Minnesota Wetland Conservation Act
Notice of Decision

Local Government Unit (LGU)
Bassett Creek Watershed Management Commission (BCWMC)

Address
7800 Golden Valley Road
Golden Valley, MN 55427

1. PROJECT INFORMATION

<table>
<thead>
<tr>
<th>Applicant Name</th>
<th>Project Name</th>
<th>Date of Application</th>
<th>Application Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bassett Creek Watershed Management Commission, Laura Jester</td>
<td>Jevne Park Stormwater Improvement Project</td>
<td>10/29/2018</td>
<td></td>
</tr>
</tbody>
</table>

Attach site locator map.

Type of Decision:
- ☒ Wetland Boundary or Type
- ☐ No-Loss
- ☐ Exemption
- ☐ Sequencing
- ☐ Replacement Plan
- ☐ Banking Plan

Technical Evaluation Panel (TEP) Findings and Recommendation (if any):
- ☐ Approve
- ☐ Approve with conditions
- ☐ Deny

Summary (or attach):

2. LOCAL GOVERNMENT UNIT DECISION

Date of Decision: 12/07/2018

- ☒ Approved
- ☐ Approved with conditions (include below)
- ☐ Denied

LGU Findings and Conclusions (attach additional sheets as necessary):

On behalf of the Bassett Creek Watershed Management Commission, Barr Engineering submitted a wetland delineation report for the Jevne Park Stormwater Improvement Project in the City of Medicine Lake, Section 26, Township 118N, Range 22W, within Hennepin County.

Twelve wetlands were delineated within the evaluation area with the following wetland type designations:

<table>
<thead>
<tr>
<th>Wetland</th>
<th>Cowardin Type</th>
<th>Circular 39 Type</th>
<th>Community Type (Eggers &amp; Reed)</th>
<th>Wetland Area (acres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>PFO1A PEMC</td>
<td>Type 1/3</td>
<td>Floodplain forest Shallow marsh</td>
<td>0.85</td>
</tr>
<tr>
<td>2</td>
<td>PEMA PSS1A</td>
<td>Type 1/6</td>
<td>Seasonally flooded Shrub-carr</td>
<td>0.01</td>
</tr>
<tr>
<td></td>
<td>Type</td>
<td>Wetland Type</td>
<td>Acres</td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>------------</td>
<td>-------------------------------</td>
<td>-------</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>PEMA PSS1A</td>
<td>Type 1/6 Seasonally flooded Shrub-carr</td>
<td>0.01</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>PFO1A</td>
<td>Type 1 Floodplain Forest</td>
<td>0.12</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>PEMA</td>
<td>Type 1 Seasonally flooded</td>
<td>0.01</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>PSS1A</td>
<td>Type 6 Shrub-carr</td>
<td>0.003</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>PFO1A PSS1A</td>
<td>Type 1/6 Floodplain forest Shrub-carr</td>
<td>0.01</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>PFO1A PSS1A</td>
<td>Type 1/6 Floodplain forest Shrub-carr</td>
<td>0.25</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>PEMA</td>
<td>Type 1 Seasonally flooded</td>
<td>0.04</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>PFO1A</td>
<td>Type 1 Floodplain forest</td>
<td>0.48</td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>PEMA</td>
<td>Type 1 Seasonally flooded</td>
<td>0.02</td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>PEMH</td>
<td>Type 5 Shallow Open Water</td>
<td>0.17</td>
<td></td>
</tr>
</tbody>
</table>

**Wetland Total (acres): 1.97**

As the Local Government Unit responsible for administration of the Minnesota Wetland Conservation Act (WCA) within the City of Medicine Lake, BCWMC has conducted the wetland boundary and type notification and decision process. However, based on communication with area hydrologist Jason Spiegel from the Minnesota Department of Natural Resources (DNR) during a preliminary meeting held 11/06/2018 and email communication on 11/26/2018, the majority of the wetland areas have a hydrologic connection with and are at or below the Ordinary High Water Elevation (OHWL) of Medicine Lake, so would likely be under DNR jurisdiction as shown in the attached figure showing culverts, surface elevations, wetland delineation boundaries, and OHWL. The wetland delineation report and joint application form were provided to TEP members on 11/09/2018 along with a Notice of Application.

A site review of the wetland delineation was conducted on 11/16/2018. Present at the site review were TEP members Ben Carlson, Minnesota Board of Water and Soil Resources and Karen Wold, Barr Engineering for the BCWMC and delineator Brian Burgner, Barr Engineering representing the BCWMC as the applicant.
For Replacement Plans using credits from the State Wetland Bank:

<table>
<thead>
<tr>
<th>Bank Account #</th>
<th>Bank Service Area</th>
<th>County</th>
<th>Credits Approved for Withdrawal (sq. ft. or nearest .01 acre)</th>
</tr>
</thead>
</table>

**Replacement Plan Approval Conditions.** In addition to any conditions specified by the LGU, the approval of a Wetland Replacement Plan is conditional upon the following:

- **Financial Assurance:** For project-specific replacement that is not in-advance, a financial assurance specified by the LGU must be submitted to the LGU in accordance with MN Rule 8420.0522, Subp. 9 (List amount and type in LGU Findings).

