

COMMENT ID	REVIEWER ID#	LOCATION IN EAW	Category	SUMMARY OF ORIGINAL REVIEW COMMENT	RESPONSE
5	3	General	GEN	Considers the EAW to be thin, states opinion that the development is bad for Star Lake and is opposed	Comment noted; thank you for your comment
11	4	General	GEN	Tribe should be allowed to govern itself and decide how to proceed	Comment noted; thank you for your comment
17	7	Proposer	GEN	Questions the validity of the White Earth Enterprises LLC as proposer	White Earth Enterprises, LLC was hired as the Owner Representative as the Project Developer and Construction Management Firm for Star Lake Development. WEE, LLC is wholly owned by the White Earth Nation. The White Earth Nation is the owner of the project and White Earth Enterprises, LLC d/b/a White Earth Builders, LLC is a project developer for the White Earth Nation. MN Rules According to Minnesota Rules 4410.0200 Subpart 68, the proposer means, "the person or governmental unit that proposes to undertake or direct others to undertake a project." The proposer should be the entity that has applied for or would receive the approval for the project or the governmental unit that will undertake the project and not a consultant, attorney, or other entity or person representing the proposer. However, the contact person is the person to whom information about the project should be provided, and it may be the proposer, the proposer's consultant or staff. While the proposer, contact person and permitted entity may be the same in some cases, those with permitting authority should be aware that a permitted entity for the project may be different from the proposer or contact person identified in the EAW.
20	10	General	GEN	Negative environmental impacts of the project should be investigated by the government on how they will affect the environment, road system, taxes, and job market. Increased boat traffic on the lake affecting fishing and recreations. Asks that we do what's necessary to ensure the lake and surrounding area are not damaged by the project.	Comment noted; thank you for your comment
22	12	Page 12, "Plans Compatibility"	GEN	Page 12 says there was a meeting for public input but he said there was hardly any time for the public to submit their input. Instead it felt like it was all structured to share results of the Plan. Doesn't feel there was really an intent to gather public input by the partners.	The Limited Area Star Lake Comprehensive allowed for multiple open to review the project intent, provided for comments at each of the open houses, and SRF conducted a survey of area residence for further input on the Comp Plan. Survey results were included in the LASLCP, showing the area residences goals and preliminary planning documents.
23	12	Page 6, section E	GEN	Asks the question: What happens if the project is not successful and/or abandoned prior to full completion? Will the land be restored to its native state? Who has the responsibility to monitor such restoration? Points to Minnesota Rule 4410.0200, subpart 60 and 9c, which requires ALL parts of future/possible actions be reviewed as part of a single project (i.e., potential RV expansion, additional cabins, golf course).	Future plans were defined in the EAW as follows; If the project is successful, future stages may include expansion of hotel and gaming areas, expansion of the RV parking area, addition of rental cabins and/or a golf course, or other amenity improvements. No permits, master plan, construction plans, or timeline has been established for these future stages. As a the Return on Investment for this project must be demonstrated to warrant further expansion. Historically White Earth d/b/a Shooting Star Casino has not developed project phases without Feasibility Studies and benchmarks of Occupancy, Gaming retentions and others to drive the added space to meet demand. Therefore those very same measurement must be in place to consider hotel and gaming expansion. As planning for these future stages begin, the need for a new environmental review will be evaluated and appropriate reviews will be conducted. MN Rule 4410.0200 Subp. 60. Phased action. 334 "Phased action" means two or more projects to be undertaken by the same proposer that a RGU determines: 335 336 A. will have environmental effects on the same geographic area; and 337 B. are substantially certain to be undertaken sequentially over a limited period of time. Phased actions. "Phased actions" are defined as: "two or more projects by the same proposer that an RGU determines will have environmental effects on the same geographic area and are substantially certain to be undertaken sequentially over a limited period of time." (4410.0200, subpart 60). This definition involves three components: same proposer, same area affected, and timing. Only one and not all of a group of owners need be involved in both projects if that owner's stake is substantial. The same geographic area is affected if the effects of any potentially significant impacts overlap. The project sites do not need to be adjacent, or even nearby, if the impact zone is large. The third component, the relative timing of the phases, involves the most uncertainty and therefore is often the most difficult component to apply. The Environmental Quality Board recommends that the RGU consider the following factors as indicative that project stages are "substantially certain to be undertaken sequentially over a limited period of time:" • Development rights are being granted for future stages; for example, all parcels given preliminary plat approval or concept plan approval conveying any development rights must be considered part of the same "phased actions." • The project proposer is seeking approval for later stages from another governmental unit. • Detailed plans and specifications have been prepared for future stages. Public infrastructure or support facilities are currently being built to serve future stages. • Any aspect of the initial stage determines, limits or tends to prejudice decisions about future stages. • Any assurances that future stages will not take place within a limited period of time. • The proposer has constructed other previous stages in the area. Past history may provide evidence about the likelihood and development schedule of future stages.
24	12	Page 39, section c.	GEN	What will be the tax impact for the county and state taxpayers for road changes and upgraded maintenance as traffic increases due to the casino? The plan for road changes and updates should be expanded along with cost information within the context of an EIS.	The White Earth Nation will be a commercial property tax payer and taxed according to levy rates of a commercial property. In addition, during the Limited Area Star Lake Comp Plan (LASLCP) the traffic and roads conditions were reviewed for the increased growth, Pages 52- 69 address the impact, the increased traffic growth, the proposed improvements and then finally the cost share as a result of the proposed improvements. Table 13 of the LASLCP proportion the cost share.
34	13	General	GEN	Would the Fee Land remain or would it be put into Trust Land to avoid paying real property taxes and special assessments? (with excerpt from Code of Federal Regulations, Title 25, Chapter 1, Part 151, Subchapter H, Section 151.11 Off-reservation acquisitions.)	White Earth Nation has jurisdiction and exercises governmental power over approximately 15 acres of land immediately adjacent to Star Lake that is held in Trust or Restricted Status by the United States Federal Government. State, county and township governments have no jurisdiction over such lands. White Earth Nation purchased approximately 255 additional acres surrounding the Trust Land that is differentiated as Fee Land. Fee Land is land that is acquired by a tribal entity via standard statutory authority and is not held in trust by the United States Federal Government. It is subject to the usual local regulations and/or zoning. While there is a process to convert Fee Land to Trust Land, the process is very restrictive for land not connected to Tribal Reservation lands.
35	13	General	GEN	What is going to be done with the infrastructure (roads) leading to the proposed casino site? If you have big heavy trucks hauling dirt to fill in the wetlands then who will be responsible for repairing or improving those roads? The taxpayers should not be burdened with this responsibility we are already paying a considerable amount in real estate taxes for our property.	Construction Traffic: must of the required fill for the project will be used from Onsite borrow pits, however there is a segment of fill that will be require exporting from area Gravel Pits. The entrances of the property will be upgraded to included turn lanes and bypass lanes as cooperatively design with OTC Roads Division and the White Earth Nation, this cost is 100% of the project proposers. As previously stated in other comments the White Earth Nation will be a commercial tax payer in the County and tax basis is presumed to understand our impact as a Commercial entity in a tax region. Therefore WEN would review Tax payer benefits of roads maintenance, infrastructure and other covered service that a residential tax payer receive. In the LASLCP, page 58 states Otter Tail County's cost share is paid for from countywide tax money - i.e., share of state fuel tax, vehicle registration funds, or county state aid highway funds. No local levy funds are applied for road construction projects.
36	13	General	GEN	Where would the additional man power come from for policing as well as emergency medical services? Who would pay for these services, hope it would not be put on the tax payers of Otter Tail County.	Emergency Management: Shooting Star management intends to provide highly trained security staff on-site at all times. Over half of the security personnel are trained as first responders as well. Training is provided several times per year for the security personnel. Shooting Star management also allows and encourages their staff to join local volunteer fire departments and emergency response teams to ensure that adequate staffing is provided for those groups to function well. This policy can help reduce shortages of volunteers for first responders within the community. Shooting Star management offers a financial incentive for their security staff to be trained as first responders. The management also intends to have a trained canine officer on staff. Growth of any kind results in some level of increased demand on emergency services. In the case of the proposed White Earth Nation development, an increase in demand will certainly be experienced and it will be important for emergency responders to be prepared for this increase. The extent of the increased demand is difficult to estimate at this time, but collaboration has already begun between Shooting Star management, White Earth Nation Tribal leadership, and the Otter Tail County Sheriff's Department. This collaboration, combined with the training provided for on-site security staff at the resort and casino, has the potential to result in a very cooperative relationship that allows all emergency service entities to work together to continue serving the area. Collaboration needs to be expanded to include the Perham Ambulance, Ringdahl EMS, and the Dent Fire Department as soon as possible. Additional opportunities for collaboration could be realized relative to the area's ability to fight fires and respond to EMS calls if collaboration results in increased access to additional human resources at the development site (i.e. trained staff, potential use of the site's water tower to fight fires, etc.
37	13	11 (b) (i) (iv)	GEN	There is also a great concern regarding retention ponds, potable water, raw water wells, waste water treatment system with regard to who would be overseeing this to make sure that there would be no waste entering the lake?	The stormwater retention ponds will be permitted through the National Pollution Discharge Elimination System/State Sidposal System Program (NPDES Permit) for post construction retention requirements. Raw water will be provided by wells, one of which has been installed to test the water chemistry and flow/drawdown of the aquifer. These testing results have been submitted to the MN DNR for a water appropriation permit. The raw water will be treated in a water treatment facility located on site which will be regulated by the Environmental Protection Agency (EPA) as the MN Department of Health did not deem it as a community system. White Earth will be required to have a licensed operator for the water treatment facility. The wastewater ponds will be permitted through the MPCA and White Earth will be required to have operation and reporting requirements from a licensed operator for the type of system proposed.
40	14	General	GEN	Concerns about keeping rural Minnesota rural without commercial buildings and parking lots of this size. As she works at a land surveying company she understands all that goes into this work and "it blows [her] mind that an EIS would have to be demanded by the county tax payers when it should just be an automatic requirement for a project this size." Concerned about how the road upgrades will be funded, doesn't think it should be tax payers because they don't need upgrades for their use, only the casino does. Fears an increase in drug and alcohol use with a casino.	Emergency Response: Growth of any kind results in some level of increased demand on emergency services. In the case of the proposed White Earth Nation development, an increase in demand will certainly be experienced and it will be important for emergency responders to be prepared for this increase. The extent of the increased demand is difficult to estimate at this time, but collaboration has already begun between Shooting Star management, White Earth Nation Tribal leadership, and the Otter Tail County Sheriff's Department. The Tribe currently contributes XX annually to State of MN that treats problem gamblers. However, increased tax revenues resulting from Project Developer would fund expansion of law enforcement services required to accommodate growth and a possible increase in crime. Shooting Star management intends to provide highly trained security staff on-site at all times. Over half of the security personnel are trained as first responders as well. Training is provided several times per year for the security personnel. Shooting Star management also allows and encourages their staff to join local volunteer fire departments and emergency response teams to ensure that adequate staffing is provided for those groups to function well. This policy can help reduce shortages of volunteers for first responders within the community. Shooting Star management offers a financial incentive for their security staff to be trained as first responders. The management also intends to have a trained canine officer on staff, and staffing to meet the increased need for services. Due to the potential for an increase in calls for service during operation of an increased demand, a potentially significant adverse effect could occur to police, fire, and emergency medical services. Parking areas shall be well lit and monitored by parking staff and/or roving security guards at all times during operation. This will aid in the prevention of auto theft and other similar criminal activity. Areas surrounding the gaming facilities shall have "No Loitering" signs in place, be well lit, and be patrolled regularly by roving security guards. The Tribe shall provide traffic control with appropriate signage and the presence of peak-hour traffic control staff during special events. This would aid in the prevention of off-site parking. The Tribe shall conduct background checks of all gaming employees and ensure that all employees meet licensure requirements established by the Indian Gaming Regulatory Act (IGRA) and the Tribe's Gaming Ordinance.
44	17	General	GEN	Replacing wetlands with 15.5 acres of impervious surface will lead to over 11 million gallons of unfiltered water draining into surrounding wetlands and Star Lake. Run off ponds in Becker and Roseau will do nothing for the quality of Star Lake. The proximity of the planned water runoff holding ponds and the seasonable high ground water table are not adequate per the MPCA. The EAW does not explain how the development will handle the increase runoff so an EIS is necessary.	The stormwater retention ponds will be permitted through the NPDES Permit for post construction retention requirements. Otter Tail County does not have any restrictions more stringent than this permit which requires a minimum of 1,800 cubic feet per acre of dead storage in the pond and have a live storage that retains the amount of runoff from a 1" rain event as well as other requirements. The comment states that the proximity of the planned water runoff holding ponds and the seasonably high groundwater table are not adequate per the MPCA. This is correct with respect to infiltration as field testing found that the depth to the seasonally saturated soils did not have the required 3' of separation. Due to this discovery, infiltration of stormwater in the pond area proposed is prohibited by the MPCA. Part III.D.j.ii of the NPDES permit states "Infiltration is prohibited when the infiltration system will be constructed in: ii. Areas with less than three (3) feet of separation distance from the bottom of the infiltration system to the elevation of the seasonally saturated soils or the top of bedrock." This requirement dictated the necessity of stormwater ponding via wet sedimentation basins. Attached is the modeling of each pond for the 1" rain event, the 10 year rain event and the 100 year rain event. The impervious surface is planned to be directed to stormwater ponds that utilize engineering practices that has been developed over decades to reduce the amount of nutrients and pollutants that leave the site, which will benefit Star Lake.
45	17	General	GEN	Waste water treatment plan is extremely worrisome. The EAW says the current plan of locating the waste-water treatment area adjacent to the wetland is "the most adequate means of managing site waste water," "the most adequate" is not synonymous with safe. Unlike other cities with similar systems, this one is directly adjacent to wetlands and a lake, meaning any failure can lead to health hazards for resort goers and landowners. Animals who live in and rely on the lake will be negatively affected by an increase in the growth of algae. An EIS is absolutely necessary to prevent these risks or find a better alternative.	The wastewater ponds will be permitted by the MPCA who will have plan review before issuance of a permit. The preliminary secondary cell will have an operating range from 2' to 11' with a 14' levee height to provide 3' of freeboard. The secondary aerated cell will have a 240 day storage capacity for the design flow of 58,000 gallons per day and will be constructed with a liner to prevent seepage. No discharge will take place from the lagoon system to a surface water as irrigation will be used as the method of releasing the treated wastewater. The sanitary treatment ponds do not receive or discharge stormwater, so the risk for failure is low. The amount of freeboard (height needed to overflow) is high enough that it would handle an entire years worth of precipitation.
49	19	Item 1 Pg 1 Title vs. Pg 3 Description	GEN	Is this a casino or a resort? These are NOT synonymous or interchangeable.	The White Earth Nation recognized the commercial facility as a Resort & Casino, the Resort being the primary commercial activity. Of the 277,000 sq ft only 30,000 of this sq footage is casino related activity. The remaining sq ft includes, hotel rooms, spa, pool, restaurants and other resort amenities.
50	19	Item 2 Page 1	GEN	The proposer is not identified, only a contact person is. Per Minnesota Rules 4410.0200 Subpart 68, the entity that applied for or would receive the approval for the project and not a consultant, attorney, or other entity or person representing the proposer should be listed. What entity is the proposer? Different ownership titles on various parcels of land make it confusing as to who the ultimate project proposer is. What are the implications of having a project that spans multiple parcels, different landowners, and different jurisdictions?	White Earth Enterprises, LLC was hired as the Owner Representative as the Project Developer and Construction Management Firm for Star Lake Development. WEE, LLC is wholly owned by the White Earth Nation. The White Earth Nation is the owner of the project. The Central Land Company is wholly owned by the White Earth Nation and is typically used to acquire land for the White Earth Nation. Land acquired by the White Earth Nation within the reservation boundaries, contiguous to the reservation boundaries or off reservation is generally subject to Federal jurisdiction.
51	19	Item 6b Page 3	GEN	More details should be provided about the resort amenities and what phases they are planned for. Especially for what type of gaming they are planning and the size of crowds expected. An outdoor community theater is mentioned for the first time, more information about the size, noise level, and events/activities is necessary.	The proposed project (project) is a resort with casino activity which include 850 Slot Machine, (includes slots located in bar tops) 12 table games, with 84 seats VIP lounge, Cage/Bank, Players Club. The Food Venues; Buffet with 158 Seats, Bar & Restaurant with 144 Seats indoors, Patio with 85 seats, Entertainment Lounge with 36 seats, Center bar with 26 seats. Administration or Back of house includes, Offices, Training room, Employee dining room, Laundry, wardrobe, Locker room, Loading dock, Storage, MEP support spaces Hotel Resort Scope, 180 key hotel rooms, Indoor/outdoor hot water spa, Hotel offices, Grand Hall / Lobby, Fire Place Lounge, Porte Cochere Outdoor space to include walking trail, RV Park with a support building, and associated parking. In addition, there will be potable water treatment and storage facilities, and wastewater treatment ponds with the wastewater treatment system. THEATER: The discussion of theater was along the lines of family movie night outdoors on the lawn, which would be done at 10pm, the resort which will be marketed as a family resort would host movie night as a family event and may be available to area residences.

52	19	Item 14 Page 34	GEN	What is the proposer's strategy for protecting and preserving (not destroying) historical and archaeological sites and artifacts?	A Phase I and Phase II archaeological reconnaissance survey and subsurface testing, were conducted between June 1 and August 1, 2016 by Blondo Consulting staff and concluded in the finding of one previously unidentified archaeological site 21OT0205, as well as two single artifact find spots. Site 21OT0205 is considered not eligible for inclusion in the National Register of Historic Places. This site does not retain sufficient integrity and does not provide sufficient research potential to determine site function and historic context. However, due to the strong Native American oral tradition of wild rice and the potential for burial mounds in the region, The Tribal Historical Preservation Officer and Blondo Consulting recommends a monitor be present in the proposed northeast borrow pit area when ground-disturbing activities take place within the area. Blondo Consulting recommends no additional cultural resource work for the proposed Star Lake Casino site. The monitor will be under the supervision of the THPO department. Also please note on the finding locations - single finds in location #1 in an area that is will have restoration of native grasses and location #2 is a designated borrow pit for fill excavation - these will be the primary location of monitoring during construction. With any project there is the chance of unanticipated discovery. Should additional archaeological materials surface during any future construction, it is advised that a professional archaeologist be consulted. Minnesota Statute 307.08 protects unplatted cemeteries (including burial mounds) and issues guidelines for dealing with unexpected finds. Should human remains, cultural sites, or ground features be unexpectedly encountered during earth moving activity, all work must stop and the appropriate authorities, including local law enforcement, the Office of the State Archaeologist, the State Historic Preservation Office, and the pertinent tribal entities must be notified.
53	19	Item 18, Page 39	GEN	Traffic during construction and once operational is a major concern due to the tight, curvy roads and their limited visibility. The primary roads are discussed in the EAW, but smaller, local township roads need to be addressed as they are commonly used by pedestrians. This project does meet the NEED for an EIS.	All traffic information developed for the project is presented in the Traffic Study addendum.
54	20	Item 8	GEN	The project will require a Clean Water Act Section 401 Water Quality Certification (401 Certification) or waiver from the MPCA to verify compliance with state water quality standards.	The project will require federal authorization by EPA under the applicaiton for Federal Wetland Permit. This means the project needs a federal permit or license, such as a dredge and fill permit issued by the U.S. Army Corps of Engineers (USACE) under Section 404 of the Clean Water Act. Clean Water Section 401 is being reviewed by the EPA under this project.
55	20	Item 12	GEN	Concern that ESA investigations were not sufficient. Recommends the project be enrolled in the MPCA's Brownfields Program to receive liability assurances and assistance to manage ground contamination. Page 28 says the MPCA stated "the project site location does not require additional corrective action." Clarification that this was in regards to surface spill from a tank and not in reference to the other areas of concern identified at the project site.	Petroleum-impacted soil was identified below a storage tank discovered among the debris piles onsite. The tank was not associated with any pump or piping, so it appeared to have been staged, but not put into use, on the property. The analytical results for the impacted soil were reported to the Minnesota Duty Officer on August 22, 2016, along with a description of the horizontal and vertical extent of the observed soil contamination, which consisted of approximately 10 cubic yards. The notification was assigned incident report #160445. A follow-up phone call was received from Brittany Schuller, MPCA, on September 1, 2016. Because the tank had no piping associated with it or registered use on the property, it did not appear as though it was in use at the time of the spill. Thus MPCA determined the incident did not meet the definition of a tank release and the incident would not be assigned a leak number. Ms. Schuller stated that MPCA would not be issuing any official response to the report, aside from the phone call. MPCA closed the incident report prior to finalizing the Phase II investigation. As none of the other soil or groundwater samples collected during the Phase II investigation were detected above a level of concern, no additional reporting to the State was performed.
60	22	Page 1	GEN	Liz Foster-Anderson is no longer serving as the Executive Director of the White Earth Enterprises, LLC, and therefore cannot be the "contact person." White Earth Enterprises, LLC is not registered with the MN Secretary of State as either a domestic or foreign entity. As of June 16, 2017, Central Minnesota Land Company LLC has an inactive status with the MN Secretary of State and was dissolved on March 1, 2017, making it questionable if the organizations are stable enough to complete the project. Should the project continue, the OTC should require deposits and monetary insurance to protect the county and taxpayers. Project Location section includes an erroneous Tax Parcel Number for the fourth parcel listed. The EAW was certified as complete and accurate.	White Earth Enterprises, LLC was hired as the Owner Representative as the Project Developer and Construction Management Firm for Star Lake Development. WEE, LLC is wholly owned by the White Earth Nation. The White Earth Nation is the owner of the project and White Earth Enterprises, LLC d/b/a White Earth Builders, LLC is a project developer for the White Earth Nation. White Earth Enterprises, LLC is registered Limited Liability Corporation under the Limited Liability Code of the White Earth Nation and registration is not required under Minnesota Statutes. The Central Land Company is wholly owned by the White Earth Nation and is typically used to acquire land for the White Earth Nation. It is not unusual for companies such as Walmart to have LLC or Development Companies owned by Walmart to acquire land (without the Walmart name associated). The registration of this Central Land Co is being corrected. Land is continuously acquired by the White Earth Nation within the reservation boundaries, contiguous to the reservation boundaries or off reservation is generally subject to Federal jurisdiction. EAW Section 5 Project Location corrected identification of Tax Parcel - Tax Parcel Numbers: - 56000150109003, 56000150109000, 56000150106000, 56000150108001, (Fee Title Land) - 56000150109001(Tribal Trust Land)
61	22	Page 7	GEN	The land was designated to the Minnesota Chippewa Tribe. There is no legal documentation from the Minnesota Chippewa Tribe granting the WEB authority to develop this property commercially for a single band.	Please see Minnesota Chippewa Tribe Land Ordinance #3. This documents White Earth Nations right to govern the trust land.
62	22	Pages 1 & 40	GEN	The omission of the Fee Land Parcel acquired by Central Minnesota Land Company LLC is extremely significant. Developers bought this parcel as part of their quiet (secret) acquisition. This is very material as it provides the proposed "family resort" facility with extensive potential future development and lake access which is ignored in the EAW. This is misleading as the EAW says there is no known future projects in the vicinity.	The commentor is referring to Parcel # 56000100070000 Section-10 Township-135 Range-041, 17.60 AC LOTS 10 & 11 EX TR. This is not considered part of the project as no project development is being conducted at this location. The is no future developed being considered or designed at this time and future development is unknown at this time.
63	22	Page 6	GEN	The EAW requires a full disclosure and analysis of potential effects of potential future expansion now, not when those projects begin later.	Comment noted; thank you for your comment
64	22	Page 8	GEN	EAW says the project will receive no federal or state funds, but the project includes substantial electrical line and substation requirements provided by Lake Region Electric Cooperative, which is a substantial recipient of subsidized federal gov. financing through the Rural Electrification Administration.	The electrical substation is a connected project defined by the Environmental Quality standards and is listed as such in the EAW however the connected project funding is not a subject matter of this Proposers EAW.
65	22	Pages 8 and 10	GEN	The adjacent land use is minimized in the EAW, including the most densely populated parts of Star Lake. A comprehensive EIS would acknowledge and examine the existence of more than 120 year-round and seasonal residences, small resorts, and church camps in close proximity to the project site. EIS should study the effects of traffic, noise, sewage pond odors, public safety, loss of enjoyment, crime, and property values in relation to these residences.	Comment noted; thank you for your comment
66	22	Pages 9 and 12	GEN	The EAW contains a material and misleading error where it incorrectly states the OTC and WEB adopted the Limited Star Lake Comprehensive Plan on Jan. 3, 2017, when it did not adopt the plan.	Record correction; the LASLCP Final Plan was reviewed and approved for publication by the OTC commissioners January 2017. As stated in the LASLCP this document is a guidance document for the OTC and the project proposer and for the potential development of a Comprehensive Plan is the Star Lake Township so chooses. Otter Tail County staff and the White Earth Nation had the foresight to undertake a limited area planning study to understand how land development may affect public services in the area surrounding Star Lake and Dead Lake Townships. The plan documents existing physical and socio-economic conditions of Star Lake and Dead Lake Townships, and uses input from property owners and public service providers in the study area to identify future needs and a long term vision for the limited area of Otter Tail County. The Plan: • Describes the demographic, geographic, and environmental characteristics of Star Lake and Dead Lake Townships. • Provides an overview of the limited area transportation system and potential system improvements necessary to support development over the next 25 years. • Outlines potential shared benefits relative to future redevelopment (beyond the Resort and Casino) in the limited area. • Documents the public engagement process and summarizes the results of the community survey, which will help the community begin to consider its goals and envision more clearly the opportunities and constraints within the study area. The Plan development process incorporated significant public stakeholder input and feedback regarding existing conditions, potential land use changes, and transportation issues; furthermore, it was guided by a diverse set of jurisdictional agencies, or quasi jurisdictional agency (White Earth Nation) with utilization of a Project Management Team. Otter Tail County does not currently have an adopted Comprehensive Plan, nor does it regulate development with any official controls, with the exception of a County-wide Shoreland Ordinance (see Appendix 1). However, the County wants to explore the need for such controls by examining existing conditions including the demographic, geographic and environmental characteristics of the surrounding area, as well as the potential benefits and impacts that could result from development of this area. The County Board requested a study be conducted to review the area surrounding the proposed Trust Land development. The County Board's intent was clear and well understood that this effort would inform County staff and others regarding potential for additional development and redevelopment in the area given the potential land and transportation feature constraints. The Limited Area Star Lake Comprehensive Plan is NOT intended to be formally adopted as a County Comprehensive Plan under Minnesota Statute Chapter 394, nor is it intended to be adopted as the basis for any official controls under this same statute. Rather, the intent is to take a comprehensive look at development related issues in this limited area of Otter Tail County to determine if a formally adopted Comprehensive Plan and Official Controls are needed to address subarea development concerns. Additionally, the Plan identifies concerns of Star Lake and Dead Lake Township residents and property owners regarding development in the area as a whole, beyond specific concerns related to the Resort and Casino development (which is outside of the County's jurisdiction). A public input process was used to identify concerns related to transportation infrastructure, natural resources, utilities
		Pages 9 and 13		The EAW analyzed historical average traffic counts, not the frequency and impact of peak traffic conditions. The 24-7-365 casino with special weekend and holiday events will result in higher traffic levels and peaks.	All traffic information developed for the project is presented in the Traffic Study addendum.
		Pages 9 and 14		The Plan does not adequately address costs and sources of funding and provides no assurance that the identified social, safety, and infrastructure concerns can or will be actually addressed.	Overall project costs and methods of financing are confidential. The developer has adequate resources to complete the project. Developer has hired architects, engineers, and general contractor specializing in this type of construction.
		Pages 9 and 15		The Plan has no legal standing and there is no definitive plan to resolve issues identified.	Comment Noted - more detail would be needed in order to address specific concerns. Comment is too vague.
67	22	Page 9	GEN	The EAW says Star Lake is large and highly developed, nothing could be further from the truth. The south arm should be protected as a Natural Environment body of water. It should be protected through the application of Natural Environment Standers as it was in 2010 in the DuCharme campground proposal.	The court decision rules the Lake classification as Natural Environment on the West Arm was an independent matter and not subject to this decision. The court rules the denial of the Duchame CUP was arbitrary by the OTC Board of Commissioners in 2008. Star Lake is classified by the Shoreland Management Ordinance as a General Development Lake.
		Page 10		An EIS should be ordered to included analysis under the Natural Environment Standards.	Comment noted; thank you for your comment
		Page 11		Even though OTC has no control over what happens on federal Trust Land, as the RGU it should consider the cumulative effects of the total project as what happens on Trust Land doesn't stay on Trust Land.	Comment noted; thank you for your comment
68	22	Page 27	GEN	An EIS would require an analysis of project alternatives, including the environmental conclusions under a "no-build" scenario. There are reasonable project alternatives that have not been evaluated or disclosed by the proposers which could substantially reduce the disturbance of the environmentally sensitive south arm of the lake. The proposed dredge and fill of the 14.5 acres of federal Trust Land could potentially be eliminated.	Under the "no build" scenario, row crop farmland would continue to discharge nutrient-laden water into Star Lake. The former livestock areas would continue to release residual nutrients to Star Lake as rainwater passed over nutrient-rich soil. The current plan eliminates the row crop farmland next to the lake and directs stormwater through a stormwater pond system instead of flowing directly into Star Lake. This would result in a reduced nutrient load to the lake as nutrient would be collected in the stormwater ponds instead of discharging directly into the lake.
		Page 28	GEN	The EAW requires discussion of how the project will change the number or type of watercraft on any body of water. Their statement that no increase in watercraft on Star Lake ignores their ownership of the lakeshore and potential docks that may be built there. There will be an increase of "gawker" traffic and curiosity seekers which is not taken into account. Float plane traffic, ATV, and snowmobile traffic in the arm need to be addressed.	It would be difficult for people on the lake to see most of the facility as there is a thick band of common cattail between the lake and the shore. There is no plan to "clean out" this shoreline for a clear view of the facility other than a path for canoes to access the wild rice. In the wintertime, wild rice would not be harmed by snowmobilers because it is an annual that grows up from seed each year. It is unlikely that float planes will attempt to enter the facility from the South Arm.
69	22	Page 36	GEN	The issue of lighting is lacking detailed analysis considering its potential impact. A lighting plan, including its effects on migrating and nesting birds, should be available to the public.	The development will be using best practices for Dark Sky Lighting to reduce impact on night sky, to adjacent properties by lighting trespass and nocturnal wildlife. Dark Sky practices included reduce lighting levels, downward directed lighting fixtures, lower mounting height for lighting fixture, and lighting colors below 3,000 Kelvin. Additional site lighting information and photometric is part of the Conditional Use Permit and will be provided with that application.
70	22	Page 38	GEN	The odor and noise impacts are minimized by the proposer. The negative effect on the Environment and Neighborhood from promotional entertainment should be disclosed.	Odor and noise impacts are anticipated to be those associated with an indoor entertainment facility. There is only one odor and noise receptor within 1/2 mile of the proposed project site; therefore, impacts are anticipated to be minimal due to distances from the project site..

