



COTTAGE GROVE CITY COUNCIL

November 13, 2024

12800 RAVINE PARKWAY SOUTH
COTTAGE GROVE, MINNESOTA 55016
TRAINING ROOM - 6:00 PM

- 1 Call to Order
- 2 Roll Call
- 3 Adoption of Agenda
- 4 Regular Agenda
 - A Canvas the Abstract Votes Cast from the November 5, 2024, Municipal General Election for the City Council Member Race.
Staff Recommendation: Adopt Resolution 2024-157 declaring Myron Bailey winner of the four-year term Mayor's race, declaring Justin Olsen and David Clausen winners of the four-year term City Council race and declaring Monique Garza winner of the two-year term City Council race (Special Election).
 - B Workshop - Holcim Draft Environmental Impact Statement (DEIS)
Staff Recommendation: Receive an overview of the Draft Environmental Impact Statement for the Nelson Mine Backwaters Project.
- 5 Adjournment



City Council Action Request

4.A.

Meeting Date 11/13/2024

Department Administration

Agenda Category Action Item

Title Canvas the Abstract Votes Cast from the November 5, 2024, Municipal General Election for the City Council Member Race.

Staff Recommendation Adopt Resolution 2024-157 declaring Myron Bailey winner of the four-year term Mayor's race, declaring Justin Olsen and David Clausen winners of the four-year term City Council race and declaring Monique Garza winner of the two-year term City Council race (Special Election).

Budget Implication N/A

Attachments	1.	Resolution 2024-157 - Canvassing the Results of the General Election 2024 (1)
	2.	Cottage Grove - 2024 General Election Abstract

CITY OF COTTAGE GROVE, MINNESOTA
CITY COUNCIL
RESOLUTION 2024-157

**RESOLUTION CANVASSING RETURNS OF VOTES CAST AT THE
MUNICIPAL GENERAL ELECTION**

BE IT RESOLVED, that voting for the offices of Mayor, two (2) Council Members (4-year term) and one (1) Council Member (2-year term) were held at the November 5, 2024 General Election for the City of Cottage Grove. The abstract of votes cast in the precincts of the General Election has been prepared and, in all respects, duly conducted pursuant to notice thereof, and the returns thereof have been canvassed by this Council in accordance with State law. It is hereby found and determined that the total votes cast upon the office for each candidate at said election were as follows:

Mayor	
Myron Bailey	18174
Write-Ins	983

Council Member (4 Year Term)	
Justin Olsen	12112
Write-Ins	512

Council Member (4 Year Term)	
David Clausen	9310
Write-Ins	512

Council Member (2 Year Term)	
Monique Garza	15058
Write-Ins	421

BE IT FURTHER RESOLVED, that as a result of said canvass, Myron Bailey shall be declared elected Mayor, Justin Olsen and David Clausen shall be declared elected Council Members for four-year terms, and Monique Garza shall be declared elected Council Member for a two-year term commencing the first Monday of January 2025 or January 6, 2025.

Passed this 13th day of November 2024.

Myron Bailey, Mayor

Attest:

Tamara Anderson, City Clerk

Abstract of Votes Cast
In the Precincts of the City of Cottage Grove
State of Minnesota
at the State General Election
Held Tuesday, November 5, 2024

as compiled from the official returns.

Summary of Totals
City of Cottage Grove
Tuesday, November 5, 2024 State General Election

Number of persons registered as of 7 a.m.	27176
Number of persons registered on Election Day	1960
Number of accepted regular, military, and overseas absentee ballots and mail ballots	11975
Number of federal office only absentee ballots	23
Number of presidential absentee ballots	0
Total number of persons voting	24552

Summary of Totals
City of Cottage Grove
Tuesday, November 5, 2024 State General Election

KEY TO PARTY ABBREVIATIONS

NP - Nonpartisan

Mayor (Cottage Grove)

NP	WI
Myron Bailey	WRITE-IN
18174	983

Council Member (Cottage Grove) (Elect 2)

NP	NP	NP	WI
Tony Khambata	Justin Olsen	David Clausen	WRITE-IN
7320	12112	9310	512

Special Election for Council Member (Cottage Grove)

NP	WI
Monique Garza	WRITE-IN
15058	421

CITY QUESTION 1 (Cottage Grove)

