U.S. Department of Housing and Urban Development
451 Seventh Street, SW
Washington, DC 20410
www.hud.gov
espanol.hud.gov

# Environmental ~~Review for Activity/Project that is Categorically Excluded~~ Assessment Subject to Section 58.5

**Pursuant to 24 CFR 58.~~35(a)~~ 36**

## Project Information

**Project Name:** Anishinabe-Wakiagun-Rehabilitation-Bii-Gii-Wiin-Construction

**HEROS Number:** 900000010006123

**State / Local Identifier:**

**Project Location:** 1600 E 19th St, Minneapolis, MN 55404

**Additional Location Information:**
The Site is comprised of 2.24 acres of an irregularly shaped parcel located in a residential and commercial developed area of Minneapolis. A three-story apartment building (subject of the rehabilitation) is present at the Site, which is currently used as residential housing. The new addition will also be three stories. To the immediate west of the project site is the Minneapolis American Indian Center, a community center with a focus on community programming for urban Native American populations.The site is adjoined to the north by residential properties and Hiawatha Avenue; to the south by Franklin Avenue East and commercial and residential properties and to the east by Hiawatha Avenue and commercial properties.

**Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:**
American Indian Community Development Corporation (AICDC) and Project for Pride in Living (PPL) are partnering on the rehabilitation of Anishinabe Wakiagun located at 1600 19th St. S. near the Franklin Avenue LRT station, which includes 45 single-room occupancy (SRO) housing units for homeless and near-homeless persons living with disability challenges in an inebriate facility setting. The Wakiagun building was built in 1994.The proposed rehabilitation work at Wakiagun includes window replacement, mechanical systems repair and upgrades, lighting and electrical upgrades, site drainage/landscaping improvements, and commercial kitchen appliance replacement.A second phase of the project is the addition via a connection to the existing Wakiagun building adding 32 units of SRO units to the south of Wakiagun. This new building is titled Bii Gii Wiin. The proposed addition would be a three-story, 32-bed assisted living facility. A onestory link will be constructed between the two different facilities on the property. The link will serve as the main entrance to the assisted living facility and will allow staff, not residents, to move between the two facilities as needed. The main entrance to the inebriate housing facility will remain in its existing location. The addition would be constructed on the southeasterly side of the existing building. The existing parking lot on the north side of the building will be expanded for the employees and residentsof both facilities.As part of this development project the property will be subdivided into two lots. On Lot 1 the applicant is proposing to construct a surface parking lot that would serve a future office building that would be constructed on the property. The future office building would be utilized by AICDC. Lot 2 will contain the existing and proposed

residential development and its accessory surface parking lot. Walkways, a pergola structure and landscaping will tie both of the properties together.The federal CDBG assistance is composed of rehabilitation soft costs incurred by PPL for the rehabilitation work on the Wakiagun building.

**Level of Environment Review Determination:**

~~Categorically Excluded per 24 CFR 58.35(a)~~, and subject to laws and authorities at §58.5:
58.34(a)(12) Environmental Assessment §58.36

**Funding Information**

| Grant Number | HUD Program | Program Name | Funding Amount |
|---|---|---|---|
| B14MC270003 | CPD | Community Development Block Grants (CDBG) (Entitlement) | $50,000.00 |

**Estimated Total HUD Funded Amount:** $30,000.00

**Estimated Total Project Cost [24 CFR 58.2 (a) (5)]:** $11,378,076.00

**Mitigation Measures and Conditions [CFR 1505.2(c)]:**

Summarized below are all mitigation measures adopted by the Responsible Entity to reduce, avoid or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

| Law, Authority, or Factor | Mitigation Measure or Condition | Comments on Completed Measures | Complete |
|---|---|---|---|
| Contamination and Toxic Substances | A Minnesota Pollution Control Agency Response Action Plan/Construction Contingency Plan has been developed for the project, approved on April 6, 2015 and will be monitored by the developer through a consultant contract with American Engineering and Testing. Following submission of implementation report to the PCA, the developer will request a No Further Action letter for the site. | N/A | |
| Noise Abatement and Control | HUD Stracat info demonstrating noise mitigation is attached. Building envelope materials will bring interior levels down to acceptable levels. | N/A | |

**Determination:**

| | |
|---|---|
| ignore X | This categorically excluded activity/project converts to **EXEMPT** per Section 58.34(a)(12), because it does not require any mitigation for compliance with any listed statutes or authorities, nor requires any formal permit or license; **Funds may be committed and drawn down after certification of this part** for this (now) EXEMPT project; OR |
| | This categorically excluded activity/project cannot convert to Exempt status because one or more statutes or authorities listed at Section 58.5 requires formal consultation or mitigation. Complete consultation/mitigation protocol requirements, **publish NOI/RROF and obtain "Authority to Use Grant Funds"** (HUD 7015.16) per Section 58.70 and 58.71 before committing or drawing down any funds; OR |
| X | This project is not categorically excluded OR, if originally categorically excluded, is now subject to a full Environmental Assessment according to Part 58 Subpart E due to extraordinary circumstances (Section 58.35(c)). |

**Preparer Signature:** _____ **Date:** 12/3/15

**Name / Title/ Organization:** Matt Bower / Manager Resource Coordination / MINNEAPOLIS

**Responsible Entity Agency Official Signature:** _____ **Date:** 12/3/15

**Name/ Title:** Spencer Crouk, City Coordinator

**This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environment Review Record (ERR) for the activity / project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).**

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# Environmental Review for Activity/Project that is Categorically Excluded Subject to Section 58.5

**Pursuant to 24 CFR 58.35(a)**

## Project Information

**Project Name:** Anishinabe-Wakiagun-Rehabilitation-Bii-Gii-Wiin-Construction

**HEROS Number:** 900000010006123

**Responsible Entity (RE):** MINNEAPOLIS, 301 M CITY HALL MINNEAPOLIS MN, 55415

**State / Local Identifier:**

**RE Preparer:** Matt Bower

**Certifying Officer:** Spencer Cronk

**Grant Recipient (if different than Responsible Entity):**

**Point of Contact:**

**Consultant (if applicable):**

**Point of Contact:**

**Project Location:** 1600 E 19th St, Minneapolis, MN 55404

**Additional Location Information:**
The Site is comprised of 2.24 acres of an irregularly shaped parcel located in a residential and commercial developed area of Minneapolis. A three-story apartment building (subject of the rehabilitation) is present at the Site, which is currently used as residential housing. The new addition will also be three stories. To the immediate west of the project site is the Minneapolis American Indian Center, a community center with a focus on community programming for urban Native American populations.The site is adjoined to the north by residential properties and Hiawatha Avenue; to the south by Franklin Avenue East and commercial and residential properties and to the east by Hiawatha Avenue and commercial properties.

**Direct Comments to:**

**Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:**

American Indian Community Development Corporation (AICDC) and Project for Pride in Living (PPL) are partnering on the rehabilitation of Anishinabe Wakiagun located at 1600 19th St. S. near the Franklin Avenue LRT station, which includes 45 single-room occupancy (SRO) housing units for homeless and near-homeless persons living with disability challenges in an inebriate facility setting. The Wakiagun building was built in 1994.The proposed rehabilitation work at Wakiagun includes window replacement, mechanical systems repair and upgrades, lighting and electrical upgrades, site drainage/landscaping improvements, and commercial kitchen appliance replacement.A second phase of the project is the addition via a connection to the existing Wakiagun building adding 32 units of SRO units to the south of Wakiagun. This new building is titled Bii Gii Wiin. The proposed addition would be a three-story, 32-bed assisted living facility. A onestory link will be constructed between the two different facilities on the property. The link will serve as the main entrance to the assisted living facility and will allow staff, not residents, to move between the two facilities as needed. The main entrance to the inebriate housing facility will remain in its existing location. The addition would be constructed on the southeasterly side of the existing building. The existing parking lot on the north side of the building will be expanded for the employees and residentsof both facilities.As part of this development project the property will be subdivided into two lots. On Lot 1 the applicant is proposing to construct a surface parking lot that would serve a future office building that would be constructed on the property. The future office building would be utilized by AICDC. Lot 2 will contain the existing and proposed residential development and its accessory surface parking lot. Walkways, a pergola structure and landscaping will tie both of the properties together.The federal CDBG assistance is composed of rehabilitation soft costs incurred by PPL for the rehabilitation work on the Wakiagun building.

Anishinabe Wakiagun-Bii Gii Wiin planned development site layout.pdf
Anishinabe Aerial Map.pdf
Anishinabe Wakiagun Site Map.pdf

**Level of Environmental Review Determination:**
**Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at 58.5:**
58.34(a)(12)

**Determination:**

| | |
|---|---|
| | This categorically excluded activity/project converts to **EXEMPT** per Section 58.34(a)(12), because it does not require any mitigation for compliance with any listed statutes or authorities, nor requires any formal permit or license; **Funds may be committed and drawn down after certification of this part** for this (now) EXEMPT project; OR |
| | This categorically excluded activity/project cannot convert to Exempt status because one or more statutes or authorities listed at Section 58.5 requires formal consultation or mitigation. Complete consultation/mitigation protocol requirements, **publish NOI/RROF and obtain "Authority to Use Grant Funds"** (HUD 7015.16) per Section 58.70 and 58.71 before committing or drawing down any funds; OR |

| | |
|---|---|
| X | This project is not categorically excluded OR, if originally categorically excluded, is now subject to a full Environmental Assessment according to Part 58 Subpart E due to extraordinary circumstances (Section 58.35(c)). |

**Approval Documents:**

**7015.15 certified by Certifying Officer on:**

**7015.16 certified by Authorizing Officer on:**

## Funding Information

| Grant Number | HUD Program | Program Name | Funding Amount |
|---|---|---|---|
| B14MC270003 | CPD | Community Development Block Grants (CDBG) (Entitlement) | $50,000.00 |

**Estimated Total HUD Funded Amount:** $30,000.00

**Estimated Total Project Cost:** $11,378,076.00

## Compliance with 24 CFR §50.4, §58.5 and §58.6 Laws and Authorities

| **Compliance Factors:** Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6 | Are formal compliance steps or mitigation required? | Compliance determination (See Appendix A for source determinations) |
|---|---|---|
| **STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.6** | | |
| **Airport Hazards** Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D | ☐ Yes ☑ No | The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements. |
| **Coastal Barrier Resources Act** Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501] | ☐ Yes ☑ No | This project is not located in a CBRS Unit. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act. |

| | | |
|---|---|---|
| **Flood Insurance**<br>Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a] | ☐ Yes ☑ No | The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with flood insurance requirements.The property is located in Zone X of FIRMette Map Panel 27053C0359E, however this panel is not printed on the FEMA Flood Map Service website. |
| **STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5** | | |
| **Air Quality**<br>Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93 | ☐ Yes ☑ No | The project's county or air quality management district is in attainment status for all criteria pollutants. The project is in compliance with the Clean Air Act. |
| **Coastal Zone Management Act**<br>Coastal Zone Management Act, sections 307(c) & (d) | ☐ Yes ☑ No | This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act. There are no coastal zones in or near the City of Minneapolis. |
| **Contamination and Toxic Substances**<br>24 CFR 50.3(i) & 58.5(i)(2)] | ☑ Yes ☐ No | Site contamination was evaluated as follows: ASTM Phase I ESA, ASTM Phase II ESA, Remediation or clean-up plan. On-site or nearby toxic, hazardous, or radioactive substances were found that could affect the health and safety of project occupants or conflict with the intended use of the property. The Phase I ESA revealed no evidence of recognized environmental conditions in connection with the Site, except for the following: 1) VIC database listings for Anishinabe Bii-Gii-Wiin and Anishinabe Bii-Gii-Wiin #2 at the Site with known contaminant impacts to soil confirmed by previous environmental assessments; 2) The existence of former structures |

| | | |
|---|---|---|
| | | occupying the Site with the confirmed presence of demolition debris in fill soils which may have resulted from on-site burial;3) Historic businesses at the Site with the potential for past spills or releases of hazardous materials and/or petroleum products. The adverse environmental impacts can be mitigated. With mitigation, identified in the mitigation section of this review, the project will be in compliance with contamination and toxic substances requirements. |
| **Endangered Species Act**<br>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402 | ☐ Yes ☑ No | This project will have No Effect on listed species because there are no listed species or designated critical habitats in the action area. This project is in compliance with the Endangered Species Act. Suitable habitat is not present in the action area. |
| **Explosive and Flammable Hazards**<br>Above-Ground Tanks)[24 CFR Part 51 Subpart C | ☐ Yes ☑ No | There is a current or planned stationary aboveground storage container of concern within 1 mile of the project site. The Separation Distance from the project is acceptable at approximately 400 feet with a landscaping wall between its site (Hiawatha Towers-tank data attached) and the area of new construction. The project is in compliance with explosive and flammable hazard requirements. |
| **Farmlands Protection**<br>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658 | ☐ Yes ☑ No | This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act. Project is located in an urbanized area exempt from the Farmland Protection Policy Act of 1981. See attached Urbanized Area Location map. |
| **Floodplain Management**<br>Executive Order 11988, particularly section 2(a); 24 CFR Part 55 | ☐ Yes ☑ No | This project does not occur in a floodplain. The project is in compliance with Executive Order 11988. The project is in compliance with flood insurance requirements.The property is located in |

| | | |
|---|---|---|
| | | Zone X of FIRMette Map Panel 27053C0359E, however this panel is not printed on the FEMA Flood Map Service website. |
| **Historic Preservation**<br>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800 | ☐ Yes ☑ No | Based on the project description the project has No Potential to Cause Effects. The project is in compliance with Section 106. The National Register List inventory was consulted and no historic resources are located in the project vicinity |
| **Noise Abatement and Control**<br>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B | ☑ Yes ☐ No | A Noise Assessment was conducted. The noise level was normally unacceptable: 71.5 db. See noise analysis. HUD Stracat info demonstrating noise mitigation is attached. Building envelope materials will bring interior levels down to acceptable levels. The project is in compliance with HUD's Noise regulation with mitigation. |
| **Sole Source Aquifers**<br>Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149 | ☐ Yes ☑ No | The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements. The closest designated sole source aquifer is the Mille Lacs aquifer located approximately 75 miles north of the project site. See attached map of sole source aquifer location. |
| **Wetlands Protection**<br>Executive Order 11990, particularly sections 2 and 5 | ☐ Yes ☑ No | The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990. |
| **Wild and Scenic Rivers Act**<br>Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c) | ☐ Yes ☑ No | This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act. The closest designated wild and scenic river to the City of Minneapolis is the St. Croix River located approximately 25 miles east of the city. See attached map. |
| **HUD HOUSING ENVIRONMENTAL STANDARDS** | | |
| **ENVIRONMENTAL JUSTICE** | | |
| **Environmental Justice**<br>Executive Order 12898 | ☐ Yes ☑ No | No adverse environmental impacts were identified in the project's total environmental review. The project is in |

| | | |
|---|---|---|
| | | compliance with Executive Order 12898. |

**Mitigation Measures and Conditions [40 CFR 1505.2(c)]:**
Summarized below are all mitigation measures adopted by the Responsible Entity to reduce, avoid or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

| Law, Authority, or Factor | Mitigation Measure or Condition | Comments on Completed Measures | Complete |
|---|---|---|---|
| Contamination and Toxic Substances | A Minnesota Pollution Control Agency Response Action Plan/Construction Contingency Plan has been developed for the project, approved on April 6, 2015 and will be monitored by the developer through a consultant contract with American Engineering and Testing. Following submission of implementation report to the PCA, the developer will request a No Further Action letter for the site. | N/A | |
| Noise Abatement and Control | HUD Stracat info demonstrating noise mitigation is attached. Building envelope materials will bring interior levels down to acceptable levels. | N/A | |

**Mitigation Plan**
Project developer PPL will be responsible for monitoring the RAP/CCP through a consultant contract with American Engineering and Testing. Construction materials allowing for mitigation of noise impacts will be followed through by the developer. This work along with all project work will be overseen by Minneapolis CPED project coordinator staff, Theresa Cunningham.

**Supporting documentation on completed measures**

## APPENDIX A: Related Federal Laws and Authorities

### Airport Hazards

| General policy | Legislation | Regulation |
|---|---|---|
| It is HUD's policy to apply standards to prevent incompatible development around civil airports and military airfields. | | 24 CFR Part 51 Subpart D |

**1. To ensure compatible land use development, you must determine your site's proximity to civil and military airports. Is your project within 15,000 feet of a military airport or 2,500 feet of a civilian airport?**

✓ **No**

Based on the response, the review is in compliance with this section. Document and upload the map showing that the site is not within the applicable distances to a military or civilian airport below

**Yes**

**Screen Summary**

**Compliance Determination**

The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements.

**Supporting documentation**

Anishinabe Location Broad Area Map.pdf

**Are formal compliance steps or mitigation required?**

Yes

✓ No

## Coastal Barrier Resources

| General requirements | Legislation | Regulation |
|---|---|---|
| HUD financial assistance may not be used for most activities in units of the Coastal Barrier Resources System (CBRS). See 16 USC 3504 for limitations on federal expenditures affecting the CBRS. | Coastal Barrier Resources Act (CBRA) of 1982, as amended by the Coastal Barrier Improvement Act of 1990 (16 USC 3501) | |

**1. Is the project located in a CBRS Unit?**

✓ No

Document and upload map and documentation below.

Yes

**Compliance Determination**

This project is not located in a CBRS Unit. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act.

**Supporting documentation**

coastal barrier resources map.pdf

**Are formal compliance steps or mitigation required?**

Yes

✓ No

## Flood Insurance

| General requirements | Legislation | Regulation |
|---|---|---|
| Certain types of federal financial assistance may not be used in floodplains unless the community participates in National Flood Insurance Program and flood insurance is both obtained and maintained. | Flood Disaster Protection Act of 1973 as amended (42 USC 4001-4128) | 24 CFR 50.4(b)(1) and 24 CFR 58.6(a) and (b); 24 CFR 55.1(b). |

**1. Does this project involve financial assistance for construction, rehabilitation, or acquisition of a mobile home, building, or insurable personal property?**

No. This project does not require flood insurance or is excepted from flood insurance.

✓ Yes

**2. Upload a FEMA/FIRM map showing the site here:**

The Federal Emergency Management Agency (FEMA) designates floodplains. The FEMA Map Service Center provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs). For projects in areas not mapped by FEMA, use the best available information to determine floodplain information. Include documentation, including a discussion of why this is the best available information for the site. Provide FEMA/FIRM floodplain zone designation, panel number, and date within your documentation.

**Is the structure, part of the structure, or insurable property located in a FEMA-designated Special Flood Hazard Area?**

✓ No

Based on the response, the review is in compliance with this section.

Yes

**Screen Summary**

**Compliance Determination**

The structure or insurable property is not located in a FEMA-designated Special Flood Hazard

Area. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with flood insurance requirements.The property is located in Zone X of FIRMette Map Panel 27053C0359E, however this panel is not printed on the FEMA Flood Map Service website.

**Supporting documentation**

**Are formal compliance steps or mitigation required?**

Yes

✓ No

## Air Quality

| General requirements | Legislation | Regulation |
|---|---|---|
| The Clean Air Act is administered by the U.S. Environmental Protection Agency (EPA), which sets national standards on ambient pollutants. In addition, the Clean Air Act is administered by States, which must develop State Implementation Plans (SIPs) to regulate their state air quality. Projects funded by HUD must demonstrate that they conform to the appropriate SIP. | Clean Air Act (42 USC 7401 et seq.) as amended particularly Section 176(c) and (d) (42 USC 7506(c) and (d)) | 40 CFR Parts 6, 51 and 93 |

**1. Does your project include new construction or conversion of land use facilitating the development of public, commercial, or industrial facilities OR five or more dwelling units?**

✓ Yes

No

**Air Quality Attainment Status of Project's County or Air Quality Management District**

**2. Is your project's air quality management district or county in non-attainment or maintenance status for any criteria pollutants?**

✓ No, project's county or air quality management district is in attainment status for all criteria pollutants.

Yes, project's management district or county is in non-attainment or maintenance status for the following criteria pollutants (check all that apply):

**Screen Summary**

**Compliance Determination**

The project's county or air quality management district is in attainment status for all criteria pollutants. The project is in compliance with the Clean Air Act.

**Supporting documentation**

| | | |
|---|---|---|
| Anishinabe-Wakiagun-Rehabilitation-Bii-Gii-Wiin-Construction | Minneapolis, MN | 900000010006123 |

**Are formal compliance steps or mitigation required?**

Yes

✓ No

## Coastal Zone Management Act

| General requirements | Legislation | Regulation |
|---|---|---|
| Federal assistance to applicant agencies for activities affecting any coastal use or resource is granted only when such activities are consistent with federally approved State Coastal Zone Management Act Plans. | Coastal Zone Management Act (16 USC 1451-1464), particularly section 307(c) and (d) (16 USC 1456(c) and (d)) | 15 CFR Part 930 |

**1. Is the project located in, or does it affect, a Coastal Zone as defined in your state Coastal Management Plan?**

Yes

✓ No

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

**Screen Summary**

**Compliance Determination**

This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act. There are no coastal zones in or near the City of Minneapolis.

**Supporting documentation**

coastal barrier resources map(1).pdf

**Are formal compliance steps or mitigation required?**

Yes

✓ No

## Contamination and Toxic Substances

| General requirements | Legislation | Regulations |
|---|---|---|
| It is HUD policy that all properties that are being proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of the occupants or conflict with the intended utilization of the property. | | 24 CFR 58.5(i)(2)<br>24 CFR 50.3(i) |

**1. How was site contamination evaluated? Select all that apply. Document and upload documentation and reports and evaluation explanation of site contamination below.**

- ✓ American Society for Testing and Materials (ASTM) Phase I Environmental Site Assessment (ESA)
- ✓ ASTM Phase II ESA
- ✓ Remediation or clean-up plan

ASTM Vapor Encroachment Screening
None of the Above

**2. Were any on-site or nearby toxic, hazardous, or radioactive substances found that could affect the health and safety of project occupants or conflict with the intended use of the property? (Were any recognized environmental conditions or RECs identified in a Phase I ESA and confirmed in a Phase II ESA?)**

No

✓ Yes

**3. Mitigation**

Document and upload the mitigation needed according to the requirements of the appropriate federal, state, tribal, or local oversight agency. If the adverse environmental effects cannot be mitigated, then HUD assistance may not be used for the project at this site.

**Can adverse environmental impacts be mitigated?**

Adverse environmental impacts cannot feasibly be mitigated.

✓ Yes, adverse environmental impacts can be eliminated through mitigation. Document and upload all mitigation requirements below.

