, at 5:00 p.m. and received comments from four member of the public. The City of Duluth Planning Commission on March 26, 2019 reviewed the EAW document and considered comments made at public hearing and received in writing along with the responses to the comments before making a negative declaration on the need for an EIS.

### **BRIEF PROJECT DESCRIPTION**

Essentia Health is proposing a redevelopment project for its downtown Duluth campus that will result in a replacement hospital bed tower, new surgical suites, and outpatient space and renovations to the existing facilities. The proposed project includes a 920,000 square foot multi-story tower, which would reduce Essentia Health's overall footprint while providing state-of –the art medical facilities.

### **COMMENTS RECEIVED, RESPONSES, AND OTHER DOCUMENTS REVIEWED**

During the 30-day comment period, a total of 12 written comment letters/emails were received from the public:

1. Linda Glaser (Citizen)-2/12/19
2. Tami Tanski Sherman (Citizen; Fitger's)-3/1/19
3. Scott Vesterstein (Citizen; Fitger's)-3/5/19
4. Greg Benson (Citizen; Loll Designs Inc.)-3/6/19
5. Katie Krikorian (Citizen)-3/8/19
6. Lance Reasor (Citizen; Member of International Dark Sky Association)-3/8/19
7. NAACP Health and Environmental Equity Committee-undated
8. Phil Pumphery (DTA)-3/11/19
9. Bryan Lenz (American Bird Conservatory)-3/12/19
10. Don Ness (Citizen)-undated
11. Matthew Etterson, Ph.D. and Janelle Long (Hawk Ridge Bird Observatory)-3/11/19
12. Z. Zwiebel (Commissioner)-3/13/19

During the 30-day comment period, a total of 3 written comment letters/emails were received from public agencies/governmental bodies:

1. Sarah Beimers (SHPO)- 3/13/19
2. Karen Kromar (MPCA)-3/13/19
3. Ron Chicka (MIC)-3/13/19

Four members of the public offered their oral testimony at the March 12, 2019 optional Public Hearing with the Duluth Planning Commission.

1. Scott Vesterstein (Citizen; Fitger's)
2. Laura Erickson (Citizen)
3. Randy Larson (Citizen; Member of Starry Skies)
4. Lance Reazor (Citizen; Member of the International Dark Sky Association)

The comments received and the responses are included with this document as a 37-page attachment, listed as Attachment A.

Commissioner Kennedy requested that Essentia Health consider equity as part of Essentia Health Vision Northland Project. An amendment to the response to Comment 7a, as agreed upon by the City of Duluth, is incorporated by reference in this Record of Decision as follows, "Essentia Health is committed to stewardship and will consider the effects of Equity, Community, Ecology, Waste and Energy usage, Wellness, and resources in the design of the new facility."

***COMPARISON OF POTENTIAL IMPACTS WITH EVALUATION CRITERIA UNDER MN RULES:***

In deciding whether a project has the potential for significant environmental effects and whether an EIS is needed, the RGU compared the impacts that may be reasonably expected to occur from the project with the four criteria by which potential impacts must be evaluated (Minn. Rules, chapter 4410.1700, subp. 7.A through 7.D)

**A. Type, extent, and reversibility of environmental impacts:**

Based upon information provided in the EAW and the Responses to Comments, the City of Duluth concludes that the potential environmental effects of the project will be limited in extent.

**B. Cumulative potential effects. The RGU shall consider the following factors: whether the cumulative potential effect is significant; whether the contribution from the project is significant when viewed in connection with other contributions to the cumulative potential effect; the degree to which the project complies with approved mitigation measures specifically designed to address the cumulative potential effect; and the efforts of the proposer to minimize the contributions from the project:**

For the environmental effects listed in the EAW and Response to Comments, the Essentia Health Vision Northland Project cumulative impacts are acceptable and consistent with other land uses in the area. Cumulative potential effects from the project, and recent and planned contributors can be mitigated, minimized, or avoided with appropriate regulatory measures and standards.

