

Minnesota Wetland Conservation Act

Notice of Application

Item 7F.
BCWMC 10-21-21
Full documents
available upon
request

| | |
|---|--|
| Local Government Unit (LGU) City of Golden Valley | Address 7800 Golden Valley Rd, Golden Valley, MN 55427 |
|---|--|

1. PROJECT INFORMATION

| | | | |
|--|--|--|-------------------------------------|
| Applicant Name Connor McCarthy | Project Name 6300 Olson Memorial Hwy | Date of Application 9/8/2021 | Application Number 21-002 |
|--|--|--|-------------------------------------|

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):

The Applicant is seeking a Wetland Type Confirmation, Delineation Concurrence and an Approved Jurisdictional Determination for an area within their property at 6300 Olson Memorial Hwy, in Golden Valley, MN.

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 Jeff Oliver City Engineer, City of Golden Valley | Comments must be received by (minimum 15 business-day comment period): September 23, 2021 |
| Address (if different than LGU) | Date, time, and location of decision: Tentative, 9/23/21 12:00 pm 7800 Golden Valley Rd, Golden Valley, City of, MN 55427-4508 |
| Phone Number and E-mail Address 763-593-8034 joliver@goldenvalleymn.gov | Decision-maker for this application: <input checked="" type="checkbox"/> Staff <input type="checkbox"/> Governing Board or Council |

Signature: _____



Date: 9/8/2021

3. LIST OF ADDRESSEES

| | |
|-------------------------------------|---|
| <input checked="" type="checkbox"/> | SWCD TEP member: Stacey Lijewski, stacey.lijewski@hennepin.us |
| <input checked="" type="checkbox"/> | |
| <input checked="" type="checkbox"/> | BWSR TEP member: Ben Carlson, ben.carlson@state.mn.us |
| <input checked="" type="checkbox"/> | LGU TEP member (if different than LGU Contact): same as above |
| <input type="checkbox"/> | DNR TEP member: Rebecca Horton, becky.horton@statemn.us |
| <input checked="" type="checkbox"/> | DNR Regional Office (if different than DNR TEP member) |
| <input checked="" type="checkbox"/> | WD or WMO (if applicable): Laura Jester, laura.jester@keystonewaters.com |
| <input type="checkbox"/> | Applicant (notice only) and Landowner (if different) |
| | Members of the public who requested notice (notice only): |
| <input checked="" type="checkbox"/> | |
| <input type="checkbox"/> | Corps of Engineers Project Manager (notice only) |

4. MAILING INFORMATION

- For a list of BWSR TEP representatives: 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
- Department of Natural Resources Regional Offices:

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

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

5. ATTACHMENTS

| | |
|---|-----------------------------------|
| In addition to the application, list any other attachments: | |
| <input checked="" type="checkbox"/> | Wetland Delineation Report |
| <input checked="" type="checkbox"/> | Location Map |
| <input type="checkbox"/> | |
| <input type="checkbox"/> | |
| <input type="checkbox"/> | |

Minnesota Wetland Conservation Act

Notice of Decision

| | |
|---|--|
| Local Government Unit (LGU) City of Golden Valley | Address 7800 GoldenValley Road Golden Valley MN 55427 |
|---|--|

1. PROJECT INFORMATION

| | | | |
|--|--|--|-------------------------------------|
| Applicant Name Connor McCarthy | Project Name 6300 Olson Memorial Hwy | Date of Application 9/8/2021 | Application Number 21-002 |
|--|--|--|-------------------------------------|

Attach site locator map.

Type of Decision:

| | | | |
|---|---------------------------------------|------------------------------------|--------------------------|
| <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 | | |

Technical Evaluation Panel Findings and Recommendation (if any):

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

2. LOCAL GOVERNMENT UNIT DECISION

| | | |
|--|---|--------------------------|
| Date of Decision: 9/29/2021 | | |
| <input checked="" type="checkbox"/> Approved Denied | <input type="checkbox"/> Approved with conditions (include below) | <input type="checkbox"/> |

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

Two wetlands were identified and delineated within the site boundary as part of the Delineation Report.

Two TEP members (Drew Chirpich, Rachel Gralnek) and a consultant on behalf of the applicant, Aaron Stolte, as well as a consultant on behalf of Golden Valley, Rebecca Beduhn, met on site on 9/24/2021 to review the delineation. Members of the TEP were asked to provide comments on the wetland delineation report during the 15 day review period which ended 9/29/2021. No comments were received.

The City concurs with the findings in the submitted wetland delineation report for the wetland boundary and type.

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 Jeff Oliver, PE., | Title City Engineer | |
| Signature  | Date 8/16/2021 | Phone Number and E-mail 763-593-8034 joliver@goldenvalleymn.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 type="checkbox"/> Appeal of an LGU staff decision. Send petition and \$200.00 fee (if applicable) to: City of Golden Valley 7800 Golden Valley Road Golden Valley MN 55427 | <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

| |
|--|
| <input checked="" type="checkbox"/> SWCD TEP member: Stacey Lijewski, stacey.lijewski@hennepin.us <input checked="" type="checkbox"/> BWSR TEP member: Ben Carlson, bencarlson@state.mn.us <input checked="" type="checkbox"/> LGU TEP member (if different than LGU Contact): Drew Chirpich, dchirpich@goldenvalleymn.gov <input checked="" type="checkbox"/> DNR TEP member: Rebecca Horton, becky.horton@statemn.us <input type="checkbox"/> DNR Regional Office (if different than DNR TEP member) <input checked="" type="checkbox"/> WD or WMO (if applicable): Laura Jester, laura.jester@keystonewaters.com <input checked="" type="checkbox"/> Applicant and Landowner (if different) <input type="checkbox"/> Members of the public who requested notice: <input checked="" type="checkbox"/> Corps of Engineers Project Manager <input type="checkbox"/> 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:

| | | | |
|---|---|--|--|
| NW Region: Reg. Env. Assess. Ecol. Div. Ecol. Resources 2115 Birchmont Beach Rd. NE Bemidji, MN 56601 | NE Region: Reg. Env. Assess. Ecol. Div. Ecol. Resources 1201 E. Hwy. 2 Grand Rapids, MN 55744 | Central Region: Reg. Env. Assess. Ecol. Div. Ecol. Resources 1200 Warner Road St. Paul, MN 55106 | Southern Region: 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:

Delineation Report

Location Map