

**INVER GROVE HEIGHTS
ENVIRONMENTAL ADVISORY COMMISSION MEETING AGENDA
Thursday, January 28, 2021**

NOTICE TO RESIDENTS: The Environmental Commission is taking proactive steps to prevent the spread of COVID-19 by meeting remote. People wishing to testify at the public hearing should call into the meeting using the following information: Phone number: 651-450-2471. Individuals may submit written public comments in advance of the meeting by emailing comments to Ally Sutherland (asutherland@ighmn.gov). Comments received prior to 4:00 p.m. on Wednesday, January 27, 2020, will be provided to the Commission before the January 28, 2020 meeting.

1. CALL TO ORDER

2. ROLL CALL

3. PRESENTATIONS – Items that do not require action.

- A. Metropolitan Airports Commission (MAC), Noise Oversight Committee (NOC) Update

4. ANNOUNCEMENTS

- A. Next meeting – Thursday, February 25, 2021 – Virtual Regular Meeting 7:00pm
- B. Xcel Energy Partners in Energy Status Update

5. CONSENT AGENDA – All items on the Consent Agenda are considered routine and have been made available to the Environmental Commission at least two days prior to the meeting; the items will be enacted in one motion. There will be no separate discussion of these items unless a Commission member or citizen so requests, in which event the item will be removed from this Agenda and considered in normal sequence.

- A. Minutes of Thursday, August 27, 2020 Environmental Commission Meeting

6. PUBLIC COMMENT – Public comment provides an opportunity for the public to address the Commission on items that are not on the Agenda. Comments will be limited to three (3) minutes per person

7. REGULAR AGENDA – Items requiring an action.

- A. Consider recommending City Council approval of the Wetland Replacement Plan submitted by Canvas of Inver Grove Heights
- B. Consider recommending City Council approval of the Wetland Replacement Plan submitted by Dakota County for CSAH 26

8. ADMINISTRATIVE PRESENTATIONS – Items that need to be discussed without any actions.

9. COMMISSION COMMENTS – An opportunity for Commissions to raise additional questions or comments.

10. ADJOURN

**INVER GROVE HEIGHTS
ENVIRONMENTAL ADVISORY COMMISSION MEETING MINUTES
Thursday, August 27, 2020
Virtual Meeting via Zoom
7:00 P.M.**

1. CALL TO ORDER

The Environmental Advisory Commission of Inver Grove Heights met in virtually via Zoom on Thursday, August 27, 2020. Chair Trenzeluk called the meeting to order at 7:00 p.m.

2. ROLL CALL

Present: Chair Ted Trenzeluk, Commissioners; Patricia Todd, Aditya Jayam, Larry Moehring, Matt Mills, Robert Heidenreich and Nichole Boehmke
Absent: Sarah Brass and Katherine Teiken (excused)

3. PRESENTATIONS

4. ANNOUNCEMENTS

A. Next meeting – Thursday, September 24th, 2020 – Virtual Regular Meeting 7:00pm

5. CONSENT AGENDA

A. Minutes of July 23, 2020 Environmental Commission Meeting

Motion by Commissioner Todd, seconded by Commissioner Mills to approve the minutes from July 23, 2020 as submitted.

Ayes: 7

Nays: 0 Motion carried.

6. PUBLIC COMMENT

REGULAR AGENDA

A. Consider Revised Wetland Replacement Plan for 9697 Inver Grove Trail, Alliant Ventures III, LLC

Ms. Sutherland presented the application to the Commission. It was noted that Alliant Capital III, LLC is proposing a new single-family residential housing development in the City of Inver Grove Heights called Inver Grove Trails. This proposed development will be located north of Cahill Avenue and west of Inver Grove Trail in the southeastern part of the City. The site itself covers approximately 15 acres of land that consists of a vacated residence, of which 8-10 acres is being developed. Throughout the site two wetlands were delineated in 2019, referred to as Wetland A and Wetland B.

Ms. Sutherland stated that on July 23, 2020, the Environmental Commission reviewed and recommended the Wetland Replacement Plan for 9697 Inver Grove Trail which included only impacts to Wetland A on the site. Since then, on August 4, 2020, the applicant submitted a revised Wetland Replacement Plan proposing impacts to Wetland A and Wetland B completely fill Wetland A (0.1122 acre) and partially fill Wetland B (0.0149 acre), totaling 0.1271 acre. All impacts related to Wetland A included in revised application submitted on

August 4, 2020 remain the same as the Wetland Replacement Plan reviewed by the Commission on July 23, 2020. The only changes are an additional partial fill to Wetland B. The total of permanent wetland impacts included in tonight's packet include 0.1271 acres (5,536 square feet) of impact, an increase of 0.0149 acres (649 square feet) from the previous application reviewed on July 23.

Ms. Sutherland stated that based on the design of the project, two wetlands; Wetland A and Wetland B (Figure 2) will be impacted and therefore a wetland replacement plan must be approved by the City for the project to move forward. Wetland impacts would be mitigated at a 2:1 ratio through purchase of wetland credits. Dakota County Soil and Water Conservation District reviews and processes wetland applications under the Wetland Conservation Act on behalf of the City. The updated request received on August 4, 2020 was reviewed by the WCA Technical Evaluation Panel, including the Board of Soil and Water and DCSWCD. The WCA Technical Evaluation Panel has no objection to the proposed wetland impacts and recommends approval of the wetland replacement plan as stated.

City Staff, as part of the WCA Technical Evaluation Panel, recommend approval of the wetland replacement as stated and included in tonight's packets. Ms. Sutherland noted that Mr. Ken Arndt is in attendance on the behalf of the applicant to answer questions from the Commission.

Chair Trenzeluk asked the Commission if they have any questions.

Commissioner Heidenreich asked Mr. Arndt to confirm if they are filling half of the Wetland B located to the north indicated on Appendix A of the application. Mr. Arndt responded this second impact is related Steve Dodge's, the assistant City Engineer's, request that the outfall on the site needed to be located farther into the wetland that originally proposed. This additional impact was driven by city staff, not the developer.

Commissioner Heidenreich asked if the property owner to the north is aware that the developer will be filling half of Wetland B and if they have any objections. He noted that the figure on Appendix A indicates a larger drainage area than the wetland boundaries map.

Mr. Arndt noted that the map on Appendix A shown on the screen is from the National Wetland Inventory which is not always an accurate representation of a wetland. This is why consultants physically go out to the site to delineate the wetlands on the property. This map shows the boundaries delineated by the consultant and the inaccurate depiction of Wetland B from the National Wetland Inventory map. Commissioner Heidenreich's internet was dropping and Ms. Sutherland asked him to dial into the meeting so that his questions could be clearly heard.

Commissioner Mills has if the wetland credit system can be explained. Mr. Arndt responded that there is a standard procedure to determine where wetland credits can be purchased from to use for wetland replacement. This is called siting requirements. First, they must look to see if wetland credits are available for purchase within the same minor watershed as the impacted wetland. If there are none available, then they look for credits available in the same major watershed. If none are still available, then they look for credits available in the same wetland bank service area as the impacted wetland. There are no credits available in the same minor watershed but there are in the major watershed. The major watershed they are purchasing wetland credits from includes areas of Anoka, Hennepin, Washington and Dakota counties.

Mr. Arndt stated that are hopeful to receive approval from the Commission so that they are able to secure these additional credits so they can begin grading this fall.

Commissioner Moehring asked what the end use of the wetland areas will be once they are filled in. Mr. Arndt responded that Wetland A will be completely filled and will be utilized as for stormwater retention or pretreatment. The minor impacts at Wetland B included placement of riprap, outlet and pipe. Originally the developer had these stormwater features pulled away from Wetland B, but at the direction of the city these are now moved forward into the wetland area. Water will still naturally drain in the area towards the wetland or be directed towards the rainwater garden.

Chair Trenzeluk confirmed with the applicant that they are proposing these additional impacts based on city engineering staff directions. Mr. Arndt responded in the affirmative.

Commissioner Heidenreich stated he was looking at Appendix A, Figure 2 and 3, page 47 of the PDF. Mr. Heidenreich asked since they are filling half of Wetland B, where will the water shown flowing into the wetland go once the wetland is filled. Mr. Arndt stated that the figure on page 47 is of Dakota County's soils survey. The brown areas of this are depicting hydric soils map unit. Those are soils with characteristics of being hydric, but it doesn't necessarily mean they are a wetland. The non-colored polygons are non-hydric upland soils units. He noted that draining from the north will still flow into the wetland. There is no natural outlet for this wetland. Mr. Heidenreich stated that since they are filling the wetland to the south, it appears there is no other area to flow and that it would flood the northern property. He asked if the neighbors to the north have been notified and if they have any comments or concerns about that.

Ms. Sutherland noted that the city's Engineering division is responsible for reviewing all stormwater management on the property and she had not heard any concerns from them. She is aware the Engineering division is working with the developer and the application right now which is why the applicant is back to discuss the new impacts, so she assumes that what the developer is being told to do is for the purpose of mitigating the stormwater concerns Commissioner Heidenreich has. She noted she cannot answer those questions specifically, but she could speak with the engineer staff about them and get back to the Commission. Commissioner Heidenreich stated that the amount of water that falls on the site does not change, and his concern is that it will be displaced to the northern property.

Mr. Arndt noted that they will be impacting 652 square feet of Wetland B. Commissioner Heidenreich is concerned that the brown areas indicated on Appendix A page 47 on the north property may turn into a wetland. Mr. Arndt said that is not necessarily the case, and that the impact to the eastern side of Wetland B is in an area that is not open water and is currently a grassy meadow. He noted that filling of the area would not necessarily impact just the northern portion, but rather the whole perimeter slightly. Because there are steeper side slopes on this wetland he is not concerned that flooding would occur, but for example they may not be able to mow directly to the edge any more. Commissioner Heidenreich noted he is concerned that the developer is impacting someone else's property. Mr. Arndt stated the question could be best answered by the project or city engineer who can provide the pre- and post-watershed modeling.

Commissioner Heidenreich also noted that page 65 of the PDF lists the climate data as Washington County, not Dakota County. Mr. Arndt noted that sometimes when they enter in the section and town range of the site, the system will provide the weather station data that is considered most accurate for the site. This means there is a closer weather station in Washington County to this site than there is in Dakota County. He sees this often.

Motion by Commissioner Trenzeluk, seconded by Commissioner Todd to recommend approval of the revised Wetland Replacement Plan for 9697 Inver Grove Trail

Ayes: 6

Nays: 1 Motion carried.

Ms. Sutherland noted that this item will be going to the City Council on September 14, 2020 along with the final plat.

7. ADMINISTRATIVE PRESENTATIONS

8. COMMISSION COMMENTS

9. ADJOURN

Motion by Commissioner Mills, seconded by Commissioner Boehmke to adjourn at 7:27 pm.

Ayes: 7

Nays: 0 Motion carried.

DRAFT

**Staff Report**

TITLE: Consider recommending City Council approval of the Wetland Replacement Plan submitted by Canvas of Inver Grove Heights

		Fiscal/FTE Impact	Mark all that apply
Meeting Date:	January 28, 2021	None	
Item Type:	Regular Agenda	Amount included in current budget	
Contact:	Ally Sutherland, 651-604-8511	Budget amendment requested	
Prepared by:	Ally Sutherland	FTE included in current complement	
Reviewed by:	Allan Hunting	New FTE requested - N/A	
		Other	

PURPOSE/ACTION REQUESTED:

Review the Wetland Conservation Act (WCA) Technical Evaluation Panel's (TEP) review of the Wetland Replacement Plan submitted by Canvas of Inver Grove Heights and consider recommending City Council approval.

PROJECT BACKGROUND:

The applicant is proposing to construct a residential development located on the northeast quadrant of Hwy 3 and 70th Street that includes detached single-family homes and a multifamily residential area. In total, the proposed project will include 120 single family detached homes with a mix of 30' and 50' wide single-family lots. Additionally, there will be a multifamily apartment area with approximately 100-150 units. Construction will be divided into 3 phases and the anticipated construction of the site will began in Spring 2021. The project will be phased out over approximately 5 years depending on market conditions.

The preliminary site plan, stormwater management plan and grading plan have been reviewed by city staff, and by the Planning Commission and City Council during the public review process. The Wetland Replacement Plan will be brought to the City Council for review and approval along with the final development plans for the proposed project.

PROPOSED WETLAND REPLACEMENT PLAN:

The project site consists of open grassland with patches of forest interspersed throughout the landscape and three wetland complexes. The overview of wetlands on the site, proposed impacts and proposed mitigation are indicated in the table.

Wetland #	Existing Size	Proposed Impact	Proposed Mitigation
Wetland 1	0.527 acres	0.1528 acres	0.3056 acres (2:1 ratio) of wetland bank credits purchased from Wetland Bank Service Area #8 in Dodge County.
Wetland 2	0.022 acres	966 sq ft	Incidental. Not regulated under WCA and no mitigation is required.
Wetland 3	1.174 acres	No impact	N/A
TOTAL	1.723 acres	0.1528 acres (WCA Regulated Impact)	0.3056 acres

TECHNICAL EVALUATION PANEL (TEP) RECOMMENDATION:

The Wetland Replacement Plan application was noticed on December 28, 2020 and the comment period ended on January 15, 2021. The application was reviewed by TEP, including the Board of Soil and Water (BWSR), Soil and Water Conservation District (SWCD), and SWCD on behalf of the City. The TEP determined the proposed Wetland Replacement Plan meets all Wetland Conversation Act rules and guidelines defined by MN Rule Chapter 8420, including the following:

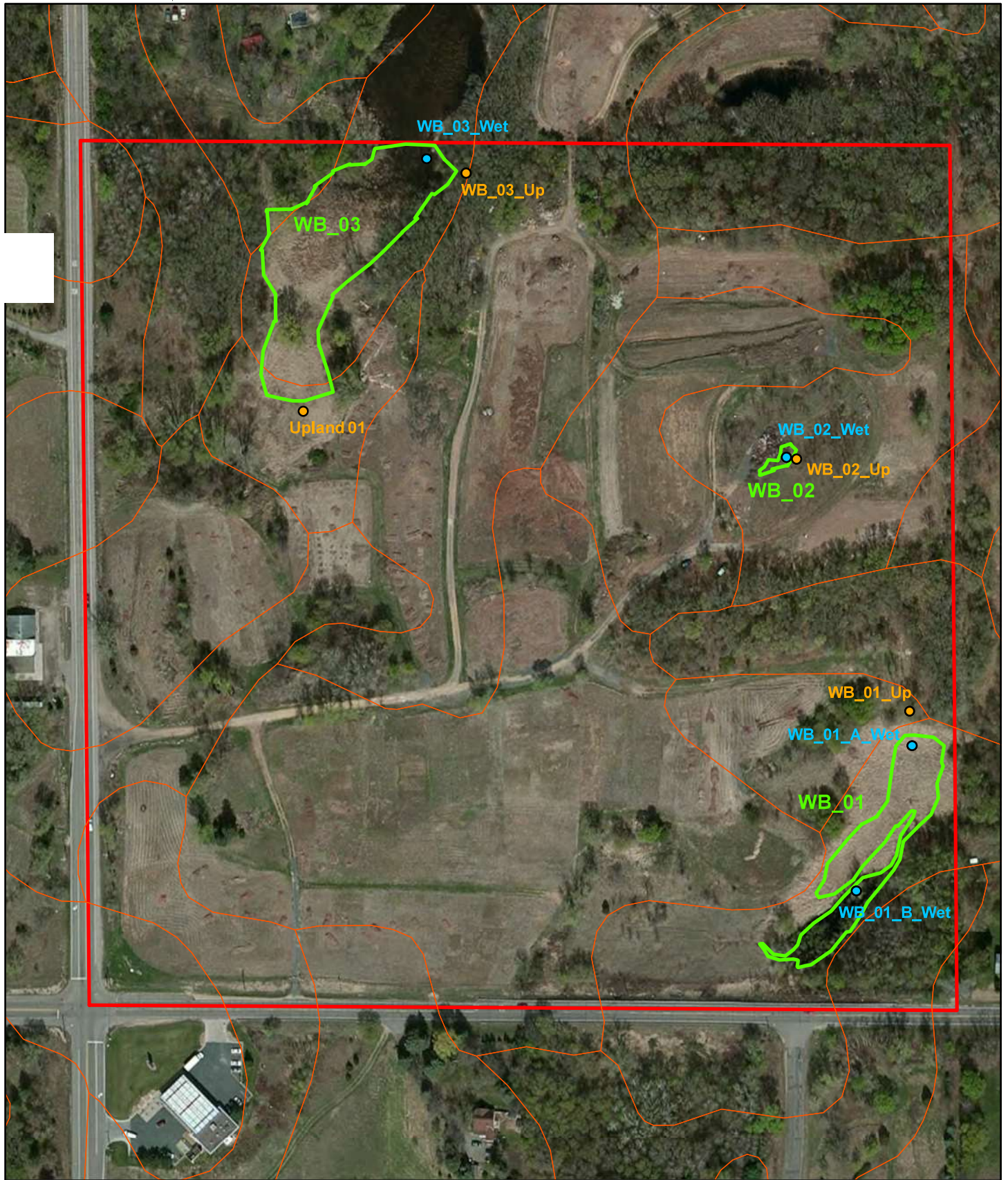
- The application demonstrates the purpose of the project can only be reasonably achieved by permanently impacting wetland(s) and replacing them.
- The applicant has shown they have taken reasonable steps to avoid wetland impacts and/or designed the project in a way that minimizes or reduces impacts on remaining wetlands after project implementation.
- Mitigation is proposed for replacement within the same minor, major, or service bank areas for a 2:1 ratio, or at a different ratio required by Board of Soil and Water Resources.

The TEP has no objection to the proposed wetland impacts and recommends approval of the Wetland Replacement Plan as submitted by the applicant.

Attachments: Location Maps; Figure 1

SWCD Review Memo

Wetland Permit Application



Data Source(s): Westwood (2015), ESRI World Imagery (2014)

Legend

- Proposed Boundary
- Delineated Wetland
- Upland Point
- Wetland Point

IMH Financial Corporation

Inver Grove Heights, Minnesota

Delineated Wetlands

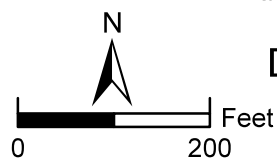
FIGURE 3.



Westwood Professional Services, Inc.
7699 Anagram Drive
Eden Prairie, MN 55344

PHONE 952-937-5150
FAX 952-937-5822
TOLL FREE 1-888-937-5150

www.westwoodps.com



MEMORANDUM

To: Ally Sutherland, City of Inver Grove Heights

Cc: Allan Hunting, Tom Kaldunski, City of Inver Grove Heights, Brian Watson, Dakota County SWCD

From: David Holmen, Dakota County SWCD

Date: January 25, 2021

**RE: Canvas of Inver Grove Heights
Application for a Wetland Replacement Plan submitted by Ian Peterson**

Under delegated authorities from the City of Inver Grove Heights pursuant to the Minnesota Wetland Conservation Act (WCA), the Canvas of Inver Grove Heights project has undergone the following administrative process to date:

June 8, 2020 Notice of Decision was provided approving the wetland boundary and wetland type of two wetlands labeled as Wetland 1 and 3. Wetland 2 was determined to be incidental.

December 23, 2020 A wetland replacement plan application was submitted proposing to partially fill Wetland 1, totaling 0.1528 acre. The impacted wetland would be replaced through the purchase of 0.3056 acre of wetland bank credits located in Dodge County.

December 28, 2020 Application was noticed as required under Minnesota Rule 8420.0255. Comments were requested by January 15, 2021.

January 4, 2021 The SWCD met virtually with BWSR and the applicant's representative to review the 12/28/20 replacement plan application proposing to partially fill 0.1528 acres of Wetland 1 (totaling 0.74 acres) and avoid Wetland 3 (totaling 1.55 acres). Replacement would occur through the purchase of 0.3056 acres of wetland bank credits. Concerns by BWSR regarding existing and proposed drainage areas to Wetlands 1 and 3 were adequately addressed by the applicant with stormwater modeling data showing a slight increase in post construction discharge rates to the wetlands. Neither BWSR or the SWCD had any additional concerns with the application.

January 15, 2021 Comment period closed. Comments via email were received by the Minnesota Board of Water and Soil Resources indicating that the application adequately addressed the need for the project.

Wetland Delineation

The wetland delineation was field reviewed by BWSR and SWCD staff and approved this summer. Three wetlands, labeled Wetland 1-3 were delineated. Wetland 2 was

determined to be incidental based on aerial photography and field review. The wetlands are located in the Mississippi River Watershed – Lake Pepin and Bank Service Area 8.

