ENVIRONMENTAL ASSESSMENT

PRAIRIE ISLAND INDIAN COMMUNITY

Emergency Gaming Facility and Fee-to-Trust Project

Olmsted County, MN | June 2024

Lead Agency:

Bureau of Indian Affairs
Midwest Regional Office
Norman Pointe II Building
5600 W. American Blvd. Suite 500
Bloomington, MN 55437

ENVIRONMENTAL ASSESSMENT

PRAIRIE ISLAND INDIAN COMMUNITY

Emergency Gaming Facility and Fee-to-Trust Project

Olmsted County, MN | June 2024

Lead Agency:

Bureau of Indian Affairs
Midwest Regional Office
Norman Pointe II Building
5600 W. American Blvd. Suite 500
Bloomington, MN 55437

Prepared By:

Acorn Environmental
5170 Golden Foothill Parkway
El Dorado Hills, CA 95762
916.235.8224
www.acorn-env.com

Table of Contents

FIGURES

APPENDICES

Section 1 | Introduction

1.1 SUMMARY OF THE PROPOSED ACTION AND ENVIRONMENTAL REVIEW PROCESS

This Environmental Assessment (EA) has been prepared pursuant to the National Environmental Policy Act (NEPA) to assess the environmental impacts of the acquisition by the U.S. Bureau of Indian Affairs (BIA) of approximately 419.8 acres partially located in unincorporated Olmsted County and partially located in the City of Pine Island, Minnesota (Project Site) in federal trust status for the Prairie Island Indian Community (Tribe) for gaming purposes. Once in trust, the Tribe proposes to improve the Project Site for the potential future operation of an emergency gaming facility should a catastrophic event force the closure of the Tribe's existing Treasure Island Resort & Casino (Casino) (Proposed Project).

The statutory authority for acquiring this land in federal trust status and proclaiming it to be part of the Tribe's Reservation is provided in the Indian Reorganization Act of 1934 (IRA; 25 USC § 5108, 5110), with regulations codified at 25 Code of Federal Regulations (CFR) Part 151. The Tribe is seeking to acquire the Project Site into trust for gaming purposes; thus, to be eligible for gaming, the land must comply with Section 20 of the Indian Gaming Regulatory Act (IGRA; 25 USC § 2719), as well as implementing regulations at 25 CFR Part 292. Under Section 20 of IGRA, gaming on land acquired in trust by the Secretary of the Interior (Secretary) after October 17, 1988 is prohibited, with some exceptions, one of which is the "Two-Part Determination" exception under Section 20(b)(1)(A) that would allow gaming activities on the Project Site if the Secretary determines that it would be (1) in the best interest of the Tribe and (2) not detrimental to the surrounding community (25 USC § 2719(b)(1)(A)). A Secretarial Two-Part Determination may only be made after consultation with the applicant tribe and appropriate state and local officials, including officials of other nearby tribes, located within a 25-mile radius of the project site (25 CFR § 292.2). In addition, the Secretary must seek the concurrence of the Governor of Minnesota in the Two-Part Determination before gaming may occur on the Project Site. Thus, the Proposed Action collectively consists of: 1) the transfer of the 419.8-acre Project Site into federal trust status for the benefit of the Tribe under Section 5 of the IRA, and 2) the issuance of a Two-Part Determination by the Secretary under Section 20 of IGRA.

This EA has been completed in accordance with requirements set forth in NEPA (42 USC § 4321 et seq.); the Council on Environmental Quality (CEQ) regulations for implementing NEPA (40 CFR § 1500 et seq.); and the BIA NEPA Handbook (59 Indian Affairs Manual 3-H). This document provides a detailed description of the Proposed Action and analyses of the potential environmental consequences associated with development of the project alternatives discussed in **Section 2.0**. This document also includes a discussion of alternatives, impact avoidance, and mitigation measures.

The BIA serves as the Lead Agency for NEPA compliance with the U.S. Environmental Protection Agency (USEPA) serving as a Cooperating Agency. The BIA will use this EA to determine if the Proposed Action would result in any significant adverse effects to the environment. The EA will be released for a comment period. Comments will be considered by the BIA, and either a Finding of No Significant Impact will be prepared or additional environmental analysis will be conducted. After the NEPA process is complete, the BIA may issue a determination on the Proposed Action.

1.2 BACKGROUND

1.2.1 Prairie Island Indian Community

The Tribe is a federally-recognized Indian Tribe representing the Mdewakanton Dakota people (Prairie Island Indian Community, 2023a). The Dakota have lived in what are now known as the States of Minnesota, Iowa, and Wisconsin since time immemorial. As a result of eight treaties between 1805 and 1858, the Dakota War of 1862, and acts of Congress in 1863, the Dakota were completely dispossessed of their ancestral lands and mostly driven from Minnesota; however, a small group of Dakota remained and settled near Prairie Island.

The reacquisition of the Tribe's homelands began in the late 19th century and continued in the 1930's with the purchase of 414 acres of land at Prairie Island by the federal government for the benefit of the Community (refer to **Section 3.6.2** for additional details regarding the history of the Tribe). This acreage constitutes the central core of the Tribe's Reservation that has provided a small footprint for tribal members' homes. Today, the Reservation comprises 3,100 acres on Prairie Island, within the ancestral homeland of the Dakota, at the confluence of the Vermillion and Mississippi Rivers, approximately 35 miles southeast of the Twin Cities of Minneapolis - Saint Paul and near the cities of Red Wing and Hastings, Minnesota. The Tribe currently consists of over 1,000 enrolled members, approximately 300 of whom reside on or near the Reservation (Prairie Island Indian Community, 2023a). The Tribe provides a full range of governmental services to its members and owns and operates businesses on the Reservation including, notably, the existing Casino.

The Casino is the largest employer in Goodhue County with over 1,700 employees and includes a hotel and convention center, gaming, dining, bowling, live entertainment, an RV park, and a marina to accommodate visitors arriving by the Mississippi River. The Tribe provides virtually all essential governmental services to its members without any appreciable cost to the State, County, or local unit of government. The Tribe also owns parcels surrounding the Project Site and anticipates submitting a separate fee-to-trust application for this land.

The Tribe's current Reservation and facilities are at risk. Serious ongoing risks include flooding and loss of land from the construction of a federal dam (Lock and Dam 3), restricted access to the Reservation by an adjacent railway, and nuclear risks associated with an adjacent nuclear power plant and storage waste facilities. These risks are further discussed below.

1.2.2 Flood Risks

Through 1935 and 1936, the War Department began installing a series of locks and dams on the Mississippi River to create and maintain a 9-foot navigable channel. One lock and dam (Lock and Dam 3) resulted in the inundation of a portion of the Reservation, as well as more than a thousand acres of land historically occupied by the Tribe for centuries, including village sites, ceremonial areas, and hundreds to thousands of burial sites. Eventually lock and dam responsibilities were transferred to the U.S. Army Corps of Engineers (USACE). The USACE later acknowledged the destruction of numerous burial mounds, cultural sites, and a village site (USACE, 1974). In return, the USACE offered the use of adjacent land to the Tribe that the USACE was condemning as part of the Lock and Dam 3 project. Although this land was taken into trust to address the Lock and Dam 3 flooding of the Reservation, it was not reasonably developable as it was located within a Federal Emergency Management Agency (FEMA)-designated floodplain (Minnesota Indian Affairs Council, n.d.).

The USACE has acknowledged that the construction and operation of Lock and Dam 3 has significantly altered the ecosystem and hydrology in the vicinity of the Tribe's Reservation (USACE, 1974). This has led to an increasing frequency and severity of inundation on the Reservation that is still ongoing. The Tribe's Reservation is currently within a 100-year and 500-year floodplain, as defined by FEMA (**Figure 1.2-1**). Additionally, the Reservation is adjacent to a FEMA-defined regulatory floodway of the Mississippi River. Flooding has so far destroyed Community member homes and agricultural land. Recent flooding has extended beyond the flowage rights claimed by the USACE and has required significant expenditure of resources by the Tribe to protect their homes, government offices, and economic development.

1.2.3 Railway Risks

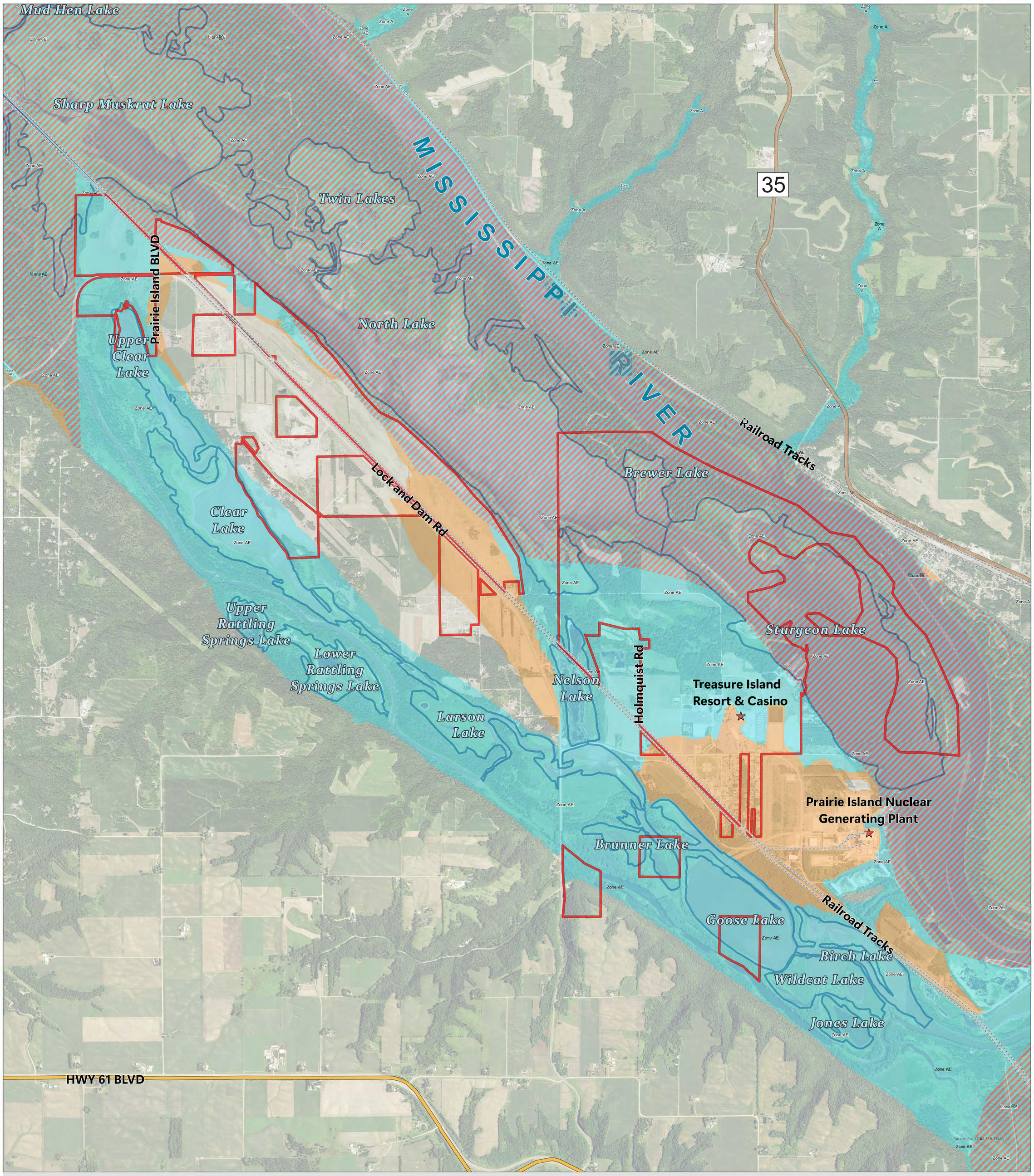
In addition to ongoing flooding issues, a major railway, the Canadian Pacific Railway Sturgeon Lake Road crossing, is also located adjacent to the Reservation. The railway crosses the only reliable roadway that provides access to and from the Reservation (**Figure 1.2-2**). The railway is one of the busiest at grade-crossing in the State, and the trains often carry hazardous materials such as crude oil (Prairie Island Indian Community, 2023b). Approximately 40 trains with an average train length of 7,214 feet cross per day (MnDOT, 2020; Stagl, 2018). This roadway is regularly restricted and cut-off during periods of train crossings, which creates an evacuation hazard for the Reservation should an emergency occur.

1.2.4 Nuclear Risks

The Reservation and Community are also at risk from the Prairie Island Nuclear Generating Plant and associated on-site nuclear waste storage facilities, which are operated by Xcel Energy and are adjacent to the Reservation (Prairie Island Indian Community, 2023b). The plant was originally announced as a coal and gas-fired power plant that would provide jobs and economic benefits to the area; however, the plant quickly evolved into nuclear power generation, and operation began in 1973 under 20-year licenses. On June 27, 2011, the Nuclear Regulatory Commission renewed the licenses for an additional 20 years. Used fuel and fuel assembly materials that are no longer useful for nuclear power generation continue to pose long-term health risks, including increased cancer risks, birth defects, and death, as well as potentially devastating and permanent environmental impacts.

FEMA conducts radiation "plume phase" simulations to estimate radii and effects of direct radiation exposure from nuclear emergencies. FEMA and other agencies, including the Minnesota Department of Public Safety (MNDPS), conducted a simulation of a nuclear-related accident near the Reservation and modeled the long-term evacuation of the Reservation and surrounding area that could occur. The results are shown on **Figure 1.2-3**. The simulation identified increased risk within the Reservation and surrounding area (FEMA, 2010). The Reservation was categorized within the highest risk zone: the 10-mile Emergency Planning Zone (EPZ). The Reservation is also within the 50-mile Ingestion Planning Zone (IPZ) (FEMA, 2010; Minnesota Department of Public Safety, 2018).

Regarding risks from the Prairie Island Nuclear Generating Plant and associated waste storage facilities, the Tribe has entered into an amended settlement agreement with Xcel Energy that was approved by the State legislature (Minnesota Statutes 2023, Section 216B.1645, subdivision 4). The settlement provides for payments to the Tribe to be used for, among other purposes, acquiring land in Minnesota within 50 miles of the Tribe's Reservation to be taken into trust by the federal government for the benefit of the Tribe.



Legend

- PIIC Reservation

FEMA Floodplains

- 100-year Floodplain
- 500-year Floodplain
- Special Floodway

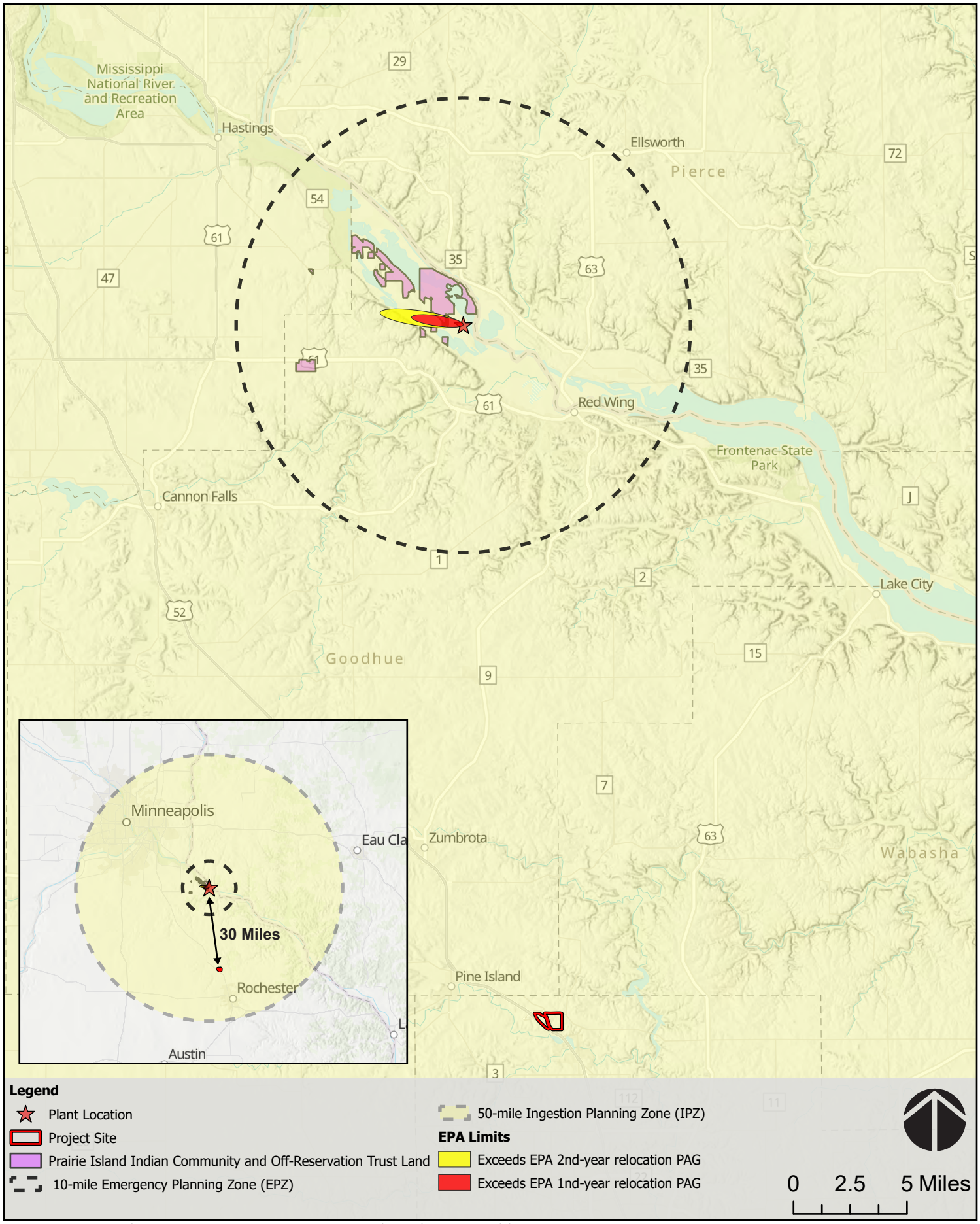
0 0.5 1 2 Miles

FIGURE 1.2-1
FEMA FLOODPLAINS OF EXISTING PIIC RESERVATION

Source: Esri, USDA FSA, Esri Community Maps Contributors, Metropolitan Council, MetroGIS, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS,

FIGURE 1.2-2

STURGEON LAKE RD RAILWAY CROSSING



Esri, NASA, NGA, USGS, Airbus,USGS,NGA,NASA,CGIAR,NCEAS,NLS,OS,NMA,Geodatastyrelsen,GSA,GSI and the GIS User Community, Esri, HERE, Garmin, FAO, NOAA, USGS, EPA, NPS, Esri, HERE, Garmin, SafeGraph, FAO, METI/

FIGURE 1.2-3

FEMA NUCLEAR INCIDENT IMPACT ZONES

1.2.5 Definitions of Triggering Events

Should a catastrophic event result in temporary or permanent closure of the existing Casino, the Tribe currently has no back-up means to compensate for economic and job losses. The term "catastrophic event" used herein encompasses potential triggering events that pose a risk to the Tribe's current Reservation, including flood events and nuclear incidents that could result in harm to human life of the Tribe, destruction of Community property, and closure of the existing Casino. Definitions of each triggering event considered in this EA are discussed below. Additionally, although not considered a triggering event, the Canadian Pacific Railway Sturgeon Lake Road crossing presents a potential evacuation hazard that could result in temporary or permanent closure of the only reliable access road to the Reservation should a triggering event occur.

Flood Event

FEMA defines a flood event as a general and temporary condition of partial or complete inundation of two or more acres of normally dry land or of two or more properties from inland or tidal overflow, unusual and rapid accumulation/runoff of surface waters, mudflow, or collapse or subsidence of land along the shore of a body of water as a result of erosion or undermining caused by waves or currents that results in flooding (FEMA, 2020).

The Tribe's current Reservation is within FEMA-designated 100-year and 500-year floodplains (**Figure 1.2-1**). FEMA defines 100-year floodplains as areas with a 1% annual chance of flooding and 500-year floodplains as areas with .2% annual chance of flooding. Additionally, the Reservation is adjacent to a FEMA-defined regulatory floodway, which is defined as the channel of a watercourse and its adjacent land that must be reserved to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. Communities are required to regulate development in regulatory floodways to prevent increases in upstream flood elevations. Specifically, this EA considers flood events related to the adjacent Mississippi River and other waterways (**Figure 1.2-1**) that could ultimately result in harm to human life of the Tribe, destruction of Community property, and closure of the existing Casino.

Nuclear Incident

A "nuclear incident" is defined as an extraordinary nuclear occurrence causing bodily injury, sickness, disease, death, loss of or damage to property, and loss of use of property resulting from the radioactive, toxic, explosive, or other hazardous properties of source, special nuclear, or byproduct material (42 USC § 2014(q)). Relatedly, the U.S. Nuclear Regulatory Commission (NRC) defines radioactive contamination as undesirable radioactive material with a potentially harmful effect that is either airborne or deposited in or on the surface of structures, objects, soil, water, or living organisms, people, animals, or plants in a concentration that may harm people, equipment, or the environment. This EA considers nuclear incidents that could occur at the Prairie Island Nuclear Generating Plant under the following emergency classifications of nuclear power plant emergencies as defined by the NRC that could ultimately result in harm to human life of the Tribe, destruction of Community property, and closure of the Casino:

- **Site Area Emergency:** An incident in progress or that has occurred that has caused or is likely to cause major failure of nuclear power plant functions that protect the public, or malicious acts likely to lead to a public safety risk. Release of radioactive material is likely and expected to exceed risk limits.

- **General Emergency:** An incident in progress or that has occurred or will cause reactor core damage or security events that deny staff access to the facility. Release of radioactive material is likely and anticipated to be uncontrollable (NRC, 2021).

1.2.6 Resiliency Plan and PIIC North Elk Run Community Development Project

Due to the potential health and safety risks to the Casino and Reservation posed by the adjacent Prairie Island Nuclear Generating Plant and associated on-site waste storage facilities, land access issues posed by a busy railway, and lack of buildable land from ongoing flooding, the Tribe is seeking to establish trust land in an area that is safer and more reliable for economic development. The Tribe has prepared an Unmet Needs Report and Resiliency Plan (Resiliency Plan) to address the potential health and safety risks to the Reservation and tribal businesses posed by the flooding, adjacent Prairie Island Nuclear Generating Plant and associated on-site waste storage facilities, and the land access issues posed by a busy railway. The Resiliency Plan outlines the steps the Tribe intends to take to establish tribal community resources, including housing, and back-up means to compensate for economic and job losses within the Tribe's ancestral lands in an area outside the 10-mile EPZ of the Prairie Island Nuclear Generating Plant. The Proposed Project is one aspect of this Resiliency Plan and is intended to provide a back-up means to address risks to the Tribe's economy (and related impairment of governmental functions) and potential job losses.

Additionally, the Tribe owns parcels surrounding the Project Site within the boundaries of both the City of Pine Island and Olmsted County and anticipates submitting a separate fee-to-trust application for this land. This second project, referred to herein as the Prairie Island Indian Community (PIIC) North Elk Run Community Development Project, is in the planning phases and consists of another element of the Resiliency Plan that would establish tribal housing and community facilities.

1.3 PURPOSE AND NEED FOR THE PROPOSED ACTION

The purpose and need for the Proposed Action is to facilitate tribal self-sufficiency, self-determination, and economic development, thus satisfying both the Department of the Interior's (Department) land acquisition policy as articulated in the Department's trust land regulations at 25 CFR Part 151 and the principal goal of IGRA as articulated in 25 USC § 2701. The Department's authority to act on the Tribe's application is governed by the Department's regulations at 25 CFR Part 151, in particular the requirements at § 151.3, 151.11, and 151.12, as well as the regulations at 25 CFR Part 292.

1.4 LOCATION AND SETTING

The approximately 419.8-acre Project Site is currently owned by the Tribe in fee. The Project Site is located along Highway 52 (Hwy 52) partially within the City of Pine Island and partially within unincorporated Olmsted County, Minnesota. The Project Site was selected to meet the purpose and need including a "safer and more reliable area" for the following reasons:

- It is located within the ancestral homelands of the Tribe, including lands that were ceded by the Dakota in the 1851 Treaty (Prairie Island Indian Community, 2023b);
- It is located outside of the FEMA 10-mile Emergency Planning Zone (EPZ), which carries the highest potential contamination risk from the Prairie Island Nuclear Generating Plant and associated waste storage facilities;

- It is located within a 50-mile radius of the existing Reservation, consistent with the settlement between Xcel and the Tribe and as provided by Minnesota Statutes 2023, Section 216B.1645, Subdivision 4;
- It is located outside of the area of inundation risk from Lock and Dam 3;
- Site access is not restricted by rail operations.

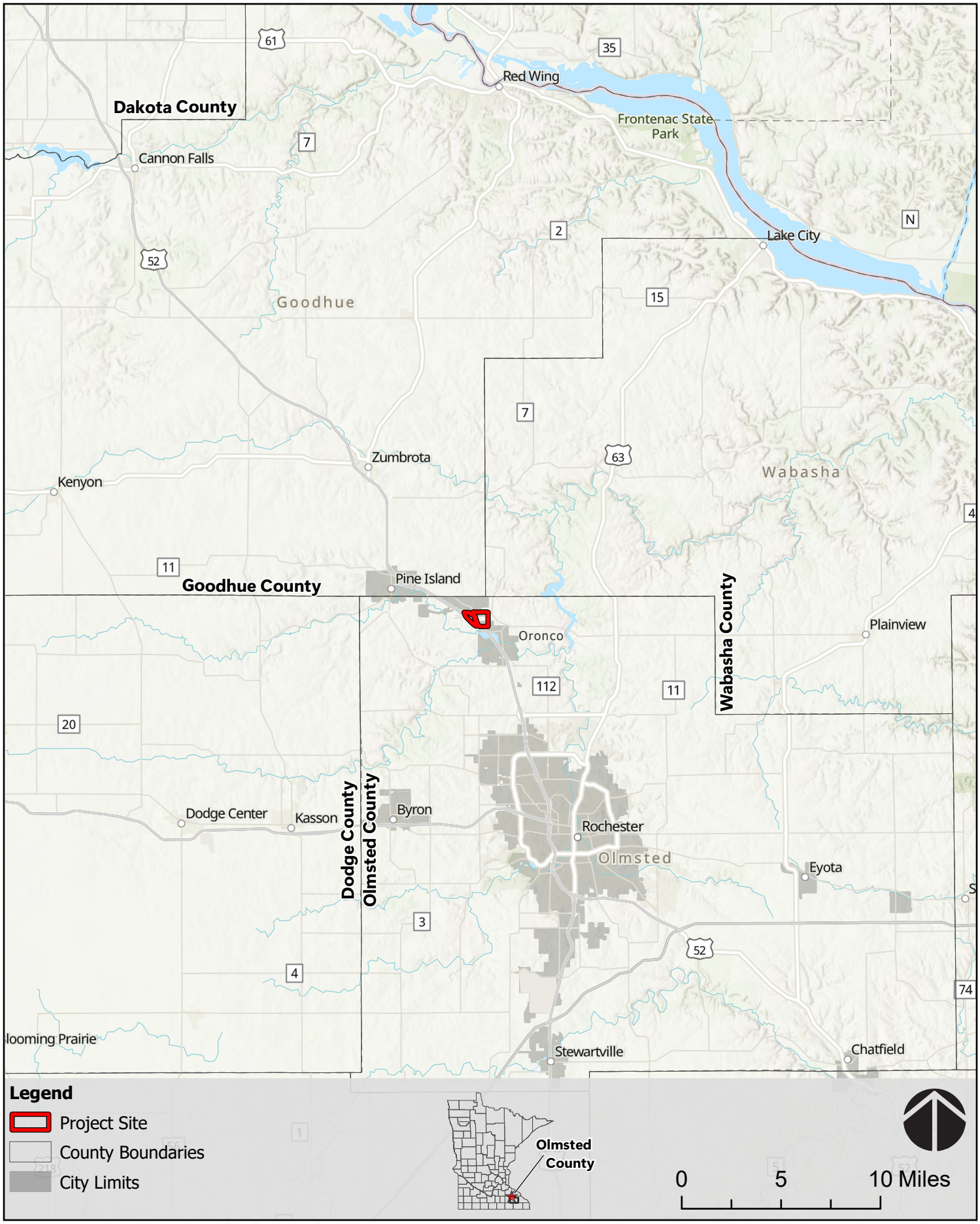
The Project Site is within Sections 1 and 12 of Township 108 North, Range 15 West and Sections 6 and 7 of Township 108 North, Range 14 West, within the Fifth Principal Meridian, and within the Oronoco U.S. Geological Survey (USGS) 7.5' quadrangle map. **Table 1.4-1** identifies the Project Site parcels, associated acreages, and current jurisdiction. **Figure 1.4-1** and **Figure 1.4-2** show the location of the Project Site, and **Figure 1.4-3** presents an aerial photograph of the Project Site and the immediate vicinity.

The Project Site contains an existing residence, a larger barn (proposed for development with the emergency gaming facility), and a smaller barn just east of the larger barn. Remnants of a paved silage storage area also occur, as the Project Site was utilized as an elk farm until 2009. A portion of the Project Site is currently grazed by cattle and other portions are actively farmed and harvested for soybeans and corn. Surrounding land uses consist of agriculture and rural residences to the north, east, and west, with small commercial developments and rural residences to the south. The Project Site is relatively flat with rolling hills and elevations ranging from approximately 1,000 to 1,100 feet above mean sea level (amsl).

Table 1.4-1: Project Site APNS and Acreages

APN	Acres	Current Jurisdiction
850131079584	12.89	City of Pine Island, New Haven Township
850143079564	3.53	City of Pine Island, New Haven Township
850134079589	13.98	City of Pine Island, New Haven Township
850132079567	17.52	City of Pine Island, New Haven Township
851221079590	7.84	City of Pine Island, New Haven Township
851212038600	44.84	City of Pine Island, New Haven Township
851214079569	30.41	City of Pine Island, New Haven Township
850144079565	28.34	City of Pine Island, New Haven Township
840633079595	26.68	City of Pine Island, Oronoco Township
840634079597	29.13	City of Pine Island, Oronoco Township
850144078534	0.25	City of Pine Island, New Haven Township
850144078533	0.49	Olmsted County, New Haven Township
850144079566	4.78	Olmsted County, New Haven Township
840633078539	7.58	Olmsted County, Oronoco Township
840634078541	7.58	Olmsted County, Oronoco Township
851211079570	25.44	Olmsted County, New Haven Township
840721039660	80.00	Olmsted County, Oronoco Township
840724039662	60.00	City of Pine Island, Oronoco Township
851214079571	1.47	City of Pine Island, New Haven Township
840723079573	17.08	City of Pine Island, Oronoco Township
Total	**419.83**	

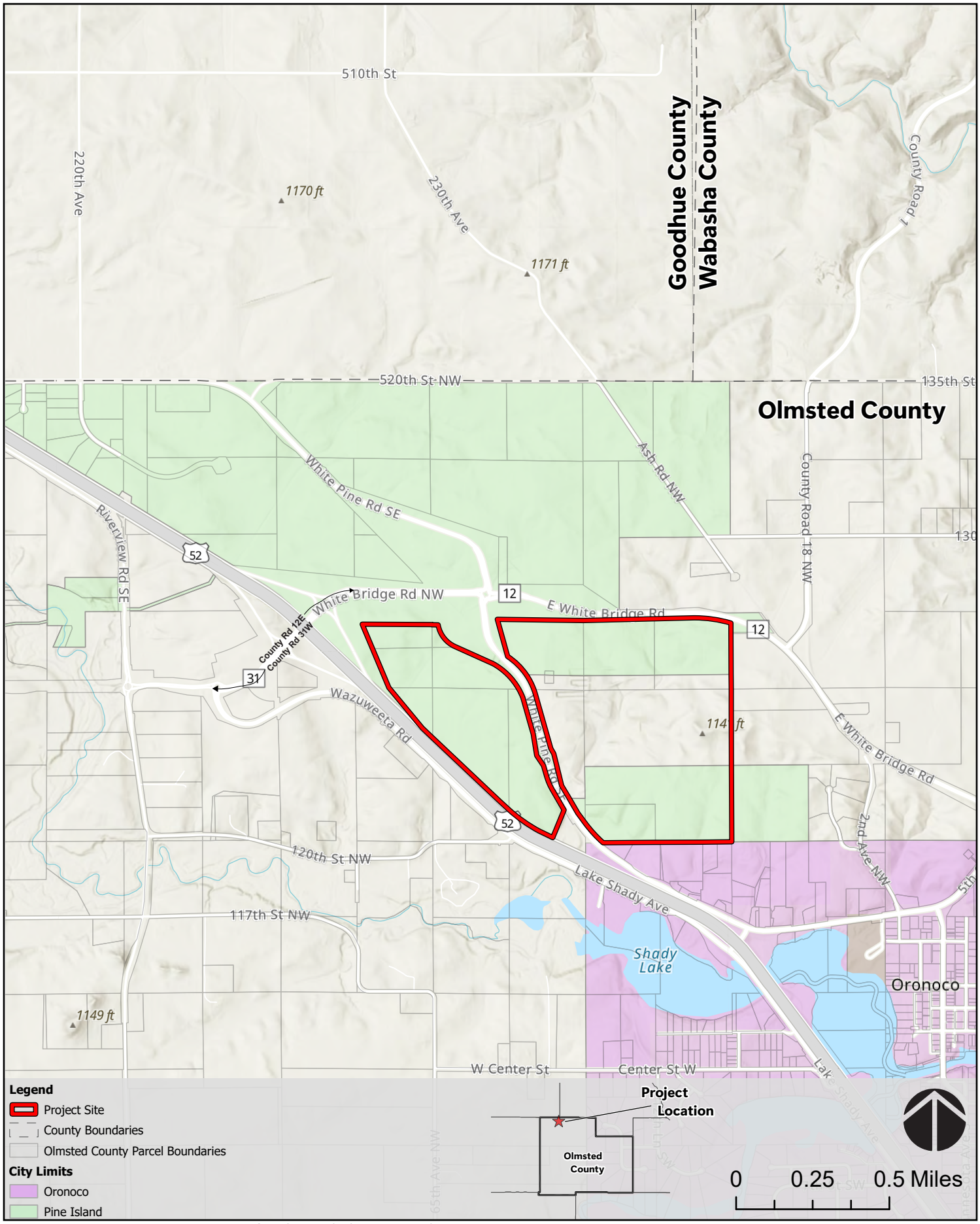
Source: Prairie Island Indian Community, 2023b



Esri, NASA, NGA, USGS, Esri, HERE, Garmin, SafeGraph, FAO, METI/NASA, USGS, EPA, NPS

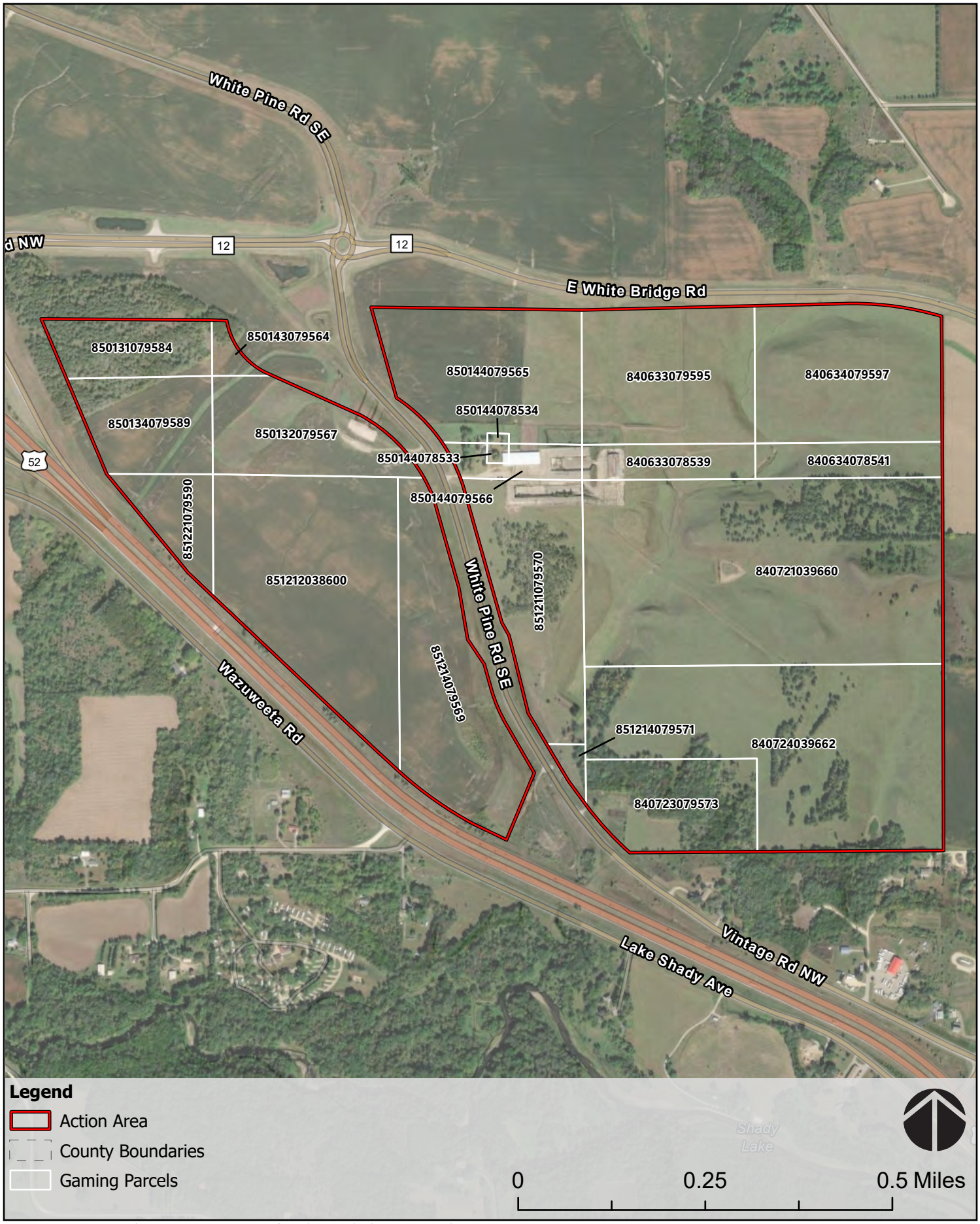
FIGURE 1.4-1

REGIONAL LOCATION



Esri, NASA, NGA, USGS, FEMA, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

FIGURE 1.4-2
SITE AND VICINITY



Esri Community Maps Contributors, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, Airbus,USGS,NGA,NASA,CGIAR,NCEAS,NLS,OS,NMA,Geodatastyrelsen,GSA,GSI and

FIGURE 1.4-3
AERIAL OVERVIEW

1.5 AGREEMENTS

1.5.1 City of Pine Island

Development would fall partially within the City of Pine Island. The Tribe has entered into an enforceable Intergovernmental Agreement (IGA) with the City of Pine Island (**Appendix A**). The IGA addresses cooperative efforts for law enforcement, emergency response, and water and sewer infrastructure. The IGA includes a provision in which the Tribe has agreed to withhold from conducting gaming on the Project Site for six years after acceptance into trust, known as the 6-year Forbearance Period. The provision contains the following:

> The Tribe agrees that it will forbear conducting gaming on the Subject Property for a minimum of six (6) years from the date on which it is accepted in trust ("Forbearance Period"); provided, that in the event that the Tribe closes operations at its existing gaming facility on its Reservation at Prairie Island due to impacts from a flooding or nuclear event, the Tribe may, in its discretion, conduct gaming on the Property sooner than expiration of the Forbearance Period in a temporary facility.

1.5.2 Goodhue County Law Enforcement Services

On March 11, 2004, the Tribe entered into a Cooperative Agreement Regarding Law Enforcement with Goodhue County for the existing Prairie Island Reservation (Goodhue County, 2004). The agreement recognizes the Tribe's Police Department as the primary provider of law enforcement services to the Prairie Island Reservation. While this agreement does not currently apply to the Project Site, law enforcement services are provided to the City of Pine Island, including a portion of the Project Site, by the Goodhue County Sheriff's Department (Goodhue County, 2023).

The Tribe anticipates that this existing Cooperative Agreement with Goodhue County may be modified as necessary to address law enforcement services to the Project Site in the event of closure of the existing Casino. However, the Tribe's Police Department would be the primary provider of law enforcement services to the Project Site upon acquisition in trust. The Tribe also has entered into a prosecution agreement with the Goodhue County Attorney's Office for the Prairie Island Reservation, and the Tribe provides annual payments for the Goodhue County Attorney's Office to serve as the prosecuting agency for State citations issued by the Tribe's Police Officers. The prosecution agreement may be modified to address the Project Site, as needed.

1.5.3 Tribal-State Compact for Class III Gaming

In 1989, the Tribe negotiated with the State of Minnesota for class III gaming, specifically related to video games of chance. The Tribal-State Compact for Control of Class III Video Games of Chance on the Prairie Island Sioux Community Reservation in Minnesota was executed between the Tribe and the State on November 15, 1989 (State of Minnesota, 1989). The Tribe later negotiated with the State for class III gaming for blackjack gaming. The Tribal-State Compact for the Control of Class III Gaming on the Prairie Island Community Reservation in Minnesota was executed between the Tribe and the State and approved by the BIA on September 25, 1991 (State of Minnesota, 1991). Several amendments and addendums have since been published, with the most recent publication occurring in 2023. The Tribal-State Compact is not site-specific, and so would govern any gaming activity on the Project Site.

1.6 TERMINOLOGY

Terms used throughout this EA include the following:

Project Site: The approximately 419.8-acre fee-to-trust property in unincorporated Olmsted County and the City of Pine Island, Minnesota.

Reservation: The Tribe's current 3,100-acre trust property on Prairie Island, near the City of Red Wing, Minnesota.

Alternative A: 1) Acquisition of the Project Site into federal trust, 2) Subsequent development of a gaming facility in the event that a catastrophic event forces the closure of the Tribe's existing Casino, and 3) Optional development of a future gaming facility, secondary to the existing Casino, after the 6-year Forbearance Period in the event that the Tribe determines additional income and employment opportunities are needed to support the Tribal population.

Alternative B: Acquisition of the Project Site in federal trust and subsequent development of an event center should a catastrophic event force the closure of the Tribe's existing Casino.

Alternative C: No acquisition of the Project Site into federal trust and no proposed development.

Development Area: All proposed ground disturbance (including borrow pit), renovations and new facilities would be located within a development area of up to 14.2 acres on the Project Site. The same development area would be developed/disturbed under Alternatives A and B.

