COON CREEK WATERSHED DISTRICT
PERMIT REVIEW

MEETING DATE: April 22, 2019
AGENDA NUMBER: 14
FILE NUMBER: 19-053
ITEM: Xeon Office Lommereid BldgWarehouse

RECOMMENDATION: Approve with 3 Stipulations

APPLICANT: JSEN Properties
Attn: Jesse Neumann
18651 Buchanan Street
East Bethel, MN 55011

PURPOSE: 80,000 SQ FT BUILDING ON 9.3 ACRE LOT

LOCATION: Hwy 10 and Xeon Street, Coon Rapids, MN
APPLICABILITY:
1. Within 1 mile of an impaired waters.
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 waters that have been, or may be covered by the regional flood.
5. High water table, outwash and organic soils
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 or communities

EXHIBITS:
1. Construction Plan set (10 sheets); by Carlson McCain, dated 4/9/19, received 4/10/19.
3. Geotechnical Report; by Haugo Geotechnical Services, dated 3/12/19, received 3/13/19.
4. De Minimis Application; by Kjolhaug Environmental Services, dated 3/12/19, received 3/13/19.
5. Response to Comments Memorandum; by Kjolhaug Environmental Services, dated 4/9/19, received 4/10/19.
PREVIOUS ACTION TAKEN: This application was initially submitted on March 11, 2019.

FINDINGS:
Pre-application Meeting: The project as submitted has not received a general review during a pre-application meeting.

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

Ditch Hydraulics: A crossing of the private ditch is proposed. The proposed crossing involves the installation of a culvert and the rerouting of the private ditch. The proposed may be of sufficient hydraulic capacity.

Erosion and Sediment Control: Soils affected by the proposal are Alluvial, Urban and Zimmerman.
- Stabilizing vegetation is proposed for disturbed areas within seven (7) days of rough grading.
- Soil stockpiles have been proposed to be fitted with sediment-trapping measures to prevent soil loss and stabilized within 7 days of inactivity.
- Adjacent properties and stormwater ponds are 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 pass through a sediment basin or other sediment trapping BMP with equal or greater storage capacity.
- Stabilization adequate to prevent erosion has been provided at the outlets of all storm sewer pipes.
- All storm sewer inlets are protected from sediment-laden water during construction.
- All work adjacent to water or related resource has not taken precautions to contain sediment, and stabilize the work area during construction. Wetlands are not protected: require double row of perimeter control.
- Provisions have been made to minimize transport of sediment (mud) by runoff or vehicle tracking onto the paved surface.
- Provisions have 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 does 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 ranges from 854.2 on the east to 852.3 feet on the west. The project does propose to place fill within the floodplain. The total floodplain impact is unknown. The proposed impact is within the floodway/flood fringe. It is unknown if compensatory storage is provided, model updates are required. There are no flooding concerns upstream and/or downstream.

High Water Flooding: Information has been provided to substantiate low floor elevations. Low floor elevations do meet the criteria for the City of Coon Rapids; 3 ft above mottled, 2 ft above 100 yr.

Groundwater: Geotechnical information collected in March 2019 indicates long term groundwater elevation is present at 6.5 - 14 feet below the surface.

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 proposed project is consistent with local planning and zoning. There is an approved local water plan.

Property owners affected by changes in drainage have not been notified or acknowledge the changes proposed.

Maintenance: The owner of the Stormwater Management features and treatment practices is unknown. The Stormwater Treatment Practices (STPs) consisting of the following:

<table>
<thead>
<tr>
<th>Stormwater Treatment Practices</th>
<th>Number</th>
<th>Inspection &amp; Maintenance Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Basins</td>
<td>2</td>
<td>Unknown</td>
</tr>
<tr>
<td>Sumps</td>
<td>3</td>
<td>Unknown</td>
</tr>
<tr>
<td>RainGuardians</td>
<td>3</td>
<td>Unknown</td>
</tr>
<tr>
<td>Underground Storage</td>
<td>1</td>
<td>Unknown</td>
</tr>
</tbody>
</table>

A maintenance agreement has not been executed. The applicant has not submitted a Maintenance Plan for each Stormwater Treatment Practice.
Easements: The proposed project does include ditch maintenance easement. A ditch maintenance easement is required and is provided. A maintenance access to all storm water management features is provided.

**Stormwater & Hydrology:** Infiltration is allowed within the project area but is not feasible due to high groundwater and clay soils. The 1-inch filtration is achieved. The stormwater management system utilizes filtration basins and an underground retention system.

Drainage sensitive uses do not exist downstream from the proposed site. The rate of post-development runoff from the site do exceed predevelopment rates. However, no adverse impacts are anticipated to downstream land use. Properties and waterways downstream from the project are protected from erosion due to increases in the volume, velocity and peak water flow rates of stormwater runoff. Concentrated storm water leaving a site is discharged directly into a well-defined natural or man-made off-site receiving channel or pipe. All on-site constructed storm water conveyance channels are constructed to withstand the expected velocity from a 2-year frequency storm without erosion.

**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 discharges into wetlands/stormwater basins 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 or temperature changes.

**Impairments:** This project is within one (1) mile of and drains to an Impaired Water. The Impaired Water is Lower Coon Creek. Lower Coon Creek is impaired for (Aquatic Life (Macro-invertebrates)/ Aquatic Recreation (E. coli). 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 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 approved on 8/26/15. The wetland boundary has been checked. The wetland is a type 3 wetland. The wetland is not 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 and is required to. A response has been provided. If the project is present, the project may propose substantial adverse alteration or significant detrimental impact on a species or removal of a plant species.

Performance Escrow: $5,150
Wetland Escrow: $N/A
There are not ditch liens on the property.

ISSUES/CONCERNS:

<table>
<thead>
<tr>
<th>ISSUE</th>
<th>NEED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Escrows: $2,000 + (6.3 ac * $500/ac) = $5,150</td>
<td>1. Receipt of escrows.</td>
</tr>
<tr>
<td>Maintenance: It is unknown who will be responsible for the inspection and maintenance of stormwater facilities. A maintenance agreement has not been executed. The applicant has not submitted a Maintenance Plan for each Stormwater Treatment Practice.</td>
<td>2. Provide an O&amp;M Agreement that meets District requirements.</td>
</tr>
<tr>
<td>Wildlife: The proposed project may include endangered, threatened species, or special concern species, rare natural communities, colonial waterbird nesting sites, migratory waterfowl concentration areas, deer wintering areas or wildlife travel corridors. Documentation from the DNR (Correspondence # ERDB 20190280) indicates rare features may be adversely affected by the proposed project and additional site assessments or review may be required.</td>
<td>3. Provide note on plans that contractors must receive the DNR flyers/Fact Sheets regarding Banding’s Turtles and follow DNR recommendations.</td>
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</tbody>
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RECOMMENDATION: Approve with 3 Stipulations
Stipulations:
1. Receipt of escrows.
2. Provide an O&M Agreement that meets District requirements.
3. Provide note on plans that contractors must receive the DNR flyers/Fact Sheets regarding Banding’s Turtles and follow DNR recommendations.