**4. Describe how compliance was achieved in the text box below. Include any of the following that apply: State Voluntary Clean-up Program, a No Further Action letter, use of engineering controls, or use of institutional controls.**

A Minnesota Pollution Control Agency Response Action Plan/Construction Contingency Plan has been developed for the project, approved on April 6, 2015 and will be monitored by the developer through a consultant contract with American Engineering and Testing. Following submission of implementation report to the PCA, the developer will request a No Further Action letter for the site.

**If a remediation plan or clean-up program was necessary, which standard does it follow?**

Complete removal

✓ Risk-based corrective action (RBCA)

**Screen Summary**

**Compliance Determination**

Site contamination was evaluated as follows: ASTM Phase I ESA, ASTM Phase II ESA, Remediation or clean-up plan. On-site or nearby toxic, hazardous, or radioactive substances were found that could affect the health and safety of project occupants or conflict with the intended use of the property. The Phase I ESA revealed no evidence of recognized environmental conditions in connection with the Site, except for the following: 1) VIC database listings for Anishinabe Bii-Gii-Wiin and Anishinabe Bii-Gii-Wiin #2 at the Site with known contaminant impacts to soil confirmed by previous environmental assessments; 2) The existence of former structures occupying the Site with the confirmed presence of demolition debris in fill soils which may have resulted from on-site burial;3) Historic businesses at the Site with the potential for past spills or releases of hazardous materials and/or petroleum products. The adverse environmental impacts can be mitigated. With mitigation, identified in the mitigation section of this review, the project will be in compliance with contamination and toxic substances requirements.

**Supporting documentation**

03-05529 PPL-AICDC RAP Report 3.30.2015.pdf

03-05824 PPL-Anishinabe Phase I Update - Final.pdf
03-05529 PPL-AICDC Phase II Final (3.19.15).pdf

**Are formal compliance steps or mitigation required?**

✓ Yes

No

## Endangered Species

| General requirements | ESA Legislation | Regulations |
|---|---|---|
| Section 7 of the Endangered Species Act (ESA) mandates that federal agencies ensure that actions that they authorize, fund, or carry out shall not jeopardize the continued existence of federally listed plants and animals or result in the adverse modification or destruction of designated critical habitat. Where their actions may affect resources protected by the ESA, agencies must consult with the Fish and Wildlife Service and/or the National Marine Fisheries Service ("FWS" and "NMFS" or "the Services"). | The Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.*); particularly section 7 (16 USC 1536). | 50 CFR Part 402 |

**1. Does the project involve any activities that have the potential to affect specifies or habitats?**

No, the project will have No Effect due to the nature of the activities involved in the project.

No, the project will have No Effect based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office

✓ Yes, the activities involved in the project have the potential to affect species and/or habitats.

**2. Are federally listed species or designated critical habitats present in the action area?**

✓ No, the project will have No Effect due to the absence of federally listed species and designated critical habitat

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below. Documentation may include letters from the Services, species lists from the Services' websites, surveys or other documents and analysis showing that there are no species in the action area.

Yes, there are federally listed species or designated critical habitats present in the action area.

**Screen Summary**

**Compliance Determination**
This project will have No Effect on listed species because there are no listed species or designated critical habitats in the action area. This project is in compliance with the Endangered Species Act. Suitable habitat is not present in the action area.

**Supporting documentation**

resources-Anishinabe Wakiagun Bii Gii Wiin.pdf

**Are formal compliance steps or mitigation required?**

Yes

✓ No

## Explosive and Flammable Hazards

| General requirements | Legislation | Regulation |
|---|---|---|
| HUD-assisted projects must meet Acceptable Separation Distance (ASD) requirements to protect them from explosive and flammable hazards. | N/A | 24 CFR Part 51 Subpart C |

**1. Is the proposed HUD-assisted project a hazardous facility (a facility that mainly stores, handles or processes flammable or combustible chemicals), i.e. bulk fuel storage facilities, refineries, etc.?**

✓ No

Yes

**2. Does this project include any of the following activities: development, construction, rehabilitation that will increase residential densities, or conversion?**

No

✓ Yes

**3. Within 1 mile of the project site, are there any current *or planned* stationary aboveground storage containers:**

- **Of more than 100 gallon capacity, containing common liquid industrial fuels OR**
- **Of any capacity, containing hazardous liquids or gases that are not common liquid industrial fuels?**

No

✓ Yes

**4. Is the Separation Distance from the project acceptable based on standards in the Regulation?**

✓ Yes

Based on the response, the review is in compliance with this section.

No

**Screen Summary**

**Compliance Determination**

There is a current or planned stationary aboveground storage container of concern within 1 mile of the project site. The Separation Distance from the project is acceptable at approximately 400 feet with a landscaping wall between its site (Hiawatha Towers-tank data attached) and the area of new construction. The project is in compliance with explosive and flammable hazard requirements.

**Supporting documentation**

Hiawatha Towers AST data.pdf
Anishinabe Wakiagun PCA WIMN map.pdf

**Are formal compliance steps or mitigation required?**

Yes

✓ No

## Farmlands Protection

| General requirements | Legislation | Regulation |
|---|---|---|
| The Farmland Protection Policy Act (FPPA) discourages federal activities that would convert farmland to nonagricultural purposes. | Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.) | 7 CFR Part 658 |

**1. Does your project include any activities, including new construction, acquisition of undeveloped land or conversion, that could convert agricultural land to a non-agricultural use?**

Yes

✓ No

If your project includes new construction, acquisition of undeveloped land or conversion, explain how you determined that agricultural land would not be converted:

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

**Screen Summary**

**Compliance Determination**

This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act. Project is located in an urbanized area exempt from the Farmland Protection Policy Act of 1981. See attached Urbanized Area Location map.

**Supporting documentation**

Urbanized Area Map.pdf

**Are formal compliance steps or mitigation required?**

Yes

✓ No

## Floodplain Management

| General Requirements | Legislation | Regulation |
|---|---|---|
| Executive Order 11988, Floodplain Management, requires federal activities to avoid impacts to floodplains and to avoid direct and indirect support of floodplain development to the extent practicable. | Executive Order 11988 | 24 CFR 55 |

**1. Do any of the following exemptions apply? Select the applicable citation? [only one selection possible]**

55.12(c)(3)
55.12(c)(4)
55.12(c)(5)
55.12(c)(6)
55.12(c)(7)
55.12(c)(8)
55.12(c)(9)
55.12(c)(10)
55.12(c)(11)
✓ None of the above

**2. Upload a FEMA/FIRM map showing the site here:**

The Federal Emergency Management Agency (FEMA) designates floodplains. The FEMA Map Service Center provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs). For projects in areas not mapped by FEMA, use **the best available information** to determine floodplain information. Include documentation, including a discussion of why this is the best available information for the site.

**Does your project occur in a floodplain?**

✓ No

Based on the response, the review is in compliance with this section.

Yes

**Screen Summary**

**Compliance Determination**

This project does not occur in a floodplain. The project is in compliance with Executive Order 11988. The project is in compliance with flood insurance requirements.The property is located in Zone X of FIRMette Map Panel 27053C0359E, however this panel is not printed on the FEMA Flood Map Service website.

**Supporting documentation**

**Are formal compliance steps or mitigation required?**

Yes

✓ No

## Historic Preservation

| General requirements | Legislation | Regulation |
|---|---|---|
| Regulations under Section 106 of the National Historic Preservation Act (NHPA) require a consultative process to identify historic properties, assess project impacts on them, and avoid, minimize, or mitigate adverse effects | Section 106 of the National Historic Preservation Act (16 U.S.C. 470f) | 36 CFR 800 "Protection of Historic Properties" http://www.access.gpo.gov/nara/cfr/waisidx_10/36cfr800_10.html |

***Threshold***

**Is Section 106 review required for your project?**

No, because the project consists solely of activities listed as exempt in a Programmatic Agreement (PA ). (See the PA Database to find applicable PAs.)

✓ No, because the project consists solely of activities included in a No Potential to Cause Effects memo or other determination [36 CFR 800.3(a)(1)].

Yes, because the project includes activities with potential to cause effects (direct or indirect).

**Threshold (b). Document and upload the memo or explanation/justification of the other determination below:**

Based on the response, the review is in compliance with this section.

**Screen Summary**

**Compliance Determination**

Based on the project description the project has No Potential to Cause Effects. The project is in compliance with Section 106. The National Register List inventory was consulted and no historic resources are located in the project vicinity

**Supporting documentation**

| | | |
|---|---|---|
| Anishinabe-Wakiagun-Rehabilitation-Bii-Gii-Wiin-Construction | Minneapolis, MN | 900000010006123 |

**Are formal compliance steps or mitigation required?**

Yes

✓ No

## Noise Abatement and Control

| General requirements | Legislation | Regulation |
|---|---|---|
| HUD's noise regulations protect residential properties from excessive noise exposure. HUD encourages mitigation as appropriate. | Noise Control Act of 1972<br><br>General Services Administration Federal Management Circular 75-2: "Compatible Land Uses at Federal Airfields" | Title 24 CFR 51 Subpart B |

**1. What activities does your project involve? Check all that apply:**

✓ New construction for residential use

NOTE: HUD assistance to new construction projects is generally prohibited if they are located in an Unacceptable zone, and HUD discourages assistance for new construction projects in Normally Unacceptable zones. See 24 CFR 51.101(a)(3) for further details.

✓ Rehabilitation of an existing residential property

NOTE: For modernization projects in all noise zones, HUD encourages mitigation to reduce levels to acceptable compliance standards. See 24 CFR 51 Subpart B for further details. The definition of "modernization" is determined by program office guidance.

A research demonstration project which does not result in new construction or reconstruction

An interstate land sales registration

Any timely emergency assistance under disaster assistance provision or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster

None of the above

**4. Complete the Preliminary Screening to identify potential noise generators in the vicinity (1000' from a major road, 3000' from a railroad, or 15 miles from an airport).**

**Indicate the findings of the Preliminary Screening below:**

There are no noise generators found within the threshold distances above.

✓ Noise generators were found within the threshold distances.

5. **Complete the Preliminary Screening to identify potential noise generators in the**

Acceptable: (65 decibels or less; the ceiling may be shifted to 70 decibels in circumstances described in §24 CFR 51.105(a))

✓ Normally Unacceptable: (Above 65 decibels but not exceeding 75 decibels; the floor may be shifted to 70 decibels in circumstances described in §24 CFR 51.105(a))

**Is your project in a largely undeveloped area?**

✓ No

Yes

Unacceptable: (Above 75 decibels)

6. **HUD strongly encourages mitigation be used to eliminate adverse noise impacts. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation. This information will be automatically included in the Mitigation summary for the environmental review.**

✓ Mitigation as follows will be implemented:

HUD Stracat info demonstrating noise mitigation is attached. Building envelope materials will bring interior levels down to acceptable levels.

Based on the response, the review is in compliance with this section. Document and upload drawings, specifications, and other materials as needed to describe the project's

noise mitigation measures below.

No mitigation is necessary.

**Screen Summary**

**Compliance Determination**

A Noise Assessment was conducted. The noise level was normally unacceptable: 71.5 db. See noise analysis. HUD Stracat info demonstrating noise mitigation is attached. Building envelope materials will bring interior levels down to acceptable levels. The project is in compliance with HUD's Noise regulation with mitigation.

**Supporting documentation**

Anishinabe site noise analysis.pdf
Anishinabe Bii Gii Wiin Noise Mitigation.msg

**Are formal compliance steps or mitigation required?**

✓ Yes

No

## Sole Source Aquifers

| General requirements | Legislation | Regulation |
|---|---|---|
| **The Safe Drinking Water Act of 1974 protects drinking water systems which are the sole or principal drinking water source for an area and which, if contaminated, would create a significant hazard to public health.** | Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300f et seq., and 21 U.S.C. 349) | 40 CFR Part 149 |

1. **Is the project located on a sole source aquifer (SSA)?**
A sole source aquifer is defined as an aquifer that supplies at least 50 percent of the drinking water consumed in the area overlying the aquifer. This includes streamflow source areas, which are upstream areas of losing streams that flow into the recharge area.

✓ No

Based on the response, the review is in compliance with this section. Document and upload documentation used to make your determination, such as a map of your project (or jurisdiction, if appropriate) in relation to the nearest SSA and its source area, below.

Yes

**Screen Summary**

**Compliance Determination**

The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements. The closest designated sole source aquifer is the Mille Lacs aquifer located approximately 75 miles north of the project site. See attached map of sole source aquifer location.

**Supporting documentation**

Sole Source Aquifer MN Mille Lacs Map.pdf

**Are formal compliance steps or mitigation required?**

Yes

✓ No

| | | |
|---|---|---|
| Anishinabe-Wakiagun-Rehabilitation-Bii-Gii-Wiin-Construction | Minneapolis, MN | 900000010006123 |

## Wetlands Protection

| General requirements | Legislation | Regulation |
|---|---|---|
| Executive Order 11990 discourages direct or indirect support of new construction impacting wetlands wherever there is a practicable alternative. The Fish and Wildlife Service's National Wetlands Inventory can be used as a primary screening tool, but observed or known wetlands not indicated on NWI maps must also be processed Off-site impacts that result in draining, impounding, or destroying wetlands must also be processed. | Executive Order 11990 | 24 CFR 55.20 can be used for general guidance regarding the 8 Step Process. |

**1. Does this project involve new construction as defined in Executive Order 11990, expansion of a building's footprint, or ground disturbance? The term "new construction" shall include draining, dredging, channelizing, filling, diking, impounding, and related activities and any structures or facilities begun or authorized after the effective date of the Order**

No

✓ Yes

**2. Will the new construction or other ground disturbance impact an on- or off-site wetland? The term "wetlands" means those areas that are inundated by surface or ground water with a frequency sufficient to support, and under normal circumstances does or would support, a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds.**

**"Wetlands under E.O. 11990 include isolated and non-jurisdictional wetlands."**

✓ No, a wetland will not be impacted in terms of E.O. 11990's definition of new construction.

Based on the response, the review is in compliance with this section. Document and upload a map or any other relevant documentation below which explains your determination

Yes, there is a wetland that be impacted in terms of E.O. 11990's definition of new construction.

**Screen Summary**

**Compliance Determination**

The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990.

**Supporting documentation**

wetlandsNov232015161753GMT-0600.pdf

**Are formal compliance steps or mitigation required?**

Yes

✓ No

## Wild and Scenic Rivers Act

| General requirements | Legislation | Regulation |
|---|---|---|
| The Wild and Scenic Rivers Act provides federal protection for certain free-flowing, wild, scenic and recreational rivers designated as components or potential components of the National Wild and Scenic Rivers System (NWSRS) from the effects of construction or development. | The Wild and Scenic Rivers Act (16 U.S.C. 1271-1287), particularly section 7(b) and (c) (16 U.S.C. 1278(b) and (c)) | 36 CFR Part 297 |

**1. Is your project within proximity of a NWSRS river?**

✓ No

Yes, the project is in proximity of a Designated Wild and Scenic River or Study Wild and Scenic River.
Yes, the project is in proximity of a Nationwide Rivers Inventory (NRI) River.

**Screen Summary**
**Compliance Determination**
This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act. The closest designated wild and scenic river to the City of Minneapolis is the St. Croix River located approximately 25 miles east of the city. See attached map.

**Supporting documentation**

Wild and Scenic Rivers MN St. Croix Map.pdf

**Are formal compliance steps or mitigation required?**
Yes

✓ No

## Environmental Justice

| General requirements | Legislation | Regulation |
|---|---|---|
| Determine if the project creates adverse environmental impacts upon a low-income or minority community. If it does, engage the community in meaningful participation about mitigating the impacts or move the project. | Executive Order 12898 | |

**HUD strongly encourages starting the Environmental Justice analysis only after all other laws and authorities, including Environmental Assessment factors if necessary, have been completed.**

**1. Were any adverse environmental impacts identified in any other compliance review portion of this project's total environmental review?**

Yes

✓ No

Based on the response, the review is in compliance with this section.

**Screen Summary**

**Compliance Determination**

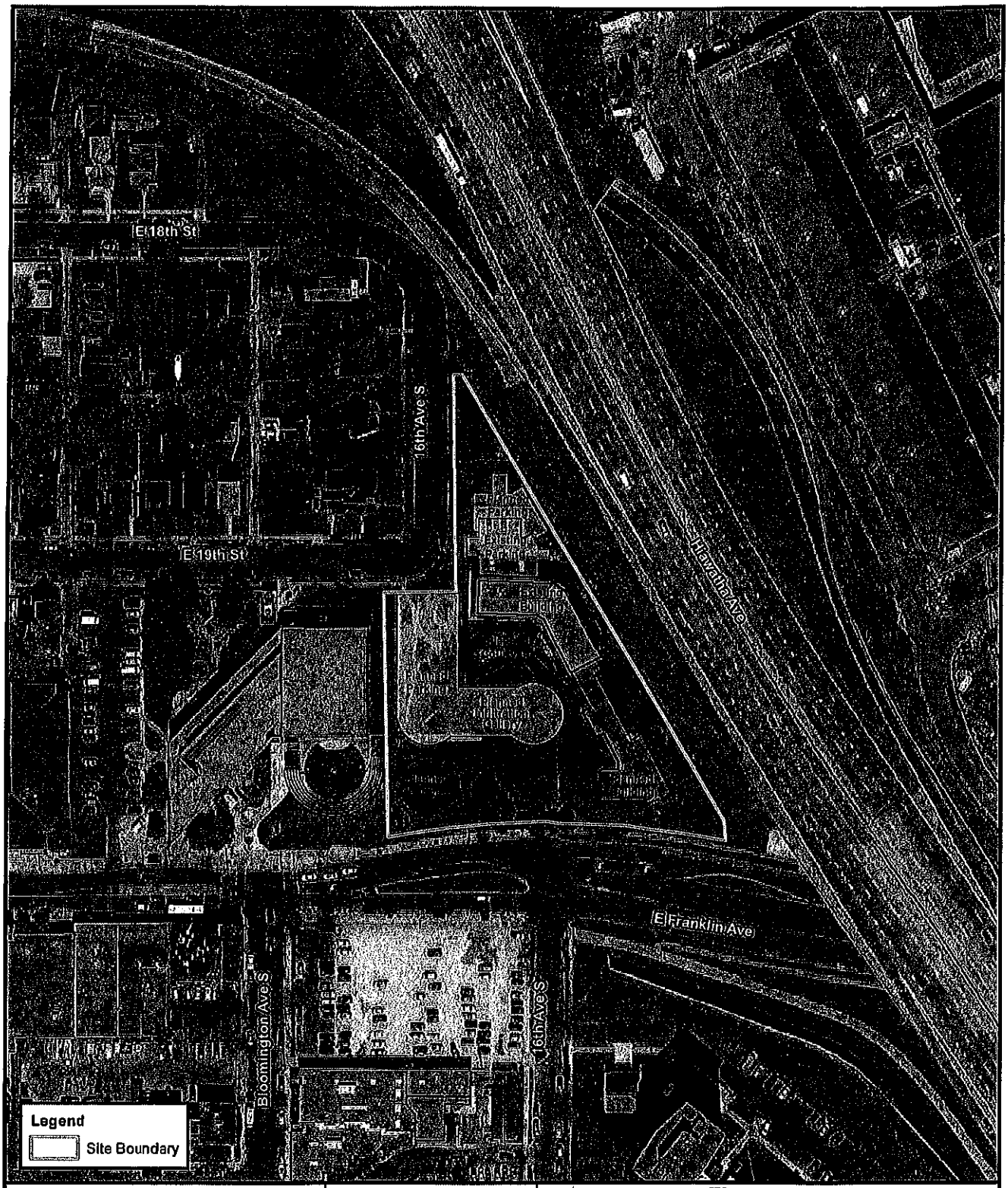
No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898.

**Supporting documentation**

**Are formal compliance steps or mitigation required?**

Yes

✓ No




AMERICAN ENGINEERING TESTING, INC

Map Reference: Hennepin County Resident and Real Estate Services Survey Divison, 2012.

