

# Minnesota Wetland Conservation Act

## Notice of Decision

<b>Local Government Unit (LGU)</b> <b>City of Golden Valley</b>	<b>Address</b> <b>7800 Golden Valley Rd, Golden Valley MN, 55427</b>
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### 1. PROJECT INFORMATION

<b>Applicant Name</b> <b>Louis Peters</b>	<b>Project Name</b> <b>Luce Line Trail</b>	<b>Date of Application</b> <b>12/6/19</b>	<b>Application Number</b> <b>19-003</b>
<input checked="" type="checkbox"/> Attach site locator map.			

**Type of Decision:**

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

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

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

### 2. LOCAL GOVERNMENT UNIT DECISION

<b>Date of Decision: 1/2/20</b>		
<input checked="" type="checkbox"/> Approved Denied	<input type="checkbox"/> Approved with conditions (include below)	<input type="checkbox"/>

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

Currently the Luce Line trial is underwate due to the failure of an inverted syphon, that had previously set the elevation of the water level in this area. The proposed project is to install a temporary culvert to set the water level, to fix this failed inversted syphon structure, and not alter grade in the area beyond what was orginally constructed. The LGU has determined that there will be no permanent impacts to any of the exisiting wetlands around the project area. Once the project is complete, the water level will return to the elevation it was at prior to the failure of the inverted syphon. It has been determined that his project qualifies for exemptions under provisions 8420.0410 and 8420.0415, pertaining to the emergency repair of existing facilities.

**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.

<b>Name</b> Jeff Oliver	<b>Title</b> City Engineer	
<b>Signature</b> 	<b>Date</b> 1/2/20	<b>Phone Number and E-mail</b> 763-593-8034 joliver@goldenvalleymn.gov

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

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

This decision is valid for 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 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>Stacey Lijewski, stacey.lijeswski@hennepin.us</b> <input checked="" type="checkbox"/> BWSR TEP member: <b>Ben Carlson, bencarlson@state.mn.us</b> <input checked="" type="checkbox"/> LGU TEP member (if different than LGU Contact): <b>Same as above</b> <input type="checkbox"/> DNR TEP member: <b>Leslie Parris, leslie.parris@state.mn.us</b> <input type="checkbox"/> DNR Regional Office (if different than DNR TEP member) <input type="checkbox"/> WD or WMO (if applicable): <input checked="" type="checkbox"/> Applicant and Landowner (if different) <input type="checkbox"/> Members of the public who requested notice:  <input checked="" type="checkbox"/> Corps of Engineers Project Manager <input type="checkbox"/> BWSR Wetland Bank Coordinator (wetland bank plan decisions only)
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### 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

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### 6. ATTACHMENTS

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

- Wetland Delineation Report**
- Location Maps**
- Project Plan**

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