**C. The extent to which environmental effects are subject to mitigation by ongoing public regulatory authority. The RGU may rely only on mitigation measures that are specific and that can be reasonably expected to effectively mitigate the identified environmental impacts of the project:**

Mitigation of any impacts from the project will be achieved through design and inclusion of best management practices (BMPs), including permit approvals, enforcement of regulations, or other programs as listed in response to Minn. Rules, chapter 4410.1700, subp.7.D.

**D. The extent to which environmental effects can be anticipated and controlled as a result of other available environmental studies undertaken by public agencies or the project proposer including other EIS's:**

Environmental effects related to construction impacts, including glass and lighting design; stormwater management; and other accessory and related impacts can be anticipated and controlled as the results of mitigation measures and through the permitting process. The following table includes permits, approvals, and checklists identified in the EAW and environmental review process that have been applied for, considered, or are under evaluation:

Authority	Name	Description
<b>City of Duluth</b>	Foundation Permit	City Permit for construction of the foundation.
	Demolition Permit Application	City Permit for Demolition of a facility.
	Erosion Control Permit  Checklists: Asbestos Inspection; Utilities Disconnection; Release of Liability	For land disturbance of 3,000 sq. ft. or greater, requirements to install and maintain all erosion and sediment control BMPs to ensure it does not leave the construction site.  City checklists for asbestos inspection, utility disconnect and release of liability form
	Excavation/Sewer/Backfill/Utility Connection Permit	This permit is required for permit excavation within the public right-of-way for sewer repairs or new installations, gas services, water connections for repairs or new services, stormwater issues, etc.
	Utility Service Cut- off/Abandonments Permit	City Permit to disconnect utilities.
	Rezoning, Concurrent Use, and District Plan Permits	For adjustment of zone district boundaries for the property to allow use of your property in a way that is not permitted by its current zoning, rezoning is anticipated.
	Obstruction Permit	Permit for installation, construction, maintain a culvert, drain, pipe, main or obstruction in a natural water course.
<b>Minnesota Department of Transportation (MnDOT)</b>	Right of Way	Right to occupy agreement for entrance and landscaping adjacent to Superior Street
<b>Minnesota Pollution Control Agency (MPCA)</b>	Stormwater General Construction Permit	Storm Water Construction Permits, SWPPP, erosion control permits to control and treat storm water
	Air Quality Permit	For Facilities that have the potential to emit (PTE) any regulated pollutant in amounts greater than specific thresholds.
	Pre-Renovation/Demolition Checklist and Notification	Checklist to help ensure project waste is managed appropriately. Notification is required if you are going to renovate or demolish any structure regulated under NESHAP for asbestos.
	Sanitary Sewer Extension Permit <sup>(1)</sup>	Required for an extension, addition, or modification, that effects any facility expansion, production increase, or process modification which result in new or increased discharges of pollutants until a written permit has been granted.

<sup>(1)</sup> Permit need will be evaluated as permit applications are developed, per response to MPCA's comment Agency 2a.

## DECISION ON THE NEED FOR AN ENVIRONMENTAL IMPACT STATEMENT

Minnesota Rules, chapter 4410.0300 Subp. 3. purpose states (in part)

Environmental documents shall not be used to justify a decision, nor shall indications of adverse environmental effects necessarily require that a project be disapproved. Environmental documents shall be used as guides 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.

Minnesota Rules, chapter 4410.0300 Subp. 4. Objectives further sets forth:

The process created by parts 4410.0200 to 4410.6500 is designed to:

- A. provide usable information to the project proposer, governmental decision makers and the public concerning the primary environmental effects of a proposed project;
- B. provide the public with systematic access to decision makers, which will help to maintain public awareness of environmental concerns and encourage accountability in public and private decision making;
- C. delegate authority and responsibility for environmental review to the governmental unit most closely involved in the project;
- D. reduce delay and uncertainty in the environmental review process; and
- E. eliminate duplication.

