UNIVERSITY OF MINNESOTA
BOARD OF REGENTS
Facilities Committee
Thursday, February 12, 2011
1:30 – 3:30 p.m.
600 McNamara Alumni Center, West Committee Room

Committee Members
Venora Hung, Chair
Clyde Allen
John Frobenius
Dean Johnson
David McMillan
Steve Sviggum

Student Representatives
Chelsey Doepner
Lauren Snively

A G E N D A

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2. Real Estate Transactions - Review - K. O’Brien/T. Mulcahy/S. Weinberg (pp. 7-18)
   A. Agreements for University Facilities and Services for J. Robinson Wrestling Camp, June 26-July 29, 2011 (Twin Cities Campus)
   B. Acquisition of 350 Acres in Lake County, Wilderness Research Center, from University of Minnesota Foundation (Twin Cities Campus)
   C. 99-Year Lease for University of Minnesota Hormel Institute (Twin Cities Campus)

   A. Lind Hall First Floor Remodeling Project

4. Space Utilization Initiative: Report on Decommission, Demolition, and/or Deconstruction of Several Twin Cities Campus Buildings - K. O’Brien/B. Swanson (pp. 25-28)

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Facilities Committee

May 12, 2011

Agenda Item:  Real Estate Transaction

☐ review  ☐ review/action  ☑ action  ☐ discussion

Presenters:  
Vice President Kathleen O’Brien
Susan Carlson Weinberg, Director of Real Estate

Purpose:

☐ policy  ☐ background/context  ☑ oversight  ☐ strategic positioning

In accordance with Board of Regents Policy: Reservation and Delegation of Authority, review and recommend approval of the following real estate transactions:

A. Agreement with Manchester Grand Hyatt Hotel, San Diego, for Continuing Medical Education’s 2012 World Symposium, February 5-12, 2012 (Twin Cities Campus)

Outline of Key Points/Policy Issues:

The details of this transaction and its financial impact are described in the transaction information pages immediately following this page.

Background Information:

Board of Regents Policy: Reservation and Delegation of Authority states that “The Board of Regents reserves to itself authority to approve the purchase or sale of real property having a value greater than $250,000 or larger than ten (10) acres” and all “leases of real property, easements and other interests in real property if the initial term amount to be paid by or to the University exceeds $250,000, consistent with Board policies.”

This real estate transaction was reviewed by the Board of Regents in March, 2011.

President’s Recommendation for Action:

The President recommends approval of the following real estate transaction:

A. Agreement with Manchester Grand Hyatt Hotel, San Diego, for Continuing Medical Education’s 2012 World Symposium, February 5-12, 2012 (Twin Cities Campus)
AGREEMENT WITH THE MANCHESTER GRAND HYATT HOTEL, FOR MEDICAL SCHOOL/CONTINUING MEDICAL EDUCATION’S 2012 WORLD SYMPOSIUM, FEBRUARY 5-12, 2012

1. Recommended Action

The President recommends that the appropriate administrative officers receive authorization to execute the agreements for the Medical School/Continuing Medical Education’s 2012 World Symposium conference at the Manchester Grand Hyatt Hotel, San Diego, California, on February 5-12, 2012.

2. Description of Leased Premises

The agreement with the Manchester Hyatt Hotel will cover the conference facilities, function and exhibition space; guest rooms for approximately 1,760 attendees (attendees pay their own room charges and incidentals); and food and beverages for the 2012 World Symposium.

3. Basis for Request

Continuing Medical Education’s annual World Symposium has been held previously for seven years now. The goal of the annual World Symposium is to provide continuing medical education related to Lysosomal diseases, including:

(a) The natural history of Lysosomal diseases;
(b) The latest discoveries and their clinical applicability for basic, translational and clinical researchers, patient advocacy groups, and genetic counselors;
(c) To help researchers and clinicians to better manage and understand diagnostics options for patients with storage diseases; and
(d) To identify areas requiring additional basic and clinical research, public policy and regulatory attentions relating to Lysosomal diseases.

The program for the 2012 World Symposium reflects topic recommendations by the Lysosomal Disease Network (LDN), a group of researchers who discuss the Lysosomal disease; advancements, treatments and research underway to understand the disease; and scientific ways to address the disease.

4. Fees to be Paid

The total cost of the agreement with the Manchester Hyatt Hotel for the 2012 World Symposium is estimated at $392,234 for sleeping rooms, $100,000 for
food and beverages and $298,528 for facility-related costs for the conference, function and exhibition spaces, for a total of $790,762. The Medical School/Continuing Medical Education has purchased cancellation insurance for this event through University’s Risk Management and Insurance Office.

5. Source of Funds

Registration fees by individuals, educational support grants and exhibit/display fees for the 2012 World Symposium will cover the cost of the conference facilities, function and exhibition space, food and beverages for this event. Attendees will pay directly for their guest rooms and incidentals.

6. Recommendations

The above-described real estate transaction is appropriate:

[Signature]

Richard H. Pfitzenreiter, III, Vice President and CFO

[Signature]

Aaron Friedman, Vice President for Health Sciences

[Signature]

Kathleen O’Brien, Vice President for University Services

2/24/11

2/24/11

2/25/11
Manchester Grand Hyatt
One Market Place, San Diego, CA 92101
Facilities Committee

May 12, 2011

Agenda Item: Real Estate Transactions

☑ review ☐ review/action ☐ action ☐ discussion

Presenters: Vice President Kathleen O’Brien
Vice President Timothy Mulcahy
Susan Carlson Weinberg, Director of Real Estate

Purpose:

☐ policy ☐ background/context ☑ oversight ☐ strategic positioning

In accordance with Board of Regents Policy: Reservation and Delegation of Authority, review the following real estate transactions:

A. Agreements for University Facilities and Services for J. Robinson Wrestling Camps, June 26-July 29, 2011 (Twin Cities Campus)

B. Acquisition of 350 Acres in Lake County, Wilderness Research Center, from University of Minnesota Foundation (Twin Cities Campus)

C. 99-Year Lease for University of Minnesota Hormel Institute (Twin Cities Campus)

Outline of Key Points/Policy Issues:

The details of these transactions and their financial impact are described in the transaction information pages immediately following this page.

Background Information:

Board of Regents Policy: Reservation and Delegation of Authority states that “The Board of Regents reserves to itself authority to approve the purchase or sale of real property having a value greater than $250,000 or larger than ten (10) acres” and all “leases of real property, easements and other interests in real property if the initial term amount to be paid by or to the University exceeds $250,000, consistent with Board policies.”

Related to the 99-year lease for the Hormel Institute, the EPP Committee agenda for May 12, 2011 includes a review of the Hormel Institute Research Agreements.

President’s Recommendation for Action:

The President recommends approval of the following real estate transactions:

A. Agreements for University Facilities and Services for J. Robinson Wrestling Camps, June 26-July 29, 2011 (Twin Cities Campus)

B. Acquisition of 350 Acres in Lake County, Wilderness Research Center, from University of Minnesota Foundation (Twin Cities Campus)

C. 99-Year Lease for University of Minnesota Hormel Institute (Twin Cities Campus)
AGREEMENTS FOR THE USE OF UNIVERSITY FACILITIES AND SERVICES
FOR J. ROBINSON WRESTLING CAMPS,
JUNE 26 THROUGH JULY 29, 2011
(TWIN CITIES CAMPUS)

1. Recommended Action

The President recommends that the appropriate administrative officers receive authorization to execute the agreements for the use of University facilities and services by J. Robinson Intensive Camps/Clinics, LLC for four wrestling camps during the period of June 26 through July 29, 2011.

2. Description of Facilities and Services

Lodging: Multi-bed space for approximately 135 wrestlers and 15 adults during the period of June 26-30, 2011; multi-bed space for approximately 110 wrestlers and 15 adults the period of July 10-14 and July 17-21, 2011 and double-bed space for approximately 290 wrestlers and 30 adults during the period of July 2-29, 2011; all in Sanford Hall, 1122 University Avenue SE, Minneapolis.

Camp Store: Sanford Hall-Cyber Café, Room 176.

Camper Housing Registration: Sanford Hall TV Lounge.

Food Services: Residential dining in Sanford Hall from June 26 (dinner only) through June 30, 2011 (breakfast and lunch) and from July 2 (dinner only) through July 29, 2011 (breakfast and lunch).

Athletic Facilities: Use of Gibson-Nagurski Indoor Football Field during the period of June 27-30, and July 2-29, 2011, and the Bierman Building Gym, Weight Room, Wrestling Room and Field Track at dates and times approved by the University during the periods of June 27-30 and July 2-29, 2011.

Parking: Three parking spaces reserved in Lot C43 near Sanford Hall for 28 days, July 2-29, 2011.

3. Basis for Request

Many J. Robinson summer sports, youth and high school wrestling camps have occurred at the University of Minnesota over the years. The 2011 wrestling camps are scheduled during the periods of June 27-30, 2011 (a 4-day Mini Camp) and July 2 through July 29, 2011 (a 28-day Intensive Camp, a 5-day MN1 Technique Camp and a 5-day MN2 Technique Camp). The 2011 wrestling camps will require University lodging and services for approximately 535 wrestlers (total of 4 camps) and 60 adults.
4. **Fees**

J. Robinson Intensive Camps/Clinics, LLC will pay an estimated $208,960 for lodging, $265,971 (includes taxes) for food service, $39,040 for use of sport facilities, and $588 for parking, for a total of $514,559 for the 4 wrestling camps conducted during the period of June 26 through July 29, 2011.

5. **Use of Funds Received by the University**

Housing and Residential Life will receive the payment for the lodging, registration, camp store and camper housing registration, estimated at $208,960. University Dining Services will receive the payment for the food services, estimated at $265,971. Intercollegiate Athletics will receive the payment for the athletic facilities, estimated at $39,040. Parking and Transportation Services will receive the estimated $588 payment for the parking.

6. **Recommendations:**

The above-described real estate transaction is appropriate:

Richard H. Pfunzenreuter, III, Vice President and CFO

E. Thomas Sullivan, Senior Vice President for Academic Affairs and Provost

Kathleen O’Brien, Vice President for University Services
1. **Recommended Action**

The President recommends that the appropriate administrative officers receive authorization to execute the appropriate documents providing for the acquisition of 383.33 acres in Lake County known as the Hubachek Wilderness Research Center from the University of Minnesota Foundation.

2. **Legal Description and Location of the Property**

The property is located approximately 6 miles northeast of Ely, Minnesota in Lake County, bordering Fall Lake and the Boundary Waters Canoe Area Wilderness (BWCAW).

The site consists of seven (7) irregularly shaped parcels totaling approximately 383.33 acres of land improved with 29 buildings, plus a gazebo and 3-4 outhouses. The legal description for the 383.33 acres:

- **Parcel 1:** Government Lot 2, Section 8, Township 63, Range 11 West;
- **Parcel 2:** SE ¼ of the NE ¼, Section 8, Township 63, Range 11 West;
- **Parcel 3:** The SE ¼ of the SE ¼, Section 8 and the S ½ of the NW ¼ of the SW ¼ and Government Lot 3 all in Section 9, Township 63, Range 11 West; except minerals and mineral rights, and subject to public roadway easements;
- **Parcel 4:** The N ½ of the SE ¼ and the SW ¼ of the SE ¼, Section 8, and the N ½ of the NW ¼ of the SW ¼, Section 9, and the NW ¼ of the NE ¼ except the West 400 feet, Section 17, Township 63, Range 11 West; except minerals and mineral rights, and subject to public roadway easements;
- **Parcel 5:** The East 800 feet of Government Lot 7, Section 5, Township 63, Range 11 West, lying Northerly and Easterly of Browns Lake;
- **Parcel 6:** Government Lot 1, Section 8, Township 63, Range 11 West;
- **Parcel 7:** Parts of Sections 8 and 9, Township 63, Range 11 West;

All parcels are located in Lake County, Minnesota.

The conveyance of property is subject to a Gift Agreement dated May 20, 2005 and its subsequent amendment, and a life estate encumbering Parcel 7 (which includes the main lodge, 7 cabins of various sizes and a boat dock) benefitting F. B. Hubachek Jr., now deceased, and Marjorie H. Watkins.

3. **Basis for Request**

The property was donated by F.B. Hubachek Jr. and Marjorie H. Watkins to the University of Minnesota Foundation on June 23, 2004 for operation of the Wilderness Research Center by the University’s College
of Natural Resources (now College of Food, Agricultural and Natural Resource Sciences, or CFANS). In July, 2004, the Board of Regents approved the re-naming the Wilderness Research Center the Hubachek Wilderness Research Center.

A May 20, 2005 Gift Agreement and its October 20, 2009 Addendum, between the Wilderness Research Foundation, F. B. Hubachek, Jr. and Marjorie H. Watkins, the University of Minnesota Foundation and the University’s College of Natural Resources, provided for the transfer to the University of Minnesota Foundation of ownership of the real estate known as Wilderness Research Center and for the transfer of assets used to establish an endowment fund called the Hubachek Wilderness Research Foundation Endowment Fund. The Hubachek Wilderness Research Foundation Endowment Fund is used to support ecological and forestry research and education activities by the College of Natural Resources (now CFANS), including such research at the Wilderness Research Center. The Endowment Fund’s value on June 30, 1999 was $2,467,939.92 and it is valued at $6.7 million today. A second endowed fund, the Hubachek Wilderness Research Center Operating Fund, provides operating funds for the Hubachek Wilderness Research Center.

The Wilderness Research Foundation, founded by Frank B. Hubachek, Sr., had operated the Wilderness Research Center for over 50 years prior to the donation of the property to the University of Minnesota Foundation, and created the endowed fund to continue the legacy of wilderness research started by F.B. Hubachek, Sr. as far into the future as possible.

4. Details of Transaction

The property will be conveyed by the University of Minnesota Foundation to the University for $1.00. Closing is expected to occur prior to June 30, 2011. The University’s Building Code Division completed an assessment of the building structures at the site in January, 2011.

5. Use of the Property

The property will continue to be operated by the College of Food, Agricultural and Natural Resource Sciences and used to support ecological and forestry research and education consistent with the Gift Agreement.

6. Environmental

A Phase I environmental site assessment was completed prior to conveyance of the property to the University of Minnesota Foundation. An updated Phase I environmental site assessment will be completed to confirm the property is in acceptable environmental condition prior to closing.

7. Source of Funding

The Hubachek Wilderness Research Center Operating Fund will provide the funds for the costs related to the University’s $1.00 acquisition of the property (environmental investigation, title insurance, etc.) and to operate the Hubachek Wilderness Research Center. The Hubachek Wilderness Research Foundation Endowment Fund will support the University’s ecological and forestry research and education occurring at the Hubachek Wilderness Research Center.
8. Recommendations

The above-described real estate transaction is appropriate:

Richard H. Pfitzenreuter III, Vice President and CFO

E. Thomas Sullivan, Senior Vice President for Academic Affairs and Provost

Kathleen O'Brien, Vice President for University Services
Acquisition of 383.33 acres in Lake County
Hubachek Wilderness Research Center

Extent of Hubachek Property (approx. 383.33 acres)
Hubachek Life Estate (7.7 acres within property)

This map is intended to be used for planning purposes only and should not be relied upon where a survey is required.

Sources: Real Estate Office, MnDOT, MnDNR
1. **Recommended Action**

The President recommends that the appropriate officers receive authorization to convey the University’s interest in the building at 801-16th Avenue NE, Austin, to the Hormel Foundation, and execute a 99-year lease for the University’s exclusive use of 21,678 square feet of research laboratory and office space in said building for the University of Minnesota Hormel Institute.

2. **Description of Leased Premises**

The building at 801-16th Avenue NE, Austin, consists of 79,538 gross square feet and is situated on 6.69 acres of land (building grounds). The research laboratory and office space within the building totals 23,960 square feet.

The final details of this lease are currently being negotiated. At this time, it is estimated that the University will lease 21,678 square feet of research laboratory and office space for its exclusive use, and will have shared use of the common areas of the building and the building grounds, including the parking areas serving the building.

3. **Basis for Request**

On November 30, 1942, the Hormel Foundation and University entered into a Memorandum of Agreement to recognize that the University established the Hormel Institute as a unit of the University’s Graduate School at the Hormel Foundation’s request and in response to the Foundation’s interest in supporting research and education to be conducted by the Institute. The Foundation agreed to lease to the University property of Jay C. Hormel consisting of 6.69 acres and the building situated thereon at 801-16th Avenue NE, Austin, for the Hormel Institute to conduct education and research in plant and animal production and utilization, including the relation of animal products to disease and other topical research of the day, and such other research subjects as mutually agreed upon by the University and the Foundation.

On November 15, 1958, the Foundation and University entered into a second Memorandum of Agreement to provide for new buildings to be constructed on the 6.69 acres of land leased to the University by the Foundation, with such
newly constructed buildings to be owned by the University and used by the Hormel Institute for research.

On September 21, 2006, the Foundation and University entered into an agreement to allow the Foundation to enter upon the premises leased to the University by the Foundation for the Hormel Institute, to construct an addition to and renovate the buildings owned by the University, which project resulted in a research facility consisting of 20 laboratories.

The Foundation and University have now agreed that the University’s interest in the building at 801-16th Avenue NE, Austin, will be conveyed to the Hormel Foundation, which will then lease to the University for 99 years 21,678 square feet of laboratory and office space for its exclusive use for biomedical and biotechnology research, together with shared use of building common areas and the building grounds. The compensation to the University for the conveyance of its interest in the building to the Hormel Foundation will be a waiver of any base rent obligation during the final 2 years of the lease.

The Mayo Clinic will lease from the Hormel Foundation the balance of the laboratory and office space in the building as another Hormel Institute designated by the Hormel Foundation, with the goal of collaborative University and Mayo research leading to significant biotechnology discoveries, improvement of health and wellbeing of individuals throughout the world, and advancement of the understanding of disease or disease processes.

4. Details of Transaction

The University will convey by quit claim deed its interest in the building at 801-16th Avenue NE, Austin, to the Hormel Foundation, and the Hormel Foundation will then lease to the University 21,678 square feet of research laboratory and office space for the University’s exclusive use, together with shared use of the common areas of the building and the building grounds, including the parking areas serving the building. The lease will commence July 1, 2011, and continue thereafter for 99 years, unless terminated early by either party for any reason upon a written notice of not less than two (2) years.

5. Lease Costs

The final details of this lease are currently being negotiated. At this time, it is estimated that the base rent to be paid by the University for the leased premises will be the lesser of (1) the fair market rent for the leased premises (to be determined by an MAI appraiser) through September 30, 2034 (or later if the parties agreed on an extended depreciation schedule), and $1.00 thereafter; or (2) the depreciation for building improvements, equipment and furniture attributable to the leased premises (if depreciated over 26 years, $84,635.56 per month or
$1,015,626.72 per year for the entire building the first 10 years of the lease, and a
decreasing amount thereafter through September, 2034), and $1.00 thereafter. In
addition, the University’s base rent obligation would include its pro-rata share,
90.5%, of the annual depreciation of capital improvements (renewals,
replacements, repairs and other capital expenditures) to the building and grounds
not exclusively benefitting the building space leased exclusively to the University,
or leased exclusively to Mayo or a subsequent tenant of the Mayo leased space,
completed after lease commencement.

The University will also pay all operating costs for its exclusive leased premises,
and capital improvements exclusively benefitting the University’s exclusive
leased premises, together with its pro-rata share, 90.5%, of the operating costs for
the building common areas and grounds, building insurance, and property taxes,
special assessments and/or payments in lieu thereof.

6. **Source of Funds**

Funds provided by the Hormel Foundation, together with other resources
available to the University of Minnesota Hormel Institute including, if necessary,
Indirect Cost Recovery funds, will cover all University costs related to the subject
lease.

7. **Recommendations**

The above-described real estate transaction is appropriate:

[Signature]

Richard H. Pfutzenreuter, III, Vice President and CFO

[Signature]

E. Thomas Sullivan, Senior Vice President for Academic Administration and Provost

[Signature]

Kathleen O’Brien, Vice President for University Services
Facilities Committee

Agenda Item: Schematic Plans

☑ review/action

☑ action

☐ discussion

Presenters: Vice President Kathleen O’Brien
Dean Steven Crouch, College of Science and Engineering
Associate Vice President Michael Perkins

Purpose:

☐ policy

☐ background/context

☒ oversight

☐ strategic positioning

In accordance with Board of Regents Policy: Reservation and Delegation of Authority, and consistent with current practice for reviewing the design of major capital projects, review and take action for the following projects:

a. Lind Hall – First Floor Remodel for College of Science and Engineering – Twin Cities Campus

Outline of Key Points/Policy Issues:

The schematic plans will be presented at the committee meeting. The attached project data sheet addresses the basis for the request, project scope, cost estimate, funding and schedule. A map of the project on the Minneapolis campus is also attached.

Lind Hall – First Floor Remodel for College of Science and Engineering – Twin Cities Campus

Currently, the College of Science and Engineering does not have a welcoming, central location for students, alumni, industry partners and staff. Lind Hall houses most of the CSE’s student services programs and is in need of modernization. As part of a larger strategic reorganization the CSE would like to renovate Lind Hall into a singular Student Services Office. This will help ensure the provision of seamless services to students and college affiliates. The project will renovate the first floor; replace exterior first floor windows; install new air conditioning; provide accessible toilet rooms; update life-safety systems; install new electrical systems, including A/V technology.

Background Information:

Lind Hall – First Floor Remodel for College of Science and Engineering – Twin Cities Campus

Funding for the Lind Hall – First Floor Remodel project is included as part of the Fiscal Year 2012 Capital Budget.
President's Recommendation for Action:

The President recommends approval of schematic plans and funding for the Lind Hall – First Floor Remodel project and of the appropriate administrative officers proceeding with the award of contracts for the development of construction documents and construction, subject to approval of the project as part of the annual capital budget or as a capital budget amendment.
1. **Basis for Request:**

Currently, the College of Science and Engineering (CSE) does not have a welcoming, central location for students, alumni, industry partners and staff. Lind Hall houses most of the CSE’s student services programs and is in need of modernization. As part of a larger, strategic reorganization the CSE would like to renovate Lind Hall into a singular Student Services Office. This will help ensure the provision of seamless services to students and college affiliates.

2. **Scope of Project:**

Lind Hall, built in 1912 and originally known as the Main Engineering Building, is located at 207 Church Street SE, on the University of Minnesota Twin Cities East Bank Campus. The main scope of this Project includes the renovation and modernization of the entire first floor of Lind Hall (20,200 GSF) as a new central location for a Student Services and Welcome Center for the College of Science and Engineering.

The renovation of the first floor of Lind Hall will provide a one-stop-shop space where students can access multiple services including orientation, academic advising, tutoring, study abroad programs, diversity programs, and career planning. Office and support space for staff and faculty shall be provided, including conference rooms. The space will provide a central location for workshops and trainings. The renovation work will include: exterior windows (1st floor); ADA compliant toilet rooms; central air conditioning systems, fire-life safety systems; electrical lighting, power and data; and A/V technology;

3. **Master Plan or Precinct/District Plan:**

This project is in conformance with the University of Minnesota Twin Cities Campus Master Plan 2009, “...making the most productive and efficient use of an existing facility” and “...preserve historic buildings and open spaces”.

21
4. Environmental Issues:

A full building survey for hazardous materials has been conducted. All hazardous materials, such as asbestos and lead will be abated prior to construction activities.

5. Cost Estimate:

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<td>Non Construction Cost</td>
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6. Capital Funding:

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<tr>
<td>College of Science and Engineering</td>
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<td>UM Foundation</td>
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<tr>
<td>Total Capital Funding</td>
<td>$6,200,000</td>
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7. Capital Budget Approvals:

The project will be included in the 2012 Capital Budget.

8. Annual Operating and Maintenance Cost:

The projected annual cost to operate and maintain the facility will remain the same.

9. Time Schedule:

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<tr>
<td>Establish Construction Guaranteed Maximum Price</td>
<td>May 2011</td>
</tr>
<tr>
<td>Complete Design (Construction Documents)</td>
<td>July, 2011</td>
</tr>
<tr>
<td>Begin construction</td>
<td>July, 2011</td>
</tr>
<tr>
<td>Complete construction</td>
<td>January, 2012</td>
</tr>
</tbody>
</table>

10. Architect, Engineers, Construction Manager:

Architect: Collaborative Design Group

Construction Manager at Risk: McGough Construction Company
11. Recommendation:

The above described project scope of work, cost, funding, and schedule is appropriate:

[Signature] 4/28/11

Richard Pfunzener, Vice President and Chief Financial Officer

[Signature] 5/1/11

E. Thomas Sullivan, Senior Vice President for Academic Affairs and Provost

[Signature] 4/28/11

Kathleen O'Brien, Vice President for University Services
Lind Hall

University of Minnesota
Minneapolis - East Bank Campus
Facilities Committee

May 12, 2011

Agenda Item: Space Utilization Initiative: Report on Decommissioning, Demolition, and/or Deconstruction of Twin Cities Campus Buildings

☐ review  ☐ review/action  ☐ action  ☒ discussion

Presenters: Vice President Kathleen O’Brien
Brian Swanson, Office of Budget and Finance

Purpose:

☐ policy  ☒ background/context  ☐ oversight  ☐ strategic positioning

The cost of construction, operations, maintenance and renewal of University facilities represents a significant portion of the University's operating budget. The University, particularly in tough economic times, has a responsibility to ensure that its facilities are used efficiently. The current budget crisis provides an opportunity to make operational and cultural changes necessary to achieve that goal.

The Space Utilization Work Team has been created to, “improve the utilization of University space to decrease operating and lease costs … on the Twin Cities Campus and to reduce the University's space inventory and demand for leased space.” The Space Utilization Effort is about:

• changing the perception on campus that space is a free good,
• reducing the demand for space through incentives
• taking advantage of new work place technologies, and
• shrinking the inventory by removing high cost obsolete buildings and off-campus leases.

The Space Utilization Initiative supports the University’s other efforts in the areas of enhancing sustainability, improving the Facility Condition Assessment Needs Index (FCNI), and reducing overall utility and facility operations costs.

The Space Utilization Team has adopted the following principles to guide its approach to the work team charge:

• **Sustainable:** The University should not have more space than it can afford to operate, maintain, and support.

• **Aligned:** The University should provide the correct type, quality, and quantity of space required for programs to function effectively.

• **Managed:** The University should provide tools and incentives for maximizing the efficiency and effectiveness of its space resources.
Outline of Key Points/Policy Issues:

Board of Regents Policy: Property and Facility Use calls for “maximizing the efficient and effective use of property and facilities”. This presentation will provide the Board of Regents with an update on the plans to decommission or demolish & recycle a number of obsolete buildings on the Twin Cities Campus.

The program will remove 10 buildings totaling 220,000 square feet from the active inventory. These removals will save the University approximately $974,000 per year in operating costs and remove $27.6 million from the facility condition assessment 10-year needs total.

A detailed list of buildings is included in the docket material.

Background Information:

In September 2010 the Board received an update on the Twin Cities Campus Facility Condition Assessment.

The Board of Regents received a presentation on the Space Utilization Initiative in November 2010.

In February 2011 the Board received an update on issues related to utilities and energy management on the Twin Cities Campus.

The Board of Regents will review the Environmental Assessment Worksheets (EAWs) for several of the proposed demolition projects at its May 2011 meeting.
Criteria for Decommissioning

The buildings that have been identified as candidates for decommissioning or demolition have met the following criteria:

- The building has significant facility condition deficiencies
- The cost to renovate is near to or exceeds the cost to replace the facility
- The current facility does not allow efficient space utilization
- The building is not of major historical significance for University, and
- The current building does not provide flexibility of use.

Buildings to be Decommissioned, Demolished & Recycled

• 1701 University Avenue SE (1952) – This building is the former Newman Center and has been used by the University as a temporary classroom / office building for years. The building systems are obsolete, and as a former church, it is not well suited for University uses. The University intends to construct a new 600-bed residence hall on this site and the adjacent University surface parking lot.

• Houses – The University has acquired a number of former residential properties over the years. They have served a variety of purposes from office space to storage. Four of these have outlived their usefulness. Three of the sites will be converted to open space. The 527/529 Oak Street site will be incorporated into a new parking lot.

  - 527/529 Oak Street SE, Minneapolis
  - 722 Fulton Ave SE, Minneapolis
  - 1304 Cleveland Ave (Berry House), St. Paul
  - 1316 Cleveland Ave (Weigley House), St. Paul

• Klaeber Court (1967) – Klaeber Court is a single story office building constructed as a temporary facility 45 years ago. It has reached the end of its useful life. The site will either be used as a parking lot or converted to green space.
Building Summary
Space Utilization Initiative
May 2011

Buildings to be Decommissioned, Demolished & Recycled Pending Regents Approval

• *Norris Gymnasium & Field House (1914)* – The Norris Gymnasium and Field House was originally constructed for Women’s Athletics and subsequently used by Recreational Sports until the University Recreation Center was constructed in the 1990s. The building has reached the end of its useful life. Additional information about the Norris Gymnasium & Field House can be found in the Resolution related to Deconstruction and Demolition of Historic Buildings in this month’s Facilities Committee docket.

• *Wesbrook Hall (1896)* – Wesbrook Hall originally served as the home of the Medical School. It has reached the end of its useful life. Additional information about Wesbrook Hall in the Resolution related to Deconstruction and Demolition of Historic Buildings in this month’s Facilities Committee docket.

• *Veterinary Anatomy Building (1901)* – The Veterinary Anatomy building has been vacant for many years and has exceeded its useful life. Additional information about the Veterinary Anatomy Building in the Resolution related to Deconstruction and Demolition of Historic Buildings in this month’s Facilities Committee docket.

Building to be Decommissioned & Mothballed for Future Adaptive Re-use

• *Eddy Hall (1881)* – Eddy Hall is the oldest building on the Twin Cities Campus. There are NO plans to demolish the building. It will be vacant after Fall Semester 2011. The University will mothball this building until an appropriate programmatic use can be found and the necessary funds acquired to completely rehabilitate the historic structure.
UNIVERSITY OF MINNESOTA
BOARD OF REGENTS

Facilities Committee

May 12, 2011

Agenda Item: Resolution: Environmental Assessment Worksheet (EAW) for Norris Hall Deconstruction and Demolition

☐ review ☒ review/action ☐ action ☐ discussion

Presenters: Vice President Kathleen O'Brien
Kenneth Larson, Associate General Counsel

Purpose:

☐ policy ☐ background/context ☒ oversight ☐ strategic positioning

This matter involves the review of an Environmental Assessment Worksheet (“EAW”) for the proposed destruction of Norris Hall, Twin Cities campus in Hennepin County, Minnesota (the “Project”), to determine the need for an Environmental Impact Statement (“EIS”) for the Project. The purpose of the Project is to destruct the Norris Hall, which was vacated in June 2010 and placed in a maintenance layaway state due to multiple fire and life safety code deficiencies. The Project does not meet the thresholds for a mandatory EIS or for a mandatory EAW, but the administration elected to prepare a discretionary EAW to more fully inform the public and the Board of Regents.

Outline of Key Points/Policy Issues:

A proposed project requires an EIS only if the project has the potential for significant environmental effects. The EAW for the Project does not identify any potential for significant environmental effects. To evaluate the adequacy of the EAW as a basis for concluding that the Project does not require and EIS, it must be considered in light of the requirements set forth in the Minnesota Environmental Policy Act (“MEPA”), Minn. Stat. Ch. 116D, and the Minnesota Environmental Quality Board (“EQB”) rules implementing MEPA, Minn. R. Ch. 4410. Attached are the Findings of Fact, Conclusions of Law, and Resolution in the matter of an Environmental Assessment Worksheet (EAW) for the deconstruction of the Norris Gymnasium and Fieldhouse, Twin Cities Campus.

Background Information:

On February 12, 2010, the Board of Regents adopted a resolution declaring that the Board of Regents would be the RGU for all University historic resource projects. As RGU for this Project, the Board of Regents is responsible for reviewing the EAW and determining whether the document complies with the requirements set forth in the MEPA and accompanying Minnesota Rules and whether an EIS should be conducted.

President's Recommendation for Action:

The President recommends that the Board approve the Environmental Assessment Worksheet for the Norris Gymnasium and Fieldhouse, Twin Cities Campus, approve the Findings of Fact and Conclusions of Law and issue a Negative Declaration with respect to the need for an Environmental Impact Statement for the Project.
REGENTS OF THE UNIVERSITY OF MINNESOTA

RESOLUTION REGARDING NEED FOR AN ENVIRONMENTAL IMPACT STATEMENT FOR THE DECONSTRUCTION AND DEMOLITION OF NORRIS HALL

WHEREAS, the Board of Regents' resolution of February 12, 2010, established that the Board of Regents of the University of Minnesota shall perform the responsibilities of a Responsible Governmental Unit as described in the Minnesota Environmental Policy Act, Minn. Stat. Ch. 116D, and accompanying Minnesota Rules, in connection with all University historic resources projects; and

WHEREAS, Norris Hall on the Minneapolis campus of the University is a contributing element to the National Register of Historic Places University Old Campus Historic District; and

WHEREAS, in order to consider the demolition of Norris Hall (the “Norris Demolition Project” or “Project”) it was determined that an Environmental Assessment Worksheet for the Project should first be prepared and reviewed as described in the Minnesota Environmental Policy Act and accompanying Minnesota Rules; and

WHEREAS, the Board of Regents has reserved to itself authority to take final action on all environmental reviews of historic resources initiated by the administration for which the University is the responsible governmental unit; and

WHEREAS, the Board of Regents has reviewed the Environmental Assessment Worksheet prepared for the Project and found that said document complies with the requirements set forth in the Minnesota Environmental Policy Act and accompanying Minnesota Rules and has also reviewed the comments received on the Environmental Assessment Worksheet; and

WHEREAS, the Board of Regents has reviewed proposed Findings of Fact and Conclusions of Law prepared by the University's administrative staff with respect to the Project; and
WHEREAS, based on the foregoing the Board of Regents concludes that the Project does not have the potential for significant environmental effects.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Regents issues a Negative Declaration with respect to the Norris Hall Demolition Project, declaring that an Environmental Impact Statement need not be prepared for said Project, and that the Board of Regents hereby adopts the Findings of Fact and Conclusions of Law, and directs the President or his delegates to provide copies this Resolution, the Findings of Fact and Conclusions of Law, and the University's responses to comments on the Environmental Assessment Worksheet for the Project, to all persons designated by Minn. R. 4410.1700, subp. 5, within the period set forth in said rule.
University of Minnesota
Twin Cities, Minneapolis
East Bank Campus
This matter came before the Board of Regents of the University of Minnesota, the responsible governmental unit (“RGU”) for the proposed destruction of the Norris Hall Building Twin Cities Campus, pursuant to the Minnesota Environmental Policy Act (“MEPA”), Minn. Stat. Ch. 116D. Based on the files and records of the University of Minnesota (the “University”) related to this matter, the Board of Regents hereby finds, concludes, and resolves as follows:

FINDINGS OF FACT

1. This matter involves review of an Environmental Assessment Worksheet (“EAW”) for the proposed destruction of the Norris Hall Building, Twin Cities Campus in Hennepin County, Minnesota (the “Project”), to determine the need for an Environmental Impact Statement (“EIS”) for the Project. A proposed project requires an EIS only if the project has the potential for significant environmental effects. The EAW for the Project does not identify any potential for significant environmental effects. A copy of the EAW is attached to these Findings as Exhibit A. To evaluate the adequacy of the EAW and conclude that the Project does not require an EIS, the University must determine whether environmental review of the Project meets the requirements set forth in MEPA, Minn. Stat. Ch. 116D, and the Minnesota Environmental Quality Board (“EQB”) rules implementing MEPA, Minn. R. Ch. 4410.
2. The purpose of the Project is to destruct the Norris Hall Building, which has been designated for removal in the University of Minnesota 2009 Twin Cities Campus Master Plan.

3. The University expects to commence the Project in 2011, and the Project should be complete in 2011.

4. MEPA mandates that RGUs prepare an EIS where a project has the potential for significant environmental effects resulting from a major government action. Minn. Stat. § 116D.04, subd. 2a. The EQB rules require an EIS for certain projects that, based upon location or character, make the potential for significant environmental effects highly likely. If a project meets or exceeds the so-called “mandatory” EIS thresholds, the governmental entity serving as the RGU must prepare an EIS before undertaking or approving the project. Minn. R. 4410.2000, supb. 2. Even if a project does not fall within a mandatory EIS category, an RGU must prepare a so-called “discretionary” EIS if the proposed project has the potential for significant environmental effects. Minn. R. 4410.2000, supb. 3(A)-(B).

5. RGUs consider whether a project has the potential for significant environmental effects and requires a “discretionary” EIS by preparing an EAW. Minn. R. 4410.1000, supb. 1. The EQB rules also set “mandatory” thresholds requiring EAW preparation. Minn. R. 4410.4300. If a proposed project does not meet a mandatory EAW threshold, an RGU may nonetheless prepare a “discretionary” EAW if the project is not exempt from environmental review and the project may have the potential for significant environmental effects. Minn. R. 4410.1000, subp. 3.
6. On February 12, 2010, the Board of Regents adopted a resolution declaring that the Board of Regents would be the RGU for all University historic resource projects. A copy of the Board of Regents’ resolution is attached to these Findings as Exhibit B.

7. The Project does not meet the thresholds for a mandatory EIS. However, the Project does meet the University’s threshold for a discretionary EAW because it involves destruction of property that is eligible for listing on the National Register of Historic Places, and is otherwise considered a preservation best practices action by the University.

8. An EAW is a brief document prepared in a worksheet format that is designed to rapidly assess the environmental effects associated with a proposed project. The EQB has created a form worksheet for EAWs under MEPA.

9. The EAW that the University prepared for the Project employs the form worksheet for EAWs that the EQB created.

10. The EAW describes the Project and its purpose, discusses the Project’s total acreage, lists the permits and approvals that may be required for the Project once environmental review under MEPA is complete, describes current and recent past land use and development on the site and on adjacent lands, and estimates vegetative cover types on the site before and after construction of the Project.

11. In addition, the EAW discusses the Project’s impacts on fish, wildlife, and ecologically sensitive resources. It also analyzes the Project’s physical effects on water resources, including steps that the University will take to minimize and mitigate the Project’s impacts on wetlands. Moreover, the EAW describes the Project’s water use and
notes that the Project does not involve any activities in water-related land use management districts such as delineated 100-year flood plains.

12. The EAW states that the Project will not change the number or type of watercraft on any water body, estimates the acreage to be excavated during Project construction, and discusses the measures that the University will take to minimize erosion and sedimentation. Among the measures that the University will take to address erosion and sedimentation is compliance with state and federal permitting and mitigation requirements. In addition, the EAW discusses the Project’s impacts on surface water runoff and waste water discharge, including an analysis of the measures that the University will take to manage such discharges.

13. The EAW also describes geologic and soil conditions at the Project site, discusses the measures that the University will take to manage solid waste and hazardous wastes, and describes the measures that the University will take to detect and contain any tank leaks from on-site storage tanks.

14. In addition, the EAW analyzes the environmental effects of traffic associated with the Project, and estimates vehicle-related air emissions and stationary source air emissions that the Project will generate. The EAW further describes measures that the University will take to minimize and suppress odors, noise, and dust during the Project.

15. According to the EAW, the site has been determined eligible by the Minnesota State Historic Preservation Office for listing on the National Register of Historic Places. The EAW notes that the University will work closely with the Minnesota State Historic Preservation Office and other local preservation partners in examining
potential for mitigating any adverse effect, memorializing the property, and will provide archival documentation and final treatment disposition of this historic resource.

16. There are no archaeological or park or recreational resources within the Project site.

17. In addition, the EAW concludes that the Project is compatible with applicable comprehensive plan requirements and land use regulations, and evaluates the Project’s effects on infrastructure and public services.

18. Finally, the EAW analyzes the Project’s potential for cumulative impacts and concludes that the Project does not have the potential for cumulative impacts.

19. The University’s consultant completed the draft EAW in late February 2011. On March 21, 2011, after the University and its consultants completed all reviews, Kathleen O’Brien, Vice-President of University Services, accepted the EAW and certified that the document was accurate and complete to the best of her knowledge, as the EQB rules require.

20. Within five days of accepting the EAW, the University submitted the document to EQB staff for publication in the EQB Monitor, as required by Minn. R. 4410.1500. At the same time, the University provided copies of the document to all parties designated on the EQB’s distribution list, as required by Minn. R. 4410.1500. In addition, the University posted the EAW on the World Wide Web at http://www.cppm.umn.edu.

21. The EQB Monitor published a Notice of Availability of the EAW on March 21, 2011. See EQB Monitor, Vol. 35, No. 06 (Mar. 21, 2011). The notice began a thirty-day public comment period on the document. Within five days of submitting the
EAW to EQB, the University sent a press release containing a notice that the document was available for public review to newspapers of general circulation within the area of the Project, as required by Minn. R. 4410.1500. The press release included the name and location of the Project, a brief Project description, the locations where the EAW was available for public review, the date on which the public comment period expired, and the procedures for providing public comments. The following newspapers received the press release: (a) the *Minneapolis Star Tribune*; (b) the *Saint Paul Pioneer Press*; and (c) the *Minnesota Daily*.

22. The thirty-day public comment period on the EAW closed on April 21, 2011. During the public comment period, the University received written comments from the following: (a) the Minnesota Pollution Control Agency; (b) the Minnesota Department of Transportation (Mn/DOT); (c) Metropolitan Council; and (d) the Minnesota Historical Society, State Historic Preservation Office. The University responded to these comments, as required by Minn. R. 4410.1700. A copy of the University’s written Response to Comments on the EAW is attached to these Findings as Exhibit C.

**CONCLUSIONS OF LAW**

1. The Board of Regents of the University is the RGU for the Project.

2. The University has complied with the requirements set forth in MEPA, Minn. Stat. Ch. 116D, and the EQB rules implementing MEPA, Minn. R. Ch. 4410, for preparing, circulating, and publishing the EAW.
3. The University has complied with the requirements set forth in MEPA, Minn. Stat. Ch. 116D, and the EQB rules implementing MEPA, Minn. R. Ch. 4410, for receiving and responding to public comments on the EAW.

4. As specified in the Board of Regents’ resolution of February 12, 2010, the Board of Regents of the University has the authority to determine whether the Project may have the potential for significant environmental effects and whether the University must prepare an EIS.

5. The University must make a decision on the need for an EIS within thirty days after the close of the public comment period on the EAW. Minn. R. 4410.1700, subp. 2(A).

6. MEPA requires an EIS only if a project may have the potential for significant environmental effects. Minn. Stat. § 116D0.04, subd. 2a; Minn. R. 4410.1700, subp. 1. The EQB rules establish four criteria that an RGU must use to evaluate a project’s potential for significant environmental effects. These factors are:

   A. [the] type, extent, and reversibility of environmental effects;

   B. [the] cumulative potential effects of related or anticipated future projects;

   C. the extent to which the environmental effects are subject to mitigation by ongoing public regulatory authority; and

   D. the extent to which environmental effects can be anticipated and controlled as a result of other available environmental studies undertaken by public agencies or the project proposer, including other EISs.
Minn. R. 4410.1700, subp. 7. If an RGU determines that a project may have the potential for significant environmental effects, the RGU must issue a “positive declaration” on the need for an EIS and prepare an EIS for the project. *Citizens Advocating Responsible Development v. Kandiyohi County Bd. of Comm’rs*, 713 N.W.2d 817, 824 (Minn. 2006).

7. The EAW evaluates the type, extent, and reversibility of environmental effects associated with the Project, including but not limited to effects on nearby resources, surface water and wetlands, wildlife habitat, ecologically sensitive resources, water use, erosion and sedimentation, traffic, air quality, infrastructure and public services, and visual impacts. Based upon the evaluation in the EAW, the University concludes that the type, extent, and reversibility of the Project’s impacts do not pose the potential for significant environmental effects.

8. The EAW also evaluates the cumulative potential effects of the Project and related or anticipated future projects. Based upon the evaluation in the EAW, the University concludes that no cumulative effects are likely, because there are no future phases of development associated with the Project and because the Project is the only foreseeable action in the surrounding area.

9. In addition, the EAW considers the extent to which the Project’s environmental effects are subject to mitigation by ongoing public regulatory authority. In discussing mitigation the EAW analyzes a variety of measures, including but not limited to mitigation that the University will implement as part of permits necessary to accomplish the Project. Based on the evaluation in the EAW, the University concludes that steps can be taken to mitigate at least some of the environmental effects of the
Project and that such steps will be taken where required by ongoing public regulatory authority or where otherwise considered reasonable.

10. The EAW evaluates the categories of environmental effects that MEPA and the EQB rules require, and establishes that the Project does not have the potential for significant environmental effects. MEPA, therefore, an EIS is not required for the Project.

11. Any Finding more properly considered a Conclusion shall be considered a Conclusion. Any Conclusion more properly considered a Finding shall be considered a Finding.
ENVIRONMENTAL ASSESSMENT WORKSHEET

Note to preparers: This form and EAW Guidelines are available at the Environmental Quality Board's website at: http://www.eqb.state.mn.us/EnvRevGuidanceDocuments.htm. The Environmental Assessment Worksheet provides information about a project that may have the potential for significant environmental effects. The EAW is prepared by the Responsible Governmental Unit or its agents to determine whether an Environmental Impact Statement should be prepared. The project proposer must supply any reasonably accessible data for — but should not complete — the final worksheet. The complete question as well as the answer must be included if the EAW is prepared electronically.

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

1. Project title - University of Minnesota Norris Gymnasium and Field House Deconstruction

2. Proposer
   Regents of the University of Minnesota
   Contact person: Kathleen O’Brien
   Title: Vice President for University Services
   Address 317 Morrill Hall, 100 Church Street SE
   City, state, ZIP Minneapolis, MN 55455
   Phone 612.624.3557
   Fax 612.626.2278
   E-mail kobrien@umn.edu

3. RGU
   Contact person: Kathleen O’Brien
   Title: Vice President for University Services
   Address 317 Morrill Hall, 100 Church Street SE
   City, state, ZIP Minneapolis, MN 55455
   Phone 612.624.3557
   Fax 612.626.2278
   E-mail kobrien@umn.edu

4. Reason for EAW preparation (check one)
   __EIS scoping   __Mandatory EAW __Citizen petition __RGU discretion __Proposer volunteered
   If EAW or EIS is mandatory give EQB rule category subpart number and subpart name:
   4410.4300 subpart 31

5. Project location
   County – Hennepin
   City/Township - Minneapolis
Norris Hall and Gymnasium originally completed in 1914, with a subsequent 1934 Field House addition, was vacated in 2010. It is being considered for deconstruction by the University of Minnesota. Deconstruction will involve salvaging useable materials, underground utility and tunnel work, and landscape restoration to open green space.

b. Give a complete description of the proposed project and related new construction. Attach additional sheets as necessary. Emphasize construction, operation methods and features that will cause physical manipulation of the environment or will produce wastes. Include modifications to existing equipment or industrial processes and significant demolition, removal or remodeling of existing structures. Indicate the timing and duration of construction activities.

Please see the attached drawing set that describes the proposed project.

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

The purpose of the project is to deconstruct the Norris Gymnasium and Field House. The building has not been a recreation facility since new athletic facilities were constructed in 1988. Over the intervening 23 years, some spaces have been used as a swing space for a variety of tenants and as storage for Facilities Management and the Office of Classroom Management. Since 1988, the University has worked diligently to preserve the structure while examining potential reuse options. An adaptive reuse study was conducted by the University in 2010 to develop office and classroom uses for the building. Financial investments required for these and other required improvements have been deemed excessive by the University.

d. Are future stages of this development including development on any other property planned or likely to happen? __Yes   _X_ No
If yes, briefly describe future stages, relationship to present project, timeline and plans for environmental review.

e. Is this project a subsequent stage of an earlier project? __Yes   _X_ No
If yes, briefly describe the past development, timeline and any past environmental review.
7. **Project magnitude data**

Total project acreage 1.48 acres
Number of residential units: unattached 0 attached 0 maximum units per building
Commercial, industrial or institutional building area (gross floor space): total square feet 0

Indicate areas of specific uses (in square feet): N/A
- Office
- Retail
- Warehouse
- Light industrial
- Other commercial (specify)
- Building height (If over 2 stories, compare to heights of nearby buildings)

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

<table>
<thead>
<tr>
<th>Unit of government</th>
<th>Type of application</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>University of Minnesota</td>
<td>Demolition Permits</td>
<td></td>
</tr>
<tr>
<td>Building Code Division</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

9. **Land use.** Describe current and recent past land use and development on the site and on adjacent lands. Discuss project compatibility with adjacent and nearby land uses. Indicate whether any potential conflicts involve environmental matters. Identify any potential environmental hazards due to past site uses, such as soil contamination or abandoned storage tanks, or proximity to nearby hazardous liquid or gas pipelines.

The Norris Gymnasium and Field House site was farmland up until the 1880’s when the first buildings on the now historic Knoll area were built. In 1914, the Ladies Gymnasium building was added to the Knoll and in 1934 the Field House was added to the Gymnasium. The building is connected to the underground steam tunnel system, and two pool drain pipes, now unused, are routed to the river. Buildings and roads have continued to develop and surround the building. Today, the Norris Gymnasium and Field House sits on a restricted site with no potential for building expansion, has limited on-site and street parking. These factors have contributed to the inability to find a feasible adaptive reuse. In the future, the East River Parkway vehicular, pedestrian, and bike roads and trails will be extended to connect with Main Street SE. This connection will occur near the Old Main Steam Plant just west of the former Music Education Building site. The site restoration for the Norris Gymnasium and Field House site are compatible with the new Parkway connection and the increased pedestrian and bike traffic by providing new green space for Parkway users entering and exiting campus.

Hazardous materials testing and analysis will be conducted and documented. This building contains asbestos and lead in the building materials and equipment. These hazardous materials will be abated by the University prior to any and all deconstruction activities and prior to site remediation.
10. **Cover types.** Estimate the acreage of the site with each of the following cover types before and after development:

<table>
<thead>
<tr>
<th>Types 1-8 wetlands</th>
<th>Before</th>
<th>After</th>
<th>Lawn/landscaping</th>
<th>Before</th>
<th>After</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wooded/forest</td>
<td>0</td>
<td>0</td>
<td>Impervious surfaces</td>
<td>34,536 sf</td>
<td>6,410 sf</td>
</tr>
<tr>
<td>Brush/Grassland</td>
<td>0</td>
<td>0</td>
<td>Stormwater Pond</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Cropland</td>
<td>0</td>
<td>0</td>
<td>Other (describe)</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>0</td>
<td>0</td>
<td></td>
<td>64,500 sf</td>
<td>64,500 sf</td>
</tr>
</tbody>
</table>

If **Before** and **After** totals are not equal, explain why:

The Norris Gymnasium and Field House is to be replaced with minimal landscaping and pervious sod. Existing adjacent sidewalks will remain.

11. **Fish, wildlife and ecologically sensitive resources**

   a. Identify fish and wildlife resources and habitats on or near the site and describe how they would be affected by the project. Describe any measures to be taken to minimize or avoid impacts.

   N/A

   b. Are any state-listed (endangered, threatened or special concern) species, rare plant communities or other sensitive ecological resources on or near the site? **Yes**  **X**  **No**

   If yes, describe the resource and how it would be affected by the project. Describe any measures that will be taken to minimize or avoid adverse impacts. Provide the license agreement number (LA-__) and/or Division of Ecological Resources contact number (ERDB__) from which the data were obtained and attach the response letter from the DNR Division of Ecological Resources. Indicate if any additional survey work has been conducted within the site and describe the results.

12. **Physical impacts on water resources.** Will the project involve the physical or hydrologic alteration (dredging, filling, stream diversion, outfall structure, diking, and impoundment) of any surface waters such as a lake, pond, wetland, stream or drainage ditch? **Yes**  **X**  **No**

   If yes, identify water resource affected and give the DNR Public Waters Inventory number(s) if the water resources affected are on the PWI: Describe alternatives considered and proposed mitigation measures to minimize impacts.

13. **Water use.** Will the project involve installation or abandonment of any water wells, connection to or changes in any public water supply or appropriation of any ground or surface water (including dewatering)? **X** **Yes**  **No**

   If yes, as applicable, give location and purpose of any new wells; public supply affected, changes to be made, and water quantities to be used; the source, duration, quantity and purpose of any appropriations; and unique well numbers and DNR appropriation permit numbers, if known. Identify any existing and new wells on the site map. If there are no wells known on site, explain methodology used to determine.
The water supply to this property is to be completely removed. The water supply for the adjacent buildings Pattee Hall, Shevlin Hall, Burton Hall, and Child Development pass through the Norris basement via the utility tunnels. Each of these buildings will require their own cold water main piped from the city water main in Pillsbury Drive.

**14. Water-related land use management district.** Does any part of the project involve a shoreland zoning district, a delineated 100-year flood plain, or a state or federally designated wild or scenic river land use district? __Yes  X No
If yes, identify the district and discuss project compatibility with district land use restrictions.

**15. Water surface use.** Will the project change the number or type of watercraft on any water body? __Yes  X No
If yes, indicate the current and projected watercraft usage and discuss any potential overcrowding or conflicts with other uses.

**16. Erosion and sedimentation.** Give the acreage to be graded or excavated and the cubic yards of soil to be moved:
0.8 acres; 11,666 cubic yards.

Describe any steep slopes or highly erodible soils and identify them on the site map. Describe any erosion and sedimentation control measures to be used during and after project construction.

N/A

**17. Water quality: surface water runoff**

a. Compare the quantity and quality of site runoff before and after the project. Describe permanent controls to manage or treat runoff. Describe any stormwater pollution prevention plans.

The existing Norris Hall Building drainage area within the project construction limits is 1.89 acres. Drainage from the rooftops enters the sanitary sewer and the sidewalks, lawns, and remaining area surface drains to a storm sewer system. The total impervious area is reduced from 1.14 acres down to 0.25 acres with the removals of the building. Runoff rates are reduced with the reduced impervious area. The water quality of the runoff from the site will be improved as a result of reductions in impervious surface. Additional environmental benefits will be recognized as a result of reducing stormwater runoff to the sanitary sewer. The existing and proposed runoff rates are as follows:

<table>
<thead>
<tr>
<th>Runoff Event</th>
<th>Existing Runoff</th>
<th>Proposed Runoff</th>
</tr>
</thead>
<tbody>
<tr>
<td>24-hr 2-Year Rainfall Event</td>
<td>3.9 CFS</td>
<td>1.5 CFS</td>
</tr>
<tr>
<td>24-hr 10-year Rainfall Event</td>
<td>7.9 CFS</td>
<td>4.1 CFS</td>
</tr>
<tr>
<td>24-hr 100-year Rainfall Event</td>
<td>12.4 CFS</td>
<td>7.3 CFS</td>
</tr>
</tbody>
</table>

The University’s Post Construction Storm Water Management Policy for rate control and quality will be followed for this project. A NPDES Construction Stormwater Permit is required because the disturbance area is more than one (1) acre. Erosion control best management practices (BMPs) will be used for this project, and a Storm Water Pollution Prevention Plan (SWPPP) will be developed for the project.
b. Identify routes and receiving water bodies for runoff from the site; include major downstream water bodies as well as the immediate receiving waters. Estimate impact runoff on the quality of receiving waters.

Drainage from the rooftops enters the sanitary sewer and the sidewalks, lawns, and remaining area surface drains to a storm sewer system. The storm sewer system drains directly to the Mississippi River. The total impervious area is reduced from 1.14 acres down to 0.25 acres with the removals of the building. Runoff rates are reduced with the reduced impervious area. The water quality of the runoff from the site will be improved as a result of reductions in impervious surface. Additional environmental benefits will be recognized as a result of reducing stormwater runoff to the sanitary sewer.

18. Water quality: wastewaters
   a. Describe sources, composition and quantities of all sanitary, municipal and industrial wastewater produced or treated at the site.

   The combination storm and sanitary mains away from this property shall be removed and capped at the nearest manhole. The pool drain piping that leads down to the river shall be removed.

   b. Describe waste treatment methods or pollution prevention efforts and give estimates of composition after treatment. Identify receiving waters, including major downstream water bodies (identifying any impaired waters), and estimate the discharge impact on the quality of receiving waters. If the project involves on-site sewage systems, discuss the suitability of site conditions for such systems.

       N/A

   c. If wastes will be discharged into a publicly owned treatment facility, identify the facility, describe any pretreatment provisions and discuss the facility's ability to handle the volume and composition of wastes, identifying any improvements necessary.

       N/A

19. Geologic hazards and soil conditions
   a. Approximate depth (in feet) to ground water: 40 feet minimum 45 feet average; to bedrock: 35 feet minimum 40 feet average.

   Describe any of the following geologic site hazards to ground water and also identify them on the site map: sinkholes, shallow limestone formations or karst conditions. Describe measures to avoid or minimize environmental problems due to any of these hazards.

   The majority of the bedrock in the area is the Platteville and Glenwood Formations, a shaley and fossiliferous limestone unit. At this site, Decorah Shale is present in areas, overlying the Platteville Limestone. Karst features associated with Platteville Formation are not anticipated due to the thickness of the terrace deposits overlying the bedrock. The site is developed and has been filled with approximately 10 to 20 feet of silty sand. Excavation and removal will be shallow, approximately 8 to 12 feet, within the urban fill profile. No geologic hazards would be anticipated in this area.
b. Describe the soils on the site, giving NRCS (SCS) classifications, if known. Discuss soil texture and potential for groundwater contamination from wastes or chemicals spread or spilled onto the soils. Discuss any mitigation measures to prevent such contamination.

The Hennepin County Soil Profile classifies the site soils as U4A – Urban Land-Use Materials (cuts and fill land) Complex, 0 to 2 Percent. Urban land consists of developed areas with mostly impervious surfaces that have undergone changes to the existing landform by means of cut and fill activities. Surficial geology consists of sand, gravelly sand and loamy sand; however, these soils typically are encountered beneath several feet of urban fill. The urban fill material is generally sandy material, but is variable. The soil has developed on the middle terrace deposits of the Mississippi River and in the Knoll District these deposits are predominantly loamy sands with interbedded sand and gravel layers. The soil in this area is not unusually susceptible to groundwater contamination. The planned land use as a green space is not a groundwater quality risk.

20. Solid wastes, hazardous wastes, storage tanks
   a. Describe types, amounts and compositions of solid or hazardous wastes, including solid animal manure, sludge and ash, produced during construction and operation. Identify method and location of disposal. For projects generating municipal solid waste, indicate if there is a source separation plan; describe how the project will be modified for recycling. If hazardous waste is generated, indicate if there is a hazardous waste minimization plan and routine hazardous waste reduction assessments.

      N/A

   b. Identify any toxic or hazardous materials to be used or present at the site and identify measures to be used to prevent them from contaminating groundwater. If the use of toxic or hazardous materials will lead to a regulated waste, discharge or emission, discuss any alternatives considered to minimize or eliminate the waste, discharge or emission.

      This site contains asbestos and lead in the building materials and equipment. The hazardous materials will removed by a licensed abatement contractor.

   c. Indicate the number, location, size and use of any above or below ground tanks to store petroleum products or other materials, except water. Describe any emergency response containment plans.

      N/A


Parking spaces added: 0
Existing spaces (if project involves expansion): N/A
Estimated total average daily traffic generated: 0
Estimated maximum peak hour traffic generated and time of occurrence: N/A
Indicate source of trip generation rates used in the estimates.

If the peak hour traffic generated exceeds 250 vehicles or the total daily trips exceeds 2,500, a traffic impact study must be prepared as part of the EAW. Using the format and procedures described in the Minnesota Department of Transportation’s Traffic Impact Study Guidance (available at: http://www.otim.dot.state.mn.us/access/pdfs/Chapter%205.pdf) or a similar
local guidance, provide an estimate of the impact on traffic congestion on affected roads and describe any traffic improvements necessary. The analysis must discuss the project’s impact on the regional transportation system.

22. **Vehicle-related air emissions.** Estimate the effect of the project's traffic generation on air quality, including carbon monoxide levels. Discuss the effect of traffic improvements or other mitigation measures on air quality impacts.

   N/A

23. **Stationary source air emissions.** Describe the type, sources, quantities and compositions of any emissions from stationary sources of air emissions such as boilers, exhaust stacks or fugitive dust sources. Include any hazardous air pollutants (consult *EAW Guidelines* for a listing) and any greenhouse gases (such as carbon dioxide, methane, nitrous oxide) and ozone-depleting chemicals (chloro-fluorocarbons, hydrofluorocarbons, perfluorocarbons or sulfur hexafluoride).

   Also describe any proposed pollution prevention techniques and proposed air pollution control devices. Describe the impacts on air quality.

   N/A

24. **Odors, noise and dust.** Will the project generate odors, noise or dust during construction or during operation?  

   _X_ Yes   __No

   If yes, describe sources, characteristics, duration, quantities or intensity and any proposed measures to mitigate adverse impacts. Also identify locations of nearby sensitive receptors and estimate impacts on them. Discuss potential impacts on human health or quality of life.

   (Note: fugitive dust generated by operations may be discussed at item 23 instead of here.)

   During deconstruction there will be noise and dust produced from the materials being removed. The materials likely to produce dust include stone, brick, clay masonry tiles, and plaster. Noise and dust suppression techniques will be employed throughout this project. The deconstruction and removal of materials will take approximately 20 days. The Norris Gymnasium and Field House is located in a heavy vehicular traffic area of campus. Therefore, pedestrian control fencing, signage and lighted crosswalk signals will be deployed, and the building will be deconstructed during a session break to minimize the impact on the public, as well as, on University faculty, staff, and students.

25. **Nearby resources.** Are any of the following resources on or in proximity to the site?

   Archaeological, historical or architectural resources?  

   _X_ Yes   __No

   Prime or unique farmlands or land within an agricultural preserve?  

   __Yes   _X_ No

   Designated parks, recreation areas or trails?  

   _X_ Yes   __No

   Scenic views and vistas?  

   _X_ Yes   __No

   Other unique resources?  

   __Yes   _X_ No

   If yes, describe the resource and identify any project-related impacts on the resource. Describe any measures to minimize or avoid adverse impacts.

   The historical and architectural significance of the property rests in its history as one of the early campus buildings built adjacent to the original University of Minnesota East Bank Campus Knoll area. Norris Gymnasium and Field House is not included as a
contributing element to the adjacent National Register of Historic Places University of
Minnesota Old Campus Historic District. However, the building itself has been
determined eligible for the National Register of Historic Places as an individual
nomination. Originally completed in 1914, the Ladies’ Gymnasium and subsequent 1934
Field House addition, was renamed by the Board of Regents in 1941 for Dr. Anna Norris
the first Women’s Athletics Director. Designed by CH Johnston Architects, it was built
to replace a single room for women’s athletics in the Men’s Athletics Armory and
physically attached to the Women’s Union (Shevlin Hall) to provide a well-rounded
social and academic experience for women on campus. Norris Gymnasium and Field
House is bordered by the East River Parkway part of Minneapolis Parks and Recreation
Grand Rounds. Completed in 1899, the East River Parkway begins at Arlington Street
SE on the east bank of the Mississippi River and ends at the Minneapolis and St. Paul
boundary.

26. Visual impacts. Will the project create adverse visual impacts during construction or
operation? Such as glare from intense lights, lights visible in wilderness areas and large
visible plumes from cooling towers or exhaust stacks? __Yes _X_ No
If yes, explain.

27. Compatibility with plans and land use regulations. Is the project subject to an adopted
local comprehensive plan, land use plan or regulation, or other applicable land use, water, or
resource management plan of a local, regional, state or federal agency? _X_ Yes __No.
If yes, describe the plan, discuss its compatibility with the project and explain how
any conflicts will be resolved. If no, explain.

Knoll District Plan – This plan describes the existing features that create the University of
Minnesota East Bank Campus Knoll District area. It outlines how areas of the district
should be treated in order to capture the intended look, feel, and function of the district.
The Norris Gymnasium and Field House site is not a part of the adjacent National
Register of Historic Places Old Campus Historic District (Knoll District). However, since
the building will be lost, the plan calls for historical documentation of the building and
for site restoration to public green space.

2009 University of Minnesota Twin Cities Campus Master Plan – The University Master
Plan shows the Norris Gymnasium and Field House site as a site for new public space
with visual access to the river.

28. Impact on infrastructure and public services. Will new or expanded utilities, roads, other
infrastructure or public services be required to serve the project? __Yes _X_ No.
If yes, describe the new or additional infrastructure or services needed. (Note: any
infrastructure that is a connected action with respect to the project must be assessed in
the EAW; see EAW Guidelines for details.)

N/A

29. Cumulative potential effects. Minnesota Rule part 4410.1700, subpart 7, item B requires
that the RGU consider the "cumulative potential effects of related or anticipated future
projects" when determining the need for an environmental impact statement.
Identify any past, present or reasonably foreseeable future projects that may interact
with the project described in this EAW in such a way as to cause cumulative potential
effects. (Such future projects would be those that are actually planned or for which a basis of expectation has been laid.)
Describe the nature of the cumulative potential effects and summarize any other available information relevant to determining whether there is potential for significant environmental effects due to these cumulative effects (or discuss each cumulative potential effect under appropriate item(s) elsewhere on this form).

Knoll District Plan – The Norris Gymnasium and Field House site is not a part of the adjacent National Register of Historic Places Old Campus Historic District (Knoll District). However, since the building will be lost, the plan calls for historical documentation of the building and for site restoration to public green space.

2009 University of Minnesota Twin Cities Campus Master Plan – The University Master Plan shows the Norris Gymnasium and Field House site as a site for new public space with visual access to the river.

30. Other potential environmental impacts. If the project may cause any adverse environmental impacts not addressed by items 1 to 28, identify and discuss them here, along with any proposed mitigation.

N/A

1. Summary of issues. Do not complete this section if the EAW is being done for EIS scoping; instead, address relevant issues in the draft Scoping Decision document, which must accompany the EAW.

List any impacts and issues identified above that may require further investigation before the project is begun. Discuss any alternatives or mitigative measures that have been or may be considered for these impacts and issues, including those that have been or may be ordered as permit conditions.

N/A

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

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

[Signature] [Date]

[52]
Norris Gymnasium and Field House

Norris Gym and Field House
Location Map
University of MN
SITE PLAN SHOWING FOUNDATIONS, UTILITIES, PLANTINGS AND TOPOGRAPHIC INFORMATION
Main entrance at the 1914 building north elevation

West elevation of the 1914 building
South elevation of the 1914 building and west elevation of the 1934 addition

South elevation of the 1934 addition
South elevation of the 1934 addition

East elevation of the 1934 addition
North elevation of the 1934 addition

East elevation of the 1914 building
View of the 1914 building main entrance

View of the main stair in the 1914 building
Second floor classroom in the 1914 building

The main field house in the 1914 building
1914 building pool

1934 addition pool and viewing area
Ground floor classroom in the 1914 building

First floor classroom in the 1934 addition
EXHIBIT B

UNIVERSITY OF MINNESOTA
BOARD OF REGENTS POLICY
Page 1 of 7

RESERVATION AND DELEGATION OF AUTHORITY

ARTICLE I

RESERVATION OF AUTHORITY

SECTION I. GENERAL RESERVATIONS OF AUTHORITY.

Subd. 1. The Board of Regents reserves to itself all authority necessary to carry out its legal and fiduciary responsibilities under the University Charter, the Constitution of the State of Minnesota, and the Board of Regents (Board) Bylaws. This reservation specifically includes all authority to enact laws and policies for the governance of the University of Minnesota (University) and to issue Board directives to executive officers and employees. The Board’s reserved authority shall be exercised consistent with the University Charter, the Constitution of the State of Minnesota, Board Bylaws, and relevant Board policies.

Subd. 2. The Board reserves to itself authority to ensure constitutional and institutional autonomy, to approve the University's mission and vision, to set the overall direction of the institution, including the adoption of fundamental plans for the educational, financial, and physical development of the University, and to declare a fiscal emergency.

Subd. 3. No authority that the Board reserves to itself in this policy shall be exercised by any other person or body unless expressly authorized by Board policy or directive.

Subd. 4. The Board reserves to itself authority to approve the use, and revocation of the use, of its corporate name or any abbreviated name, including University of Minnesota, by any non-University person or entity, consistent with Board policies. The Board also reserves authority over the removal of the corporate name or any abbreviated name from the name of any University campus, college, school, division, or unit, consistent with Board policies.

Subd. 5. The Board reserves to itself authority to approve any commercial transaction or matter not otherwise subject to Board approval if the transaction or matter:

(a) raises unusual questions of public interest or public policy;
(b) has a significant impact on the University's mission; or
(c) has a value greater than $2 million.

SECTION II. CONDUCT OF BOARD BUSINESS.

The Board reserves to itself authority to establish procedures for the conduct of its business, create committees, set its agenda, require reports from executive officers and employees, hear appeals, and enforce its code of ethics.
SECTION III. ELECTION OF BOARD OFFICERS.

The Board reserves to itself authority to elect and remove Board officers, including the president, chair, vice chair, secretary, and treasurer.

SECTION IV. APPOINTMENT AUTHORITY.

Subd. 1. The Board reserves to itself authority to appoint all individuals and approve any individually negotiated terms of employment for those who serve in each of the following positions:

(a) Senior Vice President for Academic Affairs and Provost
(b) Senior Vice President for Health Sciences
(c) Senior Vice President for System Academic Administration
(d) Chancellor
(e) Vice President
(f) Provost
(g) General Counsel
(h) Librarian
(i) Director of Audits
(j) Dean
(k) Athletic Director, Twin Cities campus
(l) Such other administrative positions as the Board may specify from time to time.

The president shall recommend individuals for appointment to these positions, consistent with Board policies and directives.

Subd. 2. The Board reserves to itself authority to remove University officers as provided in the University Charter. The president (a) may remove the general counsel with Board approval and (b) may remove any other individual appointed under subd. 1 of this section, except the director of audits.

Subd. 3. The Board reserves to itself authority to appoint members of the boards of University-associated foundations, institutes, committees, and other bodies, consistent with Board policies.

SECTION V. ACADEMIC MATTERS.

Subd. 1. The Board reserves to itself authority to grant academic degrees, grant faculty indefinite tenure, grant continuous appointments to academic professionals, and award the title faculty emeritus, consistent with Board policies.

Subd. 2. The Board reserves to itself authority to establish, name, and abolish colleges, academic institutes, programs, and courses of study, consistent with Board policies.
Subd. 3. The Board reserves to itself authority to establish tuition and student fees and approve policies and reciprocity agreements related to such matters, consistent with Board policies.

Subd. 4. The Board reserves to itself authority to: (a) establish and review policies relating to the conduct of research and the receipt and accounting of sponsored research funds; (b) require timely reporting to the Board of sponsored research activity; and (c) approve financial support greater than $250,000 to non-University entities for the commercialization of technology, consistent with Board policies.

Subd. 5. The Board reserves to itself authority to approve educational policies and procedures, in consultation with the president and the faculty governance process, consistent with Board policies. This policy is not intended to alter the relationship between the Board, the University Senate, and the faculties regarding educational policies.

SECTION VI. AWARDS, HONORS, AND NAMINGS.

Subd. 1. The Board reserves to itself authority to establish and bestow awards, honors, and recognition, consistent with Board policies.

Subd. 2. The Board reserves to itself authority to name and revoke names of University buildings and other assets, consistent with Board policies.

SECTION VII. BUDGETARY, FINANCIAL, AND INVESTMENT MATTERS.

Subd. 1. The Board reserves to itself authority to approve the following: annual operating budgets; the central reserves budget and minimum reserve level; and adjustments and amendments, consistent with Board policies. The Board also reserves to itself authority to approve any modifications to the central reserves budget and any expenditures from the central reserves general contingency account, consistent with Board policies.

Subd. 2. The Board reserves to itself authority to approve all requests for operating and capital budget appropriations from the State of Minnesota and positive or negative adjustments to the budget caused by a 1% or more change in total appropriations within a fiscal year.

Subd. 3. The Board reserves to itself authority to establish investment objectives, approve asset allocation guidelines, hire investment advisers, and approve policies and plans for investment income distribution.

Subd. 4. The Board reserves to itself authority to authorize issuance and retirement of debt and to engage debt advisers and/or underwriters, consistent with Board policies.

Subd. 5. The Board reserves to itself authority to accept gifts for the benefit of the University, consistent with Board policies.
Subd. 6. The Board reserves to itself authority to approve individual purchases of goods and services with a value greater than $1,000,000, consistent with Board policies.

SECTION VIII. PROPERTY, FACILITIES, AND CAPITAL BUDGETS.

Subd. 1. The Board reserves to itself authority to approve the purchase or sale of real property with a value greater than $250,000 or larger than ten (10) acres, consistent with Board policies.

Subd. 2. The Board reserves to itself authority to approve leases of real property, easements, and other interests in real property if the initial term amount to be paid by or to the University exceeds $250,000, consistent with Board policies.

Subd. 3. The Board reserves to itself authority to exercise the power of eminent domain to acquire land for University purposes.

Subd. 4. The Board reserves to itself authority to (a) exercise property owner rights regarding the designation, decommissioning, or demolition of historic resources; and (b) take final action on all environmental reviews of historic resources initiated by the administration for which the University is the responsible governmental unit, consistent with Board policies and applicable state and federal laws.

Subd. 5. The Board reserves to itself authority to approve campus master plans and amendments thereto.

Subd. 6. The Board reserves to itself authority to approve multi-year capital plans consisting of projects with a value greater than $1,000,000.

Subd. 7. The Board reserves to itself authority to approve annual capital budgets consisting of projects with a value greater than $500,000.

Subd. 8. The Board reserves to itself authority to approve capital budget amendments to approved projects and new projects when the amendment has a value greater than $500,000.

Subd. 9. The Board reserves to itself authority to approve project schematic plans for (a) interior renovations with a value greater than $5,000,000; (b) projects with a value greater than $2,000,000 that have an exterior visual impact; (c) projects that vary from adopted campus master plans or that have a significant visual impact; and (d) projects noted during the annual review of the capital budget.

Subd. 10. The Board reserves to itself authority for a subsequent review of approved capital budget projects with a value greater than $5,000,000 prior to the award of construction contracts.
SECTION IX. LEGAL MATTERS.

The Board reserves to itself, or to one of its committees, authority to direct the president or the general counsel to settle any legal claim or initiate or appeal a lawsuit or administrative proceeding, consistent with Board policies.

SECTION X. AUDIT FUNCTION.

The Board reserves to itself authority to adopt policies regulating the audit function; approve selection of external auditors and the director of audits; and evaluate the performance of the independent auditor, and, jointly with the president, the performance of the internal audit function.

SECTION XI. EMPLOYMENT AND LABOR RELATIONS.

Subd. 1. The Board reserves to itself authority to approve all contracts and other agreements with the exclusive collective bargaining representatives of its employees.

Subd. 2. The Board reserves to itself authority to approve civil service rules and annual pay and benefit plans for University employees.

Subd. 3. The Board reserves to itself authority to establish or discontinue retirement plans for University faculty and staff. For those plans sponsored by the University and governed by formal plan documents, the Board reserves to itself authority to approve amendments to those plans that significantly affect the cost structure of the plans. An amendment is considered to significantly affect the cost structure of the plan if the change causes a cost impact of more than $250,000.

Subd. 4. The Board reserves to itself authority to review individually negotiated employee severance agreements of unusual importance or significance.

SECTION XII. ASSOCIATED ORGANIZATIONS.

The Board reserves to itself authority to approve the legal structure and scope of any relationship between the University and any associated organization, non-profit corporation, foundation, institute, or similar entity that substantially relies upon University resources or personnel to carry out its mission.

ARTICLE II

DELEGATION OF AUTHORITY

SECTION I. DELEGATION OF AUTHORITY TO THE PRESIDENT.

The Board delegates to the president authority to act as chief executive officer of the University, with such general executive management and administrative authority over the University as is
reasonable and necessary to carry out the policies and directives of the Board, subject to the limitations noted in Article II, Section II below.

SECTION II. LIMITATIONS UPON PRESIDENTIAL AUTHORITY.

The authority delegated to the president is limited by the following:

(a) The provisions of the University Charter and the Constitution of the State of Minnesota;

(b) The provisions of Board Bylaws;

(c) The provisions of Board policies and directives, including specifically Article I of this policy; and

(d) The directive that the president shall notify the Board of any matter not otherwise addressed in this section that significantly involves the authority and role of the Board, including its fiduciary, oversight, and public accountability responsibilities.

SECTION III. DELEGATION OF AUTHORITY BY THE PRESIDENT.

Subd. 1. Unless otherwise restricted by specific Board policies or directives, the president shall be responsible for delegating general executive management and administrative authority to other executive officers and employees as necessary and prudent, including authority to execute contracts and other legal documents. The president may condition, limit, or revoke any presidential authority so delegated.

Subd. 2. All delegations and revocations under this section shall be in writing, name the individual to whom such authority is delegated, describe the scope and limitations of such authority, and prescribe the extent to which such authority may be further sub-delegated.

Subd. 3. All delegations and revocations under this section shall be reviewed as to form, legality, and consistency by the general counsel.

Subd. 4. Annually, the president shall report to the Board significant changes to the delegations.

SECTION IV. DELEGATION OF AUTHORITY TO THE CHAIR AND VICE CHAIR.

The chair and vice chair of the Board shall have such authority as is authorized by Board Bylaws and policies and is customarily exercised by such officers of a corporation. The chair shall have authority to execute any and all instruments and documents on behalf of the Board.
SECTION V. DELEGATION OF AUTHORITY TO THE BOARD SECRETARY, TREASURER, GENERAL COUNSEL, AND DIRECTOR OF AUDITS.

The secretary, treasurer, general counsel, and director of audits shall have authority to perform such duties for the Board as provided by Board Bylaws, policies, and directives.

The secretary shall have authority to execute such instruments and documents that would customarily devolve upon a corporate officer and are usual to that office.

The secretary and the general counsel shall have authority to accept legal service on behalf of the University.

