

# Minnesota Wetland Conservation Act

## Notice of Application

Item 7K.  
BCWMC 7-21-16

Local Government Unit (LGU) <b>Bassett Creek Watershed Management Commission (BCWMC)</b>	Address <b>7800 Golden Valley Road Golden Valley, MN 55427</b>
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### 1. PROJECT INFORMATION

Applicant Name <b>LLW Partners, LLC</b>	Project Name <b>10715 South Shore Drive, Medicine Lake</b>	Date of Application <b>7/5/16</b>	Application Number
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Type of Application (check all that apply):

<input checked="" type="checkbox"/> Wetland Boundary or Type	<input type="checkbox"/> No-Loss	<input type="checkbox"/> Exemption	<input type="checkbox"/> Sequencing
<input type="checkbox"/> Replacement Plan	<input type="checkbox"/> Banking Plan		

Summary and description of proposed project (attach additional sheets as necessary):

On behalf of LLW Partners, LLC, Kjolhaug Environmental Services Company, Inc. has submitted a wetland delineation report for the property at 10715 South Shore Drive in the City of Medicine Lake, Section 25, Township 118N, Range 22W, within Hennepin County.

One wetland was delineated within the site boundaries and classified as a Type 3 PEM1C shallow marsh wetland.

### 2. APPLICATION REVIEW AND DECISION

Signing and mailing of this completed form to the appropriate recipients in accordance with 8420.0255, Subp. 3 provides notice that an application was made to the LGU under the Wetland Conservation Act as specified above. A copy of the application is attached. Comments can be submitted to:

Name and Title of LGU Contact Person <b>Karen Wold Senior Environmental Scientist</b>	Comments must be received by (minimum 15 business-day comment period): <b>August 2, 2016</b>
Address (if different than LGU) <b>Barr Engineering Co. 4300 MarketPointe Drive Minneapolis, MN 55435</b>	Date, time, and location of decision: <b>August 9, 2016</b>
Phone Number and E-mail Address <b>952-832-2707 kwold@barr.com</b>	Decision-maker for this application: <input checked="" type="checkbox"/> Staff <input type="checkbox"/> Governing Board or Council

Signature: 

Date: **7/8/16**

### 3. LIST OF ADDRESSEES

<input checked="" type="checkbox"/>	SWCD TEP member: <b>Stacey Lijewski, Hennepin County</b>
<input checked="" type="checkbox"/>	BWSR TEP member: <b>Ben Meyer</b>
<input type="checkbox"/>	LGU TEP member (if different than LGU Contact):
<input checked="" type="checkbox"/>	DNR TEP member: <b>Leslie Parris, Kate Drewry</b>
<input type="checkbox"/>	DNR Regional Office (if different than DNR TEP member)
<input checked="" type="checkbox"/>	WD or WMO (if applicable): <b>Laura Jester (Keystone Waters, BCWMC administrator), Karen Chandler (Barr Engineering, BCWMC engineer)</b>
<input checked="" type="checkbox"/>	Applicant (notice only) and Landowner (if different) <b>Adam Cameron (Kjolhaug)</b>
<input checked="" type="checkbox"/>	City of Medicine Lake: <b>Brad Scheib (Hoisington Koegler Group Inc.)</b>
<input type="checkbox"/>	Members of the public who requested notice (notice only):
<input checked="" type="checkbox"/>	Corps of Engineers Project Manager (notice only) <b>Melissa Jenny</b>
<input type="checkbox"/>	BWSR Wetland Bank Coordinator (wetland bank plan applications only)

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### 4. MAILING INFORMATION

- For a list of BWSR TEP representatives: [www.bwsr.state.mn.us/contact/WCA\\_areas.pdf](http://www.bwsr.state.mn.us/contact/WCA_areas.pdf)
- For a list of DNR TEP representatives: [www.bwsr.state.mn.us/wetlands/wca/DNR\\_TEP\\_contacts.pdf](http://www.bwsr.state.mn.us/wetlands/wca/DNR_TEP_contacts.pdf)

- Department of Natural Resources Regional Offices:

<u>NW Region:</u>	<u>NE Region:</u>	<u>Central Region:</u>	<u>Southern Region:</u>
Reg. Env. Assess. Ecol. Div. Ecol. Resources 2115 Birchmont Beach Rd. NE Bemidji, MN 56601	Reg. Env. Assess. Ecol. Div. Ecol. Resources 1201 E. Hwy. 2 Grand Rapids, MN 55744	Reg. Env. Assess. Ecol. Div. Ecol. Resources 1200 Warner Road St. Paul, MN 55106	Reg. Env. Assess. Ecol. Div. Ecol. Resources 261 Hwy. 15 South New Ulm, MN 56073

For a map of DNR Administrative Regions, see: [http://files.dnr.state.mn.us/aboutdnr/dnr\\_regions.pdf](http://files.dnr.state.mn.us/aboutdnr/dnr_regions.pdf)

- For a list of Corps of Project Managers: [www.mvp.usace.army.mil/regulatory/default.asp?pageid=687](http://www.mvp.usace.army.mil/regulatory/default.asp?pageid=687)  
or send to:
- 

US Army Corps of Engineers  
St. Paul District, ATTN: OP-R  
180 Fifth St. East, Suite 700  
St. Paul, MN 55101-1678

- For Wetland Bank Plan applications, also send a copy of the application to:
- Minnesota Board of Water and Soil Resources  
Wetland Bank Coordinator  
520 Lafayette Road North  
St. Paul, MN 55155

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### 5. ATTACHMENTS

In addition to the application, list any other attachments:	
<input type="checkbox"/>	
<input type="checkbox"/>	
<input type="checkbox"/>	
<input type="checkbox"/>	
<input type="checkbox"/>	

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# **10715 South Shore Drive**

**Medicine Lake, Minnesota**

## **Wetland Delineation Report**

*Prepared for*  
LLW Partners, LLC.

*by*  
**Kjolhaug Environmental Services Company, Inc.**  
(KES Project No. 2016-095)

July 5, 2016

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## WETLAND DELINEATION SUMMARY

- The 10715 South Shore Drive site was inspected on June 7, 2016 for the presence and extent of wetland.
- The NWI-map showed no wetlands present within the site boundaries.
- The soil survey showed no hydric soil types present within the site boundaries.
- The DNR Public Waters map showed Medicine Lake (27-104 P) nearby to the northeast of the site, as well as one unnamed DNR Public Wetland (27-703 W) southeast of the site.
- One wetland was delineated within the site boundaries, and is described below.

**Table 1. Wetlands delineated on the 10715 South Shore Drive site**

Wetland ID	Wetland Type			Dominant Vegetation
	Circular 39	Cowardin	Eggers and Reed	
1	3	PEM1C	Shallow marsh	Cattail, sedges, red osier dogwood

# 10715 South Shore Drive

*Medicine Lake, Minnesota*

## Wetland Delineation Report

### I. INTRODUCTION

The 2.69-acre 10715 South Shore Drive site was inspected on June 7, 2016 for the presence and extent of wetland. The property was located in Section 25, Township 118N, Range 22W, Medicine Lake, Hennepin County, Minnesota. The site was immediately south of South Shore Drive, and north of MN HWY 55 (**Figure 1**). The site limits correspond to the following Hennepin County PID#'s 2511822330058, 2511822330057, 2511822330056, 2511822330055, 2511822330054, 2511822340038, 2511822340037, 2511822340036.

The site consisted of one building, with two adjacent paved parking lots. The southern portion of the site consisted of mowed grassland transitioning to forested woodland. Surrounding land use consisted of residential and light industrial areas. The site was highest on the eastern portion of the site at 904 ft MSL, sloping to 890 ft MSL on the western portion of the site.

One (1) wetland was identified and delineated within the site boundaries (**Figure 2**).

### II. METHODS

Wetlands were identified using Routine Determination methodology described in the Corps of Engineers Wetland Delineation Manual (Waterways Experiment Station, 1987) and Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Midwest Region (Version 2.0) as required under Section 404 of the Clean Water Act and the Minnesota Wetland Conservation Act.

Wetland boundaries were identified as the upper-most extent of wetland that met criteria for hydric soils, hydrophytic vegetation, and wetland hydrology. Wetland-upland boundaries were marked with pin flags and were surveyed by Campion Engineering Services, Inc.

Soils, vegetation, and hydrology were documented at a representative location along the wetland-upland boundary. Plant species dominance was estimated based on the percent aerial or basal coverage visually estimated within a 30-foot radius for trees and vines, a 15-foot radius for the shrub layer, and a 5-foot radius for the herbaceous layer within the community type sampled.

Soils were characterized to a minimum depth of 18-24 inches (unless otherwise noted) utilizing Munsell Soil Color Charts and standard soil texturing methodology. Hydric soil indicators used in reporting are from Field Indicators of Hydric Soils in the United States (USDA Natural Resources Conservation Service in cooperation with the National Technical Committee for Hydric Soils, Version 7, 2010).

Plants were identified using standard regional plant keys. Taxonomy and indicator status of plant species was taken from the 2016 National Wetland Plant List (U.S. Army Corps of Engineers 2016. National Wetland Plant List, version 3.2, [https://wetland\\_plants.usace.army.mil](https://wetland_plants.usace.army.mil) Engineer Research and Development Center, Cold Regions Research and Engineering Laboratory, Hanover, NH).

### III. RESULTS

#### **Review of NWI, Soils, and DNR Information**

The *National Wetlands Inventory (NWI)* (Minnesota Geospatial Commons 2009-2014, <https://gisdata.mn.gov/dataset/water-nat-wetlands-inv-2009-2014>) showed no wetlands present within the site boundaries (**Figure 3**).

#### ***The Soil Survey of Hennepin County, Minnesota***

(<http://soils.usda.gov/survey/geography/ssurgo/>) showed no hydric soil types present within the site boundaries. A soils map indicating the soil types present is included in **Figure 4**. A table of soil series data and hydric ratings is shown below.

Map unit symbol	Map unit name	Hydric Rating	Acres in AOI	Percent of AOI
U1A	Urban Land Udorthents, Wet Substratum	Non-Hydric	1.07	40
U37B	Angus Loam	Predominantly Non-Hydric	1.00	37
L22C2	Lester Loam	Predominantly Non-Hydric	0.62	23

#### ***The Minnesota DNR Public Waters Map, Hennepin County***

(<https://gisdata.mn.gov/dataset/water-mn-public-waters>) showed Medicine Lake (27-104 P) nearby to the northeast of the site, as well as one unnamed DNR Public Wetland (27-703 W) southeast of the site (**Figure 5**).

The **National Hydrography Dataset** (U.S. Geological Survey, <http://nhd.usgs.gov/>) showed one Lake/Pond water feature (Medicine Lake) nearby to the northeast of the site, as well as one Canal/Ditch (Bassett Creek) located nearby to the east of the site (**Figure 6**).

#### **Wetland Determinations and Delineations**

Potential wetlands were evaluated in greater detail during field observations on June 7, 2016. One wetland was identified and delineated on the property (**Figure 2**). Corresponding data forms are included in **Appendix A**. The following description of the wetland and the adjacent upland reflects conditions observed at the time of the field visit. At that time, the growing season had begun and actively growing vegetation was present on the site, as well as identifiable senesced vegetation from the previous growing season. Precipitation conditions were typical based on the gridded database method (3-month antecedent conditions), and within the normal range based on available 30-day rolling precipitation data (**Appendix B**).

***Wetland 1*** was a Type 3 (PEM1C) shallow marsh wetland located in a road ditch. The vegetative community within Wetland 1 was dominated by cattails, with a fringe of sedges and red osier dogwood. At the time of the field visit, Wetland 1 was inundated with approximately 6 inches of water in the center and saturated along the wetland fringe.

Adjacent upland was dominated by sedges, jewelweed, common milkweed, smooth brome, burdock, and red clover. This area lacked inundation or saturation.

