BOARD OF WATER AND SOIL RESOURCES

Minnesota Wetland Conservation Act
Notice of Application

Local Government Unit: City of Minnetonka **County:** Hennepin
Applicant Name: West Hennepin Affordable Housing Land Trust **Applicant Representative:** Wayne Jacobson, Jacobson Environmental
Project Name: 9 Westwood Circle 2024 **LGU Project No. (if any):**
Date Complete Application Received by LGU: May 9, 2024
Date this Notice was Sent by LGU: May 10, 2024
Date that Comments on this Application Must Be Received By LGU[1]: June 7, 2024

[1] *minimum 15 business day comment period for Boundary & Type, Sequencing, Replacement Plan and Bank Plan Applications*

WCA Decision Type - check all that apply

☒ Wetland Boundary/Type ☐ Sequencing ☐ Replacement Plan ☐ Bank Plan (not credit purchase) ☐ No-Loss (8420.0415) ☐Exemption (8420.0420) Part: ☐ A ☐ B ☐ C ☐ D ☐ E ☐ F ☐ G ☐ H Subpart: ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9

Replacement Plan Impacts (replacement plan decisions only)

Total WCA Impact Area Proposed:

Application Materials

☒ Attached ☐ Other[1] (specify):

[1] Link to ftp or other accessible file sharing sites is acceptable.

Comments on this application should be sent to:

LGU Contact Person: Leslie Yetka, Natural Resources Manager
E-Mail Address: lyetka@minnetonkamn.gov
Address and Phone Number: 11522 Minnetonka Blvd, Minnetonka 55305; 952-988-8415
Decision-Maker for this Application: ☒ Staff ☐ Governing Board/Council ☐ Other (specify):

Notice Distribution (include name)

Required on all notices:

☒ SWCD TEP Member: Stacey Lijewski (stacey.lijewski@hennepin.us) ☒ BWSR TEP Member: Jed Chesnut (jed.chesnut@state.mn.us)
☒ LGU TEP Member (if different than LGU contact): Sarah Middleton (smiddleton@minnetonkamn.gov)
☒ DNR Representative: Wes Saunders-Pearce (Wes.Saunders-Pearce@state.mn.us)
☒ Watershed District or Watershed Mgmt. Org.: Laura Jester (laura.jester@keystonewaters.com)
☒ Applicant (notice only): brendal@homeswithinreach.org ☒ Agent/Consultant (notice only): jacobsonenv@msn.com

Optional or As Applicable:

☒ Corps of Engineers: usace_requests_mn@usace.army.mil
☐ BWSR Wetland Mitigation Coordinator (required for bank plan applications only):

☐ Members of the Public (notice only): ☐ Other:

Signature: 	**Date:** May 10, 2024

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.

WETLAND DELINEATION REPORT

5/8/2024

2024-90

9 Westwood Circle

Minnetonka, MN

Jacobson Environmental, PLLC

jacobsonenv@msn.com

Jacobson Environmental, PLLC **www.jacobsonenvironmental.com**
Environmental Consultants **Wayne Jacobson, P.S.S., W.D.C., P.W.S., A.F.S.**

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Jacobson Environmental, PLLC **www.jacobsonenvironmental.com**
Environmental Consultants **Wayne Jacobson, P.S.S., W.D.C., P.W.S., A.F.S.**

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1.0 SUMMARY

Jacobson Environmental, PLLC (JE) visited the project site at 9 Westwood Circle on 5/3/2024. The site was approximately 0.65 acres in size, and was located at Section 1, T117N, R22W, Minnetonka, Minnesota. See Figure 1 for a Site Location Map.

The purpose of the investigation was to identify areas within the project boundary meeting the technical criteria for wetlands, delineate the jurisdictional extent of the wetland basins, and classify the wetland habitat according to the 1987 U.S. Army Corps of Engineers Wetland Delineation Manual and the 2010 Regional Supplement to the Corps of Engineers Wetland Delineation: Midwest Region.

Wetlands are areas that are saturated or inundated with surface and or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in hydric soil conditions. Examples of wetlands include seasonally flooded basins, floodplain forests, wet meadows, shallow and deep marshes, shrub swamps, wooded swamps, fens, and bogs.

Wetland boundaries were determined through a routine analysis of the vegetation, soils and hydrology which must all show wetland characteristics for an area to be delineated as a wetland.

One basin was delineated within the project area, which is summarized below and shown on Figure 5.

Basin ID	Circular 39	Cowardin	Eggers & Reed	Dominant Vegetation	Size (acres)
1	Type 2/3	PEMB/C	Wet meadow/shallow marsh	Reed canary grass and narrowleaf cattail	0.253

All figures and appendices referenced by this report are presented at the end of the text.

This wetland delineation was performed by Jacobson Environmental, PLLC under the direction of Wayne Jacobson, Minnesota Professional Soil Scientist #30611, Society of Wetland Scientists – Professional Wetland Scientist #1000, University of Minnesota / BWSR Wetland Delineator, Certified #1019, American Fisheries Society – Associate Fisheries Scientist #A-171.

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2.0 METHODS

2.1 EXISTING INFORMATION REVIEW

Prior to field delineation, Jacobson Environmental reviewed the following information:

2.1.1 Antecedent Precipitation

The previous three month's precipitation data obtained from the Minnesota State Climatology Office suggest that the sampling period occurred under wetter than normal conditions. Antecedent precipitation data can be found in Appendix A. The growing season in this area is approximately from mid-April to mid-October, when the air temperature averages above 28 degrees F. This delineation was completed during the growing season.

2.1.2 National Wetlands Inventory

The National Wetlands Inventory (NWI) identified no wetland complexes within the property boundary (Figure 2).

2.1.3 Web Soil Survey

The National Resource Conservation Service Web Soil Survey (Figure 7) identified the following soils:

Soil	Hydric Rating
Muskego and Houghton	100

2.1.4 Public Waters Inventory

The Minnesota Department of Natural Resources Public Waters Inventory shows that no public waters exist on the property (Figure 4).

