

## Minnesota Wetland Conservation Act Notice of Decision

<b>Local Government Unit:</b> City of Plymouth	<b>County:</b> Hennepin
<b>Applicant Name:</b> Daniel Robbins	
<b>Applicant Representative:</b> Wyatt Benton, Anderson Engineering of Minnesota, LLC	
<b>Project Name:</b> VIP Auto - 9950 Rockford Road Plymouth, MN	<b>LGU Project No. (if any):</b> 2023-16
<b>Date Complete Application Received by LGU:</b> 8/4/23	
<b>Date of LGU Decision:</b> 9/19/23	
<b>Date this Notice was Sent:</b> 9/19/23	

**WCA Decision Type - check all that apply**

<input checked="" type="checkbox"/> Wetland Boundary/Type	<input type="checkbox"/> Sequencing	<input type="checkbox"/> Replacement Plan	<input type="checkbox"/> Bank Plan (not credit purchase)
<input type="checkbox"/> No-Loss (8420.0415)	<input 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 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 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
--

**LGU Decision**

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

<sup>1</sup> *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 decision<sup>1</sup>.**

<input checked="" type="checkbox"/> Attachment(s) (specify):
<input checked="" type="checkbox"/> Summary: Boundary approved as resubmitted on 9/6/2023 with minor amendments, as shown on attachment.

<sup>1</sup> *Findings must consider any TEP recommendations.*

**Attached Project Documents**

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

**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](mailto:travis.germundson@state.mn.us)

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

Yes<sup>1</sup>       No

<sup>1</sup>If 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)

**Notice Distribution (include name)**

*Required on all notices:*

<input checked="" type="checkbox"/> SWCD TEP Member: <b>Ms. Stacey Lijewski, HCA, 701 Fourth Avenue South, Suite 700, Minneapolis, MN 55415-1600</b>
<input checked="" type="checkbox"/> BWSR TEP Member: <b>Jed Chesnut, BWSR, 520 Lafayette Road North, St. Paul, MN 55401</b>
<input checked="" type="checkbox"/> LGU TEP Member (if different than LGU contact): <b>Ben Scharenbroich, 3400 Plymouth Blvd, Plymouth MN 55447</b>
<input checked="" type="checkbox"/> DNR Representative: <b>Wes Saunders-Pearce, MnDNR, 1200 Warner Road, St. Paul, MN 55106</b>
<input checked="" type="checkbox"/> Watershed District or Watershed Mgmt. Org.: <b>BCWMC, 16145 Hillcrest Lane, Eden Prairie, MN 55346</b>
<input checked="" type="checkbox"/> Applicant: <b>Daniel Robbins, 9950 Rockford Road Plymouth, MN 55442</b>
<input checked="" type="checkbox"/> Agent/Consultant: <b>Wyatt Benton, Anderson Engineering of Minnesota, LLC, 13605 1st Avenue North, Suite 100, Plymouth, MN 55441</b>

*Optional or As Applicable:*

<input checked="" type="checkbox"/> Corps of Engineers: <b>US Army Corps of Engineers, St Paul District</b>
<input type="checkbox"/> BWSR Wetland Mitigation Coordinator (required for bank plan applications only):
<input type="checkbox"/> Members of the Public (notice only): <span style="float: right;"><input type="checkbox"/> Other:</span>

<b>Signature:</b> 	<b>Date:</b> 9/19/2023
---	------------------------

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.

## Minnesota Wetland Conservation Act Technical Evaluation Panel Form

This form can be used to document TEP findings and recommendations related to WCA decisions, determinations, enforcement and pre-application reviews.

