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APR - 5 2001

Rice Creek Watershed District Permit Application Number

01-28

Applicant: Rockne Goertz  
Spirit Hills, Inc.  
P.O. Box 190  
North Branch, MN 55056  
612-363-3730 (phone)  
651-674-2194 (fax)

Agent: ~~WATER~~ RICE CREEK DISTRICT  
Glenn Rehbein Companies  
8651 Naples Street NE  
Blaine, MN 55449  
763-784-0657 (phone)  
763-784-6001 (fax)

Purpose: Land Development Plan and Wetland Alteration Plan for a multi-family residential development riparian Rice Lake to be known as Spirit Hills, 31 single family residential lots, 49 townhome units, 35.7± acres.

Location: North of Birch Street and east of Highway 49, Lino Lakes.

T-R-S: 31-22-30 da and ad

Recommendation: **Table with authorization for administrative action** pending receipt of:

1. Revised 100-year hydrologic calculations with pond starting water elevations equal to pond outlet elevations for estimation of conservative flood elevations and revised plan (if necessary) complying with alternative low floor / low entry buffer requirements.
2. Copy of ditch profile for verification that existing wetland runoff elevation is 889.2.
3. Revised Pond Construction, Monitoring, Operation and Maintenance Plan incorporating District infiltration/water quality volume requirement instead of 3.5-inch runoff volume.
4. Field verification by District staff of wetland boundaries.
5. Completion of WCA 30-day comment period.
6. Proof of Title and signed/notarized WCA Deed Forms for Replacement Wetlands.
7. Cash surety in the amount of \$12,500.

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- Stipulations:
1. The replacement wetland approved as part of this permit shall be constructed concurrent or prior to any wetland fill activity.
  2. The Declaration of Restrictions and Covenants for Replacement Wetland shall be properly filed and recorded prior to any wetland fill activity, with proof of recording furnished to the District.
  3. The permittee shall submit a monitoring report on the replacement wetland to RCWD which includes the information specified in Minnesota Rules 8420.0620 each year for five years following completion of the replacement wetland. The report shall be submitted no later than November 15 of each year.
  4. District Inspector to be contacted for preconstruction meeting prior to grading.
  5. Development of "Neighborhood Business" Outlot is not approved as part of this Permit and will require additional District review and permitting.

- Exhibits:
1. Permit Application, undated, received March 14, 2001.
  2. Preliminary Plat prepared by Glenn Rehbein Companies, dated April 5, 2001, received April 5, 2001.
  3. Final Grading and Drainage Plan (2 sheets) prepared by Glenn Rehbein Companies, dated April 5, 2001, received April 5, 2001.
  4. Wetland Replacement & Soil and Erosion Control & Tree Preservation Plan prepared by Glenn Rehbein Companies, last revised April 5, 2001, received April 5, 2001.
  5. Preliminary Sanitary Sewer and Watermain Plan prepared by Glenn Rehbein Companies, dated March 11, 2001, received March 14, 2001.
  6. Notes and Details Sheet prepared by Glenn Rehbein Companies, last revised March 28, 2001, received March 28, 2001.

7. Existing and proposed hydrologic calculations prepared by Polaris Group, Inc., dated March 27, 2001, received March 28, 2001.
8. Revised proposed 100-year hydrologic calculations prepared by Polaris Group, Inc., dated and received April 5, 2001.
9. Wetland Delineation Report prepared by Earth Science Associates, Inc., dated November 2000, received March 14, 2001.
10. Local-State-Federal Water Resource Project Notification/ Application Form prepared by Glenn Rehbein Companies, dated March 14, 2001, received March 14, 2001.
11. Minnesota WCA Sequencing Narrative prepared by Glenn Rehbein Companies, dated March 26, 2001, received March 26, 2001.
12. Minnesota WCA Wetland Replacement Plan Application prepared by Glenn Rehbein Companies, dated March 13, 2001, received March 14, 2001.
13. Subsurface Geotechnical Assessment prepared by Interstate Geotechnical Engineering, Inc., dated March 19, 2001, received March 28, 2001.
14. Construction, Monitoring, Operation and Maintenance Plan for Infiltration Basins prepared by Glenn Rehbein Companies, undated, received March 30, 2001.
15. Copy of MPCA NPDES permit application dated March 14, 2001, received March 14, 2001.

Findings:

1. Project entails a 31 lot single family residential development and a 49 unit townhome development on an existing 35.7± acre parcel tributary to Rice Lake.
2. Proposed plan includes excavation of 4 basins that serve District rate control, water quality treatment, and infiltration standards for the site.
3. The Wetland Delineation Report and Grading Plan identify four wetland areas on-site. These basins are identified as Type II, VI, and VII wetland. Proposed impact includes 0.14 acres of Type II wetland fill. Applicant has provided sequencing narrative complying with Minnesota Rules Chapter 8420.0520.

Proposed Wetland Replacement Plan includes 0.55 acres of Type II New Wetland Credit scattered throughout the site. This satisfies WCA replacement requirements.

4. The 100-year flood elevation of Rice Lake is 886.0 (1998 Calibration Study). Proposed plan includes 106 cubic yard of fill below this elevation in the northwest corner of the site. This fill is compensated for via 332 cubic yards of excavation below 886.0, in the southern half of the site.
5. The lowest proposed first floor elevation is 889.0, 3.0 feet above Rice Lake flood elevation thereby satisfying District regional flood elevation freeboard requirements.

District 2-foot freeboard requirements over pond and wetland 100-year elevations are satisfied throughout the site except for 7 lots adjacent to infiltration basins. This requirement may be waived for short-duration floods associated with small ponding areas. In this case, low floor elevations may not be below the 100-year water level, and the 2-foot freeboard requirement would apply to the minimum building opening elevation.

Revised 100-year hydrologic calculations with pond starting water elevations equal to pond outlet elevations for estimation of conservative flood elevations and revised plan (if necessary) complying with alternative low floor / low entry buffer requirements are required.

6. A revised erosion and sediment control plan has been submitted specifying silt fence downstream of graded areas and between upland and wetland creation areas, a rock construction entrance, riprap at all stormsewer outfalls, revegetation specifications, an implementation schedule.
7. A revised preliminary plat with satisfactory form and description granting ponding and flowage easements over all onsite hydrologic features (including floodplain and drainage swales to north pond) has been submitted.
8. This permit application was tabled on March 28, 2001 for 19 items. The Board approved reconsideration of this application at the April 11, 2001 meeting, if the engineer's recommendation is TWAFAA.

Board Action: