# Minnesota Wetland Conservation Act

## Notice of Decision

Local Government Unit (LGU)

**Bassett Creek Watershed Management Commission (BCWMC)**

<table>
<thead>
<tr>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>7800 Golden Valley Road</td>
</tr>
<tr>
<td>Golden Valley, MN 55427</td>
</tr>
</tbody>
</table>

### 1. PROJECT INFORMATION

<table>
<thead>
<tr>
<th>Applicant Name</th>
<th>Project Name</th>
<th>Date of Application</th>
<th>Application Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Peter DeMuth, P.E., Civil/Utilities Engineering Lead, Metropolitan Council</td>
<td>Blue Line Extension LRT</td>
<td>5/11/2018</td>
<td></td>
</tr>
</tbody>
</table>

- Attach site locator map.

#### Type of Decision:

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

#### Technical Evaluation Panel (TEP) Findings and Recommendation (if any):

- ☑ Approve with conditions

Summary (or attach): See attached TEP Findings Report.

### 2. LOCAL GOVERNMENT UNIT DECISION

Date of Decision: 6/21/2018

- ☑ Approved with conditions (include below)

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

The Metropolitan Council submitted a Wetland Replacement Plan and No Loss Application for the proposed Blue Line Extension LRT project. The project proposes permanent wetland impacts to 6.6556 acres of wetland that will require WCA replacement and requests approval of WCA no-loss criteria according to MN Rules 8420.0415 H for 4.0624 acres of temporary wetland impacts. Replacement for the permanent wetland impacts associated with the project will be replaced at a 2:1 ratio through the purchase of wetland bank credits totaling 13.3112 credits.

The proposed 13.5 mile Blue Line Extension LRT line is located within Hennepin County in Brooklyn Park, Robbinsdale, Crystal, Golden Valley, and Minneapolis covering multiple LGU jurisdictions including BCWMC, City of Minneapolis, City of Golden Valley, and Shingle Creek WMC. During a TEP meeting on 12/8/2015, each LGU clarified that they would each retain jurisdiction for their portions of this project.

Wetland boundaries and types were previously approved in January 2016.

WCA incidental wetland determinations for select wetlands were previously approved in May 2016. A previous version of the wetland impact and replacement plan application initially received on May 7, 2016, was deemed incomplete on May 24, 2016 with a list of missing items provided to the applicant. The complete application was received on July 10, 2017 with Notices of Application submitted by LGUs on July 31, 2017. Five subsequent 60-day extensions were issued due to project...
For Replacement Plans using credits from the State Wetland Bank:

<table>
<thead>
<tr>
<th>Bank Account #</th>
<th>Bank Service Area</th>
<th>County Multiple, to be determined, see TEP Findings Report and application for details.</th>
<th>Credits Approved for Withdrawal (sq. ft. or nearest .01 acre)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Multiple, to be determined, see TEP Findings Report and application for details.</td>
<td>7</td>
<td>Multiple, to be determined, see application for details</td>
<td>13.3112 total credits for the project, 6,566 credits required for impacts within BCWMC</td>
</tr>
</tbody>
</table>

The TEP meetings were held as listed in the attached TEP Findings Report with additional follow up communication through email and phone messages.

The application includes project alternatives, wetland avoidance, and minimization efforts which were previously presented, discussed, and agreed on during TEP meetings. Alternatives were also evaluated through the National Environmental Policy Act process with completion of a Final Environmental Impact Statement, Response Action Plan, and Record of Decision. In addition, a Public Waters Work Permit application for work within state designated Public Waters will be submitted electronically to the Minnesota Department of Natural Resources Permitting and Reporting System.

The entire project will impact a total of 14.6639 acres of wetland, 6.6556 acres of which are permanent WCA regulated impacts requiring replacement.

Wetland impacts within BCWMC include impacts within the City of Robbinsdale affecting W32, W33, W34, W35, W36, W44, and W45. Within BCWMC jurisdiction, the project will result in a total of 3.283 acres of WCA regulated impacts requiring replacement consisting of 3.1023 acres of permanent fill and 0.1807 acres of WCA regulated excavation. In addition, no-loss activity consisting of 0.3018 acres of non-regulated excavation and 2.2709 acres of temporary impacts will occur within BCWMC jurisdiction.