<b>Local Government Unit:</b> City of Plymouth <b>County:</b> Hennepin	
<b>Landowner/Applicant:</b> Daniel Robbins	
<b>Agent/Representative(s):</b> Wyatt Benton, Anderson Engineering of Minnesota, LLC	
<b>Project Name:</b> VIP Auto - 9950 Rockford Road Plymouth, MN	<b>Project No. (if any):</b> 2023-16
<b>Project Location:</b> 9950 Rockford Road Plymouth, MN	

**Purpose of TEP Findings/Recommendation** - check all that apply and describe

<input type="checkbox"/> Pre-application review	<input checked="" type="checkbox"/> Application Review (related to WCA Decision)
<input type="checkbox"/> Local Government Road Wetland Replacement Program Eligibility	<input type="checkbox"/> WCA Determination Request
<input type="checkbox"/> Other (specify):	
<b>Describe:</b> Onsite review of wetland delineation for boundary/type	

**Meeting Type** – check all that apply and specify dates as applicable

<input type="checkbox"/> In-Person Meeting(s), Date(s):	<input type="checkbox"/> Electronic Exchanges (email, skype, etc.)
<input checked="" type="checkbox"/> Onsite Review(s), Date(s): 9/1/2023	<input type="checkbox"/> Other (specify):

**Findings and Recommendations**

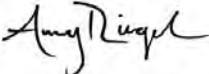
Ben Scharenbroich and Amy Riegel (City of Plymouth), Jed Chesnut (BWSR), and Garrett Wee (Anderson) met onsite on 9/1/2023. TEP recommended adding more GPS points along wetland boundary to better represent curve in boundary. This area is a DNR public water wetland located and located in shoreland of a public water stream, but this a delineation with no wetland impacts proposed at this time.
---

<input checked="" type="checkbox"/> Attachment(s) (specify): Resubmitted wetland delineation that was updated with more points
--

**DNR Protected Waters and Shoreland Protection Zone**

Will the project/activity affect DNR public waters, DNR public waters wetlands or wetlands within the shoreland protection zone? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, DNR representative is a member of the TEP.
---

**Signatures**

<input checked="" type="checkbox"/> LGU TEP Member: Signature: 	Agree with Findings & Recommendations: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date: 9/1/2023
<input type="checkbox"/> SWCD TEP Member: Signature:	Agree with Findings & Recommendations: <input type="checkbox"/> Yes <input type="checkbox"/> No Date:
<input type="checkbox"/> BWSR TEP Member: Signature:	Agree with Findings & Recommendations: <input type="checkbox"/> Yes <input type="checkbox"/> No Date:
<input type="checkbox"/> DNR TEP Member: Signature:	Agree with Findings & Recommendations: <input type="checkbox"/> Yes <input type="checkbox"/> No Date:

## Minnesota Wetland Conservation Act Notice of Application

<b>Local Government Unit:</b> City of Plymouth	<b>County:</b> Hennepin
<b>Applicant Name:</b> Daniel Robbins	
<b>Applicant Representative:</b> Wyatt Benton, Anderson Engineering of Minnesota, LLC	
<b>Project Name:</b> VIP Auto - 9950 Rockford Road Plymouth, MN	<b>LGU Project No. (if any):</b> 2023-16
<b>Date Complete Application Received by LGU:</b> 8/4/2023	
<b>Date this Notice was Sent by LGU:</b> 8/11/2023	
<b>Date that Comments on this Application Must Be Received By LGU<sup>1</sup>:</b> 9/11/2023	

<sup>1</sup> minimum 15 business day comment period for Boundary & Type, Sequencing, Replacement Plan and Bank Plan Applications

**WCA Decision Type** - check all that apply

<input checked="" type="checkbox"/> Wetland Boundary/Type	<input type="checkbox"/> Sequencing	<input type="checkbox"/> Replacement Plan	<input type="checkbox"/> Bank Plan (not credit purchase)
<input type="checkbox"/> No-Loss (8420.0415)	<input 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 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 type="checkbox"/> 8 <input type="checkbox"/> 9	

**Replacement Plan Impacts** (replacement plan decisions only)

<b>Total WCA Impact Area Proposed:</b>
--

**Application Materials**

<input checked="" type="checkbox"/> Attached <input type="checkbox"/> Other (specify):
--

