

# Minnesota Wetland Conservation Act Notice of Application

Item 8F.  
BCWMC 8-16-18  
Full Documents  
available upon  
request

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>Halley Land Corp.</b>	Project Name <b>The Cove at Zachary Lane</b>	Date of Application <b>7/13/18</b>	Application Number <b>NA</b>
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Type of Application (check all that apply):

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

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

Anderson Engineering, LLC visited the site in July of 2018 to examine the presence and extent of wetlands on the property. Two wetlands were identified on-site. Wetland 1 is a Type 2/4, PABG/PEM1B, Fresh Wet Meadow/Deep Marsh dominated by reed canary grass, kentucky bluegrass, and orange jewel weed. Wetland 2 is a Type 2, PEM1B, Fresh Wet Meadow dominated by red canary grass and clearweed.

## 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>August 14</b>
Address (if different than LGU) <b>City of Plymouth 3400 Plymouth Blvd. Plymouth, MN, 55447</b>	Date, time, and location of decision: <b>August 15 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:  Date: 7/18/18

### 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 (sent electronically)**

Applicant (notice only) and Landowner (if different):  
**Ben Hodapp, Anderson Engineering, LLC (sent electronically)**

Members of the public who requested notice (notice only):  
**Eileen Reinke, 22716 Boyne St. NE, Stacy, MN, 55079-9355**

Corps of Engineers Project Manager (notice only): **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)

### 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:

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

### 5. ATTACHMENTS

In addition to the application, list any other attachments:

**Wetland Delineation Report for the Cove at Zachary Lane dated July 11, 2018 by Anderson Engineering, LLC**

## PART ONE: Applicant Information

**Applicant/Landowner Name:** Halley Land Corp.  
**Mailing Address:** 18610 Clear View Drive, Minnetonka, MN 55345  
**Phone:** (952) 999-3422  
**E-mail Address:** halleylandcorp@gmail.com

**Authorized Contact (do not complete if same as above):** VAA Engineering, Andrew Berenberg  
**Mailing Address:** 2300 Berkshire Land North, Plymouth, MN 55441  
**Phone:** 763-587-7323  
**E-mail Address:** aberenberg@vaaeng.com

**Agent Name:** Anderson Engineering of MN, LLC, Ben Hodapp  
**Mailing Address:** 13605 1<sup>st</sup> Avenue North, Suite 100, Plymouth, MN 55441  
**Phone:** 763-412-4005  
**E-mail Address:** bhodapp@ae-mn.com

## PART TWO: Site Location Information

**County:** Hennepin **City/Township:** Plymouth  
**Parcel ID and/or Address:** Parcel 053-3611822320006  
**Legal Description (Section, Township, Range):** Sec. 7, Twp. 117N, Rng. 21W  
**Lat/Long (decimal degrees):** 44.984449 / -93.4182  
**Attach a map showing the location of the site in relation to local streets, roads, highways.** See figure 1.  
**Approximate size of site (acres) or if a linear project, length (feet):** 1.8 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:

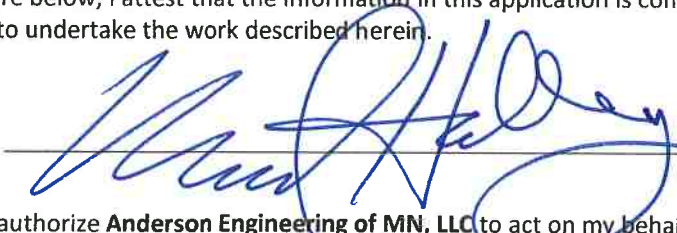
[http://www.mvp.usace.army.mil/Portals/57/docs/regulatory/RegulatoryDocs/engform\\_4345\\_2012oct.pdf](http://www.mvp.usace.army.mil/Portals/57/docs/regulatory/RegulatoryDocs/engform_4345_2012oct.pdf)

## 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:

July 13, 2018

I hereby authorize **Anderson Engineering of MN, LLC** 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.

## 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>

# 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>Derek Asche          City of Plymouth</b>	Project Name <b>Neighborhood Drainage          Improvements</b>	Date of Application <b>7/19/18</b>	Application Number <b>NA</b>
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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):

The City of Plymouth is reviewing the possibility of drainage improvements within 3 neighborhoods (Ivanhoe, French Ridge, St. Mary's) in the city. Kjolhaug Environmental Services Company visited the three sites in the Spring/Summer of 2018.