The temporary wetland impacts will be restored to pre-project conditions within six months from the start of the activity and qualify for WCA no-loss criteria according to MN Rules 8420.0415 H. In addition, excavation of Type 1, 2, and 6 wetlands is not regulated under the scope of the WCA according to MN Rules 8420.0105 Subpart if the excavation does not result in filling, draining, or conversion to non-wetland and under 8420.0105 Subpart 2. D. the WCA does not regulate impacts to previously approved incidental wetlands.

The total project WCA regulated impacts including permanent fill and regulated excavation within Types 3, 4, and 5 wetlands will be replaced at a 2:1 ratio through the purchase of a total of 13,3112 wetland bank credits from nine different bank sites. The bank managers have been contacted and are willing to sell credits. One purchase agreement has been fully executed with plans for the remaining agreements to be executed by the end of June 2018 and withdrawal transaction forms to be completed June through September 2018. If credit availability varies from the planned credit at the time of purchase, adjustments will be made based on available bank credits according to WCA priority siting requirements. The wetland impacts are within Hennepin County, major watershed #20, and Bank Service Area 7. The submitted plan includes wetland replacement within Hennepin County and major watershed #20 as available and as needed, expanding to other counties within Bank Service Area 7.

TEP members are in agreement that wetland impacts have been avoided and minimized to the greatest extent possible while meeting the project goals and recommend approval of the wetland impact sequencing, wetland replacement plan, and WCA no-loss activity as summarized in the TEP Findings Report and detailed in the application. The BCWMC approves the no-loss, sequencing, and replacement plan with the condition that purchase agreements and withdrawal transaction forms are provided as soon as they are available.
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:

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jim de Lambert</td>
<td>Chair, Bassett Creek Watershed Management Commission</td>
</tr>
</tbody>
</table>

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: Jim de Lambert
Title: Chair, Bassett Creek Watershed Management Commission

Signature: [Signature]
Date: 6/21/18
Phone Number and E-mail: 952-346-3866 jimdelambert@gmail.com

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 five 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:

☐ Appeal of an LGU staff decision. Send petition and $____ fee (if applicable) to:

☒ 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: Stacey Lijewski
☒ BWSR TEP member: Ben Carlson
☒ DNR TEP member: Becky Horton, Jason Spiegel
☒ WD or WMO (if applicable): Laura Jester (BCWMC), Karen Chandler (Barr)
5. MAILING INFORMATION

- For a list of BWSR TEP representatives: [www.bwsr.state.mn.us/aboutbwsr/workareas/WCA_areas.pdf](http://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](http://www.bwsr.state.mn.us/wetlands/wca/DNR_TEP_contacts.pdf)
- Department of Natural Resources Regional Offices:

<table>
<thead>
<tr>
<th>Region</th>
<th>Address</th>
</tr>
</thead>
</table>

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)

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:

- TEP Findings Report
# Minnesota Wetland Conservation Act

## Notice of Decision

### Local Government Unit (LGU)

<table>
<thead>
<tr>
<th>City of Minneapolis</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>309 S Second Ave Room 300</td>
</tr>
<tr>
<td></td>
<td>Minneapolis, MN 55401</td>
</tr>
</tbody>
</table>

### 1. PROJECT INFORMATION

<table>
<thead>
<tr>
<th>Applicant Name</th>
<th>Project Name</th>
<th>Date of Application</th>
<th>Application Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Peter DeMuth, P.E., Civil/Utilities Engineering Lead, Metropolitan Council</td>
<td>Blue Line Extension LRT</td>
<td>5/11/2018</td>
<td></td>
</tr>
</tbody>
</table>

- Attach site locator map.

**Type of Decision:**

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

**Technical Evaluation Panel (TEP) Findings and Recommendation (if any):**

- ☑ Approve
- ☑ Approve with conditions
- ☑ Deny

**Summary (or attach):** See attached TEP Findings Report.

### 2. LOCAL GOVERNMENT UNIT DECISION

<table>
<thead>
<tr>
<th>Date of Decision:</th>
<th>Approved</th>
<th>Approved with conditions (include below)</th>
<th>Denied</th>
</tr>
</thead>
<tbody>
<tr>
<td>6/18/2018</td>
<td>☑</td>
<td>☑</td>
<td></td>
</tr>
</tbody>
</table>

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

The Metropolitan Council submitted a Wetland Replacement Plan and No Loss Application for the proposed Blue Line Extension LRT project. The project proposes permanent wetland impacts to 6.6556 acres of wetland that will require WCA replacement and requests approval of WCA no-loss criteria according to MN Rules 8420.0415 H for 4.0624 acres of temporary wetland impacts. Replacement for the permanent wetland impacts associated with the project will be replaced at a 2:1 ratio through the purchase of wetland bank credits totaling 13.3112 credits.

