

ENGINEER'S REPORT

August 15, 2018

1. **Bush Lake Outlet Project:** Two management visits were conducted by Landbridge Ecological (formerly Wetland Habitat) in July. Mowing and spot herbicide spray focused on the control of reed canary grass, Canada thistle, sweet clover, purple loosestrife and other invasive species. They noted an increase number of foot paths through the shoreline buffer which is damaging native plants and allowing invasive species to colonize.

2. **Eden Prairie Lakes UAA:** No new activities are associated with this project.

3. **Edina Stream Stabilization Project:**

A pre-construction conference with Sunram was held on August 7th. The contractor plan is to begin work the week of August 20th. Meetings next week with the contractor, City forester and private property owners to mark the necessary trees to be removed for the project. The pre-construction meeting included a detailed discussion regarding the protection of private properties where easements have not been granted by the property owners.

4. **Normandale Lake Water Quality Improvement Project:**

Barr completed the contract documents (drawings and specifications) for the Normandale Lake drawdown project. The project was advertised for bid on Quest Construction Data Network (CDN) on July 14, 2018. A mandatory pre-bid meeting was held with potential bidders on July 24, 2018, which was attended by nine contractors. Five bids were received and opened on July 31, 2018. The project has been awarded to Rachel Contracting of St. Michael, Minnesota, with the low bid of \$378,972.50. A notice to proceed was issued on August 8, 2018. A pre-construction meeting at the site with Barr, Rachel Contracting, NMCWD staff, and City staff is scheduled for August 9, 2018. Permits for the Normandale Lake drawdown have been received from the MDNR and Army Corp of Engineers.

The District contracted with the Riley Purgatory Bluff Creek Watershed District (RPBCWD) to conduct a fish survey of Normandale Lake. The fish survey was completed during the week of July 16, 2018. The District is awaiting formal results. An aquatic plant survey for Normandale Lake will be conducted on August 16, 2018, in preparation for development of a Lake Vegetation Management Plan (LVMP).

5. **District Office:** Discovery Point Phase 2 restoration continues. During the last month site inspections of the Phase 2 area to be seeded in the coming weeks lead to the determination that a second large scale herbicide application was unnecessary due to limited buckthorn re-sprouts. Minnesota Native Landscapes agreed to perform a smaller targeted herbicide application prior to seeding at no additional cost. The limited buckthorn re-sprouts are a result of the forestry moving operation which

obliterates the root stock near the soil elevation. Also, timely herbaceous invasive management appears to be exhausting the seed bank site wide.

6. **Pentagon Park Stormwater Management (in partnership with the cities of Edina and Bloomington):** No new activities.
7. **Lake Cornelia and Lake Edina UAA:** Barr continues to work on updating the Lake Cornelia Use Attainability Analysis (UAA) and developing a UAA for Lake Edina, Work on the project over the past month has included developing water balance models for each of the lake basins and beginning in-lake water quality model calibration. We anticipate meeting with staff from the City of Edina in September to discuss potential watershed and in-lake management strategies.

The District contracted with the RPBCWD to conduct a carp survey of Lake Cornelia (North and South), which was completed by RPBCWD staff the week of July 16, 2018. Additional surveys of upstream ponds are anticipated in August 2018.

8. **Cherokee-Chamberlain Drainage System Analysis (in partnership with the city of Eden Prairie):** Results of the analysis were summarized in a technical memo, which was provided to the City of Eden Prairie January 12, 2018. No response has been received from the City of Eden Prairie.
9. **Regional Stormwater Volume Reduction Opportunity Study:** Barr has conducted a district-wide, screening-level GIS analysis to identify potential sites for infiltration-based volume reduction best management practices (BMPs) within the Nine Mile Creek watershed. The suitability of sites within the watershed for infiltration-based BMPs has been assessed primarily based on soil characteristics, as well as topography, land use, public ownership, and partnership opportunities.

10. Wetland Conservation Act Administration:

- Review and respond to Hopkins wetland delineation report. NO project were with the District.
- Review submitted information for wetland at 11001 Bren Road East in Minnetonka – Permit #2018-52
- Follow-up on wetland restoration efforts at Midwest Asphalt site in Eden Prairie.
- Attached is information for two projects submitted by the City of Edina for accumulated sediment in the wetlands located at the end of the south bound exist ramp from T.H. 100 to West 70th Street and along the fairway of the second hole on Braemar Golf Course. Permit numbers will be assigned to each of these projects.

11. **Status of Construction Projects:** The monthly inspection report is provided for the Managers review.



Minnesota Department of Natural Resources
Division of Ecological & Water Resources
MNDNR PERMITTING AND REPORTING SYSTEM



NO DNR PERMIT NEEDED

Based on the information provided below, a DNR Public Waters Work Permit is not needed for the proposed activity. If you have any questions about this decision, or if your project plans change, please contact your Area Hydrologist. Be advised that you are not released from any rules, regulations, requirements, or standards of any applicable federal, state, or local agencies; including, but not limited to, the U.S. Army Corps of Engineers, Board of Water and Soil Resources, MN Pollution Control Agency, watershed districts, water management organizations, county, city, and township zoning.

Public Waters Work Permit Application

Date Submitted to DNR: July 30, 2018 at 11:40 AM

Application Reference Name: Winter 2018/19 sediment cleaning

Parties *(Individuals and Organizations associated with the permit application)*

City of Edina - Landowner or Government Unit

Address: 7450 Metro Blvd, Edina, MN 55438
Phone: 952-903-5713

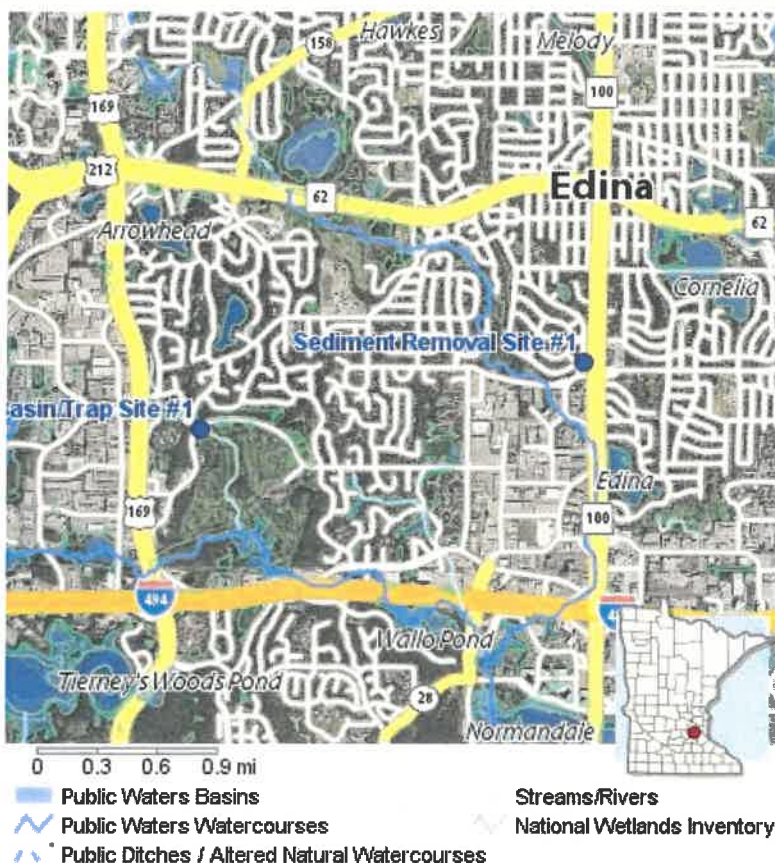
Ross Bintner - Contact *(representing City of Edina)*
(submitted application)

Address: 7450 Metro Blvd, Edina, MN 55439
Phone: 952-903-5713
Email: rbintner@edinamn.gov

Proposed Activities (2)

Sediment Basin/Trap; Sediment Removal

Location and Water Resources (within 50 meters)



Site Name: Sediment Basin/Trap Site #1

(Sediment Basin/Trap)

Counties: Hennepin

Watersheds: Lower Minnesota River

PLS: T116N-R21W-S7 SWNE, T116N-R21W-S7 NENW, T116N-R21W-S7 SENW

UTM: X:469145 Y:4968788

Water Resources: Stream/River: Unnamed Stream (M-055-005-001-002), Lake: (Null), Wetlands: National Wetland Inventory (quantity = 7)

Site Name: Sediment Removal Site #1

(Sediment Removal)

