Permit Application Review Permit No. 2018-111
Received complete: September 18, 2018

Applicant:	Thomas Myre: The Toro Company
Consultant:	Michaelea Whelan; Sunde Engineering
Project:	Toro – Fire Lane Drainage Improvements
Location:	8111 Lyndale Avenue: Bloomington
Rule(s):	4, 5, 11 and 12
Reviewer:	BCO

General Background & Comments

The project proposes site drainage improvements to the fire lane adjacent to the north side of the Toro Campus locate at 8111 Lyndale Avenue in Bloomington.

Toro has continued to expand its campus, located in the southeast quadrant of American Boulevard and Lyndale Avenue, through the acquisition of private properties adjacent to the site, the last permit issued by the District being Permit #2016-118. The following site information is for the activities on the Toro campus from 2008-Present (including the Fire Lane Drainage Improvements). The project site information is:

- Toro Campus Area (2008): 34.5 acres
- (2016): 38.9 acres
- Total Disturbed Area for the Fire Lane Improvements : 4,938 square feet (0.11 acres)
- Existing Campus Impervious Area prior to 2008: 24.53 acres
- Total Disturbed and Reconstructed Impervious Area for the Fire Lane Improvements: 2,426 square feet (0.06 acres) – No new impervious area will be added by this project.
- Total Disturbed/New Impervious Area (2008 thru and including Fire Lane Improvements): 8.19 acres
- 33.4% disturbance of the existing on-site impervious area
- Total Campus Impervious Area – including Fire Lane Improvements: 24.33 acres (a reduction of 8,843 square feet)
- 0.8% decrease in the total site impervious area since 2008

The Nine Mile Creek Watershed District's Rule for Redevelopment, Rule 4.2.3, states, if a proposed activity will disturb more than 50% of the existing impervious surface on a parcel or will increase the imperviousness of the parcel by more than 50%, storm water management

will apply to the entire project parcel. Otherwise, the storm water requirements will apply only to the disturbed areas and additional impervious area on the parcel. Under Section 4.2.5 of the Stormwater Rule – Common scheme of development, the extent of redevelopment for purposes of applicability of storm water management requirements is measured accounting for redevelopment in aggregate since the rule was adopted in 2008. Activities since 2008 have disturbed of a total of 33.4% of the impervious surfaces of the property with an overall decrease in imperviousness of the property by 8,843 square feet, 0.8%. The storm water criteria in Section 4.3.1 apply only to any newly disturbed and additional imperious area under the present project – 2,426 square feet.

The District's permit #2016-118 indicates that an excess on-site stormwater-management capacity of 1,219 cubic feet for volume retention and 1,340 cubic feet for water quality management is available. The permit applicant is requesting that the capacity be utilized to comply with the District's requirements, Rule 4.3.2, for this permit, #2018-111.

The District's requirements for both storm water management and erosion and sediment control apply to the project because more than 50 cubic yards of material will be disturbed and more than 5000 square feet altered, Rules 4.2.1a and b and 5.2.1a and b.

Inlet protection and a gravel construction entrance are shown to be installed to provide for erosion control.

Exhibits

1. Permit Application dated September 14, 2018.
2. Plan sheet dated September 18, 2018 prepared by Sunde Engineering.
3. Storm water management computations dated September 18, 2016, prepared by Sunde Engineering.

4.0 Stormwater Management

The current on-site stormwater management facilities will provide volume retention and water quality management required to comply with District Rule 4.3.1. The Fire Lane Drainage Improvement project proposes no increase in the on-site impervious area on the site therefore, no increase in the rate of runoff being generated for the 2, 10 and 100 year frequency storm events will result from this project.

Volume retention of 222 cubic feet is required from the 1.1-inch of runoff from the 2,426 square feet of disturbed and reconstructed impervious area. Permit #2016-118 indicates an excess on-site volume of 1,219 cubic feet is available for compliance with the required volume retention of 222 cubic feet for the Fire Lane Drainage Improvement project.

The District's water quality criterion requires 60% annual removal efficiency for phosphorus and 90% annual removal efficiency for total suspended solids. For the total site disturbance from 2008 to the present (including the Fire Lane Drainage Improvement), a total "dead-storage" volume of 29,636 cubic feet is required to comply with the District water quality criterion. The existing and proposed systems provide a combined volume of 30,731 cubic feet of "dead-storage" volume, complying with Rule 4.3.1c.

In accordance with Rule 4.3.4, a post-project chloride management plan must be provided that will, 1) designate an individual authorized to implement the chloride-use plan and 2) designate a MPCA certified salt applicator engaged in the implementation of the chloride-use plan for the site.

5.0 Erosion and Sediment Control

The submitted erosion and sediment control plan includes inlet protection and a gravel construction entrance. The project contact is Michaelea Whelan, Sunde Engineering.

