COON CREEK WATERSHED DISTRICT
PERMIT REVIEW

MEETING DATE: December 11, 2017
AGENDA NUMBER: 17
FILE NUMBER: 17-189
ITEM: Cottagewood Cove

RECOMMENDATION: Table with 5 Stipulations

APPLICANT: Shad Walsh
2641 225th Lane NE
East Bethel, MN 55011

PURPOSE: 16 SF Lots on 8.0+ Acres

LOCATION: NW intersection of 129th Ave NE and Legacy Parkway NE, Blaine, MN

APPLICABILITY:
1. Within 1 mile of an impaired waters.
2. Any work within or adjacent to a Public ditch within the Watershed District.
3. Any work in or adjacent to wetlands, lakes or water courses
4. One or more cumulative acres of land disturbance
5. High water table, outwash and organic soils

EXHIBITS:
1. Construction Plan set (7 sheets); by Carlson McCain, dated 11/28/17, received 11/29/17.
3. Geotechnical Report; by Haugo GeoTechnical Services, dated 9/21/17, received 10/30/17.

PREVIOUS ACTION TAKEN: This is a new application.

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.

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

Erosion and Sediment Control: Soils affected by the proposal are Lino, Isanti, Markey and Zimmerman.
• Stabilizing vegetation is not proposed for disturbed areas within seven (7) days of rough grading.
• Soil stockpiles have not 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.
• 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.
• Provisions have not been made to minimize transport of sediment (mud) by runoff or vehicle racking onto the paved surface.
• Provisions have not 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 not 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 may require dewatering.

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

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 September 2017 indicates long term groundwater elevation is present at 7 feet below the surface. Additional wetland information provided indicates that groundwater is present 2 feet below the surface in some areas.

The site is not 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).

**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 should be notified and acknowledge the changes proposed.

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

<table>
<thead>
<tr>
<th>Stormwater Treatment Practices</th>
<th>Number</th>
<th>Maintenance Responsibility</th>
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<tbody>
<tr>
<td>Wet Basin</td>
<td>1</td>
<td>City of Blaine</td>
</tr>
<tr>
<td>Infiltration Basin</td>
<td>1</td>
<td>City of Blaine</td>
</tr>
<tr>
<td>RainGuardians</td>
<td>1</td>
<td>City of Blaine</td>
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</tbody>
</table>

As a requirement of the City’s MS4 program, the city will inspect and maintain the stormwater facilities.

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 achieved. The stormwater management system utilizes filtration and wet ponds.

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 not 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 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 not within one (1) mile of an Impaired 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 completed on September 1, 2017. The wetland boundary has been checked and approved. The wetland is not a DNR protected water.

The total proposed wetland impact is 16,237 square feet. The impact is through fill and excavation in 3 locations as shown below:

TEP members have been notified with a complete plan and have been requested to submit comments. Portion of the project may be exempt. The applicant has asked for a “no loss” exemption on one of the wetland impacts.

The applicant has contacted the DNR area hydrologist and the Corps of Engineers.
Two alternatives, plus the proposed project, have been submitted. On-site sequencing does apply. The avoidance alternatives are considered good faith efforts. None of the avoidance alternatives are considered feasible and prudent by the applicant.

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

1) The applicant suggests that avoidance is not reasonable because there is a compelling public need for single family housing consistent with local planning and zoning.
2) The applicant suggests that complete direct avoidance is not reasonable because utilizing a different access road would require the road be upgraded from a dirt road to a paved road with curb and gutter. This would also impact the size and location of the stormwater pond.

**Wetland Replacement Plan:** A wetland replacement plan has been submitted and will be reviewed by the TEP. The TEP has not currently approved the wetland mitigation plan.

Replacement is proposed to be through purchasing wetland credits at a ratio of 2:1. The credits are proposed to be purchased through two wetland banks (one USACE certified) #1618 and #1537.

**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:** $6000.00

**Wetland Escrow:** $ N/A

There are not ditch liens on the property.

**ISSUES/CONCERNS:**

<table>
<thead>
<tr>
<th>ISSUE</th>
<th>NEED</th>
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<tbody>
<tr>
<td>Escrows: $2,000 + (8 ac * $500/ac) = $6000.00</td>
<td>1. Receipt of escrows.</td>
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<tr>
<td><strong>Stormwater &amp; Hydraulics:</strong> Outlet structure for P100 has a minimal separation between the filter bench (894.0) and outlet (894.2) to provide volume management requirements.</td>
<td>2. Provide as-built of P100’s outlet structure to ensure required volume management requirements are met. 3. Provide additional information on the potential impacts to the adjacent wetlands (W11) if P12 has a proposed NWL of 1.0 foot below the noted groundwater in the wetland.</td>
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<tr>
<td>Wetland W11 was noted as having groundwater 22 inches below the surface in the wetland delineation report which correlates to approx. 895.5. The adjacent</td>
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wet basin (P12) has a NWL of 894.5 based on the Geotechnical Report. It is unclear the potential impacts to the adjacent wetlands if the groundwater table was to be drawn down due to P12.

| Soils & Erosion Control: Erosion control plan does not meet District requirements. | 4. Provide Erosion Control Plan that meets District requirements listed above in the Erosion Control section. |
| Wetlands: Wetland impacts are proposed onsite. | 5. Provide approved wetland replacement plan. |

**RECOMMENDATION:** Table with 5 Stipulations

**Stipulations:**
1. Receipt of escrows.
2. Provide as-built of P100’s outlet structure to ensure required volume management requirements are met.
3. Provide additional information on the potential impacts to the adjacent wetlands (W11) if P12 has a proposed NWL of 1.0 foot below the noted groundwater in the wetland.
4. Provide Erosion Control Plan that meets District requirements listed above in the Erosion Control section.
5. Provide approved wetland replacement plan.