Based on the EAW and related documentation for this Project, the City of Duluth Planning Commission, as the RGU for this environmental review, concluded the following at a meeting on March 26, 2019:

1. The Environmental Assessment Worksheet and related documentation for Essentia Health Vision Northland Project were prepared in compliance with the procedures of the Minnesota Environmental Policy Act and Minnesota Rules, Parts 4410.1000 to 4410.1700.
2. The record demonstrates that implementation of this project, proceeding with the require permit approvals and complying with appropriate standards and regulations to minimize impacts, does not have the potential for significant environmental effects. Therefore, the Duluth City Planning Commission makes a Negative Declaration and does not require the preparation of an environmental impact statement (EIS) for this Project.

Signature/Date

 3/29/2019

Title: Director of Planning and Economic Development

### Attached Exhibits:

- A. Comments and Responses

**Summary of Comments and Responses**  
**Essentia Health Vision Northland EAW, Revised March 25, 2019**

Comment	Date	Individual	Entity	Topic	Comment Summary	Response
1	2/14/2019	Linda Glaser	Citizen	Center for Personal Fitness	The Center for Personal Fitness (CPF) is an inspiring and communal place. Please keep the Center for Personal Fitness downtown to continue to serve community members.	Essentia Health's fitness and therapy center will move to the former Younker's store within the Miller Hill Mall. Essentia Health will maintain a small fitness center at the downtown campus for employee use only. Essentia Health has noted that the fitness center relocation is a separate project from Vision Northland. In addition, Essentia Health has noted that while the move does not retain CPF downtown, other benefits/features including ease of parking are possible due to the location change. More information is available here: <a href="https://www.duluthnewtribune.com/business/healthcare/4570199-essentia-moving-fitness-center-mall">https://www.duluthnewtribune.com/business/healthcare/4570199-essentia-moving-fitness-center-mall</a> and <a href="https://www.essentiahealth.org/about/media-article-library/2019/essentia-health-purchases-former-younkers-store/">https://www.essentiahealth.org/about/media-article-library/2019/essentia-health-purchases-former-younkers-store/</a> .
2	3/1/2019	Tami Tanski Sherman	Citizen; Fitger's Mail Manager	Lighting	Reduce light pollution by: 1. Use LED warm lights on all exterior lighting (2700K or less, 2200K for wildlife friendly lighting). 2.Shield lights and turn down lumen output.	The project is early in the design phase for this work. The Design will comply with the City of Duluth's Uniform Development Code (UDC), Including utilizing full cut-off style fixtures for site lighting to minimize the potential for glare and unnecessary diffusion on adjacent properties. No up-lighting of the building is planned. The design team will use guidelines and codes from multiple sources including the City of Duluth, American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE), LEED, and the International Dark Sky Association (IDA) to influence and guide the lighting design for the entire site. Strategies with light dimmers/lighting controls and low Kelvin fixtures will be identified and vetted through the design process. The lighting levels will be analyzed to be as low as possible while providing a safe and secure environment for our patients, employees and neighbors. Our final design team is committed to evaluating options that limit light pollution and its effects on the natural and built environments. The design team is evaluating the use of 2700K or lower lighting, but committed to using nothing higher than 3000K in the final design.
