elm creek
Watershed Management Commission

ADMINISTRATIVE OFFICE
3235 Fernbrook Lane
Plymouth, MN 55447
PH: 763.553.1144
email: judie@jass.biz
www.elmcreekwatershed.org

November 3, 2021

Representatives
Elm Creek Watershed Management Commission
Hennepin County, MN

The meeting packet for this meeting may be found on the Commission's website: http://www.elmcreekwatershed.org/minutes--meeting-packets.html

Dear Representatives:

A regular meeting of the Elm Creek Watershed Management Commission will be held on **Wednesday, November 10, 2021, at 11:30 a.m.** **This will be a virtual meeting.**

To join the meeting, click https://zoom.us/j/990970201 or go to www.zoom.us and click **Join A Meeting**. The meeting ID is **990-970-201**. The password is **water.**

If your computer is not equipped with audio capability, you need to dial into one of these numbers:

+1 929 205 6099 US (New York)
+1 669 900 6833 US (San Jose)
+1 253 215 8782 US
+1 312 626 6799 US (Chicago)
+1 346 248 7799 US (Houston)
+1 301 715 8592 US

Meeting ID: 990 970 201. Passcode: 579973

Meetings remain open to the public via the instructions above.

Please email me at judie@jass.biz to confirm whether you or your Alternate will be attending this meeting.

Thank you.

Judie A. Anderson
Administrator
JAA:tim
Encls: Meeting Packet

cc:	Alternates	Ross Mullen	James Kujawa	Ed Matthiesen	DNR
	TAC Members	Karen Galles	Brian Vlach	Diane Spector	BWSR
	City Clerks	Kris Guentzel	Met Council	MPCA	
	Official Newspaper				

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AGENDA
Regular Meeting
November 10, 2021

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1. Call Regular Meeting to Order.
- a. Approve Agenda.*

2. Consent Agenda.
- a. Minutes last Meeting.*
- b. Treasurer's Report and Claims.*
  - 1) October Extrapolation.*
  - 2) Stantec Summary.*

3. Open Forum.
- a. Robert Belzer.*

4. Action Items.
- **a.** Consider Rice Lake Subwatershed Assessment.*
- **b.** Project Reviews – *also see Staff Report.**

5. Old Business.

6. New Business.

7. Communications.
- **a.** Staff Report.*
- **b**. County Staff Report.*
  - 1) Amendment to 2021 Cooperative Agreement.*
  - 2) Project Understanding.*

8. Education.
- **a.** WMWA – next meeting – December 14, 2021, at 8:30 a.m. This will be a **virtual** meeting.

9. Grant Opportunities and Updates.
- a. FY 19 Watershed Based Funding – Extension.*
- b. FY22 Watershed Based Funding.*
- c. Clean Water Funds for Conservation Corps crew labor.*

*in meeting packet
**available at meeting or on website

10. Project Reviews.

Item No.	A	E	I|RPFI RP|DD	AR	Project No.	Project Name
					W=wetland project	
ba.				AR	2014-015	Rogers Drive Extension, Rogers.
bb.				AR	2015-030	Kiddiegarten Child Care Center, Maple Grove.
bc.				AR	2016-005W	Ravinia Wetland Bank Plan, Corcoran.
bd.				AR	2017-014	Laurel Creek, Rogers.
be.				AR	2017-029	Brayburn Trails, Dayton.
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b.					2018-020	North 101 Storage, Rogers.
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bk.				AR	2019-027	Havenwood at Maple Grove.
bl.				AR	2019-032	OSI Expansion, Medina.
bm.				AR	2020-001	Outlot L, Markets at Rush Creek, Maple Grove.
bn.				AR	2020-008	Ione Gardens, Dayton.
bo.				AR	2020-009	Stetler Barn, Medina.
bp.				AR	2020-017	Meadow View Townhomes, Medina.
bq.				AR	2020-023	Ziegler Dayton Site Upgrades, Dayton.
br.				AR	2020-025	Paulsen Farms, Corcoran.
.				AR	2020-027	Kariniemi Addition, Corcoran.
bs.				AR	2020-032	Enclave Rogers - Commerce Boulevard, Rogers.
bt.				AR	2020-033	Weston Woods, Medina.
bu.				AR	2020-036	Balsam Pointe, Dayton.
bv.				AR	2021-007	Birchwood 2nd Addition, Rogers
c.					2021-012	The Oaks at Bauer Farms, Champlin.
d.					2021-013	Rush Creek Reserve, Corcoran.
e.					2021-015	66th Avenue/Gleason Parkway, Corcoran.
bw.					2021-016	Territorial Lofts, Rogers.
e.					2021-017	The Park Group Building, Rogers.
f.					2021-018	Tavera Phase 1, Corcoran.
g.					2021-019	Kwik Trip Store 1157, Dayton.
h.					2021-020	Crew Carwash, Maple Grove.
i.					2021-021	Territorial Triangle, Dayton.
j.					2021-023	Maple Grove Medial Office Building (MOB).
k.					2021-024	River Walk, Dayton
l.					2021-025	Hackamore Road Reconstruction, Medina/Corcoran.
m.					2021-026	Prairie Creek Subdivision, Medina.
n.					2021-027	Xcel Energy Elm Creek Substation, Maple Grove
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q.					2021-030	Tri-Care Grading and Roads, Maple Grove
r.	A	E			2021-031	Cook Lake Edgewater, Maple Grove
s.		E			2021-032	Dayton Park Industrial Center EAW, Dayton.
t.					2021-033	Weston Commons, Maple Grove
u.					2021-034	BAPS Hindu Temple, Medina.
v.					2021-035	Mister Car Wash - Rogers

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af.					2021-045	REO Plastics Phase 2 Addition, Maple Grove
ag.					2021-046	Len Busch Roses, Plymouth
ah.					2021-047	CR 10 Box Culvert Replacement, Corcoran

= Action item E = Enclosure provided I = Informational update will be provided at meeting RPFI - removed pending further information
R = Will be removed RP= Information will be provided in revised meeting packet….. D = Project is denied AR awaiting recordation

11. Other Business.

a. Meeting packets. With the packets getting larger, and thus more expensive to mail, and with the Post Office not guaranteeing timely delivery, Staff are asking those Commissioners and TAC members who currently receive their packets by USPS to consider receiving them by email, downloading the packets from the website.

12. Adjournment.

Z:\Elm Creek\Meetings\Meetings 2021\11 Regular Meeting Agenda.docx

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Regular Meeting Minutes
October 13, 2021

I. A virtual meeting of the Elm Creek Watershed Management Commission was called to order at 11:30 a.m., Wednesday, October 13, 2020, by Vice Chair Elizabeth Weir.

Present were: Bill Walraven, Champlin; Ken Guenthner, Corcoran; Joe Trainor, Maple Grove; Elizabeth Weir, Medina; Catherine Cesnik, Plymouth; Kevin Jullie, Rogers; and Amy Juntunen and Judie Anderson, JASS.

Not represented: Dayton.

Also present: Heather Nelson, Champlin; Kevin Mattson, Corcoran; Derek Asche, Maple Grove; Ben Scharenbroich, Plymouth; Ross Mullen and Diane Spector, Stantec; James Kujawa, Surface Water Solutions; Rebecca Carlson, Resilience Resources; Kris Guentzel and Kevin Ellis, Hennepin County Environmental Services (HCEE); Brian Vlach, Three Rivers Park District (TRPD); Jason Hohn, Monica Raskob and Ruthie Peterson, for Project Review 2021-041; and Robert Belzer, Medina.

A. Motion by Guenthner, second by Walraven to approve the **agenda*** as revised**.** *Motion carried unanimously.*

B. Motion by Guenthner, second by Walraven to approve the **Minutes*** of the September 8, 2021, regular meeting. *Motion carried unanimously.*

C. Motion by Guenthner, second by Walraven to approve the **October Treasurer's Report** and **Claims*** totaling $76,887.83. *Motion carried unanimously.*

1. Included in the supplemental meeting packet were corrected activity sheets (August correction 2* and September correction 1*) extrapolated to 2021 year-end and a memo* from Staff discussing the state of the administrative budget to date. Commissioners were asked to review the memo and return to the November meeting with their questions or concerns.

2. Also included in the meeting packet was Stantec's September update* for technical services.

II. Open Forum.

III. Action Items.

Motion by Walraven, second by Guenthner to adopt the draft **Data Practices Policy.*** *Motion carried unanimously.*

IV. Project Reviews.

A. 2021-023 Maple Grove MOB, Maple Grove.* This project is for the construction of a Medical Office Building and associated parking on an undeveloped parcel located on the southeastern corner of the

intersection of 105th Avenue North and Niagara Lane, immediately north of the Highway 610 and Maple Grove Parkway interchange. The project was reviewed for Rules D and E. In their findings dated September 21, 2021, Staff recommends approval contingent upon reconciliation of the escrow balance and a stormwater maintenance agreement being put in place between the owner and the City with terms acceptable to the Commission for all stormwater facilities on the project site. Motion by Guenthner, second by Walraven to approve Staff's recommendation. *Motion carried unanimously.*

B. Project Review 2021-025 Hackamore Road Reconstruction, Corcoran/Medina.* The cities of Corcoran and Medina plan to reconstruct 1.3 miles of Hackamore Road from just west of CR 116 to CR 101. The project will add 4.4 acres of new impervious surface along the stretch of roadway by widening the roadway, adding turn lanes, pedestrian facilities, and utility improvements. To meet the Commission's stormwater requirements, the project will largely rely on adjacent developments (both existing and proposed) to incorporate BMPs to provide rate control, volume control, and water quality control. Staff findings dated August 28, 2021, and signed October 5, 2021, are included in the meeting packet. Staff reviewed the early coordination application and provided comments to the applicants. Staff presented an overview of the project approach to the Commission. *This item is informational only.*

C. Project Review 2021-027 Xcel Energy Elm Creek Substation, Maple Grove.* Xcel Energy is proposing to expand an existing electrical substation between Maple Grove Parkway and Fernbrook Lane, near the Highway 610 expansion. The expansion will occur within the existing 17.09-acre parcel. The project was reviewed for Rules D and E. In their findings dated September 24, 2021, Staff recommends approval contingent upon receipt of any outstanding project review fees and a stormwater maintenance agreement between the owner and the City with terms acceptable to the Commission for all stormwater facilities on the project site. Motion by Walraven, second by Guenthner to approve Staff's recommendation. *Motion carried unanimously.*

D. Project Review 2021-032 Dayton Park Industrial Center, Dayton.* The Dayton Park Industrial Center will include up to 600,000 SF of industrial floor space and 300 vehicle parking areas on 50.8 acres in southwest Dayton. This review is of an Environmental Assessment Worksheet. Included in this month's packet are written comments* to the City dated August 25, 2021, as the project relates to the Commission's rules and standards and the DNR shoreland rules as well as a letter of response* from the City dated September 28, 2021. *This item is informational only.*

E. Project Review 2021-033 Weston Commons, Maple Grove.* This project includes construction of 72 new single-family homes on a 10.9-acre site located south of County Road 81 and north of 105th Avenue. The existing property is a single-family home. The project was reviewed for Rules D, E, G, and I. In their findings dated September 30, 2021, Staff recommends approval contingent upon reconciliation of the escrow balance. Motion by Walraven, second by Guenthner to approve Staff's recommendation. *Motion carried unanimously.*

F. Project Review 2021-034 BAPS Temple, Medina.* This project includes construction of a Hindu Temple, dining hall, gymnasium, parking lot and one permanent residency for the temple's priest on a 19.7-acre parcel at 1400 Hamel Road. The parcel currently serves as a farmstead with a farmhouse and barns. The project was reviewed for Rules D, E, G, and I. In their findings dated October 4, 2021, Staff recommends approval contingent upon (1) receipt of any outstanding project review fees, (2) a stormwater maintenance agreement being put in place between the owner and the City with terms acceptable to the Commission, and (3) a geotechnical report being provided to the Commission demonstrating that the onsite

soils are not conducive to infiltration and/or that groundwater is too high for infiltration. Motion by Guenthner, second by Walraven to approve Staff's recommendation. *Motion carried unanimously.*

G. Project Review 2021-036 D&D Service, Corcoran.* This development is proposed at the southeast corner of the intersection of County Roads 10 and 19 on a 16.54-acre parcel. The proposed project will include a large warehouse and office buildings along with parking and associated facilities. The existing site is a single farmhouse and surrounding agricultural land. The project was reviewed for Rules D, E, G, and I. Findings updated October 6, 2021, are included in the meeting packet wherein Staff are recommending contingent approval with five conditions: (1) payment of all review fees; (2) Corcoran TEP approval of the Wetland Mitigation Plan and the City maintains a drainage and utility easement for existing and proposed on site wetlands; (3) Applicant's consideration and response to Staff comments and provision of final data prior to approval; (4) Applicant's response to City comments; and (5) provision of a Stormwater Maintenance Agreement acceptable to the City and the Commission within 90 days after the plat is recorded. Motion by Guenthner, second by Walraven to approve Staff's recommendations. *Motion carried unanimously.*

H. Project Review 2021-039 I94 Logistics Center, Rogers.* This is a 30.90-acre site located between Interstate 94 on the west and County Road 13 (Brockton Lane North) on the east. A proposed warehouse, parking lot, and loading dock will create 12.5 acres of new impervious on the site, which is currently undeveloped. Approximately 12.25 acres of the parcel is in a conservation easement to protect woodlands and wetlands and cannot be developed. The project triggers Rules D, E, G, and I. In their findings dated October 4, 2021, Staff recommends approval contingent upon receipt of any outstanding project review fees, a stormwater maintenance agreement being put in place between the owner and the City with terms acceptable to the Commission, and WCA reapproval of the wetland fill and replacement plan for impacts of 0.66 acres. Motion by Guenthner, second by Walraven to approve Staff's recommendations. *Motion carried unanimously.*

I. 2021-040 NAPA Auto Store, Corcoran.* This is located at the northwest intersection of CR 116 and 75th Avenue, on the former Liquor Store parcel. The applicant proposes to demolish the current building and its adjoining parking areas and construct a 12,800 SF NAPA Auto building, parking lot and associated utilities. An extra 3,600 feet of building area is proposed for future expansion and included within the stormwater management design for this site. Staff findings dated October 1, 2021, and a recommendation to approve with two conditions are included in this month's packet. Those conditions are receipt of any outstanding project review fees and a stormwater maintenance agreement being put in place between the owner and the City with terms acceptable to the Commission and filed on the land title within 90 days after City site plan approval. Motion by Jullie, second by Walraven to approve Staff's recommendations. *Motion carried unanimously.*

J. 2021-041 Carlson Ridge, Plymouth.* This is an existing 4.82-acre residential lot located between Vagabond and Troy Lanes just north of 56th Avenue North. The property will be subdivided into 13 single-family lots. The existing residence will remain, but portions of the driveway and an outbuilding will be demolished. Findings and a recommendation to approve with three conditions dated October 5, 2021, are included in this month's packet. The three conditions are (1) final escrow balance determination when final unconditional approval is granted, (2) wetland impacts cannot occur until appropriate LGU and WCA approvals, and (3) long term operation and maintenance of the stormwater system is determined. Motion by Walraven, second by Jullie to approve Staff's recommendations. *Motion carried unanimously.*

K. 2021-042 Risor Senior Living, Maple Grove.* This a 3.19-acre project site for construction of a senior living home located within approved Commission Project Review #2020-002 of the Planned Unit Develop-

ment (PUD) Project 100. The project was reviewed for Rule E. Because the project proposes 72% imperviousness (on a site that was assumed to be 80% impervious) and the project follows best practices and Commission rules regarding erosion and sediment control, technical staff administratively approved the project subject to final escrow balance determination.

V. Old Business.

VI. New Business.

Scharenbroich reported on the performance of the **regenerative air street sweeper*** that was financed in part by the Commission's 2020 CIP tax levy. Approximately 88 curb miles in the Elm Creek watershed were swept. The report breaks down the estimated pollutant removal per mile and total pounds of Total Phosphorus and Chloride collected. The report does not include this fall's sweeping results.

VII. Communications.

A. September Staff Report.* Staff reports provide updates on the development projects currently under review by Staff or awaiting final recordations. The projects listed in the table beginning on page 6 of these minutes are discussed in this month's report.

The report also contains the following update regarding the **Third Party HUC-8 Model Review:** A MNDNR Flood Risk Review Meeting has not been scheduled. Stantec has drafted a response on behalf of the watershed and its member cities.

B. Hennepin County Staff Report.*

1. Project certification.* Hennepin County staff have been engaging several landowners in the Elm Creek Watershed regarding manure management on their property. A few of these projects are in the process of moving forward, with landowners requesting assistance to design a manure bunker for their property to meet the needs of their unique operations. These designs, like other engineered designs developed in the County offices, require the signature of a licensed professional that can certify the design meets the standards necessary to ensure its use through its design lifetime. Manure bunkers, in particular, require the certification of a structural engineer. Hennepin County Environment and Energy does not have structural engineers on staff and has been unable to identify another structural engineer either employed by the county or by a local government partner.

Hennepin County staff would like to engage Stantec, the Commission's engineer, for this assistance. This request was brought to the Technical Advisory Committee (TAC) on August 26, 2021. The TAC supported this request after discussion, and pending Commission approval.

Therefore, Hennepin County staff are requesting approval from the Commission to engage Stantec for their engineering services for projects in the Elm Creek Watershed requiring certification by a structural engineer. Payment for these services can be provided through existing agreements between the Commission and Stantec and the Commission and Hennepin County. Stantec would track time to this effort separately from time for Commission services, and Hennepin County would reimburse costs for this time. Motion by Guenthner, second by Walraven to approve this engagement, with amendments to the existing contracts with Stantec and the County being written and executed by the parties. *Motion carried.*

2. Rush Creek Projects.

a. Jubert Lake Area Agricultural BMPs. Final plans on five waterways were

expected to be completed by October 8. Plans will be forwarded to landowner for approval and contract signature. Construction is expected to begin later in the Fall.

b. Top of Hill WASCOB + Waterway. Construction is complete. Additional punch list items remain, including seeding, which was to have been completed in September. The WASCOB, intake/pipe and waterway all went in according to plan.

c. Phase 1 projects. The County is working with project design team (EOR) to finalize design for Phase 1 and begin design work on Phase 2. Construction for Phase 1 scheduled for October following harvest. Phase 2 construction delayed into 2022 to allow time for additional design and permitting. Phase 1 projects include 7 grassed waterways, 1 wetland expansion, and 1 creek stabilization.

d. Arens WASCOB + Waterway. Awaiting engineer capacity to complete designs. No information available about intake in road ROW, so will need to make some conservative assumptions about watershed to this project.

e. Phase 2 projects and wetland consulting. County will be requesting proposals for engineering services and wetland permitting assistance. These projects are on multiple parcels west of Jubert Lake. Design and implementation are being funded through a funding partnership with the Commission, Hennepin County, the State of MN (Rush Creek CWF grant), and the landowners.

3. Rush Creek Landowner Outreach. Postcards advertising BMP projects for crop farmers have been mailed out. Returned cards and responses are starting to arrive. County planning for an event such as an informational session or webinar is underway and will most likely take place over the winter. The County may also start a field day or live stream series in Spring 2022.

4. The report also provided updates on five other projects as well as several **conservation assistance projects** in Corcoran, Dayton and Rogers.

5. Staff are currently developing options to **preserve farmland** in Hennepin County. Staff have met with others who have developed similar programs in other areas of the country to learn more about potential options. A mailer was sent to farmers and landowners with agricultural operations to gauge their interest and obtain input on the program. Follow up conversations are currently underway.

6. Applications are being accepted for **Environmental Response Fund grants,** which help with the redevelopment of contaminated sites where the added cost of environment cleanup is a barrier to site improvement. **Applications are due November 1**. Contact brownfields@hennepin.us prior to applying.

7. Grants are available to increase pollinator habitat on residential properties. The Minnesota Board of Water and Soil Resources and Blue Thumb are now accepting applications for the Lawns to Legumes program, which aims to increase habitat for at-risk pollinators on residential properties. Applications for 2022 projects will be accepted through February 15, 2022.

VIII. Education and Public Outreach.*

The West Metro Water Alliance (WMWA) met on October 12, 2021. The pet waste and water softener chloride brochures were finalized for text. The road salt chloride brochure is still in process. A graphic designer was selected to begin design of the finalized flyers. Spector will be scheduling interviews for the open educator position later this month to bring on a new Educator at the next WMWA meeting scheduled for November 9, 2021.

IX. Grant Opportunities and Project Updates.

X. Other Business.

Vice Chair Weir invited Belzer to write a memo to the Commission expressing his concerns and his request from the Commission in dealing with issues at the **Wild Meadows** development in Medina. His memo and any Staff response will be included in the November meeting packet.

XI. Adjournment. There being no further business, motion by Walraven, second by Guenthner to adjourn. *Motion carried unanimously.* The meeting was adjourned at 1:20 p.m.

Respectfully submitted,

Judie A.Anderson
Recording Secretary
JAA:tim

Z:\Elm Creek\Meetings\Meetings 2021\October 13, 2021 Regular meeting minutes.docx

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Elm Creek Watershed Management Commission Treasurer's Report

		2021 Budget	Oct 2021	Nov 2021	2021 Budget YTD
EXPENSES					
Administrative		95,000	8,681.44	6,755.41	83,064.98
Grant Writing		650			0.00
Website		2,000	21.45	32.50	933.25
Legal		2,000	46.50	77.50	937.75
Audit		5,000			6,000.00
Insurance		3,800			3,800.00
Miscellaneous/Contingency		1,000			0.00
Technical Support - HCEE		12,000			0.00
Floodplain Mapping					23,488.00
Project Review Technical		185,000	34,274.75	25,920.00	123,625.25
Other Technical			9,625.75	3,688.00	50,393.55
Project Reviews - Admin Support		12,000	2,169.22	2,954.56	22,208.00
WCA - Admin					340.60
Stream Monitoring USGS		24,000	21,562.00		21,562.00
Stream Monitoring TRPD		7,200			0.00
DO Longitudinal Survey		1,000			0.00
Rain Gauge		400	33.79	32.86	313.88
Lakes Monitoring - CAMP		760			0.00
Lakes Monitoring - TRPD					0.00
Sentinel Lakes		8,100			0.00
Additional Lake		2,500			0.00
Aquatic Vegetation Surveys		1,100			0.00
Wetland Monitoring (WHEP)		4,000			0.00
Education		2,500	28.70	43.40	1,182.51
WMWA General Activities		5,000			3,000.00
WMWA Implementation/Watershed Prep		6,500			1,000.00
Rain Garden Wkshops/Intensive BMPs/Special Proj		3,000			1,000.00
Education Grants		1,000			0.00
Macroinvertebrate Monitoring-River Watch		3,000			0.00
Projects ineligible for ad valorem		0			0.00
Studies / Project ID / SWA		0	72.11	32.50	1,697.26
Plan Amendment		2,000			641.66
Contribution to 4th Gen Plan		10,000			0.00
Transfer to (from) Capital Projects (see CIP Tr		*175,000*	*372.12*		129,153.89
Transfer to (from) Cash Sureties (see below)			-	-	1,003.00
Transfer to (from) Grants (see below)		*125,000*	-	-	0.00
To Fund Balance					0.00
TOTAL - Month			**76,887.83**	**39,536.73**	**475,345.58**
TOTAL Paid in 2021, incl late 2020 Expenses		**700,510.00**	**537,619.81**	**577,156.54**	**2021 Paid**

Elm Creek Watershed Management Commission Treasurer's Report

		2021 Budget	Oct 2021	Nov 2021	2021 Budget YTD
INCOME					
From Fund Balance					
Project Review Fee		100,000	6,877.50		177,526.40
Refund Project Fee			(8,130.75)		(9,152.25)
Water Monitoring - TRPD Co-op Agmt		5,500			0.00
Member Dues		237,300			237,300.00
Interest/Dividends Earned		15,250	12.75		154.08
Transfer to (from) Capital Projects (see CIP Tr		185,588			72,418.24
Transfer to (from) Cash Sureties (see below)					0.00
Transfer to (from) Grants (see below)		100,000	-	-	189,691.00
Misc Income					0.00
Total - Month			**-1,240.50**	**0.00**	**667,937.47**
TOTAL Rec'd 2021, incl late 2020 Income		**643,638.00**	**694,925.29**	**694,925.29**	**2021 Received**
CASH SUMMARY		**Balance Fwd**			
Checking		0.00			
4M Fund		1,307,408.90	1,464,714.38	1,425,177.65	
Cash on Hand			**1,464,714.38**	**1,425,177.65**	
CASH SURETIES		**Balance Fwd**			**Activity 2021**
WCA Administrative Escrows		*338*			0.00
WCA Monitoring Escrows		*8,770*			-1,003.00
Total Cash Sureties		***9,108***	8,104.77	8,104.77	
Deferred Revenue - 2019 WBIF Grant		*67,243*			
Total Restricted Cash		**76,351**	**77,353.77**	**77,353.77**	
RESTRICTED / ASSIGNED FUNDS		**Balance Fwd**			
Restricted for CIPs		*745,366*	*(372.12)*	-	*688,630.35*
Enc. Studies / Project Identification / SWA		*187,134*	*(72.11)*	*(32.50)*	*185,436.82*
Total Restricted / Assigned Funds		**932,500**	**874,099.67**	**874,067.17**	
Claims Presented		General Ledger Account No	**October**	**November**	**TOTAL**
Campbell Knutson - Legal		521000		77.50	**77.50**
Connexus - Rain Gauge		551100		32.86	**32.86**
Stantec (formerly Wenck)					**29,608.00**
Project Review Technical		578050		25,920.00	
Other Technical		578050		3,688.00	
JASS					**9,818.37**
Administration		511000		6,755.41	
TAC Support		511000			
Website		581000		32.50	
Project Reviews		578100		2,954.56	
Education		590000		43.40	
CIPs General		563001		32.50	
TOTAL CLAIMS					**39,536.73**

CAMPBELL KNUTSON
Professional Association
Attorneys at Law
Federal Tax I.D. #41-1562130
Grand Oak Office Center I
860 Blue Gentian Road, Suite 290
Eagan, Minnesota 55121
(651) 452-5000

September 30, 2021
Account # 1448G

Elm Creek Watershed Management Commission
c/o Judie A. Anderson, Exec. Secty.
3235 Fernbrook Lane
Plymouth MN 55447

SUMMARY STATEMENT

PREVIOUS BALANCE	FEES	EXPENSES	CREDITS	PAYMENTS	BALANCE
1448-0000 RE: GENERAL MATTERS					
SERVICES RENDERED TO DATE:					
124.00	77.50	0.00	0.00	-77.50	$124.00

Less 10/13 pmt. - 46.50

NOW DUE $ 77.50

Amounts due over 30 days will be subject to a finance charge of .5% per month (or an annual rate of 6%). Minimum charge - 50 cents.

CAMPBELL KNUTSON
Professional Association
Attorneys at Law
Federal Tax I.D. #41-1562130
Grand Oak Office Center I
860 Blue Gentian Road, Suite 290
Eagan, Minnesota 55121
(651) 452-5000

Page: 1
September 30, 2021
Account # 1448-0000G
231

Elm Creek Watershed Management Commission
c/o Judie A. Anderson, Exec. Secty.
3235 Fernbrook Lane
Plymouth MN 55447

RE: GENERAL MATTERS
SERVICES RENDERED TO DATE:

			HOURS	
09/28/2021	JJJ	Emails Judie, voicemail Medina resident, follow-ups regarding HOA pond and "repairs".	0.50	77.50
		AMOUNT DUE	0.50	77.50
		TOTAL CURRENT WORK		77.50
		PREVIOUS BALANCE		$124.00
09/16/2021		Payment - thank you		-77.50
		TOTAL AMOUNT DUE		$124.00

Less 10/13 pmt - 46.50

Now DUE $77.50

Amounts due over 30 days will be subject to a finance charge of .5% per month (or an annual rate of 6%). Minimum charge - 50 cents.

CONNEXUS® ENERGY
Your Community Energy Partner

page 16

Account Number:
481113-238425
ELM CREEK WATERSHED MGMT ORG

Monthly Statement

Service Address
ELM CREEK RD
DAYTON MN

Total Amount Due	Due Date
$32.86	November 13, 2021

Message Center

Billing Summary

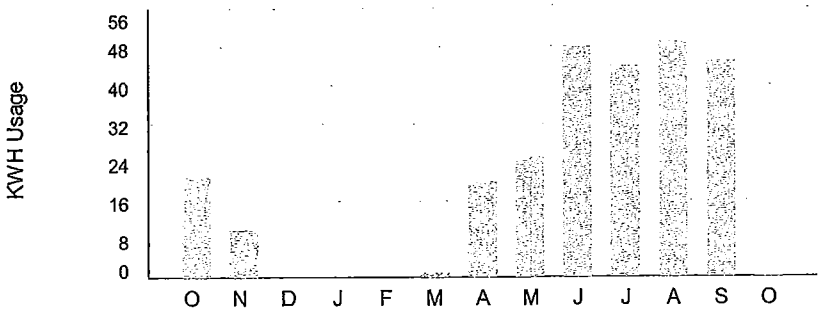
Billing Date: Oct 18, 2021

Previous Balance	$33.79
Payments - Thank You!	$33.79
Balance Forward	**$0.00**
New Charges	**$32.86**
Total Amount Due	**$32.86**

Payment must be received on or before November 13, 2021

Energy Comparison

Previous Months' Usage Current Month's Usage



How to contact us

Member Services / Moving - 763-323-2650
Outages and Emergencies - 763-323-2660
Hearing/Speech Impaired Call - 711 or 800-627-3529
Email: info@connexusenergy.com
www.connexusenergy.com
Gopher State One Call - 811
14601 Ramsey Boulevard, Ramsey, MN 55303

▼ *Please detach at perforation and return this portion with a check or money order made payable to Connexus Energy* ▼

TRA3-D-007105/006517 VG0C7W S1-ET-M1-C00002 1

CONNEXUS® ENERGY
Your Community Energy Partner

Account Number: 481113-238425
Total Amount Due $32.86
Payment Due By November 13, 2021

007105 1 AB 0.458 003103/007105/006517 024 02 VG0C7W
ELM CREEK WATERSHED MGMT ORG
3235 FERNBROOK LN N
PLYMOUTH MN 55447-5325

Connexus Energy
PO Box 1808
Minneapolis, MN 55480-1808

00003286 0004811130238425 000000 00000 00000000000 0000001

Stantec

INVOICE

Invoice Number	1851164
Invoice Date	November 4, 2021
Purchase Order	--
Customer Number	167501
Project Number	227702779

Bill To
Elm Creek Watershed Management Commission
Accounts Payable
3235 Fernbrook Lane
Plymouth MN 55447
United States

Please Remit To
Stantec Consulting Services Inc. (SCSI)
13980 Collections Center Drive
Chicago IL 60693
United States

Project **Elm Creek Watershed 2021 Technical Services**

Project Manager	Spector, Diane F	Contract Upset	181,148.00
Current Invoice Total (USD)	29,608.00	Amount Billed to Date	115,392.25
		For Period Ending	**October 22, 2021**

Update rates, Email invoices to Judie Anderson judie@jass.biz

Top Task **100** **Pre-Project Reviews and Inquiries**
Low Task **100** **Pre-Project Reviews and Inquiries**

Professional Services

Category/Employee		Current Hours	Rate	Current Amount
	Mullen, Ross S	5.50	165.00	907.50
	Subtotal Professional Services	5.50		907.50

Subconsultants

Surface Water Solutions LLC		125.00
Subtotal Subconsultants		125.00

Low Task Subtotal	**Pre-Project Reviews and Inquiries**	1,032.50
Top Task Subtotal	Pre-Project Reviews and Inquiries	1,032.50

Top Task **300** **Meetings**
Low Task **300** **Meetings**

Professional Services

Category/Employee		Current Hours	Rate	Current Amount
	Mullen, Ross S	8.00	165.00	1,320.00
	Spector, Diane F	1.50	200.00	300.00
	Subtotal Professional Services	9.50		1,620.00

Subconsultants

Resilience Resources LLC	330.00
Surface Water Solutions LLC	125.00
Subtotal Subconsultants	455.00

Stantec

INVOICE

Invoice Number	1851164
Invoice Date	November 4, 2021
Purchase Order	--
Customer Number	167501
Project Number	227702779

Low Task Subtotal	**Meetings**	2,075.00
Top Task Subtotal	Meetings	2,075.00

Top Task 500 **Project Review**

Low Task 500.012 **The Oaks at Bauer Farm**

Subconsultants

Resilience Resources LLC	2,689.50
Subtotal Subconsultants	2,689.50

Low Task Subtotal **The Oaks at Bauer Farm**	2,689.50

Low Task 500.023 **Maple Grove MOB**

Professional Services

Category/Employee	Current Hours	Rate	Current Amount
Truong, Kaitlen Nguyen (Kaitlin)	1.25	128.00	160.00
Subtotal Professional Services	1.25		160.00

Low Task Subtotal **Maple Grove MOB**	160.00

Low Task 500.025 **Hackamore Road**

Professional Services

Category/Employee	Current Hours	Rate	Current Amount
Mullen, Ross S	2.00	165.00	330.00
Matthiesen, Edward Armin (Ed)	1.00	205.00	205.00
Subtotal Professional Services	3.00		535.00

Subconsultants

Resilience Resources LLC	2,805.00
Subtotal Subconsultants	2,805.00

Low Task Subtotal **Hackamore Road**	3,340.00

Low Task 500.027 **Xcel Energy Substation**

Professional Services

Category/Employee	Current Hours	Rate	Current Amount
Truong, Kaitlen Nguyen (Kaitlin)	1.25	128.00	160.00
Subtotal Professional Services	1.25		160.00

Stantec

INVOICE

Invoice Number	1851164
Invoice Date	November 4, 2021
Purchase Order	--
Customer Number	167501
Project Number	227702779

Low Task Subtotal **Xcel Energy Substation** 160.00

Low Task **500.029** **TriCare Grocery**

Professional Services

Category/Employee	**Current Hours**	**Rate**	**Current Amount**
Weis, Rena D	13.75	115.00	1,581.25
Mullen, Ross S	7.25	165.00	1,196.25
Matthiesen, Edward Armin (Ed)	0.25	205.00	51.25
Subtotal Professional Services	21.25		2,828.75

Low Task Subtotal **TriCare Grocery** 2,828.75

Low Task **500.030** **TriCare Roads and Grading**

Professional Services

Category/Employee	**Current Hours**	**Rate**	**Current Amount**
Mullen, Ross S	4.50	165.00	742.50
Subtotal Professional Services	4.50		742.50

Low Task Subtotal **TriCare Roads and Grading** 742.50

Low Task **500.031** **Cook Lake Edgewater**

Professional Services

Category/Employee	**Current Hours**	**Rate**	**Current Amount**
Mullen, Ross S	1.50	165.00	247.50
Subtotal Professional Services	1.50		247.50

Subconsultants

Resilience Resources LLC	2,871.00
Subtotal Subconsultants	2,871.00

Low Task Subtotal **Cook Lake Edgewater** 3,118.50

Low Task **500.033** **Westin Commons**

Professional Services

Category/Employee	**Current Hours**	**Rate**	**Current Amount**
Truong, Kaitlen Nguyen (Kaitlin)	1.25	128.00	160.00
Mullen, Ross S	4.00	165.00	660.00
Subtotal Professional Services	5.25		820.00

Stantec

INVOICE

Invoice Number	1851164
Invoice Date	November 4, 2021
Purchase Order	--
Customer Number	167501
Project Number	227702779

Low Task Subtotal **Westin Commons** 820.00

Low Task **500.034** **BAPS Temple**

Professional Services

Category/Employee	Current Hours	Rate	Current Amount
Fesenmaier, Mark Gregory	4.00	65.00	260.00
Truong, Kaitlen Nguyen (Kaitlin)	1.25	128.00	160.00
Mullen, Ross S	2.50	165.00	412.50
Subtotal Professional Services	7.75		832.50

Low Task Subtotal **BAPS Temple** 832.50

Low Task **500.037** **Marsh Point**

Professional Services

Category/Employee	Current Hours	Rate	Current Amount
Zea, Jacob Thomas	6.00	128.00	768.00
Mullen, Ross S	1.75	165.00	288.75
Subtotal Professional Services	7.75		1,056.75

Low Task Subtotal **Marsh Point** 1,056.75

Low Task **500.038** **Bellwether-Amberly**

Professional Services

Category/Employee	Current Hours	Rate	Current Amount
Mullen, Ross S	0.75	165.00	123.75
Subtotal Professional Services	0.75		123.75

Subconsultants

Resilience Resources LLC	1,386.00
Subtotal Subconsultants	1,386.00

Low Task Subtotal **Bellwether-Amberly** 1,509.75

Low Task **500.039** **I94 Logistics Center**

Professional Services

Category/Employee	Current Hours	Rate	Current Amount
Truong, Kaitlen Nguyen (Kaitlin)	1.25	128.00	160.00
Zhang, Lu	3.00	141.00	423.00
Mullen, Ross S	4.00	165.00	660.00

Stantec

Invoice Number	1851164
Invoice Date	November 4, 2021
Purchase Order	--
Customer Number	167501
Project Number	227702779

Subtotal Professional Services	8.25	1,243.00

Low Task Subtotal **194 Logistics Center** 1,243.00

Low Task **500.042** **Risor Senior Living**

Professional Services

Category/Employee	**Current Hours**	**Rate**	**Current Amount**
Truong, Kaitlen Nguyen (Kaitlin)	1.25	128.00	160.00
Mullen, Ross S	1.25	165.00	206.25
Subtotal Professional Services	2.50		366.25

Low Task Subtotal **Risor Senior Living** 366.25

Low Task **500.043** **Northwood Community Church**

Professional Services

Category/Employee	**Current Hours**	**Rate**	**Current Amount**
Fesenmaier, Mark Gregory	5.50	65.00	357.50
Mullen, Ross S	1.25	165.00	206.25
Subtotal Professional Services	6.75		563.75

Low Task Subtotal **Northwood Community Church** 563.75

Low Task **500.044** **Balsam II Apartments**

Professional Services

Category/Employee	**Current Hours**	**Rate**	**Current Amount**
Mullen, Ross S	2.00	165.00	330.00
Matthiesen, Edward Armin (Ed)	0.50	205.00	102.50
Subtotal Professional Services	2.50		432.50

Low Task Subtotal **Balsam II Apartments** 432.50

Low Task **500.045** **REO Plastics Phase 2**

Professional Services

Category/Employee	**Current Hours**	**Rate**	**Current Amount**
Zea, Jacob Thomas	10.00	128.00	1,280.00
Mullen, Ross S	3.00	165.00	495.00
Subtotal Professional Services	13.00		1,775.00

Subconsultants

Stantec

INVOICE

Invoice Number	1851164
Invoice Date	November 4, 2021
Purchase Order	--
Customer Number	167501
Project Number	227702779

	Surface Water Solutions LLC	4,281.25
	Subtotal Subconsultants	4,281.25

Low Task Subtotal	**REO Plastics Phase 2**	6,056.25
Top Task Subtotal	Project Review	25,920.00

Top Task **600** **Other Services**

Low Task **600.000** **Other Services**

Professional Services

Category/Employee		**Current Hours**	**Rate**	**Current Amount**
	Spector, Diane F	0.75	200.00	150.00
	Subtotal Professional Services	0.75		150.00

Subconsultants

	Surface Water Solutions LLC	302.50
	Subtotal Subconsultants	302.50

Low Task Subtotal	**Other Services**	452.50

Low Task **600.001** **HUC-8 Review**

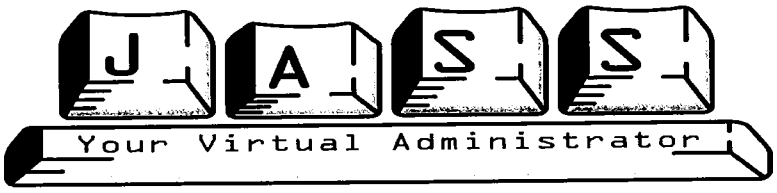
Professional Services

Category/Employee		**Current Hours**	**Rate**	**Current Amount**
	Truong, Kaitlen Nguyen (Kaitlin)	1.00	128.00	128.00
	Subtotal Professional Services	1.00		128.00

Low Task Subtotal	**HUC-8 Review**	128.00
Top Task Subtotal	Other Services	580.50

Total Fees & Disbursements	29,608.00
INVOICE TOTAL (USD)	**29,608.00**

Due upon receipt or in accordance with terms of the contract



3235 Fernbrook Lane
Plymouth MN 55447

Elm Creek Watershed Management Commission
3235 Fernbrook Lane
Plymouth, MN 55447

2-Nov-21

				Total by Project Area
Administrative	0.250	60.00	15.00	
Administrative	48.090	65.00	3,125.85	
Admin - virtual	4.660	70.00	326.20	
Office Support	12.00	200.00	2,400.00	
Storage Unit	1.00	146.64	146.64	
Data Processing/File Mgmt		65.00	0.00	
Drop Box Subscription	1.00	129.88	129.88	
Admin - Reimbursable Expense	611.84	1.00	611.84	6,755.410
Website		60.00	0.00	
Website	0.50	65.00	32.50	
Website - Reimbursable Expense		1.00	0.00	
Web Domain, hosting		1.00	0.00	32.500
Project Reviews - Secre		60.00	0.00	
Project Reviews - Admin	32.81	65.00	2,132.65	
Project Reviews - Admin offiste		70.00	0.00	
Project Reviews - Admin - File Mgmt		60.00	0.00	
Project Reviews - Reimbursable Expense	654.86	1.00	654.86	2,787.510
Project Reviews - Admin - Specific	2.57	65.00	167.05	
Project Reviews - Admin - Specific - reimbursables		1.00	0.00	167.050
Education - Secretarial		60.00	0.00	
Education - Admin		65.00	0.00	
Education - Admin virtual - Blue Thumb Partner Event	0.620	70.00	43.40	
Education - Reimbursable Expense		1.00	0.00	43.400
CIPs - General - Secretarial		60.00	0.00	
CIPs - Administrative	0.50	65.00	32.50	
CIPs- Offsite Admin		70.00	0.00	
CIPs - reimbursables		1.00	0.00	32.500
Cost Share - admin		60.00	0.00	
Cost Share - administrative		65.00	0.00	
Cost Share - reimbursable expense		1.00	0.00	0.000
		Invoice Total		**9,818.370**

Elm Creek Watershed Management Commission Treasurer's Report

	A	B	C	M	N	T	U	V	W	X
1			2021 Budget	thru Sep 2021 / paid Oct 2021 83%	thru Oct 2021/paid Nov 2021 92%	2021 Budget Expenses YTD	%age Budget Expended YTD	Extrapolated FY 2021	Extrapolated %age FY 2021	(Over) Under Budget
2	**EXPENSES**									
3	Administrative		95,000	8,681.44	6,755.41	83,064.98	87.44	99,678	105	(4,678)
4	Grant Writing		650			0.00	0.00	0	0	650
5	Website		2,000	21.45	32.50	933.25	46.66	1,120	56	880
6	Legal		2,000	46.50	77.50	937.75	46.89	1,125	56	875
7	Audit		5,000			6,000.00	100.00	**6,000**	120	(1,000)
8	Insurance		3,800			3,800.00	100.00	**3,800**	100	-
9	Miscellaneous/Contingency		1,000			0.00	0.00	0	0	1,000
10	Technical Support - HCEE		12,000			0.00	0.00	0	0	12,000
11	Floodplain Mapping		0			23,488.00	100.00	**23,488**		(23,488)
12	Project Review Technical (Job 300)		185,000	34,274.75	25,920.00	123,625.25	66.82	148,350	80	36,650
13	Other Technical (Jobs 100 & 200)		-	9,625.75	3,688.00	50,393.55		60,472		(60,472)
14	Project Reviews - Admin Support		12,000	2,169.22	2,954.56	22,208.00	185.07	26,650	222	(14,650)
15	WCA - Admin		-			340.60		409		(409)
16	Stream Monitoring USGS		24,000	21,562.00		21,562.00	100.00	**21,562**	90	2,438
17	Stream Monitoring TRPD		7,200			0.00	100.00	**7,200**	100	-
18	DO Longitudinal Survey		1,000			0.00	100.00	**1,000**	100	-
19	Rain Gauge		400	33.79	32.86	313.88	78.47	377	94	23
20	Lakes Monitoring - CAMP		760			0.00	0.00	0	0	760
21	Lakes Monitoring - TRPD					0.00		0		-
22	Sentinel Lakes		8,100			0.00	100.00	**8,100**	100	-
23	Additional Lake		2,500			0.00	100.00	**2,500**	100	-
24	Aquatic Vegetation Surveys		1,100			0.00	100.00	**1,100**	100	-
25	Wetland Monitoring (WHEP)		4,000			0.00	0.00	0	0	4,000
26	Education		2,500	28.70	43.40	1,182.51	47.30	1,419	57	1,081
27	WMWA General Activities		5,000			3,000.00	100.00	**3,000**	60	2,000
28	WMWA Implementation/Watershed Prep		6,500			1,000.00	100.00	**1,000**	15	5,500
29	Rain Garden Wkshops/Intensive BMPs/Special Projects		3,000			1,000.00	100.00	**3,000**	100	-
30	Education Grants		1,000			0.00	0.00	0	0	1,000
31	Macroinvertebrate Monitoring-River Watch		3,000			0.00	0.00	0	0	3,000
32	Projects ineligible for ad valorem		0	CIPs		0.00		0		-
33	Studies / Project ID / SWA		0	72.11	32.50	1,697.26		2,037		(2,037)
34	Plan Amendment		2,000			641.66	32.08	770	38	1,230
35	Contribution to 4th Gen Plan		10,000			0.00	0.00	0	0	10,000

Elm Creek Watershed Management Commission Treasurer's Report

	A	B	C	M	N	T	U	V	W	X
36	*Transfer to (from) Encumbered Funds (see below)*					0.00		0		
37	*Transfer to (from) Capital Projects (see CIP Tracking)*		*175,000*	*372.12*		129,153.89		129,154	74	45,846
38	*Transfer to (from) Cash Sureties (see below)*					1,003.00		1,003		
39	*Transfer to (from) Grants (see below)*		*125,000*			0.00		0		
40	*To Fund Balance*							0		
41	**TOTAL - Month**			**76,887.83**	**39,536.73**	**475,345.58**		554,313		
42	**Accumulated Expenses 2021**	**blue highlighted = 2020 Expens**	**700,510.00**	**393,415.86**	**432,952.59**	**2021 Paid**				
43										

Elm Creek Watershed Management Commission Treasurer's Report

	A	B	C	M	N	T	U	V	W	X
44			2021 Budget	recd Sept 2021	recd Oct 2021	Revenue YTD	Received YTD	FY 2021		
45	**REVENUE**									
46	*From Fund Balance*									
47	Floodplain Modeling					0.00		***48,693***		
48	Project Review Fee		100,000	19,575.00	6,877.50	177,526.40	177.53	213,032		
49	Refund Project Fee				(8,130.75)	-9,152.25		(12,203)		
50	Water Monitoring - TRPD Co-op Agmt		5,500			0.00	0.00	**5,500**		
51	WCA Fees		0			0.00		-		
52	Reimbursement for WCA Expense					0.00		-		
53	WCA Escrow Earned					0.00		-		
54	Member Dues		237,300			237,300.00	100.00	**237,300**		
55	Interest/Dividends Earned		15,250	12.72	12.75	154.08	1.01	185		
56	*Transfer to (from) Capital Projects (see CIP Tracking)*		185,588			72,418.24	39.02	72,418		
57	*Transfer to (from) Cash Sureties (see below)*					0.00		-		
58	*Transfer to (from) Grants (see below)*		100,000			209,691.00		209,691		
59	Misc Income					0.00		-		
60	**Total - Month**			**19,587.72**	**-1,240.50**	**687,937.47**		**774,615.58**		
61	**Accumulated Receipts 2021**	**blue highlighted=2020 Revenue**	**643,638.00**	**634,858.45**	**633,617.95**	**2021 Received**				
62										
63	**MONTHLY CASH SUMMARY**									
64		**Balance Fwd**								

Project Task Billing Detail
Project: 227702779 - Elm Crk '21 Technical Services
11/4/2021

Wenck/Stantec Professional Services
Expenses Year to Date - Through October 22, 2021

Top Task	Task Number	Task Name	Expenditure Category	Budget	April	May	June	July	August	Sept	Oct	Nov	Dec	Billed To Date	% YTD Billed	Billable Budget Remaining	% Budget Available
100 - Prereviews and Inq	**100**	**Prereviews and Inq**	**Budget**	**15,000**	**121.75**	**1,396.25**	**925.00**	**1,682.50**	**1,891.25**	**1,292.75**	**1,032.50**	**-**	**-**	**8,342.00**	**56%**	**6,658.00**	**44%**
			Direct Labor	11,000	121.75	1,396.25	412.50	995.00	1,347.50	1,074.00	907.50			6,254.50			
			Subconsultants	4,000			512.50	687.50	543.75	218.75	125.00			2,087.50			
300 - Meetings - Meetings	**300**	**Meetings**	**Budget**	**20,900**	**386.25**	**4,840.00**	**3,458.75**	**5,161.25**	**2,603.75**	**1,642.50**	**2,075.00**	**-**	**-**	**20,167.50**	**96%**	**732.50**	**4%**
			Direct Labor	15,160	386.25	4,840.00	2,177.50	4,348.75	1,563.75	1,330.00	1,620.00			16,266.25			
			Subconsultants	5,740			1,281.25	812.50	1,040.00	312.50	455.00			3,901.25			
500 - Project Reviews	500	**Project Reviews**	**Budget**	**92,444**	**858.75**	**8,032.25**	**5,467.00**	**4,599.00**	**16,538.25**	**17,736.50**	**25,920.00**	**-**	**-**	**78,645.50**	**85%**	**13,798.50**	**15%**
	2020-002	Miinnesota Health Village	Subconsultants					62.50						62.50			
	2017-050	Ernie Meyers Wetland	Subconsultants						187.50					187.50			
	2020-033	Weston Woods	Subconsultants							125.00	31.25			156.25			
	2020-040	Cedars of Elm Cr 3rd	Subconsultants								50.00			50.00			
	2020-041	Plum Tree East	Subconsultants								50.00			50.00			
	500.010	Gleason Field	Subconsultants				343.75			62.50				406.25			
	500.012	Oaks at Bauer	Direct Labor		858.75	1,757.75								2,616.50			
	500.012	Oaks at Bauer	Subconsultants				31.25							31.25			
	500.013	Rush Creek Reserve	Subconsultants				778.75	437.50						1,216.25			
	500.015	66th Ave/Gleason	Subconsultants				218.75	843.75			62.50			1,125.00			
	500.016	Territorial Lofts	Direct Labor			2,213.25	2,044.50							4,257.75			
	500.016	Territorial Lofts	Subconsultants					37.50						37.50			
	500.017	The Park Group Building	Direct Labor			1,777.50								1,777.50			
	500.018	Tavera Ph 1	Subconsultants					31.25						31.25			
	500.019	Kwik Trip	Subconsultants				968.75							968.75			
	500.020	Crew Carwash	Direct Labor			2,283.75	206.25	773.75						3,263.75			
	500.021	Terratorial Triangle	Subconsultants				875.00	437.50	125.00					1,437.50			
	500.023	Maple Grove MOB	Direct Labor					1,725.25	1,567.50	1,231.50	160.00			4,684.25			
	500.023	Maple Grove MOB	Subconsultants						3,778.50	62.50	50.00			3,891.00			
	500.024	Riverwalk Dayton	Subconsultants					250.00	2,281.25					2,531.25			
	500.025	Hackamore Rd	Direct Labor							206.25	535.00			741.25			
	500.025	Hackamore Rd	Subconsultants							62.50	2,961.25			3,023.75			
	500.026	Prairie Cr Subd	Subconsultants						656.25	762.50				1,418.75			
	500.027	Xcel Station	Direct Labor						1,787.25	1,994.50	160.00			3,941.75			
	500.028	Cubes at French Lake	Subconsultants							781.25	1,187.50			1,968.75			
	500.029	Tricare Grocery	Direct Labor						1,041.25	1,295.00	2,828.75			5,165.00			
	500.030	Tricare Roads	Direct Labor						1,107.50	2,863.75	742.50			4,713.75			
	500.030	Tricare Roads	Subconsultants							93.75	62.50			156.25			
	500.031	Cook Lake Edgewater	Direct Labor							82.50	247.50			330.00			
	500.031	Cook Lake Edgewater	Subconsultants								2,871.00			2,871.00			
	500.032	Dayton Park EAW	Subconsultants							156.25				156.25			

Project Task Billing Detail
Project: 227702779 - Elm Crk '21 Technical Services
11/4/2021

Wenck/Stantec Professional Services
Expenses Year to Date - Through October 22, 2021

Top Task	Task Number	Task Name	Expenditure Category	Budget	April	May	June	July	August	Sept	Oct	Nov	Dec	Billed To Date	% YTD Billed	Billable Budget Remaining	% Budget Available
	500.033	Westin Commons	Direct Labor						1,652.25	1,299.75	820.00			3,772.00			
	500.033	Westin Commons	Subconsultants								37.50			37.50			
	500.034	BAPS Temple	Direct Labor						230.00	1,260.00	832.50			2,322.50			
	500.034	BAPS Temple	Subconsultants							37.50	50.00			87.50			
	500.035	Mister Carwash	Direct Labor						1,195.50	412.50				1,608.00			
	500.035	Mister Carwash	Subconsultants							62.50				62.50			
	500.036	D & D Service Review	Subconsultants								2,689.50			2,689.50			
	500.037	Marsh Point	Direct Labor						41.25	2,799.00	1,056.75			3,897.00			
	500.037	Marsh Point	Subconsultants							62.50				62.50			
	500.038	Bellweather/Amberly	Direct Labor								123.75			123.75			
	500.038	Bellweather/Amberly	Subconsultants								1,436.00			1,436.00			
	500.039	I94 Logistics Center	Direct Labor						887.25	1,165.50	1,243.00			3,295.75			
	500.039	I94 Logistics Center	Subconsultants								62.50			62.50			
	500.040	NAPA	Subconsultants							31.25	906.25			937.50			
	500.041	Carlson Ridge	Subconsultants								1,462.50			1,462.50			
	500.042	Risor Senior Living	Direct Labor							401.25	366.25			767.50			
	500.042	Risor Senior Living	Subconsultants								62.50			62.50			
	500.043	Northwood Community	Direct Labor							425.00	563.75			988.75			
	500.044	Balsam II	Direct Labor								432.50			432.50			
	500.045	REO Plastics Phase 2	Direct Labor								1,775.00			1,775.00			
														-			
														-			
														-			
														-			
														-			
600 - Other Services	**600.000**	**Other Services**	**Budget**	**52,804**	**800.00**	**2,933.75**	**1,030.00**	**191.25**	**1,406.25**	**789.25**	**580.50**	**-**	**-**	**7,731.00**	**15%**	**45,073.00**	**85%**
	400.000	Other Services DNU	Direct Labor	800	800.00									800.00		-	
	600.000	Other Services	Direct Labor	39,204		582.50	182.50	191.25	1,406.25	341.25	150.00			2,853.75	9%		
	600.000	Other Services	Subconsultants	8,000			187.50				302.50			490.00	6%		
	600.001	HUC-8 Review	Direct Labor	4,800		2,351.25	660.00			448.00	128.00			3,587.25	75%		
TOTAL				**181,148**	**2,166.75**	**17,202.25**	**10,880.75**	**11,634.00**	**22,439.50**	**21,461.00**	**29,608.00**	**-**	**-**	**114,886.00**	**63%**	**66,262.00**	**37%**

Note: BTD - Billed to Date

Note: Other Services DNU are services billed as task 400, which was subsequently rolled into task 600

Judie Anderson

From: Robert Belzer <bob@rundigital.net>
Sent: Tuesday, November 2, 2021 5:16 PM
To: Judie Anderson; ericabob@gmail.com; Robert Belzer
Cc: 'lizvweir@gmail.com'; 'James Kujawa'; mike@minnesotapersonalinjury.com; 'Sam Calvert'; 'Tucker Isaacson'; 'Kristine M Maurer'; Dan B (BWSR)'; 'tom.gile@state.mn.us'; 'Kristopher Guentzel'; 'Petersen, Thom (MDA)'; 'Place, Whitney (MDA)'; Peter (MPCA)'; 'Amy.VanSchepen@hennepin.us'; 'Kevin.Anderson@hennepin.us'
Subject: RE: Elm Creek Watershed Presentation Email Introduction to Plan

Importance: High

Good afternoon Ms. Anderson,

1st Draft you All are welcome to make your edits this plan is for the people!

Thank you for the invitation letting you know that the Belzer Family Waterfront Fund will participate with the Elm Creek Education Fund as we build back better together if we can agree to go forward. We have been granting for five years cannot remember now. We love the habitat!

We cannot wait to be done paying legal council and direct funds in a more positive nature to help with education. I will personally attract others to help contribute to the program once we launch. This is something every community across the state of Minnesota will love!

As a whistleblower with a claim and now several other Wild Meadows HOA Lot Owner Member are joining me with claims not being informed and reviewed Wild Meadows Covenants section 12.4 of Wild Meadows that requires amendments be recorded.

The Commissioners and they are listening to the people, and the children of our community to provide for them a quality healthy habitat and one that attracts healthy minds provide a complete comprehensive solution to ensure that this never happens again and properly funds education and cleans up our local neighborhoods everyone will benefit from it.

The Vice Chair Commissioner Weir confirmed in an email to me that this link was the 10-year plan.
http://www.elmcreekwatershed.org/uploads/5/8/3/0/58303031/ecwmo_third_generation_plan_final_oct_2015_complete.pdf

Now this a goal to establish a working relationship with the Elm Creek Watershed to provide a new advanced working model for transformational change for children and to ensure proper funding for education, community services and providing a healthy community.

Nothing will be smarter than leading with a restoration of a high-profile project than restoring Wild Meadows HOA 350 acres of land and establishing the new business models to ensure it never happens again.

These Commissioners all have the power to enable this to move forward with the Elm Creek Water Commissioners support today and on November 13, 2021. Your combined act and an leading investment with The Belzer family is going to support this with everyone working together.

We will show how communities can all work together and create purple grass fields so everyone can play together.

The solution we have put together unites all of us together to contribute and provides a strong mental awareness to a healthy mind.

"Being in nature, or even viewing scenes of nature, **reduces anger, fear, and stress and increases pleasant feelings**. Exposure to nature not only makes you feel better emotionally, it contributes to your physical wellbeing, reducing blood pressure, heart rate, muscle tension, and the production of stress hormones." https://www.takingcharge.csh.umn.edu/how-does-nature-impact-our-wellbeing

No homeowner goes into a situation looking to directly harm their neighbor and we need to ensure that this solution is one that allows for us to build back better even more so just to ensure this never happens again. http://www.buildgreen.ufl.edu/enveducation.htm Community Environmental Education Dr. Hostetler has transformed 15 different communities.

Over 90 homeowners out of the 150 available lots inside of Wild Meadows have been involved in transactions since the amened articles were unrecorded. These new homeowners are moving into unsettled situations all at various levels unknowingly due to moisture levels in their lots not declared by the previous owners. Like me some do not even know that Wild Meadows is located inside of a Conservation and maybe even has a North and South side to it this fact is true a utility company informed me.

If you want to grasp the situation go for a ride along and look at all of the unfiltered fabric riprap rock trenches in the front yards with no sewers or gutters located in front and with similar uniform and like size, color and or shape in the backyard this flows directly into wetlands and buffers with nothing to keep protect the pollinators or invasive vegetation out so the filtering is not growing to filter the pollutants from Round up, Glyphosate, Nitrogen Phosphates, debris, road salt etc and in the backyards you will see the same rock trenches as more of these rock trenches populate and invasive species fulfill the ponds ecosystem we have no way of providing a way to filter what's flowing out to the Elm Creek Watershed. What's now happening is the soil erosion is eating away at the lot owners' backyards and saturating them at their own without their knowledge with the real possibility of not just bringing harm to their own family but also the entire community.

The State of Minnesota Department of Agriculture, Minnesota Pollution Control Agency, Minnesota Board Water and Soil, Hennepin County, Elm Creek Watershed, Wayzata School District, my neighbors, most importantly my wife and kids we need all of you to join us now and start to build back better. We all have worked together to prepare for this journey and now we are inviting the Elm Creek Watershed to join us.

These well-run State and county agencies are here to protect and serve the people and have issued violations and now need the people to come to work and volunteer. We need to support this infrastructure with policy and working infrastructure to show support for a well-run organization. Hopefully within the two years and by the end of the 3rd year a new team of Wild Meadows HOA Lot Owners will be in possession working to lead others as a model group.

It's gone on long enough the AGO is here now doing the pre-investigation and we need to start showing us working together and it starts with testing, establishing a plan for how to go forward together. We would like one person from each city to form a working policy committee to start here with this HOA and then work with the next HOA because when there is one there is two. We can establish a model here with Wild Meadows and bring this forward for other Watersheds and other groups to follow.
Together we can show the greater region how build back stronger. The Belzer Fund will Match The Elm Creek Education Fund will personally offer X amount a year for five years to see a full implementation of a successful plan. This can be a match to be shared with multiple neighborhoods so we can start working towards education immediately. Here is a

great example where we begin. Testing the water at the point of entry into the North of Wild Meadows and where it leaves Wild Meadows and then what's happening inside of Wild Meadows.
To help establish a baseline. This will take some time I am sure other Watersheds have models to follow.

Wild Meadows HOA working as a rest similarly to new development the Board of Directors for now is not the HOA Board currently its reset. HOA Lot Owner Members are committee members we really reset the board to bring integrity back into it to establish a baseline of integrity and ethics for others to follow as a guideline model for two years. Then the Elm Creek Watershed will have its 10-year working model going forward.

The we go on to agree with a new advanced education program for our communities will be installed along with new title and records system to ensure fiduciary responsibility is integrated with local neighborhoods governing documents through an independent qualified ecologist and government regulation oversite is part of the restoration and ongoing daily operations as part of the solution we will have full community enhanced engagement program.

We need integrity of asset value preservation in our developed neighborhoods to maintain the health and wellness of our local communities to enable proper school district funding levels.

On an annual and semiannual basis for independence we need an independent third party to provide safety and maintenance inspections on each of these items to prevent hazardous chemicals and other pollutants from entering our waterways based upon individual lot sizes, property tax values estimate, easement agreements and other location information and not be limited to these items as scope of work maybe flexible.

As a requirement for Homeowners Associations, and local neighborhoods, housing sales on a regular annual and semi-annual basis will have these items reported to their lot number ID that is searchable and identifiable for Hennepin County Title and Records so every transaction can generate a truth in housing report for new home buyers. This all needs to be prevented from happening again. Who will want to live in the city of Medina again if this is not corrected as these recorded transactional items will legitimize the asset values and enhance the quality of life.

Our plan going forward is to have each of these items inspected by a licensed, insured professional contractor and have the inspected report visible to each lot address ID# influenced by the result that will be published on an annual report and represent a five year and ten-year plan. A monitoring photograph will accompany each report to document the assets condition. This is to help promote truth in housing and community asset building and preservation. These assets will be maintained and reported to appropriate government agencies for equity and fairness so every potential homebuyer will know the truth based upon real reported facts.

This would create a more fiscal and responsible fiduciary-based community based upon integrity and uniform quality and stability and structure as Minnesota Laws, City Codes, and Association Governing Documents can be followed and enforced.

Respectfully submitted,

Sincerely
With gratitude and kindness,

Bob Belzer

From: Judie Anderson <Judie@jass.biz>
Sent: Friday, October 29, 2021 3:29 PM
To: Robert Belzer <bob@rundigital.net>
Cc: 'lizvweir@gmail.com' <lizvweir@gmail.com>; 'James Kujawa' <surfacewatersolutions@outlook.com>
Subject: RE: Elm Creek Watershed Presentation RE: Met Council Wild Meadows Hydrologic Monitoring Program for WILD MEADOWS HOA STORMWATER TREATMENT TRAIN 2001, 2002, 2006 INNOVATION

Robert, we are looking for your own words to describe Wild Meadows and what you consider the issues to be. Because we have so many items on our agenda and only a limited time in which to meet, your presentation must be on point so that folks will have an opportunity to discuss the issues that you identify. What you have provided in this email are published pieces of information on various topics from various sources which, while useful, do not lead me to understand your specific concerns.

- *Judie*

Judie A. Anderson
WATERSHED ADMINISTRATOR | JASS | 3235 FERNBROOK LANE PLYMOUTH MN 55447
judie@jass.biz | D 763.553.1144 | F 763.553.9326
Representing Elm Creek, Shingle Creek, West Mississippi, and Pioneer-Sarah Creek WMOs and Clearwater River WD
□ Please consider the environment before printing this email.

elm creek
Watershed Management Commission

Subwatershed Assessment Cost Share Application

Date: October 15, 2021
Waterbody to be assessed: Rice Lake
Sponsor City: Maple Grove

Total cost estimate: $30,000
Anticipated City Contribution: $22,500
Anticipated Commission Contribution: $7,500
Firm(s) solicited: TBD

Background information

Why is the sponsoring city interested in this SWA? Rice Lake is an important resource in the City of Maple Grove. Rice Lake supports fishing and aquatic recreation. Park trails surround Rice Lake making it accessible to the entire community.

Other supporting documents showing water quality issues? Ex: TMDL, Stressor ID report, etc. Please provide web links Per the Elm Creek Watershed TMDL approved in 2017, Rice Lake has a contributing watershed of 17,460 acres, is 330 acres in size with a maximum depth of 11 feet. Classified as a "shallow lake", Rice has severely degraded water quality and is impaired for aquatic recreation due to excess nutrients. Curlyleaf pondweed and carp are present in excessive quantities. Seventy-four percent of the phosphorus load comes from the watershed.

Any additional local knowledge of issues? The Rice Lake Area Association (RLAA) is active in partnering on projects to improve the lake including aeration, drawdowns, carp management, plant surveys and curlyleaf pondweed management. Rice may have had a toxic algae bloom in the summer of 2021.

Implementation

What implementation support will the sponsoring city provide? Ex: funding, staff time, outreach, submitting a Clean Water Fund app, etc The City of Maple Grove has, and will continue to provide funding, staff time, and outreach toward the improvement and protection of Rice Lake. Recently, the City of Maple Grove, in partnership with the Elm Creek Watershed, has completed a stream restoration in the southern portion of the study area. In addition, the RLAA is an active group partnering with the City on funding and implementation of projects to improve and protect Rice including a drawdown during the winter of 2021-2022 and on-going carp management.

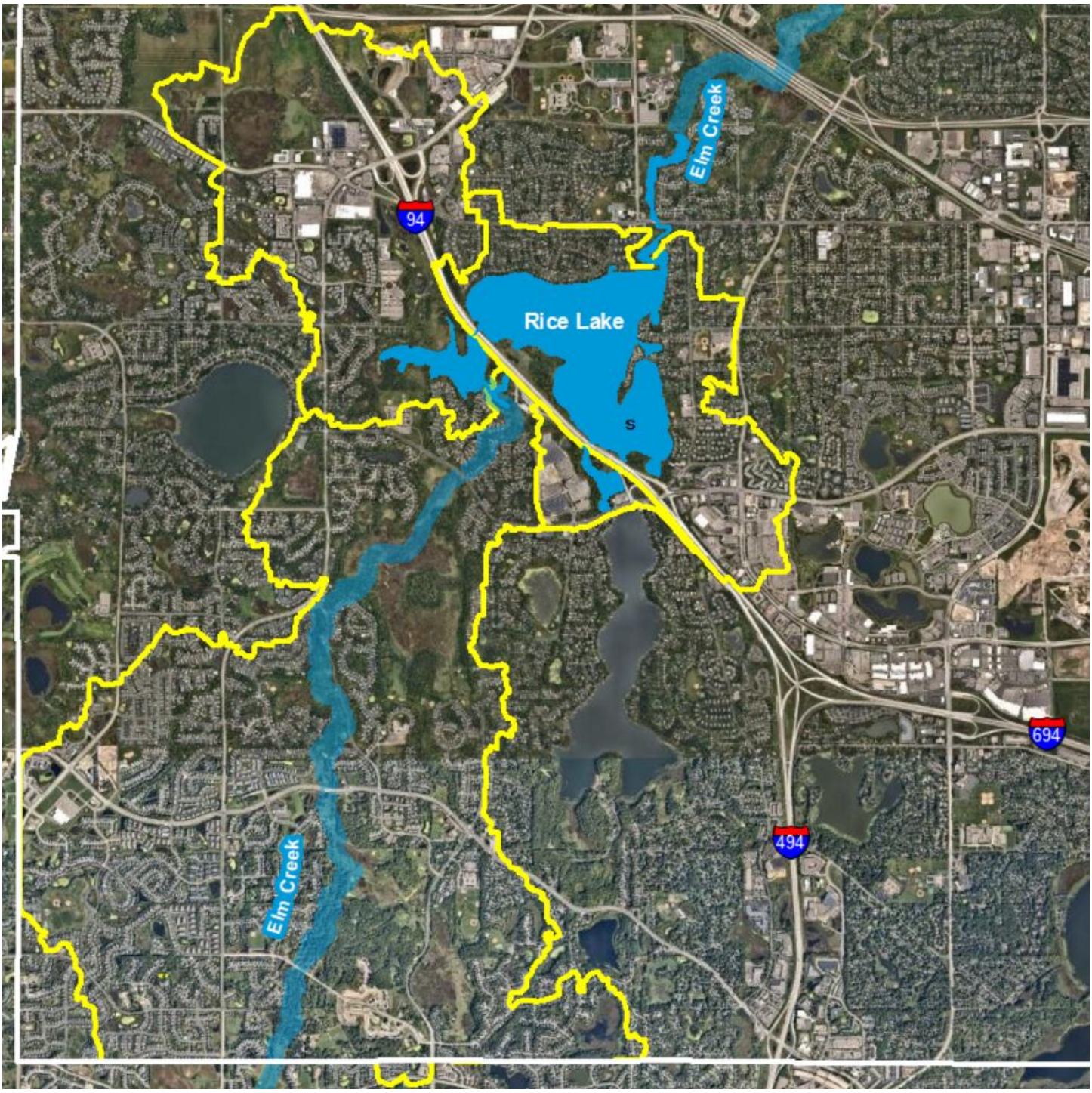
Does the sponsoring city presently have plans to incorporate the SWA information into their planning or other work? Please explain. The sub-watershed assessment will serve to organize existing data, identify gaps, update watershed modeling, and will serve as the genesis for projects in the Rice Lake sub-watershed originating from the RLAA and/or the City of Maple Grove.

Other information

Is there anything else the Commission should know about the proposed SWA? No.

Attachments

Please attach a map of the proposed project area as well as any cost estimates solicited



elm creek Watershed Management Commission

ADMINISTRATIVE OFFICE
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www.elmcreekwatershed.org

TECHNICAL SUPPORT
Ross S. Mullen | ross.mullen@stantec.com
James Kujawa | surfacewatersolutions@outlook.com
Rebecca Carlson | rebecca@resilience-resources.com

STAFF REPORT
November 3, 2021

a. 2017-050W Ernie Mayers Wetland/floodplain violation, Corcoran. The City of Corcoran contacted the Commission in December 2017 concerning drainage complaints on Mayers' property. Technical Evaluation Panels (TEPs) were held in 2017 and 2018 to assess the nature and extent of the violations and a restoration order was issued to Mayers. In October 2018, an appeal of the restoration order was received by the Board of Water and Soil Resources. BWSR placed an order of abeyance (stay) on the appeal looking for a resolution between the LGU and Mayers. On January 6, 2021, BWSR received an email from Corcoran that the LGU and Mayers were working towards resoloving the restoration order. BWSR gave the parties until April 5, 2021 to seek an informal resolution or furnish a complete copy of the record to them. A TEP was held July 26, 2021 to discuss a draft settlement agreement between BWSR and Mayers. Since Mayers did not agree to the draft settlement proposal from BWSR, the Mayers appeal tor the restoration order will be heard by BWSR. Additional timelines and informationi will be provided to the Commission when available. *No new information was received in the month of October..*

b. 2018-020 North 101 Storage, Rogers. This is an existing 3-acre lot in the northwest corner of Highway 101 and CR144. The current land use is a combination of mini-storage units and outdoor storage. The site is proposed for complete demolition and construction of seven new mini-storage buildings. The Commission approved Staff findings dated July 9, 2018, pending four items relating to abstration requirements and the infiltration system. The applicant requested and was granted an extension to December 31, 2021, provided the review process with the City of Rogers does not expire. *The applicant will be notified of the expiration date.*

c. 2021-012 The Oaks at Bauer Farm, Champlin. This project was approved at the May 2021 meeting contingent that the applicant incorporates revisions from the city's engineering department and continues to demonstrate compliance with Commission rules. On July 22, 2021, Staff followed up with the City Engineer who indicated the design did not change in a way that would merit an additional review by the Commission. *This item will be removed from the report pending receipt of deficit fee escrows.*

d. 2021-013 Rush Creek Reserve, Corcoran. This is a 91-acre site located along the north side of CR10, across from the Corcoran Community Park. The applicant is proposing to create a residential sub-division including 66 townhomes and 177 single-family units with 24.2 acres of new impervious area. The existing area is agricultural with 58 acres of cropland and 33 acres of wetlands/wooded areas. In their findings dated June 12, 2012, and updated July 14, 2021, Staff recommended approval with the following conditions (1) payment of all review fees; (2) City of Corcoran/TEP approval of the Wetland Mitigation Plan and the City maintains a drainage and utility easement for existing and proposed on-site wetlands; and (3) the applicant's provision of a Stormwater Maintenance Agreement acceptable to the City and the Commission within 90 days after the plat is recorded. The project was approved at the July meeting with these contingencies. The City has confirmed that items 2 and 3 have been addressed and provided the documents to the Commission on September 1, 2021. *This project will be removed from the report pending receipt of deficit fee escrows.*

e. 2021-015 66th Avenue/Gleason Parkway, Corcoran. Reconstruction of 66th Avenue from a two-lane gravel road into a two-lane paved road with trails on both sides. Turn lanes will be added to CR 116 at the intersection with 66th Avenue. This corridor work between Gleason Parkway and CR 116 will increase accessibility between CR 101 and CR 116 into the Ravinia and future Tavera developments. *WCA information was received October 5, 2021, and meets the wetland conditions of the conditional approval. The only remaining item is reconciliation of the escrow balance.*

f. 2021-018 Tavera (Phase I), Corcoran. This is a 274-acre site north of Hackamore Road (62nd Avenue N) and west of County Road 116. The full residential development would construct 548-units. Phase I of the project will construct 248 units - 114 single-family detached lots and 134 attached townhouse units. Phase I would disturb 85 acres and create approximately 28 acres of new or reconstructed impervious area. Stormwater would be managed by a combination of iron enhanced sand filtration, stormwater reuse, larger than required wetland buffers and disconnected impervious surfaces. The project was reviewed for Rules D, E, F, and I. Staff administratively approved grading for the project in May contingent upon the applicant addressing any future comments necessary to obtain approval from the Commission. *The Commission approved the project at its June meeting contingent upon a recorded operations and maintenance agreement and reconciliation of the escrow balance.*

g. 2021-019 Kwik Trip, Dayton. This project is located in the northeast corner of County Roads 81 and 113. The applicant is proposing to subdivide this 8.2-acre parcel into one, 2-acre lot, three outlots (4.3 acres) and a street (1.8 acres) entering from CR 81. An existing regional storm pond is on the east property line. The project will remove the existing store/gas station and its access roads, create the new access road, and construct the Kwik Trip station on the easterly-most two acres of the site. Existing stormwater ponds will be utilized for stormwater management. This work will disturb 8.3 acres The site design for the Kwik Trip project, the new street, and the future impervious areas for the proposed outlots meet the design criteria the regional pond was approved for by the Commission in project 2017-022. Erosion and sediment controls were administratively approved by technical staff. *This item will be removed from the report pending reconciliation of the escrow balance.*

h. 2021-020 Crew Carwash, Maple Grove. This project would reconstruct an existing bank building and parking lot on a 1.80-acre parcel into a carwash. The site is located southwest of the intersection of Weaver Lake Road and Elm Creek Boulevard with access from Grove Drive. The disturbance is 1.52 acres, the existing impervious is 1.07 acres, and the proposed impervious is 1.17 acres. Runoff from this site flows into a regional pond on Arbor Lakes Parkway, which ultimately discharges to Rice Lake. The City has stated that the regional pond meets rate control and water quality treatment for the site. The applicant is proposing to use soil amendments to meet the Commission's volume rules. *The Commission approved the project at its June meeting contingent on a maintenance agreement being filed with the City with terms agreeable to the Commission and pending receipt of deficit fee escrows. This project will be moved to the operations and maintenance section of this report.*

i. 2021-021 Territorial Triangle, Dayton. This site is in the easterly triangle Territorial Road and CR 81 intersection near the border of Dayton and Maple Grove. The applicant is proposing to subdivide the 14±acre parcel into 30 rowhome units and 56 townhome units. Two ponding basins are proposed for stormwater management. This work will disturb approximately 10 acres and create 5.7 acres of new impervious areas. The Commission approved Staff's recommendations cited in their findings dated July 22, 2021 contingent upon (a) final application escrow fee balance determination by the Commission administrator and (b) provision of a Stormwater Maintenance Agreement for the irrigation system that is acceptable to the city

and the Commission within 90 days after the plat is recorded. *The only remaining item is reconciliation of the escrow balance. This project will be moved to the operations and maintenance section of this report.*

j. 2021-023 Maple Grove MOB, Maple Grove. This project would construct a Medical Office Building and associated parking on an undeveloped parcel. The site is located on the southeastern corner of the intersection of 105th Avenue North and Niagara Lane, immediately north of the Highway 610 and Maple Grove Parkway interchange. The project was reviewed for Rules D and E. *The Commission approved this project at its October 2021 meeting contingent on two conditions: receipt of deficit fee escrows* and an operation and maintenance agreement with the City.

k. 2021-024 Riverwalk, Dayton. This site is south of CR 12 (Dayton River Road) and west of River Hills Parkway approximately 1/4 mile north of CR 144 (Diamond Lake Road). The applicant proposes to construct a new single family residential subdivision with 242 lots including one amenity lot and a city well site. Site development will include removal of an existing home site, grading 94 acres, and installation of municipal sewer and water, streets, and stormwater systems. The Commission approved Staff's recommendations in their findings dated August 11, 2021, at their August 2021 meeting contingent upon four conditions. *The escrow fees will be reconciled and this project moved to the O&M section of the Staff report*

l. 2021-025 Hackamore Road Reconstruction, Corcoran/Medina. The cities of Corcoran and Medina plan to reconstruct 1.3 miles of Hackamore Road from just west of CR 116 to CR 101. The project will add 4.4 acres of new impervious surface along the stretch of roadway by widening the roadway, adding turn lanes, pedestrian facilities, and utility improvements. To meet the Commission's stormwater requirements, the project will largely rely on adjacent developments (both existing and proposed) to incorporate BMPs to provide rate control, volume control, and water quality control. Staff reviewed the early application and provided comments to the applicant *Staff awaits response from the applicant on this project. No recommendation or action at this time.*

m. 2021-026 Prairie Creek, Medina. This proposed development will consist of a new 17 lot single-family development encompassing approximately 6.72 acres located on Hamel Road at Elm Creek Drive. There will also be a new private street, concrete walks, and utilities. *This project was approved by the Commission at their September meeting conditioned upon, (a) determination of the final escrow fee balance when all conditions for approval are met and (b) wetland buffer monumentation meeting the Commission's requirements.*

n. 2021-027 Xcel Energy Elm Creek Substation, Maple Grove. Xcel Energy is proposing to expand an existing electrical substation between Maple Grove Parkway and Fernbrook Lane near the Highway 610 expansion. The expansion will occur within the existing 17.09-acre parcel. The project was reviewed for Rules D and E. *The Commission approved this project at its October 2021 meeting contingent on two conditions: receipt of deficit fee escrows* and an operation and maintenance agreement with the City.

o. 2021-028 Cubes at French Lake, Dayton. This is four parcels totaling 71.62 acres located south of 117th Avenue and north of the intersection of 113th Ave. and CSAH 81. The project includes construction of a 996,960 SF industrial building with its associated parking and utility improvements. In addition, the project includes the construction of Dayton Parkway from CSAH 81 to 117th Avenue North. Initial review information was provided to the City and Applicant on August 23. *Responses to Staff comments were provided September 22, October 6, 13, 25 and 27. Findings dated October 28, 2021, are included in this month's packet with a recommendation to the Commission to approve this project conditioned upon, a) A stormwater system operation and management agreement being approved by the Commission and the*

City of Dayton. Said agreement must be recorded on the land title within 90 days after the final plat approvals. A copy of the recorded agreement must be provided to the Commission prior to the Commission's final approval, b) Prior to impacts, wetland and wetland buffer strips must comply with the City of Dayton, Minnesota Wetland Conservation Act, and Commission rules, c) Permanent easements on wetland and buffer areas, and d) Final escrow balance determination when final approval is granted (without remaining conditions).

p. 2021-029 TriCare Grocery, Maple Grove. The project will construct a grocery store, retail, and associated parking on approximately 2.5 acres of the 62.7-acre TriCare parcel, which is located just north of County Road 30 and southwest of I-94. The project was reviewed for Rules D and E. Staff issued a denial in 2016 when the regional stormwater BMP project was constructed. *Staff are working with the project's agent (engineer) and City to find solutions to meet the Commission's rules and standards. In their findings dated November 1, 2021, Staff recommends approval contingent upon reconciliation of the escrow balance and the City reconstructing the basin to meet Commission rules and standards.*

q. 2021-030 TriCare Roads, Maple Grove. This project proposes to construct roads in the 62.7-acre TriCare parcel, which *is located just north of County Road 30 and southwest of I-94. The roads will result in 3.8-acres of net new impervious on the parcel. The project is being reviewed for Rules D, E, G, and I. No recommendation is available for the Commission at this time. The applicant is working on revisions requested by Staff. Depending on the final site configuration, the project staff extended the project review an additional 60-days to December 10, 2021.*

***r.* 2021-031 Cook Lake Edgewater, Corcoran/Maple Grove.** The application is for a 28.4-acre development just north of Bass Lake Road, on both sides of the Corcoran-Maple Grove municipal boundary. The development includes 60 single-family homes in Maple Grove, 12 single family homes in Corcoran, and senior care and memory centers in Corcoran. The project will be reviewed for Rules D, E, G, and I. Staff completed their review and recommends approval contingent on items listed in the staff review. The applicant is seeking permission to begin grading prior to the meeting. *Staff reviewed the applicant's response to comments and recommends consideration of approval with conditions. The applicant is showing an exceedance in rate control under one storm event from one drainage area; however, meets rate control if the site is considered overall.*

s. 2021-032 Dayton Park Industrial Center, Dayton. This project will include up to 600,000 SF of industrial floor space and 300 vehicle parking areas on 50.8 acres in southwest Dayton. The review was of an Environmental Assessment Worksheet. *Included in this month's packet are the Response to Comments, Findings of Fact, and Record of Decision for this project. This item will be removed from the report.*

t. 2021-033 Weston Commons, Maple Grove. The project includes construction of 72 new single-family homes on a 10.9-acre site located south of County Road 81 and north of 105th Avenue. The existing property is a single-family home. The project was reviewed for Rules D, E, G, and I. At their October meeting the Commission approved this project contingent upon reconciliation of the escrow balance**.**

u. 2021-034 BAPS Temple, Medina. This project includes construction of a Hindu Temple, dining hall, gymnasium, parking lot and one permanent residency for the temple's priest on a 19.7-acre parcel at 1400 Hamel Road. The parcel currently serves as a farmstead with a farmhouse and barns. The project was reviewed for Rules D, E, G, and I. The Commission approved this project at its October 2021 meeting contingent on three conditions: reconciliation of the escrow balance, an operation and maintenance agreement with the City, and a geotechnical report provided to the Commission.

v. **2021-035 Mister Carwash, Rogers**. The project includes redevelopment of an existing, vacant Staff restaurant building, parking lot, and drive-through into a new carwash facility at 21421 South Diamond Lake Road. The redevelopment is anticipated to decrease the impervious area by approximately 0.3 acres at the project site and add an underground filtration basin with underdrain. The project was reviewed for Rules D and E. Staff administratively approved the project because of the net decrease of impervious and construction of a stormwater BMP. *This project will be removed from the report pending receipt of deficit fee escrows.*

w. **2021-036 D&D Service, Corcoran**. The D&D Service development is proposed at the southeast corner of the intersection of County Roads 10 and 19 on a 16.54-acre parcel. The proposed project will include a large warehouse and office buildings along with parking and associated facilities. The existing site is a single farmhouse and surrounding agricultural land. The project was reviewed for Rules D, E, G, and I. *Findings updated October 5, 2021, wherein Staff recommended contingent approval with five conditions, were approved at the October meeting. The conditions were: (1) reconciliations of escrow fees, (2) Corcoran TEP approval of the Wetland Mitigation Plan with and the city maintaining a drainage and utility easement for existing and proposed on site wetland; (3) applicant's consideration and response to Staff comments on plan and provision of final data prior to approval; (4) applicant's response to any City comments; and (5) provision of a Stormwater Maintenance Agreement acceptable to the city and the Commission within 90 days after the plat is recorded. The applicant requested permission to begin grading, Staff received and reviewed revised information on October 5, 2021, and determined it meets Commission standards.*

x. **2021-037 Marsh Point, Medina**: The Marsh Point project (also called the Arrowhead Drive project) includes construction of 38 single-family homes on the east side of Arrowhead Drive, west of Lake Medina. The development will replace four existing homes. The project is being reviewed for Rules D, E, G, and I. No recommendation is available for the Commission at this time. The applicant is working on revisions requested by Staff.

y. **2021-038 Bellwether 6th/Amberly, Corcoran**: The Bellwether 6th Addition and Amberly 1st Addition are developments in the city of Corcoran just west of County Road 101 and south of Stieg Road proposed for single-family homes. The developments are part of a 74 acre parcel also known as the Van Blaricom development. This project is located immediately west of the previous Bellwether developments (Encore) and is being reviewed for Rules D, E,F, G, and I. *A complete permit application was received October 5, 2021. Staff provided comments to the applicant and is awaiting a response. The project will likely be submitted for approval at the December 2021 Commission meeting, although the applicant is seeking early grading approval.*

z. **2021-039 I94 Logistics Center, Rogers.** This is a 30.90-acre site located between I-94 on the west and County Road 13 (Brockton Lane) on the east. A proposed warehouse, parking lot, and loading dock will create 12.5 acres of new impervious on the site, which is currently undeveloped. Approximately 12.25 acres of the parcel is in a conservation easement to protect woodlands and wetlands and cannot be developed. The project was reviewed for Rules D, E, G, and I. The Commission approved this project at its October 2021 meeting contingent on three conditions: reconciliation of the escrow balance, an operation and maintenance agreement with the City, and a WCA reapproval of the proposed wetland impacts.

aa. **2021-040 NAPA Auto Store, Corcoran**. This project is located at the northwest intersection of CR 116 and 75th Avenue on the old Liquor Store parcel. The applicant proposes to demolish the current building and

adjoining parking areas and construct a 12,800 SF NAPA Auto building, parking lot and associated utilities. An extra 3,600 feet of building area is proposed for future expansion and is included within the stormwater management design for this site. *The Commission approved this project at their October 2021 meeting contingent upon receipt of any outstanding project review fees and a stormwater maintenance agreement being put in place between the owner and the City with terms acceptable to the Commission and filed on the land title within 90 days after City site plan approval. This item will be moved to the O & M section of this report.*

ab. 2021-041 Carlson Ridge, Plymouth. This is an existing 4.82-acre residential lot located between Vagabond and Troy Lanes just north of 56th Avenue North. The property will be subdivided into 13 single-family lots. The existing residence will remain, but portions of the driveway and an outbuilding will be demolished. The *Commission approved this project at their October 2021 meeting contingent upon, (1) final escrow balance determination when final unconditional approval is granted, (2) wetland impacts cannot occur until appropriate LGU and WCA approvals, and (3) long term operation and maintenance of the stormwater system is determined. The City of Plymouth has agreed to the long-term operation and maintenance of the filter basin so Items 1 and 2 are the only outstanding conditions as of this update. This item will be moved to the O & M section of this report.*

ac. 2021-042 Risor Senior Living, Maple Grove. This is a 3.19-acre project site for construction of senior living located within approved Project Review #2020-002 of the Planned Unit Development (PUD) Project 100. The project was reviewed for Rule E. Because the project proposes 72% impervious on a site that was assumed to have 80% impervious and the project follows best practices and Commission rules regarding erosion and sediment control, Staff administratively approved the project. *This project will be removed from the report pending reconciliation of fee escrow balance.*

ad. 2021-043 Northwood Community Church, Maple Grove. The existing project site is owned by Northwoods Community Church and functions as church offices. The proposed project demolishes these office buildings and constructs a church on the 10.56-acre parcel. The project is being reviewed for Rules D, E, G, and I. *The applicant is working on revisions requested by Staff and no recommendation is available for the Commission at this time.*

ae. 2021-044 Balsam II Apartments, Dayton. This is a vacant 2.5-acre lot with an existing regional stormwater basin along its easterly property line. It is located on the east side of Balsam Lane approximately 600 feet north of S. Diamond Lake Road and 600 feet south of CR12. The applicant proposes to construct an apartment building with associated infrastructure as well as expand the regional pond on the east side of the site and add an infiltration basin in the parking area for volume management. *Staff findings dated October 25, 2021, were provided to the applicant without a recommendation to the Commission. As of this update, no revisions have been received. Prior to the 15.99 deadline of November 28, Staff will extend the deadline.*

***af. 2021-045 REO Plastics Phase II, Maple Grove**. An existing plastics manufacturing facility on the northwest corner of the intersection of County Roads 80 and 30 is proposing a 1.25-acre expansion. The proposed project is for creation of an additional 39, 000 SF of warehouse space, additional parking, and an expansion of the city-owned regional stormwater pond immediately to the east of the site. The project is being reviewed for Rules D and E. The applicant is working on revisions requested by Staff and no recommendation is available for the Commission at this time.*

***ag. 2021-046 Len Busch Roses, Plymouth.** An application and fee were received November 1. No additional information has been received to date.*

ah. 2021-047 CR 10 Box Culvert Replacement, Corcoran. *Hennepin County will be replacing an existing 6'x10'x30' box culvert with a 6'x6'x111', 6'x4x102'' and a 24" CMP pipe to replicate the existing flows of Hennepin County Ditch #16 under CR 10. A complete project application was not received in time to include detailed information in this month's staff report. Findings with a recommendation should be available for the Commission at their December meeting.*

FINAL RECORDINGS OR OTHER DOCUMENTATION/FOLLOW-UP ARE DUE ON THE FOLLOWING PROJECTS*:*

ba. 2014-015 Rogers Drive Extension, Rogers. This project involves improvements along Rogers Drive from Vevea Lane to Brockton Lane. Site plans received July 1, 2014 met the requirements of the Commission with the exception of the nutrient control. The Commission approved the site plan contingent upon the City deferring 4.6 lbs. of phosphorus for treatment in future ponding opportunities as the easterly corridor of Rogers Drive develops. 2.3 lbs. will be accounted for in the Kinghorn Spec. Building site plan, with 2.3 lbs. still outstanding. This item will remain on the report until the total deferral is accounted for.

bb. 2015-030 Kiddiegarten Child Care Center, Maple Grove. Approved December 9, 2015. If the City does not take over the operation and maintenance of the underground system and the sump catch basins, an O&M agreement for the underground trench/pond system must be approved by the Commission and the City and recorded with the title. On February 5, 2019 Derek Asche contacted the owner requesting a copy of the recorded maintenance agreement. No update was available on July 2, 2019. *On November 2, 2021, Derek Asche reported no update for this project.*

bc. 2016-005W Ravinia Wetland Replacement Plan, Corcoran. In December 2016, the Commission approved Staff's recommendations on this wetland replacement plan. Barr Engineering is providing monitoring to ensure the replacement meets the performance standards of the approved plans. Annual reports were submitted to the US Army Corps of Engineers (USACE) in February 2019, February 2020, and March 2021. *As of March 2021, wetlands and buffers are looking good but will need continued vegetation management in 2021 to get rid of invasive species (mostly cattail). Hydrology is good in both the restoration and creation areas.*

bd. 2017-014 Laurel Creek, Rogers. In June 2017, the Commission approved this project with four conditions. All contingency items have been provided with the exception of the O&M agreement which is being negotiated by the City as to whether the City or the HOA will be responsible for the operation and maintenance of the stormwater management facility. On August 31, 2017, Andrew Simmons responded that the O&M agreement is still being negotiated.

be. 2017-029 Brayburn Trails, Dayton. At their August 2017 meeting the Commission approved Staff's findings dated August 2, 2017 with five conditions. All of the conditions have been met except for the final recordings of the O&M agreements and easements. On March 7, 2018, the City reported: final plat approval has not been granted, easements will be recorded as plats are approved. Ponds will be maintained by the City of Dayton. An agreement, and additional easement, will be required for a water re-use system within one of the ponds (between the City and HOA). This system is not part of the first addition – the timing of said improvements/agreement is unknown. Construction had been expected to start in 2018.

On February 7, 2019, Jason Quisberg provided the following information: The 1st Addition was scaled back from what was proposed; associated construction activity is significantly completed. Extension of trunk utilities through Staff Sundance Golf Course are complete. The proposed 2nd Addition is under review. Improvements to 117th Avenue (East French Lake Road to Fernbrook Lane) will be part of the work done with the 2nd Addition. Construction is anticipated to start spring 2019. Pond easements are being recorded with the platting process for each addition (those [that are] part of the 1st Addition are in place). The water re-use system is not part of the 2nd Addition (will be with future additions).

On March 4, 2021 Nico Cantarero reported that Brayburn Trails is continuing to construct homes. The development is through their 6th addition with approximately 2/3 of the development final platted. 117th Avenue improvements have been constructed and the development continues to build infrastructure and homes.

bf. 2018-046 Graco Expansion, Rogers. This project is the expansion of an existing building. The site is located in an area that has regional ponding provided for rate control purposes, but needs to account for water quality and abstraction requirements on-site prior to discharging offsite as part of the improvements. The Commission granted conditional approval at their October 2018 meeting. Conditions of approval were to (1) submit a SWPPP plan meeting requirements, (2) clarify maintenance responsibilities for the iron enhanced sand filter, and (3) a letter from the City of Rogers stating their intentions to provide the water quality deficit in an upcoming project. Staff confirmed several minor plan revisions remain in conformance with the original approval. This item will remain on the Staff report until such time as the water quality deficit has been made up.

bg. 2018-048 Faithbrook Church, Phase 2, Dayton. This project is an expansion of an existing church located northeast of the intersection of Fernbrook Lane and Elm Creek Road. The Commission approved this project in November 2018 conditioned upon receipt of a SWPPP meeting NPDES requirements and the City accepting maintenance responsibility or recording a modified O&M plan for the stormwater features on the site in a form acceptable to the Commission. On February 7, 2019, Jason Quisberg reported that this project has gone idle, likely due to funding needs of the applicant. It was expected activity would resume in Spring 2019. On March 4, 2021 Nico Cantarero reported that the outlet to the church has been constructed. The church still has plans for a Phase 2 expansion, but it has not been initiated to date.

bh. 2019-002 Parkside Villas, Champlin. This is two adjacent rural parcels totaling 13.9 acres that are proposed to be split into 56 single-family residential lots. It is located on the east side of Goose Lake Road just south of its intersection with Elm Road (CR 202). The review was for compliance with Commission Rules D and E. In February 2019 the Commissioners approved Staff's findings dated January 29, 2019, contingent on (1) a long term O&M agreement on the stormwater basin and irrigation system being provided and recorded on the property title and (2) the applicant working with the City and Three Rivers Park District to safely outlet the pond water below the trail system adjacent to the proerty line. *On November 2, 2021, Heather Nelson reported that the O&M Agreement has been recorded on the property title and the pond outlet has been installed with approval from Three Rivers Park District. Nelson provided a copy of the O&M Agreement to the Commission. This project will be removed from the report.*

bi. 2019-021 Brenly Meadows, Rogers. This is a 38-unit townhome project proposed on 6.9 acres north of 129th Avenue about one-third mile west of Main Street. It triggered the Commission's review for Rules D, and E. This item was approved by the Commission at their August 2019 meeting, contingent upon O & M plan requirements for the stormwater pond and irrigation system.

bj. 2019-026 Interstate Power Systems, Rogers. This is a 10-acre site to construct a 1-acre building for a mechanical shop and 6 acres of parking and driveways along County Road 81. It triggered review of Rule D, E, G, and I. This item was approved by the Commission at their November 2019 meeting, contingent upon documentation of existing conditions pollutant loading and a recorded O&M plan for onsite BMPs. The applicant provided the pollutant loading data in November 2019. Commission is still awaiting the O&M plan.

bk 2019-027 Havenwood at Maple Grove. This is a 5.6-acre site located at the northwest intersection of Bass Lake Road (CR10) and Troy Lane (CR101). The site is proposed to be subdivided into two lots. The southerly lot will be 4.5-acres with a 150-unit senior living facility. The remaining outlot (~1.3 acres) is anticipated to be a daycare facility. In their findings dated October 17, 2019, Staff recommended approval contingent upon the irrigation pond and system having an O&M plan approved by the City and Commission and recorded on the title for this property, with a copy provided to the Commission. *On November 2, 2021, Derek Asche reported no update for this project.*

bl. 2019-032 OSI Expansion, Medina. This an existing business located in the northwest corner of Highway 55 and Arrowhead Drive. The applicant is proposing to build an addition on the south side of the building and add parking on the north side of the site, creating an additional 3.6 acres of new impervious area. In their findings dated February 4, 2020, Staff recommended approval contingent upon receipt of O&M plans on the stormwater facilities that meet the Commission's requirements. *On November 2, 2021, Dusty Finke provided the Commission with a copy of the recorded O&M agreement. This project will be removed from the report.*

bm. 2020-001 Outlot L, Markets at Rush Creek, Maple Grove. Outlot L is a 1.55-acre lot located in The Markets at Rush Creek (Hy-Vee South) PUD development. This project is located just west of the Hy-Vee gas station and south of CR10. A 12,000 SF multi-tenant building and associated parking is proposed. Stormwater management for this lot is part of the regional stormwater system approved by the Commission for project 2016-002. Commission rules require compliance with Rules D and E. On January 23, 2020, Staff administratively approved this project contingent upon receipt of a dated and signed set of final development stage plans. Signed and dated plans were received in December 2020. The project approval is good until December 31, 2021. *On November 2, 2021, Derek Asche reported no update for this project.*

bn. 2020-008 Ione Gardens, Dayton. This project is located at the northwest intersection of CSAH 144 (Diamond Lake North) and 12 (Dayton River Road). The site consists of three agricultural properties totaling 48.29 acres. 112 new single-family residential lots creating 16.84 acres of new impervious surface area are proposed for this development. The Commission's review was for compliance with Rules D, E, G, and I. At their October 2020 meeting the Commission approved Phase I grading on the north 14-acre area conditioned that: a) the applicant accepts any and all risks for any changes required to obtain final approval by the Commission and b) that the City of Dayton grants approvals for said grading, and to deny the remainder of the application unless the applicant extends the review deadline beyond the current October 21, 2020 deadline. The applicant extended the deadline to November 30, 2020. Updated site plans received November 16, 2020 met the contingencies of the Commission approval with the exception of the post development infiltration basin percolation test requirements. At their December meeting the Commission approved the updated plans contingent upon post-development percolation tests being provided on infiltration basins to demonstrate the constructed infiltration rate meets or exceeds the design infiltration rates.

On March 4, 2021 Nico Cantarero reported that Ione Gardens constructed their 1st addition of approximately 30 homes along the northern portion of the site. The developer has indicated plans to grade the remainder of the site and construct the 2nd addition of the development in 2021 which would include the second access to the site onto North Diamond Lake Road.

bo. 2020-009 Stetler Barn, Medina. This site disturbs approximately 3.5 acres and must meet Commission Rules D, E, and I. Because of the limited available space for pasture, paddocks and land application of manure, understanding how these components will be managed was also an important part of the review. A complete plan was received on April 22, 2020. At their May 13, 2020, meeting the Commission approved this project contingent upon: 1) the landowner continuing to work with the U of M Extension Office and Hennepin County Rural Conservationist to finalize composting, pasture and paddock management plans and 2) a long-term pond/basin operation and maintenance plan and agreement with the City of Medina being approved by the City and the Commission. The agreement must be recorded on the land title with a copy of the recorded agreement provided to the Commission.

bp. 2020-017 Meadow View Townhomes, Medina. This is a 22-acre site located south of Meander Road and north of Highway 55. Lennar Homes is proposing to build 125 townhomes with their necessary infrastructure on this site. A complete application was received May 29, 2020. The plans call for 7.64 acres of new impervious areas. The Commission's review was for conformance to Rules D, E, F, G, and I. At their October meeting, the Commission approved Staff's finding dated September 30, 2020, contingent upon (1) The mean (average) depth on the west wet detention pond must be 4.0' or deeper; (2) Buffer strip monumentation and vegetation maintenance plans must conform to the Commission's requirements; (3) An operation and maintenance agreement of the stormwater ponds and irrigation system must be approved by the City and the Commission. The agreement must be recorded on the pro perty title with a copy of the recorded document provided to the Commission; and (4) Erosion and sediment controls must conform to Commission requirements. Since the approval, the City of Medina has requested the applicant provide abstraction by irrigation only, thus eliminating one filter basin. Staff reviewed the changes and found the updates to be in compliance with the Commission's original approvals for stormwater management and administratively approved the plans contingent upon item (3) above and added the condition that design information on the irrigation pump and augmentation water source must be provided within six months of this approval. *On November 2, 2021, Dusty Finke provided the Commission with a copy of the recorded O&M agreement.*

bq. 2020-023 Ziegler, Dayton. This is an existing 4.73-acre commercial parcel located on Territorial Road near Holly Lane close to the Maple Grove/Dayton border. Currently the property consists of a building with bituminous drive and parking areas and a large gravel storage yard. The applicant is proposing to utilize the existing building, construct an additional commercial building, expand the bituminous parking lot, and add gravel lots for merchandise display and storage, triggering Commission Rules D, E, G, and I. The Commission approved this project at their August 2020 meeting contingent upon wetland permitting being obtained and an Operation & Maintenance agreement being recorded on the land title. The wetland permit has been approved, but the O&M plan has yet to be received. On March 4, 2021, Nico Cantarero reported that Ziegler plans to construct their site improvements in 2021.

br. 2020-025 Paulsen Farms, Corcoran. This is an 88-acre parcel located south of CR30 and east of Bechtold Road. Twenty single family rural residential lots with 5.2 acres of new impervious areas are proposed on this site. This project triggered Rules D, E, and I. At their October 2020 meeting the Commission approved Staff's findings dated September 23, 2020, with three contingencies. This project has been put on hold by the applicant. They have been informed that the approval expires October 14, 2021. *Since the approval date has expired, this project is denied and will be removed from the report.*

bs 2020-032 Enclave Rogers – Commerce Boulevard., Rogers. This project would create an apartment complex on a 3.3-acre site. The existing condition is undeveloped. The project will disturb the entire site and create *2.15* acres of impervious surface. The applicant is proposing an iron enhanced sand filter to meet Total Phosphorus removal requirements. The site is within two of the three outlots created as part of the adjacent former Lowe's development. The application was reviewed for Rules D and E. Staff granted administrative approval for grading contingent on applicant accepting risk for changes required for final approval and on approval from the City for grading activities. In their findings dated December 2, 2020, Staff recommended approval with those conditions, as well as submission of an O&M agreement for stormwater features and with minor updates to the hydrology report and the SWPPP. The Commission approved Staff recommendations at their December 9, 2020, meeting.

bt. 2020-033 Weston Woods, Medina. This project would create 150 residential units on a 135-acre undeveloped site. The project will disturb 49.2 acres and create 17.49 acres of impervious area. The Commission approved this project at their March 2021 meeting with four contingencies: a) Wetland replacement plans must be approved by the City of Medina (LGU), MN DNR and USACE prior to impacts, b) Provide quantification of the change in flood storage capacity for the one-percent annual chance flood event due to the proposed project, c) Provide documentation that changes in flood elevation and loss of floodplain storage have been avoided, minimized, and/or mitigated to the extent practicable. Demonstrate that changes in flood elevation will not cause high water or aggravate flooding on other land and, d) An O&M agreement for stormwater facilities, including irrigation pumping system components and augmentation wells system, must be approved by the City and the Commission and recorded within 90-days after final plat approval on the title to this property. A copy of the recorded agreements must be provided to the Commission.

bu. 2020-036 Balsam Pointe, Dayton. This project will create 98 residential units on a 10-acre site near the intersection of Diamond Lake Road South and Dayton Road. The existing condition is undeveloped. The project will disturb the entire site and create 5.3 acres of new impervious. The application was reviewed for Rules D and E. The Commission approved Staff's recommendations at their January 13, 2021, meeting contingent upon an O&M agreement meeting the Commission's standards being recorded on the land title.

bv. 2021-007 Birchwood 2nd Addition, Rogers. This project is east of CR13 (Brockton Lane) approximately 1/2 mile south of the intersection of CR 144 (141st Avenue North) and CR13. The applicant is proposing to develop the site into 30 single-family residential lots. The site drains south and east into Grass Lake. This work will disturb 10 acres and create 4.0 acres of new impervious area. At their April 2021 meeting the Commission approved this project contingent upon the final SWPPP being submitted prior to grading and receipt of any outstanding project review fees.

bw. 2021-016 Territorial Lofts, Rogers. This is a 5.39-acre site on Territorial Road, adjacent to the Laurel Creek development. The project would construct a 75-unit apartment building, underground parking, a detached garage, maintenance facilities, and access road, creating 2.397 acres of total impervious (1.86 acres net new impervious) and dis-

turbing 5.2 acres. The existing site is two single-family residential homes. The site proposes to use stormwater reuse with an irrigation system to meet abstraction requirements due to low infiltration capacity soils. The project was reviewed for Rules D, E, G, and I. *The project was approved by the Commission at its July 2021 meeting contingent upon receipt of outstanding project review fees and a stormwater maintenance agreement being put in place between the owner and the city with terms acceptable to the Commission.*

THIRD PARTY HUC-8 MODEL REVIEW

A MNDNR Flood Risk Review Meeting has not been scheduled. Stantec has drafted a response on behalf of the watershed and its member cities. No new information in October.

elm creek Watershed Management Commission

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The Cubes at French Lake

Dayton Project #2021-028

Project Overview:

Location: This is four parcels that total 71.62 acres located south of 117th Avenue and north of the intersection of 113th Ave. and CSAH 81 in Dayton.

Purpose: The project includes the construction of a 996,960 sq. ft. industrial building with its associated parking and utility improvements. In addition, the project included the construction of Dayton Parkway from CSAH 81 to 117th Avenue North.

WMC Rules Triggered:			
	X	Rule D	Stormwater Management
	X	Rule E	Erosion and Sediment Control
		Rule F	Floodplain Alterations
	X	Rule G	Wetland Alteration
		Rule H	Bridge and Culvert Crossings
	X	Rule I	Buffer Strips

Applicant:	Jeff Lanaghan.	*Attention:*	Jeff Lanaghan
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		Email:	lanaghanJ@realcrg.com
Agent:	Sambatec	*Attention:*	Chad Ayers
Address:	12800 Whitewater Drive Minnetonka, MN 55343	*Phone:*	763-259-6697
		Email:	cayers@sambatek.com

Exhibits:	**Description**	**Date Received**
Application	☒ Complete ECWMC Application	August 5, 2021
	☒ ECWMC Request for Review and Approval	August 5, 2021
	☒ City authorization: Maple Grove, MN	August 4, 2021
	☒ Review fee: $4,050	August 5, 2021
	☒ Project Documents (site plans, reports, models, etc.)	August 4, 2021

Submittals.

1) The Cubes at French Lake Preliminary Stormwater Management Plan by Sambatec, dated October 5, 2021. Including project narrative, summary, pre-and post-development drainage maps and HydroCAD and MIDS model results, storm sewer analysis and geotechnical exploration report by Midwest Testing, dated June 23, 2021
2) Wetland Buffer sheet with wetlands 4, 7 and 20 buffer details and calculations, received via email October 24, 2021.

3) Updated geotechnical Exploration report by Midwest Texting, dated July 14, 2021, was received by ECWMC on October 13, 2021.
4) Site Development Plans by Sambatec dated July 1, 2021, with latest revision date of October 5, 2021, except as indicated below.
    a. Sheet C1.01, Title Sheet
    b. Sheets C3.01 to C3.05, Site Plans with updated wetland buffer signage received via email October 27, 2021.
    c. Sheets C4.01 to C4.05, Grading Plans with updated TRM locations and slope geotechnical engineering statement receive via email October 27, 2021.
    d. Sheets C5.01 to C5.05, Erosion Control Plans and SWPPP Narrative
    e. Sheets C6.01 to C6.05, Utility Plans
    f. Sheets C9.01 to C9.06, Details. Updated TRM details received on sheet C9.06 via email on October 25, 2021.
    g. Sheets L0.01, Tree Inventory and Removal Plans
    h. Sheets L1.01 to L1.06, Landscape Plans, Details and Notes.
    i. ALTA/NSPS Land Title Survey, 2 of 2 sheets.
    j. Turning Movement Exhibit Sheet, A, (original submittal dated 7/1/21)
    k. Lighting layout plan sheets 1 of 1
5) Sambatek addendum #2 to Wetland Permit Application, dated October 11, 2021.

Findings

General

1. A complete application was received August 5, 2021. The initial 60-day decision period per MN Statute 15.99 expired October 4, 2021. Per the statute, the ECWMC extended this period to November 18, 2021, via email notification on September 30, 2021.
2. The existing 4 parcel-72-acre site generally flows from south to north toward French Lake. Historically the easterly 31-acre parcel was a golf course that was converted to cropland in the past 5 years. The westerly two parcels of 33 acres are approximately 5 acres cropland with the remainder woods/grassland with one home site. The northerly 7 acres is cropland. There are 4.31 acres of wetlands throughout the properties and approximately 8.2 acres of impervious areas.
3. The complete 72 acres (except ~3 acres in the far SE corner of the project) will be graded. Water will generally flow from the south to the north. Approximately 55 acres of impervious areas will be created on these properties. Two NURP ponds and two biofiltration basins will be created to control the water from this site and the new section of Dayton Parkway.
4. There are no Elm Creek Watershed jurisdictional floodplains or stream crossings within the site.
5. The wetland replacement plan is under consideration and review by the city of Dayton at the time of this report. There will be permanent impacts of 3.91 acres to 20 of 21 wetland basins.

Rule D – Stormwater Management

General

1. The project will install two NURP ponds that drain into filtration basins to treat the stormwater runoff from this site.
    a. The warehouse and parking areas (68.3 acres) are routed to Pond 1 and its associated filter basin.
    b. Dayton Parkway drainage (10.9 acres) is routed into Pond 2 and its associated filter basin.

2. Geotechnical testing determined stormwater infiltration is infeasable because of high clay content/low infiltration capabilities of the existing soils on site.
3. Skimming of floatables and oil will occur from a weir control on Pond/Basin 1 and by a submerged outlet pipe between Pond 2 and filter basin 2.

Minimum Floor Elevations

4. The first-floor elevation for the proposed building is 942.5. The high-water elevation for Pond 1 is 929.8 (EOF=927.5) and for Pond 2 is 935.9 (EOF=936.0), providing protection of over 2.0 feet of freeboard for 100-year storm event and 1.0 foot of freeboard for the emergency overflow for the structure.

Pond and Filter basin Elevations

5. Pond 1 is designed to flow into its associated filter basin by 2–36-inch HDPE pipes at an elevation of 924.0. This pond will overflow its emergency spillway into the filter basin during a 10-year storm event by 0.5 feet and 1.6 feet during 100-year storm event.
    a. Filter basin 1 will have 0.6 feet of freeboard to its emergency overflow elevation during a 10-year storm event and will overflow its emergency spillway 1.1 feet during a 100-year event.
6. Pond 2 is designed to flow into its associated filter basin by one 24-inch HDPE pipe in the embankment between the two ponds. Pond 2 will overflow the emergency spillway in this embankment to filter basin 0.03 feet during the 10-year event and 0.85 feet during the 100-year event.
    a. During a 10-year storm, filter basin 2 will have 1.9 feet of freeboard to its emergency overflow channel overflow and 0.1 feet of freeboard for the 100-year storm event.
7. Because of the higher potential for flows through the emergency overflows (EOF) and downstream channels, the EOF's, and channels are proposed to be protected by permanent turf reinforcement mats (TRM's).

Long Term Operation and Maintenance of the Stormwater Facilities

8. A stormwater system operation and management agreement must be approved by the ECWMC and the City of Dayton. Said agreement must be recorded on the land title within 90 days after the final plat approvals. A copy of the recorded agreement must be provided to the Commission prior to the ECWMC final approval.

Rate Controls

1. Rate Controls will **meet** the Commission's requirement.
2. Table 1 shows the existing and proposed flow rates from the three discharge points from this site.

Water Quality Controls

1. Water quality controls **meet** the Commission requirements. See Table 2 for the water quality control summary of total phosphorus and total suspended solids before and after development.

Abstraction Controls

1. Abstraction controls meet Commission requirements.
2. Because soils are not conducive to infiltration, the applicant is using filtration basins with underdrains to meet abstraction requirements for new impervious areas.
    a. 52.94 acres of impervious areas are proposed with 4.853-acre feet of abstraction required.
    b. 5.50-acre feet of abstraction is provided
    c. Drawdown time for filter basins 1PF and 2PF= 31 and 39 hours respectively.

Table 1. Flow Rate Summary

Primary Discharge Point	Area (Acres)	Condition	2-yr (cfs)	10-yr (cfs)	100-yr (cfs)
North Discharge	38.41	Pre-Development	31.0	63.8	142.7
	17.04	Post-Development	18.3	35.6	100.4
	-21.37	**Change**	**-12.7**	**-28.2**	**-42.3**
Northeast Discharge	62.35	Pre-Development	23.1	60.7	175.9
	92.70	Post-Development	21.0	48.1	119.9
	+30.35	**Change**	**-2.1**	**-12.6**	**-56.0**
East Discharge	12.27	Pre-Development	4.9	9.4	39.5
	3.29	Post-Development	0	0	0.8
	-8.98	**Change**	**-4.9**	**-9.4**	**-34.7**

Table 2, Water Quality/Abstraction Summary

CONDITION (89.3 AC.)	TP LOAD (LBS/YR)	TSS LOAD (LBS/YR)	ABSTRACTION (CU. FT.)
Pre-development (baseline)	41.3	7,504	N/A
Post-development without BMPs	112.2	20,377	211,400 (required)
Post-development with BMPs	40.8	3,248	239,365 (provided)
Net Change	**-0.5**	**-4,256**	**+27,965**

Rule E – Erosion and Sediment Control

1. Plans **meet** Commission requirements for erosion and sediment control.
2. Site plans show areas of final graded areas steeper than 3:1 slope. Stability, especially for fill slopes is a concern for EC staff. This concern was addressed per the geotechnical report and plan notes that state, cut or fill slopes steeper than 2.5:1 or slopes with retaining walls must be evaluated for slope stability.

Rule G – Wetland Alterations.

1. Wetland alterations **do not meet** the Commission's requirements. As of this report, the most recent addendum to the WCA application is under consideration by the city of Dayton.
2. The city of Dayton is the administrator for their wetland ordinance and the MN Wetland Conservation Act. Wetland replacement plans that comply with the city ordinance will also comply with the ECWMC requirements.
    a. The extent of the impacts has been revised with the latest addendum dated October 11, 2021, to the WCA permit that includes some off-site impacts from this project. The updated replacement plan shows 3.91 acres of impacts for this site with 2:1 replacement

wetland proposed for purchase through the MN BWSR wetland bank. 4.32 acres are proposed to be purchased in Hennepin County bank accounts #1649 and 3.5 acres of bank credits are proposed to be purchased from Anoka County wetland bank #1664. Both banks are in major watershed #20 and bank service area 7.

3. Prior to impacts to wetlands site plans must comply with the city of Dayton and the Minnesota Wetland Conservation Act rules and requirements.

Rule I – Buffer Strips

1. Buffer strips **meet** the Commission's requirements.as follows:
    a. Vegetation restoration requirement.
    b. Widths of a minimum of 10 feet wide and an average of 25 feet wide and are wider where graded final slopes are steeper than 6:1.
    c. Final buffer monumentation, is shown on the site plans received October 27, 2021.
2. Permanent easements must be provided around all wetland and buffer strips.

Recommendations, Approval contingent upon:

- A stormwater system operation and management agreement must be approved by the ECWMC and the City of Dayton. Said agreement must be recorded on the land title within 90 days after the final plat approvals. A copy of the recorded agreement must be provided to the Commission prior to the ECWMC final approval
- Prior to impacts, wetland and wetland buffer strips must comply with the City of Dayton, Minnesota Wetland Conservation Act and Commission's rules.
- Permanent easements on wetland and buffer areas
- Final escrow balance determination when final approval is granted (without remaining conditions)

Advisor to the Commission

James C. Kujawa
Surface Water Solutions

October 28, 2021
DATE

Attachments

Figures 1 & 2 Project Location
Figure 3 Pre-development drainage plan
Figure 4 Post-development drainage plan
Figure 5 Grading Plan

Figure 1 Project Location

Figure 2 Location

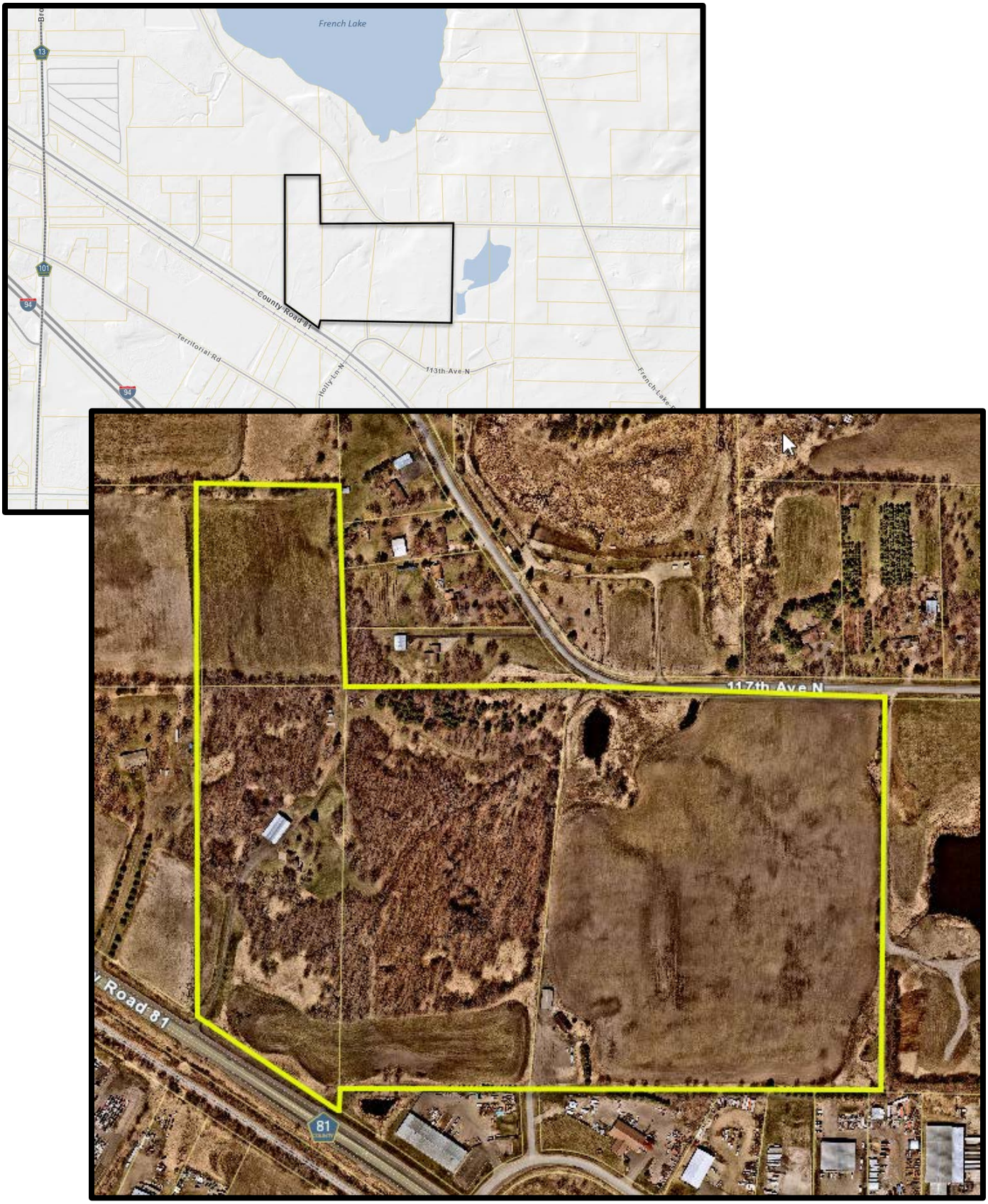


Figure 3 **Pre-Development Drainage**

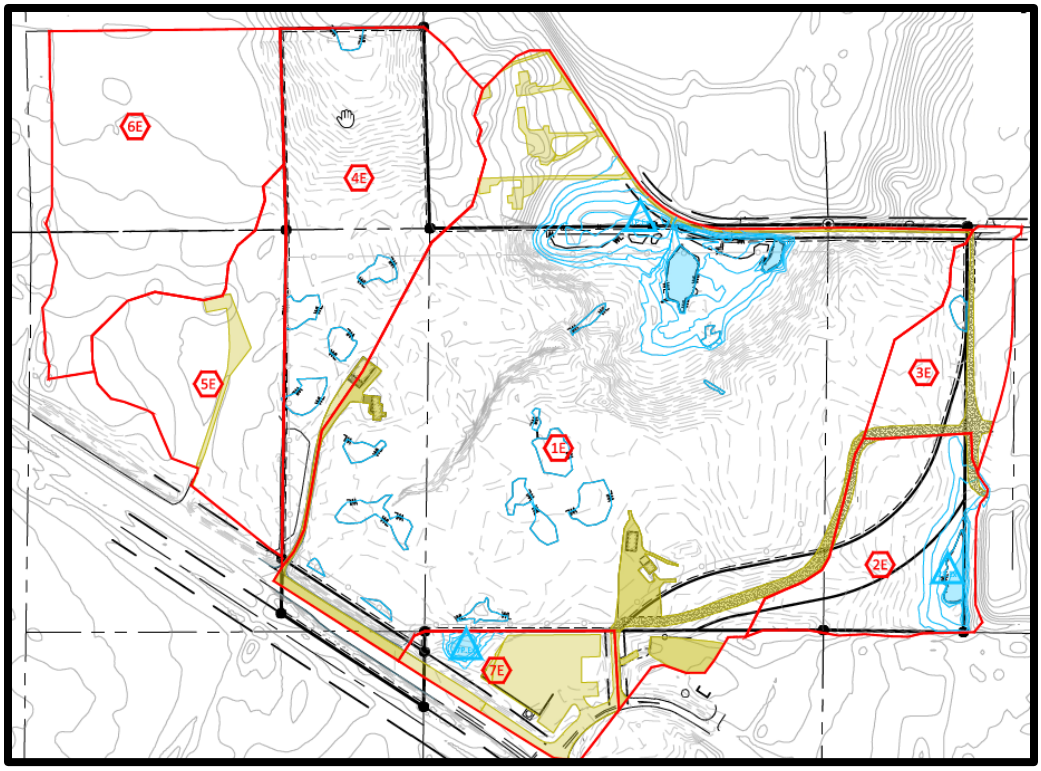


Figure 4 **Post-Development Drainage**

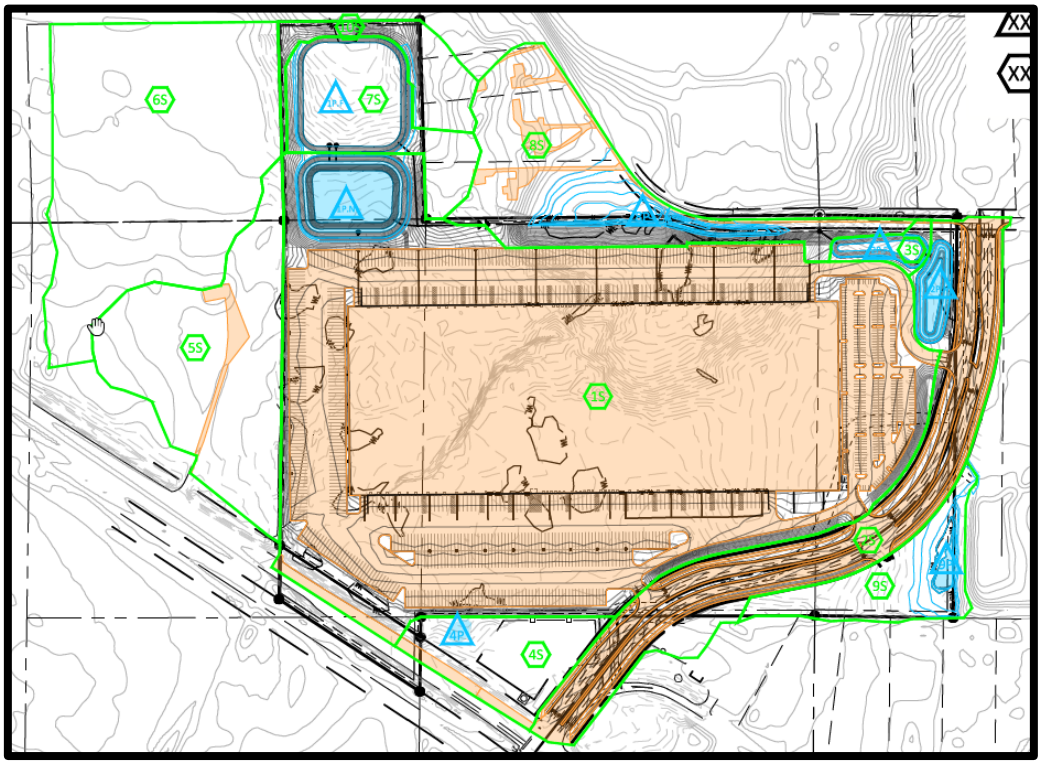
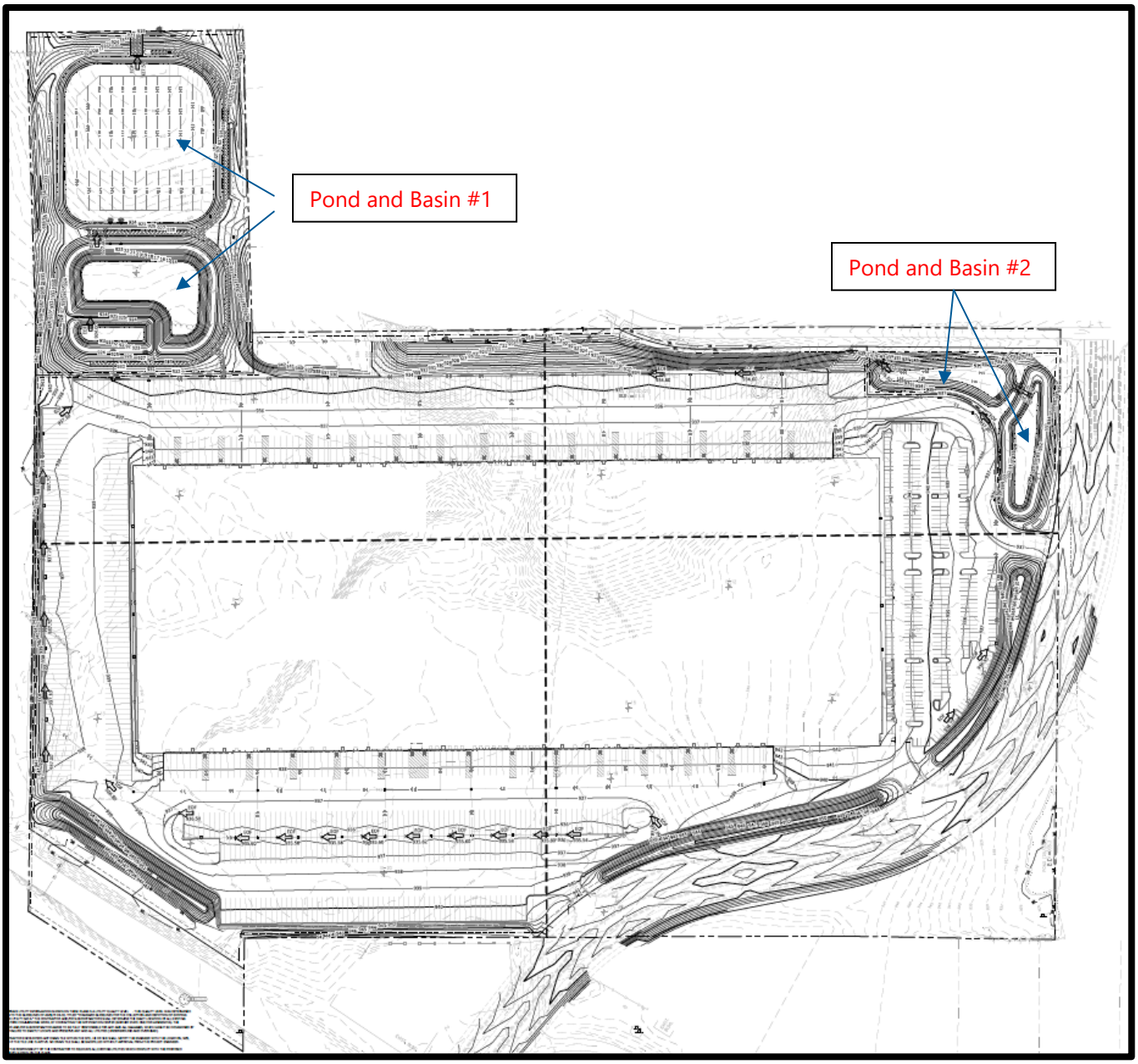


Figure 5 Grading Plan



elm creek Watershed Management Commission

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TriCare Grocery / Retail

Maple Grove Project #2021-029

Project Overview:

Location: On the north side of County Road 30, just southwest of I-94 in Maple Grove, MN. The project is located near the intersection of Garland Lane N and a temporary extension of 96th Avenue North (to be realigned at a future date).

Purpose: Construction of roads and grocery store project. The current project proposes to construct a grocery store and retail site. The project review is for an existing BMP, the existing segments of Garland Lane N, the existing segments of 96th Avenue North, and for the proposed grocery store and retail site. Additional discuss is included in the *General* section of the memorandum.

WMC Rules Triggered:	X	Rule D	Stormwater Management
	X	Rule E	Erosion and Sediment Control
		Rule F	Floodplain Alterations
		Rule G	Wetland Alteration
		Rule H	Bridge and Culvert Crossings
		Rule I	Buffer Strips

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	Loucks		
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	Maple Grove, MN 55369	*Email:*	vvandell@loucksinc.com

Exhibits:	Description	Date Received
Application	☒ Complete ECWMC Application	August 12, 2021
	☒ ECWMC Request for Review and Approval	August 9, 2021
	☒ City authorization: Maple Grove, MN	August 3 2021
	☒ Review fee: $3,375	August 12, 2021
	☒ Project Documents (site plans, reports, models, etc.)	August12, 2021

Submittals

1. *Stormwater Management Plan*, prepared by Loucks Associates, dated July 28, 2014 (Revised June 27, 2016)

   a. A combined existing and proposed HydroCAD model run for the 2-, 10-, and 100-year events
   b. Existing Conditions Drainage Map
   c. Proposed Conditions Drainage Map (identical to Existing Conditions)
   d. Catch Basin Drainage Area Map
   e. Storm Sewer Sizing calculations
   f. TriCare Existing Conditions P8 model
   g. TriCare Proposed Conditions P8 model
2. *Stormwater Management Plan*, prepared by Loucks dated August 31, 2021. This version supersedes the Stormwater Management Plan, prepared by Loucks Associates dated July 28, 2014 (Revised June 27, 2016)
   a. Existing HydroCAD model run for the 2-, 10, and 100-year events, dated August 31, 2021
   b. Proposed HydroCAD model run for the 2-, 10, and 100-year events, dated August 31, 2021 (resubmitted October 22, 2021)
   c. MIDS calculator outputs for existing and proposed conditions, dated August 31, 2021
   d. Existing (Pre-project) Conditions Drainage Map, dated August 11, 2021
   e. Proposed Conditions Drainage Map, dated August 11, 2021
3. *H200 Proposed Drainage Map* prepared by Loucks, dated July 16, 2021
4. *Watershed Letter* dated August 3, 2021, a letter indicating the site had previously received watershed approval and the proposed site was in conformance with that approval. Please see discussion below in *General Findings*.
5. *Design Phase Geotechnical Report: Proposed AutoZone 6379 Maple Grove MN,* dated November 24, 2015
6. *Geotechnical Exploration and Engineering Review. Tri-Cared Development* prepared by Northern Technologies, LCC dated July 16, 2021, for soil borings, completed June 14, 2021.
7. *Soil Borings for Biolife Plasma Services,* prepared by Braun Intertec, dated May 29, 2014
8. *Soil Boring Location Sketch: Geotechnical Evaluation Biolife Plasma Services,* prepared by Braun Intertec, dated May 23, 2014
9. Site Construction Plans, prepared by Loucks, dated August 13, 2021. Grading Plan and Utility Plans revised October 22, 2021.
10. *TriCare 1st Phase Construction Plan,* prepared by Loucks Associates, dated August 6, 2014.
11. *Record Drawing of Sedimentation Basin and Biofiltration Basin*, prepared by Loucks Associates, dated October 1, 2021.

Findings

General

1. A complete application was received August 12, 2021. The initial 60-day decision period per MN Statute 15.99 expires October 11, 2021. The initial 60-day decision has been extended an additional 60-days to December 10, 2021.
2. The TriCare parcels were the site of a proposed hospital that is no longer planned for construction. The site is being subdivided into smaller portions and sold separately. The entire site ultimately drains to a small, ditched channel that flows southeast along Interstate 94 and discharges to Rice Lake.

3. The Garland Lane N and 96th Avenue N temporary extension project was previously denied on September 19, 2016, by James Kujawa (ECWMC Review #2016-023) acting on behalf of the Commission for the three following reasons:
    a. Project construction does not meet ECWMC stands for stormwater management. In particular, the stormwater pond and biofiltration basin did not function as required
    b. Project construction had already been completed
    c. Completion of the back-to-back 120-day review periods without resolution.
4. The current project proposes to construct a grocery store and retail site. The project review is for the existing stormwater pond and biofiltration basin, the existing segments of Garland Lane N, the existing segments of the 96th Avenue North temporary extension, and for the proposed grocery store and retail site.
    a. Note the alignment of 96th Avenue North will be modified as part of the TriCare Roads and Grading Project and rate control, water quality, and volume control will be reviewed for realignment (far eastern portion of this review).
5. Technical staff reviewed archived project reviews for adjacent sites: #2016-022 AutoZone, #2016-023 TriCare, and #2014-017 BioLife Plasma. An annotated aerial image showing flow directions is included at the end of this report.
    a. AutoZone also has its own on-site stormwater management BMP that discharges to this regional pond.
    b. Note BioLife has its own BMP that does not drain to this regional pond.
6. The grocery store/retail site will disturb 2.19-acres and create 1.94 acres of new impervious surfaces. Garland Lane N and 96th Avenue N created 1.07 acres of impervious surfaces. The combined net new impervious road to be included in this project review is 3.01-acres.
7. Runoff from the site is proposed to be routed to an existing stormwater pond and filtration basin west of the site, which is intended to function as, water quality, and rate control.
8. A wetland is located on the west end of 96th Avenue and is the receiving waterbody for runoff that is discharged from the proposed stormwater basin. Pretreatment of all discharge into the wetland is provided by the proposed stormwater basin. The wetland is not being disturbed as part of construction.
9. Because soil borings indicate show sandy lean clay, lean clay with sand, and some clayey sand as underlying soils throughout the site and near the basin footprints, infiltration is not feasible.
10. There are no Elm Creek Watershed jurisdictional floodplains or steam crossings within the site. The wetland at the west end of 96th Avenue is ECWMC floodplain.

Rule D – Stormwater Management (plans)

Existing Basin

1. The applicant has proposed that runoff from the road and grocery / retail site will be routed west to a treatment train consisting of a stormwater pond / sedimentation basin and a biofiltration basin with underdrain. Both the wet pond and the biofiltration basin were constructed in 2015, prior to this review and without preliminary grading approval. ECWMC later issued a denial (ECWMC Review #2016-023).

2. ECWMC rules state that a minimum of 3-feet of separation is required between the bottom of bioretention BMPs (including those functioning as filtration practices) and the *seasonal high-groundwater table*.

    a. The applicant's geotechnical reports, all aerial photos taken between construction of the feature and the present (aerial photographs included at the end of this memorandum)., and LiDAR indicate that the biofiltration basin does not drain as intended due to lack of separation between the bottom of the biofiltration basin and the seasonally high groundwater level. Therefore, the biofiltration basin with underdrain does not properly function as a filtration practice and the Commission water quality standards are not met.
    b. The Commission's three-feet of separation requirement aligns with the Minnesota Pollution Control Agency (MPCA) Stormwater Manual. According to the MPCA, filter media must be allowed to dry between storm events to provide water quality treatment. The MPCA's MIDS water quality assumes an unsaturated media.
    c. No soil borings were provided during design or construction of the stormwater pond and biofiltration basin, but borings performed between 2014 and 2021 were reviewed from adjacent areas. During review of materials available to-date, the findings shown in Table 1 and Table 2 were made, demonstrating that there is not 3-feet of separation between the drain tile of the biofiltration basin and the seasonally high groundwater.
    d. Nine of aerial photos were reviewed, all of which show water in filtration basin. These aerial photos are presented as Figure 5 through Figure 13 at the end of this report.
    e. City staff and ECWMC Technical staff separately visited the site in September 2021 after precipitation events. The basin was mostly dry, but there was some standing water. Note that 2021 is among the driest years since the Dust Bowl (see Figure 14).
    f. ECWMC requires a percolation test post-construction to demonstrate that the filtration rate of BMPs meets or exceeds the designed rate. No record of a percolation test has been provided for review, therefore the best available data to evaluate the performance of the biofiltration basin is the groundwater borings and aerial.

3. Due to the lack of separation between the seasonally high groundwater and the drain tile of the constructed biofiltration basin, the biofiltration basin is not functioning as intended and the BMP does not meet commission abstraction control requirements, which was the primary basis for the original denial.

4. Table 1 Design and As-Built Biofiltration Basin Elevations

Elevation	Design	As-Built
Bottom of biofiltration basin (ft)	928.0	928.2
Invert of biofiltration basin 6-inch drain tile (ft)	925.5	925.6
Required 3-feet of Separation Elevation (ft)	---	922.6

Table 2 Groundwater Elevation Analysis

Author	Date	Boring Name/Location	Project	Approx. Distance (feet) between Boring and Filtration BMP	Groundwater Elevation (feet)	Height Above (+), Below (-) Commission Standard (feet)
Braun Intertec Geotechnical Report	5/29/2014	ST-06	TriCare BioLife	190	927.7	+5.2 =927.7-922.6
NTI Geotechnical Report	6/25/2021	SB-12	TriCare Grocery	380	923.6	+1.0 =923.6-922.6
NTI Geotechnical Report	6/25/2021	SB-9	TriCare Grocery	610	916.4	-6.2
NTI Geotechnical Report	6/25/2021	SB 1-8 and SB 10-11	TriCare Grocery	130 (as measured from SB-09)	No groundwater encountered	N/A
LiDAR (MnTopo)	2011	Wetland boundary at end of 96th Avenue	N/A	230	924	+1.4
Chosen Valley Testing Geotechnical Report	11/19/2015	B1 -7	TriCare AutoZone	420	No GW encountered; borings note wet soils at depths of 0.5 to 3.5 feet.	N/A

Proposed Reconstruction

In a meeting between the Commission, City, and applicant's agent on October 18, 2021, the applicant agreed to redesign the biofiltration basin to include a clay liner following the recommendations of line 17.9 of the 2018 NPDES Construction Stormwater Permit to eliminate groundwater intrusion into the biofiltration basin. The city agreed to reconstruct the basin with this liner. The city anticipates this reconstruction in 2022. The subsequent sections reflect as reconstructed basin that meets the Commission's technical standards.

Rate Controls

1. Rate control measures **meet** Commission standards.
2. Rate control for the site is intended to be provided by a stormwater sedimentation basin and filtration basin that collects runoff prior to discharging offsite.

3. The applicant provided proposed HydroCAD model output for the 2-year, 10-year, and 100-year events.
4. Both the pre-project and post-project HydroCAD rates shown reflect concurrent development of AutoZone and its associated stormwater BMPs. The AutoZone building and BMP were not included in this applicant's models; ECWMC Technical staff update the models to include the approved to AutoZone BMP and ensure that the regional basin continues to meet the Commission's standards, particularly around the functionality of the outlet control structure.
    a. The peak stage of the 2-year event is below the high-flow overflow in the filtration basin as required by ECWMC standards, allowing for removal of floatables and oils for events smaller than the 2-year.
5. Hydrologic Soil Group (HSG) C and D soils (low and very low infiltration capacity soils) are shown in soil borings throughout the site.

Table 3 Rate of Discharge Leaving Site [1]

Direction	Condition	2-year (cfs)	10-year (cfs)	100-year (cfs)
West *to Wetland*	**Pre-Project** *Reflects AutoZone Site and undeveloped site*	4.9	9.8	22.0
	Proposed *Reflects AutoZone Site and Construction of Garland Lane, 96th Avenue, the Grocery Site, and the stormwater basin/biofiltration basin with clay liner*	2.5	7.8	20.6
	Change	**-2.4**	**-2.0**	**-1.4**

1. Reflects ECWMC Technical Staff updates to MSE3 Rainfall distribution and AutoZone site

Low Floor Elevations

1. The 100-year flood elevation in the stormwater sedimentation basin (933.4-ft) and adjacent filtration basin (931.8-ft) is at least 2.0 feet below the low floor elevations of the site buildings and the adjacent BioLife building. This **meets** Commission standards.

Abstraction Controls and Water Quality

1. Abstraction controls and water quality **meet** Commission requirements (if reconstructed with a clay liner).
2. New impervious areas will be 3.01 acres requiring abstraction of 12,019 cubic feet.

3. Full infiltration of 1.1 inches of runoff from impervious areas is not feasible due to low infiltration capacity soils and high groundwater.
4. The applicant used a MIDS model to demonstrate water quality compliance.
    a. The MIDS model reflects concurrent development of the AutoZone building and its associated BMP.
    b. The MIDS model assumes an unsaturated media that will only occur after reconstruction.

Table 4 Water Quality Summary[1,2]

	Annual Runoff Vol. (ac-ft)	Abstraction Vol. (cubic feet)	TP (lbs/year)	TSS (lbs/year)
Pre-Project *Reflects AutoZone Site and undeveloped site*	4.59	N/A	2.77	463
Proposed (w/o BMP's) *Reflects AutoZone Site and Construction of Garland Lane, 96th Avenue, the Grocery Site, and the stormwater basin/biofiltration basin with clay liner*	9.36	12,019	7.64	1,387
Proposed (w/ BMP's) *Reflects AutoZone Site and Construction of Garland Lane, 96th Avenue, the Grocery Site, and the stormwater basin/biofiltration basin with clay liner*	8.62	18,681	2.60	92
Change	**+4.03**	**+6,662 (excess) +18,681 (total)**	**-1.70**	**-371**

1 Assumes reconstruction of the biofiltration basin to include a clay liner

2 Reflects independent analysis completed by ECWMC Technical Staff

Operation and Maintenance
The City of Maple Grove owns and operates the stormwater basins.

Rule E – Erosion and Sediment Control (plans)

1. Plans **meet** Commission requirements for erosion and sediment control.
2. The erosion and sediment control plans are consistent with current best management practices, including:
    a. Rock construction entrance
    b. Concrete washout
    c. Silt fence

d. Catch basin inlet protection
e. Stabilization of disturbed soil areas via erosion control blanket.

Recommendation

Conditional Approval

Basis for Recommendation

1. Approval is contingent upon final application escrow fee balance. Additional payment or refund of the fees will be determined when all conditions for approval are met.
2. City of Maple Grove provides construction updates to the Commission regarding the progress made to reconstruct the basin. The Commission understands the city is planning to reconstruct the biofiltration basin in 2022. The approval shall expire on August 31, 2023.

On Behalf of Wenck (now part of Stantec Consultants, Inc.)
Advisor to the Commission

11/1/2021
Date

Attachments

Figure 1	Project Location
Figure 2	Annotated Aerial
Figure 3	Existing Drainage Map
Figure 4	Proposed Drainage Plan
Figure 5	August 2015 Aerial Image
Figure 6	March 2016 Aerial Image
Figure 7	April 2017 Aerial Image
Figure 8	April 2018 Aerial Image
Figure 9	2018 Aerial Image (Month Unknown)
Figure 10	October 2019 Aerial Image
Figure 11	May 2020 Aerial Image
Figure 12	2020 Aerial Image (Month Unknown)
Figure 13	October 2020 Aerial Image
Figure 14	Standing Water in Filtration Basin Observed by City Staff in September 2021

Figure 1 Project Location

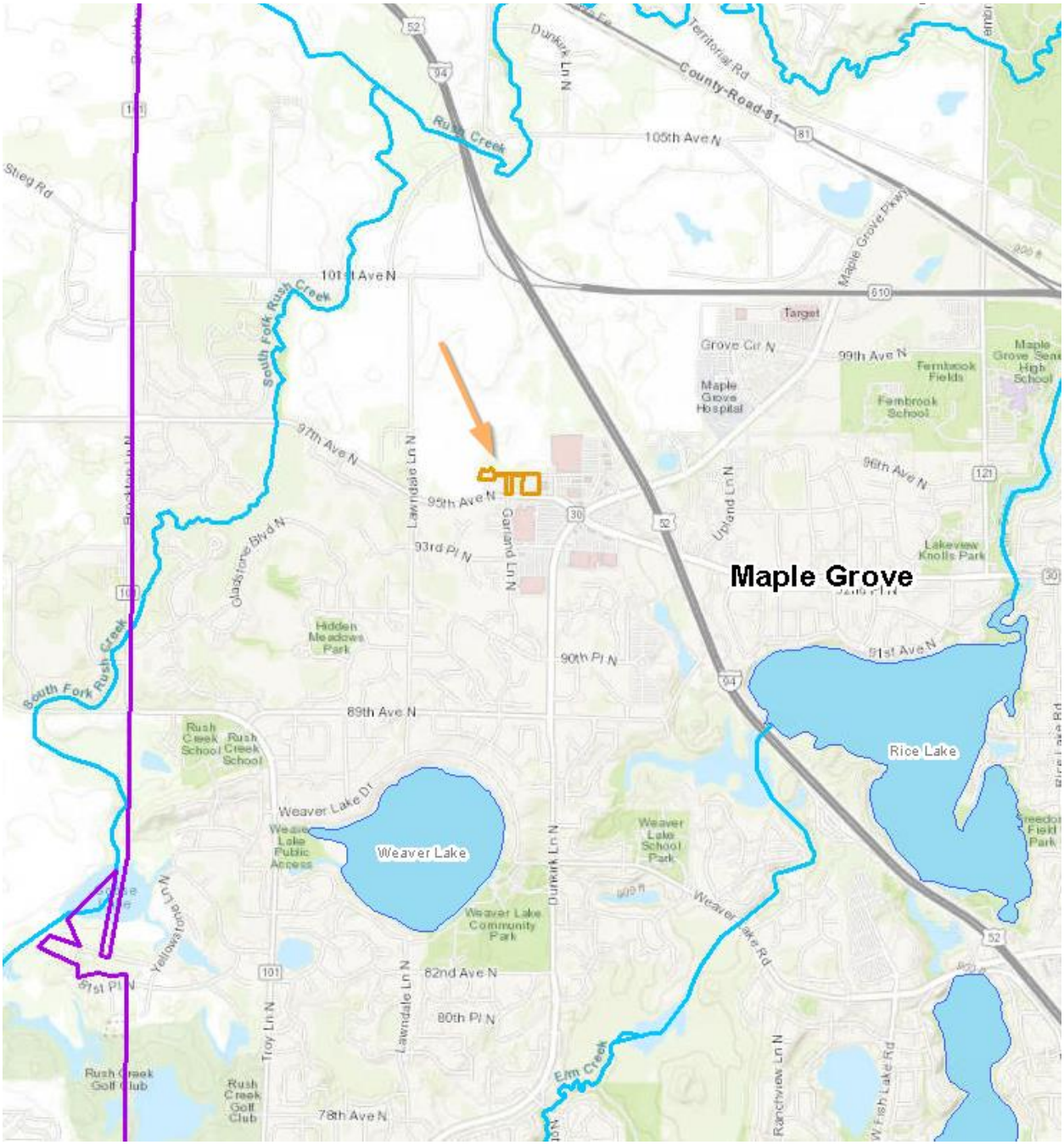

Figure 2 Annotated Aerial Photograph

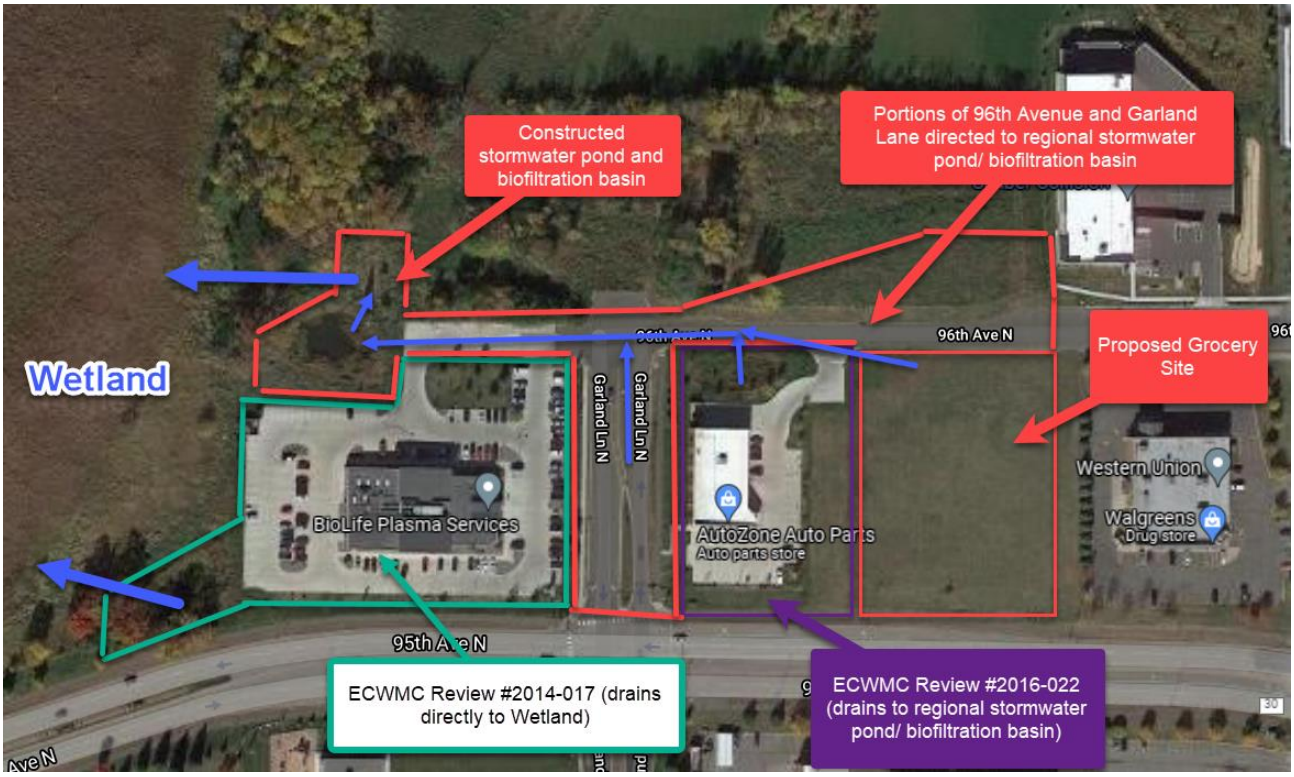

Figure 3 Existing Drainage Map

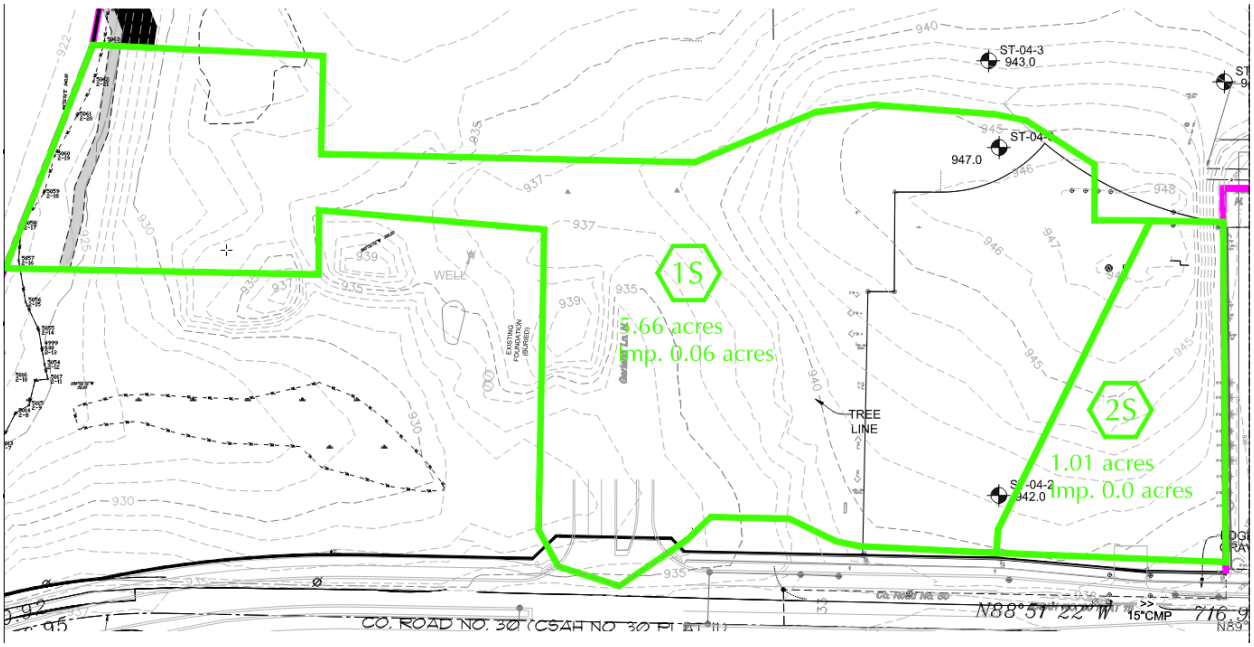

Figure 4 Proposed Drainage Plan

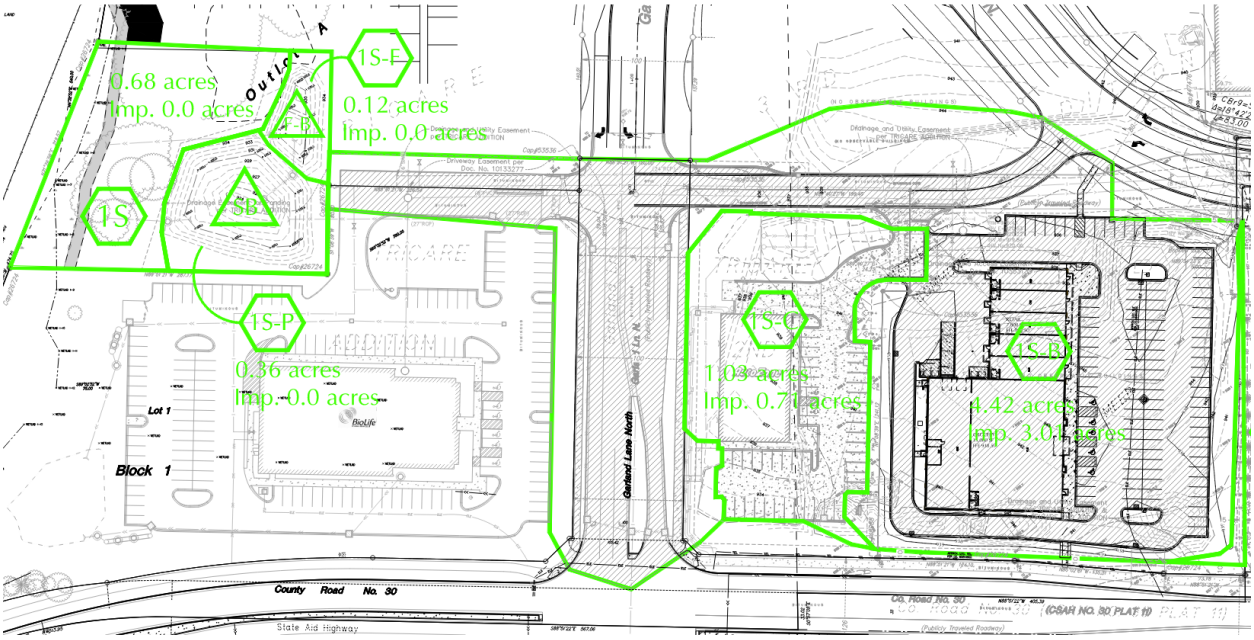

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Figure 5 August 2015 Aerial Image

Figure 6 March 2016 Aerial Image

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Figure 7 April 2017 Aerial Image

Figure 8 April 2018 Aerial Image

Figure 9 2018 Aerial Image (Month Unknown)

Figure 10 October 2019 Aerial Image

page 69

Figure 11 May 2020 Aerial Image

Figure 12 2020 Aerial Image (Month Unknown)

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Figure 13 October 2020 Aerial Image

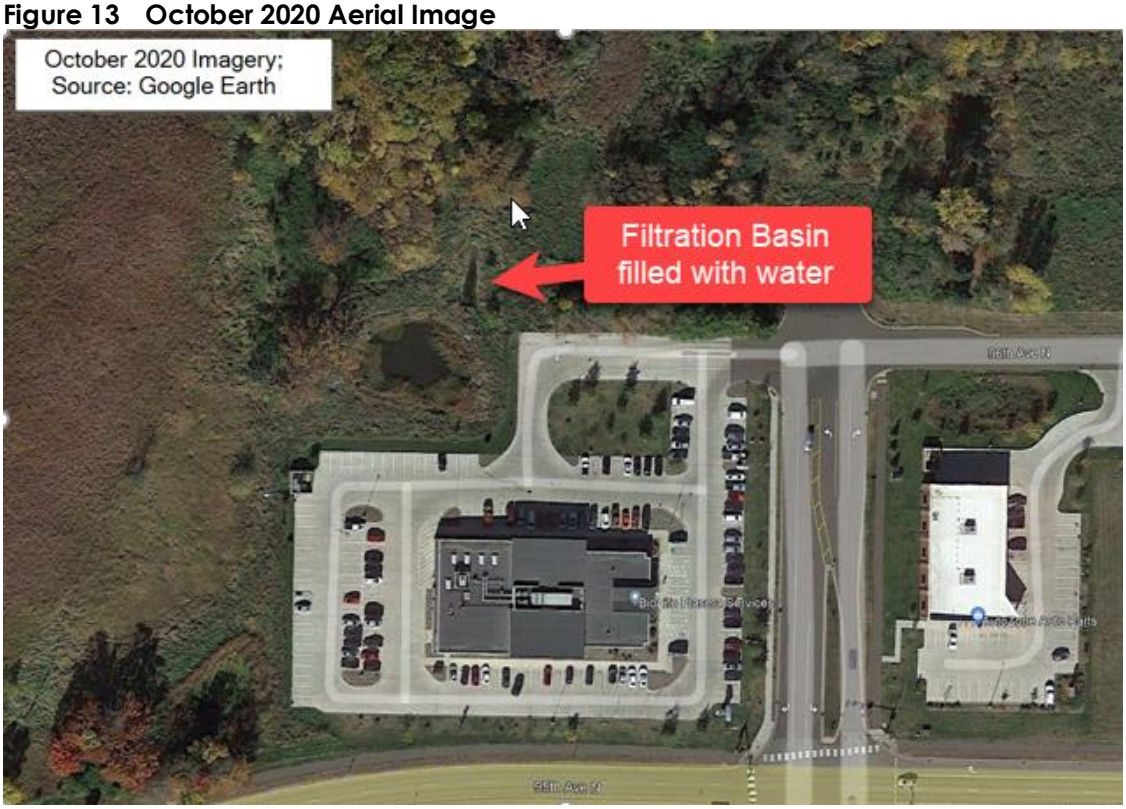

Figure 14 Standing Water in Filtration Basin Observed by City Staff in September 2021

elm creek
Watershed Management Commission

ADMINISTRATIVE OFFICE
3235 Fernbrook Lane
Plymouth, MN 55447
PH: 763.553.1144
email: judie@jass.biz
www.elmcreekwatershed.org

Cook Lake Edgewater

Maple Grove, Project #2021-031

Project Overview:

Location: This is a 53.58 acres development comprised of 4 existing parcels in both Corcoran and Maple Grove. The eastern 3 parcels in Maple Grove totaling 26.27 acres are under consideration for this project review. Elements of the project on the adjacent parcel in Corcoran and listed in this review but the applicant wishes to have these considered two separate projects. **The applicant has requested the two projects be considered separately; technical review is provided only for the proposed development on the 3 Maple Grove parcels.** The site is located site located along the north side of County Road 10 (Bass Lake Road) just west of the County Road 101 crossing and on the south edge of Cook Lake.

Purpose: The applicant is proposing to create a detached residential rental community with 59 units creating 10.4 acres of new impervious areas in Maple Grove, and 8.1 acres of new impervious in Corcoran (a total of 18.5 acres). The applicant reports incorporation of some impervious that is planned for the future expansion of County Road 10 as well. The applicant proposes removal of existing structures, woodland, shrubs and most wetlands. Existing land use is hayed fields, wetland, woodland and shrubland with 0.3 acres of existing impervious. This phase of the project will disturb 18.6 acres. Parts of 4 wetlands will be filled during development, impacting 0.8 acres. Two stormwater ponds with bio-filtration benches are proposed for the Maple Grove portion of the site. One biofiltration basin and one pond are proposed for the Corcoran portion of the site.

ECWMC Rules Triggered:

X	Rule D	Stormwater Management
X	Rule E	Erosion and Sediment Control
X	Rule F	Floodplain Alterations
X	Rule G	Wetland Alteration
	Rule H	Bridge and Culvert Crossings
X	Rule I	Buffer Strips

Applicant:	Sotarra	*Attention:*	Steph Griffin
Address:	1660 Highway 100 S, #400 St. Louis Park, MN 55416	*Phone:* *Email:*	952.525.3239 steff.griffin@sotarra.com
Agent:	Civil Site Group	*Attention:*	David Knaeble
Address:	4931 W. 35th St. #200 St. Louis Park, MN 55416	*Phone:* *Email:*	763-234-7523 Dknaeble@civilsitegroup.com

Exhibits:	**Description**	**Date Received**
Application	☒ Complete ECWMC Application	9/7/2021

☒ ECWMC Request for Review and Approval	8/9/2021
☒ City authorization: Maple Grove, MN	8/4/2021
☒ Review fee: $4,050*	9/7/2021
☒ Project Documents (site plans, reports, models, etc.)	8/9/2021

Submittals

1. Stormwater Report dated 3/22/2021 by Civil Site Group with narrative, summaries, HydroCAD modeling output for existing and proposed conditions and P8 model results (355 pages).
2. Plans for Edgewater on Cook Lake (Maple Grove section only) with Stormwater Pollution Prevention Plan and wetland impact plan by Civil Site Group dated 7/27/2021 (49 pages).
3. October 6th and 26th resubmittal of Stormwater plan
4. Cook Lake Highlands Interim Grading, 10/12/2021 (removed from consideration by applicant).

Findings

General

1. A complete application was received September 7, 2021. The initial 60-day decision period per MN Statute 15.99 expires November 6, 2021.
2. Three existing parcels totaling 26.27 acre are proposed for conversion to a detached residential rental community.
3. The project will disturb 18.6 acres and create 10.4 acres of new impervious areas in Maple Grove.
4. The FEMA floodplain for Cook Lake extends into this property. The Ordinary High Water (OHW) Level for Cook Lake is 942.1 feet NGVD 29. VERTCON translates that to NAVD88: 942.73. The city's floodplain shows that south Cook Lake overflows to North Cook Lake at 943.1, based on LIDAR the overland from North Cook Lake to Rush Creek is about 945 feet (NAVD88). The exact floodplain elevation remains in question. The limit of grading proposed is 946 ft NAVD 88. No 100 year flood elevation was provided by the applicant for the adjacent Cook Lake. In the absence of a model reflecting the 100-year elevation of Cook Lake, Corcoran allows using the OHWL plus 3 feet as the 100 year elevation.
5. The development site has areas of significant slopes, 0.4 ft/ ft to 0.61 ft/ft. Erosion control interim measures, and frequent inspections by SWPPP inspectors are recommended to protect the slopes and Cook Lake.
6. There are 4.92 acres of wetland across six existing wetlands and channel area on site. The project proposes filling parts of 4 wetlands and part of a channel, or 0.8 acres. No wetland mitigation information was provided with this submittal.

Rule D – Stormwater Management

General

1. Existing drainage patterns on this site flow largely to onsite wetlands which ultimately drain to Cook Lake. Future drainage will remain essentially the same with the exception of developed/ impervious areas largely routed through roads, gutters, storm sewer and surface drainage to the two proposed permanent ponds with biofiltration benches.
2. Two (2) stormwater ponds with biofiltration benches are proposed to control flow rates and water quality for the change in land use on this site.
3. Geotechnical evaluation soil borings done in 2018 by Haugo identifying the soils as D soils with recommended infiltration rates of 0.06 inch/hr (typ silty clay/ sandy lean clay). Groundwater was encountered at two borings on\the southwest corner of the development at 978.5 and 985.5 ft.

4. Low Floor Elevations for Phase I grading meet the Commission's requirements to be than 2.0 feet above the 100-year elevation and 1.0 foot above the emergency overflow elevation to adjacent water features.
5. The City of Maple Grove requires the landowners to operates and maintains stormwater facilities on their properties. An operation and maintenance agreement approved by the City and Watershed for the stormwater irrigation system and other stormwater facilities onsite must be recorded on the land title for this property within 90 days after final plat approvals.
6. The applicant indicates the project basins have been designed to accommodate future expansion of County Road 10 (Bass Lake Road). Applicant reports the basins are designed to accommodate new impervious added in Maple Grove of 1.77 acres and 3.16 acres in Corcoran.

Water Quality Controls

1. Water quality controls **will meet** Commission requirements.
2. Water quality loads are estimated using the P8 model for computation.
3. The applicant uses NURP permanent sedimentation ponds appropriately designed for the 2.5-inch event dead pool storage, the ponds each have bio-filtration as well.
4. TP/ TSS removal tables were provided, but not existing or proposed export in nutrient load.

Rate Controls

1. The site drains primarily to Cook Lake (about 45.1 acres of the site drains directly to Cook Lake). The reminder drains off site to a filtration basin on the south, to the southeast adjacent property, or to the west and south.
2. Curve numbers for the existing condition are too high relative to air photos. Area modeled as pasture, grassland or range in good condition (D soils CN=80) are closer to brush/ weed/ grass mix (D soils CN 73) for 23. 61 acres of the model. The modeled curve number is 79 in the existing condition and 88 in the proposed condition.
3. While modeling shows rate controls for the 2-year and 10-year event **meet** Commission requirements when this site is considered as a whole. Though, one drainage area (DA-1, which is the major drainage area) shows a 5% increase in flow in the 10-year event, while meeting runoff requirements in the 2 and 10-year events. Often, when only one storm event shows an exceedance and the other two events show reductions (in this case of 11% in the 2 year and 10% in the 100 year) it indicates more of a computational modeling issue than an actual representation that rates overall on the site will increase.

Table 1a Rate of Discharge Leaving Site – Cook Lake Edgewater

Condition	Existing (cfs)	Proposed (cfs)
2-year	46.86	41.79
10- year	134.46	128.47
100- year	304.13	274.13

Table 2b Rates of Discharge from each subwatershed – Cook Lake Edgewater

Stormwater Rate Summary - DA 1 - To Cook Lake		
	Existing Conditions Rate (cfs)	Proposed Conditions Rate (cfs)
2-Year Event	38.19	37.56
10-Year Event	113.15	119.05
100-Year Event	259.52	255.64

Stormwater Rate Summary - DA 2 - To East		
	Existing Conditions Rate (cfs)	Proposed Conditions Rate (cfs)
2-Year Event	1.87	1.15
10-Year Event	4.97	2.28
100-Year Event	10.75	4.20

Stormwater Rate Summary - DA 3 - To West		
	Existing Conditions Rate (cfs)	Proposed Conditions Rate (cfs)
2-Year Event	3.16	3.08
10-Year Event	9.05	7.14
100-Year Event	20.35	14.29

Stormwater Rate Summary - DA 4 - To South - Maple Grove		
	Existing Conditions Rate (cfs)	Proposed Conditions Rate (cfs)
2-Year Event	2.19	0.00
10-Year Event	4.06	0.00
100-Year Event	7.18	0.00

Stormwater Rate Summary - DA 5 - To South - Corcoran		
	Existing Conditions Rate (cfs)	Proposed Conditions Rate (cfs)
2-Year Event	1.45	0.00
10-Year Event	3.23	0.00
100-Year Event	6.33	0.00

Abstraction Controls

1. Abstraction controls **meet** Commission requirements.
2. New impervious areas will be 10.4 acres in Maple Grove requiring infiltration of 41,527 cubic feet.
3. Abstraction provided, summarized in the table below is 67,136 cubic feet, which exceeds the volume abstraction requirement for 1.1 inches of runoff by 25,609 cubic feet. Some volume mitigation is provided for the adjacent site in Corcoran, some is provided for a road reconstruction. The calculation technique used by the review engineer/ applicant differs, but results are similar based on design/ function of the ponds as modeled.

Table 3 Abstraction – Cook Lake Edgewater

Abstraction Credit	Required Volume (cubic feet)	Reported Volume (cubic feet)	Review estimated Volume (cubic feet)
Biofiltration -1A		48,464	43,919
Biofiltration -1B		18,609	23,217
Total Abstraction	**41,527**	**67,073**	**67,136**

Rule E – Erosion Control

1. The applicant's proposed erosion control **MEETS** Commission requirements. The development site has areas of significant slopes, 0.4 ft/ ft to 0.61 ft/ft. Erosion control interim measures, and frequent inspections by SWPPP inspectors are recommended to protect the slopes and Cook Lake. The applicant has met these requirements.
2. Ditch checks and silt fence are provided along the creek on site, as well as other measures to prevent sediment mobilizing downstream via the channel while working with the channel/ wetland area on site.
3. Turbidity barriers are required at inlets to Cook Lake during construction until site is stabilized.

Rule F – Flood Plain

1. The applicant's proposal **MEETS** Commission requirements around flood plains.
2. The FEMA floodplain for Cook Lake extends into this property. The Ordinary High Water (OHW) Level for Cook Lake is 942.1 feet NGVD 29. VERTCON translates that to NAVD88: 942.73. The city's floodplain shows that south Cook Lake overflows to North Cook Lake at 943.1, based on LIDAR the overland from North Cook Lake to Rush Creek is about 945 feet (NAVD88). The exact floodplain elevation remains in question. The limit of grading proposed is 946 ft NAVD 88. No 100-year flood elevation was provided by the applicant for the adjacent Cook Lake. In the absence of a model reflecting the 100-year elevation of Cook Lake, Corcoran allows using the OHWL plus 3 feet as the 100-year elevation which would be 945.73 feet NAVD. The lowest proposed grading is 946.
3. Provide adequate constructions staking for limits of construction and adequate interim erosion control and inspections to ensure that Cook Lake receives no fill.

Rule G – Wetland

1. There are 4.92 acres of wetland across six existing wetlands and channel area on site. The project proposes filling parts of 4 wetlands and part of a channel, or 0.8 acres.
2. The applicant will need to provide documentation of wetland mitigation for final approved wetland mitigation plan will be needed prior to final Commission approval.

Rule I – Buffer Strips

1. The applicant's proposal for establishing buffers around intact wetlands **Meets** Commission requirements. Average buffer width is 25 feet.

2. Adequate buffer monumentation **IS** provided (11 are specified on the drawing). The applicant will need to provide a map showing the final location of the monumentation once coordinated with the City.

Recommendation

Motion: For the Commission meeting, staff recommends approval of project #2021-031 with the following condition(s):

1. *[Standard Condition]* Approval is contingent upon payment of all review fees. Additional payment may be required is the review cost exceeds escrow payment(s) submitted by the applicant.
2. Provide wetland buffers monumentation locations.
3. Provide the agreed to rate control as required by the Commission and/or the City of Maple Grove.
4. TEP approval the Wetland Mitigation Plan and the city maintains a drainage and utility easement for onsite wetlands.
5. *The applicant shall provide a Stormwater Maintenance Agreement that acceptable to the city and the ECWMC within 90 days after the plat is recorded.*

Rebecca Carlson, P.E. (MN) 10/27/2021
Resilience Resources, LLC Date
Advisor to the Commission

Attachments

Figure 1	Site Location Map
Figure 2	Aerial Imagery
Figure 3	Existing Drainage Pattern Map
Figure 4	Proposed Drainage Pattern and Grading Plan

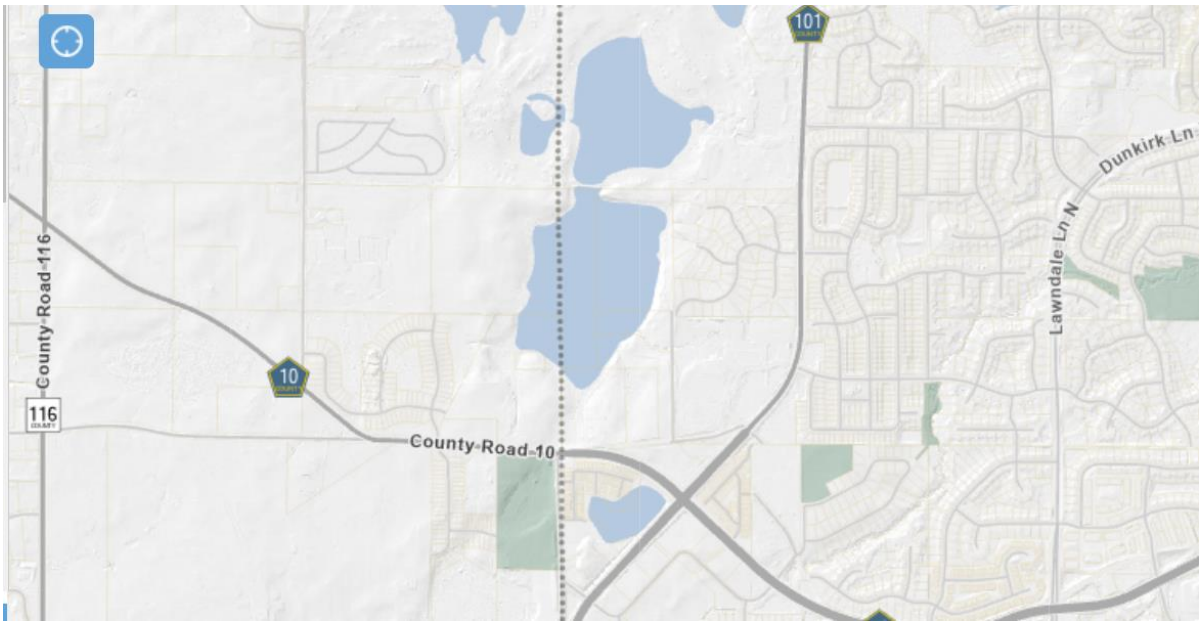

Figure 1 Site Location Map

Figure 2 Aerial Imagery

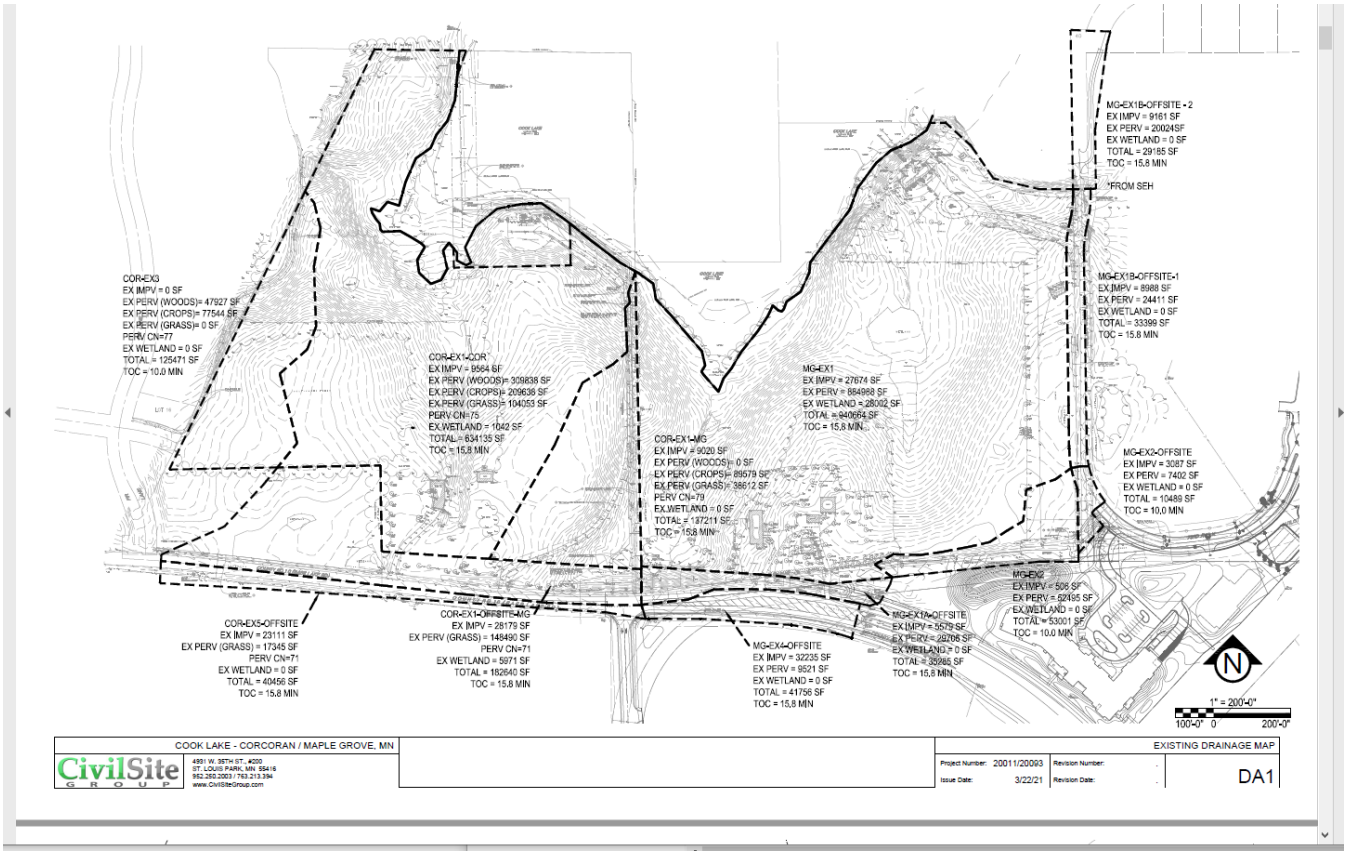

Figure 2 Existing Drainage Pattern Map

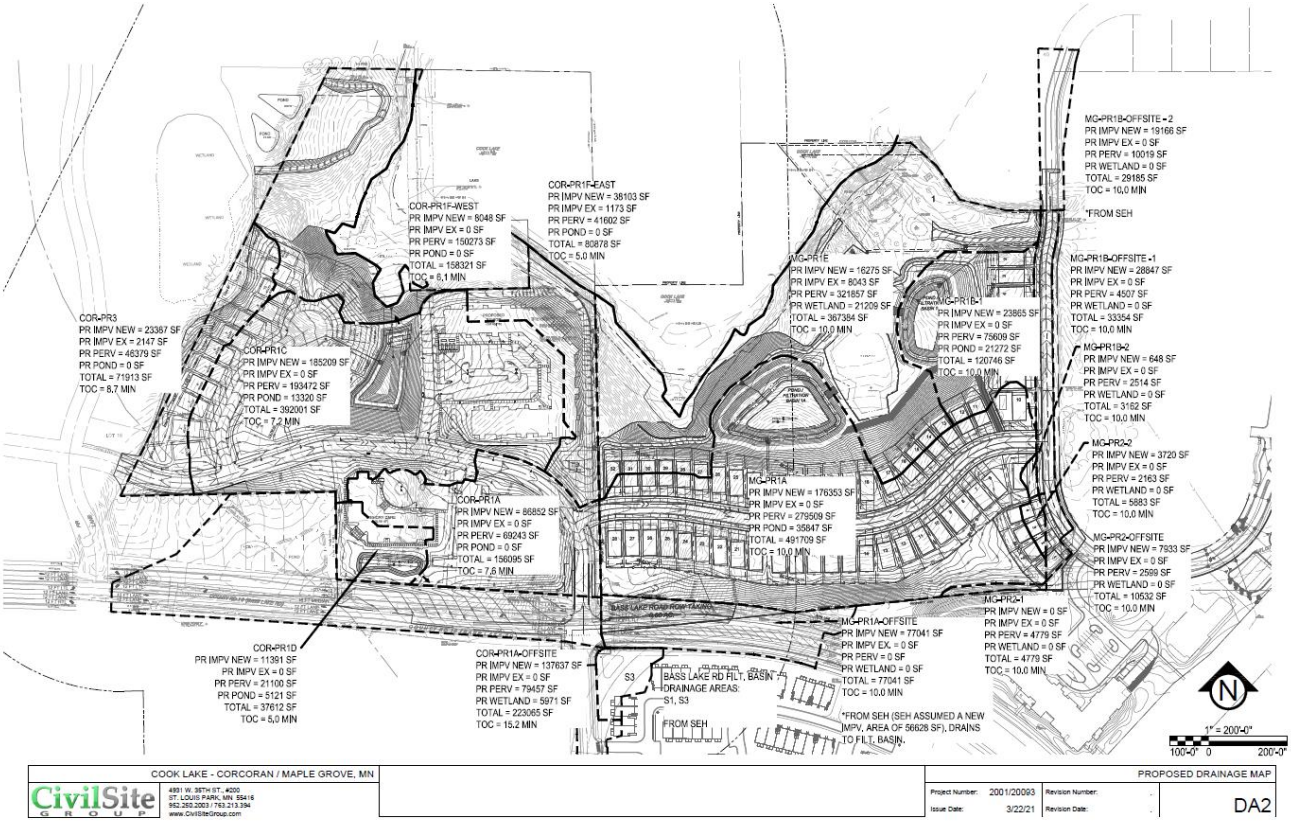

Figure 3 Proposed Drainage Pattern & Grading Plan

Response to Comments, Findings of Fact, and Record of Decision

Dayton Park Industrial Center Environmental Assessment Worksheet

October 2021

RGU

City of Dayton
12260 South Diamond Lake Road
Dayton, MN 55327
Tina Goodroad, City Administrator / Development Director
Phone: (763) 427-4589
tgoodroad@cityofdaytonmn.com

PROPOSER

Landspec Fund 3 LLC
5529 Minnetoga Terrace
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Jon Rausch, Development Manager
Phone: (952) 893-8251
jon.rausch@cushwake.com

CITY OF DAYTON

Response to Comments, Findings of Fact, and Record of Decision

Dayton Park Industrial Center Environmental Assessment Worksheet

September 2021

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APPENDICES

A. Written Comments Submitted to the City of Dayton

INTRODUCTION

Dayton Park Industrial Center is proposed on 50.76 acres of land in the southwestern part of the City of Dayton, Hennepin County, Minnesota. The project will include up to 600,000 square feet of light industrial floor space and up to 300 vehicle parking stalls. Site development will include mass grading, installation of municipal sewer and water, and construction of buildings, parking, a street, and stormwater basins. The project will convert about 48 acres of cropland, woodland, wetland, and drainages to buildings, parking lots, street, stormwater basins, low maintenance grassland, and landscaping. The project is expected to impact about 2.65 acres of regulated wetland. After development, the project area will include about 13 acres of open space consisting of stormwater basins, grassland, and landscaping.

An Environmental Assessment Worksheet (EAW) was prepared pursuant to Minnesota Rules Part 4410.4300, Subp. 14.A.(2) (Industrial, commercial, and institutional facilities, third or fourth class city). The EAW and the respective comments have been reviewed in accordance with Minnesota Rules 4410.1700 to determine if the project has potential for significant environmental effects. This document includes responses to comments received by City of Dayton (City), the Findings of Fact supporting the decision, and the Record of Decision regarding the need for an Environmental Impact Statement (EIS).

EAW Notification, Distribution, and Comment Period

In accordance with Minnesota Rules 4410.1500, the EAW was completed and distributed to persons and agencies on the official Environmental Quality Board (EQB) distribution list. The notification was published in the EQB Monitor on August 10, 2021, initiating the 30-day public comment period. A public notice or press release was submitted to the Press and News newspaper. The comment period ended on September 9, 2021.

COMMENTS RECEIVED

The City received written comment letters from seven agencies and one non-governmental organization:

1. Elm Creek Watershed Management Commission (ECWMC), August 25, 2021;
2. Minnesota Pollution Control Agency (MPCA), September 2, 2021;
3. Metropolitan Council (MetC), September 8, 2021;
4. Minnesota State Historic Preservation Office (MN SHPO), September 8, 2021;
5. All Parks Alliance for Change (APAC), September 9, 2021;
6. Hennepin County (County), September 9, 2021;
7. Minnesota Department of Natural Resources (MN DNR), September 9, 2021; and
8. Minnesota Department of Agriculture (MDA), September 9, 2021.

None of the comments recommended preparation of an EIS. MetC staff found the EAW complete and accurate with respect to regional concerns and said that an EIS is not necessary for regional purposes. The MDA stated that they have no comments.

RESPONSE TO COMMENTS

This document responds to comments individually, but refers to previous responses where the content of comments and respective responses are similar. This narrative includes summaries of comments followed by responses. Complete comment letters are included in **Appendix A**.

Responses to comments are generally confined to substantive issues that "address the accuracy and completeness of the material contained in the EAW, potential impacts that may warrant further investigation before the project is commenced, and the need for an EIS on the proposed project." (MN Rules 4410.1600). Some comments included general remarks, recommendations, or permit requirements. Such comments are noted for the record.

Elm Creek Watershed Management Commission (ECWMC)

Permits and Approvals

Site development must meet ECWMC standards for stormwater, wetlands, buffers, floodplains, and erosion control.

Shoreland District

The EAW discusses a reclassification of the shoreland district area to a PUD shoreland classification. The ECWMC would prefer the shoreland district for this site remain without the PUD district reclassification.

Cumulative Potential Effects

The proposed project and several others in the area near French Lake and adjacent Rogers are highly dense industrial areas that involve land use changes, grading, and replace wetlands and open areas with impervious surface and manicured turf with little or no natural areas remaining. These changes will result in localized habitat loss, disconnection of habitat, warming of runoff, and microclimate impacts. The cumulative effect of the impact to natural resources within these approximately 350 acres, does not seem to be addressed.

Response

Permits and Approvals

The comment is noted. Permit application(s) will be prepared and submitted to the ECWMC as necessary.

Shoreland District

The French Lake shoreland district has a Natural Environment shoreland classification and this classification will not change. The project proponent intends to apply for a PUD for this development. The City and the project proponent have noted the ECWMC's preference that the site be developed without a PUD.

Cumulative Potential Effects

The City of Dayton Comprehensive Plan guides the southwestern part of the City for industrial and commercial use. The concentration of light industrial and commercial development in this area relates to the transportation corridors that exist here, including Interstate 94, County Road 81, the Burlington Northern Santa Fe Railroad, and Territorial Road. The predominance of light industrial land use is expected to have an impact natural resources in this area, such as wetlands and wildlife habitat. If the 350 acres of undeveloped land is converted to light industrial development and effects on wetlands and woodlands are similar to this project, the entire 350 acres might include 19 acres of wetland impact and 31 acres of woodland removal. The effects each development within this area would be minimization through the evaluation of each development application that is considered and the specific mitigation measures that will be employed. For example, proposed industrial park site onsite wetland and woodland impacts together total 7.26 acres, or 14% of the site. The impacts will be offset through the establishment of 13 acres of onsite open space and 5.5 acres of offsite wetland replacement.

Minnesota Pollution Control Agency (MPCA)

Comments

Permits and Approvals

The MPCA Section 401 Water Quality Certification becomes an enforceable component of the associated federal license or permit, issued under either Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act. The Antidegradation Assessment mentioned in the EAW requires a pre-filing meeting with the MPCA at least 30 days prior to submitting a 401 Water Quality Certification request.

Stormwater

The EAW indicates that stormwater retention basins will be used for stormwater management due to unsuitable soils for infiltration. The Project proposer is encouraged to consider: (1) stormwater reuse to reduce the volume of stormwater discharged to area surface waters and help address flooding; and (2) green infrastructure to reduce stormwater runoff such as increasing tree canopy, use of green roofs, tree trenches within parking areas, reducing impervious surfaces or using pervious pavements.

Surface Waters

Any permanently impacted wetlands must be mitigated at a replacement ratio and location acceptable to all agencies that regulate surface waters for the State of Minnesota.

The EAW should include the MPCA as a regulator of all surface waters as defined by Minn. Stat. 115.01 Subd. 22. (Waters of the state). Even if surface waters do not fall under U.S. Army Corps of Engineers (USACE) jurisdiction or are exempt from the Wetland Conservation Act, all surface waters are regulated by the MPCA and any surface water impact described in the EAW may require mitigation.

Response

Permits and Approvals

Comment noted. The EAW noted the potential need for Section 401 Water Quality Certification or Waiver from the MPCA. If the Section 401 Water Quality Certification becomes an enforceable component of site development, the project proposer will be required to comply with the terms and requirements of this permit.

Stormwater

The suitability of soils for infiltration will be assessed during project engineering. Soils over uplands on the site include mostly loams and the relatively fine texture of these soils is expected to limit the potential for infiltration. The project will consider water reuse of stormwater for irrigation and other methods of volume reduction during engineering design for the project. Advanced stormwater management practices are expected to include some elements of green infrastructure.

Surface Waters

The EAW noted that the MPCA regulates waters of the state, which all surface waters and waters that serve stormwater storage, conveyance, and water quality functions. The proposed project will include a stormwater management system to mitigate and perpetuate those stormwater functions after development.

Metropolitan Council (Met Council)

Comments

Transportation

The EAW project area is a very small part of Transportation Analysis Zone #807 (TAZ #807). The City's draft TAZ allocations for 2040 add 198 jobs of employment growth here during 2020-2040. Should the Industrial Center project move forward, the TAZ allocation will not be adequate. Council staff recommend increasing the TAZ allocation by adding 400 jobs to future years; this amount can be debited from other TAZs in Dayton, leaving the communitywide forecast unchanged.

The Council recommends that City and developer consider the integration of EV charging infrastructure (or EV-ready infrastructure) to serve some portion of the parking spaces throughout the development. Guidance on Electric Vehicle-charging readiness can be found in the Great Plains Institute's "Becoming Electric Vehicle Ready" guideline document (https://www.driveelectricmn.org/becoming-ev-ready).

Land Use

The City's 2030 Comprehensive Plan is currently in effect. The City's 2040 Plan was submitted and found incomplete for review. The City's planning grant and eligibility to participate in 2022 Livable Community's Act Program require a complete 2040 Plan by the end of the year.

Stormwater

Council encourages the project proponent to incorporate minimum impact development / green infrastructure stormwater practices in the project to the extent possible to help address the shoreland impacts. Greenroof systems and various other stormwater technologies and tools are referenced and recommended.

Cumulative Potential Effects

The City's draft 2040 Comprehensive Plan states that the City will consider solar access in the review of site plans and planning decisions. Dayton has high solar potential. Integration of rooftop solar panels into the project is recommended to serve some part of the electricity to be used at site. With up to 600,000 square feet of rooftop, the roofs could accommodate up to an 8.5 megawatts (MW) solar panel energy system, enough to power about 1,700 single-family homes.

Response

Transportation

The City will review the 2040 allocation for TAZ #807 and evaluate the need to add more jobs to this TAZ for the 2040 projection. The City and the project proponent will consider EV charging infrastructure guidance and may incorporate a small number of EV charging stations into site plans as the project moves forward.

Land Use

The comment is noted and the City is in the process of completing the 2040 Comprehensive Plan.

Stormwater

The project will consider methods of runoff volume reduction during engineering design for the project. Advanced stormwater management practices are expected to include some elements of green infrastructure. Additional measures may be considered to the extent that they are practicable and compatible with the proposed project design.

Cumulative Potential Effects

The comment is noted. As stated in the EAW, the project will consider rooftop solar, electric vehicle charging stations, and/or battery storage to make the
project energy autonomous and EV-ready.

Minnesota State Historic Preservation Office (MN SHPO)

Comments

Historic Properties

MN SHPO reviewed the Phase I Archaeological Survey for the project area and determined that there are no properties listed in the National or State Registers of Historic Places and no known or suspected archaeological properties in the area that will be affected by this project. MN SHPO concluded that there are no properties listed in the National or State Registers of Historic Places and no significant archaeological sites located in the area that will be affected by this project.

Response

Historic Properties

The comments are noted.

All Parks Alliance for Change (APAC)

Comments

All Parks Alliance for Change (APAC) is the state association of Minnesota's 180,000 manufactured (mobile) home park residents. The Dayton Park manufactured home park community that borders the proposed development includes 230 families that will be profoundly impacted by how this site is developed and used. Manufactured homes are a valuable source of affordable housing. The city should be taking steps to protect Dayton Park and the residents who live there.

Isolation and Resale Value of Mobile Homes

We are concerned the proposed industrial center further isolates this park community from other residential areas and access to natural spaces. The consequence is reduced quality of life for residents and potential impact on home resale value in the long term.

Pollution

We are concerned about the effects of pollution on the mobile home park (dust, odors, noise, light pollution, harmful materials, and toxic substances). The land was used for agriculture from 1937 to 1964. What kinds of agricultural chemicals were used? There is an old dump and stabilization pond on the site. What plans have been made these materials?

We are concerned about that the development will operate 24-hours a day and 6 days a week, allow deliveries from 7:00a.m. to 9:00p.m., and observe residential noise standards only from 10:00p.m. to 7:00a.m.. This will result in unacceptable noise and light pollution. The proposed plans violate current development standards with the amount of impervious surface area and building heights, which reduce the residential character and quality of life in the park.

Traffic

We are concerned about the new traffic the development will bring, specifically, the 1,809 daily trips including many by large vehicles. This dramatic increase in traffic will bring with it sharp increases in noise, congestion, vehicle emissions, increase road wear, and decreased safety. We were surprised to see in the map for Concept C consideration of actually routing this increased traffic directly into the park.

Recommendations

We recommend: (1) plans for how residents will remain connected to other residential areas and still be able to access natural spaces; (2) limits on future development; (3) maintaining R-MH Mobile Home

District zoning classification; (4) supporting mobile home park expansion; (5) protecting mobile home park residents from additional ham; and (6) protecting the quality and resale value of homes in the community. Specific plans should address: (1) harmful materials or toxic substances in the soil, dump, or stabilization pond; (2) visual screening in the form of fencing and walls; (3) compliance with residential noise standards should be met from 6:00p.m. to 8:00a.m.; (4) limiting the number of daily trips; (5) study of traffic and noise to identify best mitigation options; (6) installation of a lighted intersection at the main entrance to the park on Brockton Lane; (7) increased road maintenance; and (8) ensured safety for school children.

Response

Isolation and Resale Value of Mobile Homes

The existing mobile home park is surrounded by land that is already guided for industrial and commercial uses by the Comprehensive Plans of the Cities of Dayton and Rogers. This area has been guided by the City for additional development of this type since 2014. The proposed development site is privately owned, has a history of agricultural use, and is not a public natural space. The nearest public green space is the area near French Lake, which is located 0.25 mile east of the mobile home park. The nearest residential area is located south of French Lake and 0.5 mile east of the mobile home park. The proposed project includes development of a public street that will connect Brockton Lane with French Lake Road and provide an additional ingress and egress point for residents of the mobile home park. This street connection will improve vehicle access from the mobile home park to the nearest residential and green spaces.

Resale values and the future of mobile home parks are complex topics that outside the scope of the Dayton Park Industrial Center EAW. The Minnesota Environmental Quality Board describes an EAW as "a brief document designed to lay out the basic facts of a project necessary to determine if an Environmental Impact Statement (EIS) is required." While the proposed project is expected to have some effects on the mobile home park, the EAW identifies mitigation measures that help reduce potential effects related to traffic, noise, and other factors. The site owner will be required to comply with all State, County, and City laws and regulations related to noise, stormwater, zoning, and management of resources. The proposed project will have potential benefits to the area, such as increase local employment opportunities for residents of Dayton.

Pollution

As stated in the EAW, site development will discontinue agricultural production, reduce agricultural pesticide use, and add landscape buffers. Surface water runoff under existing conditions likely contains some pesticides, fertilizers, and other nutrients from agricultural fields. However, none of the 16 "What's in My Neighborhood" (WIMN) potential contamination sites listed in the EAW involved agricultural chemicals.

The Dayton Park Dump is located on property south of the proposed project and east of the mobile home park. The dump includes concrete and asphalt rubble. The MPCA file on the dump indicated the area was used by the mobile home park owner as an open dump prior to 1979. The dump site was investigated in 1987. A site assessment was completed, the MPCA closed the site in 2000, and the site is now listed as inactive.

The stabilization pond in the northeastern part of the site was a wastewater treatment lagoon that has been drained and reclaimed. The pond site was investigated in 1987, a site assessment was completed, the MPCA closed the site in 1997, and the site is now considered inactive.

Available information suggests the WIMN sites identified within an 0.25-mile radius of the proposed project have been properly investigated and are closed, inactive, or appear to be under appropriate management.

The project will be required to comply with Minnesota daytime and nighttime noise standards. Minnesota Rules Part 7030.0020, Subp. 10, defines "nighttime" as "those hours from 10:00 p.m. to 7:00 a.m." Minnesota Rules Parts 7030.0040 and 7030.0050 set daytime and nighttime noise standards for various land uses. Mitigation measures are focused on nighttime noise levels because nighttime noise standards are lower than daytime standards and people are generally more sensitive to noise at night. Nighttime residential noise standards are the lowest noise standards in state rules.

Noise and light pollution mitigation measures to be designed into the project include in landscape buffers, delivery timing management, and loading trucks inside of buildings. Other mitigation measures, such as fencing or walls, may also be required. Effects of outdoor lighting can be minimized by using fixtures that direct light where it's needed and shield light from sensitive areas. As part of the development application review process the City will evaluate and consider measures presented by the project proposer, such as screening fences and vegetation, that would mitigate potential noise or light impacts to the adjacent mobile home park.

The proposed plan will be require to comply with all applicable development standards if it the development application is proposed as a Planned Unit Developments (PUD). PUDs allow for flexibility in development standards such as impervious surface ratios and building heights. The project proponent intends to apply for a PUD as part of the development application, but the City of Dayton has not yet determined whether a PUD would be appropriate for this development. If a PUD is to be granted, the proposal needs to show public benefits of the project design to warrant flexibility in typical design standards.

Traffic

The proposed project will require a new site access that will be a public street oriented along the southern site boundary, connecting Brockton Lane with French Lake Road. The Cities of Dayton and Rogers are cooperating with Hennepin County to ensure the traffic improvements for the industrial park and the adjacent area adequately address traffic needs. This interagency coordination will incorporate traffic flow and public safety considerations into roadway and turn lane design. The park access shown on Concept C is intended to provide park residents with an additional ingress and egress location to better reach the surrounding roadway network.

Recommendations

The City will take the recommendations under advisement to the extent that they are feasible, prudent, and consistent with existing rules, public policy, and the public interest. While some recommendations relate to the EAW and the proposed project, others apply specifically to the mobile home park and only tangentially to the proposed project. The City will ensure that the development plan for the industrial park site complies with all City rules and regulations to ensure protection of the residences within the mobile home park.

Hennepin County (County)

Permits and Approvals

The Dayton Park Industrial Center development will be required to meet Elm Creek Watershed Management Commission rules, including those to manage and treat excess stormwater runoff, protect natural resources, and minimize any negative impacts to downstream water quality.

Land Use

the county would appreciate having a more comprehensive understanding of the development approach to this general area.

Stormwater

Runoff from the development will flow north and east to Diamond Lake and French Lake, respectively. Both lakes drain to Diamond Creek and eventually to Elm Creek and the Mississippi River. Diamond Lake is impaired by excess nutrient runoff, frequently causing late summer algae blooms. Diamond Creek and Elm Creek have several water quality impairments, including low dissolved oxygen, high Escherichia coli, and poor fish and macroinvertebrate biological assessments, among others. This development provides a unique opportunity to "lock in" practices that improve the environmental footprint of the site while greatly reducing the amount and impact of runoff.

To address current and future challenges posed by our changing climate, including increased intensity and volume of storm events, sites like this should go above and beyond to protect both site infrastructure, public infrastructure, as well as downstream resources that could be impacted.

Wetlands

As currently proposed, this project plans to remove 2.65 acres of wetlands and replace them with "acceptable wetland banks" within the same Major Watershed and Bank Service Area. It does not appear that any effort to avoid or minimize wetland impacts was made in the development scenarios shown, as is required by law. Hennepin County will request that the site developer includes bank credits from within Hennepin County as part of their replacement plan.

Ecological Resources

Similarly, this project proposes to remove 4.5 acres of woodlands, most of which is connected to an adjacent 16-acre parcel containing woodlands and forested wetlands. Woodlands provide important stormwater management and carbon storage services to the residents of Hennepin County. Consider opportunities within this development to preserve existing tree cover, important individual trees within the woodlands, and/or to mitigate for tree loss in the landscaping plan of the project.

Transportation

County road staff have exchanged comments with the Cities of Dayton and Rogers regarding the access to Brockton Lane (CSAH 13) County and City staff will continue to coordinate traffic mitigation needs. Access to the Rogers side of Brockton Lane will be essential with the street connection to the Dayton side. Required turn lanes along Brockton Ln will need to be reviewed and approved by county staff. Direct roadway impacts and necessary roadway mitigation will be determined during the county's plat review process. Please make sure that the county development review staff are notified when further site-specific plans are submitted to the city.

Cumulative and Potential Effects Comments

It was worrisome not to find a consideration of possible environmental contamination threats to the physical, mental, and economic health of the approximately 1,200 residents of Dayton Mobile Park. Most of these nearby residents are low-income and people of color.

It will be also important to address the impact of this proposed project on housing stability for Dayton Mobile Park residents. Now, in the middle of the nation's affordable housing crisis, manufactured housing is one of the most affordable homeownership options. Closeness to industrial land could affect property values and favor displacement. The impacts of climate change will ultimately affect all residents, but disadvantaged populations are most at risk from climate impacts, such as, flooding, heat waves, and poor air quality. The proposed site plan is likely to disproportionately expose the residents of the Dayton Mobile Park to increased climate vulnerability by increasing hardscape and eliminating wetlands and woodlands that provide natural climate resilience services.

It is necessary to require a formal assessment on how this proposed project will affect the physical, mental, and financial health and climate change vulnerability of Dayton Mobile Park residents. The assessment needs to include the voice of those most potentially affected by this project, Dayton Mobile Park residents, and clearly indicate what mitigation plans will be set in place.

Response

Permits and Approvals

The comment is noted. Permit application(s) will be prepared and submitted to the ECWMC as necessary.

Land Use

The City of Dayton comprehensive planning process, comprehensive plans, future land use maps, and zoning map, and related documents are available at https://cityofdaytonmn.com/departments/planning-zoning/.

Stormwater

Runoff from the site drains east to French Lake, but it does not drain north to Diamond Lake. Although French Lake and Diamond Lake both flow to Diamond Creek, runoff from Diamond Lake enters Diamond Creek downstream from French Lake. The site is 50.76 acres, which is less than 0.5%of the 12,467-acre Diamond Creek watershed.

The site will be designed and constructed in compliance with the City of Dayton, ECWMC and NPDES stormwater management requirements to control, mitigate and treat stormwater runoff. City of Dayton and ECWMC rules and requirements for stormwater management have been developed to provide the appropriate treatment to be protective of water quality in downstream receiving waters. Compliance with these rules is expected to limit stormwater runoff rates, volumes, and associated pollutant transport.

Wetlands

A specific development plan and application for the site has not yet been submitted to the City. The project proponent will need to apply for wetland replacement plan approval under the WCA, demonstrate compliance with the wetland sequencing process, and provide design alternatives that avoid and minimize effects on wetlands to the extent practicable. The maximum development scenario does not avoid wetlands, and as a result, adjustments to the site plan to avoid wetlands may be required. As part of the wetland sequencing exercise, the project proponent will need to demonstrate that impacts on wetlands and water resources have been minimized.

Ecological Resources

Woodlands on the site include mostly green ash and boxelder, with some red oak, and buckthorn is predominant throughout the understory. The project is expected to remove about 4.51 acres and preserve about 1.23 acres of woodland. The project design prioritizes woodland preservation in the southeastern

part of the area, where wooded slopes rise above a natural watercourse and stormwater basin. This design accommodates development and supports surrounding infrastructure while preserving the most woodland onsite.

Transportation

The City of Dayton will continue to coordinate with Hennepin County and the City of Rogers regarding the access to Brockton Lane (CSAH 13) and related roadway improvements as future plans are brought forward.

Cumulative and Potential Effects Comments

The existing sources of contamination, identified and discussed under Item 12 of the EAW, do not pose a substantial contamination threat for the project area. The stabilization pond in the northeastern part of the site was a wastewater treatment lagoon that has been drained and reclaimed. The pond site was investigated in 1987, a site assessment was completed, the MPCA closed the site in 1997, and the site is now considered inactive. Available information suggests the WIMN sites identified within an 0.25-mile radius of the proposed project have been properly investigated and are closed, inactive, or appear to be under appropriate management.

Neither the construction process nor the proposed project is expected to generate substantial hazardous waste, solid animal manure, sludge, or ash. Project development is not expected to generate or store substantial amounts of hazardous wastes or materials. While future light industrial development could result in the storage or generation of small amounts of typical household cleaners, paints, lubricants, and small engine fuels over time, the proposed project does not include petroleum storage tanks or commercial petroleum businesses. The prosed project does not pose a significant contamination threat for the mobile home park.

The future of the mobile home park and affordable housing are outside the scope of the Dayton Park Industrial EAW. The EAW was completed to determine whether the project has potential for significant environmental effects. The EAW also identifies mitigation measures that help minimize environmental effects.

The comments do not identify how the project will "disproportionately expose the residents of the Dayton Mobile Park to increased climate vulnerability by increasing hardscape and eliminating wetlands and woodlands." The frame of reference for disproportionate exposure was not specified, but such a frame is critical to considering the role of a local project in exacerbating climate change, which occurs globally.

Similarly, the County did not identify a mandate that would require a formal assessment on how the proposed project will affect the physical, mental, and financial health and climate change vulnerability of Dayton Mobile Park residents. While such an assessment may be beneficial, it would be better tied to a review of affordable housing than to this specific EAW.

Minnesota Department of Natural Resources (MN DNR)

Comments

Shoreland District.

Because of the potential to pollute Public Waters, we encourage the proposer to meet the 25% maximum impervious surface ratio as required in the City of Dayton's Shoreland Ordinance.

Wetlands

So many wetlands in this area have already been drained or filled, and those that remain should only be impacted as a last resort. The proposed 2.65 acres of wetland impacts seems excessive.

Chloride Use

The increase of 36 acres of impervious surfaces would also greatly increase the amount of road salt used in the project area. Chloride released into local lakes and streams does not break down, and instead accumulates in the environment, potentially reaching levels that are toxic to aquatic wildlife and plants. Consider promoting local business and city participation in the Smart Salting Training offered through the Minnesota Pollution Control Agency.

Stormwater

We strongly encourage the use of native seed mixes and plants in project stormwater features and landscaping to the greatest degree possible in order to provide pollinator habitat.

Pollution

Should it be necessary to pump and treat polluted ground water in volumes that exceed 10,000 gallons per day, or one million gallons per year, then a DNR Water Appropriation Permit will be required for the pumping.

Response

Shoreland District.

The project proponent can apply for a PUD as part of the development application, and a PUD could allow for more than 25% of the site to be impervious surface. The City of Dayton has not yet determined whether a PUD would be appropriate for this development. If a PUD is to be granted, the proposal needs to show public benefits of the project design to warrant flexibility in typical design standards.

Wetlands

A specific development plan and application for the site has not yet been submitted to the City. The project proponent will need to apply for wetland replacement plan approval under the WCA, demonstrate compliance with the wetland sequencing process, and provide design alternatives that avoid and minimize effects on wetlands to the extent practicable.

Chloride Use

The impervious area added to the project site includes the proposed buildings and deicing agents such as chloride salts would not be applied to these areas. The City of Dayton has participated in Smart Salt training and intends to continue participation in upcoming years as part of the MS4 Permit requirements. The City is reviewing and will consider implementing educational and long-term chloride recommendations from the Twin Cities Metropolitan Area Chloride Management Plan (https://www.pca.state.mn.us/sites/default/files/wq-iw11-06ff.pdf). Educational programs such as the Smart Salting Training may be made available to private contractors as well as City staff. Accordingly, chloride reduction strategies will be considered to the extent practicable.

Stormwater

As noted in the EAW, site development may improve conditions for pollinators and pollinator dispersal as a result of discontinuing agricultural production, reducing agricultural pesticide use, and adding landscape buffers. Native seed mixes will be considered for buffers and transitional slopes around stormwater basins. The City and ECWMC require that wetland buffers be planted to native vegetation if they are disturbed or weedy.

Pollution

The comment is noted. The proposed project does not include pumping or treating polluted groundwater, as groundwater contamination sites described in the EAW are located near the site, but outside the property boundary.

Minnesota Department of Agriculture (MDA)

Comments

MDA stated they have no comments on the Lexington Waters Residential Development EAW.

Response

The comment is noted.

FINDINGS OF FACT

Project Description

Proposed Project

Dayton Park Industrial Center is proposed on 50.76 acres of land in the southwestern part of the City of Dayton, Hennepin County, Minnesota. The project will include up to 600,000 square feet of light industrial floor space and up to 300 vehicle parking stalls. Site development will include mass grading, installation of municipal sewer and water, and construction of buildings, parking, a street, and stormwater basins. The project will include about 13 acres of open space consisting of stormwater basins, grassland, and landscaping.

An Environmental Assessment Worksheet (EAW) was prepared pursuant to Minnesota Rules Part 4410.4300, Subp. 14.A.(2) (Industrial, commercial, and institutional facilities, third or fourth class city). The EAW and the respective comments have been reviewed in accordance with Minnesota Rules 4410.1700 to determine if the project has potential for significant environmental effects.

Site Description and Existing Conditions

The project area is about 71% cropland, 17% wetlands, ponds, and drainages; and 11% woodland. Site topography ranges from relatively flat to moderate slopes. The area has 30 feet of topographic relief and includes mostly loamy soils.

Decision Regarding the Potential for Significant Environmental Effects

Minnesota Rules 4410.1700, Subp. 7 lists four criteria that shall be considered in deciding whether a project has the potential for significant environmental effects. Those criteria and the City's findings are presented below.

A. Type, Extent, and Reversibility of Environmental Effects

Minnesota Rules 4410.1700 Subp. 7 (A) indicates the first factor that the City must consider is the "type, extent, and reversibility of environmental effects." The City's findings are set forth below.

1. **Cover Types**. The project will convert about 48 acres of cropland, woodland, wetland, and drainages to buildings, parking lots, street, stormwater basins, low maintenance grassland, and landscaping. The project is expected to impact about 2.65 acres of regulated wetland, remove about 4.51 acres of woodland, and preserve about 1.23 acres of woodland. The project will

include about 13 acres of open space consisting of mostly stormwater basins, grassland, and landscaping.

2. **Shorelands and Floodplains**. The project area includes about 7.25 acres located within the Shoreland Overlay District of French Lake (MN DNR public water 27-127P). The project proponent intends to develop the site as an Industrial PUD and a Shoreland PUD, but a PUD application has not yet been submitted. If a PUD to be granted, the proposal needs to show public benefits of the project design to warrant flexibility in typical design standards. To protect shoreland and meet criteria for a Shoreland PUD, the shoreland will be at least 50% open space and the structure setback from the ordinary high water level will be increased at least 50% above the minimum. The floodplain of French Lake is located over 200 feet east of the proposed project. The site is not in or adjacent to a wild and scenic river, critical area, or agricultural preserve.

3. **Land Use**. The project is compatible with surrounding land uses, which mostly include the mobile home park, agricultural fields, and commercial/industrial uses similar to the proposed project. The City of Dayton 2040 Comprehensive Plan guides the project area for Industrial land use. The proposed project will be consistent with industrial land use requirements. The site will be rezoned to I-1 Light Industrial District or Planned Unit Development (PUD) to align with the 2040 Comprehensive Plan.

4. **Geology and Soils**. Grading necessary for construction is expected to affect about 48 acres and involve movement of about 150,000 cubic yards of soil to construct building pads, access routes, parking areas, and stormwater basins.

5. **Water Quality**. Compliance with stormwater requirements will minimize and mitigate potential adverse effects on receiving waters. Project construction will add about 36 acres of impervious surface to the site, consisting of parking areas, buildings, and streets. The increased impervious surface area is expected to generate higher runoff rates, volumes, and pollutants. The project will include about 6.9 acres of stormwater basins to comply with requirements and mitigate stormwater runoff rates, volumes, pollutant loading, and adverse effects on water quality.

6. **Wetlands and Surface Waters**. Under the maximum development scenario presented in the EAW, the project construction would impact up to 2.65 acres of wetland distributed among five basins and 0.56 acre of ditches and swales distributed among seven locations. The project will require sequencing and wetland replacement plan approval from the City of Dayton and will need to consider design alternatives that avoid and minimize effects on wetlands to the extent practicable. The U.S. Army Corps of Engineers has issued an Approved Jurisdictional Determination (AJD) for all wetlands and drainages on the site except the natural intermittent watercourse that drains along the southeastern boundary of the site.

7. **Wastewater**. The project is expected to produce normal domestic wastewater that is typical of light industrial and office-warehouse developments. The project will not include heavy industrial wastewater production or onsite wastewater treatment. Wastewater conveyance and treatment facilities of the City of Dayton and Metropolitan Council have been designed with sufficient capacity in anticipation of continued development in the area.

8. **Hazardous Materials**. Review of MPCA and MDA "What's in My Neighborhood" (WIMN) interactive websites identified 16 listed sites located within an 0.25-mile radius of the project area. Five of these sites have been addressed in Phase I and Phase II Environmental Site Assessments and are considered inactive by the MPCA. The only listed site located within the project area is the previous wastewater treatment lagoon, now considered inactive by the MPCA. Available information suggests the WIMN sites identified within an 0.25-mile radius of the

proposed project have been properly investigated and are closed, inactive, or appear to be under appropriate management.

9. **Ecological Resources**. Project development will convert about 48 acres of cropland, woodland, wetland, and drainages to buildings, parking lots, street, stormwater basins, low maintenance grassland, and landscaping. The project will include about 13 acres of open space consisting of stormwater basins, grassland, and landscaping. Development is expected to preserve about 1.23 acres of woodland. Habitat conversion is expected to affect the number and type of wildlife species in the area, but changes in wildlife abundance are not expected to be regionally significant.

10. **Historic Resources**. The State Historic Preservation Office concluded that there are no properties listed in the National or State Registers of Historic Places and no significant archaeological sites located in the area that will be affected by this project.

11. **Visual Resources**. Most existing views of the site include farmland, wetlands, and wooded field edges. There are no prominent scenic vistas on or near the property, but part of the property overlooks French Lake. The proposed project will operate 24 hours a day, six days a week. Nighttime noise and light pollution will be minimized with landscape buffers, delivery timing, loading trucks inside of buildings, and using light fixtures that direct light where it's needed and shield light from sensitive areas. Project development is expected to result in routine effects on visual resources, but substantial effects on visual resources are not anticipated.

12. **Air**. The Minnesota Environmental Quality Board is working on integrating greenhouse gas (GHG) assessment into environmental review. GHG are expected to result from building heating, trucking, and other activities. The mitigation and adaption measures listed in the EAW and the Response to Comments can help reduce GHG generation and limit climate change impacts.

13. **Noise**. Local noise levels are expected to increase temporarily during project construction. Noise generated by construction equipment and building construction will be limited primarily to daylight hours when noise levels are commonly higher than at night. Noise levels after development will relate to truck traffic and light industrial operations. The development proposed will operate 24 hours a day, six days a week. Nighttime residential noise standards will apply within the mobile home park to the south between 10:00p.m. and 7:00a.m.. The project will include mitigation measures to reduce nighttime noise levels and is expected to comply with nighttime noise standards. Noise mitigation measures include a landscape buffer, delivery scheduling, and loading trucks inside buildings.

14. **Transportation**. The Traffic Study indicated that all intersections in the area are expected to operate at acceptable overall Levels of Service (LOS) in 2025 and 2040 with and without the proposed project. The proposed project will require a new site access that will be a public street oriented along the southern site boundary and connecting Brockton Lane with French Lake Road. The new access to Brockton Lane and turn lane configurations will be coordinated with Hennepin County as noted in the Response to Comments.

B. Cumulative Potential Effects

Minnesota Rules 4410.1700 Subp. 7 (B) indicates the second factor the City must consider is "whether the cumulative potential effect is significant; whether the contribution from the project is significant when viewed in connection with other contributions to the cumulative potential effect; the degree to which the project complies with approved mitigation measures specifically designed to address the cumulative potential effect; and the efforts of the proposer to minimize the contributions from the project." The City's findings are set forth below.

Projects typically combine to produce cumulative effects on municipal resources like drinking water and wastewater treatment. The City of Dayton has planned for growth and increased capacity to address these cumulative effects. The proposed project will implement approved mitigation measures and be consistent with land use policies for areas served by municipal sewer and water.

Cumulative effects of land development on natural resources may include the loss of agricultural land, relocation of wetlands, and the loss and fragmentation of wildlife habitat like woodland and grassland. Surface water runoff from the project area will be treated prior to discharge to wetlands and receiving waters. Stormwater regulations and water quality BMPs are expected to minimize cumulative effects of post-development runoff on downstream waters.

Separate land development projects have cumulative effects on climate change when they emit greenhouse gases to our shared atmosphere. Separate projects can also experience cumulative effects of climate change through heat stress, drought, flooding, and displacement.

C. Extent to Which the Environmental Effects are Subject to Mitigation

Minnesota Rules 4410.1700 Subp. 7 (C) indicates the third factor the City must consider is the "extent to which the environmental effects are subject to mitigation by ongoing public regulatory authority." The City's findings are set forth below.

Environmental effects on water quality, wetlands, and traffic are subject to additional approvals and/or mitigation through requirements of local, state, and federal regulations, ordinances, management plans, and permitting processes. The following permits and approvals are required for the project addressed under the EAW. These processes will provide additional opportunity to require mitigation.

Potential environmental effects associated with this project will be mitigated in accordance with applicable rules and regulations. The City of Dayton therefore finds that potential environmental effects of the project are less than significant and "subject to mitigation by ongoing public regulatory authority."

Table 1. Permits and Approvals

Unit of Government	Type of Application	Status
City of Dayton	EIS Need Decision	Submitted
City of Dayton	Rezoning PUD, and Preliminary Plat	To be submitted
City of Dayton	Shoreland Conditional Use Permit	To be submitted
City of Dayton	Final Plat and PUD	To be submitted
City of Dayton	Wetland Impact and Replacement Approval	To be submitted
City of Dayton	Grading Permit	To be submitted
City of Dayton	Building Permit	To be submitted
City of Dayton	Stormwater Management and Erosion Control	To be submitted
City of Dayton	Municipal Water Connection Permit	To be submitted
City of Dayton	Sanitary Sewer Connection Permit	To be submitted
Elm Creek Watershed Management Commission	Stormwater, Erosion Control, and Site Plan Approval	To be submitted
Minnesota Department of Health	Water Main Extension Approval	To be submitted

Table 1. Permits and Approvals

Unit of Government	Type of Application	Status
Minnesota Department of Natural Resources	Water Appropriation Permit	To be submitted if needed
Minnesota Pollution Control Agency	NPDES/SDS General Permit	To be submitted
Minnesota Pollution Control Agency	Section 401 Water Quality Certification or Waiver	To be submitted if needed
U. S. Army Corps of Engineers	Section 4040 Permit	To be submitted if needed

D. Extent to Which Environmental Effects can be Anticipated and Controlled

Minnesota Rules 4410.1700 Subp. 7 (D) indicates the final factor the City must consider is the "extent to which environmental effects can be anticipated and controlled as a result of other environmental studies undertaken by public agencies or the project proposer, including other EISs." The City's findings are set forth below.

1. The proposed project design, plans, EAW, related studies, and mitigation measures apply knowledge, approaches, standards, and best management practices gained from previous experience and projects that have, in general, successfully mitigated potential offsite environmental effects.

2. The EAW, in conjunction with this document, contains or references the known studies that provide information or guidance regarding environmental effects that can be anticipated and controlled.

3. Other projects studied under environmental reviews in Minnesota have included studies and mitigation measures comparable to those included in this EAW.

4. There are no elements of the project that pose the potential for significant environmental effects that cannot be addressed by the project design, assessment, permitting and development processes, and by ensuring conformance with regional and local plans.

5. The environmental effects of this development can be anticipated and controlled by the permit application and review processes of the City, the Watershed Commission, and others.

6. Considering the results of environmental review and permitting processes for similar projects, the City of Dayton finds that the environmental effects of the project can be adequately anticipated and controlled.

Based on the EAW, comments received, responses to comments, and criteria above, the City of Dayton finds that Dayton Park Industrial Center does not have the potential for significant environmental effects and does not require the preparation of an EIS.

RECORD OF DECISION

Based on the EAW, the response to comments, and the Findings of Fact, the City of Dayton, the RGU for this environmental review, concludes the following:

1. The EAW was prepared in compliance with the procedures of the Minnesota Environmental Policy Act and Minnesota Rules, Parts 4410.1000 to 4410.1700;

2. The analysis within the EAW is adequate to assess the project and satisfactorily addressed the issues for which existing information could have been reasonably obtained;

3. Based on the criteria established in Minnesota Rules 4410.1700, the project does not have the potential for significant environmental effects;

4. The City makes a “Negative Declaration;” and

5. **An EIS is not required.**

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Appendix A
Written Comments Submitted to the City of Dayton

Record of Decision
Dayton Park Industrial Center EAW

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elm creek
Watershed Management Commission

ADMINISTRATIVE OFFICE
3235 Fernbrook Lane
Plymouth, MN 55447
PH: 763.553.1144
E-mail: judie@jass.biz

August 25, 2021

City of Dayton
Ms. Tina Goodroad, City Administrator
12260 South Diamond Lake Road
Dayton, Minnesota 55327

Re: Dayton Park Industrial Center EAW

Dear Ms. Goodroad

On behalf of the Elm Creek Watershed Management Commission, I would like to offer the following comments on the Dayton Park Industrial Center EAW.

- The Elm Creek WMC standards and requirements are addressed in this EAW report. A complete list of the Elm Creek WMC rules and standards can be viewed at Application Requirements - Elm Creek Watershed. Site development must meet these stormwater, wetlands, buffers, floodplains and erosion control standards.
- The EAW discusses a reclassification of the shoreland district area to a PUD shoreland classification. The Elm Creek WMC would prefer the shoreland district for this site remain without the PUD district reclassification.
    - We believe the reclassification of the shoreland district to a PUD classification in the French Lake Industrial Center has altered the French Lake shoreland district to an extent practical and reasonable. Additional reclassification within the district overlay should meet a higher standard unless the city would like over 50% of the shoreline reclassified to PUD. We do not believe this was the intent of the shoreland district ordinance. We further believe that 25% impervious cover withing the shoreland district of 7.25 acres on the Dayton Park Industrial Center is reasonable.
    - French Lake was initially designated as an Impaired Water due to excess nutrients; however, a TMDL was not completed because French Lake was determined to be a wetland system. The water quality of French Lake is a driver of the water quality on Diamond Creek, which flows out of the lake. Diamond Creek is impaired for excess nutrients and sediment as well as impaired fish and macroinvertebrate communities. Land use conversion of the upstream watershed has contributed to these impairments.

- This site plan, along with the French Lake Industrial Park, Troy Lane Parcel, Spaamen Property, the Commercial Strip, SW Area Business, French Lake Golf Course and the Kinghorn Industrial areas of Rogers are all highly dense industrial areas that account for major land use and grading impacts to the French Lake area of Dayton. To a large extent wetlands and open areas on these parcels are being removed and being replaced with 60% or greater impervious surfaces and manicured turf with little or no natural areas remaining. These changes will result in localized habitat loss, disconnection of habitat, warming of runoff, and microclimate impacts. The cumulative effect of the impact to natural resources within these approximately 350 acres, does not seem to be addressed.

Please contact me if you have any questions on this information.

Sincerely

James C. Kujawa
Technical Advisor to the Commission

Cc Ross Mullen, ECWMC
Judie Anderson, ECWMC
Doug Baines, Dayton Commissioner, ECWMC

MINNESOTA POLLUTION CONTROL AGENCY

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September 2, 2021

Tina Goodroad
City of Dayton
12260 South Diamond Lake Road
Dayton, MN 55327

RE: Dayton Park Industrial Center Environmental Assessment Worksheet

Dear Tina Goodroad:

Thank you for the opportunity to review and comment on the Environmental Assessment Worksheet (EAW) for the Dayton Park Industrial Center project (Project) in the city of Dayton, Hennepin County, Minnesota. The Project consists of development of an industrial park. Regarding matters for which the Minnesota Pollution Control Agency (MPCA) has regulatory responsibility or other interests, the MPCA staff has the following comments for your consideration.

Water Resources (Item 11)

Stormwater

The EAW indicates that stormwater retention basins will be utilized for stormwater management due to unsuitable soils for infiltration. The Project proposer is encouraged to consider utilizing stormwater for reuse to reduce the volume of stormwater discharged to area surface waters and help address flooding. The Project proposer should also consider use of green infrastructure to reduce stormwater runoff such as increasing tree canopy, use of green roofs, tree trenches within parking areas, reducing impervious surfaces or using pervious pavements. Please direct questions regarding Construction Stormwater Permit requirements to Roberta Getman at 507-206-2629 or roberta.getman@state.mn.us.

Surface water

The Project will include up to 600,000 square feet of light industrial floor space and up to 300 vehicle parking stalls on 50.76 acres in southwestern Dayton. Table 3 of the EAW includes the United States Army Corps of Engineers (USACE) Section 404 Permit and the MPCA 401 Water Quality Certification. The EAW goes on to state that if the maximum development scenario was considered, Project construction would fill about 2.65 acres of wetland in five basins and 0.56 acres of ditches and swales in 7 locations. However, any permanently impacted wetlands must be mitigated at a replacement ratio and location acceptable to all agencies that regulate surface waters for the State of Minnesota.

In addition, the 401 Water Quality Certification becomes an enforceable component of the associated federal license or permit, issued under either Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act. The scope of a Clean Water Act Section 401 Certification is limited to assuring that a discharge from a federally licensed or permitted activity will comply with water quality requirements. Revisions to the Section 401 rule became effective in September 2020.

With the Antidegradation Assessment mentioned in the EAW, the applicant is also required to request a pre-filing meeting from the certifying agency at least 30 days prior to submitting a 401 Water Quality Certification request. The MPCA is the certifying authority in the State of Minnesota.

Also, in accordance with Minnesota Statutes, the Project should include the MPCA as a regulator of all surface waters as defined by Minn. Stat. § 115.01, subd. 22. Waters of the state. "Waters of the state" means all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the state or any portion thereof. Even though there may be surface waters that are determined to be USACE non-jurisdictional, or exempt from the Wetlands Conservation Act, *all surface waters are regulated by the MPCA* and any surface water impact needs to be described in the application and may require mitigation. For further information about the 401 Water Quality Certification process, please contact Bill Wilde at 651-757-2825 or william.wilde@state.mn.us.

We appreciate the opportunity to review this Project. Please provide your specific responses to our comments and notice of decision on the need for an Environmental Impact Statement. Please be aware that this letter does not constitute approval by the MPCA of any or all elements of the Project for the purpose of pending or future permit action(s) by the MPCA. Ultimately, it is the responsibility of the Project proposer to secure any required permits and to comply with any requisite permit conditions. If you have any questions concerning our review of this EAW, please contact me by email at karen.kromar@state.mn.us or by telephone at 651-757-2508.

Sincerely,

Karen Kromar

This document has been electronically signed.

Karen Kromar
Project Manager
Environmental Review Unit
Resource Management and Assistance Division

KK/RG/WW:vs

cc: Dan Card, MPCA, St. Paul
Roberta Getman, MPCA, Rochester
Bill Wilde, MPCA, St. Paul

September 8, 2021

Tina Goodroad, City Administrator/Development Director
City of Dayton
12260 South Diamond Lake Road
Dayton, MN 55327

RE: City of Dayton - Environmental Assessment Worksheet (EAW) – Dayton Park Industrial Center
Metropolitan Council Review No. 22615-1
Metropolitan Council District 1

Dear Tina Goodroad:

The Metropolitan Council received the EAW for the Dayton Park Industrial Center project on August 9, 2021. The proposed development consists of 50.76 acres with up to 600,000 square feet of light industrial floor space and up to 300 vehicle parking stalls proposed. The proposed project is in southwest Dayton, southeast of the Brockton Lane North and 124th Avenue North intersection. The project area currently includes mostly cropland with no existing structures.

The staff review finds that the EAW is complete and accurate with respect to regional concerns and does not raise major issues of consistency with Council policies. An EIS is not necessary for regional purposes.

We offer the following comments for your consideration.

Item 9 – Land Use (Todd Graham, 651-602-1322, Freya Thamman,651-602-1750)
The EAW discusses three potential concepts. Resulting built space ranges from 470,000 to 598,000 square feet of light industrial. For planning, the 598,000-square-foot concept is the maximum impact scenario.

The EAW site is a small part of Transportation Analysis Zone #807. Draft TAZ allocations for 2040 have been prepared by the City. The City allocates +198 jobs of employment growth here during 2020-2040. Should the Industrial Center project move forward, the TAZ allocation is not adequate. Council staff would recommend increasing the TAZ allocation by an additional +400 employment added to future years; this amount can be debited from other TAZs in Dayton, leaving the communitywide forecast unchanged.

The City's 2030 Comprehensive Plan (Plan) and draft 2040 Plan have guided the project area as Industrial. The proposed project is consistent with this guiding. The EAW notes that the project area is zoned R-MH Mobile Home District and will need to be rezoned to align with the comprehensive plan.

The City's 2030 Comprehensive Plan is currently in effect. The City's 2040 Plan was submitted October 27, 2020 and found incomplete for review. Please do not hesitate to contact Freya Thamman, Sector Representative, with questions or assistance on the resubmittal of the City's 2040 Plan. The City's planning grant and eligibility to participate in 2022 Livable Community's Act Program require a complete 2040 Plan by the end of the year.

Item 11 – Water Resources, Stormwater and Item 16 – Air (Joe Mulcahy, 651-602-1104, Cameran J. Bailey, 651-602-1119)
It appears that each of the three concept plans will impact the French Lake Shoreland Overlay District with either buildings, stormwater ponds, or both. The EAW states that the applicants will apply for a shoreland PUD for the project. The Council encourages the applicant to

incorporate minimum impact development / green infrastructure stormwater practices in the project to the extent possible to help address the shoreland impacts.

The design and integration of greenroof systems as complementary stormwater infrastructure on the rooftops of the "600,000 square feet of building floor space" is recommended. Greenroof systems are also easily integrated into the other stormwater management practices referenced in the EAW, and provide a myriad of other benefits to wildlife, habitat, energy efficiency, water quality, and air quality.

The use of the Center for Neighborhood Technology's "Green Values Stormwater Management Calculator" (*https://greenvalues.cnt.org/index.php*) for cross-evaluating multiple green stormwater management practices by cost, function, and maintenance is recommended. .

The MPCA's online Minnesota Stormwater Manual offers guidance for calculating stormwater management values for greenroof systems (*https://stormwater.pca.state.mn.us/index.php/Green_roofs*).

The Council's Surface with Purpose Tool offers technical assistance for projecting green roof stormwater retention capabilities (*https://metrocouncil.org/Communities/Planning/Local-Planning-Assistance/Solar/Surface-with-Purpose-Interactive.aspx*).

Item 18. Transportation. (Cameran J. Bailey, 651-602-1119)
The Council recommends that City and developer consider the integration of EV charging infrastructure (or EV-ready infrastructure) to serve some portion of the parking spaces throughout the development. Guidance on Electric Vehicle-charging readiness can be found in the Great Plains Institute's "Becoming Electric Vehicle Ready" guideline document (*https://www.driveelectricmn.org/becoming-ev-ready/*).

Item 19. Cumulative Potential Effects (Cameran J. Bailey, 651-602-1119)
The City's draft 2040 Comprehensive Plan states *"The City of Dayton will consider solar access in the review of site plans and planning decisions. The figure below shows Dayton has high solar potential."* Design and integration of solar panels at this proposed development is recommended to serve some portion of the electricity to be consumed by "600,000 square feet of light industrial floor space." A 600,000-square-foot rooftop can accommodate the development a 8.5 megawatts (MW) solar panel energy system. 8.5MW produces enough energy to power approximately 1,700 single-family, Minnesota homes for a year, the equivalent to powering over two-thirds of the City of Dayton's residential properties every year. The U.S. National Renewable Energy Lab's tool "PV Watts" for cross-evaluating solar cost, design, and production (*https://pvwatts.nrel.gov/index.php*) is recommended.

This concludes the Council's review of the EAW. The Council will not take formal action on the EAW. If you have any questions or need further information, please contact Freya Thamman, Principal Reviewer, at 651-602-1750 or via email at Freya.Thamman@metc.state.mn.us.

Sincerely,

Angela R. Torres, AICP, Manager
Local Planning Assistance

CC: Tod Sherman, Development Reviews Coordinator, MnDOT - Metro Division
Judy Johnson, Metropolitan Council District 1
Freya Thamman, Sector Representative/Principal Reviewer
Reviews Coordinator

N:\CommDev\LPA\Communities\Dayton\Letters\Dayton 2021 Dayton Industrial Park Center EAW 22615-1.docx

DEPARTMENT OF ADMINISTRATION
STATE HISTORIC PRESERVATION OFFICE

September 8, 2021

Tina Goodroad
City Administrator/Development Director
City of Dayton
12260 South Diamond Lake Road
Dayton, MN 55327

RE: EAW – Dayton Park Industrial Center
T120 R22 S30, Dayton, Hennepin County
SHPO Number: 2021-2706

Dear Tina Goodroad:

Thank you for providing this office with a copy of the Environmental Assessment Worksheet (EAW) for the above-referenced project.

We have reviewed the information included in the EAW, as well as the report titled *Phase I Archaeological Survey of Proposed Dayton Park Industrial Center in Dayton, Hennepin County, Minnesota* (April 21, 2021) as prepared by Nienow Cultural Consultants. One archaeological site was identified as a result of the investigations, site **21HE0546**. We agree with the consultant's recommendation that this site is **not eligible** for listing in the National Register of Historic Places.

Therefore, based on information that is available to us at this time, we conclude that there are no properties listed in the National or State Registers of Historic Places located in the area that will be affected by this project. We also conclude that there are no significant archaeological sites located in the area that will be affected by this project.

We note that a copy of the Phase I archaeological survey report was included as an attachment to the EAW. This report contains protected data and should not be included in a public document. For future projects, the survey reports and findings should be referenced and summarized under "Item 14. Historic Properties" in the EAWs but should not be included in the EAWs themselves. Instead, the survey reports should be submitted to the SHPO and the Office of the State Archaeologist (OSA) as separate attachments.

Please note that this comment letter does not address the requirements of Section 106 of the National Historic Preservation Act of 1966 and 36 CFR § 800. If this project is considered for federal financial assistance, or requires a federal permit or license, then review and consultation with our office will need to be initiated by the lead federal agency. Be advised that comments and recommendations provided by our office for this state-level review may differ from findings and determinations made by the federal agency as part of review and consultation under Section 106.

Please contact Kelly Gragg-Johnson, Environmental Review Program Specialist, at kelly.graggjohnson@state.mn.us if you have any questions regarding our review of this project.

Sincerely,

Sarah J. Beimers
Environmental Review Program Manager

All Parks Alliance for Change ■ APAC

An Organization of Manufactured Home Park Residents

September 9, 2021

City of Dayton
Attn: Tina Goodroad
12260 South Diamond Lake Road
Dayton, MN 55327
E-Mail: tgoodroad@cityofdaytonmn.com

RE: Comments on Dayton Park Industrial Center's Environmental Assessment Worksheet

To Whom It May Concern:

We write on behalf of All Parks Alliance for Change (APAC) the state association of Minnesota's 180,000 manufactured (mobile) home park residents. We write to submit these comments on the Dayton Park Industrial Center's Environmental Assessment Worksheet. As you know, the Dayton Park manufactured home park community borders the proposed development. There are 230 families that will be profoundly impacted by how this site is developed and used. Manufactured housing provides a valuable source of affordable housing and access to homeownership for those with modest incomes, but is also highly vulnerable since residents own their homes but only rent the land. The fair market rent for a two bedroom in the Twin Cities metro area is $1,027. Near the park, the small area fair market rent is $1,230, almost two and a half times the average lot rent in the park. The city should be taking steps to protect Dayton Park and the residents who live there. In fact, the city could follow the example of Ham Lake, Rosemount, and St. Francis, which support expansion of existing parks into adjacent undeveloped land.

In general, we see a fundamentally different approach to what is considered acceptable development next to a manufactured home neighborhood than we would see next to a site-built home neighborhood. We are concerned the proposed industrial center further isolates this park community from other residential areas and further separates residents from access to natural spaces. The consequences of this further separation and isolation is to not only reduce the quality of life for residents in the short term, but to impact the potential resale value of their homes in the long term. With the additional risk of future development (potentially of the same kind), possibly as soon as one to three 3 years, these significant impacts could grow even larger.

During construction, we have concerns about both pollution and traffic. We are concerned about the issues raised in the assessment about the impacts of dust, odors, and noise and light pollution on this large residential community. We are also concerned about the harmful materials and toxic substances that residents may be exposed to with the proposed development of this site. The land was used for agriculture from 1937 to 1964. What kinds of agricultural chemicals were used? There is an old dump and stabilization pond on the site. What plans have been made for contacting and removing materials? We are also concerned about traffic during the construction process, both the increase in traffic as well as the heavy use of large vehicles that may increase road wear and tear and decrease traffic safety.

We are very concerned about how this proposed development will operate. It is alarming that the site will not only operate 24-hours a day and 6 days a week, but that it will allow active deliveries from 7:00 a.m. to 9:00 p.m. and only observe residential noise standards from 10:00 p.m. to 7:00 a.m. This will impose an

unacceptable level of noise and light pollution on the residents. It is problematic that the assessment itself notes that the proposed plans violate current development standards in several ways, including the amount of impervious surface area (which will increase storm water runoff, potentially into the park) and building heights (which will harm the residential character and quality of life in the park).

We have a number of concerns related to the amount of new traffic the development will bring to the area; specifically, the 1,809 daily trips including many by large vehicles. This dramatic increase in traffic will bring with it sharp increases in noise, congestion and vehicle emissions, and concerns about the safety of pedestrians and residential drivers. We see the increased presence of large vehicles as especially contributing these problems as well promoting great road wear and tear, which may cause damage to residents' vehicles. In addition, we are concerned about how all of these problems will impact children and school bus traffic. Finally, we were surprised to see in the map for Concept C consideration of actually routing this increased traffic directly into the park.

We feel several important points need to be considered in the assessment of this proposed development. While we do not think a project such as this one should move forward, if it does, we make the following recommendations. There should be plans for how residents will remain connected to other residential areas and still be able to access natural spaces. There should be limits placed on future development, including maintaining the zoning classification of R-MH Mobile Home District and, in fact, supporting the park if it were to consider expanding into the undeveloped land. The city must protect the interests of the 230 families (802 people) who are residents of the city from additional harm. Steps should be taken to protect the quality and resale value of homes in the community. There should be specific plans to deal with possible harmful materials or toxic substances in the soil, dump, or stabilization pond. Visual screening should take the form of fencing and walls; not only because it is more effort, but also because it provides more security for the residents. Residential noise standards should be met from 6:00 p.m. until 8:00 a.m.; excluding only normal business hours. The number of daily trips should be limited and there should a study of traffic and noise, in order to identify the best mitigation options. A lighted intersection should be installed at the main entrance to the park on Brockton Lane North, in order to promote resident safety and ease of entrance and exit from the park. Plans should be made for increased road maintenance. Finally, steps should be taken to ensure children are safe when leaving for and returning from school.

Thank you for taking the time to consider our comments. If you have any questions, you can contact us at 651-644-5525 or info@allparksallianceforchange.org.

Sincerely,

Dave Anderson
Executive Director

Juan Rivera-Reyes
Community Organizer

HENNEPIN COUNTY
MINNESOTA

September 9, 2021

Tina Goodroad
City Administrator/ Development Director
12260 South Diamond Lake Rd
Dayton, MN 55327

Re: Comments to the Dayton Park Industrial Center EAW as advertised in the EQB Monitor August 10, 2021

Dear Ms. Goodroad:

This letter provides comments to the above noted Environmental Assessment Worksheet (EAW) document for the Dayton Park Industrial Center that is being planned in the City of Dayton. The project is being planned by Landspec Fund 3 LLC and will include constructing up to 600,000 square feet of light industrial floor space and up to 300 vehicle parking stalls on 50.76 acres in southwestern Dayton. Site development will include mass grading, installation of municipal sewer and water, and construction of buildings, parking, and stormwater basins.

The project area includes mostly cropland with some wetland and woodland. The site has no existing structures. Adjoining lands are used by a mobile home park and commercial-industrial development to the west, agricultural and rural residential to the north, French Lake to the east, and agricultural and light industrial to the south.

Road Design Comments

Access to the east side project site is via municipal French Lake Road West, and via Brockton Lane North (CSAH 13) on the east. The county's road design and planning groups have exchanged comments and concerns with both Dayton and Rogers over how access onto CSAH 13 would best be handled. The County and City('s) staff will continue to coordinate any traffic mitigation needs. If this development in coordination with the City of Dayton moves forward with a new street connection to Brockton Lane, access alignment to the Rogers side will be essential. Regardless of access alignment turn lanes will be required along Brockton Ln to serve this development and will need to be reviewed and approved by county staff.

Water resource and natural resource comments

This 50.76 acre Dayton Park Industrial Center development is directly west of French Lake. Runoff from the development will flow north and east to Diamond Lake and French Lake, respectively. Both lakes drain to Diamond Creek and eventually to Elm Creek and the Mississippi River. Diamond Lake is impaired by excess nutrient runoff, frequently causing late summer algae blooms. Both Diamond Creek and Elm Creek have several water quality impairments, including low dissolved oxygen, high Escherichia coli, and poor fish and macroinvertebrate biological assessments, among others. This development provides a unique opportunity to capitalize on this one-in-a-generation change in land use for this parcel, and "lock in" practices that improve the environmental footprint of the site while greatly reducing the amount and impact of runoff.

The Dayton Park Industrial Center development will be required to meet Elm Creek Watershed Management Commission rules, including those to manage and treat excess stormwater runoff, protect natural resources, and minimize any negative impacts to downstream water quality. Commission rules include no net increase in 2-year, 10-year, and 100-year critical storm events, infiltration/abstraction of the first 1.1" of runoff on new impervious surfaces, and no net increase in total phosphorus and total suspended solids from pre-development to post-development land cover. To address current and future challenges posed by our changing climate, including increased intensity and volume of storm events, sites like this should go above and beyond to protect both site infrastructure, public infrastructure, as well as downstream resources that could be impacted. We encourage the city to seek and encourage site plans that consider risks and liabilities for public and private interests when stormwater infrastructure is not designed for our current and future climate. The County and other stakeholders have a shared interest to promote success of this development and on management of the land. Please don't hesitate to reach out to look for opportunities and partnership to exceed these basic stormwater management requirements.

As currently proposed, this project plans to remove 2.65 acres of wetlands and replace them with "acceptable wetland banks" within the same Major Watershed and Bank Service Area. It does not appear that any effort to avoid or minimize wetland impacts was made in the development scenarios shown, as is required by law. Through our role in the Wetland Conservation Act permitting process, Hennepin County will ensure that appropriate wetland impact sequencing takes place for any proposed development on this site, and that every effort is made to avoid and minimize wetland impacts. Our remaining wetlands provide tremendous public benefit in the form of critical protection from flooding and water quality degradation. Due to a lack of wetland bank credits in Hennepin County, mitigation often leads to wetland "replacements" several counties away, which provide little value to Hennepin County residents. If replacement with wetland bank credits is necessary as part of the development of this site after considering alternatives, Hennepin County will request that the site developer includes bank credits from within Hennepin County as part of their replacement plan.

Similarly, this project proposes to remove 4.5 acres of woodlands, most of which is connected to an adjacent 16 acre parcel containing woodlands and forested wetlands under the same

ownership. Woodlands provide important stormwater management and carbon storage services to the residents of Hennepin County. Consider opportunities within this development to preserve existing tree cover, important individual trees within the woodlands, and/or to mitigate for tree loss in the landscaping plan of the project.

Lastly, given other ongoing development in this area, the county would appreciate having a more comprehensive understanding of the development approach to this general area. There could be exciting opportunities to take a more regional approach to going above and beyond the minimum requirements, and concerns about cumulative impacts to natural resources could be assessed and understood.

Cumulative and Potential Effects Comments

While reviewing the EAW for this proposal, it was worrisome not to find a consideration of possible environmental contamination threats to the physical, mental, and economic *health* of the approximately 1,200 residents of Dayton Mobile Park. Most of these nearby residents are *low-income and people of color*. For many decades, environmental inequalities have disproportionally threatened communities of color by locating industrial developments near where they live. Industrial facilities contribute to air pollution, safety issues, and health concerns. Many of the industrial pollutants are associated to asthma, cardiovascular issues, lung disease, and cancer. Low income and communities of color already bear the largest health disparities in this Country. Conscious decisions can keep these injustices away.

It will be also important to address the impact of this proposed project on housing stability for Dayton Mobile Park residents. Now, in the middle of the nation's affordable housing crisis, manufactured housing is one of the most affordable homeownership options. Closeness to industrial land could affect property values and favor displacement. There is strong evidence between housing and health. Housing stability, quality, safety, and affordability all affect health outcomes.

The impacts of climate change will ultimately affect all residents, but the impacts will not be felt equally. Communities of color, low-income families, and those with disabilities contribute least to the problem but are most at risk from climate impacts, such as, flooding, heat waves, and poor air quality. Several elements of the proposed site plan are likely to disproportionately expose the residents of the Dayton Mobile Park to increased climate vulnerability by increasing hardscape and eliminating wetlands and woodlands that provide natural climate resilience services.

It is necessary to require a formal assessment on how this proposed project will affect the physical, mental, and financial health and climate change vulnerability of Dayton Mobile Park residents. The assessment needs to include the voice of those most potentially affected by this project, Dayton Mobile Park residents, and clearly indicate what mitigation plans will be set in place.

In closing it is important to note that direct roadway impacts and necessary roadway mitigation steps by the developer will be determined during the county's plat review process, and at that time the county's right-of-way dedication request will be determined based partially on the needed mitigation by the development. Please make sure that the county development review staff are notified at the time any further site-specific plans are submitted to the city.

We appreciate your consideration of Hennepin County comments at this time and look forward to your response. If you have any questions, please contact me a 763-478-7319 or david.jaeger@hennepin.us.

Sincerely,

David Jaeger

David Jaeger
Environmental Specialist

Cc: Jason Gottfried and Chad Ellos, HC Transportation Planning
Karen Galles and Christopher Guentzel, HC Environment and Energy
Liliana Tobon Gomez, HC Human Services and Public Health Department

DEPARTMENT OF NATURAL RESOURCES

Division of Ecological and Water Resources
Region 3 Headquarters
1200 Warner Road
Saint Paul, MN 55106

Transmitted by Email

September 9, 2021

Tina Goodroad
City Administrator / Development Director
City of Dayton
12260 South Diamond Lake Road
Dayton, MN 55327

Dear Tina Goodroad,

Thank you for the opportunity to review the Dayton Park Industrial Center EAW. The DNR respectfully submits the following comments for your consideration:

1. Page 3 Project Description. So many wetlands in this area have already been drained or filled, and those that remain should only be impacted as a last resort. The proposed 2.65 acres of wetland impacts seems excessive.
2. Page 7, Shoreland District. Because of the potential to pollute Public Waters, we encourage the proposer to meet the 25% maximum impervious surface ratio as required in the City of Dayton's Shoreland Ordinance.
3. Page 16, Post-Construction Site Runoff. The substantial increase of 36 acres of impervious surfaces would also greatly increase the amount of road salt used in the project area. Chloride released into local lakes and streams does not break down, and instead accumulates in the environment, potentially reaching levels that are toxic to aquatic wildlife and plants. Consider promoting local business and city participation in the Smart Salting Training offered through the Minnesota Pollution Control Agency. There are a variety of classes available for road applicators, sidewalk applicators, and property managers. More information and resources can be found at this website. Many winter maintenance staff who have attended the Smart Salting training — both from cities and counties and from private companies — have used their knowledge to reduce salt use and save money for their organizations.
4. Page 18, Stormwater and Erosion Control BMP's. We strongly encourage the use of native seed mixes and plants in project stormwater features and landscaping to the greatest degree possible in order to provide pollinator habitat. The Board of Soil and Water Resources' website contains many great resources for choosing seed mixes and establishing native plants.

5. Page 25, Pollution. Should it be necessary to pump and treat polluted ground water in volumes that exceed 10,000 gallons per day, or one million gallons per year, then a DNR Water Appropriation Permit will be required for the pumping.

Thank you again for the opportunity to review this document. Please let me know if you have any questions.

Sincerely,

Melissa Collins

Regional Environmental Assessment Ecologist | Ecological and Water Resources
Minnesota Department of Natural Resources
1200 Warner Road
St. Paul, MN 55106
Phone: 651-259-5755
Email: melissa.collins@state.mn.us

CC: Jon Rausch, Landspec Fund 3 LLC

Equal Opportunity Employer

From: Roos, Stephan (MDA) <stephan.roos@state.mn.us>
Sent: Thursday, September 9, 2021 4:12 PM
To: Tina Goodroad <TGoodroad@cityofdaytonmn.com>
Subject: Dayton Park Industrial Center EAW

Hi Tina,
The Minnesota Department of Agriculture appreciates the opportunity to review the Dayton Park Industrial Center EAW. We have no comments to make on the document.
Thanks again,
Steve

Steve Roos, PLA, ASLA
Environmental Planner
Energy and Environment Section
Agricultural Marketing and Development Division
Minnesota Department of Agriculture
625 Robert Street North
Saint Paul, MN 55155-2538
Ph: 651-201-6631 office, 651-245-2392 cell

www.mda.state.mn.us

Dayton Park Industrial Center

Environmental Assessment Worksheet

July 27, 2021

Responsible Governmental Unit (RGU)

City of Dayton
12260 South Diamond Lake Road
Dayton, MN 55327
https://cityofdaytonmn.com/

City of Dayton
12260 South Diamond Lake Road
Dayton, MN 55327
(763) 427-4589
https://cityofdaytonmn.com/

Memo

To: Minnesota Environmental Quality Board
Environmental Review Distribution List

From: Tina Goodroad, City Administrator / Development Director

Date: July 27, 2021

Subject: Dayton Park Industrial Center EAW

As the Responsible Governmental Unit (RGU), the City of Dayton is issuing this Environmental Assessment Worksheet (EAW) for the Dayton Park Industrial Center. The public comment period on this EAW begins when the public notice is published in the Minnesota Environmental Quality Board (EQB) Monitor on August 10, 2021. A public notice or press release has been submitted for publication in the Press and News Newspaper. A public hearing will be held at the City of Dayton Planning Commission meeting on September 2, 2021. Public comments on this EAW will be accepted by the City of Dayton until 4:30pm on September 9, 2021.

Environmental Assessment Worksheet (EAW)

Dayton Park Industrial Center

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Environmental Assessment Worksheet (EAW)

Dayton Park Industrial Center

This Environmental Assessment Worksheet (EAW) form and EAW Guidelines are available at the Environmental Quality Board's website at: http://www.eqb.state.mn.us/EnvRevGuidanceDocuments.htm. The EAW form provides information about a project that may have the potential for significant environmental effects. The EAW Guidelines provide additional detail and resources for completing the EAW form.

Cumulative potential effects can either be addressed under each applicable EAW Item, or can be addresses collectively under EAW Item 19.

Note to reviewers: Comments must be submitted to the RGU during the 30-day comment period following notice of the EAW in the *EQB Monitor*. Comments should address the accuracy and completeness of information, potential impacts that warrant further investigation and the need for an EIS.

1. Project Title: **Dayton Park Industrial Center**

2. Proposer:	Landspec Fund 3 LLC	**RGU:**	City of Dayton
Contact person:	Jon Rausch	Contact person:	Tina Goodroad
Title:	Development Manager	Title:	City Administrator / Development Director
Address:	5529 Minnetoga Terrace	Address:	12260 South Diamond Lake Road
	Minnetonka, MN 55347		Dayton, MN 55327
Phone:	(952) 893-8251	Phone:	(763) 427-4589
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Email	jon.rausch@cushwake.com	Email	tgoodroad@cityofdaytonmn.com

4. Reason for EAW Preparation

Required:
- ☐ EIS Scoping
- ☑ Mandatory EAW

Discretionary:
- ☐ Citizen petition
- ☐ RGU discretion
- ☐ Proposer initiated

If EAW or EIS is mandatory give EQB rule category subpart number(s) and name(s):

Minnesota Rules Part 4410.4300, Subp. 14.A.(2) (Industrial, commercial, and institutional facilities, third or fourth class city)

5. Project Location

County: Hennepin County, Minnesota
City/Township: City of Dayton
PLS Location (¼, ¼, Section, Township, Range): Part of Section 30, T120N, R22W
Watershed (81 major watershed scale): Mississippi River Metro (20)
GPS Coordinates: 45.174240, -93.516299
Tax Parcel Number(s): Part of 30-120-22-31-0005 and all of 30-120-22-32-0005

At a minimum attach each of the following to the EAW:

- *County map showing the general location of the project;*
- *U.S. Geological Survey 7.5 minute, 1:24,000 scale map indicating project boundaries (photocopy acceptable); and*
- *Site plans showing all significant project and natural features. Pre-construction site plan and post-construction site plan.*

6. Project Description

a. Provide the brief project summary to be published in the EQB Monitor, (approximately 50 words).

Dayton Park Industrial Center will include up to 600,000 square feet of light industrial floor space and up to 300 vehicle parking stalls on 50.76 acres in southwestern Dayton. Site development will include mass grading, installation of municipal sewer and water, and construction of buildings, parking, and stormwater basins.

b. Give a complete description of the proposed project and related new construction, including infrastructure needs. If the project is an expansion include a description of the existing facility. Emphasize: 1) construction, operation methods and features that will cause physical manipulation of the environment or will produce wastes, 2) modifications to existing equipment or industrial processes, 3) significant demolition, removal or remodeling of existing structures, and 4) timing and duration of construction activities.

Dayton Park Industrial Center is proposed on 50.76 acres of land in the southwestern part of the City of Dayton, Hennepin County, Minnesota (**Figure 1**). The project area includes mostly cropland with some wetland and woodland. The site has no existing structures.

The project area is located in the west-central part of Section 30, T120N, R22W (**Figure 2**). The site is located west of French Lake Road W, north of County Road 81, east of Brockton Lane N, and south of 124th Ave N. French Lake is located east of the site and the City of Rogers is immediately west of the site. Adjoining lands are used by a mobile home park and commercial-industrial development to the west, agricultural and rural residential to the north, French Lake to the east, and agricultural and light industrial to the south.

Site topography ranges from nearly flat to moderate slopes. The site includes mostly loamy soils and has 30 feet of topographic relief. Elevations vary from a high of 952 feet in the east-central part of the site down to 916 feet in the southeastern part of site, where runoff flows east under French Lake Road. The site drains to French Lake (DNR public water 27-127P), then through 5.75 miles of Diamond Creek to Hayden Lake, Elm Creek, and the Mississippi River. The local watershed authority is the Elm Creek Watershed Management Organization.

Three alternative Concept Plans are under consideration:

1. **Concept A**, which includes 470,000 square feet of office-warehouse floor space distributed between two buildings and up to 250 parking stalls (**Figure 3**). The floor space will be about 14% office and about 86% warehouse.

2. **Concept B**, which includes 597,700 square feet of floor space distributed among 10 buildings and a smaller number of parking stalls (**Figure 4**). The floor space will be about 56% storage and about 44% office-warehouse.
3. **Concept C**, which includes 539,700 square feet of floor space distributed between two buildings and up to 270 parking stalls (**Figure 5**). The floor space will be about 15% office and 85% warehouse.

Land development and project impacts are expected to fall within the parameters addressed in this EAW. Plans may be revised to accommodate specific light industrial uses. Impact assessments in this EAW are based on the following maximum development scenario:

1. up to 600,000 square feet of building floor space that is 15% office and 85% warehouse;
2. up to 300 parking stalls;
3. up to 36 acres of impervious surface;
4. site access via a street along the south boundary of the site, connecting to Brockton Lane N and French Lake Road W;
5. up to 6.88 acres of stormwater basins; and
6. the 7.25-acre shoreland overlay district will be 40% impervious and 60% open space.

The street connecting Brockton Lane and French Lake Road will parallel the north boundary of the adjacent mobile home park.

The proposed light industrial use will operate 24 hours a day, six days a week. Nighttime noise and light pollution will be minimized with landscape buffers, delivery timing, and by loading trucks inside of buildings.

Project development will involve installation of municipal sewer, water supply, electrical and digital communications lines, a local access street, and mass grading of parking areas, building pads, and stormwater basins. The project area is served by the Dayton Volunteer Fire Department, the City of Dayton Police Department, and the Anoka-Hennepin School District (ISD #11).

The project area is about 71% cropland, 17% wetlands, ponds, and drainages; and 11% woodland. Wetlands, ponds and drainages include 3.46 acres of incidental wetland (previously a wastewater pond), 2.65 acres of delineated wetland, 1.10 acre of ditches and swales, and a 1.30-acre stormwater basin. Part of the site falls in the Shoreland Overlay District of French Lake.

The project will convert about 48 acres of cropland, woodland, wetland, and drainages to buildings, parking lots, stormwater basins, low maintenance grassland, and landscaping. After development, the project area will include about 13 acres of open space consisting of stormwater basins, grassland, and landscaping. The project is expected to impact about 2.65 acres of regulated wetland.

It is anticipated that construction of the development will start in the fall of 2021 and be phased over 1 to 2 years, depending on market conditions. Infrastructure such as water main and sanitary sewer

will generally be installed at the start of each construction phase. It may be necessary to initiate stormwater system construction at the start of each construction phase to obtain borrow material, properly treat stormwater, and minimize potential effects of stormwater runoff.

c. *Project magnitude:*

Table 1. Project Magnitude

Characteristic	Number of Units
Total Project Acreage	50.76
Linear project length	0
Number and type of residential units	0
Commercial building area (square feet)	0
Industrial building area (square feet)	up to 600,000
Institutional building area (square feet)	0
Other uses – specify (acres)	NA
Structure height(s) (feet)	35-50

d. *Explain the project purpose; if the project will be carried out by a governmental unit, explain the need for the project and identify its beneficiaries.*

Dayton Park Industrial Center is proposed to respond to the demand for light industrial floor space in the City of Dayton. The project will be carried out by a private entity.

e. *Are future stages of this development including development on any other property planned or likely to happen?* ☐ Yes ☑ No
If yes, briefly describe future stages, relationship to present project, timeline and plans for environmental review.

Future stages of the light industrial project are not planned or likely.

While future stages are not planned, the project proponent owns an additional 21.02 acres of land located south of the project and east of the adjacent mobile home park. This acreage may be developed in the future, but the type and timing of development are unknown at this time. The 21.02 acres is expected to be developed independently from the Dayton Park Industrial Center and might be developed as soon as 1 to 3 years in the future. The additional property may be developed to a use that compliments the adjacent mobile home park, or it may be developed to a light industrial use. Given the uncertainty regarding the type and timing of the future use, such future use is not considered a connected or phased action with respect to the project described in this EAW.

f. *Is this project a subsequent stage of an earlier project?* ☐ Yes ☑ No
If yes, briefly describe the past development, timeline and any past environmental review.

The project is not a subsequent stage of an earlier project.

7. Cover Types

Estimate the acreage of the site with each of the following cover types before and after development:

Table 2. Cover Types

Land Cover	Before (acres)[1]	After (acres)[1]
Cropland	36.20	0.00
Woodland	5.74	1.23
Incidental wetland	3.46	0.00
Delineated wetland	2.65	0.00
Ditches and swales	1.10	0.54
Stormwater basins	1.30	6.88
Grassland	0.31	3.45
Impervious surface	0.00	36.00
Lawn and landscaping	0.00	2.66
Totals	50.76	50.76

[1] Before and after delineated wetland acreages assume 2.65 acres of wetlands will be impacted for development. Wetland replacement will need to be obtained from acceptable wetland banks.

Existing cover types are shown on **Figure 6**. Delineated wetlands are shown on **Figure 7**.

8. Permits and Approvals Required

List all known local, state and federal permits, approvals, certifications and financial assistance for the project. Include modifications of any existing permits, governmental review of plans and all direct and indirect forms of public financial assistance including bond guarantees, Tax Increment Financing and infrastructure. All of these final decisions are prohibited until all appropriate environmental review has been completed. See Minnesota Rules, Chapter 4410.3100.

Table 3. Permits and Approvals Required

Unit of Government	Type of Application	Status
City of Dayton	EAW Decision	To be applied for
City of Dayton	Rezoning, PUD, and Preliminary Plat	To be applied for
City of Dayton	Shoreland Conditional Use Permit	To be applied for
City of Dayton	Final Plat and PUD	To be applied for
City of Dayton	Wetland Impact and Replacement Approval	To be applied for
City of Dayton	Grading Permit	To be applied for
City of Dayton	Building Permits	To be applied for
City of Dayton	Stormwater Management and Erosion Control Approval	To be applied for
City of Dayton	Municipal Water Connection Permit	To be applied for
City of Dayton	Sanitary Sewer Connection Permit	To be applied for
Elm Creek Watershed Management Commission	Stormwater, Erosion Control, and Site Plan Approval	To be applied for

Table 3. Permits and Approvals Required

Unit of Government	Type of Application	Status
Minnesota Department of Health	Water Main Extension Approval	To be applied for
Minnesota Department of Natural Resources	Water Appropriation Permit	To be applied for if needed
Minnesota Pollution Control Agency	NPDES/SDS General Permit	To be applied for
Minnesota Pollution Control Agency	Sanitary Sewer Extension Approval	To be applied for if needed
Minnesota Pollution Control Agency	Section 401 Water Quality Certification or Waiver	To be applied for if needed
U. S. Army Corps of Engineers	Section 404 Permit	To be applied for if needed

Cumulative potential effects may be considered and addressed in response to individual EAW Item Nos. 9-18, or the RGU can address all cumulative potential effects in response to EAW Item No. 19. If addressing cumulative effect under individual items, make sure to include information requested in EAW Item No. 19

9. Land Use

a. Describe:

i. Existing land use of the site as well as areas adjacent to and near the site, including parks, trails, prime or unique farmlands.

From 1937 until 1964, the project area was mostly agricultural fields with a few trees and wetlands. In 1964, the mobile home park to the west and the stormwater basin in the southeastern part of the site appeared on aerial photography. Between 1969 and 1979, agricultural fields were terraced, and ponds were constructed in the northeastern part of the site to treat wastewater from the mobile home park. Between 2012 and 2017, the wastewater ponds were drained, the terraces were removed, and the fields were returned to cropland.

Surrounding land use includes the adjacent mobile home park and woodland to the south, commercial/industrial use to the west, agricultural land to the north, and French Lake to the east (**Figure 8**). There are no parks adjacent to the site, but French Lake (DNR public water 27-127P) is located across French Lake Road from the project area.

Farmland ratings for soils mapped in the project area are listed under **Item 10b** of this EAW. Of the seven soil map units present in the project area, two are considered prime farmland, three are prime farmland if drained, one is farmland of statewide importance, and one is not prime farmland. Soils mapped as prime farmland cover about 54.3% of the site.

ii. Plans. Describe planned land use as identified in comprehensive plan (if available) and any other applicable plan for land use, water, or resources management by a local, regional, state, or federal agency.

The City of Dayton 2040 Comprehensive Plan guides the site for Industrial land use. The proposed project is consistent with the guided land use. The 2040 Comprehensive Plan shows a proposed neighborhood trail along French Lake Road on the east side of the site, but no other existing or proposed parks are shown in the surrounding area.

iii. Zoning, including special districts or overlays such as shoreland, floodplain, wild and scenic rivers, critical area, agricultural preserves, etc.

Zoning Overview

The City of Dayton Zoning Map shows the project area zoned as R-MH Mobile Home District. The site will need to be rezoned to I-1 Light Industrial District or Planned Unit Development (PUD). The project area does not fall within or adjacent to a wild and scenic river, critical area, or agricultural preserve.

Shoreland District

About 14% of the project area (7.25 acres) falls within the Shoreland Overlay District of French Lake (DNR public water 27-127P). French Lake has a Recreational Development shoreland classification and an Ordinary High Water Level (OHWL) of 904.5 feet (NGVD 29 datum). The Shoreland Overlay District extends 1,000 feet from the OHWL (**Figure 9**).

The Shoreland Overlay District is administered under Section 1001.08 of the City of Dayton City Code, the Shoreland Zoning Ordinance. The Shoreland Ordinance states that uncontrolled use of the shorelands affects the public health, safety, and general welfare not only by contributing to pollution of public waters, but also by impairing the local tax base. It is therefore in the best interests of the public health, safety and welfare to provide for the wise development of shorelands. The State Legislature has delegated regulatory oversight for shoreland development to local governments to provide for wise use of waters and related land resources.

The City of Dayton Shoreland Zoning Ordinance sets forth standards for development in Recreational Development Shoreland Districts:

1. Minimum setback from OHWL: 75 feet;
2. Minimum setback from public roadways: Determined by underlying zoning;
3. Maximum impervious surface ratio: 25%; and
4. Maximum structure height: 35 feet.

The Light Industrial (I-1) Zoning District requires structures to be setback a minimum of 50 feet from roads, plus 1 foot of additional setback for each foot of building height over 30 feet, up to a

maximum required setback of 80 feet. The I-1 Zoning District allows for up to 50% building footprints coverage and a maximum building height of 45 to 50 feet.

The proposed project design does not comply with the maximum impervious surface ratio (25%) and maximum building height (35 feet) standards specified in the City of Dayton Shoreland Ordinance. Planned Unit Developments (PUDs) allow for flexibility in development standards such as impervious surface ratios and building heights. Design flexibility may be granted in exchange for meeting design criteria that are often related to site characteristics.

The project proponent intends to apply to develop the site as an Industrial PUD and a Shoreland PUD. The Shoreland Ordinance permits Industrial PUDs only in shorelands served by municipal sewer. While the project proponent can apply for a PUD as part of the development application, the City of Dayton has not yet determined whether a PUD would be appropriate for this development. If a PUD to be granted, the proposal needs to show public benefits of the project design to warrant flexibility in typical design standards.

While a PUD application has not yet been submitted, the project proponent has suggested the project design will minimize effects on shorelands by including over 50% open space in the shoreland and more than a 50% increase in the setback from the OHWL. The application for a PUD will need to demonstrate that 60% open space in the shoreland, the extra setback from the OHWL, and advanced stormwater management practices will help protect shoreland and warrant flexibility allowing up to 40% impervious and a 50-foot building height in the shoreland. Shoreland PUD design criteria and project characteristics are listed in **Table 4**.

Table 4. Shoreland PUD Design Criteria and Project Characteristics

Design Criteria	Project Characteristics
Shoreland area is ≥ 50% open space	The shoreland area is proposed to be 60% open space.
Structure setback from OHW increased by at least 50%	The structure setback is about 950 feet, considerably more than the 75-foot minimum.
Conditional Use Permit (CUP) required	A CUP application will need to be submitted.
Advanced stormwater management	Stormwater management will need to meet or exceed requirements.
Minimize vegetation removal	The shoreland area is mostly cropland, so little vegetation will be removed. Trees on the other side of French Lake Road will continue screening some views.

Shoreland Density Evaluation

The project meets minimum criteria for a Shoreland PUD in an industrial district because the shoreland within the project area will be at least 50% open space and buildings will be setback at least 50% more than the minimum distance from the OHWL. With flexibility under a Shoreland PUD, the shoreland within the project area may be up to 40% impervious and buildings in the shoreland may be up to 50 feet in height (**Figure 9**).

Floodplain

The floodplain of French Lake is located over 200 feet east of and across French Lake Road from the proposed project. The City of Dayton used field survey information in 2005 to calculate a 100-year flood (1% annual frequency) elevation of French Lake. That flood elevation is 904.9 feet (**Figure 9, Appendix A**). The calculated flood elevation is 0.4 ft above the OHW of French Lake (904.5 ft) and about 11 feet below the lowest elevation onsite is (916 ft). The proposed project will completely avoid the floodplain.

b. *Discuss the project's compatibility with nearby land uses, zoning, and plans listed in Item 9a above, concentrating on implications for environmental effects.*

The project is compatible with surrounding land uses, which mostly include the mobile home park, agricultural fields, and commercial/industrial uses similar to the proposed project. The City of Dayton 2040 Comprehensive Plan guides the project area for Industrial land use. The proposed project will be consistent with industrial land use requirements and the site will be rezoned to I-1 Light Industrial District or Planned Unit Development (PUD) to align with the 2040 Comprehensive Plan.

c. *Identify measures incorporated into the proposed project to mitigate any potential incompatibility as discussed in Item 9b above.*

The project area is proposed to be rezoned to I-1 or PUD. The proposed project is consistent with the intended land uses and zoning classifications, and compatible with adjoining land uses. Buffers and plantings will be required to provide visual screening for the adjacent mobile home park. The shoreland area of the project will be at least 50% open space and buildings will be setback at least 50% more than the minimum distance from the OHWL of French Lake.

10. Geology, Soils and Topography / Land Forms

a. *Geology - Describe the geology underlying the project area and identify and map any susceptible geologic features such as sinkholes, shallow limestone formations, unconfined/shallow aquifers, or karst conditions. Discuss any limitations of these features for the project and any effects the project could have on these features. Identify any project designs or mitigation measures to address effects to geologic features.*

The Geologic Atlas of Hennepin County (Minnesota Geological Survey 2018) indicates surficial sediments in the project area are mostly loamy till. Surface sediments are underlain by Tunnel City Group sandstone bedrock of the Mazomanie and Lone Rock Formation. The Geologic Atlas indicates depth to bedrock in the project area varies from about 176 to 250 feet. Depth to bedrock indicated in logs of nearby domestic water wells varies from 172 to 210 feet (see **Item 11.a.ii**).

Neither the Geologic Atlas nor the Soil Survey of Hennepin County identify sinkholes or karst conditions in the project area. Minnesota Karst Lands Mapping and Sinkhole Mapping prepared by Professor Calvin Alexander and others (2006) does not show covered karst, transition karst, or active karst in the project area. The 2018 Hennepin County Multi-Jurisdictional Hazard Mitigation Plan indicates covered karst exists throughout the southeastern three-quarters of Hennepin County, which

is underlain by carbonate bedrock. The distribution of active karst in Hennepin County is limited mostly to an area along the Mississippi River from North Minneapolis south to Fort Snelling. The thick surface sediments in the project area are expected to reduce the potential for subsurface erosion that leads to sinkholes. Mitigation is not proposed for sinkholes or karst conditions.

Well records for 23 domestic water wells located within about 0.25 mile of the project area were retrieved from the Minnesota Well Index. These wells were drilled to depths ranging from 14 to 350 feet and had static water levels ranging from 7 to 84 feet below the surface. Only four of the 23 wells encountered bedrock. The only known nearby sources of contamination identified in the well logs were septic tank/drain fields, sewers, and an old well. These wells are listed and discussed further under **Item 11.a.ii.**

b. Soils and topography - Describe the soils on the site, giving NRCS (SCS) classifications and descriptions, including limitations of soils. Describe topography, any special site conditions relating to erosion potential, soil stability or other soils limitations, such as steep slopes, highly permeable soils. Provide estimated volume and acreage of soil excavation and/or grading. Discuss impacts from project activities (distinguish between construction and operational activities) related to soils and topography. Identify measures during and after project construction to address soil limitations including stabilization, soil corrections or other measures. Erosion/sedimentation control related to stormwater runoff should be addressed in response to Item 11.b.ii.

The Web Soil Survey indicates the project area includes seven soil mapping units, mostly loams and clay loams (**Table 5** and **Figure 10**). The suitability of these soils for dwelling units and local streets ranges from somewhat limited to very limited due to shrink-swell potential, depth to saturation, ponding, frost action, and low strength. Limitations due do depth to saturation and ponding can be associated with wetlands, which are addressed under **Items 11.a.i** and **11.b.iv** of this EAW. Soils in the project area are generally considered moderately susceptible to the sheet and rill erosion by water, as indicated by K factors that range between 0.28 and 0.43, as well as existing slopes.

Table 5. Soil Classifications

Symbol	Soil Map Unit[1]	% of Area	% Hydric	Hydric Category	Farmland Category
L22C2	Lester loam, 6-10% slopes, moderately eroded	7.0	2	Predominantly non-hydric	Farmland of statewide importance
L23A	Cordova loam, 0-2% slopes	20.2	95	Predominantly hydric	Prime farmland if drained
L24A	Glencoe clay loam, 0-1% slopes	0.7	100	Hydric	Prime farmland if drained
L37B	Angus loam, 2-6% slopes	0.4	5	Predominantly non-hydric	Prime farmland
L44A	Nessel loam, 1-3% slopes	53.9	10	Predominantly non-hydric	Prime farmland
L45A	Dundas-Cordova complex, 0-3% slopes	4.6	30	Predominantly non-hydric	Prime farmland if drained
M-W	Water, miscellaneous	13.2	0	Non-hydric	Not prime farmland

[1]The M-W (Water) map unit corresponds to the previous location of the wastewater treatment ponds

Grading necessary for construction is expected to affect about 48 acres and involve movement of about 150,000 cubic yards of soil to construct building pads, access routes, parking areas, and stormwater basins. Grading is expected to avoid disturbance of about 2.75 acres of wetlands and grassed and wooded buffers.

Site topography ranges from relatively flat to moderate slopes and the area includes mostly loamy soils. The site has 30 feet of topographic relief. Elevations vary from a high of 952 feet in the east-central part of the site down to 916 feet in the southeastern part of site, where runoff flows east under French Lake Road. The Soil Survey does not show any slopes steeper than 12% on the site (**Table 5**), but two-foot contour mapping shows the site includes about 3.8 acres of slopes ranging from 12 to 20%, mostly along French Lake Road and around the stormwater pond in the eastern and southeastern parts of the site (**Figure 7**). The site does not include any bluffs. The site drains to French Lake (DNR public water 27-127P), then through 5.75 miles of Diamond Creek to Hayden Lake, then to Elm Creek and the Mississippi River.

Development of the project area will disturb more than one acre of land and therefore will require application for coverage under the National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) General Construction Permit administered by the Minnesota Pollution Control Agency (MPCA) prior to initiation of earthwork. In compliance with the General NPDES Permit for construction activities, the project proponent and construction contractor will need to implement Best Management Practices (BMPs) to reduce erosion and sedimentation and stabilize exposed soils after construction. Erosion and sedimentation control BMPs related to stormwater runoff are discussed in greater detail under **Item 11.b.ii**. Additional BMPs required for construction projects within 1 mile of and draining to impaired waters are listed under **Item 11.a.i**.

NOTE: For silica sand projects, the EAW must include a hydrogeologic investigation assessing the potential groundwater and surface water effects and geologic conditions that could create an increased risk of potentially significant effects on groundwater and surface water. Descriptions of water resources and potential effects from the project in EAW Item 11 must be consistent with the geology, soils *and topography/land forms and potential effects described in EAW Item 10.*

11. Water Resources

a. Describe surface water and groundwater features on or near the site in a.i. and a.ii. below.

i. Surface water - lakes, streams, wetlands, intermittent channels, and county/judicial ditches. Include any special designations such as public waters, trout stream/lake, wildlife lakes, migratory waterfowl feeding/resting lake, and outstanding resource value water. Include water quality impairments or special designations listed on the current MPCA 303d Impaired Waters List that are within 1 mile of the project. Include DNR Public Waters Inventory number(s), if any.

Kjolhaug Environmental Services (KES) originally delineated wetlands on the site in June 2015. The City of Dayton approved the wetland delineation in February 2016. On September 28, 2020, KES reviewed the wetlands in the field and found conditions on most of the site were similar to those observed in 2015. The main difference was that fields that were terraced grassland in 2015 had been tilled, smoothed, and planted to corn by 2020. Soils and National Wetlands Inventory maps (**Figures 10 and 11**) were consulted during the wetland delineation. Wetland boundaries had not changed between 2015 and 2020.

The project area includes five delineated wetlands that cover a total of 2.65 acres, several segments of ditches and swales that cover a total of 1.10 acre, a 3.46-acre incidental wetland at the location of a previous wastewater pond, and a 1.3-acre stormwater basin (**Tables 6 and 7, Figure 7**).

On October 7, 2020, KES submitted a report to request that the City of Dayton and the U.S. Army Corps of Engineers (USACE) extend the existing delineation approval. The City of Dayton and Minnesota Board of Water and Soil Resources (BWSR) reviewed the wetlands in the field on October 30, 2020 and verified that wetland boundaries were unchanged. The City approved the wetland delineation and the incidental status of the 3.46-acre wetland on December 7, 2020. On February 25, 2021, the USACE issued an Approved Jurisdictional Determination (AJD) for all wetlands and drainages on the site except the natural intermittent watercourse that drains along the southeastern boundary of the site (**Figure 7**). Wetland delineation approvals and a wetland delineation summary are included in **Appendix B**.

Table 6. Delineated Wetlands

Wetland ID	Acres Onsite	Classification			Dominant Vegetation	Modifier
		Circ. 39	Cowardin	Eggers and Reed		
5	1.00	1/3	PEMA/Cd	Wet meadow, Shallow marsh	Cattail, reed canary grass	Partially drained
6	0.31	1L/3	PFO1A/ PEMCd	Bottomland hardwoods, Shallow marsh	Cattail, silver maple, green ash	Partially drained
7	1.02	1/3	PEMA/C	Wet meadow, Shallow marsh	Cattail, reed canary grass	--
8	0.11	2	PEMAf	Seasonally flooded basin	Agricultural weeds	Partially farmed
9	0.21	1	PEMAf	Seasonally flooded basin	Barnyard grass	Partially farmed
Total	2.65					

Table 7. Ditches and Swales

Ditch or Swale ID	Type	Length (Ft)	Width (Ft)	Area (Sq.Ft.)	Acres Onsite
D1	Intermittent ditch	393	10	3,930	0.09
D2	Intermittent ditch	232	10	2,320	0.05
D3	Intermittent ditch	203	10	2,030	0.05
D8 & D9	Intermittent ditch	453	10	4,530	0.10
D15	Intermittent natural/channelized drainage	705	30	21,150	0.49
D16	Intermittent ditch	160	30	4,800	0.11
GS1	Grass swale	370	20	7,400	0.17
GS2	Grass swale	98	20	1,960	0.04
Total		2,614		48,120	1.10

The project area does not include any DNR public waters, wetlands, or watercourses. There are no known trout streams/lakes, wildlife lakes, migratory waterfowl feeding/resting lakes, or outstanding resource value waters in or near the project area. The only impaired water listed by the Minnesota Pollution Control Agency (MPCA) and located within a mile of the site is Diamond Creek (07010206-525). Diamond Creek starts at the outlet of French Lake, 0.7 mile northeast of the site. Diamond Creek is impaired for aquatic life (AQL) and aquatic recreation (AQR) from French Lake downstream 5.75 miles to Hayden Lake.

Diamond Creek has TMDLs (Total Maximum Daily Loads, the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards) approved for dissolved oxygen, E.coli; fish, and invertebrates. MPCA data indicate no other TMDL studies are required.

Because Diamond Creek is an impaired receiving water within 1 mile of the project, additional BMPs are required for water quality, including:

1. complete stabilization of exposed soil within seven calendar days after construction activity in respective parts the project temporarily or permanently ceases;
2. temporary sediment basin(s) for common drainage areas covering five or more acres of area disturbed at one time; and
3. mandatory Stormwater Pollution Prevention Plan (SWPPP) review because the project will disturb more than 50 acres land.

The SWPPP must be submitted to the MPCA at least 30 days prior to the construction start date.

ii. Groundwater – aquifers, springs, seeps. Include: 1) depth to groundwater; 2) if project is within a MDH wellhead protection area; 3) identification of any onsite and/or nearby wells, including unique numbers and well logs if available. If there are no wells known on site or nearby, explain the methodology used to determine this.

Depth to groundwater varies across the project area. Surficial groundwater reaches the surface in the stormwater basin in the southern part of the site. The depth to surficial groundwater can be 1 foot or less in wetlands and watercourses during the spring.

Depth to static groundwater levels based on domestic water wells located near the project area ranged from 7 to 84 feet (**Table 8** and **Appendix C**). Soil borings showed depth to groundwater in three borings varied from 19.0 to 20.4 feet and groundwater was not detected in four borings. Northern Technologies, LLC completed seven soil borings on the site during August 20 to 21, 2019. Results were summarized in a Preliminary Geotechnical Exploration and Engineering Review dated August 28, 2019. Each of the seven soil borings was advanced to a depth of 20.5 feet. Groundwater was encountered in three of the seven borings, at depths of 19.0 to 20.4 feet. Soil borings are provided in **Appendix C**.

The project area does not include any known registered or unregistered groundwater wells. If any unregistered wells are found on the site during future surveying or construction activities, they will need to be abandoned and sealed in compliance with Minnesota Department of Health (MDH)

regulations during the early part of the construction process. Well sealing must be conducted by an MDH licensed well contractor.

The project area does not overlap with any wellhead protection areas. The City of Rogers South Drinking Water Supply Management Area is located about 0.25 mile southwest of the proposed project area.

Table 8. Nearby Registered Groundwater Wells

Well No.	Surface Elevation (feet)	Depth (feet)	Cased Depth (feet)	Depth to		Location (Direction from Site)	Aquifer
				Static Water Level (feet)	Bedrock (feet)		
505628	963	245	200	81	192	Southwest	St. Lawrence-Tunnel City
805841	956	88	83	75	--	Southwest	Quaternary buried
513686	931	84	79	55	--	Southeast	Quaternary buried
401418	955	95	90	75	--	West	Quaternary buried
434473	965	92	87	74	--	Southwest	Quaternary buried
659356	958	15	5	7	--	Southwest	--
565068	943	86	81	60	--	South	Quaternary buried
408653	930	85	80	60	--	Southeast	Quaternary buried
555243	945	78	73	50	--	South	Quaternary buried
743427	941	163	155	65	--	South	Quaternary buried
470624	943	350	262	65	172	South	Tunnel City-Wonewoc
464747	958	232	205	60	--	Southwest	Tunnel City
659357	954	14	4	7	--	South	--
523944	943	113	108	24	--	South	Quaternary buried
752578	963	106	96	84	--	Southwest	Quaternary buried
137728	954	74	70	55	--	West	Quaternary buried
439865	958	120	114	72	--	Southwest	Quaternary buried
452413	962	127	122	80	--	West	Quaternary buried
592530	959	250	200	75	--	Southwest	Tunnel City
659355	954	15	5	7	--	Southwest	--
677955	963	315	210	76	210	West	Tunnel City
492238	943	255	234	60	185	South	Tunnel City
400259	940	94	89	60	--	North	Quaternary buried

b. Describe effects from project activities on water resources and measures to minimize or mitigate the effects in Item b.i. through Item b.iv. below.

i. Wastewater - For each of the following, describe the sources, quantities and composition of all sanitary, municipal/domestic and industrial wastewater produced or treated at the site.

1) If the wastewater discharge is to a publicly owned treatment facility, identify any pretreatment measures and the ability of the facility to handle the added water and waste loadings, including any effects on, or required expansion of, municipal wastewater infrastructure.

The project is expected to produce normal domestic wastewater that is typical of light industrial and office-warehouse developments. The project will not include heavy industrial wastewater production or onsite wastewater treatment.

Sanitary wastewater production for the project was estimated using methods described in the Sewer Availability Charge (SAC) Procedure Manual (Metropolitan Council 2021). Metropolitan Council has established 274 gallons per day (GPD) as the average daily wastewater production from a typical residential unit. For the proposed project, wastewater generation was estimated based on SAC unit equivalents for warehouse and office space. Based on these equivalents, the project is expected to generate about 29,411 gallons of wastewater per day (**Table 9**).

The project will connect to an existing sanitary sewer line along the south property line adjacent to the mobile home park. Wastewater will be pumped southeast through a 12-inch Force Main and a 24-inch sanitary sewer. The sanitary sewer will connect to the Metropolitan Council Environmental Services Elm Creek Interceptor at Holly Lane and the south boundary of the City of Dayton. The project will require a sanitary sewer extension permit, which will need to detail the predicted wastewater flow and be reviewed by Metropolitan Council Environmental Services and the MPCA.

Table 9. Estimated Wastewater Generation

Land Use	Floor Space (Sq.Ft.)	Sq.Ft./SAC Unit	SAC Units	Wastewater Gallons/Day
Office	90,000	2,650	33.96	9,305
Warehouse	510,000	6,950	73.38	20,106
Total	600,000		107.34	29,411

The Elm Creek Interceptor will route wastewater to the Metropolitan Wastewater Treatment Plant (MWWTP), which is owned and operated by Metropolitan Council. The MWWTP is located on the east bank of the Mississippi River, approximately 3 miles south of downtown St. Paul near Pig's Eye Lake. The MWWTP has capacity to treat 251 million gallons of wastewater per day (MGD) and is the largest wastewater treatment facility in Minnesota. Metropolitan Council's 2040 Water Resources Policy Plan includes a specific plan to serve the region's projected growth through 2040 and a general plan to serve the region's growth beyond 2040.

The City of Dayton and Metropolitan Council have planned for increased capacity to convey and treat sanitary wastewater. The proposed project is not expected to require expansion of wastewater treatment infrastructure or raise wastewater treatment capacity concerns.

2) *If the wastewater discharge is to a subsurface sewage treatment systems (SSTS), describe the system used, the design flow, and suitability of site conditions for such a system.*

Wastewater will not be discharged to subsurface sewage treatment systems.

3) *If the wastewater discharge is to surface water, identify the wastewater treatment methods and identify discharge points and proposed effluent limitations to mitigate impacts. Discuss any effects to surface or groundwater from wastewater discharges.*

Wastewater will be treated in the MWWTP described above and then discharged to the Mississippi River. The MWWTP is an advanced secondary wastewater treatment plant located on the east bank of the Mississippi River, approximately three miles south of downtown St. Paul. Treatment capability is maintained during times of flood by a levee and floodwall that protect the plant treatment area.

The plant uses an activated sludge process to remove phosphorus and ammonia nitrogen from wastewater prior to discharge to the Mississippi River. Sludge is processed by thickening, centrifugal dewatering, and fluidbed incineration with energy recovery (steam and electricity). These processing facilities were completed in 2004 as part of a major rehabilitation and upgrade program at the plant. At that time, outdated facilities were replaced with fluid bed sludge incinerators, state-of-the-art air pollution control systems and an alkaline stabilization system that produces biosolids for agricultural utilization. Ash from incineration is disposed of in a landfill.

ii. Stormwater - Describe the quantity and quality of stormwater runoff at the site prior to and post construction. Include the routes and receiving water bodies for runoff from the site (major downstream water bodies as well as the immediate receiving waters). Discuss any environmental effects from stormwater discharges. Describe stormwater pollution prevention plans including temporary and permanent runoff controls and potential BMP site locations to manage or treat stormwater runoff. Identify specific erosion control, sedimentation control or stabilization measures to address soil limitations during and after project construction.

Pre-Construction Site Runoff

Surface water runoff under existing conditions likely contains some pesticides, fertilizers, and other nutrients from agricultural fields. Existing runoff drains overland and through wetlands and channels to the ditch along French Lake Road and the stormwater basin in the southern part of the site. The project area then drains under French Lake Road, through French Lake and Diamond Creek to Hayden Lake, Elm Creek and the Mississippi River.

Post-Construction Site Runoff

Compliance with the City of Dayton, Elm Creek Watershed Management Commission (ECWMC), and NPDES stormwater requirements is required for project development. Project construction will add about 36 acres of impervious surface consisting of parking areas, buildings, and streets. The increased impervious surface area is expected to generate higher runoff rates, volumes, and pollutants. Stormwater management best management practices will be constructed to mitigate stormwater runoff rates, volumes, and pollutant loading. The project will include stormwater basins

covering about 6.88 acres in compliance City of Dayton requirements (**Figures 3, 4 and 5**). The southern stormwater basin is shown on the City of Dayton Trunk Storm Water System Map as Proposed Stormwater Basin DC-FL2P.

The number and size of stormwater basins may change as the project design advances, but stormwater treatment from the site will need to comply to municipal, watershed, and state regulations. Overall, the site will be designed and constructed in compliance with the City of Dayton, ECWMC and NPDES stormwater management requirements to control, mitigate and treat stormwater runoff. Runoff volume will be reduced to the extent practicable, given the existing soils loam and clay loam soils, which are not well suited for infiltration. Compliance with City of Dayton and ECWMC requirements is expected to limit stormwater runoff rates, volumes, and associated pollutant transport.

Impervious surface runoff from storm events will be retained in stormwater basins until discharged at or below existing peak runoff rates. Temporary sediment basins during construction will meet requirements of the MPCA General Stormwater Permit for Construction Activity.

Potential adverse effects of runoff volume and quality will be mitigated by construction of stormwater basins designed to reduce peak runoff rates and meet agency requirements. City of Dayton stormwater requirements are listed in Section 1001.33 of the City Code, Construction Site Runoff Control. The City of Dayton requires:

1. a written Stormwater Pollution Prevention Plan (SWPPP) application and Stormwater Pollution Prevention Plan;
2. SWPPP compliance with the MPCA General Stormwater Permit for Construction Activities;
3. removal of suspended solids prior to discharge of stormwater to wetlands and lakes;
4. detention ponds to reduce post-development phosphorus loads to predevelopment loadings;
5. detention ponds designed to extend the detention time by 48 hours;
6. stormwater ponds and outlet control structures designed to minimize sediment transport; and
7. permanent best management practices such as seeding, mulching and sodding.

Infiltration is an important practice in design, but filtration may be warranted when site conditions do not allow effective infiltration. Detention systems are preferred for flood storage and rate control. Post development discharge rates must be less than or equal to discharge rates under existing conditions for the 2-year, 10-year, and 100-year storm events. Constructed stormwater ponds are required to have slopes approved by the City Engineer or Zoning Administrator and landscaped with a buffer strip averaging at least 10 feet wide.

Wet ponds also serve to improve water quality. The MPCA found that stormwater ponds designed to Nationwide Urban Runoff Program (NURP) criteria removed up to 90% of total suspended solids (TSS) and significant amounts of other pollutants, such as phosphorus (Protecting Water Quality in Urban Areas. MPCA 2000). The NURP research projects conducted by the U.S. EPA concluded that Actual sediment and nutrient removal varies with site-specific conditions. However, well-designed

wet ponds and constructed wetland treatment systems are effective in removing sediment and associated pollutants, such as trace metals, nutrients and hydrocarbons. Stormwater basins also remove or treat oxygen-demanding substances, bacteria and dissolved nutrients.

The following mitigation measures are expected to minimize potential effects of stormwater runoff of receiving waters:

1. construction of onsite stormwater basins to meet City of Dayton and ECWMC requirements; and
2. sediment basins and BMPs that comply with the General NPDES/SDS Permit for Construction Activities, as discussed below.

Stormwater and Erosion Control BMPs

Because project construction will involve disturbance of more than one acre of land, the project proponent will be required to apply for coverage under the National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) General Permit to the MPCA prior to initiating construction. This permit process will require a Stormwater Pollution Prevention Plan detailing practices for erosion and sediment control. BMPs will be employed during construction to reduce erosion and sediment loading of stormwater runoff. Inspection of BMPs will be required after each rainfall exceeding 0.5 inch in 24 hours. The NPDES permit also requires perimeter sediment control maintenance and sediment removal. BMPs to be implemented during construction include:

1. Construction of temporary sediment basins during construction and development of proposed stormwater basins for permanent use following construction.
2. Installation of silt fence and other perimeter erosion controls prior to initiation of earthwork and maintenance of these controls until viable turf or ground cover is established on exposed areas.
3. Periodic street cleaning and installation of a rock construction entrance to reduce tracking of dirt onto public streets.
4. Stabilization of exposed soils within the time limits specified in the General NPDES permit.
5. Energy dissipation, such as riprap, installed at storm sewer outfalls.
6. Use of cover crops, seed mixes, sod, and landscaping to stabilize exposed surface soils after final grading.

Projects disturbing more than 50 acres and draining to an impaired water require Stormwater Pollution Prevention Plan (SWPPP) review and approval from the MPCA prior to obtaining coverage under an NPDES/SDS General Construction Stormwater Permit. Additional BMPs required for construction projects within 1 mile of and draining to impaired waters are listed under **Item 11.a.i**. Erosion control plans will be reviewed and accepted by the City of Dayton prior to initiation of each phase of construction. Potential adverse effects from construction-related sediment and erosion on water quality will be minimized by implementation of the above BMPs during and after construction.

Erosion control plans will be reviewed and accepted by the City of Dayton and the ECWMC prior to project construction. Potential adverse effects from construction-related sediment and erosion on water quality will be minimized by implementation of the above BMPs during and after construction.

iii. Water Appropriation. Describe if the project proposes to appropriate surface or groundwater (including dewatering). Describe the source, quantity, duration, use and purpose of the water use and if a DNR water appropriation permit is required. Describe any well abandonment. If connecting to an existing municipal water supply, identify the wells to be used as a water source and any effects on, or required expansion of, municipal water infrastructure. Discuss environmental effects from water appropriation, including an assessment of the water resources available for appropriation. Identify any measures to avoid, minimize, or mitigate environmental effects from the water appropriation.

Surface/Groundwater Appropriation and Dewatering

Project construction may require dewatering and groundwater appropriation to facilitate installation of sanitary sewer and possibly for excavation of stormwater basins. The project may involve pumping from stormwater basins to obtain water for irrigation of green spaces.

Dewatering will require a MN DNR water appropriation permit if it exceeds 10,000 gallons/day or 1 million gallons/year. If construction dewatering does not exceed a total of 50 million gallons and one year in duration, it will be eligible for coverage under the amended MN DNR General Permit 1997-0005 for temporary water appropriations. The potential extent and duration of construction dewatering necessary is currently unknown, but construction dewatering is expected to be temporary. Groundwater appropriated for construction dewatering will be discharged to temporary sediment basins in the project area. Construction dewatering is not expected to continue long enough to affect nearby domestic water wells.

Well Abandonment

As indicated under **Item 11.a.ii**, the project area is not known to include any registered or unregistered wells. Any wells found during future onsite survey or construction activities will need to be sealed and abandoned in compliance with MDH regulations. Well sealing must be conducted by an MDH licensed well contractor.

Connection to a Public Water Supply

The City of Dayton has three separate water distribution systems. The proposed project falls in the southwestern Dayton distribution area, which is served by the City of Maple Grove municipal water supply. The City of Dayton has a water service agreement with the City of Maple Grove, under which the City of Maple Grove supplies enough water to meet an average daily demand not to exceed 2.8 million gallons per day (MGD) and a maximum daily demand of 5.0 MGD. This is sufficient to serve the project area and the projected foreseeable growth in the area.

As listed in **Table 10**, the City of Maple Grove operates 11 wells that draw the municipal water supply from the Mt. Simon and Quaternary Buried Artesian aquifers. These wells range in depth from 157 to 715 feet.

Table 10. Maple Grove Municipal Water Supply Appropriation Permits

Permit No.	Well No.	Permitted Volume (MGY)	Average Use 2013-2018 (MGY)	Max Use 2013-2018 (MGY)
1975-6158	465406	5,110	54.1	113.6
1975-6158	551595	5,110	353.6	537.2
1975-6158	731107	5,110	914.5	1427.5
1975-6158	731108	5,110	606.4	1014.4
1975-6158	204760	5,110	0.1	0.1
1975-6158	160028	5,110	93.7	260.1
1975-6158	161411	5,110	185.8	353.2
1975-6158	122250	5,110	0.0	0.0
1975-6158	161446	5,110	141.2	346.3
1975-6158	420965	5,110	358.4	775.1
1975-6158	465405	5,110	228.3	439.8
Total			242.5	5,267.3

The project will connect to an existing watermain along the property line adjacent to the mobile home park. The City of Maple Grove Drinking Water Supply Management Area is located about 3 miles southeast of the proposed project. The 11 Maple Grove municipal wells are authorized to pump up to 5,110 million gallons of water per year (MGY) based on Minnesota DNR water use data (**Table 10**).

During 2013-2018, these wells used an average of 242.5 MGY and a combined maximum of 5,267.3 MGY. Assuming municipal water use is roughly proportional wastewater production (see **Item 11.b.i.1**), the project will use about 29,411 gallons of municipal water per day and about 10.74 MGY. Based on past use and permitted capacity, the existing municipal wells have sufficient surplus capacity to serve the proposed project. Water flow, pressure, and storage will be adequate to serve the development area.

iv. Surface Waters

a) Wetlands. Describe any anticipated physical effects or alterations to wetland features such as draining, filling, permanent inundation, dredging and vegetative removal. Discuss direct and indirect environmental effects from physical modification of wetlands, including the anticipated effects that any proposed wetland alterations may have to the host watershed. Identify measures to avoid (e.g., available alternatives that were considered), minimize, or mitigate environmental effects to wetlands. Discuss whether any required compensatory wetland mitigation for unavoidable wetland impacts will occur in the same minor or major watershed, and identify those probable locations.

Wetlands in the project area are regulated by City of Dayton under the Minnesota Wetland Conservation Act (WCA). Wetlands and natural drainages on the site may be regulated by the U.S. Army Corps of Engineers (USACE) under Section 404 of the Federal Clean Water Act (CWA). The MPCA regulates waters of the state, which all surface waters and waters that serve stormwater storage, conveyance, and water quality functions. Depending on the impacts to waters of the U.S.,

the MPCA may also require an Antidegradation Assessment for Section 401 Water Quality Certification.

Wetland and Ditch Impacts

A specific development plan and application for the site has not yet be submitted to the City. If the maximum development scenario was considered, project construction would fill about 2.65 acres of wetland distributed among five basins and 0.56 acre of ditches and swales distributed among seven locations (**Tables 11 and 12, Figure 12**). Under this development scenario, the proposed project design would use storm sewers and overland flow to perpetuate the flow that now drains through ditches and swales on the property, which would be filled.

In order to proceed with the maximum development scenario, all wetlands at the site would be impacted to construct the proposed parking lots, buildings, stormwater system, and street access. Before and after development wetland acreages assume the project will replace wetland impacts by purchasing credits from an acceptable offsite wetland bank.

The project proponent will need to apply for wetland replacement plan approval under the WCA, demonstrate compliance with the wetland sequencing process, and provide design alternatives that avoid and minimize effects on wetlands to the extent practicable. The maximum development scenario does not avoid wetlands, and as a result adjustments to the site plan to avoid wetlands may be required. As part of the wetland sequencing exercise, the project proponent will need to demonstrate that impacts on wetlands and water resources have been minimized. The development plan will also need to:

1. include specific BMPs targeting water quality protection and limiting potential for sedimentation to reduce and eliminate secondary wetland impacts; and
2. treat stormwater from impervious surfaces to remove sediment and nutrients prior to discharge to wetlands.

Table 11. Estimated Wetland Impacts

Wetland ID	Circ. 39 Type	Size (acres)	Estimated Impact (acres)
5	1/3	1.00	1.00
6	1L/3	0.31	0.31
7	1/3	1.02	1.02
8	2	0.11	0.11
9	1	0.21	0.21
Total		2.65	2.65

Table 12. Estimated Ditch and Swale Impacts

Ditch or Swale ID	Type	Size (acres)	Estimated Impact (acres)
D1	Intermittent ditch	0.09	0.09
D2	Intermittent ditch	0.05	0.05
D3	Intermittent ditch	0.05	0.05
D8 & D9	Intermittent ditch	0.10	0.10
D15	Intermittent natural/channelized drainage	0.49	0.00
D16	Intermittent ditch	0.11	0.06
GS1	Grass swale	0.17	0.17
GS2	Grass swale	0.04	0.04
Total		1.10	0.56

The project proponent has obtained an Approved Jurisdictional Determination (AJD) from the USACE for all wetlands and drainages on the site except the natural intermittent watercourse that drains along the southeastern site boundary (**Appendix B**). The AJD indicates that watercourse is the only water resource on the site that falls under federal jurisdiction. The proposed project is expected to avoid that watercourse.

The project proponent will need to replace wetland impacts by purchasing available wetland credits from approved wetland banks. Wetland credits are expected to come from banks located in the same Major Watershed or Wetland Bank Service Area as the wetland impacts. Credits to be purchased for compensatory mitigation will depend upon credit balances available for sale when wetland impacts are proposed. Avoided wetlands will need to comply with City of Dayton wetland buffer requirements.

The project proponent will be required to implement BMPs or other management practices that help reduce and eliminate wetland impacts over time. As required under Part 9.17 of the MPCA's General Stormwater Permit for Construction Activity, the project proponent will maintain either 50-foot natural buffers or a double row of silt fence down gradient from construction and adjacent to surface waters and wetlands. Stormwater treatment basins will be designed to treat runoff from impervious surfaces prior to discharge to wetlands.

Wetland Buffers

As discussed below, the project is proposing to impact all of the wetlands on the site. If the design is revised to avoid some or all wetlands, the project will need to provide wetland buffers, as required under the City of Dayton Wetland Ordinance, Section 1001.27 of the City Code. Wetlands that remain onsite after project development need to have buffers with an average width of 25 feet and a minimum width of 10 feet. Principal structures need to be setback at least 15 from buffer edges. The Elm Creek Watershed Management Commission has wetland buffer requirements similar to the City of Dayton. Wetland buffers need to be preserved in their natural state, planted to native vegetation if disturbed or weedy, recorded under a conservation easement, and delineated by markers spaced no greater than 250 feet.

b) Other Surface Waters. Describe any anticipated physical effects or alterations to surface water features (lakes, streams, ponds, intermittent channels, county/judicial ditches) such as draining, filling, permanent inundation, dredging, diking, stream diversion, impoundment, aquatic plant removal and riparian alteration. Discuss direct and indirect environmental effects from physical modification of water features. Identify measures to avoid, minimize, or mitigate environmental effects to surface water features, including in-water Best Management Practices that are proposed to avoid or minimize turbidity/sedimentation while physically altering the water features. Discuss how the project will change the number or type of watercraft on any water body, including current and projected watercraft usage.

The project area does not include any DNR public waters, public waters wetlands, or public watercourses. Effects on wetlands, ditches, and swales are addressed in the preceding **Item 11.b.iv.a**. The proposed project is not expected to affect other surface water features such as lakes or county/judicial ditches.

12. Contamination / Hazardous Materials / Wastes

a. Pre-project site conditions - Describe existing contamination or potential environmental hazards on or in close proximity to the project site such as soil or ground water contamination, abandoned dumps, closed landfills, existing or abandoned storage tanks, and hazardous liquid or gas pipelines. Discuss any potential environmental effects from pre-project site conditions that would be caused or exacerbated by project construction and operation. Identify measures to avoid, minimize or mitigate adverse effects from existing contamination or potential environmental hazards. Include development of a Contingency Plan or Response Action Plan.

Much of the project area has existed as cropland and wastewater treatment basins since at least the 1930s. The project area does not include any buildings, known pipelines, transmission lines, or registered storage tanks. The site is located in an industrial area and several potential contamination sites, environmental permits, and registrations are located in the project vicinity. These sites have been investigated, are closed, inactive, or appear to be under appropriate management. As a result, they do not pose an apparent environmental contamination threat to the project area.

<u>Phase I and Phase II Environmental Site Assessments</u>

Eckland Consultants prepared a Phase I Environmental Site Assessment (Phase I ESA) for the project area and additional property in 1995. That assessment identified:

1. a wastewater treatment lagoon in the northeastern part of the site, later known as Kjellbergs Dayton Mobile Home Park Stabilization Pond;
2. metal tanks and old or stripped vehicles adjacent to south boundary of the site, later known as the Dayton Park Dump; and
3. an underground storage tank (UST) at a former fuel station about 0.2 mile south of the project area.

The Phase I ESA recommended removal of the underground storage tank and the vehicles.

Wenck Associates prepared a Phase I ESA for the project area and additional property in 2019. **Appendix D** includes a summary from the Phase I ESA. The Phase I ESA identified the following recognized environmental conditions (RECs) indicating potential for environmental contamination related to past land uses:

1. the former fuel station known as Daytona Market, has tanks listed as active, has potential for a release of petroleum products, and is located about 0.2 mile south of the project area;
2. fill material near adjacent to the south boundary of the site, considered to have potential for petroleum products or hazardous substances associated with the fill material;
3. the Dayton Park Dump near the south boundary of the site, considered to have potential for petroleum products or potentially hazardous substances; and
4. the Former Gas Station located at 19080 County Road 81, about 0.2 mile south of the site, has identified groundwater impacts associated with a gasoline release.

The fill piles at the location of the Dayton Park dump included leaf litter, tree branches, concrete, and asphalt rubble. The MPCA file on the dump indicated the area was used by the mobile home park owner as an open dump prior to 1979. MPCA staff observed the site in 1998 for signs of a dump, but no further investigation was completed.

The Phase I ESA found that the wastewater holding ponds that existing in the northeastern part of the site from at least 1974 to late 2014 is not a REC. The ponds were shown as filled on 2016 aerial photographs and there was no indication of a release of petroleum products or hazardous substances at that time.

Wenck Associates prepared a Phase II Environmental Site Assessment (Phase II ESA) in 2019 to further assess potential for environmental contaminants at the locations of the RECs identified above. A summary from the Phase II ESA is included in **Appendix D**. The Phase II ESA included 11 soil borings and seven soil test pits to assess conditions at tank and dump sites. Soil samples were analyzed for volatile organic compounds (VOCs), polynuclear aromatic hydrocarbons (PAHs), Resource Conservation and Recovery Act (RCRA) metals, polychlorinated biphenyls (PCBs), and organo-chlorine pesticides. Groundwater samples were analyzed for VOCs.

The analysis found that concentrations of arsenic, cadmium, chromium, lead and mercury in soils were similar to naturally occurring background levels. These concentrations did not appear to represent a contamination release at the site. The Phase II ESA said the concentration of benzene in soil from the tank locations about 0.2 mile south the site appeared to indicate a release of petroleum hydrocarbons in the area of one of the tanks. The concentrations of PAHs were below the most conservative risk-screening criteria of the MPCA. Groundwater analysis from two borings at tank locations found concentrations of benzene indicative of a release to release from tanks.

Sampling from one well near the tank locations found trichloroethylene (TCE) in the groundwater. TCE has been widely used in industrial cleaning solutions and as a universal degreasing agent. The Phase II ESA indicated:

1. the TCE may be related to a release at the site;
2. the release should be reported to the Duty Officer of the State of Minnesota's Department of Public Safety – Emergency Management Division in accordance with Minn. Stat. §115.061;
3. the TCE could be a false positive related to laboratory issues or cross-contamination;
4. additional sampling is needed to determine whether groundwater is impacted with TCE; and
5. installation of a monitoring well was recommended to assess whether TCE concentrations of concern are present in the groundwater.

What's in My Neighborhood

Review of MPCA and Minnesota Department of Agriculture (MDA) "What's in My Neighborhood" (WIMN) interactive websites identified 16 listed sites located within an 0.25-mile radius of the project area (**Table 13**). Five of these sites were addressed in detail in the Phase I and Phase II ESAs summarized above and are considered inactive by the MPCA:

1. the wastewater treatment lagoon previously located in the northeastern part of the site, which is listed as Kjellbergs Dayton Mobile Home Park Stabilization Pond;
2. the Dayton Park Dump located adjacent to the southern boundary of the project area;
3. the Former Gas Station located about 0.2 mile south of the project area, a petroleum remediation leak site and an investigation and cleanup site;
4. the Daytona Market located about 0.2 mile south of the project area, a petroleum remediation leak site and an investigation and cleanup site; and
5. Dayton Park Properties located about 0.2 mile south of the project area, a brownfields investigation and cleanup site.

The Kjellbergs Dayton Mobile Home Park Stabilization Pond was added to the Investigation and Cleanup list in 1987. A Site Assessment was completed, the MPCA closed the site in 1997 and the site is now considered inactive. The Dayton Park Dump was added to the Investigation and Cleanup list in 1987. A Site Assessment was completed and the MPCA closed the site in 2000. The site is now considered inactive. State Assessment sites are places the MPCA has investigated due to suspected contamination. They are assessed to determine if they pose a risk to human health or the environment. If so, they are referred to a cleanup program.

The MPCA WIMN website identified 11 other potential contamination sites within an 0.25-mile radius of the project area. These included six hazardous waste sites, two investigation and cleanup sites, two industrial stormwater sites, and one construction stormwater site (**Table 13**). The MDA website did not identify any spills or incidents within 0.25 mile of the project area. Most of the sites listed by the MPCA are inactive. Four hazardous waste sites are listed as active. These include three very small quantity hazardous waste generators and one minimal quantity hazardous waste generator.

Hazardous waste includes substances that are corrosive, explosive, toxic and-or fire hazards. Very small quantity generators produce 220 pounds or less of hazardous waste, and less than 2.2 pounds of acute hazardous waste per month. Minimal quantity generators generate less than 100 pounds per year, none of which is classified as an acute hazardous waste.

A listing in the WIMN database, by itself, does not indicate a release or a threat of release of petroleum products or potentially hazardous substances. Available information suggests the WIMN sites identified within an 0.25-mile radius of the proposed project have been properly investigated and are closed, inactive, or appear to be under appropriate management. As a result, they are not expected to affect the project area.

Table 13. What's in My Neighborhood MPCA Sites near Project Area

Site ID	Type	Name	Status[1]	Direction from Project
189908	Investigation and Cleanup	Kjellbergs Dayton Mobile Hm Pk Stab Pond	Inactive	Onsite, NE part of site
186781	Investigation and Cleanup	Dayton Park Dump	Inactive	Adjacent to SW edge of site
102290	Industrial Stormwater	International Computer Appliance Corp	Inactive	West
142111	Construction Stormwater	CLAM Building & Site Improvements	Inactive	West
141399	Hazardous Waste	Enviro-Chem Scrap Metal Recycling Facility	Inactive	West
10124	Hazardous Waste	Superior Iron Inc	Inactive	West
19989	Hazardous Waste, Minimal quantity generator	System Design & Support	**Active**	West
234055	Industrial Stormwater	Boyds Custom Cabinets	Inactive	Southwest
8221	Investigation and Cleanup Air Quality, Petroleum Brownfields	Proco Wood Products Inc	Inactive	Southwest
49278	Hazardous Waste, Very small quantity generator	E&A Products	**Active**	Southwest
189969	Investigation and Cleanup Petroleum Remediation, Leak Site	Former Gas Station	Inactive	South
118324	Investigation and Cleanup Petroleum Remediation, Leak Site; Underground Tanks	Daytona Market	Inactive	South
2978	Investigation and Cleanup Brownfields, Construction Stormwater, Wastewater	Dayton Park Properties	Inactive	South
216587	Hazardous Waste, Very small quantity generator	Elevation Coating Warehouse	**Active**	South
23427	Aboveground Tanks; Hazardous Waste, Very small quantity generator	JE Dunn Construction Co	**Active**	South
185775	Investigation and Cleanup Petroleum Brownfields	VSI Construction	Inactive	South

[1]Status is according to information available on the MPCA website.

b. Project related generation/storage of solid wastes - Describe solid wastes generated/stored during construction and/or operation of the project. Indicate method of disposal. Discuss potential environmental effects from solid waste handling, storage and disposal. Identify measures to avoid, minimize or mitigate adverse effects from the generation/storage of solid waste including source reduction and recycling.

Project construction is expected to generate waste including scraps of wood and other construction materials. Construction contractors will be required to dispose of wastes generated at the site during construction using approved methods and facilities. Onsite construction debris will likely be stored in dumpsters that will be hauled to an MPCA permitted solid waste disposal facility. It is anticipated that contractors will minimize and mitigate adverse effects from solid waste generation and storage by recycling construction waste to the degree practicable. Brush and tree waste generated by construction will likely be chipped or otherwise recycled rather than burned on site. The construction process may also generate limited small quantities of hazardous wastes (e.g., oils, greases, solvents) as a result of routine use and maintenance of construction equipment. Contractors will be responsible for disposing of such wastes in accordance with state requirements as further discussed under **Item 12.d**. below. It is anticipated that site grading will balance the cut and fill quantities of soils, avoiding the need to dispose of excess earthen material.

After development, the light industries that occupy the site will generate mixed municipal solid waste. Most solid waste is expected to include organics, paper, other waste, and plastic (**Table 14**). Municipal solid waste generated will be managed through a routine, scheduled disposal plan using one or more garbage (solid waste) haulers licensed by the City of Dayton. The licensed haulers will truck solid waste to approved nearby solid waste disposal facilities. The City of Dayton will require up-to-date recycling in accordance with the Minnesota State Building code. Project area tenants will be encouraged to minimize waste and recycle to the extent practicable. Participation in recycling by future industries in the project area is expected to help mitigate adverse effects of solid waste.

Neither the construction process nor the proposed project is expected to generate substantial hazardous waste, solid animal manure, sludge, or ash.

Table 14. Estimated Solid Waste Composition

Waste Type	Estimated %
Organic	31.0
Paper	24.5
Other	18.3
Plastic	17.9
Hazardous	0.4
Metal	4.5
Glass	2.2
Electronics	1.2
Total	100.0

Source: 2013 Statewide Waste Characterization
(Burns & McDonnell for MPCA 2013).

c. Project related use/storage of hazardous materials - Describe chemicals/hazardous materials used/stored during construction and/or operation of the project including method of storage. Indicate the number, location and size of any above or below ground tanks to store petroleum or other materials. Discuss potential environmental effects from accidental spill or release of hazardous materials. Identify measures to avoid, minimize or mitigate adverse effects from the use/storage of chemicals/hazardous materials including source reduction and recycling. Include development of a spill prevention plan.

Project development is not expected to generate or store substantial amounts of hazardous wastes or materials. Project construction may include some temporary storage of potentially hazardous substances, such as diesel fuel for construction vehicles. Temporary storage of such hazardous materials will need to be secured by contractors. Future light industrial development is expected to result in the storage or generation of small amounts of typical household cleaners, paints, lubricants, and small engine fuels over time. Petroleum storage tanks and commercial petroleum-based businesses are not proposed in the project area.

d. Project related generation/storage of hazardous wastes - Describe hazardous wastes generated/stored during construction and/or operation of the project. Indicate method of disposal. Discuss potential environmental effects from hazardous waste handling, storage, and disposal. Identify measures to avoid, minimize or mitigate adverse effects from the generation/storage of hazardous waste including source reduction and recycling.

Normal construction and light industrial hazardous wastes are anticipated. Toxic or hazardous materials such as fuel for construction equipment and materials used in construction and maintenance (paint, adhesives, stains, contaminated rags, acids, bases, herbicides, and pesticides) will likely be used during project construction and operation. Spills of these materials are not likely to occur, but a substantial spill could require notification of the Minnesota Duty Officer. Contractors will be responsible for proper management and disposal of wastes generated during construction. Site tenants will be responsible for management and disposal of hazardous waste thereafter. Any business that generates greater than five gallons of hazardous waste on the site will need to obtain a hazardous waste license and properly dispose of the hazardous waste.

13. Fish, Wildlife, Plant Communities and Sensitive Ecological Resources (Rare Features)

a. Describe fish and wildlife resources as well as habitats and vegetation on or in near the site.

Fish and wildlife resources on and near the site are related to the composition, quality, size, and connectivity of plant communities such as croplands, wetlands, woodlands, and grasslands. Vegetation cover type mapping in the project area was based on aerial photography, the wetland delineation, and field reviews (**Figure 6**). The project area is about 71% cropland, 17% wetlands, ponds, and drainages; and 11% woodland. Habitats in the project area are used by a variety of wildlife species common in east-central Minnesota, including species adapted to cropland, emergent wetlands, and woodland. Such species include white-tailed deer, songbirds, waterfowl, small mammals, and amphibians.

The project area falls in the Eastern Broadleaf Forest Province of the MDNR Ecological Classification System and the Big Woods Level IV Ecoregion of the U.S. EPA. This region generally consists of rolling plains covered mostly by row crops with some lakes, pastures, and suburban development. Prior to modern settlement, much of this ecoregion was covered by extensive hardwood forest.

Much of the project area has limited wildlife habitat value because it has been used for production of annually tilled agricultural crops. The cropland was planted to corn in 2020. Wetlands are dominated by reed canary grass, cattail, willows, silver maple, green ash, barnyard grass, and agricultural weeds. Woodlands included mostly green ash and boxelder, with some red oak and buckthorn predominant throughout the understory. Grasslands are mostly dominated by reed canary grass, with some smooth brome and Kentucky bluegrass.

The Hennepin County Natural Resource Inventory does not show any ecologically significant areas, natural resource corridors, DNR native plant communities, or DNR sites of biodiversity significance onsite. The Inventory shows French Lake mapped as a natural resource corridor and ecologically significant area. The proposed project will not have physical effects on French Lake.

*b. Describe rare features such as state-listed (endangered, threatened or special concern) species, native plant communities, Minnesota County Biological Survey Sites of Biodiversity Significance, and other sensitive ecological resources on or within close proximity to the site. Provide the license agreement number (**LA-989**) and/or correspondence number (**ERDB [none assigned]**) from which the data were obtained and attach the Natural Heritage letter from the DNR. Indicate if any additional habitat or species survey work has been conducted within the site and describe the results.*

State

A Natural Heritage Inventory System (NHIS) data request was submitted to the MN DNR to assess whether rare plant or animal species or other significant natural features are known to occur within an approximate 1-mile radius of the project area. In addition, Kjolhaug Environmental Services (KES) queried a licensed copy of the NHIS database to assess rare species and natural features. This EAW reports on the result of the KES NHIS query because the MN DNR had not responded to the data request at the time this EAW was approved for distribution.

The NHIS review identified records of three state special concern species occurring in the general vicinity of the project area. Neither of these species is on the list of federally threatened and endangered species. These NHIS records include:

1. Common gallinule (*Gallinula galeata*) – A state special concern bird species observed near the project area. Gallinules are found in freshwater cattail-bullrush marshes, sometimes large marshes with deep water and a mix of water and emergent vegetation.
2. Trumpeter swan (*Cygnus buccinator*) – A state special concern bird documented within a mile of the site. The trumpeter swan typically selects small ponds and lakes or bays on larger water bodies with extensive beds of cattails, bulrush, sedges, and/or horsetail.

3. American ginseng (*Panax quinquefolius*) and Big Woods sugar maple forest – American ginseng is state special concern vascular plant species observed in sugar maple Big Woods forest about a mile northwest of the site. Ginseng grows only in well-developed forest soils, usually mesic loams, typically under a closed canopy of mature sugar maple, basswood, or red oak.

Federal

Online information on rare species information maintained by the U.S. Fish and Wildlife Service (USFWS) was also reviewed for the project area. The U.S. Fish and Wildlife Service (USFWS) listed the northern long-eared bat (*Myotis septentrionalis*) as federally threatened on May 4, 2015. On February 2, 2017, the USFWS listed the rusty patched bumble bee (*Bombus affinis*) as federally endangered.

Review of the USFWS Information for Planning and Consultation (IPaC) website with a polygon encompassing the project area identified the northern long-eared bat as the only threatened or endangered species that may potentially be affected by activities at the project location. The IPaC website also noted that there are no critical habitats at this location.

The northern long-eared bat hibernates in caves during winter and establishes maternity roosting colonies under the loose bark of trees during the summer. The project area is not known to include caves and includes limited tree cover. As of June 3, 2020, MN DNR data showed no documented maternity roost trees or hibernacula entrances of the northern long-eared bat in the project vicinity.

Review of the USFWS Rusty Patched Bumble Bee Map indicates the project area falls within a Low Potential Zone. This means that the rusty patched bumble bee is not likely to be present in the project area. The nearest High Potential Zones, where rusty patched bumble bees are likely to occupy suitable habitat, as located about 1.3 mile southeast of the project and is associated with the Elm Creek Park Reserve. Most habitats suitable for rusty patched bumble bees in the Upper Midwest have been converted by agriculture or other land uses. Bumble bees need areas that provide nectar and pollen from flowers, nesting sites (underground and abandoned rodent cavities or clumps of grasses), and overwintering sites for hibernating queens (undisturbed soil). The project area is about is about 71% cropland and lacks typical pollinator habitat. Site reviews did not identify native prairie plantings or diverse areas of native wildflowers.

c. Discuss how the identified fish, wildlife, plant communities, rare features and ecosystems may be affected by the project. Include a discussion on introduction and spread of invasive species from the project construction and operation. Separately discuss effects to known threatened and endangered species.

The project will convert about 48 acres of cropland, woodland, wetland, and drainages to buildings, parking lots, stormwater basins, low maintenance grassland, and landscaping. This habitat conversion is expected to affect the number and type of wildlife species in the area, but changes in wildlife abundance are not expected to be regionally significant. Wildlife species that depend on cropland-wetland-woodland habitats could be displaced during project construction. Non-migratory

species with small home ranges such as small mammals may experience more adverse effects, including mortality during project construction.

Development of the project area is not expected to have substantial effects on state-listed rare species such as the common gallinule and trumpeter swan because the site has been used primarily as cropland and wetlands on the site are range from seasonally flooded to shallow marsh areas with little or no open water. The nearby French Lake will continue to provide potential habitat for these water birds.

The project is not considered likely to adversely affect the northern long-eared bat (NLEB) because there are no known maternity roosts or hibernacula of this species in the project vicinity. Project construction will remove about 4.51 acres and preserve about 1.23 acres of wooded habitat that may be used by bats (**Figure 12**). Tree clearing is not expected to substantially affect essential NLEB behavioral patterns such as breeding, feeding, or sheltering. To the extent practicable, tree clearing will occur between October and April, when migratory songbirds and bats are not nesting or reproducing, and look to avoid the bat reproducing and young rearing period between June 1 and July 31.

The project area is not known to contain highly suitable habitat for the rusty patched bumble bee, and therefore this bee is unlikely to be present in the project area. Site development may improve conditions for pollinators and pollinator dispersal, as development will discontinue agricultural production, reduce agricultural pesticide use, and add landscape buffers.

Although project construction is expected to slightly increase the potential for the spread of invasive and weedy species, a considerable part of the project area has been tilled for agricultural production. BMPs may include the cleaning of construction equipment before transport, which might reduce the potential spread of invasive species.

d. Identify measures that will be taken to avoid, minimize, or mitigate adverse effects to fish, wildlife, plant communities, and sensitive ecological resources.

Measures to minimize and mitigate adverse effects on wildlife include the preservation of about 13 acres of open space consisting of stormwater basins, grassland, and landscaping. The project is expected to preserve about 1.23 acres of woodland.

14. Historic Properties

Describe any historic structures, archeological sites, and/or traditional cultural properties on or in close proximity to the site. Include: 1) historic designations, 2) known artifact areas, and 3) architectural features. Attach letter received from the State Historic Preservation Office (SHPO). Discuss any anticipated effects to historic properties during project construction and operation. Identify measures that will be taken to avoid, minimize, or mitigate adverse effects to historic properties.

A request for records related to the history of the site has been submitted to the Minnesota State Historic Preservation Office (SHPO) and Nienow Cultural Consultants (NCC) conducted a Phase I Archaeological Survey of the project area in December 2020 and April 2021. SHPO identified a

segment of historic railroad located about 0.3 mile south of the proposed project, the M&NW/StPM&M/GN West Side Line (Osseo Branch), Dayton Segment (HE-DYC-018). The response from SHPO is included in **Appendix E**.

NCC conducted an historical records review and found no previously documented archaeological sites in the project area, but identified four sites from a 2014 study for the French Lake Industrial Center AUAR Area directly north of the project area (**Table 15**).

Table 15. Archaeological Sites North of Project Area

Site No.	Distance North of Project (Ft)	Site Type
21HE442	1,665	Precontact period lithic scatter
21HE443	2,890	Precontact period lithic scatter
21HE444	1,475	Precontact period lithic scatter
21HE445	2,980	Precontact period lithic scatter

NCC completed a field survey of cropland in the project area on December 18, 2020, using standard methods laid out in the Office of State Archaeologist (OSA) and State Historic Preservation Office (SHPO) archaeology manuals. Survey methods consisted primarily of surface survey over all plowed fields (all fields had 30% or greater visibility).

One archaeological site was documented during the surface survey consisting of a single, basalt flake from the production of a stone tool. Modern trash (plastic, cardboard, etc.), rockpiles with modern materials (metal barrels, plastic and metal drainage pipes), and discarded/broken farm implements (plow tines, machinery parts, etc.) were identified in several locations during the pedestrian survey but materials were not collected.

NCC completed four shovel tests on the site on April 17, 2021. Shovel tests were typically 35-40 centimeters (cm) wide and at least 50cm deep. All soils were screened through ¼-inch mesh screen, detailed profile notes completed, photographs taken, and GPS points collected for each shovel test. All shovel tests were negative for cultural materials.

The Phase I Archaeological Survey of the project area identified a single prehistoric archaeological site. The site was represented by a single lithic flake. This flake has been reported to the Office of the State Archaeologist and received site number 21HE0546. This site is not considered eligible for the National Register of Historic Places and NCC recommended that no further archaeological work be completed. The Phase I Archaeological Survey Report is included in **Appendix E**.

15. Visual

Describe any scenic views or vistas on or near the project site. Describe any project related visual effects such as vapor plumes or glare from intense lights. Discuss the potential visual effects from the project. Identify any measures to avoid, minimize, or mitigate visual effects.

Most existing views of the site are farmland, wetlands, and wooded field edges. There are no prominent scenic vistas on or near the property, but part of the property overlooks French Lake. Project development is expected to result in routine effects on visual resources, but substantial effects on visual resources are not anticipated. The main visual effect will be the transition of views from mostly open agricultural land to buildings, parking lots, and stormwater basins. The project will not involve installation of intense lights that would cause glare, and the project is not expected to include industries that would emit vapor plumes. Effects of outdoor lighting can be minimized by using fixtures that direct light where it's needed and shield light from sensitive areas.

The proposed light industrial use will operate 24 hours a day, six days a week. Nighttime noise and light pollution will be minimized with landscape buffers, delivery timing, and by loading trucks inside of buildings. Deliveries are typically scheduled between 7:00am and 9:00pm. The project design will include a minimum 20-foot landscape buffer along the southern project boundary to mitigate noise and light pollution. Landscape plantings are expected to soften visual transitions and help mitigate effects on views from nearby properties and roads. Other potential mitigation measures may be required, such as fencing or walls that would provide security or an enhanced visual buffer near the mobile home park to the south. Stormwater basins will provide a visual transition between French Lake and the light industrial development. The trees along the east side of French Lake Road will continue to screen some views of the development from French Lake.

16. Air

a. Stationary source emissions. Describe the type, sources, quantities and compositions of any emissions from stationary sources such as boilers or exhaust stacks. Include any hazardous air pollutants, criteria pollutants, and any greenhouse gases. Discuss effects to air quality including any sensitive receptors, human health or applicable regulatory criteria. Include a discussion of any methods used assess the project's effect on air quality and the results of that assessment. Identify pollution control equipment and other measures that will be taken to avoid, minimize, or mitigate adverse effects from stationary source emissions.

The proposed project does not include heavy industrial facilities, but the project will still involve some stationary source air emissions. New light industrial commercial buildings are expected to include heating and cooling systems operated by natural gas and electricity, which will result in direct or indirect sources of stationary greenhouse gas (GHG) emissions. Emissions from heating and cooling units are expected to be similar to those of other light industrial buildings in the surrounding area.

The Minnesota EQB is working on a framework for integrating GHG quantification and assessment requirements into the Environmental Review Program, but methods and requirements are not yet

final. In light of this constraint and in the absence of official guidance, the GHG assessment presented here is qualitative.

Common GHG emissions include CO2, CH4, N2O. GHG emissions are customarily converted to carbon dioxide equivalents (CO2e) using global warming conversion factors to represent the global warming potential over 100 years, equivalent to one ton of CO2 derived from fossil fuel.

GHG emissions are expected to result from:

1. Use of petroleum fueled equipment during project construction;
2. Use of natural gas and other fossil fuels to heat buildings and water;
3. Fossil fuels burned to generate electricity used at the project during construction and operation;
4. Vehicle and air transportation related to project construction and operation;
5. Transport, treatment, and storage of solid waste and wastewater;
6. Loss of carbon sequestration due to conversion of natural vegetation to developed and paved surfaces; and
7. Refrigeration, air conditioning, and the related manufacturing, service, and leakage of equipment.

GHG emissions from this project, while unquantified, are not expected to cause potential for significant environmental effects because the project requires a mandatory EAW due to square feet of light industrial floor space rather than air pollution and because there is no mandatory EIS threshold for air pollution in Minnesota. There are no readily available GHG emission estimates that show a comparably sized Minnesota project with potential to exceed the mandatory EAW threshold of 100,000 tons of CO2e per year (Minnesota Rules Part 4410.4300, Subp. 15.B.).

Climate change and GHG mitigation measures may be incorporated into the project design. Potential GHG and climate change mitigation measures that may be considered include:

1. Use energy efficient building materials that reduce the need for heating and cooling.
2. Install programable thermostats (already assumed).
3. Install smart irrigation to reduce outdoor water use.
4. Install high-albedo (reflective) roofing materials that reflect the sun’s UV rays and save energy needed to cool buildings.
5. Consider rooftop solar, electric vehicle charging stations, and/or battery storage to make the project energy autonomous and EV-ready.
6. Plant turf to no-mow fine fescue mixes or native prairie/pollinator gardens to decrease mowing and increase carbon sequestration.
7. Consider a microgrid for efficient, automated distribution of energy among participants.
8. Install ground-source or air-source geothermal heat pumps during initial construction when most cost-effective.

b. *Vehicle emissions. Describe the effect of the project's traffic generation on air emissions. Discuss the project's vehicle-related emissions effect on air quality. Identify measures (e.g. traffic operational improvements, diesel idling minimization plan) that will be taken to minimize or mitigate vehicle-related emissions.*

The proposed project will generate increased traffic, which will result in a relatively small corresponding increase in carbon monoxide, carbon dioxide and other vehicle-related air emissions. Project development is expected to have a minor effect on air quality. GHG emissions related to traffic and transportation are discussed under **Item 16.a** above. The project does not include air quality monitoring or modeling.

c. *Dust and odors - Describe sources, characteristics, duration, quantities, and intensity of dust and odors generated during project construction and operation. (Fugitive dust may be discussed under item 16a). Discuss the effect of dust and odors in the vicinity of the project including nearby sensitive receptors and quality of life. Identify measures that will be taken to minimize or mitigate the effects of dust and odors.*

The project may generate some dust or odors at levels that are typical of light industrial development, particularly during construction. Dust and odors produced during project construction are expected to be consistent with applicable regulations of the MPCA and the City of Dayton. Dust, odors, and noise levels are expected to be slightly higher during project construction than during project operation.

The construction process is expected to generate fugitive dust, but dust is not expected to be generated in objectionable quantities. The dust receptor nearest to the project area is the Dayton Park Mobile Home Park located immediately south of the project. Odors routinely generated during construction will be typical of those associated with construction activity, such as exhaust from diesel and gasoline powered construction equipment.

Consideration will be given to suppression of airborne dust by application of water if fugitive dust generation during site grading exceeds levels typically expected during normal construction practices.

17. Noise

Describe sources, characteristics, duration, quantities, and intensity of noise generated during project construction and operation. Discuss the effect of noise in the vicinity of the project including 1) existing noise levels/sources in the area, 2) nearby sensitive receptors, 3) conformance to state noise standards, and 4) quality of life. Identify measures that will be taken to minimize or mitigate the effects of noise.

It is anticipated that local noise levels will temporarily increase during project construction, but noise levels are expected to be at or near existing levels after construction is complete. Noise levels on and adjacent to the project area will vary considerably during construction, depending on the amount of construction that occurs simultaneously, the time of operation, and the distance between construction equipment and receptors.

The noise receptor nearest to the project area is the Dayton Park Mobile Home Park located immediately south of the project. Homes in this area will experience noise levels at times during

construction that are elevated in comparison to existing noise levels. Grading and excavation will require heavy equipment, such as scrapers, bulldozers, and other excavating equipment.

The project is expected to minimize disturbances caused by construction noise and comply with Minnesota noise rules and standards. These rules require noise to stay within specified levels depending on the land use and the time of day or night.

Noise generated by construction equipment and building construction will be limited primarily to daylight hours when noise levels are commonly higher than at night. Contractors will be required to minimize noise impacts by maintaining equipment properly, including use of mufflers and other noise controls as specified by manufacturers.

Noise levels after development will be related to truck traffic and light industrial operations. The proposed light industrial development will operate 24 hours a day, six days a week. Nighttime residential noise standards will apply within the mobile home park to the south between 10:00pm and 7:00am. The project will include mitigation measures to reduce nighttime noise levels and is expected to comply with nighttime noise standards. Noise mitigation measures will include:

1. a 20-foot landscape buffer and a potential fence or wall along the southern project boundary;
2. scheduling typical deliveries to occur between 7:00am and 9:00pm; and
3. loading trucks inside of buildings.

Noise monitoring may be needed after the project begins operation to determine if the project is complying with nighttime noise standards for the adjacent residential area. Noise monitoring could identify the need for additional mitigation measures to be implemented.

18. Transportation

a. Describe traffic-related aspects of project construction and operation. Include: 1) existing and proposed additional parking spaces, 2) estimated total average daily traffic generated, 3) estimated maximum peak hour traffic generated and time of occurrence, 4) indicate source of trip generation rates used in the estimates, and 5) availability of transit and/or other alternative transportation modes.

Swing Traffic Solutions (STS) completed a Traffic Impact Study to estimate the trips generated by the proposed project and evaluate the potential need for transportation or roadway improvements. The complete Traffic Study is included in **Appendix F**.

Existing and Proposed Parking Spaces

The project area does not include any parking stalls under existing conditions. The proposed project will include up to 600,000 square feet of light industrial floor space and up to 300 vehicle parking stalls. The parking stall estimate is based on Parking Regulations under Section 1001.19 of the Dayton City Code. Parking areas could include stalls for passenger vehicles, trucks, and trailers.

Estimated Traffic Generation

STS prepared a complete Traffic Impact Study for up to 600,000 square feet of office-warehouse development that is 15% office and 85% warehouse. The full Traffic Study focused on this maximum development scenario and the layout shown in **Concept C** (**Figure 5**). This scenario has the highest trip generation and the greatest effect on the surrounding roadway network. The Traffic Study assumed full development of the site by 2025. The complete Traffic Impact Study is included in **Appendix F**.

Trip generation was estimated for the maximum development scenario using the methodology outlined in the Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition (2017). The project is expected to generate up to 200 PM peak hour trip trips, consisting of 42 entering vehicles and 158 exiting vehicles (**Table 16**). The Traffic Study included in **Appendix F** provides a full description and analysis of the peak hour traffic and traffic recommendations.

Table 16. Project Trip Generation Estimates

Land Use	ITE Code	SF of Floor Space	Daily Trips	AM Peak Hour Trips			PM Peak Hour Trips		
				In	Out	Total	In	Out	Total
Office	710	90,000	958	95	16	111	16	87	103
Warehouse	150	510,000	851	67	20	87	26	71	97
Total		600,000	1,809	162	36	198	42	158	200

Availability of Transit and Alternative Transportation

Available alternative transportation in the City of Dayton includes Transit Link and additional alternatives are under development. Transit Link serves the seven-county metro area with curb-to-curb minibus or van service for the public where regular route transit service is infrequent or unavailable.

The City of Dayton is provided public transportation to destinations within Sibley, McLeod and Wright Counties as part of the Trailblazer Transit Service. Trailblazer Transit is a general public transit system that provides Dial-A-Ride service in Sibley, McLeod, and Wright Counties plus some other neighboring cities. Buses pick up and drop off passengers at locations specified by the customers. A parcel near the Dayton Parkway interchange area has been identified as a potential park and ride station.

Trails and sidewalks provide another alternative approach for local travel. The City of Dayton 2040 Comprehensive Plan shows a proposed neighborhood trail along French Lake Road on the east side of the site, which will increase local opportunities for walking and bicycling. The City is collaborating with Hennepin County, Wright County, and Metro Transit to integrate transit into its transportation network.

b. *Discuss the effect on traffic congestion on affected roads and describe any traffic improvements necessary. The analysis must discuss the project's impact on the regional transportation system. If the peak hour traffic generated exceeds 250 vehicles or the total daily trips exceeds 2,500, a traffic impact study must be prepared as part of the EAW. Use the format and procedures described in the Minnesota Department of Transportation's Access Management Manual, Chapter 5 (available at: http://www.dot.state.mn.us/accessmanagement/resources.html) or a similar local guidance.*

STS documented existing conditions of the nearby roadways with a field inventory during February 22, 2021. Observed conditions were compared with the Updated AUAR traffic study for the French Lake Industrial Center. The study focused on the following intersections:

1. Brockton Lane N and S Diamond Lake Rd;
2. Brockton Lane N and David Koch Avenue;
3. Brockton Lane N and Rogers Drive;
4. Brockton Lane N and 124th Avenue N; and
5. Brockton Lane N and CSAH 81.

Peak hour turning movement counts were conducted at the ICA Corporation site access immediately west of the project and at 117th Avenue N (becomes W French Lake Road) and East French Lake Road, the intersection most closely aligned with the future Dayton Parkway and French Lake Road intersection.

STS analyzed intersection operations using Synchro/Simtraffic, 10th Edition. Recommendations were provided to mitigate impacts based on the traffic control and lane configuration assumed for the 2025 analysis, as summarized in **Table 17**.

Table 17. 2025 Traffic Control and Lane Configuration[1]

Intersection	Control	EB	WB	NB	SB
Brockton Lane N & S Diamond Lake Rd	Signal	LTR	LTr	LTR	LTR
Brockton Lane N & David Koch Ave	Side Stop	ltr	ltr	ltr	ltr
Brockton Lane N & Rogers Dr	Signal	LTTR	LTTR	LTTR	LTTR
Brockton Lane N & 124th Ave N	Signal	N/A	LR	TR	LT
Brockton Lane N & Northern Access	Side Stop	N/A	ltr	tr	lt
Brockton Lane N & Southern Access	Side Stop	LR	lr	By-Pass	tr
Brockton Lane N & County Road 81	Signal	LTTR	LTTRR	LTR	LLTR
French Lake Road & Dayton Parkway	Signal	LTRR	LTR	LTTR	LTTR
French Lake Road & 124th Avenue N	Side Stop	LR	N/A	LT	TR

[1]Capital letters indicate dedicated movements, lower case letters indicate shared movements.

Effects on Traffic and Roadways

The results of the analysis show that all intersections are expected to operate at acceptable overall Levels of Service (LOS) in 2025 under the no-build scenario. The analysis also show that all

intersections are expected to operate at acceptable overall LOS in 2025 with the proposed project. Further, the results show that all intersections are expected to operate at acceptable overall LOS in 2040 with and without the proposed project. Details are included in **Appendix F**.

The proposed project would require a new site access that would be a public street oriented along the southern site boundary and connecting Brockton Lane with French Lake Road (see **Figures 4 and 5**). The new access to Brockton Lane will initially include turn lanes and traffic will be monitored to determine when a signal would need to be added. A signal would have to satisfy warrants analysis before it could be added, the Traffic Study included in **Appendix F** assumed a traffic signal would be in place by 2040. After 2040, a traffic signal at the Brockton Lane site access would result in improved operations with short queues. Hennepin County has jurisdiction over Brockton Lane (County Road 101) and will have ultimate approval authority for signal installation at this location.

The transportation infrastructure surrounding the site will support the proposed development of this property. The intersection of Brockton Lane and Rogers Drive should be monitored to determine when road striping should be adjusted to support northbound dual left turn lanes, as traffic volume turning left onto Rogers Drive is typically better handled with dual left turn lanes.

c. Identify measures that will be taken to minimize or mitigate project related transportation effects.

The traffic analysis considered full build out by 2025 and evaluated conditions in 2040. By 2040, the new site access at Brockton Lane near the southern site boundary is assumed to be signalized, and several regional transportation improvement projects will be complete, including the:

1. upgrade of Brockton Lane N from a two-lane undivided road to a 4-lane divided road;
2. completion of the Dayton Parkway interchange with I-94;
3. completion of the Dayton Parkway and French Lake Road intersection; and
4. upgrade of French Lake Road to a three-lane facility from Dayton Parkway to Rogers Drive.

With these improvements, the transportation system serving this area will have sufficient capacity to include traffic from the Dayton Park Industrial Center as well as several other anticipated projects.

19. Cumulative Potential Effects

Preparers can leave this item blank if cumulative potential effects are addressed under the applicable EAW Items.

a. Describe the geographic scales and timeframes of the project related environmental effects that could combine with other environmental effects resulting in cumulative potential effects.

The proposed project covers 50.76 acres and will include up to 600,000 square feet of light industrial building floor space and 300 parking stalls, expected to be constructed over the next 1 to 2 years. The southwestern part of Dayton is mostly guided for industrial development and has municipal sewer and water staged for development. Several properties located within 1 mile of the proposed project and west and south of French Lake have recently developed or are expected to develop or

redevelop soon (**Table 18**). These properties cover a total of about 350 acres and are expected to develop into predominantly light industrial uses. Some of these projects will be under construction at the same time as the proposed project, and the operational timing of all of these projects could overlap. These projects could potentially interact with the proposed project to result in cumulative effects.

b. Describe any reasonably foreseeable future projects (for which a basis of expectation has been laid) that may interact with environmental effects of the proposed project within the geographic scales and timeframes identified above.

Reasonably foreseeable future projects are discussed under **Item 19a** above and listed in **Table 18** below. These projects are likely to interact with the Dayton Park Industrial Center to result in cumulative effects on transportation and stormwater infrastructure as discussed below.

Table 18. Potential and Proposed Future Developments Near Project Area

Property	Description	Acres	Status	Distance from Project
French Lake Industrial Park	Up to 1.84 million square feet of light industrial development	171	Construction started	Adjacent N
Troy Lane Parcel	Future light industrial development	45	Proposed	0.1 mile S
Spaamen Property	Future light industrial development	25	Proposed	0.2 mile S
Commercial Strip	Future commercial redevelopment	7	Interest	0.2 mile S
SW Area Business	Future light industrial redevelopment	27	Interest	0.3 mile S
French Lake Golf Course	Future light industrial development	72	Proposed	0.3 mile SE
Total		347		

c. Discuss the nature of the cumulative potential effects and summarize any other available information relevant to determining whether there is potential for significant environmental effects due to these cumulative effects.

Potential cumulative effects on public infrastructure relate to traffic and transportation, municipal water supply, sanitary sewers, and stormwater management. Traffic studies routinely address cumulative effects by accounting for future development and background traffic growth. The City of Dayton has planned for continued growth and expanded infrastructure system capacity to address these effects and serve anticipated future projects. The City of Dayton will consider the timing and staging of other development proposals within the context of the Comprehensive Plan and related growth management tools. Cumulative effects on public infrastructure are not expected to be significant.

Potential cumulative effects of anticipated future projects on natural resources depend on the type, density, and location of future developments. Potential effects on natural resources such as wetlands and wildlife habitat can be greater with industrial than residential development because industrial

uses tend to include large buildings and parking areas with little flexibility for resource avoidance. Impacts also vary with project location and local habitat diversity. Effects of the project on wetlands, vegetation communities, and wildlife resources may combine with effects of nearby concurrent projects to result in local and subtle cumulative effects.

Cumulative effects of suburban development on natural resources can include the loss of agricultural land and the loss and fragmentation of wildlife habitat. Surface water runoff from the project area will ultimately flow to Elm Creek and the Mississippi River. Requirements for stormwater management and erosion and sediment control are expected to minimize cumulative effects of post-development runoff on downstream waters. Policies and regulations of the City of Dayton and other government agencies require the stormwater mitigation measures discussed in this EAW. These mitigation measures will help ensure minimization of cumulative effects on the environment.

The project will contribute to and be affected by cumulative effects related to climate change. In Minnesota, climate change has caused increased extreme heat, large precipitation events, flooding, annual precipitation totals, and growing season days. These trends will continue and increase until climate change is reversed. Effects of climate change on the project area or associates of business in the area could include flooding; increased maintenance of roads, parking, storm sewers, and drainage routes; increased human heat stress and health issues; high pollen counts; and decreased need for irrigation. Increased heat could also affect construction practices such as roofing. Snow skiing and snowmobiling could be impacted due to lack of snow and warmer temperatures. Undesirable pests such as deer ticks and fungal infections could increase due to climate change. Some climate change impacts, such as extreme drought, coastal flooding, and shortages of food and water, are not expected to severely affect the proposed project.

Climate change impacts are incremental and cumulative in nature. Just as the project will be impacted by climate change, the project will also contribute to climate change impacts through emission of greenhouse gases.

20. Other Potential Environmental Effects

If the project may cause any additional environmental effects not addressed by items 1 to 19, describe the effects here, discuss the how the environment will be affected, and identify measures that will be taken to minimize and mitigate these effects.

No other additional environmental effects are anticipated as a result of development of the project area. Potential environmental effects have been addressed in **Items 1** through **19**.

RGU CERTIFICATION.

(The Environmental Quality Board will only accept SIGNED Environmental Assessment Worksheets for public notice in the EQB Monitor.)

I hereby certify that:

- *The information contained in this document is accurate and complete to the best of my knowledge.*
- *The EAW describes the complete project; there are no other projects, stages or components other than those described in this document, which are related to the project as connected actions or phased actions, as defined at Minnesota Rules, parts 4410.0200, subparts 9c and 60, respectively.*
- *Copies of this EAW are being sent to the entire EQB distribution list.*

Signature _____ Date _____

Title _____

Figures 1 – 12

Dayton Park Industrial Center EAW

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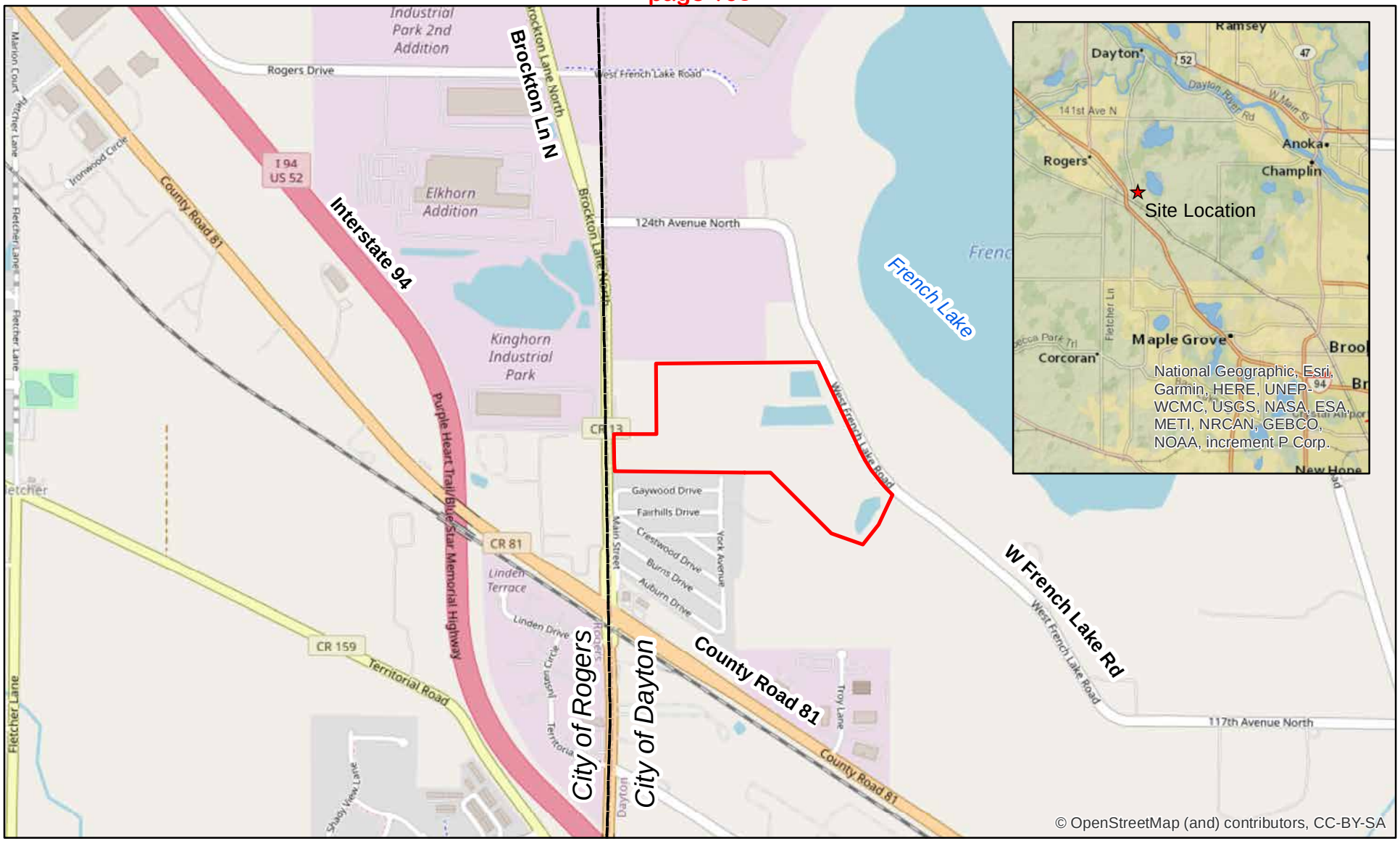

Figure 1 - Project Location

N

0 1,500 Feet

Project Boundary

KJOLHAUG ENVIRONMENTAL SERVICES COMPANY

Source: ESRI Streets Basemap, National Geographic

Dayton Park Industrial Center (KES 2020-128)
Dayton, Minnesota

Note: Boundaries indicated on this figure are approximate and do not constitute an official survey product.

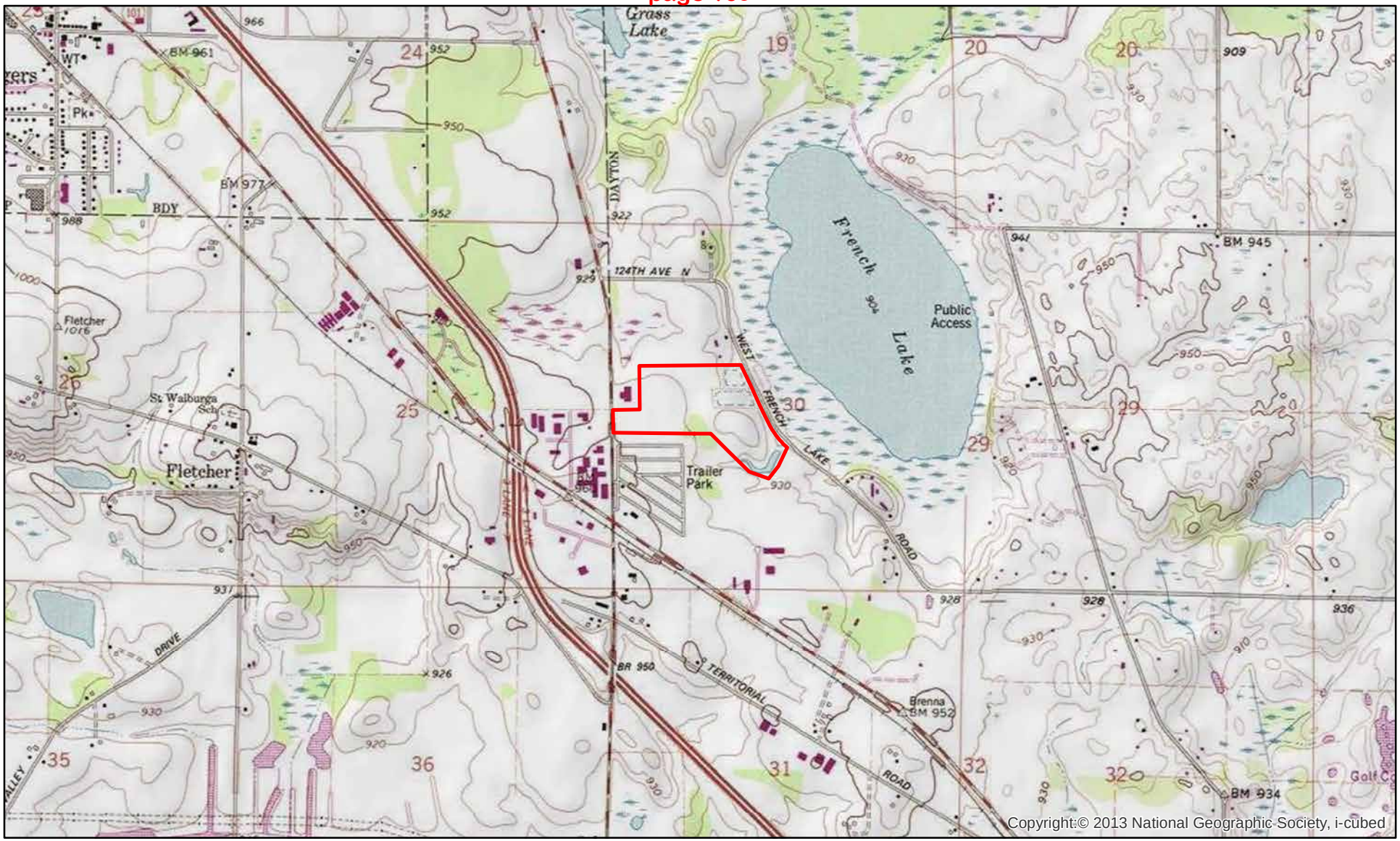

Figure 2 - USGS Topography

N

0 2,000 Feet

KJOLHAUG ENVIRONMENTAL SERVICES COMPANY

Source: MNGEO Spatial Commons, USGS

Dayton Park Industrial Center (KES 2020-128)
Dayton, Minnesota

Note: Boundaries indicated on this figure are approximate and do not constitute an official survey product.

Figure 3 - Concept A (Office - Warehouse)

N

0 335 Feet

KJOLHAUG ENVIRONMENTAL SERVICES COMPANY

Source: MNGEO Spatial Commons, Carlson McCain

Dayton Park Industrial Center (KES 2020-128)
Dayton, Minnesota

Note: Boundaries indicated on this figure are approximate and do not constitute an official survey product.

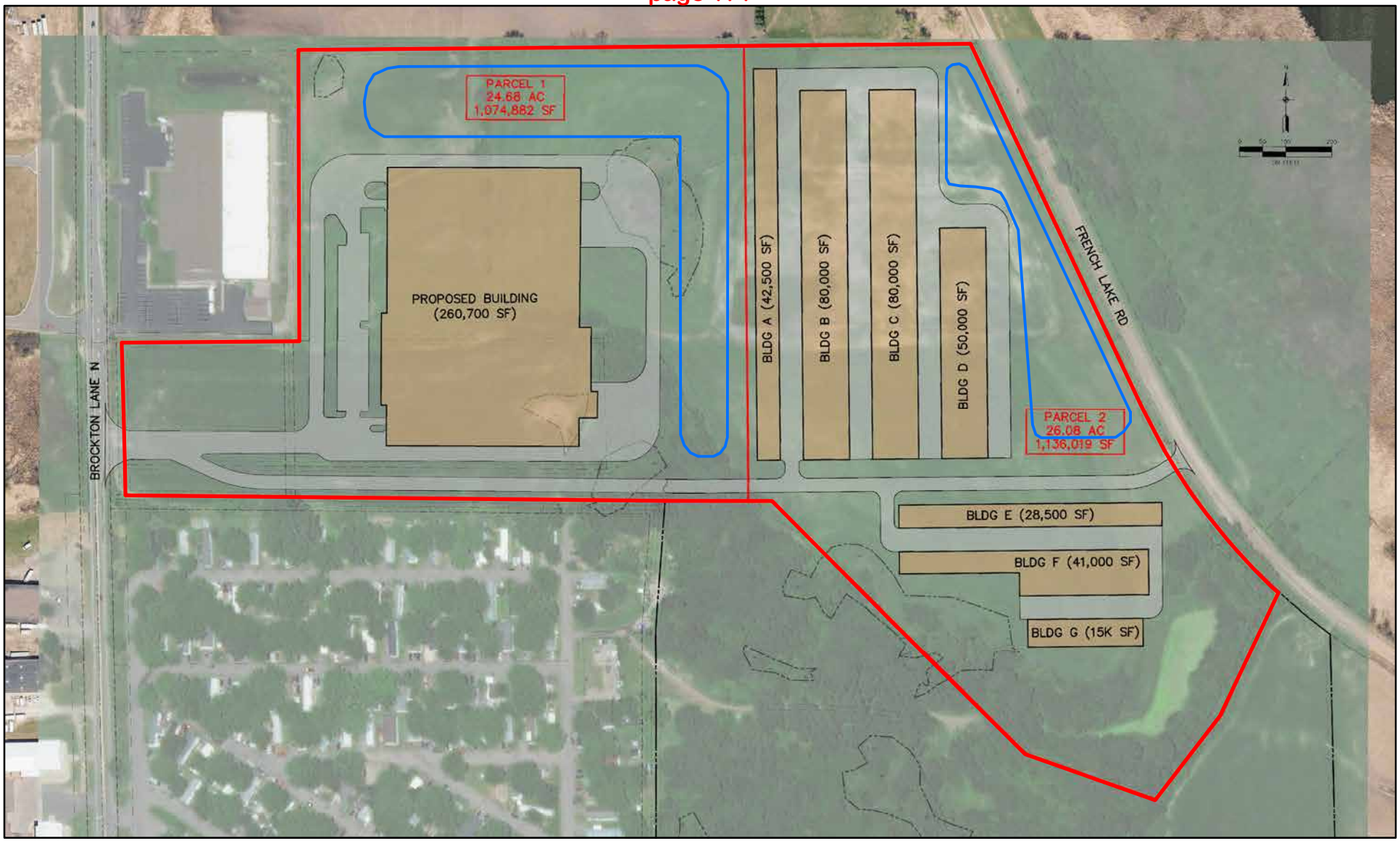

Figure 4 - Concept B (Storage - Warehouse)

N

0 335 Feet

KJOLHAUG ENVIRONMENTAL SERVICES COMPANY

Source: MNGEO Spatial Commons, Carlson McCain

Dayton Park Industrial Center (KES 2020-128)
Dayton, Minnesota

Note: Boundaries indicated on this figure are approximate and do not constitute an official survey product.

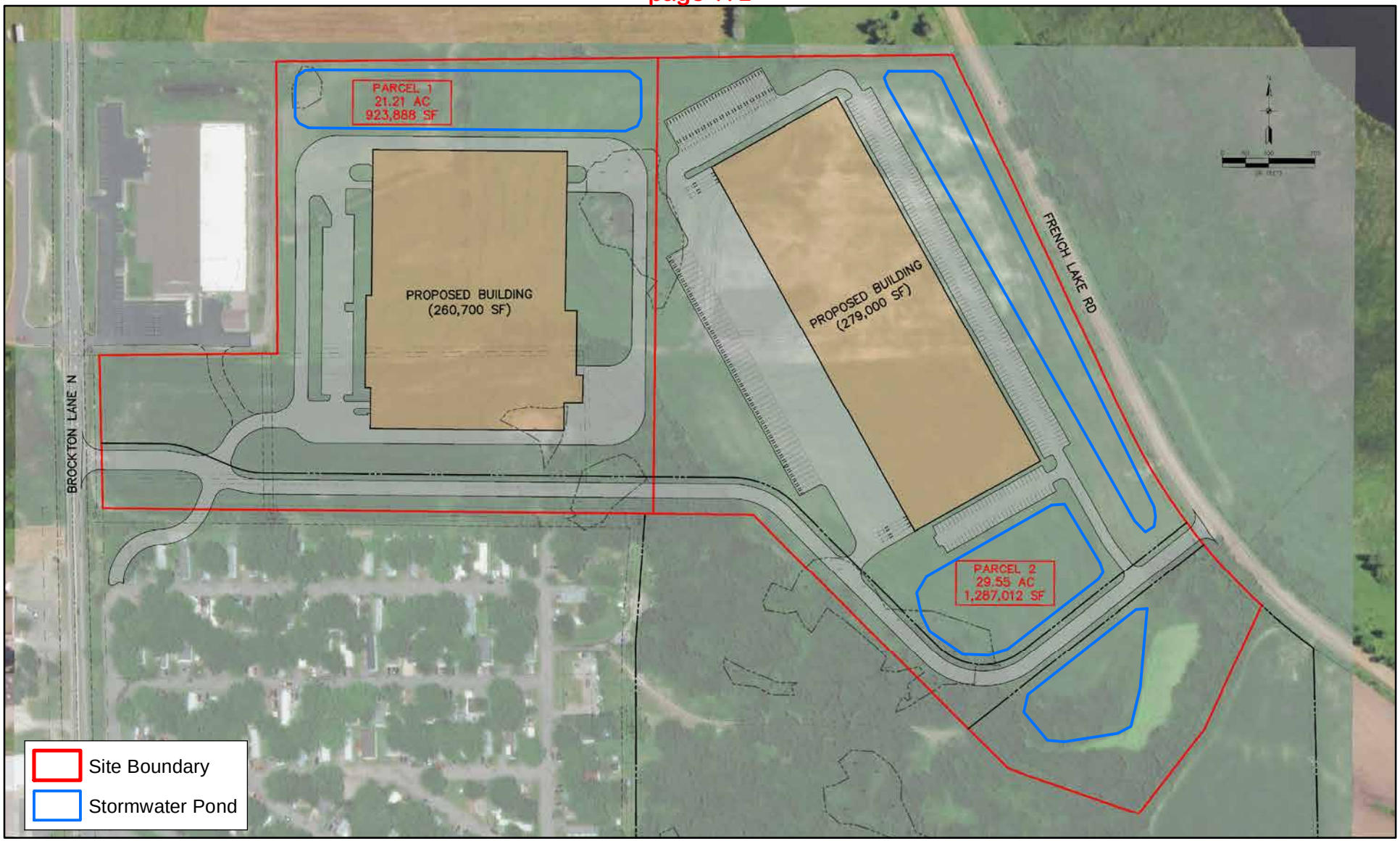

Figure 5 - Concept C (Office - Warehouse)

N

0 300 Feet

KJOLHAUG ENVIRONMENTAL SERVICES COMPANY

Source: MNGEO Spatial Commons, Carlson McCain, Kjolhaug Environmental

Dayton Park Industrial Center (KES 2020-128)
Dayton, Minnesota

Note: Boundaries indicated on this figure are approximate and do not constitute an official survey product.

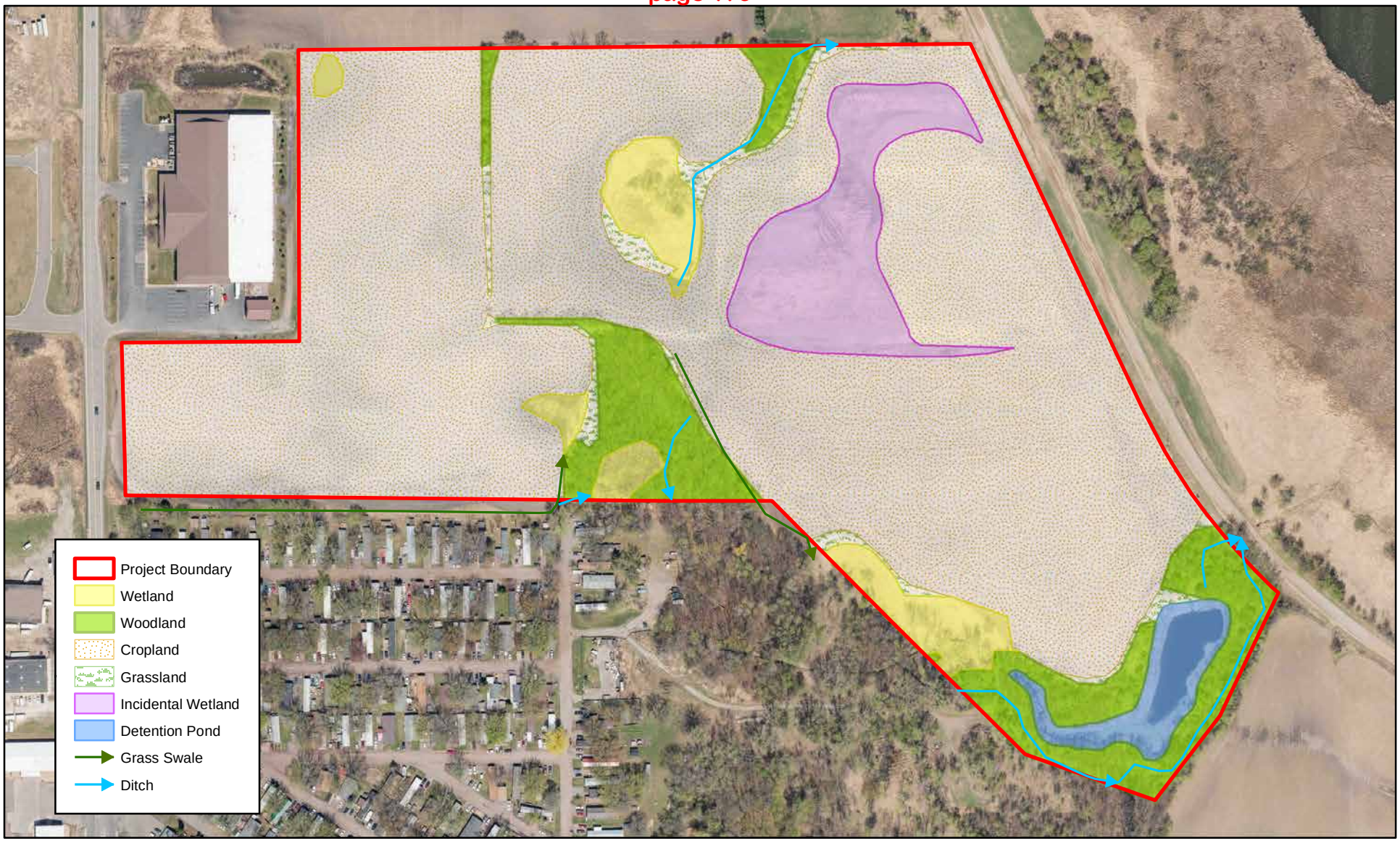

Figure 6 - Existing Cover Types

N

0 300 Feet

KJOLHAUG ENVIRONMENTAL SERVICES COMPANY

Source: MNGEO Spatial Commons, Kjolhaug Environmental

Dayton Park Industrial Center (KES 2020-128)
Dayton, Minnesota

Note: Boundaries indicated on this figure are approximate and do not constitute an official survey product.

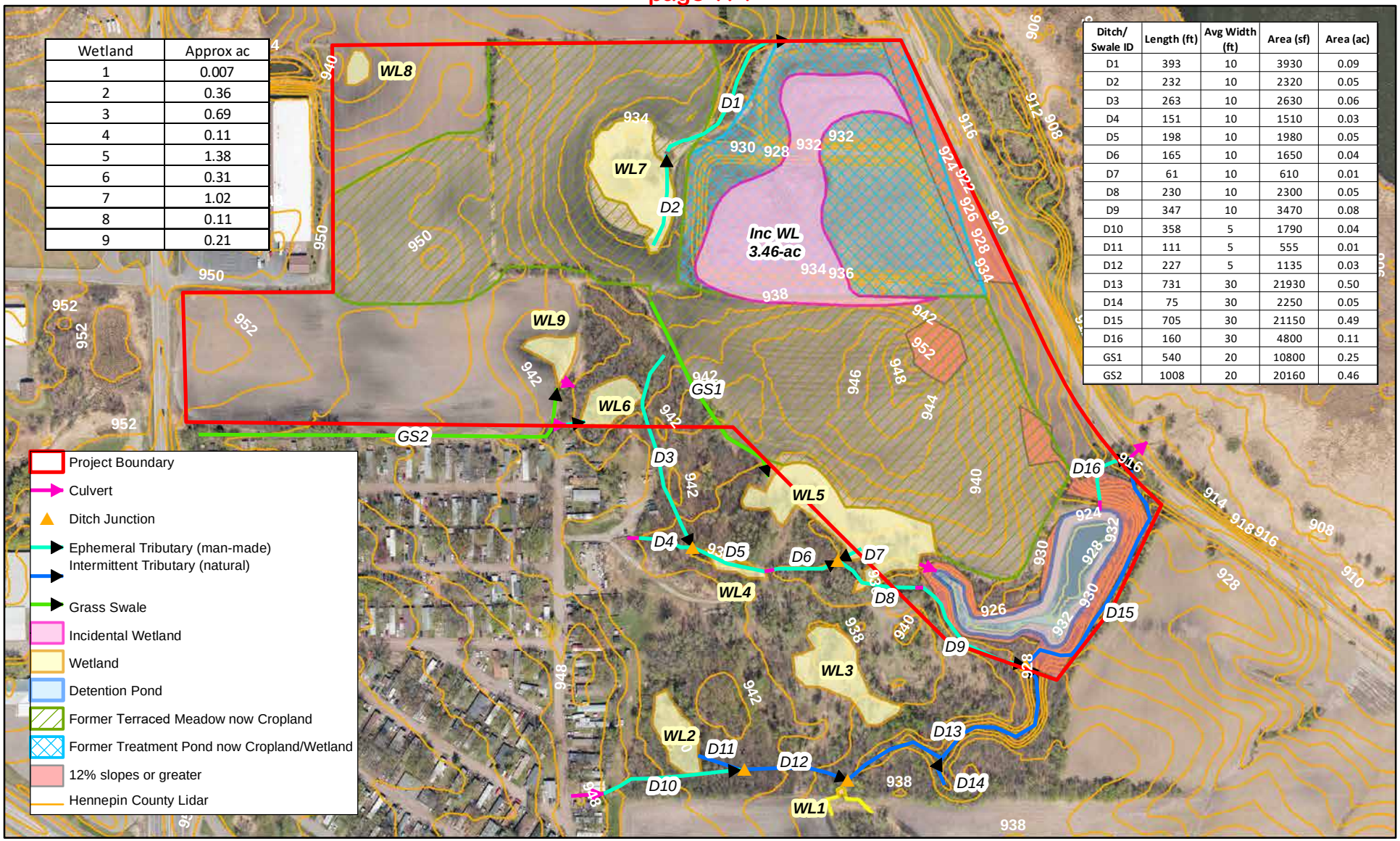

Figure 7 - Wetlands, Drainages, and Slopes

N

0 500 Feet

KJOLHAUG ENVIRONMENTAL SERVICES COMPANY

Source: MNGEO Spatial Commons, Kjolhaug Environmental

Dayton Park Industrial Center (KES 2020-128)
Dayton, Minnesota

Note: Boundaries indicated on this figure are approximate and do not constitute an official survey product.

Figure 8 - Existing Land Use

N

0 650 Feet

KJOLHAUG ENVIRONMENTAL SERVICES COMPANY

Source: MNGEO Spatial Commons

Dayton Park Industrial Center (KES 2020-128)
Dayton, Minnesota

Note: Boundaries indicated on this figure are approximate and do not constitute an official survey product.

Figure 9 - Shoreland Overlay District and Floodplain

N

0 300 Feet

KJOLHAUG ENVIRONMENTAL SERVICES COMPANY

Source: MNGEO Spatial Commons, City of Dayton, Mn Topo

Dayton Park Industrial Center (KES 2020-128)
Dayton, Minnesota

Note: Boundaries indicated on this figure are approximate and do not constitute an official survey product.

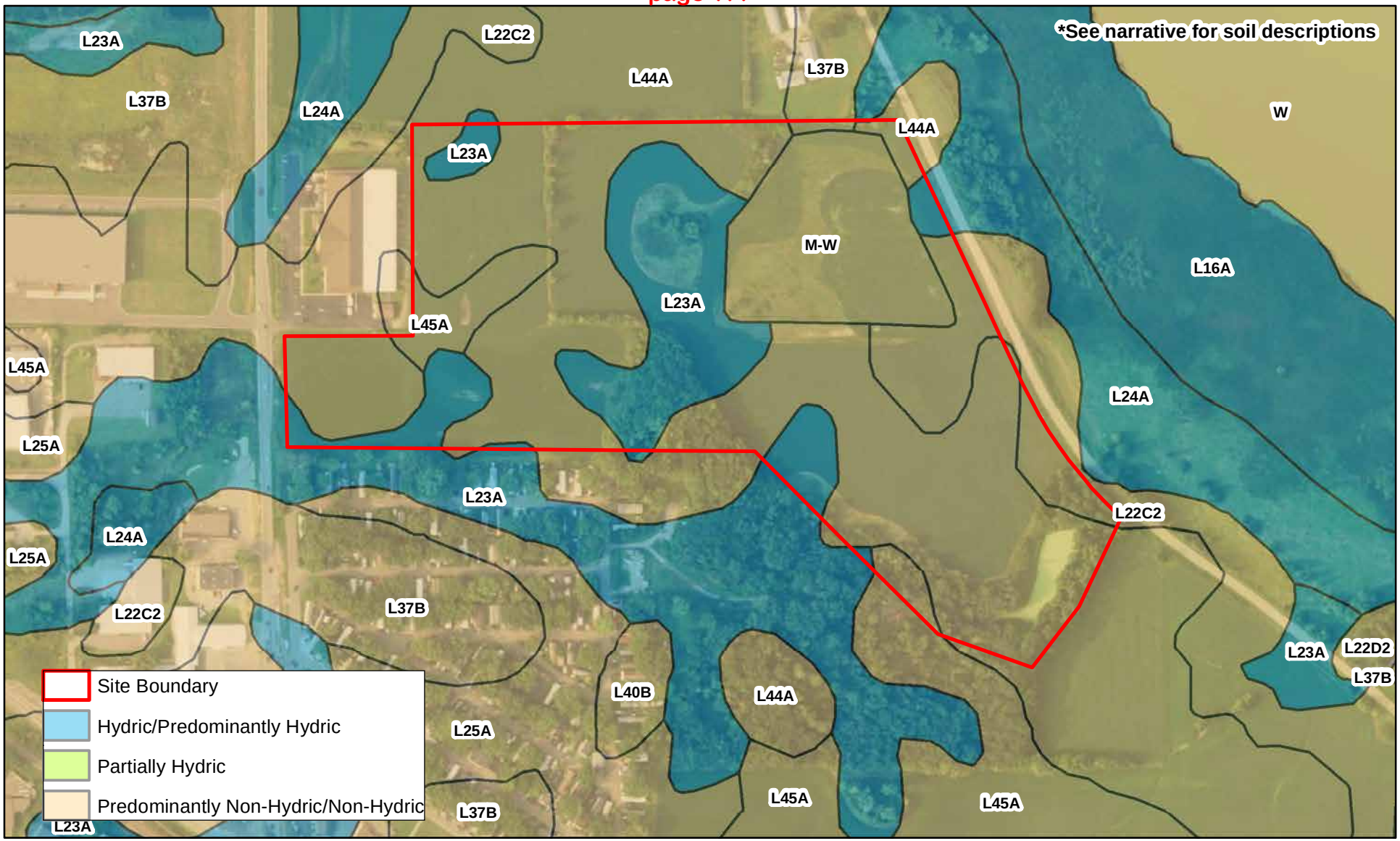

Figure 10 - Soil Types

N

0 500 Feet

KJOLHAUG ENVIRONMENTAL SERVICES COMPANY

Source: MNGEO Spatial Commons, USDA, NRCS

Dayton Park Industrial Center (KES 2020-128)
Dayton, Minnesota

Note: Boundaries indicated on this figure are approximate and do not constitute an official survey product.

Figure 11 - National Wetlands Inventory

N

0 500 Feet

KJOLHAUG ENVIRONMENTAL SERVICES COMPANY

Source: MNGEO Spatial Commons, USFWS

Dayton Park Industrial Center (KES 2020-128)
Dayton, Minnesota

Note: Boundaries indicated on this figure are approximate and do not constitute an official survey product.

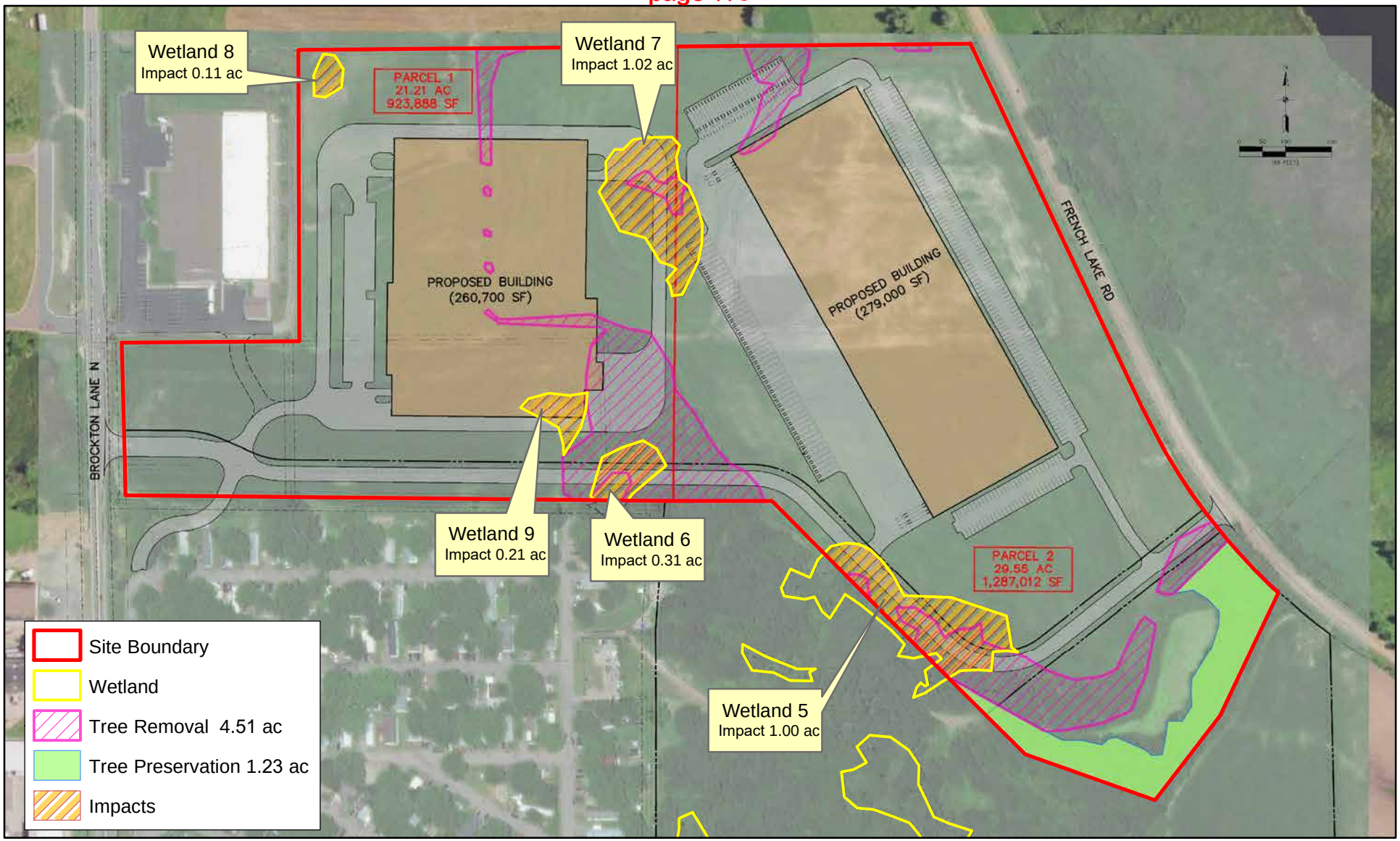

Figure 12 - Wetland Impacts and Tree Removal

N

0 300 Feet

KJOLHAUG ENVIRONMENTAL SERVICES COMPANY

Source: MNGEO Spatial Commons, Carlson McCain, Kjolhaug Environmental

Dayton Park Industrial Center (KES 2020-128)
Dayton, Minnesota

Note: Boundaries indicated on this figure are approximate and do not constitute an official survey product.

CITY OF DAYTON

RESOLUTION NO. 56-2021

RESOLUTION FINDING NO NEED FOR AN ENVIRONMENTAL IMPACT STATEMENT (EIS) FOR THE DAYTON PARK INDUSTRIAL CENTER ENVIRONMENTAL ASSESSMENT WORKSHEET (EAW)

WHEREAS, Minnesota Rules 4410.4300, Subp. 14.A.(2) requires that an EAW be prepared for projects proposing at least 300,000 square feet of warehouse or light industrial floor space in a third or fourth class city; and

WHEREAS, on August 3, 2021, an EAW was completed for Dayton Park Industrial Center, which will consist of up to 600,000 square feet of light industrial floor space and 300 vehicle parking stalls; and

WHEREAS, on August 9, 2021, copies of the EAW were distributed to all persons and agencies on the official Environmental Quality Board (EQB) distribution list and other interested parties; and

WHEREAS, on August 9, 2021, the EAW was publicly noticed in the EQB Monitor, commencing the 30-day public comment period; and

WHEREAS, a press release or public notice was submitted to the Press and News Newspaper announcing the completion of the EAW, its availability to interested parties, and the process for submitting comments on the EAW; and

WHEREAS, the 30-day comment period ended on September 9, 2021 at 4:30 p.m., and the City of Dayton accepted and responded to all written comments received; and

WHEREAS, none of the comments received recommended preparation of an EIS, and none suggested the project had the potential to cause significant environmental effects.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Dayton that:

1. The EAW was prepared in compliance with the procedures of the Minnesota Environmental Policy Act and Minnesota Rules, Parts 4410.1000 to 4410.1700;
2. The EAW satisfactorily addressed the environmental issues for which existing information could have been reasonably obtained;
3. Based on the criteria established in Minnesota Rules 4410.1700, the project does not have the potential for significant environmental effects;
4. The City makes a "Negative Declaration;"
5. **An EIS is not required**; and
6. The City adopts the Response to Comments, Findings of Fact, and Record of Decision for Dayton Park Industrial Center Environmental Assessment Worksheet (Record of Decision)

and directs the Community Development Director to maintain the Record of Decision and distribute it in accordance with Minnesota Rules.

Adopted by the Council of the City of Dayton this 12th day of October 2021.

Motion made by Councilmember Gustafson, seconded by Councilmember Henderson.
Motion carried unanimously

Dennis Fisher, Mayor

ATTEST:

Amy Benting, City Clerk

HENNEPIN COUNTY
MINNESOTA

DATE: November 3, 2021

TO: Elm Creek Watershed Management Commission (ECWMC)

FROM: Kevin Ellis, Paul Stewart, and Kris Guentzel; Hennepin County Department of Environment and Energy

RE: November ECWMC Updates

Request for Engineering Services
Update: Hennepin County met with Stantec to create a scope of work for developing and approving plans for manure bunker construction. Hennepin County will provide AutoCAD files for a three-bay bunker system that Stantec will edit into a roofed, two-bunker system that can be placed in any direction or orientation without concern of wind-loads. This will allow Hennepin County to better meet landowner needs and utilize the practice more effectively in projects throughout the watershed.

Per Commission request, this work will be included in an amendment to the County's Services Agreement with ECWMC. That amendment, along with a Project Understanding from Stantec, is included in ECWMC November meeting packet materials.

Previous: Hennepin County has included in the October packet materials a request to utilize Elm Creek Watershed Management Commission's Engineer (Stantec) for assistance in design where a structural engineer is required. As outlined in the request, this is needed as Hennepin County does not have, nor currently contracts with, engineering staff with credentials to provide their technical signature on projects requiring certification from a structural engineer, such as manure bunkers.

Amendment to ECWMC Services Agreement
Update: The County is requesting an amendment to our Services Agreement with ECWMC to capture the additional services we're requesting from Stantec. As previously discussed in the October ECWMC meeting, County staff are requesting Stantec complete work, as outlined in the enclosed Project Understanding, and bill this work to ECWMC who will in turn bill the County. This is memorialized in Amendment 1 to the Services Agreement, which is also enclosed.

Project / Program Updates

Rush Creek Projects

Jubert Lake Area Agricultural BMPs
Update:

- Final Plans for Phase 1A BMPs were completed by EOR and returned to Hennepin County.
- Final Plans included an an updated Engineer's estimate, which is now reflected in the cost table below. Increases in costs, relative to the last update, were primarily to reflect the likelihood of having to replace tile beneath the wetlands, which was not part of the last estimate.
- Wetland delineation for the project was completed.
- WCA Application requires landowner signature before it is submitted.
- Construction for project projected to begin in Spring 2022.

Previous:

- Expecting final plans on 5 waterways to be completed by Friday, October 8. Will forward plans to landowner for approval and then seek signature on contract.
- Expecting construction to begin later in the Fall.

These projects are on multiple parcels west of Jubert Lake. Design and implementation are being funded through a funding partnership with ECWMC, Hennepin County, the State of MN (Rush Creek CWF grant), and the parcel landowners.

Anticipated Construction	Project	Engineer's Estimate	Commission Share Estimate	Hennepin & LO Share Estimate	Grant Share Estimate
Spring 2021	Top of Hill WASCOB + Waterway	$32,704.80#	$8,176.20	$3,270.48	$17,987.64
	Arens WASCOB + Waterway	TBD	TBD	TBD	TBD
Spring 2022	Phase 1A BMP 4 – Waterway	$26,150	$6,537.50	$2,615	$14,382.50
	Phase 1A BMP 9 – 2 Waterways	$48,150	$12,037.50	$4,815	$26,482.50
	Phase 1A BMP 13 – 2 Waterways	$38,360	$9,590	$3,836	$21,098
	Phase 1A BMP Other – Creek Bank Stabilization at Field Crossing	$6,980	$1,745	$698	$3,839
2022	Phase 1B BMP 11 – Wetland Expansion	$75,610	$18,902.50	$7,561	$41,585.50
	TOTAL	**$227,954.80**	**$56,988.70***	**$22,795.48****	**$125,375.14*****

Bid estimate from contractor

*Commission Capital Funds remaining = $49,737.50

**Hennepin and Landowner will contribute 10% each, values in column represents contribution from each party

***Grant funds unencumbered = $18,222.50

Rush Creek Landowner Outreach
Update:

- More postcards have been returned bringing the total to nine. Site visits with landowners has identified several potential projects. Currently drafting up project proposals for landowners. (More info below)

Previous:

- Postcards advertising BMP projects for crop farmers have been finalized mailed out. Returned cards and responses are starting to arrive.
- Planning for an event such as a informational session, webinar are underway. Will most likely take place over the winter. May start a field day or live stream series in Spring 2022.

129th Ave N, Dayton:
Update: Stantec will handle design and certification of roof for the bunker. Hennepin County is sending AutoCAD files to Stantec for edits and plan draft.

Previous: Currently have approval for the concrete pad and structure. However, Hennepin County still needs a signature from a PE for roof of the structure. Currently exploring options for finding an approved signature. Resident has two horses with a paddock, grazing area, and barn. Currently observing saturated areas around the current manure storage area during times with frequent or heavy rainfall leading to runoff into the southwest corner of the property. HC staff has discussed the building of a manure storage bunker on the property with the resident and has developed plans similar to a past project with modifications to match the landowners needs. Staff are currently in need of a structural engineer to sign off on the plans before contracting and implementation can occur.

27015 123rd Ave. N, Rogers:
Update: Staff met with landowner to survey site for filter strip and discuss logistics. Landowner was onboard with the project. Currently developing a seed mix and determining whether any grading needs to be done on site. Construction and planting likely won't commence until the Spring.

Previous: Proposed filter strip between paddock and pond to landowner. Currently providing literature on the practice and doing some planning of impacts and needs. Working with landowner to see if this is a viable option. Landowner requested information regarding financial assistance to implement BMPs to protect water quality of a nearby pond through the Rush Creek Subwatershed grant. Landowner was concerned about runoff from sloped horse paddock and possible nutrient and bacterial contamination. A manure pad, barn gutters, and trench drain had previously been installed on the site. Staff will consider the request along with other applications for funding this summer. Staff conducted a site visit after recent rain events. Noticed considerable accumulation within paddock. Currently looking into potential projects. Also inspected previously installed practices which are working as intended.

Bechtold Road and County Road 10, Corcoran
Update: Staff met with landowner and neighbor who are having drainage problems. Several fields outlet behind their barn, causing half of the property to be unreachable. Staff will map out potential tile lines and develop a plan for BMPs in the coming weeks.

Previous: Landowner responded to the Rush Creek Crop Mailer via phone. Discussed potential conservation measures on farmland which is currently rented. Past work indicates there may be some tile inlets on the property that would be candidates for alternative intakes. Staff will conduct a field visit on October 14.

9945 Sundance Road
Landowner responded to the Rush Creek mailer with requests for exclusionary fencing and automatic waterers for livestock. Hennepin County Staff met with the landowner to identify other potential projects including rotational grazing assistance, and barn gutters. Currently, there is a drainage problem with pastures south of the barn. Staff are investigating cause and potential solutions.

23225 113th Ave., Rogers
Hennepin County staff met with landowner after connecting through the Rush Creek mailer. Landowner is looking for fencing to keep horses out of a nearby wetland, and a manure bunker. Staff are currently drafting plans and getting fencing estimates.

22835 County Road 10, Corcoran
Landowner responded to the Rush Creek mailer seeking assistance with cattle getting into channels that run through his property. Staff visited the property to identify areas for exclusionary fencing and crossings. Landowner is currently filing paperwork and obtaining estimates while staff draft a plan.

21325 County Road 117, Rogers
Landowner contacted Hennepin County staff after receiving a Rush Creek mailer. Currently has horses, goats, and chickens on site and is interested in developing a buffer of pollinator habitat between their property and a neighbor's field. Landowner also noted some drainage issues that could be aided with a filter strip between horse paddock and nearby ditch. Currently working with Hennepin County staff to develop plans.

Other Landowner Conservation Assistance:

Agricultural Soil Health Initiative
Previous: Soil health programing will follow in late summer/fall to coincide with cover crop planting and in advance of planning for 2022 growing season. Staff plan to send a follow-up mailer in May to all those that received the original mailers. In late February, Hennepin County staff sent a few dozen mailers to targeted farmers regarding cover crops and other soil health initiatives. County staff will be sharing those materials with the Commission as they become available.

Agricultural Conservation Program
Update: Staff have written

Previous: Staff are currently developing options to preserve farmland in Hennepin County. Staff have met with others who have developed similar programs in other areas of the country to learn more about potential options. A mailer was sent to farmers and landowners with agricultural operations to gauge their interest and obtain input on the program. Follow up conversations are currently underway.

Environment and Energy Grant now open for application.

Grants for deconstruction to salvage building materials
Framing being taken apart during deconstruction project? Funding is available for building projects that use deconstruction techniques instead of standard demolition to remove materials during the destruction, alteration, or renovation of a building. In a deconstruction project, a building is taken apart mostly by hand, and materials are sorted into categories for efficient recycling and reuse.

Property owners and developers can receive up to $5,000 to help offset the additional time and labor costs associated with deconstruction. Grants are available for demolition or renovation projects on residential properties up to 4 units that are 500 square feet or larger on structures built prior to 1970. Learn more and apply. https://www.hennepin.us/deconstruction

Grants available to increase pollinator habitat on residential properties

The Minnesota Board of Water and Soil Resources and Blue Thumb are now accepting applications for the Lawns to Legumes program, which aims to increase habitat for at-risk pollinators on residential properties.

All Minnesota residents are eligible to apply for individual support grants, which reimburse gardeners for up to $300 in costs associated with establishing pollinator habitat in their yards. The program also offers workshops, coaching, and planting guides.

Applications for 2022 projects will be accepted through February 15, 2022. Learn more and apply.

Become a Minnesota Water Steward

Applications are being accepted for the next cohort of Minnesota Water Stewards. Minnesota Water Stewards is a volunteer program designed to equip community members with the knowledge and skills needed to improve water health at the grassroots level.

Stewards participate in an online training course from January to April, and then develop a capstone project that improves the health of local water while involving and educating the community. Hennepin County sponsors and mentors a cohort each year.

Interested participants must attend an information session and submit an application. Information sessions will be held Tuesday, November 9 at 5 p.m. and Tuesday, November 16 at noon.

AMENDMENT NO. 1 TO AGREEMENT NO. A2110724

This Amendment No. 1 to Agreement No. A2110724 is between the COUNTY OF HENNEPIN, STATE OF MINNESOTA, A-2300 Government Center, Minneapolis, Minnesota 55487, on behalf of the Hennepin County Environment and Energy Department (the "DEPARTMENT"), and Elm Creek Watershed Management Commission, a joint-powers board organized under the Laws of the State of Minnesota, 3235 Fernbrook Lane, Plymouth, Minnesota 55447 ("COMMISSION").

The parties agree that Agreement No. A2110724, including any prior amendments, is amended as follows:

1. Section 1, Terms and Cost of the Agreement, shall be amended to read:

The DEPARTMENT agrees to furnish technical services set forth in the attached Exhibits to the COMMISSION commencing January 1, 2021 and terminating December 31, 2021.

The DEPARTMENT, in collaboration with the COMMISION, will designate qualified staff to serve as technical advisors to the COMMISSION. Other DEPARTMENT personnel will be called upon as appropriate to the nature of the work.

The COMMISSION, in collaboration with the DEPARTMENT, will designate qualified staff to assist DEPARTMENT with technical design of structural conservation practices as outlined in Exhibit C and the Project Understanding in Exhibit C.

In full consideration for services under this Agreement, the DEPARTMENT shall charge the COMMISSION for actual wages and personnel costs as set forth in Section 2. Likewise, the COMMISSION shall charge the DEPARTMENT for actual wages and personnel costs as set forth in Section 2. Costs for services for activities detailed in the attached Exhibits include:

Exhibit A: 2021 Watershed General Technical Assistance

- **Technical Services:** Not-to-exceed $10,000
- **Rush Creek BMP Cost Share:** Not-to-exceed $106,050 or 25% of documented project costs, whichever is lower

Exhibit B: 2021 Volunteer Monitoring Program and Education Services: Not-to-exceed $7,000.00

Exhibit C: Structural Engineering Consulting Services: Not-to-exceed $5,000.00

Total 2021 Cooperative Agreement: Not-to-exceed $123,050 for services billed by DEPARTMENT to COMMISSION and not-to-exceed $5,000 for services billed by COMMISSION to DEPARTMENT.

Any additional costs for extended work load after the “not-to-exceed” limit has been reached, special studies, or capital projects, must be set forth in a written amendment to this Agreement and will be billed on an hourly basis set forth in Section 2.

2. Section 2, Billing Rates and Payments for Services, shall be amended to read:

   a) Services in Exhibit A are billed by DEPARTMENT on an hourly basis at the rate of $62.91 to $69.21 per hour, based on personnel and task, except where exceptions are noted in Exhibit A.

Sr. Environmentalist, Water Resources	$69.21 per hour
Environmentalist	$62.91 per hour

   b) Services in Exhibit B are billed by DEPARTMENT on an hourly basis at the rate of $69.21 per hour, based on personnel and task, except where exceptions are noted in Exhibit B.

Sr. Environmentalist	$69.21 per hour

   c) Services in Exhibit C are billed by COMMISION as outlined in the Project Understanding.

   d) Payment for services shall be made directly to the DEPARTMENT after completion of the services upon the presentation of a claim in the manner provided by law governing the COUNTY'S payment of claims and/or invoices. The DEPARTMENT shall submit an invoice for services provided in Exhibit A on a quarterly basis, while services in Exhibits B and C will billed on an annual lump sum basis in December. Payment shall be made within thirty-five (35) days from receipt of the invoice.

3. Section 3, Equal Employment Opportunity – Civil Rights, shall be amended to read:

   During the performance of this Agreement, the COUNTY and COMMISSION agree to the following:
   No person shall, on the grounds of race, color, religion, age, sex, disability, marital status, public assistance, criminal record, creed or national origin, be excluded from full employment rights in, be denied the benefits of, or be otherwise subjected to discrimination under any program, service, or activity under the provisions of and all applicable federal and state laws against discrimination including the Civil Rights Act of 1964.

4. Section 4, Standards, shall be amended to read:

   The COUNTY and COMMISSION shall comply with all applicable Federal and State statutes and regulations as well as local ordinances now in effect or hereafter adopted. Failure to meet the requirements of the above may be cause for cancellation of this contract effective the date of receipt of the Notice of Cancellation.

5. Section 5, Independent Contractor, shall be amended to read:

   It is mutually understood that the DEPARTMENT and COMMISION acts as independent contractors. The DEPARTMENT and COMMISSION shall select the means, method, and manner of performing the services herein. DEPARTMENT employees shall not be considered to be either temporary or permanent employees of the COMMISSION nor shall COMMISSION employees be considered either temporary or permanent employees of the DEPARTMENT.

6. Section 7, Data Practices, shall be amended to read:

All data collected, created, received, maintained, or disseminated, or used for any purpose in the course of the COUNTY's and COMMISSION's performance of the Agreement is governed by the Minnesota Government Data Practices Act, Minnesota Statutes, Chapter 13 (MGDPA) and all other applicable state and federal laws, rules, regulations and orders relating to data privacy or confidentiality, which may include the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and/or the Health Information Technology for Economic and Clinical Health Act (HITECH), adopted as part of the American Recovery and Reinvestment Act of 2009. The COUNTY and COMMISSION agree to abide by these statutes, rules and regulations and as they may be amended.

This Amendment shall be effective upon execution of this agreement.

Except as herein amended, the terms, conditions, and provisions of Agreement No. A2110724, including any prior amendments, shall remain in full force and effect.

EXHIBIT C

STRUCTURAL ENGINEERING CONSULTING SERVICES

TASKS

The Elm Creek Watershed Management Commission (COMMISSION), through its District Engineer Stantec (CONSULTANT), will provide Hennepin County Environment and Energy Department (DEPARTMENT) with engineering and design services, only as requested by the DEPARTMENT, for conservation practices with a structural engineering component with the Elm Creek Watershed. This work is in support of the installation of conservation practices with the Elm Creek Watershed to support implementation of the Watershed Management Plan and the Elm Creek TMDL.

The Project Understanding included with this exhibit defines fully the activities covered under this Task, the responsible parties, and the time frame to complete tasks. Any fees listed in the Project Understanding shall remain in place over the duration of this agreement.

Services are delivered by CONSULTANT on a time and materials basis, with a not-to-exceed amount of $5,000 during the duration as listed in Section 1 of this Agreement, except as may be authorized via separate work order or agreement amendment approved prior by all parties.

Services by CONSULTANT will be billed to COMMISSION, who will in turn bill DEPARTMENT. On invoices provided to COMMISSION, CONSULTANT shall outline in detail work completed for DEPARTMENT with the description ‘Hennepin Co. Structural Engineering’ (or similar) language.

COUNTY ADMINISTRATOR APPROVAL

Reviewed for COUNTY by
the County Attorney's Office:

{{Sig_es_:signer3:signature}}

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COUNTY OF HENNEPIN
STATE OF MINNESOTA

By:

{{Sig_es_:signer5:signature}}

{{userstamp5_es_:signer5:stamp}}

Reviewed for COUNTY by:

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Document Assembled by:

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ELM CREEK WATERSHED MANAGEMENT COMMISSION

The COMMISSION certifies that the person who executed this Agreement is authorized to do so on behalf of the COMMISSION as required by applicable articles, bylaws, resolutions or ordinances.*

Printed Name: Doug Baines

Signed: _____

Title: Chair

Stantec Consulting Services Inc.
1800 Pioneer Creek Center, Maple Plain, MN 55359

November 3, 2021

Attention: Kristopher Guentzel
Senior Water Resources Specialist
Hennepin County Environment and Energy
701 Fourth Avenue South, Suite 700
Minneapolis, MN 55415-1842

Dear Mr. Guentzel,

Reference: Elm Creek Watershed Management Commission | Manure Bunker Roof Design

We are pleased to provide the following proposed scope of work and fee estimate for the above-referenced project.

Project Understanding and General Scope of Work

It is our understanding that Hennepin County (County) staff have been engaging several landowners in the Elm Creek Watershed regarding manure management on their property. A few of these projects are in the process of moving forward, with landowners requesting assistance to design a two-bay manure bunker for their property to meet the needs of their unique operations (see the inset photo as an example of a previous project completed by the County).

It is our further understanding that the County has consulted with a structural engineer for the foundations and walls of the bunkers. The roof and support posts for these bunkers need to be designed and signed by a structural engineer and are covered under this proposal.

It is our understanding that the County will supply us a design concept in 3D AutoCAD for a three-bunker roof system which we can use for our analyses and design drawings. This drawing also provides the desired dimensions of the foundation and walls in addition to the desired overall height of the roof. We will design the two-bunker system to be “cookie-cutter” so that it can be placed in any direction or orientation without concern of wind-loads.

Final Deliverable, Cost, and Schedule

We propose to complete a roof and support post design and provide a signed drawing

Reference: **Elm Creek Watershed Management Commission | Manure Bunker Roof Design**

suitable for bidding and construction. The deliverable for this project will include a plan sheet signed by a licensed PE with an expertise in structural design. It will also include an engineers estimate and bid sheet.

We estimate that our fee will be $4,000 for this scope of work. This includes one round of edits with the understanding that the edits will not include a full re-design or changed conditions. Additional work related to the design of manure bunkers beyond that described in this scope of work may be requested by the County and completed at the rate of $175 dollars per hour. However, we understand that the total project cost may not exceed $5,000.

On behalf of the employees of Stantec, thank you for this opportunity to serve you. Should you have any questions or need clarification of any items contained in this report, please do not hesitate to reach out to either Ross or me.

Regards,

Stantec Consulting Services Inc.

Paul T. Eickenberg MSCE, PE
Associate, Sr. Civil/Geo-Structural Engineer
Phone: (612) 248-6099
paul.eickenberg@stantec.com

Ross Mullen PE, CFM
Water Resources Designer
ross.mullen@stantec.com

BOARD OF WATER AND SOIL RESOURCES

FY 2019 STATE OF MINNESOTA
BOARD OF WATER and SOIL RESOURCES
2019 Watershed Based Funding Metro - Elm Creek WMC
GRANT AMENDMENT

Grant Agreement Start Date:	11/20/2018
Original Grant Agreement Expiration Date:	12/31/2021
Original Agreement Amount:	$134,486.00

This amendment is by and between the State of Minnesota, through its Board of Water and Soil Resources ("Board") and Elm Creek WMC, 3235 Fernbrook Lane, Plymouth, MN 55447 ("Grantee").

Recitals

1. The Board has a Grant Agreement with the Grantee identified as the 2019 Watershed Based Funding Metro - Elm Creek WMC, PO # 3000009657, for the following grants:

Grant ID	Grant Title	Previous Expiration Date	Amended Expiration Date	Previous Award Amount	Amended Award Amount
P19-3263	2019 - Watershed Based Funding Metro (Elm Creek WMC)	12/31/2021	6/30/2022	$134,486.00	

2. The Elm Creek WMC requests an extension for 2019 - Watershed Based Funding Metro (Elm Creek WMC) to June 30, 2022 for the purpose of delays due to permitting and acquiring a public waters permit.
3. Grant reporting must be completed by July 30, 2022 or within 30 days of work completion, whichever comes first.
4. The Board and Watershed Management Organization are willing to amend the Original Contract as stated below.

Contract Amendment

REVISION 1. **1. Term of Grant Agreement**

1.2 ***Expiration date:*** is amended as follows:

~~December 31, 2021~~ June 30, 2022, or until all obligations have been satisfactorily fulfilled, whichever comes first.

REVISION 2. **2. Grantee's Duties**

2.2 ***Reporting*** is amended as follows:

2.2.3: Final Progress Report: The Grantee will submit a final progress report to the Board by ~~February 1, 2022~~ July 30, 2022, or within 30 days of completion of the project, whichever occurs sooner. Information provided must conform to the requirements and formats set by the Board.

Except as amended herein, the terms and conditions of the Original Grant Agreement remain in full force and effect.

APPROVED:

Elm Creek WMC

By: _____

Title: _____

Date: _____

Board of Water and Soil Resources

By: _____

Title: _____

Date: _____

WENCK now part of Stantec

To: Shingle Creek/West Mississippi WMO Commissioners

From: Ed Matthiesen, P.E.
Diane Spector

Date: October 29, 2021

Subject: FY22 Watershed-Based Implementation Funding

Recommended Commission Action	For information.

The Board of Water and Soil Resources (BWSR) biennially appropriates funding for a relatively new program called Watershed-Based Implementation Funding (WBIF). This pot of funding from the Land and Legacy Amendment, supplements the funding made available through the Clean Water Fund (CWF) Projects and Practices grants. While those are competitive grants for specific projects, the WBIF funding is allocated to targeted watersheds. The BWSR Board recently approved allocations of the fiscal year 2022 (FY22) funding, which will become available July 1, 2022. Both Shingle Creek and West Mississippi have been awarded funding.

Background

Outside the Metro Area, BWSR has been working with counties, Soil and Water Conservation Districts (SWCDs) and watershed districts to prepare comprehensive studies called One Watershed One Plans (1W1Ps). For Greater Minnesota watersheds that may be 1,000 square miles or more in area and encompass two or more counties, these 1W1Ps are attempts to plan collectively across counties, cities, and watershed districts. Following completion of their plans, these consortia of agencies can receive noncompetitive WBIF funding to jump start implementation.

In the Metro area, cities have been completing such plans (at a smaller scale) since the early 1980s. In 2018, BWSR realized the Metro partners were missing out on the opportunity for noncompetitive funding and allocated WBIF funding for Metro watersheds. In 2018 BWSR allocated funding to each of the seven Metro counties, and then asked the watersheds and cities in each county to develop their own method of deciding how to spend it. The eleven watersheds in Hennepin County elected to allocate 10% of the funds to the Hennepin County Chloride Initiative, and to allocate the rest to the watersheds based on their size and tax capacity. Shingle Creek received $68,129 and West Mississippi $35,442. Both elected to use those funds to supplement cost-sharing for projects. In 2020, BWSR allocated funds in a different way. Instead of allocating to counties, the funding was allocated to basins. Shingle and West Mississippi are in the Metro- Mississippi Twin Cities West basin partnership. That group chose to use a competitive process and requested the watersheds and cities in the basin to submit grant requests for specific projects. Shingle Creek was awarded $40,000 for the Meadow Lake Drawdown and $70,000 for the Bass Creek Restoration Project.

FY22 Funding

Having had two different allocation processes in as many biennia, BWSR held several Listening Sessions to take feedback and help in making the decision how to allocate FY22 funds. On October 27, 2021 the BWSR Board approved an allocation process that would allocate funds to Metro watersheds with “a $75,000 minimum per watershed planning area inside of the Metro, and a distribution of funds based on a weighting of 90% private land and 10% on public waters to all eligible areas.” We are in contact with BWSR staff to learn more about that method, but it distributes funding as shown in Table 1. We’re also in contact with BWSR regarding timing, funding availability, etc. It does look like project requirements include a minimum 10% match, that they must be load reduction practices, and could be structural or non-structural.

Table 1. Expected BWSR WBIF funding for 2022-2023.

Watershed	Funding
Richfield-Bloomington WMO	$75,000
West Mississippi WMO	***$75,000***
Black Dog WMO	$75,000
Vadnais Lake Area WMO	$75,000
Eagan-Inver Grove WMO	$75,000
Mississippi WMO	$75,504
Capitol Region WD	$77,618
Prior Lake-Spring Lake WD	$82,806
Bassett Creek WMO	$87,887
Shingle Creek WMO	***$95,501***
Nine Mile Creek WD	$101,582
Riley-Purgatory-Bluff Creek WD	$104,576
Lower Mississippi River WD	$118,385
Lower Minnesota River WMO	$127,068
Ramsey-Washington Metro WD	$140,295
Pioneer-Sarah Creek WMO	$159,223
Coon Creek WD	$216,377
Elm Creek WMO	$297,774
Rice Creek WD	$407,796
Minnehaha Creek WD	$418,140
Scott County WMO	$601,647
Vermillion River WMO	$673,331
Carver County WMO	$691,991
South Washington WMO	$163,947
Metro Subtotal	**$6,500,000**

Recommendation

Staff is gathering more information and will work with the Technical Advisory Committee (TAC) to develop a recommendation for using those funds in 2022.

Judie Anderson

From: Conservation Corps Minnesota & Iowa <brian.miller@conservationcorps.org>
Sent: Monday, October 18, 2021 11:34 AM
To: Judie Anderson
Subject: Clean Water Funds Available for 2022

Clean Water Funds available for crew labor

View this email in your browser

conservation corps MINNESOTA & IOWA

REQUEST FOR PROPOSALS

CLEAN WATER FUNDS AVAILABLE FOR CREW LABOR

Conservation Corps Minnesota & Iowa is accepting applications for 2022 field projects.

Funds are available for Conservation Corps crew labor on projects that protect, enhance and restore water quality in lakes, rivers, and streams or protect groundwater and drinking water sources from degradation. Projects must be scheduled for completion during the 2022 calendar year.

The Legislature has directed the **Board of Soil and Water Resources (BWSR)** to appropriate $500,000 of the Clean Water Fund to be contracted for services with Conservation Corps. BWSR has contracted with the Corps to provide funded labor to cities, counties, soil and water conservation districts, watershed districts, metropolitan watershed management organizations, and joint powers organizations of those local government units to undertake projects consistent with the Corps mission, BWSR grant policies, and Clean Water Fund goals (Laws of Minnesota, Chapter 172, section 6).

Apply by December 15, 2021.

Click here for an application and more information.

Contact Brian Miller at 651.209.9900 with questions.

Submit an application

Conservation Corps Minnesota & Iowa*, a 501(c)(3) nonprofit organization and AmeriCorps grantee, engages hundreds of youth and young adults each year in programs and initiatives that improve access to outdoor recreation, restore natural habitat, protect waterways, and respond to community needs and natural disasters. Learn more about the Corps.*

PARTNER

CLEAN WATER FUNDING

Following passage of the Clean Water, Land, and Legacy Amendment, the Minnesota Legislature directed the Board of Soil and Water Resources (BWSR) to appropriate $500,000 of the Clean Water Fund to be contracted for services with Conservation Corps on an annual basis. BWSR contracts with the Corps to provide funded labor to cities, counties, soil and water conservation districts, metropolitan watershed management organizations, watershed districts, and joint powers organizations of those government units to undertake projects consistent with the Corps mission, BWSR grant policies, and Clean Water Fund goals (Laws of Minnesota, Chapter 172, section 6).

CLEAN WATER LAND & LEGACY AMENDMENT

GRANT ELIGIBILITY & GUIDELINES

Funds are available for Conservation Corps crew labor only, on projects with the purpose of protecting, enhancing, and restoring water quality in lakes, rivers, and streams, and/or protecting groundwater and drinking water sources from degradation. Project proposals should demonstrate measurable outputs to achieve water quality objectives through the implementation of best management practices. Projects that provide our crews a valuable experience and education about water quality projects/watershed management and focus on retaining water on the land through plantings (such as rain garden installation) versus habitat restoration (such as invasive species removal) are preferred.

Applicants must have an approved and locally adopted watershed management plan, county comprehensive local water management plan, local surface water management plan, metro groundwater plan, surface water intake plan, or well head protection plan that has been state approved and locally adopted. Practices must strive to be of long-lasting public benefit with a minimum 10 years effective life.

Clean Water Funds provide 100% of eligible crew labor costs. There is no minimum match requirement, but applicants must itemize local financial contribution, such as non-state funds, in-kind staff time, or materials. Conservation Corps will complete annual reporting to BWSR of accomplishment outcomes, itemization of match, and project location upon project completion.

Clean Water Funds Application

☐ Save my progress and resume later | Resume a previously saved form

Application Process
Submit electronic application with aerial photo/map attached. After clicking "Submit" on the final page of this application, you will be prompted to review your responses and click "Confirm" to finalize your request. A copy of the submission will be sent to the contact email address provided. Additional details available on our website.

Timeline
October 15 - December 15: Project application period
December 15: Application deadline
December 15 - January 15: Application review
January 15-30: Award notices sent out to applicants
March-December: Project implementation period

Contact Brian Miller at 651.209.9900 with questions.

Contact & Agency Information

Local Government Unit *

Project Contact First Name *

Project Contact Last Name *

Project Contact Title *

Contact Phone Number *

Contact Email Address *

Contact Street Address *

Contact City *

Contact State * MN

Contact Zip Code *

Project Location Information and Description

Project Name *

Water Resource(s) of Concern *

Project Street Address

If location has no street address, skip to the Project Location field below.

Project City

Project State MN

Project Zip Code

Project Location (area, site, etc.) *

Attach aerial photo/map with project location

Upload aerial photo or map *

Choose File No file chosen

Additional file upload, if applicable

Choose File No file chosen

BMP Installation

Select up to three best management practices:

BMP #1 *

Please select...

Indicate Priority Level for BMP #1 *

Please select...

Projects will be funded based on priority level

BMP #2

Please select...

Indicate Priority Level for BMP #2

Please select...

Projects will be funded based on priority level

BMP #3

Please select...

Indicate Priority Level for BMP #3

Please select...

Projects will be funded based on priority level

Pollution Reduction Estimate

Select up to four pollutants:

Pollutant #1

Pollutant #1 *

Please select...

Amount #1 *

Estimation Method #1 *

Please select...

Pollutant #2

Pollutant #2

Please select...

Amount #2

Estimation Method #2

Please select...

Pollutant #3

Pollutant #3

Please select...

Amount #3

Estimation Method #3

Please select...

Pollutant #4

Pollutant #4

Please select...

Amount #4

Estimation Method #4

Please select...

Project Coordination & Scheduling

Detailed description and purpose of project, including desired outcomes: *

Describe the project's educational value and/or on-site education provided to the crew. *

Estimated Crew Time Required *

# of days based on a 5-person crew

Preferred Season/Dates *

Crews are available March 1 - December 10

Description of crew responsibilities and tasks to be carried out: *

List hand tools needed for the project: *

List power tools needed for the project: *

Community Planning Information

Is all permitting, contracting, and landowner consent completed? *

Please select...

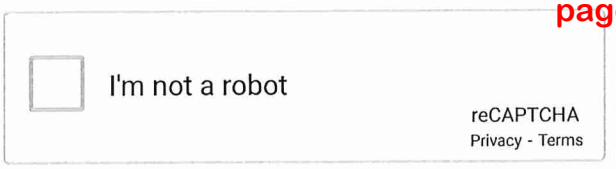
Has a TMDL implementation plan, watershed management plan, county comprehensive local water management plan, local surface water management plan, metro groundwater plan, surface water intake plan or well head protection plan been approved and locally adopted? Please explain. *

1000 character maximum

How will this project ensure practices implemented will be of a long-lasting public benefit with a minimum 10 years effective life? *

Local financial contribution - itemized description and amount: *

While there is no required match minimum, local financial contribution is still desired. Input in-kind staff time, non-state funds and/or project materials and total $ amount



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The submit button will be disabled until you complete the CAPTCHA.

Submit

Save my progress and resume later | Resume a previously saved form

Need assistance with this form?