**Comments on this application should be sent to:**

<b>LGU Contact Person:</b> Amy Riegel, Senior Engineering Technician
<b>E-Mail Address:</b> ariegel@plymouthmn.gov
<b>Address and Phone Number:</b> 3400 Plymouth Blvd, Plymouth, MN 55447
<b>Decision-Maker for this Application:</b>
<input checked="" type="checkbox"/> Staff <input type="checkbox"/> Governing Board/Council <input type="checkbox"/> Other (specify):

**Notice Distribution (include name)**

*Required on all notices:*

<input checked="" type="checkbox"/> SWCD TEP Member: <b>Ms. Stacey Lijewski, HCA, 701 Fourth Ave S, Suite 700, Minneapolis, MN 55415</b>
<input checked="" type="checkbox"/> BWSR TEP Member: <b>Jed Chesnut, BWSR, 520 Lafayette Road North, St. Paul, MN 55401</b>
<input checked="" type="checkbox"/> LGU TEP Member (if different than LGU contact): <b>Ben Scharenbroich, City of Plymouth, 3400 Plymouth Blvd, Plymouth, MN 55447</b>
<input checked="" type="checkbox"/> DNR Representative: <b>Wes Saunders-Pearce, MnDNR, 1200 Warner Road, St. Paul, MN 55106</b>
<input checked="" type="checkbox"/> Watershed District or Watershed Mgmt. Org.: <b>BCWMC, 16145 Hillcrest Lane, Eden Prairie, MN 55346</b>
<input checked="" type="checkbox"/> Applicant (notice only): <b>Daniel Robbins, 9950 Rockford Road Plymouth, MN 55442</b>
<input checked="" type="checkbox"/> Agent/Consultant (notice only): <b>Wyatt Benton, Anderson Engineering of Minnesota, LLC, 13605 1st Avenue North, Suite 100, Plymouth, MN 55441</b>

*Optional or As Applicable:*

<input checked="" type="checkbox"/> Corps of Engineers: <b>US Army Corps of Engineers, St Paul District</b>
<input type="checkbox"/> BWSR Wetland Mitigation Coordinator (required for bank plan applications only):
<input type="checkbox"/> Members of the Public (notice only): <span style="float: right;"><input type="checkbox"/> Other:</span>

<b>Signature:</b> 	<b>Date:</b> 8/11/2023
---	---------------------------

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.

## Minnesota Wetland Conservation Act Notice of Decision

<b>Local Government Unit:</b> City of Plymouth	<b>County:</b> Hennepin
<b>Applicant Name:</b> Spire Credit Union	<b>Applicant Representative:</b> Pat McCan
<b>Project Name:</b> Former Burger King Property	<b>LGU Project No. (if any):</b> 2023-15
<b>Date Complete Application Received by LGU:</b> 8/25/23	
<b>Date of LGU Decision:</b> 9/21/23	
<b>Date this Notice was Sent:</b> 9/21/23	

**WCA Decision Type - check all that apply**

<input checked="" type="checkbox"/> Wetland Boundary/Type <input type="checkbox"/> Sequencing <input type="checkbox"/> Replacement Plan <input type="checkbox"/> Bank Plan (not credit purchase)			
<input type="checkbox"/> No-Loss (8420.0415)		<input 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 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 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
--

**LGU Decision**

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

<sup>1</sup> *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 decision<sup>1</sup>.**

<input checked="" type="checkbox"/> Attachment(s) (specify): <input checked="" type="checkbox"/> Summary: Boundary approved as resubmitted on 9/5/2023 with minor changes to GPS locations, as shown on attachment.
--

<sup>1</sup> *Findings must consider any TEP recommendations.*

**Attached Project Documents**

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

**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](mailto:travis.germundson@state.mn.us)

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

Yes<sup>1</sup>       No

<sup>1</sup>If 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)