3	3/6/2019	Scott Vesterstein via Nancy Gallagher	Citizen; Fitger's President	Lighting	EAW does not specify the Kelvin measurements of the lighting (i.e., color of light). Please consider fully shielded lighting of 2700K or less in all exterior applications (including surface parking and parking ramps).	
4	3/6/2019	Scott Vesterstein via Greg Benson	Citizen; Loll Designs	Lighting	Reduce light pollution by: 1. Use LED warm lights on all exterior lighting (2700K or less, 2200K for wildlife friendly lighting). 2.Shield lights and turn down lumen output.	
5a	3/8/2019	Katie Krikorian	Citizen	Lighting	Stop installing 4000K bright white light and install no more than 2700K LED lights that are fully shielded. Commenter wrote in a separate letter to Essentia Health, "Light pollution is increasing in Duluth, and is a health hazard to humans and animals and plant life. As Essentia, a health organization, I'm sure you want to promote good health in all ways." If Essentia must install 4000K lights install shields to reduce glare	
5b	3/8/2019	Katie Krikorian	Citizen	Lighting	Has the City completed a public comparison of lighting options between 4000K, 3000K, and 2700K?	
6	3/8/2019	Lance Reasor	Citizen; Member of the International Dark Sky Association	Lighting	Concern regarding light pollution and effects on night sky. Use of low Kelvin and shielded lighting to keep "warm and gentle" lighting throughout the community.	
7a		NAACP Health and Environmental Equity Committee	NAACP Health and Environmental Equity Committee	City of Duluth Comprehensive Plan	There is a disconnect between the Essentia Vision Northland EAW and the 2035 Comprehensive Plan (Principle #10, #13, #14)	Essentia Health's mission is: "We are called to make a healthy difference in people's lives." and feel that our mission along with our core values of Quality, Hospitality, Respect, Joy, Justice, Stewardship, and Teamwork align with the 2035 Comprehensive Plan principles 10, 13 and 14. Essentia Health is committed to stewardship and will consider the effects of Community, Ecology, Water and Energy usage, Wellness, and resources in the design of the new facility. Essentia Health has an active Waste Management Plan as part of normal hospital operations.
7b		NAACP Health and Environmental Equity Committee	NAACP Health and Environmental Equity Committee	Community Engagement	Recommend inclusion of community stakeholders and environmental goals for Vision Northland and future Essentia operations.	Essentia Health has been and will continue to engage the community in development of VNL. Essentia has presented to the Chamber of Commerce, APEX and QUality of Life Committee. Informational meetings were held within the community and neighborhood meetings are planned for April 10, 2019 from 11:30am-1:30pm and 5:00-7:00pm. Further, Essentia Health's mission is: "We are called to make a healthy difference in people's lives." and feel that our mission along with our core values of Quality, Hospitality, Respect, Joy, Justice, Stewardship, and Teamwork demonstrate that Essentia Health is committed to stewardship will consider the effects of Community, Ecology, Water and Energy usage, Wellness, and resources in the design of the new facility.

