



## KJOLHAUG ENVIRONMENTAL SERVICES COMPANY

*Providing Sound, Balanced, Comprehensive Natural Resource Solutions*

### Memorandum

**Date:** October 24, 2022

**To:** Project Manager, Minnehaha Creek Watershed District

**CC:** Tom Ryan, Applicant

**From:** Melissa Barrett, Kjolhaug Environmental Services (KES)

**Re:** No Wetland Determination Memo, 2245 Watertown Road, Orono, MN  
(KES# 2022-183)

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The 4.67-ac 2245 Watertown Road site was inspected on October 20, 2022 for the presence and extent of wetland. The property was located in Section 34, Township 118N, Range 23W, City of Orono, Hennepin County, Minnesota. The site was situated immediately south of the intersection of Watertown Road and Harrington Drive (**Figure 1**). The property boundary corresponded to Hennepin County PIDs 3411823330056 (2.86 ac), 0311723220022 (0.10 ac), 0311723220002 (0.85 ac), 0311723220001 (0.17 ac), and 0311723220021 (0.69 ac).

**Attachment A** of this memo includes the Joint Application Form for Activities Affecting Water Resources in Minnesota, which is submitted to request WCA no wetland determination approval from the Minnehaha Creek Watershed District (LGU).

#### **Review of NWI, Soils, DNR, and NHD Inventory Information**

The National Wetlands Inventory (NWI) (Minnesota Geospatial Commons 2009-2014 and U.S. Fish and Wildlife Service) showed one PEM1A/PFO1A wetland complex within site boundaries (**Figure 3**).

The Soil Survey (USDA NRCS 2017) showed Hamel-Glencoe complex as the hydric soil map unit within the site boundary. Soil types mapped within the site boundary are listed in **Table 1 on the following page** and a map showing soil types is included in **Figure 4**.

The Minnesota DNR Public Waters Inventory (Minnesota Department of Natural Resources 2017) did not show any Public Waters, Wetlands, or Watercourses within 1000 feet of site boundaries (**Figure 5**).

The National Hydrography Dataset (U.S. Geological Survey 2015) did not show any surface water features within site boundaries (**Figure 6**).

**Table 1. Mapped soil types on and near the 2245 Watertown Road site.**

Symbol	Soil Name	Approx. Acres AOI	Approx. % of AOI	% Hydric	Hydric Category
L22C2	Lester loam, 6 to 10 percent slopes, moderately eroded	2.1	31.40%	2	Predominantly Non-Hydric
L25A	Le Sueur loam, 1 to 3 percent slopes	0.2	3.30%	15	Predominantly Non-Hydric
L26B	Shorewood silty clay loam, 3 to 6 percent slopes	1.5	21.90%	5	Predominantly Non-Hydric
L37B	Angus loam, 2 to 6 percent slopes	0.1	1.20%	5	Predominantly Non-Hydric
L132A	Hamel-Glencoe complex, 0 to 2 percent slopes	2.8	42.30%	90	Predominantly Hydric

**No Wetland Determination**

The 2245 Watertown Road site was investigated on October 20, 2022 for the presence and extent of wetland by Kjolhaug Environmental Services (KES). No wetlands were identified or delineated on the property. At the time of the site visit, climatic/precipitation conditions were atypical (dry) based on the gridded database method, and with exception of a couple of brief periods of normal precipitation, conditions for the overall 2022 growing season were dry (**Attachment B**).

The NWI map showed one PEM1A/PFO1A wetland on the site (**Figure 3**), and the soil survey showed a hydric map unit (Hamel-Glencoe) through the center of the site (**Figure 4**). Therefore, **Area A** was investigated for wetland (**Figure 2**). However, in the field, no wetland was observed. Topography in the area of mapped NWI wetland/hydric soil was not depressional and sloped downhill to the south.