Two wetlands were delineated at the Ivanhoe site. Wetland 1 is a Type 7, PFO1B, Wooded Swamp dominated by green ash, jewelweed, green bulrush, and reed canary grass. Wetland 2 is a Type 3/5, PEM1C/PUB, open water, shallow marsh, dominated by open water and cattail.

Two wetlands were delineated at the French Ridge site. Wetland 1 is a Type 2, PEM1B, Fresh Wet Meadow dominated by reed canary grass, cattail, and jewelweed. Wetland 2 is a Type 5, PUBG, open water wetland dominated by open water and green ash trees.

Three wetlands were delineated at the St. Mary's site. Wetland 1 is a type 3/5, PEM1C/PABG, open water, shallow marsh, dominated by open water, cattail, and reed canary grass. Wetland 2 is a Type 3/5, PEM1C/PUBG, open water, shallow marsh, dominated by open water, cattail, and reed canary grass. Wetland 3 is a Type 1, PEM1A, seasonally flooded basin dominated by reed canary grass.

### 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>August 20, 2018</b>
Address (if different than LGU) <b>City of Plymouth          3400 Plymouth Blvd.          Plymouth, MN, 55447</b>	Date, time, and location of decision: <b>August 21, 2018          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:  Date: 7/24/18

### 3. LIST OF ADDRESSEES

<input checked="" type="checkbox"/> SWCD TEP member: <b>Ms. Stacey Lijewski, HCD, 701 Fourth Avenue South, Suite 700, Minneapolis, MN, 55415-1600 (sent electronically)</b>
<input checked="" type="checkbox"/> BWSR TEP member: <b>Ben Carlson, BWSR, 520 Lafayette Road North, St. Paul, MN, 55401-1397 (sent electronically)</b>
<input type="checkbox"/> LGU TEP member (if different than LGU Contact):
<input checked="" type="checkbox"/> DNR TEP member: <b>Becky Horton, MN DNR, 1200 Warner Road, St. Paul, MN, 55106 (sent electronically)</b>
<input checked="" type="checkbox"/> DNR Regional Office (if different than DNR TEP member) <b>Jason Spiegel, Area Hydrologist, MN DNR, 1200 Warner Road, St. Paul, MN, 55106 (sent electronically)</b>
<input checked="" type="checkbox"/> WD or WMO (if applicable): <b>BCWMC, c/o Laura Jester, Keystone Waters LLC, 16145 Hillcrest Lane, Eden Prairie, MN, 553467 (sent electronically)</b>
<input checked="" type="checkbox"/> Applicant (notice only) and Landowner (if different): <b>See attached list</b>
<input checked="" type="checkbox"/> Members of the public who requested notice (notice only): <b>Adam Pawelk, HTPO (sent electronically)</b>
<input checked="" type="checkbox"/> Corps of Engineers Project Manager (notice only): <b>Army Corps of Engineers, 180 5<sup>th</sup> Street East, Suite 700, St. Paul, MN, 55101-1678 (sent electronically)</b>
<input type="checkbox"/> 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](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:

<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

### 5. ATTACHMENTS

In addition to the application, list any other attachments: <input checked="" type="checkbox"/> <b>Wetland Delineation Reports for Ivanhoe, French Ridge, and St. Mary's areas dated July 19, 2018 by Kjolhaug Environmental Services, Inc.</b> <input type="checkbox"/>
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# 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>Gary Brummer</b>	Project Name <b>Plymouth Commons</b>	Date of Application <b>6/14/18</b>	Application Number <b>NA</b>
<input checked="" type="checkbox"/> Attach site locator map.			

Type of Decision:

<input 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 type="checkbox"/> Approve	<input type="checkbox"/> Approve with conditions	<input type="checkbox"/> Deny
Summary (or attach):  <div style="border: 1px solid black; height: 100px; width: 100%;"></div>		

### 2. LOCAL GOVERNMENT UNIT DECISION

Date of Decision: <b>7/24/18</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 applicant proposes to construct an 11,000 square foot multi-family apartment complex to provide rental housing in the City of Plymouth. The applicant proposes to temporarily impact Wetland 1 for sanitary sewer installation to serve the new building and requests a de minimis exemption for 100 square feet of wetland fill in Wetland 1 for grading work around the new building. In addition, the applicant proposes to impact 2,301 square feet of Wetland 3 for the widening of a required fire lane.

Wetland mitigation was proposed as the purchase of 4,602 square feet of wetland credits from Bank 1409 Anoka County, Major Watershed 20, Bank Service Area 7, however, de minimis is not applicable.