2.1.5 Topographic Map

A topographic map with aerial photo overlay was obtained from Hennepin County (Figure 6). This map was reviewed for suspected wetland areas based on topography and vegetative cover.

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2.2 FIELD DELINEATION

The wetlands on the subject property were delineated using the routine determination methodology set forth in the 1987 U.S. Army Corps of Engineers *Wetlands Delineation Manual* and the 2010 Regional Supplement to the Corps of Engineers Wetland Delineation: Midwest Region as follows:

1) The vegetative community was sampled in all present strata to determine whether 50% of the dominant plant species were hydrophytic using the 50/20 method.

2) Soil pits were dug using a Dutch auger to depths of 18"-40", noting soil profiles and any hydric soil characteristics.

3) Signs of wetland hydrology were noted and were compared to field criteria such as depth to shallow water table and depth of soil saturation found in the soil pits.

Transects were established in representative areas of each wetland. Each transect consisted of one sample point within the wetland and one sample point in upland. Other areas which have one or more of the wetland vegetation, soils, or hydrologic characteristics present, or where questionable conditions exist may also have been sampled. Data sheets for each sample point are available in Appendix B.

Wetland classifications discussed in the text are set forth in *Wetlands and Deepwater Habitats of the United States* (FWS/OBS Publication 79/31, Cowardin et al. 1979) and *Wetlands of the United States* (USFWS Circular 39, Shaw and Fredine, 1971.) Additionally, plant community types as named by Eggers and Reed (1998) are given.

Wetland edges were marked with orange numbered pin flags. 4-foot wood lath marked with orange "wetland boundary" flagging tape or flagging tied on vegetation may be used if site conditions warrant. Sample points are marked with orange numbered pin flags.

Any wetlands or sample points were mapped using GPS.

2.2.1 Vegetation

The plant species within the parcel were cataloged and assigned a wetland indicator status according to: Lichvar, R.W., D.L. Banks, W.N. Kirchner, and N.C. Melvin, 2016. *The National Wetland Plant List:* 2016 Wetland Ratings, Phytoneuron 2016-30: 1-17.

In the text of this report and on the enclosed data forms, the plant indicator status follows the plant's scientific name unless a status has not been assigned. The hydrophytic plant criterion is met when more than 50 percent of the dominant species by the 50/20 rule for each stratum (herb, shrub/sapling, tree, and

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woody vine) were assigned an obligate (OBL)[1], facultative wet (FACW), and/or facultative (FAC) wetland status.

With the 50/20 rule, dominants are generally measured by absolute % cover in each stratum which individually or collectively account for more than 50% of total vegetative cover in the stratum, plus any other species which itself accounts for at least 20% of the total vegetative cover.

2.2.2 Hydric Soils

A hydric soil is a soil formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part. If a soil exhibits the indicators of a hydric soil or is identified as a hydric soil the hydric soil criterion is met.

The break between hydric and non-hydric soils was determined by excavating soil pits along transects crossing the wetland/upland eco-tone and evaluating the soil colors, textures, and presence or absence of redoximorphic indicators (i.e., mottles, gley or oxidized rhizospheres). Hydric Soil Indicators for the Midwest Region were noted as presented in the National Technical Committee for Hydric Soils *Field Indicators of Hydric Soils in the United States version 8.1* (USDA NRCS 2017) if present at each sample point. Upper soil profiles were also compared to the mapped or inclusionary soil series found in the sample area for soil identification purposes.

2.2.3 Cautions Used in Applying the Field Indicators of Hydric Soils

There are hydric soils with morphologies that are difficult to interpret. These include soils with black, gray, or red parent material; soils with high pH; soils high or low in content of organic matter; recently developed hydric soils, and soils high in iron inputs. In some cases, we do not currently have indicators to assist in the identification of hydric soils in these situations. If the soil meets the definition of a hydric soil, the lack of an indicator does not preclude the soil from being hydric. The indicators were developed mostly to identify the boundary of hydric soil areas and generally work best on the margins. Not all the obviously wetter hydric soils will be identified by the indicators. Redoximorphic features are most likely to occur in soils that cycle between anaerobic (reduced) and aerobic (oxidized) conditions.

Morphological features of hydric soils indicate that saturation and anaerobic conditions have existed under either contemporary or former hydrologic regimes. Where soil morphology seems inconsistent with the landscape, vegetation, or observable hydrology, it may be necessary to obtain the assistance of an experienced soil or wetland scientist to determine whether the soil is hydric.

To clarify, when investigating hydric soils in this area, one must consider the following:

- Many of these soils have black or gray parent materials.

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[1] OBL=Obligate Wetland, occurs an estimated 99% in wetlands. FACW=Facultative Wetland, has an estimated 67%-99% probability of occurrence in wetlands. FAC=Facultative, is equally likely to occur in wetlands and non-wetlands, 34%-66% probability. FACU=Facultative Upland, occurs in wetlands only occasionally, 1%-23% probability. UPL=Upland, almost never occurs in wetlands, <1% probability. NI= No Indicator, insufficient information available to determine an indicator status. Positive or negative sign previously indicated a frequency toward higher (+) or lower (-) frequency of occurrence within a category.

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- Many of the soils have a high organic matter content.
- The hydric soil margin is typically higher than the wetland boundary margin on the site.
- Not all the obviously wetter soils will be identified by the indicators.
- Many of the hydric soils are Mollisols which are classic problem hydric soils in many cases.

3.0 RESULTS

3.1 WETLAND BASIN DESCRIPTIONS

Basin 1

Basin 1 was an approximately 0.253 acre, Type 2/3, PEMB/C, wet meadow/shallow marsh wetland. The basin was dominated by reed canary grass and narrowleaf cattail.

Hydrology indicators included saturation.

