

# Minnesota Wetland Conservation Act

## Notice of Decision

Item 7C.  
BCWMC 11-19-14

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>City of Plymouth</b>	Project Name <b>Vicksburg Lane Improvements City Project No. 16001</b>	Date of Application <b>9/9/14</b>	Application Number
<input checked="" type="checkbox"/> Attach site locator map.			

Type of Decision:

<input checked="" type="checkbox"/> Wetland Boundary or Type	<input type="checkbox"/> No-Loss	<input type="checkbox"/> Exemption	<input type="checkbox"/> Sequencing
<input checked="" 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): Findings of Fact with responses attached		

### 2. LOCAL GOVERNMENT UNIT DECISION

Date of Decision: <b>October 28, 2014</b>		
<input type="checkbox"/> Approved	<input checked="" type="checkbox"/> Approved with conditions (include below)	<input type="checkbox"/> Denied

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

The City of Plymouth proposes to reconstruct and expand Vicksburg Lane from Old Rockford Road to the Plymouth/Maple Grove boarder. Included is expansion of the roadway from two to four lanes, construction of two bridges (one over CP Railway and one pedestrian mixed use trail/bridge).

Seven wetlands, five stormwater ponds, and 9 wet ditches were delineated within the project area. After review by the TEP, this project will impact five wetlands and a total impact of 1.07 acres.

Conditions can be found on the Findings of Fact attachment.

Notice is being sent to all required regulatory agencies as well as property owners where a wetland boundary has been flagged and adjacent property owners near the boundary.

For Replacement Plans using credits from the State Wetland Bank:

Bank Account # <b>1392</b>	Bank Service Area <b>7</b>	County <b>Carver</b>	Credits Approved for Withdrawal (sq. ft. or nearest .01 acre) <b>2.14</b>
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**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 <b>Derek Asche</b>	Title <b>Water Resources Manager</b>	
Signature 	Date <b>10/29/14</b>	Phone Number and E-mail <b>763-509-5526</b> <b>dasche@plymouthmn.gov</b>

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 \$_____ fee (if applicable) to:	<input checked="" 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
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#### 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: Ben Meyer, BWSR, 520 Lafayette Road North, St. Paul, MN, 55401-1397 (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)  
Kate Drewry, Area Hydrologist, MN DNR, 1200 Warner Road, St. Paul, MN, 55106 (sent electronically)
- ☒ WD or WMO (if applicable):  
SCWMC, c/o Judie Anderson, 3235 Fernbrook Lane N, Plymouth, MN, 55447 (sent electronically)  
BCWMC, c/o Laura Jester, Keystone Waters, LLC, 16415 Hillcrest Lane, Eden Prairie, MN, 55346 (sent electronically)
- ☒ Wetland Bank Coordinator, MN BWSR, 520 Lafayette Road North, St. Paul, MN, 55155
- ☒ Applicant (notice only) and Landowner (if different):  
See attached list
- ☐ Members of the public who requested notice (notice only):
- ☒ Corps of Engineers Project Manager (notice only): Melissa Jenny, 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)

#### 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:

<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:

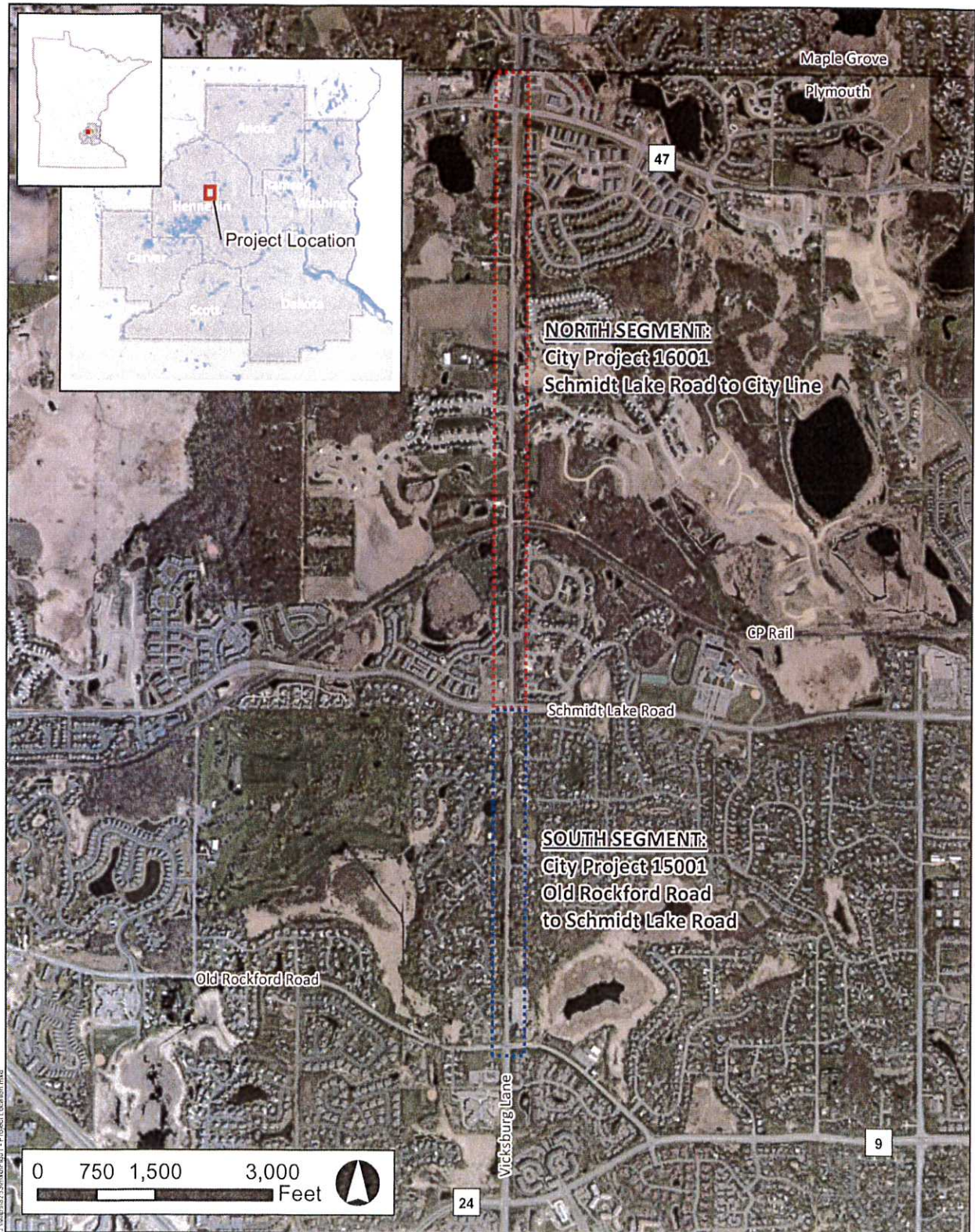
US Army Corps of Engineers  
St. Paul District, ATTN: OP-R  
180 Fifth St. East, Suite 700  
St. Paul, MN 55101-1678

- 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

#### 6. ATTACHMENTS

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

- ☒ Findings of Fact  
☐



## Project Location

Vicksburg Lane Reconstruction and Expansion  
Plymouth, MN

Figure 1

# Minnesota Wetland Conservation Act

## Notice of Decision

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>Ryan Raske, AECOM</b>	Project Name <b>Canadian Pacific Railroad Siding</b>	Date of Application <b>8/25/14</b>	Application Number <b>NA</b>
<input checked="" type="checkbox"/> Attach site locator map.			

Type of Decision:

<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		

Technical Evaluation Panel Findings and Recommendation (if any):

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

### 2. LOCAL GOVERNMENT UNIT DECISION

Date of Decision: <b>10/10/14</b>		
<input type="checkbox"/> Approved	<input checked="" type="checkbox"/> Approved with conditions (include below)	<input type="checkbox"/> Denied

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

The applicant is requesting approval of wetland boundary and type for 17 wetlands and 5 waterbodies stretching from State Highway 55 to Pineview Lane in Plymouth, MN. Note that Bass Creek, a DNR Public Water, transverses the site at several locations.

The wetland delineation is conditioned upon meeting the terms of the TEP Findings of Fact and providing the final version of the wetland delineation to the City of Plymouth for distribution to all required parties.

