



Nine Mile Creek Discovery Point
12800 Gerard Drive

Eden Prairie, MN 55346

(952) 835-2078

www.ninemilecreek.org

MEMO

TO: Nine Mile Creek Watershed District Board of Managers

FROM: Randy Anhorn

DATE: November 1, 2018

RE: Toro Site Stormwater Volume Retention Credit Bank (#18-01) application

Background

As discussed during the hearing of Permit #2018-111: Toro Site Fire Lane Improvements 8111 Lyndale Avenue South_Bloomington, at the board's October 17, 2018 regular board meeting, the Toro site has accumulated excess volume credits as part of earlier phases of site improvements in 2013 and 2016. In an attempt to document the past volume that exceeds the rule 4.2.1a requirement for the Toro site, the board directed staff to verify the amount of excess volume from past projects, and to work with The Toro Company submit a stormwater volume retention credit banking application.

The previously reviewed permit information (including stormwater calculations and as-built construction plans), has been submitted for Toro permits 2013-59 (Toro Company 8111 Lyndale Avenue_Bloomington) and 2016-118 (Toro Corp Hdqtrs PH3 Bloomington), showing an excess volume credit of 9,591 and 245 cubic feet respectively. While the as-built drawings for permit 2016-118 show the excess volume, performance monitoring for one more event is still needed to ensure the functionality of the BMP to verify that amount. The combined total (after verification of the final 245 cubic-feet) is 9,836 excess cubic feet of volume.

At the October 17, 2018 regular board meeting the managers conditionally approved permit 2018-111 (which proposed meeting the District's stormwater volume retention rule by using the past excess volume) with the following condition:

- *Documentation confirming a minimum excess amount of 222 cubic feet is available for volume retention and a total "dead storage" volume of 29,636 cubic feet is available for water quality management. This will require as-built plans, and demonstration and confirmation that the storm water management facilities have been constructed or installed and are functioning as designed and permitted. Verification, through daily observation logs and photographs, must be provided showing the storm water facilities used for volume retention have drawn down within 48 hours from the completion of two 1-inch (approximate) separate rainfall events.*

The District recently received the stormwater volume retention credit bank application from The Toro Company to formalize the remaining excess volume available (attached), which includes a combined deposit of 9,836 cubic-feet of excess volume credit (contingent on the receipt of the final performance monitoring event for the final 245 cubic feet) and a withdrawal of 222 cubic-feet to meet the District's stormwater management rule requirements for permit 2018-111.

Request

Staff recommends approval of the Toro Site Stormwater Volume Retention Credit Bank (#18-01) in the total amount of 9,614 cubic feet, contingent on the receipt of the final performance monitoring for the final 245 cubic feet. Suggested motion:

Approve the establishment of the Toro Company Sstormwater volume credit retention bank (#18-01) in the preliminary amount of up to 9,614 cubic feet of stormwater volume retention contingent upon the final performance monitoring documentation for permit 2016-118 to confirm the final credit amount which will be recorded in the Nine Mile Creek Watershed District bank.



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Stormwater Volume Retention Credit Banking Application

| | |
|--|---|
| Stormwater Volume Credit Bank Account Information | Date: |
| Bank Account Owner/Applicant: | November 7, 2018 |
| The Toro Company | Project/Bank Name: |
| NMCWD SW Volume Retention Bank Account # : | Toro SW Volume Retention Credit Bank |
| 18-1 | City: |
| NMCWD Major Subwatershed: | Bloomington |
| Main Stem Nine Mile Creek | NMCWD Minor Subwatershed: |
| | 05Y04 |

In order to meet District Stormwater (SW) Volume standards, an applicant for a stormwater management permit must demonstrate to the District that the proposed land altering activity will provide for the retention on-site of 1.1-inch of runoff from all impervious surface of the parcel. Excess volume reduction or runoff retention achieved onsite, may be banked (credit) for use on other projects within the District that are unable to fully meet the District stormwater volume retention standard onsite.

- The District has established and will maintain a list of available banked runoff retention Volume Credits.
- Stormwater management facilities or practices relied upon to create volume credits must be included in the recorded maintenance instrument or maintenance plan specified in District Rules.
- Volume credits may be utilized by permit applicants to meet the requirements of paragraph 4.3.1a and 4.3.1c and pursuant to paragraph 4.3.2c of the District's Rules. The District's Rules can be found at <https://www.ninemilecreek.org/wp-content/uploads/Nine-Mile-Creek-Watershed-District-Rules.pdf>.
- Permit applicants are responsible for contacting a seller of volume credits and arranging the sale on terms established by the interested parties. NMCWD maintains a list of available credits. The District will certify the sale through a form established by the District and completed by the buyer and seller of the volume credits.

This Stormwater Volume Retention Credit Banking Application must be submitted as part of the Project's District permit application.

Stormwater Volume Compliance Requirements and Capacity

Is some part of the capacity to be used for compliance with NMCWD requirements or those of another regulatory body?

Yes

If so, permit number(s) and volume dedicated for compliance: 2010-34, **2013-59, 2016-118 and 2018-111**

Table 1. SW Credits To Be Credited

| SW Facility | SW Facility Type | SW Volume Retention Credit (ft ³) | City | NMCWD Major Subwatershed/Minor Subwatershed | Action (District office only) |
|--|------------------|---|-------------|---|-------------------------------|
| Bioretention Area | Infiltration | 9,591 | Bloomington | MSNMC/05Y04 | Per permit # 2013-59 |
| Bioretention Area | Infiltration | 245* | Bloomington | MSNMC/05Y04 | Per permit # 2016-118 |
| Withdrawal as part of permit # 2018-111 Compliance | | (-222) | Bloomington | MSNMC/05Y04 | Per permit # 2018-111 |
| | | | | | |
| TOTAL | | 9,614 | | | |

Facility Type = (infiltration basin, raingarden, etc...) * volume credit needs to be verified with performance requirement

Subwatershed ID can be found in NMCWD Watershed Management Plan or through consultation with District staff

Required Exhibits

- This stormwater volume retention credit banking application will require all exhibits shown in section 4.5 and 4.6 of the District's Rules found at www.ninemilecreek.org/permits

***Following construction of the volume control feature(s), an as-built survey to verify volumes eligible for entry into the District bank, and results of two performance monitoring events to ensure the feature(s) ability to draw down within 48 hours of a 1.1-inch (approximate) rainfall event, will need to be submitted.**

Stormwater Volume Credit Bank Applicant Affirmation

By signature below, the Stormwater Volume Credit Bank applicant requests that the credit deposit identified in Table 1 of this form be deposited under the applicant's name in the NMCWD Stormwater Volume Credit Bank.

Heather Hill
Name (Print)

Heather Hill
Signature

11/7/18
Date

Do you want NMCWD to advertise availability of volume credits for sale to the general public? Yes No

If yes, then please provide the contact name and phone number and/or e-mail address that you wish to make available to the general public:

Contact Name _____ Phone _____ e-mail _____

For District Office Use Only

The NMCWD Administrator certifies that the volume credits (verified through NMCWD certification) have been properly deposited into the NMCWD Stormwater Volume Credit Bank.

Account Number _____ Authorized Signature _____ Date _____

As-Built for SW Facilities on File: Yes No Do They Conform to Plans: Yes No

Are There Signed/Recorded Maintenance Instrument(s) for SW Facilities: Yes No

District Certified Stormwater Volume Credit _____