NP	NP
YES	NO
9432	14100

CITY QUESTION 2 (Cottage Grove)

NP	NP
YES	NO
9714	13768

CITY QUESTION 3 (Cottage Grove)

NP	NP
YES	NO
6472	16535

Detail of Election Results
City of Cottage Grove
Tuesday, November 5, 2024 State General Election

Precinct	Persons Registered as of 7 A.M.	Persons Registered on Election Day	Total Number of Persons Voting
82 0040 : COTTAGE GROVE P-01	4654	309	4235
82 0045 : COTTAGE GROVE P-02	4195	272	3837
82 0050 : COTTAGE GROVE P-03	2424	206	2132
82 0055 : COTTAGE GROVE P-04	3154	237	2819
82 0060 : COTTAGE GROVE P-05	4117	276	3741
82 0065 : COTTAGE GROVE P-06	4224	331	3804
82 0070 : COTTAGE GROVE P-07	1553	113	1400
82 0075 : COTTAGE GROVE P-08	2855	216	2584
City of Cottage Grove Total:	27176	1960	24552

Detail of Election Results
City of Cottage Grove
Tuesday, November 5, 2024 State General Election

Office Title: Mayor (Cottage Grove)

Precinct	NP Myron Bailey	WI WRITE-IN
82 0040 : COTTAGE GROVE P-01	3157	163
82 0045 : COTTAGE GROVE P-02	2862	167
82 0050 : COTTAGE GROVE P-03	1598	60
82 0055 : COTTAGE GROVE P-04	2107	115
82 0060 : COTTAGE GROVE P-05	2790	137
82 0065 : COTTAGE GROVE P-06	2745	185
82 0070 : COTTAGE GROVE P-07	1003	79
82 0075 : COTTAGE GROVE P-08	1912	77
Total:	18174	983

Office Title: Council Member (Cottage Grove) (Elect 2)

Precinct	NP Tony Khambata	NP Justin Olsen	NP David Clausen	WI WRITE-IN
82 0040 : COTTAGE GROVE P-01	1204	2162	1577	79
82 0045 : COTTAGE GROVE P-02	1174	1858	1524	69
82 0050 : COTTAGE GROVE P-03	611	1052	813	42
82 0055 : COTTAGE GROVE P-04	814	1400	1055	68
82 0060 : COTTAGE GROVE P-05	1201	1933	1432	80
82 0065 : COTTAGE GROVE P-06	1165	1786	1483	78
82 0070 : COTTAGE GROVE P-07	438	684	525	42
82 0075 : COTTAGE GROVE P-08	713	1237	901	54
Total:	7320	12112	9310	512

Detail of Election Results
City of Cottage Grove
Tuesday, November 5, 2024 State General Election

Office Title: Special Election for Council Member (Cottage Grove)

Precinct	NP Monique Garza	WI WRITE-IN
82 0040 : COTTAGE GROVE P-01	2581	59
82 0045 : COTTAGE GROVE P-02	2334	73
82 0050 : COTTAGE GROVE P-03	1356	29
82 0055 : COTTAGE GROVE P-04	1786	63
82 0060 : COTTAGE GROVE P-05	2277	62
82 0065 : COTTAGE GROVE P-06	2299	67
82 0070 : COTTAGE GROVE P-07	889	29
82 0075 : COTTAGE GROVE P-08	1536	39
Total:	15058	421

Office Title: CITY QUESTION 1 (Cottage Grove)

Precinct	NP YES	NP NO
82 0040 : COTTAGE GROVE P-01	1577	2498
82 0045 : COTTAGE GROVE P-02	1437	2247
82 0050 : COTTAGE GROVE P-03	872	1154
82 0055 : COTTAGE GROVE P-04	958	1751
82 0060 : COTTAGE GROVE P-05	1390	2203
82 0065 : COTTAGE GROVE P-06	1660	1983
82 0070 : COTTAGE GROVE P-07	535	818
82 0075 : COTTAGE GROVE P-08	1003	1446
Total:	9432	14100

Detail of Election Results
City of Cottage Grove
Tuesday, November 5, 2024 State General Election

Office Title: CITY QUESTION 2 (Cottage Grove)