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)
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**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:


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

LGU Authorized Signature:

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Name <b>Derek Asche</b>	Title <b>Water Resources Manager</b>	
Signature 	Date <b>10/10/14</b>	Phone Number and E-mail <b>763-509-5526</b> <b>dasche@plymouthmn.gov</b>

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Check one:

<input checked="" type="checkbox"/> Appeal of an LGU staff decision. Send petition and \$0 fee (if applicable) to: <b>Derek Asche, Water Resources Manager</b> <b>City of Plymouth</b> <b>3400 Plymouth Blvd.</b> <b>Plymouth, MN 55447</b>	<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: Ben Meyer, BWSR, 520 Lafayette Road North, St. Paul, MN, 55401-1397 (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)  
Kate Drewry, Area Hydrologist, MN DNR, 1200 Warner Road, St. Paul, MN, 55106 (sent electronically)
- ☒ WD or WMO (if applicable):  
SCWMC, c/o Judie Anderson, 3235 Fernbrook Lane N, Plymouth, MN, 55447 (sent electronically)  
ECWMC, c/o Judie Anderson, 3235 Fernbrook Lane N, Plymouth, MN, 55447 (sent electronically)  
BCWMC, c/o Laura Jester, Keystone Waters, LLC, 16415 Hillcrest Lane, Eden Prairie, MN, 55346 (sent electronically)
- ☒ Applicant (notice only) and Landowner (if different):  
CP Railroad, c/o Ryan Raske, AECOM, 800 LaSalle Ave., Suite 110, Minneapolis, MN, 55402 (sent electronically)
- ☐ Members of the public who requested notice (notice only):
- ☒ Corps of Engineers Project Manager (notice only): Melissa Jenny, 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)

#### 5. MAILING INFORMATION

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- 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.	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](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

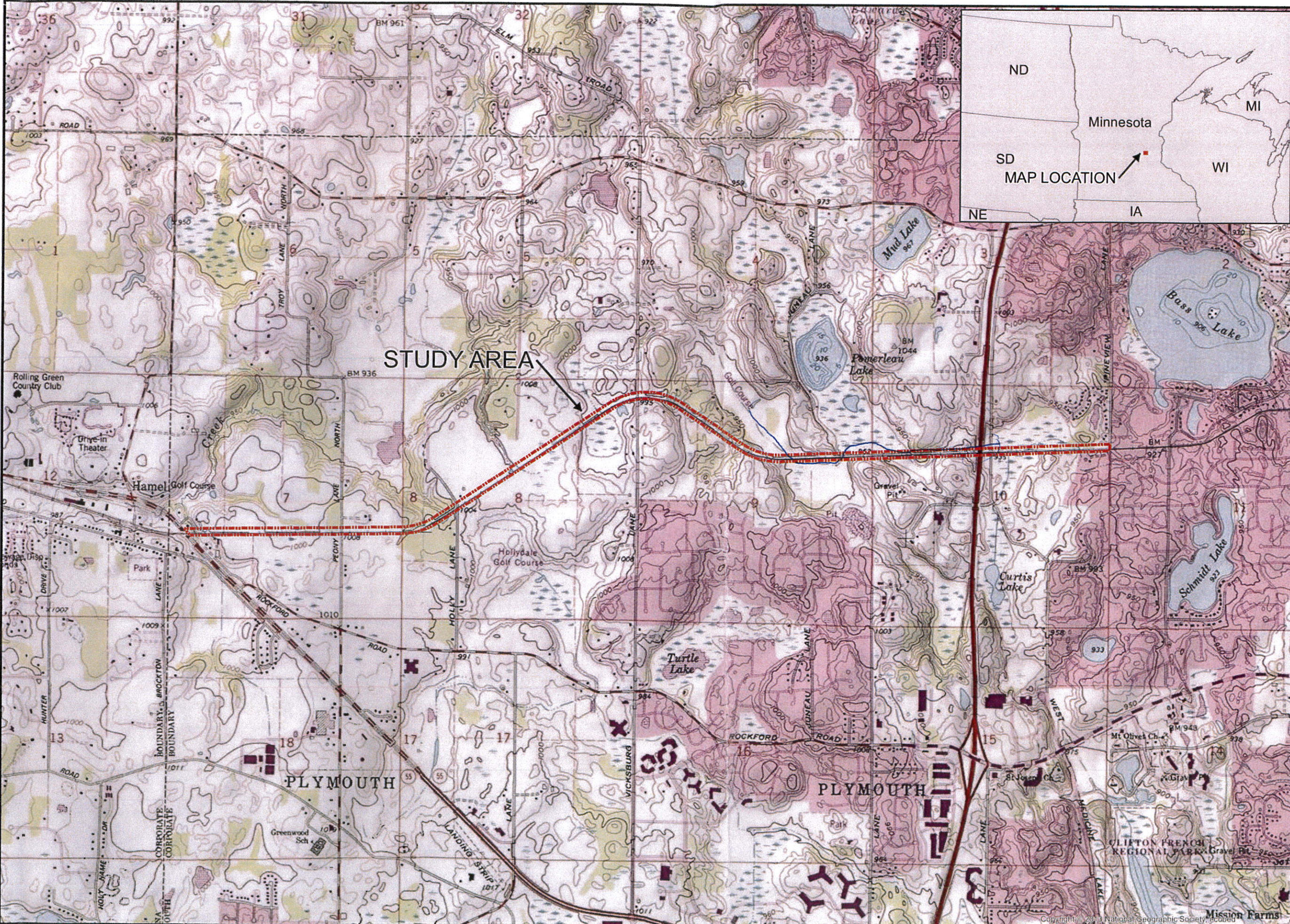
- For Wetland Bank Plan applications, also send a copy of the application to:  
Minnesota Board of Water and Soil Resources  
Wetland Bank Coordinator  
520 Lafayette Road North  
St. Paul, MN 55155