Therefore, the approved wetland mitigation is 4,802 square feet of wetland credits from Bank 1409 in Anoka County, Major Watershed 20, Bank Service Area 7.

For Replacement Plans using credits from the State Wetland Bank:


Bank Account # <b>1409</b>	Bank Service Area <b>7</b>	County <b>Anoka</b>	Credits Approved for Withdrawal (sq. ft. or nearest .01 acre) <b>4,802 square feet</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>7/25/18</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 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):  
**Gary Brummer, Plymouth Commons (sent electronically)**

Members of the public who requested notice (notice only):  
**Meaghan Watson, Wenck Associates (sent electronically)**

Corps of Engineers Project Manager (notice only): **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)

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➤ Department of Natural Resources Regional Offices:

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

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:

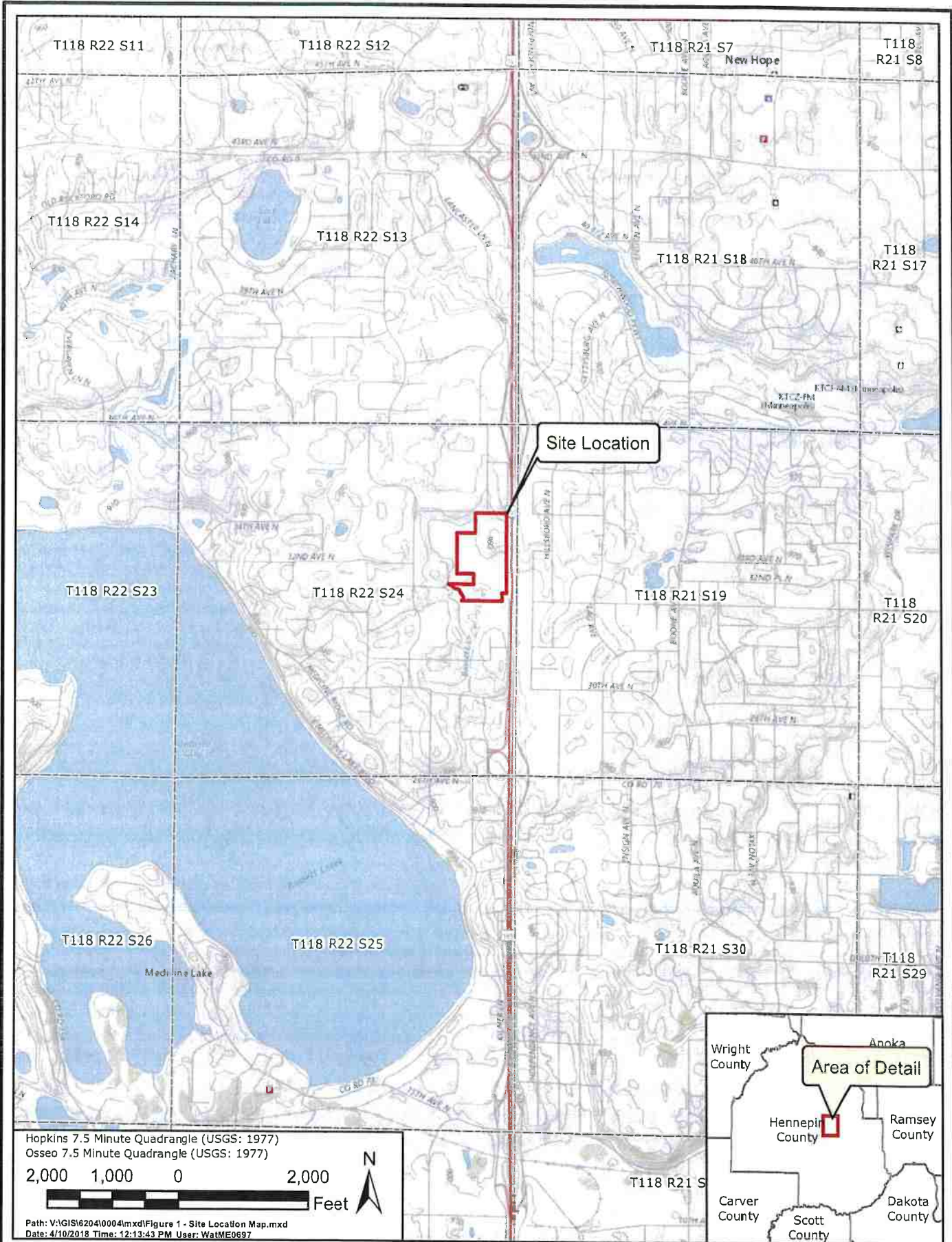
US Army Corps of Engineers  
St. Paul District, ATTN: OP-R  
180 Fifth St. East, Suite 700  
St. Paul, MN 55101-1678