N

0 75 150

Feet

**Figure 2B**

Site Layout Map - Planned Development

Response Action Plan

Anishinabe Bii-Gii-Wiin #2
1600 19th Street East
Minneapolis, Minnesota

Date: 03/19/2015 AET Project No. 03-05529

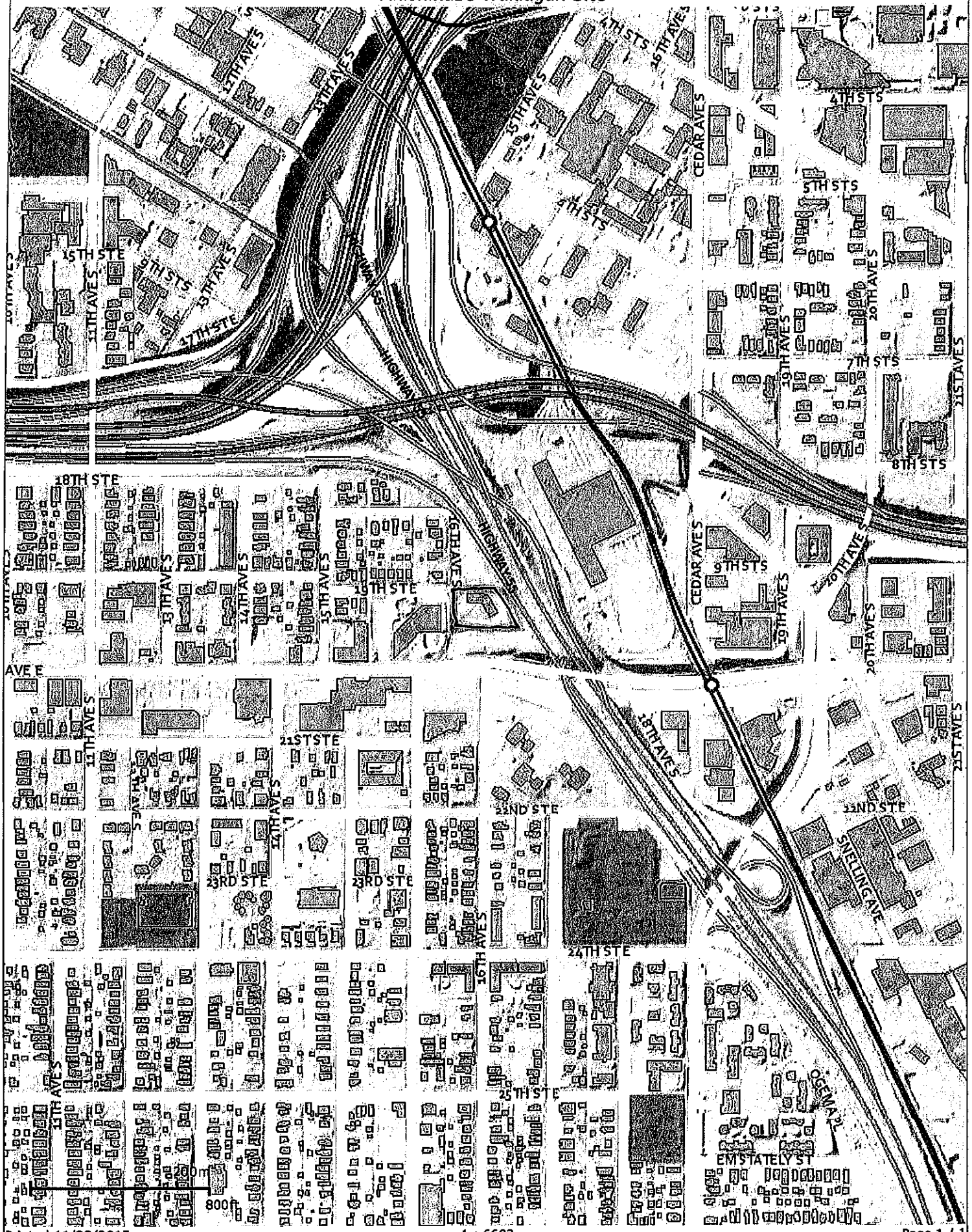
File: AIDC_RAP_Fig2B-PlannedSite.mxd Date: 03/19/2015

# Anishinabe Wakiegun Aerial Map



Printed 11/23/2015 1 : 2049 Page 1 / 1

# Anishinabe Wakiagun Site

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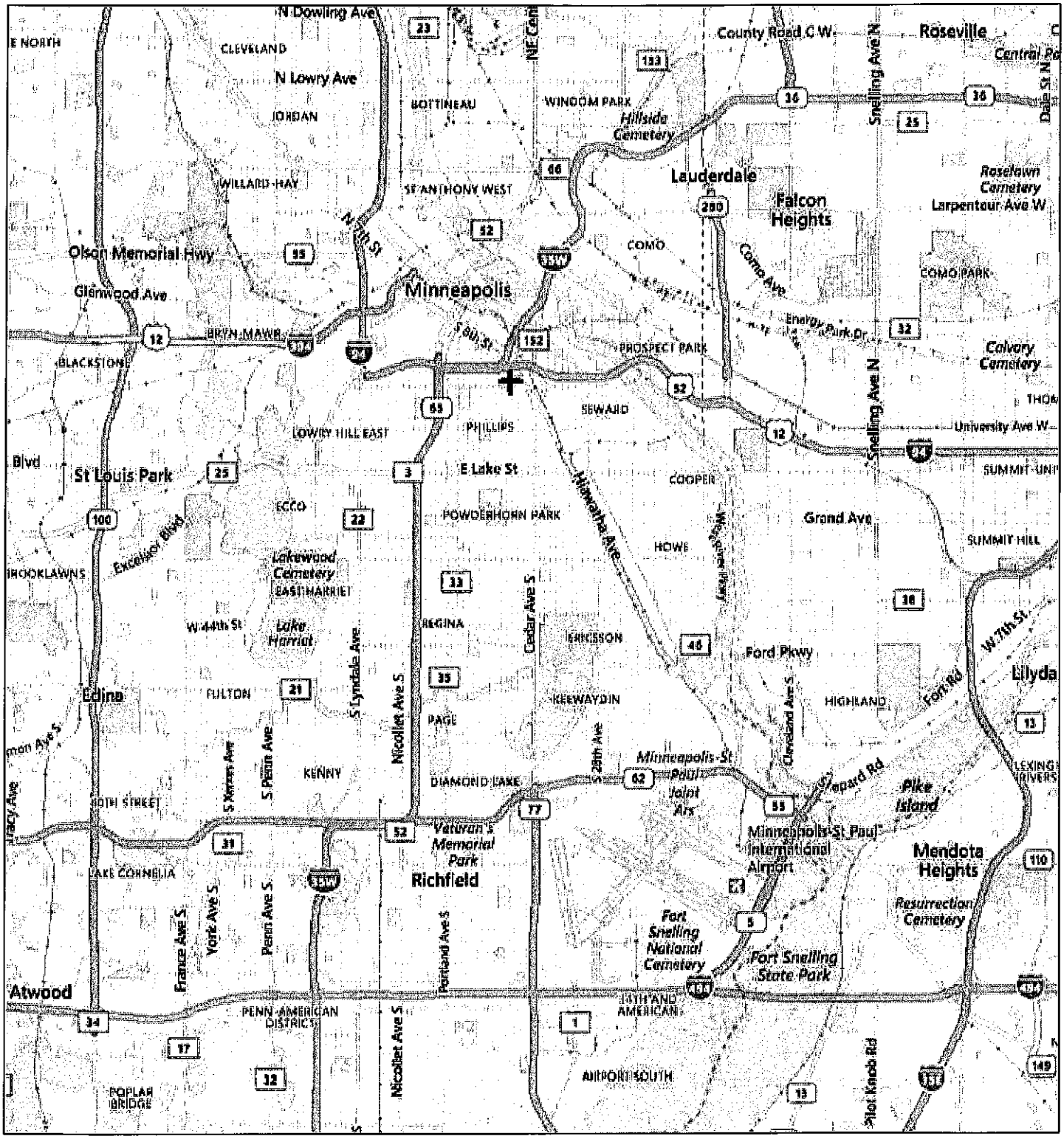
# Anishinabe Wakiagun- Bii Gii Wiin Broad Area Map




November 25, 2015

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Search Result (point)

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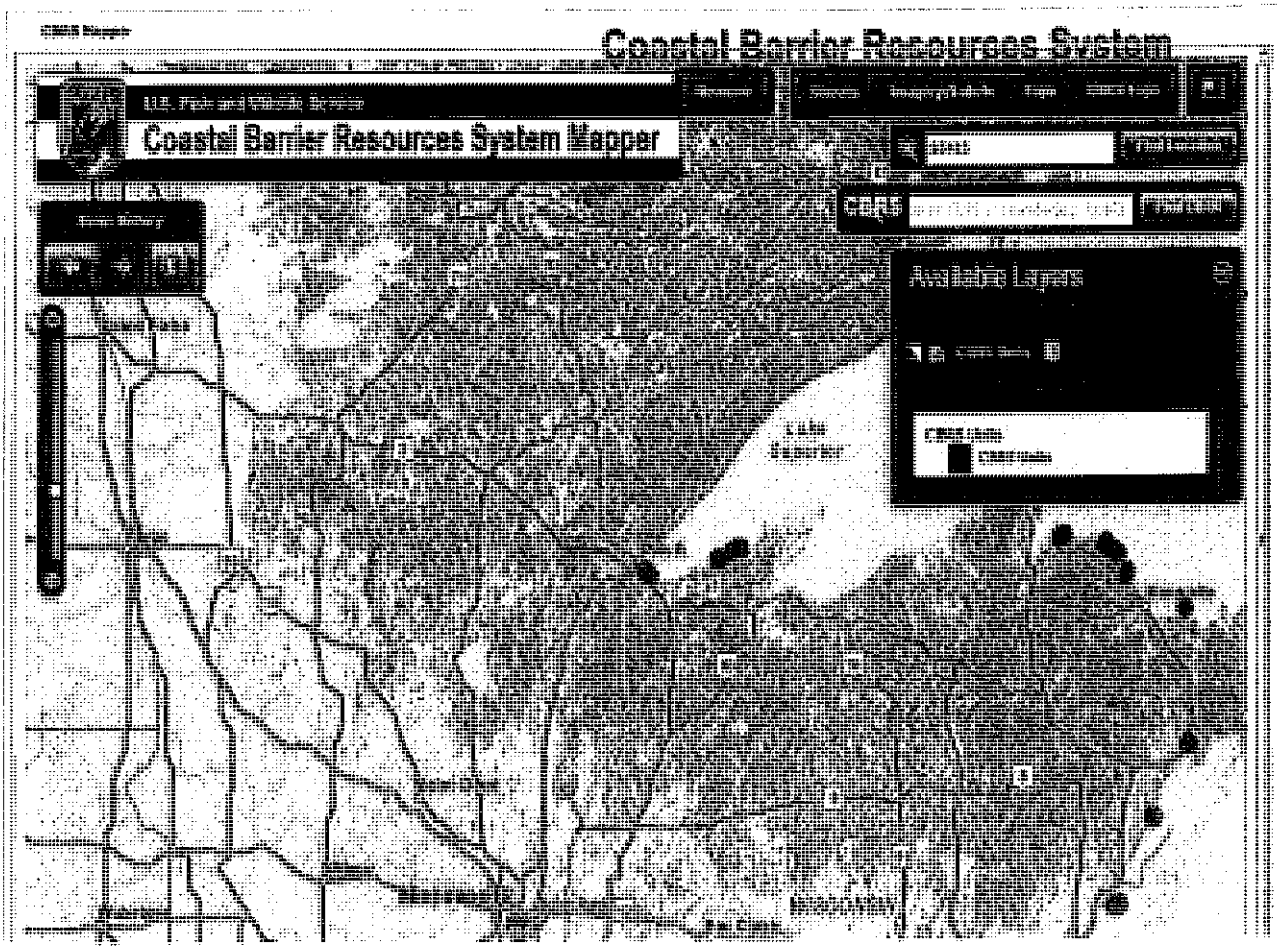


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# RESPONSE ACTION PLAN

## Anishinabe Bii-Gii-Wiin #2

1600 19th Street East
Minneapolis, Minnesota 55404

MPCA File No. VP21621
AET Report No. 03-05529

**Date:**

March 20, 2015

**Prepared for:**

Project for Pride in Living
1035 East Franklin Avenue
Minneapolis, Minnesota 55404

And

American Indian Community Development Corporation
1508 East Franklin Avenue
Minneapolis, Minnesota 55404

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March 20, 2015

Project for Pride in Living
1035 East Franklin Avenue
Minneapolis, Minnesota 55404

American Indian Community Development Corporation
1508 East Franklin Avenue
Minneapolis, Minnesota 55404

Attn: Mr. Chris Dettling
chris.dettling@ppl-inc.org

Mr. Tom McElveen
tmcelveen@aicdc-mn.org

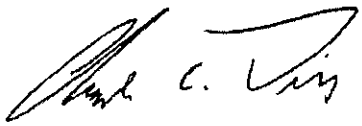
RE: Response Action Plan
Anishinabe Bii-Gii-Wiin #2
1600 19th Street East, Minneapolis, Minnesota 55404
AET Report No. 03-05529

Dear Mr. Dettling and Mr. McElveen:

American Engineering Testing, Inc. has completed the enclosed report of Response Action Plan services for the Anishinabe Bii-Gii-Wiin #2 Site. This service was performed in accordance with our proposal agreement no. 03-05529. We will transmit this document to the Minnesota Pollution Control Agency on your behalf for review.

We appreciate the opportunity to have been of service to you on this project. If you have any questions regarding the information presented in this Response Action Plan or if we can be of additional assistance, please contact me.

Sincerely,
**American Engineering Testing, Inc.**



Charles C. Tiller, P.G.
Senior Geologist

Phone: 651-659-1302
E-mail: ctiller@amengtest.com

Enclosure

CC: Shanna Schmitt, MPCA VIC Program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# 1.0 INTRODUCTION

## 1.1 Site Identification

American Engineering Testing, Inc. (AET) was authorized by Project for Pride in Living (PPL) and American Indian Community Development Corporation (AICDC) to prepare a Response Action Plan (RAP) for the Anishinabe Bii-Gii-Wiin property located at 1600 19th Street East in Minneapolis, Minnesota. Hereafter, the target property will be referred to as the "Site."

Appendix A contains a list of the acronyms and abbreviations used in this report. Appendix B contains a list of documents referenced for this RAP.

## 1.2 Site Location and Description

The Site is located at 1600 19th Street East in Minneapolis, Minnesota. The Site is located in Section 35, Township 29 N, Range 24 W in Hennepin County. Figure 1 shows the Site location and Figure 2A shows the Site layout.

The Site is comprised of 2.24 acres located in a residential and commercial area. Because the Site is an agglomeration of several older parcels adjacent to a major right-of-way, it is irregularly shaped: a roughly triangular area with a rectangular bite out of the northwest corner where streets intersect. An apartment building is present in the east-central part of the Site. A paved parking lot and circle driveway are located north and west of the apartment building, respectively.

At present, neighboring property uses include:

- North: Residential properties and Hiawatha Avenue;
- East: Hiawatha Avenue and commercial properties beyond;
- South: Franklin Avenue East and commercial and residential properties beyond;
- West: American Indian Center and residential properties beyond.

## 1.3 History of Site

Historically residences lined Hiawatha Avenue on the east part of the Site, which previous assessments indicate were likely razed and buried in place. Other historical uses of the Site consisted of commercial buildings, an electrical and engineering company, a window and door manufacturing company, and a filling station with storage tanks on the south part of the Site lining Franklin Avenue.

### 1.4 MPCA Site Name and Project Numbers

The Site was entered into the Minnesota Pollution Control Agency (MPCA) Voluntary Investigation and Cleanup (VIC) Program in 2006 by AICDC and Groundwork Minneapolis. The VIC Program assigned file number VP21621. Data from subsurface assessments in 2005 by Braun Intertec and in 2008 by Groundwater and Environmental Services (GES) was used by GES to develop a RAP for the planned development in 2009. The VIC Program issued a RAP approval on August 20, 2009. However, the planned development never occurred.

More recently, PPL has joined AICDC to prepare for an alternative development to that planned in 2009. The new development includes more property than was incorporated in the previous RAP and MPCA approval. In effect, the VIC Site boundaries have been expanded onto land that was previously unassessed. AET's Supplemental Phase II Environmental Site Assessment (ESA) covers the parts of the Site not previously assessed. AET is submitting that report at the same time as this RAP.

### 1.5 Summary of Proposed Development

AET understands that, upon approval of this RAP, PPL and AICDC will begin the response actions and Site preparation for redevelopment. The new development consists of an addition to the current apartment building at the Site, along with additional parking and storm water infiltration features. Figure 2B shows the proposed development plan; a more detailed layout is included as Appendix C. The apartment addition will be located on the southeast corner of the Site with an extension connecting it to the current apartment building. Parking will run along the west side of the Site. An infiltration feature is planned to be located near the center of the Site.

### 1.6 Desired Outcome from MPCA

PPL and AICDC intend to implement the response actions and construction contingencies outlined in this RAP during the Site preparation. Following submittal of an implementation report to the MPCA, PPL and AICDC desire a No Further Action letter for the Site. Additionally, the developer and/or its lender may require a No Association Determination (NAD) letter. AET will contact the MPCA later about the appropriate NAD assurances.

### 1.7 Contact Information

| *Owner/Developer (PPL/AICDC) Project Manager:* | *Consultant (AET) Project Manager:* |
|---|---|
| Chris Dettling | Charles C. Tiller, PG |
| chris.dettling@ppl-inc.org | ctiller@amengtest.com |
| (612) 455-5219 | (651) 659-1302 |

*MPCA VIC Project Manager:*
Shanna Schmitt
shanna.schmitt@state.mn.us
(651) 757-2697

*General Contractor:*
To be determined
*Earthwork Contractor and Landfill:*
To be determined

## 2.0 GENERAL SCOPE AND OBJECTIVES

The purpose of this Risk-Based RAP and Construction Contingency Plan (CCP) is to describe those response actions that will be undertaken concurrent with Site preparation to remediate and/or manage contaminated soil during the Site development. The Site soil has been impacted by metals (lead, mercury and arsenic), carcinogenic polynuclear aromatic hydrocarbons (cPAHs) and petroleum compounds including diesel range organics (DRO). Impacted soils exceeding MPCA criteria for unrestricted use at residential sites will be removed for landfill disposal. Impacted soils may be reused on the Site, if they prove structurally suitable and meet environmental reuse criteria (i.e., unregulated fill), by placement beneath the turf or beneath landscaped areas with suitable barrier soils above the impacted material. However, it is not anticipated that excavated soils besides clean topsoil will be reused on-site.

## 3.0 SUMMARY OF PAST INVESTIGATION ACTIVITIES

### 3.1 Previous Assessments and Environmental Reports

Appendix B contains a list of documents referenced for this RAP. We have reviewed previous environmental reports completed by Braun Intertec, GES and AET. Appendix D contains pertinent results from the previous assessment activities. The sample locations described in the sections below are included on Figures 3A and 3B.

### 3.2 Braun Intertec Phase II ESA (2005)

Braun Intertec's Phase II ESA activities on August 19, 2005, consisted of 7 soil borings and 8 test pits on the south part of the Site. Key findings were as follows:

- The sample locations encountered fill to depths ranging from 0 to 14 feet and averaging about 7 feet. The sandy to silty fill contained demolition debris (e.g., concrete, asphalt, bottles, porcelain, glass, brick, lumber and scrap metal) in all sample locations but TP-6.
- Ashy materials were found in SB-4, SB-5 and TP-8 at the former service station area on the southeast part of the Site.
- Laboratory analytical results in ashy soil from SB-4 indicated a cPAH impact by benzo(a)pyrene equivalents (BaPs) above the MPCA Industrial Soil Reference Value (SRV) and an arsenic impact above the MPCA Residential SRV.

- Laboratory analytical results in ashy soil from TP-8 indicated an elevated lead impact above 100 milligrams-per-kilogram (mg/kg – equivalent to parts-per-million or "ppm") but below the SRVs.

### 3.3 GES Phase II ESA (2008)

The GES Phase II ESA report referenced prior Braun Intertec reports including two Phase I ESAs, a Phase II ESA, and a RAP, all in 2005 to 2006. The GES Phase II ESA activities on September 22 to 23, 2008, consisted of 12 soil borings and 8 test pits on the southeast one-third and the north-most parts of the Site. Key findings were as follows:

- The sample locations encountered fill to depths ranging from 2 to 14 feet and averaging about 8 feet. The sandy to silty fill contained demolition debris (e.g., concrete, asphalt, bottles, porcelain, glass, brick, lumber and scrap metal) in all sample locations.
- Ashy materials were found in SB-8 and TP-7 slightly northwest of the former service station area on the southeast part of the Site.
- Laboratory analytical results in ashy soil from SB-8 and TP-7 indicated mercury and arsenic impacts above the Residential SRVs. The lead concentration of 6,240 mg/kg in TP-7 exceeded the Industrial SRV and is consistent with a likely characterization as hazardous waste; GES did not perform a Toxicity Characteristic Leaching Procedure (TCLP) laboratory analysis to confirm hazardous character.
- Laboratory analytical results in fill soil from SB-2, SB-5, and SB-11 indicated elevated lead impacts above 100 mg/kg but below the SRVs. The measured concentration of 230 mg/kg in SB-5 in the former service station area is consistent with higher levels of lead in other samples from that vicinity.
- Laboratory analytical results in fill soil from SB-12 and TP-8 slightly west of the former service station area indicated cPAH impacts by BaPs above the Residential SRV and DRO impacts above the 100 mg/kg threshold for regulated fill. A regulated DRO impact was also found in SB-9 slightly farther north.
- The BaPs concentration in TP-2 at the north-most part of the Site approached the Residential SRV but did not exceed it.

### 3.4 GES RAP (2009)

The GES RAP report incorporated the information summarized above to develop response actions for the development planned at that time. The "site" as envisioned then included only the southeast one-third and the north-most parts of the present Site, with a narrow corridor

connecting those locations along the Hiawatha Avenue right-of-way. The GES RAP proposed Residential SRVs as the response action goals for BaPs, arsenic, lead and mercury. A goal of 10 ppm organic vapors was also proposed.

GES indicated that a substantial portion of the fill soils to be removed for construction purposes could be reused on-site; that opinion appears to be inconsistent with current MPCA guidelines, and much of the fill to be removed will need to be properly disposed instead. GES proposed segregating the ashy soils from other fill materials during the excavation, testing them by TCLP to determine hazardous character, and stabilizing the hazardous soils prior to landfill disposal.

The MPCA VIC Program approved the GES RAP on August 20, 2009. However, the planned development never occurred.

### 3.5 AET Supplemental Phase II ESA (2015)

The AET Supplemental Phase II ESA activities on February 27, 2015, consisted of 10 soil borings on the parts of the Site not previously assessed. Key findings were as follows:

- The sample locations encountered fill to depths ranging from 2½ to 7¾ feet and averaging about 4 feet. The sandy to silty fill contained demolition debris (e.g., concrete, bituminous/asphalt, glass, brick, wood and plastic) in all sample locations but GP-4 and GP-7. A slight petroleum odor was noted in GP-10.
- Coal/slag and ashy materials were found in GP-2 and GP-3 southeast of the current apartment building at the Site.
- Laboratory analytical results in ashy soil from GP-2 in the planned building footprint indicated a cPAH impact by BaPs above the Industrial SRV, lead and mercury impacts above the Residential SRVs, and a DRO impact above the 100 mg/kg threshold for regulated fill. The lead concentration in GP-3 slightly farther west approached the Residential SRV but did not exceed it.
- Laboratory analytical results in GP-6 indicated a mercury impact above the Residential SRV in the existing courtyard area due south of the existing apartment building.
- Regulated DRO impacts were also found in GP-9 and GP-10 on the southwest part of the Site.
- TCLP analysis in soil samples from GP-2, GP-3 and GP-5 where ash or slag was observed did not indicate hazardous concentrations of metals including arsenic, lead and mercury.

- Laboratory analytical results in fill soil from GP-4, GP-5, GP-7 and GP-8 indicated elevated lead impacts above 100 mg/kg but below the SRVs.

## 4.0 SITE CONCEPTUAL MODEL

### 4.1 Geology/Hydrogeology

The Site is situated in a long-developed part of Minneapolis. Soils encountered beneath the Site during the previous assessments consisted of sandy to silty fill with widespread demolition debris and containing ash/slag in places. The underlying soils were sandy alluvium encountered at depths ranging between 0 to 14 feet.

These findings are consistent with the Geologic Atlas for Hennepin County (Balaban, 1989). The Atlas indicates that soils at the Site consist primarily of middle terrace deposits of sand, gravelly sand, and loamy sand, overlying the Platteville and Glenwood Formations. The depth to bedrock on the west side of the Site is approximately 51 to 100 feet below grade, and approximately 0 to 50 feet below grade on the east side of the Site. According to the Atlas, groundwater appears to flow east, northeast toward the Mississippi River at approximately 50 feet below grade.

### 4.2 Nature and Extent of Contamination

The soils beneath the Site have been impacted by metals (arsenic, lead and mercury), cPAHs (BaPs) and petroleum (DRO) above the MPCA Residential SRVs and regulated fill criteria.