**Summary of Comments and Responses**  
**Essentia Health Vision Northland EAW, Revised March 25, 2019**

7c		NAACP Health and Environmental Equity Committee	NAACP Health and Environmental Equity Committee	Energy Efficiency	Recommend a clear commitment to renewable energy goals and timeline and overall climate neutrality vision to meet recommendation of the IPCC Fourth Climate Assessment.	Essentia Health has committed to connecting to the City of Duluth District Steam plant (Duluth Energy Systems) The steam plant is moving towards renewable fuel as one of many sources of energy. Further, Minnesota Power provides the electricity to Essentia. Minnesota Power has committed to carbon free energy sources by 2050.
7d		NAACP Health and Environmental Equity Committee	NAACP Health and Environmental Equity Committee	Energy Efficiency	Requests clear benchmarks, metrics, and commitment to whole energy building usage within the top quintile of similar buildings nationally.	Essentia Health's mission and values are in alignment with sustainable building practices that support patients, employees, the community and the environment. A Sustainability Committee is charged with identifying energy efficiencies of the project. The committee will take into account how our sustainability decisions effect the community, ecology, water consumption, energy usage, wellness, resources, and our ability to adapt to change. The goal is to take a multi-faceted approach to meet our values in our relationship with the community and employees. The project is connecting to the City of Duluth's district energy system, Duluth Energy Systems, as one step in the overall sustainability plan. As design progresses the design team continues to investigate additional means to provide an energy efficient design that meets current regulatory requirements.
7e		NAACP Health and Environmental Equity Committee	NAACP Health and Environmental Equity Committee	Energy Efficiency	Recommend LEED certification or similar environmental certification	Essentia's sustainability committee reviewed several sustainability programs, including LEED, WELL, RELi, SITS, LBC, Fitwel, and Healthier Hospitals, but felt that none of these programs by themselves were diverse enough to meet the values of Essentia Health and the City of Duluth. Therefore, the project is currently not looking to adhere to a specific certification. However, the project team has committed to a high level of sustainability throughout the design. The goal is to take a multi-faceted approach to meet our values in our relationship with the community and employees by combining aspects from many of these existing programs into a custom program better suited for this project.
7f		NAACP Health and Environmental Equity Committee	NAACP Health and Environmental Equity Committee	Transportation	Recommend clear operational goals and metrics that support active transportation, car-pooling, and public transportation.	Options to merge the proposed Project with public transportation is currently being discussed with the DTA. The proposed Project is also located adjacent to the Lakewalk paved shared use path and 4th Street bike lanes. Essentia Health plans to include a small fitness center with amenities for employees. These amenities (showers/locker rooms, etc.) can be used by employees opting to use active transportation. Essentia Health is actively meeting with DTA towards common public transportation goals.
7g		NAACP Health and Environmental Equity Committee	NAACP Health and Environmental Equity Committee	Waste	Recommends a system to track, report, and benchmark waste reduction. Recommend that these metrics are towards a goal, which could be zero-waste.	Essentia Health has an active Waste Management Plan as part of normal hospital operations. Further, Essentia is evaluating with the Construction Manager procedures for tracking and separating demolition debris and construction waste to deflect materials from landfills towards recycling opportunities. Demolition activities will adhere to Minnesota Rules 7035.0805, which identifies the removal and proper disposal or recycling of materials during and prior to a renovation or demolition project.
7h		NAACP Health and Environmental Equity Committee	NAACP Health and Environmental Equity Committee	Community Engagement	Recommends identification of how Vision Northland will benefit all economic groups and people of color. Metrics should be developed to accomplish this goal.	Essentia Health provides services that are available to all people within Duluth and the surrounding community without bias. As the needs of the community evolve, so will the services provided by Essentia.
7i		NAACP Health and Environmental Equity Committee	NAACP Health and Environmental Equity Committee	Environmental Equity/Community Engagement	Recommends addressing environmental equity and health inequities that people of color bear. Commitment to addressing environmental equity should be an explicit goal of Vision Northland.	Refer to response provided to Comment 7h.