71	22	General	GEN	The EAW does not discuss the potential for proposed dredge and fill activity involving 450,000 +/- cubic yards of sand and gravel fill to result in pressure related elevation and rotational shift. Meaning sand bars or lakes may be formed in the lake, such as when it happened with the County 41 bridge. The size and scope of the project and incomplete consideration of detrimental social, economic, safety, and infrastructure issues on the surrounding townships require the rigors of a full EIS. The entire project needs to be considered as a whole entertainment complex, and all alternatives which could minimize the detrimental environmental consequences should be identified, evaluated, and considered.	The proposed foundation system for the building consists of stone columns that will be constructed beneath the fill soil and through the soft and weak alluvial deposits. Global stability will need to be reviewed as part of the design submittal package for the stone column design build contractor. The stone columns are required to support the foundation loads, however, they will also provide lateral resistance against a global stability failure that would be required for soils to bulge up within the lake. Based on the number of stone columns needed for foundation support, we anticipate there will be sufficient lateral resistance to avoid a global stability failure, but this will be included in the contractor submittal. The proposed project is hundreds of feet away from any open water. A cattail stand stand hundreds of feet thick will prevent any kind of currents from reaching the shoreline out from the planned construction area. This project is a different type of project than the County 41 bridge project.
76	23	Pg. 1 Paragraph 5 - Location	GEN	The fourth Fee Total Land is misidentified as 5600150108001, it should be 56000150108001. What other mistakes are there in the EAW?	Page 1 of the EAW is erroneous tax parcel number 56000150108001
				The 12.4-acre parcel on the lakeshore is not listed. Is this a mistake or intentionally omitted?	Page 1 of the EAW is missing parcel number 56000100070000. The acreage of this parcel north of 380th street is included in the acreage areas identified on the subsequent pages including in the table on page 5 and 7 of the EAW. A correction should be made to 6. Project Description on page 3 to identify six adjoining properties in lieu of the five currently indicated. Additionally Figures need to be update to include the parcel north of 380th street, especially 2, 3, 7, 12, and 13.
				MN Rules 4410.4400 speaks to the requirement of connected actions or phased actions being included in the cumulative effects of the project. It would be less than honest for the proposer to suggest that this parcel is not related/connected to the total project because of how much they paid for the land (shows intention of utilizing it), it would provide access to the main basin of Star Lake for guests, and the recreational access to the lake negates the proposer's suggestion that there would be "no significant change in the number or type of watercraft on Star Lake."	The commentor is referring to Parcel # 56000100070000 Section-10 Township-135 Range-041, 17.60 AC LOTS 10 & 11 EX TR. This is not considered part of the project as no project development is being conducted at this location. The is no future developed being considered or designed at this time and future development is unknown at this time. Future plans were defined in the EAW as follows; If the project is successful, future stages may include expansion of hotel and gaming areas, expansion of the RV parking area, addition of rental cabins and/or a golf course, or other amenity improvements. No permits, master plan, construction plans, or timeline has been established for these future stages. As a the Return on Investment for this project must be demonstrated to warrant further expansion. Historically White Earth d/b/a Shooting Star Casino has not developed project phases without Feasibility Studies and benchmarks of Occupancy, Gaming retentions and others to drive the added space to meet demand. Therefore those very same measurement must be in place to consider hotel and gaming expansion. As planning for these future stages begin, the need for a new environmental review will be evaluated and appropriate reviews will be conducted. by the same proposer that a RGU determines: 335 336 A. will have environmental effects on the same geographic area; and 337 B. are substantially certain to be undertaken sequentially over a limited period of time. Phased actions. "Phased actions" are defined as: "two or more projects by the same proposer that an RGU determines will have environmental effects on the same geographic area and are substantially certain to be undertaken sequentially over a limited period of time." (4410.0200, subpart 60). This definition involves three components: same proposer, same area affected, and timing. Only one and not all of a group of owners need be involved in both projects if that owner's stake is substantial. The same geographic area is affected if the effects of any potentially significant impacts overlap. The project sites do not need to be adjacent, or even nearby, if the impact zone is large. The third component, the relative timing of the phases, involves the most uncertainty and therefore is often the most difficult component to apply. The Environmental Quality Board recommends that the RGU consider the following factors as indicative that project stages are "substantially certain to be undertaken sequentially over a limited period of time:" • Development rights are being granted for future stages; for example, all parcels given preliminary plat approval or concept plan approval conveying any development rights must be considered part of the same "phased actions." • The project proposer is seeking approval for later stages from another governmental unit. • Detailed plans and specifications have been prepared for future stages. Public infrastructure or support facilities are currently being built to serve future stages. • Any aspect of the initial stage determines, limits or tends to prejudice decisions about future stages. • Any assurances that future stages will not take place within a limited period of time. • The proposer has constructed other previous stages in the area. Past history may provide evidence about the likelihood and development schedule of future stages. • Any other factor that impacts the certainty and scheduling of the future stages. F351 White Earth Enterprises, LLC was hired as the Owner Respresentative as the Project Developer and Construction Management Firm for Star Lake Development. WEE, LLC is wholly owned by the White Earth Nation. The White Earth Nation is the owner of the project and White Earth Enterprises, LLC d/b/a White Earth Builders, LLC is a project developer for the White Earth Nation. White Earth Enterprises, LLC is registered Limited Liability Corporation under the Limited Liability Code of the White Earth Nation and registration is not required under Minnesota Statutes. The Central Land Company is wholly owned by the White Earth Nation and is typically used to acquire land for the White Earth Nation. It is not unusual for companies such as Walmart to have LLC or Development Companies owned by Walmart to acquire land (without the Walmart name associated). The registration of this Central Land Co is being corrected. Land is continuously acquired by the White Earth Nation within the reservation boundaries, contiguous to the reservation boundaries or off reservation is generally subject to Federal jurisdiction. EAW Section 5 Project Location corrected identification of Tax Parcel - Tax Parcel Numbers: • 56000150109003, 56000150109000, 56000150106000, 56000150108001, (Fee Title Land) • 56000150109001(Tribal Trust Land)
77	23	General	GEN	USACE closed the Dredge and Fill permit application file. OTC should be careful about doing anything until USACE makes a decision on the dredge and fill permit.	Comment noted; thank you for your comment
				White Earth Enterprises LLC is not registered with the MN Secretary of State, shouldn't this be a point of concern for OTC? The Central Minnesota Land Company has an inactive status with the MN Sos. Liz Foster-Anderson is no longer employed at White Earth Enterprises, and she was project manager for the proposed development. These last three taint the credibility of the proposer's organization and its plans.	1. White Earth Enterprises, LLC is organized under the White Earth tribal Limited Liability Company ordinance and is not required to be registered with the MN Secretary of State. 2. Central Minnesota Land Company, LLC is active with the MN Secretary of State. 3. White Earth Enterprise handles organization and follow through of many project annually, they are fully capable of seeing this project throught to completion. White Earth Enterprises wholly owned by White Earth Nation is the owners representative on this project, not one individual.
81	25	General	GEN	The original purpose of the land was for wild rice harvesting and should remain so. Continue to be good stewards of our resources. Recommend an environmental impact statement be completed.	The proposed project will not be impacting the wild rice, as this is part of our cultural heriage and important to our nation. We have made design decisions in design such as setback requirements, stormwater management, wastewater design (no surface water discharge) and construction to maintain the sustainability of the Wild Rice and improve the Wild Rice. Please see discussion on the Wetland, Agricultural Land and impact on the existing Wild Rice Crop in its original state. NATURAL FILTRATION There was a farmstead visible on the 1939 aerial photograph, and there was an agricultural roadway through the area where the proposed building site is located visible in 1963 aerial photograph. The following sweep of aerial photographs show the location of the property in relation to the lake. There had been livestock in the area, which would have contributed to the nutrient load of Star Lake during snowmelt and heavy rainfall events. The plan for the project is to re-direct the sheet flow surface water away from the areas where nutrient flowed to the lake so there would be less nutrient loading getting into Star Lake during rainfall events. In other words, there is an absence of "natural filtering" of exposed soil row cropped farmland and former concentrated livestock holding under the current conditions. The wetlands proposed to be impacted provide minimal to moderate filtering as the isolated basins are away from the shoreline and the directly adjacent upland to Basin 5 is wooded and has mown turf grass with some row cropped agricultural field. The proposed stormwater ponding system is designed to provide excellent filtering for both nutrient as well as suspended sediment and pollutant microbial decomposition. The reason for this is the longer retention times as compared to the existing condition. The MPCA [certified] stormwater ponding areas and sanitary systems are designed to process the various components of nutrients and pollutants that might arise. The wetlands identified as being impacted are miniscule when compared with the many acres of cattail wetlands between the high ground and the open water of the lake. Basin 6 and Basin 19 are tiny and completely isolated from the lake. Basin 5 is partially fringed by row cropped agricultural land, a mown bluegrass turf lawn, and partially bordered by woodland. Water that might have flowed through here is re-directed to stormwater ponding areas to treat the water before it gets out toward the lake. The reality is that the previous agricultural and livestock land practices have degraded this area long before the project was considered. The reed canary grass and cattail are indicators of higher nutrient loads that have happened for decades, and indicate the likelihood of a nutrient load in the soil. WILD RICE The net result is that the proposed project provides a "fix" for past land use pollution point sources. If the SLPOA would like to continue to let these point sources continue to pollute Star Lake, let it be known that this information has been provided. Currently there is a hundreds-of-feet-thick mass of cattails on this side of the South Arm that probably had more wild rice prior to the farmland and livestock concentration along this shoreline that goes back to the early 1900s. Cattails thrive in the extra nutrient load from the old farmstead. By reducing the nutrient load, it is possible if not likely that the wild rice would expand as the nutrient load is reduced for the cattails. If the proposed project is denied, the row crop farming would continue to send nutrient load into the lake as it has for nearly a century. Every rainfall would send a pulse of nutrient from the place where the livestock was concentrated as well. The design of the project re-directs sheet-flow stormwater away from these previous livestock concentration areas so that the nutrients are no longer flowing toward the lake but instead flow toward MPCA [certified] stormwater ponds. In the long run, this would appear to be a benefit the wild rice in Star Lake. Research elsewhere has identified certain forms of sulfur as being harmful to wild rice, so the processing of the surface water in the stormwater pond and the reduction of surface water flow over these former livestock areas would likely reduce the amount of nutrients that might be harmful for wild rice from flows down into the lake.
82	26	Water Resources	GEN	The destruction and filling of 7.4 acres of critical wetlands to the south bay of Star Lake and disturbance of another acre for a period of time during construction are the most important issues to Star Lake and Dead Lake property Owners. The effects caused by destroying these wetlands need to be further examined.	The wetlands identified in the current plan had been degraded over time from livestock activity and row crop farming. These wetlands are no longer "pristine" as there has been human activity around and through them for decades. The current plan for stormwater ponding will increase the amount of treatment of stormwater compared to previous stormwater runoff from the site.
				The Wastewater System proposal may meet MPCA requirements and other communities use them, but the location of the system raises an issue. If there was a failure it would have negative impacts on the water quality of the watershed. Stormwater runoff during construction and after completion is another major concern. Overland flows into Star Lake or unnamed lake are a concern due to the exposed soil. The biggest concern is whether the plan is implemented by the developer and is inspected on a regular basis to maintain compliant with their plan.	See comment ID 45 above The SWPPP plan will protect Star Lake, wetlands and the unnamed lake from sediment leaving the site. The contractor will need to be certified in SWPPP installation and there are inspection and maintenance requirements in the NPDES permit that will be followed. All BMP's will be inspected for functionality and maintained or replaced as it states in PART IV.E of the NPDES Permit.

83	26	Cumulative Potential Effects	GEN	The EAW states that there will be no accumulative effects from foreseeable projects. This is completely false due to the fact there is planned expansion to development. There are going to be accumulative effects and this should be part of the current EAW. This is a requirement but it was omitted from the proposal.	Future plans were defined in the EAW as follows; If the project is successful, future stages may include expansion of hotel and gaming areas, expansion of the RV parking area, addition of rental cabins and/or a golf course, or other amenity improvements. No permits, master plan, construction plans, or timeline has been established for these future stages. As a the Return on Investment for this project must be demonstrated to warrant further expansion. Historically White Earth d/b/a Shooting Star Casino has not developed project phases without Feasibility Studies and benchmarks of Occupancy, Gaming retentions and others to drive the added space to meet demand. Therefore those very same measurement must be in place to consider hotel and gaming expansion. As planning for these future stages begin, the need for a new environmental review will be evaluated and appropriate reviews will be conducted. MN Rule 4410.0200 Subp. 60. Phased action. 334 "Phased action" means two or more projects to be undertaken by the same proposer that a RGU determines: 335 336 A. will have environmental effects on the same geographic area; and 337 B. are substantially certain to be undertaken sequentially over a limited period of time. Phased actions. "Phased actions" are defined as: "two or more projects by the same proposer that an RGU determines will have environmental effects on the same geographic area and are substantially certain to be undertaken sequentially over a limited period of time." (4410.0200, subpart 60). This definition involves three components: same proposer, same area affected, and timing. Only one and not all of a group of owners need be involved in both projects if that owner's stake is substantial. The same geographic area is affected if the effects of any potentially significant impacts overlap. The project sites do not need to be adjacent, or even nearby, if the impact zone is large. The third component, the relative timing of the phases, involves the most uncertainty and therefore is often the most difficult component to apply. The Environmental Quality Board recommends that the RGU consider the following factors as indicative that project stages are "substantially certain to be undertaken sequentially over a limited period of time:" • Development rights are being granted for future stages; for example, all parcels given preliminary plat approval or concept plan approval conveying any development rights must be considered part of the same "phased actions." • The project proposer is seeking approval for later stages from another governmental unit. • Detailed plans and specifications have been prepared for future stages. Public infrastructure or support facilities are currently being built to serve future stages. • Any aspect of the initial stage determines, limits or tends to prejudice decisions about future stages. • Any assurances that future stages will not take place within a limited period of time. • The proposer has constructed other previous stages in the area. Past history may provide evidence about the likelihood and development schedule of future stages. • Any other factor that impacts the certainty and scheduling of the future stages.
89	28	General	GEN	Increased traffic volume on Hwy 41 will pose a safety risk as it is the only corridor to our lake access. The increased boat traffic and the likelihood of contamination of our lake by AIS is also a concern.	Boat Traffic and Aquatic Invasive Species: Boat Traffic: As the project is not modifying the shoreland and is not providing a docking activity for consumers we only see indirect usage of the Public Access by our consumers and we are unable to speculate what that increase may be. We do believe increased resort activity will include the tourism aspect of boating, fishing and snowmobiling - of which Otter Tail County economic strategy includes these types of recreation in their tourism promotion. Therefore this activity only support the 3rd largest industry in Otter Tail County and would continue to support their tourism promotional strategy. Otter Tail County Board Chair Doug Huebsch and Nick Leonard are active members in support OTC tourism and board members of the Otter Tail Lakes Country Association which primary objective promotes recreational and tourism activities in OTC. The White Earth Nation recognizes the important of Water Quality and will collaborate with the area OTC departments to support safe boating activity and the protection of water quality. We have stated we will post signage in the RV Park notices of AIS concerns and how to prevent AIS. We have also stated we will source local wood for campfire to avoid other types of invasive species.
90	29	General	GEN	This area is a special wetland in a very rural area. It should remain a wild rice field as part of their cultural heritage of harvesting wild rice to be passed on to generation after generation. Wetlands can be easily destroyed by stormwater runoff from impervious surfaces. The stormwater ponds planned to treat stormwater runoff is not adequate to treat a back to back big storm or an above average wet season. These need constant management and MN spends millions each year trying to clean up its lakes in Mpls. and St. Paul. Wetlands are home to many plants and animals and are important to the migration of birds. Once destroyed they can't be recreated. The open water treatment of the sanitary sewage system is not adequate for the amount of water that will be directed to them. The odor will be unscrupulous. If there is runoff into the lake from the sewage system it would be devastating. How will the impervious surfaces be managed during the winter? Over salting will harm the environment. Light pollution will destroy the night sky by removing the view of the stars. This will also mess up bird migration. Algae in the south arm will multiply and explode due to the phosphorous, sediment, and chlorophyll. Mark Dayton issued an executive order to avoid direct or indirect impacts on wetlands. Minnesota Statutes section 103A.201 subd. 2b states that wetlands of MN provide public value in many ways. I hope the EIS will be ordered for this proposed development. An EIS must be completed before this project moves forward.	The footprint of the proposed project is mostly within an area of intensively-occupied farmstead, mown bluegrass yard, former livestock pasture with barns, and row crop farmland. The White Earth nation recognizes the Star Lake wild rice as an asset that warrants protection and preservation. Wetlands on this property had already been negatively impacted by row crop farming and livestock production. The plan for the stormwater treatment ponds calls for a large enough size that they can handle multiple big storm events. See comment ID 41. Much of the wetland on the property has already shifted to reed canary grass and common cattail, indicating that over-nutrient inputs from previous land use had already degraded them. The plan calls for pre-treating the stormwater to reduce the nutrient load to help the adjacent wetland areas. With respect to the open water treatment of the sanitary sewage system there is no watershed that contributes flows to the proposed pond and the sanitary collection system will be a closed system comprised of PVC pipe pressure tested for leakage after installation. With a 240 day volume design and additional 3' of freeboard there will be no runoff from the system to any water of the state. Impervious surfaces will be managed similar to all impervious surfaces in the State of Minnesota. Typically parking lots are not treated with salt other than limited walking surface areas. Parking lots will have standard snow removal. All runoff from all impervious surfaces will be directed through the ponding system proposed which exceeds the MPCA's requirements for storage and discharge. The ponding system is designed to remove contaminants which avoids direct or indirect impacts on wetlands. The development will be using best practices for Dark Sky Lighting to reduce impact on night sky, to adjacent properties by lighting trespass and nocturnal wildlife. Dark Sky practices included reduce lighting levels, downward directed lighting fixtures, lower mounting height, and lighting colors below 3,000 Kelvin. Additional site lighting information and photometric is part of the Conditional Use Permit and will be provided with that application. The west end of the South Arm has already received significant nutrient load from past practices of concentrated livestock use and row crop farming for decades. The thick band of common cattail and the lower transparency of the water in the west end of the South Arm indicates that nutrients are already in the water. The stormwater treatment ponds are designed to remove nutrient from runoff water to help improve water quality. Comment noted; thank you for your comment Comment noted; thank you for your comment
91	30	General	GEN	The proposed casino, hotel, bar, restaurants, RV park, event center, and supporting infrastructure do not fit the area and its sensitive lakeshore environment. Reasons include: negative effects on the wetlands, water treatment and runoff concerns, and the roads are not large enough to handle the additional traffic during construction and after opening. Concerned with how this will affect bird flyways, nesting areas, and fishing. Concerned about wetland dredging and filling. Concerned about wastewater treatment and possible runoff - it will harm the pristine Star Lake and the waters it outlets to.	Comment noted; thank you for your comment There has been a farmstead at the proposed project location with barnyard lights and regular activity for many decades without affecting the bird flyways. The row cropped farmland, mown turf lawns, and old pastures had very little nesting habitat; the plan includes a widened Upland Buffer which would be excellent nesting habitat. Wetlands that are to be disturbed or filled in are to be mitigated through the regulated processes of the US Army Corps for the trust land and the State of Minnesota for the fee land See comment ID 17 for wastewater treatment and possible runoff. In addition to that comment, the MPCA has provided a discharge rate of 12" of irrigation over the proposed irrigated vegetative crop. The vegetation will use all nutrients in the irrigated water so no contaminated runoff from the site will occur. Irrigation will take place during dry periods to allow for this absorption of the treated wastewater
92	31	General	GEN	A majority of the landowners care about preserving and protecting the lake for future generations and believe it should be classified as Natural Environmental instead of General Development. Lists multiple references to articles or hearings saying the south and west arms of the lake are fragile and should not be developed on simply because they are classified as General Development. The EAW doesn't address recommendations made by the DNR to conduct surveys or studies on the project area. A survey of the South arm per the Minnesota's Sensitive Lakeshore Identification Manual" should be performed. 75% of the project area will be disturbed during construction. Do not trust the 18-month construction time estimate based on the Bagely Casino. What happens if there's a work stoppage? What if the duration is significantly longer than planned? What is the estimate number of heavy truck trips to the site/yards of fill? How much construction equipment will be transported there? What is the environmental impact of this much disturbance over this duration of time? Has an "Extractive Use Site Development and Restoration Plan" been prepared?	The Shoreland Management Lake Classifications is based on the size of the lake, the general depth of the lake, and the amount of existing development. According to the MN DNR, "these different types of lakes require different shoreland development standards." General Development Lakes meet the following criteria "Usually have more than 225 acres of water per mile of shoreline and 25 dwellings per mile of shoreline, and are more than 15 feet deep." In accordance with the DNR Shoreland Management Lake Classifications, Star Lake is a "General Development Lake". The DNR letter indicated the Rare Species Guide should be reviewed to determine the biology, habitat use, and conservation measures for the identified rare species. This guide was used in the preparation of the EAW to determine how to minimize impacts to those and other species. The DNR letter requests that the DNR Regional Nongame Specialist, Christine Herwig, be contacted to determine the status of the red-necked grebes on Star Lake. As stated in the EAW, the DNR Regional Nongame Specialist was contacted and provided information on the red-necked grebes. As stated in the EAW, Ms. Herwig also provided recommendations on how to reduce the impact to those and other species, which are included in the EAW. The DNR letter indicated that if trees are to be removed with the proposed project, a survey for bald eagle nests should be conducted. As stated in the EAW, prior to disturbing trees, a survey for bald eagle nests will be conducted in accordance with DNR guidelines by a White Earth Conservation Officer or designated representative. In accordance with those guidelines, the survey should be conducted closer to the time of disturbance, and therefore was not done prior to the completion of the EAW. The Sensitive Lakeshore Identification Manual specifies that the areas to be surveyed are the water area adjacent to the shore, the shoreline itself, and up to 50 feet from the ordinary high water level. As shown on Figure 4A of the EAW, these areas will be undisturbed by the proposed project. Existing vegetation will be left in place. Comment Noted - White Earth nation has done its due diligence in hiring fully capable and expert architects and general contractor with years of experience in this type of build. Meyer Woodstone will be importing approximately 2,238 cubic yards of fill for the site, casino, hotel (approximately 150 truck loads). Meyer Woodstone will be transporting approximately 15 pieces of heavy equipment. The only immediate impact is removal of vegetation in the construction area & immediate erosions control will be in place to assure no additional disturbance occurs on adjacent sites. Based on all material staying on site and only engineered soils imported we feel an Extractive Use Site & Restoration is not applicable to this project.
93	31	General	GEN	All of the numbers in the Combined Shoreland Development Area east of County Rd 41 are incorrect, should we trust any of the numbers? Are there really only 12.56 acres of the 20.2 acres of impervious area in the 1000' SMO zone? Should we be combining the measurements for Star and Unnamed SMO zones or evaluating each of them independently? Are concrete lined wastewater and stormwater ponds really pervious surfaces? Should we be including wetland areas that are to be dredged and filled in the calculation? Has anyone validated the accuracy of the measurements? What if thousands of gallons of sulfate-rich wastewater were inadvertently discharged into the lake or wetland? This project will completely change the hydrology of this important wetland buffer area. We request that Otter Tail County require an EIS be completed.	The number are correct to the best of our knowledge. The acreage and square footages are based on a civil survey. Measurements are taken from the OHWL. As a result, these acreages in the EAW do not match the acreages listed on the county property records. There is a discrepancy of approximately 38 acres of land to the lake side of the OHWL. There are 12.74 (11.45 + 1.29) acres of impervious surface within the Fee Land SMO district. The Fee Land SMO district is 83.11 (64.82 + 18.29) acres. (This is the combined areas for Fee Land east and west of CSAH 41. The measurement should be completed separately for the two lakes. The physical separation the public roads resulting separate drainages areas. This is based on the SMO (IV. General Requirements, 8. Storm Water Management: B.4.) and was confirmed with OTC Land and Resource Management. The concrete lined wastewater aeration basins discharge directly into the aerated secondary cell which is discharged through irrigation. Concrete is an impervious surface, however there is no direct runoff from them to a water of the state and the discharge from the lagoon will be regulated to be 12" of water over the area of the irrigated land. With respect to the stormwater ponds, there is not a concrete liner incorporated in to their design and the over-sizing of the ponds more than takes in to account surface water of the pond. Any water that falls directly on to the stormwater ponds adds clean water to the treatment process. These surfaces were discussed with HEI previously who agreed that they do not contribute to the impervious surface calculation as there is no direct runoff from them. Area calculations are based on the final condition of the land areas at the completion of the project. Therefore, the area of mitigated wetlands are included in the area calculations based their modified conditions. Measurement have been verified within the proposer's development team these numbers have be verified. With a 240 day volume design and additional 3' of freeboard there will be no runoff from the system to any water of the state. The previous land use of row crop farming and intensive livestock confinement has already impacted the wetlands in this area. The current plan is to eliminate the livestock and exposed soil sources of nutrient inputs to Star Lake by having stormwater flow through stormwater treatment ponds before flowing to Star Lake. Comment noted; thank you for your comment