The delineated boundary followed a change in vegetation from wetland to upland plant communities, as well as a distinct change in topography along the roadside. Wetland 1 was not shown as a wetland on the NWI map, and was located within an area mapped as Urban Land-Udorthents (Non-Hydric) on the soil survey. Wetland 1 was divided into two portions by driveway, but was connected via a 12-inch diameter culvert. Wetland 1 extended off-site to the south. This wetland may have been incidentally created during road construction.

#### **Other Areas**

No other areas with hydrophytic vegetation or wetland hydrology were observed on the site. No other areas were shown as wetland on the NWI map or located within mapped hydric soil units on the soil survey.

## IV. CERTIFICATION OF DELINEATION

The procedures utilized in the described delineation are based on the COE 1987 Wetland Delineation Manual as required by Section 404 of the Clean Water Act and the Minnesota Wetland Conservation Act. Both the delineation and report were conducted in compliance with regulatory standards in place at the time the work was completed.

All site boundaries indicated on figures within this report are approximate and do not constitute an official survey product.

Delineation Completed by:

Ben Carlson, Wetland Specialist  
Certified Wetland Delineator No. 1125  
Adam Cameron, Wetland Ecologist

Report Prepared by:

Ben Carlson, Wetland Specialist  
Certified Wetland Delineator No. 1125  
Adam Cameron, Wetland Ecologist



Report reviewed by: \_\_\_\_\_ Date: July 5, 2016

Mark Kjolhaug, Professional Wetland Scientist No. 000845



# **10715 South Shore Drive**

## **Wetland Delineation Report**

### **Figures:**

- Figure 1 – Site Location Map
- Figure 2 – Existing Conditions Map
- Figure 3 – NWI Map
- Figure 4 – Soil Survey Map
- Figure 5 – DNR Protected Waters Map
- Figure 6 – National Hydrography Dataset Map



**Figure 1 - Site Location**



**KJØLHAUG** ENVIRONMENTAL SERVICES COMPANY

Source: ESRI Streets Basemap

N



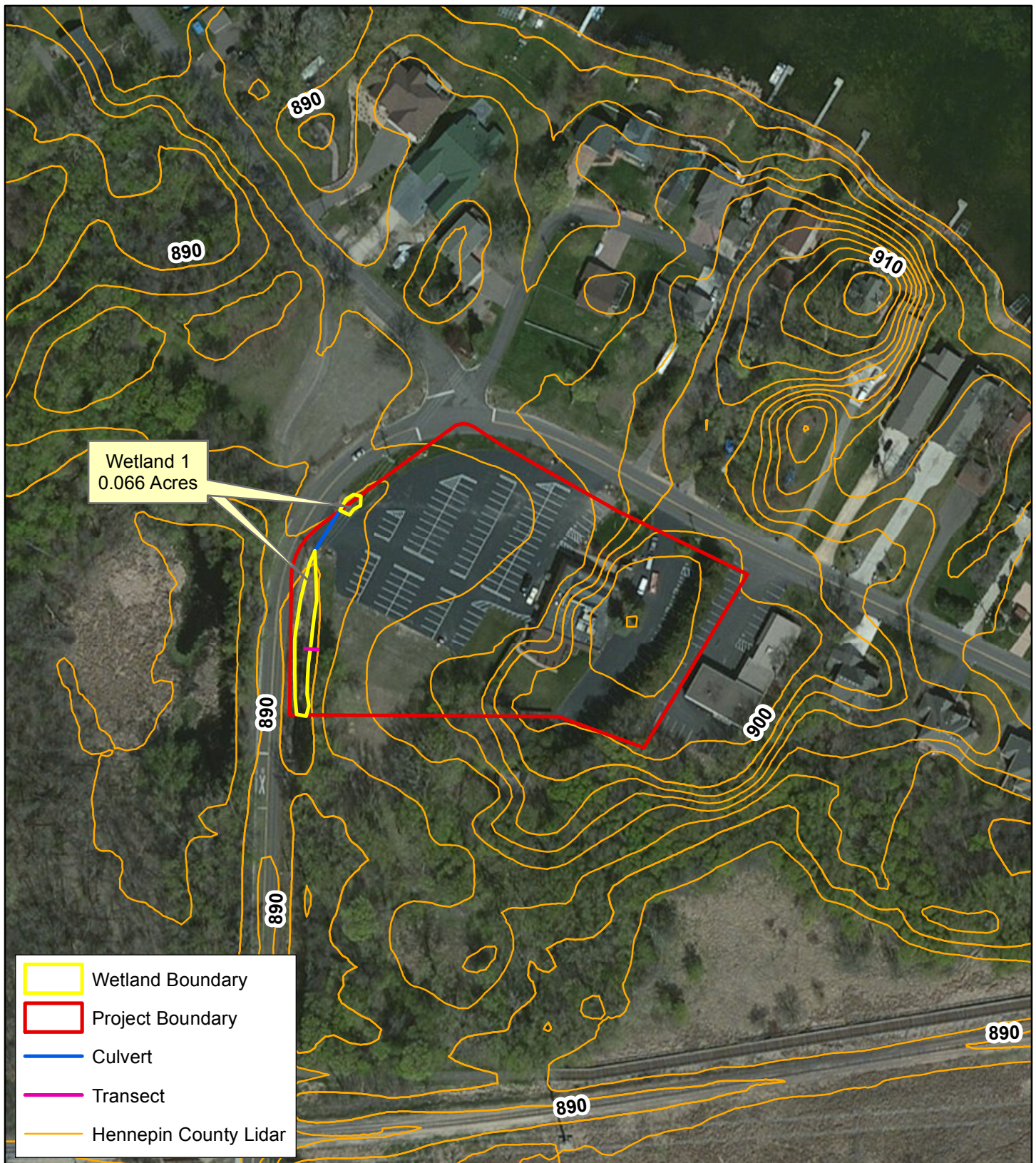
0 1,500 Feet



**10715 South Shore Drive (KES 2016-095)**  
**Medicine Lake, Minnesota**

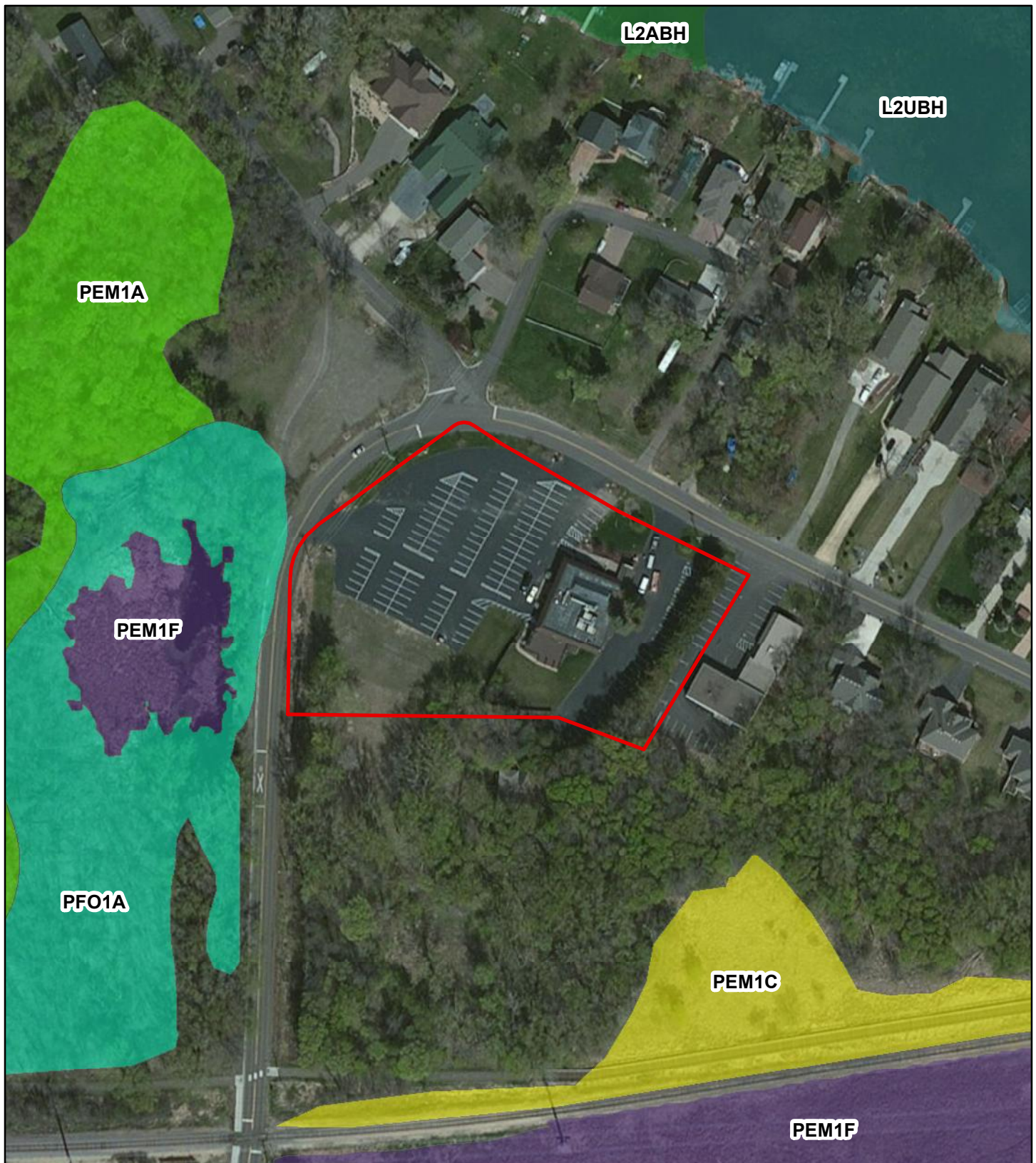
Note: Boundaries indicated on this figure are approximate and do not constitute an official survey product.