➤ 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:



Hopkins 7.5 Minute Quadrangle (USGS: 1977)  
 Osseo 7.5 Minute Quadrangle (USGS: 1977)  
 2,000 1,000 0 2,000  
 Feet

Path: V:\GIS\6204\0004\mxd\Figure 1 - Site Location Map.mxd  
 Date: 4/10/2018 Time: 12:13:43 PM User: WatME0697

**PLYMOUTH COMMONS**  
 Site Location Map



APR 2018  
 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>Josh Bowe Three Rivers Park District</b>	Project Name <b>Luce Line Regional Trail Hwy 55 to West Med Lk Dr</b>	Date of Application <b>6/29/18</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>7/26/18</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):

<p>The Three Rivers Park District (TRPD) proposes maintenance and realignment of the Luce Line Regional Trail from State Highway 55 to West Medicine Lake Drive in Plymouth, MN. Field investigation was completed on June 22, 2018. Two wetlands and one stream were noted. Wetland 1 is a PFO1A, Type 1/2, seasonally flooded basin/fresh wet meadow dominated by buckthorn, boxelder, and jewelweed. Wetland 2 is a PFO1A, Type 1, seasonally flooded basin dominated by silver maple.</p>
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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 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 (sent electronically)**
- Applicant (notice only) and Landowner (if different):  
**Josh Bowe, TRPD (sent electronically)**  
**Nate Straka, TRPD (sent electronically)**
- Members of the public who requested notice (notice only):  
**Kristina Bloomquist, Bolton & Menk, 1960 Primere (sent electronically)**
- Corps of Engineers Project Manager (notice only): **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)

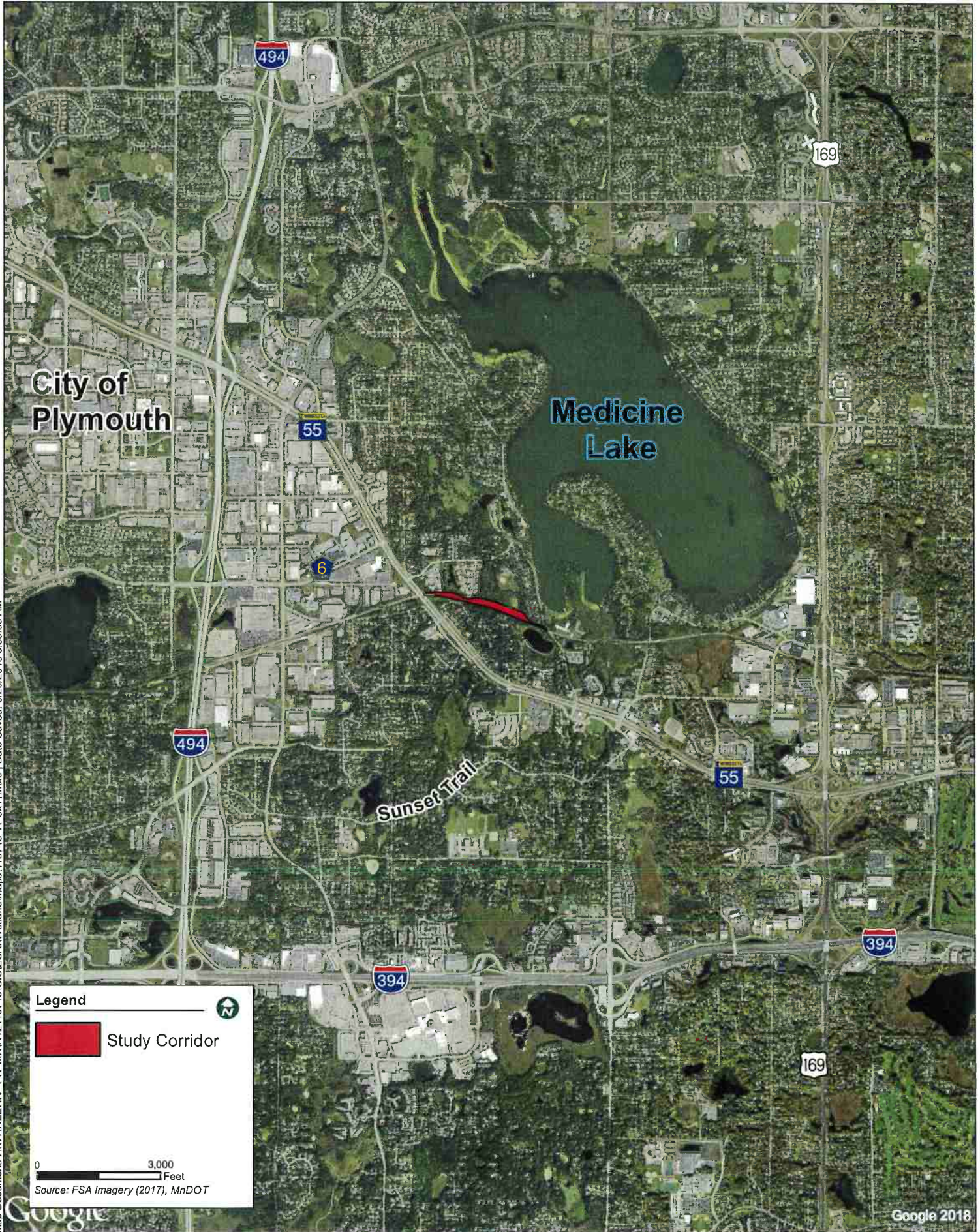
- For a list of Corps of Project Managers: [www.mvp.usace.army.mil/regulatory/default.asp?pageid=687](http://www.mvp.usace.army.mil/regulatory/default.asp?pageid=687) or send to:

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:



Map Document: H:\THREERIV\_PK\_MNIR\2116745\GIS\ESRI\Wetland\Maps\116745\_A\_8x11.mxd | Date Saved: 6/26/2018 8:39:33 AM

# 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>Jamie Thelen</b>	Project Name <b>Plymouth Highway 55 Retail, LLC</b>	Date of Application <b>7/2/18</b>	Application Number <b>NA</b>
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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
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Summary (or attach):

### 2. LOCAL GOVERNMENT UNIT DECISION

Date of Decision: <b>7/27/18</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 applicant is proposing new retail on a vacant parcel in Plymouth. Jacobson Environmental visited the site on June 20, 2018 and noted one wetland on-site. Wetland 1 is a PABG/PEM1C/PFO1A/PubG, Type 3/4/7, shallow marsh/dep marsh/hardwood swamp dominated by narrowleaf cattail, reed canary grass, cottonwood, and common buckthorn.

No wetland impacts are proposed.

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>8/1/18</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 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
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#### 4. LIST OF ADDRESSEES

<input checked="" type="checkbox"/> SWCD TEP member: <b>Ms. Stacey Lijewski, HCD, 701 Fourth Avenue South, Suite 700, Minneapolis, MN, 55415-1600 (sent electronically)</b>
<input checked="" type="checkbox"/> BWSR TEP member: <b>Ben Carlson, BWSR, 520 Lafayette Road North, St. Paul, MN, 55401-1397 (sent electronically)</b>
<input type="checkbox"/> LGU TEP member (if different than LGU Contact):
<input checked="" type="checkbox"/> DNR TEP member: <b>Becky Horton, MN DNR, 1200 Warner Road, St. Paul, MN, 55106 (sent electronically)</b>
<input checked="" type="checkbox"/> DNR Regional Office (if different than DNR TEP member) <b>Jason Spiegel, Area Hydrologist, MN DNR, 1200 Warner Road, St. Paul, MN, 55106 (sent electronically)</b>
<input checked="" type="checkbox"/> WD or WMO (if applicable): <b>BCWMC c/o Laura Jester (sent electronically)</b>
<input checked="" type="checkbox"/> Applicant (notice only) and Landowner (if different): <b>Jamie Thelen, Plymouth Highway 55 Retail, LLC (sent electronically)</b> <b>Minnwest Bank, 1150 Yankee Doodle Road, Eagan, MN 55121</b>
<input checked="" type="checkbox"/> Members of the public who requested notice (notice only): <b>Wayne Jacobson, Jacobson Environmental (sent electronically)</b>
<input checked="" type="checkbox"/> Corps of Engineers Project Manager (notice only): <b>Army Corps of Engineers, 180 5<sup>th</sup> Street East, Suite 700, St. Paul, MN, 55101-1678 (sent electronically)</b>
<input type="checkbox"/> BWSR Wetland Bank Coordinator (wetland bank plan applications only)

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

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➤ 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:

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 520 Lafayette Road North  
 St. Paul, MN 55155

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<input type="checkbox"/>
<input type="checkbox"/>



Google Maps Figure 1 Site Map