1.7 ANTICIPATED REGULATORY REQUIREMENTS AND APPROVALS

The project alternatives, as discussed in **Section 2.0**, may require the federal and State permits and approvals identified in **Table 1.7-1.**

Table 1.7-1: Potential Regulatory Requirements and Approvals

Agency	Permit or Approval	Alternatives
Secretary of the Interior	▪ Transfer of the 419.8-acre Project Site into federal trust status and issue a proclamation making it part of the Tribe's Reservation. ▪ Issuance of a Two-Part Determination under Section 20 of the IGRA .	A, B A
U.S. Environmental Protection Agency	▪ Verification of coverage under the National Pollutant Discharge Elimination System General Permit for Storm Water Discharges Associated with Construction Activity as required by the Clean Water Act. ▪ For on-site wastewater treatment, registration of the sub-surface drainage system with the Underground Injection Control program with the USEPA.	A, B A, B
U.S. Fish and Wildlife Service	▪ Informal consultation under Section 7 of the federal Endangered Species Act regarding potential effects to endangered species.	A, B
Minnesota State Governor	▪ Concurrence with Secretarial Determination under Section 20 of the IGRA.	A
Minnesota Department of Transportation	▪ Approval of off-site road access improvements and issuance of encroachment permits.	A, B
State Historic Preservation Office	▪ Consultation under Section 106 of the National Historic Preservation Act if historic properties may be impacted.	A, B

Section 2 | Proposed Project and Alternatives

This section describes the alternatives analyzed in this EA. A reasonable range of alternatives has been selected based on consideration of the purpose and need of the Proposed Action, as well as opportunities for potentially reducing environmental effects. Alternatives include the Proposed Project (Alternative A), Event Center (Alternative B), and the No Action alternative (Alternative C). Alternatives are described below. Consistent with CEQ regulations, **Section 2.4** summarizes and compares potential environmental consequences, benefits, and/or detriments of alternatives. **Section 2.5** discusses the alternatives that were considered but not analyzed in this EA.

2.1 ALTERNATIVE A: PROPOSED PROJECT

Alternative A consists of the following near-term components: (1) The issuance of a Two-Part Determination by the Secretary of the Interior (Secretary) under Section 20 of the Indian Gaming Regulatory Act (IGRA) (25 USC Part 2719(b)(1)(A)) (Proposed Action), (2) Transfer of the Project Site into federal trust status, with accompanying reservation proclamation, for the benefit of the Tribe for economic and gaming purposes (Proposed Action), and (3) Subsequent site improvements and renovations by the Tribe to the existing barn structure on the Project Site into an emergency gaming facility that would be operated in the event that a catastrophic event causes the closure of the existing Casino (Proposed Project). Additionally, although specific plans have not been developed, should the Tribe determine additional Tribal economic income and employment opportunities are needed, the Tribe would have the ability to utilize the Project Site for the permanent operation of a future gaming facility, secondary to the existing Casino, after the 6-year Forbearance Period. If developed, it is anticipated that the secondary gaming facility would be identical to the proposed gaming facility discussed above. A conceptual site plan illustrating proposed land uses within the Project Site is provided in **Figure 2.1-1**. Ongoing agricultural activities in the remaining areas of the site would continue under existing conditions.

2.1.1 Initial Site Improvements

Improvements to the Project Site would begin immediately after trust acquisition; however, within the 6-year Forbearance Period following the acquisition of the land into trust, renovations to the existing barn facility for operation of the gaming facility would only occur in the event of closure of the existing Casino due to a catastrophic event. The Project Site would initially be improved such that the gaming facility could be operational within approximately three months following a catastrophic event. Initial site improvement activities that would occur immediately after trust acquisition are anticipated to take approximately 12 months and may consist of stormwater and drainage improvements, repaving the existing parking lot, filling existing silage pits, installation of water supply and wastewater treatment infrastructure, access and landscaping improvements, and utility connections as discussed below in **Sections 2.1.4** through **2.1.8**. Removal and repaving of existing pavement would be required for surface parking, stormwater collection facilities, and access. Trenching and excavation would be required for the stormwater and wastewater storage/treatment facilities. Additionally, some minor trenching and excavation activities may occur for other utilities, such as installing water pipelines.

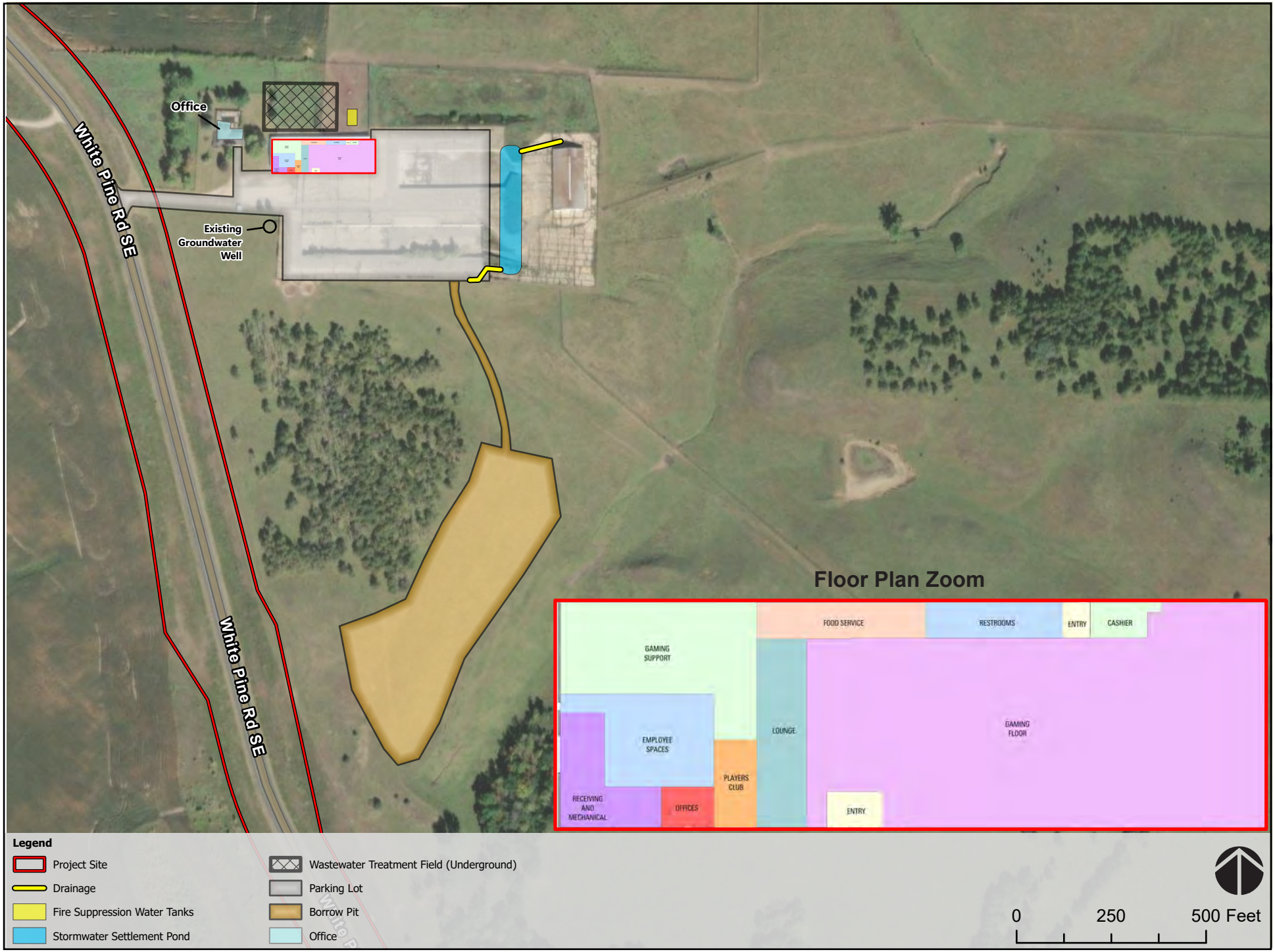


FIGURE 2.1-1

ALTERNATIVE A SITE PLAN

2.1.2 Emergency Gaming Facility

Should a catastrophic event occur that would result in closure of the existing Casino, the existing barn structure on the Project Site would undergo renovations to serve as an emergency gaming facility. The facility would not exceed the existing barn footprint of approximately 21,667 square feet. A rendering is included in **Figure 2.1-2**. **Table 2.1-1** provides a breakdown of the project components included in Alternative A.

Table 2.1-1: Emergency Gaming Facility Components

Area	Number of Units	Square Footage
Casino		
Gaming Floor	500 Slots	12,123
Players Club	-	514
Restaurants		
Food Service	45 Seats	834
Lounge	25 Seats	1,276
Back/Front of House/Support		
Gaming Support	-	2,730
Employee Spaces	-	1,504
Receiving and Mechanical	-	1,012
Cashier	-	303
Offices	-	292
Entries	-	409
Restrooms	-	670
Total	-	**21,667**
Surface Parking		
Valet	30 Stalls	-
Patrons/Visitors	445 Stalls	-
Employee	45 Stalls	**-**
Total	520 Stalls	**-**

Source: RSP Architects, 2023

The emergency gaming facility would contain approximately 500 slot machines, a food service area, lounge, and back of house and support facilities. The emergency gaming facility would be open 24 hours a day, 7 days a week for the duration of the existing Casino closure. The facility is expected to average approximately 2,500 patrons per day and employ approximately 342 full and part-time positions, the majority of which are expected to be filled by transferred employees from closure of the existing Casino (**Appendix B**). Exterior lighting would be integrated into the architecture and would be strategically positioned to avoid lighting off-site or to direct site lines to the public.

Parking for the facility would be provided by repaving the existing paved parking lot as part of the initial site improvements for 520 surface parking stalls. The Tribe intends to install electrical conduit throughout the parking areas to accommodate future electric vehicle charging stations, which may be installed based on market demands at the time of operation of the emergency gaming facility.

3D VIEW FROM WEST ENTRY

3D VIEW FROM EAST SIDE

FIGURE 2.1-2

ALTERNATIVE A RENDERINGS

Renovation activities are anticipated to include, but are not limited to, steel and wood structural framing, masonry, electrical and mechanical work, and building finishing. Construction would adhere to applicable Community building code requirements, including standards equivalent to the International Building Code (IBC), 2021 Edition. An indoor sprinkler system would be installed to provide fire protection.

Office

The existing single-family detached residence on the Project Site would be renovated for use as an office. Construction associated with the office would be limited to renovating the existing residence and minor re-paving of the existing paved parking area. Access to the office would be provided from the existing access drive that will also serve the emergency gaming facility, discussed further below.

2.1.3 Optional Secondary Gaming Facility

As described in **Section 1.2**, the Tribe has developed a Resiliency Plan to address the existing health and safety risks to the Casino and Reservation. As a component of this plan and a separate and independent project, the Tribe proposes to develop tribal housing and community facilities on adjacent land owned by the Tribe, referred to as the PIIC North Elk Run Community Development Project. Although specific plans have not yet been developed, if determined necessary by the Tribe after the 6-year Forbearance Period following the acquisition of the Project Site in trust, the Tribe may consider renovating the barn structure within the Project Site for the permanent operation of a gaming facility, secondary to the existing Casino, that could serve to provide Tribal employment opportunities and economic income under the PIIC North Elk Run Community Development Project. This secondary gaming facility is anticipated to be identical to the emergency gaming facility described in **Section 2.1.2**. Thus, the following sections describing grading and drainage, water supply, wastewater treatment and disposal, access and landscaping, electricity and natural gas, law enforcement, and protective measures and BMPs apply both to the emergency gaming facility and optional future secondary gaming facility.

2.1.4 Grading and Drainage

A Grading and Drainage report has been prepared for Alternative A and is included as **Appendix C**. Construction would involve grading and earthwork, removal of existing pavement, and placement of new paving. Most notably, existing silage pits, previously used for the storage of livestock feed, in the proposed parking lot area would be filled. Grading on the Project Site would require approximately 7,200 cubic yards (CY) of cut and 59,300 CY of fill. The majority of fill would be used to level the silage pits.

Trenching and excavation would also occur to create a stormwater settlement pond and associated drainage infrastructure to provide volume control, treatment, and rate control (**Figure 2.1-1**). An estimated 852 CY of fill from the stormwater settlement pond would be excavated and utilized on the site (**Appendix C**). The remaining approximately 52,000 CY of needed fill would be obtained from a borrow pit that would be excavated on the Project Site (**Figure 2.1-1**). The borrow pit would be graded and contoured in such a manner as to avoid altering drainage patterns within the Project Site.

There are currently 7.6 acres of impervious surface on the Project Site concentrated around the larger barn, smaller barn, and house. Following construction, impervious areas would total 5.4 acres, resulting in a reduction in impervious surfaces of 2.2 acres. Building finish elevations would be 17.5 feet above the 100-year floodplain. Surface water from impervious surfaces under Alternative A would drain to the southeast and would be collected into a series of catch basins.

The catch basins will provide pre-treatment via a sump manhole with preserver devices and skimmer before being piped to an infiltration basin located east of the parking lot (**Figure 2.1-1**). The stormwater collection and treatment system has been designed to accommodate a 24-hour, 100-year flood event (64.7 cubic feet per second) with off-site runoff rates modeled to either equal or decrease from existing conditions (**Appendix C**).

2.1.5 Water Supply

Water for Alternative A would be supplied by an existing on-site groundwater well. Based on water usage per patron at the existing Casino, the gaming facility is anticipated to have an average water demand of 25,000 gallons per day (gpd). The existing well may be improved or drilled deeper to provide the minimum daily flow requirements for Alternative A. A 75,000-gallon water storage tank would also be constructed to ensure sufficient flow for fire protection and peak water demand periods.

2.1.6 Wastewater Treatment and Disposal

The gaming facility is expected to generate an average daily wastewater flow of approximately 25,000 gpd. A subterranean wastewater treatment facility (WWTF) with a rapid infiltration leach field would be installed north of the proposed gaming facility (**Figure 2.1-1**). The WWTF would treat wastewater to better than a secondary level and would meet EPA standards for subsurface discharge. Sludge would be hauled away on a biannual basis.

2.1.7 Access and Landscaping

The Project Site is currently accessible via an access driveway off White Pines Road SE. In the vicinity of the Project Site, White Pine Road SE runs in a north to south direction and is accessible from E White Bridge Road to the north and White Bridge Road NW from the south. Both roads are exits off Hwy 52. Under Alternative A, the existing access driveway off White Pines Road SE would be improved to meet commercial access standards. This will include the addition of southbound left turn lane on White Pines Road SE based on MNDOT's Access Management Manual guidelines.

The Project Site currently has gravel and paved parking and access areas that would be paved or repaved immediately after trust acquisition. Of the 520 surface level parking stalls, 30 would be designated for valet parking and 45 for employee parking. Landscaping would be minimal within the ends of parking rows and along the edges of development and would also serve to filter and diffuse stormwater runoff.

2.1.8 Electricity and Natural Gas

While electric, telephone, and cable services are already present on the Project Site, additional capacity would be necessary to serve Alternative A, which could include extending additional lines to the Project Site. The Project Site is primarily within the service area of Peoples Energy Cooperative with a small western portion within the Goodhue County Cooperative Electrical Association (Minnesota IT Office, 2023).

The Project Site is currently not within the service area of Xcel Energy, however Xcel Energy provides electrical services to most of the City of Pine Island in addition to areas immediately north and east, and may be coordinated with to provide additional electrical service to the Project Site (Xcel Energy, 2023a). Each electrical provider has future upgrades planned in the vicinity of the Project Site that would meet Alternative A's energy needs, further discussed in **Section 3.10**.

The nearest natural gas line is approximately 5 miles west of the Project Site (Pipeline and Hazardous Material Safety Administration, 2023). Xcel Energy is also a natural gas provider, but it does not currently provide gas service to Olmsted County or Goodhue County (Xcel Energy, 2021). While electrical appliances would be utilized in lieu of natural gas to the extent feasible, propane fuel may be utilized in cooking appliances for the proposed food service area and would be transported to the Project Site by truck as needed.

Emergency generators would be installed on-site to provide power to the development in the event of a planned or unplanned disruption in service. It is estimated that one generator may be installed with a capacity of up to 1,200 electrical kilowatts. An aboveground storage tank would be used to store the diesel fuel for the generator. The generator would be able to provide electricity for up to 72 hours.

2.1.9 Law Enforcement, Fire Protection, and Emergency Medical

As shown in **Table 1.2-1** and **Figure 1.4-2**, jurisdiction within the Project Site is currently divided between the City of Pine Island and unincorporated Olmsted County. As development would fall partially within the City of Pine Island and partially within unincorporated Olmsted County, law enforcement, fire protection service, and emergency medical service providers for both the City and the County are discussed below.

Law Enforcement

Law enforcement within the City of Pine Island is contracted with the Goodhue County Sheriff's Office; the Goodhue County Sheriff's Office's Pine Island office located at 611 Suite A North Main Street within the City of Pine Island (Goodhue County, 2023). Law enforcement services for unincorporated portions of Olmsted County are provided by the Olmsted County Sheriff's Office.

The Prairie Island Indian Community Police Department (PIPD) currently provides law enforcement services to the Reservation and would provide primary law enforcement services to the Project Site upon acquisition in trust. PIPD officers are certified by the State of Minnesota and are licensed peace officers with the power to enforce state and Tribal law. The Tribe also staffs a Tribal Court. The Tribe anticipates entering into cooperative services agreement(s) with local law enforcement agencies for mutual aid and assistance, similar to existing agreements in place with Goodhue County for law enforcement services at the existing reservation (see **Section 1.5.2**) and consistent with the existing IGA with the City of Pine Island (see **Section 1.5.1** and **Appendix A**).

Fire Protection and EMS

Fire protection services and emergency medical call responses for the City of Pine Island are provided by the Pine Island Fire Department. The Pine Island Fire department is staffed by volunteers and has a service area of 131 square miles that includes areas outside of the City of Pine Island (Pine Island Fire Department, 2023). Unincorporated Olmsted County is serviced by several fire departments in the County, but the unincorporated portion of the Project Site would likely be serviced by the Pine Island Fire Department. The Tribe has entered into an IGA with the City of Pine Island that addresses cooperative efforts for emergency response (see **Section 1.5.1** and **Appendix A**).

2.1.10 Protective Measures and Best Management Practices

Protective measures and best management practices (BMPs), including regulatory requirements and voluntary measures that would be implemented by the Tribe, have been incorporated into the design of Alternative A. Where applicable, these measures would be incorporated into design or construction contracts to eliminate or substantially reduce environmental consequences from Alternative A. These measures are presented below in **Table 2.1-2**.

Table 2.1-2: Alternative A Protective Measures and Best Management Practices

Resource Area	Protective Measures and Best Management Practices
Land Resources	▪ Erosion control measures will be implemented during construction as discussed further under the Water Resources BMPs. ▪ Standard engineering practices and IBC standards will be used, including adherence to geotechnical standards ensuring soil suitability for structures
Water Resources	▪ To reduce water usage, low-flow toilets, faucets, and other water-using appliances shall be installed to the extent feasible. ▪ Coverage under the National Pollutant Discharge Elimination System (NPDES) General Construction Permit shall be obtained from the USEPA for construction site runoff during the construction phase in compliance with the Clean Water Act (CWA). ▪ A Stormwater Pollution Prevention Plan (SWPPP) shall be prepared, implemented, and maintained throughout the construction phase of the development, consistent with General Construction Permit requirements. The SWPPP would include, but would not be limited to, the following BMPs to minimize storm water effects to water quality during construction: o Grading activities shall be limited to the immediate area required for construction. o Temporary erosion control measures (such as silt fences, fiber rolls, staked straw bales, temporary re-vegetation, rock bag dams, erosion control blankets, and sediment traps) shall be employed as needed for disturbed areas. o Construction activities shall be scheduled to minimize land disturbance during peak runoff periods to the extent feasible. o Disturbed areas shall be paved, re-vegetated, and/or stabilized following construction activities. o A spill prevention and countermeasure plan shall be developed that identifies proper storage, collection, and disposal measures for potential pollutants (such as fuel, fertilizers, pesticides, etc.) used on-site. o Petroleum products shall be stored, handled, used, and disposed of properly in accordance with provisions of the CWA (33 USC § 1251 to 1387). o Construction materials shall be stored, covered, and isolated to prevent runoff loss and contamination of surface and groundwater. o Fuel and vehicle maintenance areas shall be limited to the impact area. o Sanitary facilities shall be provided for construction workers. o To minimize dust generation during construction, soil will be wetted down with water prior to ground disturbance as needed. o Generated waste shall be properly disposed of.
Biological Resources	▪ Exterior lighting shall be downcast and shielded such that lighting and glare do not overspill the built environment. ▪ Uplighting, disruptive flashing lights, or materials that cause excessive glare shall not be used. ▪ Staging of materials and equipment shall occur within the impact area and shall not disturb habitat beyond these areas.
Air Quality	The following dust suppression measures shall be implemented during construction to control the production of fugitive dust (particulate matter 10 microns in size [PM_{10}]) and prevent wind erosion of bare and stockpiled soils:

	▪ Exposed soil shall be sprayed with water or other suppressant twice a day or as needed to suppress dust. ▪ Dust emissions during transport of fill material or soil shall be minimized by wetting loads, ensuring adequate freeboard (space from the top of the material to the top of the truck bed) on trucks, cleaning the interior of cargo compartments on emptied haul trucks before leaving a site, and/or covering loads. ▪ Spills of transported fill material on public roads shall be promptly cleaned. ▪ Traffic speeds on the Project Site shall be restricted to 15 miles per hour to reduce soil disturbance. ▪ Wheel washers shall be provided to remove soil that would otherwise be carried offsite by vehicles to decrease deposition of soil on area roadways. ▪ Dirt, gravel, and debris piles shall be covered as needed to reduce dust and wind-blown debris. The following measures shall be implemented to reduce emissions of criteria air pollutants (CAP), greenhouse gases (GHG), and diesel particulate matter (DPM) from construction: ▪ The Tribe shall control criteria pollutants and GHG emissions from the facility by requiring all diesel-powered equipment be properly maintained and minimize idling time to five minutes when construction equipment is not in use, unless per engine manufacturer's specifications or for safety reasons more time is required. Since these emissions would be generated primarily by construction equipment, machinery engines shall be kept in good mechanical condition to minimize exhaust emissions. The Tribe shall employ periodic and unscheduled inspections to accomplish the above measures. ▪ The use of low reactive organic gases (150 grams per liter or less) shall be required for architectural coatings to the extent practicable. ▪ Environmentally preferable materials, including recycled materials, shall be used to the extent readily available and economically practicable for construction of facilities. The Tribe shall reduce emissions of CAPs and GHGs during operation through the following actions: ▪ The Tribe shall use clean fuel vehicles in the vehicle fleet where practicable, which would reduce CAPs and GHG emissions. ▪ The Tribe shall provide preferential parking for employee vanpools, carpools, and or other rideshare vehicles which would reduce CAPs and GHGs. ▪ The Tribe shall incorporate preferential parking for Plug-In Electric Vehicles along with the installation of corresponding electric vehicle charging stations. ▪ Shuttle service to and from population centers shall be provided as feasible, which would reduce CAPs and GHGs. ▪ Water consumption shall be reduced through low-flow appliances, drought resistant landscaping, and the incorporation of "Save Water" signs near water faucets throughout the development. ▪ The Tribe will use electric boilers and appliances in lieu of natural gas or propane units to the greatest extent practicable. ▪ The Tribe shall control CAPs, GHG, and DPM emissions during operation by requiring that all diesel-powered vehicles and equipment be properly maintained and minimizing idling time to five minutes at loading docks when loading or unloading food, merchandise, etc. or when diesel-powered vehicles or equipment are not in use, unless per engine manufacturer's specifications or for safety reasons more time is required. ▪ The Tribe shall use energy efficient lighting and appliances, which would reduce energy usage, thus reducing indirect CAP and GHG emissions. ▪ The Tribe shall install recycling bins throughout the facility for glass, cans, and paper products. Trash and recycling receptacles shall be placed strategically outside to encourage people to recycle. In addition, the Tribe shall promote the use of non-polystyrene take-out containers and encourage food waste composting programs at all restaurants that serve more than 100 meals per day. The Tribe shall reduce the solid waste stream of the facility by at least 50%. ▪ The Tribe shall discourage buses from idling for extended periods. ▪ Adequate ingress and egress at entrances shall be provided to minimize vehicle idling and traffic congestion.

Public Services and Utilities	BMPs to be implemented during construction: ▪ Construction equipment shall contain spark arrestors, as provided by the manufacturer. ▪ Staging areas, welding areas, or areas slated for development using spark-producing equipment shall be cleared of dried vegetation or other materials that could serve as fire fuel. ▪ The Tribe shall contact the Utility Notification Center to notify the utility service providers of excavation at the work site. In response, the utility service providers shall mark or stake the horizontal path of underground utilities, provide information about the utilities, and/or give clearance to dig. ▪ The site shall be cleaned daily of trash and debris to the maximum extent practicable. BMPs to be implemented during operation: ▪ The Tribe will conduct background checks of all gaming employees and ensure that all employees meet licensure requirements established by IGRA and the Tribe's Gaming Ordinance. ▪ Parking areas shall be well lit and monitored by parking staff, and/or roving security guards at all times during operation. This will aid in the prevention of auto theft and other similar criminal activity. ▪ Facilities shall have "No Loitering" signs in place, be well lit, and be patrolled regularly by roving security guards. ▪ Security guards patrolling the facilities would carry two-way radios to request and respond to back up or emergency calls. ▪ Security cameras and tribal security personnel would provide surveillance of Project Site to both lessen and apprehend criminal activity onsite.
Hazardous Materials	Personnel shall follow BMPs for filling and servicing construction equipment and vehicles. BMPs that are designed to reduce the potential for incidents/spills involving hazardous materials include the following. ▪ Fuel, oil, and hydraulic fluids shall be transferred directly from a service truck to construction equipment to reduce the potential for accidental release. ▪ Catch-pans shall be placed under equipment to catch potential spills during servicing. ▪ Refueling shall be conducted only with approved pumps, hoses, and nozzles. ▪ All disconnected hoses shall be placed in containers to collect residual fuel from the hose. ▪ Vehicle engines shall be shut down during refueling. ▪ No smoking, open flames, or welding shall be allowed in refueling or service areas. ▪ Refueling shall be performed away from bodies of water to prevent contamination of water in the event of a leak or spill. ▪ Service trucks shall be provided with fire extinguishers and spill containment equipment, such as absorbents. ▪ Should a spill contaminate soil, the soil shall be put into containers and disposed of in accordance with local, State, and federal regulations. ▪ All containers used to store hazardous materials shall be inspected at least once per week for signs of leaking or failure. ▪ A Construction Contingency Plan (CCP) will be prepared and implemented during development activities that will provide procedures for the management of any impacted soil and groundwater that may be encountered. ▪ In the event that contaminated soil and/or groundwater is encountered during construction related earthmoving activities, all work shall be halted until a professional hazardous materials specialist or other qualified individual assesses the extent of contamination. If contamination is determined to be hazardous, the Tribe shall consult with the USEPA to determine the appropriate course of action, including development of a Sampling and Remediation Plan if necessary. Contaminated soils that are determined to be hazardous shall be disposed of in accordance with federal regulations.
Transportation and Circulation	▪ A southbound left-turn lane on White Pine Road SE at the approach to the project driveway access will be constructed per MnDOT's Access Management Manual guidelines.
Noise	BMPs to be implemented during construction: ▪ Construction activities shall be limited to daytime hours between 7 am and 10 pm.

	▪ All construction vehicles or equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and acoustical shields or shrouds in accordance with manufacturers' specifications. ▪ Maintenance of construction equipment and machinery, including noise reducing components such as mufflers, silencers, covers, guards, vibration isolators, etc., shall be performed regularly to reduce excess noise. ▪ Haul trucks shall be operated in accordance with posted speed limits. ▪ Construction equipment and machinery shall only be operated by trained and qualified personnel. BMPs to be implemented during operation: ▪ Heating, ventilation, and air conditioning equipment shall be shielded to reduce noise.
Visual Resources	▪ Placement of lights on buildings shall be designed so as not to cast light or glare offsite. ▪ Shielding, such as with a horizontal shroud, shall be used for outdoor lighting to ensure it is downcast. ▪ Timers shall be utilized to limit lighting to necessary times. ▪ Exterior glass shall be non-reflective low-glare.

2.2 ALTERNATIVE B: EVENT CENTER

Alternative B consists of the transfer of the Project Site into federal trust status for the benefit of the Tribe as discussed in **Section 2.1.** The Project Site would undergo the same site improvements as Alternative A immediately following trust acquisition (**Section 2.1.1**). Should a catastrophic event cause the temporary or permanent closure of the existing Casino, an event center with associated infrastructure would be developed. Although specific plans have not been developed, should the Tribe determine additional Tribal economic income and employment opportunities are needed, the Tribe would have the ability to utilize the Project Site for the permanent operation of an event center after the 6-year Forbearance Period. A conceptual site plan for Alternative B is shown in **Figure 2.2-1**, and a breakdown of the components of Alternative B is provided in **Table 2.2-1**. The proposed design for the event center includes a flexible banquet space that can be divided into three smaller rooms with movable partitions. The banquet space would have two public entrances and a circulation area that connects to the restrooms, the bar, and the lounge. The event center would also have a kitchen/catering area, a storage room, an office space, and a receiving area for deliveries. These support spaces would be accessible only to the staff through two employee entrances. As with Alternative A, Alternative B would involve renovation of the existing barn and would not exceed the footprint of the existing structure. Alternative B would employ fewer people and attract fewer patrons than Alternative A. The facility would host approximately four events per week. These events are expected to include gatherings such as trade shows, music performances, meetings, and weddings. Operational hours would vary based on demand but are anticipated to occur between 8 am and 10 pm. Architecture, lighting, and landscaping under Alternative B would be the same as Alternative A, as would the number and breakdown of surface parking. Alternative B would also utilize the on-site residence as an office space.

As the development area is the same as Alternative A, proposed grading and drainage improvements would be the same as those discussed under Alternative A. Alternative B would also utilize the existing, on-site groundwater well for water supply. Potable water demands under Alternative B would be less than Alternative A and would be dependent upon the frequency of events hosted. Wastewater flows under Alternative B would be lower than Alternative A and would also be treated by installation of a WWTF and discharged via a rapid infiltration leach field north of the proposed gaming facility (**Figure 2.1-1**). Providers for fire protection, law enforcement, emergency services, and utilities under Alternative B would be the same as Alternative A but with a reduced demand for services due to the reduced patronage and hours of operation. Construction methods, protective measures, and BMPs for Alternative B would be the same as those described for Alternative A.

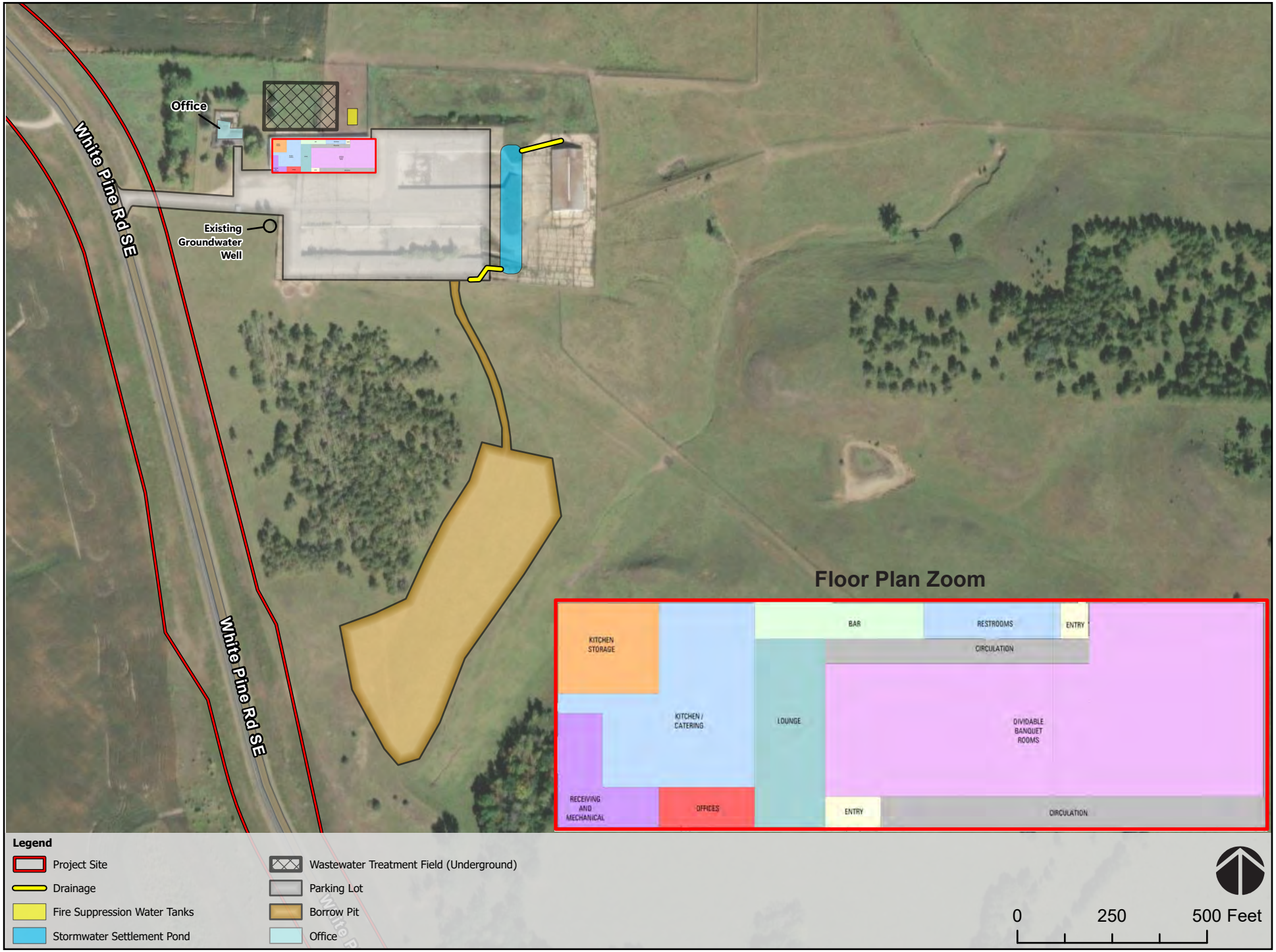


FIGURE 2.2-1

ALTERNATIVE B SITE PLAN

Table 2.2-1: Event Center Components

Area	Number of Units	Approximate Square Footage
Event Rooms and Food Service		
Dividable Banquet Room	585 Seats	9,405
Bar	42 Seats	840
Lounge	35 Seats	1,817
Back/Front of House/Support		
Circulation	-	2,510
Kitchen/Catering/Offices	-	3,786
Kitchen Storage	-	1,252
Receiving and Mechanical	-	1,012
Entries	-	375
Restrooms	-	670
Total	**-**	**21,667**
Parking		
Valet	30 Stalls	-
Surface Parking	445 Stalls	-
Employee	45 Stalls	-
Total	**520 Stalls**	**-**

Source: RSP Architects, 2023

2.3 ALTERNATIVE C: NO ACTION

Under Alternative C, neither of the development alternatives (Alternatives A or B) would be implemented. The Project Site would not be placed into federal trust for the benefit of the Tribe and jurisdiction of the Project Site would remain with the City of Pine Island and Olmsted County. In the event of a catastrophic event that could result in the closure of the existing Casino, the Tribe would have no means to address the economic impacts and job losses discussed in **Section 1.2**, nor would the Tribe have access to a safer and more reliable land base. The Project Site could be developed at some point in the future consistent with federal, State, and local requirements. However, future development would be speculative. It is therefore assumed that existing buildings on the site would remain and that existing uses of the Project Site would continue. The majority of the Project Site is therefore assumed to remain largely in agriculture and grazing.

2.4 COMPARISON OF ALTERNATIVES

Alternative A: Proposed Project. Among the project alternatives considered, Alternative A would best meet the Tribe's objectives and would provide the greatest socioeconomic benefit to the Tribe and surrounding community. Environmental impacts resulting from Alternative A would be similar to Alternative B given that both alternatives would utilize an existing barn structure and would have the same development area.

As Alternative A would attract more patrons and would be open 24/7, Alternative A would generate more traffic and higher demands for utilities and public services in comparison to Alternative B. Acquisition of the land in trust for gaming purposes would provide the Tribe with flexibility to develop a gaming facility in a safer and more reliable area to address the potentially catastrophic impacts on the Tribe's self-sufficiency and self-determination (more specifically, the impacts on its economy and workforce) in the event that the Tribe's existing Casino closed as a result of a catastrophic event (see **Section 1.2**). Should the Casino remain operational, the Proposed Action would still serve to facilitate tribal self-sufficiency, self-determination, and economic development by providing potential supplemental income and employment opportunities in an area that is safer and more practical for sustained, long-term development. Among the project alternatives, Alternative A would best meet the stated purpose and need to facilitate tribal self-sufficiency and self-determination as it would provide the greatest economic and workforce opportunities for the Tribe.

Alternative B: Event Center. This alternative would result in similar effects to the environment as Alternative A but would provide the Tribe with less economic benefits and fewer employment positions than Alternative A. Due to the type of use, hours of operation, and anticipated patronage, Alternative B would generate less traffic and have reduced demands for utilities and public services, in comparison to Alternative A. The potential timeframe of development under Alternative B would be the same as Alternative A.

Alternative C: No Action. Under Alternative C, the Project Site would remain in its existing condition and would not be taken into trust. No environmental effects would occur aside from impacts associated with ongoing agriculture and grazing. Under Alternative C, the Tribe would not achieve the economic benefits that would be accomplished with development of Alternatives A or B. This alternative would not meet the stated purpose and need of facilitating economic development, tribal self-sufficiency, and self-determination. In the event of a catastrophic event that could result in the closure of the existing Casino, the Tribe would not have backup means to compensate for the economic impacts and job loss discussed in **Section 1.2**.

2.5 ALTERNATIVES ELIMINATED FROM CONSIDERATION

The intent of the analysis of alternatives in the EA is to present to decision-makers and the public a reasonable range of alternatives that are both feasible and sufficiently different from each other in critical aspects. The alternatives discussed herein were considered and rejected from further consideration because these alternatives were either deemed infeasible, would not offer environmental advantages over the development alternatives under consideration (Alternatives A and B), or would not fulfill the stated purpose and need of the Proposed Action.

2.5.1 Alternative Location

The Project Site is already owned by the Tribe in fee. The Project Site was selected by the Tribe as it falls within the Tribe's ancestral land base, was available to the Tribe for purchase, is safe and developable, has adequate site access, offers a suitable structure for renovation for use under either Alternative A or B, and is located outside of flood risks from the Mississippi River and the FEMA EPZ area as discussed in **Section 1.2** and shown in **Figures 1.2-1 and 1.2-3**.

Consideration of an alternative site would require the Tribe to purchase additional land, thus placing an undue financial burden on the Tribe. Therefore, alternative locations for the trust acquisition are not evaluated within the EA.

2.5.2 Expansion of the Existing Casino

The Tribe currently operates the existing Casino on land already held in trust for the benefit of the Tribe. Expansion of the existing Casino would not require an additional trust acquisition and may provide economic benefits to the Tribe. However, a primary purpose of Alternative A is to provide an emergency gaming location in the event of a catastrophic event that would result in closure of the Reservation and existing Casino. The existing Casino is within the FEMA EPZ area discussed in **Section 1.2** and shown in **Figure 1.2-3.** Additionally, areas around the Casino and Reservation are largely developed and/or experience ongoing flooding from Lock and Dam 3 and generally located within a 100-year floodplain. As such, expansion of the existing Casino would not meet the stated purpose and need of providing a safer and more reliable area for economic and workforce opportunities and was eliminated as a feasible alternative.

Section 3 | Affected Environment and Environmental Consequences

3.1 INTRODUCTION

This section describes the existing environment of the area affected by the project alternatives as well as the environmental consequences for each project alternative. The following environmental issue areas are described: Land Resources, Water Resources, Air Quality, Biological Resources, Cultural and Paleontological Resources, Socioeconomic Conditions and Environmental Justice, Transportation and Circulation, Land Use, Public Services and Utilities, Noise, Hazards and Hazardous Materials, and Visual Resources. Note that, consistent with 40 CFR § 1508.1(i), the term "effects" is used synonymously with the term "impacts" to describe changes to the environment resulting from the alternatives that are reasonably foreseeable, whether direct, indirect or cumulative. Generally, the following categories of environmental effects are considered in this EA for each project alternative:

- **Direct Construction Effects:** As noted in **Section 2.0**, site preparation activities are assumed to commence immediately after acquisition of the Project Site into trust status. While certain construction activities, including renovation of the existing barn structure, would only occur following a catastrophic event or after the 6-Year Forbearance Period, because the timing for such an event is unknown, this EA conservatively assumes that construction activities associated with the alternatives would begin in January 2025 and would continue over a consecutive 15-month timeline.
- **Direct Operational Effects:**

  Alternative A Emergency Gaming Facility/Alternative B Event Center (Background Conditions Assume Catastrophic Event Forces Closure of Existing Casino): Operation of the Alternative A emergency gaming facility and Alternative B event center would only occur under circumstances in which a catastrophic event forces closure of the existing Casino. The project alternatives themselves would not cause a catastrophic event, and as such the impacts resulting from closure of the existing Casino, such as the loss of jobs, changes in traffic patterns, etc., are not considered project-related impacts. Rather, these conditions are assumed as part of the baseline for operational conditions. Because the timeline for a catastrophic event is unknown and cannot be predicted, this EA assumes operational activities would commence in 2025, the earliest feasible date following completion of construction. Although operational activities may be temporary, this EA conservatively assumes that operation would be continuous with the first full year of operations occurring in 2026.

  Alternative A Optional Secondary Gaming Facility (Background Conditions Assume Continued Operation of the Existing Casino): The Tribe may determine additional Tribal economic income and employment opportunities are needed after the 6-year Forbearance Period, in which case the Tribe may renovate the barn structure for the permanent operation of an optional secondary gaming facility. If developed, assuming the Project Site is acquired in trust in 2025, operation of the optional secondary gaming facility may occur 6 years from the date of the trust acquisition, or as early as 2031. It is assumed that the optional secondary gaming facility would occur simultaneously with operations of the existing Casino.

- **Cumulative Effects:** Cumulative conditions and effects are described in **Section 3.14**.
- **Indirect and Growth-Inducing Effects:** These effects are described in **Sections 3.15**.

