COON CREEK WATERSHED DISTRICT
PERMIT REVIEW

MEETING DATE: February 24, 2020
AGENDA NUMBER: 9
FILE NUMBER: 19-186
ITEM: Bexell Property - Lever Street

RECOMMENDATION: Approve with 4 Conditions and 0 Stipulations

APPLICANT: Keith & Rebecca Bexell
2710 148th Lane
Ham Lake, MN 55304

PURPOSE: Tree cutting above ground in preparation of future site development (subsequent future CCWD application)

LOCATION: NW of Lexington Ave and Lever Street

APPLICABILITY:
1. Within 1 mile of an impaired waters.
2. Any work in or adjacent to wetlands, lakes or water courses
3. The lands and waters that have been, or may be covered by the regional flood.
4. Activities upstream from land that is dependent upon removal of water from the soil profile for their continued use (Drainage Sensitive Land Uses)
5. Endangered, Threatened or Special concern species, elements or communities

EXHIBITS:
1. Project Narrative and Site Description (3 pages) by Anderson, dated 2/11/2020, received 2/12/2020.

PREVIOUS ACTION TAKEN: This is a new application.

FINDINGS:
Pre-application Meeting: The project as submitted has received a general review during a pre-application meeting.

Ditches: There is not a public ditch on the property.

Ditch Hydraulics: A crossing of the ditch is not proposed.

Erosion and Sediment Control: Soils affected by the proposal are Lino and Isanti.
  - Stabilizing vegetation is not proposed for disturbed areas within seven (7) days of rough grading.
  - Soil stockpiles not anticipated as part of the project.
• Adjacent properties and stormwater ponds are not protected from sediment deposition.
• Construction schedules detailing when sediment trapping measures will occur; stabilization of earthen structures and the general timing of construction phases have been provided.
• Stormwater runoff does not pass through a sediment basin or other sediment trapping BMP with equal or greater storage capacity and is not required.
• No storm sewer pipes impacted as part of the project.
• All work adjacent to water or related resource has taken precautions to contain sediment, and stabilize the work area during construction.
• Provisions have not been made to minimize transport of sediment (mud) by runoff or vehicle tracking onto the paved surface.
• Provisions have not been made for cleaning road surfaces where sediment is transported by the end of the day.
• Construction entrance points are clearly located on the erosion and sediment control plan.
• The erosion and sediment control plan does provide for the repair and maintenance of all temporary and permanent erosion and sediment control practices.
• Details provided for ESC (riprap, perimeter control, concrete washout, inlet protection, etc.)

Dewatering: Shallow ground water may exist on site. The project does not require dewatering.

Floodplain: There is floodplain on the property according to the District model and FEMA. The District’s floodplain elevation is at 896.5 feet. The project does not propose to place fill within the floodplain. The total floodplain impact is 0 acre-feet. The proposed impact is within the flood fringe. Compensatory storage is not needed. There are no flooding concerns upstream or downstream.

High Water Flooding: Information has not been provided to substantiate low floor elevations and is not needed. No structures proposed.

Groundwater: Geotechnical information has not been provided and is not needed.

The project site is not within the Emergency Response Area/10 Year Well Head Protection Area/Drinking Water Supply Management Area.

The proposal does not contain a land use discouraged or prohibited by the Safe Drinking Water Supply Act (SDSA).

Historic Sites: The proposed project does not include sites of historic or archeological significance.
**Local Planning & Zoning:** The applicant has not applied to the City and it is not needed.

The City has no water resource issues or concerns with the project at this time.

**Maintenance:** A maintenance agreement has not been executed and is not needed. No stormwater treatment practices proposed.

Easements: The proposed project does not include ditch maintenance easement. A ditch maintenance easement is not required. No stormwater management features proposed.

**Stormwater & Hydrology:** Infiltration requirements are not applicable to this project; no new impervious is proposed.

Drainage sensitive uses do exist downstream from the proposed site. The rate of post-development runoff from the site does not exceed predevelopment rates, or rates which would interfere with sensitive downstream land uses. No increases in the volume, velocity, or peak water flow rates of stormwater runoff are anticipated. No concentrated storm water proposed as part of this project. No on-site constructed storm water conveyance channels proposed.

**Water Quality:** The proposed project does not cause an exceedance of State water quality standards. The project does not contribute to the adverse impact of wetlands through inundation or volume of flow. All work adjacent to wetlands, waterbodies and water conveyance systems are protected from erosion. The proposal will not detrimentally affect the existing water quality of the receiving water. The proposal will not cause extreme fluctuations of water levels or temperature changes.

**Impairments:** This project is within one (1) mile of and drains to an Impaired Water. The Impaired Water is Coon Creek. Coon Creek is impaired for Aquatic Life (Macro-invertebrates). The major stressors are Total Suspended Solids (TSS)/Total Phosphorus (TP)/E.coli. There is an EPA approved Total Maximum Daily Load (TMDL) or Waste Load Allocation (WLA) for this water.

There are no new impervious surfaces proposed as part of this project.

**Wetlands:** Wetlands do exist on-site according to the 1987 Federal manual, NWI, PWI and Soil Survey. Wetlands have been delineated. The most recent delineation was completed on 10/15/2019. The wetland boundary has not been checked.

Some areas of the wetland may be a DNR protected water.

The total proposed wetland impact is 0 square feet.

**Wetland Replacement Plan:** A wetland replacement plan has not been submitted and is not required.
**Wildlife:** The proposed project does include endangered or threatened species, rare natural communities, colonial waterbird nesting sites, migratory waterfowl concentration areas, deer wintering areas or wildlife travel corridors.

The applicant has contacted the MDNR natural heritage or endangered species program.

MDNR has responded to the applicant.

If the project is present, the project does not propose substantial adverse alteration or significant detrimental impact on a species or removal of a plant species will occur.

**Performance Escrow:** $4,000.00
**Wetland Escrow:** $N/A

There are not ditch liens on the property.

**ISSUES/CONCERNS:**

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<thead>
<tr>
<th>ISSUE</th>
<th>NEED</th>
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<tbody>
<tr>
<td>Escrows: $2,000 + (4 ac * $500/ac = $4,000.00)</td>
<td>1. Receipt of escrows.</td>
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<tr>
<td><strong>Soils &amp; Erosion Control:</strong> District requires all stabilization vegetation be within seven (7) days of rough grading or inactivity.</td>
<td>2. Update construction plans to stabilize vegetation within 7 days of rough grading or inactivity.</td>
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<td><strong>Wetlands:</strong> The wetland boundary has not been checked. Due to the nature of the proposed project, the wetland boundary does not need to be approved by the TEP to proceed. The boundary will need to be approved before moving forward with subsequent permits for development of the site.</td>
<td>3. Update construction plan to restore any damage to wetland due to vehicle crossing including smoothing out any ruts, seeding with an approved seed mix, and providing temporary stabilization if necessary.</td>
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<tr>
<td>Wetlands may be impacted due to vehicle traffic crossing the wetland.</td>
<td>3. Update construction plan to restore any damage to wetland due to vehicle crossing including smoothing out any ruts, seeding with an approved seed mix, and providing temporary stabilization if necessary.</td>
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<tr>
<td>Some areas of the wetland may be a DNR protected water. These potential areas are outside the proposed tree clearing limits.</td>
<td>3. Update construction plan to restore any damage to wetland due to vehicle crossing including smoothing out any ruts, seeding with an approved seed mix, and providing temporary stabilization if necessary.</td>
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<td><strong>Wildlife:</strong> The proposed project does include endangered or threatened species, rare natural communities, colonial waterbird nesting sites, migratory</td>
<td>4. Provide acknowledgement that Blanding’s Turtle fact sheets/flyers will be provided to contractors.</td>
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waterfowl concentration areas, deer
wintering areas or wildlife travel
corridors.

**RECOMMENDATION:** Approve with 4 Conditions and 0 Stipulations

**Conditions:**
1. Receipt of escrows.
2. Update construction plans to stabilize vegetation in 7 days of rough grading or inactivity.
3. Update construction plan to restore any damage to wetland due to vehicle crossing including smoothing out any ruts, seeding with an approved seed mix, and providing temporary stabilization if necessary.
4. Provide acknowledgement that Blanding’s Turtle fact sheets/flyers will be provided to contractors.