COON CREEK WATERSHED DISTRICT
PERMIT REVIEW

MEETING DATE: March 23, 2015
AGENDA NUMBER: 10
FILE NUMBER: 14-085
ITEM: Springbrook Development – Phase 1

RECOMMENDATION: Approve with 2 Stipulations

APPLICANT: Capstone Homes
14015 Sunfish Lake Boulevard
Suite 400
Ramsey, MN 55303


LOCATION: West of Harpers Street Northeast and North of 128th Avenue Northeast in Blaine, MN.
APPLICABILITY:
1. Any work within or adjacent to a Public Ditch within the Watershed District.
2. Any work in or adjacent to wetlands, lakes or water courses.
3. One or more cumulative acres of land disturbance.
4. The lands and water that have been, or may be covered by the regional flood.
5. Activities upstream from land that is dependent upon removal of water from the soil profile for their continued use (Drainage Sensitive Uses)
6. Excavation or filling or a combination of excavation and filling of sand or other excavation or fill material including the laying, repairing, replacing or enlarging of a culvert or an underground pipe or facility where it crosses a public ditch or waters of the state.
7. Endangered, Threatened or Special concern species, elements of communities.

EXHIBITS:
2. Plan Set – Sheets C0-, C1-1, C1-2, C8-2, C8-3, L1-1, L2-1, C3-2, C4-1, C6-1, C8-1, C1-2, C2-1 and C3-1, Dated 6/27/14, Received 6/27/14
3. Project Timeline, Received 6/27/2014
6. Wetland Permit Application by Kjolhaug Environmental Services, dated 12/31/14, received 12/31/14
7. Stormwater Management Plan, Dated 12/30/14, Received 12/30/14
8. Plan Set – Sheets C0-, C1-1, C1-2, C2-1, C3-1, C3-2, C3-3, C4-1, C6-1, C8-1, C8-2, C8-3, L1-1, L2-1, and L2-2, Dated 12/30/14, Received 12/30/14
9. Storm Water Concept Sketch, Dated 12/30/14, Received 12/30/14
10. Revised Wetland Permit Application by Kjolhaug Environmental Services, dated 12/31/14, received 12/31/14

HISTORY & CONSIDERATIONS:
This application was tabled by the Board at the January 12, 2015 meeting with 10 stipulations.

A wetland delineation was completed back in 2005 for this property but was never approved by the TEP. The TEP has met with the applicant on several occasions during the review of this project and are requiring additional detail for the northwest corner of the property but agreed to a phased approach for the development. This permit is for Phase 1. Next spring, additional wetland monitoring will be done to determine the wetland boundaries in the northwest corner and then it is anticipated that the applicant will submit a permit for Phase 2.

FINDINGS:
Ditches and Drainage: There is a public ditch on the property. The ditch is County Ditch 59-4. The ditch was inspected in 2012. The trend in land use for this drainage area
is toward residential. There are no flooding concerns downstream. Alternatives to additional drainage considered and reviewed include storage and retention. The ditch is not in need of repair.

**Floodplain:** There is floodplain on the property according to FEMA. The District Atlas 14 model predicts the 100-year elevation for the subwatershed at 897.4 feet. There is floodplain impact. The proposed conditions increase flood storage by 6,103 cf.

**Groundwater:** Ground water is present at 5.4 to 13.7 feet below the surface at elevations between 893.3 to 895.8 feet. The site does include groundwater sensitive areas. Information has been provided to substantiate low floor elevations. Low floor elevations do not meet the criteria for the City of Blaine (2 ft above mottled soil elevation, 2 ft above 100-year).

**Historic Sites:** The proposed project does not include sites of historic or archeological significance.

**Local Planning & Zoning:** The proposed project is consistent with local planning and zoning. There is an approved local water plan.

**Maintenance:** The proposed project does include a ditch maintenance easement or utility line crossings. A drainage and utility easement is provided for the storm water/infiltration ponds shown on the drainage plan. Property owners affected by changes in drainage have been notified and have acknowledged the changes proposed.

**Soils & Erosion Control:** Soils affected by the proposal are Isanti, Zimmerman, Millerville and Markey. Stabilizing vegetation is not proposed for disturbed areas within two weeks of rough grading. Adjacent properties are protected from sediment deposition. All wetlands, waterbodies, ponds, infiltration basins and water conveyance systems are not protected from erosion and sedimentation. Project site is greater than 1 acre; an NPDES permit is required.

**Stormwater & Hydraulics:** The applicant is meeting the volume management requirement equivalent to infiltrating runoff from the first inch of precipitation. Stormwater leaving the site is discharged into a well-defined receiving channel or pipe and routed to a public drainage system. Drainage sensitive uses 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.

**Water Quality:** Project does include new impervious drainage areas greater than 1 acre. All discharges into wetlands are pretreated by a sediment basin/water quality pond and are not designed correctly. 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.
Wetlands: Wetlands do exist on site according to the NWI, Soil Survey and the 1987 Manual and its regional update. The wetland boundary was reviewed by the TEP, however the TEP and Army Corps of Engineers (USACE) have not agreed upon the wetland boundaries for the site.

The applicant is proposing to impact 0.19 acres of wetland in two separate wetland areas.

Wetland Replacement: The applicant is proposing replacement of impacted wetlands at a 2:1 ratio. The applicant is proposing mitigation through purchasing of 0.37 acres of wetland bank credits through Wetland Bank #159 in Morrison County.

Wildlife: The proposed project includes the threatened Bristle-berry (Rubus fulleri) and the threatened Blanding’s Turtle (Emydoidea blandingii). An avoidance plan was prepared and submitted to the DNR for the Rubus fulleri. However, the DNR has requested compensatory mitigation for the plant in the amount of $20,000. The applicant has agreed to this and the DNR has issued the applicant a takings permit.

Performance Escrow: $12,000.00
Wetland Escrow: $13,560 - paid

ISSUES/CONCERNS:

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<thead>
<tr>
<th>Wetlands: USACE has not approved wetland credits.</th>
<th>1. Permit cannot be issued until applicant has received Corps approval.</th>
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<tr>
<td>Escrows: $2,000 + (20 ac *$500/ac) = $12,000.00</td>
<td>2. Receipt of escrows.</td>
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RECOMMENDATION: Approve with 2 Stipulations

Stipulations:
1. Receipt of escrows.
2. Permit cannot be issued until applicant has received Corps approval.