**Figure 2 - Existing Conditions**





**Figure 3 - National Wetlands Inventory**



**KJOLHAUG** ENVIRONMENTAL SERVICES COMPANY

Source: Minnesota DNR (2013), USFWS

N



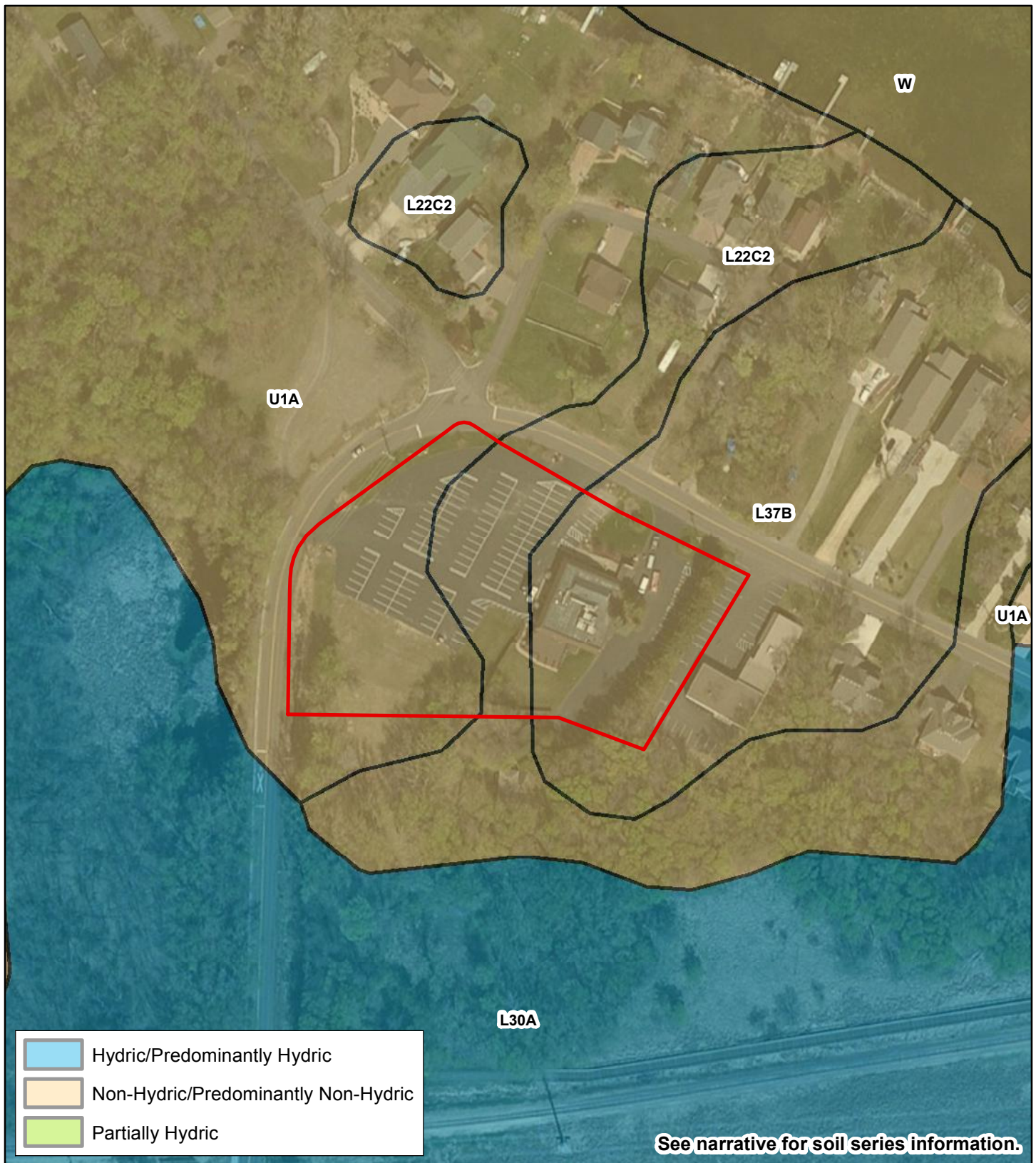
0 150 Feet



**10715 South Shore Drive (KES 2016-095)**  
**Medicine Lake, Minnesota**

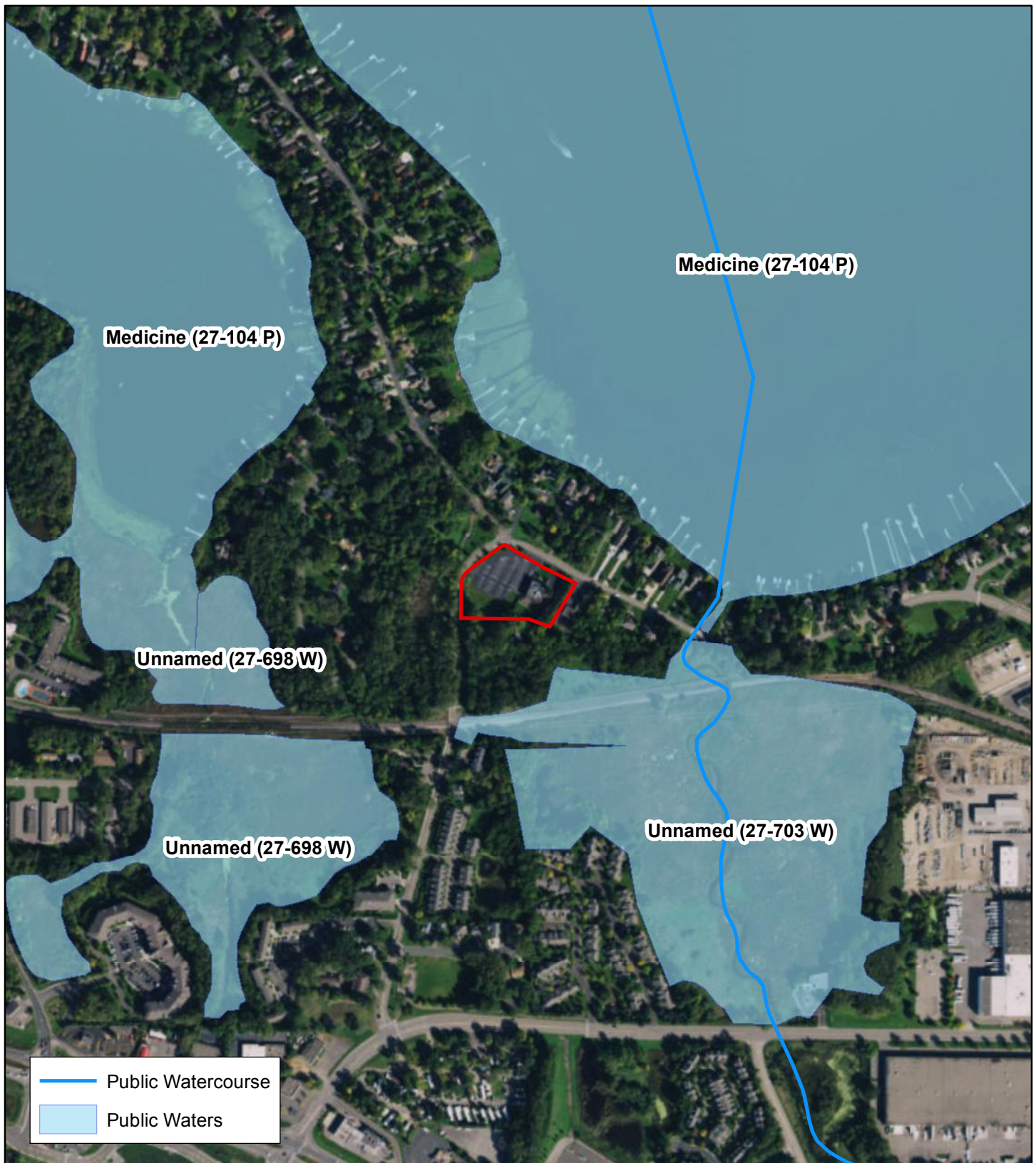
Note: Boundaries indicated on this figure are approximate and do not constitute an official survey product.





**Figure 4 - Soil Survey**





**Figure 5 - DNR Public Waters Inventory**



**KJOLHAUG** ENVIRONMENTAL SERVICES COMPANY

Source: Minnesota DNR

N



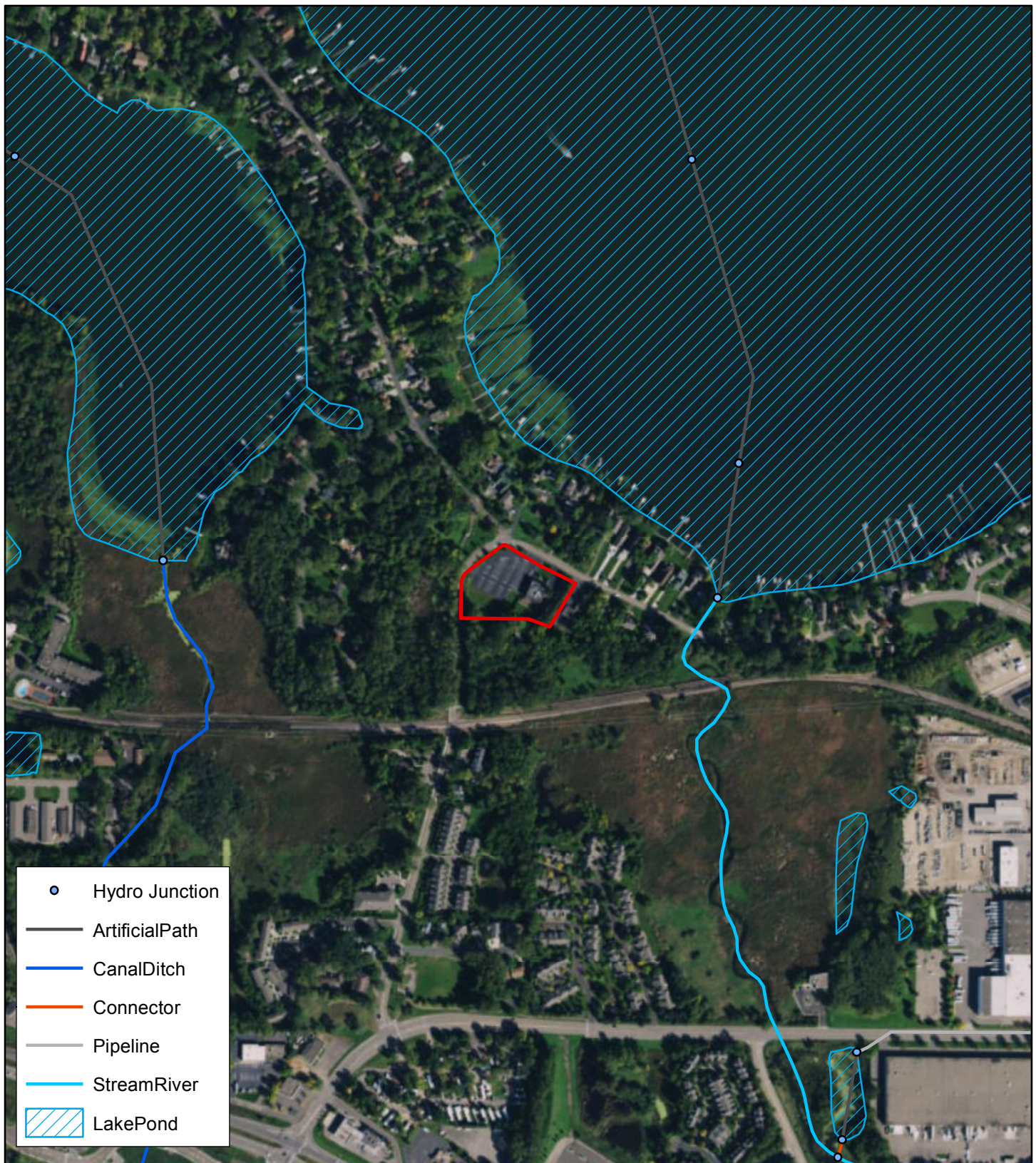
0 600  
Feet



**10715 South Shore Drive (KES 2016-095)**  
**Medicine Lake, Minnesota**

Note: Boundaries indicated on this figure are approximate and do not constitute an official survey product.





**Figure 6 - National Hydrography Dataset**



**KJOLHAUG** ENVIRONMENTAL SERVICES COMPANY

Source: USGS

N



0 600 Feet



**10715 South Shore Drive (KES 2016-095)**  
**Medicine Lake, Minnesota**

Note: Boundaries indicated on this figure are approximate and do not constitute an official survey product.

# **10715 South Shore Drive**

## **Wetland Delineation Report**

### **Appendix A:**

#### **Wetland Delineation Data Forms**



# WETLAND DETERMINATION DATA FORM - Midwest Region

Project/Site 10715 South Shore Drive City/County: Medicine Lake/ Hennepin Sampling Date: 6/7/2016  
 Applicant/Owner: LLW Parners State: MN Sampling Point: SP1-1U  
 Investigator(s): B. Carlson, A. Cameron Section, Township, Range: S:25, T:118N, R:22W  
 Landform (hillslope, terrace, etc.): Hillslope Local relief (concave, convex, none): Linear  
 Slope (%): 4 - 6 Lat:  Long:  Datum:   
 Soil Map Unit Name Urban land Udorthents, Wet substratum (Non-Hydric) VWI Classification: None

Are climatic/hydrologic conditions of the site typical for this time of the year? Y (If no, explain in remarks)

Are vegetation , soil , or hydrology  significantly disturbed?

Are "normal circumstances"

Are vegetation , soil , or hydrology  naturally problematic?

present? Yes

## SUMMARY OF FINDINGS

(If needed, explain any answers in remarks.)

Hydrophytic vegetation present? <u>Y</u>	Is the sampled area within a wetland? <u>N</u> If yes, optional wetland site ID: <u></u>
Hydric soil present? <u>N</u>	
Indicators of wetland hydrology present? <u>N</u>	
Remarks: (Explain alternative procedures here or in a separate report.)	