3.2 LAND RESOURCES

3.2.1 Regulatory Setting

The land resources regulatory setting is summarized in **Table 3.2-11** and additional information on the regulatory setting can be found in **Appendix D.**

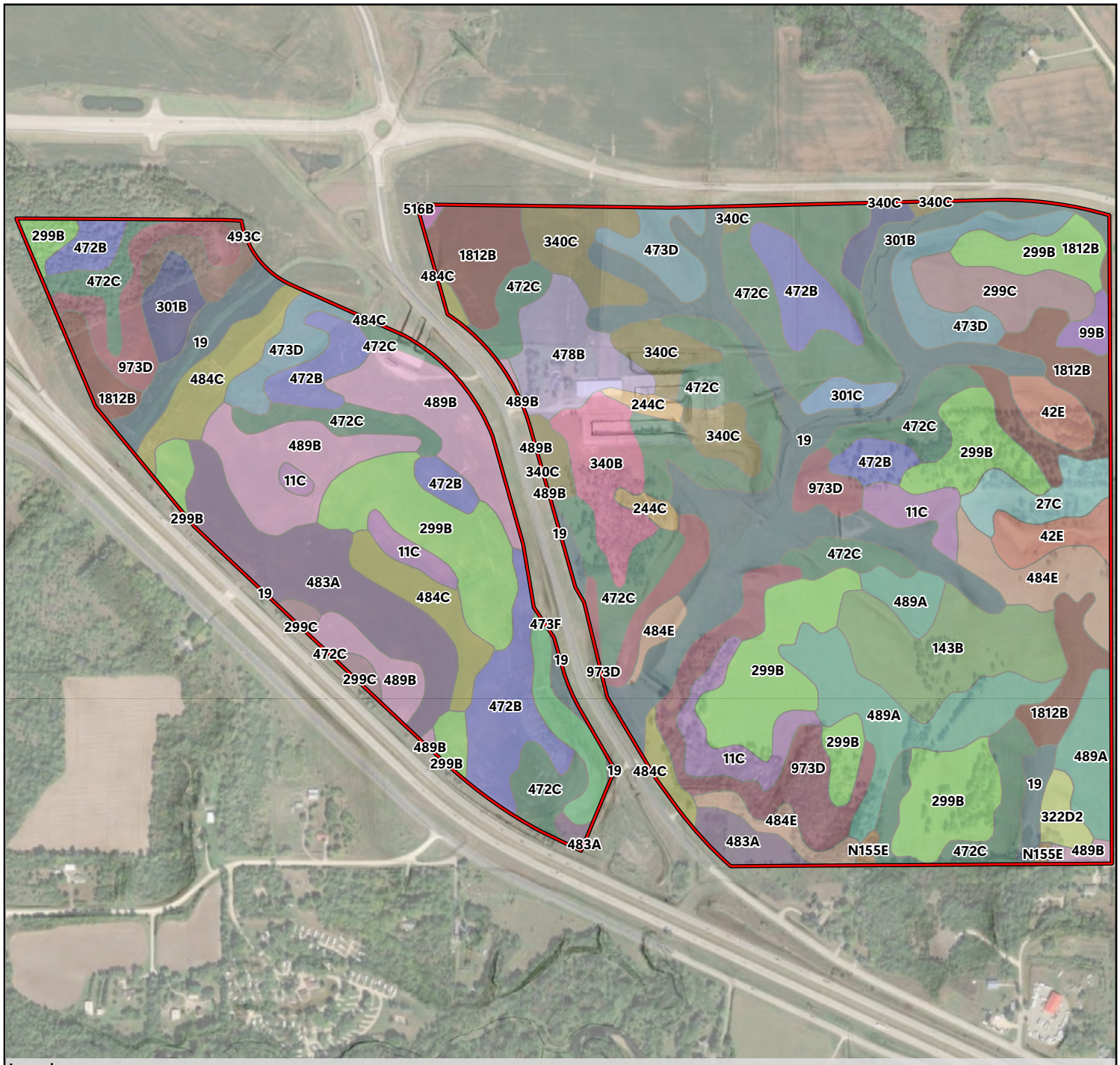
Table 3.2-1: Regulatory Policies and Plans Related to Land Resources

Regulation	Description
Federal	
Clean Water Act	▪ Prohibits sediment and erosion discharge into navigable waters of the United States and establishes water quality goals
State and Local	
Minnesota Statute 103A.206 Soil and Water Conservation Policy	▪ Identifies state policies regarding soils preservation and encourages landowners to employ certain land management practices to conserve soils
New Haven Township Book of Ordinances	▪ Section 10.24 of the book of ordinances regulates extraction of materials and minerals, open pits, and water impoundments
City of Pine Island Comprehensive Plan	▪ Identifies the City of Pine Island's goals and policies related to soils and land resources
Olmsted County General Land Use Plan (GLUP)	▪ Identifies the County's goals and policies related to soils and land resources

3.2.2 Environmental Setting

A discussion of the environmental setting pertaining to geology, topography, seismic conditions, soils and erosion, and mineral resources is provided in **Appendix D**. The Project Site contains significant areas of relatively flat land intermixed with rolling hills. Elevations on-site range from approximately 1,000 to 1,100 feet amsl. While there are naturally occurring hills, there are also areas of historic grading, specifically related to earthen water impoundments and building up of access roads. Drainages throughout the property includes both channeled features with steep banks as well as gently sloped swales and manmade water impoundments with steeper earthen dams. Per the County's GLUP, the Project Site is within active karst lands, where the risk of sinkholes can be high. The Project Site falls within an area of low to medium sinkhole risk. There are no known faults within the state, active or otherwise. Therefore, the risk of seismic events at the Project Site is extremely low.

The nearest known mineral resources in relation to the Project Site are gravel (Roscoe Quarry and Peterson Quarry) and silica (Goodhue County Sand Deposit No 1) quarries located several miles from the Project Site (USGS, 2023c). A custom soils report was run for the Project Site and showed numerous types of soils underlying the Project Site (NRCS, 2023). **Table 3.2-2** summarizes soil types on the Project Site along with soil characteristics and acres of cover on the Project Site. A soil map is provided as **Figure 3.2-1.**



Legend

Symbology

- 11C: Sogn loam, 4 to 12 percent slopes
- 143B: Eleva sandy loam, 2 to 6 percent slopes
- 1812B: Terril loam, sandy substratum, 1 to 6 percent slopes
- 19: Chaseburg silt loam, moderately well drained, 0 to 2 percent slopes
- 244C: Lilah sandy loam, 6 to 12 percent slopes
- 27C: Dickinson sandy loam, 6 to 12 percent slopes
- 299B: Rockton loam, 1 to 6 percent slopes
- 299C: Rockton loam, 6 to 12 percent slopes
- 301B: Lindstrom silt loam, 2 to 6 percent slopes
- 301C: Lindstrom silt loam, 6 to 15 percent slopes
- 322D2: Timula silt loam, 12 to 20 percent slopes, moderately eroded
- 340B: Whalan loam, 1 to 6 percent slopes
- 340C: Whalan loam, 6 to 12 percent slopes
- 42E: Salida gravelly sandy loam, 12 to 35 percent slopes
- 472B: Channahon loam, 1 to 6 percent slopes
- 472C: Channahon loam, 6 to 12 percent slopes
- 473D: Dorerton loam, 12 to 25 percent slopes
- 473F: Dorerton loam, 25 to 40 percent slopes
- 478B: Coggon silt loam, 2 to 6 percent slopes
- 483A: Waukee loam, 0 to 2 percent slopes
- 484C: Eyota sandy loam, 6 to 12 percent slopes
- 484E: Eyota loamy sand, 12 to 25 percent slopes
- 489A: Atkinson loam, 0 to 1 percent slopes
- 489B: Atkinson loam, 1 to 6 percent slopes
- 493C: Oronoco loam, 6 to 12 percent slopes
- 516B: Dowagiac silt loam, 2 to 6 percent slopes
- 973D: Brodale-Sogn complex, 12 to 25 percent slopes
- 99B: Racine loam, 2 to 5 percent slopes
- N155E: Brodale flaggy fine sandy loam, 20 to 30 percent slopes

0 500 1,000 Feet

FIGURE 3.2-1
SOIL TYPES

Table 3.2-2: Soils within the Project Site

Soil Type	Description	Acres of Project Site
Sogn loam	▪ Not prime farmland ▪ Not prone to flooding ▪ Somewhat excessively drained ▪ Depth to water table more than 80 inches ▪ Not a hydric soil	10.3
Eleva sandy loam	▪ Farmland of statewide importance ▪ Well drained ▪ Not prone to flooding ▪ Depth to water table more than 80 inches ▪ Not a hydric soil	13.6
Terril loam, sandy substratum	▪ Prime farmland ▪ Moderately well drained ▪ Not prone to flooding ▪ Depth to water table of 30 to 36 inches ▪ Not a hydric soil	21.1
Chaseburg silt loam, moderately well drained	▪ Prime farmland ▪ Runoff class low ▪ Depth to water table 42-60 inches ▪ Occasional flooding ▪ Not a hydric soil	44.2
Lilah sandy loam	▪ Not prime farmland ▪ Excessively drained ▪ Not prone to flooding ▪ Depth to water table more than 80 inches ▪ Not a hydric soil	2.2
Dickinson sandy loam	▪ Farmland of statewide importance ▪ Well-drained ▪ Not prone to flooding ▪ Depth to water table more than 80 inches ▪ Not a hydric soil	5.0
Rockton loam	▪ Prime farmland ▪ Well drained ▪ Not prone to flooding ▪ Depth to water table more than 80 inches ▪ Not a hydric soil	55.0
Lindstrom silt loam	▪ Prime farmland ▪ Well drained ▪ Not prone to flooding ▪ Depth to water table more than 80 inches ▪ Not a hydric soil	7.0
Timula silt loam	▪ Not prime farmland ▪ Well drained ▪ Not prone to flooding ▪ Depth to water table more than 80 inches ▪ Not a hydric soil	2.1
Whalan loam	▪ Prime farmland ▪ Well drained	22.2

Soil Type	Description	Acres of Project Site
	▪ Not prone to flooding ▪ Depth to water table more than 80 inches ▪ Not a hydric soil	
Salida gravelly sandy loam	▪ Not prime farmland ▪ Excessively drained ▪ Not prone to flooding ▪ Depth to water table more than 80 inches ▪ Not a hydric soil	6.8
Channahon loam	▪ Farmland of statewide importance ▪ Well drained ▪ Not prone to flooding ▪ Depth to water table more than 80 inches ▪ Not a hydric soil	88.5
Doreton loam	▪ Not prime farmland ▪ Well drained ▪ Not prone to flooding ▪ Depth to water table more than 80 inches ▪ Not a hydric soil	18.4
Coggon silt loam	▪ Prime farmland ▪ Moderately well drained ▪ Not prone to flooding ▪ Depth to water table more than 80 inches ▪ Not a hydric soil	8.7
Waukee loam	▪ Prime farmland ▪ Well drained ▪ Low runoff class ▪ Not prone to flooding ▪ Depth to water table more than 80 inches ▪ Not a hydric soil	19.1
Eyota sandy loam	▪ Farmland of statewide importance ▪ Well drained ▪ Not prone to flooding ▪ Depth to water table more than 80 inches ▪ Not a hydric soil	13.3
Eyota loamy sand	▪ Not prime farmland ▪ Well drained ▪ Not prone to flooding ▪ Depth to water table more than 80 inches ▪ Not a hydric soil	10.2
Atkinson loam	▪ Prime farmland ▪ Well drained ▪ Not prone to flooding ▪ Depth to water table more than 80 inches ▪ Not a hydric soil	43.1
Oronoco loam	▪ Farmland of statewide importance ▪ Well drained ▪ Not prone to flooding ▪ Depth to water table more than 80 inches	2.7

Soil Type	Description	Acres of Project Site
	▪ Not a hydric soil	
Dowagiac silt loam	▪ Prime Farmland ▪ Well drained ▪ Not prone to flooding ▪ Depth to water table more than 80 inches ▪ Not a hydric soil	0.3
Brodale-Sogn complex	▪ Not prime farmland ▪ Excessively drained ▪ Not prone to flooding ▪ Depth to water table more than 80 inches ▪ Not a hydric soil	23.8
Racine loam	▪ Prime farmland ▪ Low runoff class ▪ Well drained ▪ Depth to water table more than 80 inches ▪ Not a hydric soil	1.5
Brodale flaggy fine sandy loam	▪ Not prime farmland ▪ High runoff class ▪ Excessively drained ▪ Not prone to flooding ▪ Depth to water table more than 80 inches ▪ Not a hydric soil	0.7

3.2.3 Impacts

Assessment Criteria

Impacts to land resources would be significant if an alternative were to change topography such that it caused an adverse effect such as landslides, significant erosion, or placed people or property in harm's way. Effects related to seismic conditions would be significant if the alternative were to substantially increase risks from seismic events. Impacts to soils would be significant if the alternative were to significantly increase soil erosion or places structures or infrastructure on unsuitable soils.

Alternative A: Proposed Project

Topography

Operation of Alternative A would not result in ongoing changes to the topography of the Project Site, therefore, potential impacts related to topography would be limited to the construction phase. A grading and drainage report has been prepared for Alternative A and is included as **Appendix C**. As discussed in **Section 2.1**, site preparation, including grading, would occur following acquisition into trust regardless of the timing of a gaming facility. As shown on **Figure 2.1-1**, the development area is within previously graded, paved, or landscaped areas, with the exception of the borrow pit. Grading on the Project Site would require approximately 7,200 cubic yards (CY) of cut and 59,300 CY of fill with an overall site balance. The majority of fill (52,000 CY) would be used to level two silage pits that were historically dug in proximity to the existing barn structure; the fill would be obtained from the proposed borrow pit. The silage pits are currently in disrepair and have active collapse and erosion of their sidewalls.

The size and location of the borrow pit was designed to preserve drainage on the Project Site and ensure that runoff would be equal to or less than existing runoff rates (**Appendix C**). The total development area, including the borrow pit, is approximately 14.2 acres, thus preserving topography on over 95 percent of the Project Site. Within the development area, filling of the silage pits would constitute a topographical improvement as the current pits are the result of past grading and are actively eroding. As stated in **Section 2.1**, project construction and design would follow standard engineering practices related to grading and soil suitability. Accordingly, the changes in topography due to grading activities would not equate to a major change to the existing topography. The grading activities proposed during construction would largely preserve the existing site topography and improve areas of existing erosion from past grading. Thus, impacts would be less than significant.

Seismic Conditions, Liquefaction, and Landslides

As discussed above and in **Appendix D**, there are no active faults within the entirety of the State. Therefore, it is unlikely that structures or individuals on the Project Site would be subject to seismic shaking. Additionally, as discussed in **Section 2.1**, Alternative A would complete site grading and renovation of the existing barn structure using standard engineering practices and IBC standards, which are designed to be protective against seismic events. As the Project Site is not within an area subject to seismic events, liquefaction would not pose a significant risk to structures or people on or near the Project Site as a result of Alternative A.

As stated in **Appendix D**, there are no known records of landslides on or in the vicinity of the Project Site. Regionally-occurring landslides that have been historically documented were in relation to bank erosion along significant waterways before and after rain events. Alternative A would be limited to an area of historical development, and construction would follow standard engineering practices (**Section 2.1**). Additionally, as discussed in **Appendix C**, grading would not alter the on-site drainage patterns, and runoff rates would be equal to or less than existing conditions with consideration of the proposed drainage system. Because conditions on site are not prone to landslides and Alternative A would not alter drainage patterns or increase runoff rates, impacts related to landslides would not occur. Therefore, impacts associated with seismic conditions, liquefaction, and landslides would be less than significant.

Soils and Erosion

Operation of Alternative A would not result in ongoing movement of soils or structures. Therefore, potential impacts would be limited to the construction phase. As shown in **Table 3.2-2** and **Figure 3.2-1**, numerous soil types underlay the Project Site. The majority of the development area is within previously graded and paved or landscaped areas with the exception of the borrow pit. Impacts related to the borrow pit would be within Brodale-Sogn complex, Channahon loam, Chaseburg silt loam, Eyota loamy sand, and Lilah sandy loam. These soils are well-drained to excessively drained and are not prone to flooding. As discussed in **Section 2.1**, standard engineering processes would be used to ensure soil suitability for use. Alternative A would be completed with on-site balanced cut and fill.

The Project Site is within an active karst area where sinkhole risk can be higher (Olmsted County, 2022a). The Project Site falls within an area of low to medium sinkhole potential. No sinkholes were observed on-site, and no new structures would be constructed. Existing structures that have been present for decades would be utilized and therefore would not introduce a risk of siting structures within an area with sinkholes. With incorporation of standard engineering practices, Alternative A would avoid risks associated with use of improper soils, and the vast majority of soils on the Project Site would not be impacted.

Land clearing and grading activities during construction would result in exposure of soil, increasing the risk of erosion and associated hazards. Construction of Alternative A would disturb more than one acre of land; therefore, the Tribe is required by the CWA to obtain coverage under, and comply with the terms of, the NPDES General Construction Permit for construction activities. The NPDES General Construction Permit requirements would reduce any potential impacts to less-than-significant levels. Additionally, as discussed above, the silage pits are actively collapsing and eroding, and Alternative A would remedy this and result in an overall reduction of erosion risks on-site. Also, the stormwater collection and treatment design would meet or reduce the rate of runoff from the Project Site, thus further reducing erosion risks (**Appendix C**). Finally, Alternative A would result in an overall reduction of impervious surfaces on the Project Site from 7.6 acres to 5.4 acres. This would allow for increased infiltration of rainwater compared to existing conditions. Impacts would be less than significant.

Mineral Resources

There are no known mineral resources within or near the Project Site. Therefore, Alternative A would have no impact on mineral resources.

Alternative B: Event Center

Alternative B would involve the same site preparation activities and 14.2-acre development area as Alternative A and therefore, the same level of impacts as discussed for Alternative A. As such, potential impacts associated with topography, seismic conditions, soil characteristics, erosion, and landslides would be comparable to Alternative A and less than significant with adherence to BMPs described in **Section 2.1** and regulatory requirements. There would be a beneficial impact related to erosion through leveling the silage pits, as discussed under Alternative A. There would be no impacts to mineral resources.

Alternative C: No Action

Under Alternative C, the land would not be taken into trust and the Project Site would remain in its current state. Alternative C would not result in changes to topography and would not impact minerals. Additionally, there would be no risks associated with seismic conditions, landslides, or liquefaction as the Project Site would continue to operate in its current state and risks to people or structures would be unchanged. However, it is likely that the derelict silage pits would continue to degrade. This could generate the potential for soils and rubble from the collapsing infrastructure to degrade stormwater runoff generated on site and flowing off-site. This would pose both a safety risk to individuals on site as well as an environmental risk of impaired runoff and ongoing erosion.

3.3 WATER RESOURCES

3.3.1 Regulatory Setting

The water resources regulatory setting is summarized in **Table 3.3-11**, and additional information on the regulatory setting can be found in **Appendix D.**

3.3.2 Environmental Setting

A summary of the environmental pertaining to water resources is below, and additional detail is provided in **Appendix D**.

Table 3.3-1: Federal and State Water Resources Regulations

Regulation	Description
Federal	
Executive Order (EO) 11988	▪ Requires federal agencies to evaluate the potential effects of any actions they may take in a floodplain; floodplain is defined as an area that has a 1 percent or greater chance of flooding in any given year. ▪ Requires agencies proposing that an action be allowed in a floodplain to consider alternatives to avoid adverse effects; if the only practicable alternative action requires siting in a floodplain, EO 11988 requires the agency to minimize potential harm to or within the floodplain.
Clean Water Act	▪ Establishes national water quality goals. ▪ Regulates point and non-point sources of pollution through the National Pollution Discharge Elimination System (NPDES). ▪ Requires an NPDES permit be obtained to discharge pollutants into waters of the U.S. ▪ Requires states to establish water quality standards for waters in their jurisdiction and to periodically prepare a list of surface waters where beneficial uses are impaired.
Safe Drinking Water Act	▪ The USEPA sets National Primary Drinking Water Regulations to protect public health (primary standards) that apply to public water systems and also defines National Secondary Drinking Water Regulations (secondary standards) for contaminants that cause cosmetic and aesthetic effects, but not health effects.
Federal Emergency Management Agency (FEMA)	▪ Responsible for the preparation of Flood Insurance Rate Maps for the National Flood Insurance Program.
State and Local	
Soil and Water Conservation Policy	▪ State Statute 103A.203 outlines the State's soil and water conservation policy, which encourages landowners to conserve water, soil, and other natural resources.
Wetland Conservation Act	▪ Requires projects to selectively avoid impacts, minimize impacts, or, when impacts are unavoidable, replace lost habitat. ▪ Aims for no net loss of wetlands.
Minnesota Buffer Law	▪ Requires vegetative buffers be maintained alongside lakes, rivers, streams and irrigation/drainage ditches.
Minnesota Water Law	▪ Identifies regulations related to public waters and wetlands, water diversion and dam construction and maintenance, and harvesting of aquatic plants. ▪ State Statute Chapter 103G defines waters of the state. ▪ Assigns the commissioner responsibility to develop a statewide water resources conservation program.
Minnesota Administrative Rules Ch. 6120	▪ Ch. 6120 of the Minnesota Administrative Rules outlines state rules for Shoreland and Floodplain Management.
Olmsted County Wetland Conservation Ordinance	▪ Outlines the process for identifying aquatic habitats, specifying preservation requirements, outlining exceptions, and replacement of impacted areas. ▪ Identifies sensitive water resources and associated buffers.
Olmsted County Water Management Plan	▪ Identifies management and planning concerns for water resources within the County, from drinking water to wetlands.
Comprehensive Watershed Management Plan (Zumbro River)	▪ Planning document to identify ground and surface water issues within the Zumbro River Watershed and to identify priority goals and action items.

City of Pine Island Comprehensive Plan	▪ Identifies the City of Pine Island's goals and policies related to water quality and preservation.
Olmsted County General Land Use Plan	▪ Identifies the County's goals and policies related to water quality and preservation.

Surface Water

Surface water features near the Project Site are shown in **Figure 3.3-1**. The Project Site falls within the Middle Fork Zumbro River Watershed (070400040307) (USEPA, 2023a). The Middle Fork Zumbro River is listed as impaired under Section 303(d) of the Clean Water Act for aquatic recreation (USEPA, 2022a), specifically for the presence of Escherichia coli (E. coli), nutrient eutrophication, and turbidity. Surface waters on the Project Site include six ponds and a network of ephemeral channels and swales. These features are described in detail in the drainage discussion below.

Drainage

Drainage infrastructure on-site is limited to water controls designed to impound water for livestock use. These features were observed during a survey conducted in October of 2023, described in **Section 3.5**. There are six manmade ponds on the Project Site. Three of these ponds were created along the southern boundary of the Project Site in low-lying areas to capture runoff for livestock before draining off-site. One pond was located centrally on the Project Site and was observed to be an active stock watering pond that was holding significant water at the time of the survey. A fifth pond was observed near the southwestern border of the Project Site in line with an ephemeral channel. An earthen dam was used to create the pond, which collects water for livestock before draining off-site. The final pond is also located near the center of the Project Site and is similarly impounded with an earthen dam. This area collects stormwater runoff as well as drainage from the farm complex. A drainage outlet from the farm complex was observed feeding into this pond. This drainage outlet collected runoff from the farm complex as well as animal waste from the easternmost barn, which has a raised floor. Surface water resources on the Project Site are shown on Figure 7 of **Appendix E**.

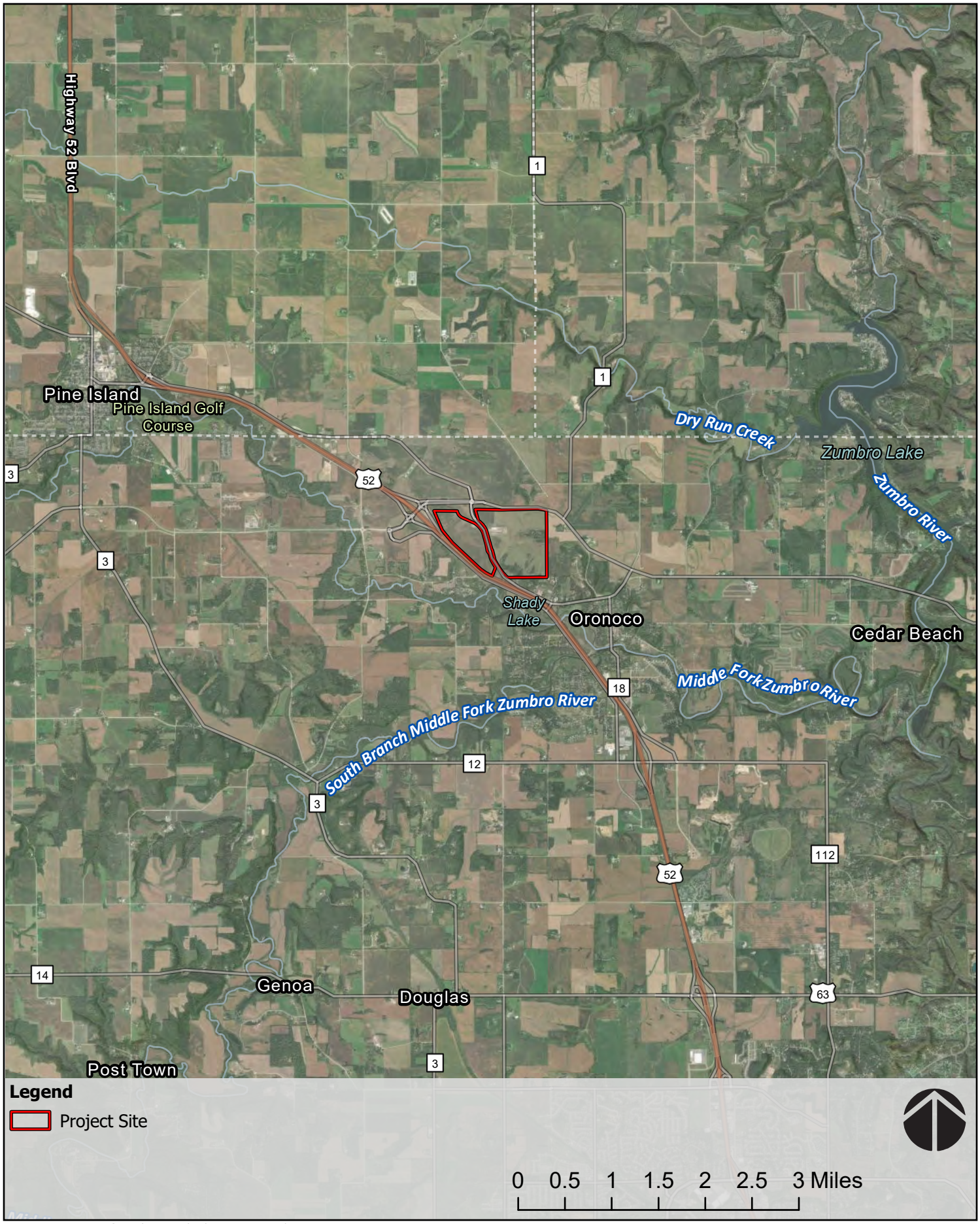
The general drainage flow currently runs from east/southeast towards Hwy 52 (**Appendix C**). A small portion of the Project Site drains west into a roadside ditch along White Pine Road SE and towards Hwy 52. The main receiving water south of the Project Site is the Middle Fork Zumbro River, which is separated from the Project Site by Hwy 52. Under current conditions, stormwater runoff rates during a 100-year storm event are modeled as such: 80 cubic feet per second (cfs) to the east, 4.9 cfs to the west, and 83.4 cfs to the south (**Appendix C**).

Flooding

The Project Site is within Flood Zone C, which is designated as an area of minimal flood hazard outside of the 100-year floodplain (Zones A and AE) and 500-year flood zone (FEMA, 2017; FEMA, 2023). A FEMA flood map is provided as **Figure 3.3-2**.

Groundwater

The Project Site is currently served by an existing on-site groundwater well (**Figure 2.1-1**). Uses include watering livestock and supplying the on-site residence.



Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, USDA, Airbus,USGS,NGA,NASA,CGIAR,NCEAS,NLS,OS,NMA,Geodatastyrelsen,GSA,GSI and the GIS User Community, Maxar

FIGURE 3.3-1
SURFACE WATERS IN THE REGION

FEMA, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, Airbus,USGS,NGA,NASA,CGIAR,NCEAS,NLS,OS,NMA,Geodatastyrelsen,GSA,GSI and the GIS User

FIGURE 3.3-2
FEMA FLOOD ZONES

The Minnesota Department of Health (MDH) maintains a repository of groundwater well locations and whether such wells are public, domestic, irrigation, or monitoring wells (MDH, 2023). The vast majority of wells in the vicinity of the Project Site are domestic wells, however, given the significant amount of row crop production in the area, it is likely that these wells also serve to at least periodically supplement crop irrigation.

3.3.3 Impacts

Assessment Criteria

Impacts to water resources would be significant if surface water features were impacted or if runoff from the Project Site were to cause local flooding or introduce additional contaminants to stormwater runoff that leaves the Project Site. Groundwater impacts would be significant if development were to adversely affect local water supply either by reducing the availability of potable water or increasing the demand for domestic water to the point where the existing water supply system would need to be expanded. Water quality would be significantly affected if an alternative caused the exceedance of water quality standards of receiving water bodies or groundwater.

Alternative A: Proposed Project

Surface Water and Water Quality

Alternative A would not involve the conversion of surface waters, nor would surface waters be used as a water source. Therefore, Alternative A would not directly impact surface waters.

Construction

Erosion from construction sites can increase sediment discharge to surface waters during storm events, thereby degrading downstream surface water and to a lesser extent groundwater quality. Construction activities would also include the routine use of potentially hazardous construction materials, such as concrete washings, oil, and grease that could spill onto the ground and dissolve into stormwater. Discharges of pollutants, including grease, oil, fuel, and sediments, to surface waters from construction activities and accidents are a potentially significant impact.

Alternative A would involve construction activities in excess of one acre and therefore would be required to apply for coverage under the NPDES General Construction Permit. The provisions of this permit include preparation of a SWPPP that would be developed prior to any ground disturbance. The SWPPP would include BMPs to reduce potential surface water contamination during storm events. BMPs would include, but not be limited to, those presented in **Table 2.1-2.** The BMPs within the SWPPP would minimize adverse impacts to the local and regional watershed from construction activities associated with Alternative A by reducing erosion, reducing the risk of soil contamination from construction materials, and by preventing movement of loose soil into waterways.

In addition to these BMPs that would be part of the adopted SWPPP, dust suppression BMPs identified to protect air quality would further prevent fugitive dust or loose soil from dispersing offsite. These BMPs are listed in **Table 2.1-2**. With adherence to the NPDES permitting program and implementation of the SWPPP, impacts to surface water quality from construction activities would be less than significant.

Operation

Operation of Alternative A would generally not include activities that would endanger water quality. However, an on-site WWTF would be constructed that would replace the existing septic and leech field system already in place, as discussed in **Section 2.1**. Improperly installed systems or systems placed on unsuitable soils could endanger surface or groundwater quality. As discussed in **Table 2.1-2**, Alternative A would adhere to IBC standards and would follow standard engineering practices regarding suitability of soils. This includes IBC chapter 29, which relates to plumbing standards and the International Plumbing Code. Further, the proposed WWTF and sub-surface drainage system would be regulated under the USEPA's Underground Injection Control program as a Class V injection well. USEPA has established minimum requirements to prevent injection wells from contaminating underground sources of drinking water. With proper design and installation of the on-site wastewater system, and adherence to USEPA requirements, impacts to water quality from treatment and discharge of wastewater would be less than significant.

Groundwater

Under Alternative A, operational use of groundwater would occur should a catastrophic event force the closure of the existing Casino, or potentially following the 6-year Forbearance Period following trust acquisition. This section conservatively assumes groundwater use of both the existing Casino and the optional secondary facility concurrently. Alternative A would require increased use of the existing groundwater well. The Project Site is within the same groundwater province as the existing Casino (MDNR, 2021). The existing Casino utilizes groundwater and has an average annual water demand of 97.71 million gallons per year, or an average of 267,700 gpd (Prairie Island Indian Community, 2021). Given the scaled down version of the gaming facility proposed under Alternative A, water demand of Alternative A is estimated at an average of 25,000 gpd (Prairie Island Indian Community Public Utilities, 2023), which is proportional to approximately 9.3 percent of the demand of the existing Casino.

Well depth in the vicinity of the Project Site ranges from approximately 225 feet (MDH, 2023 well ID 220931) to approximately 410 feet (MDH, 2023 well ID 1000010660). Wells on and around the Project Site fall within the Prairie du Chien aquifer (MDH, 2023). A long-term monitoring program by the MDNR shows monitoring data of depth to groundwater in 11 wells across this aquifer. Data was collected from about 1970 through 2008 and showed six wells that have fluctuated within 15 feet over the years, four that have fluctuated within 30 feet, and one that has fluctuated within 45 feet. Based on the relatively shallow and consistent depth to groundwater of surrounding water wells and the reliability of bedrock aquifers within the Karst Province, it is not expected that Alternative A would alter local groundwater availability. Therefore, Alternative A would not reduce the availability of potable water to surrounding groundwater users, and expansion of nearby municipal systems would not be necessary. This would be a less-than-significant impact.

Drainage and Flooding

As discussed above, the Project Site is wholly within Flood Zone C, an area of minimal flood hazard outside of the 100- and 500-year floodplains (FEMA, 2017; FEMA, 2023). The grading and drainage report prepared for Alternative A determined that building finish floor elevations would be 17.5 feet above the 100-year floodplain (**Appendix C**). Additionally, Alternative A would implement a stormwater collection and treatment system. Current conditions include impervious surfaces with no formal drainage system aside from grading for impounding of water for livestock. Additionally, two silage pits in disrepair collect and drain water into the ephemeral channels on site. Following construction of Alternative A, total impervious surfaces on site would be less than current conditions.

Stormwater collection would involve the use of a sump manhole structure with the "preserver" device installed, which would provide skimming and rate control of collected stormwater prior to collection within the infiltration basin (**Appendix C**). According to the USEPA, the term "low impact development" (LID) as it relates to stormwater collection and treatment refers to systems and practices that use or mimic natural processes that result in the infiltration, evapotranspiration, or use of stormwater in order to protect water quality and associated aquatic habitat. Alternative A would incorporate a LID design as collected stormwater runoff would be collected within a stormwater basin and would be treated through infiltration. The system has been designed to meet both USEPA requirements and the Minnesota Pollution Control Agency (MPCA) General Stormwater Permit (**Appendix C**). Pre-treatment of stormwater by the preserver and subsequent infiltration of stormwater would be protective of water quality.

Additionally, runoff rates during a 100-year storm event would be reduced from 80.0 cfs to 61.3 cfs to the east, 4.9 cfs to 4.6 cfs to the west, and 83.4 cfs to 64.7 cfs to the south. Overall drainage patterns on the Project Site would not be altered (**Appendix C**). Alternative A, therefore, would reduce flood runoff flows, reduce impervious surfaces, fill and re-grade the collapsing silage pits, and would not place people or structures in a floodplain. Overall, this would constitute a less-than-significant but beneficial impact related to drainage and flooding.

Alternative B: Event Center

Surface Water and Water Quality

Under Alternative B, potential impacts to surface waters would be the same as Alternative A, and no direct impacts to surface water would occur. Similar to Alternative A, surface and potentially groundwater quality would be adversely affected if pollutants entered the environment during construction or operation of Alternative B. Potential impacts related to construction would be identical to Alternative A, and potential operational impacts would be less as the event center is only anticipated to host approximately four events per week. Therefore, adherence to the NPDES General Construction Permit and associated SWPPP would apply to Alternative B, as well as BMPs identified in **Table 2.1-2** regarding IBC standards, engineering standards, and stormwater quality. Impacts to water quality would be less than significant.

Groundwater

As with Alternative A, Alternative B would utilize the existing on-site groundwater well to meet water demands. Water demands under Alternative B would be less than the existing Casino and Alternative A, as the event center is only anticipated to host approximately four events per week. As described for Alternative A, sufficient groundwater is available to serve Alternative B. This would be a less-than-significant impact.

Drainage and Flooding

Construction and operational impacts would be the same as Alternative A as the ground disturbance, grading, drainage, and building floor elevations would be identical under Alternative B. Building within a flood zone would not occur, and a stormwater collection and treatment system with LID designs meeting USEPA and MCPA standards would be utilized (**Appendix C**). Therefore, there would be a less-than-significant and beneficial impact.

Alternative C: No Action

Under Alternative C, the Project Site would remain in its current state. It is likely that the silage pits would continue to degrade and pose a water quality risk to site and receiving waters. While no new impacts would occur, this would constitute a minor but ongoing issue.

3.4 AIR QUALITY

3.4.1 Regulatory Setting

The air quality regulatory setting is summarized in **Table 3.4-11,** and additional information on the regulatory setting can be found in **Appendix D**.

Table 3.4-1: Regulatory Policies and Plans Related to Air Quality

Regulation	Description
Federal	
Clean Air Act (CAA) of 1970	▪ The CAA created the National Ambient Air Quality Standards (NAAQS) for six Criteria Air Pollutants (CAPs): ozone, carbon monoxide, particulate matter, nitrogen dioxide, sulfur dioxide (SO_2), and lead. ▪ States are required to have State Implementation Plans (SIP) for areas that are not achieving the NAAQS (nonattainment areas). ▪ General Conformity Rule requires demonstration that a proposed federal action will conform to the applicable SIP. ▪ Tribal minor new source review permits are required if emissions would exceed certain standards.
NEPA Guidance on Consideration of Greenhouse Gas Emissions and Climate Change (2023)	▪ The Council on Environmental Quality (CEQ) issued interim guidance to assist agencies in analyzing greenhouse gas (GHG) and climate change effects under NEPA. ▪ Agencies should consider potential effects of a proposed action on climate change and the effects of climate change on a proposed action and its environmental impacts. ▪ Agencies should provide context for GHG emissions, including using best available social cost of GHG estimates. ▪ Agencies should mitigate GHG emissions associated with their proposed actions to the greatest extent possible, consistent with national, science-based GHG reduction policies established to avoid the worst impacts of climate change.
Secretarial Order (SO) 3399	▪ Secretarial Order (SO) 3399 was issued to prioritize action on climate change throughout the Department and to restore transparency and integrity in the Department's decision-making processes. SO 3399 specifies that when considering the impact of GHG emissions from a proposed action, Bureaus/Offices should use appropriate tools, methodologies, and resources available to quantify GHG emissions and compare GHG quantities across alternatives.
State	
Clean Energy Law	▪ Establishes a carbon-free energy standard and a renewable energy standard. ▪ Requires electrical utilities to achieve 80 percent carbon-free energy by 2030, 90 percent by 2035, and 100 percent by 2040. ▪ Requires that 55 percent of the energy sold to Minnesota customers come from renewable sources by 2035.

3.4.2 Environmental Setting

Climate and Climate Change

The climate of Olmsted County (including the City of Pine Island) is characterized by cold winters and warm summers. January is the coldest month with average high temperatures of 22° F and low temperatures of 5° F. July is the warmest month with average high temperatures of 81° F and low temperatures of 61° F. Olmsted County receives an average of about 32 inches of precipitation annually and annual snowfall is 53 inches (NOAA, 2023; Geospatial Analysis Center, 2017). In recent decades, Minnesota's climate has shown trends of warmer temperatures, higher humidity in summer, and greater annual precipitation, with a significant increase in the severity of thunderstorms (Geospatial Analysis Center, 2017).

Attainment Status

The Project Site is currently within the jurisdictional area of the Minnesota Pollution Control Agency (MPCA). The MPCA regulates air pollutant emissions from stationary sources within Olmsted County. However, once the Project Site is taken into trust, air quality would be under the jurisdiction of the USEPA. To determine conformance with the National Ambient Air Quality Standards (NAAQS), states are responsible for providing ambient air monitoring data to the USEPA. The USEPA then determines, using the violation criteria, if the results of the monitoring data indicate compliance with the NAAQS. The USEPA classifies areas in compliance with the NAAQS as being in "attainment". Areas that do not meet the NAAQS are classified as being in "nonattainment" by the USEPA. As shown in **Table 3.4-2**, the portion of Olmsted County where the Project Site is located meets the federal standards.

Table 3.4-2 Project Area NAAQS Attainment Status

Pollutant	NAAQS
Ozone (8-hour)	Attainment
PM_{10} (24-hour, annual)	Attainment
$PM_{2.5}$ (annual)	Attainment
Carbon Monoxide (8-hour, 1-hour)	Attainment
Nitrogen Dioxide (annual, 1-hour)	Attainment
Sulfur Dioxide (24-hour,1-hour)	Attainment
Lead (30-day average)	Attainment

Source: USEPA, 2023b
PM10: Particulate matter with diameters that are generally 10 micrometers and smaller
PM2.5: Particulate matter with diameters that are generally 2.5 micrometers and smaller

Sensitive Receptors

Sensitive receptors are generally defined as land uses that house or attract people who are susceptible to adverse effects from air pollution emissions and, as such, should be given special consideration when evaluating air quality impacts from projects. Sensitive receptors include facilities that house or attract children, the elderly, people with illnesses, or others who are especially sensitive to the effects of air pollutants. Hospitals, schools, convalescent homes, parks and recreational facilities, and residential areas are examples of sensitive receptors.

The nearest sensitive receptors in the vicinity of the Project Site include several single-family homes located along Vintage Road NW, directly south and southeast of the southeast corner of the Project Site, a single-family home located on E White Bridge Road approximately 700 feet east of the Project Site, a single-family home located on Ash Road NW approximately 800 feet north of the Project Site, and several homes located on 120th Street NW approximately 700 feet southwest of the Project Site. The nearest sensitive receptor to the proposed development area within the larger Project Site is located approximately 2,300 feet southeast on Vintage Road NW.

3.4.3 Impacts

Assessment Criteria

Development and operation of the project alternatives would emit criteria air pollutants (CAPs), hazardous air pollutants (HAPs), and greenhouse gases (GHGs). This section presents the methodology used to assess the affected environment and to evaluate the potential air quality effects of the development alternatives. The Project Site is in a region classified as being in attainment for all CAPs. Under the federal CAA (and its regulations at 40 CFR Part 93), if a region is in attainment for all CAPs, then the region meets the NAAQS and there are no de minimis levels or thresholds for a project's emissions. Significant impacts on ambient air quality could result if either construction or operation would result in violations of the CAA provisions or if emissions would impede the ability of the State to meet NAAQs.

Construction Analysis

Construction activities would consist of two phases: initial site improvements, and renovation of the existing barn into an emergency gaming facility or into an optional secondary gaming facility after the 6-year Forbearance Period, should the Tribe determine the facility to be necessary. Initial site improvement activities that would occur immediately after trust acquisition are anticipated to take approximately 12 months and would consist of removal and repaving of existing pavement would be required for surface parking, stormwater collection facilities, and access. Trenching and excavation would be required for the stormwater and wastewater storage/treatment facilities. Minor trenching and excavation activities may occur for other utilities, such as installing water pipelines. Trenching and excavation would also occur to create a stormwater settlement pond and associated drainage infrastructure to provide volume control, treatment, and rate control (**Figure 2.1-1**). Renovations to the existing barn structure would take approximately 15 months for the emergency gaming facility as well as the optional secondary gaming facility, if determined necessary, which would not operate prior to 2031 at the earliest.

Site improvements would consist of repaving the parking lot, filling existing silage pits, installation of water supply and wastewater treatment infrastructure, storm water detention and borrow pit installation, access and landscaping improvements, and utility connections as discussed in **Section 2.1**. A mix of trucks, scrapers, excavators, and graders would be used to complete the site improvements.

Effects on air quality during construction were evaluated by estimating the quantity of each CAP emitted over the duration of the construction period. Particulate matter 10 microns in diameter (PM_{10}) and fine particulate matter 2.5 microns in diameter ($PM_{2.5}$) are the pollutants of concern resulting during earth-moving and fine grading activities. Volatile organic compounds (VOC), nitrogen oxides (NOx), sulfur dioxide (SO_2), carbon monoxide, GHG, and diesel particulate matter (DPM) emissions would be emitted from heavy equipment due to the combustion of diesel fuel. Mobile source emissions would result from the use of on-road construction vehicles.

Emissions from construction trucks and heavy equipment were calculated using the USEPA model Motor Vehicle Emission Simulator (MOVES4) and emission factors (EMFAC) model. A detailed list of equipment and resulting emissions is included in **Appendix F**.

Operation Analysis

Emission factors in grams per vehicle mile traveled were estimated for patron vehicles and evaluated using the MOVES4 model. MOVES4 calculates emissions for light-duty vehicles, trucks, heavy-duty vehicles, and motorcycles. The model accounts for progressively more stringent tailpipe emission standards over the vehicle model years evaluated. MOVES4 model input data are site specific. Output data is provided in **Appendix F.** Emissions of PM_{10}, NO_X, SO_2, carbon monoxide, VOCs, and carbon dioxide equivalents from vehicles traveling to, from, and within the Project Site were calculated for the project alternatives. Calculations were based on emission factors derived from MOVES4 and trip generation rates provided in the Traffic Impact Study (TIS) developed by KLJ Engineering (**Appendix I**). Average trip lengths were estimated using distance to nearest population centers and are provided in **Appendix F**.

Stationary-Source Emissions

Electricity and natural gas or propane would be used as fuel for space heating, water heaters, and cooking equipment. Annual gas usage for the project alternatives is based on similar casino, hotel, commercial and recreational facilities. Emissions from natural gas combustion are calculated using emission factors from AP-42 (USEPA, 1995). A 1,200-kW diesel emergency generator would provide backup power in the event of an electrical outage. Emissions from the emergency generator were estimated using a USEPA calculator based on emission factors from AP-42 (USEPA, 1995).

Federal General Conformity

Conformity regulations apply to federal actions that would cause emissions of CAPs above certain levels to occur in locations designated as nonattainment or maintenance areas for the emitted pollutants. As discussed above, the Project Site is in an area classified as in attainment for all NAAQS; therefore, a federal general conformity analysis is not required for the Proposed Action.

Climate Change

This EA considers whether project emissions have individual or cumulative effects on climate change. GHG emissions were calculated using the MOVES4 model and emission factors from AP-42, EPA's *Compilation of Air Pollutant Emissions Factors*. Given the global nature of climate change impacts, individual project impacts are most appropriately addressed in terms of the incremental contribution to a global cumulative impact; therefore, refer to **Section 3.14.4** for the analysis of impacts related to climate change.

Federal Class I Areas

The CAA designates international parks, national wilderness areas, and memorial parks larger than 5,000 acres and national parks larger than 6,000 acres as "Class I areas." If a development alternative emits greater than the prevention of significant (PSD) threshold of 250 tons per year (tpy) of any one CAP from stationary sources during construction or operation, a best available control technology analysis would be conducted. The nearest Class I area is Rainbow Lakes Wilderness in Wisconsin, approximately 160 miles from the Project Site.

Tribal New Source Review

The EPA has developed permits by rule to simplify the new source review (NSR) CAA permitting process for certain smaller sources of air pollution commonly found on federal tribal lands.

For this analysis, stationary source project-related operational emissions have been quantified and compared to the applicable thresholds. If the thresholds in **Table 3.4-33** are exceeded, an NSR permit would be required.

Table 3.4-3: Tribal Minor New Source Review Thresholds

Pollutant	Emissions Thresholds for Attainment Areas (tons per year)
Nitrogen Oxides	10
Volatile Organic Compounds	5
Particulate Matter	10
PM_{10}	5
$PM_{2.5}$	3
Carbon Monoxide	10
Sulfur Dioxide	10

Source: 40 CFR § 49.153

Alternative A: Proposed Project

Construction Emissions

Construction of Alternative A would result in emissions of PM_{10}, $PM_{2.5}$, NO_X, SO_X, carbon monoxide, VOCs, GHGs, and HAPs (primarily in the form of DPM) from the use of construction equipment, and grading activities. Construction was assumed to begin in 2025 and last for approximately 15 months. Construction is assumed to occur for eight hours a day, five days a week. The construction emission totals for Alternative A are shown in **Table 3.4-44** (see **Appendix F** model output files).

Table 3.4-4: Construction Emissions of Criteria Pollutants – Alternative A

Emissions	NOx	VOC	CO	SO_2	PM_{10}	$PM_{2.5}$
	(Tons per Year)					
Total Emissions	**1.45**	**0.42**	**1.70**	**0.00**	**6.95**	**3.50**
De minimis Levels	N/A	N/A	N/A	N/A	N/A	N/A

Source: **Appendix F**

Notes: N/A = Not Applicable. *De minimis* levels are not applicable because the project area is in attainment.

The Project Site is in a region classified as being in attainment for all CAPs (see **Appendix F** for regulatory information for attainment and CAPs); therefore, in accordance with 40 CFR Part 93, construction would not cause an exceedance of NAAQS. However, construction of Alternative A would produce DPM and fugitive dust (PM_{10}) that may impact the rural residences in the vicinity of the Project Site, the nearest of which are located approximately 2,300 feet from the proposed development area. BMPs identified in **Table 2.1-2** would reduce construction-related emissions of CAPs and reduce DPM emissions from construction equipment. Construction of Alternative A would not affect public health and safety and is compliant with applicable requirements imposed for the protection of the environment. Therefore, with implementation of the identified BMPs, construction of Alternative A would not result in significant adverse impacts associated with the regional air quality environment.

Operation Emissions

Buildout and operation of Alternative A would result in the generation of mobile emissions from patron, employee, and delivery vehicles, as well as stationary-source emissions from combustion of natural gas in stoves, heating units, back-up generator, and other equipment. Estimated mobile-source and stationary-source emissions from operation of Alternative A are provided in **Table 3.4-5**. Detailed calculations of vehicle and area emissions are included in **Appendix F**.

Table 3.4-5: Operation Emissions of Criteria Pollutants – Alternative A

Sources	NOx	VOC	CO	SO_2	PM_{10}	$PM_{2.5}$
	(Tons per Year)					
Stationary	0.31	0.01	0.11	0.00	0.01	0.01
Mobile	18.29	4.91	140.52	0.08	1.81	0.58
Total Emissions	**18.60**	**4.92**	**140.63**	**0.08**	**1.82**	**0.59**
De minimis Levels	N/A	N/A	N/A	N/A	N/A	N/A

Source: **Appendix F**

Notes: N/A = Not Applicable. *De minimis* levels are not applicable because the project area is in attainment.

The Project Site is in a region classified as being in attainment for all CAPs. Under the federal CAA (40 CFR Part 93), if a region is in attainment for all CAPs, then the region meets the NAAQS and there are no *de minimis* levels or thresholds for a project's emissions. As shown in **Table 3.4-5**, the actual estimated operational emissions from stationary sources would not exceed the minor NSR thresholds. While this EA estimates the actual emissions from stationary sources, including the emergency diesel generator, the Tribe will consult with the EPA to determine whether NSR permits may be needed based on regulatory procedures for hypothetical usage and associated emissions. Alternative A would not result in stationary source emissions of any one pollutant in excess of the federal Class I Areas major source threshold of 250 tpy. BMPs provided in **Table 2.1-2** would minimize CAP emissions resulting from operation of Alternative A. With implementation of BMPs, Alternative A would not result in significant adverse impacts associated with the regional air quality environment. Operation of Alternative A would not affect public health and safety and would be compliant with federal mandates for operational vehicle and area emissions.

Alternative B: Event Center

Construction Emissions

Construction of the event center under Alternative B would involve the same activities as discussed under Alternative A. The construction emission totals for Alternative B would be the same as the construction emission totals for Alternative A shown in **Table 3.4-4**. Consistent with the analysis under Alternative A, construction of Alternative B would not cause an exceedance of NAAQS. In addition, BMPs identified in **Table 2.1-2** would reduce construction-related emissions of CAPs and reduce DPM emissions from construction equipment. Construction of Alternative B would not affect public health and safety and is compliant with applicable requirements imposed for the protection of the environment. Therefore, with implementation of the identified BMPs, construction of Alternative B would not result in significant adverse impacts associated with the regional air quality environment.

Operation Emissions

Operation of Alternative B would result in the generation of mobile emissions from patron, employee, and delivery vehicles, as well as stationary-source emissions from combustion of natural gas in stoves, heating units, back-up generator, and other equipment. Estimated mobile-source and stationary-source emissions from operation of Alternative B are provided in **Table 3.4-**. Detailed calculations of vehicle and area emissions are included in **Appendix F**. Because the region meets the NAAQS, there are no *de minimis* levels or thresholds for a project's emissions. Therefore, no conformity determination is required, and project-related emissions would be less than significant. As shown in **Table 3.4-6**, the actual estimated operational emissions from stationary sources would not exceed the minor NSR thresholds. However, to further reduce project-related operation CAPs and DPM, BMPs are provided in **Table 2.1-2**. With implementation of the identified BMPs, Alternative B would not result in significant adverse impacts associated with the regional air quality environment. Alternative B is protective of public health and safety and compliant with mandates for operational vehicle and area emissions.

Table 3.4-6: Operation Emissions of Criteria Pollutants – Alternative B

Sources	NOx	VOC	CO	SO_2	PM_{10}	$PM_{2.5}$
	(Tons per Year)					
Stationary	0.31	0.01	0.11	0.00	0.01	0.01
Mobile	2.62	1.29	24.14	0.01	0.22	0.09
Total Emissions	**2.93**	**1.30**	**24.25**	**0.01**	**0.23**	**0.10**
De minimis Levels	N/A	N/A	N/A	N/A	N/A	N/A

Source: **Appendix F**

Notes: N/A = Not Applicable. *De minimis* levels are not applicable because the project area is in attainment.

Alternative C: No Action

Under Alternative C, the Project Site would remain undeveloped and none of the construction or operational air quality impacts identified for Alternatives A and B would occur.

3.5 BIOLOGICAL RESOURCES

3.5.1 Regulatory Setting

The regulatory setting concerning biological resources is summarized in **Table 3.5-1**, and additional information on the regulatory setting can be found in **Appendix D**.

Table 3.5-1: Regulatory Policies and Plans Related to Biological Resources

Regulation	Description
Federal	
Federal Endangered Species Act (ESA)	▪ Protects federally listed wildlife and their habitat from take. ▪ Requires consultation under Section 7 of the ESA for federal agencies if take of a listed species is necessary to complete an otherwise lawful activity. ▪ Considers habitat loss an impact to the species. ▪ Defines Critical Habitat as specific geographic areas within a listed species range that contain features considered essential for the conservation of the listed species.

Regulation	Description
Migratory Bird Treaty Act (MBTA)	▪ Protects migratory birds and requires project-related disturbances to be reduced or eliminated during the nesting season (February 15 through September 15).
Bald and Golden Eagle Protection Act	▪ Prohibits take, possession, and commerce of bald and golden eagles and associated parts, feathers, nests, or eggs, with limited exceptions.
Clean Water Act (CWA) Section 404 and 401	Defines wetlands and waters of the United States subject to jurisdiction of the U.S. Army Corps of Engineers (USACE) and/or the State. ▪ Guides the permitting and mitigation of filling or dredging of waters of the U.S. under the authority of Section 404 of the CWA by the USACE or the U.S. Environmental Protection Agency (USEPA). ▪ Projects requiring a 404 permit under the CWA also require a Section 401 certification from the USEPA.
Magnuson-Stevens Act	▪ Mandates that the National Marine Fisheries Service (NMFS) identify Essential Fish Habitat (EFH) for federally managed marine fish. ▪ Requires federal agencies to consult with NMFS on activities that may adversely affect EFH.
State and Local	
Minnesota Endangered and Threatened Species Law of 1971	▪ The Minnesota Department of Natural Resources (MDNR) maintains a list of species that are threatened, endangered, or of special concern, codified as Minnesota Rules, Chapter 6134, and parts 6212.1800 and 6212.2300. ▪ Species of concern are not formally listed but are those species that are uncommon in the state or have highly specific habitat requirements that merit monitoring
Soil and Water Conservation Policy	▪ Minnesota State Statute 103A.203 outlines the State's soil and water conservation policy, which encourages landowners to conserve water, soil, and other natural resources.
Wetland Conservation Act	▪ Aims for no net loss of wetlands. ▪ Requires projects to selectively avoid impacts, minimize impacts, or, when impacts are unavoidable, replace lost habitat.
Minnesota Buffer Law	▪ Requires vegetative buffers be maintained.
Minnesota Water Law	▪ Minnesota State Statute Chapter 103G defines waters of the state. ▪ Assigns the commissioner responsibility to develop a statewide water resources conservation program. ▪ Identifies regulations related to public waters and wetlands, water diversion and dam construction and maintenance, and harvesting of aquatic plants.
Olmsted County Wetland Conservation Ordinance	▪ Identifies sensitive water resources and associated buffers. ▪ Outlines the process for identifying aquatic habitats, specifying preservation requirements, outlining exceptions, and replacement of impacted areas.
City of Pine Island Comprehensive Plan	▪ Identifies the City of Pine Island's goals and policies related to biological resources.
Olmsted County General Land Use Plan	▪ Identifies the County's goals and policies related to biological resources.

3.5.2 Environmental Setting

A Biological Assessment was prepared for the Project Site and is included as **Appendix E**. Habitat requirements for state and federally listed species were assessed and compared to the type and quality of habitat observed on the Project Site during biological resources surveys.

Habitat Types

The Project Site contains several habitat types identified in **Table 3.5-2**. Habitat types are discussed in detail in **Appendix E**. Habitat maps showing terrestrial and surface water habitats are provided as **Figure 3.5-1** and **3.5-2**. Representative site photographs are included as Attachment E of **Appendix E**.

Table 3.5-2: Habitat Types within the Project Site

Habitat Type	Acres Within Project Site
Ruderal/developed	17.0
Row crop agriculture	115.4
Coniferous forest	45.0
Deciduous forest	15.1
Oak woodland and oak savanna	5.3
Annual grassland/pasture	198.15
Perennial Grassland (Native Prairie)	0.25
Riparian forest and shrub	1.0
Wet meadow	18.4
Ponds with seasonal wetlands	3.7
Ephemeral channels and swales	0.5
Total	**419.8**

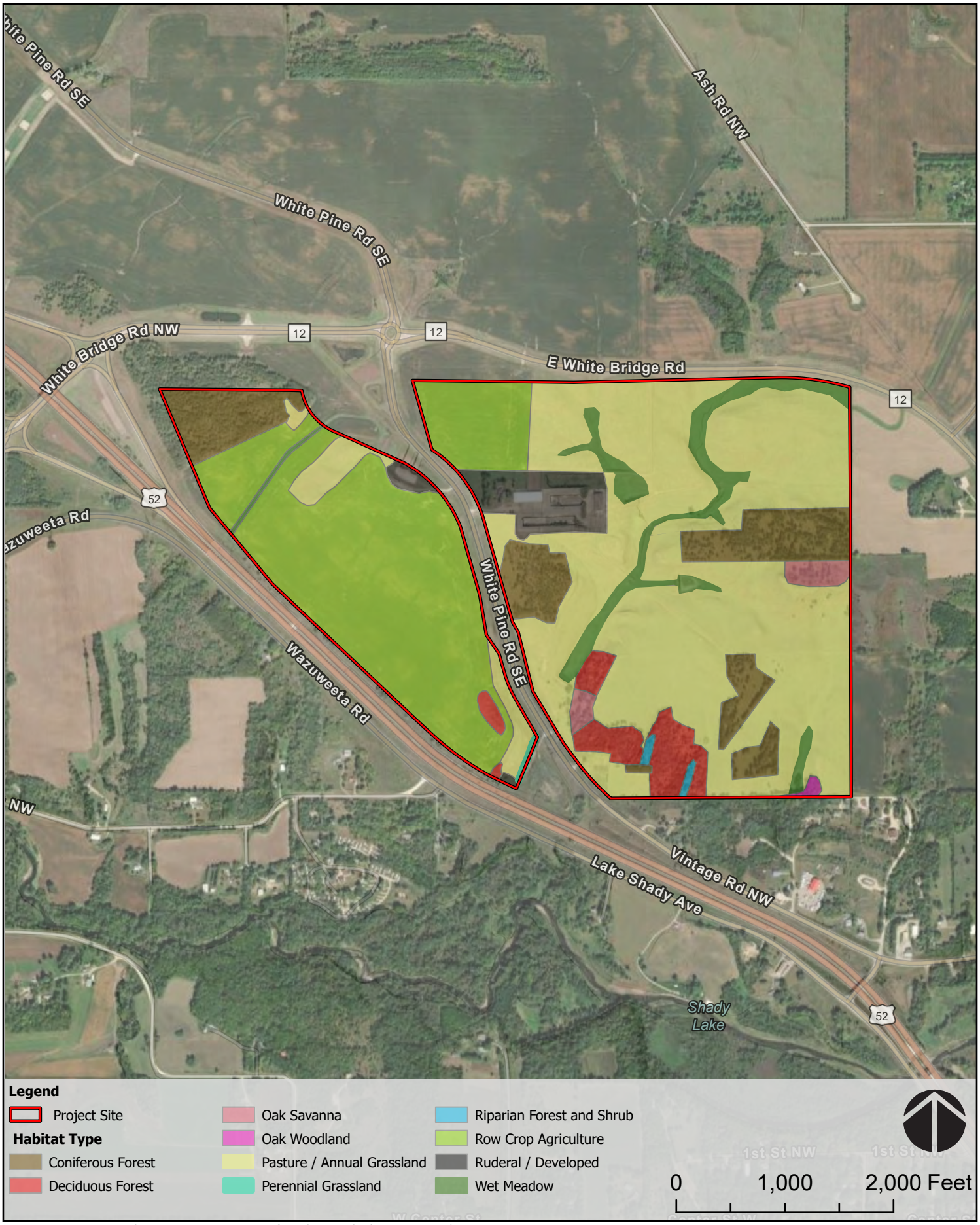
Wetlands/Waters of the U.S.

Surface water resources on the Project Site include five manmade ponds with adjacent seasonal wetlands and ephemeral channels and swales (**Appendix E)**. The ponds have been constructed via earthen dams designed to impound water for livestock. Only one of these ponds, the isolated pond in the central portion of the Project Site, had a significant amount of water and appeared to be maintained as a stock watering pond. Where channels were absent but clear evidence of water conveyance between channels was observed, these areas were mapped as swales. Ephemeral channels and swales within the Project Area were within cattle pasture and are heavily disturbed by livestock. These features are generally dry at the time of the survey, do not hold water year-round, and had occasional pools of standing water.

Federal and State Listed Species

Lists of plants and animals observed during the survey are included as Attachments C and D of **Appendix E**. No State or federally listed species were observed during the survey. Based on the USFWS official species list generated for the Project Site and included as Attachment A of **Appendix E**, the following federally-listed species have the potential to occur in the region surrounding the Project Site:

- Northern long-eared bat (*Myotis septentrionalis*) - Endangered
- Tricolored bat (*Perimyotis subflavus*) – Proposed Endangered
- Whooping crane (*Grus americana*) – Experimental population, non-essential
- Monarch butterfly (*Danaus plexippus*) – Candidate
- Prairie bush-clover (*Lespedeza leptostachya*) - Threatened



Esri Community Maps Contributors, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, Airbus,USGS,NGA,NASA,CGIAR,NCEAS,NLS,OS,NMA,Geodatastyrelsen,GSA,GSI and

FIGURE 3.1-5

TERRESTRIAL VEGETATION COMMUNITIES

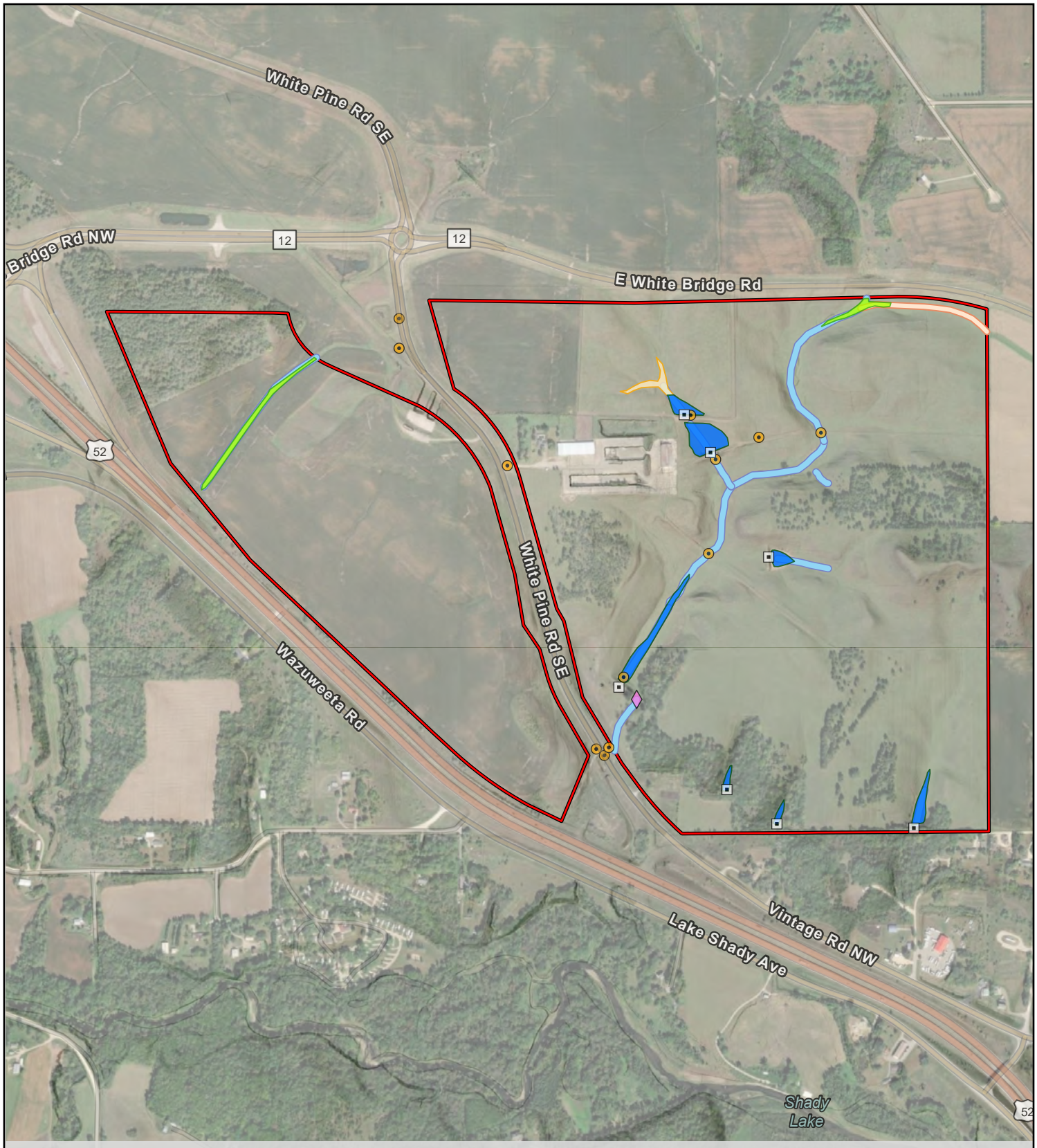


FIGURE 3.5-2
SURFACE WATERS

Whooping crane has been listed above as it was returned on the official species list. Whooping crane is listed as endangered wherever found, except where listed as an experimental population. Because the Project Site falls within the "experimental population, non-essential" designation, whooping crane is not afforded protection under the federal Endangered Species Act. As discussed in Section 4 of **Appendix E**, prairie bush-clover does not have the potential to occur on the Project Site. Winter hibernacula for northern long-eared bat and tricolored bat was not observed on the Project Site, however, the two barn structures and trees within forested/woodland areas may provide active season roosts for these species. Finally, while there are no known monarch butterfly colonies present on the Project Site, milkweed was observed in sporadic patches throughout the woodland and forested areas of the Project Site where cattle disturbance was lower.

The MDNR maintains a list of Minnesota's threatened, endangered, and special concern species. During preparation of the Biological Assessment, the MDNR was consulted and a Natural Heritage Review was completed to identify sensitive biological resources, including state-listed species, that may occur on the Project Site (Attachment B of **Appendix E**). The MDNR identified the following state-listed species that may occur in the vicinity of the Project Site:

- Special-status mussels documented within the Zumbro River Middle Fork
- Special-status fish documented within the Zumbro River Middle Fork
- Bat roosting habitat

The Project Site lacks suitable habitat for mussels and fish. Therefore, these species do not have the potential to occur on the Project Site. Although precise locations of special-status fish and mussels were not provided by MDNR, the nearest point of the Zumbro River Middle Fork in relation to the development area is 0.5 miles to the south of the development area. Minnesota lists both big brown bat and tricolored bat. These two bats species may roost during the active season within the barns or within trees on-site that have roost characteristics such as basal hollows or sloughing bark.

Nesting Migratory Birds

The Project Site provides potential nesting habitat for migratory birds. As discussed above, whooping crane within the Project Site is not afforded specific protections under FESA. However, they would still be protected from take under the MBTA.

Critical Habitat

There is no designated or proposed Critical Habitat or Essential Fish Habitat for listed species within the Project Site.

3.5.3 Impacts

Assessment Criteria

Analysis was conducted to determine if construction or operation would result in significant impacts to biological resources. A significant impact to biological resources could occur if development or operation would:

- Result in the loss of sensitive or critical habitat;
- Have a substantial adverse effect on species with listing status under the FESA;
- Have a substantial adverse effect on habitat necessary for the future survival of such species, including areas designated as critical habitat by the USFWS and areas designated as EFH by NMFS;
- Result in take of migratory bird species as defined by the MBTA and Bald and Golden Eagle Protection Act; and/or
- Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the CWA through direct removal, filling, hydrological interruption, or other means.

Consideration is also given to State-listed species. As discussed in **Section 2.1**, initial site preparation, including grading, would occur following acquisition into trust. This analysis assumes that renovations to the barn structure would occur under both Alternatives. Therefore, the maximum potential biological resources impacts are considered herein.

Alternative A: Proposed Project

Habitat Impacts

Alternative A would impact annual grassland/pasture and ruderal/disturbed habitat. Annual grassland/pasture on the Project Site is seasonally grazed by cattle and was actively being grazed at the time of the survey. This habitat is heavily disturbed by cattle and is crossed by fencing, infrastructure for feeding and watering livestock, and dirt roads. This area is also dominated by non-native grasses. Therefore, the annual grassland/pasture habitat is not considered sensitive and impacts would not be significant. Additionally, ruderal/disturbed habitat is already developed. This habitat is not considered sensitive and impacts to this habitat would not be significant. There would be a less-than-significant impact.

Wetlands/Waters of the U.S.

There are no wetlands or surface water features within the development area of Alternative A. Therefore, direct impacts to wetlands or surface waters would not occur. Indirect impacts from potential discharge of pollutants to surface waters during construction is addressed in **Section 3.3.** With adherence to the National Pollutant Discharge Elimination System permitting program and implementation of a Stormwater Pollution Prevention Plan/BMPs (**Table 2.1-2**), indirect impacts to wetlands/waters of the U.S. from construction activities would be less than significant.

Federally Listed Species

Potential impacts to federally listed species are summarized below and explained in detail within Section 5 of **Appendix E**.

<u>Monarch Butterfly</u>

Although there are no known colonies of monarch butterfly that use the Project Site, the presence of scattered milkweed within the forested and woodland habitat suggests marginal suitability for monarch butterfly. Alternative A would be constructed within ruderal/developed habitat and immediately adjacent annual grassland/pasture habitat heavily disturbed by cattle grazing. All potential project activities would be located more than 350 feet from potential monarch butterfly habitat within the forested and woodland habitat areas. Alternative A does not include features such as light overspilling the development area, storage of acutely toxic materials, or production of extreme vibration that would indirectly affect these areas. Therefore, Alternative A would have no impact on monarch butterfly.

Northern Long-Eared Bat and Tricolored Bat

There is potential for individual northern long-eared and tricolored bats to roost during their active season (April 1 through October 31) within the barn structure proposed for renovation. Therefore, should roosting bats be present within the barn structure during renovations, take of individual bats could occur. Mitigation included in **Section 4.0** includes timing of the commencement of structure impacts outside of the active season when there is no potential for roosting bats to be present. Should these activities commence during the active season, mitigation includes the exclusion of bats prior to the active season, or conduction of emergence surveys to determine if the structures are utilized by northern long-eared bats. In the event that individual roosting bats are observed, an avoidance or exclusion plan would be developed with USFWS to ensure activities commence when roosts are unoccupied or after roosts have been properly excluded. With consideration of measures presented in **Section 4.0**, Alternative A would have a less than significant impact.

State-Listed Species

As discussed above, the MDNR was consulted, and a Natural Heritage Review was completed to identify sensitive biological resources, including state-listed species, that may occur on the Project Site (Attachment B of **Appendix E**). The only state-listed species identified on this list with potential to occur within the Project Site are state-listed bats. This includes big brown bat and tricolored bat. Tricolored bat is discussed above as a federally-listed species. Mitigation in **Section 4.0** that is protective of tricolored bat and northern long-eared bat would also be protective of big brown bat. With consideration of measures presented in **Section 4.0**, Alternative A would have a less than significant impact.

While there is no habitat within the Project Site that could support fish or mussels, stormwater runoff from the Project Site at least partially connects to drainages that lead to the Middle Fork Zumbro River. As discussed in **Section 3.3**, Alternative A would not result in significant impacts to water quality and therefore would not indirectly impact habitat for aquatic species in the Middle Fork Zumbro River. Therefore, significant impacts to the Middle Fork Zumbro River would not occur.

Nesting Migratory Birds

Nesting migratory birds have the potential to occur on and in the vicinity of the Project Site. The general nesting season occurs between February 15 and September 15. If active nests are present in these areas, commencement of construction activities associated with development of Alternative A could adversely affect these species. Mitigation included in **Section 4.0** would avoid impacts through a preconstruction nesting bird survey and establishment of a disturbance-free buffer around active nests, should active nests occur within 100 feet of disturbance. This would occur for both initial site preparation and commencement of the barn renovations, depending on the timing of these activities. Additionally, the development area and adjacent areas do not contain suitable habitat for nesting bald and golden eagles.

Increased lighting could increase bird collisions with structures and could also cause disorientating effects for avian species. Thus, nighttime lighting from the operation of Alternative A could have a potentially significant effect on both migrating and local bird populations. Incorporation of design features in **Table 2.1-2**, including orientating exterior lighting so it does not cast significant light or glare into natural areas, would reduce potential adverse effects to migratory birds and other birds of prey. With implementation of the mitigation measures identified in **Section 4.0**, potential impacts to nesting migratory birds from construction activities would be less than significant.

Critical Habitat

Designated or proposed Critical Habitat or EFH does not occur within or adjacent to the Project Site. Therefore, there would be no impact to Critical Habitat or EFH.

Alternative B: Event Center

Alternative B would involve the same level of ground disturbance as Alternative A and therefore would result in the same impacts to habitats as Alternative A. Mitigation identified in **Section 4.0** for Alternative A would also apply to Alternative B. With incorporation of mitigation in **Section 4.0**, Alternative B would have a less than significant impact on listed species and nesting migratory birds/other birds of prey. Alternative B would also have no effect on Critical Habitat or EFH.

Alternative C: No Action

Under Alternative C, no development would occur within the Project Site. As such, there would be no significant impacts to biological resources in the vicinity of the Project Site.

3.6 CULTURAL AND PALEONTOLOGICAL RESOURCES

3.6.1 Regulatory Setting

The cultural resources regulatory setting is summarized in **Table 3.6-1** and additional information on the regulatory setting can be found in **Appendix D.**

Table 3.6-1: Regulatory Policies and Plans Related to Cultural Resources

Regulation	Description
Federal	
Section 106 of the National Historic Preservation Act	▪ Federal agencies must identify cultural resources that may be affected by actions involving federal lands, funds, or permitting actions. ▪ Significance of the resources must be evaluated for National Register of Historic Places (NRHP) eligibility. ▪ If an NRHP-eligible resource will be adversely affected, measures to avoid or reduce adverse effects must be taken.
Native American Graves Protection and Repatriation Act	▪ Includes provisions governing the repatriation of Native American remains and cultural items under the control of federal agencies and institutions that receive federal funding ("museums"), as well as the ownership or control of cultural items and human remains discovered on federal or tribal lands.
Archaeological Resources Protection Act	▪ Archaeological resources and sites on public and Indian lands are protected resources.
Paleontological Resources Preservation Act	▪ Establishes that paleontological resources on federal land are protected resources.
State	
Minnesota State Historic Preservation Office	▪ Provides standards and oversight for the identification, designation, and protection of the State of Minnesota's significant cultural resources.

Minnesota Statewide Historic Preservation Plan	▪ The Plan contains a summary of past accomplishments, trends affecting historic resources, and challenges and opportunities in preserving such resources, and discusses the State's vision of accomplishing the five broad Plan Goals focusing on partnerships, access to information, equity, economic benefits, and sustainability and climate resiliency.

3.6.2 Environmental Setting

This section summarizes the prehistory and history of the Project Site, as well as the methodology and findings of the cultural resources study prepared for the area of potential effects within the Project Site (APE) (**Appendix G**). Additional information regarding the setting is included in **Appendix D**.

Prehistory and History

Prehistory

The first documented Native American occupation of Olmsted County followed the retreat of the last glaciers at the end of the Pleistocene. Migratory groups of hunters and gatherers identified as the Paleoindian tradition were present in this area beginning at least 12,000 years before present (B.P.). Climatic and cultural shifts appeared in the archaeological record with the advent of the Archaic tradition, which extended from about 9,500 to 2,500 B.P. The Woodland tradition (2,500–1,000 B.P.) is typically associated with the introduction of horticulture, construction of earthen burial mounds, and the manufacture of ceramics. At present, there is insufficient evidence to securely attribute specific Woodland contexts to Olmsted County.

At about Anno Domini (A.D.) 1000 in central Illinois, the population and cultural center of Cahokia rose to prominence, and in the space of one hundred years its influence had spread throughout the central United States. In southeast Minnesota, the best documented Native American culture of the Late Prehistoric period was the Oneota. Although the origins of Oneota cultures are uncertain, by 900 B.P. they were spreading across much of the Midwest. There are no major Oneota agricultural villages reported from Olmsted County, but Oneota sites in La Crosse show evidence of exploitation of the prairies in southeast Minnesota for winter bison hunts.

History

Contact between Europeans and Native Americans began during the 1600s when European trade goods and introduced diseases entered Minnesota as eastern tribes moved west, disrupting and displacing many populations. The Eastern Dakota were the most widespread Native American group in central and northern Minnesota during the historic period, along with the Ojibway peoples who moved into northern Minnesota to the Lake-Forest biome (Benchley et al. 1997:203–205). A series of conflicts between Native peoples and Euro-American settlers culminated in 1862 with the Dakota Conflict, after which most Dakota peoples were forcibly relocated further west.

The Minnesota Territory was formed in 1849 by which time Euro-American populations began to settle in what is now known as Olmsted County (Leonard 1910). Olmsted County was established in 1855 and formally organized in 1858, shortly after the community of Pine Island was platted and its post office was established which is still in operation today. The largest town in Olmsted County, Rochester, was also founded about the same time (Leonard 1910; Poch 1980).

Although many of the first settlers were farmers, in the 1860s railroad construction and growing industries also attracted new residents, so by the 1870s, the urban dwellers began to outnumber the rural population.

Prairie Island Indian Community

As a result of numerous treaties, including the 1851 Treaty of Mendota and the 1851 Treaty of Traverse des Sioux, the Dakota people were largely stripped of their ancestral lands (PIIC, 2023). The failure of the U.S. government to uphold its treaty obligations led to war with the Dakota and, ultimately, the largest mass execution in American history – the hanging of 38 Dakota men in Mankato, Minnesota on December 26, 1862. Soon after, Congress invalidated all treaties and the Dakota people were driven from Minnesota. However, a small group remained and settled near Prairie Island. The reacquisition of the Prairie Island Indian Community's homelands began in the late 19th century and was aided by the federal Indian Reorganization Act in 1934. This act encouraged tribes to formalize their governments by adopting constitutions and by-laws.

The Tribe adopted its constitution and by-laws on June 20, 1936 and was recognized by the federal government as a Tribe. Lands were put into trust and the Reservation was established. In 1939, 414 acres of land at Prairie Island were purchased by the federal government for the benefit of the newly organized Community. This acreage constitutes the central core of the Tribe's Reservation that has provided a small footprint for tribal members' homes. Today, the reservation comprises 3,100 acres on Prairie Island, within the ancestral homeland of the Dakota people, at the confluence of the Vermillion and Mississippi Rivers.

Findings

The Project Site was assessed for the presence of cultural resources by the Earth Systems Research Laboratory of the Minnesota State University, Mankato, in coordination with the Tribe's Tribal Historic Preservation Officer (THPO) (**Appendix G**). The investigation included a review of Office of the State Archaeologist of Minnesota archives for information on previously documented resources located within and near the Project Site, data provided by past studies, a pedestrian survey, and the excavation of shovel tests. A Phase I Archaeological Survey Report detailing the study methodology and results of the archival research and field efforts was completed by Earth Systems Laboratory in 2024 (**Appendix G**).

Records and Literature Search

Earth Systems Laboratory conducted a search of the Minnesota State Historic Preservation Office archives between February 10th, and 20th, 2024 for archaeological site records and previously conducted studies relevant to the Project Site. A county-wide (Olmsted) survey conducted by Arzigian and Kolb (2010) was also reviewed along with an examination of soil types that could provide indications of archaeologically sensitive landforms within or near the Project Site.

Pedestrian Survey

An intensive pedestrian survey of the APE was conducted by Brown and Schirmer (2024) using closely spaced transects (approximately 1 meter) where ground surface visibility was sufficient. In addition to the surface survey, shovel tests measuring 30 centimeters (cm) x 30 cm were excavated to depths of at least 50 cm below the present-day ground surface in areas where ground surface visibility was especially poor.

The tests were dug in 10 cm levels until pre-Holocene soil strata were reached or the maximum depth of project disturbances (at least 50 cm in depth), or other conditions (e.g., large tree roots, boulders, etc.) precluded further work. Shovel test soil was screened through a ¼-inch wire mesh to recover small artifacts and the tests were backfilled. The pedestrian survey and shovel test pits did not identify any cultural resources.

Paleontological Resources

Several archives were reviewed to assess the paleontological sensitivity of the Project Site, and whether any significant fossil discoveries have been made. These archives and sources included publications of the Minnesota Geological Survey (MGS) relevant to paleontology, and the geology of the Project Site and surrounding region.

According to the MGS, the underlying geology of the Project Site and surrounding region consist of Paleozoic formations of the Ordovician (485–443 million years ago [mya]), and Devonian (419–358 mya) ages. The MGS Information Circular #33 (Rice 1990) reports that a number of fossil specimens from Olmsted County are curated in the MGS collections. These consist of examples of brachiopods (a type of marine mollusk) collected in 1880, gastropods (also a mollusk) found near Stewartsville (south of Rochester) in 1897, bryoza (an aquatic invertebrate) samples from Rochester, and several specimens of conodota (eel-like invertebrates) recovered in 1933, and 1966. The shale and limestone formations within which these specimens can be exposed, primarily in roadcuts and natural outcrops, are presently accessible and examples continue to be found but have not necessarily been cataloged in institutional or agency collections (Wilson 2016).

3.6.3 Impacts

Significance Criteria

A significant impact would occur if the implementation of an alternative resulted in physical destruction, alteration, removal, or change in characteristics or reduction of integrity of a *historic property* (a cultural resource presently listed or recommended eligible for listing on the NRHP) or important paleontological resources.

Alternative A: Proposed Project

Cultural Resources

A review of the Office of the State Archaeologist files indicated that no previously documented cultural resources have been identified within or in the vicinity of the Project Site. Additional research also did not identify the presence of any prehistoric or historic-era resources or sensitive landforms on or near the Project Site. A pedestrian survey and the excavation of shovel test pits within the APE also did not identify any cultural resources. The Phase I Archaeological Survey Report (**Appendix G**) summarizes the findings of the records search, other research, and survey efforts, and recommended a finding of no effect with respect to potential impacts of Alternative A on cultural resources. The Tribe's THPO concurred with this finding (**Appendix G**). However, it is possible to inadvertently uncover unknown cultural resources during ground disturbing activities. Accordingly, mitigation measures are presented in **Section 4.0** for the treatment of unanticipated discoveries of cultural resources and human remains. With mitigation, there would be no adverse impacts to unknown historic properties and human remains.

Paleontological Resources

No paleontological resources have been reported or observed on or in the vicinity of the Project Site. No paleontological finds have been made within or adjacent to the Project Site and no outcrops, roadcuts, or other exposures of the geologic formations likely to contain significant fossil specimens are known to be present. Therefore, Alternative A would not result in significant adverse effects to known paleontological resources. Although the possibility is low, previously unknown paleontological resources could be discovered during earth-moving activities. Mitigation measures are presented in **Section 4.0** for the treatment of unanticipated paleontological discoveries which would ensure that Alternative A would not result in adverse impacts to previously unknown paleontological resources.

Alternative B: Event Center

Impacts to cultural and paleontological resources under Alternative B would be the same as those discussed above under Alternative A. Accordingly, mitigation measures are presented in **Section 4.0** for the treatment of unanticipated discoveries of cultural and paleontological resources as well as human remains. With mitigation, Alternative A would not result in adverse impacts to historic properties or paleontological resources.

Alternative C: No Action

Under Alternative C, the Project Site would not be taken into trust and no development would occur. The Project Site would remain in its current state. Because no new construction would occur, Alternative C would have no adverse effects on historic properties or paleontological resources.

3.7 SOCIOECONOMIC CONDITIONS AND ENVIRONMENTAL JUSTICE

3.7.1 Regulatory Setting

The socioeconomic regulatory setting is summarized in **Table 3.7-1,** and additional information on the regulatory setting can be found in **Appendix D**.

Table 3.7-1: Regulatory Policies and Plans Related to Socioeconomics

Regulation	Description
Federal	
Executive Order 12898	▪ Disproportionately high impacts to minority or low-income populations should be considered. ▪ A minority population is defined as a census tract containing greater than 50% minorities, or a census tract with a meaningfully greater percentage of minorities than the surrounding tracts.[1] ▪ A low-income population is defined as a census tract with a median household income lower than the poverty threshold, which varies depending on the number of persons in a household.
Executive Order 14096	▪ Provides a broader definition of potentially disadvantaged communities. ▪ Explicitly expands definition of potentially disadvantaged communities to include persons with a Tribal affiliation and disabled persons. ▪ Requires federal agencies to fulfill environmental justice reporting requirements and prepare strategic plans. ▪ Describes additional reporting and notification requirements related to toxic spills.

[1] Although not specified in EO 12898, for purposes of the social justice analysis, minority races include American Indian or Alaskan Native, Asian or Pacific Islander, Black (not of Hispanic origin), and Hispanic. Populations of two or more races and populations classified as "Other" were also considered to be minority races.

3.7.2 Environmental Setting

Demographics

Demographic data for Olmsted County, the City of Pine Island, and Minnesota State is presented in **3.9-2**. The Project Site is partially within and adjacent to the City of Pine Island, which had a population of approximately 3,769 in 2020. Olmsted County had a population of approximately 162,847 residents in 2020 (**Table 3.7-2**).

Between 2010 and 2020, Olmsted County saw a population growth of approximately 18,599 new residents (12.9% growth rate), and the County has experienced a fairly steady growth rate of approximately 15,000 to 20,000 new residents per decade for the past 30 to 40 years (Olmsted County, 2022b). Additional socioeconomic data for the City of Pine Island, Olmsted County, and State are summarized in **Table 3.7-2**. The Project Site is located in Census Tract 19.02 as designated by the U.S. Census Bureau (U.S. Census Bureau, 2020a).

Table 3.7-2: Socioeconomic Data

Census Data	City of Pine Island[1]	Olmsted County	Minnesota State
Demographics			
Population April 1, 2020[2]	3,769	162,847	5,706,494
Median household income (2021 dollars)[3]	N/A	$113,018	$102,691
Persons in poverty[4]	N/A	9.6%	9.6%
Race and Ethnicity[2]			
White alone	92%	83%	82%
Black or African American alone	2%	7%	7%
American Indian and Alaska Native alone	0.2%	0.2%	1%
Asian alone	1%	6%	5%
Native Hawaiian and Other Pacific Islander alone	0%	0%	0%
Two or more races	4%	4%	4%
Hispanic or Latino	2%	6%	6%
White alone	90%	77%	76%
Minority population[5]	10%	23%	24%
Employment			
Employment Oct. 2023 (seasonally adjusted)[6]	–	–	3,001,300
Unemployment Rate 2022 (not seasonally adjusted, 1-year estimate)[7]	N/A	3.6%	3.2%
Unemployment Rate Oct. 2023 (seasonally adjusted)[6]	–	–	3.2%
Housing[8]			
Housing units, 2022	N/A	70,904	2,547,867
Vacant units, 2022	N/A	2,159	225,677
Vacancy rate	N/A	3.0%	8.9%

1. Note: Due to its population size of less than 5,000 people, some datasets are not available for Pine Island and a "N/A" may be provided in this column. 2. Source: U.S. Census, 2020b. 3. U.S. Census, 2021. 4. Source: U.S. Census, 2022a. 5. Calculated as 100% minus the White alone, not Hispanic or Latino percentage. 6. Source: U.S. Bureau of Labor Statistics, 2023. 7. Source: U.S. Census, 2022b. 8. Source: U.S. Census, 2022c

Economy and Employment

Table 3.7-3 presents mean household income levels and household sizes for Census Tract 19.02 and adjacent census tracts. Olmsted County had an estimated mean household income of $113,018 in 2021, which was approximately 10% higher than the State average of $102,691 (**Table 3.7-2**). The mean household income for Census Tract 19.02 in 2021 was $164,788, which was well above the established poverty threshold of $24,860 and higher than the County and State averages (**Table 3.7-3**). There were approximately 3,001,300 people employed in the State in 2023. The unemployment rate was approximately 3.2% statewide and approximately 3.6% for the County (**Table 3.7-2**).

Table 3.7-3: Household Income – Project Site and Nearby Census Tracts

Census Tract or Location	Mean Household Income[1]	Average Household Size[2]	Poverty Threshold[3, 4]
Project Site			
19.02	$164,788	2.69	$24,860
Vicinity			
19.01	$144,324	2.73	$24,860
14.04	$122,779	2.89	$24,860
17.03	$127,329	2.30	$24,860
16.03	$171,709	2.63	$24,860
808	$91,171	2.56	$24,860
4904	$104,407	2.47	$24,860
4905	$100,098	2.57	$24,860
Olmsted County	$113,018	2.42	$24,860
Goodhue County	$87,029	2.31	$24,860
Wabasha County	$88,604	2.35	$24,860
Minnesota State	$102,691	2.48	$24,860

1. Source: U.S. Census, 2021; 2. Source: U.S. Census, 2020d; 3. Source: U.S. Department of Health and Human Services, 2023.
4. Average household size is conservatively rounded up to the nearest person.

Property Taxes

A total of $49,754.00 in property taxes and special assessments was due for the Project Site during 2023 (Old Republic National Title Insurance Company, 2023). In the 2023 fiscal year, the County anticipates collecting a total of $124,046,580 in property taxes for the County (Olmsted County, 2023a).

Housing

In 2022, the State was estimated to have approximately 2,547,867 housing units, of which approximately 225,677 units (8.9%) were vacant (**Table 3.7-2**). For Olmsted County, the U.S. Census estimates that there are 2,159 vacant housing units as of 2022 (U.S. Census, 2022c), while current (2023) GIS data indicates there are approximately 4,336 surplus housing units (**Appendix B**).

Existing Gaming Market

The only existing casino within the primary market area (within 50 miles) of the Project Site is the Tribe's existing Casino.

Environmental Justice

As discussed above, the mean household income for the County, the State, and the census tract for the Project Site and those in the vicinity are well above the poverty threshold of $24,860 annually for a three-person household. Additionally, as presented in **Table 3.7-4**, the minority population is below 50% in the census tract comprising the Project Site and all census tracts in the vicinity of the Project Site. As the Applicant, members of the Tribe are considered a minority population for the purposes of the EO 12898 analysis, regardless of residency.

Table 3.7-4: 2020 Population Demographics by Census Tract

Race	19.02 (Project Site)	19.01	14.04	17.03	16.03	808	4904	4905
Total Population[1]	**4,835**	3,925	7,099	5,726	4,564	4,517	4,306	3,259
Hispanic or Latino	**175**	102	255	200	184	107	74	118
Two or More Races	**142**	152	314	193	176	167	80	65
Native Hawaiian & Other Pacific Islander	**0**	4	4	1	1	2	0	0
Asian	**69**	66	736	460	495	45	13	17
American Indian and Alaskan Native	**10**	4	9	16	3	11	11	5
Black or African American	**36**	22	646	383	63	75	9	16
White Alone, not Hispanic or Latino	**4,383**	3,562	5,123	4,453	3,626	4,093	4,111	3,038
Minority %[2]	**9.3%**	9.2%	27.8%	22.2%	22.2%	9.4%	4.5%	6.8%

Source: U.S. Census, 2020c

1. Note that individual columns do not add to Total Population because of double counting in some categories.
2. Calculated as 100% minus the White alone, not Hispanic or Latino percentage.
3. Olmsted County: 19.02, 19.01, 14.04, 17.03, and 16.03. Goodhue County: 808. Wabasha County: 4904, 4905.

USEPA Environmental Justice Screening Tools

The Environmental Justice Screening and Mapping Tool (version 2.1) and the Climate and Economic Justice Screening Tool were used to identify disadvantaged communities and other demographics near the Project Site. Using USEPA's Environmental Justice Screening and Mapping Tool (EJScreen, version 2.2), the Project Site block-group was compared to the rest of the US and is found within the less than 10th percentile for low income and in the 20th percentile for people of color demographics (**Table 3.7-5**). Additional demographic data is shown in **Appendix H**. EJScreen was used to identify if the Project Site was considered a disadvantaged community. The mapping tool ranks most of the burdens using percentiles. The percentiles show how much burden each tract experiences when compared to other tracts. According to EJScreen, the Project Site is well below the thresholds for disadvantaged consideration in all aspects of energy, health, housing, legacy pollution, transportation, water and wastewater, and workforce development (**Appendix H**).

Table 3.7-5: EJScreen Report; Project Site Block-group Compared to Minnesota and USA

Variables	Value	State Average	Percentile in State	USA Average	Percentile in USA
People of Color	5%	20%	21	39%	12
Low Income	5%	23%	11	31%	7
Unemployment Rate	0%	4%	0	6%	0
Less than High School Education	2%	7%	31	12%	20
Particulate Matter (µg/m^3)	7.82	6.78	88	8.08	40
Ozone (ppb)	57.7	58.2	20	61.6	21
Air Toxics Cancer Risk[1] (lifetime risk per million)	20	22	12	25	5

Source: **Appendix H**

DPM, air toxics cancer risk, and air toxics respiratory hazard index are from the USEPA's Air Toxics Data Update, which is the Agency's ongoing, comprehensive evaluation of air toxics in the United States. This effort aims to prioritize air toxics, emission sources, and locations of interest for further study. It is important to remember that the air toxics data presented here provide broad estimates of health risks over geographic areas of the country, not definitive risks to specific individuals or locations. Cancer risks and hazard indices from the Air Toxics Data Update are reported to one significant figure and any additional significant figures here are due to rounding.

3.7.3 Impacts

Assessment Criteria

An impact associated with socioeconomic conditions and environmental justice would be considered significant if development were to disproportionately negatively impact minority or low-income populations, negatively affect the economy or unemployment, overburden the local housing supply, or cause an increase in crime or pathological gambling.

Alternative A: Proposed Project

Environmental Justice for Minority and Low-Income Populations

As discussed above, there are no low-income or minority populations in the vicinity of the Project Site, with the exception of the Prairie Island Indian Community (the project proponent). Furthermore, Alternative A would not displace any residential populations in the vicinity of the Project Site. Effects to minority populations would include positive impacts from the beneficial impacts to the local economy (including the creation of construction jobs) due to the construction of Alternative A.

Because Alternative A could operate concurrently with the Casino, Alternative A could increase the Tribe's revenue base and during the 6-Year Forbearance Period, Alternative A would provide a backup source of revenue that would allow the continued provision of Tribal government services should an catastrophic event cause closure of the existing Casino, and after the 6-Year Forbearance Period, could increase the Tribe's revenue base through the operation of the secondary gaming facility. This would be beneficial for the Tribe. Therefore, Alternative A would not result in disproportionately high and adverse environmental effects to minority or low-income communities, including the Tribe.

Economy and Employment

Construction

Construction of Alternative A would generate temporary employment opportunities and wages that would primarily be filled by the available labor force in the City of Pine Island, Olmsted County, and neighboring City of Oronoco, Goodhue County, and Wabasha County. New one-time employment opportunities would be generated during the construction phase of Alternative A. Construction would directly create 51 temporary jobs and would indirectly induce an additional 81 jobs within the State (**Appendix B**). Additionally, construction of Alternative A is anticipated to stimulate approximately $11.6 million in one-time economic benefits to the local area (including the cities of Pine Island and Oronoco, Olmsted County, and Goodhue County) while the rest of the State would experience $14.1 million in economic development (**Appendix B**). There would be a beneficial impact.

Operation

Operation of Alternative A would result in a variety of benefits to the economy, including residents of nearby counties, cities, and the City of Pine Island. These effects include increases in overall economic output and employment opportunities. During operation, Alternative A would employ an estimated 342 full- and part-time jobs. Typically, the opening of a new casino creates additional jobs statewide through a combination of indirect and induced employment opportunities, and it is estimated that Alternative A would generate 124 indirect and induced jobs (**Appendix B**). Indirect jobs produce goods and services needed by workers with direct jobs. Induced jobs are employment positions created by additional spending by both direct and indirect workers. During operations of the Emergency Gaming Facility within the 6-Year Forbearance Period, it is likely that these would not be “new” jobs, but rather positions that would continue to be filled despite possible closure of the existing Casino.

During operations of the Emergency Gaming facility, initially it is expected that all 342 employment positions at Alternative A would be filled by employees of the existing Casino, offsetting some of the substantial negative impact caused by the potential closure; however, it is possible that over time some of these employees may choose to relocate to the project area, potentially resulting in a minor increase in the local population. Further, after the 6-Year Forbearance Period, during long-term operations of the optional secondary gaming facility, it is also possible that the increase in local employment opportunities may result in persons relocating to the project area, thus resulting in a slight local population increase. At most, **Appendix B** estimates that approximately 108 employees may relocate to the region, resulting in 98 new households, and a population increase of approximately 238 persons with operation of Alternative A. The anticipated increase in employment opportunities at the Project Site would partially offset the loss of 1,700 jobs at the existing Casino should it close, resulting in employment and wages for persons that would otherwise be unemployed, increasing the ability of the population to obtain health and safety services, and contributing to the alleviation of poverty among lower income households.

Alternative A would result in direct, indirect, and induced economic benefits, which would benefit the residents of the region and members of the Tribe. Direct benefits include expenditures made by operation of the facility in the form of employee compensation and purchases of goods and services. Indirect benefits are the impact of the direct expenditures on other business sectors and reflect the economic spin-off that is made possible by the direct purchases. Induced benefits result from the spending of labor income, such as employees using incomes to purchase consumer goods locally. The total economic impact is the sum of direct, indirect, and induced benefits.

Direct annual labor income would equal $19.7 million and total added value to the economy would be $46.4 million. Direct impacts contribute $17.9 million in added value to the economy from indirect and induced effects. In total, the local region is estimated to benefit from annual employment impacts of $30.2 million in labor income and $64.4 million in total value added (**Appendix B**).

Operation of Alternative A would generate an estimated $116.6 million in annual economic output for nearby counties and cities with an additional $22.4 million in annual output to the rest of the State (**Appendix B**). Additionally, ongoing operations from Alternative A would contribute tax revenues to local and State governments. Therefore, Alternative A will result in beneficial impacts to economic development and income of the surrounding community and the State. Annual employment benefits of Alternative A on the remainder of the State are estimated to be $4.8 million in labor income and $12.5 million in total value added.

Combining the regional and State benefits discussed above, the total ongoing economic benefit from operation of Alternative A is projected to be $76.9 million annually (**Appendix B**). Overall, Alternative A would result in beneficial impacts to local employment and would partially offset the loss of jobs caused by potential closure of the Casino. There would be a beneficial impact.

Fiscal Impacts

Fiscal impacts of Alternative A would include business/sales taxes, payroll taxes, property taxes, and other relevant taxes both locally and statewide. As with the existing Casino, the Tribe would not pay corporate income taxes on revenue generated at the gaming facility, nor would it pay property taxes on tribal land. Tax revenues would be generated for federal, State, and local governments from activities including secondary economic activity generated by tribal gaming (i.e., the indirect and induced effects of the gaming facility). The taxes on secondary economic activity include: corporate profits tax, income tax, sales tax, excise tax, property tax, and personal non-taxes, such as motor vehicle licensing fees, other fees, and fines. Alternative A is estimated to directly generate $7.6 million in State tax revenue, $4.8 million in local tax revenues, and $6.1 million in federal tax revenue (**Appendix B**). While the Tribe would no longer pay approximately $49,754 in property taxes for the Project Site once it goes into federal trust, this represents of .04% of the $124,046,580 of property taxes the County will levy in the fiscal year 2023 and would be more than offset by the direct, indirect, and induced economic benefits described above. As discussed in **Section 3.10.3**, Alternative A would result in an increase in demand for law enforcement and fire protection/EMS services on the Project Site which may result in additional costs for local service providers.

Prairie Island Police Department (PIPD) would be the primary first responder for calls for service from the Project Site, although the Goodhue County and Olmsted County Sheriff's Departments may provide supplemental law enforcement services. It is difficult to quantify how many calls may be responded to by the local law enforcement agencies rather than PIPD, and therefore a conservative assessment of potential fiscal impacts was conducted that determined the combined estimated increase in costs associated with the provision of law enforcement and fire protection services associated with Alternative A could be as high as $1,657,323 (Table 69, **Appendix B**), if local police and fire departments were serving the entirety of the proposed development. The projected gains in tax revenues that will accrue to the local area as a result of increased economic activity generated by the entertainment complex and its employees are projected to be $4,774,400 which will fully offset the increase in costs (Table 22 of **Appendix B**).

As previously stated, it is highly unlikely that local law enforcement providers would be responsible for all new calls for service generated by Alternative A and therefore this potential increase in costs is extremely conservative. Furthermore, the Tribe has entered into an IGA with Pine Island (**Appendix A**) that contemplates the provision of law enforcement services (which are provided to the City of Pine Island by Goodhue County Sheriff's Department; see **Sections 1.5** and **2.1**). The Tribe also has a Cooperative Service Agreement with Goodhue County associated with the existing Casino, that could be amended to address the Project Site (**Section 1.5**). The Tribe proposes to enter into a service agreement with the Pine Island Fire Department for fire protection and emergency medical services to the Project Site prior to development, which has been included as a mitigation measure in **Section 4.0**. Therefore, fiscal impacts under Alternative A would be less than significant.

Housing

Alternative A, as discussed above, is projected to directly generate 342 jobs. It is estimated that the existing Casino workforce will account for the majority of employment should a catastrophic event occur. However, to provide a conservative assessment of potential impacts to the local housing market, this analysis assumes that over time or after the 6-Year Forbearance Period, the local workforce may fill the new 342 jobs. In this scenario, approximately 108 workers are estimated to represent new residents moving into the area. Assuming approximately 1.1 workers per household, the total increase in new households within the project area under Alternative A is estimated to be 98. For Olmsted County, the U.S. Census estimates that there are 2,159 vacant housing units as of 2022 (U.S. Census, 2022c), while current (2023) GIS data indicates there are approximately 4,336 surplus housing units (**Appendix B**). Therefore, the addition of less than 100 new households as a result of Alternative A could be supported by current and planned housing developments throughout the County without overwhelming existing infrastructure.

Substitution Effects

Potential substitution effects (the loss of customers at existing businesses to the new business) of a gaming facility are considered when estimating economic impacts. The magnitude of the substitution effect can generally be expected to vary greatly by specific location and according to a number of variables. That is, how much of a new gaming facility's revenue comes at the expense of other business establishments in the area depends on how many and what type of other establishments are within the same market area, as well as other economic and psychological factors affecting the consumption decisions of local residents. Alternative A is anticipated to have a positive effect on most local businesses because the gaming customers visiting the Project Site are expected to patronize local businesses.

There is a substantial body of research and case studies demonstrating the positive impacts that casinos have on surrounding local businesses. Casinos can stimulate local economies, resulting in communitywide growth, including in the local food and beverage business and retail businesses. There is little evidence of significant economic substitution after the introduction of new casinos and substantial economic research from throughout the country contradicting the substitution effect (**Appendix B**). Positives identified in these studies include spillover effect on local hotels, even in markets where casinos operate hotels for their gaming customers. As discussed in **Section 3.7**, there are no competing regional gaming facilities within 50 miles of the Project Site, other than the Tribe's existing Casino. The following discusses the potential for substitution effects to occur within the initial 6-Year Forbearance Period under operation of an emergency gaming facility, and after the 6-Year Forbearance Period from operation of the optional secondary gaming facility.

Emergency Gaming Facility (within the 6-Year Forbearance Period)

The emergency gaming facility under Alternative A would only be operated if the existing Casino closed due to a catastrophic event, therefore, no substitution effects to the Tribe's existing Casino or other regional gaming facilities are anticipated to occur.

Optional Secondary Gaming Facility (After the 6-Year Forbearance Period)

After the 6-Year Forbearance Period, the Tribe may elect to operate a secondary gaming facility on the Project Site simultaneously with the existing Casino to provide a source of employment and economic resources for the local tribal community members. A Competitive Effect Analysis was prepared by The Innovation Group to assess the effects of both the Casino and optional secondary gaming facility operating concurrently in the year 2031 (attached as **Appendix B**). As described therein, tribal gaming facilities that would experience the impacts above a 2% decline in revenue include the Tribe's existing Treasure Island Casino (-7.6%), Ho-Chunk Gaming Black River Falls (-6.5%) and Ho-Chunk Gaming Tomah (-4.6%). Additionally, the Diamond Jo Worth Casino, a commercially operated facility, would experience the highest substitution effect at 12.8%. Impacts would be expected to occur within the first 12 months of operation after which time organic growth at the existing market casinos would be expected to resume. On a year-over-year basis, the declines would be lower each year since a year's worth of organic growth from population and income growth would occur (**Appendix B**). Therefore, this impact would be less than significant.

Pathological and Problem Gambling

The American Psychiatric Association Dictionary of Psychology describes a pathological gambling as,"… an impulse-control disorder characterized by chronic, maladaptive wagering, leading to significant interpersonal, professional, or financial difficulties…" A person who suffers from pathological gambling is someone who features a continuous loss of control over gambling. Furthermore, this gambler illustrates a progression in the following areas: gambling frequency and the amounts wagered, preoccupation with gambling, and obtaining monies with which to gamble.

Residents of Minnesota have already been exposed to many forms of gambling. Prevention and treatment programs exist throughout the State. Problem gambling prevalence is not anticipated to increase from Alternative A given the widespread availability of casino gaming already present throughout the State and due to the smaller size of the gaming facility under Alternative A compared to the existing Casino (**Appendix B**). Consequently, the potential impacts to problem gambling as a result of Alternative A would be less than significant.

Crime

There is a general belief that the introduction of legalized gambling into a community will increase crime. However, this argument is based more on anecdotal evidence than empirical evidence. Whenever large volumes of people are introduced into an area, the volume of crime would also be expected to increase. This is true of any large-scale development.

Appendix B includes an analysis of the number of calls police respond to and the numbers of arrests made at a sampling of casinos throughout the U.S. The analysis includes six tribal casinos throughout the U.S. As discussed in **Section 3.10**, Alternative A is estimated to generate approximately 234 annual calls for law enforcement services. As discussed in **Section 2.1**, the Tribe has its own law enforcement services via the PIPD, which includes a Tribal Court and licensed peace officers with the power to enforce state and Tribal law.

Law enforcement services would primarily be provided by the Tribe's PIPD, and the Tribe has established an IGA regarding law enforcement services with the City of Pine Island (law enforcement services are provided to the City by Goodhue County Sheriff's Department; see **Sections 1.5** and **2.1**).

While Olmsted County Sheriff's Department would not be the first or second responder for calls from the Project Site, it is possible that some calls may be routed to the Olmsted County Sheriff's Department. The addition of 234 calls would constitute an approximate 3.6% increase in the total service calls received by the Olmsted County Sheriff's Department based on 2022 service call data (**Appendix B**). This relatively minor increase is not anticipated to require Olmsted County Sheriff's Department to build new or expanded facilities to provide services as a consequence of development on the Project Site. The Tribe's own police department would be the primary law enforcement provider and it has already entered into agreements with local agencies to compensate for services provided, and therefore this impact would be less than significant.

Alternative B: Event Center

Alternative B would occur within the same development area but does not include a gaming component (refer to **Section 2.2**). The banquet room, bar, and lounge would create less economic and employment benefits because the lack of a gaming component would result in fewer new jobs and less economic activity. Certain socioeconomic effects, such as social effects, would not occur.

Alternative B would still have beneficial socioeconomic effects; however, these effects would be less than those of Alternative A and would not address the Tribe as adequately for the financial impacts that would occur if the existing Casino were to close. The net fiscal impact to the local cities, County, and State would be positive but reduced under Alternative B. Due to the increase in tax revenue of Alternative B, the existing agreements between the Tribe and local municipalities to compensate for services provided, and the mitigation measures specified in **Section 4.0** to ensure an agreement is entered into with the Pine Island Fire Department, the net fiscal impacts of Alternative B would be less than significant.

Alternative C: No Action

Under Alternative C, the Tribe would not receive any of the socioeconomic benefits associated with development on the Project Site. The Project Site would not be acquired in trust and would remain on the City and County's property tax rolls. No development would occur on the Project Site.

3.8 TRANSPORTATION AND CIRCULATION

3.8.1 Regulatory Setting

The transportation regulatory setting is summarized in **Table 3.8-1**, and additional information on the regulatory setting can be found in **Appendix D**.

3.8.2 Environmental Setting

Transportation Networks and Intersections

The roadways surrounding the Project Site are shown in **Figure 1.4-2** and include E White Bridge Road, White Pine Road SE, White Bridge Road, and Hwy 52.

Table 3.8-1: Regulatory Policies and Plans Related to Transportation and Circulation

Regulation	Description
Federal	
Department of Transportation (DOT)	▪ The mission of the DOT is to ensure a fast, safe, efficient, accessible and convenient transportation system that meets national interests and enhances quality of life. ▪ Organizations within the DOT include the Federal Highway Administration (FHWA), the Federal Aviation Administration, the National Highway Traffic Safety Administration, the Federal Transit Administration, the Federal Railroad Administration, and the Maritime Administration. ▪ The FHWA supports State and local governments in the design, construction, and maintenance of the Nation's highway system (Federal Aid Highway Program) and various federally and tribal owned lands (Federal Lands Highway Program). ▪ US-52 is a federal highway within the vicinity of the Project Site.
State	
Minnesota Department of Transportation (MnDOT)	▪ The principal agency of the State for development, implementation, administration, consolidation and coordination of State transportation policies, plans and programs, as well as federal transportation plans and programs. ▪ The Stewardship and Oversight Agreement with the FHWA allows MnDOT to assume certain review and approval actions for the FHWA depending on whether a project is on the Interstate System, National Highway System, or off the National Highway System. ▪ The Access Management Manual addresses planning, design, and implementation of land use and transportation strategies in an effort to maintain a safe flow of traffic while accommodating the access needs of adjacent development. ▪ The Facility Design Guide provides design guidance for roads, highways, and other facilities.

Regional access to the Project Site is provided via Hwy 52. The Project Site is locally accessible via an access driveway located on White Pine Road SE. This road runs from north to south and can be accessed from E White Bridge Road to the north or White Bridge Road NW to the south. Both roads are exits off Hwy 52. Additional details of the surrounding intersections and roadways relevant to the Project Site are included in **Appendix D**.

Existing Intersection Traffic Volumes and Levels of Service

Intersections surrounding the Project Site were analyzed within the 2023 Traffic Impact Study (TIS) included as **Appendix I**. The TIS evaluated the following intersections in the vicinity of the Project Site:

- Intersection I: US-52 and County Road 31/12 Western Interchange Ramp
- Intersection II: US-52 and County Road 31/12 Eastern Interchange Ramp
- Intersection III: E White Bridge Road/White Pines Road SE

Detailed traffic counts can be found in Attachment A of **Appendix I.** Traffic counts were collected from September 27 to September 30, 2023 during the following peak times for traffic volumes:

- Weekday AM: 7am to 8am
- Weekday PM: 4pm to 5pm
- Friday Afternoon: 3pm to 4pm
- Saturday: 12pm to 1pm

Level of Service (LOS) is a qualitative measure reflecting the traffic operation of the intersection, with LOS A representing best performance and LOS F the worst. LOS describes the traffic conditions in terms of such factors as speed, travel time, delays, freedom to maneuver, traffic interruptions, comfort, convenience, and safety. **Table 3.8-2** shows the corresponding average total delay per vehicle and a description of vehicular conditions at unsignalized intersections for each LOS category from A to F. Traffic volumes during the peak hours for the study intersections are shown in **Table 3.8-3**. A summary of the existing traffic operations at the study intersections is shown in **Table 3.8-4**. As shown, study intersections are functioning at LOS A or better in the year 2023. A more detailed table of existing operation levels can be seen in Table 17 of **Appendix I**.

Table 3.8-2: Level of Service for Unsignalized and Signalized Intersections

Level of Service	Control Delay Per Vehicle (seconds) – Unsignalized Intersection	Control Delay Per Vehicle (seconds) – Signalized Intersection	Traffic Condition
A	<10	<10	No Delay
B	>10 and 15	>10 and 20	Short Delay
C	>15 and 25	>20 and 35	Moderate Delay
D	>25 and 35	>35 and 55	Long Delay
E	>35 and 50	>55 and 80	Very Long Delay
F	>50	>80	Volume > Capacity

Source: **Appendix I**

Table 3.8-3: Existing Traffic Volumes

Time	Intersection	Peak	Total Trips
Weekday	I. US-52 and County Rd 31/12 Western Interchange Ramp	AM	324
		PM	281
Weekday	II. US-52 and County Rd 31/12 Eastern Interchange Ramp	AM	304
		PM	359
Weekday	III. E White Bridge Rd/White Pines Rd SE	AM	248
		PM	285
Friday	I. US-52 and County Rd 31/12 Western Interchange Ramp	Afternoon	286
Friday	II. US-52 and County Rd 31/12 Eastern Interchange Ramp		347
Friday	III. E White Bridge Rd/White Pines Rd SE		286
Saturday	I. US-52 and County Rd 31/12 Western Interchange Ramp	Peak	251
Saturday	II. US-52 and County Rd 31/12 Eastern Interchange Ramp		313
Saturday	III. E White Bridge Rd/White Pines Rd SE		286

Source: **Appendix I**

Existing Bicycle, Pedestrian, and Transit System

Within the vicinity of the Project Site, County Road 12 has a multi-use pathway complete with Americans with Disability Act compliant curb cuts and crosswalks. This roadway is approximately 0.18 miles northwest of the Project Site on the interchange ramp.

Table 3.8-4: Existing Traffic Operations (2023)

Time	Intersection	Peak	Intersection Delay in sec/veh (LOS)
Weekday	I.US-52 and County Rd 31/12 Western Interchange Ramp	AM	1.9 (A)
		PM	1.7 (A)
Weekday	II. US-52 and County Rd 31/12 Eastern Interchange Ramp	AM	3.0 (A)
		PM	3.9 (A)
Weekday	III. E White Bridge Rd/White Pines Rd SE	AM	3.8 (A)
		PM	3.7 (A)
Friday	I. US-52 and County Rd 31/12 Western Interchange Ramp	Afternoon	2.0 (A)
Friday	II. US-52 and County Rd 31/12 Eastern Interchange Ramp	Afternoon	4.0 (A)
Friday	III. E White Bridge Rd/White Pines Rd SE	Afternoon	3.8 (A)
Saturday	I. US-52 and County Rd 31/12 Western Interchange Ramp	Peak	2.2 (A)
Saturday	II. US-52 and County Rd 31/12 Eastern Interchange Ramp	Peak	4.4 (A)
Saturday	III. E White Bridge Rd/White Pines Rd SE	Peak	3.8 (A)

Source: **Appendix I**

The pathway spans from the west of the US-52/County Road 12 interchange and proceeds easterly along County Road 12/E White Bridge Road, terminating at the roundabout at the intersection of E White Bridge Road and White Pines Road SE. At the time of the study, there were no pedestrian or bicycle facilities leading south from the roundabout to the access of the Project Site. There are no public transit facilities within the vicinity of the Project Site.

3.8.3 Impacts

Assessment Criteria

Impacts to the transportation system would be significant if an alternative increased traffic volumes to the point where traffic exceeds the design capacity of a roadway after implementation of feasible mitigation measures. LOS E or lower is considered to be unacceptable for the study intersections in accordance with industry standard design objective.

Methodology

The TIS (**Appendix I**) was developed by KLJ to assess the potential traffic impacts related to the development of the Project Site with each different alternative. Traffic operations analysis was completed using Synchro/SimTraffic V11 software, which included road geometry, such as number of lanes, storage lengths, link distances, speed limits, and traffic volumes. Trip generation was calculated using ITE Trip Generation Manual, Edition 11 manual. However, because the manual does not provide traffic generation data for event centers or similar, trip generation for Alternative B was estimated based on engineering judgement. Please refer to pg. 11-12 of **Appendix I** for a discussion of the trip generation of the event center. For analysis purposes the TIS used 2026 as the first full year of operation and 2046 as the year to assess cumulative impacts. Based on this, the following near-term scenarios were modeled in the TIS (scenarios for cumulative 2046 conditions are discussed in **Section 3.14.8**):

- No-Build Scenario – Base Year (2023). Existing traffic conditions based on counts collected.
- No-Build Scenario – Year of Opening (2026). Projected traffic volumes in year 2026 based on existing traffic conditions, and assuming a 2% annual growth rate.
- Build Scenario Alternative A – Year of Opening (2026). Opening Year 2026 conditions plus the addition of traffic from Alternative A.
- Build Scenario Alternative B – Year of Opening (2026). Opening Year 2026 conditions plus the addition of traffic from Alternative A.

A detailed description of the methodology used for generating scenarios and assessing potential impacts, such as types of trips, can be found in **Appendix I**.

Study Intersections

The study area intersections are listed in **Section 3.8.1** and shown in Figure 2 of **Appendix I.** In addition, the future access entrance was also studied. While all interactions were studied for LOS, only a turn-lane analysis was performed for the proposed access at the Project Site.

Site Access

Turn lane criteria was reviewed based on guidance documents, such as the MnDOT Facility Design Guide and Access Management Manual, to guide the identification of locations where it may be appropriate to construct dedicated turn lanes for the proposed access on White Pines Road SE.

Alternative A: Proposed Project

Construction Traffic

During construction of Alternative A, additional temporary trips would be generated on the weekdays with construction work occurring during daytime hours between 7:00 AM and 10:00 PM. The worker arrival peak would generally be between 6:00 AM and 7:00 AM and the departure peak between 3:30 PM and 4:30 PM. These peak commute times partially coincide with local commute times. The increase in construction worker commute trips, approximately 50 trips, would be small compared to existing conditions (see **Table 3.8-3**), and additional trips would only occur during construction.

Furthermore, truck trips would occur primarily outside of the peak commute hours for the surrounding roadway network. The temporary increase in truck and worker trips during mostly off-peak hours would constitute a minimal disruption of existing traffic and would not impact the capacity of the surrounding roadway network. Therefore, construction of Alternative A would have a less-than-significant impact on existing traffic in the surrounding area.

Operation Traffic

The estimated traffic generation resulting from Alternative A is provided in **Table 3.8-5**. A visual representation of the trip distribution and assignment can be seen in Figure 6 of **Appendix I**. As shown in **Table 3.8-5**, Alternative A is anticipated to generate a total of 4,005 new daily trips during the weekday and up to 310 trips in total during each peak time on the surrounding roadway systems. No internal or pass-by trips were included in the trip generation estimates. Additional details about trip generation and distribution for Alternative A can be found in **Appendix I**.

Table 3.8-5: Alternative A – Peak Hour Trip Generation

Peak	In	Out	Total
Weekday AM	114	86	200
Weekday PM	153	142	295
Daily Weekday	2,163	1,842	4,005
Friday PM	160	143	303
Saturday PM	167	143	310

Source: **Appendix I**

Study Intersections

Anticipated opening year intersection operating conditions are shown in **Table 3.8-6**, and intersections conditions with the addition of traffic resulting from Alternative A are shown in **Table 3.8-6.** Detailed level of service worksheets are included in Appendix C of **Appendix I**. As shown in **Table 3.8-6**, the study intersections are currently operating at LOS A with a delay of up to 4.2 sec/veh in the year 2026, and intersection approaches are also operating at LOS A. With the addition of Alternative A, these intersections and intersection approaches are anticipated to continue to operate at LOS A, with delays increasing no more than 2.3 sec/veh. Therefore, impacts to intersection operations from Alternative A would be less than significant.

Table 3.8-6: Year of Opening (2026) Traffic Operation Results (sec/veh [LOS])

Intersection	Peak	No Build	Build – Alternative A	Build – Alternative B
Weekday				
US-52 and County Rd 31/12 Western Interchange Ramp	AM	2.1 (A)	2.2 (A)	2.2 (A)
	PM	1.8 (A)	2.3 (A)	2.3 (A)
US-52 and County Rd 31/12 Eastern Interchange Ramp	AM	2.9 (A)	3.6 (A)	3.6 (A)
	PM	3.8 (A)	4.4 (A)	4.4 (A)
E White Bridge Rd/White Pines Rd SE	AM	3.9 (A)	3.5 (A)	3.5 (A)
	PM	3.7 (A)	3.6 (A)	3.6 (A)
Friday				
US-52 and County Rd 31/12 Western Interchange Ramp	Afternoon	2.0 (A)	2.2 (A)	2.2 (A)
US-52 and County Rd 31/12 Eastern Interchange Ramp	Afternoon	4.0 (A)	4.2 (A)	4.2 (A)
E White Bridge Rd/White Pines Rd SE	Afternoon	3.8 (A)	3.6 (A)	3.6 (A)
Saturday				
US-52 and County Rd 31/12 Western Interchange Ramp	Peak	2.3 (A)	2.7 (A)	2.7 (A)
US-52 and County Rd 31/12 Eastern Interchange Ramp	Peak	4.2 (A)	4.3 (A)	4.3 (A)
E White Bridge Rd/White Pines Rd SE	Peak	3.8 (A)	3.6 (A)	3.6 (A)

Source: **Appendix I**

Site Access

Since Alternative A will be a commercial land use, turn lanes could be required per MnDOT's Access Management Manual guidelines if certain criteria are met. Based on MnDOT's Access Management Manual guidelines, an exclusive right turn is generally required for a two-lane undivided highway when the projected annual daily traffic is over 1,500, and the design speed is 45 mph or higher. Since the existing posted speed limit at White Pines Road SE is 40 mph, an exclusive northbound right turn lane at the access is not required. However, a left turn is required for a two-lane undivided highway when the access is to a public road, an industrial tract, or a commercial center. Because Alternative A will be a commercial land use, a southbound left-turn lane on White Pine Road SE is required at the approach to the driveway access to the Project Site. As described in **Section 2.0**, this roadway/access improvement would be implemented a part of Alternative A and is included as a BMP in **Table 2.1-2**. No other access issues were identified. Therefore, with implementation of the BMP in **Table 2.1-2**, this impact would be less than significant.

Bicycle, Pedestrian, and Transit Networks

Alternative A would not generate a high number of new pedestrian trips, bicycling activity, or transit riders along surrounding roadways. Thus, no significant impacts are anticipated to these networks as a result of Alternative A.

Alternative B: Non-Gaming Alternative

Alternative B would have similar impacts associated with transportation and circulation as Alternative A, but would generate less traffic volumes overall, as illustrated in **Table 3.8-7**. Alternative B would have a similar trip distribution as Alternative A, resulting in an overall reduction in trips during peak hours, with the exception of the Saturday PM Peak Hour.

Table 3.8-7: Alternative B – Peak Hour Trip Generation

Peak	In	Out	Total
Weekday AM	158	17	175
Weekday PM	188	46	234
Friday PM	240	60	300
Saturday PM	378	42	420

Source: **Appendix I**

Although trips would be higher during the Saturday PM peak hour, each study intersection would continue to operate at LOS A, as shown in **Table 3.8-6**. Therefore, Alternative B would have a less than significant impact on intersection operations. As with Alternative A, under Alternative B the existing access driveway off White Pines Road SE would be improved to meet commercial access standards, including the addition of a southbound left turn lane on White Pines Road SE based on MnDOT's Access Management Manual guidelines. With these improvements, impacts to transportation and circulation associated with the access driveway would be less than significant. Alternative B would not generate a large number of new pedestrian trips, bicycling activity, or transit in the surrounding roadways. Thus, no significant impacts are anticipated to these networks as a result of Alternative B.

Alternative C: No Action Alternative

Under Alternative C, the Project Site would remain in its current state, and consequently there would be no increase in vehicular traffic. There would be no change in pedestrian, bicycle, or transit circumstances.

3.9 LAND USE

3.9.1 Regulatory Setting

The land use regulatory setting is summarized in **Table 3.9-1,** and additional information on the regulatory setting can be found in **Appendix D**.

Table 3.9-1: Regulatory Policies and Plans Related to Land Use

Regulation	Description
Federal	
Farmland Protection Policy Act	▪ Intended to minimize the impact that federal programs have on unnecessary and irreversible conversion of farmland to non-agricultural uses. ▪ Assures federal programs are administered in a manner that is compatible with state and local units of government, private programs, and policies to protect farmland.
Federal Aviation Regulation	▪ Provides requirements, standards, and processes for determining obstructions to air navigation.
State	
State Agricultural Land Preservation and Conservation Policy	▪ Provides for the protection and conservation of farmland and other open space land while conserving and enhancing the soil and water resources to ensure quality and long-term use. ▪ The policy encourages the planned growth and development of urban and rural areas to ensure effective use of agricultural land, resources, and capita.
Local	
Olmsted County General Land Use Plan	▪ Sets land use policies that define the community's vision of how, when, and where growth, redevelopment, and preservation should occur. ▪ Addresses areas of Olmsted County, both cities and unincorporated, and includes public and private land use, physical development, and land management decisions.
Pine Island Comprehensive Plan	▪ Intended to guide the growth of the community. ▪ Inventories current land uses, housing, natural resources, transportation, park lands and recreational activities, and wastewater and water infrastructure. ▪ Assesses and identifies future needs and placement of resources and infrastructure in addition to addressing historic preservation as it relates to the community.
City of Oronoco Comprehensive Plan: Future Land Use	▪ Guiding document designed to assist with planning of anticipated future growth of the City of Oronoco.

3.9.2 Environmental Setting

A summary of the environmental setting pertaining to land use is below, and additional detail is provided in **Appendix D**.

Land Use and Zoning

The Project Site is located partially within the City of Pine Island and partially within an unincorporated portion of Olmsted County. The Project Site includes a barn structure and associated infrastructure that historically served as an elk farm, and a significant portion of the Project Site is actively farmed and grazed. Zoning designations for the Project Site and vicinity are shown in **Figure 3.9-1**. The portion of the Project Site within Olmsted County is zoned R-1 (Low Density Residential District; Code of Ordinance – Chapter 1400) and A2 (Agricultural Protection District).

The portions of the Project Site located with the City of Pine Island are designated AG (Agricultural District). In addition to this designation, the Project Site is also within the Urban Growth Boundary set by the City of Pine Island Comprehensive Plan (City of Pine Island, 2010). In 2008, the City prepared a conceptual "Elk Run Concept Master Plan" that included multiple types of residential uses (low, medium, and high density), commercial uses including retail and office space, medical offices, mental and physical wellness centers, schools and sports complex, and various community amenities including parks, outdoor amphitheater, and equestrian center. The portion of the Elk Run Concept Master Plan that overlays the portion of the Project Site within the City limits included a mixture of residential and commercial land uses (City of Pine Island, 2008).

