

Minnesota Wetland Conservation Act Notice of Decision

Local Government Unit: City of Minnetonka	County: Hennepin
Applicant Name: City of Minnetonka	
Applicant Representative: Chris Long, PE, Assistant City Eng. – City of Minnetonka	
Project Name: Hopkins Crossroads Trail Project	LGU Project No. (if any):
Date Complete Application Received by LGU: January 16, 2024	
Date of LGU Decision: March 1, 2024	
Date this Notice was Sent: March 12, 2024	

WCA Decision Type - check all that apply

<input type="checkbox"/> Wetland Boundary/Type	<input type="checkbox"/> Sequencing	<input checked="" 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: 0.13 acres
Wetland Replacement Type: <input type="checkbox"/> Project Specific Credits: <input checked="" type="checkbox"/> Bank Credits: 0.26 acres
Bank Account Number(s):

Technical Evaluation Panel Findings and Recommendations (attach if any)

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

<input type="checkbox"/> Approved with Conditions (specify below) ¹ List Conditions:	<input checked="" type="checkbox"/> Approved ¹	<input type="checkbox"/> Denied
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): Revised_Hopkins Crossroads Trail Replacement Plan Application_02.05.2024
<input checked="" type="checkbox"/> Summary: A wetland replacement plan application, including alternatives analysis, was received for 0.13 acres of permanent WCA impacts to wetland associated with trail construction for the Hopkins Crossroads Trail project in Minnetonka. The trail is part of an overall citywide trail expansion project in major corridors within the community. As part of the project, 0.03 acres of Type 2 and 0.10 acres of Type 3 wetland will be permanently impacted. The city is proposing to mitigate the permanent impacts at a 2:1 ratio by purchasing wetland bank credits from in the same bank service area (BSA #7). Members of the TEP reviewed the application and provided comments related to the alternatives analysis, which was updated by the applicant. City staff concur that the wetland mitigation is appropriate to address loss of wetland from this project, pursuant to Minn. Rules 8420.0330.

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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)

Appeals must be submitted in writing within 30 calendar days of the date of the decision to: Leslie Yetka, Natural Resources Manager; City of Minnetonka, 11522 Minnetonka Blvd, Minnetonka, MN 55305

Notice Distribution (include name)

Required on all notices:

<input checked="" type="checkbox"/> SWCD TEP Member: Stacey Lijewski (Stacey.lijewski@hennepin.us) <input checked="" type="checkbox"/> BWSR TEP Member: Jed Chesnut (jed.chesnut@state.mn.us)
<input checked="" type="checkbox"/> LGU TEP Member (if different than LGU contact): Sarah Middleton (smiddleton@minnetonkamn.gov)
<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.: permitting@minnehahacreek.org; Laura Jester (laura.jester@keystonewaters.com)
<input checked="" type="checkbox"/> Applicant: clong@minnetonkamn.gov <input checked="" type="checkbox"/> Agent/Consultant: chad.ponce@boltonmenk.com

Optional or As Applicable:

<input checked="" type="checkbox"/> Corps of Engineers: Tom.J.Hayek@usace.army.mil
<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:
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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.