COON CREEK WATERSHED DISTRICT
PERMIT REVIEW

MEETING DATE: November 13, 2018
AGENDA NUMBER: 15
FILE NUMBER: 18-031
ITEM: Menards Warehouse Expansion

RECOMMENDATION: Table with 13 Stipulations

APPLICANT: Continental Development Corporation
11806 Aberdeen Street
Blaine, MN 55449

PURPOSE: Warehouse Expansion

LOCATION: 10251 Baltimore Street NE, Blaine, 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.

EXHIBITS:
1. Construction Plan set (18 Sheets); by ISG, dated 10/30/2018, received 10/31/2018.
   Updated received 11/2/18.
4. Wetland Replacement Plan; by ISG, signed 8/30/18, received 10/31/18.
PREVIOUS ACTION TAKEN: This is a new application.

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.

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

Erosion and Sediment Control: Soils affected by the proposal are Isanti and Markey.

- 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.
- 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. 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 taken precautions to contain sediment and stabilize the work area during construction.
• Provisions have been made to minimize transport of sediment (mud) by runoff or vehicle racking 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.

Dewatering: Shallow ground water does exist on site. The project does require dewatering.

Floodplain: There is floodplain on the property according to the District model and FEMA. The District’s floodplain elevation is at 899.0 feet. The project does propose to place fill within the floodplain. Compensatory storage is provided by the expansion of the existing stormwater pond. There are flooding concerns downstream.

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

Groundwater: Geotechnical information collected in March 2018 indicates long term groundwater elevation is present at 5-7 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 has not been submitted to the City of Blaine for review. There is an approved local water plan.

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

Maintenance: The owner of the Stormwater Management features and treatment practices is Menards. The Stormwater Treatment Practices (STPs) consisting of the following:
A maintenance agreement has not been executed. The applicant has not submitted an O&M agreement or Maintenance Plan for each Stormwater Treatment Practice.

Easements: The proposed project does not include ditch maintenance easement. A ditch maintenance easement is not required. A maintenance access to all storm water management features is provided.

**Stormwater & Hydrology:** Infiltration is allowed within the project area. The 1-inch infiltration is not achieved due to high groundwater. The stormwater management system utilizes a sedimentation basin.

Drainage sensitive uses do not 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. 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 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 are pretreated by a sediment basin 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 an Impaired Water. The Impaired Water is County Ditch 17. County Ditch 17 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 wetland boundary has been checked. The most recent delineation was approved on 5/2/2018.
The wetland is not a DNR protected water.

The total proposed wetland impact is 0.98 acres. The impact is through fill/conversion in the location as shown below:

The de minimis is 2,500 sf (type 1, 2, 6, 7, 8) or 400 sf (type 3, 4, 5). TEP members have been notified with a complete plan and have been requested to submit comments.

The project is not wetland dependent. The project is not exempt.

The applicant does not need to contact the DNR area hydrologist and does need to contact the Corps of Engineers.
Wetland Replacement Plan: A wetland replacement plan has been submitted. The TEP has not approved the wetland mitigation plan. The wetland replacement plan has been sent to TEP members for comment. The comment period is open, and comments have not been received yet. Affidavit of Landowner and Proof of Property Ownership have not been completed for all properties involved with the project.

Replacement is proposed to be through purchasing wetland credits at a ratio of 2:1. The credits are proposed to be purchased through wetland bank #1544 in Wright County BSA 7, Major Watershed 17.

One no-build and three on-site alternatives, plus the proposed project, have been submitted. The alternative analysis uses a different building size than submitted construction plans.

1. The applicant suggests that avoidance is not reasonable because:
   1) The basic purpose of the project cannot reasonably be accomplished at an alternative off-site location.
   2) An alternate on-site location would lose parking space.
   3) On-site replacement would conflict with the proposed stormwater pond size
   4) The basic purpose of the project can be accomplished by further design modification which would avoid wetland impacts

Minimization analysis: The applicant has stated that the activity cannot minimize wetland impacts due to the size of expansion and stormwater pond.

Wildlife: The proposed project does not 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 not contacted the MNDNR natural heritage or endangered species program.

If the project is present, the project does not propose substantial adverse alteration or significant detrimental impact on a species or removal of a plant species.

Performance Escrow: $3,920
Wetland Escrow: $N/A
There are not ditch liens on the property.

<table>
<thead>
<tr>
<th>ISSUES/CONCERNS:</th>
<th>NEED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Escrows: $2,000 + (3.84 ac * $500/ac) = $3,920</td>
<td>1. Receipt of escrows.</td>
</tr>
<tr>
<td>Stormwater &amp; Hydraulics: The increase in the stormwater pond high</td>
<td>2. Provide written permission from the property owner to the west (parking</td>
</tr>
</tbody>
</table>
water level from 898.97 to 899.76 has potential impacts to adjacent properties.

Drainage maps were not provided.

Inconsistencies were found between the HydroCAD model and construction plans.

Volume management standards are not achieved.

| 3. | Provide drainage maps showing drainage areas that match HydroCAD model. |

4. Update HydroCAD model or construction plans with the following:
   a. Invert of FES-2 on the utility plan, utility profile, and HydroCAD model is inconsistent. Update with correct invert elevation.
   b. Length, size and inlet invert elevation for device #3 of the proposed pond does not match construction plans. Update HydroCAD model or construction plans.
   c. Outlet device #4 was modeled as a 1.6” horizontal orifice/grate, this seems incorrect. Update model with correct size of orifice/grate. Device #4 should also be routed to Device #1.

5. Provide clarity on how Water Quality Volume treatment of 1-inch to the Maximum Extent Practicable such as through filtration or green roofs is not achievable.

| Soils & Erosion Control: |
| Sediment ponds south of the project site are not protected from sediment deposition. |

It is unclear if dewatering is needed during the construction of the proposed project. It is unclear how stormwater runoff draining to the stormwater pond

| 6. | If construction does not occur during the winter, include silt fence on the south side of site to protect existing sediment ponds on the adjacent properties. |

7. Provide statement whether dewatering will be required for the construction of the proposed project. If yes, provide well-field location,
will be diverted to the east during
construction.

rates, discharge location, schedule
and quantities.

8. Provide information on how
stormwater runoff will be diverted to
the east during construction.

**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.

Lot line changes are proposed.

9. Provide an O&M Agreement that
meets District requirements.


**Wetlands:** Wetland credits are proposed
to be purchased to replace the wetland
impacts. The replacement plan is not approved.

11. Gain TEP concurrence that adequate
sequencing has been achieved.

12. Gain LGU approval of Replacement
Plan.

13. Provide proof of purchase for
wetland credits.

**RECOMMENDATION:** Table with 13 Stipulations

**Stipulations:**

1. Receipt of escrows.

2. Provide written permission from the property owner to the west (parking lot
impacts) and the City of Blaine to the east (HWL within ROW) for the increase in
high water level.

3. Provide drainage maps showing drainage areas that match HydroCAD model.

4. Update HydroCAD model or construction plans with the following:
   a. Invert of FES-2 on the utility plan, utility profile, and HydroCAD model is
      inconsistent. Update with correct invert elevation.
   b. Length, size and inlet invert elevation for device #3 of the proposed pond
does not match construction plans. Update HydroCAD model or
construction plans.
   c. Outlet device #4 was modeled as a 1.6” horizontal orifice/grate, this
      seems incorrect. Update model with correct size of orifice/grate. Device #
      4 should also be routed to Device #1.

5. Provide clarity on how Water Quality Volume treatment of 1-inch to the
Maximum Extent Practicable such as through filtration or green roofs is not
achievable.
6. If construction does not occur during the winter, include silt fence on the south side of site to protect existing sediment ponds on the adjacent properties.

7. Provide statement whether dewatering will be required for the construction of the proposed project. If yes, provide well-field location, rates, discharge location, schedule and quantities.

8. Provide information on how stormwater runoff will be diverted to the east during construction.

9. Provide an O&M Agreement that meets District requirements.


11. Gain TEP concurrence that adequate sequencing has been achieved.

12. Gain LGU approval of Replacement Plan.

13. Provide proof of purchase for wetland credits.