

Minnesota Wetland Conservation Act Notice of Decision

Local Government Unit: Minnehaha Creek Watershed District		County: Hennepin
Applicant Name: Tom Ryan KES	Applicant Representative: Melissa Barrett -	
Project Name: W23-018		
LGU Project No. (if any): W23-018		
Date Complete Application Received by LGU: 5/10/23		
Date of LGU Decision: 6/20/23		
Date this Notice was Sent: 6/20/23		

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 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)

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
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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 type="checkbox"/> Summary:
Tom Tyan has applied for approval/confirmation for the no wetland determination located at 2245 Watertown Road Orono.
A wetland delineation was conducted by KES on 10/24/22. The delineation shows no wetland within the project area.

MCWD and KES Staff reviewed the boundaries in the field on 5/31/23. MCWD and BWSR were in agreement with the wetland boundaries and types identified on site and shown in the delineation report.

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):

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)

[Empty text box for Local Appeals Submittal Requirements]


Notice Distribution (include name)

Required on all notices:

- SWCD TEP Member: Tony.brough@co.hennepin.mn.us
- BWSR TEP Member: Jed Chestnut Jed.chestnut@state.mn.us
- LGU TEP Member (if different than LGU contact):
- DNR Representative: Wes.Saunders-pearce@state.mn.us
- Watershed District or Watershed Mgmt. Org.:
- Applicant: tom@fuseautotech.com
- Agent/Consultant: Melissa@kjolhaugenv.com

Optional or As Applicable:

- Corps of Engineers:
- BWSR Wetland Mitigation Coordinator (required for bank plan applications only):
- Members of the Public (notice only): Other:

Signature: 	Date: 6/20/23
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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.