COON CREEK WATERSHED DISTRICT
PERMIT REVIEW

MEETING DATE: February 10, 2014
AGENDA NUMBER: 11
FILE NUMBER: 13 - 045
ITEM: Catcher’s Creek Phase 2

RECOMMENDATION: Approve with 3 stipulations

APPLICANT: Mark Smith
2120 Otter Lake Dr
St Paul, MN  55110

PURPOSE: 70 lot residential development on 36.6 acres

LOCATION: Located inside the southeast quadrant of the intersection of Andover Boulevard NW (145th Avenue NW) and Prairie Road NW in the southeast corner of the City of Andover in Anoka County, Minnesota
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. High water table, outwash and organic soils.
7. High infiltration soils.
8. Highly erodible soils.
9. Construction of 1 acre or greater of impervious surface
10. Any land alteration within 1 mile of an impaired water

EXHIBITS:
1. Plans, Sheets C-1, C-2.0, C-2.1, C-3.0, C-3.1 and CG-1.4, Dated 6/28/13, Received 10/3/13.
2. Plans, Sheets C-5.0 and C-5.1, Dated 9/6/13, Received 10/3/13.
3. Plans, Sheets C-4.0, C-4.1, CG-1.0, CG-1.1, CG-1.2 and CG-1.3, Dated 7/31/13, Received 10/3/13.
4. Plans, Sheets C-4.0, C-4.1, CG-1.0, CG-1.1, CG-1.2 and CG-1.3, Dated 7/31/13, Received 10/3/13.
5. Plans, Sheets C-1, C-2.0, C-2.1, C-3.0, C-3.1, C-4.0, C-4.1, C-5.0, C-5.1, CG-1.0, CG-1.1, CG-1.2 and CG-1.3 and CG-1.4, Dated 10/14/13, Received 10/14/13.
6. Plans, Sheets C-1, C-2.0, C-2.1, C-3.0, C-3.1, C-4.0, C-4.1, C-5.0, C-5.1, GP-1, GP-2, CG-1.0, CG-1.1, CG-1.2 and CG-1.3 and CG-1.4, Dated 1/14/14, Received 1/14/14.

HISTORY & CONSIDERATIONS: The applicant received approval for Phase I of the project on October 28, 2013 to clear and grub the site but was not permitted to impact any wetlands or the floodplain. The proposed application is for Phase II of the project to include wetland and floodplain impacts.

FINDINGS:
Ditches and Drainage: There is a public ditch on the property. The ditch is County Ditch 57. The ditch has not been inspected. There are approximately 0 acres of existing agricultural land affected by this ditch. The project site is adjacent to County Ditch 57. The trend in land use for this drainage area is toward residential. There are flooding concerns downstream. Alternatives to additional drainage considered and reviewed include storage and infiltration. The ditch was last repaired in 2001. The ditch is not in need of repair.

Floodplain: There is floodplain on the property according to FEMA. The District TP-40 model predicts the 100-year elevation for the subwatershed at 878.1 feet and the district Atlas 14 model predicts the 100-year elevation for the subwatershed at 878.5 feet. The FEMA map predicts the 100-year elevation for the property at 879 feet. The floodplain is
impacted in the proposed development. The total floodplain impact is 3.9 acre-feet, within the floodplain. Compensatory storage is provided.

The applicant was advised to run the 100-year elevation for interior ponds using the NOAA Atlas 14 information as shown in the following web link.
http://hdsc.nws.noaa.gov/hdsc/pfds/pfds_map_cont.html?bkmrk=mn

The applicant chose to size the ponds using TP-40

**Stormwater & Hydraulics:** The project does meet 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. The northern and eastern most proposed pond is a combination pond which is attached to the adjacent Hickory Meadows pond and proposes to use the existing outlet in Hickory Meadows pond. The outlet is currently installed. Hickory Meadows has not applied for a permit as of yet.

**Groundwater:** Ground water is present at 7 to 19 feet below existing ground surface at elevations from 869 ft to 877 ft. Information has been provided to substantiate low floor elevations. Based on HWL, low floor elevations do meet the criteria for the City of Andover (3 ft above mottled soil elevation, 2 ft above 100-year).

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

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

**Local Planning & Zoning:** The proposed project is currently consistent with local planning and zoning.

**Maintenance:** The proposed project does include a ditch maintenance easement of 100 feet as stipulated in the District rule. 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 Sartell, Markey, Rifle, Zimmerman and Alluvial Land. Stabilizing vegetation is proposed for disturbed areas within two weeks of rough grading. Adjacent properties are protected from sediment deposition. All wetlands, water bodies, ponds, infiltration basins and water conveyance systems are protected from erosion and sedimentation.
**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 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.

Discharge from this project does not exceed of State water quality standards. The project does not contribute to the adverse impact of wetlands through inundation or volume of flow. All discharges into wetlands are pretreated by a sediment basin/water quality pond, and are designed correctly. 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.

**Wetlands:** Wetlands exist on-site according to the 1987 Federal Manual and its associated supplement(s), NWI, and Soils Survey. Wetlands have been delineated. The wetland boundary has been approved.

The Wetland Permit Application states that 12,940 S.F. of wetland is proposed to be impacted in 2 locations. The grading plan clearly identifies the proposed impacts.

Three alternatives, plus the proposed project, have been submitted. The applicant is minimizing wetland impact with the preferred construction plans.

The project is not wetland dependent.

The impacts are not exempt.

Total Proposed Permanent Wetland impact quantities for project to date are:

<table>
<thead>
<tr>
<th>Wetland ID</th>
<th>Area of Proposed Fill (S.F.)</th>
<th>Proposed Area of No Loss Excavation (S.F.)</th>
<th>Wetland Type</th>
<th>Purpose of Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>7,995</td>
<td>2</td>
<td></td>
<td>Sequencing Flexibility</td>
</tr>
<tr>
<td>2</td>
<td>2,945</td>
<td>2</td>
<td></td>
<td>Trail and side slopes</td>
</tr>
<tr>
<td>2</td>
<td>2,000</td>
<td>No Loss</td>
<td>2</td>
<td>Floodplain mitigation</td>
</tr>
<tr>
<td>Total Impacts (S.F.)</td>
<td>12,940</td>
<td>2,000</td>
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**TOTAL FILL IMPACT** = 10,940 S.F. or 0.246 ac

**Wetland Replacement Plan:**
Mitigation is proposed at a 2:1 ratio via wetland credit purchase from an existing wetland bank. Total fill 10,940 S.F. * 2:1 replacement ratio = 21,880 S.F. of required mitigation through a wetland bank.

The TEP has reviewed and approved the application for impacts and the replacement plan...
with stipulations which are included below.

**Wildlife:** The proposed project does include the threatened species Loggerhead Shrike. The site does not include rare natural communities. The applicant is proposing to provide landscaping conducive to supplying habitat for the Loggerhead Shrike on the lots within the flyway area.

**Escrows:** Escrows have been paid. However, the applicant has exceeded the escrow balance. The balance due = $5,987.50

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<tr>
<th>ISSUE/CONCERNS</th>
<th>NEEDS</th>
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<tbody>
<tr>
<td><strong>Wetlands:</strong> The applicant is proposing to impact 10,940 sq. ft. of wetlands and purchase 21,880 sq. ft. of wetland credits</td>
<td>Proof of the purchase of the wetland credits must be provided prior to any construction on-site.</td>
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<tr>
<td><strong>Escrow:</strong> Applicant has exceeded escrow payment amount.</td>
<td>Need to pay escrow balance prior to receiving permit. The balance due = $5,987.50</td>
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</tbody>
</table>

**RECOMMENDATION:** Approve with 3 stipulations

**Concerns:**

1. Escrow balance must be paid. The balance due = $5,987.50
2. Proof of the purchase of the wetland credits must be provided prior to any construction on-site.
3. Approvals from other governmental entities (City, Army Corps of Engineers, MPCA, etc)