Counties: Hennepin

Watersheds: Lower Minnesota River

PLS: T28N-R24W-S30 SWSW, T28N-R24W-S31 NWNW, T116N-R21W-S4 SWSW, T116N-R21W-S9 NWNW

UTM: X:472224 Y:4969341

Water Resources: Lake: (Null), Wetlands: National Wetland Inventory (quantity = 2)

Project Overview

1	Please assign a reference/project name to this application.	Winter 2018/19 sediment cleaning
2	What is the main type of work you are proposing to do?	Work in or near a lake, wetland, or river/stream (e.g., excavate, place fill, install a structure in a waterbody, modify a dam)
3	When is the anticipated start date for the project?	10/01/2018
4	When is the expected completion date for the entire project?	02/28/2019
5	Briefly describe the overall project purpose and need.	Clear accumulated sediment to restore flow and storage
6	Has any portion of the proposed work in wetlands or water areas already started?	No
7	Is this a transportation project sponsored by a government unit?	No
8	Will the project require any dewatering (the deliberate removal of water through the use of a pump, ditch, etc. to lower water levels to allow work to be accomplished)?	No
9	Has an Environmental Assessment Worksheet (EAW) or Environmental Impact Statement (EIS) been completed for the project, or will it be required?	No
10	Has the project gone through a Natural Heritage (endangered species) review?	No

Activity Details (2)

Activity #1: Sediment Removal

Activity Details *(Continued)*

How many different sites will have sediment removal work (i.e., the number of individual stream/river, ditch, lake, pond, pit, and/or wetland impact areas)? 1



Site Name: Sediment Removal Site #1

Counties: Hennepin

Watersheds: Lower Minnesota River

PLS: T28N-R24W-S30 SWSW, T28N-R24W-S31 NWNW, T116N-R21W-S4 SWSW, T116N-R21W-S9 NWNW

UTM: X:472224 Y:4969341

Water Resources: Lake: (Null), Wetlands: National Wetland Inventory (quantity = 2)

1 Briefly describe the impact to the water resource(s) at this particular site:

Rabun Pond sediment deltas, 1 on NW and 1 on S side of pond.

2 If applicable, is the fill permanent or temporary?

Not applicable

3 If applicable, what is the size of the area to be excavated?

800

4 Please choose units:

square feet

5 If applicable, is the excavation permanent or temporary?

Permanent

6 Will you be removing any vegetation from an aquatic resource that is not already associated with excavation/filling?

No

7 Will work at this site result in the draining of any water resources?

No

8 Select the resource(s) below that describes the type of water bodies that could be impacted at this site.

wetland, lake

Attachment(s): rabun_area_map.pdf

Activity #2: Sediment Basin/Trap

How many different water sites will have this type of activity (i.e., the number of individual stream/river, ditch, lake, pond, pit, and/or wetland crossings or unique impact areas)? 1

Activity Details *(Continued)*



Site Name: Sediment Basin/Trap Site #1

Counties: Hennepin

Watersheds: Lower Minnesota River

PLS: T116N-R21W-S7 SWNE, T116N-R21W-S7 NENW, T116N-R21W-S7 SENW

UTM: X:469145 Y:4968788

Water Resources: Stream/River: Unnamed Stream (M-055-005-001-002), Lake: (Null), Wetlands: National Wetland Inventory (quantity = 7)

1 Briefly describe the impact to the water resource(s) at this particular site:

2 If applicable, is the fill permanent or temporary?

3 If applicable, what is the size of the area to be excavated?

4 Please choose units:

5 If applicable, is the excavation permanent or temporary?

6 Will you be removing any vegetation from an aquatic resource that is not already associated with excavation/filling?

7 Will work at this site result in the draining of any water resources?

8 Select the resource(s) below that describes the type of water bodies that could be impacted at this site.

Removal of accumulated sediment near Braemar Blvd

Not applicable

3,000

square feet

Permanent

Yes

No

stream/river, wetland, lake

Attachment(s): Braemar_areamap.pdf

Aquatic Resource Impact Summary

Aquatic Resource Map Site ID	Aquatic Resource Type	Type of Impact	Duration of Impact	Size of Impact	Overall Size of Aquatic Resource	Existing Plant Community Type(s)	County; Major Watershed #; and Bank Service Area
------------------------------	-----------------------	----------------	--------------------	----------------	----------------------------------	----------------------------------	--------------------------------------------------

Aquatic Resource Impact Summary (Continued)

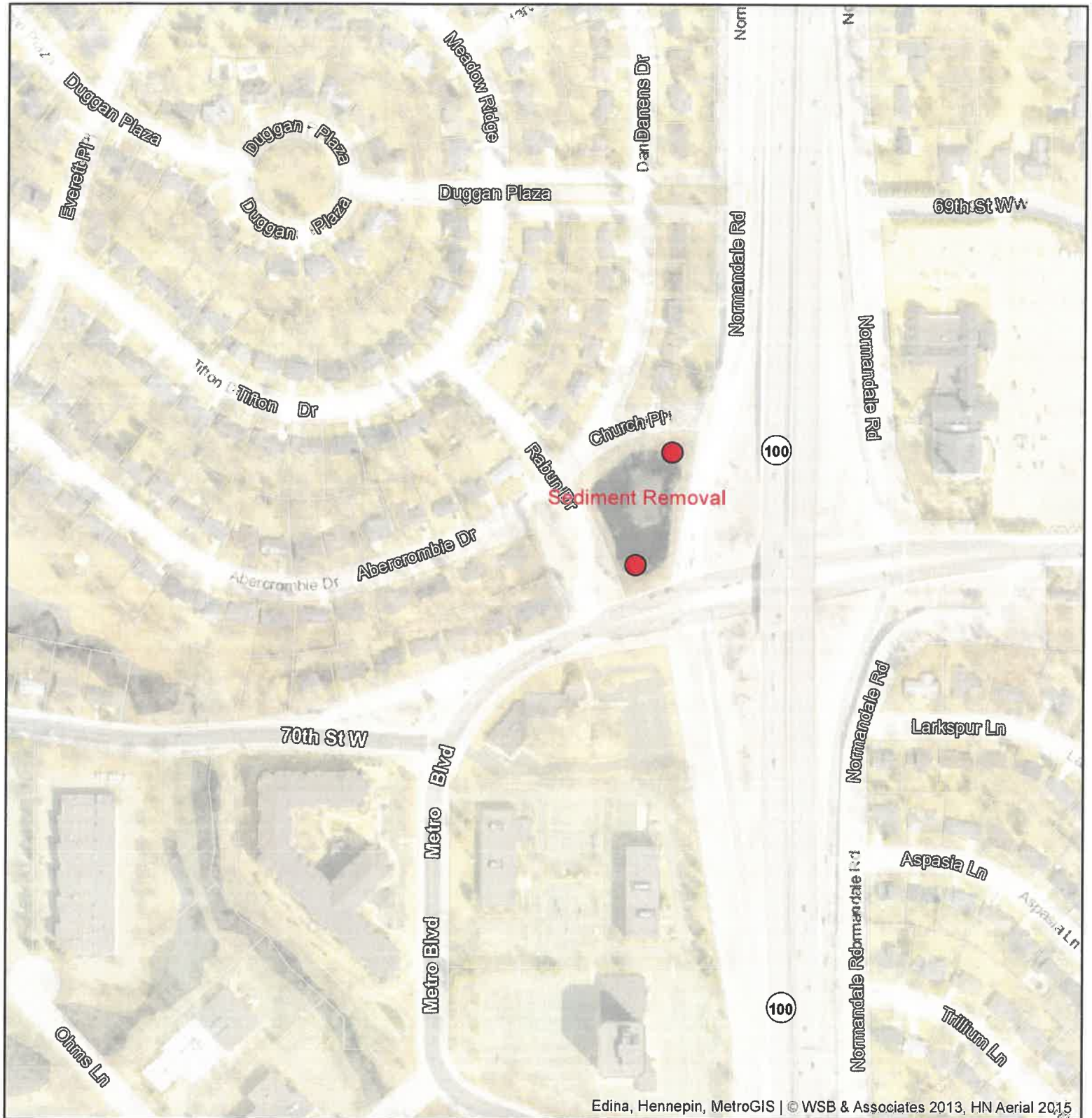
Aquatic Resource Map Site ID	Aquatic Resource Type	Type of Impact	Duration of Impact	Size of Impact	Overall Size of Aquatic Resource	Existing Plant Community Type(s)	County; Major Watershed #; and Bank Service Area
Sediment Removal Site #1	Lake: (Null), Wetlands: National Wetland Inventory (quantity = 2)	Excavate	Permanent	800 square feet	(N/A)	(N/A)	Hennepin; 121; -
Sediment Basin/Trap Site #1	Stream/River: Unnamed Stream (M-055-005-001-002), Lake: (Null), Wetlands: National Wetland Inventory (quantity = 7)	Excavate	Permanent	3,000 square feet	(N/A)	(N/A)	Hennepin; 121; -
Sediment Basin/Trap Site #1	Stream/River: Unnamed Stream (M-055-005-001-002), Lake: (Null), Wetlands: National Wetland Inventory (quantity = 7)	Remove Vegetation	(N/A)	(N/A)	(N/A)	(N/A)	Hennepin; 121; -

Acknowledgment (By the party who submitted the permit application)

☒ I attest that:
 •The information submitted and the statements made concerning this application are true and correct to the best of my knowledge.

