Minnesota Wetland Conservation Act
Notice of Application

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

1. PROJECT INFORMATION

Applicant Name	Project Name	Date of Application	Application Number
Jay Joiner	**The Gardner School**	**12/4/17**	**NA**

Type of Application (check all that apply):

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

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

A site review of the 505 Waterford site was conducted on November 10, 2017. In addition NWI, Hennepin County Soil Survey, DNR Public Water Inventory, and historic aerial photography was also reviewed. No wetlands were identified on-site, however, Bassett Creek was identified as a DNR public waterway and an open water basin were identified. The City of Plymouth pond inventory identifies the open water basin as required water quality ponding for previous development.

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	Comments must be received by (minimum 15 business-day comment period):
Derek Asche **Water Resources Manager**	**January 9, 2018**
Address (if different than LGU) **City of Plymouth** **3400 Plymouth Blvd.** **Plymouth, MN, 55447**	Date, time, and location of decision: **January 10, 2018** **9am** **Plymouth City Hall**
Phone Number and E-mail Address **763-509-5526** **dasche@plymouthmn.gov**	Decision-maker for this application: ☒ Staff ☐ Governing Board or Council

Signature: Derek Asche **Date:** 12/12/17

3. LIST OF ADDRESSEES

- ☒ SWCD TEP member: **Ms. Stacey Lijewski, HCD, 701 Fourth Avenue South, Suite 700, Minneapolis, MN, 55415-1600** (sent electronically)
- ☒ BWSR TEP member: **Ben Carlson, BWSR, 520 Lafayette Road North, St. Paul, MN, 55401-1397** (sent electronically)
- ☐ LGU TEP member (if different than LGU Contact):
- ☒ DNR TEP member: **Becky Horton, MN DNR, 1200 Warner Road, St. Paul, MN, 55106** (sent electronically)
- ☒ DNR Regional Office (if different than DNR TEP member)
  Jason Spiegel, Area Hydrologist, MN DNR, 1200 Warner Road, St. Paul, MN, 55106 (sent electronically)
- ☒ WD or WMO (if applicable):
  BCWMC, c/o Laura Jester, Keystone Waters LLC, 16145 Hillcrest Lane, Eden Prairie, MN, 553467 (sent electronically)
- ☒ Applicant (notice only) and Landowner (if different):
  Jay Joiner, The Gardner School (sent electronically)
  505 Waterford LLC, 161 North Clark Street #4900, Chicago, IL, 60601
- ☒ Members of the public who requested notice (notice only):
  Ashley Payne, Kimley-Horn (sent electronically)
- ☒ Corps of Engineers Project Manager (notice only): **Army Corps of Engineers, 180 5th Street East, Suite 700, St. Paul, MN, 55101-1678** (sent electronically)
- ☐ BWSR Wetland Bank Coordinator (wetland bank plan applications only)

4. MAILING INFORMATION

- For a list of BWSR TEP representatives: www.bwsr.state.mn.us/contact/WCA_areas.pdf
- For a list of DNR TEP representatives: www.bwsr.state.mn.us/wetlands/wca/DNR_TEP_contacts.pdf
- Department of Natural Resources Regional Offices:

NW Region:	NE Region:	Central Region:	Southern Region:
Reg. Env. Assess. Ecol. 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

5. ATTACHMENTS

In addition to the application, list any other attachments:

- ☒ **Wetland Investigation for the Gardner School dated 11/21/17 by Kimley-Horn and Assoc., Inc.**
- ☐

Project Name and/or Number: The Gardner School - 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: The Gardner School, Jay Joiner
Mailing Address: 302 Innovation Drive, Suite 130, Franklin, TN 37067
Phone: (615) 613-0376 ext.107
E-mail Address: jay.joiner@thegardnerschool.com

Agent Name: Kimley-Horn and Associates, Inc., Ashley Payne
Mailing Address: 2550 University Avenue West, Suite 238N, St. Paul, MN 55114
Phone: (507) 216-0763
E-mail Address: ashley.payne@kimley-horn.com

PART TWO: Site Location Information

County: Hennepin **City/Township: Plymouth**
Parcel ID and/or Address: 505 Waterford
Legal Description (Section, Township, Range): S 36 T 118N, R 22W
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): Approx. 12.3 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

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.

Kimley-Horn was contracted to complete a wetland investigation on the subject property. The site review occurred on November 9, 2017 with Bassett Creek and pond identified during the site review. No wetland areas were identified adjacent to the creek channel.

PD
12/4/17

Project Name and/or Number: The Gardner School - Plymouth

PART FIVE: Applicant Signature

☐ Check here if you are requesting a pre-application consultation with the Corps and LGU based on the information you have provided. Regulatory entities will not initiate a formal application review if this box is checked.

By signature below, I attest that the information in this application is complete and accurate. I further attest that I possess the authority to undertake the work described herein.

Signature: _____ Date: 11/29/2017

I hereby authorize Kimley-Horn 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.

Project Name and/or Number: The Gardner School - Plymouth

Attachment A
Request for Delineation Review, Wetland Type Determination, or Jurisdictional Determination

By submission of the enclosed wetland delineation report, I am requesting that the U.S. Army Corps of Engineers, St. Paul District (Corps) and/or the Wetland Conservation Act Local Government Unit (LGU) provide me with the following (check all that apply):

☐ **Wetland Type Confirmation**

☒ **Delineation Concurrence**. Concurrence with a delineation is a written notification from the Corps and a decision from the LGU concurring, not concurring, or commenting on the boundaries of the aquatic resources delineated on the property. Delineation concurrences are generally valid for five years unless site conditions change. Under this request alone, the Corps will not address the jurisdictional status of the aquatic resources on the property, only the boundaries of the resources within the review area (including wetlands, tributaries, lakes, etc.).

☐ **Preliminary Jurisdictional Determination**. A preliminary jurisdictional determination (PJD) is a non-binding written indication from the Corps that waters, including wetlands, identified on a parcel may be waters of the United States. For purposes of computation of impacts and compensatory mitigation requirements, a permit decision made on the basis of a PJD will treat all waters and wetlands in the review area as if they are jurisdictional waters of the U.S. PJDs are advisory in nature and may not be appealed.

☐ **Approved Jurisdictional Determination**. An approved jurisdictional determination (AJD) is an official Corps determination that jurisdictional waters of the United States are either present or absent on the property. AJDs can generally be relied upon by the affected party for five years. An AJD may be appealed through the Corps administrative appeal process.

In order for the Corps and LGU to process your request, the wetland delineation must be prepared in accordance with the 1987 Corps of Engineers Wetland Delineation Manual, any approved Regional Supplements to the 1987 Manual, and the *Guidelines for Submitting Wetland Delineations in Minnesota* (2013).
http://www.mvp.usace.army.mil/Missions/Regulatory/DelineationJDGuidance.aspx

Kimley»Horn

MEMORANDUM

To: Derek Asche, City of Plymouth

From: Ashley Payne, Kimley-Horn and Associates, Inc.

Date: November 21, 2017

Subject: Wetland Investigation for The Gardner School, 505 Waterford, Plymouth, MN

The Gardner School contracted Kimley-Horn to review site located at 505 Waterford in Plymouth, MN. See Figure 1 for project location and Figure 2 for project site boundary. A review of available background data was completed to assist in determining if any aquatic resources are present within the project site. A site review was also completed on November 10, 2017.

Available Background Data:

National Wetlands Inventory

A review of the National Wetlands Inventory (NWI), updated by the Minnesota Department of Natural Resources (DNR), identified two wetland areas within the project site (Attachment A). One open water basin and creek channel was identified during the site review.

Hennepin County Soil Survey

A review of the Hennepin County soil survey via Websoil survey identified three soil types that were considered 100% hydric. Those soil types include Biscay clay loam, Medo soils, and Muskego and Houghton soils. The Websoil survey is included in Attachment B.