SECTION VI. CONFORMANCE WITH THIS POLICY.

Subd. 1. No executive officer or employee of the University shall have any authority to take any action or make any representation on behalf of the University beyond the scope of, or materially inconsistent with, the authority delegated to such executive officer or employee as provided in this policy.

Subd. 2. The secretary and the general counsel each shall have the duty to inform the Board of any existing or proposed Board policy or directive that is inconsistent with or alters the delegations of authority as provided in this policy.

Facilities Committee

May 12, 2011

Agenda Item: Resolution: Environmental Assessment Worksheet (EAW) for Veterinary Anatomy Building Deconstruction and Demolition

☐ review ☒ review/action ☐ action ☐ discussion

Presenters: Vice President Kathleen O’Brien
Kenneth Larson, Associate General Counsel

Purpose:

☐ policy ☐ background/context ☒ oversight ☐ strategic positioning

This matter involves the review of an Environmental Assessment Worksheet (“EAW”) for the proposed destruction of the Veterinary Anatomy Building, Twin Cities Campus in Ramsey County, Minnesota (the “Project”), to determine the need for an Environmental Impact Statement (“EIS”) for the Project. The purpose of the Project is to destruct the Veterinary Anatomy Building, which was vacated in 2002 and placed in a maintenance layaway state due to multiple fire and life safety code deficiencies. The Project does not meet the thresholds for a mandatory EIS or a mandatory EAW, but the administration elected to file a discretionary EAW to more fully inform the public and the Board of Regents.

Outline of Key Points/Policy Issues:

A proposed project requires an EIS only if the project has the potential for significant environmental effects. The EAW for the Project does not identify any potential for significant environmental effects. To evaluate the adequacy of the EAW as a basis for concluding that the Project does not require and EIS, it must be considered in light of the requirements set forth in the Minnesota Environmental Policy Act (“MEPA”), Minn. Stat. Ch. 116D, and the Minnesota Environmental Quality Board (“EQB”) rules implementing MEPA, Minn. R. Ch. 4410. Attached are the Findings of Fact, Conclusions of Law, and Resolution in the matter of an Environmental Assessment Worksheet (EAW) for the deconstruction of the Veterinary Anatomy Building, Twin Cities Campus.

Background Information:

On February 12, 2010, the Board of Regents adopted a resolution declaring that the Board of Regents would be the RGU for all University historic resource projects. As RGU for this Project, the Board of Regents is responsible for reviewing the EAW and determining whether an EIS should be conducted.

President's Recommendation for Action:

The President recommends that the Board approve the Environmental Assessment Worksheet for the Veterinary Anatomy Building, Twin Cities Campus, approve the Findings of Fact and Conclusions of Law and issue a Negative Declaration with respect to the need for an Environmental Impact Statement for the Project.
REGENTS OF THE UNIVERSITY OF MINNESOTA

RESOLUTION REGARDING NEED FOR AN ENVIRONMENTAL IMPACT STATEMENT FOR THE DECONSTRUCTION AND DEMOLITION OF VETERINARY ANATOMY BUILDING

WHEREAS, the Board of Regents' resolution of February 12, 2010, established that the Board of Regents of the University of Minnesota shall perform the responsibilities of a Responsible Governmental Unit as described in the Minnesota Environmental Policy Act, Minn. Stat. Ch. 116D, and accompanying Minnesota Rules, in connection with all University historic resources projects; and

WHEREAS, Veterinary Anatomy Building on the Saint Paul campus of the University is eligible for listing on the National Register of Historic Places; and

WHEREAS, in order to consider the demolition of Veterinary Anatomy Building (the “Veterinary Anatomy Demolition Project” or “Project”) it was determined that an Environmental Assessment Worksheet for the Project should first be prepared and reviewed as described in the Minnesota Environmental Policy Act and accompanying Minnesota Rules; and

WHEREAS, the Board of Regents has reserved to itself authority to take final action on all environmental reviews of historic resources initiated by the administration for which the University is the responsible governmental unit; and

WHEREAS, the Board of Regents has reviewed the Environmental Assessment Worksheet prepared for the Project and found that said document complies with the requirements set forth in the Minnesota Environmental Policy Act and accompanying Minnesota Rules and has also reviewed the comments received on the Environmental Assessment Worksheet; and

WHEREAS, the Board of Regents has reviewed proposed Findings of Fact and Conclusions of Law prepared by the University's administrative staff with respect to the Project; and
WHEREAS, based on the foregoing the Board of Regents concludes that the Project does not have the potential for significant environmental effects.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Regents issues a Negative Declaration with respect to the Veterinary Anatomy Building Demolition Project, declaring that an Environmental Impact Statement need not be prepared for said Project, and that the Board of Regents hereby adopts the Findings of Fact and Conclusions of Law, and directs the President or his delegates to provide copies this Resolution, the Findings of Fact and Conclusions of Law, and the University’s responses to comments on the Environmental Assessment Worksheet for the Project, to all persons designated by Minn. R. 4410.1700, subp. 5, within the period set forth in said rule.
University of Minnesota
Twin Cities - Saint Paul Campus
In the Matter of an Environmental Assessment Worksheet (EAW) for Deconstruction and Demolition of the Veterinary Anatomy Building Twin Cities Campus

This matter came before the Board of Regents of the University of Minnesota, the responsible governmental unit (“RGU”) for the proposed destruction of the Veterinary Anatomy Building Twin Cities Campus, pursuant to the Minnesota Environmental Policy Act (“MEPA”), Minn. Stat. Ch. 116D. Based on the files and records of the University of Minnesota (the “University”) related to this matter, the Board of Regents hereby finds, concludes, and resolves as follows:

FINDINGS OF FACT

1. This matter involves review of an Environmental Assessment Worksheet (“EAW”) for the proposed destruction of the Veterinary Anatomy Building, Twin Cities Campus in Ramsey County, Minnesota (the “Project”), to determine the need for an Environmental Impact Statement (“EIS”) for the Project. A proposed project requires an EIS only if the project has the potential for significant environmental effects. The EAW for the Project does not identify any potential for significant environmental effects. A copy of the EAW is attached to these Findings as Exhibit A. To evaluate the adequacy of the EAW and conclude that the Project does not require an EIS, the University must determine whether environmental review of the Project meets the requirements set forth in MEPA, Minn. Stat. Ch. 116D, and the Minnesota Environmental Quality Board (“EQB”) rules implementing MEPA, Minn. R. Ch. 4410.
2. The purpose of the Project is to destruct the Veterinary Anatomy Building, which has been deemed unsafe by University Building Code Official and therefore unoccupied since 2002.

3. The University expects to commence the Project in 2011, and the Project should be complete in 2011.

4. MEPA mandates that RGUs prepare an EIS where a project has the potential for significant environmental effects resulting from a major government action. Minn. Stat. § 116D.04, subd. 2a. The EQB rules require an EIS for certain projects that, based upon location or character, make the potential for significant environmental effects highly likely. If a project meets or exceeds the so-called “mandatory” EIS thresholds, the governmental entity serving as the RGU must prepare an EIS before undertaking or approving the project. Minn. R. 4410.2000, supb. 2. Even if a project does not fall within a mandatory EIS category, an RGU must prepare a so-called “discretionary” EIS if the proposed project has the potential for significant environmental effects. Minn. R. 4410.2000, supb. 3(A)-(B).

5. RGUs consider whether a project has the potential for significant environmental effects and requires a “discretionary” EIS by preparing an EAW. Minn. R. 4410.1000, supb. 1. The EQB rules also set “mandatory” thresholds requiring EAW preparation. Minn. R. 4410.4300. If a proposed project does not meet a mandatory EAW threshold, an RGU may nonetheless prepare a “discretionary” EAW if the project is not exempt from environmental review and the project may have the potential for significant environmental effects. Minn. R. 4410.1000, subp. 3.
6. On February 12, 2010, the Board of Regents adopted a resolution declaring that the Board of Regents would be the RGU for all University historic resource projects. A copy of the Board of Regents’ resolution is attached to these Findings as Exhibit B.

7. The Project does not meet the threshold for a mandatory EIS. However, the Project does meet the University’s threshold for a discretionary EAW because it involves destruction of property that is eligible for listing on the National Register of Historic Places, and is otherwise considered a preservation best practices action by the University.

8. An EAW is a brief document prepared in a worksheet format that is designed to rapidly assess the environmental effects associated with a proposed project. The EQB has created a form worksheet for EAWs under MEPA.

9. The EAW that the University prepared for the Project employs the form worksheet for EAWs that the EQB created.

10. The EAW describes the Project and its purpose, discusses the Project’s total acreage, lists the permits and approvals that may be required for the Project once environmental review under MEPA is complete, describes current and recent past land use and development on the site and on adjacent lands, and estimates vegetative cover types on the site before and after construction of the Project.

11. In addition, the EAW discusses the Project’s impacts on fish, wildlife, and ecologically sensitive resources. It also analyzes the Project’s physical effects on water resources, including steps that the University will take to minimize and mitigate the Project’s impacts on wetlands. Moreover, the EAW describes the Project’s water use and notes that the Project does not involve any activities in water-related land use management districts such as delineated 100-year flood plains.
12. The EAW states that the Project will not change the number or type of watercraft on any water body, estimates the acreage to be excavated during Project construction, and discusses the measures that the University will take to minimize erosion and sedimentation. Among the measures that the University will take to address erosion and sedimentation is compliance with state and federal permitting and mitigation requirements. In addition, the EAW discusses the Project’s impacts on surface water runoff and waste water discharge, including an analysis of the measures that the University will take to manage such discharges.

13. The EAW also describes geologic and soil conditions at the Project site, discusses the measures that the University will take to manage solid waste and hazardous wastes, and describes the measures that the University will take to detect and contain any tank leaks from on-site storage tanks.

14. In addition, the EAW analyzes the environmental effects of traffic associated with the Project, and estimates vehicle-related air emissions and stationary source air emissions that the Project will generate. The EAW further describes measures that the University will take to minimize and suppress odors, noise, and dust during the Project.

15. According to the EAW, the site has been determined eligible by the Minnesota State Historic Preservation Office for listing on the National Register of Historic Places. The EAW notes that the University will work closely with the Minnesota State Historic Preservation Office and other local preservation partners in examining potential for mitigating any adverse effect, memorializing the property, and will provide archival documentation and final treatment disposition of this historic resource.

16. There are no archaeological or park or recreational resources within the Project site.
17. In addition, the EAW concludes that the Project is compatible with applicable comprehensive plan requirements and land use regulations, and evaluates the Project’s effects on infrastructure and public services.

18. Finally, the EAW analyzes the Project’s potential for cumulative impacts and concludes that the Project does not have the potential for cumulative impacts.

19. The University’s consultant completed the draft EAW in early January 2011. On February 21, 2011, after the University and its consultants completed all reviews, Kathleen O’Brien, Vice-President of University Services, accepted the EAW and certified that the document was accurate and complete to the best of her knowledge, as the EQB rules require.

20. Within five days of accepting the EAW, the University submitted the document to EQB staff for publication in the EQB Monitor, as required by Minn. R. 4410.1500. At the same time, the University provided copies of the document to all parties designated on the EQB’s distribution list, as required by Minn. R. 4410.1500. In addition, the University posted the EAW on the World Wide Web at http://www.cppm.umn.edu.

21. The EQB Monitor published a Notice of Availability of the EAW on March 07, 2011. See EQB Monitor, Vol. 35, No. 05 (Mar. 07, 2011). The notice began a thirty-day public comment period on the document. Within five days of submitting the EAW to EQB, the University sent a press release containing a notice that the document was available for public review to newspapers of general circulation within the area of the Project, as required by Minn. R. 4410.1500. The press release included the name and location of the Project, a brief Project description, the locations where the EAW was available for public review, the date on which the public comment period expired, and the procedures for providing public comments. The
following newspapers received the press release: (a) the Minneapolis Star Tribune; (b) the Saint Paul Pioneer Press; and (c) the Minnesota Daily.

22. The thirty-day public comment period on the EAW closed on April 06, 2011. During the public comment period, the University received written comments from the following: (a) the Minnesota Pollution Control Agency; (b) the Minnesota Department of Transportation (Mn/DOT); (c) Metropolitan Council; (d) U.S. Army Corps of Engineers; and (e) the Minnesota Historical Society, State Historic Preservation Office. The University responded to these comments, as required by Minn. R. 4410.1700. A copy of the University’s written Response to Comments on the EAW is attached to these Findings as Exhibit C.

CONCLUSIONS OF LAW

1. The Board of Regents of the University is the RGU for the Project.

2. The University has complied with the requirements set forth in MEPA, Minn. Stat. Ch. 116D, and the EQB rules implementing MEPA, Minn. R. Ch. 4410, for preparing, circulating, and publishing the EAW.

3. The University has complied with the requirements set forth in MEPA, Minn. Stat. Ch. 116D, and the EQB rules implementing MEPA, Minn. R. Ch. 4410, for receiving and responding to public comments on the EAW.

4. As specified in the Board of Regents’ resolution of February 12, 2010, the Board of Regents of the University has the authority to determine whether the Project may have the potential for significant environmental effects and whether the University must prepare an EIS.

5. The University must make a decision on the need for an EIS within thirty days after the close of the public comment period on the EAW. Minn. R. 4410.1700, subp. 2(A).
6. MEPA requires an EIS only if a project may have the potential for significant environmental effects. Minn. Stat. § 116D0.04, subd. 2a; Minn. R. 4410.1700, subp. 1. The EQB rules establish four criteria that an RGU must use to evaluate a project’s potential for significant environmental effects. These factors are:

   A. [the] type, extent, and reversibility of environmental effects;

   B. [the] cumulative potential effects of related or anticipated future projects;

   C. the extent to which the environmental effects are subject to mitigation by ongoing public regulatory authority; and

   D. the extent to which environmental effects can be anticipated and controlled as a result of other available environmental studies undertaken by public agencies or the project proposer, including other EISs.

Minn. R. 4410.1700, subp. 7. If an RGU determines that a project may have the potential for significant environmental effects, the RGU must issue a “positive declaration” on the need for an EIS and prepare an EIS for the project. *Citizens Advocating Responsible Development v. Kandiyohi County Bd. of Comm’rs*, 713 N.W.2d 817, 824 (Minn. 2006).

7. The EAW evaluates the type, extent, and reversibility of environmental effects associated with the Project, including but not limited to effects on nearby resources, surface water and wetlands, wildlife habitat, ecologically sensitive resources, water use, erosion and sedimentation, traffic, air quality, infrastructure and public services, and visual impacts. Based upon the evaluation in the EAW, the University concludes that the type, extent, and reversibility of the Project’s impacts do not pose the potential for significant environmental effects.

8. The EAW also evaluates the cumulative potential effects of the Project and related or anticipated future projects. Based upon the evaluation in the EAW, the University concludes that no cumulative effects are likely, because there are no future phases of
development associated with the Project and because the Project is the only foreseeable action in the surrounding area.

9. In addition, the EAW considers the extent to which the Project’s environmental effects are subject to mitigation by ongoing public regulatory authority. In discussing mitigation the EAW analyzes a variety of measures, including but not limited to mitigation that the University will implement as part of permits necessary to accomplish the Project. Based on the evaluation in the EAW, the University concludes that steps can be taken to mitigate at least some of the environmental effects of the Project and that such steps will be taken where required by ongoing public regulatory authority or where otherwise considered reasonable.

10. The EAW evaluates the categories of environmental effects that MEPA and the EQB rules require, and establishes that the Project does not have the potential for significant environmental effects. MEPA, therefore, an EIS is not required for the Project.

11. Any Finding more properly considered a Conclusion shall be considered a Conclusion. Any Conclusion more properly considered a Finding shall be considered a Finding.
Exhibit A

ENVIRONMENTAL ASSESSMENT WORKSHEET

Note to preparers: This form and EAW Guidelines are available at the Environmental Quality Board’s website at: http://www.eqb.state.mn.us/EnvRevGuidanceDocuments.htm. The Environmental Assessment Worksheet provides information about a project that may have the potential for significant environmental effects. The EAW is prepared by the Responsible Governmental Unit or its agents to determine whether an Environmental Impact Statement should be prepared. The project proposer must supply any reasonably accessible data for — but should not complete — the final worksheet. The complete question as well as the answer must be included if the EAW is prepared electronically.

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

1. Project title - University of Minnesota Veterinary Anatomy Building Deconstruction

2. Proposer  Regents of the University of Minnesota  3. RGU  Regents of the University of Minnesota

   Contact person: Kathleen O’Brien  Contact person: Kathleen O’Brien
   Title: Vice President for University Services  Title: Vice President for University Services

   Address 317 Morrill Hall, 100 Church Street SE
   City, state, ZIP Minneapolis, MN 55455
   Phone 612.624.3557
   Fax 612.626.2278
   E-mail kobrien@umn.edu

4. Reason for EAW preparation (check one)
   _EIS scoping  _X Mandatory EAW  __Citizen petition __ RGU discretion __Proposer volunteered

   If EAW or EIS is mandatory give EQB rule category subpart number and subpart name:
   4410.4300 subpart 31

5. Project location  County – Ramsey  City/Township - St. Paul

   NW ¼  Section 21  Township 029 Range 23

   GPS Coordinates   N 44.9828   W -93.1823
6. **Description**

a. Provide a project summary of 50 words or less to be published in the *EQB Monitor*.

Veterinary Anatomy, originally completed in 1901, had several additions previously torn down including significant wings in 1915 and 1992. Vacated in 1996 for structural reasons, deconstruction is approved by the University of Minnesota. Deconstruction will involve salvaging brick, disconnection and removal of underground utilities and tunnel, landscape, and sidewalk restoration.

b. Give a complete description of the proposed project and related new construction. Attach additional sheets as necessary. Emphasize construction, operation methods and features that will cause physical manipulation of the environment or will produce wastes. Include modifications to existing equipment or industrial processes and significant demolition, removal or remodeling of existing structures. Indicate the timing and duration of construction activities.

Please see the attached drawings in Appendix – B that describe the Veterinary Anatomy building.

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

The purpose of the project is to deconstruct the Veterinary Anatomy Building. It has not been a Veterinary building since 1996 when structural problems condemned the second floor. Throughout its history the building has served as laboratory and classroom space. The University Raptor Center and the Wildlife Rehabilitation Clinic were located in the building between approximately 1988 and 1996. When the building was decommissioned in 1996, financial investments required to correct the structural problems were deemed excessive by the University.

d. Are future stages of this development including development on any other property planned or likely to happen? **Yes**  __No

If yes, briefly describe future stages, relationship to present project, timeline and plans for environmental review.

A current project is not identified for this property, but the site is considered buildable by the University of Minnesota. Any future development would be part of the University’s long term planning timeline. If a project is identified for the site sometime in the future, all appropriate environmental reviews will be followed by the University.

e. Is this project a subsequent stage of an earlier project?  __Yes  **No

If yes, briefly describe the past development, timeline and any past environmental review.
7. Project magnitude data

- Total project acreage: 0.56 acres
- Number of residential units: unattached 0, attached 0, maximum units per building
- Commercial, industrial or institutional building area (gross floor space): total square feet 0

Indicate areas of specific uses (in square feet):
- Office: Manufacturing
- Retail: Other industrial
- Warehouse: Institutional
- Light industrial: Agricultural
- Other commercial (specify)

Building height (If over 2 stories, compare to heights of nearby buildings)

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

<table>
<thead>
<tr>
<th>Unit of government</th>
<th>Type of application</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>University of Minnesota</td>
<td>Demolition Permits</td>
<td>Pending</td>
</tr>
<tr>
<td>Building Code Division</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

9. Land use. Describe current and recent past land use and development on the site and on adjacent lands. Discuss project compatibility with adjacent and nearby land uses. Indicate whether any potential conflicts involve environmental matters. Identify any potential environmental hazards due to past site uses, such as soil contamination or abandoned storage tanks, or proximity to nearby hazardous liquid or gas pipelines.

The University of Minnesota St. Paul Campus site was farmland up until the late 1880’s when the first buildings near the Bowl and Lawn areas were built. In 1901, the Veterinary Anatomy Building, originally called the Veterinary Medicine Building was added to the campus. The footprint has changed several times over its history with most of the changes occurring on the east side of the building. Originally, there was a wood structured wing off of the main two-story portion of the building that housed animals. This wing was torn down in 1915 and replaced with a stone wing. This stone wing was later torn down in 1992 due to structural problems. The foundations for this addition remain below grade. Also below grade is a branch tunnel which connects the building to the underground steam tunnel system. In 1996, the building was decommissioned due to structural problems which condemned the second floor. In the near future the site will be open space. In the long term the site is considered buildable and the right project for the site may be considered in the future.

Hazardous materials testing and analysis has been conducted and documented. This building contains asbestos and lead in the building materials and equipment. These hazardous materials will be abated by the University prior to any and all deconstruction activities and prior to site remediation.
10. **Cover types.** Estimate the acreage of the site with each of the following cover types before and after development:

<table>
<thead>
<tr>
<th>Types 1-8 wetlands</th>
<th>Before</th>
<th>After</th>
<th>Lawn/landscaping</th>
<th>Before</th>
<th>After</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wooded/forest</td>
<td>0</td>
<td>0</td>
<td>Impervious surfaces</td>
<td>9,614sf</td>
<td>1,000sf</td>
</tr>
<tr>
<td>Brush/Grassland</td>
<td>0</td>
<td>0</td>
<td>Stormwater Pond</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Cropland</td>
<td>0</td>
<td>0</td>
<td>Other (describe)</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>TOTAL</td>
<td>0</td>
<td>0</td>
<td></td>
<td>24,210sf</td>
<td>24,210sf</td>
</tr>
</tbody>
</table>

If **Before** and **After** totals are not equal, explain why:

The Veterinary Anatomy Building is to be replaced with minimal sidewalks, landscaping and pervious sod. Existing adjacent sidewalks will remain.

11. **Fish, wildlife and ecologically sensitive resources**
   a. Identify fish and wildlife resources and habitats on or near the site and describe how they would be affected by the project. Describe any measures to be taken to minimize or avoid impacts.

   N/A

   b. Are any state-listed (endangered, threatened or special concern) species, rare plant communities or other sensitive ecological resources on or near the site? _Yes _X No

   If yes, describe the resource and how it would be affected by the project. Describe any measures that will be taken to minimize or avoid adverse impacts. Provide the license agreement number (LA-____) and/or Division of Ecological Resources contact number (ERDB _____________) from which the data were obtained and attach the response letter from the DNR Division of Ecological Resources. Indicate if any additional survey work has been conducted within the site and describe the results.

12. **Physical impacts on water resources.** Will the project involve the physical or hydrologic alteration (dredging, filling, stream diversion, outfall structure, diking, and impoundment) of any surface waters such as a lake, pond, wetland, stream or drainage ditch? _Yes _X No

   If yes, identify water resource affected and give the DNR Public Waters Inventory number(s) if the water resources affected are on the PWI: Describe alternatives considered and proposed mitigation measures to minimize impacts.

13. **Water use.** Will the project involve installation or abandonment of any water wells, connection to or changes in any public water supply or appropriation of any ground or surface water (including dewatering)? _X Yes _No

   If yes, as applicable, give location and purpose of any new wells; public supply affected, changes to be made, and water quantities to be used; the source, duration, quantity and purpose of any appropriations; and unique well numbers and DNR appropriation permit numbers, if known. Identify any existing and new wells on the site map. If there are no wells known on site, explain methodology used to determine.
The existing Veterinary Anatomy building is served by the University water system. The water service to the building will be removed back to the main. No new water system will be installed with the proposed project.

14. **Water-related land use management district.** Does any part of the project involve a shoreland zoning district, a delineated 100-year flood plain, or a state or federally designated wild or scenic river land use district?  _Yes  _X_ No
   If yes, identify the district and discuss project compatibility with district land use restrictions.

15. **Water surface use.** Will the project change the number or type of watercraft on any water body?  _Yes  _X_ No
   If yes, indicate the current and projected watercraft usage and discuss any potential overcrowding or conflicts with other uses.

16. **Erosion and sedimentation.** Give the acreage to be graded or excavated and the cubic yards of soil to be moved:
   0.21 - 0.33 acres; 3,039 - 4,737 cubic yards.
   Describe any steep slopes or highly erodible soils and identify them on the site map. Describe any erosion and sedimentation control measures to be used during and after project construction.
   N/A

17. **Water quality: surface water runoff**
   a. Compare the quantity and quality of site runoff before and after the project. Describe permanent controls to manage or treat runoff. Describe any stormwater pollution prevention plans.

   The existing Veterinary Anatomy building site drains to the surface, and in significant rainfall events, excess runoff drains to the storm water system via overland flow. Roof drain leaders discharge at-grade and are not connected to the sanitary sewer system. There are no existing storm water management systems installed specifically to reduce runoff volume or enhance water quality. The only defacto system that provides any water quality or quantity benefit is the grassed area around the building that runoff falls onto or overland flows across.

   Removal of the veterinary anatomy building will eliminate the impervious area of the roof, and replace that same area with grass. Some new sidewalks will be added, but the total sidewalk area is estimated to be well below the area of the existing roof, resulting in a significant net reduction of impervious area. There is a possibility that the existing round one-story building will remain on site. Even with this building remaining, there will be a net reduction in impervious area on the site.

   The University requires permanent storm water management facilities to be installed for all projects that disturb more than 0.5 acres of land. The Veterinary Anatomy deconstruction project will not exceed this disturbance threshold, and therefore no
permanent storm water management systems are proposed as a part of this project.

b. Identify routes and receiving water bodies for runoff from the site; include major downstream water bodies as well as the immediate receiving waters. Estimate impact runoff on the quality of receiving waters.

Runoff from the Veterinary Anatomy building, once it enters the storm sewer system, is ultimately conveyed to the St. Anthony Park storm sewer system and ultimately to the Mississippi River. Since the proposed Veterinary Anatomy building deconstruction will result in net reduction of impervious area, it is estimated that the impact site runoff will have in the future is a net improvement compared to the existing runoff. Future runoff will be improved due to the increased infiltration and filtration provided by the larger open grassed area.

18. **Water quality: wastewaters**  
a. Describe sources, composition and quantities of all sanitary, municipal and industrial wastewater produced or treated at the site.