96	32	General	GEN	Much of the area relies on the lakes. The land shouldn't be sold off to build on it. If it goes to an EIS, I know that it won't fly	Comment noted; thank you for your comment
97	33	General	GEN	Star Lake is envied by area lake residents that wish their lakes could be as clear as Star. Let's keep it that way. An environmental study must be done as no individual would ever be allowed to fill in several acres of state-owned lake, so why would this commercial venture be allowed? We live on Hwy 41 and do foster care so new children have to learn to be careful crossing the street. People already ignore the 35mph, with a casino it would be even more dangerous.	Comment noted; thank you for your comment This project has had more wetlands review than most other projects in the area. Within the State and Federal review process, there is an ability to receive a permit for wetland impact using pre-made and pre-approved Wetland Bank Credits after going through the review process.
98	34	General	GEN	Consider the environmental impact of this casino complex in this pristine lake area. I don't think any rules, regulations, or restriction can protect this area from what the damage could be in this sensitive lake area. 24-hour lighting non-stop will change the landscape. The odor from lagoons, the huge increase in traffic is a safety concern of major proportion, and water and land pollution.	Comment noted; thank you for your comment
99	35	General - Interview with MN DNR	GEN	Star Lake is one of only four sites in Otter Tail County specifically identified as a destination for harvesters. Motorboat use can be very damaging to wild rice. All stages of wild rice growth provide food resources [to waterfowl]. It is also a breeding and nesting area for many species. 17 species of special concern use wild rice (listed in Tomorrow's Habitat for the Wild and Rare).	Wild Rice The proposed project will not be impacting the wild rice, as this is part of our cultural heritage and important to our nation. We have made design decisions in design such as setback requirements, stormwater management, wastewater design (no surface water discharge) and construction to maintain the sustainability of the Wild Rice and improve the Wild Rice. Please see discussion on the Wetland, Agricultural Land and impact on the existing Wild Rice Crop in its original state. NATURAL FILTRATION There was a farmstead visible on the 1939 aerial photograph, and there was an agricultural roadway through the area where the proposed building site is located visible in 1963 aerial photograph. The following sweep of aerial photographs show the location of the property in relation to the lake. There had been livestock in the area, which would have contributed to the nutrient load of Star Lake during snowmelt and heavy rainfall events. The plan for the project is to re-direct the sheet flow surface water away from the areas where nutrient flowed to the lake so there would be less nutrient loading getting into Star Lake during rainfall events. In other words, there is an absence of "natural filtering" of exposed soil row cropped farmland and former concentrated livestock holding under the current conditions. The wetlands proposed to be impacted provide minimal to moderate filtering as the isolated basins are away from the shoreline and the directly adjacent upland to Basin 5 is wooded and has mown turf grass with some row cropped agricultural field. The proposed stormwater ponding system is designed to provide excellent filtering for both nutrient as well as suspended sediment and pollutant microbial decomposition. The reason for this is the longer retention times as compared to the existing condition. The MPCA [certified] stormwater ponding areas and sanitary systems are designed to process the various components of nutrients and pollutants that might arise. The wetlands identified as being impacted are miniscule when compared with the many acres of cattail wetlands between the high ground and the open water of the lake. Basin 6 and Basin 19 are tiny and completely isolated from the lake. Basin 5 is partially fringed by row cropped agricultural land, a mown bluegrass turf lawn, and partially bordered by woodland. Water that might have flowed through here is re-directed to stormwater ponding areas to treat the water before it gets out toward the lake. The reality is that the previous agricultural and livestock land practices have degraded this area long before the project was considered. The reed canary grass and cattail are indicators of higher nutrient loads that have happened for decades, and indicate the likelihood of a nutrient load in the soil. WILD RICE The net result is that the proposed project provides a "fix" for past land use pollution point sources. If the SLPOA would like to continue to let these point sources continue to pollute Star Lake, let it be known that this information has been provided. Currently there is a hundreds-of-feet-thick mass of cattails on this side of the South Arm that probably had more wild rice prior to the farmland and livestock concentration along this shoreline that goes back to the early 1900s. Cattails thrive in the extra nutrient load from the old farmstead. By reducing the nutrient load, it is possible if not likely that the wild rice would expand as the cattails. If the proposed project is denied, the row crop farming would continue to send nutrient load into the lake as it has for nearly a century. Every rainfall would send a pulse of nutrient from the place where the livestock was concentrated as well. The design of the project re-directs sheet-flow stormwater away from these previous livestock concentration areas so that the nutrients are no longer flowing toward the lake but instead flow toward MPCA [certified] stormwater ponds. In the long run, this would appear to be a benefit the wild rice in Star Lake. Research elsewhere has identified certain forms of sulfur as being harmful to wild rice, so the processing of the surface water in the stormwater pond and the reduction of surface water flow over these former livestock areas would likely reduce the amount of nutrients that might be harmful for wild rice from flows down into the lake.
100	35	Page 10, section 9b.	GEN	Statement claiming the project is compatible with the existing land use is false and inaccurate because: LSLCP is not an accepted guidance plan by the county, nor did the proposer or county allow the current users of the area a representation in the process.	SMO Computability Question: Development in the County is guided in part by the General Plans, applicable Specific Plans, and Shoreland Management Ordinances. While the construction of our project would not be subject to local land use policies, as discussed Page 9-11, the Tribe has agreed to develop tribal projects on the trust land in a manner that is generally consistent with the Counties' Shoreland Management Ordinance in meeting the spirit of guidance. Project would not disrupt neighboring land uses, prohibit access to neighboring parcels, or otherwise conflict with neighboring land uses. The proposer is not modified the shoreland, nor are we installing docks to the South Arm, we also have prepared section and figure that demonstrates the common compliance with the counties SMO. We have also insured visual barriers exists or are not disrupted from the Lake point of view, we have design dark sky lighting to and implemented restorative land uses features that astetically pleasing to Wild Life. Therefore we do believe our project results in adverse cumulative effects to land use planning. LALSCP: The area residence were invited to two open houses and one public meeting which provided comments either verbally or in writing, in addition an area resident written survey was conduct for public input.
101	35	Page 25 section 11	GEN	None of the water quality, wild rice, wildlife and fisheries, or recreations increases are adequately or accurately represented in the EAW.	There has been a farmstead with multiple barns and homes at this location for many decades. At one time there was a barnyard with concentrated livestock that likely contributed to the expansion of the stand of common cattail. Row crop farming up to the edge of the lake had occurred for many decades causing much nutrient runoff into Star Lake. The current plan is to stop the direct runoff and treat the run-off water with stormwater ponds before it gets to the lake to reduce nutrient load. Wild Rice is an annual plant that needs sunlight to germinate. Common Cattail expansion would displace the wild rice; reducing the nutrient load is expected to stop the expansion of the common cattail. There are no plans for shoreline clearing that would harm wild rice or wildlife habitat other than a path for canoes to get to the wild rice and an outlet for the stormwater ponds. Wildlife Habitat would increase with the Upland Buffer. Fisheries affects would be minimal as there is a thick band of common cattail and more than 1 mile of distance to deeper water.
102	35	Page 19	GEN	As the RGU it is OTC's responsibility to protect the fragile ecosystems and environment. This waste water system is different from those mentioned in the EAW because it is for a private, not dependent on this location, and the other 37 are not this close to sensitive wetlands. The Project puts undue threats on the environment with this waste water system. OTC should demand an EIS	The EAW discusses in detail the wastewater treatment process and it will be permitted by the MPCA to ensure that there are no undue threats to the environment.
107	36	General	GEN	Commissioners in Mille Lacs County says we should do whatever we could do to stop the casino.	Comment noted; thank you for your comment
108	37	General	GEN	We are concerned about a project that will ignore all laws/rules that protect Star Lake's quality. The impact on the habitat of south arm has the potential to reduce, fishing, hunting, and wildlife observation. Traffic safety. A failed pond would do irreparable damage to the lake. Reminder of Dead Lake project's failure due to not having an EIS and how it cost the taxpayers' money.	Comment noted; thank you for your comment
109	38	General	GEN	Future development should be planned now, not reactive to this project	See Comment ID 66 above
110	38	Page 1 - Intent	GEN	A study whose projections and conclusions are based on many assumptions and projections has no merit as a document to support the developer's EAW. Ask the commissioners to require the developer to build its case on fact and science, not on projections found in a document not officially adopted by the RGU. An EIS should be used to support the proposal.	Comment noted; thank you for your comment
111	39	General	GEN	Building a casino on the lake will do harm to the natural beauty and ecosystem of the area. Driving to Star Lake is not easy, it's dangerous, especially if people are coming from a bar. The cost to improve Hwy 108 would be cost prohibitive. The casino doesn't fit in a rural area. Do an EIS!	Comment noted; thank you for your comment
112	40	Pages 18-20	GEN	Odor control needs to be addressed, it will reduce quality of living in the area. The fact that there are no limits for contaminants is concerning. What risks are there associated with both shallow and deep wells? General concerns about irrigating the irregular shape of the 65.5 acres. Will there be a permanent waste water treatment easement over the 65.5 acres of irrigated land? What assurance does the county have that this land won't be modified in the future?	The wastewater will be aerated in the concrete basins for 30 days, 15 days per cell before it is discharged to the aerated secondary cell. Aeration removes odor by adding oxygen to the effluent so the ponds don't become anaerobic which is the type of pond that produces odor. Seepage is taken in to consideration for wastewater pond design and prior to coming online, the ponds will need to pass seepage tests as required by the MPCA. With the irrigation area, the vegetative crop will absorb all of the nutrients discharged so there are no risks to shallow or deep wells. Irrigation sprayers are controlled so that they extend where needed, spray where intended, extend and contract where programmed so there are no concerns with the irregular shape of the irrigation area mentioned. There is no permanent easement over the irrigated land. As irrigation is the only outlet for the sanitary treatment system the land will continue to be irrigated. The only thing that could change the area from irrigation would be to find other land to pump treated wastewater to.
113	40	Page 23	GEN	How will the added demand on the lower aquifer impact the shallow well's quality and availability of water? Would the drawdown of the new wells be noticeable/detrimental (for example, White Bear Lake)	See Comment ID 57 above
114	40	Page 12, "Plans Compatibility"	GEN	Would the 24-hour action light be a traffic distraction and impact the south arm?	Lighting: Darksky Lighting Design: The permanently installed lighting and temporary maintenance lighting at the project will meet the following lighting requirements defined as Darksky Lighting. All lighting will be of minimum necessary brightness consistent with worker safety. High illumination areas not occupied on a continuous basis will have switches or motion detectors to light the area only when occupied. Proposer will design and install all permanent lighting such that light bulbs and reflectors are not visible from public viewing areas. Lighting will be designed so exterior light fixtures are hooded, with lights directed downward or toward the area to be illuminated, and so that backscatter to the nighttime sky is minimized. The design of the lighting shall be such that the luminescence or light sources are shielded to prevent light trespass outside the project boundary.
120	41	General	GEN	The 65-acre field that the waste water is going to be irrigated on has not had a good crop for many years because it's always too wet. Concerned there will be runoff into nearby wetlands with extra 12 inches of waste water is put onto it. Center pivots will be stuck and it will be a mess. An EIS must be done before this project can move forward.	The land to be irrigated has grade as shown in the topographical contours indicated on sheet C-101 of the plans. Assuming there are 60 dry days that are available for irrigation, 12" of water would amount to an application rate of less than 1/4" of water per irrigated day.
121	42	General	GEN	Water quality issues and the effect of wildlife habitat are big concerns. Taking away wetlands that filter water and are habitats will have a devastating effect for Star Lake. Careful environmental study is necessary for replacing and maintaining them. The water quality has deteriorated over the years, fewer wildlife and fish, and this has been a disturbing trend. The impact of environmental pollution and development has already taken a big toll on Star, a casino will speed up the environmental degradation. The "minimum requirements" should not be the bar for how close the waste water system will be to the lake. The lights and noise will ruin everyone's experience of the lake. Not compatible with the area's character or experience people expect to have at a lake. An EIS needs to be done.	According to DNR data, the water quality of Star Lake has been improving since the 1970s as the transparency has increased (indicating a reduction in algal blooms). This is likely due to improvement in land use practices. This project is intended to improve the land use practices on this property as previous land use (cattle walking in and next to wetlands, and row crop farming) had released nutrients into Star Lake to reduce the quality of the lake. By directing stormwater through stormwater ponds (designed to uptake and sequester nutrient), residual nutrient inputs from past poor land uses would be reduced.