Precinct	NP YES	NP NO
82 0040 : COTTAGE GROVE P-01	1620	2447
82 0045 : COTTAGE GROVE P-02	1499	2178
82 0050 : COTTAGE GROVE P-03	900	1119
82 0055 : COTTAGE GROVE P-04	1020	1684
82 0060 : COTTAGE GROVE P-05	1451	2137
82 0065 : COTTAGE GROVE P-06	1590	2037
82 0070 : COTTAGE GROVE P-07	547	804
82 0075 : COTTAGE GROVE P-08	1087	1362
Total:	9714	13768

Office Title: CITY QUESTION 3 (Cottage Grove)

Precinct	NP YES	NP NO
82 0040 : COTTAGE GROVE P-01	1113	2881
82 0045 : COTTAGE GROVE P-02	1068	2546
82 0050 : COTTAGE GROVE P-03	612	1370
82 0055 : COTTAGE GROVE P-04	598	2052
82 0060 : COTTAGE GROVE P-05	1032	2471
82 0065 : COTTAGE GROVE P-06	929	2615
82 0070 : COTTAGE GROVE P-07	344	975
82 0075 : COTTAGE GROVE P-08	776	1625
Total:	6472	16535

We, the legally constituted county canvassing board, certify that we have herein specified the names of the persons receiving votes and the number of votes received by each office voted on, and have specified the number of votes for and against each question voted on, at the State General Election held on Tuesday, November 5, 2024

As appears by the returns of the election precincts voting in this election, duly returned to, filed, opened, and canvassed, and now remaining on file in the office of the City of Cottage Grove Clerk. Witness our official signature at _____ in _____ County this _____ day of _____, 2024.

Member of canvassing board

Member of canvassing board

Member of canvassing board

Member of canvassing board

Member of canvassing board

Member of canvassing board

Member of canvassing board

State of Minnesota
City of Cottage Grove

I, _____, Clerk of the City of Cottage Grove do hereby certify the within and foregoing _____ pages to be a full and correct copy of the original abstract and return of the votes cast in the City of Cottage Grove State General Election held on Tuesday, November 5, 2024.

Witness my hand and official seal of office this _____ day of _____, 2024.



City Council Action Request

4.B.

Meeting Date	11/13/2024		
Department	Administration		
Agenda Category	Action Item		
Title	Workshop - Holcim Draft Environmental Impact Statement (DEIS)		
Staff Recommendation	Receive an overview of the Draft Environmental Impact Statement for the Nelson Mine Backwaters Project.		
Budget Implication	N/A		
Attachments	<table border="1"><tr><td>1.</td><td>Holcim DEIS CC Workshop Memo 2024-11-13</td></tr></table>	1.	Holcim DEIS CC Workshop Memo 2024-11-13
1.	Holcim DEIS CC Workshop Memo 2024-11-13		



TO: Honorable Mayor and City Council
Jennifer Levitt, City Administrator

FROM: Emily Schmitz, Community Development Director

DATE: November 7, 2024

RE: Workshop - Holcim Draft Environmental Impact Statement (DEIS)

Background/Proposal

Holcim – MWR, Inc. (formerly Aggregate Industries) is proposing to move its mine area, which supports the existing Nelson Sand & Gravel Mine Facility, onto an approximately 395-acre parcel of privately owned land that the company leases in the backwaters of the Mississippi River on Lower Grey Cloud Island. The planned shift in mine area would take place during a 20- to 25-year period. Holcim – MWR, Inc. has been mining at the existing Nelson Sand & Gravel Mine Facility since the early 1950s when the J.L. Shiely Company (then known as Aggregate Industries, now known as Holcim – MWR, Inc.) entered into a lease agreement with the private landowner. A form of this lease agreement remains in place between the private landowner and Holcim – MWR, Inc. today.

The existing Nelson Sand & Gravel Mine Facility mines aggregate in the Lower Grey Cloud Island deposit and will exhaust its currently accessible minable reserves in approximately five years given the current rate of mining, market trends, and geologic variations at the site. The proposed Project's purpose is to exercise Holcim's lease to continue mechanical dredging operations in an adjacent backwaters area of the Mississippi River to supply to the Twin Cities and other local markets with construction quality natural aggregate for an additional 20 to 25 years.