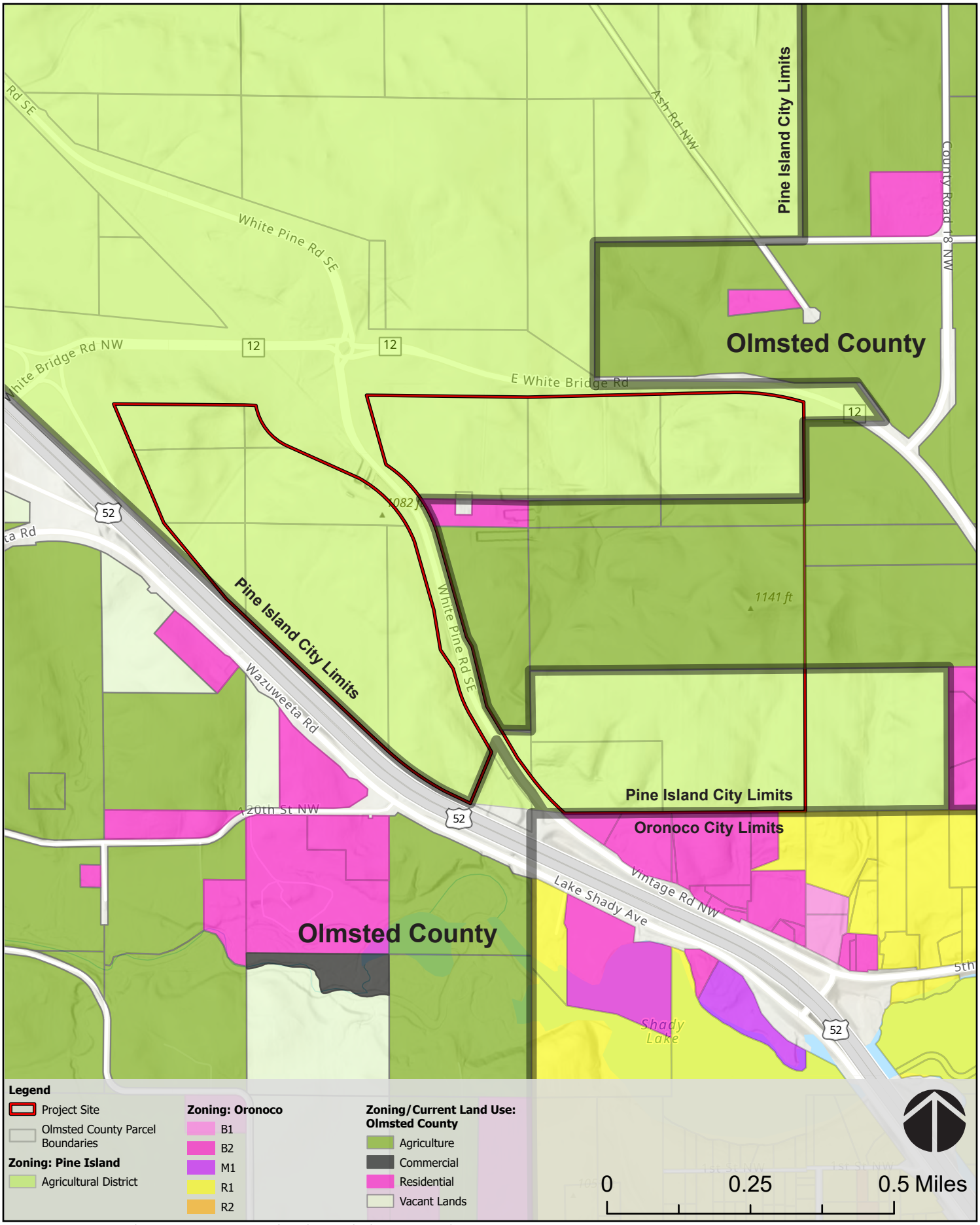
In addition to current land use maps, the Olmsted County General Land Use Plan and Pine Island Comprehensive Plan both have future 2045 land use maps that reflect policies, land use categories, and locational criteria that guide County and City decisions. Within these maps, the Project Site is designated Urban Service Area or Urban Growth Boundary, which indicates the area is intended to be urbanized over the next 25 to 50 years. The Pine Island Comprehensive Plan future land use map designates the Project Site as Commercial in the western portion and a mixture of Low Density Residential and Medium and High Density Residential in the eastern portion, consistent with the previously contemplated Elk Run Concept Master Plan. These different future land use designations can be seen in **Figure 3.9-2**.

Surrounding Land Use and Zoning

As seen in **Figure 1.4-3**, surrounding land uses consist of agricultural land use and rural residences to the north, east, and west, with small commercial developments and rural residences to the south. The City of Oronoco's planned future land use for the area directly south of the Project Site is highway commercial development and residential (City of Oronoco, 2020). The Tribe owns the properties directly east, west, and north of the Project Site and intends to submit a separate fee-to-trust application for the future development of the PIIC North Elk Run Community Development Project in this area. This development could include residential areas and commercial development in addition to infrastructure support facilities. The nearest airport to the Project Site is Dodger Center Airport, approximately 17 miles southwest. The Project Site is not located within an airport plan or zoning.

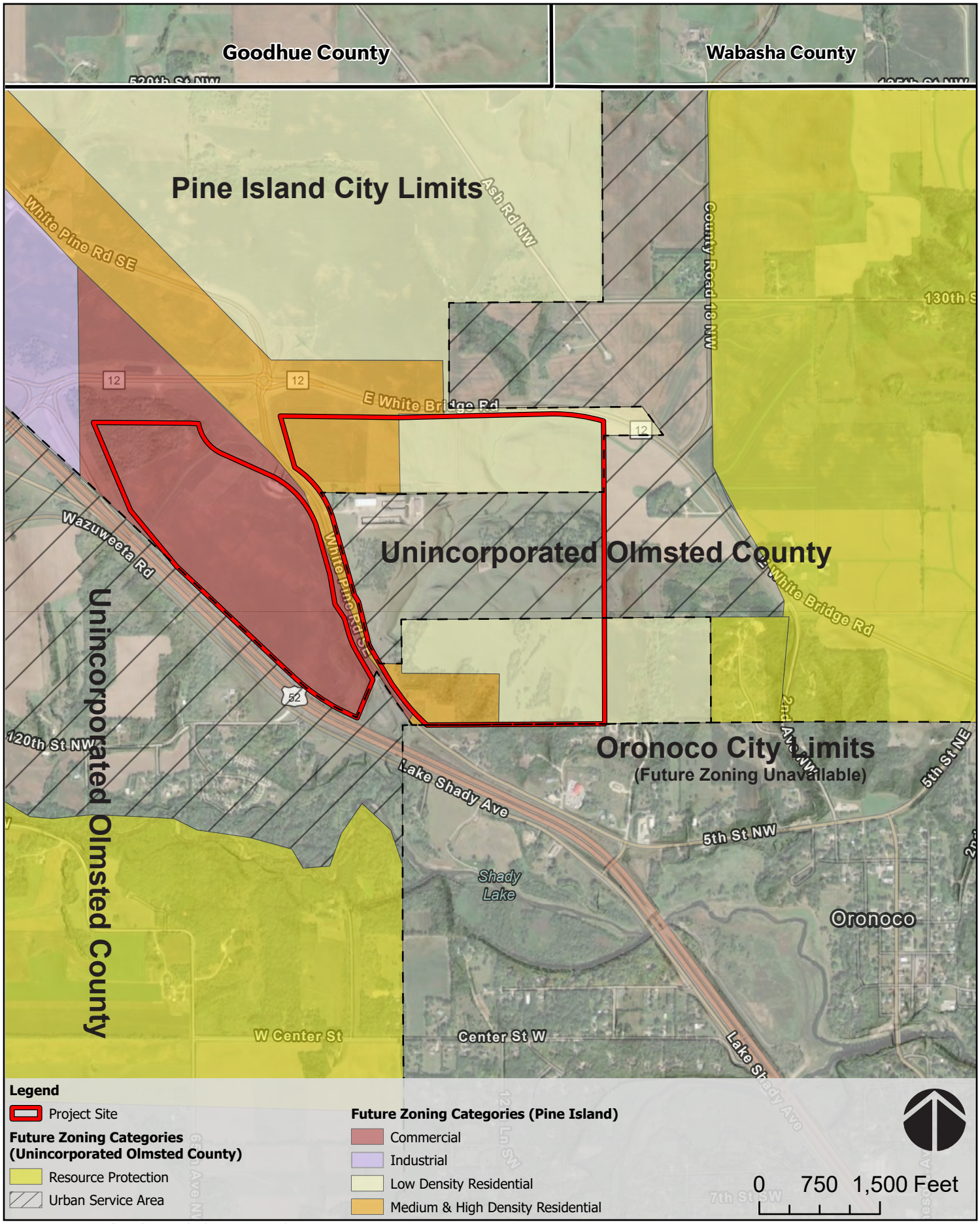
Agriculture

As mentioned above, portions of the Project Site are designated agriculture by both the City of Pine Island and Olmsted County. Approximately 75 acres (18%) of the Project Site are mapped as soils that are not prime farmland, approximately 113 acres (28%) of the Project Site are considered farmland of statewide importance, while the majority of the Project Site (approximately 224 acres or 54%) is composed of prime farmland soils.



Esri Community Maps Contributors, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, Airbus,USGS,NGA,NASA,CGIAR,NCEAS,NLS,OS,NMA,Geodatastyrelsen,GSA,GSI and

FIGURE 3.9-1
EXISTING ZONING



Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, Airbus,USGS,NGA,NASA,CGIAR,NCEAS,NLS,OS,NMA,Geodatastyrelsen,GSA,GSI and the GIS User Community, Maxar

FIGURE 3.9-2

FUTURE LAND USE DESIGNATIONS

Due to the characterization of some of the soils within the development area as "Prime Farmland," consultation with the Natural Resource Conservation Service (NRCS) was conducted to determine agricultural value of the development area under the Farmland Protection Policy Act (FPPA). A Farmland Conversion Impact Rating (FCIR) form was submitted to the NRCS (**Appendix J**).

3.9.3 Impacts

Assessment Criteria

Land use impacts would be significant if the alternative is incompatible with surrounding land uses or would conflict with objectives of federal, Tribal, regional, state, and local land use plans, policies, and controls. Significant land use impacts may also occur if the alternative converts Prime Farmland or Farmland of Statewide/Local/Unique Importance to other uses, as defined by the FPPA.

Alternative A: Proposed Project

Land Use Compatibility

Under Alternative A, the majority of the Project Site would continue to be utilized for row crops and grazing consistent with ongoing operations; however, the 14.2-acre development area portion of the Project Site would be improved for future operation of gaming facility. The proposed development and operation of a gaming facility under Alternative A would not be consistent with the City of Pine Island's and Olmsted County's current underlying zoning for the Project Site. However, the proposed land uses are more consistent with the long-range plans of the City and County to urbanize the area and provide for more commercial development on the Project Site, which are ongoing efforts that include public infrastructure upgrades to support future development (e.g., water utility improvements, wastewater treatment facility, highway interchange upgrades, etc.). Furthermore, Alternative A would result in the transfer of the Project Site from fee to federal trust status. Accordingly, local land use and zoning designations would not apply to the Project Site once the land is taken into trust; nevertheless, the operation of the Tribe's gaming facility would be in keeping with the character of the future land uses contemplated by the Olmsted County General Land Use Plan and Pine Island Comprehensive Plan. Thus, development of Alternative A would not impede or interfere with the objectives of local land use plans and policies for the areas surrounding the Project Site.

The nearest sensitive receptor to the proposed development area within the larger Project Site is located approximately 2,300 feet southeast on Vintage Road NW. Alternative A would not physically disrupt neighboring land uses or prohibit access to neighboring parcels. While the proposed uses within the Project Site are not similar in nature to the uses immediately surrounding the site, Alternative A would be compatible and consistent with the planned commercial zoning along the Hwy 52 corridor.

Additionally, potential conflicts involving air quality and noise impacts from construction activities (**Sections 3.4** and **3.11**, respectively), an increase in traffic (**Section 3.8**), visual effects and an increase in lighting (**Section 3.12**), would be minor and further reduced by BMPs identified in **Table 2.1-2**. There would be a less than significant impact.

The Project Site is not located within an airport land use plan or zoning, and the nearest airport is over 17 miles away. Therefore, Alternative A would not result in land use incompatibility with a nearby airport and would result in less-than-significant impacts associated with land use compatibility.

Agriculture

The NRCS characterizes the soils on the Project Site as prime farmland, farmland of statewide importance, and some are not considered prime farmland (NRCS, 2023). Development associated with Alternative A would largely occur within areas that have been previously developed and paved for uses associated with the non-operational elk farm. Of the project components discussed in **Section 2.1**, only the borrow pit and underground wastewater treatment field would impact undeveloped soil (approximately 5.7 acres). The borrow pit and underground wastewater treatment field would impact approximately 1.25 acres of prime farmland soils. To address this impact, an FCIR form was submitted to the NRCS. The NRCS issued an FCIR score of 128 points for the proposed development, which is well below the significance threshold of 160 points, and therefore mitigation is not required (**Appendix J**). Furthermore, development and operation of Alternative A would not preclude agricultural uses on adjacent parcels or on the remaining portion of the Project Site (approximately 405.6 acres), which would continue to be utilized for grazing and row crops. There would be a less than significant impact.

Alternative B: Event Center

Alternative B would be similar to Alternative A in almost all aspects regarding land use impacts as the development area would be similar and both proposed uses are commercial in nature. Therefore, impacts would be less than significant for the same reasons as described for Alternative A.

Alternative C: No Action

Under Alternative C, the Project Site would remain under County jurisdiction and no development would occur. Therefore, land use consistency or compatibility impacts would not occur under this alternative.

3.10 PUBLIC SERVICES AND UTILITIES

3.10.1 Regulatory Setting

The public services regulatory setting is summarized in **Table 3.10-1**, and additional information on the regulatory setting can be found in **Appendix D**.

3.10.2 Environmental Setting

A summary of the environmental setting pertaining to public services is below, and additional detail is provided in **Appendix D**.

Water Supply and Wastewater Service

Currently there is no municipal water or wastewater services supplied to the Project Site. The environmental setting for the groundwater supply and quality in the County is addressed in **Section 3.3**.

Solid Waste

The nearest landfill, Kalmar Landfill, is located approximately 9.8 miles south southwest of the Project Site in the County and is approximately 160 acres in size (Olmsted County, 2023b). It accepts municipal solid waste, and construction and demolition debris.

Table 3.10-1: Regulatory Policies and Plans Related to Public Services and Utilities

Regulation	Description
Federal	
Safe Drinking Water Act	▪ Establishes protective drinking water standards for protection of public health.
Clean Water Act	▪ Establishes environmental discharge requirements for wastewater treatment.
Public Law 280	▪ Changed criminal jurisdiction from the federal government to certain states, including Minnesota, for offenses involving tribal members in Indian Country.
State	
Minnesota Public Utilities Commission	▪ Mission is to create and maintain a regulatory environment that ensures safe, reliable, and efficient utility services at fair and reasonable rates. ▪ Regulates three cornerstone service industries in the state: electricity, natural gas, and telephone.
Local	
Pine Island Comprehensive Plan	▪ Intended to guide the growth of the community. ▪ Inventories current land uses, housing, natural resources, transportation, park lands and recreational activities, and wastewater and water infrastructure. ▪ Assesses and identifies for the future needs and placement of these resources and infrastructure.

Electricity, Natural Gas, and Telecommunications

The Project Site is located at the border of three electrical service providers, including Peoples Energy Cooperative (PEC), the Goodhue County Cooperative Electrical Association (GCCE), and Xcel Energy (GCCE, 2023). As discussed in **Section 2.1**, the Project Site is currently provided with electricity from PEC, which is a member-owned electrical cooperative that delivers energy to over 20,000 members in rural Minnesota. The service area of Goodhue County Cooperative Electrical Association currently ends just north of the Project Site, but it has electrical system upgrades planned for summer 2024 and currently has two three-phase lines in the Pine Island area (GCCE, 2023). Xcel Energy provides electrical services to the City of Pine Island and its service area currently ends north-northwest of the Project Site. It has proposed future electrical infrastructure upgrades in the vicinity of the Project Site. There are private companies that provide telephone, internet, and cable services to properties within the vicinity of the Project Site. Examples include BEVCOMM and T-Mobile.

Law Enforcement

The Project Site is located within the boundaries of both the City of Pine Island and the unincorporated County, and therefore falls within the jurisdiction of different law enforcement agencies. In addition, the Tribe maintains its own police department for law enforcement on tribal lands. Each of these law enforcement agencies is described below.

The Prairie Island Police Department (PIPD) provides police protection services to the Tribe's Reservation and the existing Casino (**Appendix B**). PIPD officers are certified by the State and are licensed peace officers with jurisdiction to enforce state and tribal laws. In addition to the Tribe's own police force, the Tribe entered into a cooperative agreement regarding law enforcement with Goodhue County and the City of Red Wing and their law enforcement agencies on March 11, 2004.

The Tribe has also participated in the Southeast Region Counties Mutual Aid Agreement for law enforcement services. Additionally, the Tribe has entered into a prosecution agreement with the Goodhue County Attorney's Office for the Prairie Island Reservation, and the Tribe provides annual payments for the Goodhue County Attorney's Office to serve as the prosecuting agency for State citations issued by the Tribe's Police officers.

As discussed in **Section 2.1,** Goodhue County Sheriff's Office provides police services for the City of Pine Island. In 2022, the City of Pine Island contracted for a total of 6,955 hours of service from the Goodhue County Sheriff's Office. In the same year, Goodhue County Sheriff's Office answered 13,846 calls for service with a total of 1,815 citations issued and 751 arrests made (Goodhue County Sheriff's Office, 2023).

The Olmsted County Sheriff's Office provides services to the unincorporated County and has 196 employees in total: 99 at the adult detention center and 97 at the law enforcement center.

Fire Protection and Emergency Medical

As discussed in **Section 2.1**, in the vicinity of the Project Site the Pine Island Fire Department serves the City of Pine Island and the townships of Milton, New Haven, Oronoco, Pine Island, and Roscoe with fire protection and emergency services (Pine Island Fire Department, 2023). The department responds to approximately 440 calls annually ranging from medical emergencies, motor vehicle accidents, rescue calls, and incidents involving hazardous materials. The department has approximately 26 volunteer fire fighters (County Office, 2023). The Pine Island Fire Department only has one fire station, and this fire station is approximately 4.8 miles northwest of the Project Site. The nearest fire station to the Project Site is the Oronoco Fire Station, approximately 0.9 miles southeast.

Unincorporated Olmsted County is serviced by several fire departments in the County, but the unincorporated portion of the Project Site would likely be serviced by the Pine Island Fire Department, which protects over 10,000 residents across a nearly 131 square mile area including the City of Pine Island and the township of Oronoco (Pine Island Fire Department, 2023). The nearest hospital center to the Project Site is Mayo Clinic Hospital, Saint Mary's Campus, approximately 11 miles south of the Project Site. This hospital provides a range of services, including cardiac treatment, psychiatry and psychology treatment, neurosurgery, rehabilitation unit, and emergency department that includes a Level 1 Trauma Center (Mayo Clinic, 2023).

Public Schools

The Project Site is located within the Pine Island Public School District. The nearest school to the Project Site is the Pine Island Public School approximately 2 miles west.

Parks and Recreation

Public parkland and open space in Olmsted County spans over 12,000 acres and includes County regional parks, trails, and dedicated open spaces. The closest park area to the Project Site is Oronoco Park, approximately 0.6 miles southeast of the Project Site.

3.10.3 Impacts

Assessment Criteria

An adverse effect would occur if project-related demands on public services would cause an exceedance of system capacities that results in significant effects to the physical environment.

Alternative A: Proposed Project

Water Supply and Wastewater

As discussed in **Section 2.1**, water supply and wastewater treatment for the proposed gaming facility under Alternative A would be provided via an on-site well and WWTF. No additions or modifications to the public water supply or wastewater collection or treatment infrastructure would be required. Because Alternative A would not require public water supply or wastewater treatment services, there would be no effect. Potential impacts to water resources from the proposed on-site water supply and wastewater treatment systems are discussed in **Section 3.3**.

Solid Waste Service

Construction

Solid waste from construction may include vegetation removal, paper, wood, glass, aluminum, and plastics from packing materials; waste lumber; insulation; empty non-hazardous chemical containers; concrete; metal, including steel from welding/cutting operations; and electrical wiring. These solid waste materials are typical of construction sites. Kalmar Landfill is permitted to accept waste from construction, and therefore the solid waste could be deposited there for processing. Solid waste generated from the construction of Alternative A would be temporary, and therefore would not impact Kalmar Landfill's long-term capacity to serve its current customers.

Operation

Solid waste would be generated from Alternative A once operation begins, but the solid waste generated would be significantly less than that generated at the existing Casino due to the reduced size and scale. The existing Casino currently produces an average of 7,033 pounds of solid waste per day (Prairie Island Indian Community, 2023c). Alternative A at maximum would produce approximately 620 pounds of solid waste per day (CalRecycle, 2019). This increase is minor in relation to the overall capacity of the Kalmar Landfill and would not affect its long-term ability to serve its current customers. Therefore, construction and operation of Alternative A would have a less than significant impact on solid waste service.

Electricity, Natural Gas, and Telecommunications

As discussed in **Section 2.1**, buildings would meet or exceed the standards set forth in the IBC. Construction on the Project Site could damage underground utilities and lead to outages and/or serious injury, but the probability of this occurring would be reduced because construction will only occur in the existing development area of the Project Site. Prior to construction of Alternative A, the State Utility Notification Center would be contacted to notify utility service providers of excavation activities to avoid impacts to existing utilities (**Table 2.1-2**). There would be a less-than-significant impact.

The Project Site and development area are within the service area of PEC, and the existing facilities on the site are served by PEC. There is existing electrical infrastructure in the vicinity of the Project Site that could be extended to the Project Site to provide additional capacity.

The Tribe would coordinate with PEC or other local electric provider regarding any necessary improvements to the electrical infrastructure to serve the needs of the gaming facility. The Tribe would pay the cost associated with increasing the electrical capacities to the Project Site per provider specifications. Any construction requirements, such as trenching and laying service lines, would result in minor temporary impacts and bare earth would be re-seeded. There would be a less-than-significant impact.

While no natural gas is available in the immediate area, the Tribe is committed to utilizing electrical appliances in lieu of natural gas or propane to the extent feasible, and any minor cooking related gas needs would be met by trucking propane to the Project Site, similar to the other developments in the area. Therefore, no effects would occur related to natural gas infrastructure.

Local telecommunication utility companies of the Tribe's choosing would extend additional connections from adjacent infrastructure to provide telecommunication services. The Tribe would pay the cost associated with increasing these services to the Project Site per the telecommunication company's specifications. Construction requirements, such as trenching and laying service lines, would result in minor temporary impacts and bare earth would be re-seeded. There would be a less-than-significant impact.

Law Enforcement

An analysis of the impact of casino gambling on local crime rates is included in **Section 3.7** and **Appendix B**. While there is no definitive link between casinos and crime, the increased concentration of people that would result from operation of Alternative A would be expected to lead to an increase in the number of service calls to local law enforcement, similar to any other commercial development. Under Alternative A, BMPs have been incorporated into the project design to enhance security on the Project Site during operation. This includes security cameras and Tribal security personnel that would provide surveillance at the Project Site. Criminal and civil incidents would be reduced by security guards patrolling the facilities who would carry two-way radios to request and respond to back up or emergency calls in addition to other measures (**Table 2.1-2**). The PIPD and Goodhue County Sheriff's Department currently provide police protection services to the Tribe's Reservation and the existing Casino.

As discussed in **Section 3.10**, the Goodhue County Sheriff's Department and/or Olmsted County Sheriff's Department may provide supplemental law enforcement services to the Project Site once in trust pursuant to Public Law 280, with Tribal consent. Operation of Alternative A is estimated to increase the number of calls for service from the Project Site by approximately 234 calls per year, which would be primarily handled by PIPD. As previously stated, the Tribe has entered into an IGA with the City of Pine Island (**Appendix A**) that outlines the provision of law enforcement services (which are provided to the City by Goodhue County Sheriff's Department; see **Sections 1.5** and **2.1**).

The Tribe also has a Cooperative Service Agreement with Goodhue County (**Section 1.5.2**). While Olmsted County Sheriff's Department would not likely be the first or second responder for calls from the Project Site, it is possible that some calls may be routed to the Olmsted County Sheriff's Department. In the unlikely event that Olmsted County responded to all 234 calls resulting from Alternative A, this would constitute an approximate 3.6% increase in the total service calls received by the Olmsted County Sheriff's Department based on 2022 service call data (**Appendix B**). This relatively minor increase is not anticipated to require Olmsted County Sheriff's Department to build new or expanded facilities to provide services as a consequence of development on the Project Site. PIPD would be the primary law enforcement provider and has already entered into agreements with local agencies to compensate for services provided, and therefore this impact would be less than significant.

Fire Protection and Emergency Medical Services

Construction

During construction of Alternative A, construction vehicles and equipment, such as welders, torches, and grinders, may accidentally spark and ignite vegetation or building materials. The increased risks of fire during construction would be similar to that found at other construction sites and would not be considered abnormal. Any incidents that would occur on the Project Site would be responded to by Pine Island Fire Department. To further reduce the probability of fire risk and need for services from Pine Island Fire Department, construction-related BMPs in **Table 2.1-2** are provided to further minimize potential adverse effects related to fire risks. Thus, potentially adverse impacts to Pine Island Fire Department during construction would be less than significant.

Operation

Operation of Alternative A would create additional demand for fire protection and emergency services from Pine Island Fire Department. Calls for service would not be disproportionate to other commercial developments in the County. The nearest fire station is approximately 4.8 miles northwest of the Project Site. Alternative A is estimated to generate approximately 35 calls for fire/EMS services annually, which would equate to approximately $60,827 in costs annually (**Appendix B**). This constitutes an anticipated increase of 7.9% over the projected 2026 Fire Department fire incident call volume. While the minimal increase in fire protection services is not anticipated to trigger the need to construct new facilities, this would nonetheless constitute a potentially significant impact. The Tribe proposes to enter into a service agreement with the Pine Island Fire Department for fire protection and emergency medical services to the Project Site prior to development, which has been included as a mitigation measure in **Section 4.0**. This mitigation measure would reduce potential impacts to fire protection and EMS services to less than significant.

Public Schools

As further discussed in **Section 3.7**, while initially it is expected that all 342 employment positions of Alternative A would be filled by employees of the existing Casino, offsetting some of the substantial negative impact caused by potential closure, it is possible that over time some of these employees may choose to relocate to the project area, potentially resulting in a minor local population increase. Additionally, if community elects to operate the optional permanent secondary gaming facility following the 6-year Forbearance Period, the increase in local employment opportunities may result in persons moving to the project area, increasing the local population. **Appendix B** estimates that approximately 108 employees may relocate to the region, resulting in 98 new households, and a population increase of approximately 238 persons. The increase in the school-age population as a result of Alternative A is anticipated to be approximately 45 children, which would only represent a 0.2% increase to local school districts (**Appendix B**).[1] Given the size of the County districts, the additional students are expected to be absorbed within the existing capacity and distributed across all grade levels.

[1] This is an extremely conservative analysis as it assumes that the employees for operation of Alternative A would come from the community or move to the area, when in reality many of the employees would be transferred from the existing Casino to work at the Project Site if the existing Casino were to close.

Any new students that may enroll in area school districts as a result of Alternative A would therefore be considered a nominal impact. Furthermore, if Alternative A were to result in the relocation of any families to the area, the schools would likely collect additional tax revenue from the families of new students and would use these taxes to hire additional teachers or staff to meet additional demand if necessary. Therefore, any potential increased enrollment would have a nominal effect on the ability of regional schools to provide education services at existing levels. Alternative A would not have a significant adverse impact to schools.

Parks and Recreation

As previously discussed, the nearest park is 0.6 mile southeast of the Project Site. Alternative A is not expected to significantly increase visitation to nearby parks because it would not significantly increase the local population. At most, approximately 238 people would permanently move into the area due. This represents an approximately 0.15% increase in the Olmsted County population when compared to the 2020 population number presented in **Table 3.7-2.** Patrons of Alternative A could potentially visit attractions in the surrounding areas including parks and other recreational areas or libraries, but this visitation is not expected to be sufficiently significant that it would require the expansion of park or recreational facilities. Therefore, a less than significant impact would occur.

Alternative B: Event Center

Alternative B would result in similar impacts to public services and utilities as discussed for Alternative A above; but at a reduced scale due to the reduced intensity of Alternative B. Therefore, for the same reasons described above under Alternative A, a less-than-significant impact would occur.

Alternative C: No Action

No development would occur under Alternative C, and the Project Site would remain in its current state. Consequently, no impacts to public service or utilities would occur under Alternative C.

3.11 NOISE

3.11.1 Regulatory Setting

The noise regulatory setting is summarized in **Table 3.11-1**, and additional information on the regulatory setting can be found in **Appendix D**.

Table 3.11-1: Regulatory Policies and Plans Related to Noise

Regulation	Description
Federal	
Federal Highway Administration (FHWA) Noise Abatement Criteria	▪ Thresholds during construction for noise sensitive locations are 72 decibels (dBA) equivalent sound level (L_{eq}) or Baseline + 5 (whichever is louder) during the daytime (7am to 6pm). ▪ Thresholds during construction for commercial areas are 77 dBA L_{eq} or Baseline + 5 (whichever is louder) during the daytime. ▪ Thresholds during operation for park and residential areas are 67 dBA $L_{eq.}$ ▪ Thresholds during operation for developed areas are 72 dBA L_{eq}.

Federal Transit Administration (FTA) Transit Noise and Vibration Impact Assessment Manual	▪ Peak particle velocity (PPV) is the maximum instantaneous peak (inches per second) of the vibration signal. ▪ Vibration damage criteria for structures is 0.5 PPV and 0.1 PPV for annoyance.
State	
Minnesota Pollution Control Agency Guide to Noise Control	▪ Establishes maximum noise levels permissible in identified environments and provides use standards relating to the reception of noise within such environments. ▪ The Project Site is currently within Noise Area Classification (NAC) 3 for agriculture, for which noise limits are L10 = 80 dBA and L50 = 75 dBA during the daytime and L10 = 80 dBA and L50 = 75 dBA during the nighttime.

3.11.2 Environmental Setting

The fundamentals of sounds, effects of noise on people, and characteristics of vibrations are discussed in **Appendix D**. The dominant noise source in the vicinity of the Project Site is traffic along Hwy 52 and White Pine Road SE. Currently, noise sources on the Project Site are associated with ongoing agricultural activities and equipment. The estimated ambient noise level (assumed to be primarily due to traffic noise) in the vicinity of the Project Site ranges from 45.0 dBA to 60.0 dBA equivalent continuous sound pressure level (L_{eq}) over a 24-hour period (Department of Transportation, 2022).

Some land uses are considered more sensitive to noise than others due to the amount of noise exposure (in terms of both exposure duration and insulation from noise) and the types of activities typically involved. A sensitive receptor is defined as any living entity or aggregate of entities whose comfort, health, or well-being could be impaired or endangered by the existence of the criteria pollutant, whether it is emissions or noise, in the atmosphere.

The nearest sensitive receptors to the Project Site consist of several single-family homes located along Vintage Road NW, directly south and southeast of the southeast corner of the Project Site, a single-family home located on E White Bridge Road approximately 700 feet east of the Project Site, and a single-family home located on Ash Road NW approximately 800 feet north of the Project Site, and several homes located on 120th Street NW approximately 700 feet southwest of the Project Site. There are no sensitive receptors within the immediate vicinity of the development area; the nearest sensitive receptor to the proposed development area within the larger Project Site is located approximately 2,300 feet southeast on Vintage Road NW.

3.11.3 Impacts

Assessment Criteria

The assessment of project effects is based on federal NAC standards used by the FHWA and on FTA thresholds for perceptible vibration. Specifically, adverse noise and vibration effects are identified at existing sensitive receptor locations if the following were to occur as a result of development:

- Project construction noise levels exceed the FHWA construction noise thresholds for noise-sensitive locations (see Table 6 in **Appendix D**).

- Project construction vibration levels exceed 65 vibration decibels (VdB) (FTA threshold of perception).
- The 23 CFR 772 NAC provides an operational noise threshold of 67 dBA, L_{eq} for traffic induced noise for residential land uses.

Additionally, the State noise standards set forth in the Minnesota Rules Ch. 7030.0040 were also considered (see Table 9 in **Appendix D**). Under these rules, residential land uses are under noise area classification 1 (NAC 1) and have the following limits:

- L10 = 65 dBA and L50 = 60 dBA during the daytime (7 am – 10 pm)
- L10 = 55 dBA and L50 = 50 dBA during the nighttime (10 pm – 7 am)

Alternative A: Proposed Project

Construction Noise

Construction noise within the Project Site would result from construction equipment, construction activities, and vehicle traffic, which consists of trucks hauling materials and workers entering and exiting the Project Site. Construction would result in temporary periods of elevated noise levels, typically generating maximum noise levels up to 92 dBA at a distance of 50 feet, as indicated in **Table 3.11-2**. The noise level at the Project Site would vary depending on the particular type, number, and duration of use of the various pieces of construction equipment.

During construction, a maximum of approximately 50 worker trips would occur per day. With the addition of worker vehicle trips, the total trips added to area roadways would be approximately 25 trips during the AM and PM hour. There would be no import or export of fill, therefore no hauling truck trips would be generated. There would be limited truck trips for construction material and vendors, but these truck trips would occur throughout the day.

Table 3.11-2: Typical Construction Noise Levels

Construction Equipment	Maximum Noise Level at 50 ft (dBA)	Construction Equipment	Maximum Noise Level at 50 ft (dBA)
Crane (mobile or stationary)	89	Tractor	84
Dozer	86	Generator (over 25 kva)	73
Excavator	87	Backhoe	84
Grader	79	Compressor (air)	68
Paver	82–91	Front end loader	71–81
Scraper	92	Pickup truck	75
Concrete pump truck	89	Dump truck	73–91

Source: Washington Department of Transportation, 2020

Existing traffic volumes during the Weekday AM and PM peak hours are described in **Section 3.8**. The current traffic volumes during the weekday AM and PM peak hours are greater than the 25 worker trips estimated to be added by the construction of Alternative A. To achieve perceivable impacts on ambient noise levels on the surrounding roadways, there would need to be a doubling of traffic to achieve a 3.0 dBA increase, the threshold required for humans to notice a perceivable difference.

Since construction trips would not equal a doubling of traffic on nearby roadways, the increase in ambient noise levels would be less than 3.0 dBA, and therefore no perceivable difference would occur. Furthermore, construction would be temporary. For these reasons, construction traffic would not result in a perceivable increase in the existing ambient noise level.

Noise from stationary sources, such as construction equipment, attenuates (lessens) at rate of 6 - 9 dBA per doubling of distance from the source, depending on environmental conditions (e.g., atmospheric conditions, noise barriers). An attenuation factor of 6 dBA per doubling of distance is appropriate for the Project Site given the relatively flat topography between the Project Site and the nearest sensitive receptors. Assuming that up to three of the loudest pieces of equipment are operating at the same time, the highest noise level would be 96 dBA. Based on the estimates of construction noise described above, the maximum construction noise level at the Project Site would be 96 dBA at 50 feet from the equipment, and 62.7 dBA at the nearest sensitive receptor, which is 2,300 feet or more from proposed development. Given that the highest level of ambient sound in the vicinity of the Project Site is 60 dBA, construction could raise this level to 64.6 dBA. This level would be below the federal noise construction threshold of 72 dBA for residences. Construction noise BMPs identified in **Table 2.1-2** would further reduce the potential for noise during construction activities and limit construction to daytime hours to reduce the potential for sleep disturbance.

With regard to State thresholds, sensitive receptors are residences and therefore fall under the NAC 1, which have thresholds of 65 dBA L10 and 60 dBA L50 during daytime (Minnesota Rules Ch. 7030.0040), according to the Minnesota Pollution Control Agency Guide to Noise Control. As noted above, ambient noise at the nearest sensitive receptor could reach approximately 64.6 dBA, exceeding the NAC 1 threshold potentially for 60 L50 if the noise continued for more than 30 minutes in each hour. However, heavy construction equipment would be utilized at different times depending on the construction phase, and it is unlikely that the three loudest pieces of equipment would be utilized simultaneously. Therefore, it is not probable that construction noise would exceed the 60 dBA L50 threshold on a consistent basis. Furthermore, construction would be temporary in nature and not a permanent contributor to the ambient noise environment.

Because of the short-term and temporary nature of construction noise, and implementation of BMPs to reduce construction noise levels to the extent feasible, effects associated with noise due to construction would not be significant.

Construction Vibration

The vibration levels of typical construction equipment at a distance of 25 feet from the equipment are shown in **Table 3.11-3**. Excessive vibration is usually only an issue when construction equipment with high vibration potential occurs within 25 to 100 feet of a structure. Construction activity would occur beyond 100 feet from the nearest residential structure. Therefore, vibration associated with on-site construction under Alternative A would not have a significant adverse effect on nearby sensitive receptors.

Operation Noise

During operation of Alternative A, increased traffic would be the largest contributor of new noise to the existing environment. The roadways that would experience the greatest increase in traffic from the operation of the gaming facility would be White Pine Road SE and E White Bridge Road. There are several sensitive rural residential receptors located along the segment of E White Bridge Road east of the E White Bridge Road/White Pine Road SE roundabout, and several sensitive receptors located along the segment of White Pine Road SE north of the E White Bridge/White Pine Road SE roundabout.

Table 3.11-3: Vibration Levels for Construction Equipment

Vibration Source	Approximate Vibration Level (VdB) at 25 ft
Vibratory Roller	94
Large Bulldozers	87
Loaded Trucks	86
Jackhammer	79

Source: Federal Transit Administration, 2018

Based on information contained in the **Appendix I**, the volume of traffic on these roadway segments would not double as a result of project-related traffic, and therefore sensitive receptors along these roadways would not experience perceptible increases in noise levels of 3.0 dBA or higher. The majority of traffic along these roadways would be limited to the segments between the Project Site and Hwy 52, and there are no sensitive receptors in these locations. Therefore, increases in traffic noise levels would be less than significant.

On-site noise sources would primarily be from trucks; cars; heating, ventilation, and air conditioning (HVAC) systems; and parking lot noise. Idling trucks with trailers at loading docks have the potential to generate noise levels up to 100 dBA (Berger et al., 2015). While idling trucks could be significant sources of noise, idling would only occur for short periods of time (less than 5 minutes) and truck deliveries would not occur frequently but periodically during the week.

The nearest sensitive receptor is approximately 2,300 feet from the development area and would potentially experience short-term ambient noise increases from 60 dBA to 64.6 dBA. While this would be a temporary noticeable difference, it would not exceed NAC of 67.0 dBA for residences. With regards to Minnesota Pollution Control Agency Guide to Noise Control standards, sensitive receptors have thresholds of 65 dBA L10 and 60 dBA L50 during daytime.

Since the truck idling would not exceed 65 dBA L10 and would not run for 30 minutes in a given hour, it would also not exceed the 60 dBA L50 thresholds. Further, noise from idling trucks would not be louder than existing agricultural equipment and deliveries within the Project Site. Therefore, the noise impact due to truck deliveries at the Project Site would be less than significant.

Increases in the ambient noise level associated with paved surface parking lots and driveways under Alternative A would be mainly due to slow-moving and idling vehicles, the opening and closing of doors, and patron conversations. Noise levels in parking lot would be generally dominated by slow-moving vehicles; thus, the ambient noise level in the parking lot could be approximately 60.0 dBA (Illingworth & Rodkin, Inc., 2014). Buildings would also be equipped with HVAC units that would most likely be roof mounted. The HVAC equipment would have noise shielding and other industry-standard noise abatement measures installed. The noise levels produced by HVAC systems vary substantially by unit capacity as well as unit design, but generally result in a noise level of 55 dBA Leq at a distance of 20 feet (Berger et al., 2015). Noise from the parking lot and HVAC systems would not be capable of raising the ambient sound environment to 67 dBA at the nearest sensitive receptors or generating a noticeable difference to exceed Minnesota Rules Ch. 7030.0040 standards. Therefore, miscellaneous noise levels from on-site vehicles and HVAC equipment under Alternative A would not result in significant adverse effects associated with the off-site ambient noise environment.

Operation Vibration

Commercial uses do not include sources of perceptible vibration. Therefore, Alternative A would not result in vibration and noise levels at nearby sensitive receptors and would not exceed the federal noise abatement criteria; therefore, no significant adverse effects would occur.

Alternative B: Non-Gaming Alternative

Alternative B would result in similar construction and operational noise and vibrations impacts as Alternative A, although at lower levels due to the smaller scale of the development. Similar to Alternative A, construction noise and vibration would be temporary for Alternative B and would not have significant impacts with implementation of BMPs in **Table 2.1-2**. The increase in traffic volumes and other on-site noise sources would be similar to Alternative A during operation but at a reduced scale, and the impacts would be less than significant. Accordingly, Alternative B would not result in significant adverse noise and vibration effects.

Alternative C: No Action Alternative

Under Alternative C, the Project Site would have no further development and would not generate noise beyond existing agricultural operations. No noise impacts would occur under Alternative C.

3.12 HAZARDS AND HAZARDOUS MATERIALS

3.12.1 Regulatory Setting

The hazardous materials regulatory setting is summarized in **Table 3.12-1**, and additional information on the regulatory setting can be found in **Appendix D.**

Table 3.12-1: Regulatory Policies and Plans Related to Hazardous Materials and Hazards

Regulation	Description
Federal	
Resource Conservation and Recovery Act	▪ Grants the USEPA the authority to manage hazardous waste throughout its life cycle, including storage, treatment, transportation, production, and disposal. ▪ Establishes a management framework for non-hazardous solid wastes. ▪ Authorizes the USEPA to respond to environmental problems related to underground hazardous substance storage tanks, including petroleum.
Federal Food, Drug, and Cosmetic Act	▪ Enables the USEPA to determine the maximum pesticide residue amount on food. Maximum limits are based on findings that the maximum limit will be reasonably safe in terms of accumulated exposure to the pesticide residue. For pesticides without a set maximum residue limit, the USEPA has the authority to seize these commodities.
Federal Insecticide, Fungicide, and Rodenticide Act	▪ Mandates that pesticides sold or distributed be licensed with the USEPA. A pesticide cannot be licensed until it is proven that the pesticide will not generally cause unreasonable adverse effects on the environment if utilized in accordance with its specifications.
Hazard Communication Standard	▪ Ensures information about chemical and toxic substance hazards in the workplace and associated protective measures are disseminated to workers exposed to hazardous chemicals, including labels, safety data sheets, and proper handling training.