122	43	General	GEN	<p>Letter talking about the County/Government's authority over the land owned by WEN, and how it will affect the need for an EIS.</p> <p>County needs to know exactly where the boundary separating the trust land from the fee land is - the EAW is deficient in not adequately identifying the western boundary line.</p> <p>EAW incorrectly presumes the county has no jurisdiction over Trust Land. State regulatory control may be exercised in the interest of conservation.</p> <p>The EAW doesn't identify what components should be considered in conducting a balancing test to determine to what extent the County can consider the environmental impacts of the development and EIS is necessary to address this issue.</p> <p>Federal jurisdiction is not mentioned in the EAW.</p> <p>The EAW is deficient in discussing permits and approvals required.</p> <p>The state's interest in protecting natural resources weighs the need for an EIS more.</p> <p>EAW is deficient in addressing the cumulative impact for both the Trust and Fee lands.</p> <p>EAW is deficient in naming the proposer and necessary relationship that will have to be developed between the proposer, the WEN, County, and LGUs to support the project.</p> <p>Boating impacts on Star and Dead Lake are not adequately addressed in the EAW</p> <p>The proposer has not shown there are no potential significant environmental issues and an EIS should be ordered.</p>	<p>The federal Clean Water Act Preempts Minnesota's Environmental Regulations Governing the Development of Wetlands Located Within the State</p> <p>Federal law requires tribal gaming operations to be located on trust land. 25 U.S.C. § 2703. Section 404 of the Clean Water Act authorizes the Army Corps of Engineers to issue permits for activities that require the development of wetlands on tribal trust land. Specifically, Section 404 provides that the Secretary of the Army, acting through the Chief of Engineers, may issue permits, after notice and opportunity for public hearings for discharge of dredged or fill material into navigable waters at specified disposal sites. Before issuing a permit, the Army Corps of Engineers determines whether any less environmentally detrimental alternative will accomplish the applicant's goals. The Army Corps analyzes feasible alternatives in light of the overall purpose of the applicant's goals.</p> <p>Section 401 of the Clean Water Act requires states to set water quality standards. State water quality standards set the conditions that must exist in order to protect beneficial uses of water. When a project will impact waters within Minnesota requires a federal permit, the Minnesota Pollution Control Agency (MPCA) reviews the project under Section 401 to ensure that it will not violate the water quality standards that the MPCA has established for that water body. In Minnesota, the MPCA's authority to review and approve, condition, or deny a federal permit that may result in a discharge to waters of the United States within its borders is limited to non-reservation fee land. The Minnesota Wetland Conservation Act sets forth procedures and conditions that must be considered for avoiding and minimizing impacts and for ensuring adequate replacement of lost public value from unavoidable impacts. Minn. R. 8420.0500-.0544 (2017).</p> <p>The White Earth Nation's proposed gaming facility at Star Lake will be constructed on tribal trust land. The provisions of the Clean Water Act governing wetland impact on trust lands apply to the White Earth Nation's permit to fill wetlands at Star Lake. The Army Corps permitting process takes into consideration impacts to surrounding areas. The State of Minnesota's role in applying environmental laws to the White Earth Nation is limited to the extent of jurisdiction as conferred by Congress. The Clean Water Act expressly provides that the Army Corps of Engineers has the authority to issue permits for projects involving the discharge of fill material on wetlands located on tribal trust land. The provisions of the Minnesota Wetland Conservation Act govern only the White Earth Nation's development of the fee land abutting the tribal trust land at Star Lake. Thus, the provisions of the Minnesota Wetland Conservation Act are not relevant to the Army Corps of Engineers in evaluating the White Earth Nation's proposal to discharge fill material into 8.41 acres of trust land on wetlands adjacent to Star Lake for purposes of constructing a gaming facility. Therefore, the application of Minnesota environmental regulations to the White Earth Nation's development at Star Lake is preempted by federal law and Minnesota's regulations cannot dictate development of wetlands on tribal trust land.</p>
123	44	General	GEN	<p>Recalled the trailer park being prevented a few years ago because West Arm would not be able to handle all the traffic generated, nor would the wildlife that inhabits this area. It was not compatible to the surrounding area. We now face the same dilemma, only on a much larger and more dangerous scale.</p> <p>South Arm is vastly important to countless birds, waterfowl, deer, and other wildlife. It's also important to fish as it is a spawning ground. The aquatic plants keep Star Lake clean.</p> <p>If the casino is built, the impact to the area would be substantial and irreversible. A casino is truly incompatible with the existing character of the site and surrounding areas.</p> <p>The roads are dangerous enough as it is.</p> <p>Please recommend an EIS be completed before it's too late and we are unable to go back.</p>	<p>RV Park Duchame Unpublish Opinion: The County's decision to deny the RV park was reversed by the MN Court of Appeals, which found that OTC Officials failed to make adequate findings as the Proposer used mitigating measures to meet the request for Condition Use Permit.</p> <p>Fish Spawning: Walleyes, bass, panfish, suckers, and tullibees require oxygenated water circulation and firm bottom which is not present in the South Arm. Only Northern Pike would spawn in the shallows along the edges of South Arm, which has more than 4 miles of suitable spawning habitat.</p>
124	45	General	GEN	<p>Of note here, the federal grade and fill permit application on this parcel is temporarily closed due to lack of required responses from the proposer to the public comments submitted by the public las November. Many of those comments were environmental concerns and bear directly on tonight's discussion would have been nice to examine those responses as part of this EAW process.</p>	<p>Army Corps of Engineers was aware that White Earth Nations responses would be received after the 30 day period closed. The Army Corps of Engineers can open and close the comment period at their discretion. They received White Earth Nation's response and acknowledge receipt of the responses.</p>
125	45	General	GEN	<p>...there are those who feel OTC has no control over what happens on the federal trust land and that OTC jurisdiction applies only to the fee land. In part this is true. But in very important part, is not true. In reality, your roll as RGU requires you to consider the full cumulative effects of the total project. What happens on the Trust Land does not stay on the Trust, and visa versa.</p>	<p>OTC</p>
126	45	General	GEN	<p>We must all be sure we have done the best scientific and fact-based analysis possible. Much of the EAW is speculative without critical scientific analytical support.</p>	<p>Comment noted; thank you for your comment</p>
127	45	General	GEN	<p>I submit there are reasonable alternatives that have not been considered by the proposers which could reduce the disturbance of the environmentally sensitive south arm of the lake. The proposed dredge and fill of the 14.5 acres of federal Trust Land could potentially be eliminated. For example, if the proposers scaled down their project and divided it-gaming only to the more suitable northwest corner (only) of the Trust Land and a more modest resort facility on the buildable portions of the Fee Land. This approach might eliminate-or at least limit-intrusion in the south arm marshes to the square footage required for gaming only.</p>	<p>White Earth Nation wishes to build the entire facility within the boundaries of the tribal trust land parcel. Note that the 14.5 acres is not the proposed wetland impact.</p>
132	46	General	GEN	<p>Documentation providing various tribal proclamation procedures and BIA documents on Guidance on Processing Mandatory Trust Acquisition.</p>	<p>There are no plans to seek trust status for the fee lands.</p>
134	48	General	GEN	<p>...who is the new Shooting Star Casino going to benefit?</p>	<p>The purpose of the project is to provide a resort with a gaming facility, hotel, and conference center within the lakes region. In addition, the proposed RV park will fulfill a need for such facilities within the County. Gaming revenues would be used to address Tribal employment, education, healthcare, housing, self-government, and economic development. The current tribal membership needs cost exceed the existing sources of Tribal funds, the Tribal needs additional revenue sources to support Tribal membership needs identified.</p>
135	48	General	GEN	<p>There are also problems with the viability of the project's business model. The proposed site is literally in the middle of nowhere - a 30 minute drive from the nearest interstate highway, down a poorly lit two lane road, and at least 90 minutes from the nearest major population center. The location raises the obvious questions of where the gamblers will come from and how they will get to the casino.</p>	<p>The current feasibility study conducted by Klas Robinson a professional consultant in the Resort and Casino industry has define this market as "New Market", with expected population and income base to support the proposed project. Figure XX shows the preliminary consumer maxtrix of where the New consumer or existing customer will come from.</p>
140	49	Item 10 Page 8	GEN	<p>Soil characteristics: % of soils with high potential for erosion = 1.5%; with potential for medium erosion = 86.5% "Because of these soil facts, throughout the construction and life of this project, there needs to be exceptional care taken to control for erosion runoff; where is the detailed, into the future, in the EAW? -Soil permeabilities are rapid for 37.7% of the project area and moderate for 62.3%. If secondary stage waste water is irrigated into Rapid Infiltration Basins, where is the data to show the construction of test wells in those areas to monitor the integrity of the water table against pollution from this irrigated waste water? Where is the data to show the staffing, and supervision of that staffing to monitor these</p>	<p>There will be exceptional care taken to control erosion and sediment runoff from the site as per PART IV of the NPDES permit that will be followed by the contractor. There are no Rapid Infiltration Basins (RIB's) proposed with this project. All wastewater facilities will be operated by a licensed operator.</p>
145	50	General	GEN	<p>The Star Lake Limited Area Comprehensive Plan is referenced as supporting information in many areas of this EAW and using Otter Tail County's own words in a response to the MN DNR, this is "NOT" an official plan, acts to severely undermine the integrity of the EAW. As you may recall, "Disingenuous" is the term used by the MN DNR in their letter to describe their impression of the Star Lake Limited Area Comprehensive Plan, a description we tend to agree with.</p>	<p>Comment noted; thank you for your comment</p>
146	50	Item 6 Page 4	GEN	<p>The Star Lake Casino project, as outlined in the project description section of the EAW, is discussed as one single project, not two separate trust land and fee land projects. However, in subsequent parts of the submitted EAW, there are clear attempts to separate this into two projects, appearing to be a means of circumventing the required environmental review process noting a "lack of jurisdictional control" as the reason for doing so. Based on the very clear Minnesota rules, the cumulative effects of including any potential future phases. MUST be reviewed as part of this project's environmental effects. Subp. 9c. Connected actions. Two projects are "connected actions" If a responsible governmental unit determines they are related in any of the following ways: 1) one project would directly induce the other; 2) one project is a prerequisite for the other and the prerequisite project is not justified by itself; 3) or neither project is justified by itself.</p>	<p>To the extent that the Minnesota Statute presumes to exercise jurisdiction over non state lands is erroneous and overreaching.</p>
147	50	General	GEN	<p>Otter Tail County, as the RGU for this project and now as the entity certifying the completeness of this EAW, must demand that these Minnesota rules and regulations are upheld and followed by the developer. To say the fee land and the trust land aspects of this project are not connected is very wrong and could only be done as a means of short-cutting the proper environmental review process. Something the Minnesota rules also clearly state is not allowable.</p>	<p>To the extent that the Minnesota Statute presumes to exercise jurisdiction over non state lands is erroneous and overreaching.</p>
153	51	General	GEN	<p>Increase in light pollution - One of the greatest joys of spending time on the South Bay of Star Lake is the incredible night sky that one experiences on a clear night. A casino, with its three-story building and acres of lighted parking and roadways will ruin the rural night sky in this area forever. Future generations will not have the opportunity to view the sky and stars as we can now.</p>	<p>Lighting - The development will be using best practices for Dark Sky Lighting to reduce impact on night sky, to adjacent properties by lighting trespass and nocturnal wildlife. Dark Sky practices included reduce lighting levels, downward directed lighting fixtures, lower mounting height, and lighting colors below 3,000 Kelvin. Additional site lighting information and photometric is part of the Conditional Use Permit and will be provided with that application.</p>
158	52	Item 9 Page 10	GEN	<p>The EAW is woefully inadequate at looking beyond the footprint or essence it's area of influence.</p>	<p>Comment noted; thank you for your comment</p>
159	52	Item 9 Page 11	GEN	<p>This comment references the LSLCP in a way that lends it undue credibility and reference. By their own admission this document and process was 'not adopted as an official Comprehensive Plan by OTC nor was it accurate in many regards some of my peers will be or already have detailed. For instance, where are the hunters and fishermen or Biologists represented? The plan on addresses things on an assumption that this project will happen.</p>	<p>This was completed in partnership with OTC, they chose who would be representing Star Lake and OTC during this process. Also included were engineers and natural resources from the county. The Limited plan was not intended to be a full comprehensive plan it is limited in scope.</p>
162	53	Item 5 Page 1	GEN	<p>Project Location. The EAW identifies five parcels, (one of which is misidentified), and omits a sixth parcel. That being 12.4 acres located on the north side of 380th St immediately north of the acquired fee land. The proposer acquired this land for \$350,000 (which equates to \$28,225/acre), yet has not provided any plans or information for its use. Since this land would provide the only access to the main body of Star Lake it seems highly unlikely that it would not be included in any plans for a "Resort & Casino".</p>	<p>Page 1 of the EAW is missing parcel number 56000100070000. The acreage of this parcel north of 380th street is included in the acreage areas identified on the subsequent pages including in the table on page 5 and 7 of the EAW. A correction should be made to 6. Project Description on page 3 to identify six adjoining properties in lieu of the five currently indicated. Additionally Figures need to be update to include the parcel north of 380th street, especially 2, 3, 7, 12, and 13. Project Discrion on page 3 to identify six adjoining properties in lue of the five currently indicated.</p>

169	57	General	GEN	Cumulative impacts at Star Lake. Concern with WE purchase of land along North arm of Star Lake and potential changes to the existing peaceful culture with water recreation at the lake. Concern of WE so far being very evasive about their long term plans for the complex. There has not been clarity from WE about their long term plans for the complex and potential recreational involvement from the project at the lake.	There are no future plans developed. White Earth's focus is on building and operating the gaming facility and amenities currently designed within the facility. Purchase of the additional land was to ensure doors did not close on the tribe as acquisition of land after the casino was announced would be cumbersome and over priced.
174	58	Item 17	GEN	What impact will the casino have on noise on the lake? On a quiet night, I can hear people talking in boats on the lake. I like to listen to the loons talk in the evenings.	Noise impacts are anticipated to be those associated with an indoor entertainment facility. There is only stationary noise receptor (residence) within 1/2 mile of the proposed project site; therefore, impacts are anticipated to be minimal due to distances from the project site. On quite evenings, noise reflects from the lake surface and it is likely that very low levels of noise from the proposed project will be heard in the area.
176	58	General	GEN	The EAW indicates further development will occur but does not disclose what that is. Do we not deserve to know what development is in the plans to determine further impacts it will have on Star Lake? Is marina proposed? Can our Public Accesses handle more boat traffic? Will we have adequate resources to patrol the water? What will the increased demand do to our fishery? Concern regarding taxpayer costs associated with the project. It is proposed the development will fill the wetland with 450,000+ cubic yards of fill. Concern regarding trucks hauling and traveling on local roads to construct the project. What impact will the truck traffic have on the roads?	Pursuant to the requirements of the Minnesota Chippewa Tribe ordinance the only access from the land to the lake will be for fishing. We have no plans to put a marina on the property. Approximately 150 truckloads of soil will be imported to the site using county roads. Other excavated materials obtained elsewhere on the site will be transported to fill areas on haul roads within the site boundaries.
177	58	General	GEN	No one has even begun to have the discussion of fire and police protection let alone health services. I can testify that the Dent First Responders do not have the manpower to take on this project.	OTC
184	59	General	GEN	This EAW seems incomplete or inaccurate. The seemingly minor mistakes in this EAW might seem picky to bring up, but they point to a lack of attention to detail that I think is necessary in the review of all the facts that need to be considered before any permits should be granted.	Comment noted; thank you for your comment
185	59	Item 2 pg 1	GEN	There is no Proposer or RGU listed, just the contact.	As listed in the EAW, the Proposer is White Earth Enterprises, and the RGU is Otter Tail County.
186	59	Item 5, pg 1	GEN	The parcels of land listed (see document) are owned by Central.	Comment noted; thank you for your comment
189	59	Pg 7, Section 8	GEN	I think the MCT would be the "Unit of Government" that would have to approve this application not the WEN. Does WEN have permission from MCT to use the land "Held in trust for the MCT"?	Please see Minnesota Chippewa Tribe Land Ordinance #3. This documents White Earth Nations right to govern the trust land.
191	59	General	GEN	As a casino patron I've noticed Minnesota casinos aren't as busy as they once were. A feasibility study of the casino's success is needed in an EIS. It would be a shame for a development to be built that is totally out of character with the area and fail within a few years. EIS should include funding to be sure it doesn't stop have way through development. Concerned about the crime that usually follows casinos.	A feasibility study is not a component of an EIS. A Feasibility study was conducted for White Earth by an industry leader in performing the research. White Earth would not be pursuing the project if they knew it would not be profitable and further the self sufficiency of the tribe. Lenders are satisfied with the feasibility study that has been provided.
193	61	General	GEN	I am a member of WEN and am totally against Star Lake Casino. Three of our council members made this decision without any input from tribal members. This project is hypocritical of our tribe's mission statement: To preserve, promote and enhance our quality of life	Comment noted; thank you for your comment
194	62	General	GEN	Served on the Star Lake Property Owners Association for two terms, believes they should be granted the permits to process with the development without additional studies. Has had multiple conversations with DNR officials, property owners, and USFW specialists, one theme that comes up is the development will not have a significant negative environmental impact of any magnitude on Star Lake. WEN is meeting or exceeding all laws, ordinances, regulations, and guidelines for a development of this size and are trying to create an environmentally friendly development. In the EAW they talk about their plans to prevent damage or restore wetlands, as well as to make it an attractive, fitting development. A survey was completed, a small group wants the casino and larger group does not want it. The largest group does not care one way or the other. A petition was sent for an EIS where his signature was included without his consent. Says they did this to make it look like a much larger group than it really is.	Comment noted; thank you for your comment
202	66	General	GEN	Otter Tail County is making a poor choice with this development	Comment noted; thank you for your comment
212	67	General	GEN	We must do everything we can to minimize the long-term damage	Comment noted; thank you for your comment
218	69	General	GEN	Submitted three photos of Star Lake, Dead Lake, and project site. Says the south arm of Star Lake is a poster child for which should be administered and protected as a natural environment body of water. County has a say on what happens to Fee and Trust Lands when what happens on them doesn't stay on them. There are reasonable project alternatives that have not been considered that will have less impact on the environment.	Comment noted; thank you for your comment
223	71	General	GEN	Keeping the land beautiful and the way it was given to us by the creator is very important. I do not believe that anything that happens with this casino is going to be good. What is this going to do to our communities and what is this going to do to the wetlands that are from the beauty of mother nature?	Comment noted; thank you for your comment
226	73	General	GEN	They are minimizing the impact the project will have on the environment by changing words the DNR said about the Red Neck Grebe.	Conversations with the DNR indicated that impacts to the red-necked grebes and loons would be short-lived and during the construction phase only. The DNR did not feel that the birds would be impacted by the development once construction was complete.
226	73	General	GEN	I have read through the correspondence between developer and the DNR and between the County and I think it's a little disingenuous too when you look into it and see what is corresponding there. The DNR said there is likelihood, a probability of the disturbance happening to the Red Necked Grebe, yet the developer took the liberty to change that as a possibility. That's one word and that's an important change and it shows to me a little bit of the revealing technique what's going on here. This is minimizing, the word mitigation is overused. I think avoidance is one thing that is not used enough.	According to DNR and other literature, the Red-Necked Grebe is a waterbird (likea loon) that very rarely walks out of the water. Nesting areas for the Red-Necked Grebe are identified as being on islands, floating mats, or other features that are directly accessible from a water swimming location. At the proposed site location there is a thick band of common cattail that would be difficult if not impossible for a Red-Necked Grebe to swim through between the open swimming water of the South Arm and the shoreline; the proposed project is inland from the inside edge of the common cattails.
227	74	General	GEN	The EAW doesn't come close to covering what's necessary for that development (future expansion). You won't be able to stop the train if you have no control over what's happening now.	Comment noted; thank you for your comment
228	75	Pg 1, Pt.5 - Project Location	GEN	EAW identifies five parcels (one of which is misidentified) and omits a sixth parcel. That being the 12.4 acres located on the north side of 380 th St. The proposer has not provided plans for use though they paid \$28,225 an acre for the parcel. Seems unlikely they wouldn't build/expand on it after paying so much.	Page 1 of the EAW is missing parcel number 56000100070000. The acreage of this parcel north of 380th street is included in the acreage areas identified on the subsequent pages including in the table on page 5 and 7 of the EAW. A correction should be made to 6. Project Description on page 3 to identify six adjoining properties in lieu of the five currently indicated. Additionally Figures need to be update to include the parcel north of 380th street, especially 2, 3, 7, 12, and 13. Project Description on page 3 to identify six adjoining properties in lieu of the five currently indicated.
229	75	Pg 5, pp 6c - Project Magnitude	GEN	MN Rules 4410.4400 provide a lot of specifics, related to EIS thresholds, including subparagraph 1: An EIS must -- not shall, not can -- be prepared for projects that exceed the threshold of 250,000 square feet of gross floor space. However the EAW states the project is 277,000 square feet.	Comment Noted - The trust land is not subject to MN Rule 4410.4400. The 277,000 building is located on the Trust Land.
231	77	General	GEN	Consider the sustainability of the project, how have other casinos in rural MN been doing? Will the income from the casino payoff for the citizens?	A feasibility study is not a component of an EAW. A Feasibility study was conducted for White Earth by an industry leader in performing the research. White Earth would not be pursuing the project if they knew it would not be profitable and further the self sufficiency of the tribe. Lenders are satisfied with the feasibility study that has been provided.
232	77	General	GEN	13-14 million gallons of waste water will be held for a period of time before it can be put on the field.	This comment is correct.
234	78	General	GEN	The fact that this is the largest development in Otter Tail County and that it will be placed on very sensitive wetlands means that an EIS is very much an important thing to consider and do at this point.	Comment noted; thank you for your comment
235	78	General	GEN	The RGU is obligated to review the impact of the actions that affect land outside of the Trust and Fee Lands.	Comment noted; thank you for your comment
236	79	Item 19 - Cumulative Potential Effects	GEN	The document mainly states there are no predicted project environmental effects that will combine with any other known projects within the environmentally relevant area. That's what we call Cumulative Potential Effects. This assertion can only be true if you accept the state premise repeated several times in the EAW that state, county, and township governments have no jurisdiction over the Tribal Trust lots. This does not reflect controlling law. You have to consider the effects the project has on both sides of the land (public and Trust/Fee)	Comment noted; thank you for your comment
238	80	General	GEN	What happens to Star Lake is ultimately going to happen to Dead lake.	Comment noted; thank you for your comment
241	81	General	GEN	The sand wells in our area could have impact on the type of irrigation and infiltration planned for this structure. Deep well concerns being that the lake in 90 feet deep and that's what they'll pump from. I think the study they have done is inadequate for the potential of the drawdown from the Lake (example, White Bear Lake).	Irrigation will not be supplied from wells so there will be no drawdown of the lake from the irrigation equipment. All irrigation water will be wastewater effluent from the aerated secondary cell.
243	81	General	GEN	The storm water management system is design based on the 100-year flood event. The current trend in storms are frequent, heavy, and close to one another. I want to make sure this study has addressed the impact of the major storms sequencing within 24-48 hours of one another.	The stormwater volume required by the MPCA who permits wet sedimentation basins is 1" of runoff from all impervious surfaces. The proposed pond provides storage for 6.13" of runoff from all impervious surfaces.
244	82	Section 9a and b	GEN	The EAW is missing a lot of information pertaining to fish spawning, wild rice, and nesting colonies. It is a top loon breeding lake in the country, the EAW doesn't mention the sensitive wetlands, nearby wildlife management area, or the two established hunting lodges. Doesn't indicate Star is a DNR designated wild rice lake that is still harvested and importantly feeds a host of migratory waterfowl. Wild rice will be destroyed by human activity. Construction will likely disturb the breeding colonies of Red Neck Grebes. The EAW understates these concerns. Lights, noise, and human activities disrupt wildlife. A full EIS would help reassure us that every possible measure is being taken to protect these wetland areas.	Conversations with the DNR indicated that impacts to the red-necked grebes and loons would be short-lived and during the construction phase only. The DNR did not feel that the birds would be impacted by the development once construction was complete. Fish Spawning: Walleyes, bass, panfish, suckers, and tullibees require oxygenated water circulation and firm bottom which is not present in the South Arm. Only Northern Pike would spawn in the shallows along the edges of South Arm, which has more than 4 miles of suitable spawning habitat. Wild Rice: According to DNR data (http://files.dnr.state.mn.us/fish_wildlife/wildlife/shallowlakes/statewide-inventory-wild-rice-waters.pdf), Star Lake is considered a wild rice lake, but it has no acreage identified (over 64,000 acres of natural wild rice across Minnesota was identified). This report states: "The remaining 509 locations that currently do not have coverage information are primarily small lakes/wetlands on the edge of the current natural wild rice range (southern and western Minnesota) or river/stream segments." Because Star Lake was not given an acreage, it was considered to be of reduced importance. For example, Lower Rice Lake in Clearwater County had 1,568 acres of natural wild rice. It is possible that prior to the intensive livestock use alongside Star Lake and the row crop farming, the wild rice bed may have been larger (and the common cattail stand would likely have been smaller).
245	83	General	GEN	The EAW answered the state requirement on future plans as "yes," they have future plans, but don't list them. This could lead to more destruction and impervious surface - which has detrimental impacts on waters in MN. The expansions will have a greater impact on wildlife, fish, wild rice, and other native vegetation. The EAW should be elevated to an EIS.	Comment noted; thank you for your comment

247	85	General	GEN	The destruction of the natural surroundings have made this an incredible waterfowl, migratory, and breeding grounds seems unthinkable. Why waste an area that has been so special for generations. Careful planning of future development should not be reactive to any proposed development, rather to be thoughtfully aligned with appropriate land use, compatibility, and measure by a variety of economic, social, and environmental standards. A study whose projections and conclusions are based on many assumptions has absolutely no merit as a document to support the developer's FAW (speaking about the Comprehensive Plan). In the absence of	Comment noted; thank you for your comment
249	86	General	GEN	Concerned about the 24/7 lights.	Lighting - The development will be using best practices for Dark Sky Lighting to reduce impact on night sky, to adjacent properties by lighting trespass and nocturnal wildlife. Dark Sky practices included reduce lighting levels, downward directed lighting fixtures, lower mounting height, and lighting colors below 3,000 Kelvin. Additional site lighting information and photometric is part of the Conditional Use Permit and will be provided with that application.
249	86	General	GEN	Concerned about the wild rice.	There are no plans that would disturb the wild rice location, and the reduction in the nutrient load would likely improve the wild rice by reducing the spread of common cattail encroachment.
249	86	General	GEN	Concerned about sanitary sewage. Buffer strips block agricultural runoff, not the same as this type of runoff.	See other comments regarding sanitary sewage. All nutrients from irrigation will be absorbed by the cover crop and will not run off the irrigation site as irrigation will occur during dry weather conditions.
250	87	General	GEN	You don't build a casino on a wild rice bed. Push for the strongest EIS that you can get. What they're proposing to do is not being a good neighbor. Whatever money we already spent on other casinos, we will lose more for a small poor band that we are. AS a 25-year member of WEN I have not seen one dime of SHooting Star, so I don't need any more gaming on WEN or certainly on a wild rice patty. Gaming is on the decline, these RBC people are pushing this, so I guess please push for an EIS.	Comment noted; thank you for your comment
251	88	General	GEN	I've been a hog farmer all my life. If you consider yourself a good steward of the land I'd urge you to do whatever necessary to halt this project.	Comment noted; thank you for your comment
257	91	General	GEN	WEN member. Didn't know there was a voting to do the casino, I don't approve of it. I don't see it's benefitting us and feels it's out in nowhere. Appreciate everybody's concern about the wildlife and environment.	Comment noted; thank you for your comment
260	93	General	GEN	Greatly concerned about the impacts the proposed Star Lake Casino would have on the area around the proposed building site. Family bought the land close to the proposed site 20 years ago because of the clear lake, as it pertains to fishing, water clarity, and undisturbed natural areas along the lakeshore. The fill needed to advance the construction project will destroy eight acres of spawning beds and wild rice. Even though these are proposed to be replaced elsewhere, this does not actually restore/replace what is lost. If construction is allowed to proceed, large paved parking lots will be construction near the lake causing polluted water in the form of runoff into the lake during rain events and snow melt. Waste management and disposal is the greatest concern. The proposed method of waste treatment is not an ideal situation. Sewage lagoons will not only affect water quality, but also air quality. A pungent odor will spread over most of the lake during the spring, summer, and fall months. The lagoons' proximity to a small, unnamed lake on the west side of 41 could cause that lake to be polluted in the event of heavy rainfall or it may leak, polluting the surrounding area. Do an EIS on this property.	Comment noted; thank you for your comment
261	94	General	GEN	How the environmental mitigation affects us directly as human beings. The 24-hour lights will affect duck fishing. This project will negatively influence the experience future generations have in the area. An EIS is necessary to look at this aspect of things and out in the future.	Comment noted; thank you for your comment
263	95	General	GEN	I don't see anywhere who is going to operate or maintain the systems/ponds.	White Earth will be required to provide licensed operators for the sanitary sewer and water treatment systems who will provide maintenance and will have reporting requirements per their MPCA and EPA permits.
265	97	General	GEN	Lived on Star Lake since 2005. Not in "accept or not accept" camps but vehemently opposed to moving forward without EIS. There is only one Star Lake. County can't move forward with process without a more detailed analysis. EIS would also examine alternative designs that would result in fewer environmental impacts. Purpose of environmental review is not to stop projects but collect information to avoid or mitigate effects. Environmental concerns: water quality, fishing, birds and wildlife, old wild rice beds, safety, AIS, noise and light pollution, threat to wetlands.	Comment noted; thank you for your comment
266	98	General	GEN	Opposition based on: size of project is inappropriate to scale of rural Star Lake, threats to water quality, threats to wildlife (loons), boat traffic, light pollution, noise pollution. Believes money and power generally prevail over interests in preserving pristine nature. Special places of our earth rarely recover once desecrated.	Comment noted; thank you for your comment
268	100	General	GEN	Speaker at public meeting (6/15): Fargo resident with family place in Star Lake Area (35 years). Varying background of jobs and believes public meeting speakers did great job providing a large degree of information for consideration. Hopes the comments will be considered seriously as he considers them all to be accurate.	Comment noted; thank you for your comment
270	102	General	GEN	Speaker at public meeting (6/15): John and wife built a house on Dead Lake. From Rochester, MN, which has no natural lakes. Is very appreciative of Dead Lake for its natural beauty and that of surrounding lakes. Tells County not to take a thousand lakes for granted. Cannot afford to waste these resources.	Comment noted; thank you for your comment
271	103	General	GEN	Lived in Dent for 40+ years. Own 130-acre parcel immediately to west of fee land where developer is planning to construct two sewage lagoons. Concerns include, air pollution (from sewage pits specifically), Light pollution (they will be able to see the lights from their living room), Noise pollution (commercial operation with peak traffic), rural character. Relating to all points above, the casino does not fit with the north rural feel they have lived there for. Request EIS to ensure the most environmental review is completed.	See comment ID 112 for odor discussion. See comment ID 114 for outdoor lighting discussion.
272	104	General	GEN	MN Historical Society: Conclude that there are no properties listed in the National or State Registers of Historic Places and no known or suspected archaeological properties in the area that would be affected by the project. If project is considered for federal financial assistance or requires a federal permit or license, the review will need to be initiated by the lead federal agency.	Comment noted; thank you for your comment
273	105	General	GEN	Permanent resident of County (not summer or hunting season only). Live on Lake Lida. In favor of the casino along with "many others spoken to". Work force issue: Fargo Labor Bus is closer to Star Lake than Mahanomen. Many people might retire early and move to the lake if there were full- or part-time jobs available. Many farmers and families would be available when it was not planting/harvesting season. Everyone thought the meeting was about environmental issues and not a "for" or "Against" meeting. With small towns and newspapers, many do not dare stand up and say they are for gambling and drinking (reference to "silent majority" who voted for Trump). Many would like places to meet friends and family and to eat. Pelican Supper Club has closed. Think how the casino affects everyone (economic development, taxes, relocation of people) and not just self issues ("my" lake, tribal checks, etc.)	Comment noted; thank you for your comment
275	106	General	GEN	Effects of stormwater runoff on Star Lake, birds, fish, and water quality (pollutants, filtration, temp changes to the lake, sediment runoff due to dredging, cutting trees, construction, parking lots, etc.). Runoff from impervious surfaces (what are they exactly?) and the golf course? We need to understand the total impact of the casino and future projects will be through studies.	See comment ID 243. Impervious surfaces are any surface that does not absorb water such as asphalt, concrete, rooftops, gravel...etc. There is no golf course proposed with this project. The stormwater ponding areas are designed to hold nutrient and various pollutants so that they can be broken down or taken up through biological activity. Some nutrients are sequestered in the sediments, while others are taken up by plants and various other fauna. For decades, designed stormwater ponding areas have been effectively used in metropolitan areas to reduce the amount of nutrient that is flushed through lakes and river systems.
277	107	General	GEN	Work in the WEN reservation for ten years and worried to see what impacts will happen in our area. Worried about the road he lives on being a short cut to the casino and if people will pollute his yard or damage it in some way. It will be a lower quality of life. Full support of an EIS.	Comment noted; thank you for your comment
279	109	General	GEN	Our primary responsibility is to the Star Lake Township residents. Must be good stewards to our natural resources by having an EIS.	Comment noted; thank you for your comment
281	111	General	GEN	Need to consider the distance between irrigation systems and Otter Tail River. There is human error, no matter what industry you're in, and this can cause problems with nutrients that should be removed from the water (i.e., metals). Runoff from the parking lots will cause issues as well if the irrigation systems don't do their jobs properly. Location, location, location is key to me. This is not a great site, not enough room, capacity, and buffer.	The Otter Tail River is 7.8 miles in a straight line from the site. NPDES Permits take into consideration impaired or special waters of the state that are within 1 mile of the project site.
282	112	General	GEN	Guard what you already have accomplished with tourism. Don't throw away what you've already accomplished.	Comment noted; thank you for your comment