Wetland soils met indicators A1, histosol.

Adjacent upland was typically dominated by kentucky bluegrass. Primary hydrology indicators were not observed at the upland sample point, and no hydric soil indicators were found in the upland sample point soil.

The wetland boundary followed a change in vegetation from wetland to upland plant communities, as well as a slight change in topography. The basin was not shown as a wetland on the NWI map (Figure 2) and was located within an area mapped as Muskego and Houghton (RATING=100) by the Web Soil Survey (Figure 7).

Sample data sheets 1-UP and 1-WET in Appendix B correspond to this basin.

4.0 CONFIRMATION OF JURISDICTIONAL STATUS

Jacobson Environmental is submitting this report to the client and regulatory agencies to request a wetland boundary and type determination. We have enclosed an official WCA Approval of Wetland Type and Boundary form in Appendix D along with a USCOE wetland delineation concurrence request.

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5.0 CERTIFICATION

I certify that this wetland delineation meets the standards and criteria described in the 1987 U.S. Army Corps of Engineers Wetland Delineation Manual and the 2010 Regional Supplement to the Corps of Engineers Wetland Delineation: Midwest Region. This was a Routine On-Site Determination and the results reflect the conditions present at the time of the delineation.

I certify that this report has been prepared in accordance with regulatory standards. Thank you for the opportunity to provide wetland services on this important project.

If any wetland impacts are planned for this project, permits would be necessary from the LGU and other agencies.

Wayne E. Jacobson
Professional Soil Scientist #30611
Professional Wetland Scientist #1000
Wetland Delineator, Certified #1019
Associate Fisheries Scientist #A-171
Jacobson Environmental, PLLC.

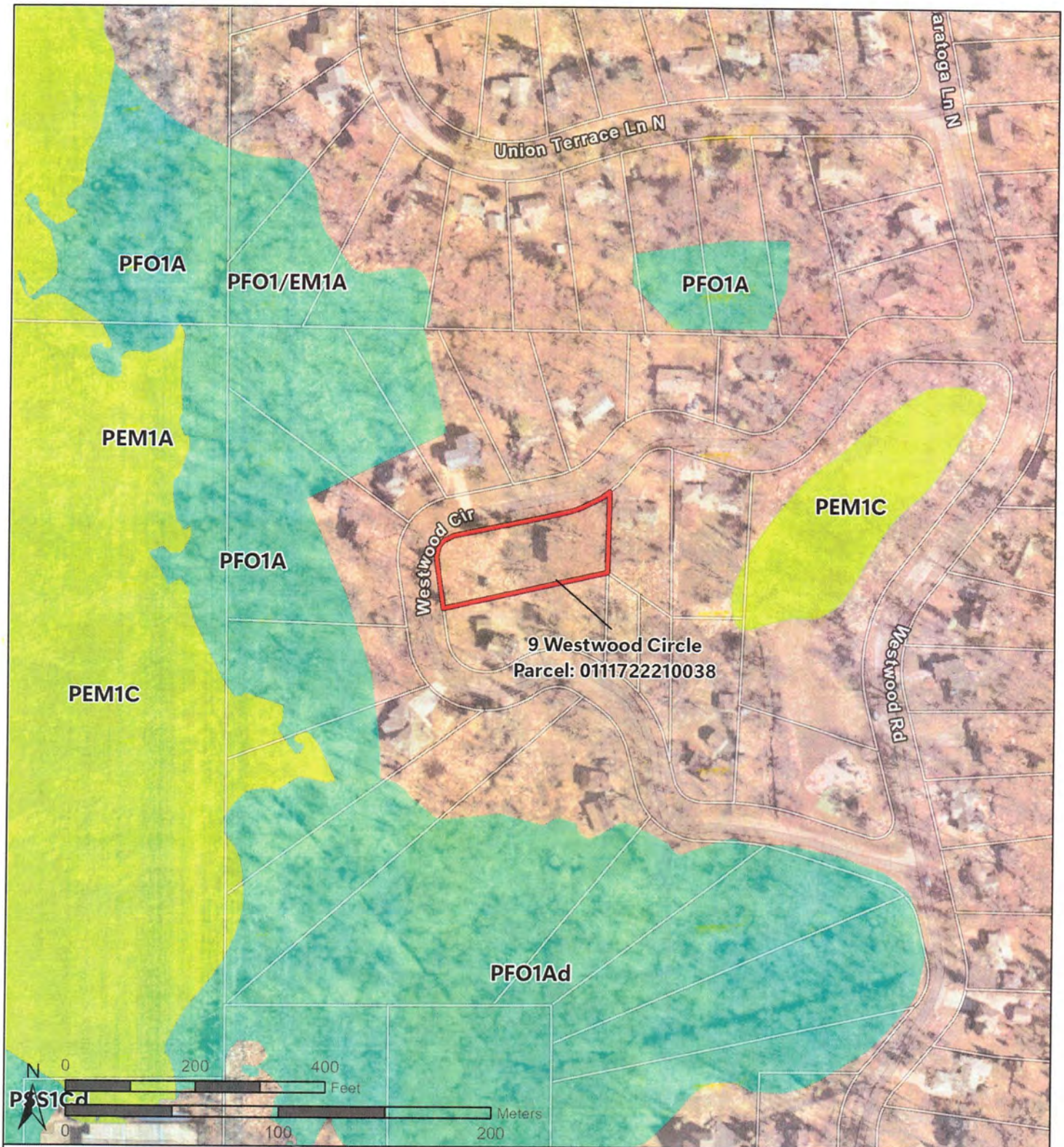
5/8/2024
Date

FIGURES

Google Maps 9 Westwood Cir

Figure 1 Site Location Map

Imagery ©2024 Airbus, CNES / Airbus, Maxar Technologies, USDA/FPAC/GEO, Map data ©2024 500 ft



Legend Scale: 1:2,500

- Subject Property
- Hennepin County Parcels

National Wetland Inventory

- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland

Project Name: 9 Westwood Circle Minnetonka | Date: 5/7/2024

MDX Name: Westwood Circle | Project Number: 2024-90

Figure 2:

National Wetland Inventory (NWI)

Jacobson Environmental, PLLC.
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Soil Map—Hennepin County, Minnesota
(Figure 3 Soils Map)

Map Scale: 1:528 if printed on A landscape (11" x 8.5") sheet.