PRINTED: 07/30/2018 at 11:40 AM

Area Map



1 in = 300 ft

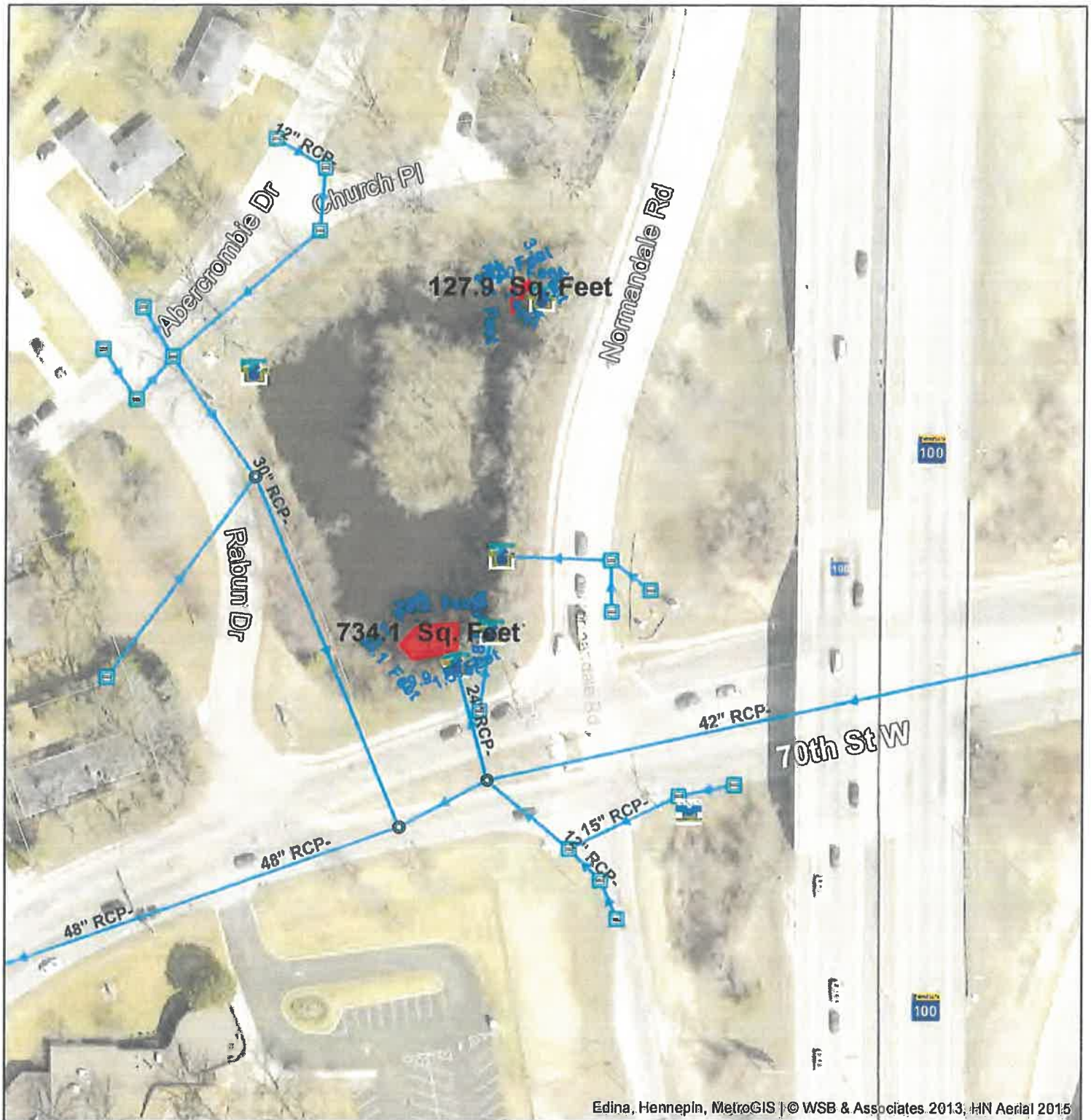


The CITY of
EDINA



July 30, 2018
Map Powered by DataLink

Rabun Dr Silt Removal Areas



Edina, Hennepin, MetroGIS | © WSB & Associates 2013; HIN Aerial 2015

1 in = 94 ft



The CITY of
EDINA

Control Valve

- Control
- Backflow Control
- Outlet
- Inlet

Lift Station

- Pump Station

Manhole

- Catch Basin
- Manhole
- Sump
- Treatment Structure
- Unknown Structure
- Sump Cleanout

Sump Draintile

- Drain Tile
- Service
- Collector
- Private
- Abandon

Pressurized Main

- Abandoned
- Active

Gravity Main

- Collector
- Private
- Abandon



November 27, 201
Map Powered by DataLink
from WSB & Associates

Joint Application Form for Activities Affecting Water Resources in Minnesota

This joint application form is the accepted means for initiating review of proposals that may affect a water resource (wetland, tributary, lake, etc.) in the State of Minnesota under state and federal regulatory programs. Applicants for Minnesota Department of Natural Resources (DNR) Public Waters permits **MUST** use the MPARS online permitting system for submitting applications to the DNR. Applicants can use the information entered into MPARS to substitute for completing parts of this joint application form (see the paragraph on MPARS at the end of the joint application form instructions for additional information). This form is only applicable to the water resource aspects of proposed projects under state and federal regulatory programs; other local applications and approvals may be required. Depending on the nature of the project and the location and type of water resources impacted, multiple authorizations may be required as different regulatory programs have different types of jurisdiction over different types of resources.

Regulatory Review Structure

Federal

The St. Paul District of the U.S. Army Corps of Engineers (Corps) is the federal agency that regulates discharges of dredged or fill material into waters of the United States (wetlands, tributaries, lakes, etc.) under Section 404 of the Clean Water Act (CWA) and regulates work in navigable waters under Section 10 of the Rivers and Harbors Act. Applications are assigned to Corps project managers who are responsible for implementing the Corps regulatory program within a particular geographic area.

State

There are three state regulatory programs that regulate activities affecting water resources. The Wetland Conservation Act (WCA) regulates most activities affecting wetlands. It is administered by local government units (LGUs) which can be counties, townships, cities, watershed districts, watershed management organizations or state agencies (on state-owned land). The Minnesota DNR Division of Ecological and Water Resources issues permits for work in specially-designated public waters via the Public Waters Work Permit Program (DNR Public Waters Permits). The Minnesota Pollution Control Agency (MPCA) under Section 401 of the Clean Water Act certifies that discharges of dredged or fill material authorized by a federal permit or license comply with state water quality standards. One or more of these regulatory programs may be applicable to any one project.

Required Information

Prior to submitting an application, applicants are **strongly encouraged** to seek input from the Corps Project Manager and LGU staff to identify regulatory issues and required application materials for their proposed project. Project proponents can request a pre-application consultation with the Corps and LGU to discuss their proposed project by providing the information required in Sections 1 through 5 of this joint application form to facilitate a meaningful discussion about their project. Many LGUs provide a venue (such as regularly scheduled technical evaluation panel meetings) for potential applicants to discuss their projects with multiple agencies prior to submitting an application. Contact information is provided below.

The following bullets outline the information generally required for several common types of determinations/authorizations.

- For delineation approvals and/or jurisdictional determinations, submit Parts 1, 2 and 5, and Attachment A.
- For activities involving CWA/WCA exemptions, WCA no-loss determinations, and activities not requiring mitigation, submit Parts 1 through 5, and Attachment B.
- For activities requiring compensatory mitigation/replacement plan, submit Parts 1 thru 5, and Attachments C and D.
- For local road authority activities that qualify for the state's local road wetland replacement program, submit Parts 1 through 5, and Attachments C, D (if applicable), and E to both the Corps and the LGU.