291	16a	Section 4 Reason for EAW Preparation	GEN	The total floor area of 277,000 square feet is larger than the mandatory EIS threshold for unincorporated land of 250,000 square feet. The EAW mistakenly relies on the Limited Area Star Lake Comprehensive Plan as evidence that the development has been thoroughly planned, reviewed by the community, and will be designed and developed in a way to avoid environmental impacts. This plan is too limited in scope to provide sufficient environmental protection.	See response to Comment 104 above. This was completed in partnership with OTC, they chose who would be representing Star Lake and OTC during this process. Also included were engineers and natural resources from the county. The Limited plan was not intended to be a full comprehensive plan it is limited in scope.
292	16a	Section 11 Water Resources	GEN	EAW is deficient in the following specific [wastewater] areas: <ul style="list-style-type: none"> •Maintenance plan - says "at some point in the future" sludge will be removed, this is unacceptably vague and suggests the proposer has not considered the issues. Also needs specifics on the regulations with which the treatment system is to comply with. •The EAW should provide more information on whether aeration alone is sufficient to treat the waste - should include alternatives. •Claims no surface water discharges from the treatment system will occur are unsupported by any evidence. Should include procedures and contingency plans for if the system fails or overflows. •EAW fails to consider impacts from the wastewater treatment ponds to migratory birds and terrestrial animals. It should demonstrate that the treatment system was designed to avoid and reduce potential environmental impacts and contingency plans for a forcemain failure. 	<ol style="list-style-type: none"> 1. All sewage lagoons eventually require sludge removal. There is no defined time limit on when the sludge removal will take place as it is monitored. Eventually the sludge will be removed and there are rules in place by the MPCA for where the sludge is disposed of. It can be hauled to an approved landfill or land applied. At the time that the sludge is removed, the Owner will follow current rules and regulations in place at that time. 2. The proposed design is the result of several different treatment options that were explored. There were options of a mechanical plant with a surface water discharge, standard lagoons without aeration that discharged to Rapid Infiltration Basins which wasn't chosen because it was discovered that there wasn't sufficient infiltration available, lagoons with a surface water discharge which wasn't chosen because the owner did not want to have any phosphorus discharged to the unnamed lake or Star Lake. The current aeration treatment and secondary aerated lagoon system will effectively meet all treatment criteria required by the MPCA. The irrigation application of 12" (application volume provided by the MPCA) is such that the vegetative crop will absorb all of the irrigated water and will also absorb all nutrients preventing any runoff in to Star Lake or wetlands. No alternatives are provided in the EAW as there was an exhaustive analysis of alternatives that got us to the proposed treatment recommendation. 3. The secondary aeration pond is designed to the capacity required by the MPCA and there is 3' of freeboard above the high water level of the pond which provides a safety factor for overflow of the ponds. It is not standard to include contingency plans for the failure of a pond as there are factors of safety such as the freeboard put in place. <p>in a place where there are no known terrestrial animals that will be disturbed and there are no known effects on migratory birds due to wastewater lagoons.</p> <ol style="list-style-type: none"> 5. The forcemain will be a pipe that is pressure rated to 250 psi which is a far greater pressure than a sanitary forcemain. PVC forcemain is an industry standard for pressure rated mains and it will be pressure tested after installation to verify there are no leaks in the pipe. After that test has been passed, there is no chance of failure unless the pipe is disturbed in the future.
293	16a	Section 11 Water Resources	GEN	Wastewater irrigation discussion lacks detail and precision. EAW should include: <ul style="list-style-type: none"> - Evidence for the conclusion that no effects to groundwater from wastewater being used as irrigation water - The pollutant content of the wastewater used for irrigation - How the "automated system" will prevent the irrigatin being sprayed into wetlands or adjacent properties. - Who is responsible for growing the wastewater-irrigated crops? Where and to whom will these crops be sold or distributed? - More information on the rate of irrigation - what does the 12-inch rate mean? •Insufficient information to determine if PVC is the correct material for a forcemain that crosses CSAH 41. A failure of the forcemain would be disastrous. 	<ol style="list-style-type: none"> 1. During preliminary design of the system, there were numerous discussions with Steve Stark who is a hydrologist with the MPCA regarding the treatment methods. The MPCA will not permit a facility until it reviews the design and determines that that there will be no degradation of the groundwater. I.e. the conclusion that no effects to the groundwater is based on the MPCA permitting process where that will not be allowed. 2. The pollutants/nutrients remaining in the treated wastewater produced by the site are such that other systems with the same level of treatment are allowed to discharge directly to a surface water. Due to the sensitivity to the environment of this project, the proposer has chosen to propose an irrigation system to avoid a surface water discharge and provide vegetative growth to absorb the nutrients. Vegetation utilizes remaining nutrients for growth and the vegetative growth will be harvested for non-human consumption. 3. Irrigation systems have controls that turn sprayer heads on and off to avoid areas that aren't intended to be sprayed. Irrigation is a standard system and is utilized by surrounding cities such as Henning, Battle Lake, Perham and others. 4. White Earth Nation will be responsible for the crop to be planted and harvested, but more than likely a local farmer will be contacted to lease or rent the area for farming operations. Whom the crop will be used by or sold to has yet to be determined, however there are laws that dictate that the crop is to only be used for non-human consumption. 5. The 12" rate stated in the EAW basically means that the area to be irrigated can only be sprayed over the course of the summer a total depth of 12" of treated wastewater. It is similar to saying that there is 12" of rainfall allowed to be irrigated over the summer. 6. PVC is an industry standard for forcemain. It will be pressure rated pipe and the forcemain crossing will be permitted by the OTC Highway Department.
294	16a	General	GEN	The EAW should discuss the construction process and impacts in more detail, especially disturbances to wildlife and plant communities, erosion and sedimentation BMPs, and construction traffic and noise. The proposer should specifically describe efforts to avoid and reduce environmental impacts, and endorse methods to mitigate the adverse impacts of the construction process.	The process is first mitigated by an efficient design. The Star Lake team has reduced the amount of material to be imported or relocated by over 50% this will greatly reduce the amount of overall construction, schedule and impact to the surroundings. Our construction process will minimize environmental impact in a variety of ways defined below. <ol style="list-style-type: none"> 1. Construction Process a. Use of onsite material vs hauled in material - only the sand bedding and gravel will be imported. This will substantially save time trucking and project time. There decreasing number of onsite equipment hours and impact. b. Very efficient SWPPP plan and implementation – this will completely contain the site. Based on use of treaty land the bulk of activity will be performed on that land and all other activity will be confined by silt fence and other erosion control methods. Finally, our earthwork contractor has staged additional storm collection sites on site and spoil piles will be intelligently placed to assure no runoff or offsite contamination. c. There has been extensive construction stage review that will also save almost 5 weeks of construction of the site this will proportionately reduce noise and traffic. 2. Environmental impact a. There will be 0 impact outside the construction boundaries defined in SWPPP. b. When irrigation system is established and utilized will increase growth and agriculture significantly. c. The earthwork contractor focuses on fuel efficient machines. An example its off-road trucks use 4-6 gallons per hour – this simple example can save more than 30% fuel and more environmentally friendly. d. Contractor will not disturb any areas outside of construction boundaries, minimizing any additional environmental impact. e. Contractor will have professional SWPPP enforcement on site with 100% enforcement to assure strict adherence to the SWPPP and other environmental concerns. f. Owner will have additional oversite to assure enforcement of SWPPP and any environmental impact.
295	16a	General	GEN	The EAW fails to describe the quantity and quality of stormwater runoff or BMP locations. It does not discuss erosion and sedimentation impacts, BMPs for the vegetation removal activities, or existing drainage patterns. Does not mention the MPCA Stormwater Manual, only quotes stormwater management which does not adequately consider or plan for erosion, sediment control, or stormwater management.	There is a SWPPP that has been designed for the site that lists BMP's and rules for how soon exposed soils need to be covered and also that all BMP's need to be in place prior to any land disturbance that would potential be susceptible to erosion. The SWPPP for the site also details a number of BMP's that the Contractor will have at their disposal to ensure that no sediment leaves the project site during construction. There will be perimeter BMP controls including silt fence to further protect the adjacent land from receiving any sediments from the site that will need to be maintained throughout construction until permanent vegetative growth has been established. The quantity of stormwater that will be treated with ponding prior to being released will be the equivalent of a 100 year rain event which is greater than 6" of rainfall in a 24 hour period over all new impervious surfaces created and the release rate will meet MPCA requirements for stormwater ponding. This treatment level grossly exceeds the requirements of the MPCA for wet sedimentation basins.
296	16a	General	GEN	Discussion of impacts of stormwater runoff is very limited considering the project will include 10 times more impervious surface than pre-development. Details on how the proposer calculated impervious surface are inadequate. Does not explain what will be done with rooftop runoff. Pollutant treatment ability of the pond is not supported.	The impervious surface for the design of the stormwater ponds was completed by using AutoCAD to provide the exact impervious surface being proposed. Rooftop drainage will be directed in to storm sewer which directs flows to the ponds. All runoff from impervious surfacing created on the project site will flow through the ponds. The pollutant treatment of the ponds required by the MPCA is a 1" rain event over all new impervious surface created. The proposed ponds grossly exceeds the pollutant treatment level that is determined to be needed by the MPCA by retaining the 100 year rain event.
297	16a	General	GEN	Modern low impact development or green infrastructure practices would produce significantly better environmental results than stormwater ponds. There's no discussion on alternatives. Also does not consider the potential impacts of stormwater ponding on groundwater.	The reason that ponds are being proposed is due to the depth to groundwater in the ponding locations. The Minnesota Stormwater Manual states that with respect to a minimum depth to water table that there is no minimum separation distance required with ponds. The NPDES Permit specifically states that infiltration of stormwater is prohibited when the depth to groundwater is less than 3'.
298	16a	General	GEN	Claims that erosion amounts will be reduced as a result of change in land use are unsubstantiated by any evidence. Active agriculture may continue on the irrigated parcel and any reductions in erosion would not actually occur, and erosion impacts of wastewater land application are not considered, even though it's in close proximity to Star Lake.	It is commonly accepted that exposed soils that exist in plowed fields can erode via wind or water. Drainage ditches adjacent to exposed soil fields in the spring commonly are coated with eroded topsoil. A grass field that is hayed eliminates the chance of erosion because there is no exposed erodable soils. Irrigation from the wastewater would have the same effect as a rain shower and the irrigation will take place during more arid times of the summer and the vegetation will use the irrigated water for growth.
299	16a	General	GEN	The SWPPP submitted for the CUP conflicts with the description provided in the EAW (says Rapid Infiltration Basins will be installed, not ponds), they should be consistent.	The SWPPP was originally put together when the proposer was planning on Rapid Infiltration Basins (RIB's) receiving and treating the wastewater. The SWPPP is intended to not be a rigid document and is anticipated to be modified before and during construction. Prior to submitting to the MPCA for the NPDES Permit, the SWPPP will be modified to remove any language referencing the RIB's.
300	16a	General	GEN	EAW assumes the casino and hotel will be completed on schedule. There's possibilities of construction delays and/or development could be canceled part way through. The EAW should discuss alternatives and mitigation plans if one of these instances happens.	Comment Noted. There are construction delays on many projects throughout the country. It is White Earth Nation's goal to see the project through to completion.
301	16a	General	GEN	Have studies/modeling been completed to identify if the development would significantly affect recharge, temperature, or water quality?	The Owner has submitted to the MN DNR for a water appropriations permit based on actual pumping data of the well installed on site that showed ample water available. The data will be assessed before an appropriation permit is granted which takes in to account recharge of the aquifer. There has been no study/modeling completed with respect to temperature or water quality. Runoff temperature from the stormwater ponds was considered when the decision was made not to install rip-rap around the pond perimeter which can increase water temperature. Water quality is achieved by providing permanent pool storage in the stormwater ponds of 1,800 cubic feet for every acre of the watershed contributing flows to the pond and by grossly exceeding what the MPCA has determined is the retention volume required in the ponds. The total release rate for the proposed stormwater ponds for the 1" rain event is less than 5% of the allowable release rate per the NPDES regulations.
302	16a	General	GEN	The project is located within 1,000 foot shoreland district. Does the current project location and set-back meet watershed and other regulatory set-back recommendations/regulations from shoreland? What constitutes "natural shoreline" and how is this being maintained given the proposed development plan fills 6.8 acres of wetlands which is contiguous with Star Lake? How will the project preserve the natural shoreline?	The EAW under question 9. Land use, b. Zoning Compatibility , indicated that the project meets or exceeds the setbacks requirements and shore line protect as identified in the Otter Tail County Shoreland Management Ordinance. The 1,000' deep shoreland district begins at the OWHL (Ordinary High Water Line.) This OWHL is established by the DNR. For Fee Land east of CSAH 41 the setbacks are meet for the 112'-6" from Star Lakes OHWL. This includes the 50% increase for commercial projects as identified as one path of compliance by the Shoreland Management Ordinance. With the exception of a 2,006 square foot area of fire truck access road/pedestrian path this portion of the project is double the setback requirement. Additionally, the project will be screened by a berm at the parking lot and vegetation at both the parking lot and the fire truck access road/pedestrian path, as identified as a second path of compliance by the Shoreland Management Ordinance. For Fee Land west of CSAH 41 the setbacks are meet for the 200' from the Unnamed Lake's OHWL. For Trust Land the buildings and equipment enclosures meet the recommended 112'-6" from Star Lakes OHWL. This includes the 50% increase for commercial projects as identified as one path of compliance by the Shoreland Management Ordinance. The fire truck access road/pedestrian path meets the 75' set back with the second path of compliance by the Shoreland Management Ordinance with the use of Vegetative screening. Approximately 4,000 square feet of the 8,000 square foot area of fire truck access road/pedestrian path will be a pervious paving surface. The fire truck access road/pedestrian path will be raised slightly as part of the storm water management. The existing shore line as defined by the Ordinary High Waterline (OHWL) and the Shore Impact Zone (SIZ) as defined as the by the county are to remain intact and undisturbed in the existing state during and after construction. The project exceeds Shoreland Management Ordinance 50% of this area to remain in the natural state. The county defines the SIZ as the as the area from the OHWL to 50 fee upland on Star Lake and the 100' upland on the Unnamed Lake. The DNR defines the "OHWL is the highest water level that has been maintained for a sufficient period of time to leave evidence upon the landscape. The OHWL is commonly that point where the natural vegetation changes from predominately aquatic to predominately terrestrial."
303	16a	General	GEN	Is it prudent to place wastewater treatment ponds adjacent to Unnamed Lake? What will be doen to mitigate potential issues? What alternatives were considered and rejected, why?	Ponds are placed near water bodies including rivers and lakes throughout the state of Minnesota. The MPCA has guidelines for pond design that include factors of safety for issues that could arise and will analyze the proposed pond design for public and environmental safety before they would issue a permit for the wastewater treatment system. Different options were considered for treatment as stated in Comment ID No. 292.
304	16a	General	GEN	How will impacts from road salt and deicing materials be mitigated?	The use of road salt and other soluble deicing materials at the proposed will be limited to that needed to not impact safety at the proposed project.
305	16a	General	GEN	What is the lowest elevation (basement) of the proposed infrastructure? What is the distance and elevation difference from the lowest construction elevation to the 1,329.5 ft designated OHWL and 100-yr flood level of Star Lake? Does the project meet watershed and other regulatory set-back recommendations/regulation from flood levels and OHWLs?	The EAW under question 9. Land use, b. Zoning Compatibility , indicated that the project meets or exceeds the floor elevation requirements as identified in the Otter Tail County Shoreland Management Ordinance. The 1,000' deep shoreland district begins at the OWHL (Ordinary High Water Line.) This OWHL is established by the DNR. The buildings and equipment enclosures meet the Shoreland Management Ordinance's Lowest Floor Elevation Requirements – elevation must be 3 feet above the OHWL or highest known water level – the lowest floor level of the development is at 1335 which is 3.8 ft above Star Lake's highest known water level (HKWL) (1331.2) and 5.5 feet above Star Lake's OHWL (1329.5.) The fire truck access road/pedestrian path, on Trust Land, is locate above the highest known water level. Otter Tail County and the DNR do not have preliminary and effective floodplain data for Otter Tail County. The project is located above the highest known water level as noted above.
306	16a	Section 13: Fish, Wildlife, Plant Communities, and Sensitive Ecological Resources	GEN	The description of the project mitigation activities for potential impacts related to tree loss is inadequate. Proposer should also discuss how changes in water temperature affect fish reproduction.	The first project configuration had far less tree loss as more of the project was planned to be within the row cropped field and farmstead areas to the west of the current plan. This configuration was considered by Wetlands reviewers to have too much wetland impact as there would have been impacts to more wetlands (Basin 18 abd Basin 4). Both wetlands were impacted from row crop farming or livestock use. Therefore the footprint needed to be shifted eastward into the trees, which was not the preferred alternative. WATER TEMPERATURE: There is unconsolidated bottom directly out from the proposed location, so it is unlikely that there would be spawning for any gamefish other than northern pike. There is also a very thick band of common cattail between the project site and the open water. There is a distance of more than one mile by water between the site location and deeper water. Water warmed in a stormwater pond would have very little effect on the fish spawning.
307	16a	Section 13: Fish, Wildlife, Plant Communities, and Sensitive Ecological Resources	GEN	Proposer does not discuss where seed to restore native vegetation will be sourced. Native plantings should be based on current and historical vegetation use, seeds and plants appropriate for the soils, and hydrology of the restoration areas.	The final selection of seed to restore native vegetation has not been made at this time. The projects intent is to use Native plantings based on current and historical vegetation, seeds and plants appropriate for the soils, and hydrology of the restoration areas. Multiple sources for these natives are available within northwestern Minnesota including; Prairie Land Management, Inc. and Glacial Ridge Growers of Glenwood, Woodland Prairie Specialties of Waubun, and Prairie Restorations, Inc. of Princeton. The project intends to work with the landscape architect and growers to select the native plantings and develop an establishment and maintenance plan in conjunction with an experienced prairie restoration landscape contractor.
308	16a	Section 13: Fish, Wildlife, Plant Communities, and Sensitive Ecological Resources	GEN	Have the plant surveys for Creeping Juniper that were requested by the DNR been conducted?	Minnesota Wildflowers website (https://www.minnesotawildflowers.info/shrub/creeping-juniper) describes Creeping Juniper as follows: "...Creeping Juniper does not readily establish naturally in human impacted sites..." Since the footprint of the proposed project has been strongly impacted by human activity for many decades and possibly 100 years, it is unlikely that this plant would be present. There has been row crop farming, intensive livestock, mown turf grass, multiple barns and houses, many dirt roadways and parking areas, and shelterbelt type planted trees. The habitat type is described as "Creeping Juniper is intolerant to both shade and fire, inhabiting open, dry, sandy sites like rock outcrops, sand dunes, and sand barrens." If Creeping Juniper was at this location in the past, it was likely already impacted from the farming/farmstead activity and the growth of the shelterbelt type trees.

309	16a	Section 13: Fish, Wildlife, Plant Communities, and Sensitive Ecological Resources	GEN	There is no discussion of MN DNR Native Plant Communities, Biological Survey, Regionally Significant Ecological Areas, Sensitive Shorelines, Conservation easements, or Lakes of Biological Significance in the EAW.	The MnDNR GeoSpatial Commons was queried for natural resources-related geodatabases and shapefiles. Among the many data sources consulted were several displaying field survey results from the Minnesota County Biological Survey (MCBS). No native plant communities mapped by the MCBS were documented on or near the project site. The nearest MCBS-mapped native plant communities are approximately 2.5 miles from the site and include mesic hardwood forests and marshes. Wetlands and upland hardwood forests have been documented and described for the project site, but they have not been included in MCBS survey results. The DNR database of MCBS Sites of Biodiversity Significance does not include any areas on the project site. The closest mapped area is approximately two miles from the site and is rated "below the minimum biodiversity significance threshold." The next nearest site is the location of the above-reference MCBS native plant communities with mesic hardwood forest and marshes. That area is rated as "moderate biodiversity significance." The DNR databases of Regionally Significant Ecological Areas applies to the seven-county metropolitan Twin Cities area and does not include Otter Tail County. A DNR sensitive shorelines database was reviewed. The geographic scope of the database is the northcentral portion of the state and does not include Otter Tail County. No conservation easements are known from the project area. A DNR and BWSR database of conservation easements documents that the nearest are over 6 miles away from the site. Databases of wildlife lakes and migratory waterfowl feeding and resting areas show no formally DNR-designated areas within the project area. This does not mean that Star Lake lacks wildlife and waterfowl habitat, merely that no areas have been formally designated as defined in state statutes and regulations. Star Lake is rated a DNR Lake of Biological Significance. There are four components that are evaluated to determine that rating: aquatic plants, fish, amphibians, and birds. Only one of these components needs to be rated outstanding for the lake to be considered a Lake of Biological Significance. Star Lake is rated moderate for aquatic plants; outstanding for fish; unranked for amphibians, and high for birds. The outstanding rating for fish could be due to one or more factors including populations of walleye, northern pike, tullibee, overall native fish community or fish-based Index of Biological Integrity (IBI). The high rating for birds is likely due to colonial water bird nesting areas, particularly the Red-Necked Grebe. Potential impacts to fisheries and water birds, and mitigation measures, are described in detail elsewhere. The project is not expected to have negative impacts on the natural resources that contribute to Star Lakes rating as a Lake of Biological Concern.
310	16a	Section 13: Fish, Wildlife, Plant Communities, and Sensitive Ecological Resources	GEN	The EAW does not mention Star Lake's status as a lake of Outstanding Biological Significance. It also does not discuss how project design or mitigation activities will address or protect this status.	Star Lake is rated a DNR Lake of Biological Significance. There are four components that are evaluated to determine that rating: aquatic plants, fish, amphibians, and birds. Only one of these components needs to be rated outstanding for the lake to be considered a Lake of Biological Significance. Star Lake is rated moderate for aquatic plants; outstanding for fish; unranked for amphibians, and high for birds. The outstanding rating for fish could be due to one or more factors including populations of walleye, northern pike, tullibee, overall native fish community or fish-based Index of Biological Integrity (IBI). The high rating for birds is likely due to colonial water bird nesting areas, particularly the Red-Necked Grebe. Potential impacts to fisheries and water birds, and mitigation measures, are described in detail elsewhere. The project is not expected to have negative impacts on the natural resources that contribute to Star Lakes rating as a Lake of Biological Concern.
311	16a	Section 15: Visual Impacts	GEN	Descriptions of visual impacts are vague and include insufficient information. The EAW does not discuss the impacts of the 85-foot tall hotel and casino, large support buildings, entry signs, and large parking lots will have on visual environments. Proposer needs to consider alternatives to avoid or minimize visual impacts and how they will mitigate the visual impacts of all buildings.	CGA
312	16a	Section 15: Visual Impacts	GEN	Proposer should describe how all signs, parking lots, and buildings will be lit, and how adverse the impacts of lighting will be minimized. Should include number, wattage, location, and type of lights; types, sizes, and locations of signs; and plans for how and when the building, signs, and facility grounds will be lit. The proposer should also describe how best management practices, including Dark Sky Lighting practices, will be implemented.	CGA
313	16a	Section 16: Air	GEN	EAW fails to adequately quantify or describe composition of [air] pollutants, and adequately discuss efforts to avoid, minimize, or mitigate these emissions. To which air quality standards will the project adhere? How will compliance occur? The assertion that the diesel generator will cause "negligible emissions" is not supported by any evidence. What type of generator is it and what is its emissions profile? How often will it be tested and how will it be operated during emergencies?	Potential to Emit calculations will be performed prior to installation to determine whether MPCA air permitting is required. If permitting is required, operation of the unit will be done under federal and state air rules. Emergency generators to power the facility are typically exercised under load monthly for up to one hour to verify that they are in working order. Under emergency conditions, they will run as long as they need to until repairs are made.
314	16a	Section 17: Noise	GEN	EAW fails to achieve the minimum standards of [the Noise] section. Claims are conclusory at best and significant amounts of required information are missing.	As no outdoor amplified music or public address systems will be used, the proposed project is primarily an indoor entertainment center, and all but one residential noise receptor is a minimum of 1/2 mile away, no noise modeling was performed. On quiet evenings, it is likely that some nuisance noise may be heard from the proposed facility. Otter Tail County has not enacted a noise ordinance, therefore, the site is subject to the State noise rules found at MN Rules Chapter 7030, which generally limits noise to 50 decibels or less in noise area classification 1.
315	16a	Section 17: Noise	GEN	EAW does not adequately describe the sources of noise and how the sources of noise were determined. Proposer should discuss what other noise sources exist (other than traffic). Considering the project will generate significant new traffic, the proposer should also discuss how much noise the increased traffic will create. There's no mention on efforts to avoid or minimize noise generation. Should also discuss measures to mitigate the effects of the noise. This is required.	All traffic information developed for the project is presented in the Traffic Study addendum that includes Otter Tail County current evaluation of a realignment of CSAH 41. Otter Tail County is conducting a Feasibility Study to review the potential of realigning County Road 41 from its current connecting point to MN Highway 108 in order to improve traffic flow, overall connectivity, while mitigating existing issues along MN Highway 108. MnDOT is also conducting a study of the MN Highway 108 and County Road 41 intersection, with the section of roadway immediately adjacent to the intersection along MN Highway 108, in order to determine potential effects of modifying the MN Highway 108 design and intersection improvements. The timeline associated with the outcomes of these studies is not known at this time. Review of the County Road 35 intersection with County Road 41 has been recommended as part of previous study and will be conducted at a later date.
316	16a	Section 17: Noise	GEN	Entirely fails to include any detailed information about the characteristics, duration, quantities, or intensity of noise generated during operation. It is inadequate to state that "excessive noise" is not "expected" once construction is complete. Quantifiable descriptions of all types of noise generated, expected or otherwise, should be included.	As no outdoor amplified music or public address systems will be used, the proposed project is primarily an indoor entertainment center, and all but one residential noise receptor is a minimum of 1/2 mile away, no noise modeling was performed. On quiet evenings, it is likely that some nuisance noise may be heard from the proposed facility. Otter Tail County has not enacted a noise ordinance, therefore, the site is subject to the State noise rules found at MN Rules Chapter 7030, which generally limits noise to 50 decibels or less in noise area classification 1.
317	16a	Section 19: Cumulative Impacts	GEN	The EAW states that none of the potential environmental impacts will result in cumulative impacts and that there are no foreseeable future projects that could cause environmental effects. These claims are unsupported by any evidence and do not even appear to consider the incremental effects of the various environmental impacts potentially caused by this project. Even if many of the environmental impacts provided in the EAW are mitigated the cumulative impacts of the project(s) will drastically alter the existing human and natural environments.	Comment noted; thank you for your comment
318	16a	Section 19: Cumulative Impacts	GEN	Summary of the inadequacies and potential environmental impacts that support the Environmental Review Team's conclusion that OTC should require an EIS: Substantial, irreversible cumulative impacts; Adverse impacts to water resources, caused by the wastewater treatment and stormwater management project components; Short- and long-term impacts to fish, wild, and plant resources as a result of the construction process and facility operation; Adverse effects to the visual character of the site; Gross incompatibility of the proposed project and the existing character to the site and surrounding areas; and Negative impacts to transportation systems and highway safety caused by the increased trip generation and year-round operation of the casino and hotel.	Comment noted; thank you for your comment
319	113	General	GEN	The EAW doesn't address the resort aspect, future plans that are not on the table. They are not forthright with the entire scope of the project. It is not a replacement for the family resort. The skyline will forever be changed by the proposed massive water tower. Nothing has been addressed about the gas station convenience store that accompanies virtually all casinos in the state. Once again, there's more coming with this project. EAW doesn't come forward with the impact to the lake with the shoreland they own. This must be reviewed at the highest level.	There are no future plans developed. White Earth's focus is on building and operating the gaming facility and amenities currently designed within the facility. Purchase of the additional land was to ensure doors did not close on the tribe as acquisition of land after the casino was announced would be cumbersome and over priced.
320	114	General	GEN	Recommends adding into the EAW the fact that Star Lake has been designated a lake of biological significance, ranked as "outstanding." Also have measures identified to protect the lake and water as well as the wildlife that live there.	Star Lake is rated a DNR Lake of Biological Significance. There are four components that are evaluated to determine that rating: aquatic plants, fish, amphibians, and birds. Only one of these components needs to be rated outstanding for the lake to be considered a Lake of Biological Significance. Star Lake is rated moderate for aquatic plants; outstanding for fish; unranked for amphibians, and high for birds. The outstanding rating for fish could be due to one or more factors including populations of walleye, northern pike, tullibee, overall native fish community or fish-based Index of Biological Integrity (IBI). The high rating for birds is likely due to colonial water bird nesting areas, particularly the Red-Necked Grebe. Potential impacts to fisheries and water birds, and mitigation measures, are described in detail elsewhere. The project is not expected to have negative impacts on the natural resources that contribute to Star Lakes rating as a Lake of Biological Concern or to wildlife in general.
321	114	General	GEN	Add how close the building will be to water and future development of the shoreline	For the Trust Land the buildings and equipment enclosures meet the recommended 112'-6" from Star Lakes OHWL. This includes the 50% increase for commercial projects as identified as one path of compliance by the Shoreland Management Ordinance. The fire truck access road/pedestrian path meets the 75' setback with the second path of compliance by the Shoreland Management Ordinance with the use of Vegetative screening. For Fee Land east of CSAH 41 there are no buildings. Parking in this area is approximately 225' from the OHWL, doubling the 112'-6" setback from Star Lakes OHWL. This includes the 50% increase for commercial projects as identified as one path of compliance by the Shoreland Management Ordinance. Additionally, the project will be screened by a berm at the parking lot and vegetation at both the parking lot and the fire truck access road/pedestrian path, as identified as a second path of compliance by the Shoreland Management Ordinance. For Fee Land west of CSAH 41 the setbacks are meet for the 200' from the Unnamed Lake's OHWL.
322	114	Page 31	GEN	The sentence, "in addition, as the tribal trust parcel was landlocked, by purchasing adjacent properties, this allows great access to the rising vegetation for harvesting." This implies boat access to water from the property. When it is a casino, will there be a demand to launch boats to collect wild rice from the property? Where will the disturbance lead? This access will become more obvious and use will increase, potentially harming lakeshore vegetation. Later in the document it mentions that boating traffic may increase. Recommends further describing how much, where, if there will be a demand for a dock, and any plans to address these demands.	This is no change previous usage. Access to the lake has been there since 1938 for ricing purposes. There are no future plans developed. White Earth's focus is on building and operating the gaming facility and amenities currently designed within the facility. Purchase of the additional land was to ensure doors did not close on the tribe as acquisition of land after the casino was announced would be cumbersome and over priced.
323	114	General	GEN	Information is lacking regarding ongoing management of the lands associated with the project. Recommends more detail on how landscaping and grass will be maintained, what type of vegetation would be allowed, how invasive species would be controlled, etc. Recommends including if any of the agricultural areas will be hayed.	All landscaping/grounds keeping will be completed by Shooting Star Grounds Keeping department as it is at the Mahnomen Shooting Star Facility. We will not be applying chemicals like the previous agricultural use of the land did.
324	114	General	GEN	Recommends the use of wildlife friendly erosion control be included in the project. Also recommends the development of a plan for management of invasive species on the property. Any vegetation management on site should have plans to control invasive species.	The plans will include specifications for the use of wildlife friendly erosion control methods. When silt fence is used, to keep sediment within the construction area, there will be plans to remove it after the vegetation has become established. A list (with pictures) of invasive species such as Purple Loosestrife will be provided to the people who do the maintenance of the vegetation on the project.
325	114	Pg 9, Question 9 a. ii.	GEN	Recommends describing how the Limited Star Lake Comprehensive Plan recommendations that are associated with this project will be implemented even though the County did not adopt it as a County Comprehensive Plan. Also recommends describing how the project is compatible with the OTC Local Water Management Plan and with the Star Lake Water Quality Assessment Program or LAP study completed in 2000.	Overall plan implementation is a section in the Star Lake Comprehensive Plan. Stated in the Limited Star Lake Comprehensive Plan in this section are time ranges from short, to medium to long term goals for opportunities of implementation. It recommends zoning regulations currently not in place to be implemented by the most desirable level of local government, Recreation considerations to be included as part of land use regulations, environmental education and land use regulations, Land Use and Transportation recommendations and Community services to be possibly provided such as sewer service connections to replace existing septic systems. These processes should be implemented by local government agencies outside of White Earth Nation (WEN). With regards to transportation plan implementation, local area roadways that are going to see increased traffic as a result of the proposed Star Lake development are proposed to receive increased safety features such as intersection realignments, intersection lighting, turning and bypass lane construction and studies to be conducted on traffic patterns along the regional corridors. These improvements should be initiated by Otter Tail County and if prudent, there is a special assessment process in the Minnesota State Statute 429 procedures where governmental agencies can assess improvement costs to benefitting parcels of land if there are any shared costs to be considered by WEN due to the increased traffic being caused by this development. With respect to the Otter Tail County Local Water Management plan, the proposed project meets the shoreland regulations for development within 1,000 feet of the adjacent lakes, provides the 50' buffer requirement, requirements for topography and erosion during construction, follows all regulations listed under the Drainage portion of the plan including the 1991 Wetlands Conservation Act, NPDES permitting for stormwater runoff control for during and post construction activities among others. The proposed development additionally provides wastewater treatment and disposal that is non-septic without polluting adjacent waters of the state.

326	114	Pg 9, Question 9a. iii.	GEN	<p>Recommends describing the Unnamed Lake NE classification as was done for the General Development Lake classification. Recommends the following language: "Natural Environment Lakes are generally small, often shallow lakes with limited capacities for assimilating the impacts of development and recreational use." Also recommends defining what the setbacks are for sewage treatment facilities for both the NE classification and the General Development classification.</p>	<p>Comment Noted; Minnesota DNR defines a Natural Environment Lakes as "usually having less than 150 total acres, less than 60 acres per mile of shoreline, and less than three dwellings per mile of shoreline. They may have some winter kill of fish; may have shallow, swampy shoreline; and are less than 15 feet deep". The Natural Environment Lake "classification is used to determine lot size, setbacks and, to a certain degree, land uses on the adjacent land. The classification has nothing to do with surface water use of boats or motors, hunting and fishing or fish management. These are governed by other regulations." Sewage Treatment setback recommendation from the Minnesota Pollution Control Agency (MPCA) is to follow the DNR Statewide Minimum Shoreland Standards and the local zoning laws. The DNR recommended setbacks are 150 feet for Natural Environment lake and 75 feet for a General Development lake, for proposed sewage treatment system. Otter Tail County's Shoreland Management Ordinance does not address a sewered system such as that being proposed for this project. Otter Tail County's Shoreland Management Ordinance only addresses un-sewered or septic systems. The Otter Tail County unsewered setbacks are a 10-foot setback for soil treatment areas and a 10-foot for septic tank structures on both Natural Environment and General Development lakes. The project is proposing to have all the Sewage Treatment located beyond the 200'-0". This meets the county's setback requirement for development on Natural Environment lakes and exceeds the DNR's recommendations.</p>
327	114	Pg 16, Question 11 a. i.	GEN	<p>The EAW states that "According to the Minnesota Department of Natural Resources (DNR),...or any outstanding resource value water." DNR recommends correcting according to the below information: MN DNR's NHIS letter states: According to the DNR Habitat and Population Evaluation Team (HAPET) Breeding Pair Accessibility Maps, approximately 21-30 pairs of waterfowl birds per square mile are present in the project area. Also, Star Lake has been identified by DNR as a lake of high outstanding biological significance. These lakes have an exceptional fishery, are important wild rice lakes, have high plant richness and quality, and many contain endangered, threatened, special concern, or several species of lake birds in greatest conservation need. Star Lake has been identified as being highly sensitive to the introduction of phosphorus. The EAW states "Star Lake is identified as by DNR Wildlife as a Wild Rice Lake..." NDR recommends adding information about wild rice lakes and their significance.</p>	<p>Star Lake is rated a DNR Lake of Biological Significance. There are four components that are evaluated to determine that rating: aquatic plants, fish, amphibians, and birds. Only one of these components needs to be rated outstanding for the lake to be considered a Lake of Biological Significance. Star Lake is rated moderate for aquatic plants; outstanding for fish; unranked for amphibians, and high for birds. The outstanding rating for fish could be due to one or more factors including populations of walleye, northern pike, tullibee, overall native fish community or fish-based Index of Biological Integrity (IBI). The high rating for birds is likely due to colonial water bird nesting areas, particularly the Red-Necked Grebe. Potential impacts to fisheries and water birds, and mitigation measures, are described in detail elsewhere. The project is not expected to have negative impacts on the natural resources that contribute to Star Lakes rating as a Lake of Biological C+F413concern. Wild rice is known to occur in the south and west portions of Star Lake. Aerial photograph interpretation suggests there may be over 500 acres of potential wild rice occurrence or habitat in the south bay of the lake, and over 100 acres in the western arm of the lake. The majority of the remainder of the lake is likely too deep for the establishment of wild rice plants. No changes to sulfate levels that would harm wild rice in Star Lake are anticipated from this project.</p>
328	114	Pg 16, Question 11 a. i.	GEN	<p>DNR also recommends the document also clarify that Star Lake has been on MPCA's list of impaired lakes for mercury since 2008, and the lake has an EPA Category of 5, meaning that the lake requires a total maximum daily load (TMDL) plan by 2020. Recommends stating in the EAW how this project would meet a TMDL standard and reference that these are classified as public waters and under DNR jurisdiction.</p>	<p>It is stated that currently Star Lake has been listed on the MPCA's list of impaired waters for mercury. This designation by the MPCA does not currently have any additional treatment requirements. The stormwater ponds are oversized to provide a much greater level of treatment than what is required. Current MIDS standards state for additional removal of contaminants, it is recommended that a 1.1" rain event be designed for. The current pond design is designed to handle a 6.13" rain event. The oversized ponds are designed to provide additional treatment far beyond what is required to help meet future TMDL standards.</p>
329	114	Pg 17, Question 11a. ii.	GEN	<p>Recommends describing the depth to groundwater and groundwater aquifer under the proposed wastewater treatment ponds and measures to ensure those aquifers will not be polluted by the wastewater treatment ponds.</p>	<p>Actual design of the wastewater treatment lagoons has not begun and it is in a conceptual phase at this point. The intent is to have 4' of separation as required by the MPCA between the groundwater and bottom of the lagoons. The ponds will be lined with a PVC liner and there will be a water balance test that the MPCA reviews prior to allowing wastewater in to the pond.</p>
330	114	Page 25	GEN	<p>Discuss the potential for groundwater contamination from construction, there is a potential during construction for the project to reach groundwater. EAW discusses the water level but not contamination potential from oil spills and other construction contaminants.</p>	<p>There may be dewatering operations necessary to construct the foundation/pilings. The Contractor will be responsible for any permitting requirements of the dewatering activities. Additionally, in the areas where the stormwater ponds are to be constructed, it is possible that dewatering may be necessary as well for constructability purposes. The Minnesota Stormwater Manual states that there is a minimum horizontal distance of 35' between a water supply well and the ordinary high water level of a storm water retention pond. This distance is provided in the proposed design. Additionally, the project SWPPP has provisions included in the event of an illicit discharge of pollutants that are not stormwater related such as oil/hydraulic fluid, etc. Spill kits will be on site and immediate containment will be required.</p>
331	114	Page 31, first paragraph under Fish, Wildlife...	GEN	<p>Recommends clarifying DNR or respective committee's role in regulating wild rice harvesting</p>	<p>Even though it is off of the reservation MN legislature enacted a law last session which exempted tribal members from having to obtain a state ricing license. We will continue to follow the MN wild rice harvesting regulations.</p>
332	114	Page 34	GEN	<p>Encouraged that native vegetation is being considered. Recommends using a mix developed by BWSR. This would increase both diversity and likely success of establishment. Also recommends using MNTaxa to determine which native species have been documented in OTC and select appropriate species to use.</p>	<p>Comment Noted: The final selection of seed to restore native vegetation has not been made at this time. The projects intent is to use Native plantings based on current and historical vegetation, seeds and plants appropriate for the soils, and hydrology of the restoration areas. Multiple sources for these natives are available within northwestern Minnesota including: Prairie Land Management, Inc. and Glacial Ridge Growers of Glenwood, Woodland Prairie Specialties of Waubun, and Prairie Restorations, Inc. of Princeton. The project intends to work with the landscape architect and growers to select the native plantings and develop an establishment and maintenance plan in conjunction with an experienced prairie restoration landscape contractor.</p>
333	114	Page 34	GEN	<p>Recommends expanding BMP details in order for appropriate assessment of the impacts. EAW mentions "dark sky lighting" (pg 36) but doesn't provide a reference. DNR recommends adding a reference and explicitly stating what activities/actions are going to be taken, or at a minimum, provide a few examples of BMPs that are being considered because lighting can affect species and their interactions with the habitat. Recommends adding mitigation measures into project planning.</p>	CGA
334	114	Page 36	GEN	<p>Expand the visual section. EAW states the casino and hotel will be visible, but there is no further information to assess the impacts. Because the EAW does not provide details or drawings, the DNR is unable to determine the impacts on the birds from building glass or structure visual effects.</p>	CGA
335	114	Page 38	GEN	<p>Expand the information about generator noise associated with RV parks, such as decibels expected and possible time period. Generator noise can also impact wildlife, and DNR recommends discussing how this noise may disturb wildlife.</p>	<p>Generators used at RV parks normally emit at about 60 decibels. The use of generators at the RV park will have limited hours of operation and noise limits. Emergency power generators to power the facility are typically exercised under load monthly for up to one hour to verify that they are in working order. Emergency generators typically emit noise between 80 and 105 decibels (unshielded, measured at the generator). The 2000 kW site generator will be located in an area that is shielded by buildings or an acoustic wall from direct line-of-sight to the lakeshore to minimize disturbance to wildlife.</p>
336	116	General	GEN	<p>The EAW is deficient because it does not identify the proposer of the Project. It is a required element of an EAW and an essential element in determining the completeness and accuracy of the EAW. Liz Foster-Anderson is listed as a contact person. A contact person may be in addition to, not in lieu of, identification of a project's proposer. As of June 20, 2017 White Earth Enterprises LLC is not, and has never been, registered with the Minnesota Secretary of State as a domestic or foreign company. Without a definite proposer, the Board of Commissioners cannot conduct the due diligence necessary to grant permits, contract for joint services, assess legal liabilities, extract financial assurance, or enforce performance.</p>	<p>1. White Earth Enterprises, LLC is organized under the White Earth tribal Limited Liability Company ordinance and is not required to be registered with the MN Secretary of State. 2. Central Minnesota Land Company, LLC is active with the MN Secretary of State. 3. White Earth Enterprise handles organization and follow through of many project annually, they are fully capable of seeing this project through to completion. White Earth Enterprises wholly owned by White Earth Nation is the owners representative on this project, not one individual.</p>
337	116	General	GEN	<p>The EAW is deficient in identifying the need for and status of required permits. The EAW states that an application for a federal permit to discharge fill material into wetlands was submitted on May 2016. This does not reflect the current status of the federal permitting process. By a letter dated March 24, 2017, the USACE request that the applicant respond within 60 to substantive questions raised by the public comments submitted on the federal permit and demonstrate its ability to meet criteria in the CWA. The unanswered questions establish the potential for significant environmental effects that warrant and EIS.</p>	<p>There were long periods of time after information was submitted to the Corps of Engineers before responses were received back. There were also many updates and revisions to the COE application, with requests for more information after providing what was requested.</p>
338	116	General	GEN	<p>Authorization by the Minnesota Chippewa tribe for the Project on the trust parcel should be demonstrated in a complete social and economic review as part of an EIS.</p>	<p>Comment noted; thank you for your comment</p>
339	116	General	GEN	<p>The project does not comply with standards set forth in the OTC Shoreland Management Ordinance. It does not comply with the SMO vertical setback requirement or impervious surface area limit. The "building" complies with the vertical setback requirement, but the requirement applies to a "structure," not just a building. The parking lot is subject to the requirement. If each separated parts of the parking lots is considered by itself, there are several lots that clearly do not meet the impervious surface coverage limits of the SMO. The failure to meet the impervious surface area limits is presumptively an environmentally significant effect that warrants further study in an EIS.</p>	<p>The project does comply with the Otter Tail Shoreland Management Ordinance for all work located on the county regulated Fee land. While the Shoreland Management Ordinance does not apply to the Trust Land, the project has strived to meet these requirements. The EAW under question 9. Land use, b. Zoning Compatibility, address how the project complies with requirements as identified in the Otter Tail County Shoreland Management Ordinance. The buildings and equipment enclosures meet the Shoreland Management Ordinance's Vertical Separation for the Lowest Floor Elevation Requirements – elevation must be 3 feet above the OHWL or highest known water level – the lowest floor level of the development is at 1335 which is 3.8 ft above Star Lake's highest known water level (HKWL) (1331.2) and 5.5 feet above Star Lake's OHWL (1329.5.) The fire truck access road/pedestrian path, on Trust Land, is located above the highest known water level. For the Trust Land buildings and equipment enclosures meet the recommended 112'-6" from Star Lakes OHWL. This includes the 50% increase for commercial projects as identified as one path of compliance by the Shoreland Management Ordinance. The fire truck access road/pedestrian path meets the 75' set back with the second path of compliance by the Shoreland Management Ordinance with the use of Vegetative screening. For Fee Land east of CSAH 41 there are no buildings. Parking in this area is approximately 225' from the OHWL, doubling the 112'-6" setback from Star Lakes OHWL. This includes the 50% increase for commercial projects as identified as one path of compliance by the Shoreland Management Ordinance. Additionally, the project will be screened by a berm at the parking lot and vegetation at both the parking lot and the fire truck access road/pedestrian path, as identified as a second path of compliance by the Shoreland Management Ordinance. For Fee Land west of CSAH 41 the setbacks are meet for the 200' from the Unnamed Lake's OHWL. Based on the project team's confirming consultation with the Otter Tail County's Land and Resource Management staff, it is appropriate for calculation of impervious surface to be made based on the project area that do not have a physical separation such as a right-of-way or a hill, and not by individual parcels. This methodology divided the project into two areas within the Shoreland Management District; areas east of CSAH 41 and west of CSAH 41. The Fee Land is below the impervious surface maximum. When Fee and Trust Land are considered as a whole, based on this methodology, the impervious surface east of CSAH 41 is also below the impervious surface maximum. As a whole the impervious surface is below the allowed impervious surface maximum and does not have environmentally significant effect.</p>
340	116	General	GEN	<p>The EAW is deficient in its review of historical and archeological resources. Failed to account for a previously identified archeologically significant site in the "area of impact" - right in the center of the proposed casino project. Blondo, who did the archeological survey, did not identify a previously recorded site - site 21-OT-95 - that is located directly in the area of impact for the casino project. (Referenced a 2016 Merject report that identified this site)</p>	<p>Blondo prepared addendum to their original report in December 2016 acknowledging previously-recorded site. Blondo continues to recommend no additional cultural resource work be required at the project site.</p>
341	116	General	GEN	<p>Environmental review of the project should include necessary improvements to public safety services that are connected actions. The EAW does not take into account the limited availability of local resources to provide emergency services or the environmental impact of the projected annual 200 to 275 calls for and trips to the Project area for such services.</p>	<p>White Earth plans to partner with county law enforcement, local emergency services, as well as provide in house first responders.</p>
342	116	Page 27	GEN	<p>Anticipated increased use of the lake needs further study. The EAW states that no significant change in the number or type of watercraft is expected, yet the Limited Area Star Lake Comprehensive plan characterizes the project as lake-oriented, "The Star Lake development is intended to have more of a north woods lodge environment and an atmosphere that caters to families and lake enthusiasts."</p>	<p>Motel/hotels in Greater Minnesota often decorate their lobby in a way that gives the aura of a North-Country Lodge so that patrons can feel like they are "at the lake" without actually being at a physical lake. By living vicariously through the surroundings within a lodge, a person does not have to be physically on a lake to feel like they are "at the lake." There is no doubt that there will be some increase in boaters on Star Lake, however most RV travellers do not bring a boat unless they are heading to a destination such as Leech Lake, Winni, Lake of the Woods, Vermilion, or some other walleye/musky destination where good action on walleyes or muskies is almost expected. Star Lake is a difficult lake to catch walleyes, so the destination angler would likely prefer to go to Leech, Winni, or Lake of the Woods instead. Star Lake is also a relatively small lake compared to Vermilion, where boaters can travel for hours at full speed to see new views. Therefore, the likelihood is small that boat traffic on Star Lake will increase substantially; currently there are approximately 443 docks and 455 boat lifts or boats observed on the MntOPO background aerial photo.</p>
343	118	General	GEN	<p>I have seen what Metro lakes have turned into. With restrictions on limits of fish a person may safely consume. Vast plumes of algae from street run-off. And, the proliferation of invasive species. Throughout central Minnesota, added human footprints on lakes like Mille Lacs and the chain lakes has again introduced over and over a proliferation of invasive species to our valued lakes and wetlands. The revenue generated by the casino to the county will be a short-lived boon before surrounding land will inevitably be depressed of value. Call for an EIS.</p>	<p>Comment noted; thank you for your comment</p>