DNR Public Waters Inventory

A review of the DNR Public Waters Inventory (PWI) identified one DNR Public Waterway within the project site. The DNR PWI is included in Attachment C.

Historic Aerial Review

A historic aerial review as completed to see determine the historic land use of the area. The follow table identifies the historic land use of the area:

Year	Notes
1940	Site appears to be farmed. No wetland areas visible. The creek channel is west of the current location.
1953	Site appears to be farmed. Wetland areas visible. The creek channel is west of the current location.
1957	Surrounding area is starting to be developed. The creek channel is west of the project site.
1969	Site conditions appear to be consistent with previous years

Year	Notes
1989	Open water (waterbody) and creek channel boundary is in current location. No wetland adjacent to the creek channel is visible.
1991	Site conditions have not changed significantly since 1989.
1997	Site conditions have not changed significantly. Boundaries are the same as previous years.
2000-2016	Site conditions have not changed significantly since 1989. Boundaries are the same as previous years.

The site has been developed since the 1980's. The creek channel bank and waterbody on the north side of the site are in the same locations as what is visible in 1989. No wetland is visible adjacent to the creek channel from 1989 to present.

Site Visit Results:

During the site visit completed on November 6, 2017, two resources, Bassett Creek and an open water pond, was identified within the project site. No wetland areas were identified within the project site. The resources and adjacent upland areas are described below.

Bassett Creek:

Bassett Creek was identified along the western property boundary during the site review. The creek channel was clearly defined with a bed and bank. The water levels at the time of the site review were approximately 1-2 feet below the top of bank. The channel bank was GPS surveyed and is shown on Figure 3. Photos of the creek channel are attached.

Open Water Basin:

The open water basin appears to be a constructed basin on the north side of the existing building. The edges of the basin were defined and are identified in Figure 3. Based on the surrounding landscape, it appears the open water basin was constructed.

Upland Areas:

The rest of the project site consisted of upland areas that had a dominance of mowed turf grass, evergreen trees and other ornamental plantings. No wetland vegetation was visible at the time of the site review. No areas along the creek channel showed wetland characteristics, not showed signs of vegetation stress due to high water. Photos of the upland areas are attached.

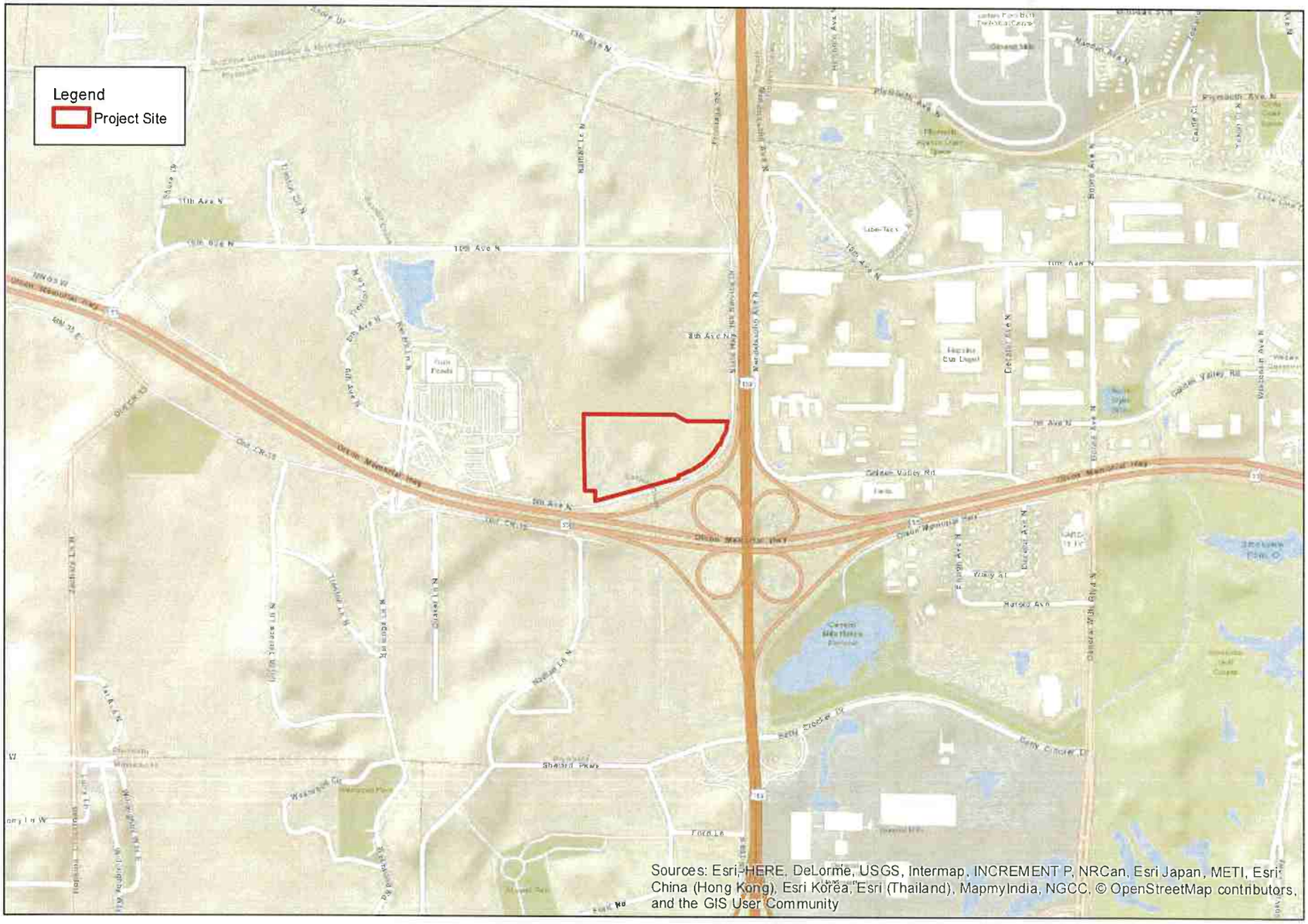
Conclusion:

Bassett Creek and one open water basin were identified during the site review. No other aquatic resources were identified during the site review on November 10, 2017. Based on the site characteristics, no wetlands were identified along the creek channel or within the project site. The identified resources are shown on Figure 3.

Please let me know if you have any questions or would like to discuss this information in further detail. Thank you.