**Notice Distribution (include name)**

*Required on all notices:*

<input checked="" type="checkbox"/> SWCD TEP Member: <b>Ms. Stacey Lijewski, HCA, 701 Fourth Avenue South, Suite 700, Minneapolis, MN 55415-1600</b>
<input checked="" type="checkbox"/> BWSR TEP Member: <b>Jed Chesnut, BWSR, 520 Lafayette Road North, St. Paul, MN 55401</b>
<input checked="" type="checkbox"/> LGU TEP Member (if different than LGU contact): <b>Ben Scharenbroich, 3400 Plymouth Blvd, Plymouth MN 55447</b>
<input checked="" type="checkbox"/> DNR Representative: <b>Wes Saunders-Pearce, MnDNR, 1200 Warner Road, St. Paul, MN 55106</b>
<input checked="" type="checkbox"/> Watershed District or Watershed Mgmt. Org.: <b>BCWMC, 16145 Hillcrest Lane, Eden Prairie, MN 55346</b>
<input checked="" type="checkbox"/> Applicant: <b>Paul McCan, Spire, 2025 Larpenteur Ave W, Falcon Heights MN 55113</b>
<input checked="" type="checkbox"/> Agent/Consultant: <b>Megan Ullery-BruX, Braun, 1001 Hampshire Avenue S. Bloomington, MN 55438</b>

*Optional or As Applicable:*

<input checked="" type="checkbox"/> Corps of Engineers: <b>US Army Corps of Engineers, St Paul District</b>
<input type="checkbox"/> BWSR Wetland Mitigation Coordinator (required for bank plan applications only):
<input type="checkbox"/> Members of the Public (notice only): <span style="float: right;"><input type="checkbox"/> Other:</span>

<b>Signature:</b> 	<b>Date:</b> 9/21/2023
---	------------------------

**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.**

## Minnesota Wetland Conservation Act Technical Evaluation Panel Form

This form can be used to document TEP findings and recommendations related to WCA decisions, determinations, enforcement and pre-application reviews.

<b>Local Government Unit:</b> City of Plymouth	<b>County:</b> Hennepin
<b>Landowner/Applicant:</b> Spire Credit Union	<b>Agent/Representative(s):</b> Pat McCan
<b>Project Name:</b> Former Burger King Property	<b>Project No. (if any):</b> 2023-15
<b>Project Location:</b> 10000 Rockford Road Plymouth, MN	

**Purpose of TEP Findings/Recommendation** - check all that apply and describe

<input type="checkbox"/> Pre-application review <input checked="" type="checkbox"/> Application Review (related to WCA Decision) <input type="checkbox"/> Local Government Road Wetland Replacement Program Eligibility <input type="checkbox"/> WCA Determination Request <input type="checkbox"/> Other (specify): <b>Describe:</b> Onsite review of wetland delineation for boundary/type
---

**Meeting Type** – check all that apply and specify dates as applicable

<input type="checkbox"/> In-Person Meeting(s), Date(s): <input checked="" type="checkbox"/> Onsite Review(s), Date(s): 9/1/2023	<input type="checkbox"/> Electronic Exchanges (email, skype, etc.) <input type="checkbox"/> Other (specify):
--	---

**Findings and Recommendations**

Ben Scharenbroich and Amy Riegel (City of Plymouth), Jed Chesnut (BWSR), and Megan Ullery-BruX (Braun Intertec) met onsite on 9/1/2023. TEP recommended re-collecting GPS points because it appeared that the flags did not seem to line up perfectly with all GPS points. This wetland is a DNR public water wetland and is located in shoreland of a public stream, but this is a delineation with no wetland impacts proposed at this time.
--

<input checked="" type="checkbox"/> Attachment(s) (specify):     Resubmitted wetland delineation that was updated with more points
--

**DNR Protected Waters and Shoreland Protection Zone**

Will the project/activity affect DNR public waters, DNR public waters wetlands or wetlands within the shoreland protection zone? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No     If yes, DNR representative is a member of the TEP.
---