The proposed 13.5 mile Blue Line Extension LRT line is located within Hennepin County in Brooklyn Park, Robbinsdale, Crystal, Golden Valley, and Minneapolis covering multiple LGU jurisdictions including BCWMC, City of Minneapolis, City of Golden Valley, and Shingle Creek WMC. During a TEP meeting on 12/8/2015, each LGU clarified that they would each retain jurisdiction for their portions of this project. Wetland boundaries and types were previously approved in January 2016. WCA incidental wetland determinations for select wetlands were previously approved in May 2016. A previous version of the wetland impact and replacement plan application initially received on May 7, 2016, was deemed incomplete on May 24, 2016 with a list of missing items provided to the applicant. The complete application was received on July 10, 2017 with Notices of Application submitted by LGUs on July 31, 2017. Five subsequent 60-day extensions were issued due to project...
change submittal delays and application revisions received on February 26, 2018 and April 30, 2018. The current application was received on May 11, 2018. The most recent 60-day extension was issued on May 9, 2018.

TEP meetings were held as listed in the attached TEP Findings Report with additional follow up communication through email and phone messages.

The application includes project alternatives, wetland avoidance, and minimization efforts which were previously presented, discussed, and agreed on during TEP meetings. Alternatives were also evaluated through the National Environmental Policy Act process with completion of a Final Environmental Impact Statement, Response Action Plan, and Record of Decision. In addition, a Public Waters Work Permit application for work within state designated Public Waters will be submitted electronically to the Minnesota Department of Natural Resources Permitting and Reporting System.

The entire project will impact a total of 14.6639 acres of wetland, 6.6556 acres of which are permanent WCA regulated impacts requiring replacement.

Wetland impacts within the City of Minneapolis include W42, W48, and W49 will result in a total of 0.0219 acres of WCA regulated impacts requiring replacement consisting of 0.0121 acres of permanent fill and 0.0098 acres of WCA regulated excavation both within W49. Fill impacts planned for W42 and W48 are not WCA regulated. These two wetlands were previously approved by the City of Minneapolis as incidental wetlands. In addition, no-loss activity consisting of 0.0792 acres of temporary impacts will occur within W49 within the City of Minneapolis jurisdiction.

The temporary wetland impacts will be restored to pre-project conditions within six months from the start of the activity and qualify for WCA no-loss criteria according to MN Rules 8420.0415 H. In addition, excavation of Type 1, 2, and 6 wetlands is not regulated under the scope of the WCA according to MN Rules 8420.0105 Subpart 1 if the excavation does not result in filling, draining, or conversion to non-wetland and under 8420.0105 Subpart 2. D. the WCA does not regulate impacts to previously approved incidental wetlands.

The total project WCA regulated impacts including permanent fill and regulated excavation within Types 3, 4, and 5 wetlands will be replaced at a 2:1 ratio through the purchase of a total of 13.3112 wetland bank credits from nine different bank sites. The bank managers have been contacted and are willing to sell credits. One purchase agreement has been fully executed with plans for the remaining agreements to be executed by the end of June 2018 and withdrawal transaction forms to be completed June through September 2018. If credit availability varies from the planned credit at the time of purchase, adjustments will be made based on available bank credits according to WCA priority siting requirements. The wetland impacts are within Hennepin County, major watershed #20, and Bank Service Area 7. The submitted plan includes wetland replacement within Hennepin County and major watershed #20 as available and as needed, expanding to other counties within Bank Service Area 7.

TEP members are in agreement that wetland impacts have been avoided and minimized to the greatest extent possible while meeting the project goals and recommend approval of the wetland impact sequencing, wetland replacement plan, and WCA no-loss activity as summarized in the TEP Findings Report and detailed in the application.

The City of Minneapolis approves the no-loss, sequencing, and replacement plan with the condition that purchase agreements and withdrawal transaction forms are provided as soon as they are available.