Area A was primarily wooded. Species observed included sugar maple, black walnut, crabapple, planted spruce, green ash and mulberry with an understory of common buckthorn, creeping Charlie, common wood sedge, gooseberry, wild chervil, common burdock, bedstraw, stickseed and garlic mustard. Low coverage amounts of reed canary grass were also observed in some parts of the understory, but its overall presence was not associated with depressional areas and appeared to be a function of sunlight/open areas.

Furthermore, surface runoff within Area A is drained by an actively eroding gully (**Figure 2**). According to the landowner, a stable drainage ditch feature was present on this site for more than 33 years (the timespan that the landowner has owned the property). However, only recently has the feature begun to excessively erode. It appears that excessive erosion was instigated when Watertown Road was upgraded, and storm sewer (curb and gutter) was installed along Harrington Drive post 2015. This feature appears to now be receiving more water from one concentrated flow point (storm sewer outlet at Watertown Road) resulting in increased erosion and backcutting.

**Summary and Requested Approvals**

No wetlands were delineated on the Watertown Road site; however, one eroding gully was observed. **Attachment A** of this memo includes the Joint Application Form for Activities Affecting Water Resources in Minnesota, which is submitted to request WCA no wetland determination approval from the Minnehaha Creek Watershed District (LGU).

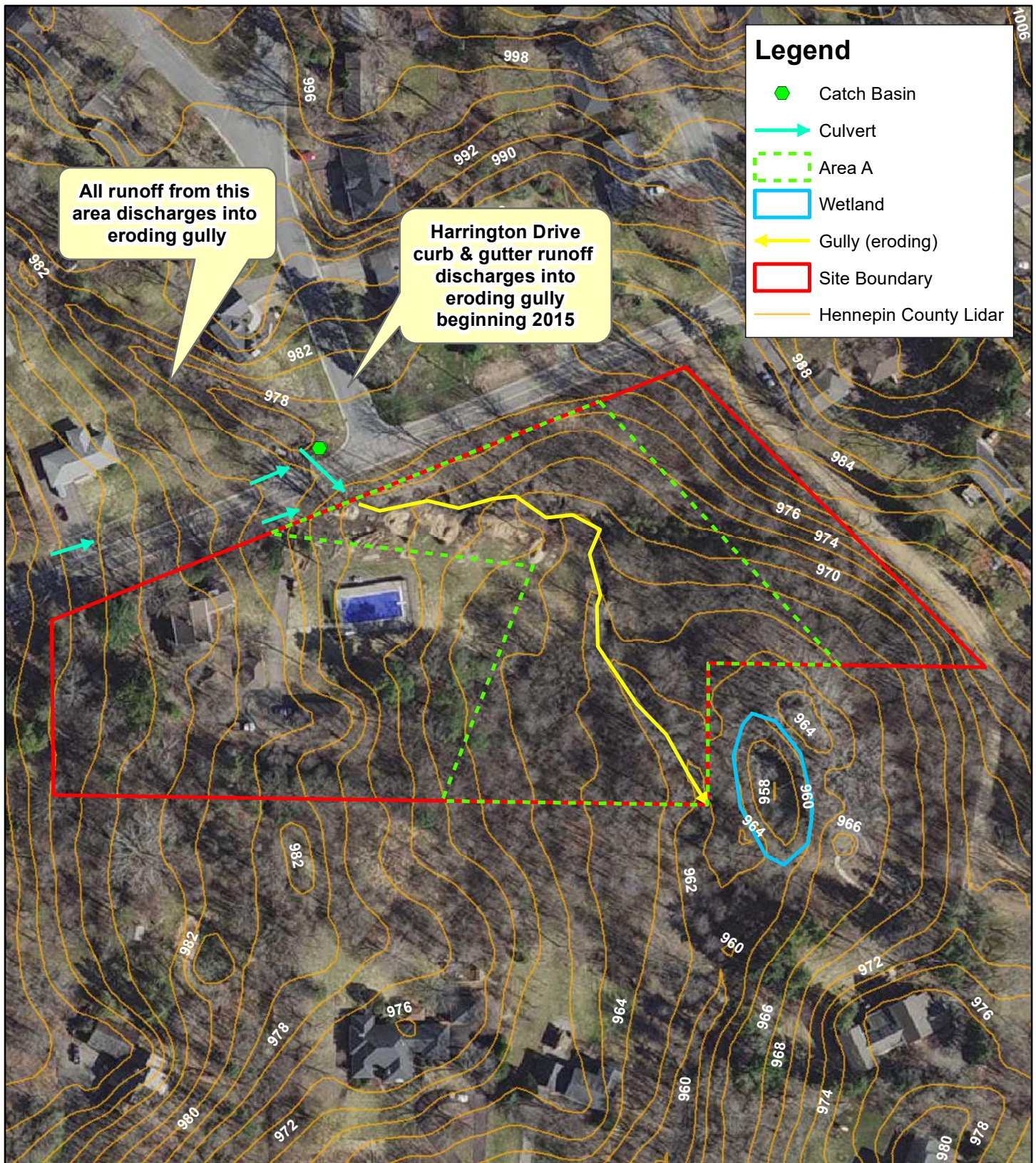
Thank you.