N

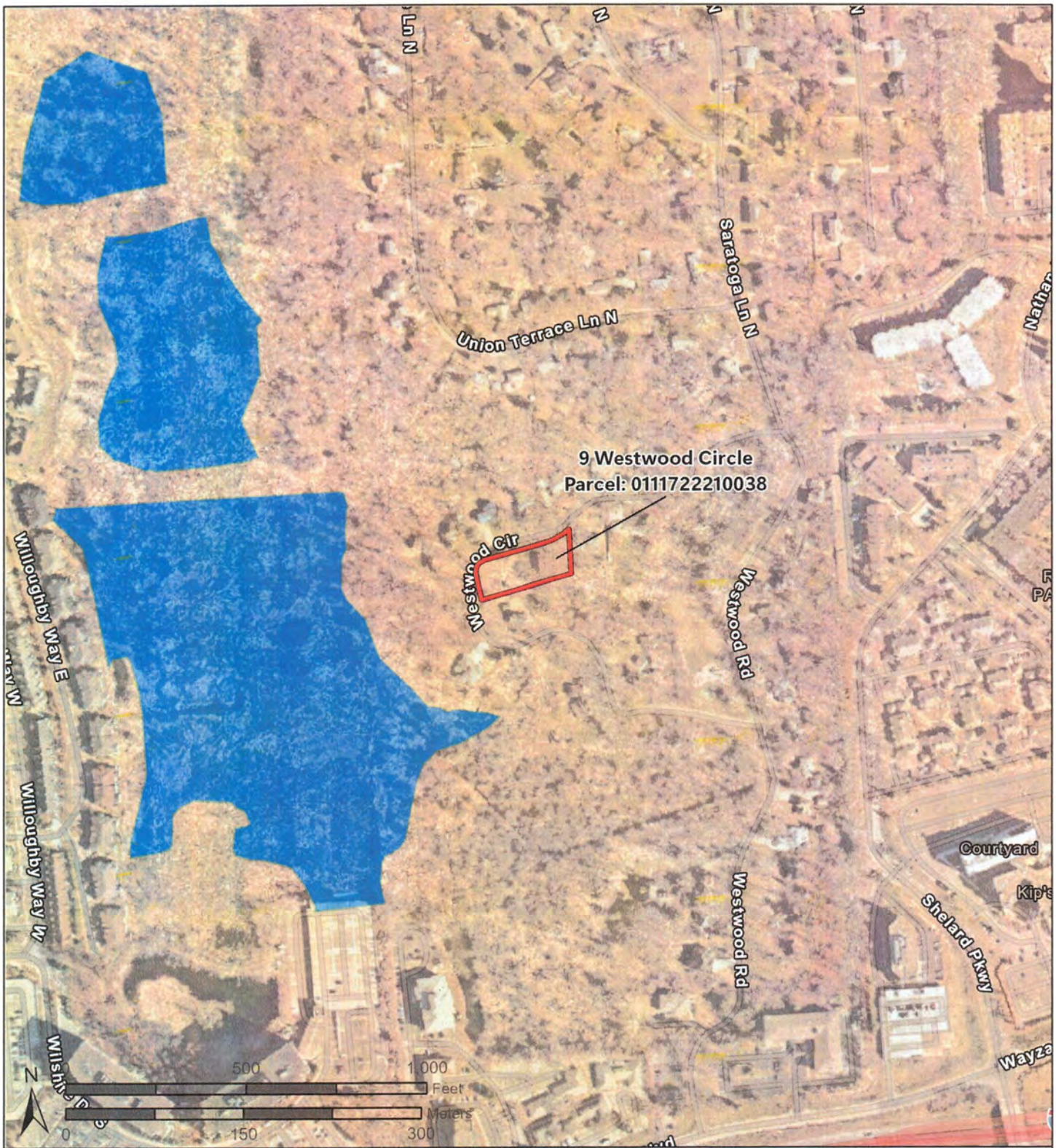
Meters
0 5 10 20 30

Feet
0 25 50 100 150

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 15N WGS84

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
L50A	Muskego and Houghton soils, 0 to 1 percent slopes	0.7	100.0%
Totals for Area of Interest		**0.7**	**100.0%**



Legend

Scale: 1:4,500

- Ramsey County Parcels
- Subject Property

Public Water Inventory

- Public Water Wetland

Project Name: 9 Westwood Circle Minnetonka	Date: 5/7/2024
MDX Name: Westwood Circle	Project Number: 2024-90

Figure 4:

Public Waters Inventory (PWI)