Regulation	Description
	▪ Chemical manufacturers and importers that produce and import chemicals are required to assess their products for hazards; safety data sheets and labels must be created with information that outlines the dangers of the products.
Hazardous Substances Act	▪ Necessitates that hazardous household products have precautionary labeling to alert consumers of hazards, proper storage, and immediate first aid steps in case of an accident. ▪ Enables the Consumer Product Safety Commission to prohibit severely dangerous products and products with hazards that cannot be labeled accordingly to Hazardous Substances Act standards.
Toxic Substance Control Act	▪ Authorizes the USEPA with the authority to require record keeping, reporting, test requirements, and restrictions associated with certain chemical substances and/or mixtures. ▪ Addresses the production, importation, use, and disposal of certain chemicals (e.g., lead paint).
Emergency Planning and Community Right-to-Know Act	▪ Requires industry to report on the use, storage, and release of hazardous substances to federal, state, and local governments. ▪ Requires Indian tribes and state and local governments to utilize this information to prepare their communities for potential risks.
National Fire Protection Association Codes and Standards	▪ Codes and Standards to minimize the possibility and effects of fire and other risks including, but not limited to sprinkler systems, fire alarms, parking structures, emergency response, and wildland fire protection.
Local	
Olmsted County Multi-hazard Mitigation Plan	▪ Identifies and analyzes the hazards most likely to impact the County, assess the community's ability to respond to these events, and develop strategies to mitigate their impact.

3.12.2 Environmental Setting

A summary of the environmental setting pertaining to hazardous material is below, and additional detail is provided in **Appendix D**.

Hazardous Materials

Wenck Associates, Inc. completed a Phase I Environmental Site Assessment (ESA) in March 2018 that included the Project Site and other nearby properties to assess whether there were recognized environmental conditions (RECs), controlled recognized environmental conditions (CRECs), and historical recognized environmental conditions (HRECs) in connection with these properties (**Appendix K**). The Phase I ESA was conducted in accordance with the American Society for Testing and Materials (ASTM) Standard Practice E-2247-16 and practices set forth in 40 CFR Part 312 – Standards for Conducting all Appropriate Inquiry. Due to the management of petroleum products and maintenance chemicals in the tractor barn, the length of time that the floor drains have been in use (at least 47 years at the time of the Phase I ESA), and the subsurface discharge of the floor drains, the Phase I ESA identified a material threat of release of petroleum products and potentially hazardous substances.

In December 2018, a subsequent limited Phase II ESA was performed by Braun Intertec Corporation (Braun) to investigate areas of potential contamination identified in the 2018 Phase I ESA (**Appendix K**; Braun, 2019b). Through additional information obtained from the previous property owner, it was determined that the barn drains were connected to an underground storage tank, and that several other previously unidentified fuel storage USTs were located beneath the paved area south of the barn. The barn drain UST and fuel storage USTs were removed in July 2019. Additional investigations were conducted in connection with the USTs (**Appendix D**), and no other observations or on-site operations indicated the presence of a release or a material threat of release of petroleum products or potentially hazardous substances. The identified material releases and subsequent investigations at both the barn drain UST and diesel fuel UST are considered HRECs. No other RECs were identified in connection with the Project Site.

Hazards

Nuclear Power Plant

There are two nuclear power plants in the State, Monticello Nuclear Generating Plant located in Monticello and the Prairie Island Nuclear Generating Plant located outside of Red Wing, located approximately 100 miles and 30 miles from the Project Site, respectively. As discussed in **Section 1.3**, the Prairie Island Nuclear Generating Plant is located adjacent to the existing Casino and poses a potentially significant risk to the Casino, Reservation, and the surrounding areas.

FEMA is responsible for overseeing preparedness by state and local authorities situated near nuclear plants. The United States Nuclear Regulatory Commission (NRC) regulations have established 10-mile emergency planning zones (EPZ) around domestic nuclear power plants. As seen in **Figure 1.2-3**, while the existing Casino and Reservation are within the 10-mile EPZ and potential evacuation area for the plant, the Project Site and the City of Pine Island are not. The Project Site is approximately 30 miles south of the Prairie Island Nuclear Generating Plant and is therefore outside of the FEMA-designated 10-mile radius EPZ, but within the 50-mile Ingestion Planning Zone.

The Ingestion Planning Zone refers to an additional area of concern where protective actions may be necessary associated with contamination of water supplies, food crops and livestock above FDA guidelines, and ground contamination above USEPA guidelines (Minnesota Department of Public Safety, 2018). While there is a multi-hazard mitigation plan in Olmsted County (County), this does not directly address any risks from the Prairie Island Nuclear Generating Plant. Furthermore, there are no evacuation or planning documents addressing nuclear emergency preparedness in the County.

Wildfire

Wildfire is considered low risk within Olmsted County because their occurrence is uncommon. Furthermore, different jurisdictions in the County do not vary in their vulnerability to wildfires and increased development has not changed this vulnerability in recent years (Olmsted County, 2017).

3.12.3 Impacts

Assessment Criteria

A project would be considered to have significant hazardous material impacts if the site had existing hazardous materials that would require remediation or mitigation prior to development of a project.

Additionally, if a project results in the use, handling, or generation of a controlled hazardous material of which the regulated amount would increase the potential risk of exposure that could result in the reduction in quality or loss of life, then the project would have a significant impact. Impacts associated with a nuclear power plant would occur should a radioactive release into the environment occur. A project would be considered to have a significant impact if it were to increase the probability of a radioactive release occurring at a power plant or increase the risk of the public or environment being exposed to a radioactive release from a nuclear power plant.

A project would be considered to have a significant impact associated with wildfire if it were to increase wildfire risk on-site or in the surrounding area. This includes, but is not limited to, increasing fuel loads, exacerbating the steepness of the local topography, introducing uses that would increase the chance of igniting fires, reducing fire barriers, inhibiting local emergency response to or evacuation routes from wildfires, building in a high-risk fire zone without project design measure to reduce inherent wildfire risk, and conflicting with a local wildfire management plan.

Alternative A: Proposed Project

Hazardous Materials

Construction

As discussed in **Section 3.12**, no existing hazardous materials contamination associated with Project Site has been identified aside from the HRECs associated with the former tractor barn UST and the fuel storage tank UST removed from the site in 2019 (**Appendix K**). During renovation of the barn for conversion to the gaming facility, the floor drains would be sealed, and no excavation activities are proposed immediately below the existing barn structure or in the vicinity of the barn drain UST area to the north of the building pad. Although unlikely based on the results of the 2020 LSI, there is a possibility that previously undetected contamination could occur in the area of the removed fuel UST south of the barn structure. However, any potentially impacted soils would occur at a depth of at least 13 feet below ground surface and grading and pavement resurfacing activities in this area would not reach these depths.

In the unlikely case that construction personnel do encounter contaminated soil or groundwater during earth-moving activities, BMPs listed in **Table 2.1-2** would minimize the possible hazards associated with existing contamination. Implementation of BMPs would further reduce the potential for Alternatives A to result in significant adverse effects associated with hazardous materials.

Hazardous materials used during construction may include gasoline, diesel fuel, motor oil, hydraulic fluid, solvents, cleaners, sealants, welding flux, various lubricants, paint, paint thinner, and other products. As with any liquid and solid, during handling and transfer from one container to another or general usage, the potential for an accidental release exists. Depending on the relative hazard of the material, if a spill were to occur of significant quantity, the accidental release could pose both a hazard to construction employees as well as to the environment. Construction BMPs required within the NPDES General Construction Permit limit and often eliminate the impact of such accidental releases. Since contact with stormwater during construction is the primary means of transporting these contaminants offsite, appropriate BMPs for this impact are included in the construction stormwater BMPs in **Table 2.1-2**. With the implementation of these BMPs and compliance with federal laws relating to the handling of hazardous materials, no adverse effects associated with the accidental release would occur during construction.

Operation

Alternative A would utilize hazardous materials in varying quantities and capacities that would depend on the project component, but overall hazardous materials handling and storage would be less than the existing Casino due to the smaller development size. The U.S. Department of Labor Occupational Safety and Health Administration (OSHA) regulations require documentation of potential risks associated with the handling, use, and storage of flammable and toxic substances under the Hazard Communication Standard. OSHA regulations codified in 29 CFR Part 1910 are applicable to Alternative A.

Diesel fuel storage tanks would be utilized for the on-site emergency generator under Alternative A. These storage tanks would comply with the National Fire Protection Association standards for aboveground storage tanks and have secondary containments systems. Materials used for the emergency generators would be handled, stored, and disposed of according to federal and manufacturer's guidelines. They would not require uncommon storage, handling or disposal that would induce issues, and the transportation of the diesel would be infrequent and would not create a potential hazard to the public.

The maintenance of on-site landscaping would require the transportation, storage, and use of pesticides and fertilizers. If these pesticides were handled inappropriately, then this could pose a potential risk to on-site persons and the environment. Inappropriate handling could happen during transportation, storage, or application. However, the probability of this occurring is minute because appropriate regulations and the manufacturer's guidelines for each hazardous material would be followed. Therefore, the risk to on-site persons and the environment is not significant.

Other hazardous materials used for Alternative A would be related to operation and maintenance. These would include, but are not limited to, motor oil, hydraulic fluid, solvents, cleaners, lubricants, paint, and paint thinner. Hazardous materials would be stored, handled, and disposed of according to federal and manufacturer's guidelines. Waste would also be produced as a result of operation, but this waste would be usual for commercial facilities. For all solid waste produced on the site, manufacturer's guidelines would be followed for the storage, handling, and off-site disposal in addition to adhering to applicable federal and State regulations. Therefore, Alternative A would not result in significant adverse effects related to the waste produced or hazardous materials used.

Hazards

Nuclear Power Plant

Operation of the gaming facility would only occur if a catastrophic event forces the closure of the existing Casino, including a release of radioactive material from the Prairie Island Nuclear Power Plant. As discussed in **Sections 3.12** and **1.2**, the Project Site is not within the 10-mile radius Emergency Preparedness Zone of the Prairie Island Nuclear Generating Plant, and thus operation of Alternative A is not expected to increase the risk of the public or environment being exposed to a radioactive release. Operations of the facility would comply with federal guidelines and advisories with regards to operational failure at the Prairie Island Generating Plant, including any applicable requirements related to food, ground, and water contamination exceeding federal regulations within the 50-mile Ingestion Planning Zone. This would ensure that potential risks to patrons and employees onsite would be reduced should an incident occur at the plant.

Wildfire Risk

During construction, the operation of equipment could create sparks or fire that could ignite the vegetation on the Project Site, which could then create a wildfire.

Examples of construction equipment that could ignite a fire and thus increase risk include power tools and acetylene torches. As discussed in **Section 3.12.2**, the County has a low potential for wildfires igniting or growing large in size given the previous history. Furthermore, the BMPs in **Table 2.1-2** would reduce the probability of igniting a fire. These BMPs include the prevention of fuel being spilled and putting spark arresters on equipment with the potential to create sparks. Therefore, the potential for fire ignition during construction is less than significant.

During operation of Alternative A, the probability of igniting a fire onsite is small, and onsite fuel loads are minimal. As discussed in **Section 2.1**, the Alternative A would be designed consistent with the IBC, which includes measures related to fire and structural safety. Furthermore, as with their existing Casino, the Tribe would take all necessary steps to reasonably ensure the ongoing availability of sufficient and qualified fire suppression services to the Project Site after implementation of Alternative A. Fire protection features, such as sprinkler systems and fire-resistant materials, would be incorporated into the design of Alternative A. These measures would reduce the risk of a large structure fire commencing on or spreading off the Project Site. Therefore, impacts associated with exposing people or structures to a significant risk of loss, injury, or death involving ignition of wildland fires during operation of Alternative A are less than significant.

Other

In addition to the hazards listed above, seismic and flooding events have the potential to occur in the vicinity of the Project Site. These potential hazards are assessed in **Section 3.2** and **Section 3.3**, respectively. As concluded in both sections, the risks associated with seismic events and flooding are less than significant.

Alternative B: Event Center

Alternative B would have similar hazardous material and fire ignition risks as Alternatives A during construction, but the risks would be reduced due to the smaller building scale of the project. Similar to Alternatives A, BMPs in **Table 2.1-2** would reduce these potential risks to less than significant. Alternative B would also implement the same mitigation measure as Alternative A to reduce the potential adverse effect from the existing REC onsite.

Alternative C: No Action

Under Alternative C, the Project Site would remain in its current state. Hence, no hazardous material or fire impacts would occur under Alternative C.

3.13 VISUAL RESOURCES

3.13.1 Regulatory Setting

The visual resources regulatory setting is summarized in **Table 3.13-1**, and additional information on the regulatory setting can be found in **Appendix D.**

3.13.2 Environmental Setting

The Project Site is currently used for agricultural purposes and has limited development, including a barn and residence.

The undeveloped areas of the Project Site are used for grazing and row crops, and include rolling grassland areas, significant stands of trees, meadows, ravines and wetlands. As discussed in **Section 3.2**, the Project Site contains significant areas of relatively flat land intermixed with rolling hills with elevations on-site ranging from approximately 1,000 to 1,100 feet amsl. There are naturally occurring hills and areas of historic grading, specifically related to earthen water impoundments and building up of access roads.

Table 3.13-1: Regulatory Policies and Plans Related to Visual Resources

Regulation	Description
Federal	
Wild and Scenic Rivers Act	▪ Established a policy of preserving designated free-flowing rivers for the benefit and enjoyment of present and future generations. ▪ Encourages river management that crosses political boundaries and promotes public participation in developing goals for river protection.
State	
Minnesota's Wild and Scenic Rivers Act	▪ To establish statewide standards and criteria for designating, classifying, and managing the state's Wild and Scenic Rivers, including minimum standards for land use, development, and administration. Six rivers have been designated under the Act.
Minnesota Scenic Byways	▪ Roads within the State that have been designated as having regionally outstanding scenic, natural, recreational, cultural, historic, or archaeological significance.
Local	
Olmsted County General Land Use Plan	▪ This plan provides a framework for land use decisions in the County. It indirectly includes policies and recommendations for visual resources through the preservation of natural and scenic resources.

The area surrounding the Project Site is agricultural with rural residences to the north, east, and west. There are also small commercial developments and rural residences to the south. Intermittent stands of forestlands with the largest swaths to the south are in the vicinity of the Project Site. The public primarily views the Project Site from adjacent roadways, including Hwy 52, White Pine Road SE, and E white Bridge Road. The scattered surrounding residences have varying visibility of the Project Site, primarily due to stands of forestland, with no residence having unobstructed direct view.

The Project Site presents no distinctive scenic features compared to the surrounding areas to the north, west, and east due to the consistent agricultural landscape with intermittent forestlands and rural residences. No significant lighting or glare is currently emitted from the Project Site. Sources of light and glare in the vicinity are primarily vehicular traffic on the surrounding roadways. Other sources of light include lighting from buildings within the City of Pine Island to the northwest and the City of Oronoco and limited commercial development in the south.

Olmsted County-designated scenic resources are not clearly defined. According to the Olmsted County General Land Use Plan, scenic/visual resources are generally grouped into natural resources, cultural resources conversation, and recreation enhancement. The General Land Use Plan did not identify any of these resources the Project Site. In addition, no cultural resources were identified in close proximity to the Project Site, and Oronoco Park is approximately 0.6 miles to the south. Scenic resources defined by the State include scenic byways and riverways. The closest scenic byway to the Project Site is Historic Bluff County National Scenic Byway that is approximately 35 miles south (Minnesota Department of Transportation, 2023b).

The nearest scenic river is the Mississippi River from the City of Anoka to the City of St. Claire that is approximately 81 miles northwest. No scenic resources were identified within close proximity to the Project Site.

3.13.3 Impacts

Assessment Criteria

Assessing the impacts of a project on visual resources is in large part subjective by nature. Impacts related to visual resources would be considered significant if the alternative were to degrade or diminish the aesthetics of visual resources such as scenic vistas or nature areas, introduce lighting that would substantially increase the nighttime lighting in the area above of existing conditions, and/or cast a shadow on private residences or public areas for substantial portions of the day.

Alternative A: Proposed Project

Viewshed and Visual Character

Under Alternative A, improvements would take place within the approximately 16-acre development area in the central portion of the Project Site that is currently developed with the barn and house, while the overall majority of the 419.2-acre site would remain in its current state with no changes to the visual setting. Preparations and improvements within the development area of the Project Site would begin immediately after trust acquisition. The existing buildings (barn and residence) within the Project Site would be renovated into an optional secondary gaming facility and office, respectively, and associated infrastructure would be constructed (**Figure 2.1-1**). An architectural rendering of Alternative A is presented in **Figure 2.1-2**. Modifications would not result in taller or larger buildings that would affect the existing viewshed. Alternative A would not obstruct views of the Project Site or surrounding area. Project design would also incorporate appropriately scaled landscaping to enhance visual character.

The other components of Alternative A, such as the borrow pit and stormwater facilities, would not introduce noticeable features on the Project Site that would alter the existing viewsheds or character. The existing paved parking lot and silage pits are currently in disrepair, and the silage pits are experiencing significant erosions. The removal of the deteriorated pavement and silage pits may improve the current visual character of the Project Site. The borrow pit would be graded and contoured to match the surrounding topography, the wastewater treatment facility would be underground and unnoticeable, the surface parking would occur in an already paved area, and the stormwater pond would be small and difficult to discern from a distance. Consequently, none of the proposed components under Alternative A would significantly alter the viewsheds currently experienced off-site.

Most of the Project Site would remain agricultural/grazing with approximately 5.4 acres out of 419.8 acres (1.3%) being covered in impervious surfaces, a 2.2-acre reduction from the existing impervious surface. The addition of the wastewater treatment and stormwater facilities would be minor, and the borrow pit would be integrated into the existing landscape. Therefore, the overall agricultural visual character of the Project Site would remain. There are no State-designated scenic resources near the Project Site. Recreation and cultural resources could be considered visual resources by Olmsted County, but no cultural or recreational resources occur on the Project Site.

Shadow, Lighting, and Glare

As discussed in **Section 3.13**, the height of the gaming facility would be similar to the currently existing barn structure, and there are no residential neighbors adjacent to the proposed development. Therefore, no changes to shadows on neighboring properties would occur. Alternative A would introduce additional lighting that would be noticeable during non-daylight hours, however BMPs are included in **Table 2.1-2** to reduce lighting impacts. In addition to new lighting, with the retrofitting of the barn, there would be new sources of glare that would be perceivable off-site. While these sources would be minor due to the development size, BMPs have been incorporated into the project design to reduce the glare potential of Alternative A. Therefore, with project design and BMPs described in **Table 2.1-2**, the impacts related to glare and lighting would be less than significant.

Alternative B: Event Center

As discussed in **Section 2.2**, Alternative B would result in site modifications within the same development area as Alternative A, but the land use would be for non-gaming purposes. As such, the visual resource impacts and shadow, lighting, and glare impacts would be similar to those discussed under Alternative A due to the similar development components and development area. BMPs have been incorporated into the project design to reduce the lighting and glare potential of Alternative A. Therefore, with project design and BMPs described in **Table 2.1-2**, impacts would be less than significant.

Alternative C: No Action

No development would occur under Alternative C, and the Project Site would remain in its current state. Therefore, no impacts to visual resources would occur.

3.14 CUMULATIVE IMPACTS

3.14.1 Cumulative Impacts

This section assesses the potential for the project alternatives to contribute to "cumulative" environmental impacts within each environmental issue area category. Cumulative impacts are defined by the CEQ as effects "on the environment which result from the incremental effect of the action when added to other past, present, and reasonably foreseeable future actions" (40 CFR § 1508.1[i][3]).

For the purposes of this analysis, the cumulative setting includes growth and development envisioned in the City of Pine Island Comprehensive Plan, Olmsted County General Land Use Plan, Oronoco Planned Future Land Use map, and Oronoco Township Land Use Plan (City of Pine Island, 2010; City of Pine Island, 2008; Olmsted County, 2022a; City of Oronoco, 2020; City of Oronoco, 2006; and Oronoco Township, 2002). The cumulative setting also includes known development projects that are proposed, planned, and/or currently being constructed within one mile of the Project Site as shown in **Table 3.14-1**. Aside from the Prairie Island Indian Community Elk Run Community Development Fee-to-Trust Project, discussed further below, these projects consist of infrastructure improvements and thus the potential for cumulative effects in combination with the project alternatives would be largely related to construction activities. Finally, the cumulative impact analysis within this EA utilizes the approximated background growth level of 2.0 percent annually as presented within the Traffic Impact Study (**Appendix I**). Cumulative impacts are discussed within each environmental issue area category below.

Table 3.14-1: Potential Future Projects within 1 mile of Project Site Considered in Cumulative Analysis

Project Name	Project Location	Project Description	Project Status	Distance from Project Site
Residential Wastewater Development	Oronoco, MN	Construction of a municipal wastewater collection and treatment system to parallel the existing water system.	Under construction	1.0 mile
Hwy 52 Improvements	HWY 52 from Oronoco to Pine Island	Planned resurfacing of the roadway with potential infrastructure improvements such as a frontage road, flood mitigation improvements, and intersection upgrades.	Planning stages	0.34 miles
PIIC North Elk Run Community Development Project	Adjacent to Project Site	Tribal housing and community development as wells as fee-to-trust.	Planning stages	0.1 miles
Xcel Energy Mankato-Mississippi River Transmission Project	Adjacent to Project Site	Approximately 120 miles of new and upgraded 345 kilovolt (kV) transmission lines between the existing Wilmarth Substation near Mankato and a connection point at the Mississippi River near Kellogg, Mn.	Planning stages	0.1 miles

Sources: KIMT, 2022; City of Oronoco, 2023; Oronoco Township Planning Advisory Commission, 2022; Minnesota Department of Transportation, 2023; Meier Companies, Inc., 2023; ABC6 News, 2022

Projects Immediately Adjacent to the Project Site

Prairie Island Indian Community Elk Run Community Development Fee-to-Trust Project

The Tribe owns parcels surrounding the Project Site within the boundaries of both the City of Pine Island and Olmsted County and anticipates submitting a separate fee-to-trust application for this land. This project, referred to herein as the Prairie Island Indian Community (PIIC) North Elk Run Community Development Project, is in the planning phases and consists of Tribal housing and community facilities. The PIIC North Elk Run Community Development Project is forecasted to expand the population of the City of Pine Island and Olmsted County area by approximately 1,000 people by 2046, which represents a population growth increase by 23% (**Appendix I**).

The PIIC North Elk Run Community Development Project is located within an area previously planned for urban development under the City of Pine Island's conceptual Elk Run Concept Master Plan. This former project included multiple types of residential uses (low, medium, and high density), commercial uses including retail and office space, medical offices, mental and physical wellness centers, schools and sports complex, and various community amenities including parks, outdoor amphitheater, and equestrian center (City of Pine Island, 2008). These previously planned uses are generally consistent with the project alternatives and PIIC North Elk Run Community Development Project.

Xcel Energy Mankato-Mississippi River Transmission Project

Xcel Energy is implementing the Mankato-Mississippi River Transmission Project (Xcel Transmission Project). The project includes approximately 120 miles of new and upgraded 345 kilovolt (kV) transmission lines between the existing Wilmarth Substation near Mankato and a connection point at the Mississippi River near Kellogg, MN. The project is organized into four segments that include either new or upgraded infrastructure. Segment 4, the Rochester Connector, is planned adjacent to the Project Site.

Segment 4 includes the implementation of approximately 20 miles of new 161 kV transmission lines between the existing North Rochester Substation near Pine Island and an existing transmission line northeast of Rochester, which is being relocated from its existing alignment to install the new 345 kV infrastructure. Segment 4 Owners include Xcel Energy, Dairyland Power Cooperative, Rochester Public Utilities, and Southern Minnesota Municipal Power Agency. The project is anticipated to be in service in 2028. The Project Site is currently not within the service area of Xcel Energy, however Xcel Energy provides electrical services to most of the City of Pine Island in addition to areas immediately north and east, and may be coordinated with to provide additional electrical service to the Project Site (Xcel Energy, 2023a).

3.14.2 Land Resources

Cumulative effects associated with land resources could occur as a result of future development in combination with the project alternatives, including the projects listed in **Table 3.14-1** and growth and development envisioned in the in the City of Pine Island Comprehensive Plan, Olmsted County General Land Use Plan, the Oronoco Planned Future Land Use map, and the Oronoco Township Land Use Plan. Topographic changes, soil loss, and seismic risk may be cumulatively significant even if the developments alone would not result in significant alterations of the landscape or increase seismic risk. However, approved developments would be required to follow applicable permitting procedures and development codes. Adherence to applicable building codes for construction would address geotechnical and seismic issues.

In addition, the project alternatives and all other developments that disturb one acre or more must comply with the requirements of the National Pollutant Discharge Elimination System (NPDES) Construction General Permit. Adherence to this permit would lessen the probability of significant erosion occurring regionally. The project would develop a project-specific Stormwater Pollution Prevention Plan (SWPPP) with BMPs that would lessen its potential contribution to impacts associated with erosion and soil loss. Further, the project alternatives would not result in significant alterations to the existing topography of the Project Site and would therefore not contribute to cumulative impacts associated with alteration of the surrounding natural topography. Therefore, implementation of the project alternatives would not contribute to significant cumulative impacts to land resources.

3.14.3 Water Resources

Cumulative effects to water resources may occur as the result of the construction of the project alternatives and future development, including the projects listed in **Table 3.14-1** and growth and development envisioned in the in the City of Pine Island Comprehensive Plan, Olmsted County General Land Use Plan, the Oronoco Planned Future Land Use map, and the Oronoco Township Land Use Plan. Construction activities could result in erosion and sediment discharge to surface waters, potentially affecting water quality in downstream water bodies. In addition, construction equipment and materials have the potential to leak, thereby discharging oil, grease, and construction supplies into stormwater, potentially affecting both surface water and groundwater. Cumulative developments would be required to apply for the NPDES General Construction Permit and develop site-specific SWPPPs. Stormwater discharges from developed sites could increase the chance of downstream pollution and flooding, and runoff characteristics of a watershed are altered when impervious surfaces replace natural vegetation, row crops, or bare soil. Changes in runoff characteristics could increase drainage volumes, increase stream velocities, increase peak discharges, shorten the time to peak flows, and lessen groundwater contributions to stream base-flows during non-precipitation periods.

However, the project alternatives include treatment and detention to limit off-site stormwater flows to pre-development levels. Therefore, implementation of the project alternatives would not contribute to significant cumulative effects to surface water and flooding. The wastewater generated by the project alternatives would have a less than significant impact with regard to water quality due to proper treatment and disposal. Other cumulative developments would be required to adhere to local, State, and federal regulations with regard to wastewater treatment and disposal. Therefore, the project alternatives in combination with the cumulative development would not result in significant adverse cumulative effects to water quality.

Development of the project alternatives in addition to other cumulative projects could result in cumulative effects to groundwater if the total water demand of approved projects exceeds the recharge of the groundwater basin. Future demands on the groundwater basin from cumulative development would be controlled by local land use authorities. As discussed in **Section 3.9**, water demand of Alternatives A and B would not be significant and would be much less than demand of the existing casino. Given the stable groundwater trends in the vicinity, the project alternatives contribution to cumulative impacts to groundwater would be less than significant.

3.14.4 Air Quality and Climate Change

Air Quality

Past, present, and future development projects contribute to a region's air quality conditions on a cumulative basis; therefore, by its very nature, air pollution is largely a cumulative impact. If the individual emissions of a project contribute toward exceedance of the NAAQS, then the cumulative impact on air quality would be significant. In developing attainment designations for criteria pollutants, the USEPA considers the region's past, present, and future emission levels. The Project Site and vicinity is in attainment for all criteria pollutants. The main source of CAP emissions from potential future development, including the PIIC North Elk Run Community Development Project and growth and development envisioned in the in the City of Pine Island Comprehensive Plan, Olmsted County General Land Use Plan, the Oronoco Planned Future Land Use map, and the Oronoco Township Land Use Plan, is mobile sources from automobiles, the generation of which will be reduced as fuel efficiency increases.

As automobiles use less or even run without gasoline, emissions of CAPs per mile will decrease. BMPs identified in **Table 2.1-2** include installation of electric vehicle (EV) charging stations, contributing to the future reduction in mobile emission sources. Emission estimates for Alternatives A and B in the cumulative year 2046 are provided in **Table 3.14-2**. Detailed calculations of mobile and stationary source emissions are included in **Appendix F**. The MOVES4 air quality model was used to estimate emissions in the year 2046. Increased gas mileage from trucks and vehicles in future years is accounted for in the MOVES4 air quality model. The increase in future gas mileage is attributed to improved fuel efficiency technology and stricter federal and state regulations. Therefore, under future year conditions, emissions resulting from the development alternatives are expected to be less than opening year and would continue to be below CAA de minimis levels. The development alternatives would not contribute toward exceedance of the NAAQS and adverse cumulative impacts to the region's air quality; BMPs listed in **Table 2.1-2** would further reduce project-related emissions.

Table 3.14-2: 2046 Operation Emissions of Criteria Pollutants – Alternatives A and B (Tons per Year)

Sources	NOx	VOC	CO	SO_2	PM_{10}	$PM_{2.5}$
Alternative A						
Stationary	0.31	0.01	0.11	0.00	0.01	0.01
Mobile	4.66	2.01	47.45	0.05	1.51	0.32
Total Emissions	**4.97**	**2.02**	**47.56**	**0.05**	**1.52**	**0.33**
de minimis Level	N/A	N/A	N/A	N/A	N/A	N/A
Alternative B						
Stationary	0.31	0.01	0.11	0.00	0.01	0.01
Mobile	0.83	0.59	8.37	0.01	0.19	0.06
Total Emissions	**1.14**	**0.60**	**8.48**	**0.01**	**0.20**	**0.07**
de minimis Level	N/A	N/A	N/A	N/A	N/A	N/A

Source: **Appendix F**
Notes: N/A = Not Applicable. De minimis levels are not applicable because the project area is in attainment.

Climate Change

Development of Alternatives A and B would result in an increase in GHG emissions related to construction; stationary sources that directly emit GHGs including the potential combustion of propane in boilers, and diesel fuel in emergency generators; and indirect sources related to energy consumption (combustion of fuels used to produce electricity), mobile sources (trips generated by the development), solid waste, wastewater processing, and water transport. **3.14-3** shows direct construction and area GHG emissions and annual indirect operation GHG emissions in metric tons (MT) of carbon dioxide equivalent (CO_2e) from the development alternatives. The Interagency Working Group on Social Cost of Greenhouse Gases (IWG) has developed estimates of the social cost of GHGs (SC-GHG) (IWG, 2021). The SC-GHG is the monetary value of the net harm to society associated with adding an amount of that GHG to the atmosphere in a given year.

Table 3.14-3: Construction and Operational GHG Emissions – Alternatives A and B (MT of CO_2e/year)

Direct	Alternative A	Alternative B
Grading, Building, etc.	310	310
Stationary	69	74
Indirect		
Energy	246	153
Mobile	16,055	1,874
Solid Waste	57	11
Water/Wastewater	59	12
Construction GHG Emissions	**310**	**310**
Annual Operation GHG Emissions	**16,486**	**2,124**

Source: **Appendix F**
Notes: CO2e = carbon dioxide equivalent; MT = metric tons

In principle, SC-GHG includes the value of all climate change impacts, including, but not limited to, changes in net agricultural productivity, human health effects, property damage from increased flood risk natural disasters, disruption of energy systems, risk of conflict, environmental migration, and the value of ecosystem services. **Table 3.14-4** presents the social cost of the GHG emissions from construction and annual operations of the development alternatives. **Table 3.14-4** also provides an estimate of the lifetime social cost of GHGs, which includes construction and 30 years of operation.

Table 3.14-4: Social Cost of GHG Emissions

GHG/Cost per metric ton		Alternative A		Alternative B	
		Tons	Cost	Tons	Cost
Construction (2025-2026) CO_2e	$56	310	$17,360	310	$17,360
Operation (2025) CO_2e	$56	16,486	$923,216	2,124	$118,944
Operation (2046) CO_2e	$80	11,278	$902,240	1,490	$119,200
Lifetime CO_2e		338,650	$27,084,560	45,010	$3,593,360

Notes: Social Cost of GHG emissions based on 3 percent discount rate from IWG, 2021. 2046 costs based on linear interpolated values. Lifetime GHG emissions include construction emissions and 30 years of 2046 operational emissions. GHG emissions quantities are from **Appendix F**.

As shown in **Table 3.14-3** approximately 99 percent of the operational GHG emissions would come from indirect mobile emissions from delivery, patron, and employee vehicles. The federal government has enacted measures that would reduce GHG emissions from mobile sources. These include increasing fuel efficiency of vehicles and providing incentives for transitioning to electric vehicles.

Project-related GHG emissions would be further reduced with the implementation of BMPs provided in **Table 2.1-2**. Construction BMPs would reduce GHG emissions by requiring all diesel-powered equipment be properly maintained and minimize idling time to five minutes when construction equipment is not in use, and by using environmentally preferable materials, including recycled materials, for construction.

Operational BMPs would reduce indirect GHG emissions from electricity use, water and wastewater transport, and waste transport through the installation of EV charging stations, clean fuel vehicles, energy-efficient lighting, electric boilers and appliances in lieu of natural gas or propane units, low-flow water fixtures, and recycling receptacles. Operational BMPs would also reduce indirect mobile GHG emissions by requiring adequate ingress and egress to minimize idling and provide preferential parking for vanpools/carpools to reduce trips. This approach is consistent with the CEQ Guidance, which directs agencies to quantify direct and indirect emissions of project alternatives and to consider GHG reduction measures that are reasonable and consistent with achieving the purpose and need for the proposed action.

Additionally, the implementation of project BMPs, including the provision of EV charging stations, use of energy efficient lighting, use of electric boilers and appliances in lieu of natural gas or propane units, and promoting waste reduction, is consistent with the intent of SO 3399 and state strategies to reduce GHG emissions and contribute to the global effort to reduce climate change impacts on disadvantaged communities. Therefore, the implementation of Alternative A or other project alternatives would not result in cumulatively considerable impacts associated with GHG emissions and climate change.

The project alternatives include components that would lessen their vulnerability to the impacts from climate change. On-site heating and air conditioning will lessen the effects of increasing temperatures and frequency of extreme heat days or extreme weather conditions. The Project Site is not located in an area susceptible to sea level rise risks. While wildfire risk exists and would be exacerbated by climate change, alternatives would be designed consistent with the IBC, which includes measures related to fire and structural safety to reduce susceptibility to this risk.

3.14.5 Biological Resources

Potential future development, including the PIIC North Elk Run Community Development Project and growth and development envisioned in the in the City of Pine Island Comprehensive Plan, Olmsted County General Land Use Plan, the Oronoco Planned Future Land Use map, and the Oronoco Township Land Use Plan, has the potential to result in cumulative effects to biological resources from the conversion of natural habitat to urban uses. The Project Site does not contain critical habitat or essential fish habitat (EFH), therefore, the project alternatives would not contribute to cumulative impacts to these resources. Additionally, as the alternatives would avoid impacts to aquatic features, the alternatives would not contribute to cumulative impacts to wetlands/waters of the U.S. Although the alternatives could impact nesting birds protected under the MBTA and roosting bats, potential impacts would be avoided with implementation of mitigation listed in **Section 4.0**. Other development projects in the region would be required to implement similar mitigation measures to protect sensitive biological resources. The project alternatives contribution to cumulative impacts to biological resources would be less than significant.

3.14.6 Cultural and Paleontological Resources

Cumulative effects to resources typically occur when sites that contain cultural features, artifacts, or paleontological resources are disturbed by development. As these resources are destroyed or displaced, important information is lost and connections to past events, people and culture are diminished. Although Alternative A has the potential to affect previously undiscovered cultural and paleontological resources, mitigation measures in **Section 4.0** would eliminate these effects. Any future development projects in the area would be required to follow federal, state, and local regulations, as applicable, regarding cultural and paleontological resources and inadvertent discoveries of these resources, requiring mitigation or avoidance. Therefore, implementation of the alternatives would not contribute to cumulatively significant effects on cultural resources, historic properties, or paleontological resources.

3.14.7 Socioeconomic Conditions and Environmental Justice

As discussed in **Section 3.7**, the alternatives are not anticipated to result in significant adverse impacts related to socioeconomic conditions or environmental justice. Development on the Project Site, when considered in combination with the adjacent PIIC North Elk Run Community Development Project, would provide a beneficial impact to the socioeconomic condition of the Tribe by generating revenue to fund various Tribal social service and government programs. The adjacent PIIC North Elk Run Community Development Project would include residential housing that would offset the majority of housing needs associated with Alternatives A and B.

Alternatives A and B would result in economic benefits that would not be considered negative cumulative impacts, such as increased jobs, monetary benefits, and only nominal substitution effects typical of similar developments. Each alternative, when considered in combination with other projects (**Table 3.14-1**), would not contribute to adverse cumulative impacts associated with socioeconomic conditions and environmental justice.

Table 3.14-5: 20-Year Horizon (2046) Operational Results, Intersection LOS (sec/veh [LOS])

Intersection	Peak	No Build	Build –Alternative A Cumulative Horizon	Build –Alternative B Cumulative Horizon
Weekday				
US-52 and County Rd 31/ 12 Western Interchange Ramp	AM	2.3 (A)	2.8 (A)	3.0 (A)
	PM	2.4 (A)	2.9 (A)	2.9 (A)
US-52 and County Rd 31/ 12 Eastern Interchange Ramp	AM	3.2 (A)	4.1 (A)	4.2 (A)
	PM	3.1 (A)	4.6 (A)	4.5 (A)
E White Bridge Rd/White Pines Rd SE	AM	4.0 (A)	4.1 (A)	4.1 (A)
	PM	4.0 (A)	4.3 (A)	4.2 (A)
Friday				
US-52 and County Rd 31/ 12 Western Interchange Ramp	Afternoon	2.3 (A)	3.5 (A)	3.2 (A)
US-52 and County Rd 31/ 12 Eastern Interchange Ramp	Afternoon	3.8 (A)	4.7 (A)	4.7 (A)
E White Bridge Rd/White Pines Rd SE	Afternoon	4.1 (A)	4.3 (A)	4.3 (A)
Saturday				
US-52 and County Rd 31/ 12 Western Interchange Ramp	Peak	2.5 (A)	3.1 (A)	3.5 (A)
US-52 and County Rd 31/ 12 Eastern Interchange Ramp	Peak	4.1 (A)	4.9 (A)	4.8 (A)
E White Bridge Rd/White Pines Rd SE	Peak	4.1 (A)	4.3 (A)	4.5 (A)

Source: **Appendix I**

3.14.8 Transportation and Circulation

Transportation Network Operation Levels

The TIS provided in **Appendix I** includes an analysis of cumulative traffic impacts resulting from the project alternatives in combination with future growth and development. The following scenarios were evaluated:

- No-Build Scenario – 20-Year Horizon (2046). Projected traffic volumes in horizon year 2046 assuming a 2% annual growth rate from existing traffic levels.
- Build Scenario Alternative A – 20-Year Cumulative Horizon (2046). 20-Year Horizon (2046) conditions plus the addition of traffic from Alternative A and the PIIC North Elk Run Community Development Project.
- Build Scenario Alternative B – 20-Year Cumulative Horizon (2046). 20-Year Horizon (2046) conditions plus the addition of traffic from Alternative B and the PIIC North Elk Run Community Development Project.

The intersection LOS analysis results for the scenarios listed above are provided in **Table 3.9-1**. As shown therein, under all scenarios, the study area intersections would continue to operate as LOS A. Cumulative traffic impacts would therefore be less than significant.

Bicycle, Pedestrian, and Transit Networks

Cumulative increases in transit ridership and use of bicycle and pedestrian networks are anticipated with population growth and the future PIIC North Elk Run Community Development Project. The project alternatives are not anticipated to affect the development of bicycle, pedestrian and transit networks or create significant demands on these networks. Other cumulative projects, including the PIIC North Elk Run Community Development Project, would be required to study and mitigate impacts to bicycle, pedestrian, and nearby transit networks. Therefore, cumulative impacts would be less than significant.

3.14.9 Land Use

Potential future development, including the PIIC North Elk Run Community Development Project and growth and development envisioned in the in the City of Pine Island Comprehensive Plan, Olmsted County General Land Use Plan, the Oronoco Planned Future Land Use map, and the Oronoco Township Land Use Plan, has the potential to result in cumulative land use effects associated with potential conflicts with existing land uses, and conversion of agricultural land. Generally, adherence to local planning documents is intended to prevent disorderly growth or incompatible land uses. The City of Pine Island and Olmsted County have included the Project Site and vicinity within the designated Urban Growth Area with future land uses to include low, medium, and high density residential as well as commercial land uses. Future development of the adjacent PIIC North Elk Run Community Development Project on the properties to the east, west, and north of the Project Site could include residential areas and commercial development, in addition to infrastructure support facilities. The Project Site and adjacent PIIC North Elk Run Community Development Project site are part of a larger previously planned development area referred to as the Elk Run Concept Master Plan. The Elk Run Concept Master Plan originally envisioned the Project Site as a mixture of regional commercial/retail, neighborhood commercial, and rural residential lots ranging from a quarter of an acre to an acre in size. Development components of Alternatives A and B are similar to those included in the Elk Run Concept Master Plan but would be smaller in scale (City of Pine Island, 2008).

Other cumulative development projects, including the Xcel Transmission Project and Hwy-52 improvements would be subject to independent environmental review process that would consider compatibility and conflicts with existing and adjacent land uses. Additionally, while the cumulative conversion of agricultural land to urban uses as a result of future development could be significant, the project's contribution this cumulative effect would be less than significant as the majority of existing agricultural land within the Project Site would remain as grazing land or would continue to be leased for agricultural production. Therefore, the project alternatives' contribution to cumulative impacts associated with land use would be less than significant.

3.14.10 Public Service and Utilities

Potential future development, including the PIIC North Elk Run Community Development Project and growth and development envisioned in the in the City of Pine Island Comprehensive Plan, and Olmsted County General Land Use Plan, will result in increased demands for public services and utilities (the infrastructure projects listed in **Table 3.14-1** would not contribute to increased demands for public services and utilities and are therefore not discussed further). The expansion of public services and associated facilities to serve future growth would be funded in part through development fees and property tax.

The Project Site and the surrounding area have long been contemplated for commercial, mixed-use, and residential development in the Elk Run Concept Master Plan, and therefore public services and utilities have been expanded into the area in anticipation of the Master Plan buildout. However, the alternatives and the adjacent PIIC North Elk Run Community Development Project are smaller in scale than the originally planned Elk Run Concept Master Plan buildout and would therefore result in less cumulatively considerable impacts to public services and utilities. Additionally, as stated in **Section 2.1**, the alternatives would not rely on public services related to water supply or wastewater, and therefore would not have a cumulative impact on these utilities.

The adjacent PIIC North Elk Run Community Development Project would involve the acquisition of parcels surrounding the Project Site in federal trust, removing the parcels from State and local property taxes. As with the project alternatives, fire protection and emergency medical services would likely be provided by the Pine Island Volunteer Fire Department and law enforcement services would likely be provided by a combination of the PIPD, Goodhue County Sheriff's Department, and Olmsted County Sheriff's Department. The PIIC North Elk Run Community Development Project would also be required to mitigate any public services impacts, including negotiating a service agreement or equivalent to compensate for increased public services. Other projects listed in **Table 3.14-1** consist of small infrastructure improvement projects that would improve utilities in the region and would not introduce additional populations into the area that would increase calls for service or utility demand. Accordingly, the project alternatives would not result in a significant contribution toward cumulative impacts related to public services and utilities.