The mined material will extend the functionality of the existing Nelson Sand & Gravel Mine processing facilities and ship the aggregate to market using the existing Holcim barge system. Holcim is in business to support the demand for high quality natural aggregate in the Twin Cities metropolitan market.

An Environmental Impact Statement (EIS) must be prepared for this project as it exceeds the thresholds identified below from Minnesota Administrative Rules (Minnesota Rules) where the City of Cottage Grove is the Responsible Government Unit (RGU):

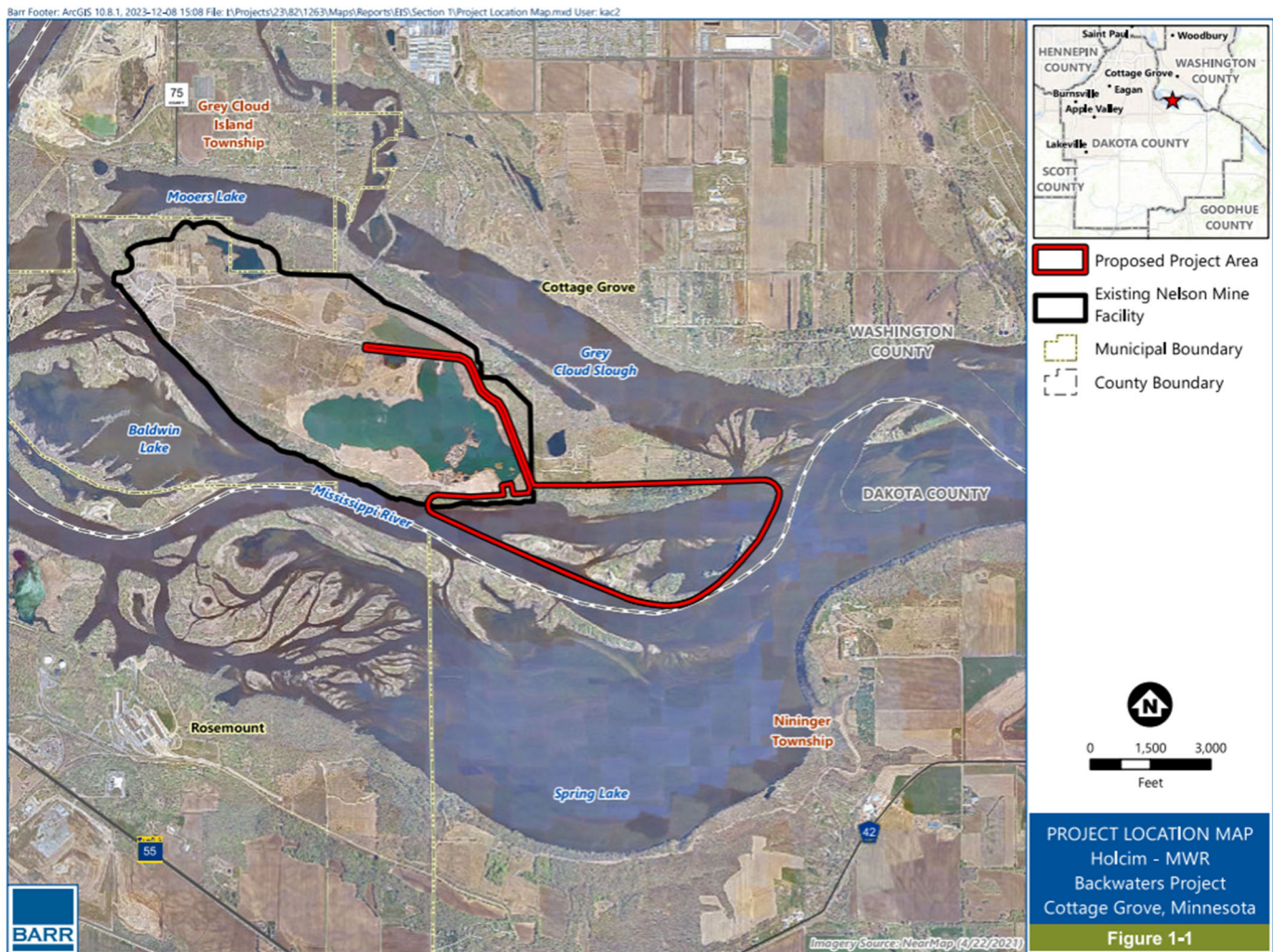
- 4410.4400, Subpart 9B – development of a facility for the extraction or mining of sand, gravel, stone, or other nonmetallic minerals other than peat, which will excavate 160 acres of land or more to a mean depth of 10 feet or more during its existence, the local governmental unit is the RGU.
- 4410.4400, Subpart 9C – development of a facility for the extraction or mining of sand, gravel, stone, or other nonmetallic minerals other than peat, which will excavate 40 or more acres of forested or other naturally vegetated land in a sensitive shoreland area or 80 or