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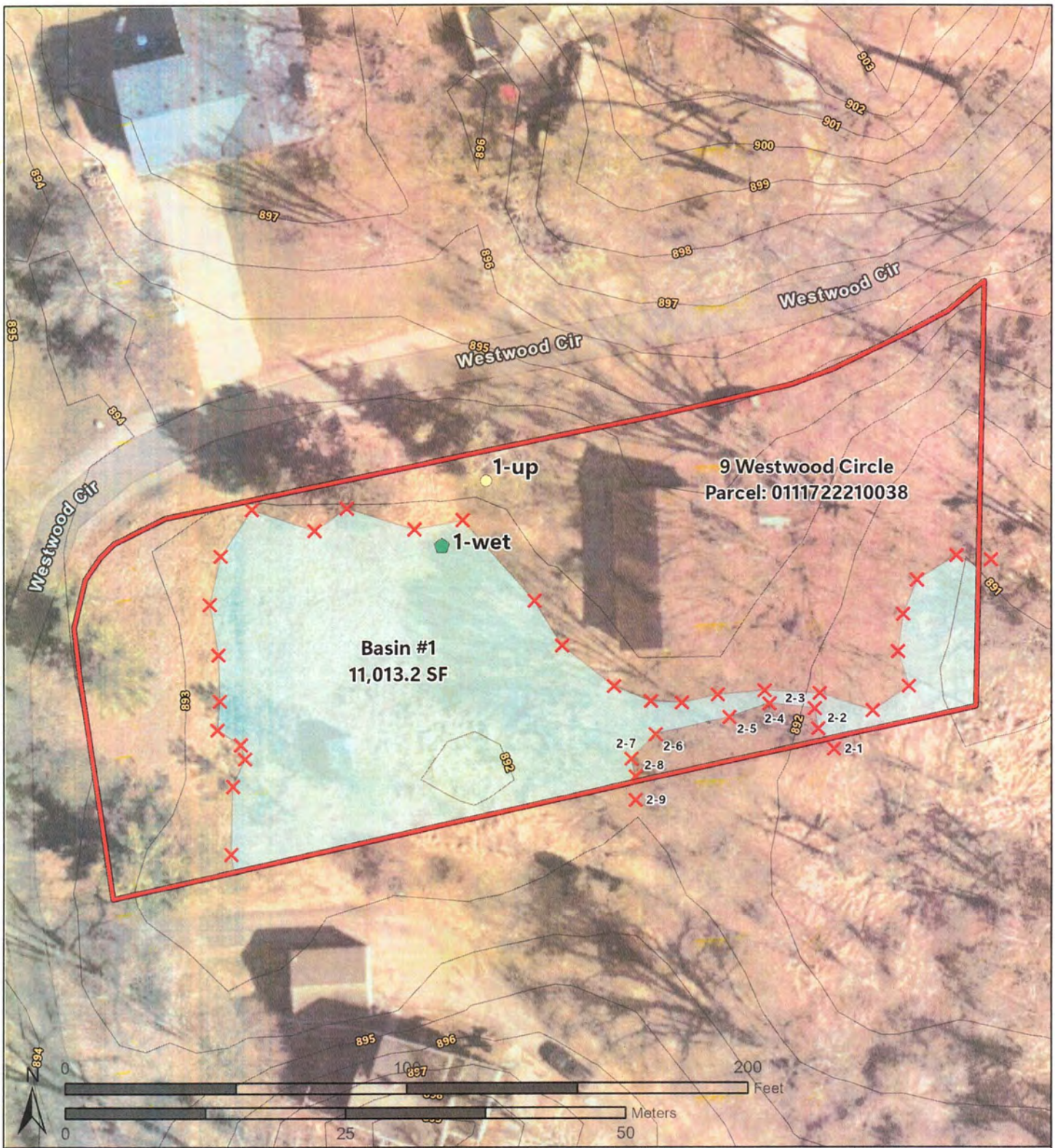

Legend

Scale: 1:475

- Subject Property
- 1' USGS Contours
- Wetland Delineation Points
- Upland Sample Point
- Wetland Sample Point
- Wetland Boundary (On Site)

Project Name: 9 Westwood Circle Minnetonka | Date: 5/7/2024

MDX Name: Westwood Circle | Project Number: 2024-90

Figure 5:

Jurisdictional Delineation Map

Jacobson Environmental, PLLC.
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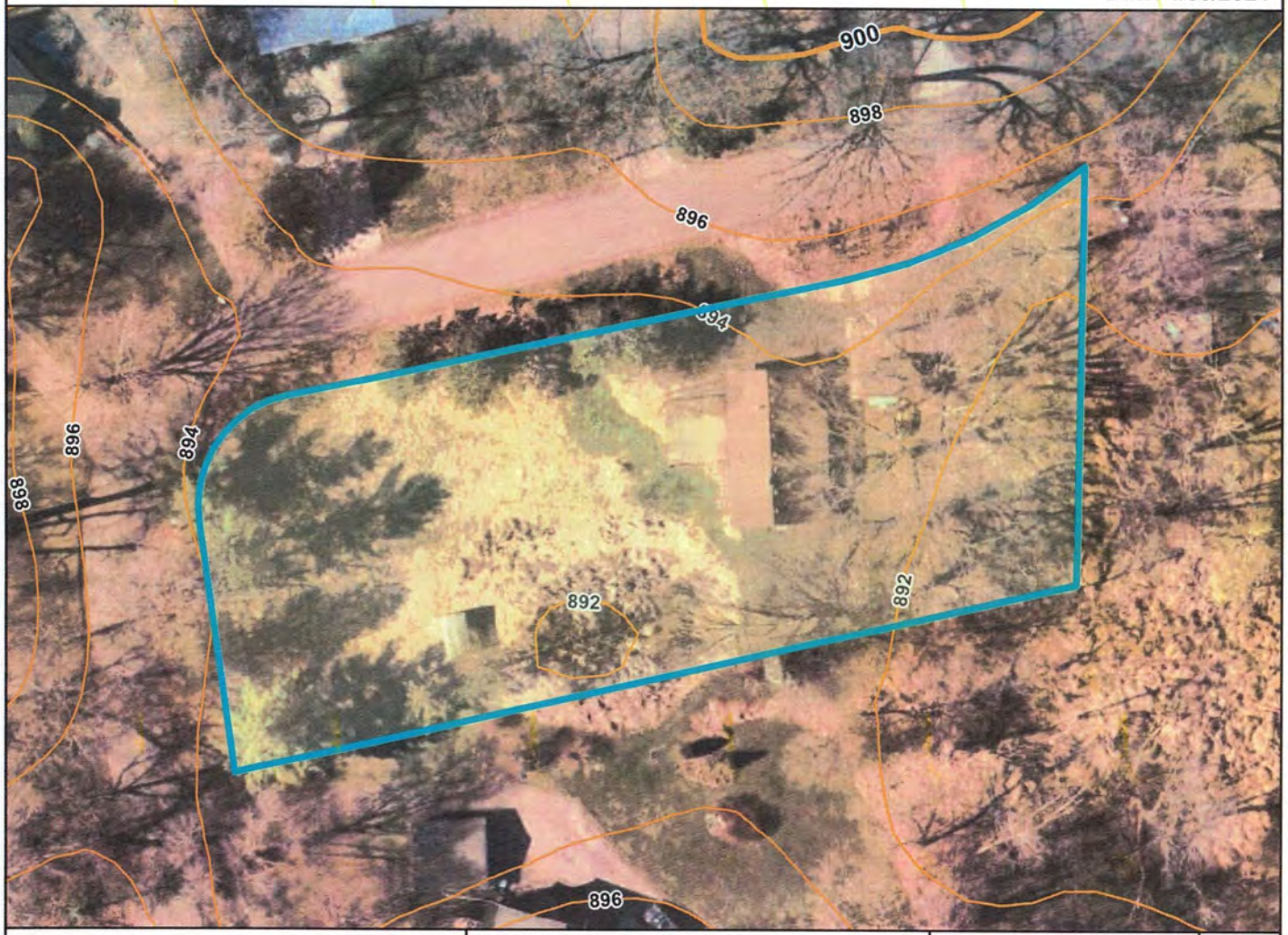
Jacobson Environmental

