COON CREEK WATERSHED DISTRICT
PERMIT REVIEW

MEETING DATE: May 13, 2019
AGENDA NUMBER: 26
FILE NUMBER: 18-031
ITEM: Menards Warehouse Expansion

RECOMMENDATION: Approve with 4 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:
2. SHSAM Results; undated, received 4/26/2019.
7. Photo of outer wall and riprap; by Menard, Inc., undated, received 3/21/2019.

PREVIOUS ACTION TAKEN: The application was tabled at the April 8, 2019 meeting with 8 stipulations:

1. Receipt of additional escrows.
2. Submit final plans after city comments are resolved.
3. For A-6 Storm Sewer, provide a minimum of 1-foot separation between normal water level and top of pipe.
4. Stormwater Management Report states that Menards will purchase adjacent property to the south in order to expand the stormwater pond. Provide purchase agreement between Menards and landowner prior to work occurring on the adjacent property.
5. Contractor must obtain DNR permit. Provide well-field location, rates, discharge location, schedule and quantities.
6. Provide SHSAM inputs and results that indicate sump is appropriately sized to meet District removal rates of 80% TSS.
7. Provide an O&M Agreement that meets District requirements.
8. Provide proof of purchase for wetland credits.

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 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 tracking 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, or 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 include sites of historic or archeological significance.

Local Planning & Zoning: The proposed project may not be consistent with local planning and zoning. The application status with the city is unknown due to a potential redesign needed for fire access. There is an approved local water plan.

Maintenance: The owner of the Stormwater Management features and treatment practices is Menards. 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>
</tr>
</thead>
<tbody>
<tr>
<td>Basins</td>
<td>1</td>
<td>Menards</td>
</tr>
<tr>
<td>SAFL Baffle w/ Sump</td>
<td>1</td>
<td>Menards</td>
</tr>
</tbody>
</table>

A maintenance agreement has not been executed. The applicant has not submitted a 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 pretreated by a SAFL baffle and sump.

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 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 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) and Aquatic Recreation (E. coli). The major stressors are Total Suspended Solids (TSS), Total Phosphorus (TP), and 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 wetland is not a DNR protected water.

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 concurred with the wetland mitigation plan.
The wetland replacement plan has been sent to TEP members for comment. The comment period is closed, and comments have been received. 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 #1537 in Anoka County, BSA 7, Major Watershed 20.

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.

The LGU has approved the replacement plan and issued the Notice of Decision.

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: $4,300 Total; $3,920 [$2,000 + (3.8 ac * $500/ac) = $3,920] received 2/4/19.

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

ISSUES/CONCERNS:

<table>
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<tr>
<th>ISSUE</th>
<th>NEED</th>
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<tbody>
<tr>
<td>Escrows: Increase in graded area. $2,000 + (4.6 ac * $500/ac) = $4,300 - $3,920 = $380</td>
<td>1. Receipt of additional escrows.</td>
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### Local Planning & Zoning:
The plans may not be conforming to City standards due to fire access.

2. Provide confirmation that City comments related to fire access are resolved.

### Soils & Erosion Control:
It is anticipated that dewatering will be required.

3. Contractor must obtain DNR permit. Provide well-field location, rates, discharge location, schedule and quantities.

### Maintenance:
A maintenance agreement has not been executed. The applicant has not submitted a Maintenance Plan for each Stormwater Treatment Practice.

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

**RECOMMENDATION:** Approve with 4 Stipulations

**Stipulations:**
1. Receipt of additional escrows ($380).
2. Provide confirmation that City comments related to fire access are resolved.
3. Contractor must obtain DNR permit. Provide well-field location, rates, discharge location, schedule and quantities.
4. Provide an O&M Agreement that meets District requirements.