## VEGETATION -- Use scientific names of plants.

Tree Stratum	(Plot size: <u>30</u> )	Absolute % Cover	Dominant Species	Indicator Status
1				
2				
3				
4				
5				
		<u>0</u>	= Total Cover	

Sapling/Shrub stratum	(Plot size: <u>15</u> )	Absolute % Cover	Dominant Species	Indicator Status
1				
2				
3				
4				
5				
		<u>0</u>	= Total Cover	

Herb stratum	(Plot size: <u>5</u> )	Absolute % Cover	Dominant Species	Indicator Status
1	<u>Poa pratensis</u>	<u>90</u>	<u>Y</u>	<u>FAC</u>
2	<u>Trifolium repens</u>	<u>20</u>	<u>N</u>	<u>FACU</u>
3	<u>Viola sororia</u>	<u>10</u>	<u>N</u>	<u>FAC</u>
4				
5				
6				
7				
8				
9				
10				
		<u>120</u>	= Total Cover	

Woody vine stratum	(Plot size: <u>30</u> )	Absolute % Cover	Dominant Species	Indicator Status
1				
2				
		<u>0</u>	= Total Cover	

### Dominance Test Worksheet

Number of Dominant Species that are OBL, FACW, or FAC: 1 (A)

Total Number of Dominant Species Across all Strata: 1 (B)

Percent of Dominant Species that are OBL, FACW, or FAC: 100.00% (A/B)

### Prevalence Index Worksheet

Total % Cover of:

OBL species	<u>0</u>	x 1 =	<u>0</u>
FACW species	<u>0</u>	x 2 =	<u>0</u>
FAC species	<u>100</u>	x 3 =	<u>300</u>
FACU species	<u>20</u>	x 4 =	<u>80</u>
UPL species	<u>0</u>	x 5 =	<u>0</u>
Column totals	<u>120</u>	(A)	<u>380</u> (B)

Prevalence Index = B/A = 3.17

### Hydrophytic Vegetation Indicators:

Rapid test for hydrophytic vegetation

X Dominance test is >50%

Prevalence index is ≤3.0\*

Morphological adaptations\* (provide supporting data in Remarks or on a separate sheet)

Problematic hydrophytic vegetation\* (explain)

\*Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic

### Hydrophytic vegetation present?

Y

Remarks: (Include photo numbers here or on a separate sheet)

## SOIL

Sampling Point: SP1-1U

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
0-16	10YR 3/2	100					Sandy Loam	

\*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. \*\*Location: PL = Pore Lining, M = Matrix

**Hydric Soil Indicators:**

- |  |   |
|--|---|
| <input type="checkbox"/> Histosol (A1)                     | <input type="checkbox"/> Sandy Gleyed Matrix (S4)   |
| <input type="checkbox"/> Histic Epipedon (A2)              | <input type="checkbox"/> Sandy Redox (S5)           |
| <input type="checkbox"/> Black Histic (A3)                 | <input type="checkbox"/> Stripped Matrix (S6)       |
| <input type="checkbox"/> Hydrogen Sulfide (A4)             | <input type="checkbox"/> Loamy Mucky Mineral (F1)   |
| <input type="checkbox"/> Stratified Layers (A5)            | <input type="checkbox"/> Loamy Gleyed Matrix (F2)   |
| <input type="checkbox"/> 2 cm Muck (A10)                   | <input type="checkbox"/> Depleted Matrix (F3)       |
| <input type="checkbox"/> Depleted Below Dark Surface (A11) | <input type="checkbox"/> Redox Dark Surface (F6)    |
| <input type="checkbox"/> Thick Dark Surface (A12)          | <input type="checkbox"/> Depleted Dark Surface (F7) |
| <input type="checkbox"/> Sandy Mucky Mineral (S1)          | <input type="checkbox"/> Redox Depressions (F8)     |
| <input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)      |   |

**Indicators for Problematic Hydric Soils:**

- |  |
|--|
| <input type="checkbox"/> Coast Prairie Redox (A16) (LRR K, L, R)   |
| <input type="checkbox"/> Dark Surface (S7) (LRR K, L)              |
| <input type="checkbox"/> Iron-Manganese Masses (F12) (LRR K, L, R) |
| <input type="checkbox"/> Very Shallow Dark Surface (TF12)          |
| <input type="checkbox"/> Other (explain in remarks)                |

\*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

**Restrictive Layer (if observed):**
 Type: \_\_\_\_\_  
 Depth (inches): \_\_\_\_\_
Hydric soil present?   N  

Remarks:

## HYDROLOGY

**Wetland Hydrology Indicators:**

Primary Indicators (minimum of one is required; check all that apply)

- |  |
|--|
| <input type="checkbox"/> Surface Water (A1)                        |
| <input type="checkbox"/> High Water Table (A2)                     |
| <input type="checkbox"/> Saturation (A3)                           |
| <input type="checkbox"/> Water Marks (B1)                          |
| <input type="checkbox"/> Sediment Deposits (B2)                    |
| <input type="checkbox"/> Drift Deposits (B3)                       |
| <input type="checkbox"/> Algal Mat or Crust (B4)                   |
| <input type="checkbox"/> Iron Deposits (B5)                        |
| <input type="checkbox"/> Inundation Visible on Aerial Imagery (B7) |
| <input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)   |
| <input type="checkbox"/> Water-Stained Leaves (B9)                 |

- |   |
|---|
| <input type="checkbox"/> Aquatic Fauna (B13)                        |
| <input type="checkbox"/> True Aquatic Plants (B14)                  |
| <input type="checkbox"/> Hydrogen Sulfide Odor (C1)                 |
| <input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3) |
| <input type="checkbox"/> Presence of Reduced Iron (C4)              |
| <input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6) |
| <input type="checkbox"/> Thin Muck Surface (C7)                     |
| <input type="checkbox"/> Gauge or Well Data (D9)                    |
| <input type="checkbox"/> Other (Explain in Remarks)                 |

Secondary Indicators (minimum of two required)

- |  |
|--|
| <input type="checkbox"/> Surface Soil Cracks (B6)                  |
| <input type="checkbox"/> Drainage Patterns (B10)                   |
| <input type="checkbox"/> Dry-Season Water Table (C2)               |
| <input type="checkbox"/> Crayfish Burrows (C8)                     |
| <input type="checkbox"/> Saturation Visible on Aerial Imagery (C9) |
| <input type="checkbox"/> Stunted or Stressed Plants (D1)           |
| <input type="checkbox"/> Geomorphic Position (D2)                  |
| <input type="checkbox"/> FAC-Neutral Test (D5)                     |

**Field Observations:**

Surface water present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Depth (inches):	_____
Water table present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Depth (inches):	_____
Saturation present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Depth (inches):	_____

 (includes capillary fringe)
Indicators of wetland hydrology present?   N  

Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

# WETLAND DETERMINATION DATA FORM - Midwest Region

Project/Site 10715 South Shore Drive City/County: Medicine Lake/ Hennepin Sampling Date: 6/7/2016  
 Applicant/Owner: LLW Parners State: MN Sampling Point: SP1-1W  
 Investigator(s): B. Carlson, A. Cameron Section, Township, Range: S:25, T:118N, R:22W  
 Landform (hillslope, terrace, etc.): Depression Local relief (concave, convex, none): Concave  
 Slope (%): 0 - 2 Lat:  Long:  Datum:   
 Soil Map Unit Name Urban land Udorthents, Wet substratum (Non-Hydric) VWI Classification: None

Are climatic/hydrologic conditions of the site typical for this time of the year? Y (If no, explain in remarks)

Are vegetation , soil , or hydrology  significantly disturbed?

Are "normal circumstances"

Are vegetation , soil , or hydrology  naturally problematic?

present? Yes

## SUMMARY OF FINDINGS

(If needed, explain any answers in remarks.)

Hydrophytic vegetation present? <u>Y</u>	Is the sampled area within a wetland? <u>Y</u> If yes, optional wetland site ID: <u>Wetland 1</u>
Hydric soil present? <u>Y</u>	
Indicators of wetland hydrology present? <u>Y</u>	
Remarks: (Explain alternative procedures here or in a separate report.)	

## VEGETATION -- Use scientific names of plants.

Tree Stratum	(Plot size: <u>30</u> )	Absolute % Cover	Dominant Species	Indicator Status
1				
2				
3				
4				
5				
		<u>0</u>	= Total Cover	
Sapling/Shrub stratum	(Plot size: <u>15</u> )			
1	<u>Cornus sericea</u>	<u>10</u>	<u>Y</u>	<u>FACW</u>
2				
3				
4				
5				
		<u>10</u>	= Total Cover	
Herb stratum	(Plot size: <u>5</u> )			
1	<u>Carex lacustris</u>	<u>50</u>	<u>Y</u>	<u>OBL</u>
2	<u>Solidago gigantea</u>	<u>40</u>	<u>Y</u>	<u>FACW</u>
3	<u>Mentha arvensis</u>	<u>15</u>	<u>N</u>	<u>FACW</u>
4	<u>Typha angustifolia</u>	<u>10</u>	<u>N</u>	<u>OBL</u>
5	<u>Parthenocissus quinquefolia</u>	<u>5</u>	<u>N</u>	<u>FACU</u>
6	<u>Persicaria pensylvanica</u>	<u>5</u>	<u>N</u>	<u>FACW</u>
7				
8				
9				
10				
		<u>125</u>	= Total Cover	
Woody vine stratum	(Plot size: <u>30</u> )			
1				
2				
		<u>0</u>	= Total Cover	

### Dominance Test Worksheet

Number of Dominant Species that are OBL, FACW, or FAC: 3 (A)  
 Total Number of Dominant Species Across all Strata: 3 (B)  
 Percent of Dominant Species that are OBL, FACW, or FAC: 100.00% (A/B)

### Prevalence Index Worksheet

Total % Cover of:

OBL species	<u>60</u>	x 1 =	<u>60</u>
FACW species	<u>70</u>	x 2 =	<u>140</u>
FAC species	<u>0</u>	x 3 =	<u>0</u>
FACU species	<u>5</u>	x 4 =	<u>20</u>
UPL species	<u>0</u>	x 5 =	<u>0</u>
Column totals	<u>135</u>	(A)	<u>220</u> (B)

Prevalence Index = B/A = 1.63

### Hydrophytic Vegetation Indicators:

Rapid test for hydrophytic vegetation  
X Dominance test is >50%  
X Prevalence index is ≤3.0\*  
 Morphological adaptations\* (provide supporting data in Remarks or on a separate sheet)  
 Problematic hydrophytic vegetation\* (explain)  
 \*Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic

### Hydrophytic vegetation present?

Y

Remarks: (Include photo numbers here or on a separate sheet)

# SOIL

Sampling Point: SP1-1W

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
0-6	10YR 2/1	100					Clay loam	
6-14	10YR 4/2	95	10YR 4/6	5	C	M	Clay loam	

\*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. \*\*Location: PL = Pore Lining, M = Matrix

## Hydric Soil Indicators:

- |   |   |
|---|---|
| <input type="checkbox"/> Histosol (A1)                                | <input type="checkbox"/> Sandy Gleyed Matrix (S4)   |
| <input type="checkbox"/> Histic Epipedon (A2)                         | <input type="checkbox"/> Sandy Redox (S5)           |
| <input type="checkbox"/> Black Histic (A3)                            | <input type="checkbox"/> Stripped Matrix (S6)       |
| <input type="checkbox"/> Hydrogen Sulfide (A4)                        | <input type="checkbox"/> Loamy Mucky Mineral (F1)   |
| <input type="checkbox"/> Stratified Layers (A5)                       | <input type="checkbox"/> Loamy Gleyed Matrix (F2)   |
| <input type="checkbox"/> 2 cm Muck (A10)                              | <input type="checkbox"/> Depleted Matrix (F3)       |
| <input checked="" type="checkbox"/> Depleted Below Dark Surface (A11) | <input type="checkbox"/> Redox Dark Surface (F6)    |
| <input type="checkbox"/> Thick Dark Surface (A12)                     | <input type="checkbox"/> Depleted Dark Surface (F7) |
| <input type="checkbox"/> Sandy Mucky Mineral (S1)                     | <input type="checkbox"/> Redox Depressions (F8)     |
| <input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)                 |   |

