COON CREEK WATERSHED DISTRICT
PERMIT REVIEW

MEETING DATE: October 12, 2015
AGENDA NUMBER: 12
FILE NUMBER: 15-098
ITEM: Ehrreiter Estates

RECOMMENDATION: Approve with 2 Stipulations

APPLICANT: BL Holdings, LLC
1975 Station Parkway NW
Andover, MN 55304

PURPOSE: Development of a 36 lot single family homes with septic and private wells

LOCATION: North of Cross town Blvd NE and west of Vickers Street NE in Ham Lake, 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. High water table, outwash and organic soils.
7. High infiltration soils.
8. Highly erodible soils.
9. Endangered, Threatened or Special concern species, elements of communities.

EXHIBITS:
1. Stormwater Management plan; by Carlson McCain; dated 7/20/2015; received 8/12/2015
2. Plan set; by Carlson McCain; dated 7/17/2015; received 8/12/2015
3. Wetland Delineation by Kjolhaug; dated 7/21/15; received 8/10/15
4. Wetland De Minimis application by Kjolhaug; dated 8/4/15; received 8/12/15
5. Stormwater Management plan; by Carlson McCain; dated 9/24/2015; received 9/30/2015
6. Plan set; by Carlson McCain; dated 9/24/2015; received 9/30/2015
7. Revised wetland delineation map by Kjolhaug; dated 9/22/15; received 9/25/15

HISTORY & CONSIDERATIONS:
This item was tabled at the last CCWD board meeting with the following stipulations:
1. Receipt of escrows.
2. It is unclear how ALL of the new impervious is being directed into the infiltration basins. Provide stormwater runoff calculations that show the site is meeting the volume management requirement equivalent to infiltrating runoff from the first inch of precipitation or explanation on why it cannot be met.
3. Provide TEP approval of the wetland delineation report and replacement plan.
4. Contact the DNR to have a DNR Natural Heritage Information System (NHIS) data review completed to determine if any records of state-protected species may be located within the boundary of this project.

FINDINGS:
Ditches and Drainage: There is not a public ditch on the property. The project site is tributary to County Ditch 11. The trend in land use for this drainage area is toward open space, and agriculture. There are flooding concerns downstream. Alternatives to additional drainage considered and reviewed include storage, retention, and wetland conservation.

Floodplain: There is no floodplain on the property according to FEMA. The District Atlas 14 model predicts the 100-year elevation for the subwatershed at 903.7 feet. However, the property is isolated from county Ditch 11 and a local 100-year elevation
needs to be established for the development. The total floodplain impact is 0 acre-feet. Compensatory storage is not needed. Low floor elevations meet the criteria for the City of Ham Lake (1 ft above 100-year).

**Groundwater:** Surficial ground water is present at 904 feet. The site does not include groundwater sensitive areas. Information has been provided to substantiate low floor elevations. Low floor elevations meet the criteria for the City of Ham Lake (1 ft above mottled soil elevation).

**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 not include a ditch maintenance easement or utility line crossings. A drainage and utility easement is not provided for the storm water/infiltration ponds shown on the drainage plan. Property owners affected by changes in drainage have not been notified and have not acknowledged the changes proposed.

**Soils & Erosion Control:** Soils affected by the proposal are Lino, Rifle and Zimmerman. 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 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 routed to one of several NURP ponds before discharging into the on-site wetlands. The wetlands are landlocked and do not discharge into the county ditch system. Since the stormwater discharge from the site is treated through sedimentation basin before reaching the landlocked wetlands, the stormwater requirements are being met.

**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.

**Wetlands:** Wetlands do exist on-site according to the 1987 Federal manual, NWI, PWI, and Soil Survey. The delineation has been reviewed by the TEP.
The project proposes 924 sq. ft. of fill in three locations and is requesting the de minimis exemption for the impacts. The TEP has approved the request for de minimis.

Summary of wetland impacts:

<table>
<thead>
<tr>
<th>Wetland Type</th>
<th>Impact Amount (sf)</th>
<th>Impact Justification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type 2</td>
<td>291</td>
<td>Roadway shoulder fill</td>
</tr>
<tr>
<td>Type 2</td>
<td>303</td>
<td>Roadway shoulder fill</td>
</tr>
<tr>
<td>Type 1</td>
<td>330</td>
<td>Grading for House pad</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>924 sf</strong></td>
<td></td>
</tr>
</tbody>
</table>

**Wildlife:** The proposed project has the potential to include the threatened Blanding’s Turtle (*Emydoidea blandingii*) and the threatened Black Huckleberry (*Gaylussacia baccata*). The applicant must contact the DNR to have a DNR Natural Heritage Information System (NHIS) data review completed to determine if any records of state-protected species may be located within the boundary of this project. If the review determines that rare species may be impacted, avoidance recommendations or instructions on subsequent procedure and protocols for survey requirements will be provided. The purpose of the survey would be to reduce the likelihood of an inadvertent takings and, if needed, to inform of the takings permit process.

**Performance Escrow:** $34,700

**ISSUES/CONCERNS:**

**Stormwater & Hydraulics:** There are several smaller areas that are not routed into an infiltration basin. However, the stormwater from the site will be routed to one of several NURP ponds before discharging into the on-site wetlands. The wetlands are landlocked and do not discharge into the county ditch system. Since the stormwater discharge from the site is treated through sedimentation basin before reaching the landlocked wetlands, the stormwater requirements are being met.

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| Escrows: $2,000 + (65.40 ac * $500/ac) = $34,700 | 1. Contact the DNR to have a DNR Natural Heritage Information System (NHIS) data review completed to determine if any records of state-protected species may be located within the boundary of this project. |
|                                                 | 2. Receipt of escrows. |
RECOMMENDATION: Approve with 2 Stipulations

Stipulations:

1. Receipt of escrows.
2. Contact the DNR to have a DNR Natural Heritage Information System (NHIS) data review completed to determine if any records of state-protected species may be located within the boundary of this project.