**Figure 1 - Site Location**

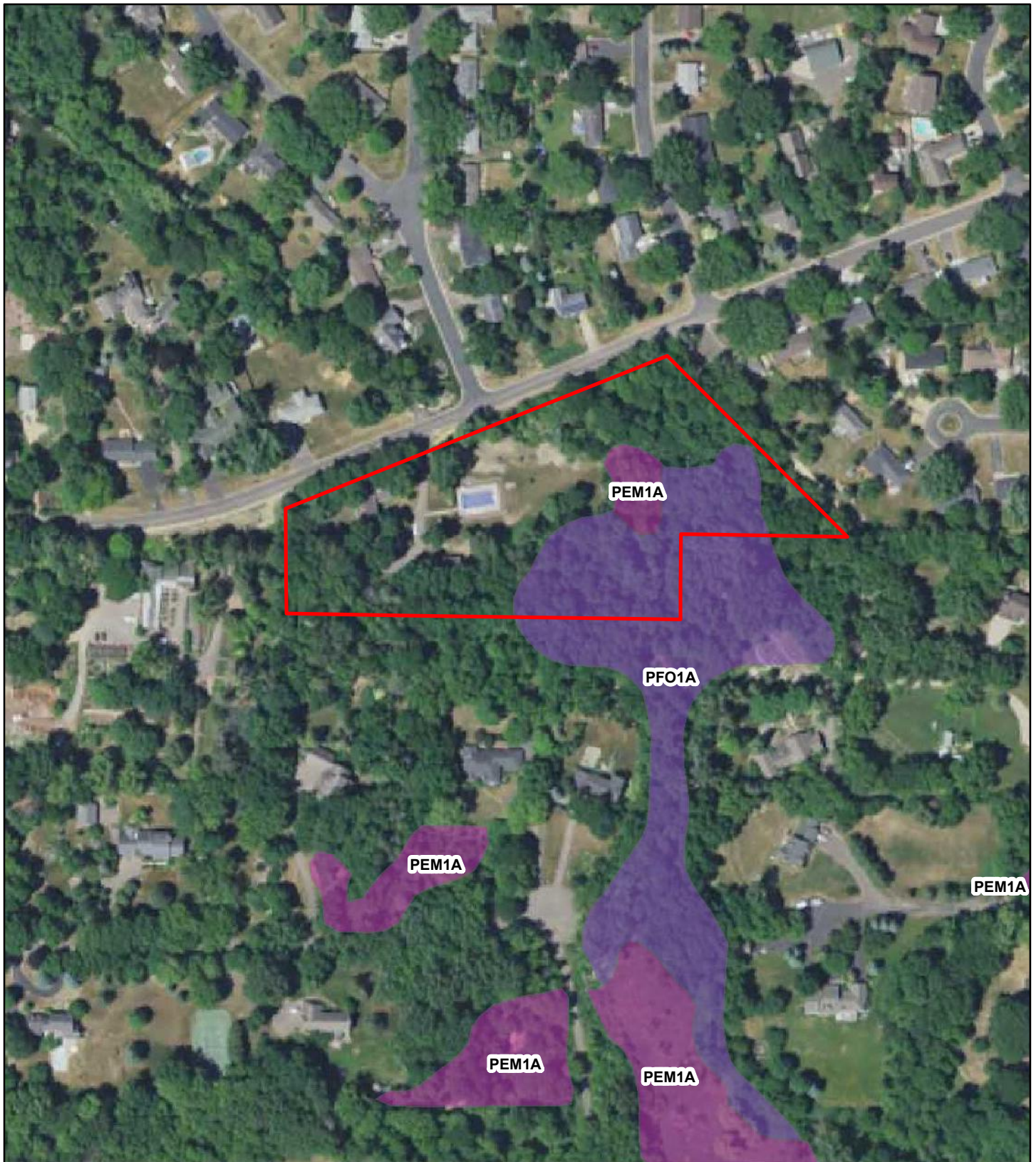






**Figure 2 - Existing Conditions (2020 Metro Photo)**

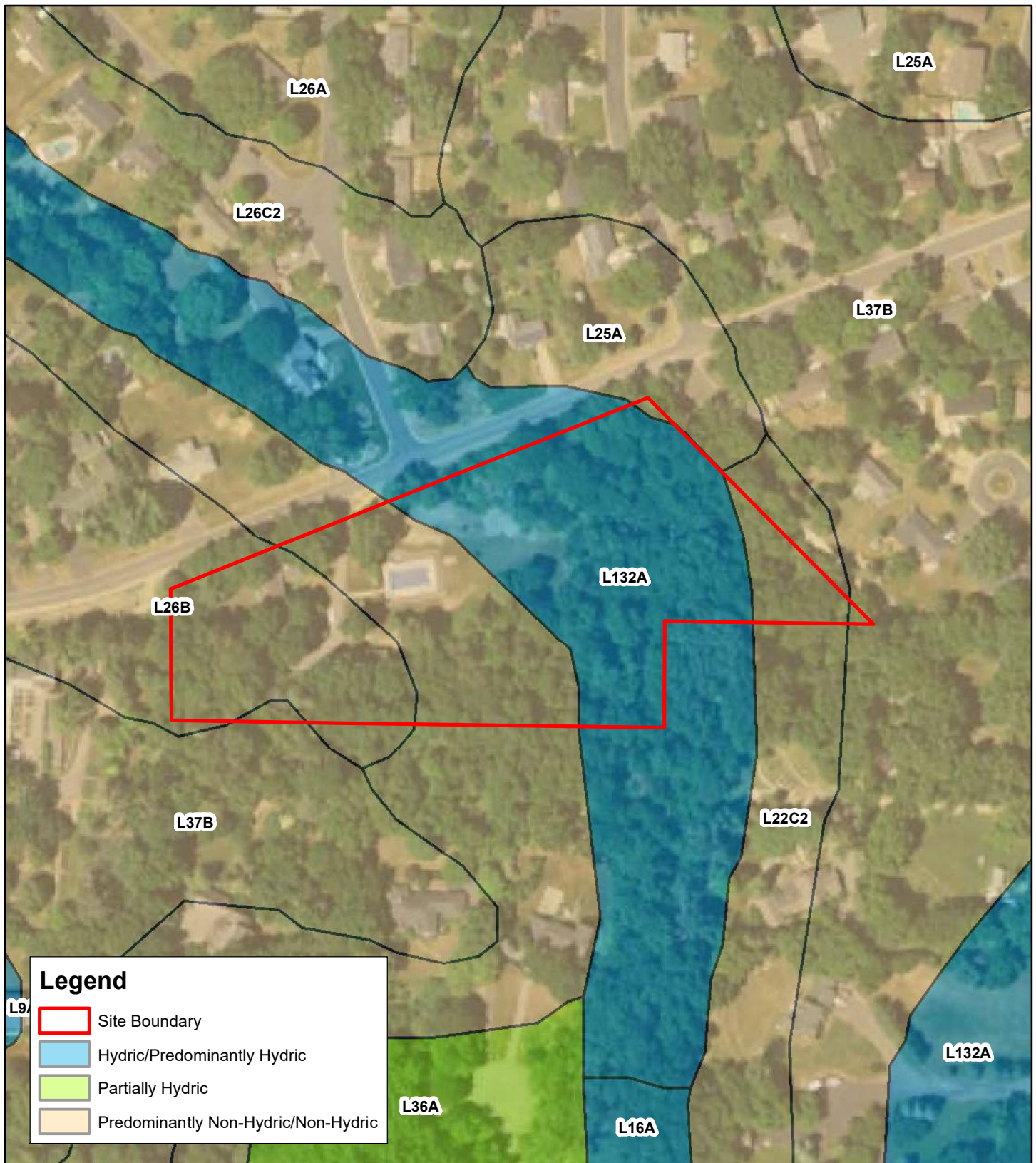




**Figure 3 - National Wetlands Inventory**

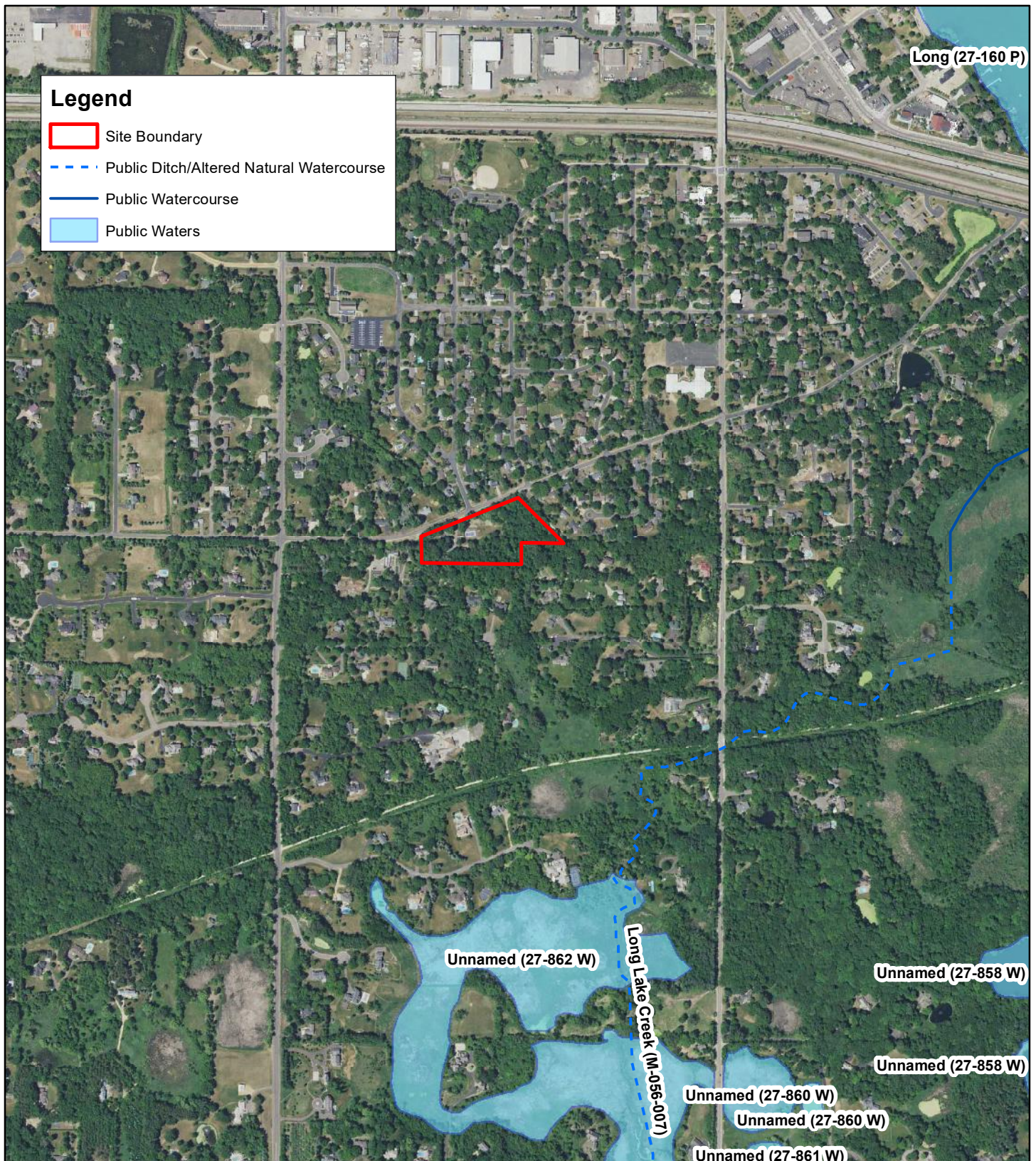






**Figure 4 - Soil Survey**





**Figure 5 - DNR Public Waters Inventory**



N



0 1,000 Feet