#### *4.2.1 Designated Contamination Areas*

Based on AET's review of the previous soil testing results, it appears the contaminant impacts cluster into four general types and areas at the Site. Figures 4A and 4B depict the distribution of sample results from which these designations are interpreted. Figure 5 shows the planned response action excavation areas as summarized below:

- Area A1: Ashy soils under the planned building area with suspect hazardous character for lead [GES TP-7] – estimated to extend to a depth of 4 feet below ground surface (bgs);
- Area A2: Ashy soils under the main building area with metals (arsenic, mercury or lead) and/or BaPs above the Residential SRVs [Braun SB-4, SB-5, TP-4 and TP-8; GES SB-8, SB-12 and TP-8] – estimated to extend to depths of 6 to 14 feet bgs and averaging 14 feet thick;

- Area A3: Soils under the north building area with ash/slag and metals (mercury and lead) and BaPs above the Residential SRVs [AET GP-2] – estimated to extend to depths of 4 to 8 feet bgs and averaging 6 feet thick;
- Area B1: Soils in the planned infiltration gallery area west of the new building with ash/slag and metals (lead and mercury) above or approaching the Residential SRVs [AET GP-3] – estimated to extend to depths of 4 to 8 feet bgs and averaging 6 feet thick;
- Area B2: Soils in green space south of the existing building with metals (mercury) above the Residential SRV [AET GP-6] – estimated to extend to a depth of 6 feet bgs;
- Area C1: Soils in a planned courtyard green space on the southwest part of the Site with DRO meeting regulated fill criteria to be excavated for cleanup and construction [AET GP-10] – estimated to extend to a depth of 4 feet bgs;
- Area D1: Soils with DRO above or approaching regulated fill criteria to be excavated for parking lot grading on the west part of the Site [AET GP-7, GP-8 and GP-9] – estimated to extend to depths of 1 to 2 feet bgs and averaging 1½ feet thick.

#### *4.2.2 Data Limitations*

The delineation of contaminated areas above remains imprecise. In general, the available analytical data are limited for any single depth interval across the Site. Additional characterization may aid in refining the extent of contaminated areas described above. Moreover, additional characterization would likely help to refine plans and budgets for materials management during the Site preparation for construction. Overall, it is not expected that additional characterization would modify the general outlines of this RAP, but rather help to fine tune the areas to which the response actions will apply.

### 4.3 Potential Receptors and Exposure Pathways

#### *4.3.1 Soil/Fill Pathway*

Contaminant concentrations exceeding Residential SRVs are limited in the fill material and surficial soils beneath the Site.

#### *4.3.2 Groundwater Pathway*

Groundwater impacts above MDH risk-screening values (HRLs or HBVs) have not been assessed on the Site. Groundwater was not encountered in previous soil borings or test pits. Based on the types and distribution of contaminant impacts in soils, the Site is not considered a likely source for impacts, migration or exposure to receptors via the groundwater pathway.

No water supply wells have been identified on the Site or in the immediate vicinity. A full water well receptor survey has not been conducted. If dewatering is required during redevelopment activities, the removed water should be managed and disposed of properly. However, dewatering is considered unlikely.

### *4.3.3 Surface Water Pathway*

The nearest surface water receptor is the Mississippi River, nearly one mile northeast of the Site. Except for arsenic, none of the parameters found at the Site exceeded their respective soil leaching values (SLVs); therefore, the risk of impact to surface water receptors appears to be minimal.

### *4.3.4 Soil Gas Vapor Pathway*

Volatile organic compounds (VOCs) were not detected in previous soil samples from the Site. Without an evident petroleum release or source, soil gas samples have not been collected previously, and the Site is not considered a likely source for impacts, migration or exposure to receptors via the soil gas vapor pathway.

An apartment building is located on the Site, and the development plan calls for a second apartment building to be built with a wing connecting them. We assume standard construction practices for prevention of water vapor intrusion. If organic vapors are identified in soils during the response actions, then additional vapor mitigation controls could be considered.

## 5.0 RESPONSE ACTION OBJECTIVES AND SCOPE

### 5.1 RAP Objectives

This RAP sets forth the plan for identifying, characterizing, properly managing and disposing of petroleum and non-petroleum impacted soils that will be encountered during site preparation and excavation activities at the Site. The objectives for implementing the RAP are to:

- Ensure identification, characterization and proper disposal of contaminated soils exceeding the residential-use cleanup goals; and
- Satisfy the requirements for issuance by the MPCA VIC Program of a "No Further Action" to PPL and AICDC.

## 5.2 RAP Scope

### *5.2.1 Rationale*

This RAP has been designed and developed to achieve the Voluntary Party's RAP objectives described above. AET believes that these risk-based response actions are both consistent with the anticipated future use of the Site and protective of human health and the environment. The RAP incorporates a combination of hot spot soil removal (where readily achievable) and management/disposal of soils with petroleum impacts or other low-level impacts that are encountered during Site preparation. Hot spots are defined as areas where measured contaminant concentrations exceed the assigned response action goals for the intended Site use.

### *5.2.2 Response Action Goals*

Table 1 summarizes the response action goals for metals-, cPAH- and petroleum-contaminated soils excavated at the Site. These goals are intended to allow residential use of the Site. The goals cited are at least as restrictive as those published in MPCA guidance and in common practice of the VIC and Petroleum Brownfield Programs.

In consideration of the MPCA guidance document entitled Best Management Practices for the Off-Site Reuse of Excess Fill from Development Sites (April 2010), excavation replacement fill materials will meet the response action goals, the MPCA's unrestricted Tier 1 Residential SRVs and non-detect levels of DRO in the upper 4 feet of green space areas. If fill is to be placed beneath the building or paved areas, it will also meet these criteria in the uppermost 2 feet.

### *5.2.3 Summary of Response Actions Scope*

The response actions will include the following scope provisions:

- *Hot Spot Excavation Areas* – Where known metals, cPAH and petroleum impacts from laboratory analytical results exceed response action goals, soils will be excavated to proposed depths and extents or until goals are attained. Figure 5 shows the planned response action excavation areas:
    - Areas A1, A2 and A3 with ash/slag, metals and cPAH impacts in the planned building footprint;
    - Areas B1 and B2 with ash and metals impacts in infiltration and green spaces west of the new building;
    - Area C1 with a regulated petroleum impact in fill soils to be excavated for construction of a courtyard green space on the southwest part of the Site;

- Area D1 with suspect regulated petroleum impacts in fill soils to be graded for parking lot construction on the west part of the Site.

- *Soils Management* – The excavated soils will be characterized for contaminant impacts to segregate the waste stream for either on-site management or off-site disposal in accordance with response action goals. Impacted soils exceeding cleanup goals or with organic vapor measurements greater than 10 ppm encountered during excavation work at the Site will be removed for off-site landfill disposal. All excavated fill soils from known contaminated areas are anticipated to be disposed at a landfill.

- *Replacement Fill* – The excavations may be backfilled to plan grade with imported control fill. Alternatively, excavated soils may also be reused on-site in accordance with response action goals at appropriate accessibility depths (e.g., thin spread beneath paving or utilized in landscape berming with sufficient imported clean cover soils) and geotechnical criteria. Excavated soils deemed unusable will be properly managed or disposed off-site.

If following completion of the response actions described in this RAP, additional excavation becomes necessary for development tasks such as utilities, grading, landscaping, etc., those additional tasks will be addressed according to this RAP and the accompanying Construction Contingency Plan (CCP).

## 6.0 RAP TASKS

### 6.1 General Operations

#### *6.1.1 Assignment of RAP Responsibilities*

Response action activities at the Site will be managed by the Consultant and the selected Contractor on behalf of Property Owner. Additional project team members and an anticipated schedule will be forwarded to the MPCA VIC project team when available.

Environmental response action activities will be performed in conformance with Occupational Safety and Health Administration (OSHA), MPCA, and Minnesota Department of Transportation (MnDOT) regulations. The Contractor will be responsible for providing HazMat trained personnel during excavation and grading activities. The Consultant will be present during the excavation to assist the Contractor in determining the best management practices for soil contamination issues.

### *6.1.2 Pre-Project Submittals*

If requested, the Contractor will be expected to provide the MPCA with copies of all applicable permits and licenses prior to performing remediation activities. Additional items submitted to the MPCA may include relevant construction drawings and specifications, along with the Earthwork Construction Site Safety Plan. The Consultant will suggest modifications as necessary.

## 6.2 Methods and Techniques

### *6.2.1 Outline of RAP Methods*

Figure 5 shows the response action areas to be excavated for Site cleanup and preparation. Table 2 summarizes the estimated volumes of soil to be removed from the excavations and the rationale. The response actions methods detailed in this RAP include the following:

- *Hazardous Lead Hot Spot A1* – Excavate, stabilize and dispose the hazardous-lead contaminated soils from Area A1. Excavation will be terminated at planned depths and extents, unless field indications of gross contamination remain (e.g., staining or odors). Samples from the excavation limits will be screened for lead by x-ray fluorescence (XRF). Representative samples will be collected for laboratory analysis to confirm that assigned response action goals are met at the excavation limits.
- *Hot Spot Excavation Areas A2, A3, B1, B2, C1 and D1* – Excavate and dispose the contaminated soils from the targeted locations. Excavation will be terminated at planned depths and extents, unless field indications of gross contamination remain (e.g., staining or odors). Samples from the excavation limits will be screened for organic vapors by photoionization detector (PID). Where the contaminant of concern is a metal, the samples will also be screened for lead by XRF. Representative samples will be collected for laboratory analysis to confirm that assigned response action goals are met at the excavation limits.
- *Other Excavations* – The planned response actions are intended to remediate the targeted hot spot areas. However, if during the response actions and site preparation, the Consultant observes field evidence of staining, odors, or other indications of potential contamination, then the CCP will apply.
- *General Soils Management* – Characterize and manage the soils removed during excavation activities. Impacted soils that cannot be managed on-site within the constraints of the response action goals will be disposed off-site. Characterization of soil impacts for management decisions will consist of laboratory analysis of representative samples.

- *Filling Activities* – Replacement fill materials will meet the response action goals, in accordance with the MPCA's *Best Management Practices* guidance document. This measure is considered an aspect of the response actions because it will further restrict the accessibility of any residual impacted soils.
- *Infiltration Protection (if necessary)* – Because infiltration is being planned as a method to manage storm water, further consideration may be warranted if contamination remains below the actual excavation depths. Specifications for protective measures would be submitted to the MPCA at a later date if it appears they are needed.

### *6.2.2 Permits*

The response action Contractor will be responsible for obtaining and administering all applicable permits required for excavating, hauling, disposal and/or treatment of the impacted soil. Permits required may include MPCA Stormwater Control, County Landfill Permits, County environmental management, City sanitary sewer, NPDES, storage tank removal notification, or others.

### *6.2.3 Site Security and Access Control*

As needed, temporary chain-link or orange-barrier fencing will be utilized during the redevelopment response action work. If necessary, warning signs will be placed at the entrances to the work area for added security.

### *6.2.4 Demolition*

The bituminous surface at the Site may need to be demolished to remove contaminated soils. Concrete, bituminous, rubble and other debris materials encountered during response action activities will be removed.

### *6.2.5 Excavation and Segregation*

The excavation areas will be located and marked in the field. The soil will be excavated and segregated with earth moving equipment (i.e. backhoe, scraper, loader, etc.) and hauled off the Site for disposal based upon contaminant characterization. Except where specified otherwise, the Contractor will remove the existing surface down to the elevation at the bottom of the proposed excavation. The Consultant's field technician will then examine the subgrade. Based upon visual observation and the results of field screening and/or laboratory analysis, the Consultant will determine the need for additional excavation.

### *6.2.6 Hazardous Lead Soil Stabilization*

The soils excavated from the hazardous-lead hot spot area A1 will undergo lead stabilization to reduce leachable lead concentrations for landfill disposal. The Contractor will use a recognized stabilizing agent in accordance with manufacturer's recommendations and industry practice. The excavated soils will be placed on an impermeable liner near the excavated area, and a hydraulic excavator will be used to mix the reagent with the soils. Care will be taken to prevent dust generation during the mixing process; water will be available to wet the soils during mixing if necessary. Once the mixing has occurred, an impermeable liner will be used to cover the stockpile until the stabilized soil can be disposed.

The Consultant will collect soil samples from the stabilized soil stockpile to document lead stabilization. Sample frequency will be based on the stockpile volume in accordance with MPCA guidance documents; we anticipate one sample per 100 cubic yards. The stockpile characterization samples will be submitted for laboratory analysis of lead by TCLP. When laboratory analytical results indicate TCLP-lead concentrations below the hazardous level, the soil will be cleared for landfill disposal.

If laboratory analytical results for excavation confirmation samples continue to exceed the hazardous level for lead, the above steps will be repeated for a broader area. When the excavation confirmation results are less than the hazardous level for lead, the cleanup excavation can continue in the surrounding hot spot A2 area.

### *6.2.7 Stockpiled Soil Activity and Sampling*

If necessary, the excavated soils not hauled directly to the landfill may be temporarily stored in stockpiles no larger than 1,000 cubic-yards, pending further characterization for management or disposal. Stockpiles will be placed on an impermeable liner on the ground surface or in areas where impacted soil removal is anticipated. Sediment control measures will be placed on or around the stockpile areas to prevent run-off of impacted silt or sediment. The Contractor will be responsible for securing the stockpile covers at the end of each day.

### *6.2.8 Loading and Hauling*

Soil to be transported off-site for disposal will be loaded into trucks for transport to the selected disposal facility. Prior to leaving the Site all transport vehicles will be inspected and any loose soil on the exterior of the vehicle or tires will be removed. As needed, the material contained in the trucks will be covered or wetted down to control dust generation during transport. Transport vehicles will follow approved traffic routes from the Site to the disposal facility and back.

### *6.2.9 Dust Controls*

The Contractor will utilize dust control measures during excavating, stockpiling, hauling, and backfilling. These measures shall include water spraying if necessary.

### *6.2.10 Dewatering*

Due to the depths to groundwater and the limited amount of excavation, dewatering is not anticipated during construction activities at the property.

## 6.3 Contaminated Materials Disposal

Table 3 summarizes the response action methods and technologies for the following materials expected to be encountered during the earthwork activities:

- Hazardous lead contaminated soil;
- Known or obviously ash-, metals-, and PAH-impacted soil;
- Known or suspected regulated soil containing petroleum impacts;
- Concrete, bituminous, and other demolition debris materials.

The disposal options considered for the contaminated soil at the Site include sanitary or industrial waste landfill, demolition landfill for uncontaminated debris, and/or hazardous waste landfill. The disposal methods will be selected based on the nature and concentrations of the impacts identified at the Site. The materials to be disposed of in the permitted off-site facilities will be sampled, profiled, and manifested in accordance with state and federal regulations and in accordance with the facility's specific requirements.

## 6.4 Confirmation Sampling

Confirmation samples will be collected at the base and sidewalls of the excavations. Table 4 summarizes the proposed confirmation sampling frequency, in accordance with MPCA VIC and Petroleum Brownfield Program guidance. The sampling frequencies proposed will be considered the minimum; sampling may be conducted more frequently as necessary, based on field conditions. Confirmation samples will be screened in the field and analyzed at a fixed-base laboratory. Quality assurance and quality control (QA/QC) samples consisting of duplicates will be collected for every ten samples.

The following analytical methods will be performed on confirmation soil samples collected for this project:

- PAHs – Environmental Protection Agency (EPA) 8270C;
- RCRA-list Metals – EPA 6010/7471 [and/or TCLP for disposal purposes];
- DRO with silica-gel pretreatment – WI Modified Method;
- VOCs – EPA 8260 [where PID results exceed 10 ppm];
- PID – see Environmental Sampling Methods in Appendix E.

### 6.5 Achievement of Response Action Goals

Confirmation soil samples will be collected and analyzed at the laboratory to verify that response action goals have been met. Based on the field screening results, laboratory results and Site conditions, the soil excavation in the sampled areas will either be terminated or excavation will be continued and sampled until the goals have been achieved.

### 6.6 Sampling for Soil Management and Reuse

Excavated soils that are not directly disposed will be stockpiled for additional characterization for reuse or alternative management methods. Stockpiled soils will be further characterized by field screening and laboratory analysis to determine how the soils will be managed and to document soil concentrations. Assuming a total greater than 2,000 cubic-yards, the proposed stockpile sampling frequency will be one sample per 500 cubic-yard stockpile, in accordance with MPCA guidelines and standard practice.

The need for stockpile sampling will be mitigated if the removed materials appear to consist of natural soil and are found to meet response action goals by prior confirmation sampling following removal of the fill horizon.

The following analytical methods will be performed on stockpile soil samples collected for this project:

- PAHs – EPA 8270C;
- RCRA-list Metals – EPA 6010/7471 [and/or TCLP for disposal purposes];
- DRO with silica-gel pretreatment – WI Modified Method;
- VOCs – EPA 8260;

- PID – see Environmental Sampling Methods in Appendix E.

## 6.7 Engineering Controls

### *6.7.1 Infiltration Protection (if necessary)*

If contaminant impacts remain at concentrations above response action goals in areas of potential storm water infiltration, then infiltration protection may be warranted. That determination will be made based on the results of the response actions and prior to construction. If necessary, a system design can be submitted separately for MPCA review.

### *6.7.2 Replacement Fill Cover and Cap*

After contaminated soils have been excavated in accordance with this RAP, excavations will be backfilled and additional material may be placed as needed to meet plan grades. Whether the replacement fill is imported or consists of excavated materials from the Site, fill materials will meet MPCA Residential SRVs for unrestricted use and other response action goals for the Site.

The planned development will consist mainly of impervious paved surfaces. Backfill material and paved surfaces will cap residual soil impacts. This will further reduce direct contact, thereby providing extra protection to the public health and the environment if there is remaining contamination following response actions.

## 6.8 Long Term Monitoring

No additional long term monitoring is planned for contaminant impacts related to the redevelopment at the Site.

## 6.9 Institutional Controls

The RAP objective is to attain residential land-use standards. However, if extensive residual soil impacts remain at the Site in excess of MPCA Residential SRVs, an affidavit may be prepared identifying the location of those impacts. Additional institutional controls are not anticipated.

## 7.0 CONSTRUCTION CONTINGENCY PLAN

Unforeseen contamination from unknown buried drums, tanks, pipelines, or disposal areas may be uncovered during excavation activities. Soil determined to be impacted based on chemical analysis will be managed according to the standards stated in the RAP.

Exposed surfaces will be covered to minimize the possibility of off-Site odor emissions. The contractor's methods will be restricted as needed to control odors (i.e. immediate backfilling and/or covering open excavations and stockpiles at the end of each day).

The MPCA will be contacted immediately if suspect asbestos, hazardous waste or free petroleum product is encountered during excavation work. Prior to the Site grading activity, the contractor will make arrangements with a hazardous waste subcontractor to characterize, consolidate, and arrange for disposal of hazardous waste, if necessary. Materials remaining on Site that are characterized as hazardous waste will be placed in Department of Transportation rated containers and stored on Site. The containers will be placed on an impervious surface in a secured area until disposal arrangements are determined. Storage time on the Site will not exceed 120 days.

In the event that unknown underground storage tanks (USTs) are encountered during redevelopment activities, they should be removed by a certified UST removal contractor under oversight by a qualified environmental consultant. The environmental consultant is required to document UST removal activities and collect laboratory analytical samples in accordance with MPCA Guidance Document 4-04 *Soil Sample Collection and Analysis Procedures* to determine if a petroleum release has occurred associated with the UST system.

In the event that an unknown water supply well is identified during redevelopment activities, an MDH-licensed well contractor should seal the water supply well in accordance with MDH well sealing regulations.

Visual air monitoring activities should be conducted on site during handling and excavation of potentially contaminated material. In the event elevated levels of dust are observed, additional measures to reduce dust, including spraying the excavation areas with water, should be implemented. Elevated organic vapor concentrations observed during excavation activities can be managed through the use of air dispersion or vapor suppressing foam.

## 8.0 SITE HEALTH AND SAFETY PLAN

The contractor will be responsible for submitting a Site Health and Safety Plan suitable for managing the impacted materials identified during the previous investigations at the Site. The contractor's Site Health and Safety Plan will be submitted to AET for review and comments, prior to Site work. The Site health and safety program must address the following:

- 40 hour hazardous waste trained personnel for remedial activity
- Provisions for on-site personnel decontamination
- Protective clothing (i.e. Tyvek, etc.) requirements
- Guidelines for donning protective clothing
- Site controls and access during remedial activity

Safety is of paramount importance with potentially unstable ground. Frequent visual and verbal contact will be maintained with operators of heavy equipment in the sampling vicinity. Care is taken not to enter depressions or scale mounds that would constitute confined spaces, where engulfment, immersion, or falls are possible, or where harmful vapors may collect. Most observation and soil collection will be performed from a stable and level ground surface with the help of heavy equipment operated by an excavation contractor.

## 9.0 SCHEDULE

A detailed schedule has not been prepared. It is anticipated that response actions and construction activities on the Site will likely commence in the second half of 2015. A detailed schedule will be submitted to the MPCA upon its completion.

## 10.0 IMPLEMENTATION REPORT

Upon completion of the Response Action activities, an implementation report will be prepared. At a minimum, the report will include the following:

- A description of construction activities including photographs of key activities;
- Description of field screening and laboratory analytical methods and results;
- Opinions and conclusions regarding final compliance with response action goals;
- Documentation of final disposal of all materials transported off Site, including impacted soils, solid wastes/debris, hazardous wastes, and/or asbestos-containing waste materials (ACWM).

## 11.0 REPORT CLOSURE

The services performed by AET for this project have been conducted in a manner consistent with that level of skill and care ordinarily exercised by other members of the profession currently practicing in this area, under similar budgetary and time constraints.

This Response Action Plan was prepared based on our current understanding of conditions and plans at the Site. If conditions differing from our original findings are identified, AET should be immediately contacted to review these conditions and determine if there are any material impacts on any of our recommendations. Any alterations to this RAP will be communicated to Project for Pride in Living, American Indian Community Development Corporation, the MPCA, and any other involved parties.

Report Authored By:
American Engineering Testing, Inc.