Submission Instructions

Send the completed joint application form and all required attachments to:

U.S Army Corps of Engineers. Applications may be sent directly to the appropriate Corps Office. For a current listing of areas of responsibilities and contact information, visit the St. Paul District's website at:

<http://www.mvp.usace.army.mil/Missions/Regulatory.aspx> and select "Minnesota" from the contact Information box.

Alternatively, applications may be sent directly to the St. Paul District Headquarters and the Corps will forward them to the appropriate field office.

Section 401 Water Quality Certification: Applicants do not need to submit the joint application form to the MPCA unless specifically requested. The MPCA will request a copy of the completed joint application form directly from an applicant when they determine an individual 401 water quality certification is required for a proposed project.

Wetland Conservation Act Local Government Unit: Send to the appropriate Local Government Unit. If necessary, contact your county Soil and Water Conservation District (SWCD) office or visit the Board of Water and Soil Resources (BWSR) web site (www.bwsr.state.mn.us) to determine the appropriate LGU.

DNR Public Waters Permitting: In 2014 the DNR will begin using the Minnesota DNR Permitting and Reporting System (MPARS) for submission of Public Waters permit applications (<https://webapps11.dnr.state.mn.us/mpars/public/authentication/login>). Applicants for Public Waters permits **MUST** use the MPARS online permitting system for submitting applications to the DNR. To avoid duplication and to streamline the application process among the various resource agencies, applicants can use the information entered into MPARS to substitute for completing parts of this joint application form. The MPARS print/save function will provide the applicant with a copy of the Public Waters permit application which, at a minimum, will satisfy Parts one and two of this joint application. For certain types of activities, the MPARS application may also provide all of the necessary information required under Parts three and four of the joint application. However, it is the responsibility of the Applicant to make sure that the joint application contains all of the required information, including identification of all aquatic resources impacted by the project (see Part four of the joint application). After confirming that the MPARS application contains all of the required information in Parts one and two the Applicant may attach a copy to the joint application and fill in any missing information in the remainder of the joint application.

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: Ross Bintner / City of Edina

Mailing Address: 7450 Metro Blvd, Edina MN 55439

Phone: 952-903-5713

E-mail Address: rbintner@edinamn.gov

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

Mailing Address:

Phone:

E-mail Address:

Agent Name:

Mailing Address:

Phone:

E-mail Address:

PART TWO: Site Location Information

County: Hennepin

City/Township: Edina

Parcel ID and/or Address: 0411621340059 / Rabun Dr Pond

Legal Description (Section, Township, Range): NE ¼ of NE ¼ of NW ¼ Sec 9, T116, R21 1/4/ section adjacent N.

Lat/Long (decimal degrees): 44.876945, -93.351453

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): See attached map

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

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.

Project Info: Remove accumulated sediment

Project Schedule: Winter 2018/2019

Aquatic Impacts: Wetland

PART FOUR: Aquatic Resource Impact¹ 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) ¹	Size of Impact ²	Overall Size of Aquatic Resource ³	Existing Plant Community Type(s) in Impact Area ⁴	County, Major Watershed #, and Bank Service Area # of Impact Area ⁵
Nearby wetland	Wetland/ stormwater pond	Excavate	T (3)	900sf / 0.021acre	0.9ac	Water, Trees	33

¹If 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)".

²Impacts less than 0.01 acre should be reported in square feet. Impacts 0.01 acre or greater should be reported as 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 6 feet wide would be reported as 50 ft (300 square feet).

³This is generally only applicable if you are applying for a de minimis exemption under MN Rules 8420.0420 Subp. 8, otherwise enter "N/A".

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

⁵Refer 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: Ross Bintner Date: 7/30/2018

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.

¹ 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.).

☐ **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>

Attachment B

Supporting Information for Applications Involving Exemptions, No Loss Determinations, and Activities Not Requiring Mitigation

Complete this part *if* you maintain that the identified aquatic resource impacts in Part Four do not require wetland replacement/compensatory mitigation OR *if* you are seeking verification that the proposed water resource impacts are either exempt from replacement or are not under CWA/WCA jurisdiction.

Identify the specific exemption or no-loss provision for which you believe your project or site qualifies:

No loss of wetland functions due to removal of sediment, not native soils. MN Rules 8420.0415

Provide a detailed explanation of how your project or site qualifies for the above. Be specific and provide and refer to attachments and exhibits that support your contention. Applicants should refer to rules (e.g. WCA rules), guidance documents (e.g. BWSR guidance, Corps guidance letters/public notices), and permit conditions (e.g. Corps General Permit conditions) to determine the necessary information to support the application. Applicants are strongly encouraged to contact the WCA LGU and Corps Project Manager prior to submitting an application if they are unsure of what type of information to provide:

See attached plan.

Attachment C

Avoidance and Minimization

Project Purpose, Need, and Requirements. Clearly state the purpose of your project and need for your project. Also include a description of any specific requirements of the project as they relate to project location, project footprint, water management, and any other applicable requirements. Attach an overhead plan sheet showing all relevant features of the project (buildings, roads, etc.), aquatic resource features (impact areas noted) and construction details (grading plans, storm water management plans, etc.), referencing these as necessary:

Avoidance. Both the CWA and the WCA require that impacts to aquatic resources be avoided if practicable alternatives exist. Clearly describe all on-site measures considered to avoid impacts to aquatic resources and discuss at least two project alternatives that avoid all impacts to aquatic resources on the site. These alternatives may include alternative site plans, alternate sites, and/or not doing the project. Alternatives should be feasible and prudent (see MN Rules 8420.0520 Subp. 2 C). Applicants are encouraged to attach drawings and plans to support their analysis:

Minimization. Both the CWA and the WCA require that all unavoidable impacts to aquatic resources be minimized to the greatest extent practicable. Discuss all features of the proposed project that have been modified to minimize the impacts to water resources (see MN Rules 8420.0520 Subp. 4):

Off-Site Alternatives. An off-site alternatives analysis is not required for all permit applications. If you know that your proposal will require an individual permit (standard permit or letter of permission) from the U.S. Army Corps of Engineers, you may be required to provide an off-site alternatives analysis. The alternatives analysis is not required for a complete application but must be provided during the review process in order for the Corps to complete the evaluation of your application and reach a final decision. Applicants with questions about when an off-site alternatives analysis is required should contact their Corps Project Manager.

Attachment D

Replacement/Compensatory Mitigation

Complete this part *if* your application involves wetland replacement/compensatory mitigation not associated with the local road wetland replacement program. Applicants should consult Corps mitigation guidelines and WCA rules for requirements.

Replacement/Compensatory Mitigation via Wetland Banking. Complete this section if you are proposing to use credits from an existing wetland bank (with an account number in the State wetland banking system) for all or part of your replacement/compensatory mitigation requirements.

Wetland Bank Account #	County	Major Watershed #	Bank Service Area #	Credit Type (if applicable)	Number of Credits

Applicants should attach documentation indicating that they have contacted the wetland bank account owner and reached at least a tentative agreement to utilize the identified credits for the project. This documentation could be a signed purchase agreement, signed application for withdrawal of credits or some other correspondence indicating an agreement between the applicant and the bank owner. *However, applicants are advised not to enter into a binding agreement to purchase credits until the mitigation plan is approved by the Corps and LGU.*

Project-Specific Replacement/Permittee Responsible Mitigation. Complete this section if you are proposing to pursue actions (restoration, creation, preservation, etc.) to generate wetland replacement/compensatory mitigation credits for this proposed project.

WCA Action Eligible for Credit ¹	Corps Mitigation Compensation Technique ²	Acres	Credit % Requested	Credits Anticipated ³	County	Major Watershed #	Bank Service Area #

¹Refer to the name and subpart number in MN Rule 8420.0526.

²Refer to the technique listed in *St. Paul District Policy for Wetland Compensatory Mitigation in Minnesota*.

³If WCA and Corps crediting differs, then enter both numbers and distinguish which is Corps and which is WCA.

