

Minnesota Wetland Conservation Act Notice of Decision

Local Government Unit: Minnehaha Creek Watershed District County: Hennepin
Applicant Name: Orono Public Schools Applicant Representative: Brecka Li Goodlander, Pinnacle Engineering
Project Name: Orono Public Schools, 2587 Wayzata Blvd West Delineation
LGU Project No. (if any): W19-30
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

<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 checked="" type="checkbox"/> No-Loss (8420.0415) <input type="checkbox"/> Exemption (8420.0420) Part: <input checked="" 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)

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)

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

LGU Decision

<input type="checkbox"/> Approved with Conditions (specify below) ¹ List Conditions:	<input checked="" type="checkbox"/> Approved ¹	<input type="checkbox"/> Denied
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.

<input type="checkbox"/> Attachment(s) (specify): <input checked="" type="checkbox"/> Summary: Orono Public Schools has applied for a wetland boundary & type confirmation and a no-loss confirmation for incidental wetlands outside the scope of WCA per 8420.0315 (B) for three wetlands for located at 2687 Wayzata Boulevard West, Orono, Hennepin County, Minnesota. Legal description: NE ¼ of SW ¼ of Section 33, Township 118N, Range 23W. The boundary & type approval and no-loss confirmation was requested on October 28, 2019.
--

A wetland delineation was conducted by delineator on October 8, 2019. Three wetlands were delineated within the project area, outlined below.

Wetland ID	Delineated Wetland Type	Wetland Size ac/sf		NWI Wetland Type	Dominant Wetland Vegetation	Hydric Soil (Yes/No)	Hydric Soil Indicator	Hydrology
W-1	Seasonally flooded basin (PEM2Ax)	0.01	435.60		White clover, Kentucky blue grass, barnyard grass	Yes	Depleted below dark surface (A11), et al.	Saturation (A3), et al.
W-2	Seasonally flooded basin (PEM1A)	0.02	871.20		Broadleaf cattail	Yes	Depleted below dark surface (A11), et al.	Surface water (A1), et al.
W-3	Seasonally flooded basin (PEM1A)	0.02	871.20		Broadleaf cattail	Yes	Depleted below dark surface (A11), et al.	Surface water (A1), et al.
SA-1					Kentucky blue grass, creeping charlie	No		

Wetland 1 is a constructed stormwater BMP that was required under MCWD permit 15-193 and Wetlands 2 & 3 appear to be drainage ditches outside of the parcel boundary within the ROW. 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:

- | |
|--|
| <input checked="" type="checkbox"/> SWCD TEP Member: Stacey Lijewski-stacey.lijewski@co.hennepin.mn.us |
| <input checked="" type="checkbox"/> BWSR TEP Member: Ben Carson- ben.carlson@state.mn.us |
| <input type="checkbox"/> LGU TEP Member (if different than LGU contact): |
| <input checked="" type="checkbox"/> DNR Representative: Leslie Parris -leslie.parris@state.mn.us |
| <input type="checkbox"/> Watershed District or Watershed Mgmt. Org.: |
| <input checked="" type="checkbox"/> Applicant: Ross Luken- Ross.luken@orono.k12.us |
| <input checked="" type="checkbox"/> Agent/Consultant: Breeka Li Goodlander- bgoodlander@pineng.com |

Optional or As Applicable:

- | |
|--|
| <input checked="" type="checkbox"/> Corps of Engineers: usace_requests_mn@usace.army.mil |
| <input type="checkbox"/> BWSR Wetland Mitigation Coordinator (required for bank plan applications only): |
| <input checked="" type="checkbox"/> Members of the Public (notice only): City of Orono Staff <input type="checkbox"/> Other: |

Signature:



Heidi Quinn, MCWD Permitting Technician

Date:

12/13/2019

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.