11.0 Permit Fees

Fees for the project are:

Rules 2.0-6.0	$1,500

12.0 Financial Assurances

Rule 5: Inlet Protection: 7 x $100/each = $700

Restoration: 0.2 acres x $2500/acre = $500	$1,200
Contingency and Administration	$516

Minimum Financial Assurance $5000

Findings

1. The proposed project includes the information necessary, plan sheets and erosion control plan for review.
2. Rules 4 and 5 are met.

Recommendation

Approval, contingent upon:

1. General Conditions
2. Financial Assurance in the amount of $10,000 - $5,000 for erosion control and site restoration and $5,000 for compliance with the chloride management requirements.
3. 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.

   By accepting the permit, when issued, the applicant agrees to the following stipulations:

1. Submission of a plan for post-project management of Chloride use on the site. The plan must include 1) the designation of an individual authorized to implement the chloride use plan and 2) the designation of a Minnesota Pollution Control Agency certified salt applicator engaged in the implementation of the chloride-use plan for the site. The release

of the $5,000 of the financial assurance required for the chloride-management plan requires that chloride-management plan has been provided and approved by the District's Administrator.

2. For the release of the $5,000 financial assurance required in Recommendation #2, Rule 12.4.1b requires demonstration and confirmation that the work as proposed has been completed and restored as identified on the construction plan sheet submitted.

Board Action

It was moved by Manager _____, seconded by Manager _____ to approve permit application No. 2018-115 with the conditions recommended by staff.

Permit #: 2018-111
Project Name: Fire Lane Drainage Improvements – Toro Campus; 8111 Lyndale Avenue: Bloomington
Approval Date: October 17, 2018

General Provisions

1. All temporary erosion control measures shown on the erosion and sedimentation control plans must be installed prior to commencement of surface or vegetation alteration and be maintained until completion of construction and vegetation is established as determined by NMCWD.

   If silt fence is used, the bottom flap must be buried and the maximum allowable spacing between posts is 4-foot on center. All posts must be either 2-inch x 2-inch pine, hardwood, or steel fence posts. If hay bales are used, all bales must be staked in place and reinforced on the downstream side with snow fence.

2. All areas altered because of construction must be restored with seed and disced mulch, sod, wood fiber blanket, or be hard surfaced within two weeks after completion of land alteration and no later than the end of the permit period.

3. Upon final stabilization, the permit applicant is responsible for the removal of all erosion control measures installed throughout the project site.

4. At the entryway onto the site, a rock filter dike being a minimum of two feet in height and having maximum side slopes of 4:1 must be constructed. This rock filter dike will enable construction traffic to enter the site and also provide an erosion control facility.

5. If dewatering is required and sump pumps are used, all pumped water must be discharged through an erosion control facility prior to leaving the construction site. Proper energy dissipation must be provided at the outlet of the pump system.

6. The NMCWD must be notified a minimum of 48 hours prior to commencement of construction.

7. The NMCWD, its officers, employees and agents review, comment upon, and approve plans and specifications prepared by permit applicants and their consultants for the limited administrative purpose of determining whether there is reasonable assurance that the proposed project will comply with the regulations and criteria of the NMCWD. The determination of the NMCWD that issuance of this permit is appropriate was made in reliance on the information provided by the applicant.

8. The grant of this permit shall not in any way relieve the permittee, its engineer, or other professional consultants of responsibility, nor shall it make the NMCWD responsible for the technical adequacy of the engineer's or consultant's work. The grant of this permit shall not relieve the permittee from complying with all conditions and requirements of the permit which shall be retained by the permittee with the permit.

9. The issue of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.

10. This permit is permissive only. No liability shall be imposed upon the NMCWD or any of its officers, agents or employees, officially or personally, on account of the granting of this permit or on account of any damage to any person or property resulting from any act or omission of the permittee or any of its agents, employees, or contractors.

11. In all cases where the doing by the permittee of anything authorized by this permit shall involve the taking, using, or damaging of any property, rights or interests of any other person or persons, or of any publicly-owned lands or improvements or interests, the permittee, before proceeding therewith, shall obtain the written consent of all persons, agencies, or authorities concerned, and shall acquire all necessary property, rights, and interest.

12. The permit is transferable only with the approval of the NMCWD (see NMCWD Rule 1.0). The permittee shall make no changes, without written permission previously obtained from the NMCWD, in the dimensions, capacity, or location of any items of work authorized by this permit.

13. The permittee shall grant access to the site at all reasonable times during and after construction to authorized representatives of the NMCWD for inspection of the work authorized by this permit.

14. This permit may be terminated by the NMCWD at any time deemed necessary in the interest of public health and welfare, or for violation of any of the provisions of this permit.