**2245 Watertown Road (KES 2022-183)**  
**Orono, Minnesota**

Note: Boundaries indicated on this figure are approximate and do not constitute an official survey product.

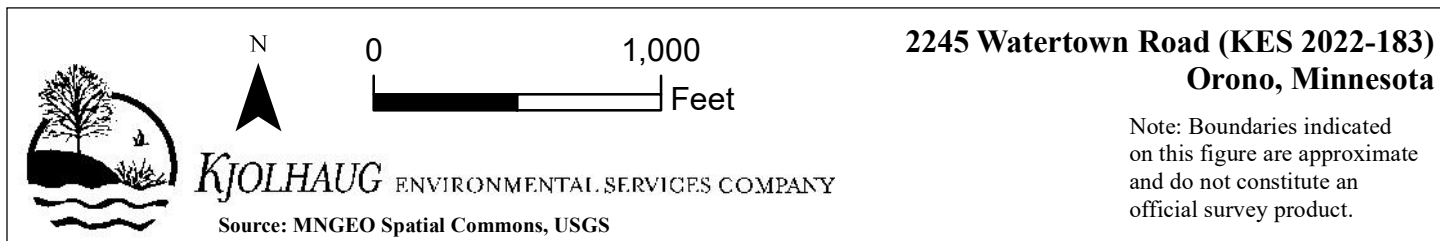
**KJOLHAUG** ENVIRONMENTAL SERVICES COMPANY

Source: MNGEO Spatial Commons, MN DNR





**Figure 6 - National Hydrography Dataset**



**2245 Watertown Road, Orono, MN**

**No Wetland Determination Memo**

**Attachment A - Joint Application Form for Activities Affecting Water  
Resources in Minnesota**



## **PART ONE: Applicant Information**

If applicant is an entity (company, government entity, partnership, etc.), an authorized contact person must be identified. If the applicant is using an agent (consultant, lawyer, or other third party) and has authorized them to act on their behalf, the agent's contact information must also be provided.

**Applicant/Landowner Name:** Tom Ryan  
**Mailing Address:** 2245 Watertown Road, Orono, MN 55356  
**Phone:** 612-599-8100  
**E-mail Address:** tom@fuseautotech.com

**Authorized Contact (do not complete if same as above):**

**Mailing Address:**  
**Phone:**  
**E-mail Address:**

**Agent Name:** Melissa Barrett, Kjolhaug Environmental  
**Mailing Address:** 2500 Shadywood Road, Suite 130, Orono, MN 55331  
**Phone:** 952-388-3752  
**E-mail Address:** melissa@kjolhaugenv.com