**Signatures**

<input checked="" type="checkbox"/> LGU TEP Member: Signature:	Agree with Findings & Recommendations: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date: 9/1/2023
<input type="checkbox"/> SWCD TEP Member: Signature:	Agree with Findings & Recommendations: <input type="checkbox"/> Yes <input type="checkbox"/> No Date:
<input type="checkbox"/> BWSR TEP Member: Signature:	Agree with Findings & Recommendations: <input type="checkbox"/> Yes <input type="checkbox"/> No Date:
<input type="checkbox"/> DNR TEP Member: Signature:	Agree with Findings & Recommendations: <input type="checkbox"/> Yes <input type="checkbox"/> No Date:



## Minnesota Wetland Conservation Act Notice of Application

<b>Local Government Unit:</b> City of Plymouth	<b>County:</b> Hennepin
<b>Applicant Name:</b> Spire Credit Union	<b>Applicant Representative:</b> Pat McCan
<b>Project Name:</b> Former Burger King Property	<b>LGU Project No. (if any):</b> 2023-15
<b>Date Complete Application Received by LGU:</b> 8/25/2023	
<b>Date this Notice was Sent by LGU:</b> 8/28/2023	
<b>Date that Comments on this Application Must Be Received By LGU<sup>1</sup>:</b> 9/20/2023	

<sup>1</sup> minimum 15 business day comment period for Boundary & Type, Sequencing, Replacement Plan and Bank Plan Applications

**WCA Decision Type** - check all that apply

<input checked="" type="checkbox"/> Wetland Boundary/Type	<input type="checkbox"/> Sequencing	<input type="checkbox"/> Replacement Plan	<input type="checkbox"/> Bank Plan (not credit purchase)
<input type="checkbox"/> No-Loss (8420.0415)	<input 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 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 type="checkbox"/> 8 <input type="checkbox"/> 9		

**Replacement Plan Impacts** (replacement plan decisions only)

<b>Total WCA Impact Area Proposed:</b>
--

**Application Materials**

<input checked="" type="checkbox"/> Attached <input type="checkbox"/> Other (specify):
--

**Comments on this application should be sent to:**

<b>LGU Contact Person:</b> Amy Riegel, Senior Engineering Technician
<b>E-Mail Address:</b> ariegel@plymouthmn.gov
<b>Address and Phone Number:</b> 3400 Plymouth Blvd, Plymouth, MN 55447
<b>Decision-Maker for this Application:</b>
<input checked="" type="checkbox"/> Staff <input type="checkbox"/> Governing Board/Council <input type="checkbox"/> Other (specify):


**Notice Distribution (include name)**

*Required on all notices:*

<input checked="" type="checkbox"/> SWCD TEP Member: <b>Ms. Stacey Lijewski, HCA, 701 Fourth Ave S, Suite 700, Minneapolis, MN 55415</b>
<input checked="" type="checkbox"/> BWSR TEP Member: <b>Jed Chesnut, BWSR, 520 Lafayette Road North, St. Paul, MN 55401</b>
<input checked="" type="checkbox"/> LGU TEP Member (if different than LGU contact): <b>Ben Scharenbroich, 3400 Plymouth Blvd, Plymouth, MN 55447</b>
<input checked="" type="checkbox"/> DNR Representative: <b>Wes Saunders-Pearce, MnDNR, 1200 Warner Road, St. Paul, MN 55106</b>
<input checked="" type="checkbox"/> Watershed District or Watershed Mgmt. Org.: <b>BCWMC, 16145 Hillcrest Lane, Eden Prairie, MN 55346</b>
<input checked="" type="checkbox"/> Applicant (notice only): <b>Paul McCan, Spire, 2025 Larpenteur Ave W, Falcon Heights MN 55113</b>
<input checked="" type="checkbox"/> Agent/Consultant (notice only): <b>Megan Ullery, Braun, 1001 Hampshire Avenue S. Bloomington, MN 55438</b>

*Optional or As Applicable:*

<input checked="" type="checkbox"/> Corps of Engineers: <b>US Army Corps of Engineers, St Paul District</b>
<input type="checkbox"/> BWSR Wetland Mitigation Coordinator (required for bank plan applications only):
<input type="checkbox"/> Members of the Public (notice only): <span style="float: right;"><input type="checkbox"/> Other:</span>

<b>Signature:</b> 	<b>Date:</b> 8/28/2023
---	---------------------------

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.

## 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:** Spire Credit Union (Pat McCann)  
**Mailing Address:** 2025 Larpenteur Avenue West, Falcon Heights, MN 55113  
**Phone:** 651-641-2016  
**E-mail Address:** pmccann@myspire.com

**Authorized Contact (do not complete if same as above):**

**Mailing Address:**  
**Phone:**  
**E-mail Address:**

**Agent Name:** Braun Intertec (Megan Ullery)  
**Mailing Address:** 11001 Hampshire Avenue S., Bloomington, MN 55438  
**Phone:** 952-388-3213  
**E-mail Address:** mullery@braunintertec.com/bruhme@braunintertec.com

## PART TWO: Site Location Information

**County:** Hennepin **City/Township:** Plymouth  
**Parcel ID and/or Address:** PID 13-118-22-12-0008, 10000 Rockford Road  
**Legal Description (Section, Township, Range):** NE 1/4 Sec. 13, T118N, R22W  
**Lat/Long (decimal degrees):** 45.034693, -93.407008  
**Attach a map showing the location of the site in relation to local streets, roads, highways. Refer to project location map.**  
**Approximate size of site (acres) or if a linear project, length (feet):** 1.55 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 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.

Concurrence of Aquatic Resources Delineation Report (Braun Intertec, July 24, 2023, project number B2303757.02).

## PART FOUR: Aquatic Resource Impact<sup>1</sup> Summary

If your proposed project involves a direct or indirect impact to an aquatic resource (wetland, lake, tributary, etc.) identify each impact in the table below. Include all anticipated impacts, including those expected to be temporary. Attach an overhead view map, aerial photo, and/or drawing showing all of the aquatic resources in the project area and the location(s) of the proposed impacts. Label each aquatic resource on the map with a reference number or letter and identify the impacts in the following table.

Aquatic Resource ID (as noted on overhead view)	Aquatic Resource Type (wetland, lake, tributary etc.)	Type of Impact (fill, excavate, drain, or remove vegetation)	Duration of Impact Permanent (P) or Temporary (T) <sup>1</sup>	Size of Impact <sup>2</sup>	Overall Size of Aquatic Resource <sup>3</sup>	Existing Plant Community Type(s) in Impact Area <sup>4</sup>	County, Major Watershed #, and Bank Service Area # of Impact Area <sup>5</sup>

<sup>1</sup>If impacts are temporary; enter the duration of the impacts in days next to the "T". For example, a project with a temporary access fill that would be removed after 220 days would be entered "T (220)".

<sup>2</sup>Impacts less than 0.01 acre should be reported in square feet. Impacts 0.01 acre or greater should be reported as acres and rounded to the nearest 0.01 acre. Tributary impacts must be reported in linear feet of impact and an area of impact by indicating first the linear feet of impact along the flowline of the stream followed by the area impact in parentheses). For example, a project that impacts 50 feet of a stream that is 6 feet wide would be reported as 50 ft (300 square feet).

<sup>3</sup>This is generally only applicable if you are applying for a de minimis exemption under MN Rules 8420.0420 Subp. 8, otherwise enter "N/A".

<sup>4</sup>Use *Wetland Plants and Plant Community Types of Minnesota and Wisconsin* 3<sup>rd</sup> Ed. as modified in MN Rules 8420.0405 Subp. 2.


<sup>5</sup>Refer to Major Watershed and Bank Service Area maps in MN Rules 8420.0522 Subp. 7.

If any of the above identified impacts have already occurred, identify which impacts they are and the circumstances associated with each:

## 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: 7/25/23  
*Travis J. McCann - AVP Facilities*

I hereby authorize Braun Intertec 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.