Explain how each proposed action or technique will be completed (e.g. wetland hydrology will be restored by breaking the tile.....) and how the proposal meets the crediting criteria associated with it. Applicants should refer to the Corps mitigation policy language, WCA rule language, and all associated Corps and WCA guidance related to the action or technique:

Attach a site location map, soils map, recent aerial photograph, and any other maps to show the location and other relevant features of each wetland replacement/mitigation site. Discuss in detail existing vegetation, existing landscape features, land use (on and surrounding the site), existing soils, drainage systems (if present), and water sources and movement. Include a topographic map showing key features related to hydrology and water flow (inlets, outlets, ditches, pumps, etc.):

Project Name and/or Number:

Attach a map of the existing aquatic resources, associated delineation report, and any documentation of regulatory review or approval. Discuss as necessary:

For actions involving construction activities, attach construction plans and specifications with all relevant details. Discuss and provide documentation of a hydrologic and hydraulic analysis of the site to define existing conditions, predict project outcomes, identify specific project performance standards and avoid adverse offsite impacts. Plans and specifications should be prepared by a licensed engineer following standard engineering practices. Discuss anticipated construction sequence and timing:

For projects involving vegetation restoration, provide a vegetation establishment plan that includes information on site preparation, seed mixes and plant materials, seeding/planting plan (attach seeding/planting zone map), planting/seeding methods, vegetation maintenance, and an anticipated schedule of activities:

For projects involving construction or vegetation restoration, identify and discuss goals and specific outcomes that can be determined for credit allocation. Provide a proposed credit allocation table tied to outcomes:

Provide a five-year monitoring plan to address project outcomes and credit allocation:

Discuss and provide evidence of ownership or rights to conduct wetland replacement/mitigation on each site:

Quantify all proposed wetland credits and compare to wetland impacts to identify a proposed wetland replacement ratio. Discuss how this replacement ratio is consistent with Corps and WCA requirements:

By signature below, the applicant attests to the following (only required if application involves project-specific/permittee responsible replacement):

- All proposed replacement wetlands were not:
 - Previously restored or created under a prior approved replacement plan or permit
 - Drained or filled under an exemption during the previous 10 years
 - Restored with financial assistance from public conservation programs
 - Restored using private funds, other than landowner funds, unless the funds are paid back with interest to the individual or organization that funded the restoration and the individual or organization notifies the local government unit in writing that the restored wetland may be considered for replacement.
- The wetland will be replaced before or concurrent with the actual draining or filling of a wetland.
- An irrevocable bank letter of credit, performance bond, or other acceptable security will be provided to guarantee successful completion of the wetland replacement.
- Within 30 days of either receiving approval of this application or beginning work on the project, I will record the Declaration of Restrictions and Covenants on the deed for the property on which the replacement wetland(s) will be located and submit proof of such recording to the LGU and the Corps.

Applicant or Representative:

Title:

Signature: _____

Date:

Attachment E

Local Road Replacement Program Qualification

Complete this part **if** you are a local road authority (county highway department, city transportation department, etc.) seeking verification that your project (or a portion of your project) qualifies for the MN Local Government Road Wetland Replacement Program (LGRWRP). If portions of your project are not eligible for the LGRWRP, then Attachment D should be completed and attached to your application.

Discuss how your project is a repair, rehabilitation, reconstruction, or replacement of a currently serviceable road to meet state/federal design or safety standards/requirements. Applicants should identify the specific road deficiencies and how the project will rectify them. Attach supporting documents and information as applicable:

Provide a map, plan, and/or aerial photograph accurately depicting wetland boundaries within the project area. Attach associated delineation/determination report or otherwise explain the method(s) used to identify and delineate wetlands. Also attach and discuss any type of review or approval of wetland boundaries or other aspects of the project by a member or members of the local Technical Evaluation Panel (TEP) or Corps of Engineers:

In the table below, identify only the wetland impacts from Part 4 that the road authority has determined should qualify for the LGRWRP.

Wetland Impact ID (as noted on overhead view)	Type of Impact (fill, excavate, drain)	Size of Impact (square feet or acres to 0.01)	Existing Plant Community Type(s) in Impact Area ¹	County, Major Watershed #, and Bank Service Area # of Impact ²

¹Use *Wetland Plants and Plant Community Types of Minnesota and Wisconsin* 3rd Ed. as modified in MN Rules 8420.0405 Subp. 2.

²Refer to Major Watershed and Bank Service Area maps in MN Rules 8420.0522 Subp. 7.

Discuss the feasibility of providing onsite compensatory mitigation/replacement for important site-specific wetland functions:

Please note that under the MN Wetland Conservation Act, projects with less than 10,000 square feet of wetland impact are allowed to commence prior to submission of this notification so long as the notification is submitted within 30 days of the impact. The Clean Water Act has no such provision and requires that permits be obtained prior to any regulated discharges into water of the United States. To avoid potential unauthorized activities, road authorities must, at a minimum, provide a complete application to the Corps and receive a permit prior to commencing work.

By signature below, the road authority attests that they have followed the process in MN Rules 8420.0544 and have determined that the wetland impacts identified in Attachment D are eligible for the MN Local Government Road Wetland Replacement Program.

Road Authority Representative:

Title:

Signature: _____

Date:

Technical Evaluation Panel Concurrence:

Project Name and/or Number:

TEP member:

Representing:

Concur with road authority's determination of qualification for the local road wetland replacement program? ☐ Yes ☐ No

Signature: _____

Date:

TEP member:

Representing:

Concur with road authority's determination of qualification for the local road wetland replacement program? ☐ Yes ☐ No

Signature: _____

Date:

TEP member:

Representing:

Concur with road authority's determination of qualification for the local road wetland replacement program? ☐ Yes ☐ No

Signature: _____

Date:

TEP member:

Representing:

Concur with road authority's determination of qualification for the local road wetland replacement program? ☐ Yes ☐ No

Signature: _____

Date:

Upon approval and signature by the TEP, application must be sent to: **Wetland Bank Administration**
Minnesota Board of Water & Soil Resources
520 Lafayette Road North
Saint Paul, MN 55155



Minnesota Department of Natural Resources
Division of Ecological & Water Resources
MNDNR PERMITTING AND REPORTING SYSTEM



NO DNR PERMIT NEEDED

Based on the information provided below, a DNR Public Waters Work Permit is not needed for the proposed activity. If you have any questions about this decision, or if your project plans change, please contact your Area Hydrologist. Be advised that you are not released from any rules, regulations, requirements, or standards of any applicable federal, state, or local agencies; including, but not limited to, the U.S. Army Corps of Engineers, Board of Water and Soil Resources, MN Pollution Control Agency, watershed districts, water management organizations, county, city, and township zoning.

Public Waters Work Permit Application

Date Submitted to DNR: July 30, 2018 at 11:40 AM

Application Reference Name: Winter 2018/19 sediment cleaning

Parties *(Individuals and Organizations associated with the permit application)*

City of Edina - Landowner or Government Unit

Address: 7450 Metro Blvd, Edina, MN 55438
Phone: 952-903-5713

Ross Bintner - Contact *(representing City of Edina)*
(submitted application)

Address: 7450 Metro Blvd, Edina, MN 55439
Phone: 952-903-5713
Email: rbintner@edinamn.gov

Proposed Activities (2)

Sediment Basin/Trap; Sediment Removal

Location and Water Resources (within 50 meters)



Site Name: Sediment Basin/Trap Site #1

(Sediment Basin/Trap)

Counties: Hennepin

Watersheds: Lower Minnesota River

PLS: T116N-R21W-S7 SWNE, T116N-R21W-S7 NENW, T116N-R21W-S7 SENW

UTM: X:469145 Y:4968788

Water Resources: Stream/River: Unnamed Stream (M-055-005-001-002), Lake: (Null), Wetlands: National Wetland Inventory (quantity = 7)

Site Name: Sediment Removal Site #1

(Sediment Removal)

Counties: Hennepin

Watersheds: Lower Minnesota River

PLS: T28N-R24W-S30 SWSW, T28N-R24W-S31 NWNW, T116N-R21W-S4 SWSW, T116N-R21W-S9 NWNW

UTM: X:472224 Y:4969341

Water Resources: Lake: (Null), Wetlands: National Wetland Inventory (quantity = 2)

Project Overview

1	Please assign a reference/project name to this application.	Winter 2018/19 sediment cleaning
2	What is the main type of work you are proposing to do?	Work in or near a lake, wetland, or river/stream (e.g., excavate, place fill, install a structure in a waterbody, modify a dam)
3	When is the anticipated start date for the project?	10/01/2018
4	When is the expected completion date for the entire project?	02/28/2019
5	Briefly describe the overall project purpose and need.	Clear accumulated sediment to restore flow and storage
6	Has any portion of the proposed work in wetlands or water areas already started?	No
7	Is this a transportation project sponsored by a government unit?	No
8	Will the project require any dewatering (the deliberate removal of water through the use of a pump, ditch, etc. to lower water levels to allow work to be accomplished)?	No
9	Has an Environmental Assessment Worksheet (EAW) or Environmental Impact Statement (EIS) been completed for the project, or will it be required?	No
10	Has the project gone through a Natural Heritage (endangered species) review?	No

Activity Details (2)

Activity #1: Sediment Removal

Activity Details *(Continued)*

How many different sites will have sediment removal work (i.e., the number of individual stream/river, ditch, lake, pond, pit, and/or wetland impact areas)? 1



Site Name: Sediment Removal Site #1

Counties: Hennepin

Watersheds: Lower Minnesota River

PLS: T28N-R24W-S30 SWSW, T28N-R24W-S31

NWNW, T116N-R21W-S4 SWSW, T116N-R21W-S9 NWNW

UTM: X:472224 Y:4969341

Water Resources: Lake: (Null), Wetlands: National Wetland Inventory (quantity = 2)

1 Briefly describe the impact to the water resource(s) at this particular site:

Rabun Pond sediment deltas, 1 on NW and 1 on S side of pond.