## **PART TWO: Site Location Information**

**County:** Hennepin **City/Township:** Orono  
**Parcel ID and/or Address:** 3411823330056, 0311723220022, 0311723220002, 0311723220001, 0311723220021  
**Legal Description (Section, Township, Range):** Sec 34, T118, R23  
**Lat/Long (decimal degrees):**  
**Attach a map showing the location of the site in relation to local streets, roads, highways.**  
**Approximate size of site (acres) or if a linear project, length (feet):** 4.67-ac

If you know that your proposal will require an individual Permit from the U.S. Army Corps of Engineers, you must provide the names and addresses of all property owners adjacent to the project site. This information may be provided by attaching a list to your application or by using block 25 of the Application for Department of the Army permit which can be obtained at:

[http://www.mvp.usace.army.mil/Portals/57/docs/regulatory/RegulatoryDocs/engform\\_4345\\_2012oct.pdf](http://www.mvp.usace.army.mil/Portals/57/docs/regulatory/RegulatoryDocs/engform_4345_2012oct.pdf)

## **PART THREE: General Project/Site Information**

If this application is related to a delineation approval, exemption determination, jurisdictional determination, or other correspondence submitted **prior to** this application then describe that here and provide the Corps of Engineers project number.

Describe the project that is being proposed, the project purpose and need, and schedule for implementation and completion. The project description must fully describe the nature and scope of the proposed activity including a description of all project elements that effect aquatic resources (wetland, lake, tributary, etc.) and must also include plans and cross section or profile drawings showing the location, character, and dimensions of all proposed activities and aquatic resource impacts.

**Application is for no wetland determination concurrence.**

## PART FOUR: Aquatic Resource Impact<sup>1</sup> Summary

If your proposed project involves a direct or indirect impact to an aquatic resource (wetland, lake, tributary, etc.) identify each impact in the table below. Include all anticipated impacts, including those expected to be temporary. Attach an overhead view map, aerial photo, and/or drawing showing all of the aquatic resources in the project area and the location(s) of the proposed impacts. Label each aquatic resource on the map with a reference number or letter and identify the impacts in the following table.

Aquatic Resource ID (as noted on overhead view)	Aquatic Resource Type (wetland, lake, tributary etc.)	Type of Impact (fill, excavate, drain, or remove vegetation)	Duration of Impact Permanent (P) or Temporary (T) <sup>1</sup>	Size of Impact <sup>2</sup>	Overall Size of Aquatic Resource <sup>3</sup>	Existing Plant Community Type(s) in Impact Area <sup>4</sup>	County, Major Watershed #, and Bank Service Area # of Impact Area <sup>5</sup>

<sup>1</sup>If impacts are temporary, enter the duration of the impacts in days next to the "T". For example, a project with a temporary access fill that would be removed after 220 days would be entered "T (220)".

<sup>2</sup>Impacts less than 0.01 acre should be reported in square feet. Impacts 0.01 acre or greater should be reported in acres and rounded to the nearest 0.01 acre. Tributary impacts must be reported in linear feet of impact and an area of impact by indicating first the linear feet of impact along the flowline of the stream followed by the area impact in parentheses). For example, a project that impacts 50 feet of a stream that is 4 feet wide would be reported as 50 ft (300 square feet).

<sup>3</sup>This is generally only applicable if you are applying for a de minimis exemption under MN Rules 8420.0420 Subp. 2, otherwise enter "N/A".

<sup>4</sup>Use Wetland Plants and Plant Community Types of Minnesota and Wisconsin 3<sup>rd</sup> Ed. as modified in MN Rules 8420.0405 Subp. 2.

<sup>5</sup>Refer to Major Watershed and Bank Service Area maps in MN Rules 8420.0522 Subp. 7.

If any of the above identified impacts have already occurred, identify which impacts they are and the circumstances associated with each:

## PART FIVE: Applicant Signature

☐ Check here if you are requesting a pre-application consultation with the Corps and LGU based on the information you have provided. Regulatory entities will not initiate a formal application review if this box is checked.

By signature below, I attest that the information in this application is complete and accurate. I further attest that I possess the authority to undertake the work described herein.