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Report Reviewed By:
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CONSULTANTS
- ENVIRONMENTAL
- GEOTECHNICAL
- MATERIALS
- FORENSICS

# PHASE I
# ENVIRONMENTAL SITE ASSESSMENT UPDATE

## Anishinabe Bii-Gii-Wiin #2

1600 19th Street East
Minneapolis, Minnesota

AET Project No. 03-05824

**Date:**

November 2, 2015

**Prepared for:**

Project for Pride in Living
1035 East Franklin Avenue
Minneapolis, Minnesota 55404

American Indian Community Development Corporation
1508 East Franklin Avenue
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- FORENSICS

November 2, 2015

Project for Pride in Living
1035 East Franklin Avenue
Minneapolis, Minnesota 55404

Attn: Ms. Mary Novak
mary.novak@ppl-inc.org

American Indian Community Development Corporation
1508 East Franklin Avenue
Minneapolis, Minnesota 55404

Mr. Tom McElveen
tmcelveen@aicdc-mn.org

RE: Phase I Environmental Site Assessment Update
Anishinabe Bii-Gii-Wiin #2
1600 19th Street East, Minneapolis, Minnesota 55404
AET Report No. 03-05824

Dear Ms. Novak and Mr. McElveen:

American Engineering Testing, Inc. has completed Phase I Environmental Site Assessment Update services for the Anishinabe Bii-Gii-Wiin #2 Site in Minneapolis, Minnesota. This Phase I Environmental Site Assessment Update was done in accordance with our proposal no. 03-05824.

We appreciate the opportunity to serve you on this project. If you have any questions regarding the information presented in this Phase I Environmental Site Assessment Update report, or if we may be of additional service, please contact me.

Sincerely,
**American Engineering Testing, Inc.**

Dennis McComas
Senior Geologist

Phone: 651-647-2759
E-mail: dmccomas@amengtest.com


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**AET PROJECT NO. 03-05824**


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# PHASE I ENVIRONMENTAL SITE ASSESSMENT UPDATE
# ANISHINABE BII-GII-WIIN #2
# MINNEAPOLIS, MINNESOTA

## AET PROJECT NO. 03-05824

### EXECUTIVE SUMMARY

In accordance with proposal no. 03-05824, American Engineering Testing, Inc. performed a Phase I Environmental Site Assessment Update of the Anishinabe Bii-Gii-Wiin #2 Site located at 1600 19th Street East (the Site), Minneapolis, Hennepin, Minnesota. Services were performed in accordance with the scope and limitations of the Standards and Practices of the United States Environmental Protection Agency's All Appropriate Inquiries rule (40 CFR Part 312, December 30, 2013) and the American Society for Testing Materials Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process – ASTM E1527-13 for the exclusive use of Project for Pride in Living (PPL) and American Indian Community Development Corporation (AICDC).

According to the information gathered and reviewed for this project, there have been no significant changes to the Site since the completion of the Phase I Environmental Site Assessment (ESA), Anishinabe Bii-Gii-Wiin #2, dated April 14, 2015 (AET Project No. 03-05529) (April 2015 Phase I ESA), and no new significant information has been identified which would change the reported history of the Site. Adjacent properties have continued to be occupied by streets, residences, and commercial buildings similar to when the April 2015 Phase I ESA was completed.

This Phase I ESA Update assessment has revealed no evidence of recognized environmental conditions in connection with the Site, except for the following:

- VIC database listings for Anishinabe Bii-Gii-Wiin and Anishinabe Bii-Gii-Wiin #2 at the Site with known contaminant impacts to soil confirmed by previous environmental assessments;
- The existence of former structures occupying the Site with the confirmed presence of demolition debris in fill soils which may have resulted from on-site burial;
- Historic businesses at the Site with the potential for past spills or releases of hazardous materials and/or petroleum products.

These RECs are unchanged from the April 2015 Phase I ESA.

No significant data gaps were encountered with regard to evaluating the Site for this Phase I Environmental Site Assessment Update.

# 1.0 INTRODUCTION

## 1.1 Purpose and Methodology

The purpose of this Phase I Environmental Site Assessment Update (ESA Update) is to identify, to the extent reasonable pursuant to the methodology prescribed below, recognized environmental conditions (RECs) in connection with the Anishinabe Bii-Gii-Wiin #2 Site located at 1600 19th Street East, Minneapolis, Minnesota (hereafter referred to as the Site). American Engineering Testing, Inc. (AET) understands this Phase I ESA Update is being performed as part of your lender's requirements.

This Phase I ESA Update was conducted in accordance with the United States Environmental Protection Agency's (USEPA's) All Appropriate Inquiries (AAI) rule (40 CFR Part 312), December 30, 2013 and the American Society for Testing and Materials (ASTM) Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process – ASTM E 1527-13.

A list of the acronyms and abbreviations and definitions of common terms used in this report is included as Appendix A.

## 1.2 Scope of Services

The scope of this Phase I ESA Update was defined in AET's proposal no. 03-05824 which authorized on September 15, 2015. The scope of services included the following items:

- Interview owners, operators, and occupants.
- Search for recorded environmental cleanup liens.
- Review of federal, tribal, state, and local government records.
- Perform a reconnaissance of the Site.
- Include "non-scope" information with respect to whether the Site is located in a Federal Emergency Management Agency (FEMA) Flood Zone and whether there are any National Wetlands Inventory (NWI) mapped wetland areas on the Site.
- Prepare an updated Phase I ESA report, consistent with the ASTM E1527-13 standard.

## 1.3 Limitations and Exceptions of Assessment

Although the current USEPA's AAI rule and the ASTM practice standard for this service have been followed, the scope of services followed in conducting this Phase 1 ESA Update is not exhaustive and there may be localized contamination on the Site AET cannot ascertain and is not responsible for given the scope of services. Such contamination could be related to disposal of

contaminants not reported to appropriate government agencies, not made known to AET or not reasonably observable at the time of AET's Site visit.

The services performed by AET have been conducted in a manner consistent with the level of skill and care ordinarily exercised by other members of the profession currently practicing in this area. No environmental site assessment can wholly eliminate uncertainty regarding the potential for recognized environmental conditions in connection with a property. Performance of this Phase I ESA Update is intended to reduce, but not eliminate, uncertainty regarding the potential for RECs in connection with the Site.

The findings, opinions, and conclusions presented in this report are based on AET's understanding of the client's intended use of the Site. If the intended use of the Site changes, or if conditions differing from AET's original findings are found, AET should be notified to review these changes and to determine the impact, if any, of the changes on the presented findings, opinions, and conclusions.

### 1.4 Reliance

This Phase I ESA Update has been prepared for the exclusive use of Project for Pride in Living (PPL) and American Indian Community Development Corporation (AICDC) for specific application to the Site.

## 2.0 SITE DESCRIPTION

### 2.1 Location and Description

Figure I shows the location of the Site. The Site address is 1600 19th Street East, Minneapolis, Minnesota. The Site is located in Section 35, Township 29 N, Range 24 W in Hennepin County. Figure 2 shows the configuration of the Site.

### 2.2 Current Site Use

The Site is comprised of 2.24 acres located in a residential and commercial developed area of Minneapolis. A three-story apartment building is present at the Site, which is currently used as residential housing.

### 2.3 Current Use of Adjoining Properties

The Site is adjoined as noted below.

| | |
|---|---|
| North: | Residential properties and Hiawatha Avenue. |
| East: | Hiawatha Avenue and commercial properties beyond. |
| South: | Franklin Avenue East and commercial and residential properties beyond. |
| West: | American Indian Center, 16th Avenue South and residential properties beyond. |

## 3.0 USER PROVIDED INFORMATION

As indicated in AET's proposal to PPL, the User, PPL, will share with AET all available and relevant information pertaining to the Site. AET was not provided with Site specific information as previous reports were already in our files.

AET also provided the User's representative with a User Questionnaire and requested the completed Questionnaire be returned to AET. The questionnaire, attached in Appendix B, was completed by the Mr. Thomas McElveen, the User's representative. Mr. McElveen responded "No" to questions regarding knowledge of environmental liens; activity and use limitations; specialized knowledge or experience related to the Site or nearby properties; past uses of the Site; specific chemicals that are present or that once were present; spills or other chemical releases that have taken place at the Site; environmental cleanups that have taken place at the Site; or obvious indicators that point to the presence or likely presence of releases at the Site. Mr. McElveen response also indicates the purchase price being paid for the Site reasonably reflects the fair market value of the Site if it were not contaminated.

AET reviewed the most recent Phase I ESA report for work conducted on the Site. It is discussed in Section 4.3 below.

## 4.0 RECORDS REVIEW

### 4.1 Physical Setting

Spills, leaks, or disposal of hazardous substances or petroleum products at the Site will generally migrate on the surface or in the subsurface via soil, groundwater, and/or vapor. There is also a potential for surface or subsurface contamination in connection with a release to migrate to or from adjoining properties depending on subsurface conditions.

AET reviewed the previous report for hydrogeologic information. The Site is located in the Mississippi River watershed. Underlying soils consist primarily of middle terrace deposits of sand, gravelly sand and loamy sand. The uppermost bedrock underlying the Site is the Platteville

and Glenwood Formations. Depth to bedrock on the west side of the Site is approximately 51 to 100 feet below grade, and approximately 0 to 50 feet below grade on the east side of the Site. Groundwater is estimated to be at a depth of 50 feet below grade and appears to flow to the east northeast towards the Mississippi River.

GeoSearch provided Federal and State Water Well records. A copy of their report, dated October 2, 2015 is included in Appendix C. AET reviewed these records for well logs located at or near the Site. This search did not find any wells registered at or near the Site.

### 4.2 Database Search

GeoSearch provided Federal, State, Local, and Tribal record information within ASTM-specified minimum search distances of the Site. A copy of their report, dated September 21, 2015 is included in Appendix C. The results of the database searches are discussed below.

#### *4.2.1 Standard Environmental Record Sources for the Site*

The Site was identified in the following:

- **Voluntary Investigation and Cleanup (VIC):** The Site was identified on the VIC database under file numbers VP21620 (Anishinabe Bii-Gii-Wiin) and VP21621 (Anishinabe Bii-Gii-Wiin #2) which were initially listed in 2006 and 2009, respectively. VP21620 (Anishinabe Bii-Gii-Wiin) was reactivated in March 2015. VP21621 (Anishinabe Bii-Gii-Wiin #2) is currently listed as inactive.

  On October 15, 2015, AET discussed with the Minnesota Pollution Control Agency (MPCA) the Site and the VIC file number (VP21620) associated with the RAP Approval Letter issued March 6, 2015. The MPCA confirmed that file number VP21620 is linked to the Site and the RAP Approval Letter is applicable to the entire Site.

#### *4.2.2 Standard Environmental Record Sources for Surrounding Properties*

The following table identifies ASTM specified databases that were searched, distances searched, and the number of sites identified within the searched distances.

| Regulatory Database | Search Distance (miles) | Federal | State/Tribal Equivalent |
|---|---|---|---|
| NPL | 1.0 | 1 | 0 |
| NPL (Delisted) | 0.5 | 0 | NA |
| CERCLIS | 0.5 | 0 | 0 |
| CERCLIS-NFRAP | 0.5 | 0 | NA |

| Regulatory Database | Search Distance (miles) | Federal | State/Tribal Equivalent |
|---|---|---|---|
| RCRA CORRACTS | 1.0 | 0 | NA |
| RCRA-TSD | 0.5 | 0 | NA |
| RCRA Generators | Adjoining Properties | 0 | NA |
| Landfill/Solid Waste Disposal Sites | 0.5 | NA | 0 |
| Registered Leaking Storage Tanks | 0.5 | NA | 32 |
| Registered Storage Tanks | Adjoining Properties | NA | 4 |
| Voluntary Cleanup Sites | 0.5 | NA | 25 |
| Brownfields Sites | 0.5 | NA | 12 |

NA: Not applicable – this database is not included in the ASTM standard.

Because the properties identified are located cross or down groundwater gradient and/or sufficiently distant from the Site, they are not likely to have an impact on the Site, except the following:

- The Joe La Bovsky Property Leaksite at 1545 E Franklin Avenue is south across Franklin Avenue from the Site. Leaksite ID 8213 was initially reported February 1995. The tank contained fuel oil and an unknown amount was released. GeoSearch reports contaminated soils remain on-site. Complete site closure was granted on March 6, 1996.
- The Labovsky Property Leaksite at 1525 E Franklin Avenue is south across Franklin Avenue from the Site. Leaksite ID 8236 was initially reported March 1995. The tank contained waste oil and an unknown amount was released. According to GeoSearch, contaminated soils remain on-site. Complete site closure was granted on March 24, 1995. One underground storage tank (USTs) was identified at the Labovsky Property. The UST was 500 gallons and contained used or waste oil. It was removed in November, 1995.
- The American Indian Center at 1530 E Franklin Avenue adjoins the Site to the west and was identified on the Federal Brownfields (14898) and VIC (VP18670) databases. Contaminant impacts to soils above cleanup levels for lead, barium, cadmium, chromium, and mercury were identified at the site. A No Association Determination Letter and No Action Letter were issued by the MPCA on 4/4/2007 and 4/17/2007, respectively. The site is currently listed as inactive. One UST was identified at the American Indian Center. The UST was 20,000 gallons and contained fuel oil. The current tank status is listed as removed.

- Two ASTs were identified at the Hiawatha Towers Apartments at the addresses of 2019 and 2121 16th Avenue S. The property adjoins the Site to the southeast beyond E Franklin Avenue. The ASTs are 265 gallons and contain diesel. The ASTs are currently listed as active.

AET considers the adjoining Leaksites, ASTs, VIC and Brownfield sites as suspect RECs in connection with the Site.

#### *4.2.3 Unplottable Summary and Non-ASTM Specified Databases*

GeoSearch also included a list of sites that could not be mapped due to poor or inadequate address information (Unplottable Summary) and various non-ASTM specified databases. The Unplottable Summary and non-ASTM specified databases and distances searched are listed in the GeoSearch report.

Based on our review of the Unplottable Summary listings and the additional non-ASTM specified database search results, we did not identify any sites that we consider suspect RECs in connection with the Site.

#### *4.2.4 FEMA Flood Zone and NWI Mapped Wetland Areas Search*

GeoSearch also provided non-ASTM specified database search results for physical setting maps in reference to the Site. A copy of their report, dated October 2, 2015 is included in Appendix C. The results of the database searches are discussed below.

The FEMA Map provided by GeoSearch referenced the Site as digital data not available. AET reviewed the online FEMA Flood Map Service Center for flood zones located at or near the Site. This search revealed the Site and surrounding area were listed as non-printed Flood Map Boundary. According to a Map Specialist with FEMA, this indicates that there are no National Flood Hazards present at or near the Site.

GeoSearch also provided a NWI Map. No mapped wetlands are on the Site or within ½ mile of the Site.

### 4.3 Historical Use Information

Historical records since early 2015 were reviewed because past land use is an indication of whether hazardous substances or petroleum products have been used at the Site and adjoining properties and introduced to the subsurface.

The historical records discussed below were found in the AET files.

### *4.3.1 Previous Reports*

AET reviewed the following previous report:

In April 2015, AET had conducted a Phase I ESA, dated April 14, 2015 (AET No. 03-05529) (April 2015 Phase I ESA). AET concluded the following:

- The assessment revealed no evidence of recognized environmental conditions in connection with the Site, except for the following:
    - VIC database listings for Anishinabe Bii-Gii-Wiin and Anishinabe Bii-Gii-Wiin #2 at the Site with known contaminant impacts to soil confirmed by previous environmental assessments;
    - The existence of former structures occupying the Site with the confirmed presence of demolition debris in fill soils which may have resulted from on-site burial;
    - Historic businesses at the Site with the potential for past spills or releases of hazardous materials and/or petroleum products.

### *4.3.2 Historical Information Summary*

According to the information gathered and reviewed for this project, there have been no significant changes to the Site since the completion of April 2015 Phase I ESA, and no new significant information has been identified which would change the reported history of the Site. Adjacent properties have continued to be occupied by streets, residences, and commercial buildings similar to when the April 2015 Phase I ESA was completed.

## 5.0 SITE RECONNAISSANCE

The Site was visited by Nicole Bonde of AET on October 5, 2015. Photographs taken at the time of AET's visit are included in Appendix E.

### 5.1 Site Description

Information contained in this section is based on a visual reconnaissance conducted while walking through the Site and the accessible interior areas of structures, if any.

| Site Description | |
|---|---|
| **Feature** | **Description** |
| Structures | A three-story apartment building occupies a portion of the Site, with a small parking lot to the north and a round driveway to the west of it. The heating and hot water for the building are currently provided via natural gas fired boilers. The apartment building was built in 1994. |
| Drinking Water/ Sanitary Sewer | Buildings at the Site are connected to the municipal drinking water supply and a municipal sanitary sewer system. |
| Stormwater Runoff | Surface water at the Site drains generally west toward 16th Avenue South. |
| Roads | Access to the Site is currently from 16th Avenue South along the west side of the building. Franklin Avenue runs along the south and Hiawatha Avenue runs along the northeast. |
| Other | The cooling system for the building is located in a chain-link enclosure on the north side of the building. A ceremonial sweat lodge area is also present in a fenced area north of the parking lot on the site. Firewood and stones were noted piled there. |

### 5.2 Site Observations

The following table summarizes Site observations and/or on-site interviews.

| Site Observations | |
|---|---|
| **Feature** | **Description** |
| Containers | AET observed closed containers of standard housekeeping chemicals in interior storage rooms. |
| Storage Tanks | AET observed no ASTs or USTs at the Site. |
| Drums | AET observed no drums at the Site. |
| Odors | AET noted normal odors associated with housekeeping practices at the Site. |
| Liquids/Stains/Corrosion | AET observed no staining or corrosion at the Site. |
| Stressed Vegetation | AET observed no stressed vegetation at the Site. |

| Site Observations | |
|---|---|
| **Feature** | **Description** |
| Drains/Waste Traps/Sumps | A sump and floor drains were observed in the mechanical room adjacent to the water heating boiler. No staining or other indications of impacts at the sump cover or drains were present. Condensers from the heating system drained into a floor drain; no stained or evidence of disposal. Drains were also noted in the laundry room and in the kitchen area. No staining was visible. The building's maintenance manager stated that all drains in the building are most likely connected to the sanitary sewer. |
| PCB Containing Equipment | AET observed one pad-mounted transformer along the north side of the building at the Site. These transformers are typically owned by the local power company who is responsible for any maintenance and cleanup. AET observed no evidence of leaks or releases associated with the transformers. A hydraulic elevator exists in the building. There was no evidence of leaks or releases associated with the hydraulic oil reservoir tank or elevator lift. |
| Pits, Ponds or Lagoons | AET observed no pits, ponds, or lagoons on or adjoining the Site. |
| Solid Waste Disposal | AET observed no evidence of indiscriminate dumping or solid waste disposal on the surface of the Site. |
| Physical Setting Analysis | The Site is located in a commercial and residential area in the Ventura Village neighborhood of Minneapolis. |
| Other Observations | Most buildings contain thermostats, switches, fluorescent lights, etc. Some of these components may contain regulated materials. |

## 6.0 INTERVIEWS

AET representative Nicole Bonde interviewed various parties as part of this Phase I ESA Update. The results of the interviews are summarized below.

**Mary Novak – Project for Pride in Living (Site Owner's Representative)**

The owner representative, Mary Novak, is not aware of any pending, threatened, or past litigation, administrative proceedings, or notices from any governmental entity relevant to hazardous substances or petroleum products in, on or from the property. Ms. Novak understands that previous environmental assessments identified soil contamination issues and cleanup is necessary. Ms. Novak indicated there is no bulk storage of fuels or other products on the Site.

**Tom McElveen – American Indian Community Development Corporation (Site Occupant's Representative)**

The occupant representative, Tom McElveen, is the real estate developer and asset manager and has been employed with AICDC since 2008. He indicated they have no liquid, dissolvable, or leachable materials other than cleaning supplies. Outdoor maintenance is performed by a contractor. They have no bulk storage of fuels or other products. They have had no spills or leaks, and they do not dispose of any materials on site except for commercial kitchen discharges to the sanitary sewer. Mr. McElveen is not aware of any pending, threatened, or past litigation, administrative proceedings, or notices from any governmental entity relevant to hazardous substances or petroleum products in, on or from the property.

## 7.0 FINDINGS AND OPINIONS

The following suspect RECs and AET's previous opinions concerning the suspect RECs are unchanged since April 2015:

- VIC database listings were identified at the Site for Anishinabe Bii-Gii-Wiin and Anishinabe Bii-Gii-Wiin #2. Based on the User-provided information relating to these VIC sites, AET considers the VIC listings on the Site to be RECs.
- Historical records indicate the existence of structures that once occupied the Site from approximately 1885 to 1974. It is unknown if the structures and building debris were removed from the Site or buried on-site. Considering the age of the buildings and the confirmed presence of demolition debris in fill soils, it appears that some on-site burial occurred. As such, AET considers the existence of former structures occupying the Site to be a REC.
- Historical businesses on the Site included an electric motor warehouse, filling station, laundry facility, and heating and furniture manufacturers. The potential exists for past spills or releases of hazardous material and/or petroleum products by the former businesses. Based on the period of time over which the identified businesses operated, AET considers the historical industrial businesses to be RECs.
- Historical businesses adjoining and upgradient to the Site included laundry facilities, auto body and tire repair, printing facilities, fire extinguish dealer, and auto parts, electronics, and furniture manufacturers. Properties adjoining and/or upgradient of the Site were also identified in the Leaksite, UST, AST, VIC, and Brownfield databases. Considering the Leaksite files have been closed by the MPCA and no violations or other identified releases have been identified, the adjoining facilities are considered either Historical RECs or *de minimis* conditions with respect to the Site. As such, AET does not consider the adjoining historic businesses as RECs.

## 8.0 DATA GAPS

No significant data gaps were encountered with regard to evaluating the Site for this Phase I Environmental Site Assessment Update.

## 9.0 CONCLUSIONS

AET has performed a Phase I ESA Update in conformance with the scope and limitations of the USEPA All Appropriate Inquiries rule (40 CFR Part 312) and ASTM Practice E 1527-13 of the Site. Any exceptions to, or deletions from, this practice are described in Section 1.3 of this report. This Assessment Update has revealed no evidence of recognized environmental conditions in connection with the Site, except for the following:

- VIC database listings for Anishinabe Bii-Gii-Wiin and Anishinabe Bii-Gii-Wiin #2 at the Site with known contaminant impacts to soil confirmed by previous environmental assessments;
- The existence of former structures occupying the Site with the confirmed presence of demolition debris in fill soils which may have resulted from on-site burial;
- Historic businesses at the Site with the potential for past spills or releases of hazardous materials and/or petroleum products.

These RECs are unchanged from the previous Phase I ESA.

## 10.0 REFERENCES

American Society for Testing and Materials, Standard Practice for Environmental Site Assessments: Phase 1 Environmental Site Assessment Process, Designation: E 1527-13, 2013.

Federal Emergency Management Agency, FEMA Flood Map Service Center (MSC). https://msc.fema.gov/portal.