more acres of forested or other naturally vegetated land in a non-sensitive shoreland area, the local governmental unit is the RGU.

Pursuant to Minnesota Rules for nonmetallic mineral mining, the City of Cottage Grove, acting as the RGU, prepared a Draft Scoping Decision Document (SDD) for Holcim Nelson Mine Backwater Project (Project). The Draft SDD is a companion to the Draft Scoping Environmental Assessment Worksheet (EAW) prepared for the Project which was published for comment on March 15, 2022. The final SDD was published in May 2022 and reflects comments received during the comment period.

Scoping occurs before the preparation of an EIS to reduce the scope and bulk of an EIS, identify only those potentially significant issues relevant to the proposed project, define the form, level of detail, content, alternatives, timetable for preparation, and preparers of the EIS, and to determine the permits for which information will be developed concurrently with the EIS. The final SDD serves as the official blueprint for the EIS.

The purpose of an EIS is to provide information for governmental units, the proposer of the project, and other persons to evaluate proposed projects that have the potential for significant environmental effects, to consider alternatives to the proposed projects, and to explore methods for reducing adverse environmental effects (Minnesota Rules 4410.2000 Subp. 1). A Draft EIS, in particular, is the initial documented EIS statement prepared to be circulated for review and comment to all involved agencies. The RGU must deem the Draft EIS “complete” (referring to the scope set out in the Final Scoping Document). At the point the RGU deems the Draft EIS complete, they are also considering approval of the Draft EIS for publication and distribution to the public, agencies, etc. The publication/distribution coincides with a 30-day comment period and the Draft EIS Information Meeting. Thereafter, the Final EIS is prepared, responsive to substantive comments received during the Draft EIS 30-day comment period. The Final EIS is published/distributed for no less than 10 days. The RGU must thereafter consider a determination of “adequacy” for the EIS.



Project Location Map

Draft Environmental Impact Statement (DEIS) Content

Project Purpose and Need

When assessing the viability of various alternatives, and per Minnesota Rules (4410.2300 H), the EIS considers the fundamental need for the Project in addition to the environmental, employment, and sociological impacts of the proposed action and each major alternative. The proposed Project's purpose is to exercise Holcim's lease to continue mechanical dredging operations in an adjacent backwaters area of the Mississippi River to supply to the Twin Cities and other local markets with construction quality natural aggregate for an additional 20 to 25 years.

As indicated by aggregate industry leaders and the Minnesota Legislature, aggregate reserves in the Twin Cities metropolitan area are limited and the need for the proposed Project is to provide a continued local supply of construction-quality aggregate from a local, accessible source. Project beneficiaries include projects that require aggregate materials, such as roadway and other infrastructure projects, by providing a cost-competitive, local aggregate source.

Project Alternatives

The EIS must evaluate the “environmental, economic, employment, and sociological impacts” (Minnesota Rule 4410.2300, Item H.) of the Project and will compare the potentially significant impacts of the proposed Project with a No Action Alternative and other reasonable alternatives. The Minnesota Environmental Review Rules require the EIS to address at least one alternative of each of the following types of alternatives or provide an explanation of why no alternative of a particular type is included in the EIS:

- No Action Alternative
- Alternative Sites
- Alternative Technologies
- Modified Designs or Layouts
- Modified Scale or Magnitude
- Alternatives incorporating reasonable mitigation measures identified through the EIS scoping and Draft EIS process.

