COON CREEK WATERSHED DISTRICT
PERMIT REVIEW

MEETING DATE: July 13, 2015
AGENDA NUMBER: 8
FILE NUMBER: 15 - 030
ITEM: Catchers Creek 2nd Addition

RECOMMENDATION: Approve with 4 Stipulations

APPLICANT: Mark Smith
2120 Otter Lake Drive
St. Paul, MN 55110

PURPOSE: Development of 27 single family homes on a 16.7 acre site

LOCATION: South East of the intersection of Prairie Road and 145th Ave. NE
North of the main branch of Coon Creek (CD-57)
APPLICABILITY:
1. Any work within or adjacent to a Public Ditch within the Watershed District.
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 water that have been, or may be covered by the regional flood.
5. Activities upstream from land that is dependent upon removal of water from the soil profile for their continued use (Drainage Sensitive Uses)
6. High water table, outwash and organic soils.
7. Highly erodible soils
8. Endangered, Threatened or Special concern species, elements of communities.

EXHIBITS:
1. Plan set by Randy Hedlund; dated 02/16/15; received 2/25/15
2. Stormwater Management Report by Randy Hedlund; dated 2/2015; received 2/25/2015
3. Wetland Delineation by Kjolhaug Environmental Services; dated 10/15/2014; received 10/16/2014
4. Wetland permit application by Kjolhaug Environmental Services; dated 2/25/2015; received 3/3/2015
5. Stormwater Report by Landform; dated 6/24/2015; received 6/24/2015

HISTORY & CONSIDERATIONS:
Mark Smith owns several developments in the vicinity of this project. Catchers Creek 1st and Hickory Meadows 2nd Addition are in the general vicinity.

Portions of the site to the north drain north into Catchers Creek 1st Addition. These areas were taken into account in the Catchers Creek 1st Addition stormwater modeling.

This item went to the CCWD Board on March 9, 2015 but was tabled with the following stipulations:
1. Receipt of escrows.
2. Remove all grading activities within the floodway or provide a no-rise analysis showing that the grading will not affect the flood elevation upstream or downstream.
3. Project the floodway line work along the creek for the entirety of the project and make sure the line is legible on all plan drawings.
4. Add a comment referencing the District Atlas 14 model elevation on Coon Creek of 880.1
5. Include a downstream boundary condition to the HydroCAD model for Node 3P to represent the flood elevations of the Creek.
6. Add a statement on the grading and erosion control plan that stabilizing vegetation is to be provided within 14 days of rough grading.
7. Provide a maintenance easement and access road for the stormwater features
8. Provide a written operations and maintenance agreement to the District in cooperation with District rules.
9. Emergency overflows need to be added to ponds 1 and 3.
10. Approval of wetland permit application and replacement plan.

FINDINGS:

**Ditches and Drainage:** There is a public ditch on the property. The ditch is County Ditch 57. The ditch has been inspected in 2014. There are approximately 0 acres of existing agricultural land affected by this ditch. The project site is adjacent to County Ditch 57. The trend in land use for this drainage area is toward residential. There are flooding concerns downstream. Alternatives to additional drainage considered and reviewed include storage and infiltration. The ditch was last repaired in 2001. The ditch is not in need of repair.

**Floodplain:** There is floodplain on the property according to FEMA. The District Atlas 14 model predicts the 100-year elevation for the subwatershed at 880.1 feet. The total floodplain impact is 5,963 cubic feet, within the floodplain. Compensatory storage is provided.

**Groundwater:** Ground water is present at 867.7 to 873.4 feet. The site does not include groundwater sensitive areas. Information has been provided to substantiate low floor elevations. Low floor elevations do meet the criteria for the City of Andover (3 ft above mottled soil elevation, 2 ft above 100-year).

**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.

**Maintenance:** The proposed project does include a ditch maintenance easement or utility line crossings. A drainage and utility easement is provided for the storm water/infiltration ponds shown on the drainage plan. Property owners affected by changes in drainage have been notified and have acknowledged the changes proposed.

**Soils & Erosion Control:** Soils affected by the proposal are Rifle, Markey, and Zimmerman. Stabilizing vegetation is proposed for disturbed areas within two weeks of rough grading. Adjacent properties are protected from sediment deposition. All wetlands, waterbodies, ponds, infiltration basins and water conveyance systems are protected from erosion and sedimentation. Project site is greater than 1 acre; an NPDES permit is required.

**Stormwater & Hydraulics:** The applicant is meeting the volume management requirement equivalent to infiltrating runoff from the first inch of precipitation. Stormwater leaving the site is discharged into a well-defined receiving channel or pipe
and routed to a public drainage system. Drainage sensitive uses 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.

**Water Quality:** Project does include new impervious drainage areas greater than 1 acre. All discharges into wetlands are pretreated by a sediment basin/water quality pond and are designed correctly. 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.

**Wetlands:** Wetlands exist on-site according to the 1987 Federal Manual and its associated supplement(s), NWI, and Soils Survey. Wetlands have been delineated. The wetland boundary has been approved.

The Wetland Permit Application states that 757 S.F. of wetland is proposed to be impacted in 1 location. The grading plan identifies the proposed impact. Impacts are proposed to be replaced by purchasing 1,514 sq. ft. of wetland credit. The TEP reviewed and approved the application for the impact. However, proof of purchase of the wetland credits has not been submitted.

**Wildlife:** The proposed project does include the threatened species Loggerhead Shrike. The site does not include rare natural communities. The applicant is proposing to provide landscaping conducive to supplying habitat for the Loggerhead Shrike on the lots within the flyway area.

**Performance Escrow:** $10,350.00

**ISSUES/CONCERNS:**

| Maintenance: There is no maintenance easement or access for the stormwater features that are being proposed. With no maintenance access or easement, there is no guarantee that the features will remain permanent and in working order. A maintenance easement and access road needs to be provided in addition to an operations and maintenance agreement with the District. | 1. Provide a maintenance easement and access road for the stormwater features
2. Provide a written operations and maintenance agreement to the District in coordination with District rules. |
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<td>Wetlands: Wetland impacts are proposed to be replaced by purchasing 1,514 sq. ft. of wetland credit.</td>
<td>3. Provide proof of purchase of the wetland credits.</td>
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<td>Escrows: $2,000 + (16.7 ac * $500/ac) = $10,350.00</td>
<td>4. Receipt of Escrows</td>
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RECOMMENDATION: Approve with 4 Stipulations

Stipulations:
1. Receipt of escrows.
2. Provide a maintenance easement for the stormwater features.
3. Provide a written operations and maintenance agreement to the District in coordination with District rules.
4. Provide proof of purchase of the wetland credits.