## Indicators for Problematic Hydric Soils:

- |  |
|--|
| <input type="checkbox"/> Coast Prairie Redox (A16) (LRR K, L, R)   |
| <input type="checkbox"/> Dark Surface (S7) (LRR K, L)              |
| <input type="checkbox"/> Iron-Manganese Masses (F12) (LRR K, L, R) |
| <input type="checkbox"/> Very Shallow Dark Surface (TF12)          |
| <input type="checkbox"/> Other (explain in remarks)                |

\*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

## Restrictive Layer (if observed):

Type: \_\_\_\_\_  
Depth (inches): \_\_\_\_\_

Hydric soil present? Y

Remarks:

# HYDROLOGY

## Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- |  |
|--|
| <input type="checkbox"/> Surface Water (A1)                        |
| <input checked="" type="checkbox"/> High Water Table (A2)          |
| <input checked="" type="checkbox"/> Saturation (A3)                |
| <input type="checkbox"/> Water Marks (B1)                          |
| <input type="checkbox"/> Sediment Deposits (B2)                    |
| <input type="checkbox"/> Drift Deposits (B3)                       |
| <input type="checkbox"/> Algal Mat or Crust (B4)                   |
| <input type="checkbox"/> Iron Deposits (B5)                        |
| <input type="checkbox"/> Inundation Visible on Aerial Imagery (B7) |
| <input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)   |
| <input type="checkbox"/> Water-Stained Leaves (B9)                 |

- |   |
|---|
| <input type="checkbox"/> Aquatic Fauna (B13)                        |
| <input type="checkbox"/> True Aquatic Plants (B14)                  |
| <input type="checkbox"/> Hydrogen Sulfide Odor (C1)                 |
| <input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3) |
| <input type="checkbox"/> Presence of Reduced Iron (C4)              |
| <input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6) |
| <input type="checkbox"/> Thin Muck Surface (C7)                     |
| <input type="checkbox"/> Gauge or Well Data (D9)                    |
| <input type="checkbox"/> Other (Explain in Remarks)                 |

Secondary Indicators (minimum of two required)

- |  |
|--|
| <input type="checkbox"/> Surface Soil Cracks (B6)                  |
| <input type="checkbox"/> Drainage Patterns (B10)                   |
| <input type="checkbox"/> Dry-Season Water Table (C2)               |
| <input type="checkbox"/> Crayfish Burrows (C8)                     |
| <input type="checkbox"/> Saturation Visible on Aerial Imagery (C9) |
| <input type="checkbox"/> Stunted or Stressed Plants (D1)           |
| <input checked="" type="checkbox"/> Geomorphic Position (D2)       |
| <input checked="" type="checkbox"/> FAC-Neutral Test (D5)          |

## Field Observations:

Surface water present?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Depth (inches):	_____
Water table present?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Depth (inches):	<u>6</u>
Saturation present?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Depth (inches):	<u>0</u>

(includes capillary fringe)

Indicators of wetland hydrology present? Y

Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

# **10715 South Shore Drive**

## **Wetland Delineation Report**

### **Appendix B:**

#### **Precipitation Information**

# Minnesota Climatology Working Group

State Climatology Office - DNR Division of Ecological and Water Resources University of Minnesota

[home](#) | [current conditions](#) | [journal](#) | [past data](#) | [summaries](#) | [agriculture](#) | [other sites](#) | [contact us](#) | [search](#) | 

## Precipitation Worksheet Using Gridded Database

### Precipitation data for target wetland location:

county: **Hennepin** township number: **118N**  
 township name: **Plymouth** range number: **22W**  
 nearest community: **Medicine Lake** section number: **25**

### Aerial photograph or site visit date:

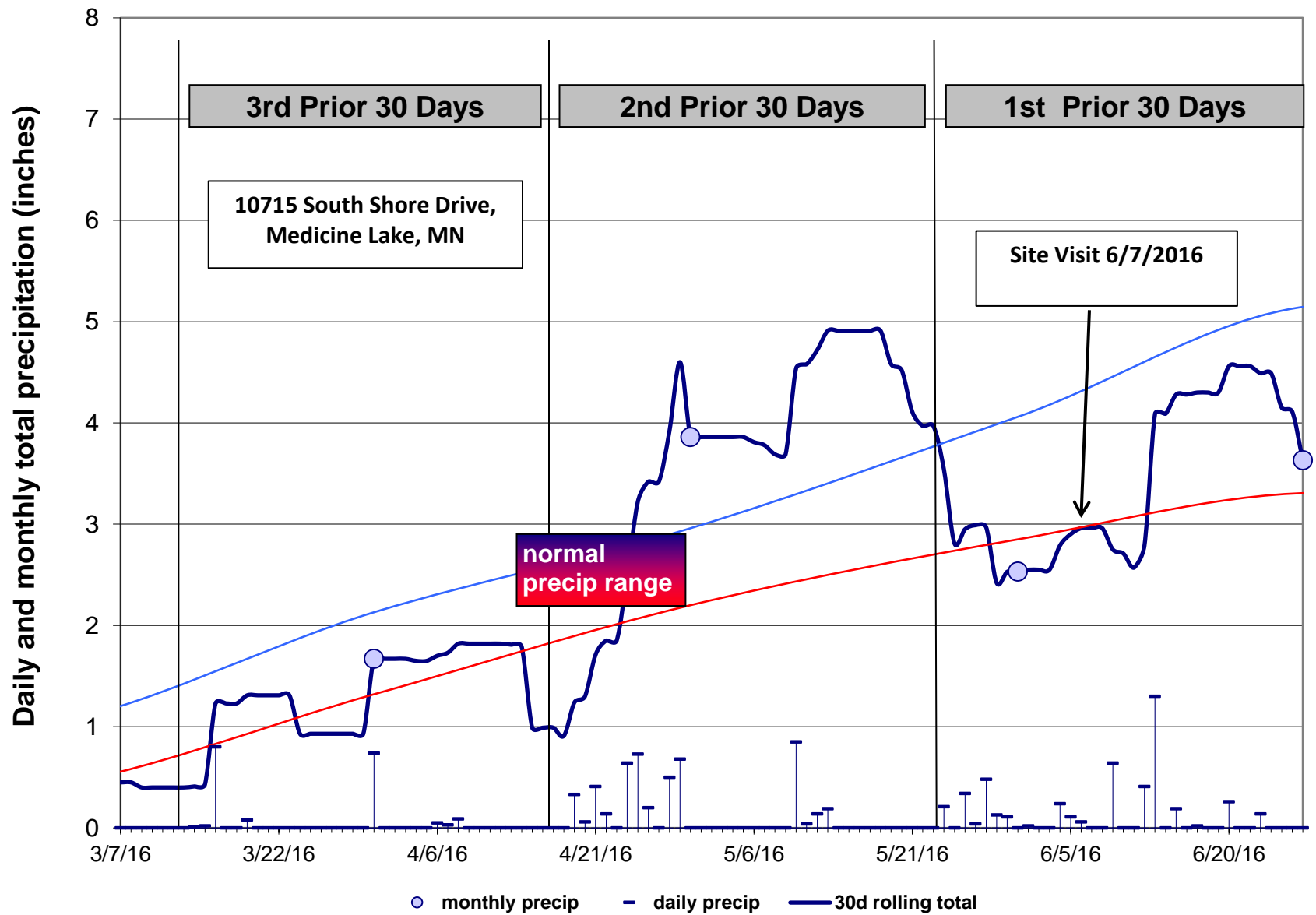
**Tuesday, June 07, 2016**

### Score using 1981-2010 normal period

values are in inches A 'R' following a monthly total indicates a provisional value derived from <a href="#">radar-based estimates</a> .	first prior month: <b>May 2016</b>	second prior month: <b>April 2016</b>	third prior month: <b>March 2016</b>
estimated precipitation total for this location:	<b>2.53</b>	<b>3.68</b>	<b>1.53</b>
there is a 30% chance this location will have less than:	2.85	2.20	1.32
there is a 30% chance this location will have more than:	4.06	2.96	2.13
type of month: <b>dry</b> <b>normal</b> <b>wet</b>	<b>Dry</b>	<b>wet</b>	<b>normal</b>
monthly score	<b>3*1=3</b>	<b>2 * 3 = 6</b>	<b>1 * 2 = 2</b>
multi-month score: <b>6 to 9 (dry) 10 to 14 (normal) 15 to 18 (wet)</b>			
	<b>3+6+2=11 Normal</b>		

### Other Resources:

- [retrieve daily precipitation data](#)
- [view radar-based precipitation estimates](#)
- [view weekly precipitation maps](#)
- [Evaluating Antecedent Precipitation Conditions](#) (BWSR)



# 10715 South Shore Drive, Medicine Lake MN: Precipitation Summary

Source: Minnesota Climatology Working Group

**Monthly Totals: 2016** (latitude: 45.00026 longitude: 93.41069)

Target: T118 R22 S25

mon year	cc	tttN	rrW	ss	nnnn	oooooooo	pre (inches)
Jan 2016	27	118N	22W	25	BYRG		.35
Feb 2016	27	118N	22W	25	BYRG		.89
Mar 2016	27	118N	22W	25	BYRG		1.67
Apr 2016	27	118N	22W	25	BYRG		3.86
May 2016	27	118N	22W	25	BYRG		2.53
Jun 2016	27	118N	22W	25	BYRG		3.39

## March/April/May/June Daily Records

Mar 1, 2016	0	Apr 1, 2016	0	May 1, 2016	0	Jun 1, 2016	.02
Mar 2, 2016	0	Apr 2, 2016	0	May 2, 2016	0	Jun 2, 2016	0
Mar 3, 2016	0	Apr 3, 2016	0	May 3, 2016	0	Jun 3, 2016	0
Mar 4, 2016	0	Apr 4, 2016	0	May 4, 2016	0	Jun 4, 2016	.24
Mar 5, 2016	.02	Apr 5, 2016	0	May 5, 2016	0	Jun 5, 2016	.11
Mar 6, 2016	0	Apr 6, 2016	.05	May 6, 2016	0	Jun 6, 2016	.06
Mar 7, 2016	0	Apr 7, 2016	.03	May 7, 2016	0	Jun 7, 2016	0
Mar 8, 2016	T	Apr 8, 2016	.09	May 8, 2016	0	Jun 8, 2016	0
Mar 9, 2016	T	Apr 9, 2016	T	May 9, 2016	0	Jun 9, 2016	.64
Mar 10, 2016	0	Apr 10, 2016	0	May 10, 2016	.85	Jun 10, 2016	0
Mar 11, 2016	0	Apr 11, 2016	0	May 11, 2016	.04	Jun 11, 2016	0
Mar 12, 2016	0	Apr 12, 2016	0	May 12, 2016	.14	Jun 12, 2016	.41
Mar 13, 2016	T	Apr 13, 2016	0	May 13, 2016	.19	Jun 13, 2016	1.30
Mar 14, 2016	.01	Apr 14, 2016	0	May 14, 2016	0	Jun 14, 2016	0
Mar 15, 2016	.02	Apr 15, 2016	0	May 15, 2016	0	Jun 15, 2016	.19
Mar 16, 2016	.80	Apr 16, 2016	0	May 16, 2016	0	Jun 16, 2016	0
Mar 17, 2016	0	Apr 17, 2016	0	May 17, 2016	0	Jun 17, 2016	.02
Mar 18, 2016	0	Apr 18, 2016	0	May 18, 2016	0	Jun 18, 2016	0
Mar 19, 2016	.08	Apr 19, 2016	.33	May 19, 2016	0	Jun 19, 2016	0
Mar 20, 2016	0	Apr 20, 2016	.06	May 20, 2016	0	Jun 20, 2016	.26
Mar 21, 2016	0	Apr 21, 2016	.41	May 21, 2016	0	Jun 21, 2016	0
Mar 22, 2016	0	Apr 22, 2016	.14	May 22, 2016	0	Jun 22, 2016	0
Mar 23, 2016	0	Apr 23, 2016	0	May 23, 2016	0	Jun 23, 2016	.14
Mar 24, 2016	0	Apr 24, 2016	.64	May 24, 2016	.21	Jun 24, 2016	0
Mar 25, 2016	0	Apr 25, 2016	.73	May 25, 2016	0	Jun 25, 2016	0
Mar 26, 2016	0	Apr 26, 2016	.20	May 26, 2016	.34	Jun 26, 2016	0
Mar 27, 2016	0	Apr 27, 2016	0	May 27, 2016	.04	Jun 27, 2016	0
Mar 28, 2016	0	Apr 28, 2016	.50	May 28, 2016	.48	Jun 28, 2016	m
Mar 29, 2016	0	Apr 29, 2016	.68	May 29, 2016	.13	Jun 29, 2016	m
Mar 30, 2016	0	Apr 30, 2016	0	May 30, 2016	.11	Jun 30, 2016	m
Mar 31, 2016	.74			May 31, 2016	0		