Hennepin County Natural Resources Map

Date: 4/30/2024



PID: 0111722210038
Address: 9 Westwood Cir,
Minnetonka 55305
Owner: W Henn Affordbl
Hsg Lnd Trst
Acres: 0.65

Comments:
Figure 6 Site Map

1:600

N

Legend

National Wetlands Inventory - Categorized

- Seasonally Flooded Basin or Flat
- Wet Meadow
- Shallow Marsh
- Deep Marsh
- Shallow Open Water
- Shrub Swamp
- Wooded Swamp
- Bog
- Municipal and Industrial Activities
- Riverine Systems

2 Foot Elevation Contours

- Index
- Intermediate

Aerial imagery flown 2022

Hydric Rating by Map Unit—Hennepin County, Minnesota
(Figure 7 Hydric Soil Rating Map)

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils

Soil Rating Polygons
- Hydric (100%)
- Hydric (66 to 99%)
- Hydric (33 to 65%)
- Hydric (1 to 32%)
- Not Hydric (0%)
- Not rated or not available

Soil Rating Lines
- Hydric (100%)
- Hydric (66 to 99%)
- Hydric (33 to 65%)
- Hydric (1 to 32%)
- Not Hydric (0%)
- Not rated or not available

Soil Rating Points
- Hydric (100%)
- Hydric (66 to 99%)
- Hydric (33 to 65%)
- Hydric (1 to 32%)
- Not Hydric (0%)
- Not rated or not available

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:12,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Hennepin County, Minnesota
Survey Area Data: Version 18, Sep 6, 2022

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: May 30, 2020—Jul 3, 2020

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Hydric Rating by Map Unit

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
L50A	Muskego and Houghton soils, 0 to 1 percent slopes	100	0.7	100.0%
Totals for Area of Interest			**0.7**	**100.0%**

Rating Options

Aggregation Method: Percent Present

Component Percent Cutoff: None Specified

Tie-break Rule: Lower

APPENDIX A

Precipitation Data

Minnesota State Climatology Office

State Climatology Office - DNR Division of Ecological and Water Resources

Precipitation Worksheet Using Gridded Database

Precipitation data for target wetland location:

county: **Hennepin** township number: **117N**
township name: **Minnetonka** range number: **22W**
nearest community: **Oak Knoll** section number: **1**

Aerial photograph or site visit date:
Friday, May 3, 2024

Score using 1991-2020 normal period

values are in inches A 'R' following a monthly total indicates a provisional value derived from radar-based estimates.	first prior month: **April 2024**	second prior month: **March 2024**	third prior month: **February 2024**
estimated precipitation total for this location:	4.54	2.80	0.78
there is a 30% chance this location will have less than:	2.21	1.30	0.52
there is a 30% chance this location will have more than:	3.58	2.09	1.18
type of month: dry normal wet	wet	wet	normal
monthly score	3x3=9	2x3=6	1x2=2
multi-month score: 6 to 9 (dry) 10 to 14 (normal) 15 to 18 (wet)	17=wet		

Other Resources:

- retrieve daily precipitation data
- view radar-based precipitation estimates
- view weekly precipitation maps
- *Evaluating Antecedent Precipitation Conditions* (BWSR)

Minnesota State Climatology Office

State Climatology Office - DNR Division of Ecological and Water Resources

Nearest Station Precipitation Data Retrieval

Minnesota's precipitation data archive is searched for data closest to a selected target location for each month. Values from the site closest to the target location are returned below after clicking the ***retrieve monthly data*** or ***retrieve daily data*** buttons. The precipitation data are made up of measured rainfall and the measured liquid content of snowfall.

Temperature, **snowfall**, and **snow depth** data from National Weather Service reporting stations are no longer retrieved from this application. To obtain those data, see our newest data retrieval tool (May 2014). National Weather Service precipitation data continue to be available from this application.

