

Minnesota Wetland Conservation Act Notice of Application

Local Government Unit: Ci	ty of Plymouth	County: Hennepin					
Applicant Name: Mike Payne	, City of Plymouth						
Applicant Representative: Do	ustin Simonson, WSB						
Project Name: 2020 Street R	econstruction Project						
LGU Project No. (if any): 2020	-09						
Date Complete Application Re	<u> </u>	20					
Date this Notice was Sent by							
Date that Comments on this A		•					
¹ minimum 15 business day comment p	period for Boundary & Type, Se	equencing, Replacement Plan and Bank Plan Applications					
WCA Decision Type - check all t	hat apply						
☐ Wetland Boundary/Type	☐ Sequencing ☐ Re	eplacement Plan					
☑ No-Loss (8420.0415)		☐ Exemption (8420.0420)					
Part: □ A □ B □ C □ D □	E⊠F□G□H	Subpart: □ 2 □ 3 □ 4 □ 5 □ 6 □ 7 □ 8 □ 9					
Replacement Plan Impacts (rep	lacement plan decisions	only)					
Total WCA Impact Area Propo	•	Only)					
	304.						
Application Materials							
□ Attached MN Joint Applica							
\boxtimes Other ¹ (specify): The City (□ Other¹ (specify): The City of Plymouth is planning on road reconstruction for approximately 3.63 miles of the city of Plymouth is planning on road reconstruction.						
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⊠ SWCD TEP Member: Ms. Stacey Lijewski, HCA, 701 Fourth Avenue South, Suite 700, Minneapolis, MN

☑ BWSR TEP Member: Ben Carlson, BWSR, 520 Lafayette Road North, St. Paul, MN

55415-1600

55401

☐ LGU TEP Member (if different than LGU contact):							
☑ DNR Representative: Leslie Parris, MnDNR, 1200 Warner Road, St. Paul, MN 55106							
BJ Bonin, MnDNR, 1200 Warner Road, St. Paul, MN 55106							
☑ Watershed District or Watershed Mgmt. Org.: BCWMC 16145 Hillcrest Lane, Eden Prairie MN 55346							
☑ Applicant (notice only): Mike Payne, City of Plymouth,	3400 Plymouth Blvd, Plymouth MN 55447						
☑ Agent/Consultant (notice only): Dustin Simonson, WSE	3, 540 gateway Blvd, Burnsville MN 55337						
Optional or As Applicable:							
⊠ Corps of Engineers: US Army Corps of Engineers 180	Fifth Street East, Suite 700m St. Paul MN 55101-1678						
☐ BWSR Wetland Mitigation Coordinator (required for bank	nlan annlications only):						
☐ Members of the Public (notice only):	☐ Other:						
Signature: Date:							
Ben Schambril							

This notice and accompanying application materials may be sent electronically or by mail. The LGU may opt to send a summary of the application to members of the public upon request per 8420.0255, Subp. 3.

Project Name and/or Number: 2020 Street Improvements 014494-000

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: City of Plymouth

Mailing Address: 3400 Plymouth Boulevard, Plymouth, MN 55447-1485

Phone: 763-509-5000 **E-mail Address:** N/A

Authorized Contact (do not complete if same as above): Mike Payne, PE, Assistant City Engine

Mailing Address: 3400 Plymouth Boulevard Plymouth, MN 55447-1485

Phone: 763-509-5000

E-mail Address: mpayne@plymouthmn.gov

Agent Name: WSB (Dustin Simonson)

Mailing Address: 540 Gateway Blvd, Burnsville, MN 55337

Phone: 763-270-3475

E-mail Address: dsimonson@wsbeng.com

PART TWO: Site Location Information

County: Hennepin City/Township: Plymouth

Parcel ID and/or Address: 32 Ave, 24th Ave, 17th Ave, Beacon Heights Neighborhood, TH 55 Frontage Road Access, and

Nathan Lane

Legal Description (Section, Township, Range): S26, T118W, R22W

Lat/Long (decimal degrees): 44.995098, -93.437644

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): 3.6 Miles

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/Regulatory/Docs/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.

gutter, replacement reconstructed to a width, several of a With the expansion	oject includes con ent of and addition the standard widt them being 26ft b on of the roadway wetlands as part o	nal storm sewer h of 28 feet back ack to back. As p some of the cul	facilities, and the to back where part of this proj verts will be co	he replacement e possible with sect, the City is in nstructed near	of watermains. some roadways nstalling new cu wetlands. No cu	Roadways will being installed a lverts and replace lvert or new cor	e t a narrower cing old ones

Project Name and/or Number: 2020 Street Improvements 014494-000

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.)	drain, or remove	Impact	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

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)".

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

with the Corps and LGU based on the information you have eview if this box is checked.
s complete and accurate. I further attest that I possess the
Date: 3/31/2020
my agent in the processing of this application and to furnish ion in support of this application.

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.

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.

Project Name and/or Number: 2020 Street Improvements 014494-000

Attachment B

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

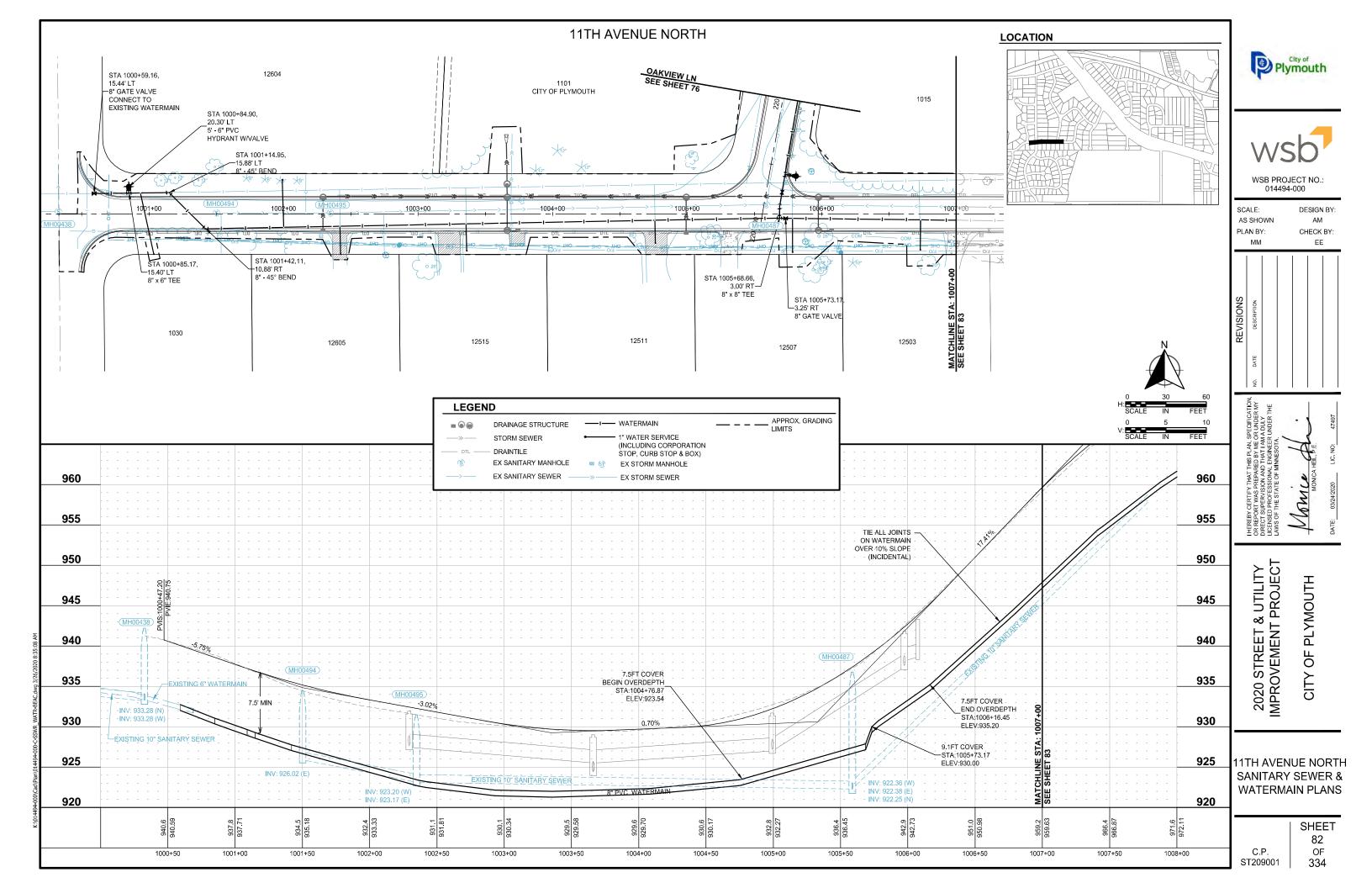
Complete this part **if** you maintain that the identified aquatic resource impacts in Part Four do not require wetland replacement/compensatory mitigation OR **if** you are seeking verification that the proposed water resource impacts are either exempt from replacement or are not under CWA/WCA jurisdiction.