Wetland Replacement

The application proposes to partially impact Wetland 1. Based on the information provided, the need for the project and the mitigation sequencing analysis has been met. The applicant is proposing to provide wetland replacement for the 0.1528 acre of impact by using 0.3056 acre (2:1 ratio) from wetland bank account #1083 located in the Zumbro River Watershed, Dodge County, Bank Service Area 8. This is within the same Bank Service Area as the impacted wetland and also meets WCA requirements.

Summary/Recommendation

Based on our review and responses received, the SWCD supports approval of the Wetland Replacement Plan application to include 0.1528 acre of impact and the use of 0.3056 acre of wetland bank credits from account #1083. Upon approval by City Council, the Notice of Decision form and the wetland bank transaction form will need to be coordinated and processed by City and SWCD.

Attachments:

Application Received.

Joint Application Form for Activities Affecting Water Resources in Minnesota

This joint application form is the accepted means for initiating review of proposals that may affect a water resource (wetland, tributary, lake, etc.) in the State of Minnesota under state and federal regulatory programs. Applicants for Minnesota Department of Natural Resources (DNR) Public Waters permits **MUST** use the MPARS online permitting system for submitting applications to the DNR. Applicants can use the information entered into MPARS to substitute for completing parts of this joint application form (see the paragraph on MPARS at the end of the joint application form instructions for additional information). This form is only applicable to the water resource aspects of proposed projects under state and federal regulatory programs; other local applications and approvals may be required. Depending on the nature of the project and the location and type of water resources impacted, multiple authorizations may be required as different regulatory programs have different types of jurisdiction over different types of resources.

Regulatory Review Structure

Federal

The St. Paul District of the U.S. Army Corps of Engineers (Corps) is the federal agency that regulates discharges of dredged or fill material into waters of the United States (wetlands, tributaries, lakes, etc.) under Section 404 of the Clean Water Act (CWA) and regulates work in navigable waters under Section 10 of the Rivers and Harbors Act. Applications are assigned to Corps project managers who are responsible for implementing the Corps regulatory program within a particular geographic area.

State

There are three state regulatory programs that regulate activities affecting water resources. The Wetland Conservation Act (WCA) regulates most activities affecting wetlands. It is administered by local government units (LGUs) which can be counties, townships, cities, watershed districts, watershed management organizations or state agencies (on state-owned land). The Minnesota DNR Division of Ecological and Water Resources issues permits for work in specially-designated public waters via the Public Waters Work Permit Program (DNR Public Waters Permits). The Minnesota Pollution Control Agency (MPCA) under Section 401 of the Clean Water Act certifies that discharges of dredged or fill material authorized by a federal permit or license comply with state water quality standards. One or more of these regulatory programs may be applicable to any one project.

Required Information

Prior to submitting an application, applicants are **strongly encouraged** to seek input from the Corps Project Manager and LGU staff to identify regulatory issues and required application materials for their proposed project. Project proponents can request a pre-application consultation with the Corps and LGU to discuss their proposed project by providing the information required in Sections 1 through 5 of this joint application form to facilitate a meaningful discussion about their project. Many LGUs provide a venue (such as regularly scheduled technical evaluation panel meetings) for potential applicants to discuss their projects with multiple agencies prior to submitting an application. Contact information is provided below.

The following bullets outline the information generally required for several common types of determinations/authorizations.

- For delineation approvals and/or jurisdictional determinations, submit Parts 1, 2 and 5, and Attachment A.
- For activities involving CWA/WCA exemptions, WCA no-loss determinations, and activities not requiring mitigation, submit Parts 1 through 5, and Attachment B.
- For activities requiring compensatory mitigation/replacement plan, submit Parts 1 thru 5, and Attachments C and D.
- For local road authority activities that qualify for the state's local road wetland replacement program, submit Parts 1 through 5, and Attachments C, D (if applicable), and E to both the Corps and the LGU.

Submission Instructions

Send the completed joint application form and all required attachments to:

U.S Army Corps of Engineers. Applications may be sent directly to the appropriate Corps Office. For a current listing of areas of responsibilities and contact information, visit the St. Paul District's website at:

<http://www.mvp.usace.army.mil/Missions/Regulatory.aspx> and select "Minnesota" from the contact Information box.

Alternatively, applications may be sent directly to the St. Paul District Headquarters and the Corps will forward them to the appropriate field office.

Section 401 Water Quality Certification: Applicants do not need to submit the joint application form to the MPCA unless specifically requested. The MPCA will request a copy of the completed joint application form directly from an applicant when they determine an individual 401 water quality certification is required for a proposed project.

Wetland Conservation Act Local Government Unit: Send to the appropriate Local Government Unit. If necessary, contact your county Soil and Water Conservation District (SWCD) office or visit the Board of Water and Soil Resources (BWSR) web site (www.bwsr.state.mn.us) to determine the appropriate LGU.

DNR Public Waters Permitting: In 2014 the DNR will begin using the Minnesota DNR Permitting and Reporting System (MPARS) for submission of Public Waters permit applications (<https://webapps11.dnr.state.mn.us/mpars/public/authentication/login>).

Applicants for Public Waters permits **MUST** use the MPARS online permitting system for submitting applications to the DNR. To avoid duplication and to streamline the application process among the various resource agencies, applicants can use the information entered into MPARS to substitute for completing parts of this joint application form. The MPARS print/save function will provide the applicant with a copy of the Public Waters permit application which, at a minimum, will satisfy Parts one and two of this joint application. For certain types of activities, the MPARS application may also provide all of the necessary information required under Parts three and four of the joint application. However, it is the responsibility of the Applicant to make sure that the joint application contains all of the required information, including identification of all aquatic resources impacted by the project (see Part four of the joint application). After confirming that the MPARS application contains all of the required information in Parts one and two the Applicant may attach a copy to the joint application and fill in any missing information in the remainder of the joint application.

PART ONE: Applicant Information

If applicant is an entity (company, government entity, partnership, etc.), an authorized contact person must be identified. If the applicant is using an agent (consultant, lawyer, or other third party) and has authorized them to act on their behalf, the agent's contact information must also be provided.

Applicant/Landowner Name: Canvas IGH Owner, LP – Ian Peterson
Mailing Address: 4000 Shoreline Drive, Spring Park, Minnesota 55384
Phone: 612-328-5252
E-mail Address: ipeterson@wmprops.com

Authorized Contact (do not complete if same as above):

Mailing Address:
Phone:
E-mail Address:

Agent Name: Keara Pringle
Mailing Address: 733 Marquette Ave, Suite 700, Minneapolis, MN 55402-2340
Phone: 612-718-6880
E-mail Address: kpringle@alliant-inc.com

PART TWO: Site Location Information

County: Dakota **City/Township:** Inver Grove Heights
Parcel ID and/or Address: PID 200050052011 and 200050052012
Legal Description (Section, Township, Range): S 5, T 27N, R 22W
Lat/Long (decimal degrees): 44.848499, -93.08445
Attach a map showing the location of the site in relation to local streets, roads, highways.
Approximate size of site (acres) or if a linear project, length (feet): 39.55 acres

If you know that your proposal will require an individual Permit from the U.S. Army Corps of Engineers, you must provide the names and addresses of all property owners adjacent to the project site. This information may be provided by attaching a list to your application or by using block 25 of the Application for Department of the Army permit which can be obtained at:

http://www.mvp.usace.army.mil/Portals/57/docs/regulatory/RegulatoryDocs/engform_4345_2012oct.pdf

This application will not require an Individual Permit from the Corps.

PART THREE: General Project/Site Information

If this application is related to a delineation approval, exemption determination, jurisdictional determination, or other correspondence submitted prior to this application then describe that here and provide the Corps of Engineers project number.

A delineation report was completed by Westwood Professional Services in April 2015 and a WCA NOD was issued in July 2015 approving the delineated wetland boundaries. The WCA NOD application number was 2015-01 (**Appendix B, C**). In May 2020, Alliant Engineering visited the site with the TEP to confirm that the boundaries of the delineated wetlands were still the same. The TEP confirmed that the 2015 delineated wetland boundaries were still valid and the TEP issued an extension of the NOD until 2025. The new WCA NOD application number is SWCD #15-IGH-089 (**Appendix E**). No Corps of Engineers project number is currently associated with this project.

In addition to the approval of the delineation report, a no loss determination was made for Wetland 2 in 2015 and the TEP agreed that the wetland was incidental (**Appendix D**). The WCA NOD application number was 2015-02. In addition to extending the NOD for the 2015 wetland boundary/type, the TEP also extended the no loss NOD determination until 2025. The WCA NOD application number is SWCD #15-IGH-089, the same as the delineation report NOD extension (**Appendix E**).

Describe the project that is being proposed, the project purpose and need, and schedule for implementation and completion. The project description must fully describe the nature and scope of the proposed activity including a description of all project elements that effect aquatic resources (wetland, lake, tributary, etc.) and must also include plans and cross section or profile drawings showing the location, character, and dimensions of all proposed activities and aquatic resource impacts.

Project purpose: The purpose of the Canvas development at Inver Grove Heights is to construct a residential development that includes detached single family homes and a multifamily residential area. In total, the proposed project will include 120 single family detached homes with a mix of 30' and 50' wide single family lots. Additionally, there will be a multifamily apartment area with approximately 100-150 units.

Based on Inver Grove Heights 2040 Comprehensive Plan, the development is guided as Mixed-Use and Low-Medium Residential. The City's Mixed-Use land use designation targets a residential dwelling unit density range of 12-35 units per acre and the Low-Medium Density Residential targets a residential dwelling unit density range of 4-8 residential units/new acre. The plans for the development fit within the City's guided plans. The site is currently zoned as Planned Unit Development (PUD). There was a previously approved preliminary PUD for the site and the preliminary plat requested the site be zoned as a PUD for the entire development. This designation is consistent with the goals and objectives for the property.

Project need: The Canvas residential development is needed to meet the demands of the growing population in the Twin Cities metro area. Inver Grove Heights anticipates that they will continue to see moderate growth in the population in the next 20 years. The anticipated growth is a result of a combination of population growth occurring in the Northwest metro area, the continual infill of undeveloped lands, and through redevelopment opportunities.

Project schedule: Construction will be divided into 3 phases and the anticipated construction of the site will begin in Spring 2021 with Phase 1. During Phase 1, the developer is proposing to mass grade the entire site. The project will be phased out over approximately 5 years depending on market conditions. Phase 1 will occur in the southern half of the site, Phase 2 will occur in the northwest portion of the project, and Phase 3 will occur in the northeast portion of the project.

The total amount of aquatic resources on site, the total impact, and the mitigation acres is provided below:

- **Total existing wetland acreage on site:** 1.723 acres
- **Total impacted wetland acreage on site:** 0.1528 acres
- **Total off-site mitigation acreage (via mitigation bank) (2:1 mitigation ratio):** 0.3056 acres

PART FOUR: Aquatic Resource Impact¹ Summary

If your proposed project involves a direct or indirect impact to an aquatic resource (wetland, lake, tributary, etc.) identify each impact in the table below. Include all anticipated impacts, including those expected to be temporary. Attach an overhead view map, aerial photo, and/or drawing showing all of the aquatic resources in the project area and the location(s) of the proposed impacts. Label each aquatic resource on the map with a reference number or letter and identify the impacts in the following table.

Aquatic Resource ID (as noted on overhead view)	Aquatic Resource Type (wetland, lake, tributary etc.)	Type of Impact (fill, excavate, drain, or remove vegetation)	Duration of Impact Permanent (P) or Temporary (T) ¹	Size of Impact ²	Overall Size of Aquatic Resource ³	Existing Plant Community Type(s) in Impact Area ⁴	County, Major Watershed #, and Bank Service Area # of Impact Area ⁵
Wetland 1	Wetland	Fill	P	0.15 ac	0.54 ac	Wet (Fresh) Meadow/Harwood Swamp	Dakota, #38, BSA 8
*Wetland 2	Wetland	Fill	P	966 sqft	966 sqft	Wet (Fresh) Meadow	Dakota, #38, BSA 8

*Wetland 2 has been confirmed as an incidental wetland and therefore is not regulated under WCA. See Appendix D and E

¹If impacts are temporary; enter the duration of the impacts in days next to the "T". For example, a project with a temporary access fill that would be removed after 220 days would be entered "T (220)".

²Impacts less than 0.01 acre should be reported in square feet. Impacts 0.01 acre or greater should be reported as acres and rounded to the nearest 0.01 acre. Tributary impacts must be reported in linear feet of impact and an area of impact by indicating first the linear feet of impact along the flowline of the stream followed by the area impact in parentheses). For example, a project that impacts 50 feet of a stream that is 6 feet wide would be reported as 50 ft (300 square feet).

³This is generally only applicable if you are applying for a de minimis exemption under MN Rules 8420.0420 Subp. 8, otherwise enter "N/A".

⁴Use *Wetland Plants and Plant Community Types of Minnesota and Wisconsin* 3rd Ed. as modified in MN Rules 8420.0405 Subp. 2.

⁵Refer to Major Watershed and Bank Service Area maps in MN Rules 8420.0522 Subp. 7.

If any of the above identified impacts have already occurred, identify which impacts they are and the circumstances associated with each:

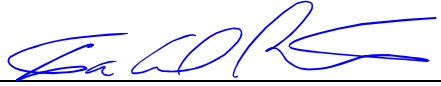
No impacts have occurred yet because the project has not started.

¹ The term "impact" as used in this joint application form is a generic term used for disclosure purposes to identify activities that may require approval from one or more regulatory agencies. For purposes of this form it is not meant to indicate whether or not those activities may require mitigation/replacement.

PART FIVE: Applicant Signature

☐ Check here if you are requesting a pre-application consultation with the Corps and LGU based on the information you have provided. Regulatory entities will not initiate a formal application review if this box is checked.

By signature below, I attest that the information in this application is complete and accurate. I further attest that I possess the authority to undertake the work described herein.

Signature:  Date: 12/23/2020

I hereby authorize Keara Pringle to act on my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this application.

Attachment A

Request for Delineation Review, Wetland Type Determination, or Jurisdictional Determination

By submission of the enclosed wetland delineation report, I am requesting that the U.S. Army Corps of Engineers, St. Paul District (Corps) and/or the Wetland Conservation Act Local Government Unit (LGU) provide me with the following (check all that apply):

☐ **Wetland Type Confirmation**

☐ **Delineation Concurrence.** Concurrence with a delineation is a written notification from the Corps and a decision from the LGU concurring, not concurring, or commenting on the boundaries of the aquatic resources delineated on the property. Delineation concurrences are generally valid for five years unless site conditions change. Under this request alone, the Corps will not address the jurisdictional status of the aquatic resources on the property, only the boundaries of the resources within the review area (including wetlands, tributaries, lakes, etc.).

☐ **Preliminary Jurisdictional Determination.** A preliminary jurisdictional determination (PJD) is a non-binding written indication from the Corps that waters, including wetlands, identified on a parcel may be waters of the United States. For purposes of computation of impacts and compensatory mitigation requirements, a permit decision made on the basis of a PJD will treat all waters and wetlands in the review area as if they are jurisdictional waters of the U.S. PJDs are advisory in nature and may not be appealed.

☒ **Approved Jurisdictional Determination.** An approved jurisdictional determination (AJD) is an official Corps determination that jurisdictional waters of the United States are either present or absent on the property. AJDs can generally be relied upon by the affected party for five years. An AJD may be appealed through the Corps administrative appeal process.

In order for the Corps and LGU to process your request, the wetland delineation must be prepared in accordance with the 1987 Corps of Engineers Wetland Delineation Manual, any approved Regional Supplements to the 1987 Manual, and the *Guidelines for Submitting Wetland Delineations in Minnesota* (2013).

<http://www.mvp.usace.army.mil/Missions/Regulatory/DelineationJDGuidance.aspx>

Attachment B

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

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

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

See **Appendix D and E** for documentation on the incidental determination of Wetland 2.

Provide a detailed explanation of how your project or site qualifies for the above. Be specific and provide and refer to attachments and exhibits that support your contention. Applicants should refer to rules (e.g. WCA rules), guidance documents (e.g. BWSR guidance, Corps guidance letters/public notices), and permit conditions (e.g. Corps General Permit conditions) to determine the necessary information to support the application. Applicants are strongly encouraged to contact the WCA LGU and Corps Project Manager prior to submitting an application if they are unsure of what type of information to provide:

See **Appendix D and E** for documentation on the incidental determination of Wetland 2.

Attachment C

Avoidance and Minimization

Project Purpose, Need, and Requirements. Clearly state the purpose of your project and need for your project. Also include a description of any specific requirements of the project as they relate to project location, project footprint, water management, and any other applicable requirements. Attach an overhead plan sheet showing all relevant features of the project (buildings, roads, etc.), aquatic resource features (impact areas noted) and construction details (grading plans, storm water management plans, etc.), referencing these as necessary:

Project Purpose: The purpose of the Canvas development at Inver Grove Heights is to construct a residential development that includes detached single family homes and multifamily residential areas. In total, there are 120 single family detached homes with 30' and 50' wide single family lots. Additionally, there will be a multifamily apartment area with approximately 100-150 units.

Project Need: The Canvas residential development is needed to meet the demands of the growing population in the Twin Cities metro area. Based on Inver Grove Heights 2040 Comprehensive Plan, they anticipate that in the next 20 years Inver Grove Heights will continue to see moderate growth in the population as a result of population growth occurring in the Northwest metro area, the continual infill of undeveloped lands, and through redevelopment opportunities.

- **Future Lane Use:** The development site is guided as Mixed-Use and Low-Medium Residential based on the City's 2040 Comprehensive Plan. The City's Mixed-Use land use designation targets a residential dwelling unit density range of 12-35 units per acre and the Low-Medium Density Residential targets a residential dwelling unit density range of 4-8 residential units/new acre. The plans for the development fit within the City's guided plans.
- **Preliminary Plat Approved:** The site is currently zoned as Planned Unit Development (PUD). The previously approved preliminary PUD for the site and previous preliminary plat requested the site be zoned as a PUD for the entire development. This designation is consistent with the goals and objectives for the property.

Requirements: The spatial requirements for this project are dictated by the following site constraints:

- **Pipeline Easement.** There is an existing pipeline easement that crosses the site. The pipeline extends from the southwest to the northeast across the site. The associated easement prohibits the construction of structures in this area. For this property, this requires that the residential properties be built to the north and south of the easement. This also prohibits an access road to be built along the length of this easement.
- **MnDOT right-of-way easement along S Robert's Trail and 70th Street E.** A roundabout was recently constructed in 2019 at the intersection of S Robert's Trail and 70th Street E. The construction of the roundabout resulted in MnDOT's right-of-way extending further onto the project site along the western and southern boundary of the site. MnDOT restricts that an access road be constructed off of S Robert's Trail and 70th Street E in the newly constructed right-of-way area.
- **Access alignment with Allen Way.** Per standard road alignment requirements, the collector road through the proposed development needs to align up with an existing roadway. Allen Way, located near the southeast corner of the project site, is the only roadway that the proposed site can connect to. The location of the main entrance access to the site is also limited as a result of the pipeline easement and MnDOT's ROW. The collector road is proposed to align with the existing collector road, Allen Way, to the south of the proposed site.
- **Wetlands.** Three wetlands have been delineated on site. One wetland, Wetland 2, has been documented as incidental and is not regulated under WCA. The site plan avoids as much wetland acreage as possible given the constraints present on site.

Avoidance. Both the CWA and the WCA require that impacts to aquatic resources be avoided if practicable alternatives exist. Clearly describe all on-site measures considered to avoid impacts to aquatic resources and discuss at least two project alternatives that avoid all impacts to aquatic resources on the site. These alternatives may include alternative site plans, alternate sites, and/or not doing the project. Alternatives should be feasible and prudent (see MN Rules 8420.0520 Subp. 2 C). Applicants are encouraged to attach drawings and plans to support their analysis:

No Build Alternative

Under the no build alternative, the proposed residential development would not be built on the proposed site. Therefore there would be no impacts to any wetland resources on site. This alternative was rejected because it did not meet the project needs and was not consistent with the City of Inver Grove's Comprehensive Plan to re-zone this land as Mixed-Use and Low-Medium Residential and the previously approved preliminary plat.

Alternatives Analysis (8420. 0520 Subp 3)

Alternatives on Proposed Site

On-site Canvas Development – No Wetland Impacts

In the beginning planning stages of developing the site plan, a site layout was developed that would avoid all the wetland features on site. This alternative was rejected in the design process because it was not a feasible option given the site constraints. These site constraints include the existing pipeline right-of-way, MnDOT's right-of-way, and the need to align the public roadway with the existing Allen Way road to the south.

Proposed Alternative – Canvas Development

The proposed alternative was developed based on input from the City of Inver Grove Heights and the County. The proposed alternative was selected because it provided the most efficient use of the site as it relates to preserving existing natural features, fulfilling the City's goals and objectives for the property, and configuring the site within the existing site constraints.

This alternative directly impacts the southern portion of Wetland 1 and all of Wetland 2. Impacts to Wetland 1 are concentrated in the southern portion of the wetland with 0.1528 acres of the total 0.527 acres of the wetland proposed to be impacted. Wetland 2 is a small, 0.022 acre wetland that is classified as incidental (**see Appendix D and E**).

Minimization. Both the CWA and the WCA require that all unavoidable impacts to aquatic resources be minimized to the greatest extent practicable. Discuss all features of the proposed project that have been modified to minimize the impacts to water resources (see MN Rules 8420.0520 Subp. 4):

Wetland Features Present on Site and Avoidance Measures

The project site consists of open grassland with patches of forest interspersed throughout the landscape and three wetland complexes. The northern half of the project site consists of Wetland 2 and Wetland 3 and an existing pipeline right-of-way. The southern half of the project site consists of Wetland 1 and a portion of the pipeline easement. In total, there are 1.723 acres of wetland present on site with Wetland 2 being the smallest wetland feature at 0.02 acres and Wetland 3 being the largest wetland at 1.74 acres. Wetlands 1 and 3 are the only WCA regulated wetlands present on site. See Table 2 for more details on each wetland feature.

Table 2. Value, Function, and Spatial Distribution of Delineated Wetlands

Wetland ID	Size (acres)	Wetland Type	Manage Class ¹	Dominant Vegetation	Location
Wetland 1	0.527	Wet (Fresh) Meadow/ Hardwood Swamp	Manage 4	Reed canary grass/Black Willow	NW
Wetland 2*	0.022	Wet (Fresh) Meadow	--	Green Bulrush/Black Willow	Central
Wetland 3	1.174	Wet (Fresh) Meadow/ Shallow Marsh	Manage 4	Reed canary grass	SE

*Wetland 2 is an incidental wetland and not regulated under WCA. See Appendix D and E.

¹Management Classifications are based off of the City of Inver Grove's 2018 Water Resources Management Plan

The proposed layout is mindful of the natural features on site and designed the configuration of the site to avoid and minimize impacts to the delineated wetland features. The project layout avoids all impacts to Wetland 3, impacts the southern portion of Wetland 1, and impacts all of Wetland 2. However, as previously mentioned, Wetland 2 is an incidental wetland and therefore not regulated under WCA. Of the 1.723 acres of wetlands present on site, 0.1504 acres of regulated wetland, Wetland 1, is proposed to be impacted. Below is a description of the proposed features that have been modified to avoid and/or minimize impacts to wetlands.

- The housing development layout is concentrated in the upland areas around the site. The layout of the houses avoids all regulated wetland impacts.
- The collector road is aligned to avoid all impacts to Wetland 3 and only impact the southern portion of Wetland 1. Due to the need to align the entrance to the site with the existing roadway, Allen Way, and the MnDOT ROW and pipeline easement restrictions, the location of the proposed access road is the only configuration that will work.

Wetland Impacts

The proposed permanent fill of regulated wetlands will be limited to the southern portion of Wetland 1. No other wetland impacts in addition to the ones mentioned above are proposed for the project and there are no anticipated future expansions or re-configuration of the site that would impact additional wetlands.

Of the 0.527 acres of Wetland 1, 0.1504 acres of the wetland is proposed to be impacted. Following the City of Inver Grove's stormwater requirements, the site plan proposes to have a storm pond adjacent to the wetland that will supply the pre-treated water to the wetland. This supplied hydrology will ensure that Wetland 1 maintains its long-term functions.

Indirect impacts to the preserved Wetlands 1 and 3 can be anticipated. The project will likely cause alterations to the surface drainage of the site that may increase and alter the runoff going to the non-impacted wetland areas. However, the proposed storm ponds have been designed to supply treated water to the wetland to ensure that their existing conditions are preserved and will slow down the rate of water entering the wetland. In addition, the preserved wetlands will all be surrounded by a native buffer strip that meets the buffer width requirements of the City of Inver Grove. This will help protect the wetland from erosion and runoff from the site development.

Off-Site Alternatives. An off-site alternatives analysis is not required for all permit applications. If you know that your proposal will require an individual permit (standard permit or letter of permission) from the U.S. Army Corps of Engineers, you may be required to provide an off-site alternatives analysis. The alternatives analysis is not required for a complete application but must be provided during the review process in order for the Corps to complete the evaluation of your application and reach a final decision. Applicants with questions about when an off-site alternatives analysis is required should contact their Corps Project Manager.

An off-site alternative analysis is not required because the permittee will not trigger an individual permit.

Attachment D

Replacement/Compensatory Mitigation

Complete this part **if** your application involves wetland replacement/compensatory mitigation not associated with the local road wetland replacement program. Applicants should consult Corps mitigation guidelines and WCA rules for requirements.

Replacement/Compensatory Mitigation via Wetland Banking. Complete this section if you are proposing to use credits from an existing wetland bank (with an account number in the State wetland banking system) for all or part of your replacement/compensatory mitigation requirements.

Wetland Bank Account #	County	Major Watershed #	Bank Service Area #	Credit Type (if applicable)	Number of Credits
1083	Dodge	41	8	3	0.3056

Applicants should attach documentation indicating that they have contacted the wetland bank account owner and reached at least a tentative agreement to utilize the identified credits for the project. This documentation could be a signed purchase agreement, signed application for withdrawal of credits or some other correspondence indicating an agreement between the applicant and the bank owner. *However, applicants are advised not to enter into a binding agreement to purchase credits until the mitigation plan is approved by the Corps and LGU.*

Based on the WCA priority order as stated in Minnesota Administrative rule 8420.0522 Subpart 7 as amended in the Minnesota Statutes Section 103G.222 Subdivision 3, there are no wetland banks within the minor or major watershed. Therefore, the Bank Service Area was used to identify an appropriate mitigation bank.

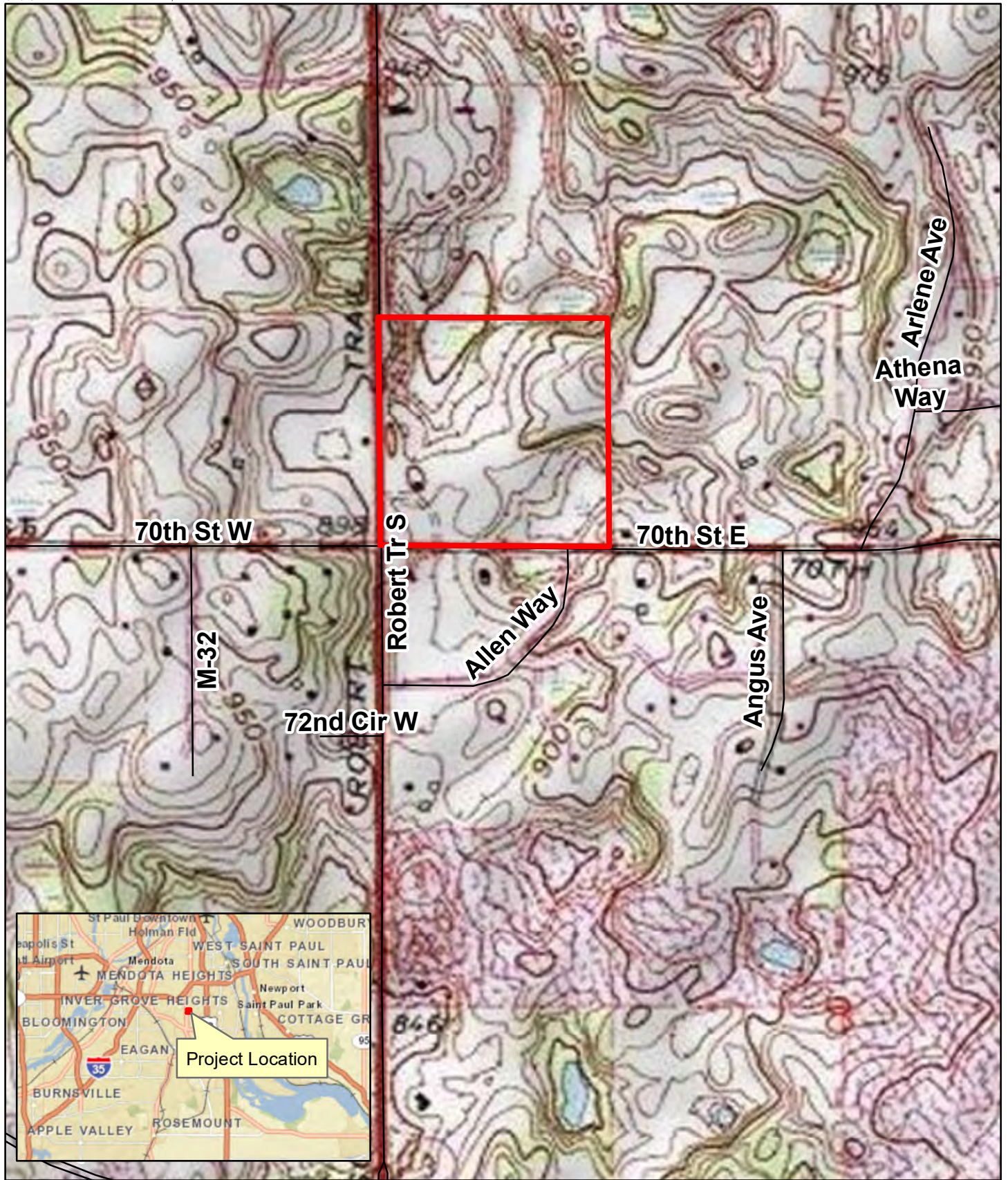
1. In the same minor watershed as the impacted wetland – Unknown minor watershed name
 - a. There are no wetland banks located within the same minor watershed
2. In the same watershed as the impacted wetland – 38, Mississippi River – Lake Pepin
 - a. There is 1 wetland bank, account number 1153, located within the same major watershed. However, after inquiry about the wetland credits, the account manager stated that the credits are only to be used for County projects and are not for sale.
3. In the same wetland bank service area as the impacted wetland – Bank Service Area #8
 - a. Bank #1083 was identified since it is in BSA 8. The account manager is Jon Samuelson (Samuelson Industries). I reached out to him on December 7, 2020 and he still has plenty of credits available. The purchase agreement numbers are based on his rate of \$38,000 per credit.

Appendices

- **Appendix A. Figures**
 - **Figure 1:** Project Location
 - **Figure 2:** ALTA/NSPS Land Survey
 - **Figure 3.** Wetland Delineation
 - **Figure 4:** Phasing Plan
 - **Figure 5.** Wetland Management Plan
 - **Figure 6.** Existing Drainage Map
 - **Figure 7.** Proposed Drainage Map
 - **Figure 8.** Grading and Drainage Plan
- **Appendix B:** Wetland Delineation Report - Westwood
- **Appendix C:** 2015 Notice of Decision – Wetland Boundary/Type
- **Appendix D:** 2015 Notice of Decision – No Loss
- **Appendix E.** 2020 Notice of Decision Extension – Wetland Boundary/Type and No Loss Determination
- **Appendix F.** Purchase Agreement for Wetland Banking Credits

Appendix A

Figures



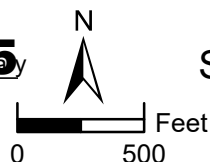
Data Source(s): Westwood (2015), ESRI USA Topo (2014), ESRI Roads

IMH Financial Corporation

Inver Grove Heights, Minnesota

Legend

- Proposed 25-acre
- Dakota_Roads



Site Location and Topography

FIGURE 1.



Westwood Professional Services, Inc.
7699 Anagram Drive
Eden Prairie, MN 55344
PHONE 952-937-5150
FAX 952-937-5822
TOLL FREE 1-888-937-5150
www.westwoodps.com

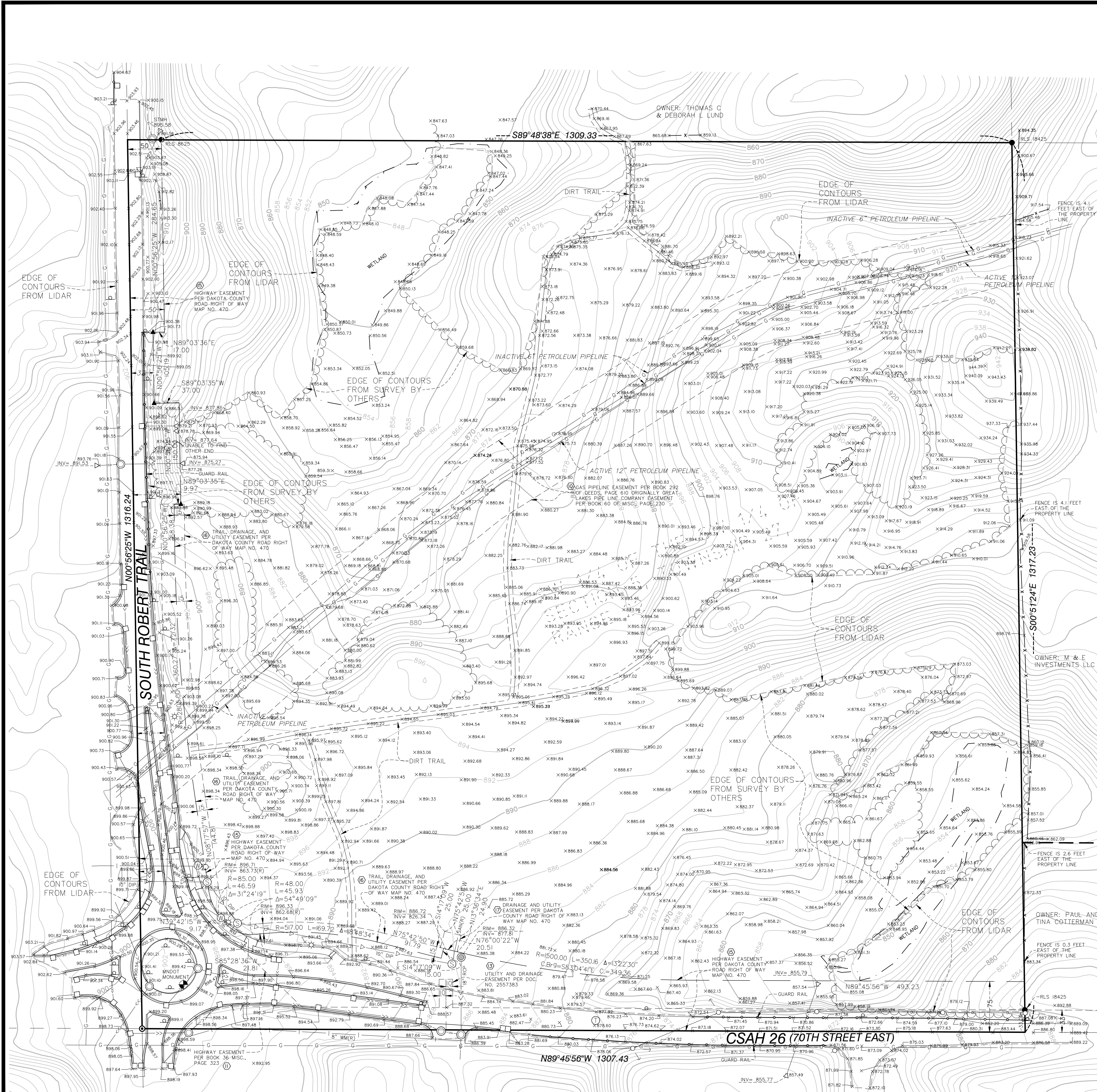


TABLE A ITEMS

- Monuments placed (or a reference monument or witness to the corner) at all major corners of the boundary of the property, unless already marked or referenced by existing monuments or witnesses to the corner are shown hereon.
- There is no assigned address to subject property per the Dakota County GIS tax records.
- The property lies within an area of minimal flood hazard and does not have a printed map according to the Federal Emergency Management Agency (FEMA) website.
- The area of the above described property is 1,722,460 square feet or 39.542 acres.
- Vertical relief per contour intervals, datum, and originating benchmark are shown herein.
- Substantial features observed in the process of conducting fieldwork, are shown hereon.
- The locations of existing utilities on or serving the property are depicted based on Gopher State One Call Ticket No. 201401884, available city maps, records and observed evidence locations. Lacking excavation, underground utility locations may not be exact. Verify critical utilities prior to construction or design.
- Names of adjoining owners are depicted based on Dakota County GIS tax information.
- No evidence of recent earth moving work at the time our field work was performed.
- Wetland delineated by Westwood Professional Services, Inc. on 4/20/15. Delineation re-approved by Dakota County SWCD, valid through 6/8/2025.

PROPERTY DESCRIPTION

The Southwest Quarter of the Southwest Quarter of Section 5, Township 27, Range 22, Dakota County, Minnesota.

Abstract Property

CERTIFICATION

To Watermark Equity Group, LLC, an Illinois limited liability company; IMH Special Asset NT 175-IGH, LLC, and Arizona limited liability company; and Commercial Partners Title, LLC as agent for Old Republic National Title Insurance Company:

This is to Certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 5, 6, 11, 13, 16 and 18 of Table A thereof. The field work was completed on June 8, 2020.

Date of Plat or Map:

REVIEW COPY

Peter D. Goers, Professional Land Surveyor
Minnesota License No. 44110
Email: pgoers@alliant-inc.com

NOTES

1. This survey and the property description shown here on are based upon information found in the commitment for title insurance prepared by Commercial Partners Title, LLC as agent for Old Republic National Title Insurance Company, file no. 57189, dated May 7, 2020.

2. The locations of underground utilities are depicted based on Gopher State One Call, available city maps, records and field locations and may not be exact. Verify critical utilities prior to construction or design.

3. The basis of bearings is based on Dakota County Coordinate System NAD83 (96 adj.).

4. All distances are in feet.

5. Benchmark: MnDOT monument 1908 E, in southeast section of the center roundabout island having an elevation of 897.56 feet NAVD 88.

6. Survey related exceptions set forth in Schedule B, Section Two of the Title Commitment:

Item no. 10 references an Easement for pipe line purposes, in favor of Great Lakes Pipe Line Company, its successors and assigns, as created in document dated March 13, 1931, filed May 8, 1931, in Book 41 of Miscellaneous, Page 323.
Amended by Partial Release of Right of Way Agreement dated August 24, 1965, filed September 13, 1965, in Book 60 of Miscellaneous, Page 230.
Assigned to Williams Brothers Pipe Line Company by Deed dated March 15, 1966, filed April 4, 1966, in Book 292 of Deeds, Page 323. Documents are not available and information is depicted per survey provided by others.

Item no. 11 references Terms and conditions of and easements contained in Highway Easement, dated February 18, 1928, filed April 10, 1928, in Book 36 of Miscellaneous, Page 323. Documents are not available and information is depicted per survey provided by others.

Item no. 12 references Subject to the right of way of County State Aid Highway No. 26 (East 70th Street) as presently laid out and traveled. Depicted on survey.

Item no. 13 references an Easement for permanent utility and drainage purposes, in favor of the City of Inver Grove Heights, a Minnesota municipal corporation, as created in Permanent Utility and Drainage Easement and Temporary Construction Easement dated October 5, 2007, filed November 21, 2007, as Document No. 2557383. Depicted on survey.

Item no. 14 references Terms and conditions of and easements contained in Encroachment Agreement dated August 6, 2012, filed August 10, 2012, as Document No. 2886577, by and between Magellan Pipeline Company, L.P., a Delaware limited partnership, and Zayo Group, LLC, a Delaware limited liability company. Not plottable.

Item no. 15 references an Easement for highway purposes, in favor of Dakota County, as created in Highway Easement dated December 19, 2017, filed January 9, 2018, as Document No. 3231655. The easement is depicted in Parcel 4 of Dakota County Road Right of Way Map No. 470 filed January 9, 2018, as Document No. 3231649. Depicted on survey.

Item no. 16 references an Easement for trail, drainage and utility purposes, in favor of Dakota County, as created in Trail, Drainage Utility Easement dated December 19, 2017, filed January 9, 2018, as Document No. 3231655. The easement is depicted in Parcel 4 of Dakota County Road Right of Way Map No. 470 filed January 9, 2018, as Document No. 3231649. Depicted on survey.

Item no. 17 references an Easement for drainage and utility purposes, in favor of Dakota County, as created in Drainage and Utility Easement dated December 19, 2017, filed January 9, 2018, as Document No. 3231655. The easement is depicted in Parcel 4 of Dakota County Road Right of Way Map No. 470 filed January 9, 2018, as Document No. 3231649. Depicted on survey.

