COON CREEK WATERSHED DISTRICT
PERMIT REVIEW

MEETING DATE: April 13, 2015
AGENDA NUMBER: 14
FILE NUMBER: 15-039
ITEM: San Jose Ranch Pond

RECOMMENDATION: Approve with 3 Stipulations

APPLICANT: Fernando Vega
San Jose Ranch
4726 165th Ave NE
Ham Lake MN 55304

PURPOSE: Excavate wetland area to create open water pond and use spoils for horse pasture

LOCATION: 4726 165th Ave NE, Ham Lake MN
APPLICABILITY:
1. Any work in or adjacent to wetlands, lakes or water courses.
2. The lands and waters that have been, or may be covered by the regional flood table.
3. High water table.
4. High infiltration soils.
5. Highly erodible soils.
6. Endangered, Threatened or Special Concern species, elements or communities.

EXHIBITS:
1. Permit Application and plans dated 3/16/15; received 3/16/15

HISTORY & CONSIDERATIONS:
The District was informed that the applicant had started to excavate a pond on his property. Staff inspected the site and determined that the applicant was excavating a pond in a wetland. The property owner informed us that he is excavating the pond for the soil to be used in his pasture. He was not aware of the need for a permit but wanted to work with the District to obtain the property permits.

The Wetland Conservation Act rules allow for this type of activity. The activity is also regulated under the Coon Creek Watershed District rules and triggers the need for a permit.

FINDINGS:
Ditches and Drainage: There is a public ditch on the property. The ditch is County Ditch 44-3. The ditch was inspected in 2011. The trend in land use for this drainage area is toward agriculture and residential. There are no flooding concerns downstream. The ditch is in need of repair.

Floodplain: There is floodplain on the property according to the District model and FEMA. The project does not propose to place fill within the floodplain. The total floodplain impact is 0 acre-ft. Compensatory storage is not needed.

Groundwater: The site does not include groundwater sensitive areas.

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.

Maintenance: The proposed project does include ditch maintenance easement, utility line crossings, or access to ponding areas.

Soils & Erosion Control: Soils affected by the proposal are Isanti fine sandy loam, Lino loamy fine sand, and Markey Muck. Stabilizing vegetation is not proposed for disturbed
areas. Adjacent properties are protected from sediment deposition. Project site is not greater than 1 acre, an NPDES permit is not required.

**Stormwater & Hydraulics:** 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.

**Water Quality:** Project does not include new impervious drainage areas greater than 1 acre.

**Wetlands:** Wetlands do exist on site according to the NWI, Soil Survey and the 1987 Manual and its regional update. The wetland is a Type 1. The project qualifies for an exemption under the Wetland Conservation Act and does not require replacement.

**Wildlife:** The proposed project includes the threatened Black Huckleberry (*Gaylussacia baccata*) and the threatened Blanding’s Turtle (*Emydoidea blandingii*). Measures to avoid and minimize impacts to the threatened species should be implemented.

**Performance Escrow:** $2,115.00

<table>
<thead>
<tr>
<th><strong>Soils &amp; Erosion Control:</strong> Stabilizing vegetation is not proposed for disturbed areas.</th>
<th>1. Add a statement stating that stabilizing vegetation is to be provided within 14 days of disturbance.</th>
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<tbody>
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<td><strong>Wildlife:</strong> The proposed project includes the threatened Black Huckleberry (<em>Gaylussacia baccata</em>) and the threatened Blanding’s Turtle (<em>Emydoidea blandingii</em>).</td>
<td>2. Measures to avoid and minimize impacts to the threatened species should be implemented.</td>
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<tr>
<td><strong>Escrow:</strong> $2,000 + (.23 acres x $500/acre) = $2,115.00</td>
<td>3. Receipt of escrows</td>
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</tbody>
</table>

**RECOMMENDATION:** Approve with 3 Stipulations

**Stipulations:**
1. Receipt of escrows.
2. Add a statement stating that stabilizing vegetation is to be provided within 14 days of disturbance.
3. Measures to avoid and minimize impacts to the threatened species should be implemented.