**Summary of Comments and Responses**  
**Essentia Health Vision Northland EAW, Revised March 25, 2019**

8	3/11/2019	Philip O. Pumphrey	DTA	Transportation	Consider the benefits of mass transit. Take advantage of the of the opportunity to enhanced access via transit in final design to promote healthy individuals and community. DTA welcomes the opportunity to partner with Essentia Health towards these goals.	Options to better merge the proposed Project with public transportation is currently being discussed with the DTA. Essentia Health is actively meeting with DTA towards these goals.
9	3/12/2019	Bryan Lenz, Ph.D., Collisions Campaign Manager	American Bird Conservancy	Wildlife/Bird-Friendly Glass	Request that the building architects state how they are making the building bird friendly and reduce collisions. At minimum, recommends the LEED credit and that it is possible to exceed the credit's recommendations and in particular the percentage of bird-friendly glass used. The most effective frit to minimize bird collisions have pattern elements that are at least 1/8" (1/4" is preferred) with no more than 2" between the vertical and horizontal elements (as defined by LEED document Bird Collision Deterrence: Summary of Threat Factors).	Essentia Health understands the concerns about migratory birds and bird life in general. The project architect is considering design options that mitigate the hazard to the extent possible through the design features. Essentia is committed to using fritted glass throughout the project, nearly all the exterior surface will be fritted. The exact pattern and style are still being reviewed along with other mitigative measures.
10		Don Ness	Citizen	Lighting	Consider wildlife friendly lighting. Lighting technologies can direct and control artificial light. Duluth, Essentia, and Vision Northland can lead the way toward zero light pollution.	Refer to response provided to Comments 2 through 6.
11	3/11/2019	Matthew Etterson and Janelle Long	Hawk Ridge Bird Observatory	Wildlife/Bird-Friendly Glass	The conceptual drawing structure depicted poses a high risk of collision mortality to migratory birds. 1. Geographic importance of Duluth for passage is not noted in EAW. 2. Glass characteristics are not specified in the EAW. 3. There are additional bird friendly design principles for the built environment, including external lighting plans (turning off or dimming lights greatly reduces mortality). 4. The collision risk of the design should be formally evaluated through a commissioned study and there should be post-construction evaluation to confirm mitigation strategies are successful. Additional reference material is provided in the Comment Letter.	Refer to response provided to Comment 9.
Agency 1	3/13/2019	Sarah J. Beimers	Minnesota State Historic Preservation Office - Environmental Review Program Manager	Archeological/Historic Architecture	1. Archeological survey is not warranted as it is currently proposed. 2. There are no formally designated historic properties within the project area; however, the EAW does not state the potential for the presence of historical structures, including the Amendola Building/ Dodge Block, the Arrowhead Glass Building, and St. Mary's Hospital Building as they are 50 years or older. It is recommended that evaluations of the buildings be completed to verify that historic significance will not be lost. 3. It is not believed that the proposed Essentia project will have major adverse impacts on the Duluth Commercial Historic District. 4. Comment letter does not address Section 106 National Historic Preservation Act of 1966 requirements.	Noted
Agency2a	3/13/2019	Karen Kromar	MPCA Environmental Review Unit	Project Description	Encourages recycling of materials to the extent possible	Noted
Agency 2b	3/13/2019	Karen Kromar	MPCA Environmental Review Unit	Permits and Approvals	It may be necessary to obtain a Sanitary Sewer Extension Permit from MPCA prior to construction	This will be further evaluated as permit applications are developed.
Agency 2c	3/13/2019	Karen Kromar	MPCA Environmental Review Unit	Water Resources	Highly encouraged to incorporate methods to reduce stormwater runoff from existing urban areas during redevelopment. If a green roof is not installed, consider alternative storage such as tree boxes	Overall, this project will reduce impervious surfaces at the Essentia Campus. Measures for stormwater management will be evaluated through the design process including reconstruction of underground infrastructure and the feasibility for a green roof. These measures will be discussed with the MPCA as part of the permitting process.
Agency 2d	3/13/2019	Karen Kromar	MPCA Environmental Review Unit	Contamination/Hazardous Materials/Wastes (Item 12)	The Amendola building was once an auto repair facility and should engage with the MPCA's Brownfields Program to receive necessary technical assistance in managing contamination.	Phase 1 and Phase 2 Environmental Site Assessments were conducted at the Amendola building and contaminants were found in the soils. Based on the findings, proper monitoring and soil remediation will occur during demolition.