<table>
<thead>
<tr>
<th>Bank Account #</th>
<th>Bank Service Area</th>
<th>County</th>
</tr>
</thead>
<tbody>
<tr>
<td>Multiple, to be determined, see TEP Findings Report and application for</td>
<td>Multiple, to be determined, see application for details</td>
<td></td>
</tr>
</tbody>
</table>

Credits Approved for Withdrawal (sq. ft. or nearest .01 acre): 13.3112 total credits for the project, 0.0438 credits required for impacts within the City of
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.

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elizabeth Stout</td>
<td>City of Minneapolis Water Resources</td>
</tr>
<tr>
<td></td>
<td>Regulatory Coordinator</td>
</tr>
</tbody>
</table>

**Signature:**

<table>
<thead>
<tr>
<th>Date</th>
<th>Phone Number and E-mail</th>
</tr>
</thead>
<tbody>
<tr>
<td>6/18/18</td>
<td>612-673-5284</td>
</tr>
<tr>
<td></td>
<td><a href="mailto:Elizabeth.stout@minneapolismn.gov">Elizabeth.stout@minneapolismn.gov</a></td>
</tr>
</tbody>
</table>

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 any 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:

- **Appeal of an LGU staff decision.** Send petition and $0 fee (if applicable) to: [LGU's address]

- **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

BWSR Forms 7-1-10
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
- For Department of Natural Resources Regional Offices:
  - NW Region:
    - 2115 Birchmont Beach Rd.
    - NE
    - Bemidji, MN 56601
  - NE Region:
    - 1201 E. Hwy. 2
    - Grand Rapids, MN 55744
  - Central Region:
    - 1200 Warner Road
    - St. Paul, MN 55106
  - Southern Region:
    - 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:
- TEP Findings Report
Minnesota Wetland Conservation Act
Notice of Decision

Local Government Unit (LGU)
City of Golden Valley
Address
7800 Golden Valley Road
Golden Valley, MN 55427

1. PROJECT INFORMATION

<table>
<thead>
<tr>
<th>Applicant Name</th>
<th>Project Name</th>
<th>Date of Application</th>
<th>Application Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Peter DeMuth, P.E., Civil/Utilities Engineering Lead, Metropolitan Council</td>
<td>Blue Line Extension LRT</td>
<td>5/11/2018</td>
<td></td>
</tr>
</tbody>
</table>

☐ Attach site locator map.

Type of Decision:

☐ Wetland Boundary or Type  ☒ No-Loss  ☐ Exemption  ☒ Sequencing

☐ Replacement Plan  ☐ Banking Plan

Technical Evaluation Panel (TEP) Findings and Recommendation (if any):

☒ Approve  ☐ Approve with conditions  ☐ Deny

Summary (or attach): See attached TEP Findings Report.

2. LOCAL GOVERNMENT UNIT DECISION

Date of Decision: 6/28/2018

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

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

The Metropolitan Council submitted a Wetland Replacement Plan and No Loss Application for the proposed Blue Line Extension LRT project. The project proposes permanent wetland impacts to 6.6556 acres of wetland that will require WCA replacement and requests approval of WCA no-loss criteria according to MN Rules 8420.0415 H for 4.0624 acres of temporary wetland impacts. Replacement for the permanent wetland impacts associated with the project will be replaced at a 2:1 ratio through the purchase of wetland bank credits totaling 13.3112 credits.

The proposed 13.5 mile Blue Line Extension LRT line is located within Hennepin County in Brooklyn Park, Robbinsdale, Crystal, Golden Valley, and Minneapolis covering multiple LGU jurisdictions including BCWMC, City of Minneapolis, City of Golden Valley, and Shingle Creek WMC. During a TEP meeting on 12/8/2015, each LGU clarified that they would each retain jurisdiction for their portions of this project. Wetland boundaries and types were previously approved in January 2016.