2 If applicable, is the fill permanent or temporary?

Not applicable

3 If applicable, what is the size of the area to be excavated?

800

4 Please choose units:

square feet

5 If applicable, is the excavation permanent or temporary?

Permanent

6 Will you be removing any vegetation from an aquatic resource that is not already associated with excavation/filling?

No

7 Will work at this site result in the draining of any water resources?

No

8 Select the resource(s) below that describes the type of water bodies that could be impacted at this site.

wetland, lake

 **Attachment(s):** rabun_area_map.pdf

Activity #2: Sediment Basin/Trap

How many different water sites will have this type of activity (i.e., the number of individual stream/river, ditch, lake, pond, pit, and/or wetland crossings or unique impact areas)? 1

Activity Details *(Continued)*



Site Name: Sediment Basin/Trap Site #1

Counties: Hennepin

Watersheds: Lower Minnesota River

PLS: T116N-R21W-S7 SWNE, T116N-R21W-S7 NENW, T116N-R21W-S7 SENW

UTM: X:469145 Y:4968788

Water Resources: Stream/River: Unnamed Stream (M-055-005-001-002), Lake: (Null), Wetlands: National Wetland Inventory (quantity = 7)

1 Briefly describe the impact to the water resource(s) at this particular site:

Removal of accumulated sediment near Braemar Blvd

2 If applicable, is the fill permanent or temporary?

Not applicable

3 If applicable, what is the size of the area to be excavated?

3,000

4 Please choose units:

square feet

5 If applicable, is the excavation permanent or temporary?

Permanent

6 Will you be removing any vegetation from an aquatic resource that is not already associated with excavation/filling?

Yes

7 Will work at this site result in the draining of any water resources?

No

8 Select the resource(s) below that describes the type of water bodies that could be impacted at this site.

stream/river, wetland, lake

Attachment(s): Braemar_areamap.pdf

Aquatic Resource Impact Summary

Aquatic Resource Map Site ID	Aquatic Resource Type	Type of Impact	Duration of Impact	Size of Impact	Overall Size of Aquatic Resource	Existing Plant Community Type(s)	County; Major Watershed #; and Bank Service Area
------------------------------	-----------------------	----------------	--------------------	----------------	----------------------------------	----------------------------------	--------------------------------------------------

Aquatic Resource Impact Summary (Continued)

Aquatic Resource Map Site ID	Aquatic Resource Type	Type of Impact	Duration of Impact	Size of Impact	Overall Size of Aquatic Resource	Existing Plant Community Type(s)	County; Major Watershed #; and Bank Service Area
Sediment Removal Site #1	Lake: (Null), Wetlands: National Wetland Inventory (quantity = 2)	Excavate	Permanent	800 square feet	(N/A)	(N/A)	Hennepin; 121; -
Sediment Basin/Trap Site #1	Stream/River: Unnamed Stream (M-055-005-001-002), Lake: (Null), Wetlands: National Wetland Inventory (quantity = 7)	Excavate	Permanent	3,000 square feet	(N/A)	(N/A)	Hennepin; 121; -
Sediment Basin/Trap Site #1	Stream/River: Unnamed Stream (M-055-005-001-002), Lake: (Null), Wetlands: National Wetland Inventory (quantity = 7)	Remove Vegetation	(N/A)	(N/A)	(N/A)	(N/A)	Hennepin; 121; -

Acknowledgment (By the party who submitted the permit application)

☒ I attest that:
 •The information submitted and the statements made concerning this application are true and correct to the best of my knowledge.

PRINTED: 07/30/2018 at 11:40 AM

Area Map



Edina, Hennepin, MetroGIS | © WSB & Associates 2013, HN Aerial 2015

1 in = 500 ft

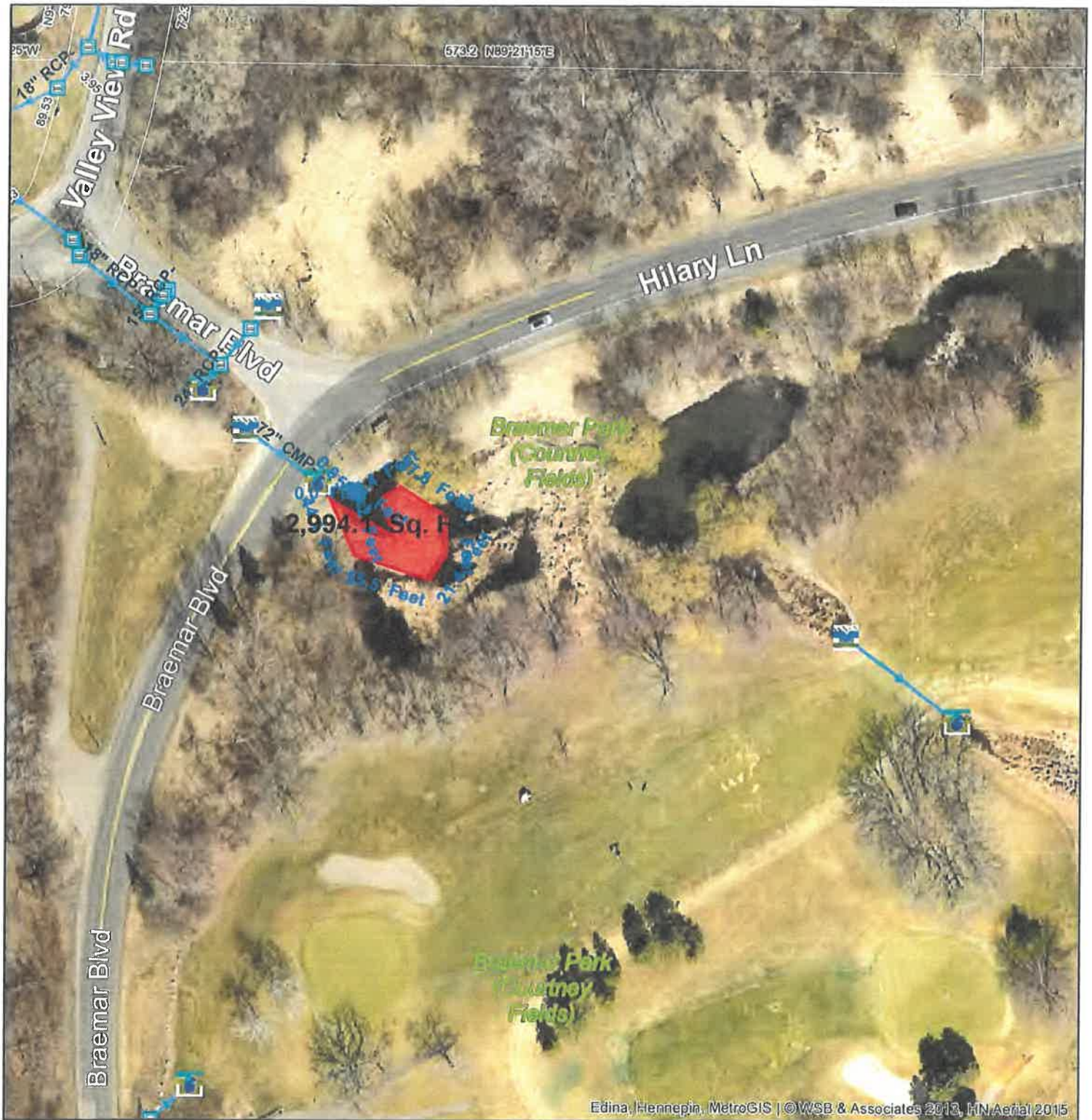


The CITY of
EDINA



July 30, 2018
Map Powered by DataLink

Braemar Silt Removal Area



1 in = 94 ft



The CITY of
EDINA

Addresses	Manhole	Sump Draintile	Pressurized Main
Control Valve	Catch Basin	Drain Tile	Abandoned
Control	Manhole	Service	Active
Backflow Control	Sump	Gravity Main	BMP
Outlet	Treatment Structure	Collector	
Inlet	Unknown Structure	Private	
Lift Station	Sump Cleanout	Abandon	
Pump Station			



November 21, 201
Map Powered by DataLink
from WSB & Associates

Joint Application Form for Activities Affecting Water Resources in Minnesota

This joint application form is the accepted means for initiating review of proposals that may affect a water resource (wetland, tributary, lake, etc.) in the State of Minnesota under state and federal regulatory programs. Applicants for Minnesota Department of Natural Resources (DNR) Public Waters permits **MUST** use the MPARS online permitting system for submitting applications to the DNR. Applicants can use the information entered into MPARS to substitute for completing parts of this joint application form (see the paragraph on MPARS at the end of the joint application form instructions for additional information). This form is only applicable to the water resource aspects of proposed projects under state and federal regulatory programs; other local applications and approvals may be required. Depending on the nature of the project and the location and type of water resources impacted, multiple authorizations may be required as different regulatory programs have different types of jurisdiction over different types of resources.