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Agency 2e	3/13/2019	Karen Kromar	MPCA Environmental Review Unit	Noise (Item 17)	Appreciated address of noise. The state noise standards are listed in Minn. R. Ch. 7030.0040, and to encourage that all actions possible are taken to reduce noise impacts.	Noted; noise standards will be adhered to and actions to reduce noise impacts during construction will be taken. Noise monitoring as described in Item 17 would occur during construction in order to assess whether further mitigation would be necessary.
Agency 3a	3/13/2019	Ron Chicka	Director at the MIC	Transportation	Design sidewalks that encourage walking by making it more attractive for people to use (specifications in comment letter)	The building has been held back from 4th Avenue east, and a landscaped public walkway will be established to provide access from 2nd street down to Superior Street by a series of terraces and stairs, an improvement over walking the existing narrow sidewalk with a steep grade. The specifications included in the comment letter will be shared with our design team and Sustainability committee.
Agency 3b	3/13/2019	Ron Chicka	Director at the MIC	Transportation	Create an environment that supports people of all ages and abilities to bicycle daily and year-round (Specification in comment letter)	Refer to response provided to Comment 3a.
Agency 3c	3/13/2019	Ron Chicka	Director at the MIC	Stormwater Management	Consider increasing water storage (bio-swales, rain gardens). Consider the use of pervious pavement for roadways, surface parking lots, bike lanes, sidewalks, street furniture and plaza areas	Noted
Agency 3d	3/13/2019	Ron Chicka	Director at the MIC	Transportation-Parking	Develop an integrated parking strategy that compliments a multi-modal transportation approach. Reduce and reuse surface parking lots for better sidewalks, bike lanes, parklets, buffers and landscaping.	The integrated parking strategy is currently outside the scope of this proposed project, but may be considered at another time. However, Kimley Horn recently developed a study of parking for the downtown Essentia Health campus (Appendix D to the EAW) that outlines parking considerations should an integrated parking strategy be identified in the future. Note also that Essentia Health is in the process of discussing public transportation options with DTA.
12a	3/13/2019	Z. Zwiebel	Commissioner	General	Reference to Figure 4 and site layout	Noted
12b	3/13/2019	Z. Zwiebel	Commissioner	Hazardous Materials/Wastes	There is no discussion of assessment, inspection and deconstruction of buildings scheduled to be raised/demolished	The EAW states that the demolition of the Amendola Building and partial removal of DC-1 and DC-2 would generate solid waste/demolition debris. Demolition activities would adhere to Minnesota Rules 7035.0805, which identifies the removal and proper disposal or recycling of materials during and prior to a renovation or demolition project.
12c	3/13/2019	Z. Zwiebel	Commissioner	General	Error in referencing	Noted
12d	3/13/2019	Z. Zwiebel	Commissioner	MNDNR	Reference the MNDNR - Waters permit listed on page 20.	The waters appropriation permit that is likely not applicable to this project is the Temporary Projects General Permit 1997-0005, which is applicable if more than 10,000 gallons of water per day or 1 million gallons per year are appropriated.
12e	3/13/2019	Z. Zwiebel	Commissioner	Dust	Specific permits or requirements for dust levels?	Dust will be controlled during project construction as outlined in EAW, Item 16 (air).
12f	3/13/2019	Z. Zwiebel	Commissioner	Zoning	what is the actual outline of the MU-I district and how will this impact surrounding businesses? Discuss zoning change to the NW. Clarify reduction of the footprint, appears to be increasing.	Figure 6 shows the extent of the current zoning and is annotated to describe the proposed zoning changes within the footprint of the new Vision Northland Building only. Zoning application was recently submitted to the City of Duluth. Zoning changes will be reviewed by the City and Planning Commission in the near future.
12g	3/13/2019	Z. Zwiebel	Commissioner	Terminology	Proposed project area vs zoning project area, vs designated construction zone. Stick to a single term for the proposed project area	The EAW identifies different extents related to the project. The purpose of the larger identified project area extent beyond the areas intended for rezoning and/or the construction area is to provide a view of the current and proposed medical campus, as well as parking. The zoning area does not include the entire area in which construction and demolition will take place. Lastly, construction (not including renovation) is reserved only to the new proposed Vision Northland building.
12h	3/13/2019	Z. Zwiebel	Commissioner	Wells	MDH Well Index shows two wells designated in the area on the image- elaborate	Unique well numbers 00704151 and 00704152 are for elevators at St. Mary's Duluth Clinic. <a href="https://mnwellindex.web.health.state.mn.us/mwi/index.xhtml?wellId=00704151">https://mnwellindex.web.health.state.mn.us/mwi/index.xhtml?wellId=00704151</a> <a href="https://mnwellindex.web.health.state.mn.us/mwi/index.xhtml?wellId=00704152">https://mnwellindex.web.health.state.mn.us/mwi/index.xhtml?wellId=00704152</a>
12i	3/13/2019	Z. Zwiebel	Commissioner	SHPO/Historical Structures	The extent of the SHPO request is unclear	Figure 8 includes historical structures within 1/2 mile of the overall project boundary. Text is intended to note the area in which project construction and demolition is proposed to occur.
12j	3/13/2019	Z. Zwiebel	Commissioner	Water Resources	What will happen from wastewaters from the demolition?	No wastewater is anticipated to be generated from demolition activities.

