

Memorandum

To: Bassett Creek Watershed Management Commission (BCWMC)
From: Karen Chandler and Karen Wold
Subject: Item 5E. Consider Acceptance of Restoration Plan for Unpermitted Wetland Fill at 1143 South Shore Drive – Medicine Lake
BCWMC May 19, 2016 Meeting Agenda
Date: May 11, 2016

Item 5E. Consider Acceptance of Restoration Plan for Unpermitted Wetland Fill at 1143 South Shore Drive – Medicine Lake

Recommendation:

- i. Conditional acceptance of the proposed restoration plan.

Background

The BCWMC is the Local Government Unit (LGU) responsible for administration of the Minnesota Wetland Conservation Act (WCA) for projects within the Bassett Creek watershed in the cities of Robbinsdale, Medicine Lake, and St. Louis Park.

On April 14, 2016, representatives from the City of Medicine Lake, the DNR, the Corps of Engineers, the Board of Water and Soil Resources, and the BCWMC Engineer met at 1143 South Shore Drive in Medicine Lake in response to a report of a potential wetland violation. After inspecting the site and discussions with the property owner, all parties present agreed to the following course of action:

1. The property owner will secure a site survey that identifies topography and defines the flood plain elevation of 890.3. The survey is to be completed by a licensed surveyor.
2. The property owner will secure a wetland delineation to be complete by a qualified wetland specialist.
3. The property owner will remove all materials that were placed in the area that was observed to be wetland areas. The materials include root debris and topsoil scraped from the site, and some piles of sawdust or wood chip-like materials. The material will either be retained on-site in an upland area or trucked off-site to an appropriate area. Removal of material shall be completed immediately or immediately following completion of the wetland delineation.
4. The wetland delineation and survey shall be submitted to the BCWMC Engineer for approval by the BCWMC as the LGU for Medicine Lake.
5. A restoration plan shall be prepared by a qualified wetland restoration specialist and submitted to the BCWMC Engineer for review and acceptance. The restoration plan must include seeding with a native seed mix appropriate for the site conditions, installation of silt fence, and maintaining the silt fence in good condition until the restoration is complete and all disturbed areas revegetated.

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6. Once the restoration plan has been accepted, the property owner shall have a qualified expert implement the restoration plan on-site. Upon approval of the restoration, the BCWMC Engineer shall inspect the work and approve the work.
7. The property owner shall make a good faith effort to complete all work within two to four weeks from 4/15/2016. Reasonable adjustments will be made should inclement weather prevent any site work.
8. No restoration order will be issued unless the property owner does not make a good faith effort to implement these provisions.

On May 5, 2016, the property owner's consultant submitted a wetland delineation report (Attachment A) and restoration plan (Attachment B), which includes a survey.