### 1981-2010 Summary Statistics

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	WARM	ANN	WAT
30%	0.52	0.39	1.32	2.20	2.85	3.31	2.74	3.33	2.28	1.24	1.09	0.74	18.30	29.76	27.84
70%	1.21	1.00	2.13	2.96	4.06	5.17	4.17	5.14	3.92	3.61	2.05	1.43	21.65	34.16	35.39
mean	0.87	0.81	1.91	2.74	3.63	4.55	4.24	4.16	3.41	2.52	1.81	1.23	19.99	31.90	31.70



# **10715 South Shore Drive**

## **Wetland Delineation Report**

### **Appendix C:**

#### **Joint Application Form for Activities Affecting Water Resources in Minnesota**

# Joint Application Form for Activities Affecting Water Resources in Minnesota

This joint application form is the accepted means for initiating review of proposals that may affect a water resource (wetland, tributary, lake, etc.) in the State of Minnesota under state and federal regulatory programs. Applicants for Minnesota Department of Natural Resources (DNR) Public Waters permits **MUST** use the MPARS online permitting system for submitting applications to the DNR. Applicants can use the information entered into MPARS to substitute for completing parts of this joint application form (see the paragraph on MPARS at the end of the joint application form instructions for additional information). This form is only applicable to the water resource aspects of proposed projects under state and federal regulatory programs; other local applications and approvals may be required. Depending on the nature of the project and the location and type of water resources impacted, multiple authorizations may be required as different regulatory programs have different types of jurisdiction over different types of resources.

## Regulatory Review Structure

### Federal

The St. Paul District of the U.S. Army Corps of Engineers (Corps) is the federal agency that regulates discharges of dredged or fill material into waters of the United States (wetlands, tributaries, lakes, etc.) under Section 404 of the Clean Water Act (CWA) and regulates work in navigable waters under Section 10 of the Rivers and Harbors Act. Applications are assigned to Corps project managers who are responsible for implementing the Corps regulatory program within a particular geographic area.

### State

There are three state regulatory programs that regulate activities affecting water resources. The Wetland Conservation Act (WCA) regulates most activities affecting wetlands. It is administered by local government units (LGUs) which can be counties, townships, cities, watershed districts, watershed management organizations or state agencies (on state-owned land). The Minnesota DNR Division of Ecological and Water Resources issues permits for work in specially-designated public waters via the Public Waters Work Permit Program (DNR Public Waters Permits). The Minnesota Pollution Control Agency (MPCA) under Section 401 of the Clean Water Act certifies that discharges of dredged or fill material authorized by a federal permit or license comply with state water quality standards. One or more of these regulatory programs may be applicable to any one project.

## Required Information

Prior to submitting an application, applicants are **strongly encouraged** to seek input from the Corps Project Manager and LGU staff to identify regulatory issues and required application materials for their proposed project. Project proponents can request a pre-application consultation with the Corps and LGU to discuss their proposed project by providing the information required in Sections 1 through 5 of this joint application form to facilitate a meaningful discussion about their project. Many LGUs provide a venue (such as regularly scheduled technical evaluation panel meetings) for potential applicants to discuss their projects with multiple agencies prior to submitting an application. Contact information is provided below.

The following bullets outline the information generally required for several common types of determinations/authorizations.

- For delineation approvals and/or jurisdictional determinations, submit Parts 1, 2 and 5, and Attachment A.
- For activities involving CWA/WCA exemptions, WCA no-loss determinations, and activities not requiring mitigation, submit Parts 1 through 5, and Attachment B.
- For activities requiring compensatory mitigation/replacement plan, submit Parts 1 thru 5, and Attachments C and D.
- For local road authority activities that qualify for the state's local road wetland replacement program, submit Parts 1 through 5, and Attachments C, D (if applicable), and E to both the Corps and the LGU.

## Submission Instructions

Send the completed joint application form and all required attachments to:

**U.S Army Corps of Engineers.** Applications may be sent directly to the appropriate Corps Office. For a current listing of areas of responsibilities and contact information, visit the St. Paul District's website at:

<http://www.mvp.usace.army.mil/Missions/Regulatory.aspx> and select "Minnesota" from the contact Information box.

Alternatively, applications may be sent directly to the St. Paul District Headquarters and the Corps will forward them to the appropriate field office.

**Section 401 Water Quality Certification:** Applicants do not need to submit the joint application form to the MPCA unless specifically requested. The MPCA will request a copy of the completed joint application form directly from an applicant when they determine an individual 401 water quality certification is required for a proposed project.

**Wetland Conservation Act Local Government Unit:** Send to the appropriate Local Government Unit. If necessary, contact your county Soil and Water Conservation District (SWCD) office or visit the Board of Water and Soil Resources (BWSR) web site ([www.bwsr.state.mn.us](http://www.bwsr.state.mn.us)) to determine the appropriate LGU.

**DNR Public Waters Permitting:** In 2014 the DNR will begin using the Minnesota DNR Permitting and Reporting System (MPARS) for submission of Public Waters permit applications (<https://webapps11.dnr.state.mn.us/mpars/public/authentication/login>).

Applicants for Public Waters permits **MUST** use the MPARS online permitting system for submitting applications to the DNR. To avoid duplication and to streamline the application process among the various resource agencies, applicants can use the information entered into MPARS to substitute for completing parts of this joint application form. The MPARS print/save function will provide the applicant with a copy of the Public Waters permit application which, at a minimum, will satisfy Parts one and two of this joint application. For certain types of activities, the MPARS application may also provide all of the necessary information required under Parts three and four of the joint application. However, it is the responsibility of the Applicant to make sure that the joint application contains all of the required information, including identification of all aquatic resources impacted by the project (see Part four of the joint application). After confirming that the MPARS application contains all of the required information in Parts one and two the Applicant may attach a copy to the joint application and fill in any missing information in the remainder of the joint application.

## PART ONE: Applicant Information

If applicant is an entity (company, government entity, partnership, etc.), an authorized contact person must be identified. If the applicant is using an agent (consultant, lawyer, or other third party) and has authorized them to act on their behalf, the agent's contact information must also be provided.

**Applicant/Landowner Name:** LLW Partners, LLC  
**Mailing Address:** 20455 Park Place, Deephaven, MN  
**Phone:** 612.801.9055  
**E-mail Address:** clepper@vinehillpartners.com

**Authorized Contact (do not complete if same as above):**

**Mailing Address:**  
**Phone:**  
**E-mail Address:**

**Agent Name:** Adam Cameron  
**Mailing Address:** 2601 Wild Rose Lane  
**Phone:** 952-401-8757 #106  
**E-mail Address:** Adam@kjolhaugenv.com

## PART TWO: Site Location Information

**County:** Hennepin **City/Township:** Medicine Lake  
**Parcel ID and/or Address:** 2511822 – 330058, 330057, 330056, 330055, 330054, 340038, 340037, 340036  
**Legal Description (Section, Township, Range):** S25, T118N, R22W  
**Lat/Long (decimal degrees):** 44.994840, -93.415851  
**Attach a map showing the location of the site in relation to local streets, roads, highways.**  
**Approximate size of site (acres) or if a linear project, length (feet):** 2.69

If you know that your proposal will require an individual Permit from the U.S. Army Corps of Engineers, you must provide the names and addresses of all property owners adjacent to the project site. This information may be provided by attaching a list to your application or by using block 25 of the Application for Department of the Army permit which can be obtained at:

[http://www.mvp.usace.army.mil/Portals/57/docs/regulatory/RegulatoryDocs/engform\\_4345\\_2012oct.pdf](http://www.mvp.usace.army.mil/Portals/57/docs/regulatory/RegulatoryDocs/engform_4345_2012oct.pdf)

## PART THREE: General Project/Site Information

If this application is related to a delineation approval, exemption determination, jurisdictional determination, or other correspondence submitted **prior to** this application then describe that here and provide the Corps of Engineers project number.

Describe the project that is being proposed, the project purpose and need, and schedule for implementation and completion. The project description must fully describe the nature and scope of the proposed activity including a description of all project elements that effect aquatic resources (wetland, lake, tributary, etc.) and must also include plans and cross section or profile drawings showing the location, character, and dimensions of all proposed activities and aquatic resource impacts.

## PART FOUR: Aquatic Resource Impact<sup>1</sup> Summary

If your proposed project involves a direct or indirect impact to an aquatic resource (wetland, lake, tributary, etc.) identify each impact in the table below. Include all anticipated impacts, including those expected to be temporary. Attach an overhead view map, aerial photo, and/or drawing showing all of the aquatic resources in the project area and the location(s) of the proposed impacts. Label each aquatic resource on the map with a reference number or letter and identify the impacts in the following table.

Aquatic Resource ID (as noted on overhead view)	Aquatic Resource Type (wetland, lake, tributary etc.)	Type of Impact (fill, excavate, drain, or remove vegetation)	Duration of Impact Permanent (P) or Temporary (T) <sup>1</sup>	Size of Impact <sup>2</sup>	Overall Size of Aquatic Resource <sup>3</sup>	Existing Plant Community Type(s) in Impact Area <sup>4</sup>	County, Major Watershed #, and Bank Service Area # of Impact Area <sup>5</sup>

<sup>1</sup>If impacts are temporary; enter the duration of the impacts in days next to the "T". For example, a project with a temporary access fill that would be removed after 220 days would be entered "T (220)".

<sup>2</sup>Impacts less than 0.01 acre should be reported in square feet. Impacts 0.01 acre or greater should be reported as acres and rounded to the nearest 0.01 acre. Tributary impacts must be reported in linear feet of impact and an area of impact by indicating first the linear feet of impact along the flowline of the stream followed by the area impact in parentheses). For example, a project that impacts 50 feet of a stream that is 6 feet wide would be reported as 50 ft (300 square feet).

<sup>3</sup>This is generally only applicable if you are applying for a de minimis exemption under MN Rules 8420.0420 Subp. 8, otherwise enter "N/A".

<sup>4</sup>Use *Wetland Plants and Plant Community Types of Minnesota and Wisconsin* 3<sup>rd</sup> Ed. as modified in MN Rules 8420.0405 Subp. 2.

<sup>5</sup>Refer to Major Watershed and Bank Service Area maps in MN Rules 8420.0522 Subp. 7.

If any of the above identified impacts have already occurred, identify which impacts they are and the circumstances associated with each:

## PART FIVE: Applicant Signature

☐ Check here if you are requesting a pre-application consultation with the Corps and LGU based on the information you have provided. Regulatory entities will not initiate a formal application review if this box is checked.

By signature below, I attest that the information in this application is complete and accurate. I further attest that I possess the authority to undertake the work described herein.

Signature: \_\_\_\_\_



Date: 6/24/16

I hereby authorize \_\_\_\_\_ to act on my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this application.

<sup>1</sup> The term "impact" as used in this joint application form is a generic term used for disclosure purposes to identify activities that may require approval from one or more regulatory agencies. For purposes of this form it is not meant to indicate whether or not those activities may require mitigation/replacement.

## Attachment A

### Request for Delineation Review, Wetland Type Determination, or Jurisdictional Determination

By submission of the enclosed wetland delineation report, I am requesting that the U.S. Army Corps of Engineers, St. Paul District (Corps) and/or the Wetland Conservation Act Local Government Unit (LGU) provide me with the following (check all that apply):

☒ **Wetland Type Confirmation**

☒ **Delineation Concurrence.** Concurrence with a delineation is a written notification from the Corps and a decision from the LGU concurring, not concurring, or commenting on the boundaries of the aquatic resources delineated on the property. Delineation concurrences are generally valid for five years unless site conditions change. Under this request alone, the Corps will not address the jurisdictional status of the aquatic resources on the property, only the boundaries of the resources within the review area (including wetlands, tributaries, lakes, etc.).

☐ **Preliminary Jurisdictional Determination.** A preliminary jurisdictional determination (PJD) is a non-binding written indication from the Corps that waters, including wetlands, identified on a parcel may be waters of the United States. For purposes of computation of impacts and compensatory mitigation requirements, a permit decision made on the basis of a PJD will treat all waters and wetlands in the review area as if they are jurisdictional waters of the U.S. PJDs are advisory in nature and may not be appealed.

☒ **Approved Jurisdictional Determination.** An approved jurisdictional determination (AJD) is an official Corps determination that jurisdictional waters of the United States are either present or absent on the property. AJDs can generally be relied upon by the affected party for five years. An AJD may be appealed through the Corps administrative appeal process.

In order for the Corps and LGU to process your request, the wetland delineation must be prepared in accordance with the 1987 Corps of Engineers Wetland Delineation Manual, any approved Regional Supplements to the 1987 Manual, and the *Guidelines for Submitting Wetland Delineations in Minnesota* (2013).

<http://www.mvp.usace.army.mil/Missions/Regulatory/DelineationJDGuidance.aspx>

## **Attachment B**

### **Supporting Information for Applications Involving Exemptions, No Loss Determinations, and Activities Not Requiring Mitigation**

Complete this part ***if*** you maintain that the identified aquatic resource impacts in Part Four do not require wetland replacement/compensatory mitigation OR ***if*** you are seeking verification that the proposed water resource impacts are either exempt from replacement or are not under CWA/WCA jurisdiction.

Identify the specific exemption or no-loss provision for which you believe your project or site qualifies:

Provide a detailed explanation of how your project or site qualifies for the above. Be specific and provide and refer to attachments and exhibits that support your contention. Applicants should refer to rules (e.g. WCA rules), guidance documents (e.g. BWSR guidance, Corps guidance letters/public notices), and permit conditions (e.g. Corps General Permit conditions) to determine the necessary information to support the application. Applicants are strongly encouraged to contact the WCA LGU and Corps Project Manager prior to submitting an application if they are unsure of what type of information to provide:

## Attachment C

### Avoidance and Minimization

**Project Purpose, Need, and Requirements.** Clearly state the purpose of your project and need for your project. Also include a description of any specific requirements of the project as they relate to project location, project footprint, water management, and any other applicable requirements. Attach an overhead plan sheet showing all relevant features of the project (buildings, roads, etc.), aquatic resource features (impact areas noted) and construction details (grading plans, storm water management plans, etc.), referencing these as necessary:

**Avoidance.** Both the CWA and the WCA require that impacts to aquatic resources be avoided if practicable alternatives exist. Clearly describe all on-site measures considered to avoid impacts to aquatic resources and discuss at least two project alternatives that avoid all impacts to aquatic resources on the site. These alternatives may include alternative site plans, alternate sites, and/or not doing the project. Alternatives should be feasible and prudent (see MN Rules 8420.0520 Subp. 2 C). Applicants are encouraged to attach drawings and plans to support their analysis:

**Minimization.** Both the CWA and the WCA require that all unavoidable impacts to aquatic resources be minimized to the greatest extent practicable. Discuss all features of the proposed project that have been modified to minimize the impacts to water resources (see MN Rules 8420.0520 Subp. 4):

**Off-Site Alternatives.** An off-site alternatives analysis is not required for all permit applications. If you know that your proposal will require an individual permit (standard permit or letter of permission) from the U.S. Army Corps of Engineers, you may be required to provide an off-site alternatives analysis. The alternatives analysis is not required for a complete application but must be provided during the review process in order for the Corps to complete the evaluation of your application and reach a final decision. Applicants with questions about when an off-site alternatives analysis is required should contact their Corps Project Manager.



## Attachment D

### Replacement/Compensatory Mitigation

Complete this part **if** your application involves wetland replacement/compensatory mitigation not associated with the local road wetland replacement program. Applicants should consult Corps mitigation guidelines and WCA rules for requirements.

**Replacement/Compensatory Mitigation via Wetland Banking.** Complete this section if you are proposing to use credits from an existing wetland bank (with an account number in the State wetland banking system) for all or part of your replacement/compensatory mitigation requirements.

Wetland Bank Account #	County	Major Watershed #	Bank Service Area #	Credit Type (if applicable)	Number of Credits

Applicants should attach documentation indicating that they have contacted the wetland bank account owner and reached at least a tentative agreement to utilize the identified credits for the project. This documentation could be a signed purchase agreement, signed application for withdrawal of credits or some other correspondence indicating an agreement between the applicant and the bank owner. *However, applicants are advised not to enter into a binding agreement to purchase credits until the mitigation plan is approved by the Corps and LGU.*

**Project-Specific Replacement/Permittee Responsible Mitigation.** Complete this section if you are proposing to pursue actions (restoration, creation, preservation, etc.) to generate wetland replacement/compensatory mitigation credits for this proposed project.

WCA Action Eligible for Credit <sup>1</sup>	Corps Mitigation Compensation Technique <sup>2</sup>	Acres	Credit % Requested	Credits Anticipated <sup>3</sup>	County	Major Watershed #	Bank Service Area #

<sup>1</sup>Refer to the name and subpart number in MN Rule 8420.0526.

<sup>2</sup>Refer to the technique listed in *St. Paul District Policy for Wetland Compensatory Mitigation in Minnesota*.

<sup>3</sup>If WCA and Corps crediting differs, then enter both numbers and distinguish which is Corps and which is WCA.

Explain how each proposed action or technique will be completed (e.g. wetland hydrology will be restored by breaking the tile.....) and how the proposal meets the crediting criteria associated with it. Applicants should refer to the Corps mitigation policy language, WCA rule language, and all associated Corps and WCA guidance related to the action or technique:

Attach a site location map, soils map, recent aerial photograph, and any other maps to show the location and other relevant features of each wetland replacement/mitigation site. Discuss in detail existing vegetation, existing landscape features, land use (on and surrounding the site), existing soils, drainage systems (if present), and water sources and movement. Include a topographic map showing key features related to hydrology and water flow (inlets, outlets, ditches, pumps, etc.):

Attach a map of the existing aquatic resources, associated delineation report, and any documentation of regulatory review or approval. Discuss as necessary:

For actions involving construction activities, attach construction plans and specifications with all relevant details. Discuss and provide documentation of a hydrologic and hydraulic analysis of the site to define existing conditions, predict project outcomes, identify specific project performance standards and avoid adverse offsite impacts. Plans and specifications should be prepared by a licensed engineer following standard engineering practices. Discuss anticipated construction sequence and timing:

For projects involving vegetation restoration, provide a vegetation establishment plan that includes information on site preparation, seed mixes and plant materials, seeding/planting plan (attach seeding/planting zone map), planting/seeding methods, vegetation maintenance, and an anticipated schedule of activities:

For projects involving construction or vegetation restoration, identify and discuss goals and specific outcomes that can be determined for credit allocation. Provide a proposed credit allocation table tied to outcomes:

Provide a five-year monitoring plan to address project outcomes and credit allocation:

Discuss and provide evidence of ownership or rights to conduct wetland replacement/mitigation on each site:

Quantify all proposed wetland credits and compare to wetland impacts to identify a proposed wetland replacement ratio. Discuss how this replacement ratio is consistent with Corps and WCA requirements:

By signature below, the applicant attests to the following (only required if application involves project-specific/permittee responsible replacement):

- All proposed replacement wetlands were not:
  - Previously restored or created under a prior approved replacement plan or permit
  - Drained or filled under an exemption during the previous 10 years
  - Restored with financial assistance from public conservation programs
  - Restored using private funds, other than landowner funds, unless the funds are paid back with interest to the individual or organization that funded the restoration and the individual or organization notifies the local government unit in writing that the restored wetland may be considered for replacement.
- The wetland will be replaced before or concurrent with the actual draining or filling of a wetland.
- An irrevocable bank letter of credit, performance bond, or other acceptable security will be provided to guarantee successful completion of the wetland replacement.
- Within 30 days of either receiving approval of this application or beginning work on the project, I will record the Declaration of Restrictions and Covenants on the deed for the property on which the replacement wetland(s) will be located and submit proof of such recording to the LGU and the Corps.

Applicant or Representative:

Title:

Signature: \_\_\_\_\_

Date:

## Attachment E

### Local Road Replacement Program Qualification

Complete this part **if** you are a local road authority (county highway department, city transportation department, etc.) seeking verification that your project (or a portion of your project) qualifies for the MN Local Government Road Wetland Replacement Program (LGRWRP). If portions of your project are not eligible for the LGRWRP, then Attachment D should be completed and attached to your application.

Discuss how your project is a repair, rehabilitation, reconstruction, or replacement of a currently serviceable road to meet state/federal design or safety standards/requirements. Applicants should identify the specific road deficiencies and how the project will rectify them. Attach supporting documents and information as applicable:

Provide a map, plan, and/or aerial photograph accurately depicting wetland boundaries within the project area. Attach associated delineation/determination report or otherwise explain the method(s) used to identify and delineate wetlands. Also attach and discuss any type of review or approval of wetland boundaries or other aspects of the project by a member or members of the local Technical Evaluation Panel (TEP) or Corps of Engineers:

In the table below, identify only the wetland impacts from Part 4 that the road authority has determined should qualify for the LGRWRP.

Wetland Impact ID (as noted on overhead view)	Type of Impact (fill, excavate, drain)	Size of Impact (square feet or acres to 0.01)	Existing Plant Community Type(s) in Impact Area <sup>1</sup>	County, Major Watershed #, and Bank Service Area # of Impact <sup>2</sup>

<sup>1</sup>Use *Wetland Plants and Plant Community Types of Minnesota and Wisconsin* 3<sup>rd</sup> Ed. as modified in MN Rules 8420.0405 Subp. 2.

<sup>2</sup>Refer to Major Watershed and Bank Service Area maps in MN Rules 8420.0522 Subp. 7.

Discuss the feasibility of providing onsite compensatory mitigation/replacement for important site-specific wetland functions:

Please note that under the MN Wetland Conservation Act, projects with less than 10,000 square feet of wetland impact are allowed to commence prior to submission of this notification so long as the notification is submitted within 30 days of the impact. The Clean Water Act has no such provision and requires that permits be obtained prior to any regulated discharges into water of the United States. To avoid potential unauthorized activities, road authorities must, at a minimum, provide a complete application to the Corps and receive a permit prior to commencing work.

By signature below, the road authority attests that they have followed the process in MN Rules 8420.0544 and have determined that the wetland impacts identified in Part 4 are eligible for the MN Local Government Road Wetland Replacement Program.