**Summary of Comments and Responses**  
**Essentia Health Vision Northland EAW, Revised March 25, 2019**

12k	3/13/2019	Z. Zwiebel	Commissioner	Water Resources	Really hate the construction of the sentence "Dewatering is not anticipated to be greater than the volume necessary to obtain a MDNR water appropriations permit." Should be equal to or greater than the volume requiring permitting.	Noted
12l	3/13/2019	Z. Zwiebel	Commissioner	Contamination/Hazardous Materials/Wastes	Personally believe that it is worth noting that the construction contingency plan would include reporting a release to applicable government agencies and follow applicable investigation and disposal rules.	The Construction Contingency Plan would include necessary steps to take in the event that contamination is discovered during excavation.
12m	3/13/2019	Z. Zwiebel	Commissioner	Contamination/Hazardous Materials/Wastes Air	Mentioning dust control related to potential legacy contaminants is worth mentioning.	Dust will be controlled during project construction as outlined in EAW, Item 16 (air).
12n	3/13/2019	Z. Zwiebel	Commissioner	Wildlife/Birds	Ecological resources have been significantly downplayed. I would encourage you to take the comments of experts in this matter and discuss in detail exactly what you plan to do the this Important Bird Area. The diminishing of the importance of the Peregrine Falcon nest at the Hotel Duluth will NOT go in your favor. I suggest a concerted effort to investigate options, clearly state your intent, and address the issue head on	The referenced peregrine falcon nesting area is outside of the scope of the Vision North project, and not under the control of Essentia Health.
12o	3/13/2019	Z. Zwiebel	Commissioner	Lighting	Lights during construction need more significant discussion	All levels and stairwells need to have 24/7 lighting during construction for safety and security reasons. The construction manager has agreed to utilize 3000K lighting in lieu of 4000K for temporary lighting.
12p	3/13/2019	Z. Zwiebel	Commissioner	Lighting	Lighting during operations needs more discussion on what is being done to protect neighbor requests and Night Skies issues.	Refer to response provided to Comments 2 through 6.
12q	3/13/2019	Z. Zwiebel	Commissioner	Air	Air worth mentioning dust and particulates? Is a reference on page 35...	Item 16 of the EAW (Air) addresses these topics: Dust and air-borne debris will be controlled during demolition and other construction work utilizing water, controlled operations during windy conditions, and other measures. Fly-rock is also addressed.
12r	3/13/2019	Z. Zwiebel	Commissioner	Transportation	Not sure if I understand completely the impacts on traffic during construction process... 1st street will be closed - yes? Any idea of impacts that may have?	All required road closures, including 1st street, are currently being coordinated with the City of Duluth.
13	3/12/2019 (verbal)	Scott Vesterstein	Citizen	Lighting	Concerned about light pollution and bright LEDs.	Refer to response provided to Comments 2 through 6.
14	3/12/2019 (verbal)	Laura Erickson	Citizen	Lighting Wildlife/Birds	Recommends using fritted glass. Important to protect birds because area is unique because it is at the western end of Lake Superior and is largest bird migration in inland U.S.	Essentia Health understands the concerns about migratory birds and bird life in general. The project architect is considering design options that mitigate the hazard to the extent possible through the design features. Essentia is committed to using fritted glass throughout the project, nearly all the exterior surface will be fritted. The exact pattern and style are still being reviewed along with other mitigative measures.
15	3/12/2019 (verbal)	Randy Larson	Citizen; Starry Skies	Lighting	Recommends leading the way to zero light pollution. Artificial lighting is harmful to human health and wildlife. Minimizing impacts go beyond general lighting technology.	Refer to response provided to Comments 2 through 6.
16	3/12/2019 (verbal)	Lance Reasor	Citizen; Member of the International Dark Sky Association	Lighting	Requests projecting lighting downward and using low Kelvin lighting.	Refer to response provided to Comments 2 through 6.