

Minnesota Wetland Conservation Act

Notice of Decision

Item 8E.
BCWMC 2-16-17

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

1. PROJECT INFORMATION

| | | | |
|--------------------------------------------------------------|---------------------------------------------------------------------------------------------|----------------------------------------|---------------------------------|
| Applicant Name Ben Scharenbroich | Project Name 4130 & 4135 Quinwood Lane N - Water Quality Pond Maintenance | Date of Application 12/14/16 | Application Number NA |
| <input checked="" type="checkbox"/> Attach site locator map. | | | |

Type of Decision:

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

Technical Evaluation Panel Findings and Recommendation (if any):

| | | |
|----------------------------------|--------------------------------------------------|-------------------------------|
| <input type="checkbox"/> Approve | <input type="checkbox"/> Approve with conditions | <input type="checkbox"/> Deny |
|----------------------------------|--------------------------------------------------|-------------------------------|

2. LOCAL GOVERNMENT UNIT DECISION

| | | |
|----------------------------------------------|-------------------------------------------------------------------|---------------------------------|
| Date of Decision: 1/18/17 | | |
| <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 proposed project would consist of removing deposited sediments from the water quality pond back to its original design. This plan is on record with the City of Plymouth. The project is located to the south of the homes at 4130 & 4135 Quinwood Lane North in Plymouth. The applicant has requested a decision on the applicability of a no-loss, per WCA 8420.0415 (E) "Excavation limited to removal of deposited sediment in wetlands that are presently utilized as storm water management basins, or excavation and removal of contaminated substrate, when the excavated area is limited to the minimum dimensions necessary for achieving the desired purpose and stabilized to prevent water quality degradation." and WCA 8420.0415 (F) "An Activity associated with the operation, routine maintenance, or emergency repair of existing utilities and public works structures, including pipelines, provided the activity does not result in additional wetland intrusion or additional impacts, either wholly or partially"

The City of Plymouth has concluded this project is eligible for a No-Loss finding.

For Replacement Plans using credits from the State Wetland Bank:


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

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

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

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

LGU Authorized Signature:

| | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|--------------------------------------------------------------------------------|
| Signing and mailing of this completed form to the appropriate recipients in accordance with 8420.0255, Subp. 5 provides notice that a decision was made by the LGU under the Wetland Conservation Act as specified above. If additional details on the decision exist, they have been provided to the landowner and are available from the LGU upon request. | | |
| Name Derek Asche | Title Water Resources Manager | |
| Signature  | Date 1/18/17 | Phone Number and E-mail 763-509-5526 dasche@plymouthmn.gov |

THIS DECISION ONLY APPLIES TO THE MINNESOTA WETLAND CONSERVATION ACT.

Additional approvals or permits from local, state, and federal agencies may be required. Check with all appropriate authorities before commencing work in or near wetlands.

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

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

3. APPEAL OF THIS DECISION

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

Check one:

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

4. LIST OF ADDRESSEES

| | |
|-------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> | HCD TEP member: Ms. Stacey Lijewski, HCD, 701 Fourth Avenue South, Suite 700, Minneapolis, MN, 55415-1600 (sent electronically) |
| <input checked="" type="checkbox"/> | BWSR TEP member: Mr. Ben Meyer, BWSR, 520 Lafayette Rd. N., St. Paul, MN, 55155 (sent electronically) |
| <input type="checkbox"/> | LGU TEP member (if different than LGU Contact): |
| <input checked="" type="checkbox"/> | DNR TEP member: Becky Horton, MN DNR, 1200 Warner Road, St. Paul, MN, 55106 (sent electronically) |
| <input type="checkbox"/> | 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) |
| <input checked="" type="checkbox"/> | WD or WMO (if applicable): BCWMC, c/o Laura Jester, Keystone Waters, LLC, 16415 Hillcrest Lane, Eden Prairie, MN, 55346 (sent electronically) |
| <input checked="" type="checkbox"/> | Applicant and Landowner (if different): Ben and Meeta Baliga, 4130 Quinwood Lane N, Plymouth, MN, 55442 Steven Schulte, 4135 Quinwood Lane N, Plymouth, MN, 55442 Swan Lake South Homeowners Association, 4220 Pineview Lane North, Plymouth, MN 55442 Three Rives Park District, Administrative Center, 3000 Xenium Lane North, Plymouth, MN, 55441 Members of the public who requested notice: |
| <input checked="" type="checkbox"/> | Corps of Engineers Project Manager: Melissa Jenny, Army Corps of Engineers, 180 5th Street East, Suite 700, St. Paul, MN, 55101-1678 (sent electronically) |
| <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:

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

For a map of DNR Administrative Regions, see: http://files.dnr.state.mn.us/aboutdnr/dnr_regions.pdf

➤ For a list of Corps of Project Managers: www.mvp.usace.army.mil/regulatory/default.asp?pageid=687
or send to:

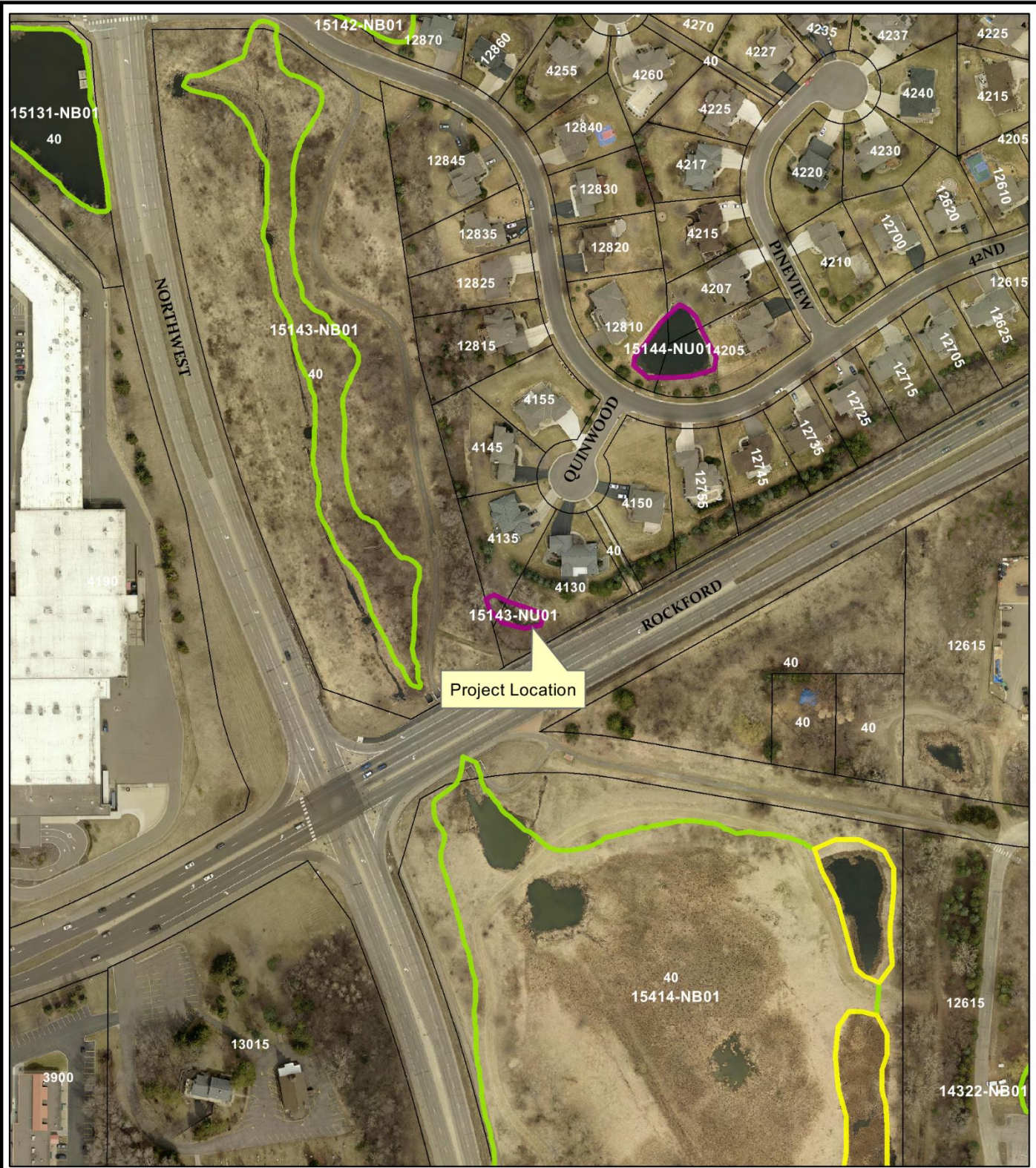
US Army Corps of Engineers
St. Paul District, ATTN: OP-R
180 Fifth St. East, Suite 700
St. Paul, MN 55101-1678

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

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

6. ATTACHMENTS

| |
|----------------------------------------------------------------------------------------------|
| In addition to the site locator map, list any other attachments: <input type="checkbox"/> |
|----------------------------------------------------------------------------------------------|



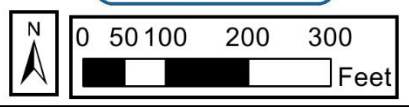
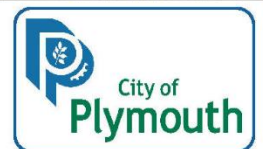
Project Location

Legend

Surface Water Resources

- Water Quality Pond
- Wetland
- Wetland Mitigation

Swan Lake South 15143-NU01 Project Location



Minnesota Wetland Conservation Act

Notice of Decision

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

1. PROJECT INFORMATION

| | | | |
|--------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|---------------------------------|
| Applicant Name Ben Scharenbroich | Project Name Quinwood Lane & 31st Avenue North – Water Quality Pond Maintenance | Date of Application 12/14/16 | Application Number NA |
| <input checked="" type="checkbox"/> Attach site locator map. | | | |

Type of Decision:

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

Technical Evaluation Panel Findings and Recommendation (if any):

| | | |
|----------------------------------|--------------------------------------------------|-------------------------------|
| <input type="checkbox"/> Approve | <input type="checkbox"/> Approve with conditions | <input type="checkbox"/> Deny |
|----------------------------------|--------------------------------------------------|-------------------------------|

2. LOCAL GOVERNMENT UNIT DECISION

| | | |
|----------------------------------------------|-------------------------------------------------------------------|---------------------------------|
| Date of Decision: 1/18/17 | | |
| <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 proposed project would consist of removing deposited sediments from the water quality pond back to its original design. This plan is on record with the City of Plymouth. The project is located on an outlot located to the west of the of street intersection of Quinwood Lane North and 31st Avenue North in Plymouth. The applicant has requested a decision on the applicability of a no-loss, per WCA 8420.0415 (E) "Excavation limited to removal of deposited sediment in wetlands that are presently utilized as storm water management basins, or excavation and removal of contaminated substrate, when the excavated area is limited to the minimum dimensions necessary for achieving the desired purpose and stabilized to prevent water quality degradation." and WCA 8420.0415 (F) "An Activity associated with the operation, routine maintenance, or emergency repair of existing utilities and public works structures, including pipelines, provided the activity does not result in additional wetland intrusion or additional impacts, either wholly or partially"

The City of Plymouth has concluded this project is eligible for a No-Loss finding.

For Replacement Plans using credits from the State Wetland Bank:

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

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

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

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

LGU Authorized Signature:

| | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|--------------------------------------------------------------------------------|
| Signing and mailing of this completed form to the appropriate recipients in accordance with 8420.0255, Subp. 5 provides notice that a decision was made by the LGU under the Wetland Conservation Act as specified above. If additional details on the decision exist, they have been provided to the landowner and are available from the LGU upon request. | | |
| Name Derek Asche | Title Water Resources Manager | |
| Signature <i>Derek Asche</i> | Date 1/18/17 | Phone Number and E-mail 763-509-5526 dasche@plymouthmn.gov |

THIS DECISION ONLY APPLIES TO THE MINNESOTA WETLAND CONSERVATION ACT.