University of Minnesota and Minnesota Geological Survey, Geologic Atlas, Hennepin County Minnesota, Atlas C-4, 1989, Plates 2 (Bedrock Geology), 3 (Surficial Geology), 4 (Depth to Bedrock and Bedrock Topography), and 5 (Quaternary Hydrogeology).

United States Environmental Protection Agency, All Appropriate Inquiries Final Rule (40 CFR Part 312), December 30, 2013.

## 11.0 QUALIFICATIONS AND RESUMES

I, Dennis McComas, declare that, to the best of my professional knowledge and belief, I meet the definition of Environmental Professional as defined in §312.10 of 40 CFR 312 and I have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the Site. I have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

Refer to Appendix F for resumes of the AET personnel associated with this Phase I ESA Update.

Report Prepared By:

Nicole Bonde
Environmental Scientist

Report Reviewed By:

Dennis McComas, P.G.
Senior Geologist

AMERICAN ENGINEERING TESTING, INC.

CONSULTANTS
- ENVIRONMENTAL
- GEOTECHNICAL
- MATERIALS
- FORENSICS

# SUPPLEMENTAL PHASE II ENVIRONMENTAL SITE ASSESSMENT

## Anishinabe Bii-Gii-Wiin #2

1600 19th Street East
Minneapolis, Minnesota

AET Report No. 03-05529

**Date:**

March 19, 2015

**Prepared for:**

Project for Pride in Living
1035 East Franklin Avenue
Minneapolis, Minnesota 55404

And

American Indian Community Development Corporation
1508 East Franklin Avenue
Minneapolis, Minnesota 55404

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- FORENSICS

March 19, 2015

Project for Pride in Living
1035 East Franklin Avenue
Minneapolis, Minnesota 55404

American Indian Community Development Corporation
1508 East Franklin Avenue
Minneapolis, Minnesota 55404

Attn: Mr. Chris Dettling
chris.dettling@ppl-inc.org

Mr. Tom McElveen
tmcelveen@aicdc-mn.org

RE: Supplemental Phase II Environmental Site Assessment
Anishinabe Bii-Gii-Wiin #2
1600 19th Street East, Minneapolis, Minnesota 55404
AET Report No. 03-05529

Dear Mr. Dettling and Mr. McElveen:

American Engineering Testing, Inc. has completed the enclosed report of Supplemental Phase II Environmental Site Assessment services for the Anishinabe Bii-Gii-Wiin #2 Site. This service was performed in accordance with our proposal agreement no. 03-05529. This Supplemental Phase II ESA meets our understanding of the criteria defined by the ASTM: E1903-11 Standard Practice.

We appreciate the opportunity to have been of service to you on this project. If you have any questions regarding the information presented in this Supplemental Phase II Environmental Site Assessment Report or if we can be of additional assistance, please contact me.

Sincerely,
**American Engineering Testing, Inc.**

Charles C. Tiller, P.G.
Senior Geologist

Phone: 651-659-1302
E-mail: ctiller@amengtest.com

Enclosure

CC:


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# EXECUTIVE SUMMARY

American Engineering Testing, Inc. (AET) was authorized by Project for Pride in Living (PPL) and American Indian Community Development Corporation (AICDC) to conduct a Supplemental Phase II Environmental Site Assessment (ESA) for the property located at 1600 19th Street East in Minneapolis, Minnesota. Hereafter, PPL and AICDC will be referred to as the "Users" of this report, and the assessed property will be referred to as the "Site."

## Results, Discussion, and Opinions

This Supplemental Phase II ESA has revealed the following information regarding the potential environmental conditions assessed in connection with the Site:

- Within the soil samples analyzed there were diesel range organics (DRO), total carcinogenic polynuclear aromatic hydrocarbons (cPAHs), and metals (mercury, arsenic, and lead) exceeding Minnesota Pollution Control Agency (MPCA) unregulated fill criteria, MPCA Residential and Industrial Soil Reference Values (SRVs), and MPCA Soil Leaching Values (SLVs). No other analyzed parameters were found at levels exceeding the MPCA criteria for soil.

Based on the information gathered and our professional experience, AET offers the following opinions regarding the results of this Supplemental Phase II ESA:

- Debris such as glass, asphalt, brick, concrete, coal or slag and/or wood was identified in 6 of 10 soil borings. Ash was identified in 2 of the soil borings. The observations in conjunction with laboratory data indicate the material is undocumented urban fill soil, which is also regulated fill for management/disposal purposes.

## Conclusions and Recommendations

This Phase II ESA has confirmed the presence of soil impacts in the fill soils at the Site. AET recommends the following measures during the planned Site development:

- The presence of contamination in soils above SRVs and unregulated fill criteria necessitates a Response Action Plan (RAP) to manage associated risks. AET is submitting a RAP at the same time as this Supplemental Phase II ESA.

# 1.0 INTRODUCTION

## 1.1 Site and User Identification

American Engineering Testing, Inc. (AET) was authorized by Project for Pride in Living (PPL) and American Indian Community Development Corporation (AICDC) to conduct a Supplemental Phase II Environmental Site Assessment (ESA) for the property located at 1600 19th Street East in Minneapolis, Minnesota. Hereafter, PPL and AICDC will be referred to as the "Users" of this report, and the assessed property will be referred to as the "Site."

Figure 1 shows the Site location. Appendix A contains a list of the acronyms and abbreviations used in this report.

## 1.2 Purpose

We have performed a Supplemental Phase II ESA at the Site in conformance with the scope and limitations of ASTM Practice E1903-11 and for the following objectives:

- To better characterize the type and distribution of contaminant impacts to soil media previously noted at the Site;
- To determine if previously untested parts of the Site harbor impacts to soil media which would affect the redevelopment implementation and costs;
- To assess the potential risks to human health or the environment resulting from the detected contaminant impacts under the existing conditions at the Site.

These objectives are based on AET's understanding of the User's needs and on the User's authorization of the Scope of Services. Any other objectives not described above are not considered to be within the Purpose of this Supplemental Phase II ESA.

## 1.3 Specific Non-Scope Considerations

This Supplemental Phase II ESA excludes assessment of the following known or potential environmental conditions:

- Known or potential contaminant impacts to soil media identified in the previous reports which AET reviewed;
    - We only evaluated parts of the Site previously unassessed by subsurface sampling conducted by Braun Intertec and Groundwater & Environmental Services, Inc. (GES). Braun and GES assessed the northern-most portion of the Site as well as the southeast portion of the Site.

## 2.0 BACKGROUND

### 2.1 Site Description and Features

The Site is located at 1600 19th Street East in Minneapolis, Minnesota. The Site is located in Section 35, Township 29 N, Range 24 W in Hennepin County. The Site is comprised of 2.24 acres located in a residential and commercial area. Figure 2 shows the Site layout. Appendix B contains a list of documents referenced for this Supplemental Phase II ESA.

An apartment building is present at the Site, which is currently used as residential housing.

At present, neighboring property uses include:

- North: Residential properties and Hiawatha Avenue.
- East: Hiawatha Avenue and commercial properties beyond.
- South: Franklin Avenue East and commercial and residential properties beyond.
- West: American Indian Center and residential properties beyond.

### 2.2 Physical Setting

The physical setting of the Site was interpreted from the Geologic Atlas for Hennepin County (Balaban, 1989). The Atlas indicated that soils at the Site consist primarily of middle terrace deposits of sand, gravelly sand, and loamy sand, overlying the Platteville and Glenwood Formations. The depth to bedrock on the west side of the Site is approximately 51 to 100 feet below grade, and approximately 0 to 50 feet below grade on the east side of the Site. According to the Atlas, groundwater appears to flow east, northeast toward the Mississippi River at approximately 50 feet below grade.

### 2.3 History of Site and Vicinity

The Site is currently occupied by an apartment building. Historical uses of the Site consisted of residences, commercial buildings, electrical and engineering company, window and door manufacturing company, and filling stations with storage tanks.

### 2.4 Previous Environmental Reports

We have reviewed previous environmental reports made available to AET. Key findings from the review are summarized in the sections below. Figure 3 shows the Site sample locations described in the previous reports. Appendix C contains the previous tables of sample analytical results.

### *2.4.1 Phase I ESA*

AET is currently in the process of gathering information and preparing a Phase I ESA for the Site.

### *2.4.2 Other Previous Reports*

We previously reviewed a Phase II ESA completed by Braun Intertec (BL-05-00974A, October 17, 2005) and a Phase II ESA completed by GES (October 8, 2008) for the Site. The results of the reports indicated the following known or potential contamination conditions at the Site:

- Braun detected levels of arsenic that exceeded the MPCA Residential Soil Reference Values (SRVs) and levels of BaP Equivalents that exceeded the MPCA Residential and Industrial SRVs in shallow ash soils beneath the former filling station on the far southeast corner of the Site;
- Braun indicated the presence of construction debris, concrete and asphalt, in all test pits excluding TP-6;
- GES detected levels of PAHs, BaP Equivalents, arsenic, lead, and mercury that exceeded Residential SRVs in the fill soils at the Site;
- GES indicated fill debris in all soil boring and test pits consisting of glass, brick, concrete, asphalt, plastic, lumber, metal, and ash.

## 3.0 SUPPLEMENTAL PHASE II ESA ACTIVITIES

### 3.1 Scope of Services

The scope of this Supplemental Phase II ESA was defined in AET's Proposal No. 03-05529 with the User, authorized on February 23, 2015, and includes the following:

- Cleared public underground utilities through the Gopher State One Call system and a private locating service.
- Advanced ten (10) push-probe soil borings at select locations on the Site to visually classify and characterize soils. Three (3) borings were advanced to a depth of 16 feet and seven (7) to a depth of 8 feet. Borings were sealed in accordance with state and local standards.
- Prepared logs of the borings, screened the recovered soil samples with a photoionization detector (PID) for the presence of organic vapors, screened with an x-ray fluorescence (XRF) meter for total lead, and noted obvious odors and visual evidence of contamination.

- Submitted 10 representative soil samples, and one duplicate, to a fixed laboratory to be analyzed for some or all of the following parameters (number of samples in brackets [ ]):
  - The eight Resource Conservation and Recovery Act (RCRA) metals [11]
  - Polynuclear aromatic hydrocarbons (PAHs) "standard" list [11]
  - Diesel range organics (DRO) with silica gel treatment to reduce interference by non-petroleum compounds [11]
  - Volatile organic compounds (VOCs) [6]
  - Polychlorinated biphenyls (PCBs) [3]
  - RCRA metals by the Toxicity Characteristic Leaching Procedure (TCLP) [3]
- The location and number of sample parameters were determined based on field observations, therefore the number of sample parameters collected slightly vary from proposed.
- Prepared this Supplemental Phase II ESA report that summarizes the results of field sampling activities, a figure showing sampling locations, boring logs, sheets describing methodologies used, tables summarizing the laboratory analytical results, and a discussion of the results.

### 3.2 Additional Research and Data Reviewed

Additional environmental assessment documents were not available for AET to review during performance of this Supplemental Phase II ESA.

### 3.3 Environmental Sampling Rationale

The Supplemental Phase II ESA environmental sample locations were selected to focus on potential contaminant sources and to achieve a distribution of sampling locations encompassing potential contamination across the Site that were not addressed in previous reports. Figure 3 shows the Supplemental Phase II ESA sampling locations. The sampling methods, depths and analytical parameters were selected to generate data which AET considers useful to achieve the objectives described in the Purpose section of this report.

The rationales for specific sampling locations are described below:

- Soil borings GP-1 to GP-3 were advanced to a depth of 16 feet in planned areas of deeper excavation to confirm potential soil impacts previously identified at the Site.

- Soil borings GP-4 to GP-10 were advanced to a depth of 8 feet in planned areas of shallower excavation to assess potential soil impacts in areas not previously assessed at the Site and/or to confirm soil impacts previously identified at the Site.

## 3.4 Environmental Sampling Methods

Appendix D contains information sheets which detail AET's standard environmental sampling methods. Site-specific considerations or variations from the standard approaches are described in the sections below.

### *3.4.1 Field Exploration Technologies*

The field exploration for this Supplemental Phase II ESA included Geoprobe borings.

The Geoprobe boring sampling locations were recorded using a hand-held global-positioning system (GPS), with a manufacturer-reported accuracy of 3 meters.

### *3.4.2 Field Screening Techniques*

Soil samples were screened in the field and at AET's offices with the following instruments:

- Photoionization detector (PID) equipped with a 10.6 electron volt (eV) lamp to measure organic vapors in parts-per-million (ppm).
- Portable x-ray fluorescence analyzer (XRF) to measure lead in ppm.

We also noted obvious odors and observed the samples for visual evidence of contamination.

### *3.4.3 Laboratory Analytical Methods*

AET submitted the samples to Legend Technical Services, Inc. (Legend) for laboratory analysis. The laboratory analytical reports and chain-of-custody records are provided in Appendix F.

Soil samples were analyzed for the chemical parameters below by the methods referenced:

- Diesel range organics with silica-gel pretreatment (DRO-Si): WDNR modified DRO method (to reduce interference of non-petroleum compounds)
- Volatile organic compounds (VOCs): United States Environmental Protection Agency (EPA) method 8260
- Polynuclear aromatic hydrocarbons (PAHs) "standard list," containing the short 7-compound suite of carcinogenic PAHs (also known as cPAHs): EPA method 8270

- Polychlorinated biphenyls (PCBs): EPA method 8082
- The eight metals of the Resource Conservation and Recovery Act (RCRA) list: EPA methods 6020/7471
- RCRA metals by the EPA Toxicity Characteristic Leaching Procedure (TCLP): EPA methods 1311/6010

### *3.4.4 QA/QC Sampling*

Additional samples were collected in accordance with AET's Quality Assurance/Quality Control (QA/QC) guidelines. The results of the QA/QC sample analyses are included in the results tables.

We collected one blind duplicate soil sample from among the 10 testing locations to achieve a minimum frequency of 10% duplicates. The duplicate (DUP-1) was collected from GP-8 (0'-2'). The laboratory provided a trip blank for VOCs in soil.

## 3.5 Reference Standards

In this Supplemental Phase II ESA, we compare the analytical results to the baseline environmental regulatory standards in use by the MPCA. The reference standards are included in the results tables for comparison with assessment results. The soil specific standards are described in the sections below.

The following reference standards apply to potential contaminant exposures in soils pertaining to the Site:

- MPCA Tier 1 Residential Soil Reference Values (SRVs): Compound-specific values for long-term soil exposure in unrestricted-use settings (i.e., residential) above which an unacceptable risk to human health is predicted to exist.
- MPCA Tier 2 Industrial SRVs: Compound-specific values for long-term soil exposure in industrial/commercial-use settings.
- MPCA Tier 1 Soil Leaching Values (SLVs): Compound-specific values in unsaturated soils above which an unacceptable risk of leaching to groundwater and/or receptors is predicted to exist.
- EPA Hazardous Characteristics: Compound-specific values in soil leachate by TCLP above which the material is considered "hazardous waste."

- DRO Criterion: SRVs do not exist for DRO soil impacts. Instead the MPCA Remediation Division applies the guidance document "Best Management Practices for the Off-Site Reuse of Unregulated Fill," which states that petroleum-impacted soil exhibiting measured DRO concentrations over 100 milligrams-per-kilogram (mg/kg) or PID screening results over 10 ppm is considered "regulated" for reuse. Stricter standards may apply based on the intended property use, soil management considerations, or local solid waste ordinances.
- PID Screening Criterion: The practical detection limit of a PID is considered to be 1 ppm, although field conditions during sampling may result in higher background measurements.

## 4.0 PROJECT RESULTS

### 4.1 Field Observations

AET performed the field exploration and sampling for this Supplemental Phase II ESA on February 27, 2015. The observational data collected during field exploration activities at the Site are included on the logs in Appendix E.

### 4.2 Soil Boring Observations

Fill soils were identified in all ten borings, ranging from 2 ½ feet to 7 ¾ feet thick. The observed fill materials generally consisted of silty sand with varying amounts of gravel. Concrete, plastic, and/or asphalt were noted in fill from borings GP-3, GP-6, GP-8, and GP-9. Coal or slag and/or ash were noted in fill from borings GP-2, GP-3, and GP-5. Soil boring GP-2 also contained brick and wood and GP-5 also contained glass. We noted very slight petroleum odors in fill material from boring GP-10.

Natural alluvial deposits were observed beneath the fill in all 10 borings. The alluvium consisted of poorly graded sand with varying amounts of gravel and lenses of sand with silt in borings GP-3, GP-9, and GP-10. Groundwater was not encountered.

### 4.3 Field Screening Results

The screening data collected during field exploration activities at the Site are included on the logs in Appendix E.

#### *4.3.1 Organic Vapors by PID*

PID screening results ranged from 0.1 to 0.9 ppm.

### *4.3.2 Lead by XRF*

XRF screening results ranged from non-detect (ND) to 367.5 ppm. The results did not exceed 100 ppm, except in GP-2 (0'-2'), GP-2 (2'-4'), GP-3 (0'-2'), GP-3 (2'-4'), GP-5 (2'-4'), GP-6 (0'-2'), GP-6 (2'-4'), GP-6 (6'-8'), and GP-8 (0'-2'). Results for these samples ranged from 101.9 to 367.5 ppm.

## 4.4 Laboratory Analysis

Appendix F includes the laboratory analytical reports and chains-of-custody for this Supplemental Phase II ESA. The sections below summarize the laboratory results.

Table 1 summarizes the results of laboratory analyses performed on soil samples. The soil results are reported in milligrams-per-kilogram (mg/kg), which is equivalent to ppm. The reference standards are included on the table for comparison and evaluation of impacts.

*DRO*

Laboratory analyses detected DRO in 8 of 10 soil samples analyzed. Detected results ranged from 14 to 310 mg/kg in samples GP-2 (2'-4'), GP-3 (2'-4'), GP-5 (2'-4'), GP-6 (4'-6'), GP-7 (2'-4'), GP-8 (0'-2'), GP-9 (0'-2'), and GP-10 (2'-4'). The measured concentrations of DRO exceeded 100 mg/kg in samples GP-2 (2'-4'), GP-9 (0'-2'), and GP-10 (2'-4').

*RCRA Metals*

Laboratory analyses detected various RCRA metals in all 10 soil samples analyzed. The measured results did not exceed the MPCA reference standards, except for the following:

- Lead greater than the Tier 1 Residential SRV in sample GP-2 (2'-4');
- Mercury greater than the Tier 1 Residential SRV in sample GP-2 (2'-4') and GP-6 (4'-6');
- Arsenic greater than the Tier 1 SLV in sample GP-2 (2'-4').

The concentration of lead in soil samples GP-2 (2'-4'), GP-3 (2'-4'), GP-4 (4'-6'), GP-5 (2'-4'), GP-7 (2'-4'), and GP-8 (0'-2') exceeded the 100 mg/kg threshold at which area landfills require additional laboratory characterization to distinguish hazardous character. Soil samples GP-2 (2'-4'), GP-3 (2'-4'), and GP-5 (2'-4') with the highest total lead results were submitted for TCLP analysis. Analytical results did not exceed EPA hazardous characteristics.

*PAHs*

Environmental laboratories report the analytical results for each PAH compound separately. In accordance with MPCA guidance, AET normalizes the cPAH results to the toxicity of benzo(a)pyrene by applying a designated "potency equivalency factor" to each compound and calculating the weighted sum as total cPAHs (also known as "BaP equivalents").

Laboratory analyses detected various PAHs in 7 of 10 soil samples analyzed. The measured results did not exceed the MPCA reference standards, except for the following:

- Total cPAHs greater than the Tier 2 Industrial SRV in sample GP-2 (2'-4').

*VOCs*

Laboratory analyses did not detect VOCs in the 6 soil samples analyzed.

*PCBs*

Laboratory analyses did not detect PCBs in the 3 soil samples analyzed.

## 5.0 DISCUSSION AND OPINIONS

### 5.1 Soil Physical Conditions

#### *5.1.1 Fill Soils*

Subsurface sampling during this Supplemental Phase II ESA indicates that the fill soils in the tested areas are typically at least 2.5 feet thick and may range up to 7.75 feet thick. The presence of a very slight odor in boring GP-10 indicates a likelihood of localized contamination there. The presence of ash and debris at various locations and depths in borings GP-2, GP-3, GP-5, GP-6, GP-8, and GP-9 suggest a more generalized potential for contamination in those areas which may be difficult to quantify and delineate by field methods during the Site preparation.

#### *5.1.2 Natural Soils*

The fill is underlain by natural alluvial deposits. Evidence of contamination has not been observed in the native soils sampled at the Site.

### 5.2 Soil Contamination Conditions

#### *5.2.1 DRO*

During this Supplemental Phase II ESA, DRO was detected in fill soils at various sample locations and depths. The presence of DRO above 100 mg/kg in soil samples GP-2 (2'-4'), GP-9 (0'-2'), and GP-10 (2'-4') disqualifies those materials from use as "unregulated fill soil" based on current MPCA guidance.

In March 2012, the MPCA released guidance on the off-site reuse of regulated fill soils. However, there are reporting requirements and there may be business environmental risks associated with the movement of "contaminated" soil among properties. Since this is an evolving regulatory matter, further discussion is warranted if the User intends to reuse regulated fill soil.

### *5.2.2 RCRA Metals and Total cPAHs*

The presence of RCRA metals and total cPAH contaminants in the fill soils at the levels listed below would require off-site disposal during redevelopment.

- Measured concentrations of lead and arsenic exceed the MPCA Tier 1 Residential SRVs and Tier 1 SLV, respectively, in soil sample GP-2 (2'-4');
- The measured concentrations of mercury exceed the MPCA Tier 1 Residential SRV in GP-2 (2'-4') and GP-6 (4'-6');
- Measured concentrations of total cPAHs exceed the Tier 2 Industrial SRV in sample GP-2 (2'-4').

If liability assurances are needed, then additional contaminated soils may need to be removed to meet MPCA standards.

### *5.2.3 Unregulated Fill Soils*

Soil borings GP-4 and GP-7 did not reveal indications of potential environmental contamination. The analytical results are consistent with the criteria established by the MPCA for unregulated fill soil. However, AET believes that earthwork activities during construction at the Site should be monitored for possible impacts.

## 5.3 Summary of Contamination Conditions

Field and laboratory data suggest the nature of the identified contaminants is undocumented urban fill soils and petroleum impacts as follows:

- In soil borings GP-2 and GP-3, ash as well as coal or slag was noted. The soil ash layer was analyzed and localized contamination was confirmed. In the case of GP-2, results exceed the MPCA criteria for use at industrial/commercial properties.
- In soil boring GP-10, a very slight petroleum odor was detected. In borings GP-9 and GP-10 soils analyzed exceeded the MPCA criteria for use as unregulated soil. The distribution of analytical results at GP-9 and GP-10 indicates localized DRO impacts in the fill.

