

Minnesota Wetland Conservation Act

Notice of Decision

Item 9C.
BCWMC 2-20-14

Local Government Unit (LGU) City of Plymouth	Address 3400 Plymouth Blvd. Plymouth, MN 55447
--	--

1. PROJECT INFORMATION

Applicant Name City of Plymouth	Project Name 17625 30th Place North Drainage Maintenance	Date of Application 12/27/13	Application Number NA
<input checked="" type="checkbox"/> Attach site locator map.			

Type of Decision:

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

Technical Evaluation Panel Findings and Recommendation (if any):

<input type="checkbox"/> Approve	<input type="checkbox"/> Approve with conditions	<input type="checkbox"/> Deny
Summary (or attach):		

2. LOCAL GOVERNMENT UNIT DECISION

Date of Decision: 1/23/14		
<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Approved with conditions (include below)	<input type="checkbox"/> Denied

LGU Findings and Conclusions (attach additional sheets as necessary):

The City of Plymouth is proposing to remove accumulated debris adjacent to an outlet adjacent to 17625 30th Place North in Plymouth, MN (SE ¼ Section 19, T118N, R22W). The proposed project area is 1500 square feet.

1. This project qualifies for USACOE RGP-003 Maintenance Activity A and no further correspondence is necessary.
2. This basin is not a DNR Public Water or Public Water Wetland.

The City of Plymouth approves this project to qualify for a No-Loss determination under 8420.0415 Subd. E.

For Replacement Plans using credits from the State Wetland Bank:

Bank Account #	Bank Service Area	County	Credits Approved for Withdrawal (sq. ft. or nearest .01 acre)
----------------	-------------------	--------	---

Replacement Plan Approval Conditions. In addition to any conditions specified by the LGU, the approval of a Wetland Replacement Plan is conditional upon the following:

☐ **Financial Assurance:** For project-specific replacement that is not in-advance, a financial assurance specified by the LGU must be submitted to the LGU in accordance with MN Rule 8420.0522, Subp. 9 (List amount and type in LGU Findings).


☐ **Deed Recording:** For project-specific replacement, evidence must be provided to the LGU that the BWSR "Declaration of Restrictions and Covenants" and "Consent to Replacement Wetland" forms have been filed with the county recorder's office in which the replacement wetland is located.

☐ **Credit Withdrawal:** For replacement consisting of wetland bank credits, confirmation that BWSR has withdrawn the credits from the state wetland bank as specified in the approved replacement plan.

Wetlands may not be impacted until all applicable conditions have been met!

LGU Authorized Signature:

Signing and mailing of this completed form to the appropriate recipients in accordance with 8420.0255, Subp. 5 provides notice that a decision was made by the LGU under the Wetland Conservation Act as specified above. If additional details on the decision exist, they have been provided to the landowner and are available from the LGU upon request.

Name Derek Asche	Title Water Resources Manager	
Signature 	Date 1/24/14	Phone Number and E-mail 763-509-5526 dasche@plymouthmn.gov

THIS DECISION ONLY APPLIES TO THE MINNESOTA WETLAND CONSERVATION ACT. Additional approvals or permits from local, state, and federal agencies may be required. Check with all appropriate authorities before commencing work in or near wetlands.

Applicants proceed at their own risk if work authorized by this decision is started before the time period for appeal (30 days) has expired. If this decision is reversed or revised under appeal, the applicant may be responsible for restoring or replacing all wetland impacts.

This decision is valid for three years from the date of decision unless a longer period is advised by the TEP and specified in this notice of decision.

3. APPEAL OF THIS DECISION

Pursuant to MN Rule 8420.0905, any appeal of this decision can only be commenced by mailing a petition for appeal, including applicable fee, within thirty (30) calendar days of the date of the mailing of this Notice to the following as indicated:

Check one:

<input checked="" type="checkbox"/> Appeal of an LGU staff decision. Send petition and \$0 fee (if applicable) to: Derek Asche, Water Resources Manager City of Plymouth 3400 Plymouth Blvd. Plymouth, MN 55447	<input type="checkbox"/> Appeal of LGU governing body decision. Send petition and \$500 filing fee to: Executive Director Minnesota Board of Water and Soil Resources 520 Lafayette Road North St. Paul, MN 55155
---	---

