

# Minnesota Wetland Conservation Act Notice of Application

Item 8F.  
BCWMC 8-16-18  
Full Documents  
available upon  
request

Local Government Unit (LGU) <b>City of Plymouth</b>	Address <b>3400 Plymouth Blvd. Plymouth, MN, 55447</b>
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## 1. PROJECT INFORMATION

Applicant Name <b>Halley Land Corp.</b>	Project Name <b>The Cove at Zachary Lane</b>	Date of Application <b>7/13/18</b>	Application Number <b>NA</b>
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Type of Application (check all that apply):

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

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

Anderson Engineering, LLC visited the site in July of 2018 to examine the presence and extent of wetlands on the property. Two wetlands were identified on-site. Wetland 1 is a Type 2/4, PABG/PEM1B, Fresh Wet Meadow/Deep Marsh dominated by reed canary grass, kentucky bluegrass, and orange jewel weed. Wetland 2 is a Type 2, PEM1B, Fresh Wet Meadow dominated by red canary grass and clearweed.

## 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>Derek Asche Water Resources Manager</b>	Comments must be received by (minimum 15 business-day comment period): <b>August 14</b>
Address (if different than LGU) <b>City of Plymouth 3400 Plymouth Blvd. Plymouth, MN, 55447</b>	Date, time, and location of decision: <b>August 15 9am Plymouth City Hall</b>
Phone Number and E-mail Address <b>763-509-5526 dasche@plymouthmn.gov</b>	Decision-maker for this application: <input checked="" type="checkbox"/> Staff <input type="checkbox"/> Governing Board or Council

Signature:  Date: 7/18/18

### 3. 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: **Ben Carlson, BWSR, 520 Lafayette Road North, St. Paul, MN, 55401-1397 (sent electronically)**
- LGU TEP member (if different than LGU Contact):
- DNR TEP member: **Becky Horton, MN DNR, 1200 Warner Road, St. Paul, MN, 55106 (sent electronically)**
- DNR Regional Office (if different than DNR TEP member)  
**Jason Spiegel, Area Hydrologist, MN DNR, 1200 Warner Road, St. Paul, MN, 55106 (sent electronically)**
- WD or WMO (if applicable):  
**BCWMC c/o Laura Jester (sent electronically)**
- Applicant (notice only) and Landowner (if different):  
**Ben Hodapp, Anderson Engineering, LLC (sent electronically)**
- Members of the public who requested notice (notice only):  
**Eileen Reinke, 22716 Boyne St. NE, Stacy, MN, 55079-9355**
- Corps of Engineers Project Manager (notice only): **Army Corps of Engineers, 180 5<sup>th</sup> Street East, Suite 700, St. Paul, MN, 55101-1678 (sent electronically)**
- BWSR Wetland Bank Coordinator (wetland bank plan applications only)

### 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:

NW Region:	NE Region:	Central Region:	Southern Region:
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

### 5. ATTACHMENTS

In addition to the application, list any other attachments:

- Wetland Delineation Report for the Cove at Zachary Lane dated July 11, 2018 by Anderson Engineering, LLC**
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## PART ONE: Applicant Information

**Applicant/Landowner Name:** Halley Land Corp.  
**Mailing Address:** 18610 Clear View Drive, Minnetonka, MN 55345  
**Phone:** (952) 999-3422  
**E-mail Address:** halleylandcorp@gmail.com

**Authorized Contact (do not complete if same as above):** VAA Engineering, Andrew Berenberg  
**Mailing Address:** 2300 Berkshire Land North, Plymouth, MN 55441  
**Phone:** 763-587-7323  
**E-mail Address:** aberenberg@vaaeng.com

**Agent Name:** Anderson Engineering of MN, LLC, Ben Hodapp  
**Mailing Address:** 13605 1<sup>st</sup> Avenue North, Suite 100, Plymouth, MN 55441  
**Phone:** 763-412-4005  
**E-mail Address:** bhodapp@ae-mn.com

## PART TWO: Site Location Information

**County:** Hennepin **City/Township:** Plymouth  
**Parcel ID and/or Address:** Parcel 053-3611822320006  
**Legal Description (Section, Township, Range):** Sec. 7, Twp. 117N, Rng. 21W  
**Lat/Long (decimal degrees):** 44.984449 / -93.4182  
**Attach a map showing the location of the site in relation to local streets, roads, highways.** See figure 1.  
**Approximate size of site (acres) or if a linear project, length (feet):** 1.8 acres

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:

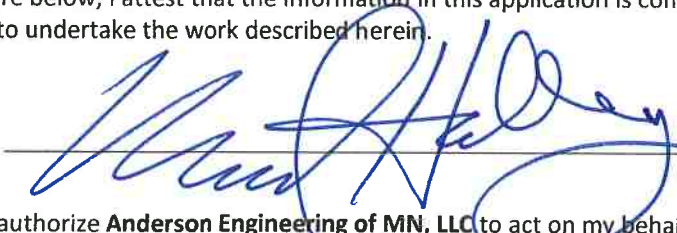
[http://www.mvp.usace.army.mil/Portals/57/docs/regulatory/RegulatoryDocs/engform\\_4345\\_2012oct.pdf](http://www.mvp.usace.army.mil/Portals/57/docs/regulatory/RegulatoryDocs/engform_4345_2012oct.pdf)

## PART 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:

July 13, 2018

I hereby authorize **Anderson Engineering of MN, LLC** 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.

## 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>



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DNR Regional Office (if different than DNR TEP member)  
**Jason Spiegel, Area Hydrologist, MN DNR, 1200 Warner Road, St. Paul, MN, 55106 (sent electronically)**

WD or WMO (if applicable):  
**BCWMC, c/o Laura Jester, Keystone Waters LLC, 16145 Hillcrest Lane, Eden Prairie, MN, 553467 (sent electronically)**

Applicant (notice only) and Landowner (if different):  
**See attached list**

Members of the public who requested notice (notice only):  
**Adam Pawelk, HTPO (sent electronically)**

Corps of Engineers Project Manager (notice only): **Army Corps of Engineers, 180 5<sup>th</sup> Street East, Suite 700, St. Paul, MN, 55101-1678 (sent electronically)**

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 St. Paul, MN 55101-1678

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

### 5. ATTACHMENTS

In addition to the application, list any other attachments:

**Wetland Delineation Reports for Ivanhoe, French Ridge, and St. Mary's areas dated July 19, 2018 by Kjolhaug Environmental Services, Inc.**