Cc. Jay Joiner, Gardner School

Figures



Kimley»Horn

0 500 1,000 Feet

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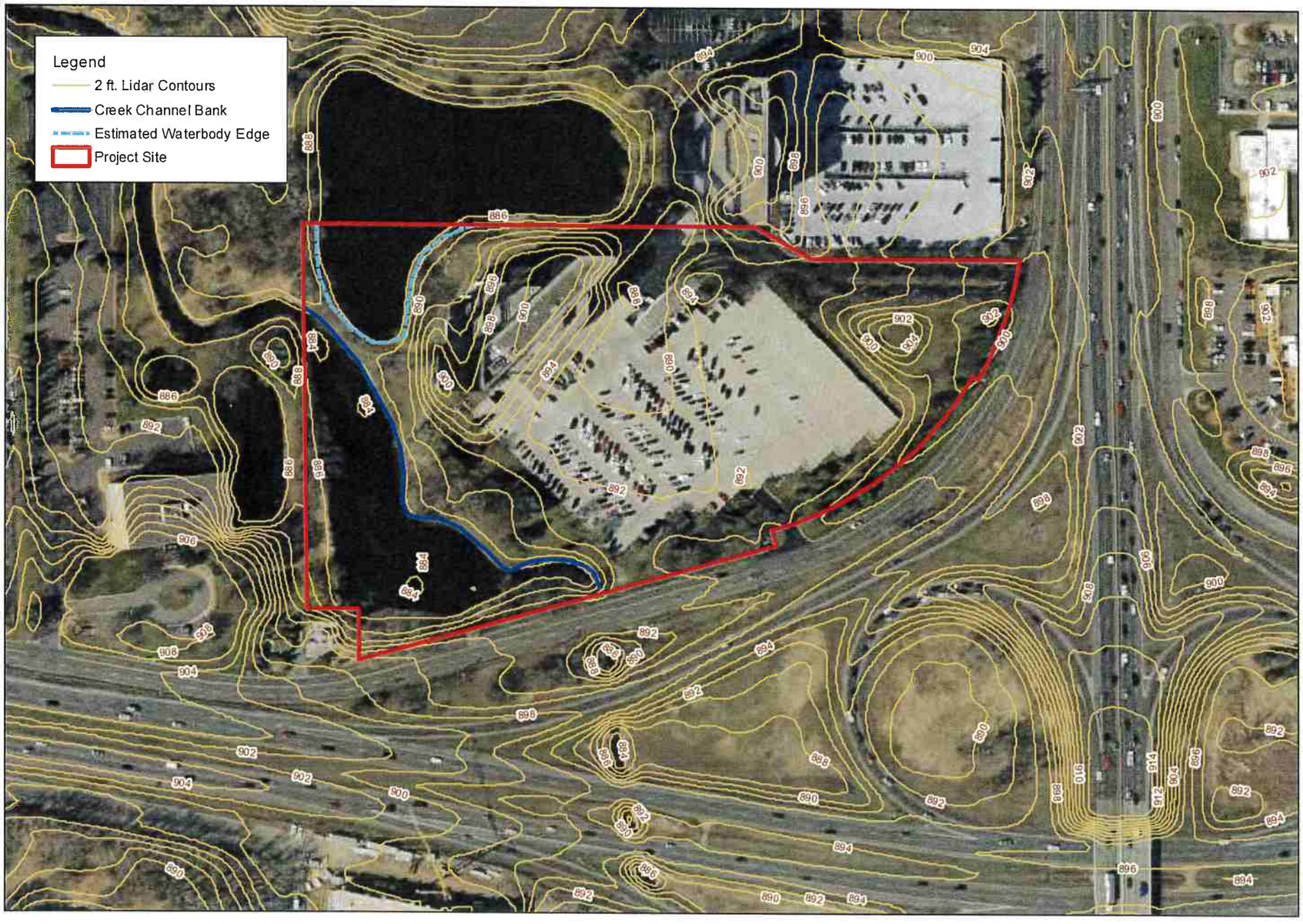
Figure 1. Project Location



Kimley»Horn

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Figure 2. 2-Ft Lidar Contours

Kimley»Horn

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Figure 3. Identified Aquatic Resources

ATTACHMENT A

National Wetlands Inventory

Kimley»Horn

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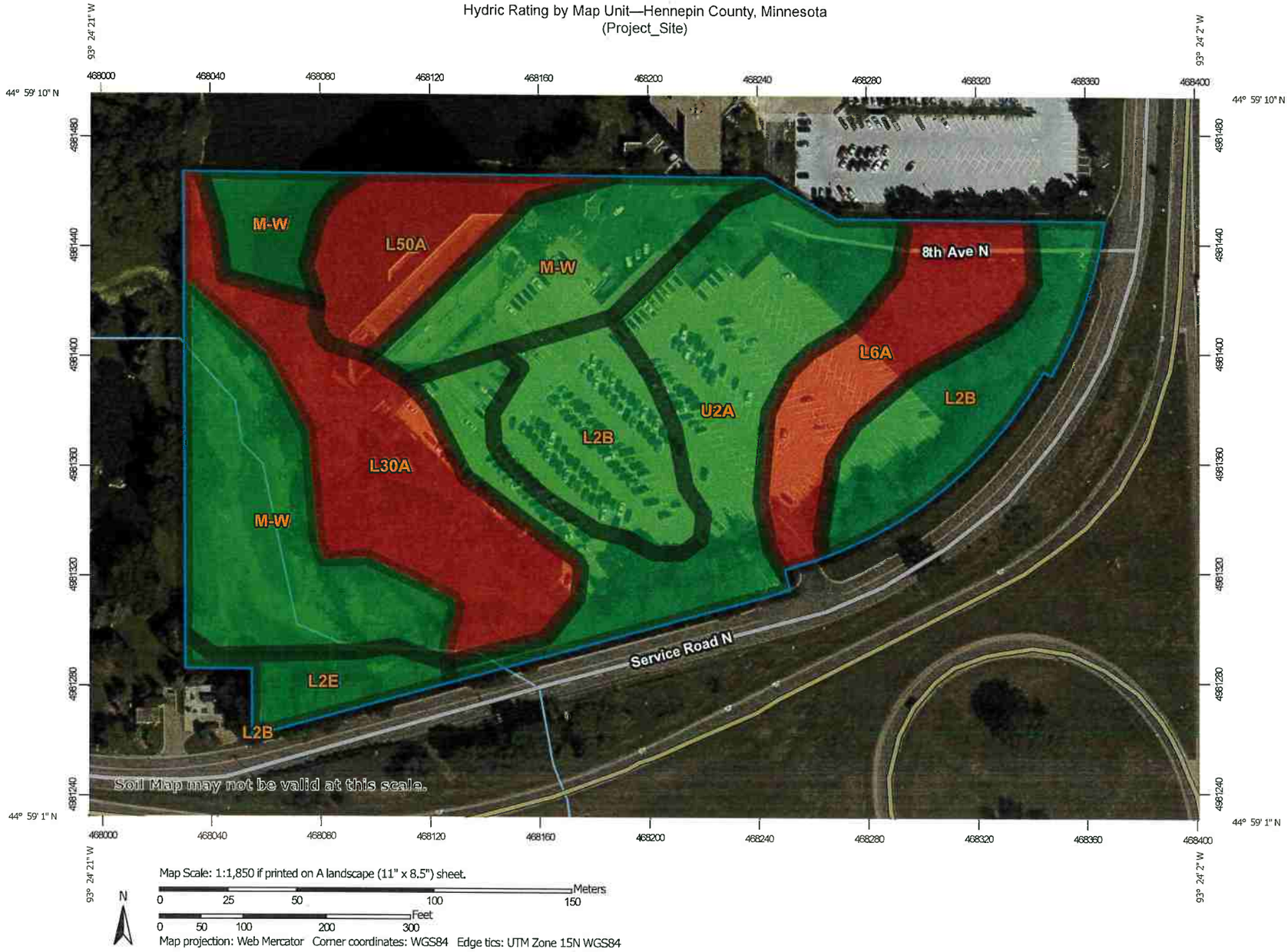
NWI

ATTACHMENT B

Hydric Soils Map

Hydric Rating by Map Unit—Hennepin County, Minnesota
(Project_Site)



MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils

Soil Rating Polygons
- Hydric (100%)
- Hydric (66 to 99%)
- Hydric (33 to 65%)
- Hydric (1 to 32%)
- Not Hydric (0%)
- Not rated or not available

Soil Rating Lines
- Hydric (100%)
- Hydric (66 to 99%)
- Hydric (33 to 65%)
- Hydric (1 to 32%)
- Not Hydric (0%)
- Not rated or not available

Soil Rating Points
- Hydric (100%)
- Hydric (66 to 99%)
- Hydric (33 to 65%)
- Hydric (1 to 32%)
- Not Hydric (0%)
- Not rated or not available

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:12,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Hennepin County, Minnesota
Survey Area Data: Version 13, Oct 4, 2017

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Aug 26, 2014—Sep 7, 2014

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Hydric Rating by Map Unit

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
L2B	Malardi-Hawick complex, 1 to 6 percent slopes	0	2.1	17.3%
L2E	Malardi-Hawick complex, 18 to 35 percent slopes	0	0.4	3.3%
L6A	Biscay clay loam, 0 to 2 percent slopes	100	1.2	9.7%
L30A	Medo soils, depressional, 0 to 1 percent slopes	100	1.8	14.6%
L50A	Muskego and Houghton soils, 0 to 1 percent slopes	100	0.9	7.0%
M-W	Water, miscellaneous	0	3.3	26.5%
U2A	Udorthents, wet substratum, 0 to 2 percent slopes	0	2.7	21.6%
Totals for Area of Interest			**12.3**	**100.0%**