Regulatory Review Structure

Federal

The St. Paul District of the U.S. Army Corps of Engineers (Corps) is the federal agency that regulates discharges of dredged or fill material into waters of the United States (wetlands, tributaries, lakes, etc.) under Section 404 of the Clean Water Act (CWA) and regulates work in navigable waters under Section 10 of the Rivers and Harbors Act. Applications are assigned to Corps project managers who are responsible for implementing the Corps regulatory program within a particular geographic area.

State

There are three state regulatory programs that regulate activities affecting water resources. The Wetland Conservation Act (WCA) regulates most activities affecting wetlands. It is administered by local government units (LGUs) which can be counties, townships, cities, watershed districts, watershed management organizations or state agencies (on state-owned land). The Minnesota DNR Division of Ecological and Water Resources issues permits for work in specially-designated public waters via the Public Waters Work Permit Program (DNR Public Waters Permits). The Minnesota Pollution Control Agency (MPCA) under Section 401 of the Clean Water Act certifies that discharges of dredged or fill material authorized by a federal permit or license comply with state water quality standards. One or more of these regulatory programs may be applicable to any one project.

Required Information

Prior to submitting an application, applicants are **strongly encouraged** to seek input from the Corps Project Manager and LGU staff to identify regulatory issues and required application materials for their proposed project. Project proponents can request a pre-application consultation with the Corps and LGU to discuss their proposed project by providing the information required in Sections 1 through 5 of this joint application form to facilitate a meaningful discussion about their project. Many LGUs provide a venue (such as regularly scheduled technical evaluation panel meetings) for potential applicants to discuss their projects with multiple agencies prior to submitting an application. Contact information is provided below.

The following bullets outline the information generally required for several common types of determinations/authorizations.

- For delineation approvals and/or jurisdictional determinations, submit Parts 1, 2 and 5, and Attachment A.
- For activities involving CWA/WCA exemptions, WCA no-loss determinations, and activities not requiring mitigation, submit Parts 1 through 5, and Attachment B.
- For activities requiring compensatory mitigation/replacement plan, submit Parts 1 thru 5, and Attachments C and D.
- For local road authority activities that qualify for the state's local road wetland replacement program, submit Parts 1 through 5, and Attachments C, D (if applicable), and E to both the Corps and the LGU.

Submission Instructions

Send the completed joint application form and all required attachments to:

U.S Army Corps of Engineers. Applications may be sent directly to the appropriate Corps Office. For a current listing of areas of responsibilities and contact information, visit the St. Paul District's website at:

<http://www.mvp.usace.army.mil/Missions/Regulatory.aspx> and select "Minnesota" from the contact Information box.

Alternatively, applications may be sent directly to the St. Paul District Headquarters and the Corps will forward them to the appropriate field office.

Section 401 Water Quality Certification: Applicants do not need to submit the joint application form to the MPCA unless specifically requested. The MPCA will request a copy of the completed joint application form directly from an applicant when they determine an individual 401 water quality certification is required for a proposed project.

Wetland Conservation Act Local Government Unit: Send to the appropriate Local Government Unit. If necessary, contact your county Soil and Water Conservation District (SWCD) office or visit the Board of Water and Soil Resources (BWSR) web site (www.bwsr.state.mn.us) to determine the appropriate LGU.

DNR Public Waters Permitting: In 2014 the DNR will begin using the Minnesota DNR Permitting and Reporting System (MPARS) for submission of Public Waters permit applications (<https://webapps11.dnr.state.mn.us/mpars/public/authentication/login>).

Applicants for Public Waters permits **MUST** use the MPARS online permitting system for submitting applications to the DNR. To avoid duplication and to streamline the application process among the various resource agencies, applicants can use the information entered into MPARS to substitute for completing parts of this joint application form. The MPARS print/save function will provide the applicant with a copy of the Public Waters permit application which, at a minimum, will satisfy Parts one and two of this joint application. For certain types of activities, the MPARS application may also provide all of the necessary information required under Parts three and four of the joint application. However, it is the responsibility of the Applicant to make sure that the joint application contains all of the required information, including identification of all aquatic resources impacted by the project (see Part four of the joint application). After confirming that the MPARS application contains all of the required information in Parts one and two the Applicant may attach a copy to the joint application and fill in any missing information in the remainder of the joint application.

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: Ross Bintner / City of Edina

Mailing Address: 7450 Metro Blvd, Edina MN 55439

Phone: 952-903-5713

E-mail Address: rbintner@edinamn.gov

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

Mailing Address:

Phone:

E-mail Address:

Agent Name:

Mailing Address:

Phone:

E-mail Address:

PART TWO: Site Location Information

County: Hennepin

City/Township: Edina

Parcel ID and/or Address: 0711621130001 / Braemar Golf Course

Legal Description (Section, Township, Range): NE ¼ of SE ¼ of NW ¼ Sec 7, T116, R21

Lat/Long (decimal degrees): 44.871894, -93.390667

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): See attached map

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

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.

Project Info: Remove accumulated sediment and refresh riprap.

Project Schedule: Winter 2018/2019

Aquatic Impacts: Wetland

PART FOUR: Aquatic Resource Impact¹ 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) ¹	Size of Impact ²	Overall Size of Aquatic Resource ³	Existing Plant Community Type(s) in Impact Area ⁴	County, Major Watershed #, and Bank Service Area # of Impact Area ⁵
Nearby wetland	Wetland	Disturb vegetation, Excavate	T (3)	3000sf / 0.069acre	4ac	Wetland Plants, trees	33

¹If 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)".

²Impacts less than 0.01 acre should be reported in square feet. Impacts 0.01 acre or greater should be reported as 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 6 feet wide would be reported as 50 ft (300 square feet).

³This is generally only applicable if you are applying for a de minimis exemption under MN Rules 8420.0420 Subp. 8, otherwise enter "N/A".

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

⁵Refer 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: Ross Bintner Date: 7/30/2018

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.

¹ 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.).

☐ **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>

Attachment B

Supporting Information for Applications Involving Exemptions, No Loss Determinations, and Activities Not Requiring Mitigation

Complete this part *if* you maintain that the identified aquatic resource impacts in Part Four do not require wetland replacement/compensatory mitigation OR *if* you are seeking verification that the proposed water resource impacts are either exempt from replacement or are not under CWA/WCA jurisdiction.

Identify the specific exemption or no-loss provision for which you believe your project or site qualifies:

No loss of wetland functions due to removal of sediment, not native soils. MN Rules 8420.0415

Provide a detailed explanation of how your project or site qualifies for the above. Be specific and provide and refer to attachments and exhibits that support your contention. Applicants should refer to rules (e.g. WCA rules), guidance documents (e.g. BWSR guidance, Corps guidance letters/public notices), and permit conditions (e.g. Corps General Permit conditions) to determine the necessary information to support the application. Applicants are strongly encouraged to contact the WCA LGU and Corps Project Manager prior to submitting an application if they are unsure of what type of information to provide:

See attached plan.