Road Authority Representative:

Title:

Signature: \_\_\_\_\_

Date:

**Technical Evaluation Panel Concurrence:**

Project Name and/or Number: 10715 South Shore Drive

TEP member:

Representing:

Concur with road authority's determination of qualification for the local road wetland replacement program? ☐ Yes ☐ No

Signature: \_\_\_\_\_

Date:

TEP member:

Representing:

Concur with road authority's determination of qualification for the local road wetland replacement program? ☐ Yes ☐ No

Signature: \_\_\_\_\_

Date:

TEP member:

Representing:

Concur with road authority's determination of qualification for the local road wetland replacement program? ☐ Yes ☐ No

Signature: \_\_\_\_\_

Date:

TEP member:

Representing:

Concur with road authority's determination of qualification for the local road wetland replacement program? ☐ Yes ☐ No

Signature: \_\_\_\_\_

Date:

Upon approval and signature by the TEP, application must be sent to: **Wetland Bank Administration  
Minnesota Board of Water & Soil Resources  
520 Lafayette Road North  
Saint Paul, MN 55155**

# **10715 South Shore Drive**

## **Wetland Delineation Report**

### **Appendix D:**

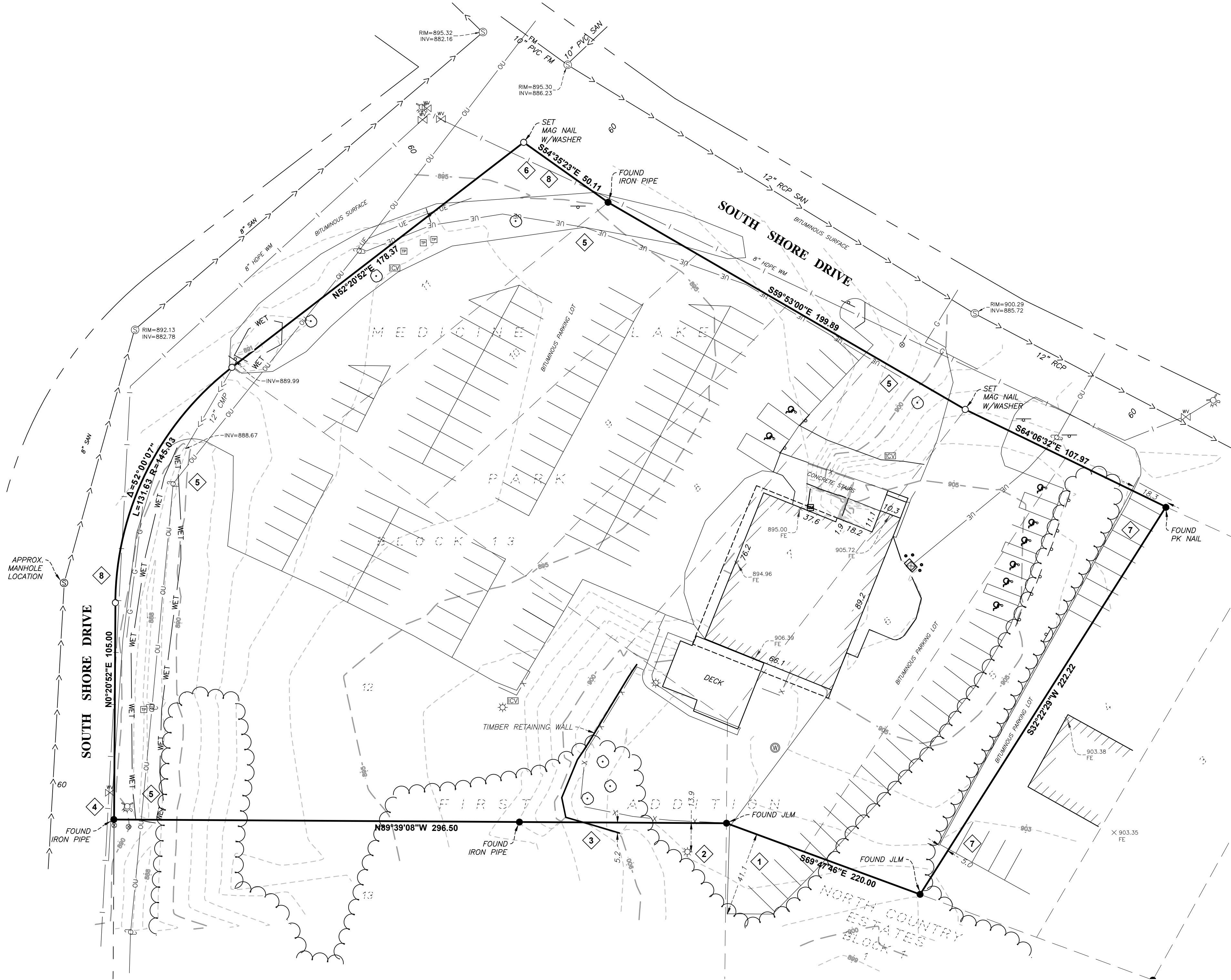
#### **Wetland Boundary Survey**



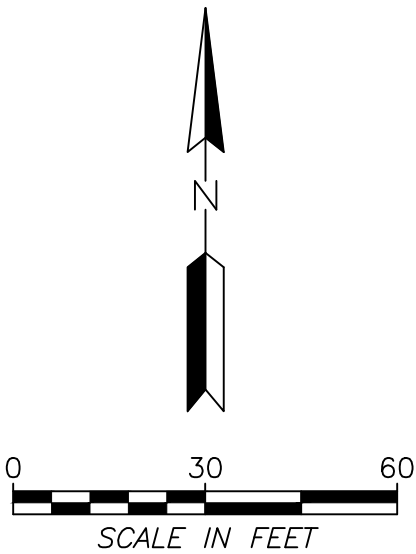
First Date & Time: 23 June 2016 8:37 AM  
\\s6691\c001\Survey\CAD\6699-0001\_ALTA.dwg

# ALTA/NSPS LAND TITLE SURVEY

## 10715 SOUTH SHORE DRIVE MEDICINE LAKE, MINNESOTA



- LEGEND**
- SET 3/4"ODx14" IRON PIPE WITH PLASTIC CAP 43055
  - FOUND MONUMENT
  - ⊙ SANITARY SEWER MANHOLE
  - ⊞ IRRIGATION CONTROL VALVE
  - ⊞ HYDRANT
  - ⊞ GAS METER
  - ⊞ COMMUNICATIONS PEDESTAL
  - ⊞ ELECTRIC METER
  - ⊞ ELECTRIC TRANSFORMER
  - ⊞ TRAFFIC SIGN
  - ⊞ BOLLARD/POST
  - ⊞ UTILITY POLE
  - ⊞ ANCHOR CABLE
  - ⊞ LIGHT POLE
  - ⊞ HANDICAP PARKING SPACE
  - ⊞ CURB STOP VALVE
  - WET — DELINEATED WETLAND EDGE
  - X — FENCE LINE
  - >> — STORM SEWER
  - > — SANITARY SEWER
  - I — WATERMAIN
  - G — UNDERGROUND GAS LINE
  - COM — UNDERGROUND COMMUNICATION LINE
  - OU — OVERHEAD UTILITY LINE
  - — TREE LINE
  - ▨ BUILDING
  - ⊞ WATER WELL
  - ⊞ IRRIGATION CONTROL VALVE
  - ⊞ DECIDUOUS TREE



### PROPERTY DESCRIPTION

The following description was provided in Stewart Title Guaranty Company File No. 539154 which has an effective date of May 9, 2016 at 8:00 A.M.

Lots 5, 6, 7, 8, 9, 10, 11 and 12 of Block 13, "Medicine Lake Park First Division, Hennepin Co., Minnesota".

That the Southeasterly boundary line of said Lot 5 and the Southwesterly boundary lines of said Lots 5 and 6 have been judicially determined and Judicial Landmarks have been placed at the Northeasterly corner of said Lot 5, the Southeasterly corner of said Lot 5 and that corner of said Lot 6 which is the Southeast corner of said Lot 12 pursuant to Torrens Case No. 17866.

### NOTES CORRESPONDING TO SCHEDULE B - 2

Items corresponding to Schedule B Section 2 as provided in Stewart Title Guaranty Company File No. 539154 which has an effective date of May 09, 2016 at 8:00 A.M.

Items 1-2 and 5-12 are not survey related and are not addressed herein.

Item 3. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.— THE SURVEYOR HAS MADE A GOOD FAITH EFFORT TO DISCLOSE ANY ISSUES DESCRIBED ABOVE THAT WERE OBSERVED DURING THE COURSE OF THE SURVEY.

Item 4. Easements, or claims of easements, which are not shown by the public records.  
— ONLY THOSE EASEMENTS PROVIDED IN THE TITLE COMMITMENT ARE SHOWN HEREON.

### STATEMENT OF POSSIBLE ENCROACHMENTS

The following possible encroachment notes are intended to draw the users attention only, the surveyor does not guarantee that the items noted below are in fact encroachments or that all possible encroachments are shown hereon.

- 1 Parking lot extends onto adjoining property
- 2 Light pole lies on adjoining property
- 3 Timber retaining wall extends onto adjoining property
- 4 Fire hydrant lies on subject property
- 5 Overhead and underground electrical lines lie on subject property
- 6 Public road crosses subject property
- 7 Adjoiners parking lot extends onto subject property
- 8 Waterline may cross subject property. Watermain was not located and so exact location is not known.

### GENERAL NOTES

1. Bearings shown hereon are based on the Hennepin County Coordinate System relative to the NAD83(96) control adjustment.
2. Elevations and contours shown hereon are relative to the NAVD88 vertical datum.
3. The property boundary shown hereon is based on the Judicial Landmarks as shown and a boundary survey performed in 1974 by Egan, Field and Nowak. The plat of Medicine Lake Park First Addition is very old and ambiguous in many facets. There was no original boundary evidence found at the time of survey other than the JLMs and Egan monuments shown.

### VICINITY MAP



**PROPERTY LOCATION**

### TABLE "A" OPTIONAL ITEMS

2. PROPERTY ADDRESSES: 10715 South Shore Drive, Medicine Lake, Minnesota
3. FLOOD ZONE CLASSIFICATION: This property is located in flood Zone X (Area determined to be outside the 0.2% annual chance floodplain) according to Panel 331 of 479 of the FEMA Flood Insurance Rate Map Number 27053C0331E, dated 9/2/2004.
4. GROSS LAND AREA: 2.69 ACRES MORE OR LESS
- 6a. ZONING CLASSIFICATION: NOT PROVIDED BY THE INSURER
- 7a. EXTERIOR BUILDING DIMENSIONS SHOWN ARE THE EXTERIOR FACADE AT CHEST HEIGHT. UNDERGROUND FOOTINGS AND FOUNDATIONS AND ROOF LINES/EAVES MAY EXTEND OUTSIDE THE BUILDING LINES SHOWN.
9. THERE ARE 118 STANDARD AND 8 HANDICAPPED SPACES THAT ARE ENTIRELY ON THE SUBJECT PROPERTY.
11. UTILITY LINES SHOWN HEREON ARE BASED ON FIELD MARKINGS AND MAPS PROVIDED TO US AS A RESULT OF A GOPHER STATE ONE CALL PRIVATE UTILITY LOCATE (TICKET NUMBER 161523606). THE SURVEYOR CANNOT GUARANTEE THAT ALL UTILITIES WERE MARKED OR THAT THE MARKINGS/MAPS ARE ACCURATE.
16. THERE WERE NO OBSERVABLE SIGNS OF RECENT CONSTRUCTION OR EARTHMOVING ON THE SUBJECT PROPERTY AT THE TIME OF SURVEY.

### CERTIFICATION

To: LLW Partners, LLC and Stewart Title Guaranty Company: This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 3, 5, 6a, 7a, 8, 9, 11 and 16 of Table A thereof.

Date of Plat or Map: 6/17/2016

Chris Ambourn, MN. License 43055

Revised 6/20/2016... Corrected parking count  
Revised 6/23/2016... Added public utilities



Responsive partner. Exceptional outcomes.

1802 WOODDALE DRIVE  
WOODBURY, MN 55125

Ph: 651-395-5212

CLIENT NAME  
LLW PARTNERS, LLC  
20455 PARK PLACE  
DEEPAVEN, MN 55331

PROJECT TITLE  
ALTA/NSPS LAND TITLE SURVEY

DWN BY CNA	CHK'D XXX	APP'D XXX	DWG DATE JUNE 2016
PROJECT NO. 6069-0001		SHEET NO. 1 OF 1	

SCALE 1" = 30'