ATTACHMENT C

DNR Public Waters

Kimley»Horn

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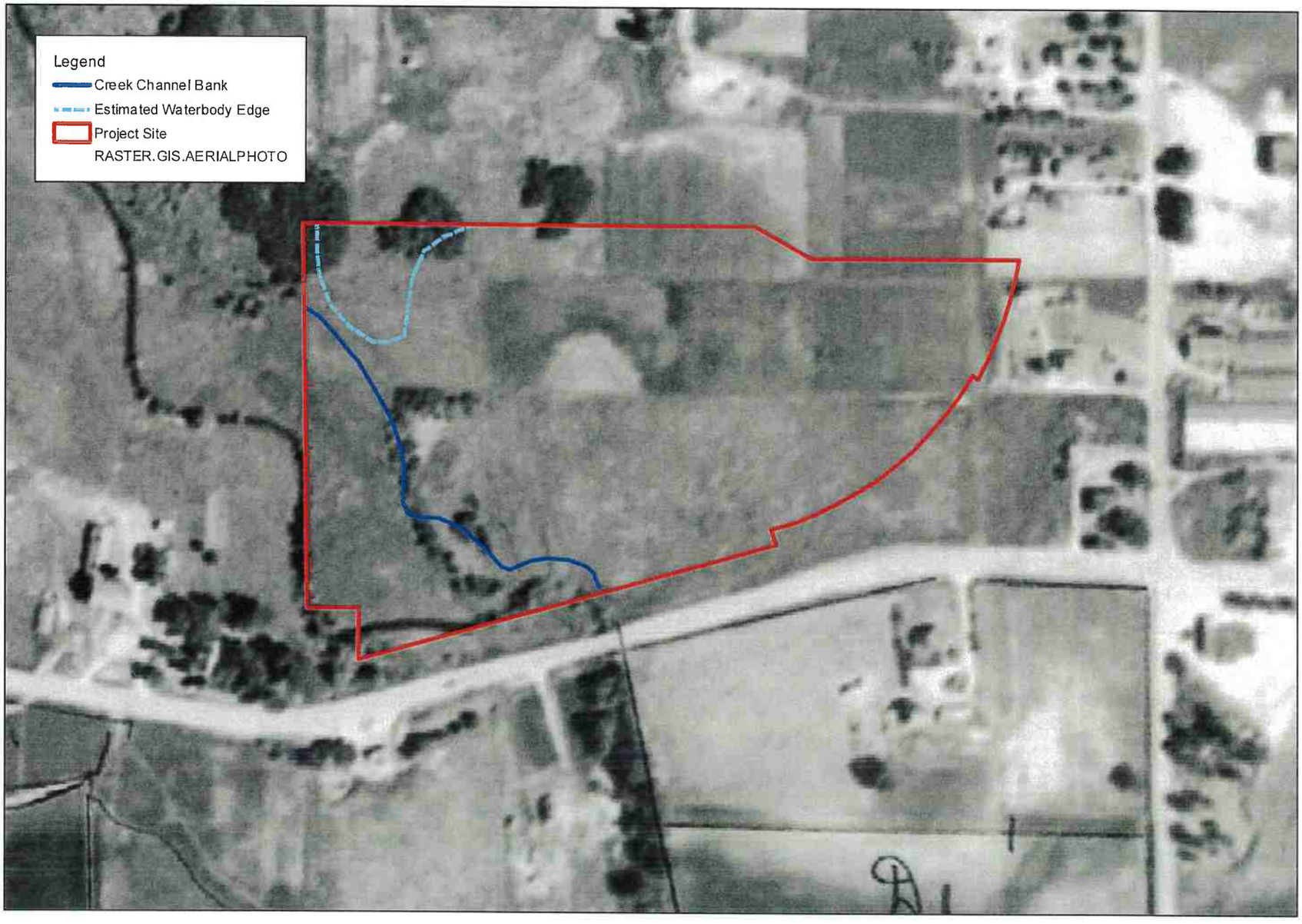
DNR

ATTACHMENT D

Historic Aerials



Kimley»Horn

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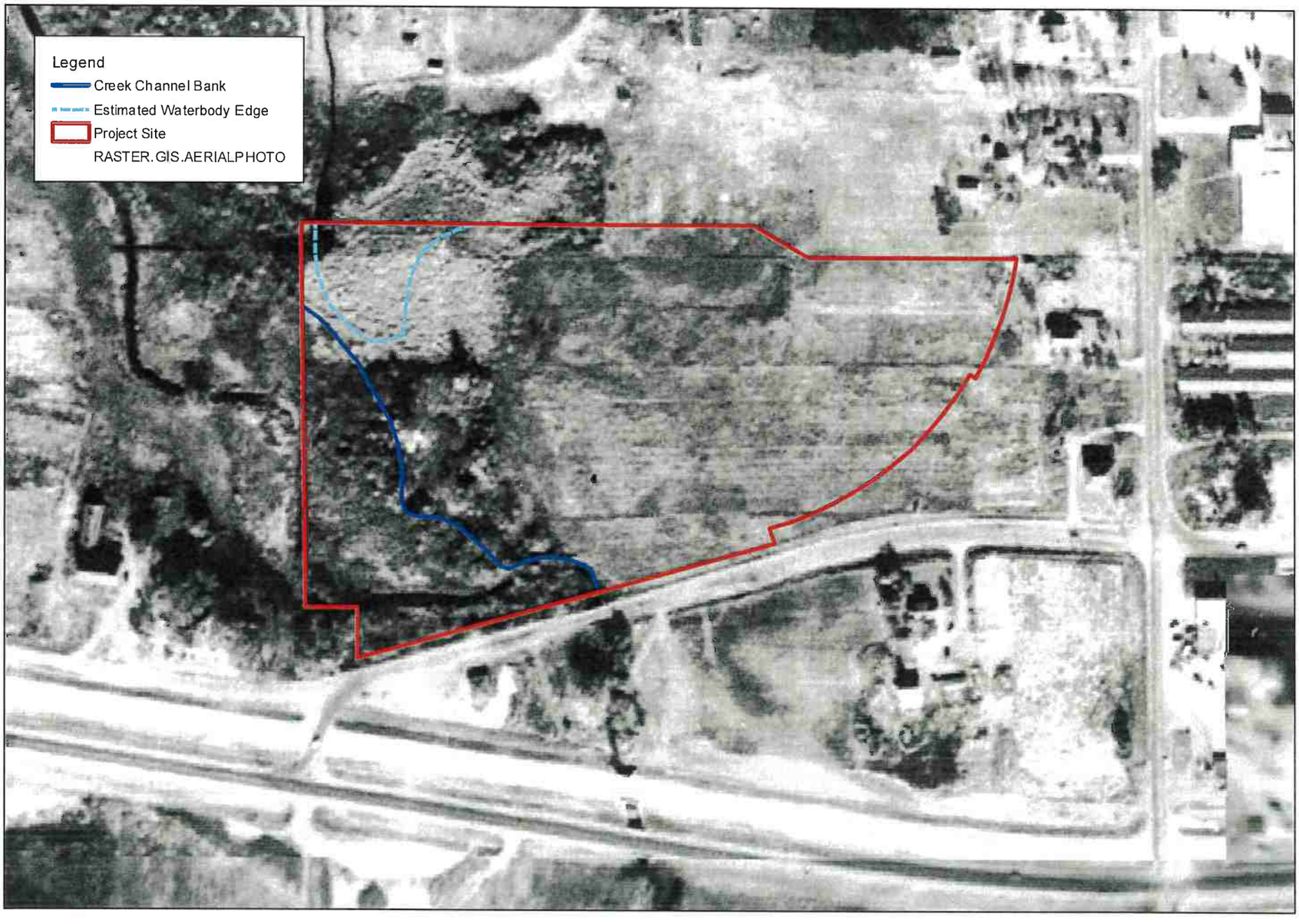
1940