4. LIST OF ADDRESSEES

- ☒ SWCD TEP member: **Ms. Stacey Lijewski, HCD, 701 Fourth Avenue South, Suite 700, Minneapolis, MN, 55415-1600 (sent electronically)**
- ☒ BWSR TEP member: **Lynda Peterson, BWSR, 520 Lafayette Road North, St. Paul, MN, 55401-1397 (sent electronically)**
- ☐ LGU TEP member (if different than LGU Contact):
- ☒ DNR TEP member: **Melissa Doperalski, MN DNR, 1200 Warner Road, St. Paul, MN, 55106 (sent electronically)**
- ☒ DNR Regional Office (if different than DNR TEP member)
Kate Drewry, Area Hydrologist, MN DNR, 1200 Warner Road, St. Paul, MN, 55106 (sent electronically)
- ☒ WD or WMO (if applicable):
Ms. Laura Jester, Administrator, Bassett Creek Watershed Management Organization, Keystone Waters LLC, 16145 Hillcrest Lane, Eden Prairie, MN 55346 (sent electronically)
- ☐ Applicant (notice only) and Landowner (if different):
Michael Ericson, 17625 30th Place North, Plymouth, MN, 55447
- ☐ Members of the public who requested notice (notice only):
- ☒ Corps of Engineers Project Manager (notice only): **Melissa Jenny, Army Corps of Engineers, 180 5th Street East, Suite 700, St. Paul, MN, 55101-1678 (sent electronically)**
- ☐ BWSR Wetland Bank Coordinator (wetland bank plan applications only)

5. MAILING INFORMATION

➤ For a list of BWSR TEP representatives: www.bwsr.state.mn.us/aboutbwsr/workareas/WCA_areas.pdf

➤ For a list of DNR TEP representatives: 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.	Reg. Env. Assess. Ecol.	Reg. Env. Assess. Ecol.	Reg. Env. Assess. Ecol.
Div. Ecol. Resources	Div. Ecol. Resources	Div. Ecol. Resources	Div. Ecol. Resources
2115 Birchmont Beach Rd.	1201 E. Hwy. 2	1200 Warner Road	261 Hwy. 15 South
NE	Grand Rapids, MN 55744	St. Paul, MN 55106	New Ulm, MN 56073
Bemidji, MN 56601			

For a map of DNR Administrative Regions, see: 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
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

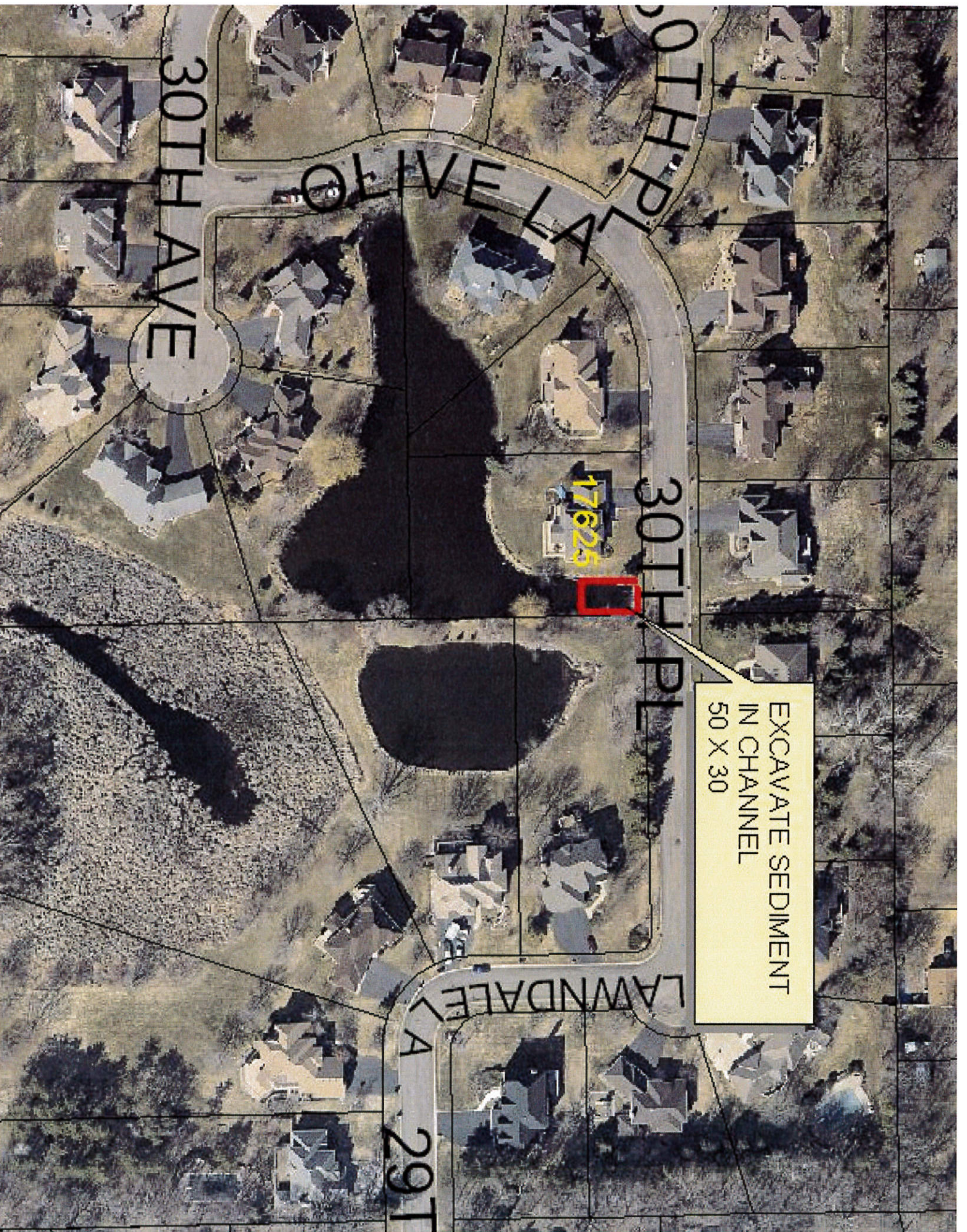
➤ For Wetland Bank Plan applications, also send a copy of the application to:

Minnesota Board of Water and Soil Resources
Wetland Bank Coordinator
520 Lafayette Road North
St. Paul, MN 55155

6. ATTACHMENTS

In addition to the site locator map, list any other attachments:

☐



30TH AVE

OLIVE LA PL

30TH PL

30TH PL

LAWNDALE LA

29T

17625

EXCAVATE SEDIMENT
IN CHANNEL
50 X 30

Minnesota Wetland Conservation Act

Notice of Decision

Local Government Unit (LGU) City of Plymouth	Address 3400 Plymouth Blvd. Plymouth, MN 55447
--	--

1. PROJECT INFORMATION

Applicant Name CA Ventures	Project Name CA Ventures Property	Date of Application 12/19/13	Application Number NA
--------------------------------------	---	--	---------------------------------

☒ Attach site locator map.

Type of Decision:

☒ Wetland Boundary or Type ☐ No-Loss ☐ Exemption ☐ Sequencing
☐ Replacement Plan ☐ Banking Plan

Technical Evaluation Panel Findings and Recommendation (if any):

☐ Approve ☐ Approve with conditions ☐ Deny

Summary (or attach):

2. LOCAL GOVERNMENT UNIT DECISION

Date of Decision: **1/22/14**

☒ Approved ☐ Approved with conditions (include below) ☐ Denied

LGU Findings and Conclusions (attach additional sheets as necessary):

Westwood Professional Services performed a wetland delineation on the CA Ventures Property located in the NE 1/4 of the SE 1/4 of Section 36, T118N, R22W, in Plymouth, MN. Two wetlands were delineated on-site. Wetland A is a 1.8 acre, Type 5, PUBGx/R2SB5, flow through wetland associated with Bassett Creek and dominated by a narrow fringe of reed canary grass, sandbar willow, and boxelder. Wetland B is a 0.57 acre, Type 5, PUBGx, shallow open water wetland dominated by open water with an abrupt edge.

For Replacement Plans using credits from the State Wetland Bank:


Bank Account #	Bank Service Area	County	Credits Approved for Withdrawal (sq. ft. or nearest .01 acre)
----------------	-------------------	--------	---

Replacement Plan Approval Conditions. In addition to any conditions specified by the LGU, the approval of a Wetland Replacement Plan is conditional upon the following:

- ☐ **Financial Assurance:** For project-specific replacement that is not in-advance, a financial assurance specified by the LGU must be submitted to the LGU in accordance with MN Rule 8420.0522, Subp. 9 (List amount and type in LGU Findings).
- ☐ **Deed Recording:** For project-specific replacement, evidence must be provided to the LGU that the BWSR "Declaration of Restrictions and Covenants" and "Consent to Replacement Wetland" forms have been filed with the county recorder's office in which the replacement wetland is located.
- ☐ **Credit Withdrawal:** For replacement consisting of wetland bank credits, confirmation that BWSR has withdrawn the credits from the state wetland bank as specified in the approved replacement plan.