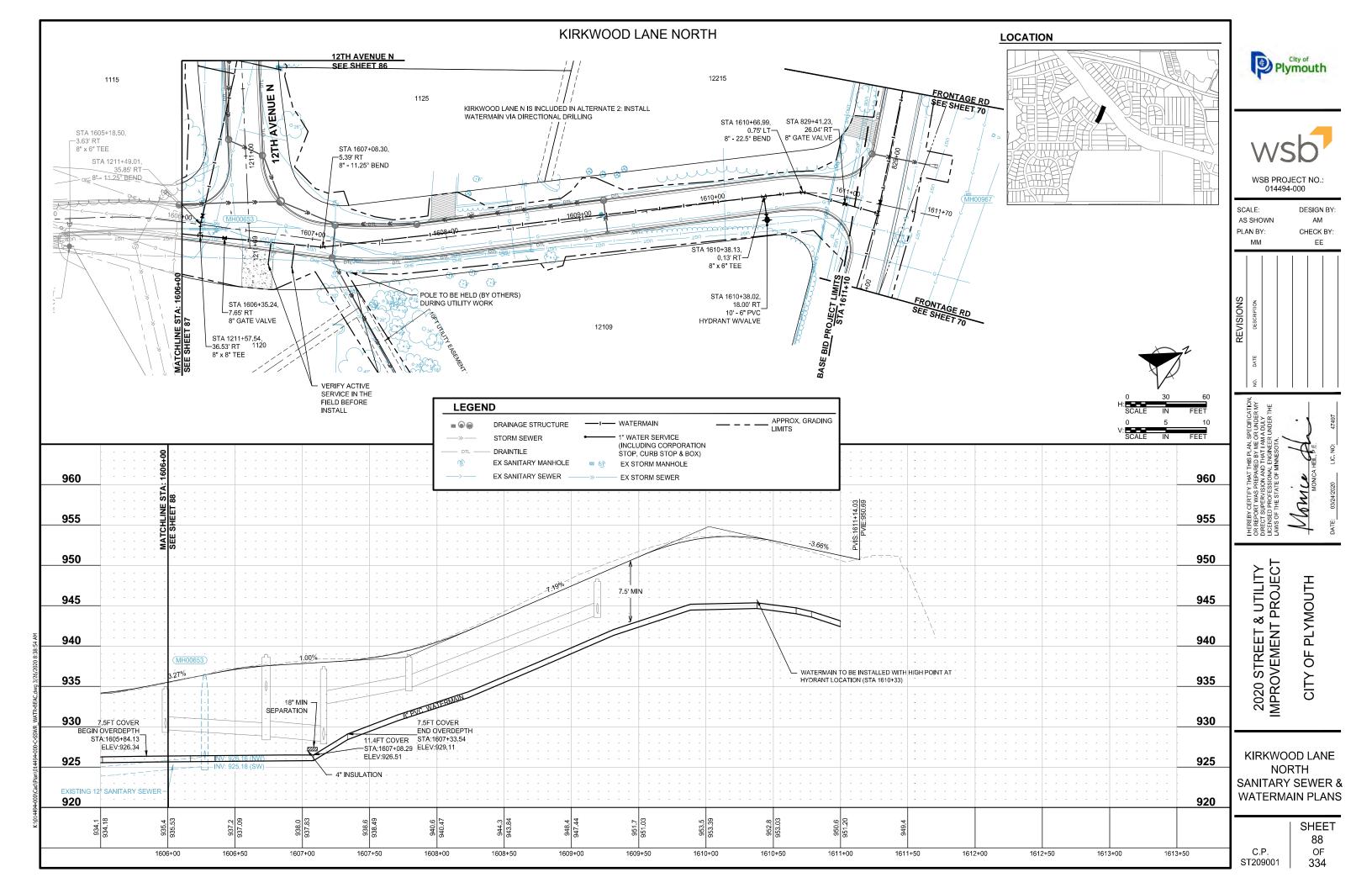
Identify the specific exemption or no-loss provision for which you believe your project or site qualifies:

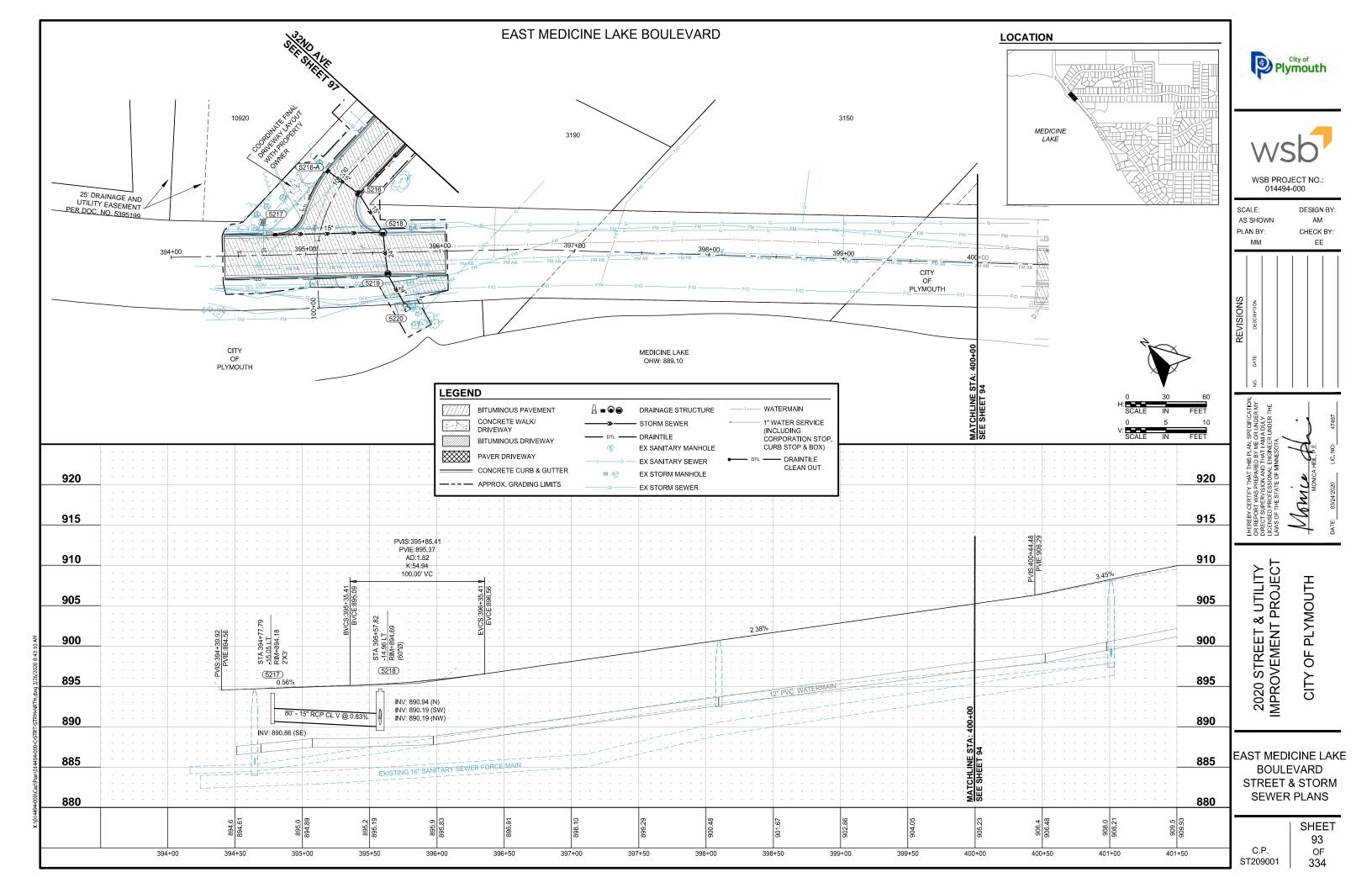
84203.0415 A. AN activity that will not impact a wetland.

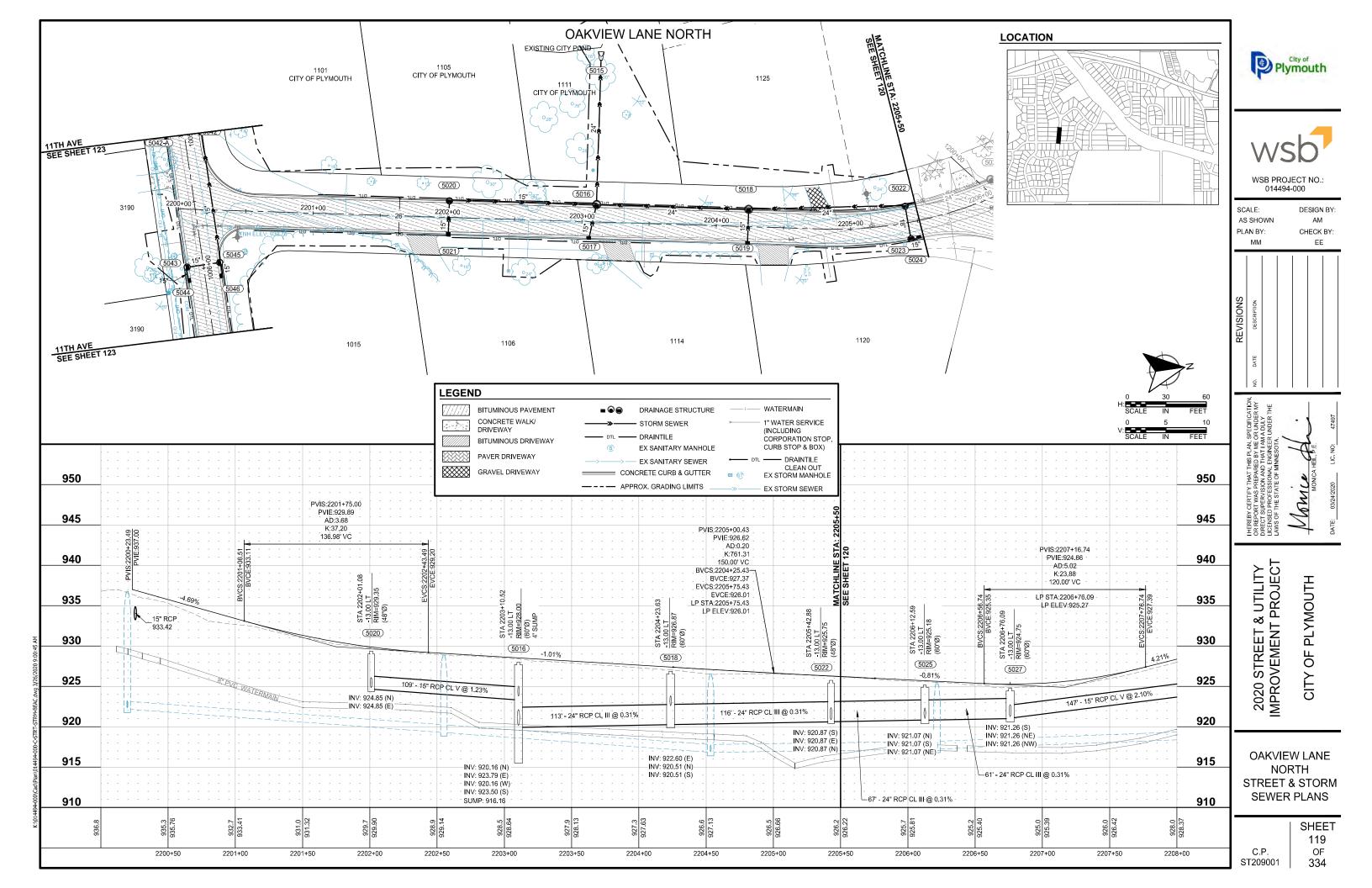
Provide a detailed explanation of how your project or site qualifies for the above. Be specific and provide and refer to attachments and exhibits that support your contention. Applicants should refer to rules (e.g. WCA rules), guidance documents (e.g. BWSR guidance, Corps guidance letters/public notices), 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:

The City of Plymouth will be preforming construction work installing culverts near wetlands. The culverts are placed outside of the wetland. As a result, no wetlands impacts are anticipated as part of this project.











Minnesota Wetland Conservation Act Notice of Application

Local Government Unit: City of Plymouth	County: Hennepin								
Applicant Name: Wayzata Public Schools – ISD#284									
Applicant Representative: Pinnacle Engineering, Inc.									
Project Name: Sunset Hill Elementary School									
LGU Project No. (if any): 2020-08									
Date Complete Application Received by LGU: 4/2/	2020								
Date this Notice was Sent by LGU: 4/6/2020									
Date that Comments on this Application Must Be R	eceived By LGU ¹ : 4/27/2020								
minimum 15 business day comment period for Boundary & Type	, Sequencing, Replacement Plan and Bank Plan Applications								
WCA Decision Type - check all that apply									
\square Wetland Boundary/Type \square Sequencing \square	Replacement Plan								
☐ No-Loss (8420.0415)	⊠Exemption (8420.0420)								
Part: □ A □ B □ C □ D □ E □ F □ G □ H	Subpart: □ 2 □ 3 □ 4 □ 5 6 □ 7 □ 8 □ 9								
Replacement Plan Impacts (replacement plan decisio	ns only)								
Total WCA Impact Area Proposed:									

Application Materials

☑ Attached Minnesota / ACOE Joint Wetland Permit Application

US Army Corps of Engineers Correspondence 4-2-2020

☑ Other¹ (specify): The Wayzata Public Schools, Independent School District #284 (Applicant), is submitting this Joint Wetland Permit Application for the proposed wetland impacts that will occur from reconstructing the outlet pipe to what is referred to as Wetland 1 located east of Sunset Hill Elementary School at 13005 Sunset Trail in Plymouth, Hennepin County, Minnesota (Site). The subject wetland was delineated via a Level 2 Onsite Inspection. Necessary Wetland Delineation in September 2018 and was reviewed and approved by the Technical Evaluation Panel (TEP) on December 10, 2018.

The Applicant proposes site safety and several stormwater improvements at Sunset Hill Elementary School: including the removal of an existing 18" outlet/flared end section (FES), the replacement of 33" RCP pipe adjacent to the wetland with a FES and roughly 256 square feet of riprap in Wetland 1.

The proposed wetland impacts are related to the excavation and installation of a storm sewer FES and placement of the associated rip rap around the FES, which will discharge into Wetland 1. Total permanent impacts are anticipated to be approximately 256 ft2 from the placement of the rip rap. Temporary impacts from the excavation and installation of the storm sewer FES are anticipated to be approximately 50 ft2. Temporary impacts will occur as the pipe ending in the FES is placed within the wetland and upland areas. The temporary impacts will be restored to previous vegetative conditions following construction. Due to the temporary storage of runoff during rain fall events, it is anticipated that the bounce in Wetland 1 will temporarily increase by 0.20 feet. After the event the ordinary highwater level of Wetland 1 will return to its current level.

Wetland 1 (See Figures 1 and 3) most closely resembles a Fish and Wildlife Service (FWS) Circular 39 Type 3 shallow marsh wetland, which corresponds to a Cowardin classification of a palustrine emergent seasonally flooded (PEMC) wetland with a forested fringe that most closely resembles a Cowardin classification of a palustrine, forested, broad-leaved/scrub shrub deciduous, saturated basin (PFO/SS1B). The forested fringe

slopes upward from the shallow marsh area through the forested/shrub wetland area to the adjacent upland playground area. The proposed impacts are anticipated to occur adjacent the forested/shrub fringe in a small area of maintained lawn with hydric soils and dominated by wetland vegetation.

The Applicant is seeking a Wetland Conservation Act utility exemption and an Army Corps of Engineers (COE) Minor Discharges Regional General Permit for the permanent and temporary impacts associated with the installation of the proposed FES outlet and riprap into Wetland 1 on the school property. The Wetland Delineation was verified by the Local Governmental Unit (LGU), City of Plymouth, who issued a Notice of Decision on December 10, 2018, approving the boundary of the wetland. The Wetland Delineation was also concurred on by the COE on their letter of February 20, 2019. The Wetland Delineation report is on file with the LGU and COE.

¹ Link to ftp or other accessible file sharing sites is acceptable.	
Comments on this application should be sent to:	
LGU Contact Person: Ben Scharenbroich, Interim Water Re	esources Manager
E-Mail Address: bscharenbroich@plymouthmn.gov	
Address and Phone Number: 3400 Plymouth Blvd, Plymou	ith, MN 55447
Decision-Maker for this Application:	
Staff □ Governing Board/Council □ Other (specification)	у):
Notice Distribution (include name)	
Required on all notices:	
⊠ SWCD TEP Member: Ms. Stacey Lijewski, HCA, 701 Fourt	h Avenue South, Suite 700, Minneapolis, MN
55415-1600	
	Road North, St. Paul, MN 55401
☐ LGU TEP Member (if different than LGU contact):	
□ DNR Representative: Leslie Parris, MnDNR, 1200 Warner	Road, St. Paul, MN 55106
BJ Bonin, MnDNR, 1200 Warner Ro	ad, St. Paul, MN 55106
□ Watershed District or Watershed Mgmt. Org.: BCWMC 161	45 Hillcrest Lane, Eden Prairie MN 55346
	c/o Steven Dey, 210 County Road 101 N, PO BOX
660, Wayzata MN 55391	•
☐ Agent/Consultant (notice only): Scott Thelen, 11541 95th	Avenue N, Maple Grove, MN 55369
Optional or As Applicable:	
□ Corps of Engineers: US Army Corps of Engineers c/o Me	lissa Jenny, 180 5th Street East, Suite 700, St. Paul
MN 55101	
☐ BWSR Wetland Mitigation Coordinator (required for bank pla	n applications only):
☐ Members of the Public (notice only):	☐ Other:
Signature:	Date:
P C1	4-6-2020
Ben Schambrotil	1 0 2020

This notice and accompanying application materials may be sent electronically or by mail. The LGU may opt to send a summary of the application to members of the public upon request per 8420.0255, Subp. 3.

MINNESOTA/ACOE JOINT WETLAND PERMIT APPLICATION

Sunset Hill Elementary School 13005 Sunset Trail Plymouth, Minnesota 55441

PREPARED FOR:

Wayzata Public Schools ISD #284 210 County Road 101 North P.O. Box 660 Wayzata, Minnesota 55391

SUBMITTED TO:

City of Plymouth 3400 Plymouth Boulevard Plymouth, Minnesota 55447

and

US Army Corps of Engineers Regulatory 180 5th Street East, Suite 700 St. Paul, Minnesota 55101

PREPARED BY:

Pinnacle Engineering, Inc. 11541 95th Avenue North Minneapolis, MN 55369

March 13, 2020 (Revised March 25, 2020)

Pinnacle Project Number: EM20201883

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<u>Appendices</u>

Appendix A Seed Mixture

SECTION 1 Combined Wetland Permit Application

Project Name and/or Number: City of Plymouth 19-075R and COE MVP-2018-03296-MMJ

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: Wayzata Public Schools (ISD #284)/Mr. Steven Dey **Mailing Address:** 210 County Road 101 N, P.O. Box 660, Wayzata, Minnesota 55391

Phone: 763-745-5000

E-mail Address: Steven.dey@wayzataschools.org

Authorized Contact (do not complete if same as above): Mr. Scott Thelen **Mailing Address:** 11541 95th Avenue North, Maple Grove, MN 55369

Phone: 763-277-8410

E-mail Address: sthelen@pineng.com

Agent Name: Scott Thelen

Mailing Address: 11541 95th Avenue North, Maple Grove, MN 55369

Phone: 763-277-8410

E-mail Address: sthelen@pineng.com

PART TWO: Site Location Information

County: Hennepin City/Township: Plymouth

Parcel ID and/or Address: 3411822440013

Legal Description (Section, Township, Range): SE ¼ of S 34, T118N, R22W **Lat/Long (decimal degrees):** Lat: 44.979669° North, Long: -93.445081° West

Attach a map showing the location of the site in relation to local streets, roads, highways. Attached

Approximate size of site (acres) or if a linear project, length (feet): 18.73-acres

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.

Elementary School Building and Grounds Improvements – See attached.

Project Name and/or Number: City of Plymouth 19-075R and COE MVP-2018-03296-MMJ

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.)	l drain, or	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
W-1	wetland	Fill	Р	256ft ²	2.75 -ac	Shallow Marsh	Hennepin, 20,7
W-1	wetland	Excavate	Т	50 ft²	2.75 -ac	Shallow Marsh	Hennepin, 20,7

If 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)".

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	chere if you are requesting a <u>pre-application</u> 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:

James R. Westrum
Executive Director
Finance and Business

March 13, 2020

I hereby authorize Pinnacle Engineering, Inc. 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.

Impacts 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.

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.

Project Name and/or Number: City of Plymouth 19-075R and COE MVP-2018-03296-MMJ

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:

See Attached

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

Technical Evaluation Panel Concurrence:

TEP member:	Representing:
Concur with road authority's determination of qualification for No	the local road wetland replacement program?
Signature:	Date:
TEP member:	Representing:
Concur with road authority's determination of qualification for No	the local road wetland replacement program?
Signature:	Date:
TEP member:	Representing:
Concur with road authority's determination of qualification for No	the local road wetland replacement program?
Signature:	Date:
TEP member:	Representing:
Concur with road authority's determination of qualification for No	the local road wetland replacement program? Yes
Signature:	Date:
Upon approval and signature by the TEP, application must be s	ent to: Wetland Bank Administration Minnesota Board of Water & Soil Resources 520 Lafayette Road North Saint Paul, MN 55155

SECTION 2 Combined Wetland Permit Narrative

Permit Narrative Combined Wetland Permit Application Sunset Hill Elementary School 13005 Sunset Trail Plymouth, Minnesota 55441

Introduction

The Wayzata Public Schools, Independent School District #284 (Applicant), is submitting this Joint Wetland Permit Application for the proposed wetland impacts that will occur from reconstructing the outlet pipe to what is referred to as Wetland 1 located east of Sunset Hill Elementary School at 13005 Sunset Trail in Plymouth, Hennepin County, Minnesota (Site). The subject wetland was delineated via a Level 2 Onsite Inspection Necessary Wetland Delineation in September 2018 and was reviewed and approved by the Technical Evaluation Panel (TEP) on December 10, 2018.

The Applicant proposes site safety and several stormwater improvements at Sunset Hill Elementary School: including the removal of an existing 18" outlet/flared end section (FES), the replacement of 33" RCP pipe adjacent to the wetland with a FES and roughly 256 square feet of riprap in Wetland 1.

The proposed wetland impacts are related to the excavation and installation of a storm sewer FES and placement of the associated rip rap around the FES, which will discharge into Wetland 1. Total permanent impacts are anticipated to be approximately 256 ft² from the placement of the rip rap. Temporary impacts from the excavation and installation of the storm sewer FES are anticipated to be approximately 50 ft². Temporary impacts will occur as the pipe ending in the FES is placed within the wetland and upland areas. The temporary impacts will be restored to previous vegetative conditions following construction. Due to the temporary storage of runoff during rain fall events, it is anticipated that the bounce in Wetland 1 will temporarily increase by 0.20 feet. After the event the ordinary highwater level of Wetland 1 will return to its current level.

Wetland 1 (See Figures 1 and 3) most closely resembles a Fish and Wildlife Service (FWS) Circular 39 Type 3 shallow marsh wetland, which corresponds to a Cowardin classification of a palustrine emergent seasonally flooded (PEMC) wetland with a forested fringe that most closely resembles a Cowardin classification of a palustrine, forested, broad-leaved/scrub shrub deciduous, saturated basin (PFO/SS1B). The forested fringe slopes upward from the shallow marsh area through the forested/shrub wetland area to the adjacent upland playground area. The proposed impacts are anticipated to occur adjacent the forested/shrub fringe in a small area of maintained lawn with hydric soils and dominated by wetland vegetation.

The Applicant is seeking a Wetland Conservation Act utility exemption and an Army Corps of Engineers (COE) Minor Discharges Regional General Permit for the permanent and temporary impacts associated with the installation of the proposed FES outlet and riprap

into Wetland 1 on the school property. The Wetland Delineation was verified by the Local Governmental Unit (LGU), City of Plymouth, who issued a Notice of Decision on December 10, 2018, approving the boundary of the wetland. The Wetland Delineation was also concurred on by the COE on their letter of February 20, 2019. The Wetland Delineation report is on file with the LGU and COE.

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.

This application is being submitted to the City of Plymouth and the COE. Project numbers of 19-075R and MVP-2018-03296-MMJ have previously been assigned to the project during the delineation approval process from the City of Plymouth and the COE, respectively.

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.

The project area is located at the Sunset Hill Elementary School campus, 13005 Sunset Trail in Plymouth, Hennepin County, Minnesota, which is within the SE ¼ of Section 34, T118N, R22W (Lat: 44.979669° North, Long: -93.445081° West) (Site).

The proposed project consists of improvements to the school building, athletic fields, and associated storm sewer system. The improvements to the school storm water system includes the construction of an underground storm sewer storage area/filtration system that will be situated southeast of the school building. The underground storm water storage unit will ultimately discharge to the south to Wetland 1 and will result in the proposed wetland impacts, discussed in this application.

The Minnesota Department of Natural Resources Public Waters Inventory (PWI) produces a map of the protected wetlands and waters of the State. Pinnacle Engineering, Inc., downloaded the PWI shapefiles (updated March 20, 2020) to prepare the PWI figure (Figure 3). The PWI map identified public waterbodies to the south, east and north of the project area. The public waterbodies are Cavanaugh Lake (ID#27011000) to the north across Sunset Trail, an Unnamed waterbody (ID#27073800) to the south across Ridgemont Avenue West. and an Unnamed waterbody (ID#27069600) to the southeast of the wetland basin.

The proposed project is needed to accommodate the growing student population of ISD #284 and to properly collect, treat, and transport storm water that is generated on the Site. Approximately 50 ft² of temporary wetland impacts are anticipated from the excavation and placement of the proposed FES adjacent Wetland 1 and placement of rip rap at the end of the FES within Wetland 1. Approximately 256 ft² of permanent wetland impacts are also anticipated from the placement of the associated rip rap around the FES discharge area.

Construction is scheduled to begin in the spring/summer of 2020. Construction is anticipated to be completed by the late summer/early fall of 2020. Construction will involve the use heavy equipment to grade, cut, and fill the area to install the proposed FES, and the placement of the associated rip rap. The project will expand the footprint of Sunset Hill Elementary School and update the school campus' current stormwater system. Construction activities in the area of the proposed wetland impacts are anticipated to last five to ten days.

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.

The proposed project consists of upgrading the storm sewer components associated with site safety improvements at Sunset Hill Elementary School. The proposed storm sewer upgrades are needed to collect, treat and transport storm water that is collected on the Site, in accordance with applicable storm water management criteria. The proposed storm sewer system will ultimately drain into Wetland 1, which was previously delineated by Pinnacle in September 2018 and the boundary was approved by the LGU, the City of Plymouth, and members of the TEP Panel in December 2018.

The project area is only a portion of the larger school campus. The proposed construction activities are anticipated to result in one temporary wetland impact of 50 ft² that will result from the excavation and grading for the placement of the proposed storm sewer FES. Approximately 256 ft² of permanent wetland impacts are also anticipated to occur from the placement of the associated rip rap material that will be placed around the FES discharge to prevent scouring and erosion in that area. The proposed wetland impacts are anticipated to occur within a maintained lawn area adjacent the forested fringe on the north side of Wetland 1 beginning at an elevation of 961.00 mean sea level and continuing to the upland area.

Construction activities in the area of the proposed wetland impacts are anticipated to last for five to ten days. The temporary impacts will be restored to previous grades and vegetative conditions following construction. Minnesota State seed mixture, mix #32-241, applied at 38 lbs/acre is proposed for the disturbed area around the FES.

PART FOUR: Aquatic Resource Impact 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.)	drain, or	Impact	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
W-1	Wetland	Fill	Р	256 ft ²	2.71-ac	Shallow Marsh	Hennepin, 7, 20
W-1	Wetland	Excavate	T	50 ft ²	2.71-ac	Shallow Marsh	Hennepin, 7, 20

The NWI Map for the Site area revealed one palustrine emergent seasonally flooded wetland within a depressional area (PEM1C) situated immediately south of the Site boundaries; however, Pinnacle's delineation revealed that this wetland extends further north than depicted in the NWI map and is within the southern boundary of the Site. The identified wetland corresponds to Wetland 1. The soil survey indicates that portions of Wetland 1 possesses hydric soils.

The amount of proposed temporary impacts is estimated to be 50 ft², and the proposed permanent impacts are estimated to be 256 ft². The utility exemption allows for up to ½ acre of impacts as allowed by the Wetland Conservation Act. The proposed wetland impacts are also allowed under the Clean Water Act Nationwide Permits under the Minor Discharges Regional General Permit.

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:

The wetland proposed to be impacted is a maintained lawn area that is adjacent a forested wetland fringe, USFWS Circular 39 Type 7 - forested wetland that is a fringe of a Type 3 - shallow marsh wetland. The Wetland Conservation Act and States allow for a Utility Exemption.

Wetland Conservation Act CHAPTER 8420 BOARD OF WATER AND SOIL RESOURCES WETLAND CONSERVATION 8420.0111 DEFINITIONS.

Subp. 69. Utility. "Utility" means a sanitary sewer; a storm sewer; potable water distribution; or transmission, distribution, or furnishing, at wholesale or retail, of natural or manufactured gas, petroleum products, electricity, telephone, or radio service or communications.

8420.0420 EXEMPTION STANDARDS Subp. 6. Utilities

Subp. 6. Utilities.

- A. A replacement plan is not required for impacts resulting from:
 - (1) installation, maintenance, repair, or replacement of utility lines, including pipelines, if:
 - (a) the impacts have been avoided and minimized to the extent possible; and
 - (b) the proposed project significantly modifies or alters less than one-half acre of wetlands;

The Applicant also wishes to apply the Clean Water Act, Section 404; Minor Discharges Regional General Permit due to the temporary and permanent impacts due to the placement of the FES outlet. The proposed impacts are eligible under this regional general permit;

B. MINOR DISCHARGES REGIONAL GENERAL PERMIT APPLICABILITY

The Minor Discharges RGP applies to certain activities in waters of the United States (US), including wetlands, as described below, in the States of Wisconsin and Minnesota, including within the exterior boundaries of Indian Reservations.

- 1. Regulatory Authority: The Minor Discharges RGP regional general permit may be used to authorize activities pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344, Section 404) for discharges of dredged and fill material into waters of the US. Activities subject to Section 404 regulatory requirements are hereafter referred to as regulated activities.
- 2. Eligible Activities: Regulated activities associated with minor permanent and temporary discharges of dredged or fill material in waters of the US for a single and complete non-linear project. Discharges that would impound a tributary or lake, or are associated with utility, transportation, or pier or dock projects are not authorized by this permit.
- 3. Activity Restrictions:

- a. The regulated discharge may not exceed 400 square feet of waters of the US. Losses of waters of the US and temporary impacts to waters of the US contribute toward the 400 square foot threshold (see Section D for additional information).
- b. All tributary channel modifications are limited to the minimum necessary and cannot exceed 300 linear feet of loss (see Section D for additional information).
- c. This category may not be used more than once by the permittee, property owner, or agent of a single permittee or property owner in a manner that would cumulatively impact more than 400 square feet of waters of the US.
- 4. Pre-Construction Notification (PCN): PCN is not required prior to the start of work. Applicant must meet ALL the terms and conditions of this permit.

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:

The proposed project anticipates approximately 256 ft² of permanent wetland impacts. This would meet the criteria for the WCA statues for a Utility Exemption to a wetland and the CWA Minor Discharges Regional General Permit. Temporary impacts of approximately 50 ft² will be restored to previous grades and vegetative conditions following construction. The temporary impacts are anticipated due to the placement of the FES outlet.

The temporary impact area will be rectified by means of restoring the physical characteristics of the affected wetland, including ground elevations, contours, substrate, plant communities, and hydrologic regime to pre-project conditions. Grading shall occur when the outlet pipe is placed in the proposed location. Construction activities in the area of the proposed wetland impacts are anticipated to last for five to ten days. The Applicant intends to rectify temporary impacts using a native seed mix is from the State Seed Mixes, mix #32-241, applied at 38 lbs/acre is proposed for the area around the FES. The seed mixture should be broadcast spread over the temporarily disturbed area. Weed free straw should be crimped in to prevent erosion into the construction areas. Mulch and other appropriate erosion control measures and best management practices (BMPs) will be implemented during the construction activities and are addressed under the construction stormwater plan.

The rectified area will be evaluated by construction contractors as part of the stormwater erosion control program. After construction actives have been completed and vegetation has established itself the temporary impact area will be maintained by school grounds maintenance personnel.

FIGURE 1 Site Location Map

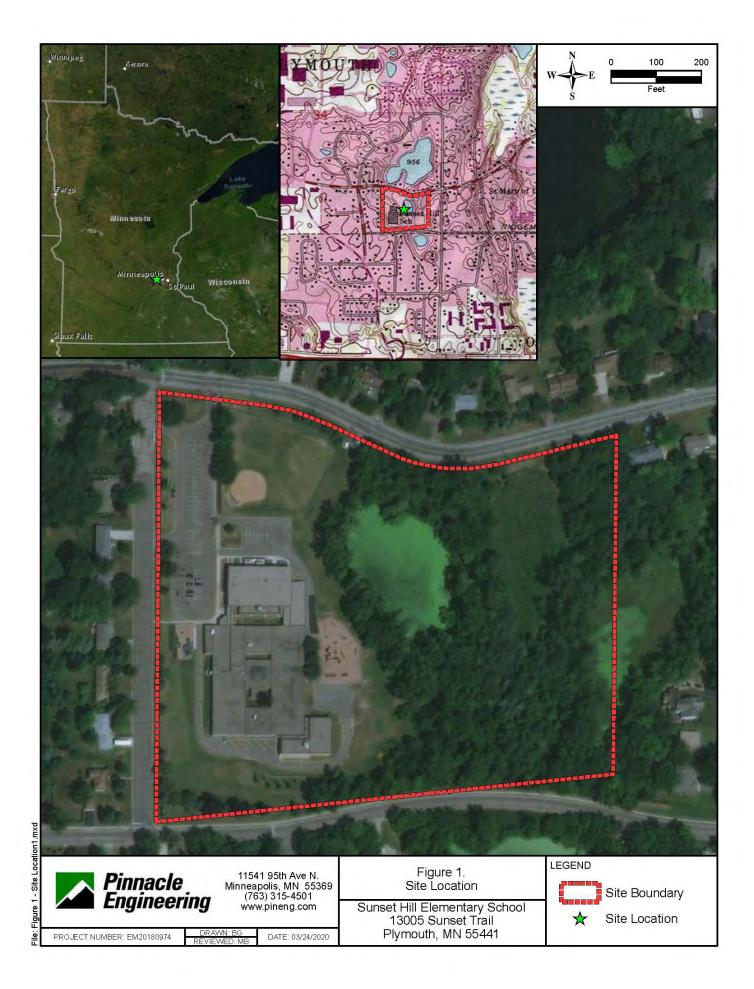


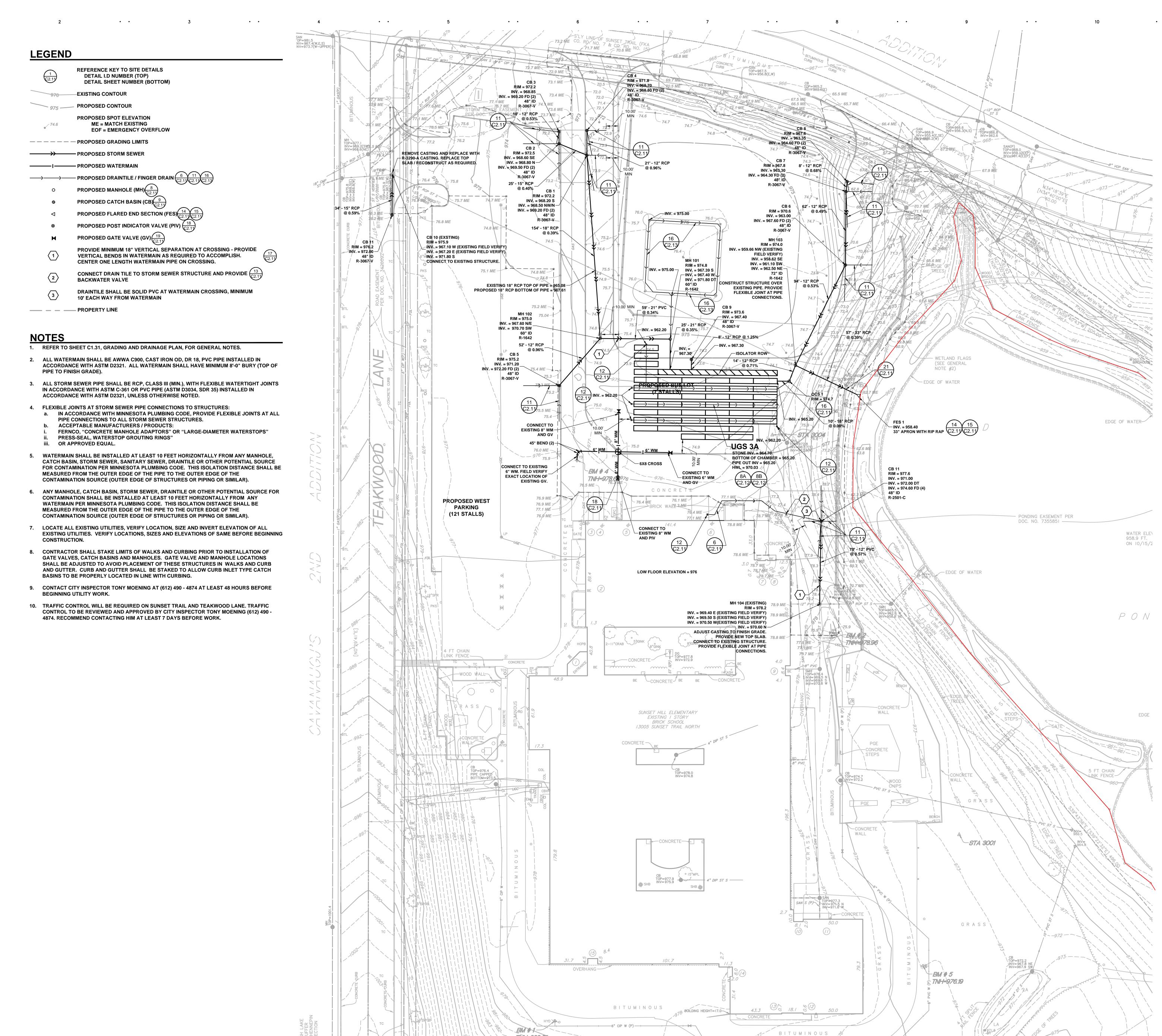
FIGURE 2 Site Layout



FIGURE 3 Public Waters Inventory Map



FIGURE 4 Estimated Wetland Impacts



SUNSET HILL
ELEMENTARY
SCHOOL AND
EAST MIDDLE
SCHOOL 2020 SITE
SAFETY

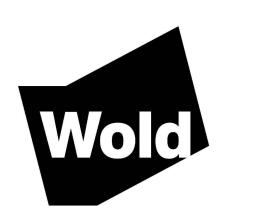
IMPROVEMENTS

SUNSET HILL ELEMENTARY SCHOOL 13005 Sunset Trail Plymouth, MN 55441

EAST MIDDLE SCHOOL 1200 Ridgemount Ave. West Plymouth, MN 55441

Independent School

District #284 210 County Road 101N Wayzata, MN 55391



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FMX (763) 544-0531

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed PROFESSIONAL ENGINEER

DAVID A. REY
Registration Number 40180 Date 02/03/2020

under the laws of the State of MINNESOTA

Comm; 182316

Date: 02/03/2020

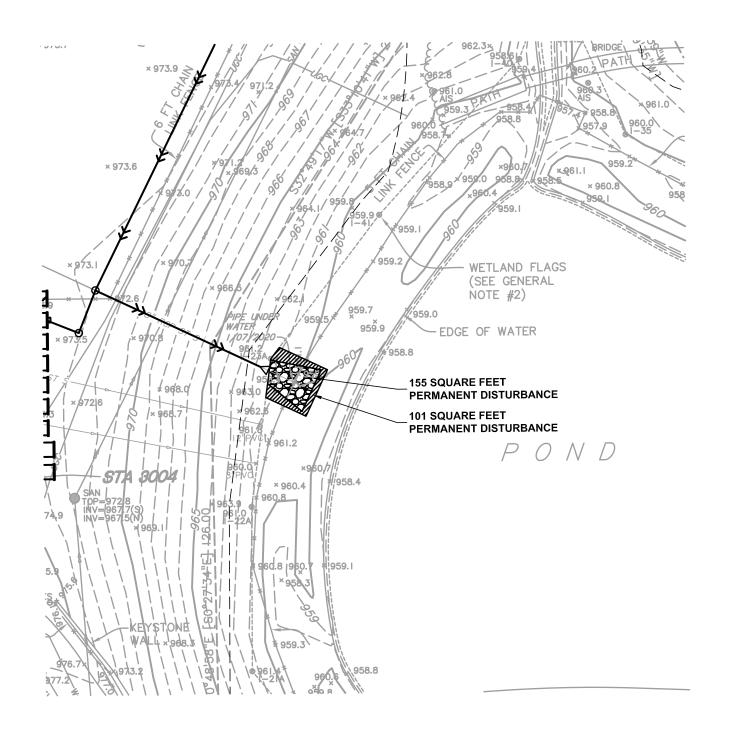
Drawn; MET

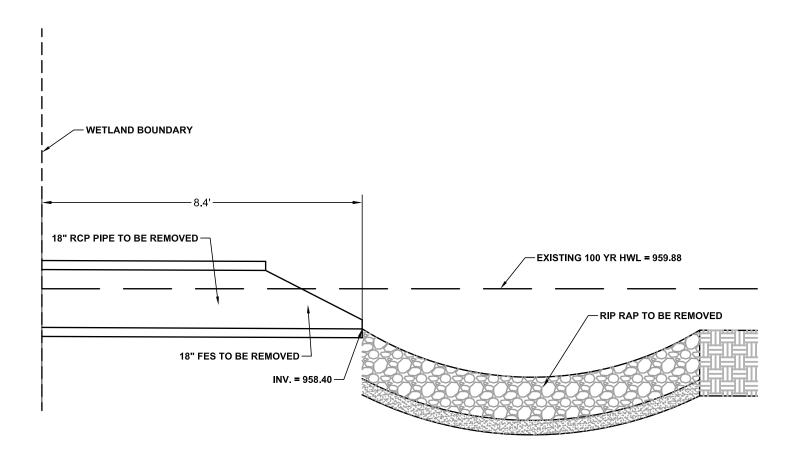
UTILITY PLAN SUNSET HILL

cale: 1" = 30'

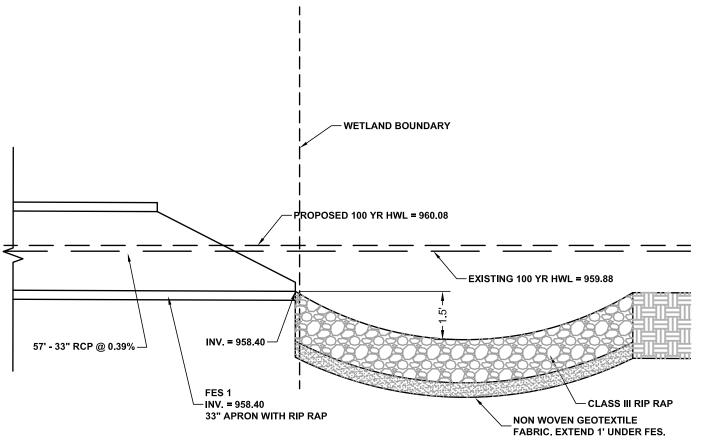
CITY PROJECT #2019049

C1.41S





EXISTING FES IMPACT AREA PROFILE



PROPOSED FES IMPACT AREA PROFILE

APPENDIX ASeed Mixture

32-241 Native Construction

32-241	Native Construction					
Common Name	Scientific Name	Rate (kg/ha)	Rate (lb/ac)	% of Mix (% by wt)	Seeds/ sq ft	
big bluestem	Andropogon gerardii	1.40	1.25	3.30%	4.60	
side-oats grama	Bouteloua curtipendula	1.12	1.00	2.64%	2.21	
fringed brome	Bromus ciliatus	1.57	1.40	3.69%	5.67	
nodding wild rye	Elymus canadensis	2.24	2.00	5.26%	3.82	
slender wheatgrass	Elymus trachycaulus	2.80	2.50	6.57%	6.33	
Virginia wild rye	Elymus virginicus	2.24	2.00	5.26%	3.09	
switchgrass	Panicum virgatum	0.84	0.75	1.97%	3.85	
fowl bluegrass	Poa palustris	0.67	0.60	1.57%	28.50	
Indian grass	Sorghastrum nutans	1.12	1.00	2.63%	4.40	
	Total Grasses	14.01	12.50	32.89%	62.47	
Canada tick trefoil	Desmodium canadense	0.08	0.07	0.20%	0.15	
partridge pea	Chamaecrista fasiculata	0.30	0.27	0.72%	0.27	
wild bergamot	Monarda fistulosa	0.02	0.02	0.04%	0.39	
black-eyed susan	Rudbeckia hirta	0.10	0.09	0.23%	3.00	
hoary vervain	Verbena stricta	0.06	0.05	0.13%	0.50	
	Total Forbs	0.56	0.50	1.32%	4.31	
Oats or winter wheat (see note at beginning of list for		00.00	05.00	0.5.7007		
recommended dates)		28.02	25.00	65.79%	11.14	
	Total Cover Crop	28.02	25.00	65.79%	11.14	
	Totals:	42.59	38.00	100.00%	77.91	
Purpose:	Mid-term soil stabilization using native species. Also suitable for sides of agricultural drainage ditches or low-diversity mesic prairie planting.					
Planting Area:	Tallgrass Aspen Parklands, Prairie Parkland, and Eastern Broadleaf Forest Provinces. Mn/DOT Districts 2(west), 3B, 4, Metro, 6, 7 & 8.					

Ben Scharenbroich

Jenny, Melissa M CIV CEMVP CEMVD (USA) < Melissa.M.Jenny@usace.army.mil> From: Sent: Thursday, April 2, 2020 11:06 AM To: Scott Thelen; Ben Scharenbroich Cc: Mike Tierney; Valerie Peterson; Matthew Mohr; Breeka Li Goodlander **Subject:** RE: Sunset Hill Elementary Exemption Application Thanks, Scott. You are correct, this project is pre-authorized under our minor discharges General Permit (GP). You do not need a Corps GP verification letter for this project. Thank you, Melissa Jenny U.S. Army Corps of Engineers Regulatory Project Manager (651) 290-5363 Information on Corps of Engineers Regulatory Program status during the COVID-19 pandemic can be found at: https://www.mvp.usace.army.mil/missions/regulatory

----Original Message-----

From: Scott Thelen [mailto:SThelen@pineng.com]

Sent: Thursday, April 2, 2020 10:05 AM

To: Ben Scharenbroich

 Scharenbroich@plymouthmn.gov>; Jenny, Melissa M CIV CEMVP CEMVD (USA)

<Melissa.M.Jenny@usace.army.mil>

Cc: Mike Tierney <Mike@ajainc.net>; Valerie Peterson <vpeterson@woldae.com>; Matthew Mohr

<mmohr@woldae.com>; Breeka Li Goodlander <bgoodlander@pineng.com>

Subject: [Non-DoD Source] Sunset Hill Elementary Exemption Application

Hello Ben and Melissa,

Attached is the Sunset Hill Elementary School Exemption Application for the project located at 13005 Sunset Trail, Plymouth, MN for your review.

Even though no application or notification is required to the Army Corps of Engineers, we still wanted to keep the Corps in the loop.

Feel free to contact me with questions or comments.

Thanks,			
Scott			

Scott Thelen, Senior Scientist
Pinnacle Engineering, Inc.
11541 95th Avenue North, Minneapolis, MN 55369
763.277.8410 (direct) | 612.432.5590 (mobile) | 763.315.4507 (fax) | SThelen@pineng.com Emergency Response Hotline: 1.866.658.8883

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