The sanitary sewer service will be removed back to the sewer main. The Veterinary Anatomy building site will not generate wastewater, nor will the site be connected to the sanitary sewer network. There will be no wastewater generated by the site after the project is completed.

b. Describe waste treatment methods or pollution prevention efforts and give estimates of composition after treatment. Identify receiving waters, including major downstream water bodies (identifying any impaired waters), and estimate the discharge impact on the quality of receiving waters. If the project involves on-site sewage systems, discuss the suitability of site conditions for such systems.

   N/A

c. If wastes will be discharged into a publicly owned treatment facility, identify the facility, describe any pretreatment provisions and discuss the facility's ability to handle the volume and composition of wastes, identifying any improvements necessary.

   N/A

19. **Geologic hazards and soil conditions**  
a. Approximate depth (in feet) to ground water: 180’ based on MN well number 135503; to bedrock: 150’ average based on MN well numbers 135503, 135506, 135513 and 242364 (ranged between 148’ and 151’).

Describe any of the following geologic site hazards to ground water and also identify them on the site map: sinkholes, shallow limestone formations or karst conditions. Describe measures to avoid or minimize environmental problems due to any of these hazards.
Existing geology from well records doesn’t indicate potential for sinkholes, shallow limestone formations or karst conditions.

b. Describe the soils on the site, giving NRCS (SCS) classifications, if known. Discuss soil texture and potential for groundwater contamination from wastes or chemicals spread or spilled onto the soils. Discuss any mitigation measures to prevent such contamination.

NRCS soil classification is 1039 – Urban Land. Well logs indicate Platteville limestone is overlaid by 150’ of drift and sandy clay. The potential for groundwater contamination would be construction related spills of fuel or hydraulic fluid. Any construction spill would typically be a discrete duration and small volume. A construction spill plume would likely not advance beyond a few feet into the soil and could be contained and cleaned up. Since the groundwater is 150’ below the surface it is not likely a construction spill would create a potential for groundwater contamination. The proposed open area land use would not create any potential for groundwater contamination.

20. **Solid wastes, hazardous wastes, storage tanks**
   a. Describe types, amounts and compositions of solid or hazardous wastes, including solid animal manure, sludge and ash, produced during construction and operation. Identify method and location of disposal. For projects generating municipal solid waste, indicate if there is a source separation plan; describe how the project will be modified for recycling. If hazardous waste is generated, indicate if there is a hazardous waste minimization plan and routine hazardous waste reduction assessments.

   N/A

b. Identify any toxic or hazardous materials to be used or present at the site and identify measures to be used to prevent them from contaminating groundwater. If the use of toxic or hazardous materials will lead to a regulated waste, discharge or emission, discuss any alternatives considered to minimize or eliminate the waste, discharge or emission.

   This site contains asbestos and lead in the building materials and equipment. The hazardous materials will removed by a licensed abatement contractor.

c. Indicate the number, location, size and use of any above or below ground tanks to store petroleum products or other materials, except water. Describe any emergency response containment plans.

   N/A

21. **Traffic.**

Parking spaces added: 0
Existing spaces (if project involves expansion): N/A
Estimated total average daily traffic generated: 0
Estimated maximum peak hour traffic generated and time of occurrence: N/A
Indicate source of trip generation rates used in the estimates.

If the peak hour traffic generated exceeds 250 vehicles or the total daily trips exceeds 2,500, a traffic impact study must be prepared as part of the EAW. Using the format and procedures described in the Minnesota Department of Transportation’s Traffic Impact Study Guidance (available at: [http://www.oim.dot.state.mn.us/access/pdfs/Chapter%205.pdf](http://www.oim.dot.state.mn.us/access/pdfs/Chapter%205.pdf)) or a similar local guidance,
provide an estimate of the impact on traffic congestion on affected roads and describe any traffic improvements necessary. The analysis must discuss the project’s impact on the regional transportation system.

22. **Vehicle-related air emissions.** Estimate the effect of the project's traffic generation on air quality, including carbon monoxide levels. Discuss the effect of traffic improvements or other mitigation measures on air quality impacts.

   N/A

23. **Stationary source air emissions.** Describe the type, sources, quantities and compositions of any emissions from stationary sources of air emissions such as boilers, exhaust stacks or fugitive dust sources. Include any hazardous air pollutants (consult EAW Guidelines for a listing) and any greenhouse gases (such as carbon dioxide, methane, nitrous oxide) and ozone-depleting chemicals (chloro-fluorocarbons, hydrofluorocarbons, perfluorocarbons or sulfur hexafluoride).

   Also describe any proposed pollution prevention techniques and proposed air pollution control devices. Describe the impacts on air quality.

   N/A

24. **Odors, noise and dust.** Will the project generate odors, noise or dust during construction or during operation?  

   _X_ Yes   __No

   If yes, describe sources, characteristics, duration, quantities or intensity and any proposed measures to mitigate adverse impacts. Also identify locations of nearby sensitive receptors and estimate impacts on them. Discuss potential impacts on human health or quality of life. (Note: fugitive dust generated by operations may be discussed at item 23 instead of here.)

   During deconstruction there will be noise and dust produced from the materials being removed. The materials likely to produce dust include stone, brick, clay masonry tiles, and plaster. Noise and dust suppression techniques will be employed throughout this project. The deconstruction and removal of materials will take approximately 9 days. The Veterinary Anatomy Building is located in a heavy vehicular traffic area of campus. Therefore, pedestrian control fencing, signage and lighted crosswalk signals will be deployed, and the building will be deconstructed during a session break to minimize the impact on the public, as well as, on University faculty, staff, and students.

25. **Nearby resources.** Are any of the following resources on or in proximity to the site?

   _X_ Yes   __No

   Archaeological, historical or architectural resources?  

   _X_ Yes   __No

   Prime or unique farmlands or land within an agricultural preserve?  

   _X_ Yes   __No

   Designated parks, recreation areas or trails?  

   _X_ Yes   __No

   Scenic views and vistas?  

   _X_ Yes   __No

   Other unique resources?  

   _X_ Yes   __No

   If yes, describe the resource and identify any project-related impacts on the resource. Describe any measures to minimize or avoid adverse impacts.

   The historical and architectural significance of the property rests in its history as one of
the first buildings built at the National Register eligible University of Minnesota St. Paul Campus Lawn area. The building itself is also considered eligible for the National Register of Historic Places. Originally completed in 1901, the Veterinary Anatomy Building was likely designed by Charles R. Aldrich. The original drawings are lost, but Aldrich was actively working during this time at the University. If Charles Aldrich was the Architect then this would be the last remaining building designed by him on the St. Paul campus. The experimental fields that wrap around the northern part of campus south of Larpenteur Avenue and east of Cleveland Avenue have a long history of supporting agricultural research. They are important to the agricultural mission of the University and are identified as iconic for their research and aesthetic importance. These fields are in proximity to the Veterinary Anatomy building site and will not be impacted during deconstruction. Prior to removal, the Veterinary Anatomy property will be archivally documented to meet the Secretary of the Interior's Standards for Architectural and Engineering Documentation, as well as, Minnesota Historic Property Record requirements.

26. **Visual impacts.** Will the project create adverse visual impacts during construction or operation? Such as glare from intense lights, lights visible in wilderness areas and large visible plumes from cooling towers or exhaust stacks? __Yes   _X_ No

If yes, explain.

27. **Compatibility with plans and land use regulations.** Is the project subject to an adopted local comprehensive plan, land use plan or regulation, or other applicable land use, water, or resource management plan of a local, regional, state or federal agency? _X_ Yes   __No.

If yes, describe the plan, discuss its compatibility with the project and explain how any conflicts will be resolved. If no, explain.

**2009 University of Minnesota Twin Cities Campus Master Plan – The Board of Regents approved 2009 University of Minnesota Twin Cities Campus Master Plan (Master Plan) shows the Veterinary Anatomy Building site as part of the historic Lawn district and as a cultural resource. Master Plan Guidelines direct that the University “…Remove obsolete buildings judiciously when required to meet academic goals, improve space relationships, or to enhance appreciation of natural features.”**

28. **Impact on infrastructure and public services.** Will new or expanded utilities, roads, other infrastructure or public services be required to serve the project? __Yes   _X_ No.

If yes, describe the new or additional infrastructure or services needed. (Note: any infrastructure that is a connected action with respect to the project must be assessed in the EAW; see EAW Guidelines for details.)

N/A

29. **Cumulative potential effects.** Minnesota Rule part 4410.1700, subpart 7, item B requires that the RGU consider the "cumulative potential effects of related or anticipated future
EAW APPENDIX – A

- County map showing the general location of the project;
- U.S. Geological Survey 7.5 minute, 1:24,000 scale map indicating project boundaries
- Site plan showing all significant project and natural features.
EAW APPENDIX – B

- Site and Building Documentation Plans.
EAW APPENDIX – C

- Extant Condition Photos
West elevation of connection to rotunda

South elevation of rotunda
Interior view of rotunda skylight

Interior view of stalls
Exhibit B

UNIVERSITY OF MINNESOTA
BOARD OF REGENTS POLICY

RESERVATION AND DELEGATION OF AUTHORITY

ARTICLE I
RESERVATION OF AUTHORITY

SECTION I. GENERAL RESERVATIONS OF AUTHORITY.

Subd. 1. The Board of Regents reserves to itself all authority necessary to carry out its legal and fiduciary responsibilities under the University Charter, the Constitution of the State of Minnesota, and the Board of Regents (Board) Bylaws. This reservation specifically includes all authority to enact laws and policies for the governance of the University of Minnesota (University) and to issue Board directives to executive officers and employees. The Board's reserved authority shall be exercised consistent with the University Charter, the Constitution of the State of Minnesota, Board Bylaws, and relevant Board policies.

Subd. 2. The Board reserves to itself authority to ensure constitutional and institutional autonomy, to approve the University's mission and vision, to set the overall direction of the institution, including the adoption of fundamental plans for the educational, financial, and physical development of the University, and to declare a fiscal emergency.

Subd. 3. No authority that the Board reserves to itself in this policy shall be exercised by any other person or body unless expressly authorized by Board policy or directive.

Subd. 4. The Board reserves to itself authority to approve the use, and revocation of the use, of its corporate name or any abbreviated name, including University of Minnesota, by any non-University person or entity, consistent with Board policies. The Board also reserves authority over the removal of the corporate name or any abbreviated name from the name of any University campus, college, school, division, or unit, consistent with Board policies.

Subd. 5. The Board reserves to itself authority to approve any commercial transaction or matter not otherwise subject to Board approval if the transaction or matter:

(a) raises unusual questions of public interest or public policy;
(b) has a significant impact on the University's mission; or
(c) has a value greater than $2 million.

SECTION II. CONDUCT OF BOARD BUSINESS.

The Board reserves to itself authority to establish procedures for the conduct of its business, create committees, set its agenda, require reports from executive officers and employees, hear appeals, and enforce its code of ethics.
SECTION III. ELECTION OF BOARD OFFICERS.

The Board reserves to itself authority to elect and remove Board officers, including the president, chair, vice chair, secretary, and treasurer.

SECTION IV. APPOINTMENT AUTHORITY.

Subd. 1. The Board reserves to itself authority to appoint all individuals and approve any individually negotiated terms of employment for those who serve in each of the following positions:

(a) Senior Vice President for Academic Affairs and Provost
(b) Senior Vice President for Health Sciences
(c) Senior Vice President for System Academic Administration
(d) Chancellor
(e) Vice President
(f) Provost
(g) General Counsel
(h) Librarian
(i) Director of Audits
(j) Dean
(k) Athletic Director, Twin Cities campus
(l) Such other administrative positions as the Board may specify from time to time.

The president shall recommend individuals for appointment to these positions, consistent with Board policies and directives.

Subd. 2. The Board reserves to itself authority to remove University officers as provided in the University Charter. The president (a) may remove the general counsel with Board approval and (b) may remove any other individual appointed under Subd. 1 of this section, except the director of audits.

Subd. 3. The Board reserves to itself authority to appoint members of the boards of University-associated foundations, institutes, committees, and other bodies, consistent with Board policies.

SECTION V. ACADEMIC MATTERS.

Subd. 1. The Board reserves to itself authority to grant academic degrees, grant faculty indefinite tenure, grant continuous appointments to academic professionals, and award the title faculty emeritus, consistent with Board policies.

Subd. 2. The Board reserves to itself authority to establish, name, and abolish colleges, academic institutes, programs, and courses of study, consistent with Board policies.
Subd. 3. The Board reserves to itself authority to establish tuition and student fees and approve policies and reciprocity agreements related to such matters, consistent with Board policies.

Subd. 4. The Board reserves to itself authority to: (a) establish and review policies relating to the conduct of research and the receipt and accounting of sponsored research funds; (b) require timely reporting to the Board of sponsored research activity; and (c) approve financial support greater than $250,000 to non-University entities for the commercialization of technology, consistent with Board policies.

Subd. 5. The Board reserves to itself authority to approve educational policies and procedures, in consultation with the president and the faculty governance process, consistent with Board policies. This policy is not intended to alter the relationship between the Board, the University Senate, and the faculties regarding educational policies.

SECTION VI. AWARDS, HONORS, AND NAMINGS.

Subd. 1. The Board reserves to itself authority to establish and bestow awards, honors, and recognition, consistent with Board policies.

Subd. 2. The Board reserves to itself authority to name and revoke names of University buildings and other assets, consistent with Board policies.

SECTION VII. BUDGETARY, FINANCIAL, AND INVESTMENT MATTERS.

Subd. 1. The Board reserves to itself authority to approve the following: annual operating budgets; the central reserves budget and minimum reserve level; and adjustments and amendments, consistent with Board policies. The Board also reserves to itself authority to approve any modifications to the central reserves budget and any expenditures from the central reserves general contingency account, consistent with Board policies.

Subd. 2. The Board reserves to itself authority to approve all requests for operating and capital budget appropriations from the State of Minnesota and positive or negative adjustments to the budget caused by a 1% or more change in total appropriations within a fiscal year.

Subd. 3. The Board reserves to itself authority to establish investment objectives, approve asset allocation guidelines, hire investment advisers, and approve policies and plans for investment income distribution.

Subd. 4. The Board reserves to itself authority to authorize issuance and retirement of debt and to engage debt advisers and/or underwriters, consistent with Board policies.

Subd. 5. The Board reserves to itself authority to accept gifts for the benefit of the University, consistent with Board policies.
Subd. 6. The Board reserves to itself authority to approve individual purchases of goods and services with a value greater than $1,000,000, consistent with Board policies.

SECTION VIII. PROPERTY, FACILITIES, AND CAPITAL BUDGETS.

Subd. 1. The Board reserves to itself authority to approve the purchase or sale of real property with a value greater than $250,000 or larger than ten (10) acres, consistent with Board policies.

Subd. 2. The Board reserves to itself authority to approve leases of real property, easements, and other interests in real property if the initial term amount to be paid by or to the University exceeds $250,000, consistent with Board policies.

Subd. 3. The Board reserves to itself authority to exercise the power of eminent domain to acquire land for University purposes.

Subd. 4. The Board reserves to itself authority to (a) exercise property owner rights regarding the designation, decommissioning, or demolition of historic resources; and (b) take final action on all environmental reviews of historic resources initiated by the administration for which the University is the responsible governmental unit, consistent with Board policies and applicable state and federal laws.

Subd. 5. The Board reserves to itself authority to approve campus master plans and amendments thereto.

Subd. 6. The Board reserves to itself authority to approve multi-year capital plans consisting of projects with a value greater than $1,000,000.

Subd. 7. The Board reserves to itself authority to approve annual capital budgets consisting of projects with a value greater than $500,000.

Subd. 8. The Board reserves to itself authority to approve capital budget amendments to approved projects and new projects when the amendment has a value greater than $500,000.

Subd. 9. The Board reserves to itself authority to approve project schematic plans for (a) interior renovations with a value greater than $5,000,000; (b) projects with a value greater than $2,000,000 that have an exterior visual impact; (c) projects that vary from adopted campus master plans or that have a significant visual impact; and (d) projects noted during the annual review of the capital budget.

Subd. 10. The Board reserves to itself authority for a subsequent review of approved capital budget projects with a value greater than $5,000,000 prior to the award of construction contracts.
SECTION IX. LEGAL MATTERS.

The Board reserves to itself, or to one of its committees, authority to direct the president or the general counsel to settle any legal claim or initiate or appeal a lawsuit or administrative proceeding, consistent with Board policies.

SECTION X. AUDIT FUNCTION.

The Board reserves to itself authority to adopt policies regulating the audit function; approve selection of external auditors and the director of audits; and evaluate the performance of the independent auditor, and, jointly with the president, the performance of the internal audit function.

SECTION XI. EMPLOYMENT AND LABOR RELATIONS.

Subd. 1. The Board reserves to itself authority to approve all contracts and other agreements with the exclusive collective bargaining representatives of its employees.

Subd. 2. The Board reserves to itself authority to approve civil service rules and annual pay and benefit plans for University employees.

Subd. 3. The Board reserves to itself authority to establish or discontinue retirement plans for University faculty and staff. For those plans sponsored by the University and governed by formal plan documents, the Board reserves to itself authority to approve amendments to those plans that significantly affect the cost structure of the plans. An amendment is considered to significantly affect the cost structure of the plan if the change causes a cost impact of more than $250,000.

Subd. 4. The Board reserves to itself authority to review individually negotiated employee severance agreements of unusual importance or significance.

SECTION XII. ASSOCIATED ORGANIZATIONS.

The Board reserves to itself authority to approve the legal structure and scope of any relationship between the University and any associated organization, non-profit corporation, foundation, institute, or similar entity that substantially relies upon University resources or personnel to carry out its mission.

ARTICLE II

DELEGATION OF AUTHORITY

SECTION I. DELEGATION OF AUTHORITY TO THE PRESIDENT.

The Board delegates to the president authority to act as chief executive officer of the University, with such general executive management and administrative authority over the University as is
reasonable and necessary to carry out the policies and directives of the Board, subject to the limitations noted in Article II, Section II below.

SECTION II. LIMITATIONS UPON PRESIDENTIAL AUTHORITY

The authority delegated to the president is limited by the following:

(a) The provisions of the University Charter and the Constitution of the State of Minnesota;

(b) The provisions of Board Bylaws;

(c) The provisions of Board policies and directives, including specifically Article I of this policy; and

(d) The directive that the president shall notify the Board of any matter not otherwise addressed in this section that significantly involves the authority and role of the Board, including its fiduciary, oversight, and public accountability responsibilities.

SECTION III. DELEGATION OF AUTHORITY BY THE PRESIDENT

Subd. 1. Unless otherwise restricted by specific Board policies or directives, the president shall be responsible for delegating general executive management and administrative authority to other executive officers and employees as necessary and prudent, including authority to execute contracts and other legal documents. The president may condition, limit, or revoke any presidential authority so delegated.

Subd. 2. All delegations and revocations under this section shall be in writing, name the individual to whom such authority is delegated, describe the scope and limitations of such authority, and prescribe the extent to which such authority may be further sub-delegated.

Subd. 3. All delegations and revocations under this section shall be reviewed as to form, legality, and consistency by the general counsel.

Subd. 4. Annually, the president shall report to the Board significant changes to the delegations.

SECTION IV. DELEGATION OF AUTHORITY TO THE CHAIR AND VICE CHAIR

The chair and vice chair of the Board shall have such authority as is authorized by Board Bylaws and policies and is customarily exercised by such officers of a corporation. The chair shall have authority to execute any and all instruments and documents on behalf of the Board.
SECTION V. DELEGATION OF AUTHORITY TO THE BOARD SECRETARY, TREASURER, GENERAL COUNSEL, AND DIRECTOR OF AUDITS.

The secretary, treasurer, general counsel, and director of audits shall have authority to perform such duties for the Board as provided by Board Bylaws, policies, and directives.

The secretary shall have authority to execute such instruments and documents that would customarily devolve upon a corporate officer and are usual to that office.

The secretary and the general counsel shall have authority to accept legal service on behalf of the University.

SECTION VI. CONFORMANCE WITH THIS POLICY.

Subd. 1. No executive officer or employee of the University shall have any authority to take any action or make any representation on behalf of the University beyond the scope of, or materially inconsistent with, the authority delegated to such executive officer or employee as provided in this policy.

Subd. 2. The secretary and the general counsel each shall have the duty to inform the Board of any existing or proposed Board policy or directive that is inconsistent with or alters the delegations of authority as provided in this policy.
Exhibit C
Agenda Item: Resolution: Environmental Assessment Worksheet (EAW) for Wesbrook Hall Deconstruction and Demolition

☐ review  ☒ review/action  ☐ action  ☐ discussion

Presenters: Vice President Kathleen O’Brien
Kenneth Larson, Associate General Counsel

Purpose:

☐ policy  ☐ background/context  ☒ oversight  ☐ strategic positioning

This matter involves the review of an Environmental Assessment Worksheet (“EAW”) for the proposed destruction of Wesbrook Hall, Twin Cities Campus in Hennepin County, Minnesota (the “Project”), to determine the need for an Environmental Impact Statement (“EIS”) for the Project. The purpose of the Project is to destruct Wesbrook Hall, which will be vacated in July 2011. The Project does not meet the thresholds for a mandatory EIS or a mandatory EAW, but the administration elected to prepare a discretionary EAW to more fully inform the public and the Board of Regents.

Outline of Key Points/Policy Issues:

A proposed project requires and EIS only if the project has the potential for significant environmental effects. The EAW for the Project does not identify any potential for significant environmental effects. To evaluate the adequacy of the EAW as a basis for concluding that the Project does not require and EIS, it must be considered in light of the requirements set forth in the Minnesota Environmental Policy Act (“MEPA”), Minn. Stat. Ch. 116D, and the Minnesota Environmental Quality Board (“EQB”) rules implementing MEPA, Minn. R. Ch. 4410. Attached are the Findings of Fact, Conclusions of Law, and Resolution in the matter of the Environmental Assessment Worksheet (EAW) for the deconstruction of Wesbrook Hall, Twin Cities Campus.

Background Information:

On February 12, 2010, the Board of Regents adopted a resolution declaring that the Board of Regents would be the RGU for all University historic resource projects. As RGU for this Project, the Board of Regents is responsible for reviewing the EAW and determining whether the document complies with the requirements set forth in the MEPA and accompanying Minnesota Rules and whether an EIS should be conducted.

President’s Recommendation for Action:

The President recommends that the Board approve the Environmental Assessment Worksheet for Wesbrook Hall, Twin Cities Campus, approve the Findings of Fact and Conclusions of Law and issue a Negative Declaration with respect to the need for an Environmental Impact Statement for the Project.
REGENTS OF THE UNIVERSITY OF MINNESOTA

RESOLUTION REGARDING NEED FOR AN ENVIRONMENTAL IMPACT STATEMENT FOR THE DECONSTRUCTION AND DEMOLITION OF WESBROOK HALL

WHEREAS, the Board of Regents’ resolution of February 12, 2010, established that the Board of Regents of the University of Minnesota shall perform the responsibilities of a Responsible Governmental Unit as described in the Minnesota Environmental Policy Act, Minn. Stat. Ch. 116D, and accompanying Minnesota Rules, in connection with all University historic resources projects; and

WHEREAS, Wesbrook Hall on the Minneapolis campus of the University is a contributing element to the National Register of Historic Places University Old Campus Historic District; and

WHEREAS, in order to consider the demolition of Wesbrook Hall (the “Wesbrook Demolition Project” or “Project”) it was determined that an Environmental Assessment Worksheet for the Project should first be prepared and reviewed as described in the Minnesota Environmental Policy Act and accompanying Minnesota Rules; and

WHEREAS, the Board of Regents has reserved to itself authority to take final action on all environmental reviews of historic resources initiated by the administration for which the University is the responsible governmental unit; and

WHEREAS, the Board of Regents has reviewed the Environmental Assessment Worksheet prepared for the Project and found that said document complies with the requirements set forth in the Minnesota Environmental Policy Act and accompanying Minnesota Rules and has also reviewed the comments received on the Environmental Assessment Worksheet; and

WHEREAS, the Board of Regents has reviewed proposed Findings of Fact and Conclusions of Law prepared by the University’s administrative staff with respect to the Project; and
**WHEREAS**, based on the foregoing the Board of Regents concludes that the Project does not have the potential for significant environmental effects.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Regents issues a Negative Declaration with respect to the Wesbrook Hall Demolition Project, declaring that an Environmental Impact Statement need not be prepared for said Project, and that the Board of Regents hereby adopts the Findings of Fact and Conclusions of Law, and directs the President or his delegates to provide copies this Resolution, the Findings of Fact and Conclusions of Law, and the University’s responses to comments on the Environmental Assessment Worksheet for the Project, to all persons designated by Minn. R. 4410.1700, subp. 5, within the period set forth in said rule.
University of Minnesota
Twin Cities – East Bank Campus
In the Matter of an Environmental Assessment Worksheet (EAW) for Deconstruction and Demolition of the Wesbrook Hall Building Twin Cities Campus

This matter came before the Board of Regents of the University of Minnesota, the responsible governmental unit (“RGU”) for the proposed destruction of the Wesbrook Hall Building Twin Cities Campus, pursuant to the Minnesota Environmental Policy Act (“MEPA”), Minn. Stat. Ch. 116D. Based on the files and records of the University of Minnesota (the “University”) related to this matter, the Board of Regents hereby finds, concludes, and resolves as follows:

**FINDINGS OF FACT**

1. This matter involves review of an Environmental Assessment Worksheet (“EAW”) for the proposed destruction of the Wesbrook Hall Building, Twin Cities Campus in Hennepin County, Minnesota (the “Project”), to determine the need for an Environmental Impact Statement (“EIS”) for the Project. A proposed project requires an EIS only if the project has the potential for significant environmental effects. The EAW for the Project does not identify any potential for significant environmental effects. A copy of the EAW is attached to these Findings as Exhibit A. To evaluate the adequacy of the EAW and conclude that the Project does not require an EIS, the University must determine whether environmental review of the Project meets the requirements set forth in MEPA, Minn. Stat. Ch. 116D, and the Minnesota Environmental Quality Board (“EQB”) rules implementing MEPA, Minn. R. Ch. 4410.