Signature:



Date:

10/22/22

I hereby authorize:

to act on my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this application.

<sup>1</sup> The term "impact" as used in this joint application form is a generic term used for disclosure purposes to identify activities that may require approval from one or more regulatory agencies. For purposes of this form it is not meant to indicate whether or not those activities may require mitigation/replacement.



## **Attachment A**

### **Request for Delineation Review, Wetland Type Determination, or Jurisdictional Determination**

By submission of the enclosed wetland delineation report, I am requesting that the U.S. Army Corps of Engineers, St. Paul District (Corps) and/or the Wetland Conservation Act Local Government Unit (LGU) provide me with the following (check all that apply):

☐ **Wetland Type Confirmation**

☒ **Delineation Concurrence.** Concurrence with a delineation is a written notification from the Corps and a decision from the LGU concurring, not concurring, or commenting on the boundaries of the aquatic resources delineated on the property. Delineation concurrences are generally valid for five years unless site conditions change. Under this request alone, the Corps will not address the jurisdictional status of the aquatic resources on the property, only the boundaries of the resources within the review area (including wetlands, tributaries, lakes, etc.).

**Application is for no wetland determination concurrence.**

☐ **Preliminary Jurisdictional Determination.** A preliminary jurisdictional determination (PJD) is a non-binding written indication from the Corps that waters, including wetlands, identified on a parcel may be waters of the United States. For purposes of computation of impacts and compensatory mitigation requirements, a permit decision made on the basis of a PJD will treat all waters and wetlands in the review area as if they are jurisdictional waters of the U.S. PJDs are advisory in nature and may not be appealed.

☐ **Approved Jurisdictional Determination.** An approved jurisdictional determination (AJD) is an official Corps determination that jurisdictional waters of the United States are either present or absent on the property. AJDs can generally be relied upon by the affected party for five years. An AJD may be appealed through the Corps administrative appeal process.

In order for the Corps and LGU to process your request, the wetland delineation must be prepared in accordance with the 1987 Corps of Engineers Wetland Delineation Manual, any approved Regional Supplements to the 1987 Manual, and the *Guidelines for Submitting Wetland Delineations in Minnesota* (2013).

<http://www.mvp.usace.army.mil/Missions/Regulatory/DelineationJDGuidance.aspx>

**2245 Watertown Road, Orono, MN**


**No Wetland Determination Memo**

**Attachment B – Climatic/Precipitation Information**



# Minnesota State Climatology Office

State Climatology Office - DNR Division of Ecological and Water Resources

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## Precipitation Worksheet Using Gridded Database

### Precipitation data for target wetland location:

county: **Hennepin** township number: **118N**  
 township name: **Medina** range number: **23W**  
 nearest community: **Long Lake** section number: **34**

### Aerial photograph or site visit date:

**Thursday, October 20, 2022**

### Score using 1991-2020 normal period

values are in inches A 'R' following a monthly total indicates a provisional value derived from radar-based estimates.	first prior month: <b>September 2022</b>	second prior month: <b>August 2022</b>	third prior month: <b>July 2022</b>
estimated precipitation total for this location:	<b>0.48R</b>	<b>3.69R</b>	<b>1.53R</b>
there is a 30% chance this location will have less than:	2.07	2.84	2.91
there is a 30% chance this location will have more than:	4.24	5.82	5.07
type of month: <b>dry</b> <b>normal</b> <b>wet</b>	<b>dry</b>	<b>normal</b>	<b>dry</b>
monthly score	<b>3 * 1 = 3</b>	<b>2 * 2 = 4</b>	<b>1 * 1 = 1</b>
multi-month score: <b>6 to 9 (dry) 10 to 14 (normal) 15 to 18 (wet)</b>			
<b>8 (Dry)</b>			

### Other Resources:

- [retrieve daily precipitation data](#)
- [view radar-based precipitation estimates](#)
- [view weekly precipitation maps](#)
- [Evaluating Antecedent Precipitation Conditions](#) (BWSR)