344	119	General	GEN	There is a fifteen-acre lot on the project site that will be cut down. We know shoreline trees are vitally important to the health of the lake as they prevent erosion and keep run-off from going into the lake. Half of the land is agricultural, though the EAW characterizes the whole project area as agricultural.	The first project configuration had far less tree loss as more of the project was planned to be within the row cropped field and farmstead areas to the west of the current plan; it was considered by wetlands reviewers to have too much wetland impact, so the current alternative was provided. Much of the wooded area within the proposed footprint of the project was pioneer trees that commonly grow in farmsteads, such as box elder, trembling aspen, cottonwood, and some red oak. It has been determined that herbaceous vegetation is better at stopping erosion because there are far more stems per square foot as compared with wooded areas with a strong canopy that shades light to the forest floor. Much of the wooded area had been pasture land, which would technically be agricultural, and a large part of the project area is an old farmstead with multiple barns, houses, and out buildings.
345	119	Section 15	GEN	The EAW states that "no known scenic views or vistas are located in proximity of the project and the surrounding area." I believe residents would strongly disagree. Both nearby roads MN-108 and CH-24 are designated as Scenic Byways.	The proposed project will not be visible from either TH 108 or CSAH 24
346	119	General	GEN	The EAW references only one connected action - the cumulative environmental impact of the whole project must be considered. Any anticipated action on the fee land parcel north of 380th street is a connected action. The EAW glosses over other anticipated future projects on the fee lands mentioned at the public meetings; a golf course, marina, and waterpark, which would have major environmental consequences.	There are no future plans developed. White Earth's focus is on building and operating the gaming facility and amenities currently designed within the facility. Purchase of the additional land was to ensure doors did not close on the tribe as acquisition of land after the casino was announced would be cumbersome and over priced. The only potential could be a future golf course which is not inconsistent with the surroundings.
347	119	General	GEN	The EAW fails to mention that Star Lake is ranked by the DNR as a lake of Outstanding Biological Significance.	Star Lake is rated a DNR Lake of Biological Significance. There are four components that are evaluated to determine that rating: aquatic plants, fish, amphibians, and birds. Only one of these components needs to be rated outstanding for the lake to be considered a Lake of Biological Significance. Star Lake is rated moderate for aquatic plants; outstanding for fish; unranked for amphibians, and high for birds. The outstanding rating for fish could be due to one or more factors including populations of walleye, northern pike, tullibee, overall native fish community or fish-based Index of Biological Integrity (IBI). The high rating for birds is likely due to colonial water bird nesting areas, particularly the Red-Necked Grebe. Potential impacts to fisheries and water birds, and mitigation measures, are described in detail elsewhere. The project is not expected to have negative impacts on the natural resources that contribute to Star Lakes rating as a Lake of Biological Concern.
348	119	General	GEN	Light pollution will ruin the brilliant night sky. In Otter Tail county we value our rural heritage, and especially the abundant wildlife and scenic beauty.	The development will be using best practices for Dark Sky Lighting to reduce impact on night sky, to adjacent properties by lighting trespass and nocturnal wildlife. Dark Sky practices included reduce lighting levels, downward directed lighting fixtures, lower mounting height, and lighting colors below 3,000 Kelvin. Additional site lighting information and photometric is part of the Conditional Use Permit and will be provided with that application.
349	120	General	GEN	I am opposed to the whole project. However, if it is going to happen, I would like to make sure it has as little impact on the environment as possible. It is really concerning when you are talking about filling in wetlands and developing on almost three hundred acres. This would destroy wildlife habitat and putting in such a large development is shocking. The water treatment facility is very concerning. Where could it possibly go? The water runoff alone from the parking lots and RVs is going to have a huge impact on the lake and wildlife around it.	The runoff from impervious surfaces to be constructed will be routed through stormwater ponding that is oversized as compared to the MPCA requirements to prevent contamination of the environment from stormwater runoff pollutants. The discharge rate of the ponds will be released at a very reduced rate as shown in the stormwater modeling of the ponds. Wetlands are being mitigated by the US Army Corps for the Tribal Trust Land and through the State of MN for the fee land and all mitigation requirements of these two agencies are being followed.
350	121	General	GEN	Resulting traffic increases on both roads and lake will have negative long term impacts on residents. Why purchase all the shoreline on the North side of their property if they do not have long range plans to put in a marina? Not considering those impacts as well ignores the possible impact to that shoreline and fish hatchery.	There are no future plans developed. White Earth's focus is on building and operating the gaming facility and amenities currently designed within the facility. Purchase of the additional land was to ensure doors did not close on the tribe as acquisition of land after the casino was announced would be cumbersome and over priced. The only potential could be a future golf course which is not inconsistent with the surroundings.
351	122	General	GEN	As the elected leaders of OTC, I am sure you realize the decisions that you make concerning this project will affect many lives for years to come. While the project may generate revenue for OTC, I fear the damage done to Star Lake, the surrounding area, and the residents of not only the Star Lake area but all of OTC will outweigh any benefits.	OTC
352	123	General	GEN	The circumstances surrounding the development can hardly be construed as benefitting the involved tribe or the local community. Nor is the development likely to present a positive image for tribal gaming moving ahead.	Comment noted; thank you for your comment
353	123	General	GEN	Minnesota's tribal gaming market is already widely considered to be saturated, with more than 20 casinos in a state of 5.5 million people. The area is sparsely populated except during the summer month. The proposed site is literally in the middle of nowhere. The location raises the obvious questions of where the gamblers will come from and how they will get to the casino. There are other, better-located convention resorts in the county with more local cachet that are having difficulty staying afloat as it is. Is there even room in the market for a newer and flashier property that offers gambling?	We are confident that there is. There are many casinos in the state of MN that are located in the middle of nowhere. A feasibility study was conducted by a reputable company and shows the profitability of the project. Also, the other convention resorts cannot offer gaming.
354	124	General	GEN	One significant shortcoming of the EAW is the project description which describes this as being one project. However later in the EAW it is discussed as two projects, one on trust land and one on fee land. Which is it, one project or two?	The project was listed this way due to the unique nature of the land. This is one project however, the characteristics of fee land and tribal trust land provide a unique situation which deemed it as two separate projects and two jurisdictions.
355	125	Project Description, Letter E	GEN	The answer to the question of if there were future stages of the development was "yes" yet there is no further description of future stages. The State law requires all stages be considered one project to be reviewed at the same time, not reviewed once they've decided to build on them.	There are no future plans developed. White Earth's focus is on building and operating the gaming facility and amenities currently designed within the facility. Purchase of the additional land was to ensure doors did not close on the tribe as acquisition of land after the casino was announced would be cumbersome and over priced. The only potential could be a future golf course which is not inconsistent with the surroundings.
356	125	General	GEN	They are well above the impervious surface allowance on the Trust Land. It is well documented that impervious surfaces have detrimental impacts on the waters in the State of MN.	There is not a restriction on the impervious surface for the Trust Land. Regardless, the project is looking at the impervious surface as at total of both the Trust and Fee land and the combined impervious surface is below the allowed maximum. This identified in the EAW, under 7. Cover Type and 9. Land Use, B. Zoning Compatibility.
357	126	General	GEN	Concerns about water quality and fishing being impacted by construction. The fill needed to advance the construction project will destroy 8 acres of spawning beds and wild rice. These acres will cease to exist, putting wetlands somewhere else doesn't replace them. Runoff from the parking lots will impact water quality. This will further negatively impact the lake by introducing oil, antifreeze, gas, and other hazardous chemical to the lake in much larger quantities than are presently found there.	It appears that the water quality had been degrading from the past livestock and row crop farming use of this property next to the lake; routing stormwater through stormwater ponds is a benefit to the environment as it is designed to reduce nutrient load and sequester/break down pollutants. The stormwater ponds will do a better job of attenuating (slowing) storm runoff flow rates and removing nutrients/pollutants as there are longer retention times for the water. The acreage of the stormwater ponds is a little less than the impact acreage, but is not claimed as "wetland credit." Replacement follows the State and Federal guidelines and rules. Within the stormwater ponds, there are little known zooplankton called Archaea that break down petroleum products better than we originally realized was possible. Stormwater treatment ponds are surprisingly effective at precipitating, sequestering, breaking down, and extracting nutrients and pollutants.
358	126	General	GEN	Greatest concern is for waste management and disposal. The proposed method of waste treatment is not an ideal solution. Lagoons will affect water and air quality. The location means pungent and unwelcome odor will be spread over most of the lake during the spring, summer, and fall months, when the winds come from the southwest (where lagoons are proposed to go). A drain field would have much less impact on the air quality. The lagoons proximity to the unnamed lake could cause that lake to be polluted and would spread pollution to the surrounding area.	A Rapid Infiltration Basin method of discharging treated wastewater was explored and it was found that the soils were inadequate to take the amount of effluent that will be produced. The waste will be pretreated with aeration before it is discharged to the lagoons which will also be aerated. This aeration provides oxygen to the water to avoid anaerobic digestion of the waste which is what produces odors. There will be back up power generation to the blower building to ensure that the treatment process is aerating the waste from the site without fail. The lagoons will be lined with a PVC liner and a water balance test will be conducted and submitted for approval to the MPCA for permitting and no wastewater will be allowed to discharge to the lagoons until they have analyzed the data and issued the permit. An additional 3' height of the diking around the ponds will be provided to prevent any potential overtopping of the lagoons and there is no watershed for the lagoons so no stormwater runoff will be allowed to enter them. The treated wastewater will be irrigated across CSAH 41 from the unnamed lake so no waste will enter in to the untreated lake.
359	16A	Section 4 Reason for EAW Preparation	GEN	Other developments of similar scale, intensity, or use were either denied a Conditional Use Permit or required to complete a full EIS as an EAW was determined to be insufficient. Examples: Blue Heron Bay Project and a 30-unit RV park on the west arm of Star Lake. Noted similar impacts to water resources, fish and wildlife, increased traffic, air pollution, and impacts to the surrounding environment.	Comment noted; thank you for your comment
360	128	General	GEN	Environmental concerns with water runoff/wastewater, light pollution, and critical habitat for migratory birds and fish are a few of the many reasons we have [for] such a large proposed development.	With the previous land use of a concentrated livestock barnyard and row crop farming having nutrient rich water flow directly into Star Lake, the planned land use is much cleaner as water is directed through stormwater ponds. The lighting is designed to stay contained in the area. The critical habitat to migratory birds is out away from the shoreline as most of the footprint of the proposed project is within a long-time farmstead with wetlands degraded from livestock use, drainage, and row crop farming. The expected improvement of water quality from an expected reduction in nutrient load (from the stormwater ponds) is expected to benefit fish by helping reduce nuisance algal blooms.
178	58	Item 6	GEN	The immense size and building it on wetlands. What happens if the project proposer runs out of money and cannot finish the project or the gaming industry goes bottom up and they are forced to close the casino. Would the neighboring community be left with a large building, parking lot and wastewater treatment pond sit there as an eye sore?	A Feasibility study was conducted for White Earth by an industry leader in performing the research. White Earth would not be pursuing the project if they knew it would not be profitable and further the self sufficiency of the tribe. Lenders are satisfied with the feasibility study that has been provided.
21	11	General	EIS	Homeowner who petitions that the County Board requires an Environmental Impact Statement (EIS) to protect wildlife, bird species, and the water.	Comment noted; thank you for your comment
25	12	Page 3, Project Description b.	EIS	The Scope alone should require a full EIS. Many parts of the Plan are incomplete. No analysis of traffic impact of required workforce, need for additional housing for both temporary construction workforce and the permanent casino staff. How will the construction crews handle waste and water accommodations (more mobile home parks created to fit this need)? A full EIS would cover this.	The commenter's concern is socio-economic in nature, a topic that is outside the scope of the Environmental Assessment Worksheet.
26	12	Page 27	EIS	Neither the EAW or Limited Area Plan has done a complete analysis of the increased use of Star Lake waters (in reference to increased boat traffic). It's reasonable to believe there will be an increase in jet ski, pontoon, and boat traffic, which may introduce invasive species and puts pressure on lake fishing and water resources. A full EIS is needed to analyze this issue.	With around 450 boat lifts or observed boats tied up to docks around Star Lake, there already is a high amount of use by the existing boaters on the lake. What is likely the biggest threat to Star Lake is AIS; unfortunately, the problem is already in the Otter Tail Lakes region no matter if the project goes forward or not. According to the MnDNR List of Infested Waters June 2017, the following lakes in Otter Tail County have Zebra Mussel: Adley, Bass, Dayton Hollow Reservoir, East Lost, East Spirit, Fish, Franklin, Kerbs, Lida (North and South), Little McDonald, Little Pelican, Lizzie, Mill Pond, Orwell Reservoir, Otter Tail, Pelican, Prairie, Rose, Rusch, Sybil, Venstrom, and West Battle. It is recommended that Otter Tail County establish a boat cleaning station to slow the spread of AIS, especially with the recent spread of zebra mussel, spiny waterflea, faucet snail, and Eurasian watermilfoil.

27	12	Page 39	EIS	There is no reference in the EAW to the additional workforce traffic nor any data on the increase in area roads for issues like DUI drivers. The project includes a 216-seat bar with 979 parking spots and RV traffic. What does that mean for increased impaired drivers on area roads? In addition, the data on crime increase related to casinos, security cost, and emergency medical services are NOT well identified in the plans thus far - these should be part of an EIS requirement.	The commenter's concern is socio-economic in nature, a topic that is outside the scope of the Environmental Assessment Worksheet.
28	12	General	EIS	Overall I do not feel the EAW as submitted has sufficient detail to justify approval of the project. A full and complete EIS should be a minimum requirement for a project with this magnitude of environmental impact.	Comment noted; thank you for your comment
38	13	General	EIS	Overall: Please do the right thing and require an Environmental Impact Study Where would workers come from to support the Star Lake Casino as the White Earth Reservation is some 60 miles from the proposed Star Lake Casino?	The commenter's concern is socio-economic in nature, a topic that is outside the scope of the Environmental Assessment Worksheet.
41	15	General	EIS	We would all be remiss if we did not agree that there is a need for an EIS.	Comment noted; thank you for your comment
42	16a	General	EIS	Hired EOR to complete an evaluation of the EAW, result: "It is the expert opinion of EOR, as well as SLCCG, that Otter Tail County should require the developer to conduct an Environmental Impact Statement (EIS) to avoid irreparable impacts to the natural and human environments in and around the project site." Tyler submitted the full evaluation for the Commissioners to review.	Comment noted; thank you for your comment
43	16b	General	EIS	USACE has "Closed" the file on the Dredge and Fill Permit application filed by the developer last fall. SLCCG does not fully understand the full legal implications of this, but do feel it warrants your attention. It also feels like a slight to the many good citizens who took the time and effort to provide an approximate 130+ comment letters during the comment period. More specifically, the SLCCG respectfully submits that without the require "Dredge and Fill Permit," Otter Tail County should issue a positive declaration for an Environmental Impact Statement to provide the full due diligence that this matter deserves.	Comment noted; thank you for your comment
48	18	General	EIS	USACE closed the file on the Dredge and Fill Permit due to lack of response from White Earth Nation. The Pine Point alternative site would have better economic potential, yet this point was omitted from the applications submitted for the Star Lake Casino site. In the CWA, guidelines require that the applicant demonstrate there are no practical alternatives with less adverse impacts on the environment.	Army Corps of Engineers was aware that White Earth Nations responses would be received after the 30 day period closed. The Army Corps of Engineers can open and close the comment period at their discretion. They received White Earth Nation's response and acknowledge receipt of the responses. All areas within the main body of the White Earth Reservation were part of the feasibility study. Through the study it was learned there were no locations suitable for a facility larger than a small satellite that would be profitable. The star Lake location has the greatest potential for incremental revenue to the tribe furthering self-sufficiency. No other White Earth land would provide this opportunity, this is a finding in the feasibility study.
48	18	General	EIS	A 12.4-acre lakeshore parcel was not included. This was to get around lakeshore ordinances (others have been denied doing the same thing), and USACE asked for responses to this and received none.	Page 1 of the EAW is missing parcel number 56000100070000. The acreage of this parcel north of 380th street is included in the acreage areas identified on the subsequent pages including in the table on page 5 and 7 of the EAW. A correction should be made to 6. Project Description on page 3 to identify six adjoining properties in lieu of the five currently indicated. Additionally Figures need to be update to include the parcel north of 380th street, especially 2, 3, 7, 12, and 13.
48	18	General	EIS	An EIS must be done.	Comment noted; thank you for your comment
56	20	General	EIS	This project needs an EIS. This response does not constitute approval by the MPCA.	Comment noted; thank you for your comment
72	22	General	EIS	This project requires an EIS because it will have significant environmental effects on water quality from Star Lake to Otter Tail River and beyond. The EAW of record has numerous errors, omissions, and speculative unsubstantiated conclusions.	Comment noted; thank you for your comment
73	22	Page 31	EIS	The fact that "minimal information available" is the very reason why a more in-depth analysis required by an EIS should be ordered.	Comment noted; thank you for your comment
78	23	Pg. 5, paragraph 6c - Project Magnitude	EIS	Gross floor space is 277,000 square feet according to the EAW. MN Rule 4410.4400 says an EIS must be required on any area above 250,000	The trust land is not subject to MN Rule 4410.4400. The 277,000 building is located on the Trust Land.
80	24	General	EIS	The EAW is superficial in nature, it does not address detailed technical concerns, such as: Impact on site prep and ore samples needed for ground stabilization. Moderate risk of the ground settling and the building being condemned. Preventing erosion is critical. The ground will shift if too much pressure is exerted in winter and if ice gets thick, the impact on a breach here would be devastating. No technical information on the construction process let alone the total impact on the lake during construction and site prep. I have never seen such a weak and superficial report on the environment on the impact on a proposed major construction project. This is simply an attempt to overlook the details and take huge risks with a significant area lake and furthermore with the impact on Dead Lake too. Demand the more detailed environmental study.	Comment noted; thank you for your comment
88	27	General	EIS	It is my hope that an EIS be conducted before the proposed casino project is approved. Environmental, social, and economic risks have been explored and the results demand further review of this project. To ignore the risks and grant project approval before conducting a thorough study would be nothing short of criminal, in my opinion.	Comment noted; thank you for your comment
115	40	General	EIS	This project begs to be expanded to a full EIS to ensure all impacts on the community as a whole are taken under consideration.	Comment noted; thank you for your comment
116	40	General	EIS	A full EIS is needed on the potential impact of the entire plan (future builds) not just Phase I	Comment noted; thank you for your comment
128	45	General	EIS	You will hear tonight many convincing arguments why this project will potentially-most probably-result in significant adverse environmental effects. Many of which the Minnesota Environmental Rules mandate the RGU (OTC) to call for a full environmental impact statement.	Comment noted; thank you for your comment
129	45	General	EIS	In your role as RGU, you are required to look at the full cumulative effects of the total project. This is a HUGE project that proposes to operate 24-7-365 that will forever change the environment and the fabric of the rural countryside. An EIS provides the opportunity to thoroughly examine alternatives with the facts and science that minimize adverse environmental impacts.	OTC
130	45	General	EIS	Their project screams for an EIS, among other things, would explicitly call for and examination of alternative configurations and their environmental impacts. It would also allow the proposers to disclose their subsequent plans for the shoreline property on the big lake that they have not addressed.	Comment noted; thank you for your comment
141	49	Item 6 page 3 Item 6 page 4	EIS	The commercial building area proposed is 277,000. Doesn't this already require an EIS? WEN states they would use revenues for this casino "to fund the restoration and preservation of cultural sites within WEN such as the tribal museum and historic burial grounds." Has the WEN already used their revenues from existing casinos for these cultural sites?	The trust land is not subject to MN Rule 4410.4400. The 277,000 building is located on the Trust Land. Yes, IGRA is in place to provide gaming for tribes to promote self sufficiency and improve cultural sites. In particular the White Earth government uses gaming proceeds to fund the cultural preservation office.
142	49	Item 6 page 4	EIS	Are future stages planned? Yes. Increases in gaming area, expansion of RV parking, addition of rented cabins and/or a golf course -Then, OTC needs to consider these future plans in their decision about calling for an EIS	There are no future plans developed. White Earth's focus is on building and operating the gaming facility and amenities currently designed within the facility. Purchase of the additional land was to ensure doors did not close on the tribe as acquisition of land after the casino was announced would be cumbersome and over priced. The only potential could be a future golf course which is not inconsistent with the surroundings. However, this is not in the proposed plan and no design has been commissioned.
148	50	General	EIS	...We won't reiterate all these issues here, however, the most significant, in our opinion, relates to this project's cumulative effects and connected actions. If there were ever a project that needed an EIS, this would be it. After all, this would be the largest commercial development of its kind in OTC and is being proposed directly on top of a centuries old, Star Lake wetland area. Those two factors alone are clearly enough to warrant an EIS to insure a complete environmental review is properly conducted.	The majority of the land on which the project is located was previously a farmstead with land use that included mown bluegrass, former livestock pasture, multiple barns, multiple homes, exposed dirt driveways, row crop farmland, and wetlands degraded by livestock containment and row crop farming.
149	50	General	EIS	This commercial development is currently being proposed on top of a very sensitive wetland area on Star Lake's south basin. As such, this proposed project must receive the most thorough environmental review possible, an Environmental Impact Statement (EIS), to ensure Star lake and its watershed are protected.	It is for this reason that the current plan calls for the pre-treatment of stormwater so that water will not continue to wash in nutrient from former barnyard pasture land and exposed soil row crop farmland.
150	50	General	EIS	An EIS is obviously the only way to fully insure the potential for significant environmental impact is thoroughly investigated and all the risks identified allowing proper mitigation activities to take place. An EIS would protect everyone involved, the Otter Tail County Officials, the Otter Tail County Taxpayers, the People of the White Earth Nation, and the most importantly, the entire Star Lake watershed for future generations to come. There is simply no sound reason to put all this at risk by not ordering an EIS.	Comment noted; thank you for your comment
151	50	General	EIS	In addition, the Star Lake Casino proposal. If built, would be the largest commercial development of its type ever completed in Otter Tail County. Per the EAW, this projects commercial development area is stated as being -277,000 sq. ft. Under Minnesota Rules 4410.4400 subp. 11.B, an EIS is mandatory for construction in an unincorporated area of a commercial facility that exceeds 250,000 square feet of gross floor space.	Comment Noted - The trust land is not subject to MN Rule 4410.4400. The 277,000 building is located on the Trust Land. Comment Noted - The trust land is not subject to MN Rule 4410.4400. The 277,000 building is located on the Trust Land.
154	51	General	EIS	Environmental Impact Statement is necessary. Mr. Kalar and Otter Tail County Commissioners, the proposal to develop a casino on the shore of the South Bay of Star Lake will forever negatively impact the water quality of the lake, the rural character of the area, the amazing night sky and the safety of the surrounding County roads. For these reasons, it is vitally important that all potential impacts to the lake and surrounding landscape be studied through an Environmental Impact Statement - It is your duty to explore every impact of this, the largest proposed development in this area of Otter Tail County. Requiring an Environmental Impact Statement will help determine what impacts this development proposal will have on Star Lake and the rural area surrounding it.	Comment noted; thank you for your comment