Item no. 18 references Terms and conditions of and easements contained in Encroachment Agreement dated April 24, 2019, filed May 17, 2019, as Document No. 3305287, by and between Magellan Pipeline Company, L.P., a Delaware limited partnership, and Dakota County, a political subdivision of the State of Minnesota. Not plottable.

LEGEND

- FOUND ALUMINUM MONUMENT
- FOUND NAIL
- FIRE HYDRANT
- WATER VALVE
- LIGHT POLE
- SANITARY MANHOLE
- POWDER POLE
- STORM MANHOLE
- SPOT ELEVATION
- CATCH BASIN
- WATER MANHOLE
- FLARED END SECTION
- BENCHMARK
- PER RECORD DRAWING
- EXCEPTION NUMBER
- SANITARY SEWER
- GAS LINE
- OVERHEAD ELECTRIC
- WATERMAIN
- STORM SEWER
- FENCE
- GUARD RAIL
- DELINEATED WETLAND
- EDGE OF TREES

FIGURE 2.
ALTA/NSPS
LAND TITLE
SURVEY



733 Marquette Ave, Ste 700
Minneapolis, MN 55402
612.758.3080 MAIN
612.758.3099 FAX
www.alliant-inc.com

ROBERT TRAIL AND
70TH STREET EAST

INVER GROVE HEIGHTS, MINNESOTA

DRAWN BY MDT
CHECKED BY PDG
DATE ISSUED 06/15/2020
SCALE 1"=80'
JOB NO. 20-0092
FIELD DA



Data Source(s): Westwood (2015), ESRI World Imagery (2014)

Legend

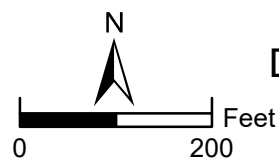
- Proposed Boundary
- Delineated Wetland
- Upland Point
- Wetland Point

IMH Financial Corporation

Inver Grove Heights, Minnesota

Delineated Wetlands

FIGURE 3.



27

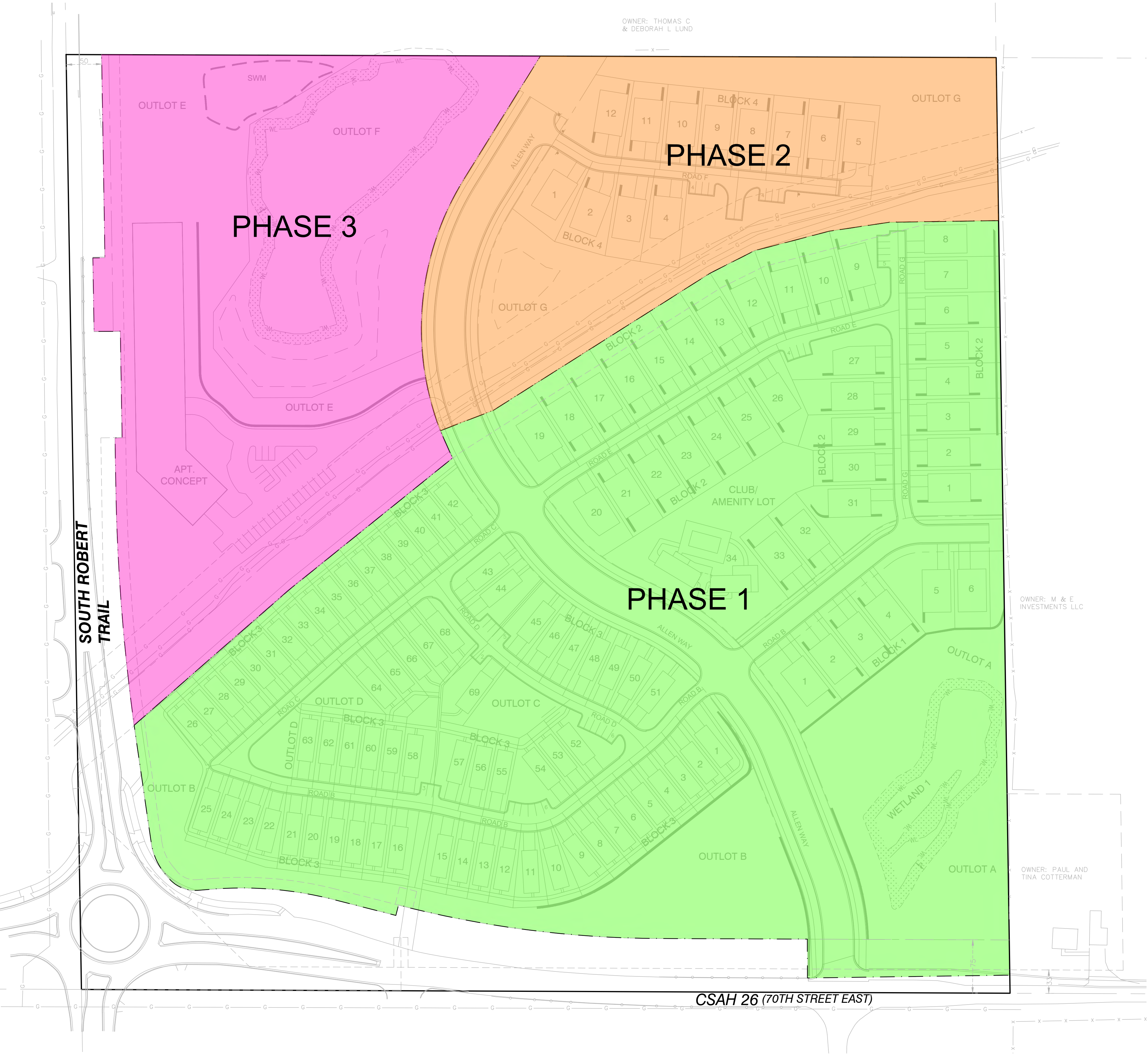


Westwood Professional Services, Inc.
7699 Anagram Drive
Eden Prairie, MN 55344

PHONE 952-937-5150
FAX 952-937-5822
TOLL FREE 1-888-937-5150

www.westwoodps.com

Drawing name: C:\new_working\projectwise\mregion\dm07152\200992 Phasing Exhibit.dwg, Nov 16, 2020 — 3:18pm



SITE LEGEND:

- PROPERTY LINE
- RIGHT-OF-WAY LINE
- LOT LINE
- PHASE 1
- PHASE 2
- PHASE 3

ENTIRE SITE IS TO BE MASS GRADED AT ONCE. STREET AND UTILITY WORK IS REPRESENTED BY PHASES.



ALLIANT
733 Marquette Avenue
Suite 700
Minneapolis, MN 55402
612.758.3080
www.alliant-inc.com

CANVAS AT INVER GROVE HEIGHTS

INVER GROVE HEIGHTS, MINNESOTA

FIGURE 4.

PHASING PLAN

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

MARK RAUSCH, PE	
Date	License No.
QUALITY ASSURANCE/CONTROL	
BY	DATE
DATE	ISSUE
11-16-20	CITY SUBMITTAL
PROJECT TEAM DATA	
DESIGNED:	MPR
DRAWN:	TAS
PROJECT NO:	220-0092

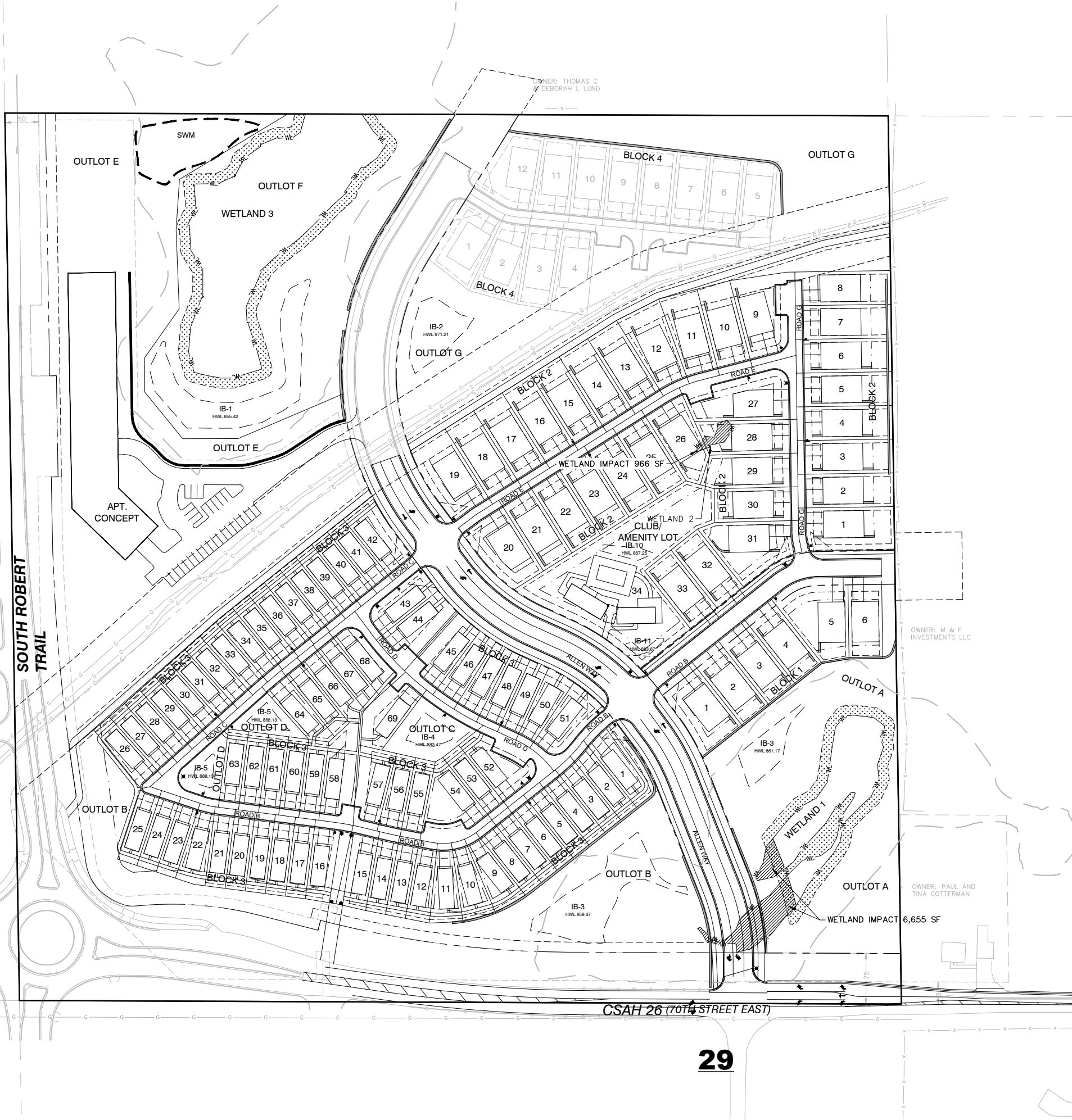
FOR REVIEW ONLY
PRELIMINARY
NOT FOR CONSTRUCTION



0 40 80 100
SCALE IN FEET

Drawing name: X:\2020\200092\plan_sheets\Mass Grading\200092wet.dwg Dec 04, 2020 -- 2:55pm

SOUTH ROBERT TRAIL



WETLAND SUMMARY

WETLAND	AREA*	MANAGE_CLASS
WETLAND 1	22,941.19 SF (0.527 AC)	4
WETLAND 2	965.74 SF (0.022 AC)	4
WETLAND 3	51,152.34 SF (1.174 AC)	4

TOTAL AREA 75,059.27 SF (1.723 AC)
* AREA WITHIN WETLAND LIMITS AND INSIDE PROPERTY BOUNDARIES.

WETLAND IMPACT CALCULATION

WETLAND	IMPACT AREA
WETLAND 1	6,655 SF
WETLAND 2	966 SF

WETLAND BUFFER CALCULATION

WETLAND BUFFERS AND SETBACK REQUIREMENTS:

THE BUFFER REQUIREMENTS ARE AS FOLLOWS:

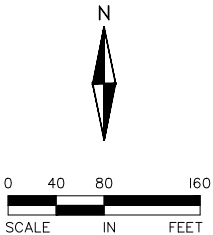
REQUIREMENT	MANAGE1 CLASS	MANAGE 2 CLASS	MANAGE 3 CLASS	MANAGE 4 CLASS
PERMANENT BUFFER	60'	30'	20'	15'
STRUCTURAL SETBACK FROM EDGE OF BUFFER	10'	10'	10'	10'

WETLAND	FRONTAGE*	PROVIDED BUFFER AREA*	MIN. BUFFER WIDTH	PROPOSED AVG. WIDTH
1	1,027.6 LF	14,125 SF	15'	15'
3	1,138 LF	16,792 SF	15'	15'

LEGEND:

- LOT LINE
- PROPERTY LINE
- ROW
- WETLAND DELINIATION
- WETLAND BUFFER
- WETLAND BUFFER AREA
- WETLAND IMPACT AREA

FOR REVIEW ONLY
PRELIMINARY
NOT FOR CONSTRUCTION



ALLIANT
733 Marquette Avenue
Suite 700
Minneapolis, MN 55402
612.758.3080
www.alliant-inc.com

CANVAS AT INVER GROVE HEIGHTS
INVER GROVE HEIGHTS, MINNESOTA
MASS GRADING
WETLAND MANAGEMENT PLAN

Figure 5.

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

MARK RAUSCH, PE

Date License No.

QUALITY ASSURANCE/CONTROL

BY DATE

DATE ISSUE

11-16-2020 FINAL PLAT-PH1 SUBMITTAL

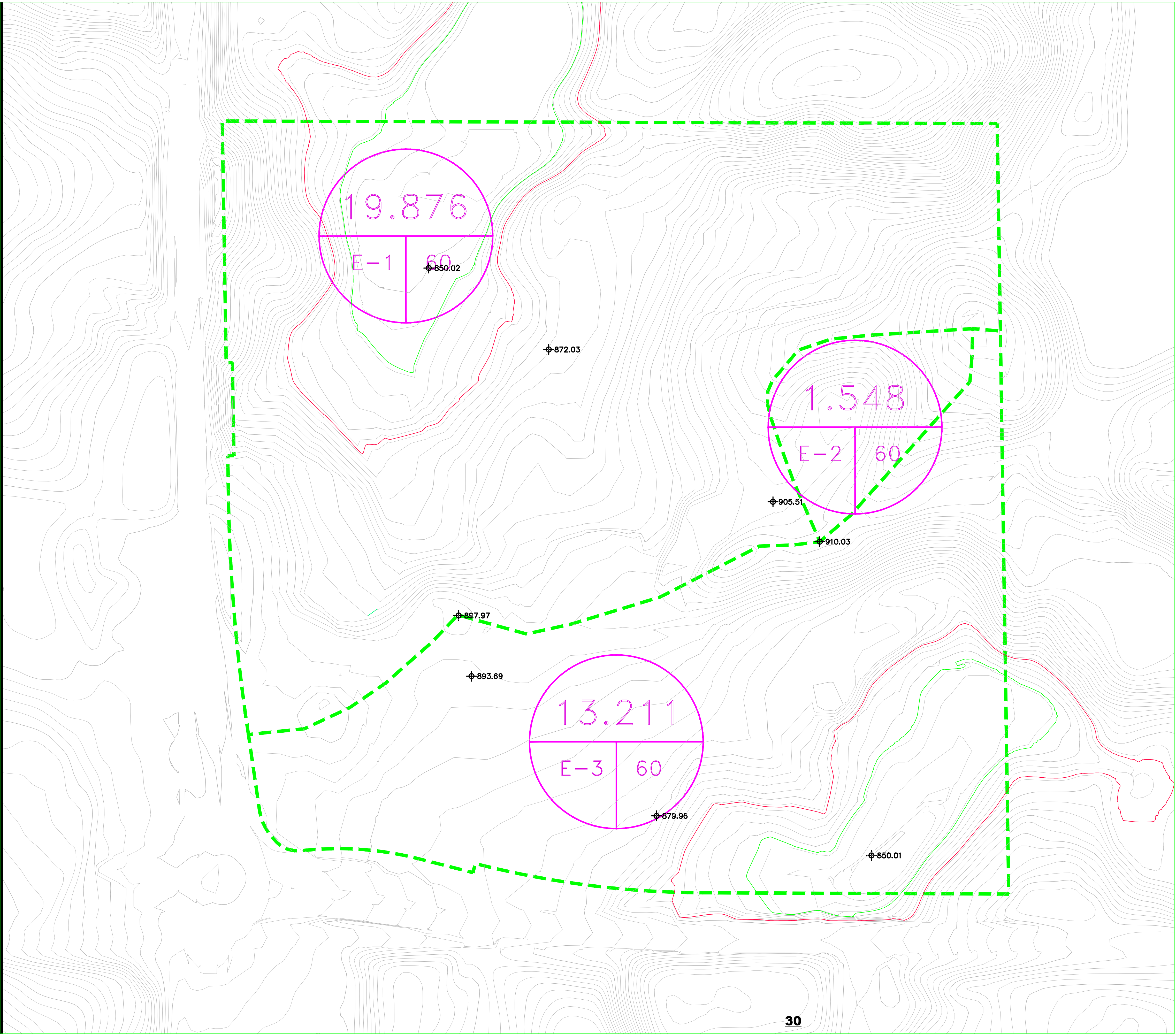
PROJECT TEAM DATA

DESIGNED: MPR

DRAWN: SIL, TAS

PROJECT NO: 220-0092

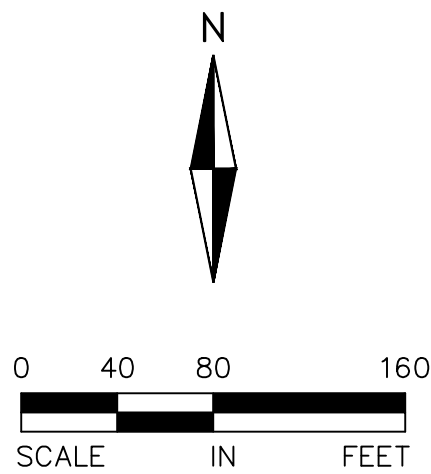
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LEGEND

- SUBCATCHMENT DELINEATION
- DRAINAGE AREA (ACRES)
- CURVE NUMBER
- DRAINAGE AREA NAME
- IMPERVIOUS AREA

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CANVAS AT INVER GROVE HEIGHTS
70 TH ST AND ROBERT TRAIL SOUTH, INVER GROVE HEIGHTS

FIGURE 6.
EXISTING DRAINAGE MAP

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CLARK WICKLUND, PE

Date _____ License No. _____

QUALITY ASSURANCE/CONTROL

BY	DATE
DATE	ISSUE

PROJECT TEAM DATA

DESIGNED:	SIL
DRAWN:	SIL
PROJECT NO:	220-092

1

SHEET 1 OF 1

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LEGEND

- SUBCATCHMENT DELINEATION
- DRAINAGE AREA (ACRES)
- CURVE NUMBER
- DRAINAGE AREA NAME
- IMPERVIOUS AREA

20.114
E-3 58

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FIGURE 7.