15. Construction work authorized under this permit shall be completed on or before date specified above. The permittee may, in writing, request that the NMCWD extend the time to complete the project in accordance with NMCWD Rule 1.0.

Permit No.2018-111

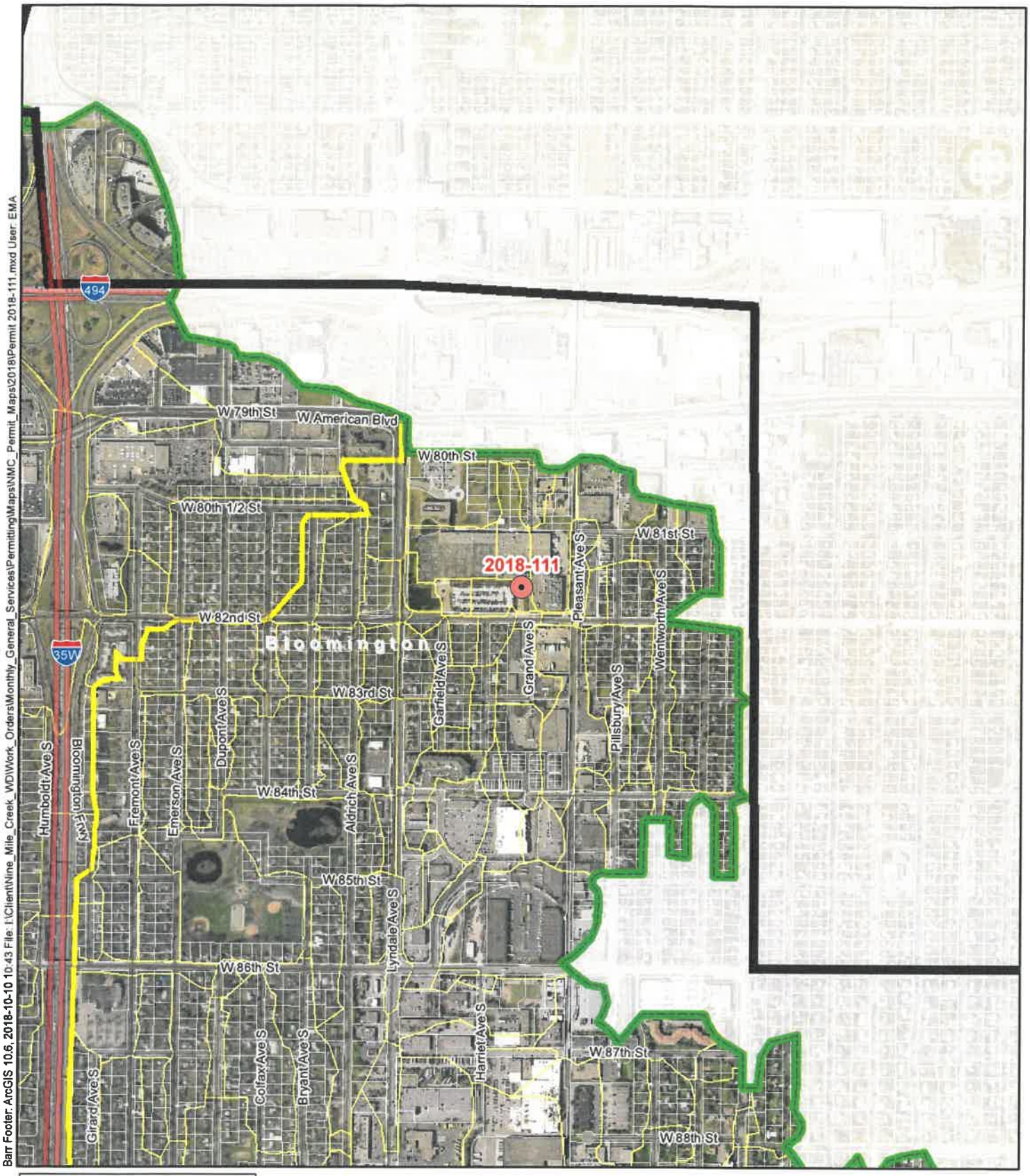
Is hereby issued to Tom Myre, The Toro Company, subject to the conditions specified in the attached form:

For the reconstruction and drainage improvements of the fire lane on the Toro Campus located at 8111 Lyndale Avenue in Bloomington.

Steve Kloiber

Chair, Board of Managers

This permit expires on: November 1, 2019



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- Permit Location
- District Legal Boundary
- Nine Mile Creek Watershed
- Municipalities
- Major Watersheds
- Small Watersheds
- Parcels

Feet

0 500 1,000 1,500

Imagery Source: Met Countil Spring 2016 (MnGeo WMS)

PERMIT LOCATION MAP
PERMIT 2018-111
Nine Mile Creek Watershed District