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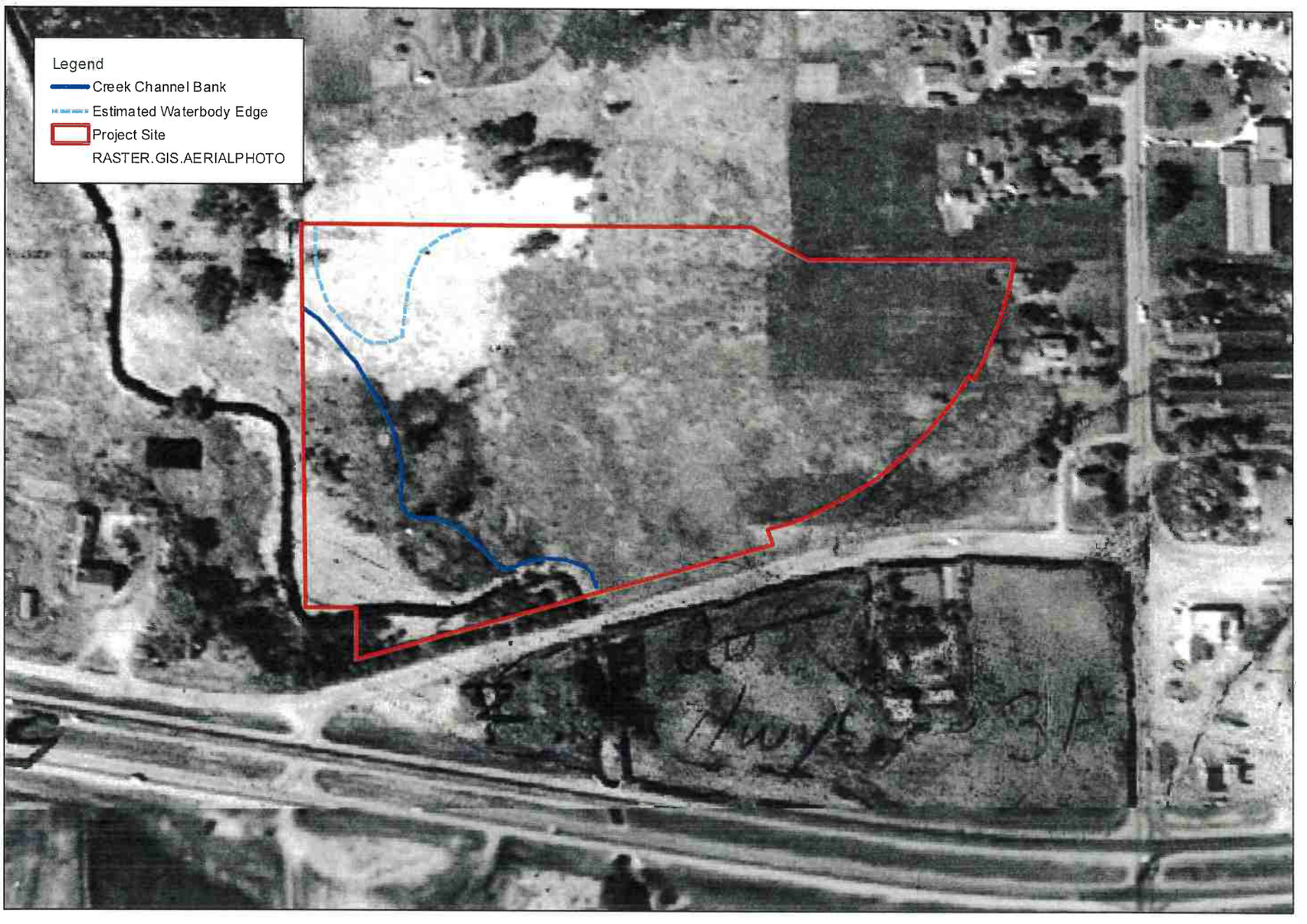
1953



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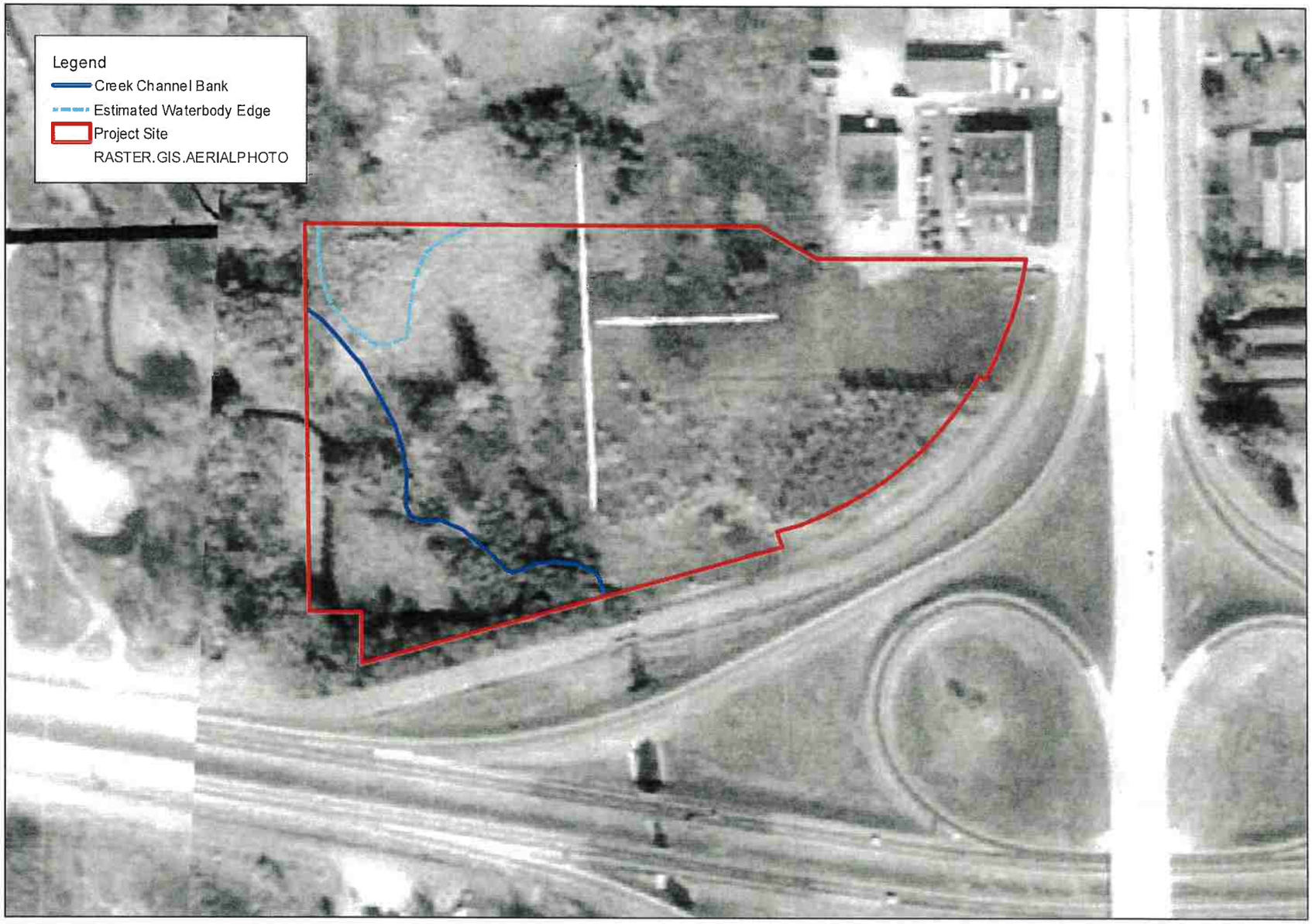
1957