PROPOSED DRAINAGE MAP

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DATE	ISSUE

PROJECT TEAM DATA	
DESIGNED:	SIL
DRAWN:	SIL
PROJECT NO:	220-092

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1. ALL FINISHED GRADES SHALL SLOPE AWAY FROM PROPOSED BUILDINGS AT MINIMUM GRADE OF 2.0%. ALL SWALES SHALL HAVE A MINIMUM SLOPE OF 2.0%.
2. THE CONTRACTOR SHALL KEEP THE ADJACENT ROADWAYS FREE OF DEBRIS AND PREVENT THE OFF-SITE TRACKING OF SOIL IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY AND WATERSHED.
3. NOTIFY GOPHER STATE ONE CALL, AT (800)252-1166, 48 HOURS PRIOR TO START OF CONSTRUCTION.
4. ALL IMPROVEMENTS TO CONFORM WITH CITY OF INVER GROVE HEIGHTS CONSTRUCTION STANDARDS SPECIFICATION, LATEST EDITION.
5. ROCK CONSTRUCTION ENTRANCES SHALL BE PROVIDED AT ALL CONSTRUCTION ACCESS POINTS.
6. REFER TO GEOTECHNICAL REPORT AND PROJECT MANUAL, FOR SOIL CORRECTION REQUIREMENTS AND TESTING REQUIREMENTS.
7. STRIP TOPSOIL PRIOR TO ANY CONSTRUCTION. REUSE STOCKPILE ON SITE. STOCKPILE PERIMETERS MUST BE PROTECTED WITH SILT FENCE.
8. PRIOR TO STARTING CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE TO MAKE SURE THAT ALL REQUIRED PERMITS AND APPROVALS HAVE BEEN OBTAINED. NO CONSTRUCTION OR FABRICATION SHALL BEGIN UNTIL THE CONTRACTOR HAS RECEIVED AND THOROUGHLY REVIEWED ALL PLANS AND OTHER DOCUMENTS APPROVED BY ALL OF THE PERMITTING AUTHORITIES.
9. IMMEDIATELY FOLLOWING GRADING OF (3:1 OR GREATER) SIDE SLOPES AND DRAINAGE SWALES, WOOD FIBER BLANKET OR OTHER APPROVED SOIL STABILIZING METHOD (APPROVED BY ENGINEER) SHALL BE APPLIED OVER APPROVED SEED MIXTURE AND A MINIMUM OF 6" TOPSOIL.
10. THE GENERAL CONTRACTOR MUST DISCUSS DEWATERING PLANS WITH ALL SUBCONTRACTORS TO VERIFY NPDES REQUIREMENTS. IF DEWATERING IS REQUIRED DURING CONSTRUCTION, CONTRACTOR SHOULD CONSULT WITH EROSION CONTROL INSPECTOR AND ENGINEER TO DETERMINE APPROPRIATE METHOD.
11. REFER TO EROSION CONTROL PLAN FOR ALL EROSION AND SEDIMENT CONTROL DEVICE LOCATIONS.
12. ALL 3:1 SLOPES SHALL BE AMENDED WITH A MINIMUM OF 2.5 INCHES OF COMPOST ROTOTILLED TO A DEPTH OF 8 INCHES AND REINFORCED WITH EROSION CONTROL BLANKET WITH NATURAL NETTING AND STITCHING.
13. INFILTRATION BASINS SHALL NOT BE CONSTRUCTED UNTIL THE CONTRIBUTORY DRAINAGE AREAS ARE ESTABLISHED.
14. INFILTRATION BASINS SHALL NOT BE EXCAVATED UNTIL THEY ARE READY FOR CONSTRUCTION.
15. INFILTRATION BASIN LOCATIONS SHALL BE PROTECTED FROM COMPACTION AND SILTATION DURING SITE GRADING AND HOME CONSTRUCTION ACTIVITIES.

RETAINING WALL MASS GRADING PREPARATION

1. ALL RETAINING WALLS SHALL BE ROUGH GRADED AT A 2:1 SLOPE WITH BASE OF SLOPE AT PROPOSED WALL FACE.
2. THE RETAINING WALL SLOPE AREAS ARE TO BE MAINTAINED UNTIL RETAINING WALL CONSTRUCTION OCCURS. ANY EROSION SHALL BE REMEDIED AND RESTORED.
3. BUILDING PERMITS ARE REQUIRED FOR ALL RETAINING WALLS 4 FEET IN HEIGHT OR GREATER AND THE WALLS SHALL BE DESIGNED BY A STRUCTURAL ENGINEER WITH DESIGN REVIEWED AND APPROVED BY THE CITY PRIOR TO INSTALLATION. ANY QUESTIONS REGARDING THE BUILDING PERMITS SHALL BE DIRECTED TO THE CITY BUILDING INSPECTOR.
4. INSTALL SAFETY RAILING ATOP ALL WALLS WHERE REQUIRED BY CODE.
5. SAFETY RAILING TO BE 4' BLACK CHAIN LINK FENCE.
6. RETAINING WALL CONTRACTOR AND/OR RETAINING WALL STRUCTURAL ENGINEER ARE RESPONSIBLE TO REVIEW CIVIL SITE ENGINEERING DRAWINGS. ANY OBSERVED CONCERNS WITH CIVIL SITE ENGINEERING DESIGN ELEMENTS RELATED TO RETAINING WALLS THAT REQUIRE MODIFICATIONS TO THE CIVIL SITE DESIGN IS THEIR RESPONSIBILITY TO COORDINATE WITH PROJECT OWNER AND CIVIL SITE ENGINEER. IF NO COORDINATION IS REQUESTED IT SHALL BE UNDERSTOOD THAT ALL CONDITIONS WITHIN THE CIVIL SITE DESIGN AND PLANS ARE ACCEPTABLE AND ABLE TO BE PROVIDED FOR IN THE RETAINING WALL DESIGN AND CONSTRUCTION.
7. RETAINING WALLS ARE TO BE FINAL DESIGNED AND PERMITTED BY OTHERS.

(INSET B)

- 2" TYPE WEARING COURSE MIX
SPWEA330C OR SPWEA440C
TACK COAT
2" TYPE NON-WEARING COURSE
MIX SPWEA330C OR SPWEA440C
TACK COAT
2" TYPE NON-WEARING COURSE
MIX SPWEA330C OR SPWEA440C
10" AGGREGATE BASE CLASS 5
(MNDOT 3138)
24" SELECT GRANULAR MATERIAL
- GEOTEXTILE FABRIC
MNDOT TYPE V

6" CONCRETE

SECTION

(INSET A)

- 2" WEARING COURSE
MIX SPWEA330C
TACK COAT
2" NON-WEARING COURSE
MIX SPWEA330C
6" AGGREGATE BASE CLASS 5
24" SELECT GRANULAR MATERIAL
GEOTEXTILE FABRIC

3" WEARING COURSE
MIX (SPWEA230E)
6" AGGREGATE BASE CLASS 5
COMPACTED SUBGRADE

NOT TO SCALE

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NOT FOR CONSTRUCTION



---789---	EXISTING CONTOUR
==789==	PROPOSED CONTOUR
=====	PROPOSED RETAINING WALL
×62.44 ×962.44	PROPOSED TC, CL ELEVATION
×62.4 ×962.4	PROPOSED SPOT ELEVATION
<u>1.0%</u>	DIRECTION OF DRAINAGE
	EMERGENCY OVERFLOW ROUTING

- 
-  FUTURE CATCH BASIN
 -  FUTURE STORM SEWER
 -  PROPOSED CATCH BASIN
 -  PROPOSED STORM SEWER
 -  TOP OF WALL ELEVATION
BOTTOM OF WALL ELEVATION
 -  PROPERTY LINE
 -  LOT LINE
 -  EASEMENT LINE
 -  EOF ROUTING

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

MARK RAUSCH, PE

Date	License No.
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BY	DATE
DATE	ISSUE
11-16-2020	CITY SUBMITTAL

PROJECT TEAM DATA

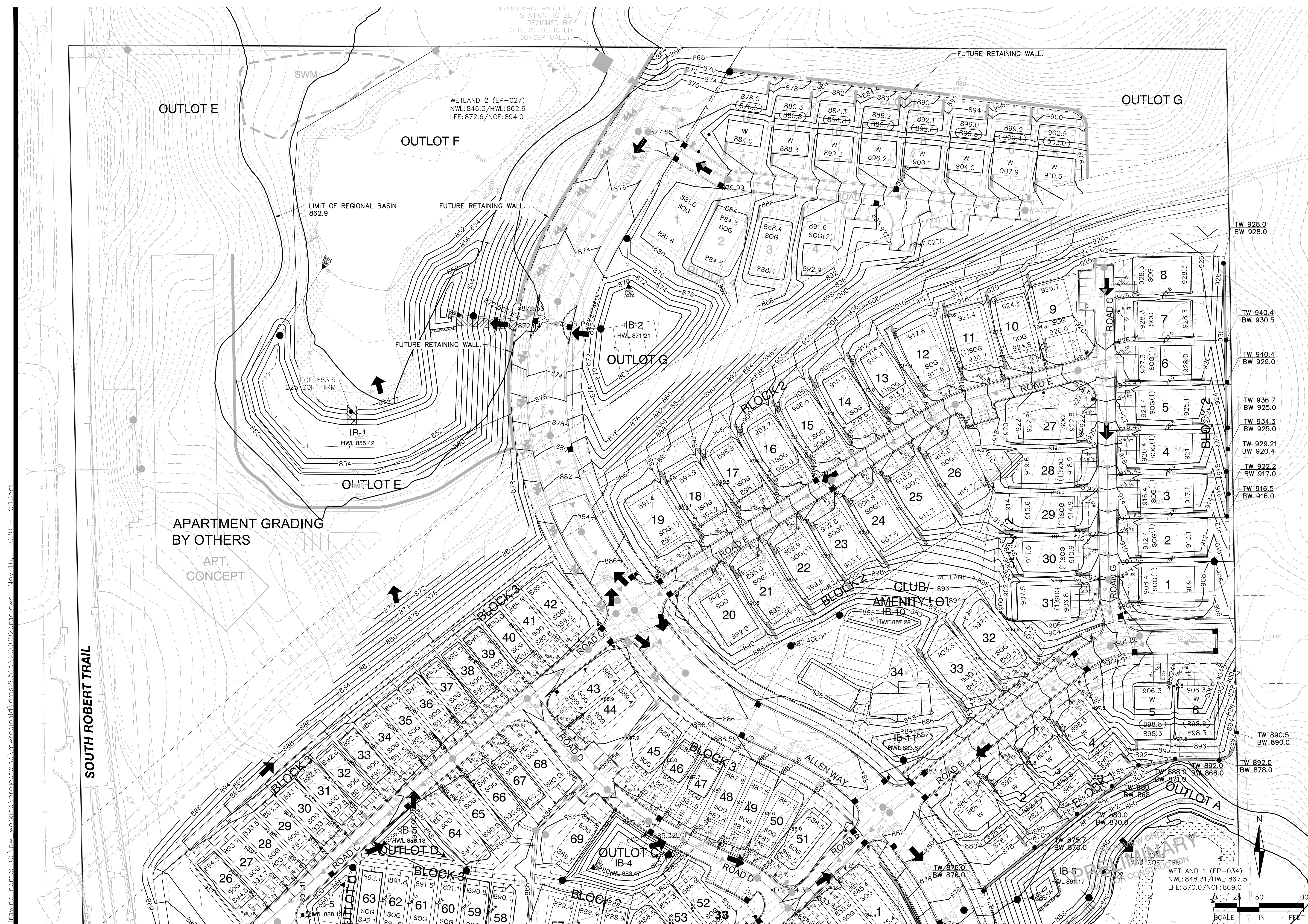
DESIGNED: MPR
DRAWN: SIL, TAS
PROJECT NO: 220-0092



GRADING AND DRAINAGE PLAN - VIEW A

D

SHEET 5 OF 22



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SOUTH ROBERT TRAIL

APARTMENT GRADING
BY OTHERS
APT.
CONCEPT

OUTLOT B

OUTLOT E

OUTLOT D

OUTLOT C

OUTLOT B

OUTLOT A

CSAH 26 (70TH STREET EAST)

TW 936.7
BW 925.0
TW 934.3
BW 925.0
TW 929.21
BW 920.4
TW 922.2
BW 917.0
TW 916.5
BW 916.0

TW 890.5
BW 890.0
TW 892.0
BW 878.0

TW 872.0
BW 871.5

TW 872.2
BW 856.0

TW 872.3
BW 854.0

TW 872.7
BW 858.0

TW 884.1
BW 874.0

TW 884.3
BW 883.8

TW 882.9
BW 888.0

TW 882.2
BW 868.0

TW 881.9
BW 871.9

TW 881.7
BW 861.7

TW 875.7
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0 25 50 100
SCALE IN FEET

CANVAS AT INVER GROVE HEIGHTS

INVER GROVE HEIGHTS, MINNESOTA

MASS GRADING

GRADING AND DRAINAGE PLAN - VIEW B

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MARK RAUSCH, PE
Date License No.

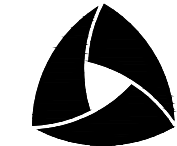
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11-16-2020 CITY SUBMITTAL

PROJECT TEAM DATA
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Appendix B

Wetland Delineation Report

Westwood

WETLAND DELINEATION REPORT

IMH FINANCIAL CORPORATION

70th St SW and Roberts Trail S Property

Inver Grove Heights, MN

April 30, 2015



Prepared For:

IMH Financial Corporation

Mr. Tim Keenan

7001 North Scottsdale Road, Suite 2050

Scottsdale AZ, 85253

Wetland Delineation Report for:

**IMH Financial Corporation
70th St SW and Roberts Trail
S Property**

Inver Grove Heights, MN

Prepared for:

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Prepared by:

Westwood Professional Services
7699 Anagram Drive
Eden Prairie, MN 55344
(952) 937-5150

Project Number: 0003575.00

Date: 04/30/2015

CONTENTS

List of Exhibits	iii
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2.0 SITE LOCATION AND DESCRIPTION	2
3.0 WETLAND DELINEATION METHODOLOGY	3
4.0 RESULTS.....	4
4.1 Mapping	4
4.2 Delineated Wetland Descriptions	5
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TABLES

Table 2.1: Precipitation Documentation Worksheet Table

Table 4.1: Soil Summary Table

Table 5.1 Wetland Summary Table

EXHIBITS

- Exhibit 1: Site Location
- Exhibit 2: Water Resources
- Exhibit 3: Dakota County Soils Mapping
- Exhibit 4: Delineated Wetland Boundaries

APPENDICES

- Appendix A: WCA/USACE Applications
- Appendix B: Wetland Delineation Data Forms
- Appendix C: Wetland Delineation Photographs

1.0 PURPOSE

This report, the attached exhibits, and data forms constitute the wetland delineation report for the IMH Financial Corporation 70th St SW and Roberts Trail S Property located in in the northeast quadrant of the intersection of 70th St SW and Roberts Trail S in the City of Inver Grove Heights, Dakota County, Minnesota (heretofore referred to as the Site). The City of Inver Grove Heights is the Local Governmental Unit (LGU) that administers the Minnesota Wetland Conservation Act (WCA) within the City Limits of Inver Grove Heights. This delineation report provides the required documentation for wetland boundary determinations in conformance with the United States Army Corps of Engineers (USACE) Wetlands Delineation Manual (Environmental Laboratory, Waterways Experiment Station 1987) and the Regional Supplement to the USACE Wetland Delineation Manual: Midwest Region (US Army Engineer Research and Development Center, 2010).

Applications for WCA Wetland Boundary/Type Determination and USACE Jurisdictional Determination are included in **Appendix A**.

2.0 SITE LOCATION AND DESCRIPTION

The Site is composed of two parcels a 34.55 acre parcel and a 5 acre parcel (PID 200050052011 and 200050052012), consisting of 39.55 acres. The property does not have an assigned address. According to the Dakota County website, the legal description for the 5 acre parcel is: S 466 FT OF E 467 FT OF SW 1/4 OF SW ¼, SECTION 5 TWN 27 RANGE 22 and the legal description of the 34.55 acre parcel is: SW 1/4 OF SW 1/4 EX S 466 FT OF E 467 FT, SECTION 5 TWN 27 RANGE 22. Both parcels are currently owned by IMH Secured Loan Fund, LLC.

The Site is located east of and adjacent to Roberts Trail South and north of and adjacent to 70th Street SW. Large lot residential homes and small tracts of farmland are located to the north, east and west of the property. A gas station and large lot residential homes are located south of the property. The property consists of upland meadow, upland woodland and three delineated wetlands. No structures were located on the property.

At the time of the Site review, conditions were cloudy and cool. Antecedent precipitation was dry in the 3 months prior to the delineation. Table 2.1 constitutes the Precipitation Documentation Worksheet from the Minnesota Climatology Working Group.

Table 2.1: Precipitation Documentation Worksheet
Paynesville: (T122N, R32W, S9)

Score using 1981-2010 normal period

(values are in inches)	first prior month: March 2015	second prior month: February 2015	third prior month: January 2015
estimated precipitation total for this location:	0.60	0.22	0.48
there is a 30% chance this location will have less than:	1.24	0.44	0.63
there is a 30% chance this location will have more than: *	2.28	0.96	1.31
type of month: dry normal wet	dry	dry	dry
monthly score	3 * 1 = 3	2 * 1 = 2	1 * 1 = 1
multi-month score: 6 to 9 (dry) 10 to 14 (normal) 15 to 18 (wet)	6 (Dry)		

3.0 WETLAND DELINEATION METHODOLOGY

Prior to delineating wetland boundaries in the field, Westwood reviewed USGS topography (**Exhibit 1**), the National Wetlands Inventory (NWI) The USGS National Hydrographical Database (NHD) and the Minnesota Department of Natural Resources (MNDNR) Public Waters and Wetlands Inventory (PWI) for Dakota County (**Exhibit 2**), and the Natural Resource Conservation Service (NRCS) Soil Survey Geographic database (SSURGO2) for Dakota County (2010) (**Exhibit 3**). In addition, historical aerial photography from the Minnesota LMIC website from 1991, 2003, 2006, 2009, 2010, 2011 and 2013 were reviewed for the presence of wetland signatures.

On April 20, 2015, Westwood delineated three wetlands using a level two routine determination method set forth in the USACE Wetlands Delineation Manual (Environmental Laboratory, Waterways Experiment Station 1987) and the supplemental methods set forth in the regional supplement to the USACE Wetland Delineation Manual: Midwest Region (US Army Engineer Research and Development Center 2010). Soils, vegetation, and hydrology data were recorded on data forms and are included in **Appendix B** of this report.

Wetlands were classified according to Wetlands of the United States (U.S. Fish and Wildlife Service Circular 39; Shaw and Fredine; 1971) and Wetlands and Deepwater Habitats of the United States (FWS/OBS Publication 79/31; Cowardin et. al. 1979). Wetland plant community types were classified according to Wetland Plants and Communities of Minnesota and Wisconsin (Eggers and Reed 1997). Common names and scientific names for vegetation identified in this report and on the attached data forms generally correspond with the nomenclature used in the 2014 National Wetland Plant List (Lichvar 2014). Plant indicator status was based upon the Midwest rankings. Species dominance for vegetation

measurements was based on the percent coverage visually estimated within a 30-foot radius of the sample point location for the tree and vine layers, a 15-foot radius for the shrub layer, and a five-foot radius for the herbaceous layer. Delineated wetland boundaries were marked in the field using pink pin flags and located using a Trimble GeoXH sub-meter accuracy global positioning unit (GPS) (**Exhibit 4**).

4.0 RESULTS

4.1 Mapping

The National Wetland Inventory Mapping (NWI), USGS NHD Mapping and the Minnesota DNR Pubic Waterbody/Watercourse Mapping (PWI) were all examined prior to the onsite delineation (**Water Resource Mapping, Exhibit 2**). The NWI data depicts two wetland areas mapped within the Site boundary. Both of the mapped wetlands are identified as single type (PEM1A), isolated wetlands. One of the basins is mapped in the northwest portion of the property, and is mapped extending off the property to the north. The second basin is mapped in the southeast portion of the property, mapped extending slightly off the property to the east. USGS NHD mapping indicates two NHD waterbodies are mapped on the site, both of these mapped waterbodies correspond with the NWI mapped wetlands and are labeled as: Swamp/Marsh in the database. A third NHD waterbody was mapped just north of the northeast portion of the property. The MNDNR PWI for Dakota County indicates the NWI wetland in the northwest portion of the site is also a PWI wetland, mapped as an Unnamed PWI Public Water Wetland, ID Number 19-024700. No MNDNR Public Waters watercourses or NHD mapped watercourses are located within or near the Site boundary.

The NRCS SSURGO2 for Dakota County indicates that the soils listed in **Table 4.1** are mapped within the Site boundary (Exhibit 3).

Table 4.1: Soil Summary Table			
Map Symbol¹	Map Unit Name²	Rating²	Percent Hydric Soil³
150B	Spencer silt loam, 2 to 6 percent slopes	5	Predominately Non-Hydric
155B	Chetek sandy loam, 3 to 8 percent slopes	0	Non-Hydric
155C	Chetek sandy loam, 8 to 15 percent slopes	0	Non-Hydric
279B	Otterholt silt loam, 1 to 6 percent slopes	8	Predominately Non-Hydric
342B	Kingsley sandy loam, 3 to 8 percent slopes	5	Predominately Non-Hydric
342E	Kingsley sandy loam, 15 to 25 percent slopes	0	Non-Hydric
342F	Kingsley sandy loam, 25 to 40 percent slopes	0	Non-Hydric
344	Quam silt loam	95	Predominately Hydric

Table 4.1: Soil Summary Table

Map Symbol ¹	Map Unit Name ²	Rating ²	Percent Hydric Soil ³
895B	Kingsley-Mahtomedi-Spencer complex, 3 to 8 percent slopes	0	Non-Hydric
895C	Kingsley-Mahtomedi-Spencer complex, 8 to 15 percent slopes	0	Non-Hydric
896E	Kingsley-Mahtomedi complex, 15 to 25 percent slopes	0	Non-Hydric
896F	Kingsley-Mahtomedi complex, 25 to 40 percent slopes	0	Non-Hydric
1816	Kennebec variant silt loam	10	Predominately Non-Hydric
1824	Quam silt loam, ponded	100	Predominately Hydric
1902B	Jewett silt loam, 1 to 6 percent slopes	0	Non-Hydric

¹ – Soils determined using GIS geospatial query clipping the NRCS Soil Survey Geographic (SSURGO2) spatial data by Project boundaries.

² – As indicated in the SSURGO2 database. "Hydric" means that all components listed for a given map unit are rated as being hydric. "Predominantly hydric" means components that comprise 66 to 99 percent of the map unit are rated as hydric. "Partially hydric" means components that comprise 33 to 66 percent of the map unit are rated as hydric. "Predominantly nonhydric" means components that comprise up to 33 percent of the map unit are rated as hydric. "Nonhydric" means that none of the components are rated as hydric. The assumption here is that all components of the map unit are rated as hydric or nonhydric in the underlying database. A "Not rated or not available" map unit rating is displayed when none of the components within a map unit have been rated.

³ – As indicated in the SSURGO2 database. Where percentages are small (e.g. < 15 %) the hydric soil is likely an inclusion that is not recognized in the map unit name. The absence of a value does not necessarily indicate the absence of hydric soils, but that the relative percentages of included minor soils has not been determined.

4.2 Delineated Wetland Descriptions

Westwood delineated three wetlands on Site, Wetland WB-01 WB-02 and WB-03, for which data forms are provided in Appendix B and photographs in **Appendix C**. Delineated boundaries were identified based on the plant communities, hydrologic data, and soil properties. The boundaries followed distinct changes in topography and plant communities between the upland and wetland sample locations.

Table 5.1 Wetland Summary Table

Wetland ID	Delineated Wetland Type	Wetland Size	NWI Wetland Type	Dominant Wetland Vegetation	Hydric Soil (Yes/No)	Hydric Soil Indicator	Hydrology
WB-01	PEMB/FOA Type 2/7 Wet (Fresh) Meadow/Hardwood Swamp	0.54 Ac. 23,522 Sq. Ft.	PEM1A	Reed canary grass/Black Willow	Yes	F7- Depleted Dark Surface	Primary, C3 Secondary D2, D5
WB-02	PEMB Type 2 Wet (Fresh) Meadow	0.02 Ac. 871 Sq. Ft.	Not Mapped	Green Bulrush/Black Willow	Yes	F8-Redox Depressions	Primary, B9 Secondary D2, D5

Table 5.1 Wetland Summary Table							
Wetland ID	Delineated Wetland Type	Wetland Size	NWI Wetland Type	Dominant Wetland Vegetation	Hydric Soil (Yes/No)	Hydric Soil Indicator	Hydrology
WB-03	PEMB/C Type 2/3 Wet (Fresh) Meadow/Shallow Marsh	1.17 Ac. 50,965. Sq. Ft.	PEM1A	Reed Canary Grass	Yes	A3-Black Histic	Primary, A2, A3 Secondary D2, D5

A total of three wetlands were delineated. Two of the delineated wetlands were located in areas mapped on the NWI, PWI or the NDH waterbody mapping. The third wetland was not mapped on any of the water resource mapping. All areas on the site mapped on any of the water resource databases were delineated as wetland. One upland sample point was taken near the southern edge of WB_03. This upland sample point was taken to verify the southern edge of the wetland boundary of WB_03.

5.0 CONCLUSIONS

Westwood delineated three wetlands on the **IMH Financial Corporation 70th St SW and Roberts Trail S Property** site on behalf of **IMH Financial Corporation**. Please contact Westwood if you have questions regarding this report. No grading, excavation, draining, blocking or diverting water from this site should begin without appropriate permits from regulatory agencies. Severe penalties may be incurred if violation of wetland protection law occurs. **On behalf of IMH Financial Corporation, Westwood requests that the City of Inver Grove Heights, as the LGU, and the USACE process the enclosed Boundary Confirmation applications (Appendix A).**

Regulatory contact information:

Federal Agency:		
US Army Corps of Engineers St. Paul District, Regulatory Branch 180 Fifth Street East, Suite 700 St. Paul, MN 55101-1678	Phone: (651) 290-5286	mvp-reg-inquiry@usace.army.mil
Local Agency:		
City of Inver Grove Heights Allan Hunting 8150 Barbara Ave Inver Grove Heights, MN 55077	Phone: (651) 450-2500 Fax: (651) 450-2502	ahunting@ci.inver-grove-heights.mn.us

6.0 LITERATURE CITED

- Cowardin, L.M. , V.M. Carter , F.C. Golet , and E.T. LaRoe . 1979. Classification of Wetlands and Deepwater Habitats of the United States. U.S. Fish and Wildlife Service, Biological Services Program, Washington, DC, USA. FWS/OBS-79/31. 103pp.
- Environmental Laboratory. 1987. Corps of Engineers Wetlands Delineation Manual. Technical Report Y-87-1, U.S. Army Engineer Waterways Experiment Station, Vicksburg, MS.
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- Eggers, S.D. and D.M. Reed. 2010. Wetland Plants and Communities of Minnesota and Wisconsin 3rd Addition. U.S. Army Corps of Engineers, St. Paul District. <http://cdm16021.contentdm.oclc.org/cdm/ref/collection/p266001coll1/id/2360>.
- Robert W. Lichvar and John T. Kartesz. 2009. *North American Digital Flora: National Wetland Plant List, version 2.4.0* (https://wetland_plants.usace.army.mil). U.S. Army Corps of Engineers, Engineer Research and Development Center, Cold Regions Research and Engineering Laboratory, Hanover, NH, and BONAP, Chapel Hill, NC.
- Shaw, S.P. and C.G. Fredine. 1971. Wetlands of the United States. U.S. Fish and Wildlife Circular 39. U.S. Department of the Interior, Washington, D.C. 67 pp.
- U. S. Army Corps of Engineers. 2010. Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Midwest Region, J.S. Weakly, C.V. Noble, A.D. Jones. Vicksburg, MS: U.S. Army Engineer Research and Development Center.
- U.S. Army Corps of Engineers. 2012. 2012 National List of Vascular Plant Species that Occur in Wetlands. http://www.usace.army.mil/CECW/Documents/cecwo/reg/plants/I96_intro.pdf
- United States Department of Agriculture, Natural Resources Conservation Service, 2010. Field Indicators of Hydric Soils in the United States, Version 7.0. C.M. Vasilas, G.W. Hurt, and C.V. Noble (eds.). USDA NRCS, in cooperation with the National Technical Committee for Hydric Soils.

7.0 CERTIFICATION

I certify that, to the best of my knowledge and belief, the wetland delineation completed for this Site is consistent with current wetland delineation practices and guidelines. I have the specific qualifications, education, training, and experience to complete wetland delineations and determinations in accordance with federal and state requirements.

Sincerely,

WESTWOOD PROFESSIONAL SERVICES

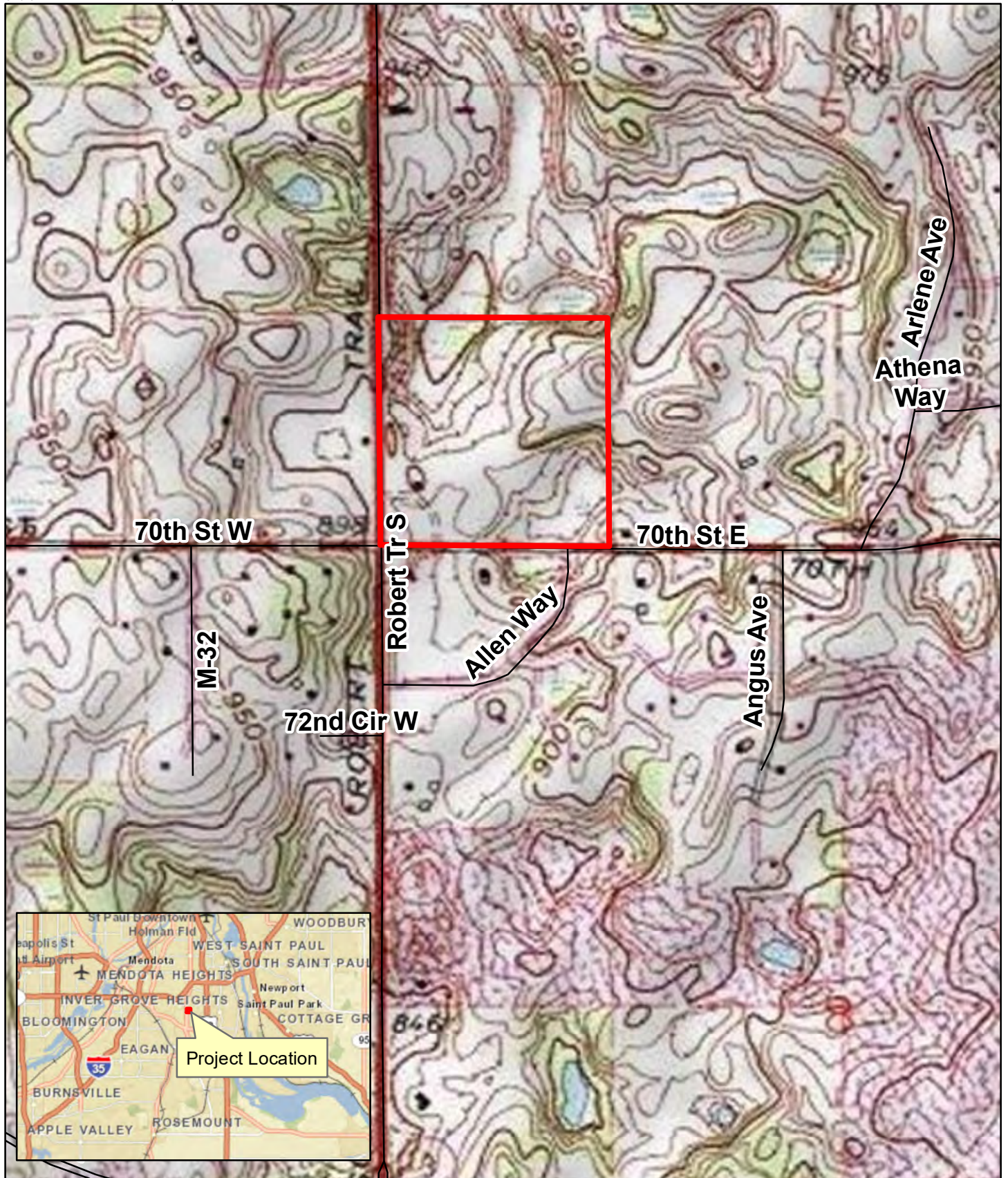


Lucas Mueller
Environmental Scientist

Exhibits

IMH Financial Corporation 70th St S and Roberts Trail Property

City of Inver Grove Heights, Dakota County, Minnesota



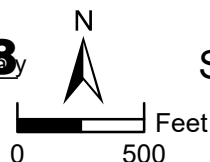
Data Source(s): Westwood (2015), ESRI USA Topo (2014), ESRI Roads

IMH Financial Corporation

Inver Grove Heights, Minnesota

Legend

- Proposed Boundary
- Dakota_Roads



Site Location and Topography

EXHIBIT 1

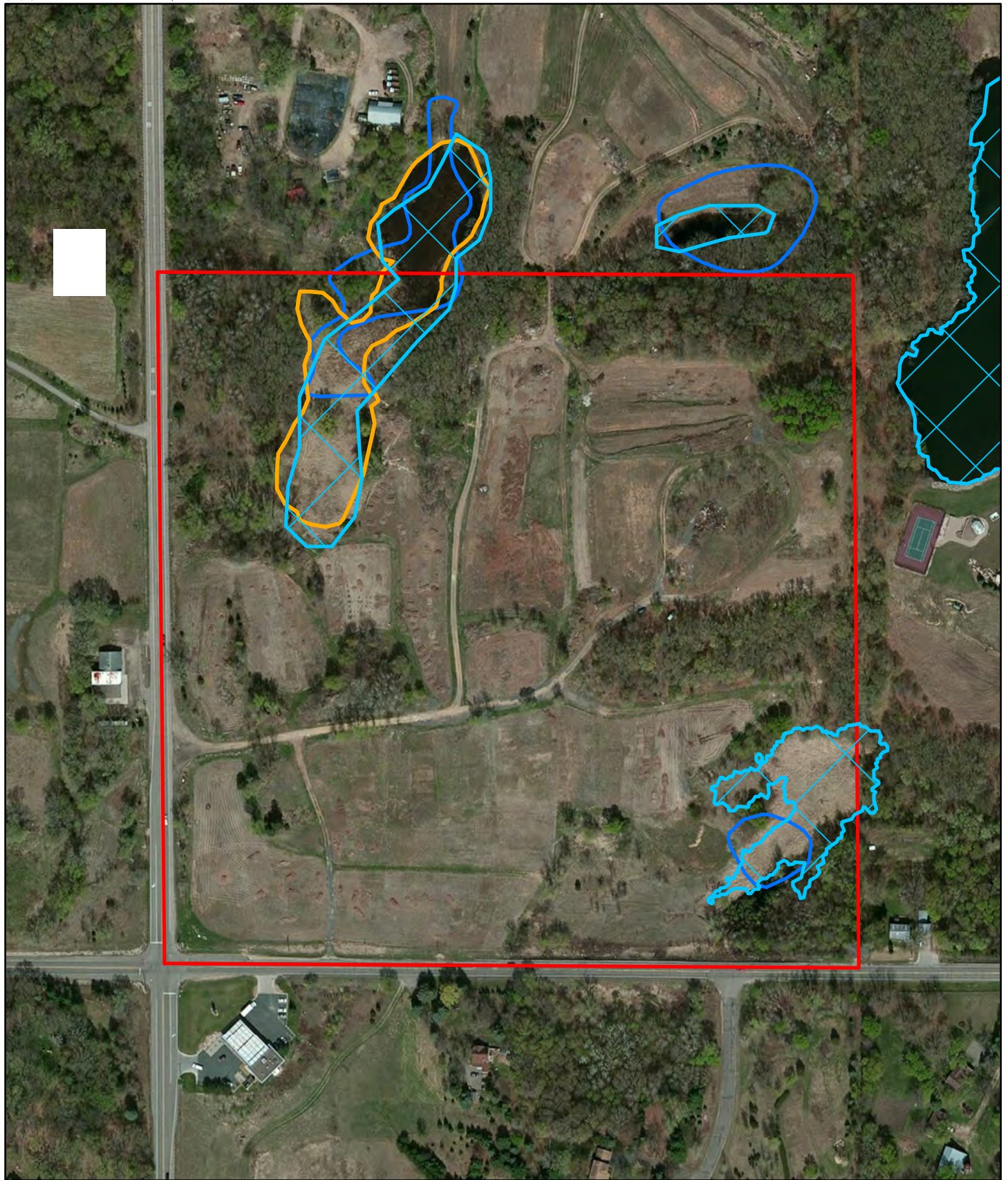


Westwood Professional Services, Inc.
7699 Anagram Drive
Eden Prairie, MN 55344

PHONE 952-937-5150
FAX 952-937-5822
TOLL FREE 1-888-937-5150

www.westwoodps.com

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Data Source(s): Westwood (2015), ESRI World Imagery (2014), National Wetlands Inventory(2014), National Hydrologic Dataset (2012), MN DNR PWI (2014)

Legend

- Proposed Boundary
- NWI Wetland
- PWI Wetland
- NHD Waterbody

IMH Financial Corporation

Inver Grove Heights, Minnesota

Water Resources

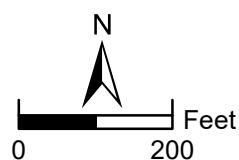
EXHIBIT 2



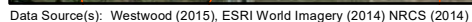
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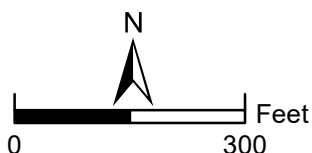


Inver Grove Heights, Minnesota

EXHIBIT 3



 Proposed Boundary **50**
 NRCS Soils





Data Source(s): Westwood (2015), ESRI World Imagery (2014)

Legend

- Proposed Boundary
- Delineated Wetland
- Upland Point
- Wetland Point

IMH Financial Corporation

Inver Grove Heights, Minnesota

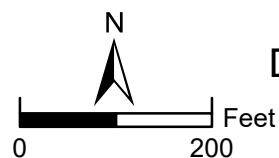
Delineated Wetlands

EXHIBIT 4



Westwood Professional Services, Inc.
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Appendix A

Joint Application Form

IMH Financial Corporation 70th St S and Roberts Trail Property
City of Inver Grove Heights, Dakota County, Minnesota

Joint Application Form for Activities Affecting Water Resources in Minnesota

This joint application form is the accepted means for initiating review of proposals that may affect a water resource (wetland, tributary, lake, etc.) in the State of Minnesota under state and federal regulatory programs. Applicants for Minnesota Department of Natural Resources (DNR) Public Waters permits **MUST** use the MPARS online permitting system for submitting applications to the DNR. Applicants can use the information entered into MPARS to substitute for completing parts of this joint application form (see the paragraph on MPARS at the end of the joint application form instructions for additional information). This form is only applicable to the water resource aspects of proposed projects under state and federal regulatory programs; other local applications and approvals may be required. Depending on the nature of the project and the location and type of water resources impacted, multiple authorizations may be required as different regulatory programs have different types of jurisdiction over different types of resources.

Regulatory Review Structure

Federal

The St. Paul District of the U.S. Army Corps of Engineers (Corps) is the federal agency that regulates discharges of dredged or fill material into waters of the United States (wetlands, tributaries, lakes, etc.) under Section 404 of the Clean Water Act (CWA) and regulates work in navigable waters under Section 10 of the Rivers and Harbors Act. Applications are assigned to Corps project managers who are responsible for implementing the Corps regulatory program within a particular geographic area.

State

There are three state regulatory programs that regulate activities affecting water resources. The Wetland Conservation Act (WCA) regulates most activities affecting wetlands. It is administered by local government units (LGUs) which can be counties, townships, cities, watershed districts, watershed management organizations or state agencies (on state-owned land). The Minnesota DNR Division of Ecological and Water Resources issues permits for work in specially-designated public waters via the Public Waters Work Permit Program (DNR Public Waters Permits). The Minnesota Pollution Control Agency (MPCA) under Section 401 of the Clean Water Act certifies that discharges of dredged or fill material authorized by a federal permit or license comply with state water quality standards. One or more of these regulatory programs may be applicable to any one project.

Required Information

Prior to submitting an application, applicants are **strongly encouraged** to seek input from the Corps Project Manager and LGU staff to identify regulatory issues and required application materials for their proposed project. Project proponents can request a pre-application consultation with the Corps and LGU to discuss their proposed project by providing the information required in Sections 1 through 5 of this joint application form to facilitate a meaningful discussion about their project. Many LGUs provide a venue (such as regularly scheduled technical evaluation panel meetings) for potential applicants to discuss their projects with multiple agencies prior to submitting an application. Contact information is provided below.

The following bullets outline the information generally required for several common types of determinations/authorizations.

- For delineation approvals and/or jurisdictional determinations, submit Parts 1, 2 and 5, and Attachment A.
- For activities involving CWA/WCA exemptions, WCA no-loss determinations, and activities not requiring mitigation, submit Parts 1 through 5, and Attachment B.
- For activities requiring compensatory mitigation/replacement plan, submit Parts 1 thru 5, and Attachments C and D.
- For local road authority activities that qualify for the state's local road wetland replacement program, submit Parts 1 through 5, and Attachments C, D (if applicable), and E to both the Corps and the LGU.

Submission Instructions

Send the completed joint application form and all required attachments to:

U.S Army Corps of Engineers. Applications may be sent directly to the appropriate Corps Office. For a current listing of areas of responsibilities and contact information, visit the St. Paul District's website at:

<http://www.mvp.usace.army.mil/Missions/Regulatory.aspx> and select "Minnesota" from the contact information box.

Alternatively, applications may be sent directly to the St. Paul District Headquarters and the Corps will forward them to the appropriate field office.

Section 401 Water Quality Certification: Applicants do not need to submit the joint application form to the MPCA unless specifically requested. The MPCA will request a copy of the completed joint application form directly from an applicant when they determine an individual 401 water quality certification is required for a proposed project.

Wetland Conservation Act Local Government Unit: Send to the appropriate Local Government Unit. If necessary, contact your county Soil and Water Conservation District (SWCD) office or visit the Board of Water and Soil Resources (BWSR) web site (www.bwsr.state.mn.us) to determine the appropriate LGU.

DNR Public Waters Permitting: In 2014 the DNR will begin using the Minnesota DNR Permitting and Reporting System (MPARS) for submission of Public Waters permit applications (<https://webapps11.dnr.state.mn.us/mpars/public/authentication/login>).