#### 6. ATTACHMENTS

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

- ☒ TEP FOF from September 11, 2014

T:\60273178\7000\900-CAD-GIS\920-GIS or Graphics\GIS\Layout\Fig1\_CP\_Site\_Location\_140819.mxd

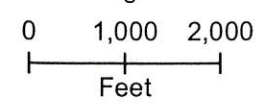
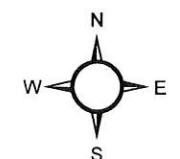


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SITE LOCATION MAP  
CANADIAN PACIFIC PLYMOUTH NEW SIDING  
HENNEPIN COUNTY, MINNESOTA

Legend

Study Area



Drawn:	RMD	8/19/2014
Approved:	RR	8/19/2014
Scale:	AS SHOWN	
PROJECT NUMBER	60273178.7011	
FIGURE NUMBER	1	

# Minnesota Wetland Conservation Act

## Technical Evaluation Panel Findings Report

Date(s) of Site Visit/Meeting: September 11, 2014  
County: Hennepin  
Project Name: Canadian Pacific Siding  
Location of Project: See attached report  
(attach map if possible)

LGU: City of Plymouth  
LGU Contact: Derek Asche  
Phone #: 763-509-5526  
Email: dasche@plymouthmn.gov  
Address:

### TEP ATTENDEES:

LGU: Derek Asche

~~SWCD: Stacey Lijewski~~

BWSR: Ben Meyer

DNR:

### OTHER ATTENDEES:

Ryan Raske

Patrick Flannery

Eric Deyaert

### OTHER ATTENDEES:

Melissa Jenny, USACOE

John Cannon

### PROJECT DESCRIPTION AND PURPOSE OF MEETING:

Review wetland boundaries along 4 miles of track.

### TYPE OF MEETING: Check all applicable

☐ Office ☒ On-Site ☐ Phone Conference ☐ E-Mail ☐ Other: \_\_\_\_\_

### TEP FINDINGS AND RECOMMENDATIONS<sup>1</sup>:

1. Ditch portion of WAHE005 is non-wetland. Reduce polygon as appropriate.
2. Add two wetlands just west of Northwest Boulevard. One on north side and one on south side of tracts.
3. Bass Creek, MN DNR Public Water, runs intermittently from WAHE002 in the west to Pineview Lane in the east.

### SIGNATURES

SWCD Representative

Do not concur ☐

Date

BWSR Representative

Do not concur ☐

9/16/2014

Date

LGU Representative

Do not concur ☐

Date

9/16/14

DNR Representative

Do not concur ☐

Date

<sup>1</sup> TEP Findings should be a meaningful concise summary detailing the project conditions, technical data, and what rules apply. The TEP recommendation should be clear, based on rule and best professional judgement.