163	53	Item 6c Page 5	EIS	MN Rules 4410.4400 provide a lot of specifics related to "EIS Thresholds", one of which is subp 1 "An EIS must be prepared for projects that exceed the threshold of 250,000 square feet..." - However, in the EAW the proposer states the square footage planned as 277,000 square feet. Well, above the stated EIS Threshold, and in of itself, should warrant an Environmental Impact Statement.	The trust land is not subject to MN Rule 4410.4400. The 277,000 buidling is located on the Trust Land.
164	54	General	EIS	Range of Alternatives: Because of ALL the potential issues associated with this very large and complex project, an EIS would result In analyzing the data associated with a "Range of Alternatives to the proposed action. Alternatives are considered the "heart" of the EIS. Every EIS is required to analyze a No Action Alternative, in addition to the range of alternatives presented for study. The No Action Alternative identifies the expected environmental impacts in the future if existing conditions were left as is with no action taken." There are so many angles and considerations to this project; we owe it to all impacted people (residents, visitors, tribal members, taxpayers) and the environment to fully analyze all possible and reasonable alternatives.	Comment noted; thank you for your comment
167	55	General	EIS	Star Lake Township (SLT) recognizes that the proposed casino project is complex and controversial, with many stakeholders involved...to that end, it is our belief that our primary responsibility is to Star Lake Township residents (i.e. voters), the people & families that live and thrive here on a year-round basis, those that call Star Lake Township "home". Secondly, we must also do what we can to protect the rights of all of our property owners/tax payers - those new and old. It is with these thoughts in mind, that the SLT Board of Supervisors respectfully requests that you insure that this matter receive the most stringent level of environmental review, as well as a review of the socio-economic and public safety concerns involved. It is our understanding that to do so, requires completion of an Environmental Impact Statement (EIS). We believe to do anything less would be a disservice to our citizens, property owners, and our stewardship of the natural resources of Star Lake Township. We thank you for your careful consideration.	Comment noted; thank you for your comment
192	60	General	EIS	I do not see how this project can be allowed to continue without an EIS.	Comment noted; thank you for your comment
198	64	General	EIS	A full study must be done. An evaluation will consider light, noise, and traffic on the surrounding community.	Comment Noted - Lighting - The development will be using best practices for Dark Sky Lighting to reduce impact on night sky, to adjacent properties by lighting trespass and nocturnal wildlife. Dark Sky practices included reduce lighting levels, downward directed lighting fixtures, lower mounting height, and lighting colors below 3,000 Kelvin. Additional site lighting information and photometric is part of the Conditional Use Permit and will be provided with that application.
199	65	General	EIS	The SLT Board respectfully requests that you ensure this matter receives the most stringent level of environmental, socio-economic, and public safety concern review through the completion of an EIS.	Comment noted; thank you for your comment
200	66	General	EIS	Otter Tail County should conduct an EIS	Comment noted; thank you for your comment
203	66	General	EIS	We request a full EIS be completed before any business venture begins in this area.	Comment noted; thank you for your comment
204	67	General	EIS	If ever an EIS is required, this is it!	Comment noted; thank you for your comment
221	70	General	EIS	The casino will forever negatively impact the water quality of the lake, rural character of the area, amazing night sky, and safety of the surrounding. It is very important that all potential impacts of the lake and surrounding landscape are studied through an EIS.	Comment noted; thank you for your comment
237	79	General	EIS	You must order an EIS.	Comment noted; thank you for your comment
239	80	General	EIS	An EIS is what I would refer to as cheap insurance. This needs to be an EIS.	Comment noted; thank you for your comment
246	84	General	EIS	General aspects that can be evaluated by an EIS: Social and economic impacts - Impacts on residents and visitors as well as the WEN. Submission of a financial plan. Propose evidence that there's sufficient funding to see the project to completion Range of alternatives	Comment noted; thank you for your comment
283	115	General	EIS	Asking for a complete thorough EIS to be considered. If an already established dwelling on a lake needs to go through so much red tape (permits) for the well being of that lake, then a casino should most definitely need much more assessment than that. It is destroying nature, please seriously consider a full environmental study for this project.	Comment noted; thank you for your comment
284	117	General	EIS	The Minnesota rules state that an EIS shall be ordered for projects that "have the potential for significant environmental effects." It is extremely clear to me that the proposed Casino development has the definite potential for significant environmental effects. I have read the report from USACE regarding the wetland alteration permit; I have read the DNR comments regarding the EAW; and I have read teh recent detailed technical report on teh EAW prepared by EOR. I urge you tot take the step of calling for an EIS on this proposed project.	Comment noted; thank you for your comment
285	119	General	EIS	There may be solutions that would mitigate these factors, but analysis of those alternativews will not happen without an eIS. Elevating this process to an EIS would reassure us that every possible measure is being taken to protect these valuable natural assets, our wildlife, and our sensitive wetland areas.	Comment noted; thank you for your comment
286	124	General	EIS	Based on the fact that the proposed Star Lake Casino is the largest commercial development of its kind in OTC and has great potential for significant environmental impacts, this project should require an EIS.	Comment noted; thank you for your comment
287	124	General	EIS	The only way to truly protect the OTC Board of Commissioners, the OTC taxpayers, the People of WEN, and most importantly, the entire Star Lake watershed, would be to order an EIS.	Comment noted; thank you for your comment
288	125	General	EIS	The cummlative effects these expansion have will only exacerbate the negative environmental impacts to Star Lake and therefore this EAW shall be elevated to an EIS. The County Commissioners alone cannot properly evaluate the total impact. By elevating this to an EIS, the proposer should develop their plans to include all possible phases and be evaluated as ONE project.	Comment noted; thank you for your comment
289	127	General	EIS	We at least need a full EIS for us to understand what we will be forfeiting when we choose gambling over the natural environment of Star Lake.	Comment noted; thank you for your comment
290	128	General	EIS	We truly believe that when the EIS is conducted, there will be proof of the influence of a huge cinso-resort complex will destroy the immediate and surrounding areas of land and lakeshore habitats. A completed EIS identifying the entire environmental, infrastructure, social, medical, emergency service, security, transportation, and tax implications of such a major development is what we feel is needed. We ask you approve a ful EIS for the future of Star Lake.	Comment noted; thank you for your comment
168	56	General	EIS	(Owns properties on west arm of Star Lake) Urges an EIS, as the EAW understates concerns of the project. The size of the project and potential impacts of the environment as currently proposed and cumulative effects of futures development; increased traffic; treatment of wastewater not fully considered; light pollution (partially addressed); and signage, which can be intrusive, has not been address; are some of these concerns. An EIS would mitigate some of the negative effects with better planning and/or alternatives.	Comment Noted - Lighting - The development will be using best practices for Dark Sky Lighting to reduce impact on night sky, to adjacent properties by lighting trespass and nocturnal wildlife. Dark Sky practices included reduce lighting levels, downward directed lighting fixtures, lower mounting height, and lighting colors below 3,000 Kelvin. Additional site lighting information and photometric is part of the Conditional Use Permit and will be provided with that application. The project has already undergone environmental review from State and Federal reviewers. The current plan has incorporated many things from that environmental review.
170	57	General	EIS	"I think a project of this scope, and with this potential for environmental problems, absolutely warrants an EIS and I hope that will be put in the decision."	Comment noted; thank you for your comment
179	58	General	EIS	[Resident of Star Lake for past 36 years] Request for EIS for the proposed development on Star Lake. (see specific EAW comments)	Comment noted; thank you for your comment
258	92	General	EIS	A social impact statement must be done along with an EIS.	Comment noted; thank you for your comment
274	106	General	EIS	We need a mandatory EIS to address our concerns.	Comment noted; thank you for your comment
6	3	pg 10	LU	Comparison to Black Bear Casino is not an equal comparison	Comment noted; thank you for your comment
7	3	pg 26	LU	It would be realistic to anticipate significant increased boats on the lake from fishing opener through Memorial Day as well as other popular Holiday weekends throughout the summer.	Comment noted; thank you for your comment
29	12	Page 8, 9. Land Use	LU	In response to 9.a.i., this is truly a wetland and wildlife habitat area due to animals living there year round. In response to 9.b., a large, lighted casino with a parking lot and RV park does not fit a reasonable definition of "rural." There is existing research on the impact of casino development on property values, local economies, and communities but no references to them in the LASLCP or EAW.	Baxandall and Sacerdote Study (2005) used a database covering 365 Indian casinos located in 156 different counties in 26 separate states to examine the county-level impacts of an Indian-owned casino. One problem with the study was that the level of analysis was at the county rather than the Census tract level, so they obtained mixed conclusions. Median home prices in counties with casinos were approximately 2 percent higher than those in non-casino counties. However, this effect appears to have been bifurcated by county size. Casinos appear to have brought increased prosperity to low-population, rural counties, resulting in home price increases—probably due to rising incomes in depressed areas. However, in comparisons among high-population/urban counties with and without casinos, the authors found no difference in home price changes. Michael Wenz (2007) performed an econometric analysis of the net impact of casinos on residential property values, using data on 358 casinos operating in 28 states, excluding Nevada. The study was subject to several limitations, which raise questions about the accuracy of the conclusions. First, the home price variable was based on respondents' estimates of how much the property would sell for if it were for sale; whether a homeowner can accurately estimate the market is debatable. Second, Wenz noted that there is substantial heterogeneity across casinos, markets and local economies, indicating that some of the estimates may have been due to market differences. According to Wenz, there was a positive 2 percent effect on house values for homes in the area of a casino, and positive spillover effects to neighboring in-state regions. He noted that "A particularly important finding for policy makers is that the benefits associated with a casino depend inversely on population density. Casinos are more likely to create net benefits in areas where population density is low." In the case of low density areas it appears based on the Wenz study that gambling has brought prosperity, rising incomes, and possibly higher home prices. Wenz has noted the inapplicability of the conclusion to urban areas. Accordingly, the Wenz study seems more relevant to the impacts on incomes in rural areas (gaming appears to have a positive impact where not a lot else is happening and day trippers are bringing some money) rather than the impact of gaming on home prices.
30	12	Page 11, Ordinance Requirements	LU	What legal right grants the Tribe and/or the County the right to combine Trust and Fee land to avoid problems with impervious surface requirements on Fee land? This right should be listed in the EAW and/or made known to the public. The Tribe is in violation of the existing shore land area impervious surface rules on its Trust Land with their proposed development plan.	Impervious surface requirements do not apply to the tribal trust land. Tribal trust land is exempt from the shoreland management ordinance.
31	12	Page 36, Visual	LU	Having an 85-foot-tall main structure with 180 rooms, bar, event center, fully lighted, does NOT result in minimal visual impact to the lake or surrounding area. The holding ponds will radically disrupt the rural nature of the area.	Comment noted; thank you for your comment
39	13	9b	LU	We like the "rural" character of Star Lake, that is why we chose to purchase a year-round lake home there. It is quiet an peaceful and we enjoy fishing and water recreation on the lake and do not feel that a casino fits in with the surrounding lands.	Comment noted; thank you for your comment

46	17	General	LU	This is a rural area and should be left as one without the neon and flood lights, increased traffic, garbage, and noise pollution.	Comment noted; thank you for your comment
59	21	General	LU	This site is about as environmentally unsuited as a site could be for a casino. I support the need for an EIS.	Comment noted; thank you for your comment
84	26	Land Use Compatibility	LU	The current characteristic of the land is rural and the current proposed development is not compatible	Comment noted; thank you for your comment
85	26	Zoning Compatibility	LU	The development does not meet structure height, minimum impervious surface, open space requirements on the Truited Land. All other landowners and developments are required by law to meet these expectations. This leads to frustration on landowners' side as they should not be able to combine Free and Trust lands to look like they meet requirements.	The requirements cited here do not apply to Federal trust land. Tribal trust land is exempt from the shoreland management ordinance.
86	26	Visual	LU	The casino, hotel complex, and parking lot will forever change the landscape on Star Lake and surrounding area. This will affect humans and wildlife.	Comment noted; thank you for your comment
103	35	General	LU	This development represents yet another threat to the future recreational use. The land was meant to harvest wild rice, this may not be a good business and is not compatible land use decision from an environmental stand point. The rules/laws that require a certain ownership are driving the site of this development. Find another site so the sensitive nature of the proposed site is not compromised. With over 40 years as a DNR Area Fisheries Supervisor, I have evaluated hundreds of shoreline development projects and few are more troubling to me than this site.	Comment noted; thank you for your comment
143	49	Item 9 Page 6	LU	Land use compatibility: "Generally compatible with the nearby land uses of agriculture, residential, commercial lodges and resorts." -This is a blatant falsehood and inaccurate comparison of existing land use! NO other resorts have 24/7 gaming facilities with the resulting traffic, nor conference centers for 300 people, nor hotels for hundreds of people. Franks Lodge may compare for RV parking. In addition, no other resort has required (from p. 2) "construction of haul roads, borrow pits for fill, 3-pond waste water treatment facilities! I	Comment noted; thank you for your comment
155	51	General	LU	Negative impacts to the rural character - The area around the South Bay of Star Lake is identified in the County's Limited Area Star Lake Comprehensive Plan as rural and it is noted that this characterization is important to the property owners and residents in the area. As a property owner, I am telling you that the rural character of the area, including farming activities, is extremely important to me. The shoreline of the South Bay of Star Lake is not compatible with large-scale developments, residential, commercial or for a casino. This type of development would negatively impact the rural character of the area and the lakeshore.	Comment noted; thank you for your comment
160	52	Item 9 Page 12	LU	Please recognize this project in this reference and MANY others I don't have time to address in 2 minutes is entirely rely incompatible with existing land uses and people/wildlife who use it traditionally and currently. I can live with change, but we owe it to the wildlife, the water quality, and future generations to do our part to ensure that proper site selection and sound developmental practices take priority to shoe-horning and abomination on such a delicate shoreline. I wouldn't care if it were a Radisson or Hilton Project of this size, this IS NOT THE PROPER PLACE FOR THIS.	Comment noted; thank you for your comment
171	57	General	LU	EAW states this project is compatible with rural area. Does not think it is compatible with the area and neither does any of the public representatives that have showed up at meetings to comment. Feels this is one area where local resident opinion should be quite important as they are the ones familiar with the area and who have to coexist with the Casino.	Comment noted; thank you for your comment
180	58	Item 9	LU	This development is not compatible to the rural character of Star Lake. Star Lake is a quiet, peaceful, tranquil lake. The boat traffic of those on the lake for skiing, wake boarding, and jet skiing is minimal. Most of the people on the water are fisherman and if you fish you know the two are not compatible. Several people fish the south arm for crappies and sun fish. This development will destroy the area where they spawn and the recreational boat traffic is sure to increase. No doubt rural character and the charm of the lake will be lost.	Spawning for Sunfish and Crappies: Sunfish and Crappies require firm bottom to build their nests and the circulation of oxygenated water; neither of these conditions exist adjacent to the proposed project. The bottom adjacent to the proposed project is mostly soft unconsolidated muck with a high BOD (Biological Oxygen Demand) as the decomposing common cattail requires massive amounts of oxygen as decomposition happens. Sunfish and crappies might spawn elsewhere in the South Arm, but it is unlikely that it would be here.
187	59	Item 5, pg 1	LU	Whoever the Proposer is should have to get all the zoning of the land correct to make sure this land even qualifies to be commercially developed.	The requirements cited here do not apply to Federal trust land. Tribal trust land is exempt from the shoreland management ordinance.
190	59	Pg 10, Section B	LU	We chose to live here instead of areas like Brainerd because it is non-urban/serene/not developed. While development might bring additional visitors to the area, it could drive away others that are looking for serenity.	Comment noted; thank you for your comment
195	63	General	LU	We must keep our rural and lakes country separate from city and economic development	Comment noted; thank you for your comment
209	67	General	LU	Noise, traffic, light pollution cannot be underestimated.	Comment noted; thank you for your comment
213	68	General	LU	The location and indoor activities of the casino conflict with the primary land use. Heavy weeded nature of the lake make it very poor for the water sports that are supposedly an attraction for the casino.	Comment noted; thank you for your comment
217	68	General	LU	Casino shouldn't be built here just because of wealthier property owners. Could easily fail because it's so far from cities/primary customers	Comment noted; thank you for your comment
220	70	General	LU	As a property owner in this area the rural character of the area is extremely important to me. The shoreland is not compatible with the large-scale developments, residential, commercial, or for a casino.	Comment noted; thank you for your comment
225	73	Page 10, section 9b.	LU	I see the claim that the casino is compatible with the surrounding land as false and inaccurate. Game and nongame waterfowl flock to Star Lake because of its secluded, rural character. The wetlands are in good condition, which attract more waterfowl and so more hunters.	There has been persistent human activity at this location for decades with game and nongame waterfowl flocking to Star Lake. The wetlands on this property had been degraded by land use practices over the past decades. The proposed stormwater ponding areas are designed to protect the water quality of Star Lake.
230	76	General	LU	The wild rice bed caps have historical meaning in which in our tradition wild rice is the most important meal that we have. First meal we feed our young and last meal we feed our old. The land and water body have historical value and there needs to be more study done to preserve any artifacts that could be buried in the ground. Other options should be pursued.	According to DNR data (http://files.dnr.state.mn.us/fish_wildlife/wildlife/shallowlakes/statewide-inventory-wild-rice-waters.pdf), Star Lake is considered a wild rice lake, but it has no acreage identified (over 64,000 acres of natural wild rice across Minnesota was identified). This report states: "The remaining 509 locations that currently do not have coverage information are primarily small lakes/wetlands on the edge of the current natural wild rice range (southern and western Minnesota) or river/stream segments." Because Star Lake was not given an acreage, it was considered to be of reduced importance. For example, Lower Rice Lake in Clearwater County had 1,568 acres of natural wild rice. It is possible that prior to the intensive livestock use alongside Star Lake and the row crop farming, the wild rice bed may have been larger (and the common cattail stand would likely have been smaller).
269	101	General	LU	Speaker at public meeting (6/15): Seasonal home owner, he and wife Mary live in Maryland. Mentioned attempt to put casino near Gettysburg battle field. Position is that land is sacred ground. It's a bad idea, not just an EIS but no casino.	Comment noted; thank you for your comment
361	16a	Section 9 Land Use	LU	The EAW wrongfully compares the casino to the neighboring resorts and camps. The size of the casino is not compatible with the single-family cabins on Spruce Lodge's property.	The commenter is correct, it is bigger. It will be built to a higher standard in quality and engineering and will no doubt last much longer than the one mentioned here. This facility is comparable to resorts in the region such as Thumper Pond.
362	16a	Section 9 Land Use	LU	The casino will operate year-round, whereas the other resorts/camps/lodges are seasonal. A year-round operation will generate considerable use of the local lakes in all seasons. The EAW has no evidence or information regarding impacts caused by this new, intense use of Star Lake. It also fails to describe or identify efforts to avoid, reduce, or mitigate such impacts.	The purpose of this facility is to draw guests into the business, not increase traffic to the lake. Every effort will be made to keep people inside the facility. Again, Thumper Pond is located within the lakes area of Otter Tail County.
363	16a	Section 9 Land Use	LU	The EAW claims, without evidence or explanation, that the large, commercial facility is compatible with the "rural character" of the parcel and surrounding area. The proposer should more accurately consider and describe the compatibility of a large hotel and gaming facility with a rural character, as well as provide detailed plans for mitigating the impact of a large, uncharacteristic commercial use on the area's rural character. The EAW fails to present any evidence supporting the claim that the resort is "compatible" with the surrounding land use. The parcels are zoned as Residential and Managed Forest. A commercial building is not compatible with these uses.	Thumper Pond is in the lakes region of Otter Tail County, only around 15 miles away a short distance from a lake. This facility is no more incompatible than Thumper Pond, which has already been permitted.
364	16a	Section 9 Land Use	LU	The EAW should more clearly describe how the project will achieve compatibility with the existing zoning requirements. The table outlining the zoning and land use regulations should specify each applicable standard or how the project meets the standards.	Thumper Pond is in the lakes region of Otter Tail County, only around 15 miles away a short distance from a lake. This facility is no more incompatible than Thumper Pond, which has already been permitted.
365	16a	Section 9 Land Use	LU	Future land use designations should be provided in text or exhibits in the EAW.	There are no future plans developed. White Earth's focus is on building and operating the gaming facility and amenities currently designed within the facility. Purchase of the additional land was to ensure doors did not close on the tribe as acquisition of land after the casino was announced would be cumbersome and over priced. The only potential could be a future golf course which is not inconsistent with the surroundings. However, this is not in the proposed plan and no design has been commissioned.
366	114	Pg 10, Question 9b.	LU	The conclusion that the project is compatible with the surrounding area is not well supported in the EAW. The proposed structure within the shoreland district will be 85 feet high whereas the surrounding developments have a maximum structure height of 20 for commercial use and 25 feet for residential. DNR recommends further explaining how and why it is compatible given that the most prominent commercial use in the area is identified as a seasonal corner store.	The requirements cited here do not apply to Federal trust land. Tribal trust land is exempt from the shoreland management ordinance. Thumper Pond is in the lakes region of Otter Tail County, only around 15 miles away a short distance from a lake. This facility is no more incompatible than Thumper Pond, which has already been permitted.
367	114	Pg 11, Question 9c.	LU	Per Pg 10, Question 9c. comment, recommends describing how the potential incompatibility would be mitigated. The mechanism is not identified.	Thumper Pond is in the lakes region of Otter Tail County, only around 15 miles away a short distance from a lake. This facility is no more incompatible than Thumper Pond, which has already been permitted.

368	119	Sections 9A and 9B	LU	The people who live here or own cabins came to get away from the business of the cities. We came to experience the absence of the noise and bustle that development brings. These are facts that contribute to the issue of compatibility. The EAW is inadequate in part because it doesn't consider the connected actions or cumulative effects related to the casino proposal.	Comment noted; thank you for your comment
369	119	Section 9B	LU	The developer completely fails to demonstrate the assertion that the project is compatible with the existing land uses. The examples given in this section that cite regional resorts of more or less similar scale are not comparable either. Maddens is on a sand bottomed lake, not a sensitive wetland, and it is in an are that is already fully developed. Homestead RV Park is much much smaller. No examples deman an extraordinary wetland file of 450,000 tons.	Comment noted; thank you for your comment
370	119	General	LU	The application doesn't mention that there is existing land use of the south bay by recreational hunters and fishermen.	There is a thick stand of common cattail more than 100 feet thick between the shoreline and the open water. It is unlikely that any hunters or anglers would make their way through the thick cattails to come near the shoreline. There is no plan to impact the vegetation outside the dry land other than a path for wild rice harvest and the outlet for the stormwater pond.
371	119	Sections 9A and 9B	LU	The issues of compatibility in these sections is a key issue in both ecological terms and aesthetic terms.	Comment noted; thank you for your comment
372	127	General	LU	The light pollution from traffic and buildings and advertising will diminish the night time experience of solitude for residents and visitors for miles around and forever change the character of the Star Lake experience for children of the future. It will become just another urban lake.	The development will be using best practices for Dark Sky Lighting to reduce impact on night sky, to adjacent properties by lighting trespass and nocturnal wildlife. Dark Sky practices included reduce lighting levels, downward directed lighting fixtures, lower mounting height, and lighting colors below 3,000 Kelvin. Additional site lighting information and photometric is part of the Conditional Use Permit and will be provided with that application.
373	128	General	LU	We chose Star Lake for our home because we were lucky enough to spend our summers on Star. It's the serenity of a peaceful, quiet lake that drew us to become full-time residents. We believe this type of development does not mesh with the rural character of the Star Lake Area.	Comment noted; thank you for your comment