2. The purpose of the Project is to destruct the Wesbrook Hall Building, which has been designated for removal in all University Campus Master Plans dating back to 1910.
3. The University expects to commence the Project in 2011, and the Project should be complete in 2011.

4. MEPA mandates that RGUs prepare an EIS where a project has the potential for significant environmental effects resulting from a major government action. Minn. Stat. § 116D.04, subd. 2a. The EQB rules require an EIS for certain projects that, based upon location or character, make the potential for significant environmental effects highly likely. If a project meets or exceeds the so-called “mandatory” EIS thresholds, the governmental entity serving as the RGU must prepare an EIS before undertaking or approving the project. Minn. R. 4410.2000, subp. 2. Even if a project does not fall within a mandatory EIS category, an RGU must prepare a so-called “discretionary” EIS if the proposed project has the potential for significant environmental effects. Minn. R. 4410.2000, subp. 3(A)-(B).

5. RGUs consider whether a project has the potential for significant environmental effects and requires a “discretionary” EIS by preparing an EAW. Minn. R. 4410.1000, subp. 1. The EQB rules also set “mandatory” thresholds requiring EAW preparation. Minn. R. 4410.4300. If a proposed project does not meet a mandatory EAW threshold, an RGU may nonetheless prepare a “discretionary” EAW if the project is not exempt from environmental review and the project may have the potential for significant environmental effects. Minn. R. 4410.1000, subp. 3.

6. On February 12, 2010, the Board of Regents adopted a resolution declaring that the Board of Regents would be the RGU for all University historic resource projects. A copy of the Board of Regents’ resolution is attached to these Findings as Exhibit B.

7. The Project does not meet the threshold for a mandatory EIS. However, the Project does meet the threshold for a mandatory EAW because it involves destruction of property
that is listed on the National Register of Historic Places, and is otherwise considered a preservation best practices action by the University.

8. An EAW is a brief document prepared in a worksheet format that is designed to rapidly assess the environmental effects associated with a proposed project. The EQB has created a form worksheet for EAWs under MEPA.

9. The EAW that the University prepared for the Project employs the form worksheet for EAWs that the EQB created.

10. The EAW describes the Project and its purpose, discusses the Project’s total acreage, lists the permits and approvals that may be required for the Project once environmental review under MEPA is complete, describes current and recent past land use and development on the site and on adjacent lands, and estimates vegetative cover types on the site before and after construction of the Project.

11. In addition, the EAW discusses the Project’s impacts on fish, wildlife, and ecologically sensitive resources. It also analyzes the Project’s physical effects on water resources, including steps that the University will take to minimize and mitigate the Project’s impacts on wetlands. Moreover, the EAW describes the Project’s water use and notes that the Project does not involve any activities in water-related land use management districts such as delineated 100-year flood plains.

12. The EAW states that the Project will not change the number or type of watercraft on any water body, estimates the acreage to be excavated during Project construction, and discusses the measures that the University will take to minimize erosion and sedimentation. Among the measures that the University will take to address erosion and sedimentation is compliance with state and federal permitting and mitigation requirements. In addition, the EAW
discusses the Project’s impacts on surface water runoff and waste water discharge, including an analysis of the measures that the University will take to manage such discharges.

13. The EAW also describes geologic and soil conditions at the Project site, discusses the measures that the University will take to manage solid waste and hazardous wastes, and describes the measures that the University will take to detect and contain any tank leaks from on-site storage tanks.

14. In addition, the EAW analyzes the environmental effects of traffic associated with the Project, and estimates vehicle-related air emissions and stationary source air emissions that the Project will generate. The EAW further describes measures that the University will take to minimize and suppress odors, noise, and dust during the Project.

15. According to the EAW, the site is listed on the National Register of Historic Places as a contributing element to the University of Minnesota Old Campus Historic District. The EAW notes that the University will work closely with the Minnesota State Historic Preservation Office and other local preservation partners in examining potential for mitigating any adverse effect, memorializing the property, and will provide archival documentation and final treatment disposition of this historic resource.

16. There are no archaeological or park or recreational resources within the Project site.

17. In addition, the EAW concludes that the Project is compatible with applicable comprehensive plan requirements and land use regulations, and evaluates the Project’s effects on infrastructure and public services.

18. Finally, the EAW analyzes the Project’s potential for cumulative impacts and concludes that the Project does not have the potential for cumulative impacts.
19. The University’s consultant completed the draft EAW in early January 2011. On February 21, 2011, after the University and its consultants completed all reviews, Kathleen O’Brien, Vice-President of University Services, accepted the EAW and certified that the document was accurate and complete to the best of her knowledge, as the EQB rules require.

20. Within five days of accepting the EAW, the University submitted the document to EQB staff for publication in the EQB Monitor, as required by Minn. R. 4410.1500. At the same time, the University provided copies of the document to all parties designated on the EQB’s distribution list, as required by Minn. R. 4410.1500. In addition, the University posted the EAW on the World Wide Web at http://www.cppm.umn.edu.

21. The EQB Monitor published a Notice of Availability of the EAW on March 07, 2011. See EQB Monitor, Vol. 35, No. 05 (Mar. 07, 2011). The notice began a thirty-day public comment period on the document. Within five days of submitting the EAW to EQB, the University sent a press release containing a notice that the document was available for public review to newspapers of general circulation within the area of the Project, as required by Minn. R. 4410.1500. The press release included the name and location of the Project, a brief Project description, the locations where the EAW was available for public review, the date on which the public comment period expired, and the procedures for providing public comments. The following newspapers received the press release: (a) the Minneapolis Star Tribune; (b) the Saint Paul Pioneer Press; and (c) the Minnesota Daily.

22. The thirty-day public comment period on the EAW closed on April 06, 2011. During the public comment period, the University received written comments from the following: (a) the Minnesota Pollution Control Agency; (b) the Minnesota Department of Transportation (Mn/DOT); and (c) the Minnesota Historical Society, State Historic Preservation
Office. The University responded to these comments, as required by Minn. R. 4410.1700. A copy of the University’s written Response to Comments on the EAW is attached to these Findings as Exhibit C.

**CONCLUSIONS OF LAW**

1. The Board of Regents of the University is the RGU for the Project.

2. The University has complied with the requirements set forth in MEPA, Minn. Stat. Ch. 116D, and the EQB rules implementing MEPA, Minn. R. Ch. 4410, for preparing, circulating, and publishing the EAW.

3. The University has complied with the requirements set forth in MEPA, Minn. Stat. Ch. 116D, and the EQB rules implementing MEPA, Minn. R. Ch. 4410, for receiving and responding to public comments on the EAW.

4. As specified in the Board of Regents’ resolution of February 12, 2010, the Board of Regents of the University has the authority to determine whether the Project may have the potential for significant environmental effects and whether the University must prepare an EIS.

5. The University must make a decision on the need for an EIS within thirty days after the close of the public comment period on the EAW. Minn. R. 4410.1700, subp. 2(A).

6. MEPA requires an EIS only if a project may have the potential for significant environmental effects. Minn. Stat. § 116D0.04, subd. 2a; Minn. R. 4410.1700, subp. 1. The EQB rules establish four criteria that an RGU must use to evaluate a project’s potential for significant environmental effects. These factors are:

   A. [the] type, extent, and reversibility of environmental effects;

   B. [the] cumulative potential effects of related or anticipated future projects;
C. the extent to which the environmental effects are subject to mitigation by ongoing public regulatory authority; and

D. the extent to which environmental effects can be anticipated and controlled as a result of other available environmental studies undertaken by public agencies or the project proposer, including other EISs.

Minn. R. 4410.1700, subp. 7. If an RGU determines that a project may have the potential for significant environmental effects, the RGU must issue a “positive declaration” on the need for an EIS and prepare an EIS for the project. *Citizens Advocating Responsible Development v. Kandiyohi County Bd. of Comm’rs*, 713 N.W.2d 817, 824 (Minn. 2006).

7. The EAW evaluates the type, extent, and reversibility of environmental effects associated with the Project, including but not limited to effects on nearby resources, surface water and wetlands, wildlife habitat, ecologically sensitive resources, water use, erosion and sedimentation, traffic, air quality, infrastructure and public services, and visual impacts. Based upon the evaluation in the EAW, the University concludes that the type, extent, and reversibility of the Project’s impacts do not pose the potential for significant environmental effects.

8. The EAW also evaluates the cumulative potential effects of the Project and related or anticipated future projects. Based upon the evaluation in the EAW, the University concludes that no cumulative effects are likely, because there are no future phases of development associated with the Project and because the Project is the only foreseeable action in the surrounding area.

9. In addition, the EAW considers the extent to which the Project’s environmental effects are subject to mitigation by ongoing public regulatory authority. In discussing mitigation the EAW analyzes a variety of measures, including but not limited to mitigation that the University will implement as part of permits necessary to accomplish the Project. Based on the
evaluation in the EAW, the University concludes that steps can be taken to mitigate at least some of the environmental effects of the Project and that such steps will be taken where required by ongoing public regulatory authority or where otherwise considered reasonable.

10. The EAW evaluates the categories of environmental effects that MEPA and the EQB rules require, and establishes that the Project does not have the potential for significant environmental effects. MEPA, therefore, an EIS is not required for the Project.

11. Any Finding more properly considered a Conclusion shall be considered a Conclusion. Any Conclusion more properly considered a Finding shall be considered a Finding.
ENVIRONMENTAL ASSESSMENT WORKSHEET

Note to preparers: This form and EAW Guidelines are available at the Environmental Quality Board’s website at: http://www.eqb.state.mn.us/EnvRevGuidanceDocuments.htm. The Environmental Assessment Worksheet provides information about a project that may have the potential for significant environmental effects. The EAW is prepared by the Responsible Governmental Unit or its agents to determine whether an Environmental Impact Statement should be prepared. The project proposer must supply any reasonably accessible data for — but should not complete — the final worksheet. The complete question as well as the answer must be included if the EAW is prepared electronically.

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

1. **Project title** – University of Minnesota Wesbrook Hall Building Demolition

2. **Proposer** Regents of the University of Minnesota
   
   Contact person: Kathleen O’Brien
   
   Title: Vice President for University Services
   
   Address 317 Morrill Hall, 100 Church Street SE
   
   City, state, ZIP Minneapolis, MN 55455
   
   Phone 612.624.3557
   
   Fax 612.626.2278
   
   E-mail kobrien@umn.edu

3. **RGU** Regents of the University of Minnesota
   
   Contact person: Kathleen O’Brien
   
   Title: Vice President for University Services
   
   Address 317 Morrill Hall, 100 Church Street SE
   
   City, state, ZIP Minneapolis, MN 55455
   
   Phone 612.624.3557
   
   Fax 612.626.2278
   
   E-mail kobrien@umn.edu

4. **Reason for EAW preparation** (check one)
   
   ___ EIS scoping  X Mandatory EAW  ___ Citizen petition  ___ RGU discretion  ___ Proposer volunteered
   
   If EAW or EIS is mandatory give EQB rule category subpart number and subpart name:

   4410.4300 subpart 31 Historical places.

5. **Project location**  County - Hennepin
   
   City/Township - Minneapolis

   NW¼, NE ¼, Section 25, Township 29N, Range 24W
GPS Coordinates  N 44.977°  W 93.236°

Tax Parcel Number 25-029-24-11-0011

Attach each of the following to the EAW:

- County map showing the general location of the project;
- U.S. Geological Survey 7.5 minute, 1:24,000 scale map indicating project boundaries (photocopy acceptable);
- Site plan showing all significant project and natural features.

SEE APPENDIX A

6. Description
   a. Provide a project summary of 50 words or less to be published in the EQB Monitor.

   Wesbrook Hall, constructed in 1898, is approved by the University of Minnesota for demolition. Demolition will involve salvaging useable materials, underground utility and tunnel work, removal of the building and site paving, and interim restoration of the site with turf grass.

   b. Give a complete description of the proposed project and related new construction. Attach additional sheets as necessary. Emphasize construction, operation methods and features that will cause physical manipulation of the environment or will produce wastes. Include modifications to existing equipment or industrial processes and significant demolition, removal or remodeling of existing structures. Indicate the timing and duration of construction activities.

       Building removal with site restoration is planned for late summer 2011.

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

       The purpose of the project is to deconstruct the Wesbrook Hall building. As early as 1910, beginning with Cass Gilbert (in his visionary campus master plan), continuing with State Architect Clarence Johnson Senior with Morell and Nichols Landscape Architects, and the current 2009 University of Minnesota Twin Cities Campus Master Plan, University of Minnesota Master Plans have consistently recommended removal of the Wesbrook Hall building to accommodate campus pedestrian and bicycle circulation needs and to increase much needed green space in relation to other built environment on Campus. The 2009 Master Plan specifically identifies Wesbrook Hall for building removal. As noted in the 2009 Master Plan, Wesbrook Hall’s removal will create …“a new public space to allow for an expanded plaza and improved access to the adjacent Northrop Auditorium.” Removal will also conform with 2009 Twin Cities Campus Master Plan Guiding Principles to: …"Optimize the use of campus land and facilities, and create a cohesive, memorable system of public spaces.”

   d. Are future stages of this development including development on any other property planned
or likely to happen? __Yes  X No
If yes, briefly describe future stages, relationship to present project, timeline and plans for environmental review.

e. Is this project a subsequent stage of an earlier project? __Yes  X No
If yes, briefly describe the past development, timeline and any past environmental review.

7. **Project magnitude data**
   Total project acreage: 0.58-acres
   Number of residential units: unattached 0  attached 0  maximum units per building
   Commercial, industrial or institutional building area (gross floor space): total square feet
   Project does not include new building space.

   Indicate areas of specific uses (in square feet): **Not Applicable**
   Office Manufacturing
   Retail Other industrial
   Warehouse Institutional
   Light industrial Agricultural
   Other commercial (specify)
   Building height If over 2 stories, compare to heights of nearby buildings

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

<table>
<thead>
<tr>
<th>Unit of government</th>
<th>Type of application</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>University of Minnesota</td>
<td>Demolition Permits</td>
<td>Pending</td>
</tr>
<tr>
<td>Building Code Division</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

9. **Land use.** Describe current and recent past land use and development on the site and on adjacent lands. Discuss project compatibility with adjacent and nearby land uses. Indicate whether any potential conflicts involve environmental matters. Identify any potential environmental hazards due to past site uses, such as soil contamination or abandoned storage tanks, or proximity to nearby hazardous liquid or gas pipelines.

   The Wesbrook Hall site was undeveloped open space until 1896 when the building construction started.

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

<table>
<thead>
<tr>
<th></th>
<th>Before</th>
<th>After</th>
<th>Before</th>
<th>After</th>
</tr>
</thead>
<tbody>
<tr>
<td>Types 1-8</td>
<td>0</td>
<td>0</td>
<td>0.20</td>
<td>0.41</td>
</tr>
<tr>
<td>Lawn/landscaping</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
If **Before** and **After** totals are not equal, explain why:

Areas of the Wesbrook Hall site covered by building and paving will be replaced with pervious turf grass, an access drive for the new Northrop Memorial Auditorium loading dock and sidewalk along the west side of Northrop Memorial Auditorium.

11. **Fish, wildlife and ecologically sensitive resources**
   a. Identify fish and wildlife resources and habitats on or near the site and describe how they would be affected by the project. Describe any measures to be taken to minimize or avoid impacts.

      Not Applicable

   b. Are any state-listed (endangered, threatened or special concern) species, rare plant communities or other sensitive ecological resources on or near the site? __Yes   **X** _No

      If yes, describe the resource and how it would be affected by the project. Describe any measures that will be taken to minimize or avoid adverse impacts. Provide the license agreement number (LA-__) and/or Division of Ecological Resources contact number (ERDB ____________) from which the data were obtained and attach the response letter from the DNR Division of Ecological Resources. Indicate if any additional survey work has been conducted within the site and describe the results.

12. **Physical impacts on water resources.** Will the project involve the physical or hydrologic alteration — dredging, filling, stream diversion, outfall structure, diking, and impoundment — of any surface waters such as a lake, pond, wetland, stream or drainage ditch? **X** _Yes   __No

      If yes, identify water resource affected and give the DNR Public Waters Inventory number(s) if the water resources affected are on the PWI: Describe alternatives considered and proposed mitigation measures to minimize impacts.

13. **Water use.** Will the project involve installation or abandonment of any water wells, connection to or changes in any public water supply or appropriation of any ground or surface water (including dewatering)? **X** _Yes   __No

      If yes, as applicable, give location and purpose of any new wells; public supply affected, changes to be made, and water quantities to be used; the source, duration, quantity and purpose of any appropriations; and unique well numbers and DNR appropriation permit numbers, if known. Identify any existing and new wells on the site map. If there are no wells known on site, explain methodology used to determine.

      The existing building water service connected to the public water supply line in Pleasant Street SE will be completely removed.
14. **Water-related land use management district.** Does any part of the project involve a shoreland zoning district, a delineated 100-year flood plain, or a state or federally designated wild or scenic river land use district? __Yes  _X_ No  
If yes, identify the district and discuss project compatibility with district land use restrictions.

15. **Water surface use.** Will the project change the number or type of watercraft on any water body? __Yes  _X_ No  
If yes, indicate the current and projected watercraft usage and discuss any potential overcrowding or conflicts with other uses.

16. **Erosion and sedimentation.** Give the acreage to be graded or excavated and the cubic yards of soil to be moved:  
0.4-acres; 5,000-cubic yards. Describe any steep slopes or highly erodible soils and identify them on the site map. Describe any erosion and sedimentation control measures to be used during and after project construction.

There are no steep slopes or highly erodible soils within the project site. Best management practices including perimeter silt fence, stabilized vehicle exit, inlet protection, and street sweeping will be used to control sediment from any disturbed land area that drains overland to a street gutter or storm drain inlet.

17. **Water quality: surface water runoff**  
a. Compare the quantity and quality of site runoff before and after the project. Describe permanent controls to manage or treat runoff. Describe any stormwater pollution prevention plans.

The land area disturbed by the project is less than 0.5-acres, so the University’s Post Construction Storm Water Management Policy for rate control and water quality does not apply. The Minnesota Pollution Control Agency General Stormwater Permit for Construction Activity is not required because the disturbed area is less than one acre. Erosion control best management practices will be used for the project, but a Storm Water Pollution Prevention Plan is not required.
## Summary of Existing and Proposed Peak Runoff Rate and Volume Computations

<table>
<thead>
<tr>
<th>Event Type</th>
<th>Existing Peak Discharge (cfs)</th>
<th>Proposed Peak Discharge (cfs)</th>
<th>Existing Runoff Volume (cu. ft.)</th>
<th>Proposed Runoff Volume (cu. ft.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2-year, 24-hour storm event</td>
<td>1.4</td>
<td>0.7</td>
<td>2,806</td>
<td>1,366</td>
</tr>
<tr>
<td>10-year, 24-hour storm event</td>
<td>2.5</td>
<td>1.6</td>
<td>5,206</td>
<td>3,162</td>
</tr>
<tr>
<td>100-year, 24-hour storm event</td>
<td>4.0</td>
<td>2.8</td>
<td>8,306</td>
<td>5,747</td>
</tr>
</tbody>
</table>

b. Identify routes and receiving water bodies for runoff from the site; include major downstream water bodies as well as the immediate receiving waters. Estimate impact runoff on the quality of receiving waters.

Surface drainage from the Wesbrook Hall site is collected in a storm drain system located in Pleasant Street SE. This storm drain system connects to SD1078A Drop Shaft near the northwest corner of Walter Library. The drop shaft connects to a deep storm drain tunnel that discharges to the Mississippi River. The Mississippi River is located approximately 600-feet west of Wesbrook Hall. With the decrease in impervious surface on the Wesbrook Hall site the negative impacts to the receiving waters associated with urban development will be reduced. Given the vast watershed of the Mississippi River and the small Wesbrook site, there will be no measurable change in the impact to the Mississippi River water quality.

18. **Water quality: wastewaters**
   a. Describe sources, composition and quantities of all sanitary, municipal and industrial wastewater produced or treated at the site.

   The existing sanitary sewer service for the building will be completely removed.

   b. Describe waste treatment methods or pollution prevention efforts and give estimates of composition after treatment. Identify receiving waters, including major downstream water bodies (identifying any impaired waters), and estimate the discharge impact on the quality of receiving waters. If the project involves on-site sewage systems, discuss the suitability of site conditions for such systems.

   Not Applicable

   c. If wastes will be discharged into a publicly owned treatment facility, identify the facility, describe any pretreatment provisions and discuss the facility's ability to handle the volume and composition of wastes, identifying any improvements necessary.

   Not Applicable

19. **Geologic hazards and soil conditions**
   a. Approximate depth (in feet) to ground water: 30-feet minimum unknown average;
Describe any of the following geologic site hazards to ground water and also identify them on the site map: sinkholes, shallow limestone formations or karst conditions. Describe measures to avoid or minimize environmental problems due to any of these hazards.

Gray, stiff to hard shale of the Decorah Formation is noted at depths of 27-feet and 45-feet below the ground surface in a recent soil boring near the site. The top of the Decorah Shale is estimated to be at or near elevation 818 to 820-feet across the Northrop Memorial Auditorium site immediately east of Wesbrook Hall. Karst features associated with Platteville Formation are not anticipated due to the thickness of the terrace deposits overlying the bedrock. No other geologic hazards would be anticipated in this area. The site is developed and has been filled. Excavation and removal will be shallow in the urban fill profile.

Geotechnical evaluation reports for adjacent building projects note that a general groundwater surface is not expected to exist within 30-feet of the ground surface in this area of the campus. There could be areas of isolated or perched groundwater on top of the shale or clayey layers at depth. Groundwater levels fluctuate in response to rainfall, flooding, irrigation, freezing and thawing, surface drainage, and other seasonal and annual factors.

b. Describe the soils on the site, giving NRCS (SCS) classifications, if known. Discuss soil texture and potential for groundwater contamination from wastes or chemicals spread or spilled onto the soils. Discuss any mitigation measures to prevent such contamination.

The Hennepin County Soil Survey prepared by the US Department of Agriculture Soil Conservation Service, issued April 1974, does not classify the soils in the area of the site. The Survey notes that “The urban development, along with reworking of the soils during construction made it impossible to classify the soil. On-site investigation is needed to determine the soil characteristics in the metropolitan area.” Soil borings completed for adjacent building projects note a variety of soil types including fill, silty sand, sand with gravel, sandy lean clay and sand. The soil in this area is not unusually susceptible to groundwater contamination and planned land use as open space is not a groundwater quality risk.

20. Solid wastes, hazardous wastes, storage tanks
   a. Describe types, amounts and compositions of solid or hazardous wastes, including solid animal manure, sludge and ash, produced during construction and operation. Identify method and location of disposal. For projects generating municipal solid waste, indicate if there is a source separation plan; describe how the project will be modified for recycling. If hazardous waste is generated, indicate if there is a hazardous waste minimization plan and routine hazardous waste reduction assessments.

   Not Applicable

b. Identify any toxic or hazardous materials to be used or present at the site and identify measures to be used to prevent them from contaminating groundwater. If the use of toxic or hazardous materials will lead to a regulated waste, discharge or emission, discuss any alternatives considered to minimize or eliminate the waste, discharge or emission.

   This site contains asbestos and lead in the building materials and equipment.
These hazardous materials will be completely removed by a licensed abatement contractor prior to demolition.

c. Indicate the number, location, size and use of any above or below ground tanks to store petroleum products or other materials, except water. Describe any emergency response containment plans.

Not Applicable

21. **Traffic.** Parking spaces added:
Existing spaces (if project involves expansion): Not Applicable (no expansion)
Estimated total average daily traffic generated: 0
Estimated maximum peak hour traffic generated and time of occurrence: N/A
Indicate source of trip generation rates used in the estimates. N/A
*If the peak hour traffic generated exceeds 250 vehicles or the total daily trips exceeds 2,500, a traffic impact study must be prepared as part of the EAW.* Using the format and procedures described in the Minnesota Department of Transportation’s Traffic Impact Study Guidance (available at: [http://www.oim.dot.state.mn.us/access/pdfs/Chapter%205.pdf](http://www.oim.dot.state.mn.us/access/pdfs/Chapter%205.pdf)) or a similar local guidance, provide an estimate of the impact on traffic congestion on affected roads and describe any traffic improvements necessary. The analysis must discuss the project’s impact on the regional transportation system.

22. **Vehicle-related air emissions.** Estimate the effect of the project's traffic generation on air quality, including carbon monoxide levels. Discuss the effect of traffic improvements or other mitigation measures on air quality impacts.

Not Applicable

23. **Stationary source air emissions.** Describe the type, sources, quantities and compositions of any emissions from stationary sources of air emissions such as boilers, exhaust stacks or fugitive dust sources. Include any hazardous air pollutants (consult *EAW Guidelines* for a listing) and any greenhouse gases (such as carbon dioxide, methane, nitrous oxide) and ozone-depleting chemicals (chlorofluorocarbons, hydrofluorocarbons, perfluorocarbons or sulfur hexafluoride). Also describe any proposed pollution prevention techniques and proposed air pollution control devices. Describe the impacts on air quality.

Not Applicable

24. **Odors, noise and dust.** Will the project generate odors, noise or dust during construction or during operation?  _X_ Yes  _No_
If yes, describe sources, characteristics, duration, quantities or intensity and any proposed measures to mitigate adverse impacts. Also identify locations of nearby sensitive receptors and estimate impacts on them. Discuss potential impacts on human health or quality of life. (Note: fugitive dust generated by operations may be discussed at item 23 instead of here.)

During the building deconstruction there will be noise and dust produced from the materials being removed. The materials likely to produce dust include stone, masonry, and plaster. Noise and dust
suppression techniques will be employed by the building demolition Contractor. The deconstruction and removal of materials will take approximately 10-days. Fencing and signage will be used to limit access to the site and minimize the impacts to pedestrians adjacent to the site.

25. **Nearby resources.** Are any of the following resources on or in proximity to the site?

   - Archaeological, historical or architectural resources? **X** Yes  __No
   - Prime or unique farmlands or land within an agricultural preserve? __Yes  **X** No
   - Designated parks, recreation areas or trails? __Yes  **X** No
   - Scenic views and vistas?  **X** Yes  __No
   - Other unique resources? __Yes  **X** No

If yes, describe the resource and identify any project-related impacts on the resource. Describe any measures to minimize or avoid adverse impacts.