- **Deed Recording:** For project-specific replacement, evidence must be provided to the LGU that the BWSR “Declaration of Restrictions and Covenants” and “Consent to Replacement Wetland” forms have been filed with the county recorder’s office in which the replacement wetland is located.

- **Credit Withdrawal:** For replacement consisting of wetland bank credits, confirmation that BWSR has withdrawn the credits from the state wetland bank as specified in the approved replacement plan.

*Wetlands may not be impacted until all applicable conditions have been met!*

**LGU Authorized Signature:**

<table>
<thead>
<tr>
<th>Name</th>
<th>Signature</th>
<th>Date</th>
<th>Phone Number and E-mail</th>
</tr>
</thead>
<tbody>
<tr>
<td>Karen Wold</td>
<td>![Signature]</td>
<td>12/07/2018</td>
<td>952-832-2707 <a href="mailto:kwold@barr.com">kwold@barr.com</a> Barr Engineering Co., 4300 MarketPointe Drive Minneapolis, MN 55435</td>
</tr>
</tbody>
</table>

**THIS DECISION ONLY APPLIES TO THE MINNESOTA WETLAND CONSERVATION ACT.**

Additional approvals or permits from local, state, and federal agencies may be required. Check with all appropriate authorities before commencing work in or near wetlands.

Applicants proceed at their own risk if work authorized by this decision is started before the time period for appeal (30 days) has expired. If this decision is reversed or revised under appeal, the applicant may be responsible for restoring or replacing all wetland impacts.

This decision is valid for five years from the date of decision unless a longer period is advised by the TEP and specified in this notice of decision.
3. APPEAL OF THIS DECISION
Pursuant to MN Rule 8420.0905, any appeal of this decision can only be commenced by mailing a petition for appeal, including applicable fee, within thirty (30) calendar days of the date of the mailing of this Notice to the following as indicated:

Check one:

☑️ Appeal of an LGU staff decision. Send petition and $TBD fee (if applicable) to:
BCWMC
7800 Golden Valley Road
Golden Valley, MN 55427

☐ Appeal of LGU governing body decision. Send petition and $500 filing fee to:
Executive Director
Minnesota Board of Water and Soil Resources
520 Lafayette Road North
St. Paul, MN 55155

4. LIST OF ADDRESSEES

☑️ SWCD TEP member: Stacey Lijewski, Hennepin County
☑️ BWSR TEP member: Ben Carlson
☑️ DNR TEP member: Becky Horton, Jason Spiegel
☑️ WD or WMO (if applicable): Laura Jester (Keystone Waters, BCWMC administrator), Karen Chandler (Barr Engineering, BCWMC engineer), Clint Carlson (BCWMC commissioner)
☑️ Applicant and Landowner (if different) Laura Jester, Brian Burgner (Barr Engineering)
☑️ City of Medicine Lake: Gary Holter (Mayor), Brad Scheib (Hoisington Koegler Group Inc.)
☑️ Corps of Engineers Project Manager Melissa Jenny

5. MAILING INFORMATION
- For a list of BWSR TEP representatives: www.bwsr.state.mn.us/aboutbwsr/workareas/WCA_areas.pdf
- For a list of DNR TEP representatives: www.bwsr.state.mn.us/wetlands/wca/DNR_TEP_contacts.pdf
- Department of Natural Resources Regional Offices:
- For a map of DNR Administrative Regions, see: http://files.dnr.state.mn.us/aboutdnr/dnr_regions.pdf
- For a list of Corps of Project Managers: www.mvp.usace.army.mil/regulatory/default.asp?pageid=687
  or send to: US Army Corps of Engineers St. Paul District, ATTN: OP-R 180 Fifth St. East, Suite 700 St. Paul, MN 55101-1678
- For Wetland Bank Plan applications, also send a copy of the application to: Minnesota Board of Water and Soil Resources Wetland Bank Coordinator 520 Lafayette Road North St. Paul, MN 55155

6. ATTACHMENTS
In addition to the site locator map, list any other attachments:

☑️ Wetland Delineation Figure
☑️ Figure showing culverts, surface elevations, wetland boundaries, and OHWL
FIGURE 6

WETLAND BOUNDARIES
Feasibility Study for Jevne Park
Stormwater Improvement Project
BCWMC