



MEMORANDUM

TO: Pioneer-Sarah Creek Watershed Management Commission
FROM: James Kujawa and Kirsten Barta, Hennepin County Dept. of Environment and Energy
DATE: November 8, 2018
SUBJECT: Staff Report

- 1. 2016-05 Proto Labs Parking Lot Expansion, Maple Plain.** The Commission approved this project contingent upon three conditions. One condition remains open - receipt of an Operation and Maintenance agreement on the biofiltration basin per Staff findings dated September 6, 2016. The agreement has been signed but remains to be recorded on the property title.
- 2. 2017-03 Equestrian Facility (Bel Farms) Independence.** This is a 16.5 acre rural residential parcel located approximately 500 feet north of the intersection of CR6 and Nelson Road. The owner is proposing to construct a new garage/apartment, horse stall barn, indoor arena, outdoor arena, six grass and four sand paddocks for horses. Because this project disturbs greater than 1.0 acre and creates 3.1 acres of additional impervious area, it triggers the Commission's review for Rules D and E. Staff provided grading and erosion control approval contingent upon (1) The applicant assuming the risk and responsibility for any changes to the site plans necessary for final Commission approval and (2) The City of Independence approving a grading permit. In September 2017 the Commission approved the Stormwater Management Plan contingent upon receipt of an approved long-term pond/basin operation and maintenance plan between the landowner and City, to be recorded on the land title. No new information has been received since that time.
- 3. 2017-05 Ostberg Equestrian Facility, Independence.** This is a 40-acre agriculture parcel located just southwest of the intersections of CSAH 6 and Game Farm Road. The owner is proposing to construct a new home, two garages, a horse stall barn, indoor arena, outdoor ring, eight horse paddocks and an access drive off of CSAH 6. The project will disturb 7 acres during construction and create 1.69 acres of new impervious areas. Because this project disturbs more than 1.0 acre and creates 1.7 acres of additional impervious area, this triggers the Commission's review for Rules D and E. There are also two wetlands that have been delineated on this site, so the Commission wetland buffer requirements (Rule I) are triggered. The project received grading and erosion control approval by Staff in October 2017 pending final Commission approvals. The project was approved by the Commission at their November 2017 meeting contingent upon receipt of an approved long-term pond/basin operation and maintenance plan between the landowner and the City, said plan to be recorded on the land title. This information has not been received as of this report.
- 4. 2018-01 Salem Lane Reconstruction Project, Greenfield.** Salem Lane work must be reviewed for compliance with Rules E and F. A stormwater quality review is not necessary because the site disturbance is <1.0 acre and < 0.5 acres of new impervious area. At the January 2018 meeting, this item was approved per Staff's recommendations. The only remaining item is Staff approval of the erosion and sediment control plans, which have not been submitted as of this report.
- 5. 2018-02W Warren DaLuge Wetland Violation, Greenfield.** Staff met with DaLuge and came to an agreement for him to voluntarily remove any fill placed in the wetland on his farmstead by December 1, 2017. As of February 8 the work had not started. Staff requested a restoration order be issued for compliance by June 15. The order was sent by certified mail. Staff has stopped in on the site four or five times since the June 15th deadline. They have been actively moving dirt out of the wetland, but are only about 3/4 of the way done to date. As long as they continue to work on it, Staff will continue to monitor their progress and update the Commission.
- 6. 2018-010 Chippewa Estates, Loretto.** This is a 1.54-acre parcel located in the far northeast corner of Loretto on Chippewa Road. The project is proposing to subdivide the lot into four single family residential lots and triggers the Commission's review for Rules D and E. The applicant has requested administrative approval from Staff to begin grading the site. Staff provided this approval contingent upon the City of Loretto issuing a grading permit and that the applicant understands they assume all risks associated with changes that may be necessary for final Commission approvals. At

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their August 16, 2018 meeting, the Commission approved Staff findings with three conditions regarding the operations and maintenance plan, sequencing, and retrofitting of the pond.

It is Staff's understanding that the City chose not to expand their existing regional pond to accommodate this site's stormwater, so the back and side yard filter system will be installed per the site plans. With this being the case, the only remaining item necessary for final approval is the Operation and Maintenance agreement on the stormwater system. If the City chooses not to maintain the filter system, the applicant must provide an operation and maintenance plan that is acceptable to the City and the Commission and must be recorded on the title to the property.

7. 2018-011W Hilary Driveway Access Wetland Replacement Plan, Greenfield.* This replacement plan corresponds to the Town Hall Drive Wetland Delineation (2018-09W) Two wetlands were identified, delineated and surveyed on the property with that delineation. This plan is for impacting and replacing 3,968 SF of wetland to install an access driveway into this lot. 2:1 replacement ratio mitigation is proposed. 1:1 credits from the Ball Wetland Bank (account 1546) in Greenfield and 1:1 credits from the Stamer Wetland Bank (account 1542) in Stearns County. *The project application and decision has been noticed per WCA requirements. At their October 18, 2018 meeting, the Commission approved the Hilary Wetland Replacement Plan dated July 24, 2018, as amended on October 5, 2018, conditioned upon: an escrow \$12,000 in the form of cash or acceptable letter of credit, or A BWSR certified bank credit transfer for 3,968 SF from bank account 1546 into this project and 3,968 SF from bank account 1542. The cash escrow was received in October.*

8. 2018-013 Windsong Farm Golf Club Parking Lot and Practice Facility Improvements, Independence. This project will take place on the golf course property on both sides of CR 6. They propose to reconstruct their existing practice facility and clubhouse service access road, reconstruct their existing main parking lot and construct a new event overflow parking lot. Commission Rules that apply to this work will include Rules D and E. The Commission approved this project at their October 18, 2018 meeting. This item will be removed from the report.