- In soil borings GP-5, GP-6, GP-8, and GP-9 various construction debris was noted. Analytical results in these borings did not exceed MPCA reference criteria with the exception of GP-6 and GP-9, indicating a complex pattern of undocumented urban fill. The results exceed MPCA criteria for unrestricted residential use.

### 5.4 Assessment of Previously Identified Contamination

#### *5.4.1 Contamination Confirmed*

In AET's opinion, the results of this Supplemental Phase II ESA confirm the following contamination identified by previous assessments:

- Metals (mercury, arsenic, and lead) and total cPAH impacts in soil on the southeast part of the Site which likely resulted from the razed and buried-in-place residences that existed along the east part of the Site;
- Field observations and laboratory testing indicate undocumented fill soils are present at the Site, and contaminant impacts exist in the fill soil.

#### *5.4.2 Contamination Not Substantiated*

In AET's opinion, the results of this Supplemental Phase II ESA do not substantiate the following contamination which was previously identified:

- PAH impacts in soil were not detected on the northern part of the Site as previously indicated by GES.

## 6.0 CONCLUSIONS

This Supplemental Phase II ESA has confirmed the presence of soil impacts by hazardous substances and petroleum products at the Site under conditions that indicate disposal or release. The following impacts have been confirmed:

- The levels of DRO, total cPAH, and metals (mercury, arsenic, and lead) impacts in the undocumented fill soils render the materials as regulated fill soil rather than unregulated fill soil for off-site reuse.

## 7.0 RECOMMENDATIONS

Based on the objectives and conclusions of this Supplemental Phase II ESA, AET recommends the following action be conducted during the planned Site development:

- Because the measured concentrations of contaminant impacts exceed regulatory criteria for the envisioned Site use, a Response Action Plan (RAP) is warranted to resolve the known contamination and risks during Site redevelopment.

AET is submitting a RAP at the same time as this Supplemental Phase II ESA.

## 8.0 REFERENCES

A list of documents referenced for this Supplemental Phase II ESA is included in Appendix B.

## 9.0 REPORT CLOSURE

### 9.1 Reliance

AET has prepared this Supplemental Phase II ESA for the exclusive use of the User for specific application to the Site. Written authorization by AET is necessary for other parties to rely on this report.

Because Site uses and environmental conditions can change over time, this report must be considered time-sensitive. AET should be consulted if 180 days have elapsed since the report date or the passage of time results in uncertainty about the continuing applicability of this report.

### 9.2 Standard of Care

AET has endeavored to perform services for this project in a manner consistent with the level of skill and care ordinarily exercised by other members of the profession currently practicing in this area, under similar budgetary and time constraints. No warranty, express or implied, is made.

This report is based on our current understanding of the project and conditions at the Site. If conditions differing from our original understanding or findings are identified, AET should be consulted to determine if there are material impacts on our conclusions or recommendations.

### 9.3 Methodology

This Supplemental Phase II ESA has been conducted under the supervision of an Environmental Professional, pursuant to ASTM Practice E1903-11, and for the objectives described in the Purpose section of this report. AET's findings, opinions, conclusions, and recommendations are based on the Scope of Services defined in this report and are not intended to address non-scope considerations. If additional information on non-scope considerations is needed, please contact AET.

### 9.4 Remarks

The information gathered during the performance of this Supplemental Phase II ESA may be useful for allocating business environmental risk in transactional and contractual contexts or for disclosing liability in financial statements and securities reporting. However, the User is fully responsible for the appropriate use of this Supplemental Phase II ESA in such contexts.

The data derived through this Supplemental Phase II ESA has been used to develop professional opinions about the subsurface and environmental conditions at the Site. However, we recognize that not all critical information may have become known to AET and that no exploration program can fully reveal what is in the subsurface. As a result, there may be impacted locations or media that were not detected, and there may be contaminants present other than those for which we tested given the Purpose and Scope of Services for this Supplemental Phase II ESA.

## 10.0 QUALIFICATIONS AND SIGNATURES

I (Charles C. Tiller) declare that, to the best of my professional knowledge and belief, I meet the definition of Environmental Professional as defined in §312.10 of 40 CFR 312 and I have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the Site. We have developed and performed the assessment in conformance with the practices set forth in ASTM: E1903-11.

Report Authored By:

Nicole Bonde
Environmental Scientist

Report Reviewed By:

Charles C. Tiller, P.G.
Senior Geologist

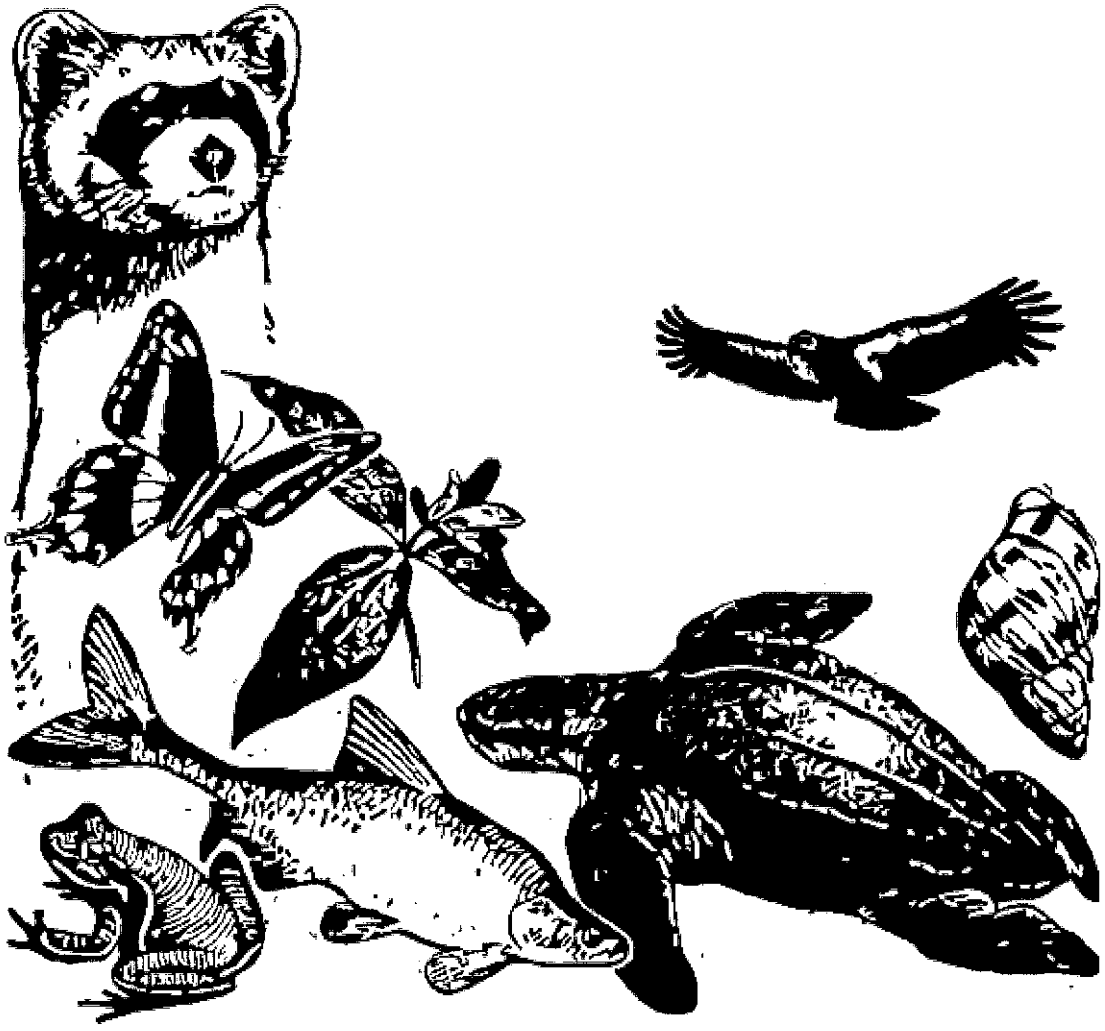
U.S. Fish & Wildlife Service

# Anishinabe Wakiagun Rehabilitation-Bii Gii Wiin New Construction

## *IPaC Trust Resource Report*

Generated November 25, 2015 09:47 AM MST

This report is for informational purposes only and should not be used for planning or analyzing project-level impacts. For projects that require FWS review, please return to this project on the IPaC website and request an official species list from the Regulatory Documents page.



US Fish & Wildlife Service

# IPaC Trust Resource Report

## Project Description

NAME

Anishinabe Wakiagun Rehabilitation-Bii Gii Wiin New Construction

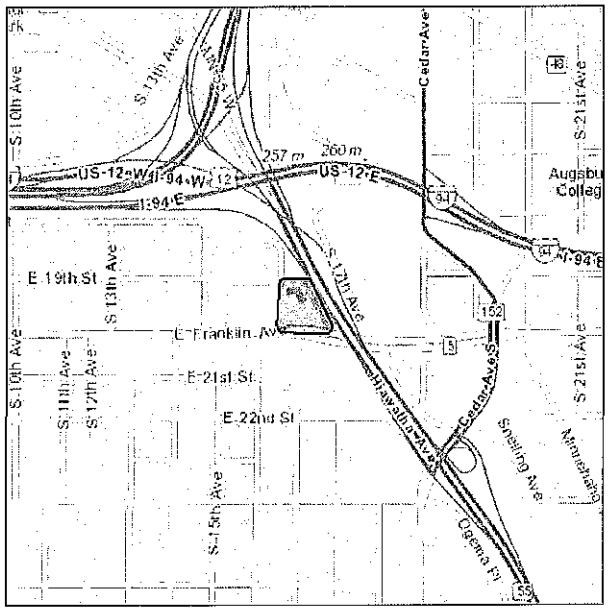
PROJECT CODE

4LVDN-6XSAF-HI3BQ-LWEPP-KYI3C4

LOCATION

Hennepin County, Minnesota

DESCRIPTION




The proposed rehabilitation work at Wakiagun includes window replacement, mechanical systems repair and upgrades, lighting and electrical upgrades, site drainage/landscaping improvements, and commercial kitchen appliance replacement. A second phase of the project is the addition of 32 units of SRO units to the south of Wakiagun. This new three-story building is titled Bii Gii Wiin.

## U.S. Fish & Wildlife Contact Information

Species in this report are managed by:

**Twin Cities Ecological Services Field Office**
4101 American Blvd E
Bloomington, MN 55425-1665
(612) 725-3548

# Endangered Species

Proposed, candidate, threatened, and endangered species that are managed by the Endangered Species Program and should be considered as part of an effect analysis for this project.

This unofficial species list is for informational purposes only and does not fulfill the requirements under Section 7 of the Endangered Species Act, which states that Federal agencies are required to "request of the Secretary of Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action." This requirement applies to projects which are conducted, permitted or licensed by any Federal agency.

A letter from the local office and a species list which fulfills this requirement can be obtained by returning to this project on the IPaC website and requesting an official species list on the Regulatory Documents page.

## Clams

**Higgins Eye (pearlymussel)** Lampsilis higginsii — Endangered

CRITICAL HABITAT
**No critical habitat** has been designated for this species.

https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=F009

**Snuffbox Mussel** Epioblasma triquetra — Endangered

CRITICAL HABITAT
**No critical habitat** has been designated for this species.

https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=F03J

## Mammals

**Northern Long-eared Bat** Myotis septentrionalis — Threatened

CRITICAL HABITAT
**No critical habitat** has been designated for this species.

https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=A0JE

## Critical Habitats

Potential effects to critical habitat(s) within the project area must be analyzed along with the endangered species themselves.

**There is no critical habitat within this project area**

# Migratory Birds

Birds are protected by the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act.

Any activity which results in the take of migratory birds or eagles is prohibited unless authorized by the U.S. Fish and Wildlife Service (1). There are no provisions for allowing the take of migratory birds that are unintentionally killed or injured.

You are responsible for complying with the appropriate regulations for the protection of birds as part of this project. This involves analyzing potential impacts and implementing appropriate conservation measures for all project activities.

**American Bittern** Botaurus lentiginosus — Bird of conservation concern
Season: Breeding
https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0F3

**Bald Eagle** Haliaeetus leucocephalus — Bird of conservation concern
Year-round
https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B008

**Black Tern** Chlidonias niger — Bird of conservation concern
Season: Breeding
https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B09F

**Black-billed Cuckoo** Coccyzus erythropthalmus — Bird of conservation concern
Season: Breeding
https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0HI

**Blue-winged Warbler** Vermivora pinus — Bird of conservation concern
Season: Breeding

**Bobolink** Dolichonyx oryzivorus — Bird of conservation concern
Season: Breeding

**Brown Thrasher** Toxostoma rufum — Bird of conservation concern
Season: Breeding

**Cerulean Warbler** Dendroica cerulea — Bird of conservation concern
Season: Breeding
https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B09I

**Dickcissel** Spiza americana — Bird of conservation concern
Season: Breeding

**Least Bittern** Ixobrychus exilis — Bird of conservation concern
Season: Breeding

**Loggerhead Shrike** Lanius ludovicianus — Bird of conservation concern
Season: Breeding
https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0FY

**Marsh Wren** Cistothorus palustris — Bird of conservation concern
Season: Breeding

**Peregrine Falcon** Falco peregrinus — Bird of conservation concern
Season: Breeding
https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0FU

**Pied-billed Grebe** Podilymbus podiceps — Bird of conservation concern
Season: Breeding

**Red-headed Woodpecker** Melanerpes erythrocephalus — Bird of conservation concern
Season: Breeding

**Short-eared Owl** Asio flammeus — Bird of conservation concern
Season: Wintering
https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0HD

**Swainson's Hawk** Buteo swainsoni — Bird of conservation concern
Season: Breeding
https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B070

**Upland Sandpiper** Bartramia longicauda — Bird of conservation concern
Season: Breeding
https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0HC

**Western Grebe** aechmophorus occidentalis — Bird of conservation concern
Season: Breeding
https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0EA

**Willow Flycatcher** Empidonax traillii — Bird of conservation concern
Season: Breeding
https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0F6

**Wood Thrush** Hylocichla mustelina — Bird of conservation concern
Season: Breeding

# Refuges

Any activity proposed on National Wildlife Refuge lands must undergo a 'Compatibility Determination' conducted by the Refuge. If your project overlaps or otherwise impacts a Refuge, please contact that Refuge to discuss the authorization process.

**There are no refuges within this project area**

# Wetlands

Impacts to NWI wetlands and other aquatic habitats from your project may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal Statutes.

Project proponents should discuss the relationship of these requirements to their project with the Regulatory Program of the appropriate U.S. Army Corps of Engineers District.

DATA LIMITATIONS

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

DATA EXCLUSIONS

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tuberficid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

DATA PRECAUTIONS

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

## There are no wetlands identified in this project area

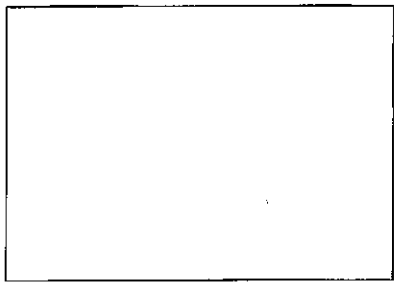
**Minnesota Pollution Control Agency** http://www.pca.state.mn.us/

Leaks and tanks site dashboard

New search

# Hiawatha Towers Apartments

| | |
|---|---|
| Site ID | 55615 |
| Tank number | 1001 |
| Location | 2019 16th Ave S<br>Minneapolis, Minnesota 55404<br>Hennepin County |

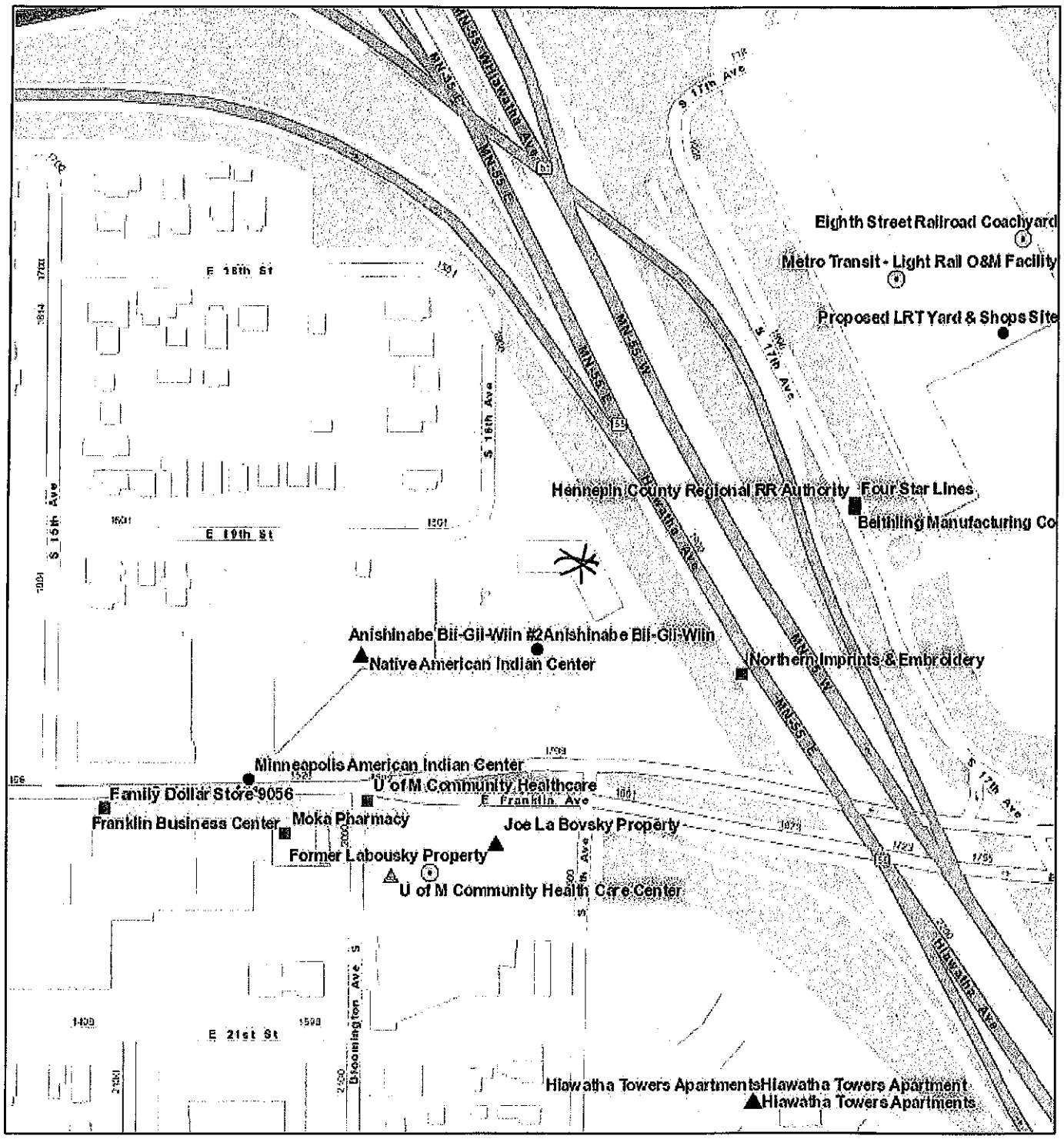


## General Tank Information

| | |
|---|---|
| Site tank ID | 1001 |
| Tank registration date | 08/20/1998 |
| Above or Underground | Aboveground |
| Tank storage capacity | 265 |
| Tank status | Active |
| Tank stored product | Diesel |

Minnesota Pollution Control Agency | 651-296-6300, 800-657-3864 | webteam.pca@state.mn.us

# Anishinabe Wakiagun What's in my Neighborhood?




November 20, 2015

1:3,345

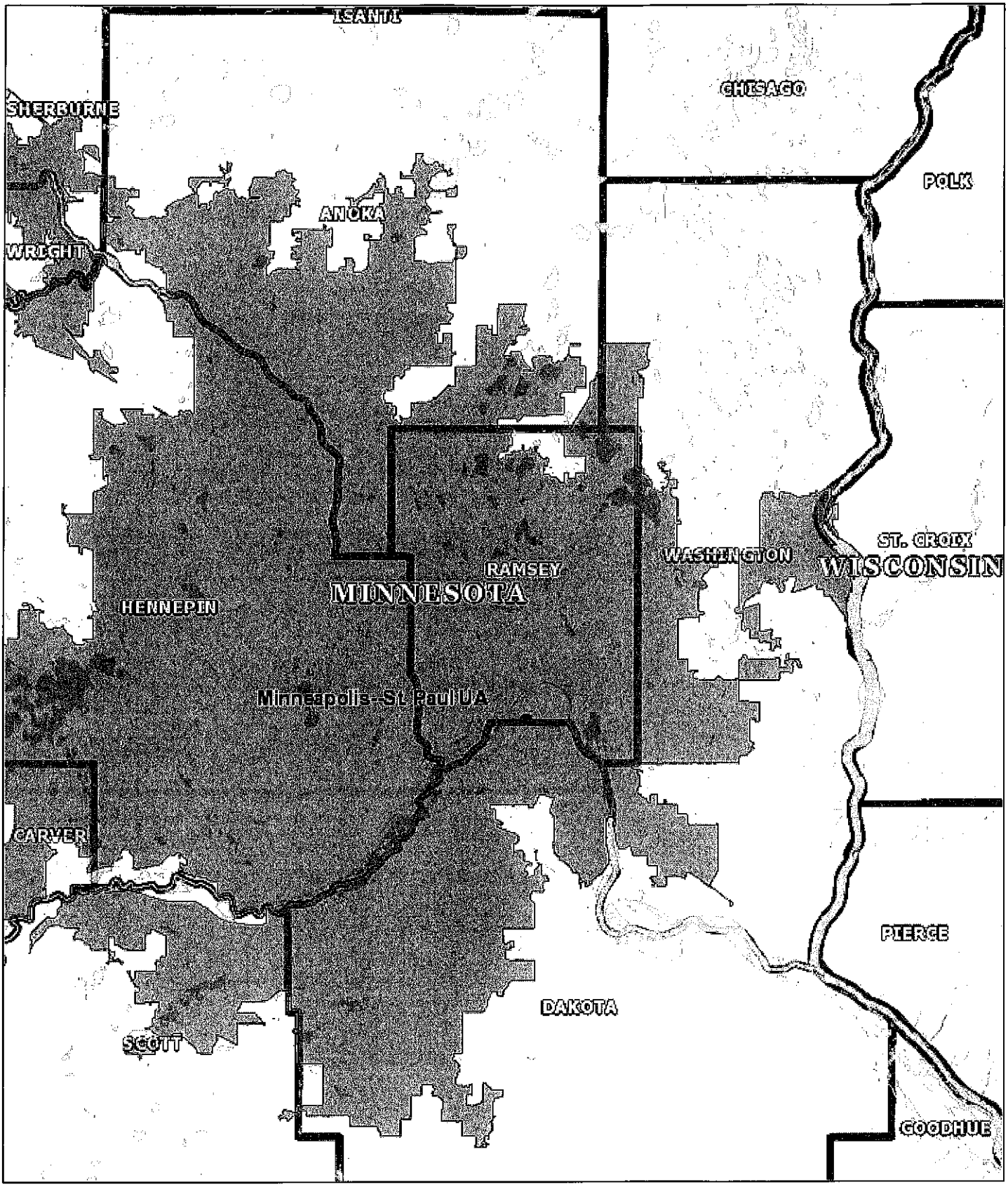
0 0.0275 0.055 0.11 mi

0 0.045 0.09 0.18 km

**MPCA Sites**

- Multiple Activities
- Air
- Feedlot
- Hazardous Waste
- Investigation and Cleanup
- Solid Waste
- Tanks and Leaks
- Water