Applicants for Public Waters permits **MUST** use the MPARS online permitting system for submitting applications to the DNR. To avoid duplication and to streamline the application process among the various resource agencies, applicants can use the information entered into MPARS to substitute for completing parts of this joint application form. The MPARS print/save function will provide the applicant with a copy of the Public Waters permit application which, at a minimum, will satisfy Parts one and two of this joint application. For certain types of activities, the MPARS application may also provide all of the necessary information required under Parts three and four of the joint application. However, it is the responsibility of the Applicant to make sure that the joint application contains all of the required information, including identification of all aquatic resources impacted by the project (see Part four of the joint application). After confirming that the MPARS application contains all of the required information in Parts one and two the Applicant may attach a copy to the joint application and fill in any missing information in the remainder of the joint application.

PART ONE: Applicant Information

If applicant is an entity (company, government entity, partnership, etc.), an authorized contact person must be identified. If the applicant is using an agent (consultant, lawyer, or other third party) and has authorized them to act on their behalf, the agent's contact information must also be provided.

Applicant/Landowner Name: IMH Financial Corporation

Mailing Address: 7001 North Scottsdale Road, Suite 2050, Scottsdale AZ 85253

Phone: 480-840-8400

E-mail Address:

Authorized Contact (do not complete if same as above): Tim Keenan

Mailing Address:

Phone:

E-mail Address:

Agent Name: Westwood Professional Services

Mailing Address: 7699 Anagram Drive, Eden Prairie, MN 55344

Phone: 952-937-5150

E-mail Address: Lucas.mueller@westwoodps.com

PART TWO: Site Location Information

County: Dakota

City/Township: Inver Grove Heights

Parcel ID and/or Address: PID 200050052011 and 200050052012

Legal Description (Section, Township, Range): S 466 FT OF E 467 FT OF SW 1/4 OF SW ¼, SECTION 5 TWN 27 RANGE 22 ;
the legal description of the 34.55 acre parcel is: SW 1/4 OF SW 1/4 EX S 4
FT OF E 467 FT, SECTION 5 TWN 27 RANGE 22.

Lat/Long (decimal degrees): 44.848499, -93.084445

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

Approximate size of site (acres) or if a linear project, length (feet): 39.44 acres

If you know that your proposal will require an individual Permit from the U.S. Army Corps of Engineers, you must provide the names and addresses of all property owners adjacent to the project site. This information may be provided by attaching a list to your application or by using block 25 of the Application for Department of the Army permit which can be obtained at:

http://www.mvp.usace.army.mil/Portals/57/docs/regulatory/RegulatoryDocs/engform_4345_2012oct.pdf

PART THREE: General Project/Site Information

If this application is related to a delineation approval, exemption determination, jurisdictional determination, or other correspondence submitted **prior to** this application then describe that here and provide the Corps of Engineers project number.

Describe the project that is being proposed, the project purpose and need, and schedule for implementation and completion. The project description must fully describe the nature and scope of the proposed activity including a description of all project elements that effect aquatic resources (wetland, lake, tributary, etc.) and must also include plans and cross section or profile drawings showing the location, character, and dimensions of all proposed activities and aquatic resource impacts.

Wetland Delineation

PART FOUR: Aquatic Resource Impact¹ Summary

If your proposed project involves a direct or indirect impact to an aquatic resource (wetland, lake, tributary, etc.) identify each impact in the table below. Include all anticipated impacts, including those expected to be temporary. Attach an overhead view map, aerial photo, and/or drawing showing all of the aquatic resources in the project area and the location(s) of the proposed impacts. Label each aquatic resource on the map with a reference number or letter and identify the impacts in the following table.

Aquatic Resource ID (as noted on overhead view)	Aquatic Resource Type (wetland, lake, tributary etc.)	Type of Impact (fill, excavate, drain, or remove vegetation)	Duration of Impact Permanent (P) or Temporary (T) ¹	Size of Impact ²	Overall Size of Aquatic Resource ³	Existing Plant Community Type(s) in Impact Area ⁴	County, Major Watershed #, and Bank Service Area # of Impact Area ⁵
WB-01	Wetland	NA			0.74 ac		
WB-02	Wetland	NA			0.02 ac		
WB-03	Wetland	NA			1.55 ac		

¹If impacts are temporary; enter the duration of the impacts in days next to the "T". For example, a project with a temporary access fill that would be removed after 220 days would be entered "T (220)".

²Impacts less than 0.01 acre should be reported in square feet. Impacts 0.01 acre or greater should be reported as acres and rounded to the nearest 0.01 acre. Tributary impacts must be reported in linear feet of impact and an area of impact by indicating first the linear feet of impact along the flowline of the stream followed by the area impact in parentheses). For example, a project that impacts 50 feet of a stream that is 6 feet wide would be reported as 50 ft (300 square feet).

³This is generally only applicable if you are applying for a de minimis exemption under MN Rules 8420.0420 Subp. 8, otherwise enter "N/A".

⁴Use *Wetland Plants and Plant Community Types of Minnesota and Wisconsin* 3rd Ed. as modified in MN Rules 8420.0405 Subp. 2.

⁵Refer to Major Watershed and Bank Service Area maps in MN Rules 8420.0522 Subp. 7.

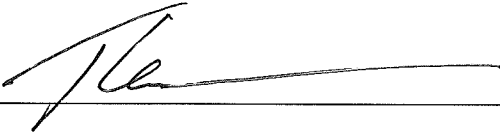
If any of the above identified impacts have already occurred, identify which impacts they are and the circumstances associated with each:

PART FIVE: Applicant Signature

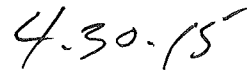
☐ Check here if you are requesting a pre-application consultation with the Corps and LGU based on the information you have provided. Regulatory entities will not initiate a formal application review if this box is checked.

By signature below, I attest that the information in this application is complete and accurate. I further attest that I possess the authority to undertake the work described herein.

Signature:



Date:



I hereby authorize Westwood Professional Services to act on my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this application.

¹ The term "impact" as used in this joint application form is a generic term used for disclosure purposes to identify activities that may require approval from one or more regulatory agencies. For purposes of this form it is not meant to indicate whether or not those activities may require mitigation/replacement.

Attachment A

Request for Delineation Review, Wetland Type Determination, or Jurisdictional Determination

By submission of the enclosed wetland delineation report, I am requesting that the U.S. Army Corps of Engineers, St. Paul District (Corps) and/or the Wetland Conservation Act Local Government Unit (LGU) provide me with the following (check all that apply):

☒ **Wetland Type Confirmation**

☒ **Delineation Concurrence.** Concurrence with a delineation is a written notification from the Corps and a decision from the LGU concurring, not concurring, or commenting on the boundaries of the aquatic resources delineated on the property. Delineation concurrences are generally valid for five years unless site conditions change. Under this request alone, the Corps will not address the jurisdictional status of the aquatic resources on the property, only the boundaries of the resources within the review area (including wetlands, tributaries, lakes, etc.).

☒ **Preliminary Jurisdictional Determination.** A preliminary jurisdictional determination (PJD) is a non-binding written indication from the Corps that waters, including wetlands, identified on a parcel may be waters of the United States. For purposes of computation of impacts and compensatory mitigation requirements, a permit decision made on the basis of a PJD will treat all waters and wetlands in the review area as if they are jurisdictional waters of the U.S. PJDs are advisory in nature and may not be appealed.

☐ **Approved Jurisdictional Determination.** An approved jurisdictional determination (AJD) is an official Corps determination that jurisdictional waters of the United States are either present or absent on the property. AJDs can generally be relied upon by the affected party for five years. An AJD may be appealed through the Corps administrative appeal process.

In order for the Corps and LGU to process your request, the wetland delineation must be prepared in accordance with the 1987 Corps of Engineers Wetland Delineation Manual, any approved Regional Supplements to the 1987 Manual, and the *Guidelines for Submitting Wetland Delineations in Minnesota* (2013).

<http://www.mvp.usace.army.mil/Missions/Regulatory/DelineationJDGuidance.aspx>

Appendix B

Wetland Delineation Data Forms

IMH Financial Corporation 70th St S and Roberts Trail Property

City of Inver Grove Heights, Dakota County, Minnesota

WETLAND DETERMINATION DATA FORM - Midwest Region

Project/Site INVER GROVE HEIGHTS City/County: DAKOTA Sampling Date: 4/20/2015
 Applicant/Owner: WPS State: MN Sampling Point: UPLAND 01
 Investigator(s): LEM Section, Township, Range: S5/T27/R22
 Landform (hillslope, terrace, etc.): SLOPE Local relief (concave, convex, none): CL
 Slope (%): 0-2 Lat: 44.850433 Long: 93.084075 Datum: _____
 Soil Map Unit Name 344 NWI Classification: _____

Are climatic/hydrologic conditions of the site typical for this time of the year? _____ (If no, explain in remarks)

Are vegetation _____, soil _____, or hydrology _____ significantly disturbed?

Are "normal circumstances" present? _____

Are vegetation _____, soil _____, or hydrology _____ naturally problematic?

present? _____

SUMMARY OF FINDINGS

(If needed, explain any answers in remarks.)

Hydrophytic vegetation present? <u>Y</u>	Is the sampled area within a wetland? <u>N</u> If yes, optional wetland site ID: _____
Hydric soil present? <u>Y</u>	
Indicators of wetland hydrology present? <u>N</u>	

Remarks: (Explain alternative procedures here or in a separate report.)

Area is sloping toward WB_03. Area dominated by Reed canary grass, but hydrology not met. Area determined Upland

VEGETATION -- Use scientific names of plants.

Tree Stratum	(Plot size: <u>30</u>)	Absolute % Cover	Dominant Species	Indicator Status	Dominance Test Worksheet Number of Dominant Species that are OBL, FACW, or FAC: <u>1</u> (A) Total Number of Dominant Species Across all Strata: <u>1</u> (B) Percent of Dominant Species that are OBL, FACW, or FAC: <u>100.00%</u> (A/B)
1					
2					
3					
4					
5					
		<u>0</u>	= Total Cover		Prevalence Index Worksheet Total % Cover of: OBL species <u>0</u> x 1 = <u>0</u> FACW species <u>95</u> x 2 = <u>190</u> FAC species <u>0</u> x 3 = <u>0</u> FACU species <u>5</u> x 4 = <u>20</u> UPL species <u>0</u> x 5 = <u>0</u> Column totals <u>100</u> (A) <u>210</u> (B) Prevalence Index = B/A = <u>2.10</u>
Sapling/Shrub stratum	(Plot size: <u>15</u>)				
1					
2					
3					
4					
5					
		<u>0</u>	= Total Cover		
Herb stratum	(Plot size: <u>5</u>)				Hydrophytic Vegetation Indicators: Rapid test for hydrophytic vegetation ☒ Dominance test is >50% ☒ Prevalence index is ≤3.0* Morphological adaptations* (provide supporting data in Remarks or on a separate sheet) Problematic hydrophytic vegetation* (explain) _____ *Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic
1	<i>Phalaris arundinacea</i>	95	Y	FACW	
2	<i>Cirsium arvense</i>	5	N	FACU	
3					
4					
5					
6					
7					
8					
9					
10					
		<u>100</u>	= Total Cover		
Woody vine stratum	(Plot size: <u>30</u>)				Hydrophytic vegetation present? <u>Y</u>
1					
2					
		<u>0</u>	= Total Cover		

Remarks: (Include photo numbers here or on a separate sheet)

Area is dominated by Reed canary grass. Hydrophytic veg met.

SOIL

Sampling Point: UPLAND 01

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
8	10YR 3/1	100					Loam	
19	10YR 4/1	90	10YR 5/6	10	C	M	Clay Loam	
32	10YR 5/1	80	10YR 3/2	20	C	M	Clay Loam	

*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. **Location: PL = Pore Lining, M = Matrix

Hydric Soil Indicators:

- ☐ Histisol (A1)
☐ Histic Epipedon (A2)
☐ Black Histic (A3)
☐ Hydrogen Sulfide (A4)
☐ Stratified Layers (A5)
☐ 2 cm Muck (A10)
☐ Depleted Below Dark Surface (A11)
☐ Thick Dark Surface (A12)
☐ Sandy Mucky Mineral (S1)
☐ 5 cm Mucky Peat or Peat (S3)
- ☐ Sandy Gleyed Matrix (S4)
☐ Sandy Redox (S5)
☐ Stripped Matrix (S6)
☐ Loamy Mucky Mineral (F1)
☐ Loamy Gleyed Matrix (F2)
☒ Depleted Matrix (F3)
☐ Redox Dark Surface (F6)
☐ Depleted Dark Surface (F7)
☐ Redox Depressions (F8)

Indicators for Problematic Hydric Soils:

- ☐ Coast Prairie Redox (A16) (LRR K, L, R)
☐ Dark Surface (S7) (LRR K, L)
☐ Iron-Manganese Masses (F12) (LRR K, L, R)
☐ Very Shallow Dark Surface (TF12)
☐ Other (explain in remarks)

*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

Restrictive Layer (if observed):

Type: _____
 Depth (inches): _____

Hydric soil present? Y**Remarks:**

Hydric soil present.

HYDROLOGY**Wetland Hydrology Indicators:**Primary Indicators (minimum of one is required; check all that apply)

- ☐ Surface Water (A1)
☐ High Water Table (A2)
☐ Saturation (A3)
☐ Water Marks (B1)
☐ Sediment Deposits (B2)
☐ Drift Deposits (B3)
☐ Algal Mat or Crust (B4)
☐ Iron Deposits (B5)
☐ Inundation Visible on Aerial Imagery (B7)
☐ Sparsely Vegetated Concave Surface (B8)
☐ Water-Stained Leaves (B9)

- ☐ Aquatic Fauna (B13)
☐ True Aquatic Plants (B14)
☐ Hydrogen Sulfide Odor (C1)
☐ Oxidized Rhizospheres on Living Roots (C3)
☐ Presence of Reduced Iron (C4)
☐ Recent Iron Reduction in Tilled Soils (C6)
☐ Thin Muck Surface (C7)
☐ Gauge or Well Data (D9)
☐ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ☐ Surface Soil Cracks (B6)
☐ Drainage Patterns (B10)
☐ Dry-Season Water Table (C2)
☐ Crayfish Burrows (C8)
☐ Saturation Visible on Aerial Imagery (C9)
☐ Stunted or Stressed Plants (D1)
☐ Geomorphic Position (D2)
☐ FAC-Neutral Test (D5)

Field Observations:

Surface water present? Yes ☐ No ☒ Depth (inches): _____
 Water table present? Yes ☐ No ☒ Depth (inches): 30
 Saturation present? Yes ☐ No ☒ Depth (inches): 28
 (includes capillary fringe)

Indicators of wetland hydrology present? N

Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

No hydrology was observed at time of survey. Area is sloping toward WB_03. Water table and saturation not observed until 28".

WETLAND DETERMINATION DATA FORM - Midwest Region

Project/Site IMH Inver Grove Heights City/County: Dakota Sampling Date: 4/20/2015
 Applicant/Owner: WPS State: MN Sampling Point: WB_01_A_WET
 Investigator(s): LEM Section, Township, Range: S5/T27/R22
 Landform (hillslope, terrace, etc.): Depression Local relief (concave, convex, none): CL
 Slope (%): 0-2 Lat: 93.081 Long: 44.849 Datum:
 Soil Map Unit Name 344 NWI Classification: PEM1A

Are climatic/hydrologic conditions of the site typical for this time of the year? Y (If no, explain in remarks)

Are vegetation , soil , or hydrology significantly disturbed?

Are "normal circumstances"

Are vegetation , soil , or hydrology naturally problematic?

present? Yes

SUMMARY OF FINDINGS

(If needed, explain any answers in remarks.)

Hydrophytic vegetation present?	<u>Y</u>	Is the sampled area within a wetland? <u>Y</u> If yes, optional wetland site ID: <u></u>
Hydric soil present?	<u>Y</u>	
Indicators of wetland hydrology present?	<u>Y</u>	

Remarks: (Explain alternative procedures here or in a separate report.)

Reed canary grass basin with higher slopes to the west, north, and east leading to basin. A drop in elevation to the southeast and south leads into a wooded wetland ditch feature (WB-01-B-Wet).

VEGETATION -- Use scientific names of plants.

Tree Stratum	(Plot size: <u>30</u>)	Absolute % Cover	Dominant Species	Indicator Status	Dominance Test Worksheet Number of Dominant Species that are OBL, FACW, or FAC: <u>1</u> (A) Total Number of Dominant Species Across all Strata: <u>1</u> (B) Percent of Dominant Species that are OBL, FACW, or FAC: <u>100.00%</u> (A/B)
1					
2					
3					
4					
5					
		<u>0</u> = Total Cover			Prevalence Index Worksheet Total % Cover of: OBL species <u>0</u> x 1 = <u>0</u> FACW species <u>100</u> x 2 = <u>200</u> FAC species <u>0</u> x 3 = <u>0</u> FACU species <u>0</u> x 4 = <u>0</u> UPL species <u>0</u> x 5 = <u>0</u> Column totals <u>100</u> (A) <u>200</u> (B) Prevalence Index = B/A = <u>2.00</u>
Sapling/Shrub stratum	(Plot size: <u>15</u>)				
1					
2					
3					
4					
5					
		<u>0</u> = Total Cover			
Herb stratum	(Plot size: <u>5</u>)				Hydrophytic Vegetation Indicators: Rapid test for hydrophytic vegetation ☒ Dominance test is >50% ☒ Prevalence index is ≤3.0* Morphological adaptations* (provide supporting data in Remarks or on a separate sheet) Problematic hydrophytic vegetation* (explain) *Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic
1	<i>Phalaris arundinacea</i>	95	Y	FACW	
2	<i>Urtica dioica</i>	5	N	FACW	
3					
4					
5					
6					
7					
8					
9					
		<u>100</u> = Total Cover			
Woody vine stratum	(Plot size: <u>30</u>)				Hydrophytic vegetation present? <u>Y</u>
1					
2					
		<u>0</u> = Total Cover			

Remarks: (Include photo numbers here or on a separate sheet)

Dominated by Reed canary grass. No upland vegetation observed.

SOIL

Sampling Point: WB_01_A_WET

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
0-2	10YR 2/1	100					SiCL	
2-16	10YR 3/1	90	10YR 6/2	10	D	M	SiCL	
16-26	10YR 4/1	95	10YR 5/6	5	D	M	CL	

*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. **Location: PL = Pore Lining, M = Matrix

Hydric Soil Indicators:

- ☐ Histisol (A1)
☐ Histic Epipedon (A2)
☐ Black Histic (A3)
☐ Hydrogen Sulfide (A4)
☐ Stratified Layers (A5)
☐ 2 cm Muck (A10)
☐ Depleted Below Dark Surface (A11)
☒ Thick Dark Surface (A12)
☐ Sandy Mucky Mineral (S1)
☐ 5 cm Mucky Peat or Peat (S3)
- ☐ Sandy Gleyed Matrix (S4)
☐ Sandy Redox (S5)
☐ Stripped Matrix (S6)
☐ Loamy Mucky Mineral (F1)
☐ Loamy Gleyed Matrix (F2)
☐ Depleted Matrix (F3)
☐ Redox Dark Surface (F6)
☐ Depleted Dark Surface (F7)
☐ Redox Depressions (F8)

Indicators for Problematic Hydric Soils:

- ☐ Coast Prairie Redox (A16) (LRR K, L, R)
☐ Dark Surface (S7) (LRR K, L)
☐ Iron-Manganese Masses (F12) (LRR K, L, R)
☐ Very Shallow Dark Surface (TF12)
☐ Other (explain in remarks)

*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

Restrictive Layer (if observed):

Type: _____
 Depth (inches): _____

Hydric soil present? Y**Remarks:**

Hydric soil observed.

HYDROLOGY

Wetland Hydrology Indicators:Primary Indicators (minimum of one is required; check all that apply)

- ☐ Surface Water (A1)
☐ High Water Table (A2)
☒ Saturation (A3)
☐ Water Marks (B1)
☐ Sediment Deposits (B2)
☐ Drift Deposits (B3)
☐ Algal Mat or Crust (B4)
☐ Iron Deposits (B5)
☐ Inundation Visible on Aerial Imagery (B7)
☐ Sparsely Vegetated Concave Surface (B8)
☐ Water-Stained Leaves (B9)
- ☐ Aquatic Fauna (B13)
☐ True Aquatic Plants (B14)
☐ Hydrogen Sulfide Odor (C1)
☐ Oxidized Rhizospheres on Living Roots (C3)
☐ Presence of Reduced Iron (C4)
☐ Recent Iron Reduction in Tilled Soils (C6)
☐ Thin Muck Surface (C7)
☐ Gauge or Well Data (D9)
☐ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ☐ Surface Soil Cracks (B6)
☐ Drainage Patterns (B10)
☐ Dry-Season Water Table (C2)
☐ Crayfish Burrows (C8)
☐ Saturation Visible on Aerial Imagery (C9)
☐ Stunted or Stressed Plants (D1)
☒ Geomorphic Position (D2)
☒ FAC-Neutral Test (D5)

Field Observations:

Surface water present? Yes ☐ No ☐ Depth (inches): _____
 Water table present? Yes ☐ No ☐ Depth (inches): _____
 Saturation present? Yes ☒ No ☐ Depth (inches): 12
 (includes capillary fringe)

Indicators of wetland hydrology present? Y

Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Saturation met at 12 inches. Geomorphic position is present with slopes on three sides leading to the Reed carnary grass basin.