# Minnesota Wetland Conservation Act

## Notice of Application

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>Lakewest Development Don Jensen</b>	Project Name <b>618 Cottonwood</b>	Date of Application <b>10/22/14</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):

SER visited this site on 10/9/14 to review the site for the presence of wetlands. One wetland was delineated on-site. Wetland "1" is classified as a Type 1, PEM1Ax, seasonally flooded basin dominated by green ash, box elder, and silver maple.
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### 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>November 20, 2014</b>
Address (if different than LGU) <b>Plymouth City Hall 3400 Plymouth Blvd. Plymouth, MN 55447</b>	Date, time, and location of decision: <b>November 21, 2014 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: Derek Asche Date: 10/24/14

### 3. 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: **Mr. Ben Meyer, 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):  
**Don Jensen, Lakewest Development, 14525 Highway 7, Suite 335, Minnetonka, MN, 55345 (sent electronically)**
- ☒ Members of the public who requested notice:  
**Angela Gustafson, 618 Cottonwood Lane, Plymouth, MN, 55441**  
**Frank Svoboda, SER, 22752 Co Rd 7, Hutchinson, MN, 55350 (sent electronically)**
- ☒ Corps of Engineers Project Manager: **Melissa Jenny, 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 decisions 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:

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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 dated October 17, 2014 by SER**
- ☐

Project Name and/or Number: SER# 2014-028-03 – 618 Cottonwood Lane, Plymouth

## 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:** LAKEWEST Development

**Mailing Address:** 14525 Highway 7, Suite 335, Minnetonka, MN 55345

**Phone:** 952-930-3000

**E-mail Address:** donaldj@lwestdev.com

**Authorized Contact (do not complete if same as above):** Frank Svoboda – Svoboda Ecological Resources

**Mailing Address:** 22752 Co Rd 7, Hutchinson, MN 55350

**Phone:** 612-384-7770

**E-mail Address:** franks@gpsinnovatitons.com

## PART TWO: Site Location Information

**County:** Hennepin

**City/Township:** Plymouth

**Parcel ID and/or Address:** 618 Cottonwood Lane North (PID # 3511822140013)

**Legal Description (Section, Township, Range):** A portion of the SW ¼ SW ¼ SE ¼ NE ¼ of Section 35, T118N R22W, City of Plymouth, Hennepin County, Minnesota

**Lat/Long (decimal degrees):** Lat. 44.986337 (44° 59' 10.8132" N )/ Long. -93.424845 (93° 25' 29.4420" W)

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):** .64 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)

PJ  
10/22/14  
Purham

### 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.

The owner wants to know where the approved edge is located before starting the planning process. As soon as approval is received they will move forward with their project.

### 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 sq/ft).

<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: Franklin J. Svoboda Date: October 21, 2014

I hereby authorize Svoboda Ecological Resources 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.

Donald J. Jurek  
<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.

# Minnesota Wetland Conservation Act

## Notice of Decision

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>Tom Gonyea Estate Development Corporation</b>	Project Name <b>Vicksburg Ridge</b>	Date of Application <b>9/19/14</b>	Application Number <b>NA</b>
<input checked="" type="checkbox"/> Attach site locator map.			

Type of Decision:

<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		

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: <b>October 27, 2014</b>		
<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 Vicksburg Ridge parcel located in Section 16, T118N, R22W, with a PID of 16-118-22-22-0002 and generally located south of 46th Ave. N., east of Vicksburg Lane North, and north of Old Rockford Road was delineated for the presence of wetlands on July 16, 2014. One wetland was delineated on-site.

Wetland 1 is a Type 3 (PEM1C) shallow marsh dominated by reed canary grass with cattail species observed in deeper portions of the basin. This basin is designated MN DNR Public Water 101P.

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)
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**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 <b>Derek Asche</b>	Title <b>Water Resources Manager</b>	
Signature 	Date <b>11/27/14</b>	Phone Number and E-mail <b>763-509-5526</b> <b>dasche@plymouthmn.gov</b>

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: <b>Derek Asche, Water Resources Mgr</b> <b>City of Plymouth</b> <b>3400 Plymouth Blvd.</b> <b>Plymouth, MN 55447</b>	<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
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#### 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: **Mr. Ben Meyer, 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):  
**Tom Gonyea, Estate Development Corporation, 15250 Wayzata Blvd., Suite 101, Wayzata, MN, 55391**
- ☒ Members of the public who requested notice:  
**Richard and Patricia Davideit, 4420 Vicksburg Lane North, Plymouth, MN, 55446**
- ☒ Corps of Engineers Project Manager: **Melissa Jenny, 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 decisions only)

#### 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:

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


#### 6. ATTACHMENTS

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

☐



**Figure 1 - Site Location Map**



**KJOLHAUG** ENVIRONMENTAL SERVICES COMPANY

**Vicksburg Ridge (KES 2014-136)**  
**Plymouth, Minnesota**

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