COON CREEK WATERSHED DISTRICT
PERMIT REVIEW

MEETING DATE: November 14, 2016
AGENDA NUMBER: 16
FILE NUMBER: 16-110
ITEM: Twin Cities Orthopedics Blaine (TCO Blaine)

RECOMMENDATION: Approve with 2 Stipulations

APPLICANT: Frauenshuh (Ross Hedlund)
7101 W. 78th Street
Bloomington, MN 55439

PURPOSE: Construction of a medical office building.

LOCATION: Ulysses St. NE, Blaine, Minnesota
APPLICABILITY:
1. Any work in or adjacent to wetlands, lakes or water courses
2. One or more cumulative acres of land disturbance
3. High infiltration soils
4. Highly erodible soils

EXHIBITS:
1) Permit Application signed and dated 10-11-16, received 10-12-16.
2) Plan Set from Loucks & Associates, dated 10-31-16, received 11-1-16.
3) Stormwater Management Report from Loucks & Associates, dated 10-31-16, received 11-1-16.
4) Soil Borings from Braun Intertec, dated 4-27-16, received 10-12-16.

PREVIOUS ACTION TAKEN: This application was initially taken to the October 24, 2016 board meeting. It was tabled with the following 9 stipulations:
1. Receipt of escrows.
2. The applicant must acknowledge that they will conduct a post construction test on the infiltration basin by filling the basin to a minimum depth of 6 inches with water and monitor the time necessary to drain. The Coon Creek Watershed District shall be notified prior to the test to witness the results.
3. The applicant must submit detail sheets for the underground stormwater facilities that match their HydroCAD.
4. Update construction plans to stabilize vegetation in 7 days of rough grading or inactivity.
5. Need to provide construction schedules detailing when sediment trapping measures will occur.
6. The applicant must submit detail sheets for the underground stormwater facilities with proper pretreatment; either sump manhole or a header row.
7. Provide an O&M Agreement that meets District requirements.
8. Wetland Replacement Plan must be approved by the TEP.
9. Proof of purchase of wetland credits must be provided to CCWD.

**FINDINGS:**

**Pre-application Meeting:** The project as submitted has received a general review during a pre-application meeting.

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

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

- Stabilizing vegetation is proposed for disturbed areas within seven (7) days of rough grading.
- 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 in areas. On the east side of the parcel, groundwater was found at 4.5 feet below grade. The west side of the parcel has wetlands
and no groundwater was found on the west side of the parcel where the building and parking will be located.

The project does not require dewatering.

**Floodplain:** There is no floodplain on the property according to the District model and FEMA.

**Groundwater:** Geotechnical information collected in April of 2016 indicates long term groundwater elevation is present at 4.5 feet below the surface (892) near/in the wetlands and is located greater than 6 ft below grade in other areas.

The site is within a Municipal Drinking Water Supply Area (DWSMA).

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).

**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 been notified and acknowledge the changes proposed.

**Maintenance:** The Owner of the Stormwater Management features and treatment practices is Twin Cities Orthopedics. The Stormwater Treatment Practices (STPs) consisting of the following:

<table>
<thead>
<tr>
<th>Stormwater Treatment Practices</th>
<th>Number</th>
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<tr>
<td>Underground stormwater basin</td>
<td>2</td>
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Inspection and maintenance of stormwater facilities will be the responsibility of Twin Cities Orthopedics. A maintenance agreement has not been executed. The applicant has not submitted a Maintenance Plan for each Stormwater Treatment Practice. It is unknown if the Maintenance Plan is consistent with District Maintenance standards for each STP.

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 not provided.

**Stormwater & Hydrology:** Infiltration is allowed within the project area. The 1-inch infiltration is achieved. The stormwater management system utilizes underground infiltration systems. Stormwater leaving the site is discharged into a well-defined receiving channel or pipe and routed to a public drainage system.
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 for the 10-year and 100-year storm events to the Wetland.

**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 are pretreated by a sediment basin/water quality pond, and are designed correctly, however with details of the underground stormwater systems. 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 not within one (1) mile and drains to an Impaired Water.

There are new impervious surfaces proposed as part of this project.

**Wetlands:** Wetland do exist on-site according to the 1987 Federal manual, NWI, PWI and Soil Survey. Wetlands have been delineated. The most recent delineation was completed on 5/6/16. The wetland boundary has been checked.

The wetland is not a DNR protected water.

The total proposed wetland impact is 21,344.40 square feet (0.49 acres). The impact is through fill in 2 locations as shown below:
The de minimis is 5,000 sf. The proposed project results in wetland greater than 10,000 sf over the de minimis. 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 need to contact the Corps of Engineers.

Two or more alternatives, plus the proposed project, have been submitted. On-site sequencing does apply. The avoidance alternatives are considered good faith efforts.

1. The applicant suggests that avoidance is not reasonable because there is no alternative. No alternative exists because:
   1) The basic purpose of the project cannot reasonably be accomplished at an alternative site, alternative sites are not available, alternative sites are not practical/prudent;
   2) The basic purpose of the project can be accomplished by further design modification which would avoid wetland impacts; and
   3) The applicant has made a good faith attempt in pursuing alternatives;
   4) The applicant has demonstrated that the activity will minimize wetland impacts through:
      a. modifying the size, scope, configuration, and density of the project,
      b. attempted to remove or accommodate site constraints including zoning, infrastructure, access, or natural features, and c) otherwise minimize wetland impacts.

2. The applicant suggests that avoidance is not reasonable because sequencing flexibility applies citing that:

   1) The site where the wetland to be impacted has been degraded to the point where replacement of it would result in a certain gain in function and public value.

   2) The site of the impacted wetland, should it be preserved, would result in an inability to function or provide values because of surrounding land uses and could not be reasonably maintained through other land use controls or mechanisms.

   3) Alternatives are demonstrably cost prohibitive such that the only available alternatives would make the projected cost substantially greater than the costs normally associated with similar projects.

**Wetland Replacement Plan:**
A wetland replacement plan has been submitted.
A replacement plan application has been submitted.
The wetland replacement plan has been sent to TEP members for comment. Replacement is proposed to be through purchasing wetland credits through the City of Blaine Lateral Ditch 3 wetland bank at a ratio of 2:1 (0.99 ac).

The TEP has approved the wetland mitigation plan.

**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.

**Performance Escrow:** $4,150.00
**Wetland Escrow:** N/A
There are not ditch liens on the property.

**ISSUES/CONCERNS:**

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**Stipulations:**
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2. Proof of purchase of wetland credits must be provided to CCWD.