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1969

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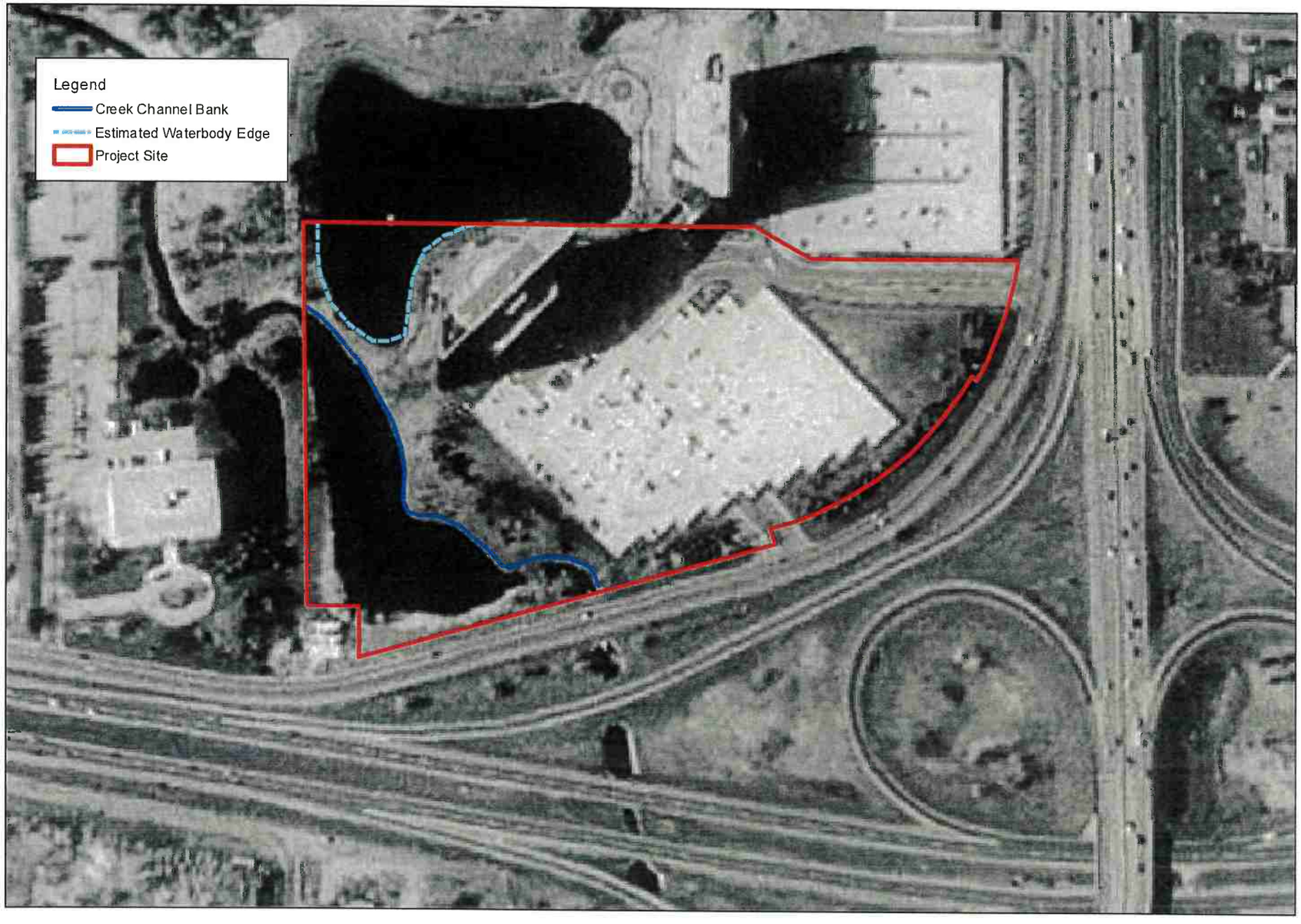
1989



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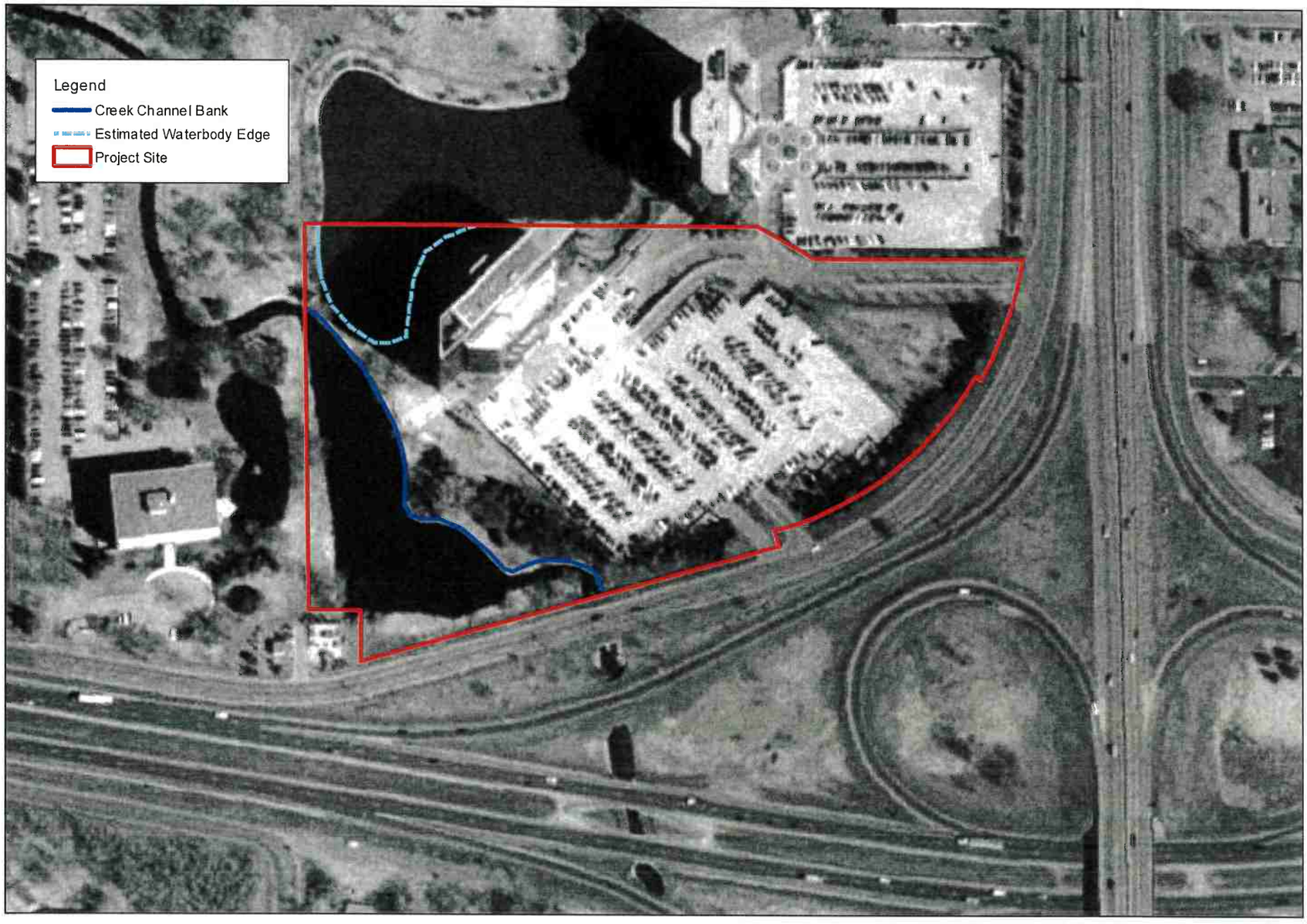
1991



