

Minnesota Wetland Conservation Act Notice of Decision

Local Government Unit: City of Plymouth	County: Hennepin
Applicant Name: Tony Kuechle, Doran Companies	
Applicant Representative: Aaron Stolte, Kimley-Horn & Associates	
Project Name: Doran Bassett Creek Apartments	
LGU Project No. (if any): 2022-17	
Date Complete Application Received by LGU: 9/20/2022	
Date of LGU Decision: 11/7/2022	
Date this Notice was Sent: 12/28/2022	

WCA Decision Type - check all that apply

<input type="checkbox"/> Wetland Boundary/Type	<input type="checkbox"/> Sequencing	<input type="checkbox"/> Replacement Plan	<input type="checkbox"/> Bank Plan (not credit purchase)
<input checked="" type="checkbox"/> No-Loss (8420.0415)	<input checked="" type="checkbox"/> Exemption (8420.0420)		
Part: <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E <input type="checkbox"/> F <input type="checkbox"/> G <input checked="" type="checkbox"/> H		Subpart: <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7 <input checked="" type="checkbox"/> 8 <input type="checkbox"/> 9	

Replacement Plan Impacts (replacement plan decisions only)

Total WCA Wetland Impact Area:
Wetland Replacement Type: <input type="checkbox"/> Project Specific Credits: <input type="checkbox"/> Bank Credits:
Bank Account Number(s):

Technical Evaluation Panel Findings and Recommendations (attach if any)

<input checked="" type="checkbox"/> Approve <input type="checkbox"/> Approve w/Conditions <input type="checkbox"/> Deny <input type="checkbox"/> No TEP Recommendation
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LGU Decision

<input type="checkbox"/> Approved with Conditions (specify below) ¹	<input checked="" type="checkbox"/> Approved ¹	<input type="checkbox"/> Denied
List Conditions: approved as written in application materials		
Decision-Maker for this Application: <input checked="" type="checkbox"/> Staff <input type="checkbox"/> Governing Board/Council <input type="checkbox"/> Other:		
Decision is valid for: <input checked="" type="checkbox"/> 5 years (default) <input type="checkbox"/> Other (specify):		

¹ *Wetland Replacement Plan approval is not valid until BWSR confirms the withdrawal of any required wetland bank credits. For project-specific replacement a financial assurance per MN Rule 8420.0522, Subp. 9 and evidence that all required forms have been recorded on the title of the property on which the replacement wetland is located must be provided to the LGU for the approval to be valid.*

LGU Findings – Attach document(s) and/or insert narrative providing the basis for the LGU decision¹.

<input checked="" type="checkbox"/> Attachment(s) (specify): WCA Notice of Application
<input type="checkbox"/> Summary:

¹ Findings must consider any TEP recommendations.

Attached Project Documents

<input checked="" type="checkbox"/> Site Location Map <input type="checkbox"/> Project Plan(s)/Descriptions/Reports (specify):
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Appeals of LGU Decisions

If you wish to appeal this decision, you must provide a written request within 30 calendar days of the date you received the notice. All appeals must be submitted to the Board of Water and Soil Resources Executive Director along with a check payable to BWSR for \$500 *unless* the LGU has adopted a local appeal process as identified below. The check must be sent by mail and the written request to appeal can be submitted by mail or e-mail. The appeal should include a copy of this notice, name and contact information of appellant(s) and their representatives (if applicable), a statement clarifying the intent to appeal and supporting information as to why the decision is in error. Send to:

Appeals & Regulatory Compliance Coordinator
 Minnesota Board of Water & Soils Resources
 520 Lafayette Road North
 St. Paul, MN 55155
travis.germundson@state.mn.us

Does the LGU have a local appeal process applicable to this decision?

Yes¹ No

¹If yes, all appeals must first be considered via the local appeals process.

Local Appeals Submittal Requirements (LGU must describe how to appeal, submittal requirements, fees, etc. as applicable)

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Notice Distribution (include name)

Required on all notices:

<input checked="" type="checkbox"/> SWCD TEP Member:	Ms. Stacey Lijewski, HCA, 701 Fourth Avenue South, Suite 700, Minneapolis, MN 55415-1600
<input checked="" type="checkbox"/> BWSR TEP Member:	Jed Chesnut, BWSR, 520 Lafayette Road North, St. Paul, MN 55401
<input checked="" type="checkbox"/> LGU TEP Member (if different than LGU contact):	Ben Scharenbroich, 3400 Plymouth Blvd, Plymouth MN 55447
<input checked="" type="checkbox"/> DNR Representative:	Melissa Collins, MnDNR, 1200 Warner Road, St. Paul, MN 55106 Wes Saunders-Pearce, MnDNR, 1200 Warner Road, St. Paul, MN 55106
<input checked="" type="checkbox"/> Watershed District or Watershed Mgmt. Org.:	BCWMC, c/o Laura Jester, 16145 Hillcrest Lane, Eden Prairie MN 55346
<input checked="" type="checkbox"/> Applicant:	Tony Kuechle, Doran Companies, 7803 Glenroy Road #200, Bloomington, MN 55439
<input type="checkbox"/> Agent/Consultant:	Aaron Stolte, Kimley-Horn & Associates, 767 Eustis Street, Suite 100, Saint Paul MN 55114

Optional or As Applicable:

<input checked="" type="checkbox"/> Corps of Engineers:	US Army Corps of Engineers, c/o Meghan Brown, 180 Fifth Street East, Suite 700, St. Paul MN 55101-1678
<input type="checkbox"/> BWSR Wetland Mitigation Coordinator (required for bank plan applications only):	
<input type="checkbox"/> Members of the Public (notice only):	<input type="checkbox"/> Other:

Signature: 	Date: 12/28/2022
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This notice and accompanying application materials may be sent electronically or by mail. The LGU may opt to send a summary of the application to members of the public upon request per 8420.0255, Subp. 3.



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, ST. PAUL DISTRICT
332 MINNESOTA STREET, SUITE E1500
ST. PAUL, MN 55101-1323

November 7, 2022

Regulatory File No. MVP-2021-01253-MJB

Kimley-Horn & Associates,
c/o Aaron Stolte
aaron.stolte@kimley-horn.com

Dear Mr. Stolte:

We are responding to your request, submitted on behalf of Doran Companies, for authorization to construct the storm sewer outlets associated with Plymouth 55 Apartments project. The proposed work is located in Section 36, Township 118 North, Range 22 West, Hennepin County, Minnesota.

Project authorization:

The regulated activities associated with this project includes the permanent discharge of fill material within 36 square feet of wetland and the temporary discharge of fill material within 781 square feet of wetland for the purpose of installing two stormsewer outlet pipes, the associated riprap. We have determined that these activities are authorized by a Nationwide Permit (NWP) or a Regional General Permit (RGP), specifically, NWP 7, Outfall Structures and Associated Intake Structures and NWP 33, Temporary Construction, Access, and Dewatering. This work is shown on the enclosed figures, labeled MVP-2021-01253-MJB Pages 1-5 of 5.

Conditions of your permit:

You must ensure the authorized work is performed in accordance with the enclosed General Permit terms, General Conditions, and St. Paul District Regional Conditions.

You are also required to complete and return the enclosed Compliance Certification form within 30 days of completing your project. Please email the completed form to the contact identified in the last paragraph.

A change in location or project plans may require re-evaluation of your project. Proposed changes should be coordinated with this office prior to construction. Failure to comply with all terms and conditions of this permit invalidates this authorization and could result in a violation of Section 301 of the Clean Water Act or Section 10 of the Rivers and Harbors Act. You must also obtain all local, State, and other Federal permits that apply to this project.

Water Quality Certification:

You must also comply with the enclosed Water Quality Certification conditions associated with this General Permit.

Permit expiration:

The 2021 NWP is valid until March 14, 2026 unless modified, suspended, or revoked. If the work has not been completed by that time, you should contact this office to verify that the permit is still valid. Furthermore, if you commence or are under contract to commence this activity

before the date of General Permit expiration, modification, or revocation, you have 12 months to complete the activity under the present terms and conditions of the General Permit.

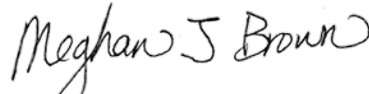
Jurisdictional determination:

No jurisdictional determination was requested or prepared for this project. While not required, you may request a jurisdictional determination from the contact identified in the last paragraph.

Contact Information:

If you have any questions, please contact me in our La Crescent office at (651) 290-5688 or by email at Meghan.J.Brown@usace.army.mil.

Sincerely,

A handwritten signature in black ink that reads "Meghan J Brown". The signature is written in a cursive style with a large initial 'M'.

Meghan Brown
Lead Project Manager

Enclosures

CC:

Tony Kuechle, Doran Companies (Applicant)

Ben Scharenbroich, LGU

Jed Chesnut, BWSR