Obtaining data for legal purposes
Guide for column headers in the data table

target location: Hennepin-Minnetonka-Oak Knoll 117N 22W S1 (latitude: 44.97151 longitude: 93.41038)

click to select target location

years: 2024 to 2024

number of **missing days** allowed per month: 3

retrieve monthly data | retrieve daily data

results:

Target: T117 R22 S1

mon	year	cc	tttN	rrW	ss	nnnn	oooooooo	pre (inches)		dis
Jan	2024	27	118N	21W	20	NWS	NEW HOPE	.11		3 mi.
Feb	2024	27	118N	21W	20	NWS	NEW HOPE	.78		3 mi.
Mar	2024	27	118N	21W	20	NWS	NEW HOPE	2.80		3 mi.
Apr	2024	27	118N	21W	20	NWS	NEW HOPE	4.54		3 mi.
May	2024					m			999 mi.	
Jun	2024					m			999 mi.	
Jul	2024					m			999 mi.	
Aug	2024					m			999 mi.	
Sep	2024					m			999 mi.	
Oct	2024					m			999 mi.	
Nov	2024					m			999 mi.	
Dec	2024					m			999 mi.	

Where indicated: Missing values are shown as 'm'. Days on which precip accumulated in the gage are shown as '-'. 'TTTT RR SS' is the 'public land survey(PLS)' or 'legal' location of the observed data. Section values greater 36 are SECTIC 'TIC' locations plus 100. 'NWS ID' the National Weather Service Cooperative station number. Note that the 'PLS' will always be correct for precipitation data while the 'NWS ID' will always be correct for the temperature data. If no PLS info is supplied the the 'NWS ID' number applies to all shown data.

APPENDIX B

Sample Data Sheets

WETLAND DETERMINATION DATA FORM - Midwest Region

Project/Site 9 Westwood Circle | City/County: Minnetonka | Sampling Date: 5/3/2024

Applicant/Owner: Steve Ische | State: MN | Sampling Point: 1-UP

Investigator(s): WEJ | Section, Township, Range: Section 1, T117N, R22W

Landform (hillslope, terrace, etc.): toeslope | Local relief (concave, convex, none): convex

Slope (%): 2 | Lat: | Long: | Datum:

Soil Map Unit Name Muskego and Houghton | NWI Classification:

Are climatic/hydrologic conditions of the site typical for this time of the year? N (If no, explain in remarks)

Are vegetation ____, soil ____, or hydrology ____ significantly disturbed? Are "normal circumstances" present? Yes

Are vegetation ____, soil ____, or hydrology ____ naturally problematic? (If needed, explain any answers in remarks.)

SUMMARY OF FINDINGS

Hydrophytic vegetation present? N	**Is the sampled area within a wetland?** N
Hydric soil present? Y	f yes, optional wetland site ID:
Indicators of wetland hydrology present? N	

Remarks: (Explain alternative procedures here or in a separate report.)

The sampling period was wetter than normal.

VEGETATION -- Use scientific names of plants.

Tree Stratum (Plot size: 30)	Absolute % Cover	Dominant Species	Indicator Staus
1 *Pinus resinosa*	20	Y	FACU
2 *Salix amygdaloides*	10	Y	FACW
3 *Picea glauca*	5	N	FACU
4			
5			
	35	= Total Cover	

Sapling/Shrub stratum (Plot size: 15)			
1			
2			
3			
4			
5			
	0	= Total Cover	

Herb stratum (Plot size: 5)			
1 *Phalaris arundinacea*	40	Y	FACW
2 *Taraxacum officinale*	25	Y	FACU
3 *Poa pratensis*	15	N	FAC
4 *Hieracium gronovii*	10	N	UPL
5			
6			
7			
8			
9			
10			
	90	= Total Cover	

Woody vine stratum (Plot size: 30)			
1			
2			
	0	= Total Cover	

Dominance Test Worksheet

Number of Dominant Species that are OBL, FACW, or FAC: 2 (A)

Total Number of Dominant Species Across all Strata: 4 (B)

Percent of Dominant Species that are OBL, FACW, or FAC: 50.00% (A/B)

Prevalence Index Worksheet

Total % Cover of:

OBL species	0	x 1 =	0
FACW species	50	x 2 =	100
FAC species	15	x 3 =	45
FACU species	50	x 4 =	200
UPL species	10	x 5 =	50
Column totals	125 (A)		395 (B)

Prevalence Index = B/A = 3.16

Hydrophytic Vegetation Indicators:

- ___ Rapid test for hydrophytic vegetation
- ___ Dominance test is >50%
- ___ Prevalence index is ≤3.0*
- ___ Morphogical adaptations* (provide supporting data in Remarks or on a separate sheet)
- ___ Problematic hydrophytic vegetation* (explain)

*Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic

Hydrophytic vegetation present? N

Remarks: (Include photo numbers here or on a separate sheet)

There were 5% leaves at this point.

SOIL

Sampling Point: 1-UP

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (Inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type*	Loc**	Texture	Remarks
0-12	10YR2/1	100					mucky loam	
12-24	10YR2/1	100					muck	

*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. **Location: PL = Pore Lining, M = Matrix

Hydric Soil Indicators:

- X Histisol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ 2 cm Muck (A10)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ 5 cm Mucky Peat or Peat (S3)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils:

- ___ Coast Prairie Redox (A16) (**LRR K, L, R**)
- ___ Dark Surface (S7) (**LRR K, L**)
- ___ Iron-Manganese Masses (F12) (**LRR K, L, R**)
- ___ Very Shallow Dark Surface (TF12)
- ___ Other (explain in remarks)

*Indicators of hydrophytic vegetation and weltand hydrology must be present, unless disturbed or problematic

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric soil present? Y

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ True Aquatic Plants (B14)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Gauge or Well Data (D9)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Stunted or Stressed Plants (D1)
- ___ Geomorphic Position (D2)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface water present?	Yes	___	No	X	Depth (inches):	___
Water table present?	Yes	___	No	X	Depth (inches):	>24
Saturation present? (includes capillary fringe)	Yes	X	No	___	Depth (inches):	20

Indicators of wetland hydrology present? N

Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

WETLAND DETERMINATION DATA FORM - Midwest Region

Project/Site 9 Westwood Circle | City/County: Minnetonka | Sampling Date: 5/3/2024

Applicant/Owner: Steve Ische | State: MN | Sampling Point: 1-WET

Investigator(s): WEJ | Section, Township, Range: Section 1, T117N, R22W

Landform (hillslope, terrace, etc.): depression | Local relief (concave, convex, none): concave

Slope (%): 1 | Lat: | Long: | Datum:

Soil Map Unit Name Muskego and Houghton | NWI Classification: PEMB/C

Are climatic/hydrologic conditions of the site typical for this time of the year? N (If no, explain in remarks)

Are vegetation ____, soil ____, or hydrology ____ significantly disturbed? Are "normal circumstances" present? Yes

Are vegetation ____, soil ____, or hydrology ____ naturally problematic? (If needed, explain any answers in remarks.)

SUMMARY OF FINDINGS

Hydrophytic vegetation present? Y	**Is the sampled area within a wetland?** Y
Hydric soil present? Y	f yes, optional wetland site ID:
Indicators of wetland hydrology present? Y	

Remarks: (Explain alternative procedures here or in a separate report.)

The sampling period was wetter than normal.

VEGETATION -- Use scientific names of plants.

Tree Stratum (Plot size: 30)	Absolute % Cover	Dominant Species	Indicator Staus
1			
2			
3			
4			
5			
	0 = Total Cover		

Sapling/Shrub stratum (Plot size: 15)			
1			
2			
3			
4			
5			
	0 = Total Cover		

Herb stratum (Plot size: 5)			
1 *Phalaris arundinacea*	95	Y	FACW
2			
3			
4			
5			
6			
7			
8			
9			
10			
	95 = Total Cover		

Woody vine stratum (Plot size: 30)			
1			
2			
	0 = Total Cover		

Dominance Test Worksheet

Number of Dominant Species that are OBL, FACW, or FAC: 1 (A)

Total Number of Dominant Species Across all Strata: 1 (B)

Percent of Dominant Species that are OBL, FACW, or FAC: 100.00% (A/B)

Prevalence Index Worksheet

Total % Cover of:

OBL species	0	x 1 =	0
FACW species	95	x 2 =	190
FAC species	0	x 3 =	0
FACU species	0	x 4 =	0
UPL species	0	x 5 =	0
Column totals	95 (A)		190 (B)

Prevalence Index = B/A = 2.00

Hydrophytic Vegetation Indicators:

- ___ Rapid test for hydrophytic vegetation
- X Dominance test is >50%
- X Prevalence index is ≤3.0*
- ___ Morphogical adaptations* (provide supporting data in Remarks or on a separate sheet)
- ___ Problematic hydrophytic vegetation* (explain)

*Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic

Hydrophytic vegetation present? Y

Remarks: (Include photo numbers here or on a separate sheet)

SOIL

Sampling Point: 1-WET

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (Inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type*	Loc**	Texture	Remarks
0-24	10YR2/1	100					muck	

*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. **Location: PL = Pore Lining, M = Matrix

Hydric Soil Indicators:

- X Histisol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ 2 cm Muck (A10)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ 5 cm Mucky Peat or Peat (S3)
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- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
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- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils:

- ___ Coast Prairie Redox (A16) (**LRR K, L, R**)
- ___ Dark Surface (S7) (**LRR K, L**)
- ___ Iron-Manganese Masses (F12) (**LRR K, L, R**)
- ___ Very Shallow Dark Surface (TF12)
- ___ Other (explain in remarks)

*Indicators of hydrophytic vegetation and weltand hydrology must be present, unless disturbed or problematic

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric soil present? Y

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- X High Water Table (A2)
- X Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
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- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Gauge or Well Data (D9)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Stunted or Stressed Plants (D1)
- X Geomorphic Position (D2)
- X FAC-Neutral Test (D5)

Field Observations:

Surface water present?	Yes	___	No	X	Depth (inches):	___
Water table present?	Yes	X	No	___	Depth (inches):	14
Saturation present? (includes capillary fringe)	Yes	X	No	___	Depth (inches):	6

Indicators of wetland hydrology present? Y

Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

APPENDIX C

Site Photos

1-UP

1-WET

Wetland 1

Wetland toward House

Wetland Flow in back of House

APPENDIX D

Wetland Delineation Approval Forms

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: West Hennepin Affordable Housing Land Trust
Mailing Address: 5100 Thimsen Ave. Suite 120 Minnetonka MN 55345
Phone: 612-386-8477
E-mail Address: brendal@homeswithinreach.org

Authorized Contact (do not complete if same as above):
Mailing Address:
Phone:
E-mail Address:

Agent Name: Wayne Jacobson, PSS, WDC Jacobson Environmental, PLLC
Mailing Address: 5821 Humboldt Ave N, Brooklyn Center, MN 55430
Phone: 612-802-6619
E-mail Address: jacobsonenv@msn.com

PART TWO: Site Location Information

County: **Hennepin** **City/Township:** **Minnetonka**
Parcel ID and/or Address: **9 Westwood Circle**
Legal Description (Section, Township, Range): **Section 1, T117N, R22W**
Lat/Long (decimal degrees):
Attach a map showing the location of the site in relation to local streets, roads, highways.
Approximate size of site (acres) or if a linear project, length (feet): **0.65 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

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.

To approve the delineation

PART FOUR: Aquatic Resource Impact[1] 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)[1]	**Size of Impact**[2]	**Overall Size of Aquatic Resource** [3]	**Existing Plant Community Type(s)** in Impact Area[4]	**County, Major Watershed #, and Bank Service Area #** of Impact Area[5]

[1]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)".
[2]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).
[3]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".
[4]Use *Wetland Plants and Plant Community Types of Minnesota and Wisconsin* 3rd Ed. as modified in MN Rules 8420.0405 Subp. 2.
[5]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: X Brenda Lano-Wolke Date: 5/8/2024

I hereby authorize Wayne Jacobson 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.

[1] 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):

X☐ **Wetland Type Confirmation**

X☐ **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