Additional approvals or permits from local, state, and federal agencies may be required. Check with all appropriate authorities before commencing work in or near wetlands.

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

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

3. APPEAL OF THIS DECISION

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

Check one:

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

4. LIST OF ADDRESSEES

| | |
|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> | HCD TEP member: Ms. Stacey Lijewski, HCD, 701 Fourth Avenue South, Suite 700, Minneapolis, MN, 55415-1600 (sent electronically) |
| <input checked="" type="checkbox"/> | BWSR TEP member: Ms. Lynda Peterson, BWSR, 520 Lafayette Rd. N., St. Paul, MN, 55155 (sent electronically) |
| <input type="checkbox"/> | LGU TEP member (if different than LGU Contact): |
| <input checked="" type="checkbox"/> | DNR TEP member: Melissa Doperalski, MN DNR, 1200 Warner Road, St. Paul, MN, 55106 (sent electronically) |
| <input type="checkbox"/> | 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) |
| <input checked="" type="checkbox"/> | WD or WMO (if applicable): BCWMC, c/o Laura Jester, Keystone Waters, LLC, 16415 Hillcrest Lane, Eden Prairie, MN, 55346 (sent electronically) |
| <input checked="" type="checkbox"/> | Applicant and Landowner (if different): Heritage Ridge Plt 2 Homeowners Association, 3200 Pineview Lane North, Plymouth MN, 55441 Members of the public who requested notice: |
| <input checked="" type="checkbox"/> | Corps of Engineers Project Manager: Melissa Jenny, Army Corps of Engineers, 180 5th Street East, Suite 700, St. Paul, MN, 55101-1678 (sent electronically) |
| <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:

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

For a map of DNR Administrative Regions, see: http://files.dnr.state.mn.us/aboutdnr/dnr_regions.pdf

- For a list of Corps of Project Managers: www.mvp.usace.army.mil/regulatory/default.asp?pageid=687
or send to:

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

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

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




6. ATTACHMENTS

| |
|----------------------------------------------------------------------------------------------|
| In addition to the site locator map, list any other attachments: <input type="checkbox"/> |
|----------------------------------------------------------------------------------------------|



Legend

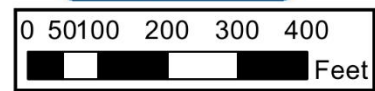
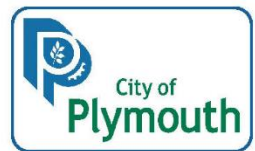
Surface Water Resources

-  Water Quality Pond
-  Wetland
-  Wetland Mitigation

Heritage Ridge

22144-NU01

Project Location



Minnesota Wetland Conservation Act

Notice of Decision

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

1. PROJECT INFORMATION

| | | | |
|--------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|-------------------------------------------|------------------------------------|
| Applicant Name Ben Scharenbroich | Project Name 12405 42nd Place North - Water Quality Pond Maintenance | Date of Application 12/14/16 | Application Number NA |
| <input checked="" type="checkbox"/> Attach site locator map. | | | |

Type of Decision:

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

Technical Evaluation Panel Findings and Recommendation (if any):

| | | |
|----------------------------------|--------------------------------------------------|-------------------------------|
| <input type="checkbox"/> Approve | <input type="checkbox"/> Approve with conditions | <input type="checkbox"/> Deny |
|----------------------------------|--------------------------------------------------|-------------------------------|

