COON CREEK WATERSHED DISTRICT
PERMIT REVIEW

MEETING DATE:       June 24, 2019
AGENDA NUMBER:      9
FILE NUMBER:        19-033
ITEM:               Catchers Creek West

RECOMMENDATION:     Approve with 0 Stipulations

APPLICANT:          Mike Smith
                    4728 Greenhaven Drive
                    St. Paul, MN 55127

PURPOSE:            Single Family Home Development
                    9 Lots on 5 Acres

LOCATION:           1049 Andover Blvd, Andover, MN
APPLICABILITY:
1. Within 1 mile of an impaired waters.
2. One or more cumulative acres of land disturbance.
3. Any work in or adjacent to wetlands, lakes, or water courses.
4. The lands and waters 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 Land Uses)

EXHIBITS:
5. Geotechnical Report; by Haugo Geotechnical Services, dated 1/10/2019, received 3/13/2019.
6. Rare plant survey by MNR, 6/10/19, received 6/12/19.

PREVIOUS ACTION TAKEN: This application remained tabled at the May 13, 2019 meeting with 4 stipulations:
1. Receipt of escrows.
2. Provide additional information from a qualified surveyor following DNR recommendation for a botanical survey.
3. Provide note on plans that contractors must receive the DNR flyers/Fact Sheets regarding Blanding’s Turtles.
4. Provide acknowledgement and notes to plans to follow DNR recommendations regarding loggerhead shrike species documentation in order to minimize impacts or provide documentation from a qualified wildlife professional that suitable habitat does not exist.

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 the ditch is not proposed.

Erosion and Sediment Control: Soils affected by the proposal are Lino, Rifle and Sartell.

- 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 groundwater does exist on site. The project will likely require dewatering.

**Floodplain:** There is floodplain on the property according to the District model. The District’s floodplain elevation is at 880.7 feet. The project does not propose to place fill within the floodplain.

High Water Flooding: 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 soils/groundwater, 2 ft over 100 yr.

**Groundwater:** Geotechnical information collected in December 2018 indicates long term groundwater elevation is present at 6-13 feet below the surface.

The project site is 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 include sites of historic or archeological significance. SHPO has indicated the site is not a registered site.

**Local Planning & Zoning:** The proposed project is not consistent with local planning and zoning. The application has been submitted to the city. There is an approved local water plan.

Property owners affected by changes in drainage have not been notified of the proposed changes.

**Maintenance:** The owner of the Stormwater Management features and treatment practices is the City of Andover. The Stormwater Treatment Practices (STPs) consist 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>Filtration Basins</td>
<td>2</td>
<td>City of Andover</td>
</tr>
<tr>
<td>Sumps</td>
<td>1</td>
<td>City of Andover</td>
</tr>
<tr>
<td>Swale</td>
<td>1</td>
<td>City of Andover</td>
</tr>
</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 include ditch maintenance easement. A ditch maintenance easement is required. A maintenance access to all storm water management features is provided.
Stormwater & Hydrology: Infiltration is not allowed within the project area due to it being within a DWSMA/WPA/ERA. The 1-inch filtration is achieved. The stormwater management system utilizes filtration. Calculations have been provided that illustrate the 1-inch filtration volume is achieved below outlet.

Drainage sensitive uses do exist downstream from the proposed site. The rate of post-development runoff from the site does exceed predevelopment rates by 0.15 cfs for the 2-year event and 0.09 cfs for the 10-year event; however, no adverse impacts are anticipated downstream. The project is meeting the drainage sensitive rate requirement for the areas draining to the basins. 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/stormwater basins are pretreated by a water quality pond/overland flow 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 Coon Creek. Coon Creek 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 most recent delineation was approved on 11/16/18. The wetland boundary has been checked. The wetland is not a DNR protected water.

The total proposed wetland impact is 0 square feet. The proposed excavation is not regulated under the WCA. No wetland buffers are provided.
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 may 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.

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:** $4,040 [$2,000 + (4.08 ac * $500/ac) = $4,040] Provided 6/5

**Wetland Escrow:** $N/A

There are not ditch liens on the property.
ISSUES/CONCERNS:

<table>
<thead>
<tr>
<th>ISSUE</th>
<th>NEED</th>
</tr>
</thead>
</table>

RECOMMENDATION: Approve with 0 Stipulations

Stipulations:
1. Receipt of escrows.