WCA incidental wetland determinations for select wetlands were previously approved in May 2016. A previous version of the wetland impact and replacement plan application initially received on May 7, 2016, was deemed incomplete on May 24, 2016 with a list of missing items provided to the applicant. The complete application was received on July 10, 2017 with Notices of Application submitted by LGUs on July 31, 2017. Five subsequent 60-day extensions were issued due to project change submittal delays and application revisions received on February 26, 2018 and April 30, 2018. The current application was received on May 11, 2018. The most recent 60-day extension was...
For Replacement Plans using credits from the State Wetland Bank:

<table>
<thead>
<tr>
<th>Bank Account #</th>
<th>Bank Service Area</th>
<th>County Multiple, to be determined, see application for details.</th>
<th>Credits Approved for Withdrawal (sq. ft. or nearest .01 acre)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Multiple, to be determined, see TEP Findings Report and application for details.</td>
<td>Multiple, to be determined, see application for details.</td>
<td>13.3112 total credits for the project, 2.5988 credits required for impacts within the City of Golden Valley</td>
<td></td>
</tr>
</tbody>
</table>

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:

- TEP meetings were held as listed in the attached TEP Findings Report with additional follow up communication through email and phone messages.

- The application includes project alternatives, wetland avoidance, and minimization efforts which were previously presented, discussed, and agreed on during TEP meetings. Alternatives were also evaluated through the National Environmental Policy Act process with completion of a Final Environmental Impact Statement, Response Action Plan, and Record of Decision. In addition, a Public Waters Work Permit application for work within state designated Public Waters will be submitted electronically to the Minnesota Department of Natural Resources Permitting and Reporting System.

- The entire project will impact a total of 14.6639 acres of wetland, 6.6556 acres of which are permanent WCA regulated impacts requiring replacement. Wetland impacts within the City of Golden Valley include W37, W38, W39, W40, W41, W46, and W53 will result in a total of 1.2994 acres of WCA regulated impacts requiring replacement consisting of 1.295 acres of permanent fill and 0.0044 acres of WCA regulated excavation. In addition, no-loss activity consisting of 0.4242 acres of non-regulated excavation and 1.4465 acres of temporary impacts will occur within City of Golden Valley jurisdiction.

- The temporary wetland impacts will be restored to pre-project conditions within six months from the start of the activity and qualify for WCA no-loss criteria according to MN Rules 8420.0415 H. In addition, excavation of Type 1, 2, and 6 wetlands is not regulated under the scope of the WCA according to MN Rules 8420.0105 Subpart 1 if the excavation does not result in filling, draining, or conversion to non-wetland and under 8420.0105 Subpart 2. D. the WCA does not regulate impacts to previously approved incidental wetlands.

- The total project WCA regulated impacts including permanent fill and regulated excavation within Types 3, 4, and 5 wetlands will be replaced at a 2:1 ratio through the purchase of a total of 13.3112 wetland bank credits from nine different bank sites. The bank managers have been contacted and are willing to sell credits. One purchase agreement has been fully executed with plans for the remaining agreements to be executed by the end of June 2018 and withdrawal transaction forms to be completed June through September 2018. If credit availability varies from the planned credit at the time of purchase, adjustments will be made based on available bank credits according to WCA priority siting requirements. The wetland impacts are within Hennepin County, major watershed #20, and Bank Service Area 7. The submitted plan includes wetland replacement within Hennepin County and major watershed #20 as available and as needed, expanding to other counties within Bank Service Area 7.

- TEP members are in agreement that wetland impacts have been avoided and minimized to the greatest extent possible while meeting the project goals and recommend approval of the wetland impact sequencing, wetland replacement plan, and WCA no-loss activity as summarized in the TEP Findings Report and detailed in the application.

- The City of Golden Valley approves the no-loss, sequencing, and replacement plan with the condition that purchase agreements and withdrawal transaction forms are provided as soon as they are available.
☐ 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.

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jeff Oliver, PE</td>
<td>City Engineer</td>
</tr>
</tbody>
</table>

Signature

Date

Phone Number and E-mail
763-593-8034
jolliver@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 five 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:

- Appeal of an LGU staff decision. Send petition and $500 fee (if applicable) to: above.
- 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: Stacey Lijewski
☒ BWSR TEP member: Ben Carlson
☒ LGU TEP member (if different than LGU Contact): Karen Wold (Barr)
☒ DNR TEP member: Becky Horton, Jason Spiegel

BWSR Forms 7-1-10
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:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>2115 Birchmont Beach Rd. NE</td>
<td>1201 E. Hwy. 2 Grand Rapids, MN 55744</td>
<td>1200 Warner Road St. Paul, MN 55106</td>
<td>261 Hwy. 15 South New Ulm, MN 56073</td>
</tr>
</tbody>
</table>

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:
➢ TEP Findings Report