Wetlands may not be impacted until all applicable conditions have been met!

LGU Authorized Signature:

Signing and mailing of this completed form to the appropriate recipients in accordance with 8420.0255, Subp. 5 provides notice that a decision was made by the LGU under the Wetland Conservation Act as specified above. If additional details on the decision exist, they have been provided to the landowner and are available from the LGU upon request.		
Name Derek Asche	Title Water Resources Manager	
Signature 	Date 1/22/14	Phone Number and E-mail 763-509-5526 dasche@plymouthmn.gov

THIS DECISION ONLY APPLIES TO THE MINNESOTA WETLAND CONSERVATION ACT.
Additional approvals or permits from local, state, and federal agencies may be required. Check with all appropriate authorities before commencing work in or near wetlands.

Applicants proceed at their own risk if work authorized by this decision is started before the time period for appeal (30 days) has expired. If this decision is reversed or revised under appeal, the applicant may be responsible for restoring or replacing all wetland impacts.

This decision is valid for three years from the date of decision unless a longer period is advised by the TEP and specified in this notice of decision.

3. APPEAL OF THIS DECISION

Pursuant to MN Rule 8420.0905, any appeal of this decision can only be commenced by mailing a petition for appeal, including applicable fee, within thirty (30) calendar days of the date of the mailing of this Notice to the following as indicated:

Check one:

<input checked="" type="checkbox"/> Appeal of an LGU staff decision. Send petition and \$0 fee (if applicable) to: Derek Asche, Water Resources Manager City of Plymouth 3400 Plymouth Blvd. Plymouth, MN 55447	<input type="checkbox"/> Appeal of LGU governing body decision. Send petition and \$500 filing fee to: Executive Director Minnesota Board of Water and Soil Resources 520 Lafayette Road North St. Paul, MN 55155
---	---

4. LIST OF ADDRESSEES

- ☒ HCD TEP member: Ms. Stacey Lijewski, HCD, 701 Fourth Avenue South, Suite 700, Minneapolis, MN, 55415-1600 (sent electronically)
- ☒ BWSR TEP member: Ms. Lynda Peterson, BWSR, 520 Lafayette Rd. N., St. Paul, MN, 55155 (sent electronically)
- ☐ LGU TEP member (if different than LGU Contact):
- ☒ DNR TEP member: Brooke Haworth, MN DNR, 1200 Warner Road, St. Paul, MN, 55106 (sent electronically)
- ☐ DNR Regional Office (if different than DNR TEP member)
Ms. Kate Drewry, DNR Division of Ecological and Water Resources, 1200 Warner Road, St. Paul, MN, 55106 (sent electronically)
- ☒ WD or WMO (if applicable): BCWMC, c/o Laura Jester, Keystone Waters, LLC, 16415 Hillcrest Lane, Eden Prairie, MN, 55346 (sent electronically)
- ☒ Applicant and Landowner (if different):
CA Ventures, 161 North Clark Street, Chicago, IL, 60601
505 Waterford Park LTD Partnership, c/o Deloitte and Touche, LLP, PO Box 131001, Carlsbad, CA, 92103-1001
FSP 505 Waterford Corp, 401 Edgewater Place, Wakefield, MA, 01880
- ☒ Members of the public who requested notice:
Kelly Kunst, Westwood Professional Services (sent electronically)
- ☒ Corps of Engineers Project Manager: Melissa Jenny, Army Corps of Engineers, 180 5th Street East, Suite 700, St. Paul, MN, 55101-1678 (sent electronically)
- ☐ BWSR Wetland Bank Coordinator (wetland bank plan decisions only)

5. MAILING INFORMATION

➤ For a list of BWSR TEP representatives: www.bwsr.state.mn.us/aboutbwsr/workareas/WCA_areas.pdf

➤ For a list of DNR TEP representatives: 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

➤ For a list of Corps of Project Managers: 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

