COON CREEK WATERSHED DISTRICT
PERMIT REVIEW

MEETING DATE: August 13, 2018
AGENDA NUMBER: 20
FILE NUMBER: 17-207
ITEM: Hy-Vee

RECOMMENDATION: Table with 10 Stipulations

APPLICANT: Walker Methodist
Attn: Scott Riddle
3737 Bryant Ave S
Minneapolis MN 55409

PURPOSE: Multi-purpose land use with residential, gas station, grocery store on 60+ acres.

LOCATION: Southeast of Main St and Jefferson 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. The lands and waters that have been, or may be covered by the regional flood.
6. High water table, outwash and organic soils
7. High infiltration soils
8. Highly erodible soils
9. Excavation or filling or a combination of excavation and filling of sand or other
evacuation 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.

EXHIBITS:
1. Construction Plan set (16 sheets); by Alliant Engineering, dated 7/27/2018, received
2. Stormwater Management Report; by Alliant Engineering, dated 7/27/2018, received
3. Revised XP-SWMM Modeling Memorandum; by Alliant Engineering, dated
   7/27/2018, received 7/27/2018
4. XP-SWMM Modeling; by Alliant Engineering, received 7/27/2018
5. Geotechnical Report; by Braun Intertec, dated 6/12/17, received 6/18/18.
6. Phase I ESA; by Braun Intertec, dated 3/12/18, received 6/18/18.
7. Wetland Delineation & Determination Report: by Kjolhaug Environmental Services,
dated January 2, 2018, received January 9, 2018.
8. Wetland Permit Application: by Kjolhaug Environmental Services, dated June 18,
   2018, received June 21, 2018.
9. Addendum to Wetland Delineation: by Kjolhaug Environmental Services, dated July
   27, 2018, received July 30, 2018.
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 a public ditch on the property. The public ditch is County Ditch 60 and 60-2 according to the public drainage map. The approved elevations through this property for Ditch 60 are 882.1 ft MSL at the downstream end and 883.9 ft MSL at the upstream end and for Ditch 60-2 are 883.3 MSL at the downstream end and 882.9 ft MSL at the upstream end.

The approved grades through this property are 0.0008% slope. Existing elevations, of Ditch 60 are 880.2 at the downstream end and 883.9 ft MSL at the upstream end and represent a 0-1.9 foot variance from the approved elevations. Existing elevations, of Ditch 60-2 are 881.9 at the downstream end and 883.6 ft MSL at the upstream end and represent a 0.7-1.4 foot variance from the approved elevations. Alternatives to repair and additional drainage have been considered and reviewed.
Ditch 60 is a 2nd order stream. The ditch serves the primary role of storm water conveyance. Ditch 60-2 is a 1st order stream. The ditch serves the primary role of storm water conveyance.

The ditch serves approximately 55 acres of agricultural land. Primary land use in the area is residential and public schools. There are flooding concerns upstream.

The ditch has been inspected. Existing elevations, slopes and condition of ditch are good. Alternatives to repair and additional drainage have been considered and reviewed. The ditch is not in need of repair.

**Ditch Hydraulics:** A crossing of the ditch is proposed along with rerouting 1,220 feet of CD 60. The proposed culvert and rerouting does not have adverse impacts on upstream or downstream areas.

**Erosion and Sediment Control:** Soils affected by the proposal are Markey, Isanti, Rifle 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.
- 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 is proposed to 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 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 may require dewatering.

Floodplain: There is floodplain on the property according to the District model and FEMA. The District’s floodplain elevation ranges from 888.6 feet on the north to 886.9 feet on the south. The project does propose to place fill within the floodplain. The proposed impact is within the floodway. Compensatory storage is provided. There are flooding concerns upstream.

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 May 2017 indicates long term groundwater elevation is present at 8-15 feet below the surface.

The project site is within the Drinking Water Supply Management Area.

The proposal does contain a land use discouraged or prohibited by the Safe Drinking Water Supply Act (SDSA). Those uses include:
- Storage, production, disposal or treatment of hazardous materials
- Vehicle or equipment maintenance/fueling area
- Underground storage tanks
- Storage and use of petroleum products
- Storage and use of petroleum products exceeding fifty-five (55) gallons

It is unknown if a containment system or contingency plan is proposed for the gas station.

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 and should acknowledge the changes proposed.

Maintenance: The owner of the Stormwater Management features and treatment practices is City of Blaine. 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>
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<tbody>
<tr>
<td>Basins</td>
<td>2</td>
<td>Unknown</td>
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</table>
As a requirement of the City’s MS4 program, the city will inspect and maintain the stormwater facilities.

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

**Stormwater & Hydrology:** Infiltration is not allowed within the project area due to the location within a DWSMA and site activities (gas station). The stormwater management system uses 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 the 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 are pretreated. 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 CD 41 (Sand Creek). Sand 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 completed in June 2018. The wetland boundary has been checked. The wetland is not a DNR protected water.

The total proposed wetland impact is 9,736 square feet. The impact is through fill in 2 locations as shown below:
The de minimis is 400 sf (type 3). TEP members have been notified with a complete plan and have 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.

Two or more 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.

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 applicant has made a good faith attempt in pursuing alternatives.
**Wetland Replacement Plan:** A wetland replacement plan has been submitted and is required. A replacement plan application has been submitted. The wetland replacement plan has been sent to TEP members for comment. Declaration of Restrictions, Affidavit of Landowner, Consent to Replacement, and Proof of Property Ownership have not been completed for replacement wetland.

Replacement is proposed to be through purchasing wetland credits at a ratio of 2:1. According to Melissa Barrett of Kjolhaug Environmental, the credits will be purchased through wetland bank #1409.

The TEP has not 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:** $20,250.00  
**Wetland Escrow:** $N/A  
There are not ditch liens on the property.

### ISSUES/CONCERNS:

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<th>ISSUE</th>
<th>NEED</th>
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<tr>
<td>Escrows: $2,000 + (36.5 ac * $500/ac = $20,250.00</td>
<td>1. Receipt of escrows.</td>
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<td>Ditch: There is a public ditch on the property. There is a change to the ditch, it is unclear if it is an improvement under 103E.</td>
<td>2. Contact Coon Creek Watershed District to determine if the change is an improvement and if a 16.5 foot buffer is required from top of bank.</td>
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<td>Groundwater: A containment system and/or contingency plan is not proposed for the gas station.</td>
<td>3. Provide containment system details and contingency plan for gas station.</td>
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| Stormwater & Hydraulics: Potential head cutting at outlet of site into CD 60. Project location is within DWSMA and site activities include fueling station. | 4. Provide Class II riprap at on-site ditch outlet.  
5. Line Pond 1 with impermeable layer to prevent infiltration. |
| Soils & Erosion Control: It is unclear if dewatering is needed during the construction of the proposed project. | 6. 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. |
| Maintenance: Maintenance access not provided on north portion of on-line basin. | 7. Identify maintenance access to all stormwater facilities and conveyance systems. |
**Maintenance access for piped portion of Ditch 60 is unclear.**

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.

**Wetlands:** Wetland credits are proposed to be purchased to replace the wetland impacts.

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<td>Provide clarity regarding maintenance responsibilities for piped portion of Ditch 60.</td>
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<td>9.</td>
<td>Provide an O&amp;M Agreement that meets District requirements.</td>
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**RECOMMENDATION:** Table with 10 Stipulations

**Stipulations:**

1. Receipt of escrows.
2. Provide containment system details and contingency plan for gas station.
3. Provide Class II riprap at on-site ditch outlet.
4. Line Pond 1 with impermeable layer to prevent infiltration.
5. 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.
6. Maintenance access needs to be provided on north portion of on-line basin.
7. Provide clarity regarding maintenance responsibilities for piped portion of Ditch 60.
8. Provide an O&M Agreement that meets District requirements.
9. Provide proof of purchase for wetland credits.