9. 2018-014 Verizon Tower, Independence.* Verizon Wireless is proposing to build a 120-foot cell tower and a 12x30 foot equipment building on the south side of Highway 12, just west of Mobile Marine (PID 2211824440001). There is floodplain located on this property and the project is considered commercial. The Commission rules require review and approval of the grading and erosion control site plans. Disturbance and grading on this project will be <1 acre. Approximately 6,500 SF (0.15 acre) of new impervious area will be created. The disturbance and new impervious area do not trigger the thresholds for the Commission's review of stormwater management. *Staff administratively approved this project on November 8. The project findings and decision are in this month's meeting packet.*

10. 2018-015W Kettering Creek Wetland Delineation, Greenfield. This is two parcels with approximately 21 total acres (parcel numbers: 2811924320037 and 2811924320038). The western portion of the site is deciduous forest and the eastern side is a fallow field with wetlands. The eastern side was mass-graded sometime between 2003 and 2006 as part of the Greenfield Business and Industrial Park. Westwood delineated two wetlands (W1 and W2) and one watercourse (WC1) on these parcels. Staff has visited the site and reviewed the delineation report and finds the delineation to be accurate. The public comment period on this delineation report expired on October 15, 2018. No comments were received. *Staff approved and noticed the delineation per WCA requirements. This item will be removed from the report.*

11. 2018-016 CenterPoint-Nelson Road Pipeline, Independence.* This project involves installation of 7,041 feet of 4-inch plastic gas main line, disturbing 1.1 acres. Construction methods for this linear project will be a combination of plowing and directional boring. The project will be installed along Watertown Road and Nelson Road in Sections 31 and 32, T 118N, R 24W. Directional boring will be done under public roadways and where residential trees and wetlands/water courses are identified along the corridor, to minimize and avoid any temporary or permanent impacts to these resources. Throughout the project perimeter sediment controls, inlet protections and permanent vegetation restoration are proposed. The Commission's Third Generation Watershed Management Plan requires conformance with Rule E. Staff reviewed the site plans and found the project to meet the Commission's requirements. The project was administratively approved. Staff's review, findings and decision are included in this month's packet. This item will be removed from the report.

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12. 2018-017 Crow River Overlook, Greenfield. This is a 42-acre agriculture parcel located on CR 10 just north of 84th Avenue. Approximately 38 acres is east of CR 10, and 4 acres is located west of CR 10 along the Crow River. The applicant proposes to subdivide the property into an 8 large lot residential development. Lot sizes will range from 2.85 acres up to 10.1 acres. One cul-de-sac street will be constructed for access to the lots, with one street platted for future access to the property east of this project. One additional outlot will remain on the west side of CR 10. This project will be reviewed for Rules D, E, F and I. A complete application was received on October 15. Staff's project review and findings were provided to the City, applicant and his engineer on October 29. At this time the site plans do not meet the Commission's requirements. No new information has been received as of this update. If available, Staff will provide an updated recommendation to the Commission at their meeting.

13. 2018-18 Baker Park Reserve Gully Control Project, Medina. This project is located just west of the campground area of the park. The ravine stabilization project would affect a total of 2,254 LF of eroded, channelized ravine and its branches. Bank stabilization practices include riprap swales, vegetated riprap, outside bank (riprap) toe protection, and boulder cross vanes. Staff will review the site plans for erosion control and floodplain impacts. Plans were not received in time for Staff review and recommendation to the Commission. If available, Staff will provide an updated recommendation to the Commission at their meeting.

LOCAL WATER PLANS

Per the amended MN Rule 8410.0105, subp. 9, and 8410.0160, subp. 6, Local Water Plans must be prepared by metropolitan cities and towns and must become part of their local comprehensive plans. They must be revised essentially once every ten years in alignment with the local comprehensive plan schedule. A municipality has two years prior to its local comprehensive plan being due to adopt its local water plan. The next local comprehensive plans are due December 31, 2018; thus all cities and towns in the seven-country metropolitan area must complete and adopt their local plans between January 1, 2017 and December 31, 2018.

Local plans from the cities of **Loretto** and **Medina** were approved in 2017.

Minnetrista's Local Plan was approved by the Commission at their October 18, 2018 meeting.

Greenfield's Local Plan comments were forwarded to the City in August 2018 for their consideration in their final plan. No updates to the plan have been received to date.

GRANT OPPORTUNITIES

MPCA put out an RFP for section 319 funding (pass through from US EPA) to implement watershed wide impairment reductions. Hennepin Staff put in an application on behalf of the watershed, but Pioneer Sarah Creek was not selected for the final round of consideration this year. MPCA feedback indicates there were two reasons for this: 1. Lack of general idea how much it would cost to clean up the entire watershed (staff will work on producing this for the next round of applications), and 2. Because the state is not confident the watershed itself would be willing to invest in this project. Pioneer Sarah Creek does not have a strong track record of spending or allocating funds for larger projects so MPCA was not comfortable entering into a 16-year pilot program that involves spending a significant amount of money at this time.

Hennepin will work together with TRPD staff to come up with some kind of ballpark monetary amount for the next round of applications – there will be three more years to apply.

RURAL CONSERVATIONIST UPDATES

The Buffer Law requirements going forward require staff to check each parcel in the county at least once every three years and spot check up to 15% of parcels. Hennepin has opted to section the county into thirds and check 1/3 each year. This will begin in 2019. Those residents chosen to have a spot check done will be notified by letter. (See attached map.)

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