Proposed Alternatives:

- A. No Action Alternative: No expansion of the existing Nelson Sand and Gravel Mine Facility
- B. Backwaters Project (proposed action): Moves mining area to 395-acre privately owned parcel in the Mississippi River backwaters
- C. Baldwin Lake: Moves mining area to privately-owned parcel in Mississippi River backwaters
- D. Coats Site: Off-Site, upland alternative. Greenfield construction of a new processing, ancillary, and transportation facilities
- E. Reduced Scale: Modified version of Alternative B, reducing mining area size by 40-acres.

EIS Schedule

A Minnesota EIS requires extensive issue identification and analysis in three phases of work:

1. Scoping - Complete
2. Draft EIS – Current phase
3. Final EIS

The publication of the Draft EIS on December 3, 2024, will initiate a 45-day comment period. The table below identifies the remaining steps in the EIS process.

Planned Date	Event
November 20, 2024	RGU approves resolution to publish Draft Environmental Impact Statement
November 26, 2024	Draft Environmental Impact Statement submitted to EQB
December 3, 2024	Draft Environmental Impact Statement Document published in <i>EQB Monitor</i>
December 19, 2024	Informational Public Meeting
January 17, 2025	Completion of public comment period

Planned Date	Event
TBD	RGU responds to substantive comments
TBD	RGU Distributes final EIS and publishes in the EQB Monitor
TBD	RGU determines adequacy

Special Studies or Research

A scoping process for the proposed Project was originally initiated in 2007. A Scoping Decision Document was published in April 2008, leading to the preparation of a Draft EIS. A Draft EIS was developed to the point where a preliminary version was made available to participants of the proposed Project's Technical Advisory Committee. Holcim – MWR, Inc. made a business decision to pause the proposed Project in Fall 2010 before the Draft EIS was published for public review and comment. Studies were initiated and completed in the late 2000's to support the Draft EIS at that time and some of those studies are still relevant, while others need to be updated or redone due to the time lapse. Given the time that passed since the stop in work on the project in the late 2000's, a new application for the EIS was received in 2022 starting the EIS process at the beginning.

TAC

A Technical Advisory Committee (TAC) was compiled by City staff to inform the process and content of the EIS for the Nelson Mine Backwater Project EIS. The TAC provided insights and relevant technical information that guided the development of the EIS and adequately assessed environmental effects. The TAC met starting in February 2022 at the start of the Scoping Document and disbanded in February 2024.

The purpose of the TAC was for its members to inform the proposer and City of Cottage Grove on technical and process information related to the Nelson Mine Backwater Project EIS. Agencies and partners invited to participate on the TAC included:

State of Minnesota

- Department of Natural Resources (DNR)
- Department of Transportation (MnDOT)
- Pollution Control Agency (MPCA)
- Metropolitan Council

- Counties
 - Washington County
 - Washington Conservation District
 - Dakota County Parks

- Watersheds
 - South Washington Watershed District

- Federal
 - Army Corp of Engineers (USACE)
 - Fish and Wildlife Service (USFWS)
 - National Park Service (NPS)

- Other
 - Friends of the Mississippi River
 - Upper Mississippi Waterway Association
 - Prairie Island Indian Community
 - Tribal Nations
 - United Pentecostal Church

Government Permits or Approvals

The Draft EIS contains a table listing any known permits or approvals that will be required for the Project. Approval of permits is contingent on the Proposer meeting the individual requirements of each permit in this mandatory EIS process.

Comment Period

Minnesota Rules require a 30-day comment period on the Draft Environmental Impact Statement for a mandatory EIS. During the 30-day comment period, anyone may review and comment on the Draft EIS. Comments will be received in writing. Per the Minnesota Environmental Quality Board's (*A Citizen's Guide: Commenting on Environmental Review Projects*, dated December 2005), it is distinguished that while all comments are accepted in response to the 30-day public comment period, the RGU is required to evaluate only substantive comments. Public comments are particularly valuable to the RGU when: 1) They list any inaccuracies in the environmental review document; 2) They show potential environmental impacts that have not been identified by the proposer or the RGU; 3) They show that while certain environmental impacts have been identified, they have not been adequately addressed; 4) They suggest possible mitigation measures that could or should be added to the proposal.

The Draft EIS is available for review on the City's [website](#) and is proposed to be available in the EQB Monitor early December.

Recommendation

That the City Council receive an overview of the Draft Environmental Impact Statement for the Nelson Mine Backwaters Project.