<sup>1</sup> The term "impact" as used in this joint application form is a generic term used for disclosure purposes to identify activities that may require approval from one or more regulatory agencies. For purposes of this form it is not meant to indicate whether or not those activities may require mitigation/replacement.

## 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 Decision

<b>Local Government Unit:</b> City of New Hope	<b>County:</b> Hennepin
<b>Applicant Name:</b> Wieser Brothers	<b>Applicant Representative:</b> Derek Armstrong
<b>Project Name:</b> 9210 52 <sup>nd</sup> Ave Wetland Delineation	<b>LGU Project No. (if any):</b> 19386134
<b>Date Complete Application Received by LGU:</b> 8/9/23	
<b>Date of LGU Decision:</b> 9/28/23	
<b>Date this Notice was Sent:</b> 9/28/23	

**WCA Decision Type** - check all that apply

<input checked="" type="checkbox"/> Wetland Boundary/Type <input type="checkbox"/> Sequencing <input type="checkbox"/> Replacement Plan <input type="checkbox"/> Bank Plan (not credit purchase)
<input type="checkbox"/> No-Loss (8420.0415) <input 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 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 type="checkbox"/> 8 <input type="checkbox"/> 9

**Replacement Plan Impacts** (replacement plan decisions only)

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

**Technical Evaluation Panel Findings and Recommendations (attach if any)**

<input type="checkbox"/> Approve <input type="checkbox"/> Approve w/Conditions <input type="checkbox"/> Deny <input type="checkbox"/> No TEP Recommendation
---

**LGU Decision**

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

<sup>1</sup> *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 decision<sup>1</sup>.

<input checked="" type="checkbox"/> Attachment(s) (specify): Approved Boundary <input checked="" type="checkbox"/> Summary: The wetland delineation has been approved. As discussed in the field with the applicants consultant the City will need a MNRAM filled out (hard copy ok) and provided for the wetland to determine setbacks.
---

<sup>1</sup> Findings must consider any TEP recommendations.

**Attached Project Documents**

Site Location Map    Project Plan(s)/Descriptions/Reports (specify):

**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](mailto:travis.germundson@state.mn.us)

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

Yes<sup>1</sup>       No

<sup>1</sup>If 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)