Wesbrook Hall is listed as a contributing element to the National Register of Historic Places University of Minnesota Old Campus Historic District. Over the past 122 years, this building has suffered the loss of much of its significant historic character defining design elements due to multiple major remodelings and less than sensitive accretions. Prior to removal, this property will be archivally documented to meet the Secretary of the Interior's Standards for Architectural and Engineering Documentation, as well as, Minnesota Historic Property Record requirements. See attached extant condition photo documents and original building plans for reference.

26. **Visual impacts.** Will the project create adverse visual impacts during construction or operation? Such as glare from intense lights, lights visible in wilderness areas and large visible plumes from cooling towers or exhaust stacks? __Yes  **X** No

If yes, explain.

27. **Compatibility with plans and land use regulations.** Is the project subject to an adopted local comprehensive plan, land use plan or regulation, or other applicable land use, water, or resource management plan of a local, regional, state or federal agency? **X** Yes  __No

If yes, describe the plan, discuss its compatibility with the project and explain how any conflicts will be resolved. If no, explain.

   **Knoll District Plan** – Included in the University of Minnesota 2009 Twin Cities Campus Master Plan, the Knoll District plan describes the existing features that create the East Bank Campus Knoll District area. It outlines how areas of the district should be treated in order to capture the intended look, feel, and function of the district. Wesbrook Hall is a part of the National Register of Historic Places Old Campus Historic District (Knoll District) and since the building will be lost, the plan calls for historical documentation of the building (completed in February 2011) and for site restoration to public green space.

   **2009 University of Minnesota Twin Cities Campus Master Plan** – University Master Plans have called for the removal of Wesbrook Hall since at least 1910. The current 2009 University Master Plan shows the Wesbrook Hall Building site as part of the major pedestrian and bike traffic routes, as a cultural resource, and as a site for final open public space improvements.

28. **Impact on infrastructure and public services.** Will new or expanded utilities, roads, other infrastructure or public services be required to serve the project? __Yes  **X** No.

If yes, describe the new or additional infrastructure or services needed. (Note: any
infrastructure that is a connected action with respect to the project must be assessed in the EAW; see *EAW Guidelines* for details.)

29. **Cumulative potential effects.** Minnesota Rule part 4410.1700, subpart 7, item B requires that the RGU consider the "cumulative potential effects of related or anticipated future projects" when determining the need for an environmental impact statement. Identify any past, present or reasonably foreseeable future projects that may interact with the project described in this EAW in such a way as to cause cumulative potential effects. (Such future projects would be those that are actually planned or for which a basis of expectation has been laid.) Describe the nature of the cumulative potential effects and summarize any other available information relevant to determining whether there is potential for significant environmental effects due to these cumulative effects (or discuss each cumulative potential effect under appropriate item(s) elsewhere on this form).

No cumulative effects have been identified.

30. **Other potential environmental impacts.** If the project may cause any adverse environmental impacts not addressed by items 1 to 28, identify and discuss them here, along with any proposed mitigation.

Not Applicable
31. **Summary of issues.** *Do not complete this section if the EAW is being done for EIS scoping; instead, address relevant issues in the draft Scoping Decision document, which must accompany the EAW.*

List any impacts and issues identified above that may require further investigation before the project is begun. Discuss any alternatives or mitigative measures that have been or may be considered for these impacts and issues, including those that have been or may be ordered as permit conditions.

Not Applicable
RGU CERTIFICATION. (The Environmental Quality Board will only accept SIGNED Environmental Assessment Worksheets for public notice in the EQB Monitor.)

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

Signature: [Signature]
Date: 2/21/11

Title: Kathleen O'Brien
Vice President for University Services

Environmental Assessment Worksheet was prepared by the staff of the Environmental Quality Board at the Minnesota Department of Administration, Office of Geographic and Demographic Analysis. For additional information, worksheets or for EAW Guidelines, contact: Environmental Quality Board, 658 Cedar St., St. Paul, MN 55155, 651-201-2492, or http://www.eqb.state.mn.us
EAW APPENDIX A

- County map showing the general location of the project;
- U.S. Geological Survey 7.5 minute, 1:24,000 scale map indicating project boundaries;
- Site plan showing all significant project and natural features.
EAW APPENDIX B

- Building Floor Plans
EAW APPENDIX C

- Minnesota Historic Property Record Photographs
**INDEX TO PHOTOGRAPHS**

**MEDICAL SCIENCE BUILDING**
(WESBROOK HALL)
77 Pleasant Street
Minneapolis
Hennepin County
Minnesota

Jerry Mathiason, photographer, February 2011.

For this index, the northeast facade of the Medical Science Building will be referred to as the north facade, the southeast facade as the east, the southwest as the south, and the northwest as the west facade.

<table>
<thead>
<tr>
<th>Photo Number</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>HE-MPC-3280-01</td>
<td>Nicholson Hall, front (west) facade and south wall of Medical Science Building, and Cyrus Northrup Memorial Auditorium (l-r). View to northeast.</td>
</tr>
<tr>
<td>HE-MPC-3280-02</td>
<td>Front (west) facade of Medical Science Building with Cyrus Northrup Memorial Auditorium at rear. View to east.</td>
</tr>
<tr>
<td>HE-MPC-3280-03</td>
<td>Cyrus Northrup Memorial Auditorium, north wall and front (west) facade of Medical Science Building (l-r). View to southeast.</td>
</tr>
<tr>
<td>HE-MPC-3280-04</td>
<td>Rear (east) and north walls (l-r) of Medical Science Building. Cyrus Northrup Memorial Auditorium at left rear. View to south.</td>
</tr>
<tr>
<td>HE-MPC-3280-05</td>
<td>Central recessed section of rear (east) wall of Medical Science Building. View to west.</td>
</tr>
<tr>
<td>HE-MPC-3280-06</td>
<td>Rear (east) and south walls (r-l) of Medical Science Building. Scott Hall is at far right, Nicholson Hall is at left rear, and Cyrus Northrup Memorial Auditorium is at left. View to northwest.</td>
</tr>
<tr>
<td>HE-MPC-3280-07</td>
<td>View to southeast showing main entrance of Medical Science Building.</td>
</tr>
<tr>
<td>HE-MPC-3280-08</td>
<td>View to southwest showing staircase from first-floor hallway with main entrance at rear.</td>
</tr>
</tbody>
</table>
HE-MPC-3280-09  View to north showing first-floor rear staircase and hallway.

HE-MPC-3280-10  View to northeast showing coffered ceiling and round-arched windows on second floor.

HE-MPC-3280-11  View to south showing painted-over skylights and pressed-tin ceiling in Veterans Transition Center on third floor.

HE-MPC-3280-12  View to northeast showing metal and timber roof structure in Room 306.

HE-MPC-3280-13  Beam structure in northeast corner of third floor. View to northeast.
EXHIBIT B

UNIVERSITY OF MINNESOTA
BOARD OF REGENTS POLICY
Page 1 of 7

RESERVATION AND DELEGATION OF AUTHORITY

ARTICLE I

RESERVATION OF AUTHORITY

SECTION I. GENERAL RESERVATIONS OF AUTHORITY

Subd. 1. The Board of Regents reserves to itself all authority necessary to carry out its legal and fiduciary responsibilities under the University Charter, the Constitution of the State of Minnesota, and the Board of Regents (Board) Bylaws. This reservation specifically includes all authority to enact laws and policies for the governance of the University of Minnesota (University) and to issue Board directives to executive officers and employees. The Board’s reserved authority shall be exercised consistent with the University Charter, the Constitution of the State of Minnesota, Board Bylaws, and relevant Board policies.

Subd. 2. The Board reserves to itself authority to ensure constitutional and institutional autonomy, to approve the University’s mission and vision, to set the overall direction of the institution, including the adoption of fundamental plans for the educational, financial, and physical development of the University, and to declare a fiscal emergency.

Subd. 3. No authority that the Board reserves to itself in this policy shall be exercised by any other person or body unless expressly authorized by Board policy or directive.

Subd. 4. The Board reserves to itself authority to approve the use, and revocation of the use, of its corporate name or any abbreviated name, including University of Minnesota, by any non-University person or entity, consistent with Board policies. The Board also reserves authority over the removal of the corporate name or any abbreviated name from the name of any University campus, college, school, division, or unit, consistent with Board policies.

Subd. 5. The Board reserves to itself authority to approve any commercial transaction or matter not otherwise subject to Board approval if the transaction or matter:

(a) raises unusual questions of public interest or public policy;
(b) has a significant impact on the University’s mission; or
(c) has a value greater than $2 million.

SECTION II. CONDUCT OF BOARD BUSINESS

The Board reserves to itself authority to establish procedures for the conduct of its business, create committees, set its agenda, require reports from executive officers and employees, hear appeals, and enforce its code of ethics.
SECTION III. ELECTION OF BOARD OFFICERS.

The Board reserves to itself authority to elect and remove Board officers, including the president, chair, vice chair, secretary, and treasurer.

SECTION IV. APPOINTMENT AUTHORITY.

Subd. 1. The Board reserves to itself authority to appoint all individuals and approve any individually negotiated terms of employment for those who serve in each of the following positions:

(a) Senior Vice President for Academic Affairs and Provost
(b) Senior Vice President for Health Sciences
(c) Senior Vice President for System Academic Administration
(d) Chancellor
(e) Vice President
(f) Provost
(g) General Counsel
(h) Librarian
(i) Director of Audits
(j) Dean
(k) Athletic Director, Twin Cities campus
(l) Such other administrative positions as the Board may specify from time to time.

The president shall recommend individuals for appointment to these positions, consistent with Board policies and directives.

Subd. 2. The Board reserves to itself authority to remove University officers as provided in the University Charter. The president (a) may remove the general counsel with Board approval and (b) may remove any other individual appointed under subd. 1 of this section, except the director of audits.

Subd. 3. The Board reserves to itself authority to appoint members of the boards of University-associated foundations, institutes, committees, and other bodies, consistent with Board policies.

SECTION V. ACADEMIC MATTERS.

Subd. 1. The Board reserves to itself authority to grant academic degrees, grant faculty indefinite tenure, grant continuous appointments to academic professionals, and award the title faculty emeritus, consistent with Board policies.

Subd. 2. The Board reserves to itself authority to establish, name, and abolish colleges, academic institutes, programs, and courses of study, consistent with Board policies.
Subd. 3. The Board reserves to itself authority to establish tuition and student fees and approve policies and reciprocity agreements related to such matters, consistent with Board policies.

Subd. 4. The Board reserves to itself authority to: (a) establish and review policies relating to the conduct of research and the receipt and accounting of sponsored research funds; (b) require timely reporting to the Board of sponsored research activity; and (c) approve financial support greater than $250,000 to non-University entities for the commercialization of technology, consistent with Board policies.

Subd. 5. The Board reserves to itself authority to approve educational policies and procedures, in consultation with the president and the faculty governance process, consistent with Board policies. This policy is not intended to alter the relationship between the Board, the University Senate, and the faculties regarding educational policies.

SECTION VI. AWARDS, HONORS, AND NAMINGS.

Subd. 1. The Board reserves to itself authority to establish and bestow awards, honors, and recognition, consistent with Board policies.

Subd. 2. The Board reserves to itself authority to name and revoke names of University buildings and other assets, consistent with Board policies.

SECTION VII. BUDGETARY, FINANCIAL, AND INVESTMENT MATTERS.

Subd. 1. The Board reserves to itself authority to approve the following: annual operating budgets; the central reserves budget and minimum reserve level; and adjustments and amendments, consistent with Board policies. The Board also reserves to itself authority to approve any modifications to the central reserves budget and any expenditures from the central reserves general contingency account, consistent with Board policies.

Subd. 2. The Board reserves to itself authority to approve all requests for operating and capital budget appropriations from the State of Minnesota and positive or negative adjustments to the budget caused by a 1% or more change in total appropriations within a fiscal year.

Subd. 3. The Board reserves to itself authority to establish investment objectives, approve asset allocation guidelines, hire investment advisers, and approve policies and plans for investment income distribution.

Subd. 4. The Board reserves to itself authority to authorize issuance and retirement of debt and to engage debt advisers and/or underwriters, consistent with Board policies.

Subd. 5. The Board reserves to itself authority to accept gifts for the benefit of the University, consistent with Board policies.
Subd. 6. The Board reserves to itself authority to approve individual purchases of goods and services with a value greater than $1,000,000, consistent with Board policies.

SECTION VIII. PROPERTY, FACILITIES, AND CAPITAL BUDGETS.

Subd. 1. The Board reserves to itself authority to approve the purchase or sale of real property with a value greater than $250,000 or larger than ten (10) acres, consistent with Board policies.

Subd. 2. The Board reserves to itself authority to approve leases of real property, easements, and other interests in real property if the initial term amount to be paid by or to the University exceeds $250,000, consistent with Board policies.

Subd. 3. The Board reserves to itself authority to exercise the power of eminent domain to acquire land for University purposes.

Subd. 4. The Board reserves to itself authority to (a) exercise property owner rights regarding the designation, decommissioning, or demolition of historic resources; and (b) take final action on all environmental reviews of historic resources initiated by the administration for which the University is the responsible governmental unit, consistent with Board policies and applicable state and federal laws.

Subd. 5. The Board reserves to itself authority to approve campus master plans and amendments thereto.

Subd. 6. The Board reserves to itself authority to approve multi-year capital plans consisting of projects with a value greater than $1,000,000.

Subd. 7. The Board reserves to itself authority to approve annual capital budgets consisting of projects with a value greater than $500,000.

Subd. 8. The Board reserves to itself authority to approve capital budget amendments to approved projects and new projects when the amendment has a value greater than $500,000.

Subd. 9. The Board reserves to itself authority to approve project schematic plans for (a) interior renovations with a value greater than $5,000,000; (b) projects with a value greater than $2,000,000 that have an exterior visual impact; (c) projects that vary from adopted campus master plans or that have a significant visual impact; and (d) projects noted during the annual review of the capital budget.

Subd. 10. The Board reserves to itself authority for a subsequent review of approved capital budget projects with a value greater than $5,000,000 prior to the award of construction contracts.
SECTION IX. LEGAL MATTERS.

The Board reserves to itself, or to one of its committees, authority to direct the president or the general counsel to settle any legal claim or initiate or appeal a lawsuit or administrative proceeding, consistent with Board policies.

SECTION X. AUDIT FUNCTION.

The Board reserves to itself authority to adopt policies regulating the audit function; approve selection of external auditors and the director of audits; and evaluate the performance of the independent auditor, and, jointly with the president, the performance of the internal audit function.

SECTION XI. EMPLOYMENT AND LABOR RELATIONS.

Subd. 1. The Board reserves to itself authority to approve all contracts and other agreements with the exclusive collective bargaining representatives of its employees.

Subd. 2. The Board reserves to itself authority to approve civil service rules and annual pay and benefit plans for University employees.

Subd. 3. The Board reserves to itself authority to establish or discontinue retirement plans for University faculty and staff. For those plans sponsored by the University and governed by formal plan documents, the Board reserves to itself authority to approve amendments to those plans that significantly affect the cost structure of the plans. An amendment is considered to significantly affect the cost structure of the plan if the change causes a cost impact of more than $250,000.

Subd. 4. The Board reserves to itself authority to review individually negotiated employee severance agreements of unusual importance or significance.

SECTION XII. ASSOCIATED ORGANIZATIONS.

The Board reserves to itself authority to approve the legal structure and scope of any relationship between the University and any associated organization, non-profit corporation, foundation, institute, or similar entity that substantially relies upon University resources or personnel to carry out its mission.

ARTICLE II

DELEGATION OF AUTHORITY

SECTION I. DELEGATION OF AUTHORITY TO THE PRESIDENT.

The Board delegates to the president authority to act as chief executive officer of the University, with such general executive management and administrative authority over the University as is
reasonable and necessary to carry out the policies and directives of the Board, subject to the limitations noted in Article II, Section II below.

SECTION II. LIMITATIONS UPON PRESIDENTIAL AUTHORITY.

The authority delegated to the president is limited by the following:

(a) The provisions of the University Charter and the Constitution of the State of Minnesota;

(b) The provisions of Board Bylaws;

(c) The provisions of Board policies and directives, including specifically Article I of this policy; and

(d) The directive that the president shall notify the Board of any matter not otherwise addressed in this section that significantly involves the authority and role of the Board, including its fiduciary, oversight, and public accountability responsibilities.

SECTION III. DELEGATION OF AUTHORITY BY THE PRESIDENT.

Subd. 1. Unless otherwise restricted by specific Board policies or directives, the president shall be responsible for delegating general executive management and administrative authority to other executive officers and employees as necessary and prudent, including authority to execute contracts and other legal documents. The president may condition, limit, or revoke any presidential authority so delegated.

Subd. 2. All delegations and revocations under this section shall be in writing, name the individual to whom such authority is delegated, describe the scope and limitations of such authority, and prescribe the extent to which such authority may be further sub-delegated.

Subd. 3. All delegations and revocations under this section shall be reviewed as to form, legality, and consistency by the general counsel.

Subd. 4. Annually, the president shall report to the Board significant changes to the delegations.

SECTION IV. DELEGATION OF AUTHORITY TO THE CHAIR AND VICE CHAIR.

The chair and vice chair of the Board shall have such authority as is authorized by Board Bylaws and policies and is customarily exercised by such officers of a corporation. The chair shall have authority to execute any and all instruments and documents on behalf of the Board.
SECTION V. DELEGATION OF AUTHORITY TO THE BOARD SECRETARY, TREASURER, GENERAL COUNSEL, AND DIRECTOR OF AUDITS.

The secretary, treasurer, general counsel, and director of audits shall have authority to perform such duties for the Board as provided by Board Bylaws, policies, and directives.

The secretary shall have authority to execute such instruments and documents that would customarily devolve upon a corporate officer and are usual to that office.

The secretary and the general counsel shall have authority to accept legal service on behalf of the University.

SECTION VI. CONFORMANCE WITH THIS POLICY.

Subd. 1. No executive officer or employee of the University shall have any authority to take any action or make any representation on behalf of the University beyond the scope of, or materially inconsistent with, the authority delegated to such executive officer or employee as provided in this policy.

Subd. 2. The secretary and the general counsel each shall have the duty to inform the Board of any existing or proposed Board policy or directive that is inconsistent with or alters the delegations of authority as provided in this policy.

Exhibit C
Facilities Committee

May 12, 2011

Agenda Item: Resolution: Norris Hall Deconstruction and Demolition

☒ review  ☐ review/action  ☐ action  ☐ discussion

Presenters: Vice President Kathleen O’Brien
Orlyn Miller, Director of Planning and Architecture

Purpose:

☒ oversight  ☐ strategic positioning

In accordance with Board of Regents Policies: Reservation and Delegation of Authority and Historic Preservation review the plan to demolish the Norris Hall Building located on the Twin Cities Campus.

Outline of Key Points/Policy Issues:

In the interest of reducing operating and maintenance expenditures, the University is currently working to demolish or decommission buildings that are inefficiently used, obsolete, and costly to maintain and repair.

The plan to demolish the Norris Hall Building will be discussed at the meeting. The attached project data sheet addresses the basis for request, project scope, cost estimate, funding, and schedule. A map locating the building on campus is also attached.

Background Information:

The 2009 Twin Cities Campus Master Plan specifically identifies Norris Hall for building removal.

President’s Recommendation for Action:

The President recommends approval of the demolition plans and of the appropriate administrative officers proceeding with the award of contracts for the development of demolition documents and the demolition of the Norris Hall Building located on the Twin Cities Campus.
Norris Hall Building Deconstruction and Demolition  
St Paul Campus  
Project No. 01-036-11-1484

1. Basis for Request:

The purpose of this project is to demolish Norris Hall building. Originally completed in 1914 as the “Ladies Gymnasium”, along with a subsequent 1934 Field House addition, Norris Hall building is located at 172 Pillsbury Drive SE, adjacent to the National Register of Historic Places University of Minnesota Old Campus Historic District on the University’s East Bank campus. Norris Hall has previously been determined eligible by Minnesota State Historic Preservation Office for listing on the National Register of Historic Places.

Since 2002, the building has been used for swing space and storage, and has since been placed in maintenance layaway state. Because of the building’s lack of physical accessibility and multiple fire and life safety code deficiencies, finding a financially feasible appropriate program fit has been difficult, although the University has explored several adaptive use options over the past 10 years – most recently for departmental office and classroom use.

A brief history of the building:
- 1914 Ladies’ Gymnasium building opens,
- 1934 Pool, Courts and Field House added,
- 1941 Building renamed for Dr. Anna Norris,
- 2002 Building converted to swing space and storage use,
- 2010 Building vacated and mothballed.

2. Scope of Project:

- Prior to removal, this property will be archivally documented to meet the Secretary of the Interior's Standards for Architectural and Engineering Documentation, as well as, Minnesota Historic Property Record requirements.
- Abatement of all hazardous materials,
- Reroute utilities and seal utility tunnels,
- Demolition of Norris Hall building,
- Recycle more than 75% of extant building materials,
- Landscape restoration and historic interpretive mitigation.

3. Variance to the Master Plan or Precinct/District Plan:

The 2009 Twin Cities Campus Master Plan (Master Plan) specifically identifies Norris Hall for building removal. Norris Hall’s removal will conform with Master Plan Guiding Principles to: “…Optimize the use of campus land and facilities, and create a cohesive, memorable system of public spaces”. Master Plan Guiding Principles Core Values include efforts that “…‘Make the campus environmentally and operationally sustainable.” The Master Plan also recognizes the need for judicious removal of obsolete buildings to meet functional academic goals, enhance public spaces, or create access to natural features.
4. Environmental Issues:

All hazardous materials will be removed from the Norris Hall & Gymnasium building by a licensed abatement contractor. An Environmental Assessment Worksheet was prepared for Board of Regents review and consideration in connection with this Project.

5. Cost Estimate:

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<thead>
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<th>Description</th>
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<td>Hazardous Materials Abatement</td>
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<td>Utility Work</td>
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<td>Non Construction</td>
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<td><strong>Total</strong></td>
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</tr>
</tbody>
</table>

6. Capital Funding:

University Funds $1,600,000

7. Capital Budget Approvals:

This project is funded primarily by University Repair and Replacement funds that have been approved in previous capital budgets.

8. Annual Operating and Maintenance Cost and Source of Revenue:

Removal of Norris Hall will reduce the University’s Operation and Maintenance costs by $187,415 per year.

9. Time Schedule:

- Complete design – June 2011
- Begin Demolition – August 2011
- Removal Complete – September 2011
- Site Restoration Complete – November 2011

10. Architect:

Miller Dunwiddie Architects

11. Recommendation:

The above described project scope of work, cost, funding, and schedule is appropriate:

Richard Pfuntenreuter, Vice President and Chief Financial Officer

E. Thomas Sullivan, Senior Vice President and Provost

Kathleen O'Brien, Vice President for University Services
REGENTS OF THE UNIVERSITY OF MINNESOTA

RESOLUTION RELATED TO
NORRIS HALL DECONSTRUCTION AND DEMOLITION

WHEREAS, since 2002, the Norris Hall building has been used for swing space and storage, and in 2010 was placed in maintenance layaway state; and

WHEREAS, Because of Norris Hall’s lack of physical accessibility and multiple fire and life safety code deficiencies, finding a financially feasible appropriate program fit has been difficult, although the University has explored several adaptive use options over the past ten years – most recently for departmental office and classroom use; and

WHEREAS, Norris Hall has previously been determined eligible by Minnesota State Historic Preservation Office for listing on the National Register of Historic Places. And prior to removal, this property will be archivally documented to meet the Secretary of the Interior's Standards for Architectural and Engineering Documentation, as well as, Minnesota Historic Property Record requirements; and

WHEREAS, the 2009 Twin Cities Campus Master Plan (Master Plan) specifically identifies Norris Hall for building removal.; and

WHEREAS, in the interest of reducing operating and maintenance expenditures, the University is currently working to demolish or decommission buildings that are inefficiently used, obsolete, and costly to maintain and repair; and

WHEREAS, The Master Plan Guiding Principles Core Values include efforts that “… Make the campus environmentally and operationally sustainable.” And the Master Plan also recognizes the need for judicious removal of obsolete buildings to meet functional academic goals, enhance public spaces, or create access to natural features.

NOW, THEREFORE, BE IT RESOLVED that the Board of Regents recognize Norris Hall Building’s historically significant nature and distinctive contributions to the advancement of Women’s athletics, kinesiology, and physical education; and

BE IT FURTHER RESOLVED, that the Board of Regents agrees the administration has analyzed all reasonable options for a financially feasible reuse of the Veterinary Anatomy Building; and

BE IT FURTHER RESOLVED, that the Board of Regents concurs with the administration’s recommendation to demolish the Norris Hall Building on the Twin Cities Campus.
Facilities Committee  
May 12, 2011

Agenda Item:  Resolution: Veterinary Anatomy Building Deconstruction and Demolition

☑ review  ☐ review/action  ☐ action  ☐ discussion

Presenters:  Vice President Kathleen O’Brien
Orlyn Miller, Director of Planning and Architecture

Purpose:

☐ policy  ☐ background/context  ☑ oversight  ☐ strategic positioning

In accordance with Board of Regents Policies: Reservation and Delegation of Authority and Historic Preservation review the plan to demolish the Veterinary Anatomy Building located on the Twin Cities Saint Paul Campus.

Outline of Key Points/Policy Issues:

In the interest of reducing operating and maintenance expenditures, the University is currently working to demolish or decommission buildings that are inefficiently used, obsolete, and costly to maintain and repair.

The plan to demolish the Veterinary Anatomy Building will be discussed at the meeting. The attached project data sheet addresses the basis for request, project scope, cost estimate, funding, and schedule. A map locating the building on campus is also attached.

Background Information:

Removal of the Veterinary Anatomy building is in compliance with the 2009 Twin Cities Campus Master Plan principles and district guidelines.