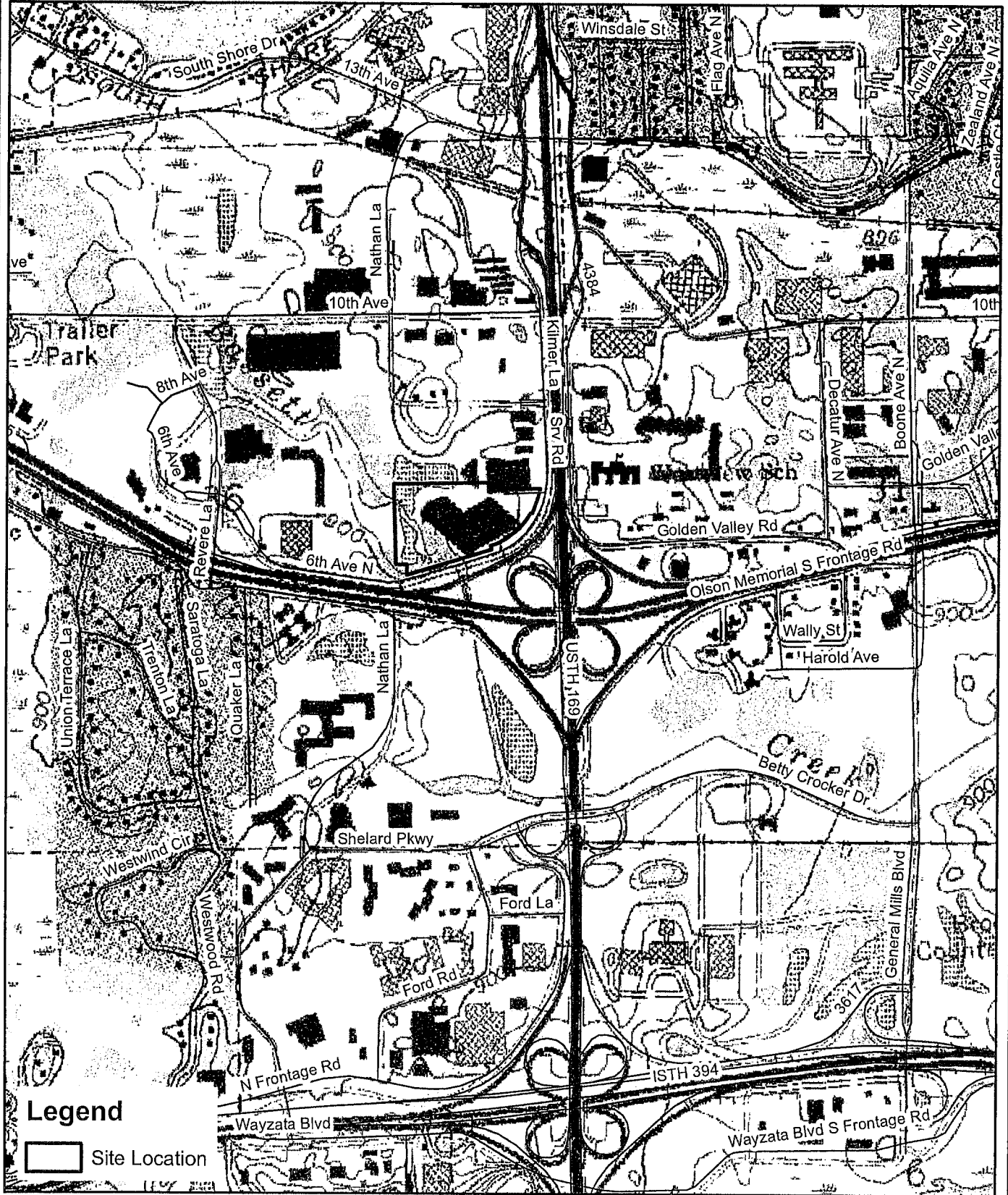
➤ For Wetland Bank Plan applications, also send a copy of the application to:

Minnesota Board of Water and Soil Resources
Wetland Bank Coordinator
520 Lafayette Road North
St. Paul, MN 55155

6. ATTACHMENTS

In addition to the site locator map, list any other attachments:

☐



Data Source(s): USDA-NRCS (2002), MnDOT BaseMap Roads (2010), Westwood (2013).

Legend

 Site Location



Westwood

Westwood Professional Services, Inc.
7699 Anagram Drive
Eden Prairie, MN 55344

PHONE 952-937-5150
FAX 952-937-5822
TOLL FREE 1-888-937-5150

www.westwoodps.com



0 1,000 Feet

CA Ventures Property

Plymouth, Minnesota

Site Location & USGS Topography

EXHIBIT 1