

Minnesota Wetland Conservation Act Notice of Decision

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| Local Government Unit: Minnehaha Creek Watershed District County: Hennepin |
| Applicant Name: Rick Hendel, Hendel Homes Applicant Representative: Travis Fristed, ISG |
| Project Name: 1775 Fox Street, Orono LGU Project No. (if any): W19-34 |
| Date Complete Application Received by LGU: October 28, 2019 |
| Date of LGU Decision: December 13, 2019 |
| Date this Notice was Sent: December 13, 2019 |

WCA Decision Type - check all that apply

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| <input checked="" type="checkbox"/> Wetland Boundary/Type <input type="checkbox"/> Sequencing <input type="checkbox"/> Replacement Plan <input type="checkbox"/> Bank Plan (not credit purchase) |
| <input type="checkbox"/> No-Loss (8420.0415) <input type="checkbox"/> Exemption (8420.0420) |
| Part: <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E <input type="checkbox"/> F <input type="checkbox"/> G <input type="checkbox"/> H Subpart: <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7 <input type="checkbox"/> 8 <input type="checkbox"/> 9 |

Replacement Plan Impacts (replacement plan decisions only)

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| Total WCA Wetland Impact Area: |
| Wetland Replacement Type: <input type="checkbox"/> Project Specific Credits: <input type="checkbox"/> Bank Credits: |
| Bank Account Number(s): |

Technical Evaluation Panel Findings and Recommendations (attach if any)

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| <input checked="" type="checkbox"/> Approve <input type="checkbox"/> Approve w/Conditions <input type="checkbox"/> Deny <input checked="" type="checkbox"/> No TEP Recommendation |
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LGU Decision

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| <input type="checkbox"/> Approved with Conditions (specify below) ¹ <input checked="" type="checkbox"/> Approved ¹ <input type="checkbox"/> Denied List Conditions: |
| Decision-Maker for this Application: <input checked="" type="checkbox"/> Staff <input type="checkbox"/> Governing Board/Council <input type="checkbox"/> Other: |
| Decision is valid for: <input checked="" type="checkbox"/> 5 years (default) <input type="checkbox"/> Other (specify): |

¹ *Wetland Replacement Plan approval is not valid until BWSR confirms the withdrawal of any required wetland bank credits. For project-specific replacement a financial assurance per MN Rule 8420.0522, Subp. 9 and evidence that all required forms have been recorded on the title of the property on which the replacement wetland is located must be provided to the LGU for the approval to be valid.*

LGU Findings – Attach document(s) and/or insert narrative providing the basis for the LGU decision¹.

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| <input checked="" type="checkbox"/> Attachment(s) (specify): 05-496 Subdivision Declaration with 35’ upland buffer & plan sheet |
| <input checked="" type="checkbox"/> Summary: Hendel Homes has applied for a wetland boundary & type confirmation for the wetlands located at 1775 Fox Street, Orono, Hennepin County, Minnesota. Legal description: Section 3, Township 117N, Range 23W. The boundary & type approval was requested on October 28, 2019. |
| A wetland delineation was conducted by delineator on October 8, 2019. One wetland was delineated within the project area. The wetland was identified as a Type 3, shallow marsh wetland. |
| MCWD approves the wetland boundaries and types as shown in the delineation report. This decision is valid for five years. A future project located on this property may require a permit from the MCWD. |

¹ Findings must consider any TEP recommendations.

Attached Project Documents

Site Location Map Project Plan(s)/Descriptions/Reports (specify): Wetland Delineation Exhibit

Appeals of LGU Decisions

If you wish to appeal this decision, you must provide a written request within 30 calendar days of the date you received the notice. All appeals must be submitted to the Board of Water and Soil Resources Executive Director along with a check payable to BWSR for \$500 *unless* the LGU has adopted a local appeal process as identified below. The check must be sent by mail and the written request to appeal can be submitted by mail or e-mail. The appeal should include a copy of this notice, name and contact information of appellant(s) and their representatives (if applicable), a statement clarifying the intent to appeal and supporting information as to why the decision is in error. Send to:

Appeals & Regulatory Compliance Coordinator
Minnesota Board of Water & Soils Resources
520 Lafayette Road North
St. Paul, MN 55155
travis.germundson@state.mn.us

Does the LGU have a local appeal process applicable to this decision?

Yes¹ No

¹If yes, all appeals must first be considered via the local appeals process.

Local Appeals Submittal Requirements (LGU must describe how to appeal, submittal requirements, fees, etc. as applicable)

Appeal of an LGU staff decision. Send petition and \$100 fee to:
Minnehaha Creek Watershed District
15320 Minnetonka Boulevard
Minnetonka, MN 55345
wca@minnehahacreek.org

Notice Distribution (include name)

Required on all notices:

SWCD TEP Member: Stacey Lijewski-stacey.lijewski@co.hennepin.mn.us
 BWSR TEP Member: Ben Carson- ben.carlson@state.mn.us
 LGU TEP Member (if different than LGU contact):
 DNR Representative: Leslie Parris -leslie.parris@state.mn.us; Jason Spiegel (Hennepin)
Jason.spiegel@state.mn.us
 Watershed District or Watershed Mgmt. Org.:
 Applicant: Rick Hendel- rick@hendelhomes.com
 Agent/Consultant: Travis Fristed-Travis.Fristed@ISGInc@com

Optional or As Applicable:

Corps of Engineers: usace_requests_mn@usace.army.mil
 BWSR Wetland Mitigation Coordinator (required for bank plan applications only):
 Members of the Public (notice only): City of Orono Staff Other:

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| Signature:  Heidi Quinn, MCWD Permitting Technician | Date: 12/13/2019 |
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This notice and accompanying application materials may be sent electronically or by mail. The LGU may opt to send a summary of the application to members of the public upon request per 8420.0255, Subp. 3.