Attachment C

Avoidance and Minimization

Project Purpose, Need, and Requirements. Clearly state the purpose of your project and need for your project. Also include a description of any specific requirements of the project as they relate to project location, project footprint, water management, and any other applicable requirements. Attach an overhead plan sheet showing all relevant features of the project (buildings, roads, etc.), aquatic resource features (impact areas noted) and construction details (grading plans, storm water management plans, etc.), referencing these as necessary:

Avoidance. Both the CWA and the WCA require that impacts to aquatic resources be avoided if practicable alternatives exist. Clearly describe all on-site measures considered to avoid impacts to aquatic resources and discuss at least two project alternatives that avoid all impacts to aquatic resources on the site. These alternatives may include alternative site plans, alternate sites, and/or not doing the project. Alternatives should be feasible and prudent (see MN Rules 8420.0520 Subp. 2 C). Applicants are encouraged to attach drawings and plans to support their analysis:

Minimization. Both the CWA and the WCA require that all unavoidable impacts to aquatic resources be minimized to the greatest extent practicable. Discuss all features of the proposed project that have been modified to minimize the impacts to water resources (see MN Rules 8420.0520 Subp. 4):

Off-Site Alternatives. An off-site alternatives analysis is not required for all permit applications. If you know that your proposal will require an individual permit (standard permit or letter of permission) from the U.S. Army Corps of Engineers, you may be required to provide an off-site alternatives analysis. The alternatives analysis is not required for a complete application but must be provided during the review process in order for the Corps to complete the evaluation of your application and reach a final decision. Applicants with questions about when an off-site alternatives analysis is required should contact their Corps Project Manager.

Attachment D

Replacement/Compensatory Mitigation

Complete this part *if* your application involves wetland replacement/compensatory mitigation not associated with the local road wetland replacement program. Applicants should consult Corps mitigation guidelines and WCA rules for requirements.

Replacement/Compensatory Mitigation via Wetland Banking. Complete this section if you are proposing to use credits from an existing wetland bank (with an account number in the State wetland banking system) for all or part of your replacement/compensatory mitigation requirements.

Wetland Bank Account #	County	Major Watershed #	Bank Service Area #	Credit Type (if applicable)	Number of Credits

Applicants should attach documentation indicating that they have contacted the wetland bank account owner and reached at least a tentative agreement to utilize the identified credits for the project. This documentation could be a signed purchase agreement, signed application for withdrawal of credits or some other correspondence indicating an agreement between the applicant and the bank owner. *However, applicants are advised not to enter into a binding agreement to purchase credits until the mitigation plan is approved by the Corps and LGU.*

Project-Specific Replacement/Permittee Responsible Mitigation. Complete this section if you are proposing to pursue actions (restoration, creation, preservation, etc.) to generate wetland replacement/compensatory mitigation credits for this proposed project.

WCA Action Eligible for Credit ¹	Corps Mitigation Compensation Technique ²	Acres	Credit % Requested	Credits Anticipated ³	County	Major Watershed #	Bank Service Area #

¹Refer to the name and subpart number in MN Rule 8420.0526.

²Refer to the technique listed in *St. Paul District Policy for Wetland Compensatory Mitigation in Minnesota*.

³If WCA and Corps crediting differs, then enter both numbers and distinguish which is Corps and which is WCA.

Explain how each proposed action or technique will be completed (e.g. wetland hydrology will be restored by breaking the tile.....) and how the proposal meets the crediting criteria associated with it. Applicants should refer to the Corps mitigation policy language, WCA rule language, and all associated Corps and WCA guidance related to the action or technique:

Attach a site location map, soils map, recent aerial photograph, and any other maps to show the location and other relevant features of each wetland replacement/mitigation site. Discuss in detail existing vegetation, existing landscape features, land use (on and surrounding the site), existing soils, drainage systems (if present), and water sources and movement. Include a topographic map showing key features related to hydrology and water flow (inlets, outlets, ditches, pumps, etc.):

Project Name and/or Number:

Attach a map of the existing aquatic resources, associated delineation report, and any documentation of regulatory review or approval. Discuss as necessary:

For actions involving construction activities, attach construction plans and specifications with all relevant details. Discuss and provide documentation of a hydrologic and hydraulic analysis of the site to define existing conditions, predict project outcomes, identify specific project performance standards and avoid adverse offsite impacts. Plans and specifications should be prepared by a licensed engineer following standard engineering practices. Discuss anticipated construction sequence and timing:

For projects involving vegetation restoration, provide a vegetation establishment plan that includes information on site preparation, seed mixes and plant materials, seeding/planting plan (attach seeding/planting zone map), planting/seeding methods, vegetation maintenance, and an anticipated schedule of activities:

For projects involving construction or vegetation restoration, identify and discuss goals and specific outcomes that can be determined for credit allocation. Provide a proposed credit allocation table tied to outcomes:

Provide a five-year monitoring plan to address project outcomes and credit allocation:

Discuss and provide evidence of ownership or rights to conduct wetland replacement/mitigation on each site:

Quantify all proposed wetland credits and compare to wetland impacts to identify a proposed wetland replacement ratio. Discuss how this replacement ratio is consistent with Corps and WCA requirements:

By signature below, the applicant attests to the following (only required if application involves project-specific/permittee responsible replacement):

- All proposed replacement wetlands were not:
 - Previously restored or created under a prior approved replacement plan or permit
 - Drained or filled under an exemption during the previous 10 years
 - Restored with financial assistance from public conservation programs
 - Restored using private funds, other than landowner funds, unless the funds are paid back with interest to the individual or organization that funded the restoration and the individual or organization notifies the local government unit in writing that the restored wetland may be considered for replacement.
- The wetland will be replaced before or concurrent with the actual draining or filling of a wetland.
- An irrevocable bank letter of credit, performance bond, or other acceptable security will be provided to guarantee successful completion of the wetland replacement.
- Within 30 days of either receiving approval of this application or beginning work on the project, I will record the Declaration of Restrictions and Covenants on the deed for the property on which the replacement wetland(s) will be located and submit proof of such recording to the LGU and the Corps.

Applicant or Representative:

Title:

Signature: _____

Date:

Attachment E

Local Road Replacement Program Qualification

Complete this part **if** you are a local road authority (county highway department, city transportation department, etc.) seeking verification that your project (or a portion of your project) qualifies for the MN Local Government Road Wetland Replacement Program (LGRWRP). If portions of your project are not eligible for the LGRWRP, then Attachment D should be completed and attached to your application.

Discuss how your project is a repair, rehabilitation, reconstruction, or replacement of a currently serviceable road to meet state/federal design or safety standards/requirements. Applicants should identify the specific road deficiencies and how the project will rectify them. Attach supporting documents and information as applicable:

Provide a map, plan, and/or aerial photograph accurately depicting wetland boundaries within the project area. Attach associated delineation/determination report or otherwise explain the method(s) used to identify and delineate wetlands. Also attach and discuss any type of review or approval of wetland boundaries or other aspects of the project by a member or members of the local Technical Evaluation Panel (TEP) or Corps of Engineers:

In the table below, identify only the wetland impacts from Part 4 that the road authority has determined should qualify for the LGRWRP.

Wetland Impact ID (as noted on overhead view)	Type of Impact (fill, excavate, drain)	Size of Impact (square feet or acres to 0.01)	Existing Plant Community Type(s) in Impact Area ¹	County, Major Watershed #, and Bank Service Area # of Impact ²

¹Use *Wetland Plants and Plant Community Types of Minnesota and Wisconsin* 3rd Ed. as modified in MN Rules 8420.0405 Subp. 2.

²Refer to Major Watershed and Bank Service Area maps in MN Rules 8420.0522 Subp. 7.

Discuss the feasibility of providing onsite compensatory mitigation/replacement for important site-specific wetland functions:

Please note that under the MN Wetland Conservation Act, projects with less than 10,000 square feet of wetland impact are allowed to commence prior to submission of this notification so long as the notification is submitted within 30 days of the impact. The Clean Water Act has no such provision and requires that permits be obtained prior to any regulated discharges into water of the United States. To avoid potential unauthorized activities, road authorities must, at a minimum, provide a complete application to the Corps and receive a permit prior to commencing work.

By signature below, the road authority attests that they have followed the process in MN Rules 8420.0544 and have determined that the wetland impacts identified in Attachment D are eligible for the MN Local Government Road Wetland Replacement Program.

Road Authority Representative:

Title:

Signature: _____

Date:

Technical Evaluation Panel Concurrence:

Project Name and/or Number:

TEP member:

Representing:

Concur with road authority's determination of qualification for the local road wetland replacement program? ☐ Yes ☐ No

Signature: _____

Date:

TEP member:

Representing:

Concur with road authority's determination of qualification for the local road wetland replacement program? ☐ Yes ☐ No

Signature: _____

Date:

TEP member:

Representing:

Concur with road authority's determination of qualification for the local road wetland replacement program? ☐ Yes ☐ No

Signature: _____

Date:

TEP member:

Representing:

Concur with road authority's determination of qualification for the local road wetland replacement program? ☐ Yes ☐ No

Signature: _____

Date:

Upon approval and signature by the TEP, application must be sent to: **Wetland Bank Administration
Minnesota Board of Water & Soil Resources
520 Lafayette Road North
Saint Paul, MN 55155**