**Notice Distribution (include name)**

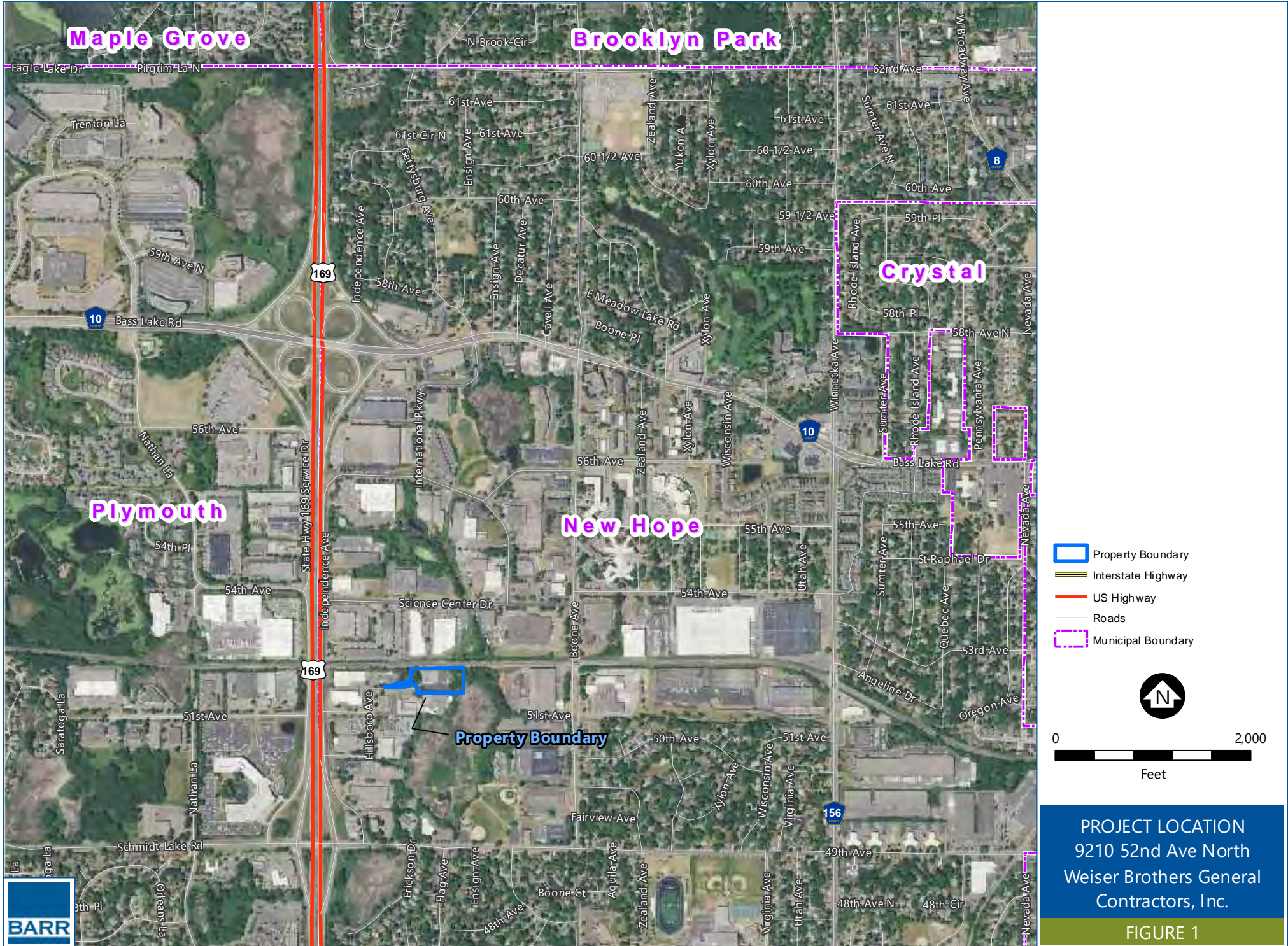
*Required on all notices:*

<input checked="" type="checkbox"/> SWCD TEP Member:      Stacey Lijewski – <a href="mailto:stacey.lijewski@hennepin.us">stacey.lijewski@hennepin.us</a>	<input checked="" type="checkbox"/> BWSR TEP Member: Jed Chestnut – jed.chestnut@state.mn.us
<input type="checkbox"/> LGU TEP Member (if different than LGU contact):	
<input checked="" type="checkbox"/> DNR Representative:      Wes Saunders-Pearce – Wes.Saunders-pearce@state.mn.us	
<input checked="" type="checkbox"/> Watershed District or Watershed Mgmt. Org.:      Bassett Creek WMO - Laura Jester - laura.jester@keystonewaters.com; Shingle Creek WMO – judie@jass.biz	
<input checked="" type="checkbox"/> Applicant:      See Above <input checked="" type="checkbox"/> Agent/Consultant: Barr - Brian Burgner – bburgner@barr.com	

*Optional or As Applicable:*

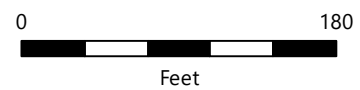
<input type="checkbox"/> Corps of Engineers:
<input type="checkbox"/> BWSR Wetland Mitigation Coordinator (required for bank plan applications only):
Members of the Public (notice only):
<input type="checkbox"/> Other:

<b>Signature:</b> 	<b>Date:</b> 9/28/23
---	----------------------





- \* Data Points
- Delimited Wetland
- Property Boundary
- Concrete Storage Area



WETLAND BOUNDARY  
9210 52nd Ave North  
Weiser Brothers General  
Contractors, Inc.

FIGURE 6