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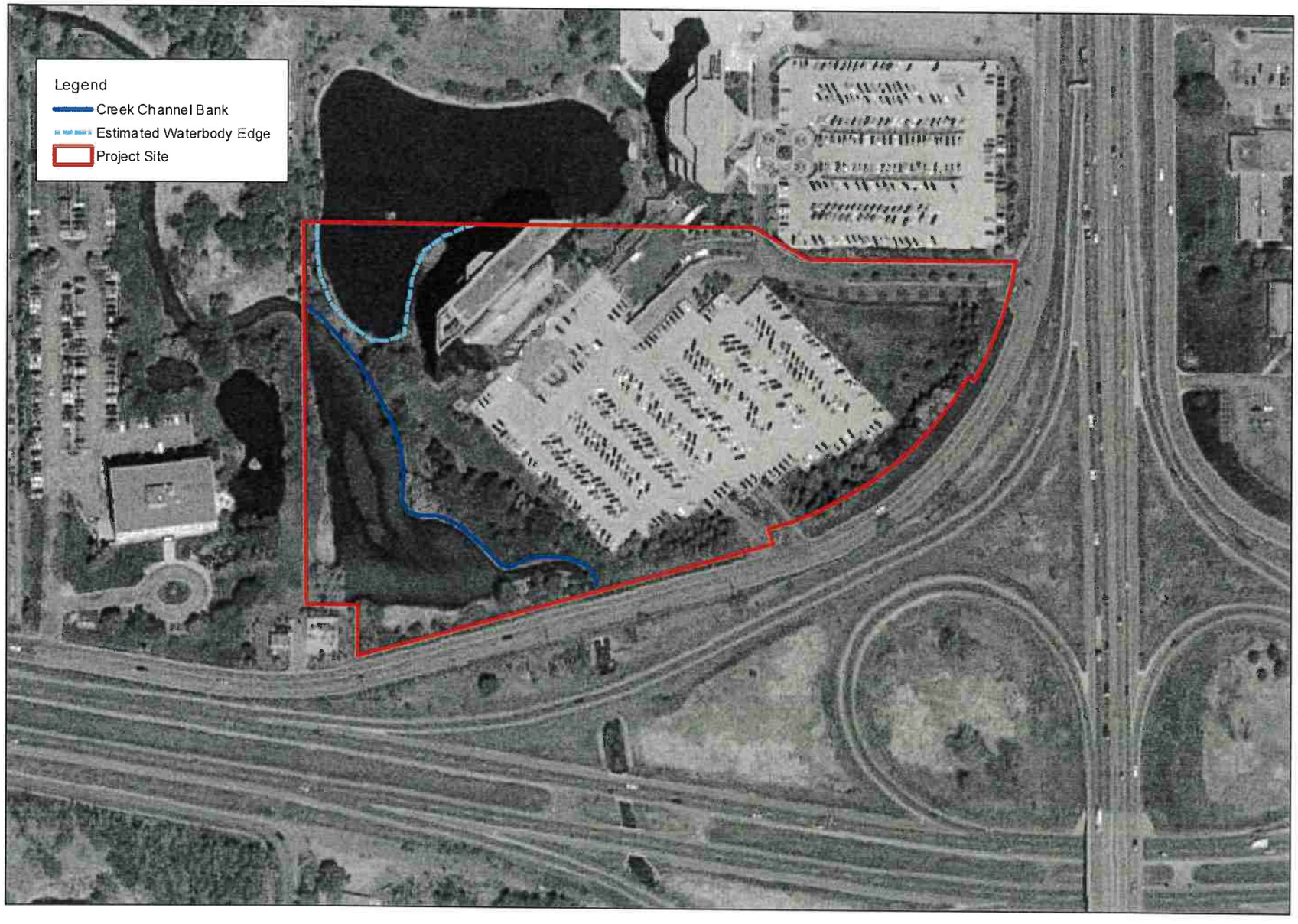
1997



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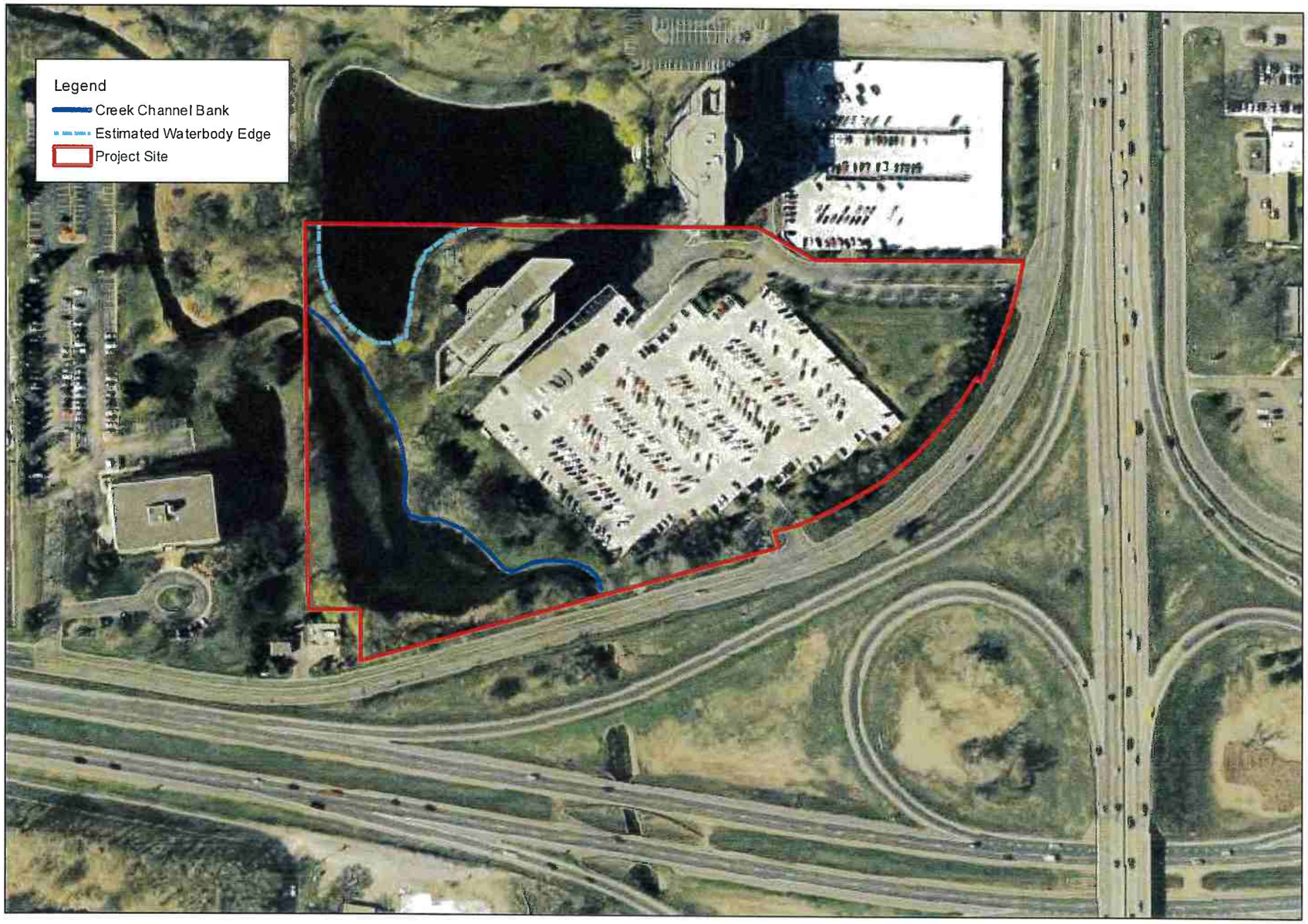
2000