2. LOCAL GOVERNMENT UNIT DECISION

| | | |
|----------------------------------------------|-------------------------------------------------------------------|---------------------------------|
| Date of Decision: 1/18/17 | | |
| <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 proposed project would consist of removing deposited sediments from the water quality pond back to its original design. This plan is on record with the City of Plymouth. The project is located to the south east of the homes at 12405 42nd Place North in Plymouth. The applicant has requested a decision on the applicability of a no-loss, per WCA 8420.0415 (E) "Excavation limited to removal of deposited sediment in wetlands that are presently utilized as storm water management basins, or excavation and removal of contaminated substrate, when the excavated area is limited to the minimum dimensions necessary for achieving the desired purpose and stabilized to prevent water quality degradation." and WCA 8420.0415 (F) "An Activity associated with the operation, routine maintenance, or emergency repair of existing utilities and public works structures, including pipelines, provided the activity does not result in additional wetland intrusion or additional impacts, either wholly or partially"

The City of Plymouth has concluded this project is eligible for a No-Loss finding.

For Replacement Plans using credits from the State Wetland Bank:


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

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

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

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

LGU Authorized Signature:

| | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|--------------------------------------------------------------------------------|
| Signing and mailing of this completed form to the appropriate recipients in accordance with 8420.0255, Subp. 5 provides notice that a decision was made by the LGU under the Wetland Conservation Act as specified above. If additional details on the decision exist, they have been provided to the landowner and are available from the LGU upon request. | | |
| Name Derek Asche | Title Water Resources Manager | |
| Signature  | Date 1/18/17 | Phone Number and E-mail 763-509-5526 dasche@plymouthmn.gov |

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

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

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

3. APPEAL OF THIS DECISION

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

Check one:

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

4. LIST OF ADDRESSEES

| | |
|---------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> | HCD TEP member: Ms. Stacey Lijewski, HCD, 701 Fourth Avenue South, Suite 700, Minneapolis, MN, 55415-1600 (sent electronically) |
| <input checked="" type="checkbox"/> | BWSR TEP member: Ms. Lynda Peterson, BWSR, 520 Lafayette Rd. N., St. Paul, MN, 55155 (sent electronically) |
| <input type="checkbox"/> | LGU TEP member (if different than LGU Contact): |
| <input checked="" type="checkbox"/> | DNR TEP member: Melissa Doperalski, MN DNR, 1200 Warner Road, St. Paul, MN, 55106 (sent electronically) |
| <input type="checkbox"/> | 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) |
| <input checked="" type="checkbox"/> | WD or WMO (if applicable): BCWMC, c/o Laura Jester, Keystone Waters, LLC, 16415 Hillcrest Lane, Eden Prairie, MN, 55346 (sent electronically) |
| <input checked="" type="checkbox"/> | Applicant and Landowner (if different): Richard & Kristina Beckfeld, 12405 42nd Place North, Plymouth, MN, 55442 Alan Berger, 4250 Norwood Lane North, Plymouth, MN, 55442 BHJM Inc, 2437 Rice St, Roseville, MN 55113 Swan Lake South Homeowners Association, 4220 Pineview Lane North, Plymouth, MN 55442 |
| Members of the public who requested notice: | |
| <input checked="" type="checkbox"/> | Corps of Engineers Project Manager: Melissa Jenny, Army Corps of Engineers, 180 5th Street East, Suite 700, St. Paul, MN, 55101-1678 (sent electronically) |
| <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:

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

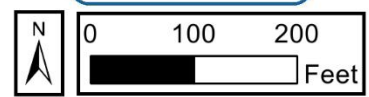
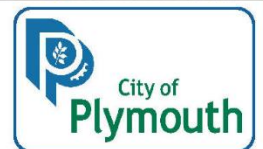


Legend

Surface Water Resources

-  Water Quality Pond
-  Wetland
-  Wetland Mitigation

Swan Lake South 14231-NU01 Project Location



Minnesota Wetland Conservation Act

Notice of Decision

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

1. PROJECT INFORMATION

| | | | |
|--------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|------------------------------------|
| Applicant Name Ben Scharenbroich | Project Name Plymouth Creek Pond (West Medicine Lake Park) – Water Quality Pond Maintenance | Date of Application 12/14/16 | Application Number NA |
| <input checked="" type="checkbox"/> Attach site locator map. | | | |