3.14.11 Noise

Cumulative projects in the vicinity of the Project Site have the potential to increase noise and vibration levels in a way that could result in significant impacts when considered in combination with the project alternatives. As noted above, the majority of project traffic will occur along segments of White Bridge Road NW and White Pine Road SE between Hwy 52 and the Project Site, and there are no sensitive receptors located along these roadway segments. Therefore, the project alternatives would not contribute to cumulative increases in traffic noise levels that would impact sensitive receptors. Furthermore, other planned projects in the vicinity of the Project Site would be required to comply with applicable noise regulations during construction and operation, including the adjacent PIIC North Elk Run Community Development Project. Therefore, the alternatives would not contribute towards adverse cumulative impacts associated with noise levels.

3.14.12 Hazards and Hazardous Materials

There is the potential for impacts related to hazardous materials during construction of the alternatives in combination with other projects. As discussed above, Alternatives A and B and other planned developments (**Table 3.14-1**) that disturb one acre or more must comply with the requirements of the NPDES Construction General Permit. Adherence to the permit requirements and development of a site-specific SWPPP with BMPs would reduce the potential for hazardous materials releases into off-site waterways. The alternatives would implement the BMPs in **Table 2.1-2** hence reducing their potential hazardous material risks during construction to less than significant levels. Hazardous materials used during operation would be used, stored, and handled according to federal regulations and manufacturer guidelines. New development would similarly be required to adhere to appropriate and applicable regulations regarding the delivery, handling, and storage of hazardous materials, thereby reducing the risk to the public's health and welfare due to accidental exposure. Therefore, the alternatives would not contribute to significant cumulative impacts associated with hazards and hazardous materials.

3.14.13 Visual Resources

Potential future development, including the PIIC North Elk Run Community Development Project, Xcel Transmission Line Project, Hwy 52 improvements, and growth and development envisioned in the City of Pine Island Comprehensive Plan, and Olmsted County General Land Use Plan has the potential to change the visual landscape within the viewshed of the Project Site from the conversion of open land to urban uses, and the introduction of additional sources of light and glare. It should be noted that both the PIIC North Elk Run Community Development Project and Xcel Transmission Project would undergo a separate NEPA review, including an assessment on visual impacts.

As discussed in **Section 3.9** and **Section 3.13**, development of the alternatives would be generally consistent with the surrounding land uses and would not introduce any development components that would impact visual resources or the overall character of the area with the incorporated design features and BMPs (**Table 2.1-2**). Project components would largely impact previously developed land and the building sizes under Alternatives A and B would remain the same as that of the existing barn structure. Row crops and grazing would continue on the remainder of the Project Site once in trust. Therefore, the contribution of Alternatives A and B to cumulative impacts to visual resources would be less than significant.

3.15 INDIRECT AND GROWTH-INDUCING EFFECTS

Under NEPA, indirect and growth-inducing effects of a Proposed Project must be analyzed (40 CFR §1508.1(i)(2)). The CEQ Regulations define indirect effects as effects that are caused by an action and are later in time or further removed in distance but are still reasonably foreseeable. Growth-inducing effects are defined as effects that foster economic or population growth, either directly or indirectly.

3.15.1 Indirect Effects of Off-Site Improvements

This section provides a description of the indirect effects from off-site improvements that may occur as a result of the alternatives.

Description of Improvements

Alternative A or Alternative B would result in off-site access improvements and electrical utility improvements as described below.

- **Access Improvements:** As shown on **Figure 2.1-1**, a small portion (approximately 0.125 acres) of the access drive connecting to White Pine Road SE falls within the public right-of-way just outside the Project Site and is therefore considered an off-site improvement. This portion of the access drive that falls within the right-of-way aligns with the portion of the existing access drive within the right-of-way as well as the portion on the Project Site. Improvements to this section of the access drive would include removal of the existing drive and grading and paving a new and slightly wider access drive to accommodate anticipated traffic. In total, these activities would impact approximately 0.20 acres that have been previously paved and disturbed.
- **Electrical Utility Improvements:** As discussed in **Section 2.1**, utilities are already present on site, however, additional capacity may be needed to accommodate the alternatives. It is anticipated that electrical needs would be met by either the Peoples Cooperative Service, which currently provides the Project Site with electricity; the Goodhue County Cooperative Electrical Association,

which has a service area covering a small portion of the Project Site; or Xcel Energy, which currently supplies electricity to most of the City of Pine Island. Both the Goodhue County Cooperative Electrical Association and Xcel Energy have planned expansion projects that would occur with or without implementation of the alternatives (discussed in **Section 3.14**). As existing power lines adjacent to the Project Site run overhead, it is likely additional electrical connections to the Project Site, if necessary, would not require ground disturbance. Should additional underground electrical connections be necessary, off-site ground disturbance would be limited to work within road shoulders and the public right-of-way. As part of the BMPs for the alternatives, the Utility Notification Center will be contacted prior to ground disturbance so that underground utility locations can be staked prior to construction and properly avoided.

Indirect Effects

Any off-site access and electrical utility improvements would occur entirely within a road shoulder or previously disturbed areas and as such are unlikely to impact sensitive biological and cultural resources. The off-site access improvement and electrical connections would not require use of ground or surface water and would not directly impact surface water resources. The totality of the area disturbed would be extremely small and limited to an area that has previously been graded and developed. Temporary construction related effects associated with air quality, dust greenhouse gas emissions, traffic and noise, would be minor due to the limited number of personnel and improvements required. Installation of the access and electrical utility improvements would not require road closures, detours, or other traffic-inducing actions. The off-site access improvements would be limited to paving and widening of an existing access drive within a right-of-way. This would not change the visual quality of the area, nor would visual resources be impacted. Similarly, overhead electrical connections are already utilized to provide the area with electricity.

Should the alternatives require additional electrical capacity, rewiring of existing overhead lines and extension of additional capacity to the Project Site would not create a visual impact. Therefore, indirect effects associated with off-site improvements would be less than significant.

3.15.2 Growth-Inducing Effects

Growth inducement may constitute an adverse impact if the increased growth is not consistent with or accommodated by the land use and growth management plans and policies for the area affected. Local land use plans provide for development patterns and growth policies that allow for orderly development supported by adequate public services and utilities such as water supply, roadway infrastructure, sewer services, and solid waste disposal services. A project that would induce “disorderly” growth (i.e., would conflict with local land use plans) could indirectly cause adverse environmental or public service impacts. The growth-inducing analysis below conservatively focuses on Alternative A because Alternative A would result in the highest generation of employment and utility demands. Growth-inducing Alternative B would be similar to or less than Alternative A.

As discussed in **Section 3.7**, Alternative A is projected to directly generate 342 jobs. It is expected that these 342 jobs would be filled by the 1,700 employees that would lose employment in the event of Casino closure. It is estimated that over time approximately 98 households would relocate closer to the Project Site to work at the optional secondary gaming facility. This would constitute a local population increase of approximately 238 persons (**Appendix B**). Additionally, Alternative A would support 124 indirect/induced jobs as a result of the economic output (**Section 3.7**).

While this would be less than the existing Casino, the local increase in economic output could stimulate further commercial growth; however, such demand would be diffused and distributed among a variety of different sectors and businesses in the region. As such, significant regional commercial growth inducing impacts would not be anticipated to occur. Although the adjacent Tribal housing planned by the Tribe would offset any housing demands of Alternative A, the existing housing stock and infrastructure is sufficient to support Alternative A without necessitating the construction of additional infrastructure.

Under Alternative A and B, additional electrical utility service connections may be necessary to increase the electrical capacity already available on the Project Site. These connections would be sized to serve the Project Site and would only serve the Project Site. Therefore, the alternatives would not remove barriers to growth or induce growth through expansion of utilities beyond what is necessary to serve the alternatives. Based on the above, significant growth-inducing impacts would not occur.

Section 4 | Mitigation Measures

Mitigation consists of the following (40 CFR § 1508.1(y)):

- Avoiding the impact altogether by not taking a certain action or parts of an action.
- Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
- Rectifying the impact by repairing, rehabilitating, or restoring the affected environment.
- Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.
- Compensating for the impact by replacing or providing substitute resources or environments.

Mitigation measures to be implemented during construction and operation of the alternatives are summarized in **Table 4-1** below. All mitigation is enforceable because it is (1) inherent to the project design; and/or (2) or required by federal or tribal regulations.

Table 4-1: Mitigation Measures

Resource Area	Proposed Mitigation	Alternative
Biological Resources	**Federally Listed Roosting Bats** The following measures are recommended to avoid and/or reduce impacts to potentially roosting bats: ▪ Timing of impacts to the barn structure shall occur outside the active season of roosting bats (April 1 through October 31) as possible. OR ▪ If impacts to the barn may commence within the active season, bats shall be excluded from the barn structure during the winter hibernation season. Exclusion shall be completed within the winter hibernation season to ensure that there are no active-season roosting bats within the structure during exclusion activities. OR ▪ Should commencement of impacts to a barn structure occur during the active season and prior to bat exclusion of the structure, emergence surveys of the impacted barn structure shall be conducted by a qualified biologist consistent with Appendix E: Phase 4 Emergence Surveys of the USFWS Range-Wide Indiana Bat and Northern Long-Eared Bat Survey Guidelines. As tricolored bat can be difficult to detect in emergence surveys, USFWS shall be consulted prior to emergence surveys to approve the surveying biologist as well as the survey methodology and timing. If no bats are observed, data sheets shall be submitted to the USFWS and no further action is necessary. ▪ If one or more bats are observed emerging from the barn, it shall be assumed that the bat is a listed bat. In this case, an avoidance and exclusion plan shall be developed with USFWS that identifies passive exclusion methods such as one-way doors or timing of disturbance with periods of bat activity to confirm bats are absent from the structure(s) prior to impacts.	A, B

	Nesting Migratory Birds The following measures are recommended to avoid and/or reduce impacts to nesting migratory birds/other birds of prey: ▪ If construction activities (either site preparation or barn conversion) commence during the general nesting season (February 15 to September 1), a preconstruction nest survey shall be conducted by a qualified biologist on and within 100 feet of proposed construction within 7 days of initiating ground disturbance. If active nests are identified, the qualified biologist shall determine a suitable avoidance buffer based on the needs of the species observed. ▪ Avoidance measures include establishment of a buffer zone using construction fencing or similar, or the postponement of construction until after the nesting season, or until after a qualified biologist has determined the nest is no longer active. Avoidance buffers may vary in size depending on habitat characteristics, project-related activities, and disturbance levels. ▪ Should work activity cease for 14 days or more during the nesting season, surveys shall be repeated to ensure birds and have not established nests during inactivity.	
Cultural and Paleontological Resources	**Inadvertent Discoveries of Cultural Resources** ▪ In the event that cultural resources are inadvertently discovered during project-related ground disturbance, ground disturbance shall be halted within 50 feet of the find and the BIA and the Tribe's THPO and/or a qualified archaeologist (i.e., an archaeologist that meets the qualifications at 36 CFR § 61), or paleontologist if the find is of a paleontological nature, shall be retained to assess its potential significance. ▪ Construction activities may continue in other areas but may not resume in the area of the find until the significance of the find is assessed and it is appropriately treated. ▪ If the find is determined by the BIA/THPO/qualified archaeologist to not be significant (i.e., not a *historic property*), no additional cultural resources investigations are necessary and work may resume in the area of the find. ▪ If any find is determined to be significant by the THPO or archaeologist or paleontologist, a BIA representative shall meet with the THPO or archaeologist or paleontologist to determine the appropriate course of action, including the development of a Treatment Plan and implementation of appropriate avoidance measures or other mitigation. **Inadvertent Discoveries of Human Remains** ▪ Consistent with NAGPRA requirements, if human remains or objects of cultural patrimony are discovered during project-related ground-disturbing activities, ground disturbance in the vicinity of the find shall be halted and the location shall be secured (43 CFR Part10.4(c)). ▪ The BIA and Prairie Island Indian Community THPO shall be immediately notified of the discovery and the Olmsted County Sheriff/Coroner shall be immediately informed of the find in accordance with the Minnesota Statues Part307.08, and 43 CFR Part10.5(a)(1). ▪ If the remains are determined to be Native American in origin, the BIA shall consult with the THPO and/or appropriate Tribe to discuss the recovery and treatment of the remains (43 CFR Part10.5). ▪ A written plan of action shall be prepared that addresses the custody of the remains and the planned disposition (43 CFR Part10.5(b)). ▪ The disposition of the human remains, funerary objects, sacred objects, or objects of cultural patrimony shall be carried out in accordance with procedures set forth in 43 CFR Part10.6.	A, B

Public Services and Utilities	**Service Agreement** The following measure is recommended for all alternatives: ▪ The Tribe shall make good faith efforts to enter into a service agreement with the Pine Island Fire Department that will provide payment for the provision of fire protection and emergency medical services to the Project Site. The agreement shall address any required conditions and standards for emergency access and fire protection system.	A, B

Section 5 | Consultation and Coordination

This section lists agencies and organizations consulted during preparation of this EA.

Agencies, Organizations, and Individuals Consulted	Summary of Consultation and Coordination
Federal	
U.S. Fish & Wildlife Service (USFWS)	The USFWS was consulted to obtain a list of federally listed special-status species with the potential to occur in the vicinity of the Project Site. Additionally, the USFWS National Wetlands Inventory was consulted to identify potential wetlands and waters in the vicinity of the Project Site. The BIA may initiate informal consultation with USFWS regarding the potential for the project alternatives to impact federally listed species in accordance with the federal Endangered Species Act (ESA).
U.S. Environmental Protection Agency (USEPA)	The USEPA website was reviewed for information regarding NAAQS attainment status. Additionally, the USEPA's model Motor Vehicle Emission Simulator Version 4 (MOVES4) was used to calculate emissions. The USEPA EJScreen tool was used to generate an EJScreen Community Report, which has been included as **Appendix H.**
U.S. Geological Survey (USGS)	The USGS website was reviewed for information concerning geological and hydrological information in addition to geological hazards.
U.S. Census Bureau (USCB)	The USCB website was reviewed for information concerning demographical data.
U.S. Department of Health and Human Services	The U.S. Department of Health and Human Services website was reviewed for information concerning federal poverty guidelines to determining poverty.
U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS)	The NRCS was consulted for data concerning farmland and soil characteristics information. A Farmland Conversion Impact Rating (FCIR) form was submitted to the NRCS. The NRCS issued a score of 128 points, which is well below the threshold (**Appendix J**).
U.S. Bureau of Labor Statistics	The U.S. Bureau of Labor Statistics website was reviewed to obtain labor statistics.
FEMA	The Prairie Island Nuclear Generating Plant After Action Report/Improvement Plan prepared by FEMA was reviewed.
National Center for Education Statistics	The website was consulted regarding enrollment information for Pine Island Public School District.
U.S. Census Bureau	The U.S. Census Bureau website was reviewed for information concerning demographical data.
State	
Minnesota Department of Natural Resources	The Minnesota Department of Natural Resources was consulted to obtain a Natural Heritage Review as well as a Conservation Planning Report in order to identify known or potential sensitive biological resources within the Project Site.
Minnesota Department of Public Safety	The Minnesota Department of Public Safety information pamphlet regarding ingestion phases for a nuclear power plant incident.
Minnesota Department of Transportation	The Minnesota Department of Transportation website was reviewed for information regarding scenic byways.
Minnesota State Historic	The Minnesota State Historic Preservation Office archives were reviewed between

Preservation Office	February 10th, and 20th, 2024 for archaeological site records and previously conducted studies relevant to the Project Site (**Appendix G**).
Local	
Olmsted County	Olmsted County planning documents, such as the General Land Use Plan, and the website were consulted for information regarding numerous environmental topics, such as public services.
Rochester-Olmsted Planning Department	The Olmsted County Water Management Plan was reviewed for information regarding wastewater.
City of Oronoco	The City of Oronoco website was reviewed for information regarding wastewater services, long-range planning, taxes, and public services.
Goodhue County Sheriff's Office	The website was consulted for information regarding law enforcement.
Olmsted County Sheriff's Office	The website was consulted for information regarding law enforcement.
Pine Island Volunteer Fire Department	The Pine Island Volunteer Fire Department website was consulted for information regarding fire services.
City of Pine Island	The City's staff, website and reports were consulted for information concerning long-range planning, taxes, and public services.
Tribe	
Prairie Island Indian Community	The cultural resources study was conducted and reviewed by the Tribe's THPO. The water/wastewater calculations were conducted by the Prairie Island Indian Community Public Utilities.
Prairie Island Police Department	The Tribe provided information regarding their police department.

Section 6 | References

ABC6 News, 2022. Pine Island Moves Forward with Elk Run Development. Available online at: https://www.kaaltv.com/archive/pine-island-moves-forward-with-elk-run-development/. Accessed November 2023.

Berger et al., 2015. Noise Navigator Sound Level Database with Over 1700 Measurement Values. PDF. Available online at: https://multimedia.3m.com/mws/media/888553O/noise-navigator-sound-level-hearing-protection-database.pdf. Accessed November 2023.

Braun Intertec Corporation (Braun), 2018. Limited Phase II Environmental Site Assessment- Prairie Island Indian Community Proposed Development. Dated December 20, 2018.

Braun, 2019a. MPCA General Excavation Report Worksheet. Prepared by Braun Intertec Corporation October 31, 2019.

Braun, 2019b. Supplemental Environmental Site Assessment – PIIC Community Development. Dated November 6, 2019.

Braun, 2020. MCPA Investigation Report – Revised. MCPA Site ID LS0021034 Former Elk Farm. Dated April 10, 2020.

CalRecycle, 2019. Estimated Solid Waste Generation Rates. Available online at: https://www2.calrecycle.ca.gov/wastecharacterization/general/rates. Accessed November 29, 2023.

City of Oronoco, 2006. City of Oronoco Comprehensive Plan, Future Land Use: Plans, Goals, Policies & Implementation Steps. Adopted July 17, 2006. Available online at: https://www.oronoco.com/?SEC=455BFD04-5B18-4B96-AD03-FBA261D8CE4F. Accessed November 2023.

City of Oronoco, 2020. Planned Future Land Use Map. Available online at https://www.oronoco.com/vertical/sites/%7B0EACF6BF-709F-42E8-AA6B-876F32576E1A%7D/uploads/FLUP_MAP_07212020(2).pdf. Accessed September 2023.

City of Oronoco, 2023. Resident Construction Status Update No. 31: Oronoco Wastewater Treatment, Sewer Collection System & Water Distribution Project. Available online at: https://www.oronoco.com/vertical/sites/%7B0EACF6BF-709F-42E8-AA6B-876F32576E1A%7D/uploads/Resident_Wastewater_Project_Update_31_September_15_2023.pdf. Accessed September 2023.

City of Pine Island, 2008. Elk Run Concept Master Plan, Olmsted County, Minnesota. Original: November 30, 2007. Revised June 3, 2008.

City of Pine Island, 2010. Pine Island Comprehensive Plan. Adopted October 19, 2010.

County Office, 2023. Pine Island Fire Department in Pine Island, Minnesota. Available online at: https://www.countyoffice.org/pine-island-fire-department-pine-island-mn-21a/#:~:text=About%20the%20Pine%20Island%20Fire%20Department%20The%20Pine,to%20prevent%20the%20loss%20of%20life%20and%20property. Accessed November 2023.

Department of Transportation, 2022. National Transportation Noise in the U.S. for 2016, 2018 and 2020. Available online at: https://maps.dot.gov/BTS/NationalTransportationNoiseMap/. Accessed November 2023.

Disaster Accountability Project, 2016. Report on Emergency Evacuation Planning for Prairie Island Nuclear Generating Plant. Available online at: https://disasteraccountability.org/wp-content/uploads/2016/03/DAP-Prairie-Island-Nuclear-Generating-Plant.pdf. Accessed November 2023.

ECOS, 2023. Elk Run Site Vegetation Survey Report. October 19, 2023. Prepared by Ecological Strategies, LLC.

FEMA, 2010. Prairie Island Nuclear Generating Plant After Action Report/Improvement Plan. Radiological Emergency Preparedness Program. December 3, 2010. Available online at: https://www.nrc.gov/docs/ML1034/ML103470410.pdf. Accessed November 2023.

FEMA, 2017. FEMA's National Flood Hazard Layer Viewer, map 27109C0041E, effective 4/19/2017. Available online at: https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd&extent=-92.59874157710446,44.16797385527962,-92.52950482173154,44.19362093060236. Accessed November 2023.

FEMA, 2020. Glossary. Available online at: https://www.fema.gov/glossary/flood. Accessed February 2024.

FEMA, 2023. FEMA's National Flood Hazard Layer Viewer, map 27109C0050F, effective 9/21/2023. Available online at: https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd&extent=-92.59874157710446,44.16797385527962,-92.52950482173154,44.19362093060236. Accessed November 2023.

Federal Transit Administration (FTA), 2018. Transit Noise and Vibration Impact Assessment Manual. September 2018. Available online at: https://www.transit.dot.gov/research-innovation/transit-noise-and-vibration-impact-assessment-manual-report-0123. Accessed November 2023.

Geological Society of Minnesota (GSM), 2017. The Geology of Southeastern Minnesota. Available online at: https://roadmarker.geosocmn.org/content/geology-southeastern-minnesota. Accessed November 2023.

Geospatial Analysis Center, 2017. Multi-Hazard Mitigation Plan, Olmsted County, Minnesota. Available online at: https://www.olmstedcounty.gov/sites/default/files/2020-10/All%20Hazard%20Mitigation%20Plan.pdf. Accessed November 2023.

Goodhue County, 2004. Cooperative Agreement Regarding Law Enforcement Between the Prairie Island Indian Community and Goodhue County, Minnesota, and the City of Red Wing, Minnesota. Executed in March 2004.

Goodhue County, 2023. Pine Island Policing Contract. Available online at: https://www.co.goodhue.mn.us/252/Pine-Island-Policing-Contract. Accessed October 2023.

Goodhue County Cooperative Electrical Association (GCCE), 2023. Personal Communication with Prairie Island Indian Community. October 2023.

Goodhue County Sheriff's Office, 2023. 2022 Goodhue County Sheriff's Office Annual Report. March 7, 2023. Available online at: https://co.goodhue.mn.us/DocumentCenter/View/25320/2022-Annual-Report. Accessed November 2023.

Illingworth & Rodkin, Inc., 2014. Santana Row Parking Structure Project Noise Assessment San José, California. June 2, 2014. Available online at: https://www.sanjoseca.gov/home/showpublisheddocument/24187/636689814322730000. Accessed October 28, 2022.

Interagency Working Group on Social Cost of Greenhouse Gases, United States Government (IWG), 2021. Technical support Document: Social Cost of Carbon, Methane, and Nitrous Oxide, Interim Estimates under Executive Order 13990. February 2021.

KIMT, 2022. Proposed Housing Development in Oronoco Clears Another Hurdle. Available online at: https://www.kimt.com/news/proposed-housing-development-in-oronoco-clears-another-hurdle/article_8f3405a0-d591-11ec-9ec9-6720ba0c9291.html. Accessed September 2023.

Mayo Clinic, 2023. Mayo Clinic Hospital, Saint Mary's Campus. Available online at: https://www.mayoclinic.org/patient-visitor-guide/minnesota/campus-buildings-maps/mayo-clinic-hospital-saint-marys-campus?cauid=102372&geo=national&invsrc=other&mc_id=us&placementsite=enterprise&y_source=1_MzkxODQ4MS03MTUtbG9jYXRpb24ud2Vic2l0ZQ%3D%3D. Accessed November 2023.

Meier Companies, Inc., 2023. River Bend Riverwood Court SW, Oronoco. Available online at: https://www.rochesterareabuilders.com/wp-content/uploads/2019/01/38-PDF.pdf. Accessed September 2023.

Minnesota Department of Health (MDH), 2023. Minnesota Well Index. Available online at: https://mnwellindex.web.health.state.mn.us/. Accessed November 2023.

Minnesota Department of Natural Resources (MDNR), 2021. Minnesota Groundwater Provinces 2021. Available online at: https://www.dnr.state.mn.us/waters/groundwater_section/mapping/provinces.html. Accessed November 2023.

Minnesota Department of Public Safety, 2018. Intermediate & Ingestion Phases – Fact Sheet 2018. Available online at: https://dps.mn.gov/divisions/hsem/radiological-emergency-preparedness/Documents/2018%20HSEM13%20-%20Intermediate%20Ingestion%20Phases.pdf. Accessed November 2023.

Minnesota Department of Transportation, 2020. SP 156-104-006 Sturgeon Lake Road Overpass Cost Risk Assessment & Value Engineering Study. Prepared by HDR. September 24, 2020. Available online at: http://www.red-wing.org/DocumentCenter/View/5126/September-24-2020-Cost-Risk-Assessment-and-Value-Engineering-Study-PDF. Accessed December 2023.

Minnesota Department of Transportation, 2023. HWY 52 – Pine Island to Oronoco Construction. Available online at: https://talk.dot.state.mn.us/hwy-52-pine-island-oronoco. Accessed September 2023.

Minnesota Department of Transportation, 2023b. Minnesota Scenic Byways. Available online at: https://www.dot.state.mn.us/scenicbyways/. Accessed November 2023.

Minnesota Indian Affairs Council, n.d. Tinta Wita/Prairie Island Indian Community. Available online at: https://mn.gov/indian-affairs/tribal-nations-in-minnesota/tinta-wita-prairie-island-indian-community.jsp. Accessed September 2023.

Minnesota IT Office, 2023. Electrical Utility Service Area. Available online at: https://minnesota.maps.arcgis.com/apps/webappviewer/index.html?id=95ae13000e0b4d53a793423df1176514. Accessed November 2023.

Minnesota Pollution Control Agency (MPCA), 2020a. Petroleum Tank Release Site File Closure Letter – Elk Farm MCPA Site ID LS0021034. Dated June 10, 2020.

MPCA, 2020b. Petroleum No Action Letter – Elk Farm MCPA Site ID BF0001337. Dated June 18, 2020.

MPCA, 2021. Minnesota Groundwater Pollution Atlas Olmsted County Landfill – Closed Landfill Site. Available online at: https://webapp.pca.state.mn.us/cleanup/search/superfund?siteId=2277-AREA0000000003. Accessed November 2023.

MPCA, 2023. Minnesota Groundwater Contamination Atlas. Available online at: https://webapp.pca.state.mn.us/cleanup/search. Accessed November 2023.

MRP News, 2022. *Xcel seeks change in Prairie Island nuclear waste storage*. January 1, 2022. Available online at: https://www.mprnews.org/story/2022/01/01/xcel-seeks-change-in-prairie-island-nuclear-waste-storage. Accessed November 2023.

National Center for Education Statistics, 2023. Search for Public School Districts: Pine Island Public School District, NCES District ID 2728950. Available online at: https://nces.ed.gov/ccd/districtsearch/district_detail.asp?Search=1&details=1&InstName=pine+island+public&DistrictType=1&DistrictType=2&DistrictType=3&DistrictType=4&DistrictType=5&DistrictType=6&DistrictType=7&DistrictType=8&DistrictType=9&NumOfStudentsRange=more&NumOfSchoolsRange=more&ID2=2728950. Accessed December 5, 2023.

Natural Resources Conservation Service (NRCS), 2023. Custom Soil Resource Report for Olmsted County, Minnesota. Derived from the WebSoil Survey at: https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx. Accessed November 16, 2023.

National Oceanic and Atmospheric Administration (NOAA), 2023. National Centers for Environmental Information. Available online at: https://www.ncei.noaa.gov/. Accessed November 2023.

Old Republic National Title Insurance Company, 2023. Commitment for Title Insurance, File No.: 23-3099TW. Effective August 24, 2023. Countersigned Karen M. Fetterly (State Insurance Agent Lic. # 20309895).

Olmsted County, 2017. Multi-Hazard Mitigation Plan Olmsted County, Minnesota. 2017. Available online at: https://www.olmstedcounty.gov/sites/default/files/2020-10/All%20Hazard%20Mitigation%20Plan.pdf. Accessed October 2023.

Olmsted County, 2022a. General Land Use Plan. Adopted August 2022. Available online at: https://www.olmstedcounty.gov/business/building-development-gis/planning-land-use-zoning/general-land-use-plan-update-information#:~:text=The%20Olmsted%20County%20General%20Land,should%20occur%20throughout%20the%20county. Accessed September 2023.

Olmsted County, 2022b. Olmsted County Solid Waste Management Plan 2022-2032. Available online at: https://www.olmstedcounty.gov/sites/default/files/2022-12/Olmsted_County_Solid_Waste_Managment_Plan_Final_2022-2032.pdf. Accessed November 2023.

Olmsted County, 2023a. Olmsted County 2023: Budget in Brief. Available online at: https://www.olmstedcounty.gov/government/about-olmsted-county/strategy-budget-and-performance/olmsted-countys-strategy-budget-and-performance#annual-budget1. Accessed November 20, 2023.

Olmsted County, 2023b. Kalmar Landfill. Available online at: https://www.olmstedcounty.gov/residents/garbage-recycling/kalmar-landfill. Accessed November 2023.

Olmsted County Planning Department, 2021. Land Use Connections. Published December 16, 2021. Available online at: https://storymaps.arcgis.com/collections/a64a5e5b28ea47488e4020ba11ca78cf?item=15. Accessed November 2023.

Oronoco Township, 2002. Oronoco Township Land Use Plan. Available online at: https://www.oronocotownship-mn.gov/vertical/sites/%7BFE3C0B22-FD68-45A1-AE59-CE8C53538DDD%7D/uploads/OronocoLandUsePlan.pdf. Accessed September 2023.

Oronoco Township Planning Advisory Commission, 2022. Minutes of the Oronoco Township Planning Advisory Commission. Available online at: https://www.oronocotownship-mn.gov/vertical/sites/%7BFE3C0B22-FD68-45A1-AE59-CE8C53538DDD%7D/uploads/3b_OR2022-003ZC002GDP_Bassett10-17-2022_Draft_Minutes_OT-PAC.pdf. Accessed September 2023.

Peoples Energy Cooperative, 2023. About Peoples Energy Cooperative. Available online at: https://peoplesenergy.coop/about-peoples-energy-cooperative. Accessed November 29, 2023.

Pine Island Fire Department, 2023. Fire Department. Available online at: https://pineislandmn.com/fire. Accessed November, 2023.

Pipeline and Hazardous Material Safety Administration, 2023. NPMS Public Viewer. Available online at: https://pvnpms.phmsa.dot.gov/PublicViewer/. Accessed November 2023.

Prairie Island Indian Community (PIIC), 2021. Phase 1 Report for Prairie Island Indian Community Net Zero Project. Available online at: https://prairieisland.org/uploads/Phase1ReportforPIICNetZeroProject-1.pdf. Accessed November 2023.

PIIC, 2023. Our History. Available online at: https://prairieisland.org/who-we-are/our-history. Accessed September 2023.

PIIC Public Utilities, 2023. Personal communication with James Creaghe, Water/Wastewater Utility Manager.

Rochester-Olmsted Planning Department, 2013. Olmsted County Water Management Plan. Recorded Document #A-1314652. Adopted January 22, 2013.

RSP Architects, 2023. Site Plan and Floor Plans for RSP Project 191600148.

Stagl, 2018. Class I Railroads Continue the Longer-Train Trend. Jeff Stagl. Progressive Railroading. Available online at: https://www.progressiverailroading.com/rail_industry_trends/article/Class-I-railroads-continue-the-longer-train-trend--55035#:~:text=CP's%20average%20train%20length%20dipped,in%202016%20to%208%2C806%20tons. Accessed December 2023.

State of Minnesota, 1989. Tribal-State Compact for the Control of Class III Video Games of Chance on the Prairie Island Sioux Community Reservation in Minnesota. Available online at: https://dps.mn.gov/divisions/age/gambling/Documents/Gaming%20Compacts/Prairie%20Island%20Video%20Games%20of%20Chance%201989.pdf. Accessed October 2023.

State of Minnesota, 1991. Tribal-State Compact for the Control of Class III Blackjack on the Prairie Island Community Reservation in Minnesota. Available online at: https://dps.mn.gov/divisions/age/gambling/Documents/Gaming%20Compacts/Prairie%20Island%20Blackjack%201991.pdf. Accessed October 2023.

U.S. Army Corps of Engineers (USACE), 1974. Final Environmental Impact Statement: Operation and Maintenance, 9-foot Navigation Channel, Upper Mississippi River, Head of Navigation to Guttenberg, Iowa, Volume 1. Available online at: https://apps.dtic.mil/sti/tr/pdf/ADA133511.pdf. Accessed December 2023.

U.S. Bureau of Labor Statistics, 2023. State Employment and Unemployment Summary. Available online: https://www.bls.gov/news.release/laus.nr0.htm. Updated November 17, 2023. Accessed November 17, 2023.

U.S. Census, 2020a. Census Tract Reference Map for Olmsted County obtained from 2020 Census. Available online at: https://www2.census.gov/geo/maps/DC2020/PL20/st27_mn/censustract_maps/c27109_olmsted/. Accessed November 17, 2023.

U.S. Census, 2020b. "Hispanic or Latino, and Not Hispanic or Latino by Race." Decennial Census, DEC Demographic and Housing Characteristics, Table P9, 2020, https://data.census.gov/table/DECENNIALDHC2020.P9?q=race&g=040XX00US27_050XX00US27109_160XX00US2751136. Accessed on November 17, 2023.

U.S. Census, 2020c. "Hispanic or Latino, and Not Hispanic or Latino by Race." Decennial Census, DEC Demographic and Housing Characteristics: Total Population, Table P9, 2020. Available online at: https://data.census.gov/table/DECENNIALDHC2020.P9?q=race&g=1400000US27049080800,27109001404,27109001603,27109001703,27109001901,27109001902,27157490400,27157490500. Accessed November 20, 2023.

U.S. Census, 2020d. "Households and Families." American Community Survey, ACS 5-Year Estimates Subject Tables, Table S1101. Available online at: https://data.census.gov/table/ACSST5Y2020.S1101?q=race&t=Families%20and%20Living%20Arrangements&g=040XX00US27_050XX00US27049,27109,27157_1400000US27049080800,27109001404,27109001603,27109001703,27109001901,27109001902,27157490400,27157490500&y=2020. Accessed on November 20, 2023.

U.S. Census, 2021. "Mean Income in the Past 12 Months (in 2021 Inflation-Adjusted Dollars)" American Community Survey, ACS 5-Year Estimates Subject Tables, Table S1902. Available online at: https://data.census.gov/table/ACSST5Y2021.S1902?q=race&t=Income%20and%20Poverty&g=040XX00US27_050XX00US27049,27109,27157_1400000US27049080800,27109001404,27109001603,27109001703,27109001901,27109001902,27157490400,27157490500. Accessed on November 20, 2023.

U.S. Census, 2022a. "Poverty Status in the Past 12 Months." American Community Survey, ACS 1-Year Estimates Subject Tables, Table S1701, 2022, https://data.census.gov/table/ACSST1Y2022.S1701?q=poverty&g=040XX00US27_050XX00US27109_160XX00US2751136. Accessed on November 17, 2023.

U.S. Census, 2022b. "Employment Status." American Community Survey, ACS 1-Year Estimates Subject Tables, Table S2301, 2022, https://data.census.gov/table/ACSST1Y2022.S2301?q=unemployment rate&g=040XX00US27_050XX00US27109_160XX00US2751136. Accessed on November 17, 2023.

U.S. Census, 2022c. "Structure Type by Occupancy Status." American Community Survey, ACS 1-Year Estimates Detailed Tables, Table B25136, 2022. Available online at: https://data.census.gov/table/ACSDT1Y2022.B25136?t=Vacancy:Vacancy Characteristics:Vacancy Rates&g=040XX00US27_050XX00US27109_160XX00US2751136. Accessed on November 20, 2023.

U.S. Department of Agriculture (USDA), 2023. Soil Access Data (SDA) Prime and other Important Farmlands. Available online at: https://efotg.sc.egov.usda.gov/references/public/LA/Prime_and_other_Important_Farmland.html. Accessed November 21, 2023.

U.S. Department of Health and Human Services, 2023. Poverty Guidelines: HHS Poverty Guidelines for 2023. Available online at: https://aspe.hhs.gov/topics/poverty-economic-mobility/poverty-guidelines. Accessed November 20, 2023.

U.S. Environmental Protection Agency (USEPA), 1995. AP-42: Compilation of Air Emissions Factors. Available online at: https://www.epa.gov/air-emissions-factors-and-quantification/ap-42-compilation-air-emissions-factors. Accessed November 2023.

USEPA, 2022a. Waterbody Report Zumbro River, Middle Fork Assessment Unit ID MN07040004-992. Available online at: https://mywaterway.epa.gov/waterbody-report/MNPCA/MN07040004-992/2022. Accessed November 2023.

USEPA, 2022b. Waterbody Report Zumbro River, Middle Fork Assessment Unit ID MN07040004-993. Available online at: https://mywaterway.epa.gov/waterbody-report/MNPCA/MN07040004-993/2022. Accessed November 2023.

USEPA, 2022c. Waterbody Report Zumbro River, Middle Fork, South Branch Assessment Unit ID MN07040004-978. Available online at: https://mywaterway.epa.gov/waterbody-report/MNPCA/MN07040004-978/2022. Accessed November 2023.

USEPA, 2023a. How's My Waterway? Available online at: https://mywaterway.epa.gov/community/070400040307/overview. Accessed November 2023.

USEPA, 2023b. Minnesota Nonattainment/Maintenance Status for Each County by Year for All Criteria Pollutants. Available online at: https://www3.epa.gov/airquality/greenbook/anayo_mn.html. Accessed November 2023.

U.S. Geological Survey, (USGS), 2023a. U.S. Quaternary Faults. Available online at: https://usgs.maps.arcgis.com/apps/webappviewer/index.html?id=5a6038b3a1684561a9b0aadf88412fcf. Accessed November 2023.

USGS, 2023b. U.S. Landslide Inventory. Available online at: https://usgs.maps.arcgis.com/apps/webappviewer/index.html?id=ae120962f459434b8c904b456c82669d. Accessed November 2023.

USGS, 2023c. Mineral Resources Data System. Available online at: https://mrdata.usgs.gov/mrds/map-us.html. Accessed November 2023.

U.S. Nuclear Regulatory Commission (NRC), 2021. Emergency Classification. Available online at: https://www.nrc.gov/about-nrc/emerg-preparedness/about-emerg-preparedness/emerg-classification.html. Accessed February 2024.

Washington Department of Transportation, 2020. Biological Assessment Preparation Manual. Chapter Updated August 2020. Available online at: https://wsdot.wa.gov/sites/default/files/2021-10/Env-FW-BA_ManualCH07.pdf. Accessed November 2023.

Xcel Energy, 2020. Prairie Island Emergency Planning Visitor's Guide. Available online at: https://dps.mn.gov/divisions/hsem/radiological-emergency-preparedness/Documents/PINGP%20Visitor%20Guide.pdf. Accessed November 2023.

Xcel Energy, 2021. Minnesota Communities Served by Xcel Energy. Available online at: https://minnesota.maps.arcgis.com/apps/webappviewer/index.html?id=95ae13000e0b4d53a793423df1176514. Accessed November 2023.

Xcel Energy, 2022. 2022 Prairie Island Emergency Planning Guide. Available online at: https://dps.mn.gov/divisions/hsem/radiological-emergency-preparedness/Documents/21-10-515_PrairieIsland-EPZ_Guide_P02.pdf. Accessed November 2023.

Xcel Energy, 2023a. Mankato-Mississippi River Transmission Project. 2023. Available online at: https://mmrtproject.com/. Accessed November 2023.

Xcel Energy, 2023b. Power Generation. Available online at: https://mn.my.xcelenergy.com/s/energy-portfolio/power-generation. Accessed November 2023.

Section 7 | Preparers

7.1 LEAD AGENCY

Bureau of Indian Affairs, Midwest Regional Office
Norman Pointe II Building 5600 W. American Blvd. Suite 500 Bloomington, MN 55437
Staff
Tammie Poitra, Regional Director
Scott Doig, DECRM Branch Chief, Regional Environmental Scientist
Thomas Wilkins, Realty Specialist
Sandy Dietz, Realty Officer

7.2 COOPERATING AGENCY

U.S. Environmental Protection Agency (USEPA) Region 5
Tribal and Multimedia Programs Office 77 West Jackson Blvd. Chicago, Illinois 60604
Staff
Liz Pelloso, Senior NEPA Reviewer

7.3 DOCUMENT AUTHORS

Environmental Assessment, Expanded Regulatory Setting (Appendix D), Biological Assessment (Appendix E), and Air Quality Modeling Outputs (Appendix F)

Affiliation	Name	Qualifications/Title
Acorn Environmental 5170 Golden Foothill Pkwy El Dorado Hills, CA 95762	Ryan Sawyer, AICP	BA, 19 years of experience, Project Director
	Kt Alonzo	BS, 10 years of experience, Project Manager/Senior Biologist
	Jennifer Wade	BA, 17 years of experience, Senior Environmental Analyst
	Josh Ferris	BA, 21 years of experience, Senior Environmental Analyst
	Annalee Sanborn	BS, 11 years of experience, Senior Environmental Analyst
	Kelli Raymond	BS, 10 years of experience, Senior Environmental Analyst/Biologist
	Kristen Miner	BS, MS; 8 years of experience, Environmental Analyst
	Geo Graening	BS, MS, PHD; 25 years of experience, Senior Biologist

Water/Wastewater Information

Affiliation	Name	Qualifications/Title
Treasure Island Resort & Casino 5734 Sturgeon Lake Road Welch, MN 55089	Darrell Breuer	Support Services Director

Cultural Resources Study (Appendix G)

Affiliation	Name	Qualifications/Title
Prairie Island Indian Community Dakota Language & Culture Department 5636 Sturgeon Lake Road Welch, MN 55089	Franky Jackson	PIIC Compliance Officer
Minnesota State University, Mankato Earth Systems Laboratory 228 Wiecking Center Mankato, MN 56001-6062	Andrew A. Brown Ronald C. Schirmer	MS, Principal Investigator, Geospatial Research Data Manager PhD, Co-Principal Investigator, Co-Director

Traffic Impact Study (Appendix I)

Affiliation	Name	Qualifications/Title
KLJ Engineering 370 Wabasha Street Suite 300 Saint Paul, MN 55102-1323	Ian Butler-Severson Oz Khan, P.E.	Planner/Project Manager Traffic Engineer/Transportation Planner

Socioeconomic Analysis (Appendix B)

Affiliation	Name	Qualifications/Title
The Innovation Group 9200 East Mineral Ave. Suite 100 Centennial, CO 80112	Brian Wyman Mike Vanaskie	Executive Vice President Senior Vice President

Grading and Drainage Study (Appendix C)

Affiliation	Name	Qualifications/Title
Rehder & Associates, Inc. 3440 Federal Drive Suite 110 Eagan, Minnesota 55122	Nicholas Adam, P.E.	Vice-President/Principal Civil Engineer