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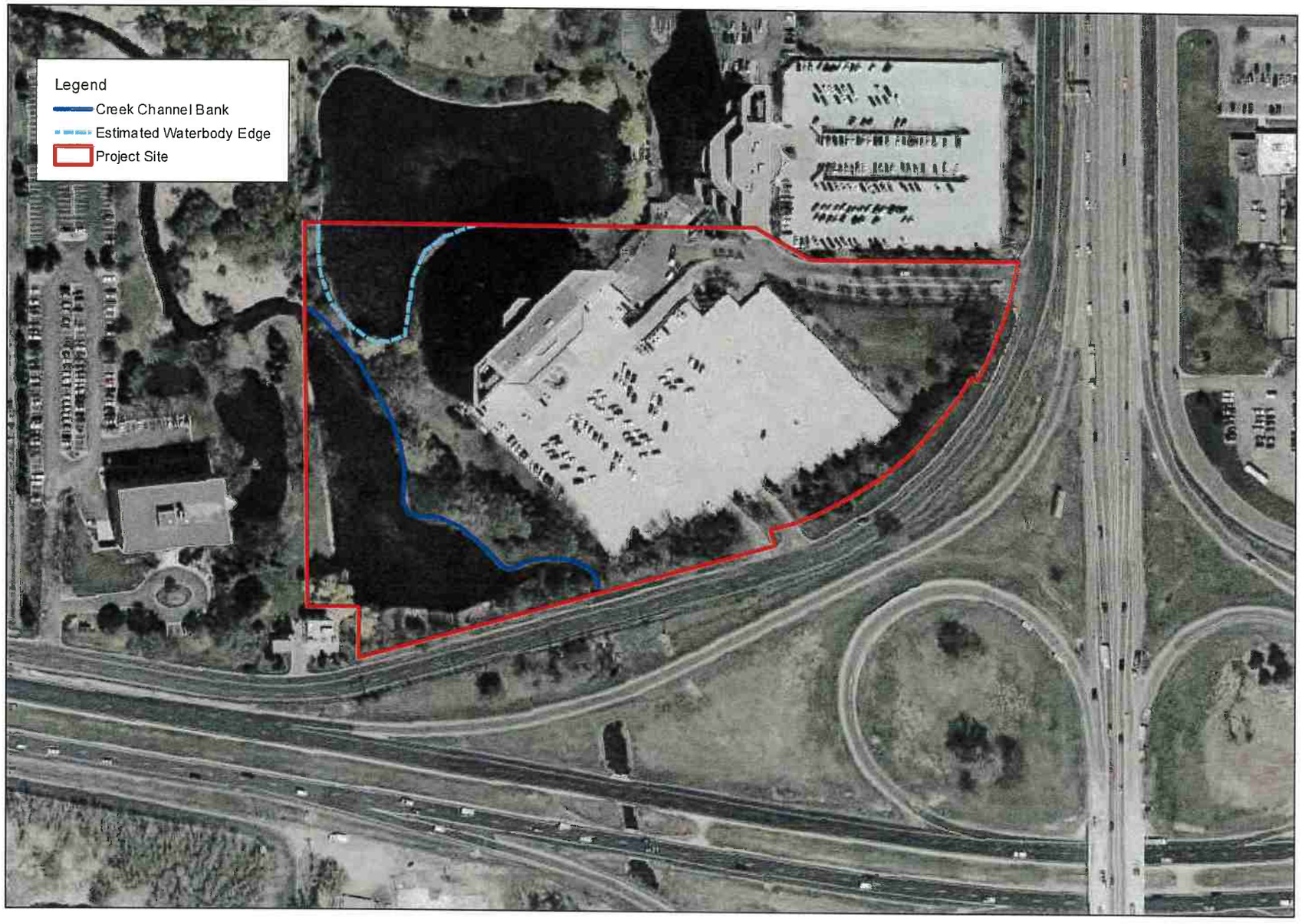
2004



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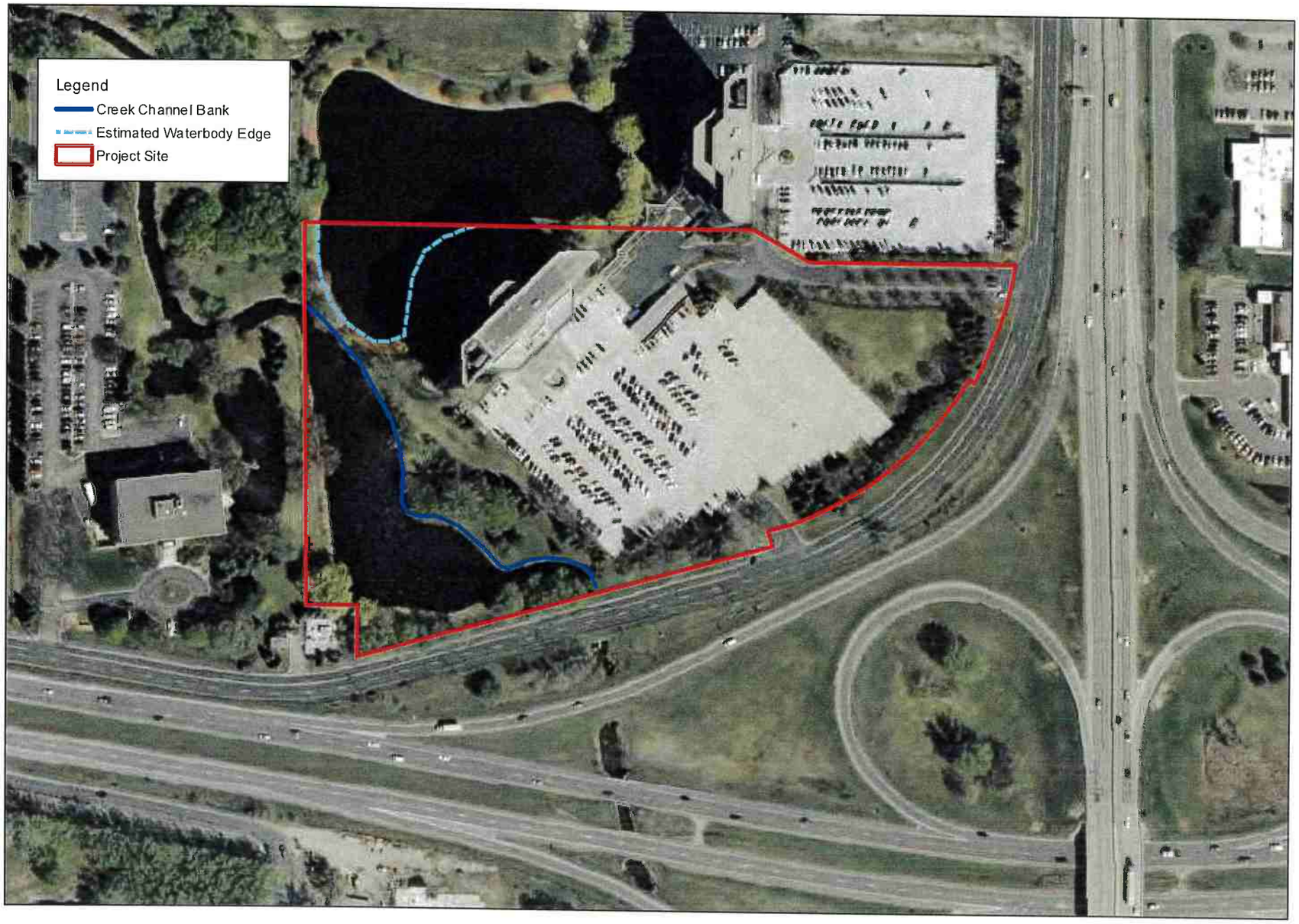
2006



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2010

Kimley»Horn

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2012

Kimley»Horn

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2016

ATTACHMENT E

Site Photos

Box culvert under frontage road (photo facing south).

View of creek channel bank and upland area adjacent to creek (photo facing north)

View of creek channel bank and adjacent upland area (photo facing north).

View of creek channel bank and current water level (photo facing south).

Upland area east of creek channel bank (photo facing east).

View from upland area (photo facing south).