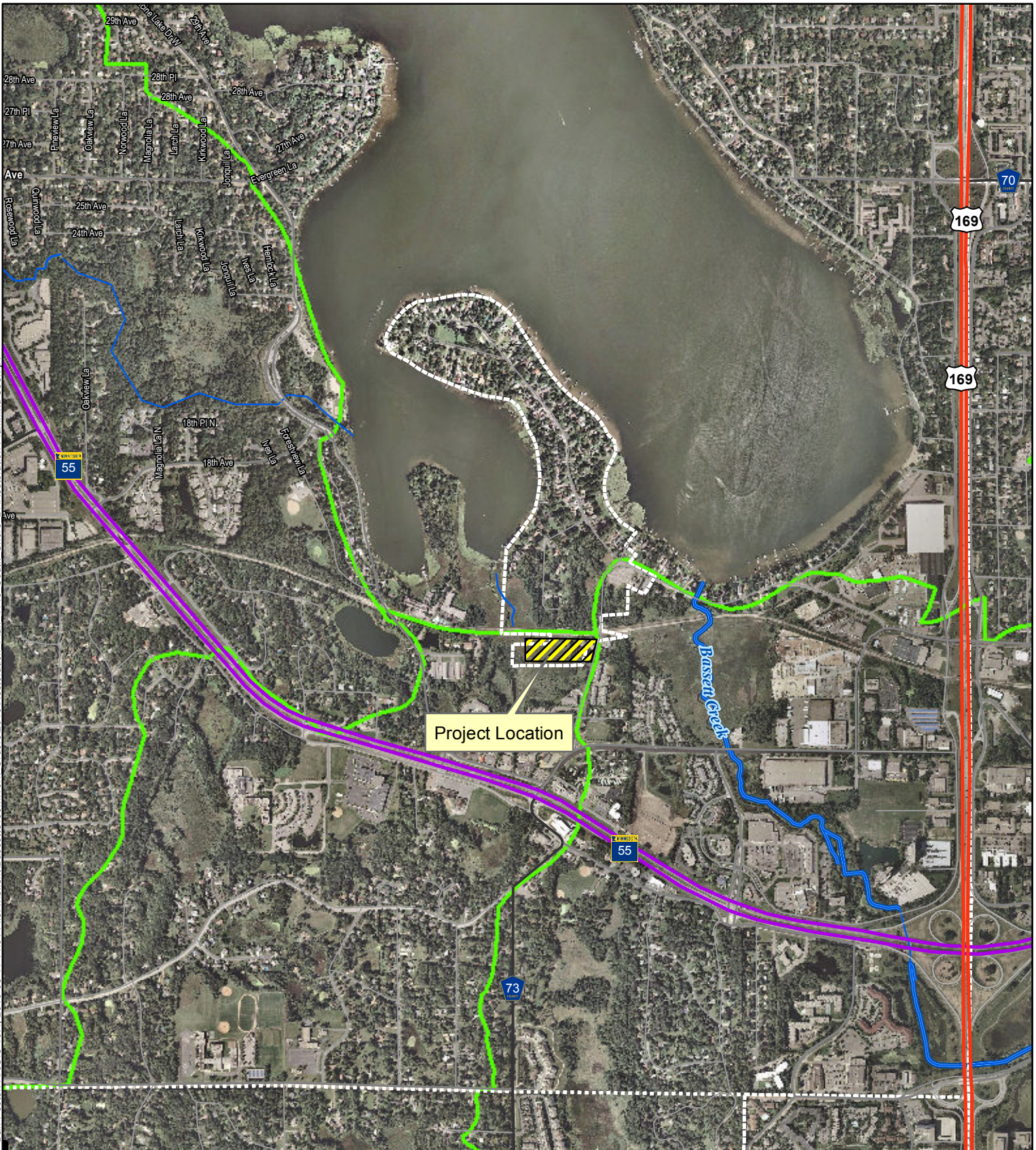
The BCWMC Engineer submitted a Notice of Application for the wetland delineation, with a comment period ending on May 27, 2016 (Attachment C). On May 9, 2016 a site review was conducted by BWSR staff, Hennepin County staff, the BCWMC Engineer, and the property owner's consultant. The wetland boundary was reviewed and adjusted slightly in one location. The restoration plan was also reviewed. As described in the restoration plan, the majority of the wetland and floodplain fill has been removed with the exception of one small area; the restoration plan calls for the fill in this area to be removed.

Recommendations







The Technical Evaluation Panel (TEP) members recommended that the BCWMC accept the restoration plan with the following conditions:

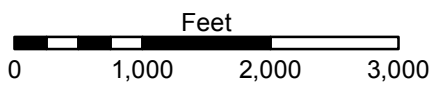
1. The restoration plan must include a curb or berm along the edge of the parking area to contain and define the edge of the gravel and assure it does not erode into the wetland in the future; it will also maintain a clear boundary between the allowable parking area and the wetland.
2. The survey must be extended farther east to document the floodplain elevation of 890.3 near the area of gravel fill at the northeastern portion of the property and to confirm that no fill has been placed in the floodplain. The survey should also clarify the western edge of gravel in the correct location.
3. The restoration plan must include a note that contractors must be given identification sheets (Attachment D) to identify state threatened Blanding's turtles and if any are encountered during the project work, the contractors should inform the DNR nongame program (Erica.hoaglund@state.mn.us or Christopher.e.smith@state.mn.us) of their presence.

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Imagery Source: Aerial Express (2009)

-  Project Location
-  Bassett Creek
-  WMC Boundary
-  Major Subwatershed
-  Municipality
-  Stream



RESTORATION PLAN
1143 South Shore Dr.
Medicine Lake, MN

Attachments

Attachment A – Wetland Delineation Report

Attachment B – Wetland Restoration Plan and Survey

Attachment C -Notice of Application

Attachment D -Blanding's Turtle Identification Sheet