

Minnesota Wetland Conservation Act Notice of Decision

Local Government Unit: Minnehaha Creek Watershed District	County: Hennepin
Applicant Name: Gary Bischel Applicant Representative: Anderson Engineering – Alex Yellick and Wyatt Benton	
Project Name: 1085 Heritage Lane LGU Project No. (if any): W21-045	
Date Complete Application Received by LGU: 08/09/2021	
Date of LGU Decision: 09/15/2021	
Date this Notice was Sent: 09/15/2021	

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 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

<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:
Gary Bischel has applied for wetland boundary and type approval/confirmation for the wetlands located at 1085 Heritage Lane, Orono – Section 10, Township 117N, Range 23W.
A wetland delineation was conducted by Anderson Engineering on July 19, 2021. The delineation shows 1 wetland within the project area. Wetland 1 was identified as a Type 3/5, PUBG/EM1C, Open Water/Shallow Marsh wetland.

MCWD reviewed the boundaries in the field on 09/14/21. MCWD was 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)

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 Carlson- ben.carlson@state.mn.us |
| <input type="checkbox"/> LGU TEP Member (if different than LGU contact): |
| <input checked="" type="checkbox"/> DNR Representative: Melissa Collins- melissa.collins@state.mn.us ,
Lucas Youngsma- Lucas.youngsma@state.mn.us |
| <input type="checkbox"/> Watershed District or Watershed Mgmt. Org.: |
| <input checked="" type="checkbox"/> Applicant: Gary Bischel – g.bischel@mchsi.com |
| <input checked="" type="checkbox"/> Agent/Consultant: Wyatt Benton – wbenton@ae-mn.com |

Optional or As Applicable:

- | |
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| <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 Staff <input type="checkbox"/> Other: |

Signature: 	Date: 09/15/21
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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.