Sources: Esri, HERE, DeLorme, USGS, Intermap, Increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), MapmyIndia, © OpenStreetMap contributors, and the GIS User Community




October 26, 2015

1:577,791

0 5 10 20 mi

0 5 10 20 km

Urbanized Areas

Counties

States

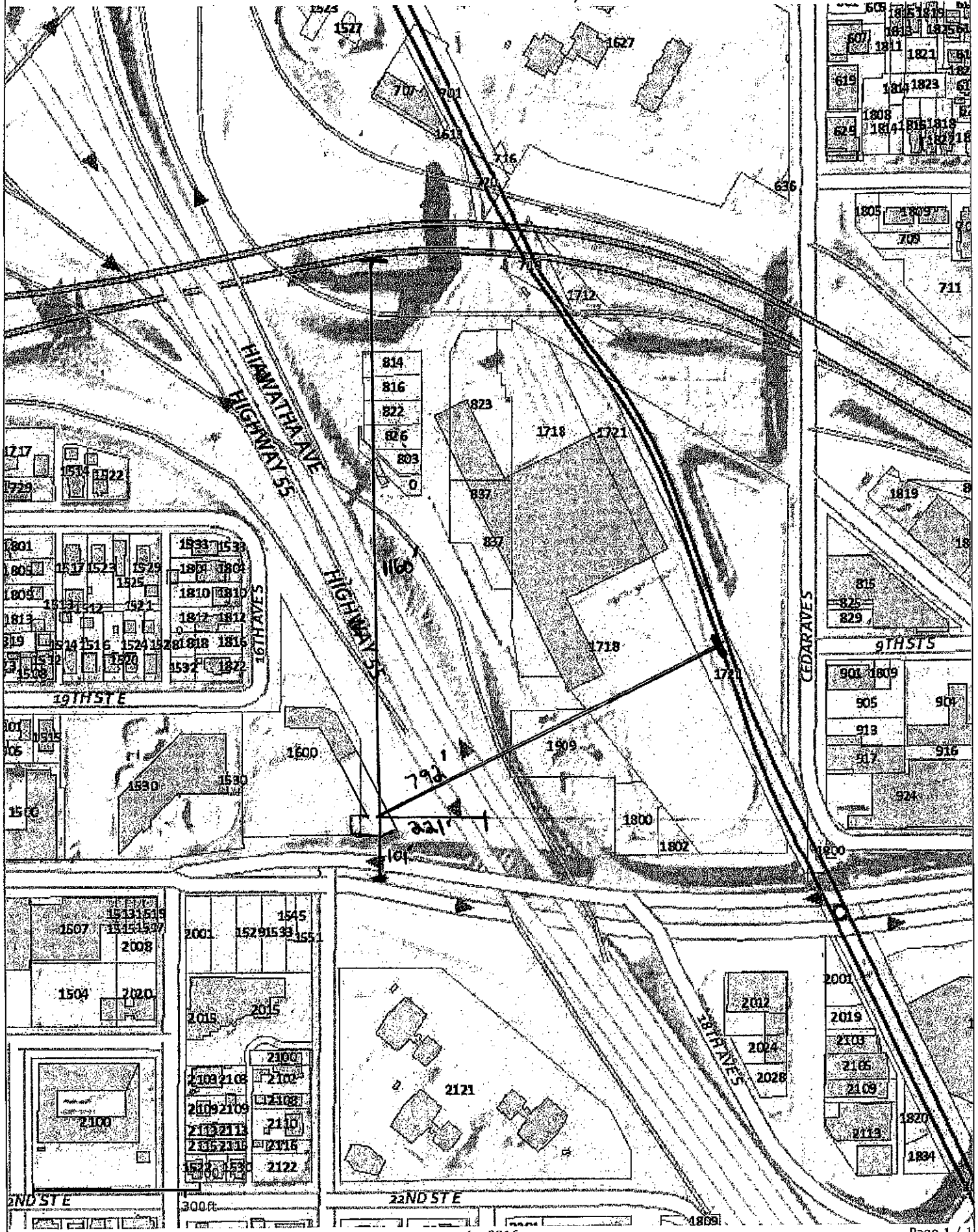
Counties

Urbanized Areas

States

Sources: Esri, USGS, NOAA

# Anishinabe Noise Analysis



| | |
|---|---|
| Site ID | Anishinabe Wakia |
| Record Date | 11/25/15 |
| User's Name | Matt Bower |

**Road # 1 Name:** Hiawatha Avenue

**Road #1**

| **Vehicle Type** | **Cars** ☑ | **Medium Trucks** ☐ | **Heavy Trucks** ☑ |
|---|---|---|---|
| Effective Distance | 221 | | 221 |
| Distance to Stop Sign | | | |
| Average Speed | 55 | | 55 |
| Average Daily Trips (ADT) | 66307 | | 2051 |
| Night Fraction of ADT | 15 | | 15 |
| Road Gradient (%) | | | 0 |
| Vehicle DNL | 66.8 | | 67.6 |

Calculate Road #1 DNL | 70.2 | Reset

**Road # 2 Name:** Franklin Ave

**Road #2**

| **Vehicle Type** | **Cars** ☑ | **Medium Trucks** ☐ | **Heavy Trucks** ☑ |
|---|---|---|---|
| Effective Distance | 101 | | 101 |
| Distance to Stop Sign | 0 | | |
| Average Speed | 36 | | 36 |
| Average Daily Trips (ADT) | 15753 | | 498 |
| Night Fraction of ADT | 12 | | 13 |
| Road Gradient (%) | | | 0 |
| Vehicle DNL | 51.4 | | 65.4 |

Calculate Road #2 DNL | 65.6 | Reset

**Railroad #1 Track Identifier:** Hiawatha Blue Line LRT

**Rail # 1**

| **Train Type** | **Electric** ☑ | **Diesel** ☐ |
|---|---|---|
| Effective Distance | 792 | |
| Average Train Speed | 18 | |
| Engines per Train | 0 | |
| Railway cars per Train | 3 | |
| Average Train Operations (ATO) | 292 | |
| Night Fraction of ATO | 26 | |
| Railway whistles or horns? | Yes: ☑ No: ☐ | Yes: ☐ No: ☐ |
| Bolted Tracks? | Yes: ☐ No: ☑ | Yes: ☐ No: ☐ |
| **Train DNL** | 42.5 | |

Calculate Rail #1 DNL | 42.5 | Reset

Add Road Source | Add Rail Source

| | |
|---|---|
| Airport Noise Level | |
| Loud Impulse Sounds? | ○Yes ◉No |
| Combined DNL for all Road and Rail sources | **71.5** |
| Combined DNL including Airport | **N/A** |
| Site DNL with Loud Impulse Sound | |

Calculate

# Mitigation Options

If your site DNL is in Excess of 65 decibels, your options are:

- **No Action Alternative**: Cancel the project at this location
- **Other Reasonable Alternatives**: Choose an alternate site
- **Mitigation**
  - Contact your Field or Regional Environmental Officer (https://www.onecpd.info/programs/environmental-review/hud-environmental-staff-contacts/)
  - Increase mitigation in the building walls (only effective if no outdoor, noise sensitive areas)
  - Reconfigure the site plan to increase the distance between the noise source and noise-sensitive uses
  - Incorporate natural or man-made barriers. See *The Noise Guidebook (https://www.onecpd.info/resource/313/hud-noise-guidebook/)*
  - Construct noise barrier. See the Barrier Performance Module (https://onecpd.info/programs/environmental-review/bpm-calculator/)

# Tools and Guidance

Day/Night Noise Level Assessment Tool User Guide (https://www.onecpd.info/resource/3822/day-night-noise-level-assessment-tool-user-guide/)

Day/Night Noise Level Assessment Tool Flowcharts (https://www.onecpd.info/resource/3823/day-night-noise-level-assessment-tool-flowcharts/)

## Bower, Matthew A.

**From:** Bower, Matthew A.
**Sent:** Tuesday, December 01, 2015 1:51 PM
**To:** Bower, Matthew A.
**Subject:** FW: Anishinabe Bii Gii Wiin Noise Mitigation
**Attachments:** 20151201092855100.pdf

**From:** Scott Nelson [mailto:snelson@djr-inc.com]
**Sent:** Tuesday, December 01, 2015 9:55 AM
**To:** Mary Novak; Bower, Matthew A.
**Cc:** Cunningham, Theresa A.
**Subject:** RE: Anishinabe Bii Gii Wiin Noise Mitigation

Matt, Mary,
Attached is the filled out form. It said it met requirements.
I used the stucco assembly for metal panel and redwood for hardi panel as they were most similar.

Thanks for help Matt.

Scott

**Scott Nelson, AIA LEED AP**
Principal
**DJR ARCHITECTURE INC.**
**333 Washington Avenue North, Suite 210 Union Plaza, Minneapolis, MN 55401**
**p: 612-676-2714 f: 612-676-2796**
snelson@djr-inc.com / www.djr-inc.com

**DJR Architecture**
***design that fits!***

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Print this summary.

# Environmental Noise Calculation v1.0

**Part I - Description**

Project: **Anishinabe Bii GII Wiin** Sponsor/Developer: **AICDC**

Location: **Minneapolis**

Noise Level (From NAG): **71.5** Attenuation Required: **29.5**

Primary Noise Source (s): **Highway on Ramp**

**Part II - Wall Components**

Wall Construction Detail

| | | | | | |
|---|---|---|---|---|---|
| Wall Material 1: | **Insulated Face brick** | Area: | **578.0** | STC: | **39.0** |
| Wall Material 2: | **Redwood Siding / HARDI PANEL** | Area: | **615.0** | STC: | **43.0** |
| Wall Material 3: | **Stucco / METAL PANEL** | Area: | **724.0** | STC: | **49.0** |
| | | Total: | **1917.0** | Avg. STC: | **42.31** |

Window Construction Detail

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Window Material 1: | **3x5ft double hung** | Quantity: | **26** | Area: | **390.0** | STC: | **26** |
| Window Material 2: | **None selected** | Quantity: | **0** | Area: | **0.0** | STC: | **0** |
| Window Material 3: | **None selected** | Quantity: | **0** | Area: | **0.0** | STC: | **0** |

Door Construction Detail

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Door Material 1: | **3x7ft steel-faced** | Quantity: | **1** | Area: | **21.0** | STC: | **26** |
| Door Material 2: | **None selected** | Quantity: | **0** | Area: | **0.0** | STC: | **0** |
| Door Material 3: | **None selected** | Quantity: | **0** | Area: | **0.0** | STC: | **0** |

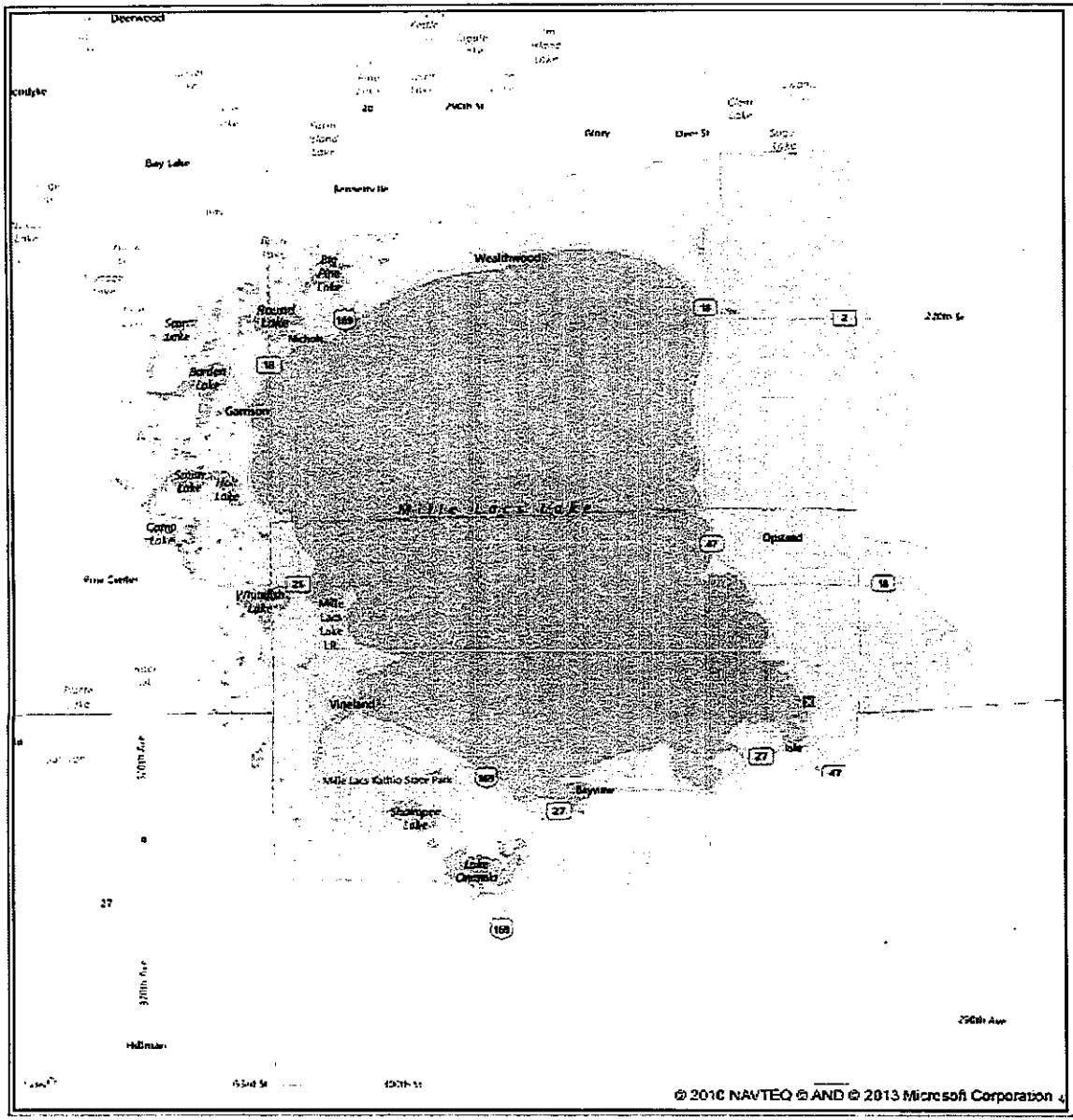
| | |
|---|---|
| Percentage of wall composed of windows: | **20.34 %** |
| | **1.1 %** |

| | |
|---|---|
| Percentage of wall composed of doors: | |
| Combined attenuation for wall component: | **32.33 dB** |

Prepared By: **Scott Nelson**

Date: 12/1/15

Print this summary.




## Designated Sole Source Aquifers in Region 5

# Mille Lacs Aquifer

### Minnesota

**Notes and Explanation:**
The Mille Lacs Aquifer was designated under the authority of Sect. 1424(e) of the Safe Drinking Water Act, Federal Register Citation-55 FR 43407, Publication Date - 10/29/90. For more information, please contact USEPA, Region 5 (William Spaulding) at 312-886-9262.

**Map Status and Disclaimer:**
Please note that this working map is a computer representation compiled by the Environmental Protection Agency (EPA) from sources which have supplied data or information that may not have been verified by the EPA. This data is offered here as a general representation only and is not to be used for commercial purposes without verification by an independent professional qualified to verify such data or information. The EPA does not guarantee the accuracy, completeness, or timeliness of the information shown, and shall not be liable for any loss or injury resulting from reliance upon the information shown.

EPA United States Environmental Protection Agency

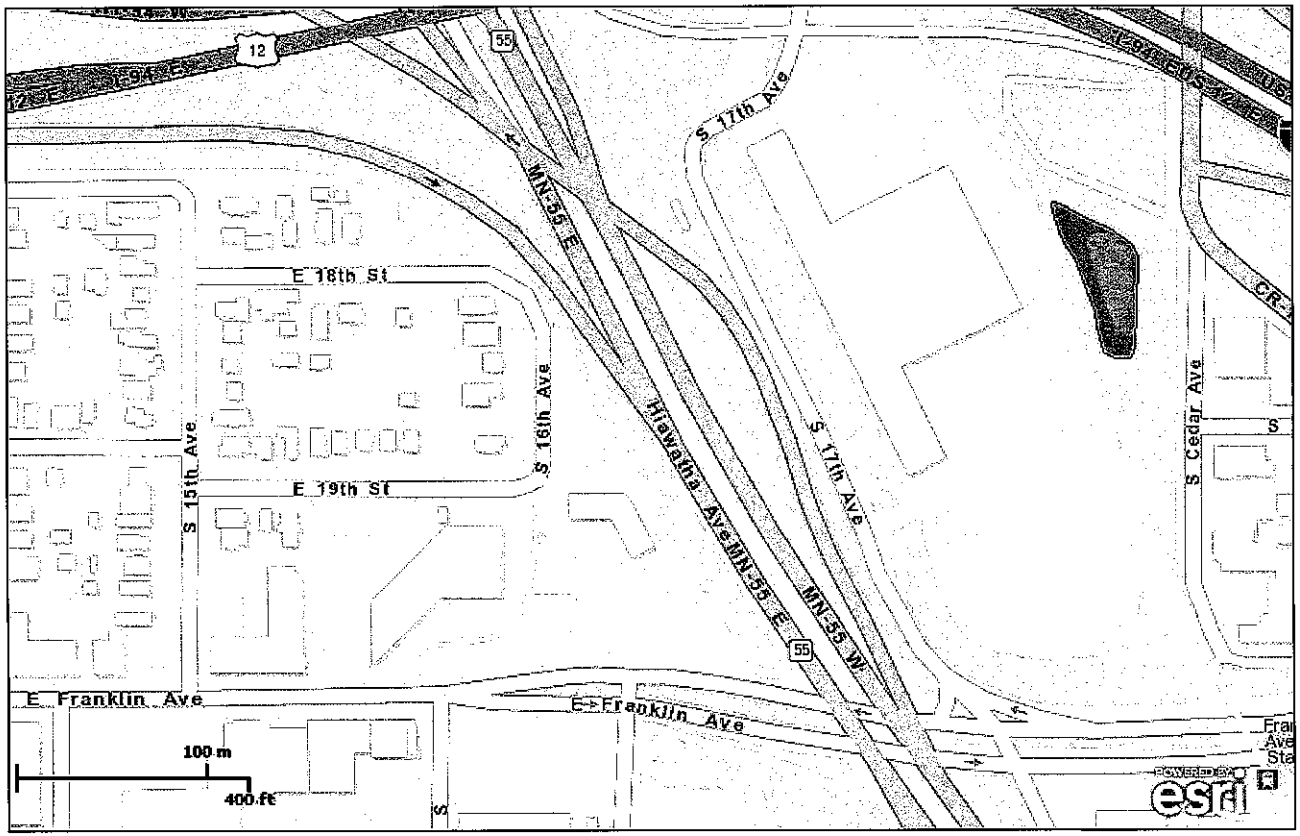
Minnesota

U.S. Fish and Wildlife Service

# National Wetlands Inventory

**Anishinabe Wakiagun site**

Nov 23, 2015

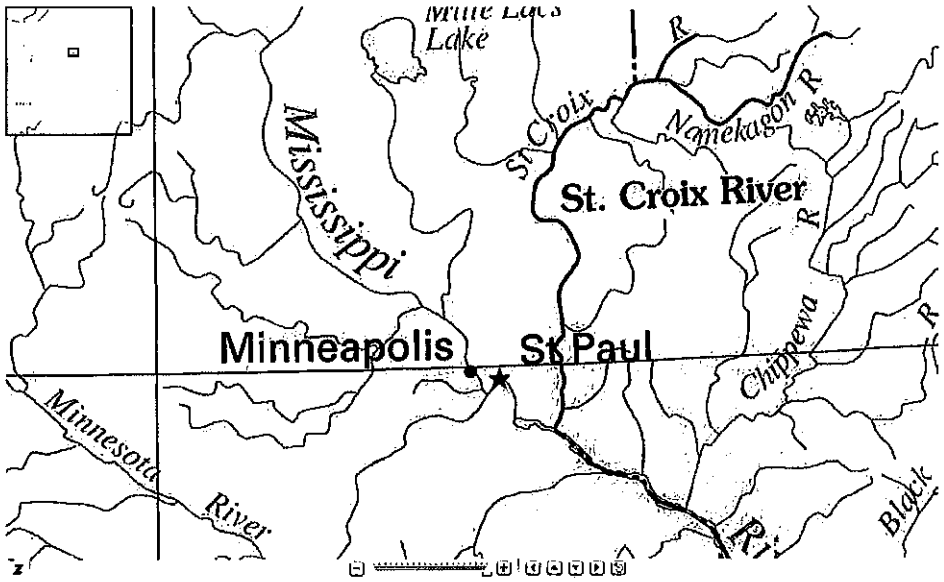



## Wetlands

- Freshwater Emergent
- Freshwater Forested/Shrub
- Estuarine and Marine Deepwater
- Estuarine and Marine
- Freshwater Pond
- Lake
- Riverine
- Other

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

**User Remarks:**




Continental United States Alaska

NATIONWIDE RIVERS INVENTORY | KID'S SITE | CONTACT US | PRIVACY NOTICE | Q & A SEARCH ENGINE | SITE MAP

| Designated Rivers | National System | River Management | Resources |
|---|---|---|---|
| About WSR Act | WSR Table | Council | Q & A Search |
| State Listings | Study Rivers | Agencies | Bibliography |
| Profile Pages | Stewardship | Management Plans | Publications |
| | WSR Act Legislation | GIS Mapping | GIS Mapping |
| | | | Logo & Sign Standards |
| | | | Display |