Type of Decision:

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

Technical Evaluation Panel Findings and Recommendation (if any):

| | | |
|----------------------------------|--------------------------------------------------|-------------------------------|
| <input type="checkbox"/> Approve | <input type="checkbox"/> Approve with conditions | <input type="checkbox"/> Deny |
|----------------------------------|--------------------------------------------------|-------------------------------|

2. LOCAL GOVERNMENT UNIT DECISION

| | | |
|----------------------------------------------|-------------------------------------------------------------------|---------------------------------|
| Date of Decision: 1/18/17 | | |
| <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):

Summary (or attach): The proposed project would consist of removing deposited sediments from the water quality pond back to its original design. This plan was approved for construction by the MN DNR (Permit # 2009-0322) and is on record with the City of Plymouth. The project is located within West Medicine Lake Park in Plymouth. The applicant has requested a decision on the applicability of a no-loss, per WCA 8420.0415 (E) "Excavation limited to removal of deposited sediment in wetlands that are presently utilized as storm water management basins, or excavation and removal of contaminated substrate, when the excavated area is limited to the minimum dimensions necessary for achieving the desired purpose and stabilized to prevent water quality degradation." and WCA 8420.0415 (F) "An Activity associated with the operation, routine maintenance, or emergency repair of existing utilities and public works structures, including pipelines, provided the activity does not result in additional wetland intrusion or additional impacts, either wholly or partially"

The City of Plymouth has concluded this project is eligible for a No-Loss finding.

For Replacement Plans using credits from the State Wetland Bank:


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

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

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

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

LGU Authorized Signature:

| | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|--------------------------------------------------------------------------------|
| Signing and mailing of this completed form to the appropriate recipients in accordance with 8420.0255, Subp. 5 provides notice that a decision was made by the LGU under the Wetland Conservation Act as specified above. If additional details on the decision exist, they have been provided to the landowner and are available from the LGU upon request. | | |
| Name Derek Asche | Title Water Resources Manager | |
| Signature  | Date 1/18/17 | Phone Number and E-mail 763-509-5526 dasche@plymouthmn.gov |

THIS DECISION ONLY APPLIES TO THE MINNESOTA WETLAND CONSERVATION ACT.

Additional approvals or permits from local, state, and federal agencies may be required. Check with all appropriate authorities before commencing work in or near wetlands.

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

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

3. APPEAL OF THIS DECISION

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

Check one:

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

4. LIST OF ADDRESSEES

| | |
|---------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> | HCD TEP member: Ms. Stacey Lijewski, HCD, 701 Fourth Avenue South, Suite 700, Minneapolis, MN, 55415-1600 (sent electronically) |
| <input checked="" type="checkbox"/> | BWSR TEP member: Mr. Ben Meyer, BWSR, 520 Lafayette Rd. N., St. Paul, MN, 55155 (sent electronically) |
| <input type="checkbox"/> | LGU TEP member (if different than LGU Contact): |
| <input checked="" type="checkbox"/> | DNR TEP member: Becky Horton, MN DNR, 1200 Warner Road, St. Paul, MN, 55106 (sent electronically) |
| <input checked="" type="checkbox"/> | 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) |
| <input checked="" type="checkbox"/> | 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): | |
| Members of the public who requested notice: | |
| <input checked="" type="checkbox"/> | Corps of Engineers Project Manager: Melissa Jenny, Army Corps of Engineers, 180 5th Street East, Suite 700, St. Paul, MN, 55101-1678 (sent electronically) |
| <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:

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

For a map of DNR Administrative Regions, see: http://files.dnr.state.mn.us/aboutdnr/dnr_regions.pdf

➤ For a list of Corps of Project Managers: www.mvp.usace.army.mil/regulatory/default.asp?pageid=687
or send to:

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

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

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

6. ATTACHMENTS

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



Legend

Surface Water Resources

- Water Quality Pond
- Wetland
- Wetland Mitigation

Plymouth Creek Pond 26422-NU01 Project Location