President’s Recommendation for Action:

The President recommends approval of the demolition plans and of the appropriate administrative officers proceeding with the award of contracts for the development of demolition document and the demolition of the Veterinary Anatomy Building located on the Twin Cities Saint Paul Campus.
1. Basis for Request:

The purpose of this project is to demolish Veterinary Anatomy building. Constructed in 1901, the Veterinary Anatomy building is located at 1946 Fitch Avenue on the University’s Saint Paul campus. Veterinary Anatomy has previously been determined eligible by Minnesota State Historic Preservation Office (MNSHPO) for listing on the National Register of Historic Places.

Since 2002, the building has been deemed unsafe and therefore vacant, and has been placed in maintenance layaway state. Because of the building’s lack of physical accessibility and multiple fire and life safety code deficiencies, finding a financially feasible appropriate program fit has been difficult, although the University has explored several adaptive use options over the past 10 years. Throughout the building’s maintenance layaway status, the University has consulted with the MNSHPO in developing and implementing all required preservation research and treatments.

A brief history of the building:
• 1901 Veterinary Medicine building opens (“Veterinary Building” signed in stone over entry),
• 1947 School of Veterinary Medicine established,
• 1947 Veterinary Medicine Building renamed “Old Anatomy”,
• 1975 Raptor Center established in Old Anatomy,
• 1979 Wildlife Rehabilitation Clinic begins as a student club of the Veterinary College.
• 1987 Raptor Center vacates Old Anatomy for new building across Gortner Avenue,
• 1989 Wildlife Rehabilitation Clinic takes full occupancy,
• 1992 East wing demolished,
• 2002 Wildlife Rehabilitation Clinic vacates building for new space in Roseville, MN,
• 2002 Building is deemed unsafe by UM Code Division and is mothballed.

2. Scope of Project:

• Prior to removal, this property will be archivally documented to meet the Secretary of the Interior's Standards for Architectural and Engineering Documentation, as well as, Minnesota Historic Property Record requirements.
• Abatement of all hazardous materials,
• Reroute utilities and seal utility tunnels,
• Demolition of Veterinary Anatomy building,
• Recycle more than 75% of extant building materials,
• Landscape restoration and historic interpretive mitigation.

3. Variance to the Master Plan or Precinct/District Plan:

Removal of the Veterinary Anatomy building is in compliance with the 2009 Twin Cities Campus Master Plan principles and district guidelines to: “…Optimize the use of campus land and facilities, and create a cohesive, memorable system of public spaces”. The Master Plan Guiding Principles Core Values include efforts that “…Make the campus environmentally and operationally sustainable.” The Master Plan also recognizes the need for judicious removal of obsolete buildings to meet functional academic goals, enhance public spaces, or create access to natural features.
4. Environmental Issues:

All hazardous materials will be removed from the Veterinary Anatomy building by a licensed abatement contractor. An Environmental Assessment Worksheet was prepared for Board of Regents review and consideration in connection with this Project.

5. Cost Estimate:

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6. Capital Funding:

University Funds $650,000

7. Capital Budget Approvals:

This project is funded primarily by University Repair and Replacement funds that have been approved in previous capital budgets.

8. Annual Operating and Maintenance Cost and Source of Revenue:

Veterinary Anatomy building has been placed in maintenance layaway state long term; therefore there is no significant impact to annual Operating and Maintenance costs.

9. Time Schedule:

- Complete design – June 2011
- Begin Demolition – August 2011
- Removal Complete – August 2011
- Site Restoration Complete – October 2011

10. Architect:

Miller Dunwiddie Architects

11. Recommendation:

The above described project scope of work, cost, funding, and schedule is appropriate:

Richard Pfutzner, Vice President and Chief Financial Officer

E. Thomas Sullivan, Senior Vice President and Provost

Kathleen O’Brien, Vice President for University Services
REGENTS OF THE UNIVERSITY OF MINNESOTA

RESOLUTION RELATED TO VETERINARY ANATOMY BUILDING
DECONSTRUCTION AND DEMOLITION

WHEREAS, since 2002, the Veterinary Anatomy building has been deemed unsafe by the University Building Code Official, and therefore vacant, and has been placed in mothball condition; and

WHEREAS, because of the building’s lack of physical accessibility and multiple fire and life safety code deficiencies, finding a financially feasible appropriate program fit has been difficult, although the University has explored several adaptive use options over the past 10 years; and

WHEREAS, Veterinary Anatomy has previously been determined eligible by Minnesota State Historic Preservation Office for listing on the National Register of Historic Places. And prior to removal, this property will be archivally documented to meet the Secretary of the Interior’s Standards for Architectural and Engineering Documentation, as well as, Minnesota Historic Property Record requirements; and

WHEREAS, in the interest of reducing operating and maintenance expenditures, the University is currently working to demolish or decommission buildings that are inefficiently used, obsolete, and costly to maintain and repair; and

WHEREAS, Removal of the Veterinary Anatomy building is in compliance with the 2009 Twin Cities Campus Master Plan (Master Plan) principles and district guidelines; and

WHEREAS, The Master Plan Guiding Principles Core Values include efforts that “Make the campus environmentally and operationally sustainable.” And the Master Plan also recognizes the need for judicious removal of obsolete buildings to meet functional academic goals, enhance public spaces, or create access to natural features.

NOW, THEREFORE, BE IT RESOLVED that the Board of Regents recognize the Veterinary Anatomy Building’s historically significant nature and distinctive contributions to the College of Veterinary Medicine; and

BE IT FURTHER RESOLVED, that the Board of Regents agrees the administration has analyzed all reasonable options for a financially feasible reuse of the Veterinary Anatomy Building; and

BE IT FURTHER RESOLVED, that the Board of Regents concurs with the administration’s recommendation to demolish the Veterinary Anatomy Building on the Twin Cities Saint Paul Campus.
Facilities Committee  May 12, 2011

Agenda Item:  Resolution: Wesbrook Hall Deconstruction and Demolition

☑ review  ☐ review/action  ☐ action  ☐ discussion

Presenters:  Vice President Kathleen O’Brien  Orlyn Miller, Director of Planning and Architecture

Purpose:

☐ policy  ☐ background/context  ☑ oversight  ☐ strategic positioning

In accordance with Board of Regents Policies: Reservation and Delegation of Authority and Historic Preservation review the plan to demolish the Wesbrook Hall Building located on the Twin Cities Campus.

Outline of Key Points/Policy Issues:

In the interest of reducing operating and maintenance expenditures, the University is currently working to demolish or decommission buildings that are inefficiently used, obsolete, and costly to maintain and repair.

The plan to demolish the Wesbrook Hall Building will be discussed at the meeting. The attached project data sheet addresses the basis for request, project scope, cost estimate, funding, and schedule. A map locating the building on campus is also attached.

Background Information:

The 2009 Twin Cities Campus Master Plan specifically identifies Wesbrook Hall for building removal.

President's Recommendation for Action:

The President recommends approval of the demolition plans and of the appropriate administrative officers proceeding with the award of contracts for the development of demolition document and the demolition of the Wesbrook Hall Building located on the Twin Cities Campus.
Wesbrook Hall Deconstruction and Demolition
East Bank Campus
Project No. 01-010-11-2069

1. Basis for Request:

The purpose of this project is to demolish Wesbrook Hall building. Constructed in 1896, Wesbrook Hall is located at 77 Pleasant Street Southeast on the Minneapolis East Bank campus. Wesbrook Hall is listed as a contributing element to the National Register of Historic Places University of Minnesota Old Campus Historic District. Over the past 115 years, this building has suffered the loss of much of its significant historic character defining design elements due to multiple major remodeling and less than sensitive accretions.

A brief history of the building:

- 1896 Laboratory of Medical Sciences (LMS) Building opens for Pharmacy.
- 1912 LMS Building is renovated for Dentistry.
- 1931 Dentistry vacates building and moves to Owre Hall.
- 1932 LMS building was renamed to Wesbrook Hall (dean of the College of Medicine & Surgery.)
- 1945-2011 Used for a variety of University academic functions including CLA.

2. Scope of Project:

- Prior to removal, this property will be archivally documented to meet the Secretary of the Interior's Standards for Architectural and Engineering Documentation, as well as, Minnesota Historic Property Record requirements.
- Abatement of all hazardous materials,
- Reroute utilities and seal utility tunnels,
- Demolition of Wesbrook Hall Building,
- Recycle more than 75% of extant building materials,
- Landscape restoration and historic interpretive mitigation.

3. Variance to the Master Plan or Precinct/District Plan:

As early as 1910, beginning with Cass Gilbert (in his visionary campus master plan), continuing with State Architect Clarence Johnson Senior with Morell and Nichols Landscape Architects, and the current 2009 University of Minnesota Twin Cities Campus Master Plan (Master Plan), University Master Plans have consistently recommended removal of the Wesbrook Hall building to accommodate campus pedestrian and bicycle circulation needs and to increase much needed green space in relation to other built environment on Campus. The Master Plan specifically identifies Wesbrook Hall for building removal. As noted in the Master Plan; Wesbrook Hall’s removal will create “…a new public space to allow for an expanded plaza and improved access to the adjacent Northrop Auditorium.” Removal will also conform with Master Plan Guiding Principles to: “…Optimize the use of campus land and facilities, and create a cohesive, memorable system of public spaces.”
4. Environmental Issues:

All hazardous materials will be removed from the Wesbrook Hall Building by a licensed abatement contractor. An Environmental Assessment Worksheet was prepared for Board of Regents review and consideration in connection with this Project.

5. Cost Estimate:

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6. Capital Funding:

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<td>University Funds</td>
<td>$470,150</td>
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</tbody>
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7. Capital Budget Approvals:

The estimated cost is below the Regents capital budget threshold of $500,000.

8. Annual Operating and Maintenance Cost and Source of Revenue:

The removal of Wesbrook Hall will reduce the University’s Operation and Maintenance costs by $204,089 per year.

9. Time Schedule:

- Complete design – June 2011
- Begin Demolition – August 2011
- Removal Complete – August 2011
- Site Restoration Complete – October 2011

10. Architect:

Hammel Green and Abrahamson Architects

11. Recommendation:

The above described project scope of work, cost, funding, and schedule is appropriate:

Richard Pfutzenreuter, Vice President and Chief Financial Officer

E. Thomas Sullivan, Senior Vice President and Provost

Kathleen O’Brien, Vice President for University Services

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REGENTS OF THE UNIVERSITY OF MINNESOTA

RESOLUTION RELATED TO
WESBROOK HALL DECONSTRUCTION AND DEMOLITION

WHEREAS, as early as 1910, University of Minnesota Master Plans have consistently recommended removal of the Wesbrook Hall building to accommodate campus pedestrian and bicycle circulation needs and to increase much needed green space in relation to other built environment on Campus.

WHEREAS, the 2009 Twin Cities Campus Master Plan (Master Plan) specifically identifies Wesbrook Hall for building removal; and

WHEREAS, over the past 115 years this building has suffered the loss of much of its significant historic character defining design elements due to multiple major remodeling and less than sensitive accretions; and

WHEREAS, Wesbrook Hall is listed as a contributing element to the National Register of Historic Places University of Minnesota Old Campus Historic District. And prior to removal, this property will be archivally documented to meet the Secretary of the Interior's Standards for Architectural and Engineering Documentation, as well as, Minnesota Historic Property Record requirements; and

WHEREAS, in the interest of reducing operating and maintenance expenditures, the University is currently working to demolish or decommission buildings that are inefficiently used, obsolete, and costly to maintain and repair; and

WHEREAS, The Master Plan Guiding Principles Core Values include efforts that ...“Make the campus environmentally and operationally sustainable.” And the Master Plan also recognizes the need for judicious removal of obsolete buildings to meet functional academic goals, enhance public spaces, or create access to natural features.

NOW, THEREFORE, BE IT RESOLVED that the Board of Regents recognize Wesbrook Hall Building’s historically significant nature and distinctive contributions to the advancement of pharmacology, medicine and other academic programs; and

BE IT FURTHER RESOLVED, that the Board of Regents agrees the administration has analyzed all reasonable options for a financially feasible reuse of the Veterinary Anatomy Building; and

BE IT FURTHER RESOLVED, that the Board of Regents concurs with the administration’s recommendation to demolish the Wesbrook Hall Building on the Twin Cities Campus.
Facilities Committee  May 12, 2011

Agenda Item: Central Corridor Light Rail Transit Project Update

☐ review  ☐ review/action  ☐ action  ☒ discussion

Presenters: Vice President Kathleen O’Brien
Bob Baker, Executive Director, Parking and Transportation Services
Leslie Krueger, Chief of Staff, University Services

Purpose:

☐ policy  ☒ background/context  ☐ oversight  ☐ strategic positioning

A report to the Board of Regents related to the Central Corridor Light Rail Transit (CCLRT) line, including: 1) A summary of the Agreement for the Central Corridor Light Rail Transit Project through the University of Minnesota, Twin Cities-Minneapolis Campus between the University, Metropolitan Council, City of Minneapolis and Hennepin County; 2) a status report regarding the Research Mitigation Plan for Construction Vibration; and 3) an overview of the upcoming construction through Campus.

Outline of Key Points/Policy Issues:

The CCLRT project will shape the University of Minnesota, Twin Cities Campus and the University neighborhoods for generations to come. The University is a transit-oriented community and an advocate for effective transportation systems and policies statewide:

• Two-thirds of University commuters use bus, carpool or walking options.
• Over the last 20 years, the University has successfully developed an integrated transportation system that serves all members of the University community.
• Today more than 20,000 students and 2,000 faculty and staff utilize mass transit programs, which are subsidized by Parking and Transportation revenues.
• The University community alone is expected to generate almost 30 percent of the daily riders on the Central Corridor Light Rail Transit line.

A well-planned transit system will provide improved, economical access to the University for roughly 80,000 people who live on, work on, and visit the Twin Cities campus from across the metropolitan area and the state each day. The University and the neighborhoods and business community will benefit from a metropolitan transit system that connects Minneapolis and St. Paul and is reliable, affordable, convenient and safe. The University is committed to strengthening this transportation system.

The following principles have guided the University in its planning for the CCLRT:

• The optimal operation of the Central Corridor LRT line is vital to a strong, regional, multi-modal transportation system.
• Safety is fundamental to the success of the operation of the line.
• The Central Corridor should realize development opportunities while reducing impact to the urban environment.

• The functionality and aesthetics of the University campus must be enhanced.

Recognizing that the construction and operation of the CCLRT line through the University campus will have adverse impacts on the campus, the University and the Metropolitan Council worked together to achieve mutual goals for the project. The September 30, 2010 Agreement for the Central Corridor Light Rail Transit Project through the University of Minnesota, Twin Cities-Minneapolis Campus meets all the University’s guiding principles and objectives. The objectives achieved through specific elements of the Agreement are:

• To optimize the transportation system in the metropolitan area and improve the accessibility of the University campus to students, faculty, staff, and visitors;

• To protect the University’s research enterprise;

• To ensure a durable agreement with mitigations and performance standards for the construction and the long-term operation of the CCLRT that provides a predictable research environment within which researchers can conduct their work, allowing the University to fulfill its research mission;

• To enhance campus functionality, safety and aesthetics;

• To strengthen the University community and neighborhoods; and

• To provide for enforceable obligations.

Since the Agreement was approved by the Board of Regents in September 2010, the University and the Met Council have been working towards its implementation, including the research mitigation plan for construction vibration (RMPCV). The RMPCV comprehensively documents the Council’s commitment to using its best efforts to eliminate impacts from CCLRT construction on University research conducted on the East Bank campus adjacent to Washington Avenue and to minimize those impacts that cannot be eliminated.

In addition, the University has been preparing for the closure of Washington Avenue for CCLRT construction on May 16, 2011. The University has assembled staff teams focused on construction, access, research, and communications to coordinate with the Met Council and to prepare for the construction period.

Background Information:

The University community has considered and discussed a variety of transit options along Washington Avenue for many decades. More recent review and action by the Board of Regents includes the following:

April 6, 2001
The Board adopted a resolution that the administration return with recommendations on alternatives for the Central Corridor Light Rail Transit line

July 2001
The Board resolved that the Northern Alignment is preferred and that if the Central Corridor line were to operate on Washington Avenue that it be below grade. Furthermore, if the project planners were to adopt an at-grade alternative on Washington Avenue, it would include removing automobile traffic from Washington Avenue.

The Board of Regents received annual updates as to CCLRT planning progress.
June 12-13, 2008
The Board of Regents received a detailed presentation of the results of the Northern Alignment feasibility analysis and the Washington Avenue at-grade alignment with pedestrian mall and mitigations. The Board approved a resolution stating that the University will pursue the Washington Avenue at-grade with a transit/pedestrian mall alternative, contingent upon the execution of all necessary agreements needed to achieve a mitigation plan, betterments, and all future mitigation measures and improvements.

July 8, 2008
The Board of Regents approved a Memorandum of Understanding between the University, Metropolitan Council, City of Minneapolis and Hennepin County regarding the development of the Central Corridor Light Rail Transit Line through the University of Minnesota Twin Cities Campus.

March 12, 2009
The Board of Regents adopted the 2009 Master Plan for the Twin Cities Campus which established principles and guidelines to promote public transit, identified the Central Corridor Light Rail Transit route through the Minneapolis campus, and designated the Washington Avenue Transit Mall as a new public space.

April 21, 2010
The Board of Regents granted the Metropolitan Council a Temporary Easement for Construction of Advanced Traffic Improvements related to the Central Corridor Light Rail Transit project, to be effect from April 21, 2010 to November 15, 2010.

September 8, 2010
The Board of Regents authorized the execution of the Agreement for the Central Corridor Light Rail Transit Project through the University of Minnesota, Twin Cities-Minneapolis Campus between the University, Metropolitan Council, City of Minneapolis and Hennepin County; the execution of the temporary construction easement and permanent easement; and the dismissal of the University’s September 2009 lawsuit against the Metropolitan Council.

September 30, 2010
The Agreement for the Central Corridor Light Rail Transit Project through the University of Minnesota, Twin Cities-Minneapolis Campus between the University, Metropolitan Council, City of Minneapolis and Hennepin County was signed by the Parties after approval by the governing body of each jurisdiction/institution.
Facilities Committee

May 12, 2011

Agenda Item: Consent Report

☐ review  ☒ review/action  ☐ action  ☐ discussion

Presenters: Vice President Kathleen O’Brien

Purpose:

☐ policy  ☐ background/context  ☒ oversight  ☐ strategic positioning

In accordance with Board of Regents Policy: Reservation and Delegation of Authority, review and recommend approval of the following real estate transactions:

A. Perpetual Conservation Easement Covering 26 Acres at Fens Research Facility for Wetland Bank V (Duluth Campus)

B. Five-Year Lease to Midwestern Higher Education Commission for 3,237 Square Feet at West Bank Office Building (Twin Cities Campus)

Outline of Key Points/Policy Issues:

The details of these transactions and their financial impact are described in the transaction information pages immediately following this page.

Background Information:

Board of Regents Policy: Reservation and Delegation of Authority states that “The Board of Regents reserves to itself authority to approve the purchase or sale of real property having a value greater than $250,000 or larger than ten (10) acres, and all leases, easements, and other interests in real property with a present value of the gross rent to be paid by or to the University during the initial term in excess of $250,000, consistent with Board policies.”

In accordance with the Board of Regents Calendar, which is included in the Board of Regents Policy: Board Operations and Agenda Guidelines, the “sale or purchase of real property between 10 and 40 acres, or with a value between $250,000 and $500,000” and “leases with a present value between $250,000 and $500,000” are presented for review/action as part of the Facilities Committee Consent Report.

President’s Recommendation for Action:

The President recommends approval of the Consent Report.
PERPETUAL CONSERVATION EASEMENT
COVERING 26 ACRES
AT THE FENS RESEARCH FACILITY
(DULUTH CAMPUS)

1. **Recommended Action**

   The President recommends that the appropriate administrative officers receive authorization to execute a perpetual conservation easement to encumber 26 acres at the Fens Research Facility, Zim, Minnesota, for wetland banking purposes.

2. **Legal Description and Location of the Property**

   The property to be encumbered by the perpetual conservation easement for wetland banking (for Bank V) is described as part of the SE1/4 of the SE1/4 of Section 22, Township 55 North, Range 18 West, St. Louis County, and totals 26 acres.

   The property is located at the Fens Research Facility near Zim, Minnesota (see attached map).

3. **Basis for Request**

   University participation in the wetland banking program on part of the Fens Research Facility property allows researchers of the Duluth Campus, Natural Resources Research Institute, Fens Research Facility, to better utilize the area, to supplement an endowment created to provide funding for research and research support for the Natural Resources Research Institute, and to provide critically important long-term wetland restoration research. This wetland project benefits Minnesota’s horticultural peat industry by further providing needed research and methodologies for restoring harvested-out peatlands, and uniquely positions the University for federal research funding in the areas of wetland mitigation, global warming, and water quality.

   The Fens Research Facility consists of 524 acres acquired from the State of Minnesota, Iron Range Resources and Rehabilitation Board in 1986. In July, 2002, the Board of Regents approved conservation easements encumbering up to 350 acres (North Fields) at the Fens Research Facility for wetland banking purposes which resulted in the creation of Wetland Banks I, II and III totaling 338.3 acres in 2007 and 2008. In September 2007, the Board of Regents approved a conservation easement encumbering 120 acres at the Fens Research Facility (South Fields) which resulted in the creation of Wetland Bank IV in 2010. The proposed Bank V covering 26 acres (South Fields) will result in a total of 484.3 acres at the Fens Research Facility subjected to wetland banking. With 10 acres at the Fens Research Facility committed to buildings, the University will have approximately 29.7 remaining acres available for the NRRI’s traditional peatland utilization research.
4. **Details of Transaction**

The Minnesota Board of Water and Soil Resources (BWSR) administers the wetland banking program for the State of Minnesota, which involves the funding and monitoring of wetland projects around the state. BWSR, which funded Banks I, II, III and IV, has strongly encouraged the University to establish Bank V in anticipation of BWSR funding or other sources of funding to pay the $9,000 per acre easement consideration, and $6,000 per acre for the development of the wetland, related transactional costs, 5 years of monitoring and reporting, and care of the site in perpetuity.

The University’s acquisition of the Fens Research Facility from the IRRRB in 1986 at $1.00 included a requirement that the proceeds from any sale of the property (including permanent easements) be shared with the IRRRB through October 12, 2026. Accordingly, the University will receive 60% of the $9,000 per acre easement consideration ($140,400) and the IRRRB will receive the balance, 40% ($93,600). The University will receive the entire $6,000 per acre for development of the wetland, care of the site, and transactional, monitoring and reporting costs ($156,000).

5. **Use of the Property**

This project would result in the use of 26 acres at the Fens Research Facility as wetland habitat and for wetland research.

6. **Use of Proceeds**

The University's share of the easement consideration for Wetland Bank V at the Fens Research Facility, $140,400, will be used to supplement an endowment established to provide funding for research and research support at the Natural Resources Research Institute of the Duluth Campus. The $156,000 will be used for wetland development, related transactional costs, monitoring and reporting over 5 years, and care of the site in perpetuity.

7. **Recommendations**

The above described real estate transaction is appropriate:

\[Signature\] 4/28/11

Richard H. Pfutzenreuter, III, Vice President and CFO

\[Signature\] 5/1/11

Lendley C. Black, Chancellor, University of Minnesota, Duluth Campus

\[Signature\] 4/28/11

Kathleen O’Brien, Vice President for University Services
This map is intended to be used for planning purposes only and should not be relied upon where a survey is required.

Sources: REO Land Records, MetroGIS

Perpetual Conservation Easement
Covering 26 acres at Fens Research Facility
for Wetland Bank V (Duluth Campus)
FIVE-YEAR LEASE
TO MIDWESTERN HIGHER EDUCATION COMMISSION
FOR 3,237 SQUARE FEET AT WEST BANK OFFICE BUILDING
(TWIN CITIES CAMPUS)

1. Recommended Action

The President recommends that the appropriate administrative officers receive authorization to execute a five-year lease to the Midwestern Higher Education Commission covering 3,237 rentable square feet of office space in the West Bank Office Building.

2. Description of Leased Premises

The leased premises will consist of 3,237 rentable square feet described as Suite 130 on the first floor of the West Bank Office Building, 1300 Second Street South, Minneapolis, together with shared use of all building common areas.

3. Basis for Request

The Midwestern Higher Education Compact (MHEC) is one of four statutorily-created interstate compacts founded in 1991. MHEC serves 12 Midwestern states: Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota and Wisconsin. Its mission is to contribute to the vitality of the Midwest by enhancing member states’ ability to maximize higher education opportunity and performance through collaboration and resources sharing. Its three core functions are student access, cost savings and policy research.

MHEC’s 60-member governing body consists of legislators, higher education leaders and governors’ representatives (each state appointing 5 individuals). Senior Vice President Robert Jones is the University of Minnesota representative on the Midwestern Higher Education Commission.

MHEC has occupied 2,600 square feet of office space in the West Bank Office Building since February, 1996. The subject lease will add 637 square feet to MHEC’s leased premises. The additional premises are being leased to MHEC in the as is condition.
4. Details of Transaction

The subject lease for MHEC’s use of 3,237 square feet of office space will commence April 1, 2011 and continue 5 years thereafter. The University will provide all maintenance and operational services to MHEC’s leased premises consistent with its standard schedule for such services for the West Bank Office Building.

5. Lease Payments to the University

MHEC will pay rent of $4,798.83 per month, or $57,585.96 per year ($17.79 per rentable square foot).

6. Use of Funds Received by the University

The funds received by the University on this lease are unrestricted.

7. Recommendations

The above-described real estate transaction is appropriate:

Richard H. Pfutzenreuter, III, Vice President and CFO

E. Thomas Sullivan, Senior Vice President for Academic Affairs and Provost

Kathleen O’Brien, Vice President for University Services
Five-Year Lease to Midwestern Higher Education Commission for 3,237 Square Feet at West Bank Office Building
Facilities Committee

Agenda Item: Information Item

☐ review  ☐ review/action  ☐ action  ☒ discussion

Presenters: Vice President Kathleen O'Brien

Purpose:

☐ policy  ☒ background/context  ☐ oversight  ☐ strategic positioning

There are no information agenda items for the May Facilities Committee meeting.

Outline of Key Points/Policy Issues:

Background Information: