COON CREEK WATERSHED DISTRICT
PERMIT REVIEW

MEETING DATE: October 12, 2018
AGENDA NUMBER: 16
FILE NUMBER: 18-124
ITEM: Fannie Pen Pond

RECOMMENDATION: Approve with 3 Stipulations

APPLICANT: Fannie Penn
479 Mary St
Maplewood, MN 55119

PURPOSE: Construct a pond

LOCATION: 6502 W. Broadway Ave, Columbus, 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.
3. Endangered, Threatened or Special concern species, elements or communities
EXHIBITS:
2. Survey; by Widseth Smith Nolting, dated 10/25/18, received 10/26/18.
3. Request for Permit to Only Include Pond Excavation, by Fannie Pen, dated 11/7/2018, received 11/7/2018

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 a ditch is not proposed.

Erosion and Sediment Control: Soil affected by the proposal is Isanti.
- 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 not been provided.
• 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 may exist on site.

Floodplain: There is a floodplain on the property according to the District model and FEMA. The District’s floodplain elevation is at 902.5 feet. The project does not propose to place fill within the floodplain.

High Water Flooding: Information has not been provided and is not needed, no structures proposed.

Groundwater: Geotechnical information has not been provided and is needed. Dewatering is not anticipated.

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 must be notified.

Maintenance: There are no stormwater management features or treatment practices proposed as part of this project.
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:** Stormwater requirements are not applicable. Project disturbs less than 1 acre. No changes to stormwater runoff are expected for this project.

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. No increases in volume, velocity, or peak water flow rates of stormwater runoff are expected. No concentrated stormwater is expected for this project.

**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 via overland flow. 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 of an Impaired Water.

There are no 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 not been delineated. The wetland boundary has not been checked.

The wetland is not a DNR protected water. The total proposed wetland impact is 1,500 square feet. The project proposes excavation to 10 feet in an area that is either non-wetland or type 2 wetland. Excavation in a Type 2 wetland is not regulated under the Wetland Conservation Act unless it results in conversion to non-wetland. Following excavation water depth in low water conditions may not be deeper than 6.6 feet unless used for aquaculture.

TEP members have not been notified with a complete plan and have not been requested to submit comments. The project is wetland dependent. The project is not exempt. The applicant does not need to contact the DNR area hydrologist and the Corps of Engineers.

**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. The applicant has indicated that contact was made after 10/26/18 via an NHIS submittal. MDNR has not responded to the applicant.

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:** $2,035  
**Wetland Escrow:** $ N/A  
There are not ditch liens on the property.

**ISSUES/CONCERNS:**

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<thead>
<tr>
<th>ISSUE</th>
<th>NEED</th>
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<tr>
<td>Escrows: $2,000 + (0.07 ac * $500/ac) = $2,035.00</td>
<td>1. Receipt of escrows.</td>
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<tr>
<td>Wetlands: Project proposes to dig pond 10 feet deep. Pond may not be deeper than 6.6 feet at low water unless used for aquaculture.</td>
<td>2. Update plans to show pond excavation depth as 8 feet or less or provide an aquaculture plan.</td>
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<td>Wildlife: The proposed project may include endangered or threatened species, rare natural communities, colonial waterbird nesting sites, migratory waterfowl concentration areas, deer wintering areas or wildlife travel corridors.</td>
<td>3. Provide documentation from the DNR if the proposed project includes endangered or threatened species, rare natural communities, colonial waterbird nesting sites, migratory waterfowl concentration areas, deer wintering areas or wildlife travel corridors.</td>
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**RECOMMENDATION:** Approve with 3 Stipulations  
**Stipulations:**

1. Receipt of escrows.  
2. Update plans to show pond excavation depth as 8 feet or less or provide an aquaculture plan.  
3. Provide documentation from the DNR if the proposed project includes endangered or threatened species, rare natural communities, colonial waterbird nesting sites, migratory waterfowl concentration areas, deer wintering areas or wildlife travel corridors.