WETLAND DETERMINATION DATA FORM - Midwest Region

Project/Site IMH Inver Grove Heights City/County: Dakota Sampling Date: 4/20/2015
 Applicant/Owner: WPS State: MN Sampling Point: WB_01_B_WET
 Investigator(s): LEM Section, Township, Range: S5/T27/R22
 Landform (hillslope, terrace, etc.): Depression Local relief (concave, convex, none): CL
 Slope (%): 0-2 Lat: 93.081 Long: 44.848 Datum:
 Soil Map Unit Name 344 NWI Classification: PEM1A

Are climatic/hydrologic conditions of the site typical for this time of the year? Y (If no, explain in remarks)

Are vegetation , soil , or hydrology significantly disturbed?

Are "normal circumstances"

Are vegetation , soil , or hydrology naturally problematic?

present? Yes

SUMMARY OF FINDINGS

(If needed, explain any answers in remarks.)

Hydrophytic vegetation present?	<u>Y</u>	Is the sampled area within a wetland? <u>Y</u> If yes, optional wetland site ID: <u></u>
Hydric soil present?	<u>Y</u>	
Indicators of wetland hydrology present?	<u>Y</u>	

Remarks: (Explain alternative procedures here or in a separate report.)

Type 7 wetland. Connected to WB_01_A_Wet.

VEGETATION -- Use scientific names of plants.

Tree Stratum	(Plot size: <u>30</u>)	Absolute % Cover	Dominant Species	Indicator Status	Dominance Test Worksheet Number of Dominant Species that are OBL, FACW, or FAC: <u>4</u> (A) Total Number of Dominant Species Across all Strata: <u>4</u> (B) Percent of Dominant Species that are OBL, FACW, or FAC: <u>100.00%</u> (A/B)
1 <i>Salix nigra</i>		80	Y	OBL	
2 <i>Fraxinus pennsylvanica</i>		10	N	FACW	
3 <i>Populus tremuloides</i>		5	N	FAC	
4					
		95	= Total Cover		Prevalence Index Worksheet Total % Cover of: OBL species <u>95</u> x 1 = <u>95</u> FACW species <u>15</u> x 2 = <u>30</u> FAC species <u>5</u> x 3 = <u>15</u> FACU species <u>0</u> x 4 = <u>0</u> UPL species <u>0</u> x 5 = <u>0</u> Column totals <u>115</u> (A) <u>140</u> (B) Prevalence Index = B/A = <u>1.22</u>
Sapling/Shrub stratum (Plot size: <u>15</u>)					
1 <i>Salix nigra</i>		5	Y	OBL	
2					
3					
		5	= Total Cover		
Herb stratum (Plot size: <u>5</u>)					Hydrophytic Vegetation Indicators: Rapid test for hydrophytic vegetation ☒ Dominance test is >50% ☒ Prevalence index is ≤3.0* Morphological adaptations* (provide supporting data in Remarks or on a separate sheet) Problematic hydrophytic vegetation* (explain) *Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic
1 <i>Scirpus atrovirens</i>		10	Y	OBL	
2 <i>Phalaris arundinacea</i>		5	Y	FACW	
3					
4					
5					
6					
7					
8					
9					
		15	= Total Cover		
Woody vine stratum (Plot size: <u>30</u>)					Hydrophytic vegetation present? <u>Y</u>
1					
2					
		0	= Total Cover		

Remarks: (Include photo numbers here or on a separate sheet)

Hydrophytic vegetation observed. Dominated by Black willow trees/saplings.

SOIL

Sampling Point: WB_01_B_WET

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
0-12	10YR 2/1	100					MMI	
12-25	10YR4/1	90	10YR 5/6	10	D	M	CL	

*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. **Location: PL = Pore Lining, M = Matrix

Hydric Soil Indicators:

- | | |
|--|--|
| ☐ Histisol (A1) | ☐ Sandy Gleyed Matrix (S4) |
| ☐ Histic Epipedon (A2) | ☐ Sandy Redox (S5) |
| ☐ Black Histic (A3) | ☐ Stripped Matrix (S6) |
| ☐ Hydrogen Sulfide (A4) | ☒ Loamy Mucky Mineral (F1) |
| ☐ Stratified Layers (A5) | ☐ Loamy Gleyed Matrix (F2) |
| ☐ 2 cm Muck (A10) | ☐ Depleted Matrix (F3) |
| ☐ Depleted Below Dark Surface (A11) | ☐ Redox Dark Surface (F6) |
| ☐ Thick Dark Surface (A12) | ☐ Depleted Dark Surface (F7) |
| ☐ Sandy Mucky Mineral (S1) | ☐ Redox Depressions (F8) |
| ☐ 5 cm Mucky Peat or Peat (S3) | |

Indicators for Problematic Hydric Soils:

- | |
|--|
| ☐ Coast Prairie Redox (A16) (LRR K, L, R) |
| ☐ Dark Surface (S7) (LRR K, L) |
| ☐ Iron-Manganese Masses (F12) (LRR K, L, R) |
| ☐ Very Shallow Dark Surface (TF12) |
| ☐ Other (explain in remarks) |

*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

Restrictive Layer (if observed):
 Type: _____
 Depth (inches): _____
Hydric soil present? Y

Remarks:

Hydric soil observed.

HYDROLOGY

Wetland Hydrology Indicators:Primary Indicators (minimum of one is required; check all that apply)

- | | |
|--|--|
| ☐ Surface Water (A1) | ☐ Aquatic Fauna (B13) |
| ☐ High Water Table (A2) | ☐ True Aquatic Plants (B14) |
| ☒ Saturation (A3) | ☐ Hydrogen Sulfide Odor (C1) |
| ☐ Water Marks (B1) | ☐ Oxidized Rhizospheres on Living Roots |
| ☐ Sediment Deposits (B2) | ☒ (C3) |
| ☒ Drift Deposits (B3) | ☐ Presence of Reduced Iron (C4) |
| ☐ Algal Mat or Crust (B4) | ☐ Recent Iron Reduction in Tilled Soils |
| ☐ Iron Deposits (B5) | ☐ (C6) |
| ☐ Inundation Visible on Aerial Imagery (B7) | ☐ Thin Muck Surface (C7) |
| ☐ Sparsely Vegetated Concave Surface (B8) | ☐ Gauge or Well Data (D9) |
| ☐ Water-Stained Leaves (B9) | ☐ Other (Explain in Remarks) |

Secondary Indicators (minimum of two required)

- | |
|--|
| ☐ Surface Soil Cracks (B6) |
| ☐ Drainage Patterns (B10) |
| ☐ Dry-Season Water Table (C2) |
| ☐ Crayfish Burrows (C8) |
| ☐ Saturation Visible on Aerial Imagery (C9) |
| ☐ Stunted or Stressed Plants (D1) |
| ☒ Geomorphic Position (D2) |
| ☒ FAC-Neutral Test (D5) |

Field Observations:

Surface water present?	Yes ☐ No ☐	Depth (inches):	_____
Water table present?	Yes ☐ No ☐	Depth (inches):	_____
Saturation present?	Yes ☒ No ☐	Depth (inches):	<u>4</u>

 (includes capillary fringe)
Indicators of wetland hydrology present? Y

Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Saturation met at 4 inches.

WETLAND DETERMINATION DATA FORM - Midwest Region

Project/Site IMH Inver Grove Heights City/County: Dakota Sampling Date: 4/20/2015
 Applicant/Owner: WPS State: MN Sampling Point: WB_01_UP
 Investigator(s): LEM Section, Township, Range: S5/T27/R22
 Landform (hillslope, terrace, etc.): Side Slope Local relief (concave, convex, none): VL
 Slope (%): 7-Mar Lat: 93.081 Long: 44.85 Datum:
 Soil Map Unit Name 279B NWI Classification: None

Are climatic/hydrologic conditions of the site typical for this time of the year? Y (If no, explain in remarks)

Are vegetation , soil , or hydrology significantly disturbed?

Are "normal circumstances"

Are vegetation , soil , or hydrology naturally problematic?

present? Yes

SUMMARY OF FINDINGS

(If needed, explain any answers in remarks.)

Hydrophytic vegetation present? <u>N</u>	Is the sampled area within a wetland? <u>N</u> If yes, optional wetland site ID: <u></u>
Hydric soil present? <u>N</u>	
Indicators of wetland hydrology present? <u>N</u>	

Remarks: (Explain alternative procedures here or in a separate report.)

Upland point taken at base of wooded slope leading towards wetland basin.

VEGETATION -- Use scientific names of plants.

Tree Stratum	(Plot size: <u>30</u>)	Absolute % Cover	Dominant Species	Indicator Status	Dominance Test Worksheet Number of Dominant Species that are OBL, FACW, or FAC: <u>1</u> (A) Total Number of Dominant Species Across all Strata: <u>4</u> (B) Percent of Dominant Species that are OBL, FACW, or FAC: <u>25.00%</u> (A/B)
1 <u>Quercus rubra</u>		<u>25</u>	<u>Y</u>	<u>FACU</u>	
2					
3					
4					
5					
		<u>25</u>	= Total Cover		Prevalence Index Worksheet Total % Cover of: OBL species <u>0</u> x 1 = <u>0</u> FACW species <u>0</u> x 2 = <u>0</u> FAC species <u>70</u> x 3 = <u>210</u> FACU species <u>55</u> x 4 = <u>220</u> UPL species <u>0</u> x 5 = <u>0</u> Column totals <u>125</u> (A) <u>430</u> (B) Prevalence Index = B/A = <u>3.44</u>
Sapling/Shrub stratum	(Plot size: <u>15</u>)	Absolute % Cover	Dominant Species	Indicator Status	
1 <u>Zanthoxylum americanum</u>		<u>15</u>	<u>Y</u>	<u>FACU</u>	
2 <u>Quercus rubra</u>		<u>5</u>	<u>Y</u>	<u>FACU</u>	
3					
4					
5					
		<u>20</u>	= Total Cover		
Herb stratum	(Plot size: <u>5</u>)	Absolute % Cover	Dominant Species	Indicator Status	Hydrophytic Vegetation Indicators: <u></u> Rapid test for hydrophytic vegetation <u></u> Dominance test is >50% <u></u> Prevalence index is ≤3.0* <u></u> Morphological adaptations* (provide supporting data in Remarks or on a separate sheet) <u></u> Problematic hydrophytic vegetation* (explain) *Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic
1 <u>Poa pratensis</u>		<u>60</u>	<u>Y</u>	<u>FAC</u>	
2 <u>Ribes oxycanthoides</u>		<u>10</u>	<u>N</u>	<u>FACU</u>	
3 <u>Xanthium strumarium</u>		<u>10</u>	<u>N</u>	<u>FAC</u>	
4					
5					
6					
7					
8					
9					
10					
		<u>80</u>	= Total Cover		
Woody vine stratum	(Plot size: <u>30</u>)	Absolute % Cover	Dominant Species	Indicator Status	Hydrophytic vegetation present? <u>N</u>
1					
2					
		<u>0</u>	= Total Cover		

Remarks: (Include photo numbers here or on a separate sheet)

Hydrophytic vegetation indicator not met.

SOIL

Sampling Point: WB_01_UP

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
0-8	10YR 3/2	100					SCL	
8-20	10YR 4/2	100					SL	
20-26	10YR 4/2	100					LS	

*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. **Location: PL = Pore Lining, M = Matrix

Hydric Soil Indicators:

- ☐ Histisol (A1)
☐ Histic Epipedon (A2)
☐ Black Histic (A3)
☐ Hydrogen Sulfide (A4)
☐ Stratified Layers (A5)
☐ 2 cm Muck (A10)
☐ Depleted Below Dark Surface (A11)
☐ Thick Dark Surface (A12)
☐ Sandy Mucky Mineral (S1)
☐ 5 cm Mucky Peat or Peat (S3)
- ☐ Sandy Gleyed Matrix (S4)
☐ Sandy Redox (S5)
☐ Stripped Matrix (S6)
☐ Loamy Mucky Mineral (F1)
☐ Loamy Gleyed Matrix (F2)
☐ Depleted Matrix (F3)
☐ Redox Dark Surface (F6)
☐ Depleted Dark Surface (F7)
☐ Redox Depressions (F8)

Indicators for Problematic Hydric Soils:

- ☐ Coast Prairie Redox (A16) (LRR K, L, R)
☐ Dark Surface (S7) (LRR K, L)
☐ Iron-Manganese Masses (F12) (LRR K, L, R)
☐ Very Shallow Dark Surface (TF12)
☐ Other (explain in remarks)

*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

Restrictive Layer (if observed):

Type: _____
 Depth (inches): _____

Hydric soil present? N

Remarks:

Hydric soil not observed.

HYDROLOGY

Wetland Hydrology Indicators:Primary Indicators (minimum of one is required; check all that apply)

- ☐ Surface Water (A1)
☐ High Water Table (A2)
☐ Saturation (A3)
☐ Water Marks (B1)
☐ Sediment Deposits (B2)
☐ Drift Deposits (B3)
☐ Algal Mat or Crust (B4)
☐ Iron Deposits (B5)
☐ Inundation Visible on Aerial Imagery (B7)
☐ Sparsely Vegetated Concave Surface (B8)
☐ Water-Stained Leaves (B9)
- ☐ Aquatic Fauna (B13)
☐ True Aquatic Plants (B14)
☐ Hydrogen Sulfide Odor (C1)
☐ Oxidized Rhizospheres on Living Roots (C3)
☐ Presence of Reduced Iron (C4)
☐ Recent Iron Reduction in Tilled Soils (C6)
☐ Thin Muck Surface (C7)
☐ Gauge or Well Data (D9)
☐ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ☐ Surface Soil Cracks (B6)
☐ Drainage Patterns (B10)
☐ Dry-Season Water Table (C2)
☐ Crayfish Burrows (C8)
☐ Saturation Visible on Aerial Imagery (C9)
☐ Stunted or Stressed Plants (D1)
☐ Geomorphic Position (D2)
☐ FAC-Neutral Test (D5)

Field Observations:

Surface water present? Yes ☐ No ☐ Depth (inches): _____
 Water table present? Yes ☐ No ☐ Depth (inches): _____
 Saturation present? Yes ☐ No ☐ Depth (inches): _____
 (includes capillary fringe)

Indicators of wetland hydrology present? N

Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

No hydrology observed.

WETLAND DETERMINATION DATA FORM - Midwest Region

Project/Site IMH Inver Grove Heights City/County: Dakota Sampling Date: 4/20/2015
 Applicant/Owner: WPS State: MN Sampling Point: WB_02_WET
 Investigator(s): LEM Section, Township, Range: S5/T27/R22
 Landform (hillslope, terrace, etc.): Depression Local relief (concave, convex, none): CL
 Slope (%): 0-2 Lat: 93.081 Long: 44.85 Datum:
 Soil Map Unit Name 895C NWI Classification: None

Are climatic/hydrologic conditions of the site typical for this time of the year? Y (If no, explain in remarks)

Are vegetation , soil , or hydrology significantly disturbed?

Are "normal circumstances"

Are vegetation , soil , or hydrology naturally problematic?

present? Yes

SUMMARY OF FINDINGS

(If needed, explain any answers in remarks.)

Hydrophytic vegetation present? <u>Y</u>	Is the sampled area within a wetland? <u>Y</u> If yes, optional wetland site ID: <u></u>
Hydric soil present? <u>Y</u>	
Indicators of wetland hydrology present? <u>Y</u>	

Remarks: (Explain alternative procedures here or in a separate report.)

Wetland depression/basin. Sloped on all sides. Wetland features present at time of survey. Dumping and burning has been conducted in bottom of depression. Wetland vegetation observed.

VEGETATION -- Use scientific names of plants.

Tree Stratum	(Plot size: <u>30</u>)	Absolute % Cover	Dominant Species	Indicator Status	Dominance Test Worksheet Number of Dominant Species that are OBL, FACW, or FAC: <u>4</u> (A) Total Number of Dominant Species Across all Strata: <u>4</u> (B) Percent of Dominant Species that are OBL, FACW, or FAC: <u>100.00%</u> (A/B)
1					
2					
3					
4					
5					
		<u>0</u> = Total Cover			Prevalence Index Worksheet Total % Cover of: OBL species <u>25</u> x 1 = <u>25</u> FACW species <u>10</u> x 2 = <u>20</u> FAC species <u>0</u> x 3 = <u>0</u> FACU species <u>0</u> x 4 = <u>0</u> UPL species <u>0</u> x 5 = <u>0</u> Column totals <u>35</u> (A) <u>45</u> (B) Prevalence Index = B/A = <u>1.29</u>
Sapling/Shrub stratum	(Plot size: <u>15</u>)				
1	<u>Salix nigra</u>	<u>10</u>	<u>Y</u>	<u>OBL</u>	
2					
3					
4					
5					
		<u>10</u> = Total Cover			
Herb stratum	(Plot size: <u>5</u>)				Hydrophytic Vegetation Indicators: Rapid test for hydrophytic vegetation ☒ Dominance test is >50% ☒ Prevalence index is ≤3.0* Morphological adaptations* (provide supporting data in Remarks or on a separate sheet) Problematic hydrophytic vegetation* (explain) *Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic
1	<u>Scirpus atrovirens</u>	<u>15</u>	<u>Y</u>	<u>OBL</u>	
2	<u>Persicaria lapathifolia</u>	<u>5</u>	<u>Y</u>	<u>FACW</u>	
3	<u>Phalaris arundinacea</u>	<u>5</u>	<u>Y</u>	<u>FACW</u>	
4					
5					
6					
7					
8					
9					
10					
		<u>25</u> = Total Cover			
Woody vine stratum	(Plot size: <u>30</u>)				Hydrophytic vegetation present? <u>Y</u>
1					
2					
		<u>0</u> = Total Cover			

Remarks: (Include photo numbers here or on a separate sheet)

Hydrophytic vegetataion observed at bottom of basin amongst debris and burned wood.

SOIL

Sampling Point: WB_02_WET

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
0-4	10YR 2/1	100					SCL	
4-10	10YR 2/1	90	10YR 5/8	10	D	M	CL	
10-22	10YR 4/4	100					LS	

*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. **Location: PL = Pore Lining, M = Matrix

Hydric Soil Indicators:

- | | |
|--|---|
| ☐ Histisol (A1) | ☐ Sandy Gleyed Matrix (S4) |
| ☐ Histic Epipedon (A2) | ☐ Sandy Redox (S5) |
| ☐ Black Histic (A3) | ☐ Stripped Matrix (S6) |
| ☐ Hydrogen Sulfide (A4) | ☐ Loamy Mucky Mineral (F1) |
| ☐ Stratified Layers (A5) | ☐ Loamy Gleyed Matrix (F2) |
| ☐ 2 cm Muck (A10) | ☐ Depleted Matrix (F3) |
| ☐ Depleted Below Dark Surface (A11) | ☒ Redox Dark Surface (F6) |
| ☐ Thick Dark Surface (A12) | ☐ Depleted Dark Surface (F7) |
| ☐ Sandy Mucky Mineral (S1) | ☐ Redox Depressions (F8) |
| ☐ 5 cm Mucky Peat or Peat (S3) | |

Indicators for Problematic Hydric Soils:

- | |
|--|
| ☐ Coast Prairie Redox (A16) (LRR K, L, R) |
| ☐ Dark Surface (S7) (LRR K, L) |
| ☐ Iron-Manganese Masses (F12) (LRR K, L, R) |
| ☐ Very Shallow Dark Surface (TF12) |
| ☐ Other (explain in remarks) |

*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

Restrictive Layer (if observed):

Type: _____
Depth (inches): _____

Hydric soil present? Y

Remarks:

Hydric soil observed.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- | | |
|--|---|
| ☐ Surface Water (A1) | ☐ Aquatic Fauna (B13) |
| ☐ High Water Table (A2) | ☐ True Aquatic Plants (B14) |
| ☐ Saturation (A3) | ☐ Hydrogen Sulfide Odor (C1) |
| ☐ Water Marks (B1) | ☐ Oxidized Rhizospheres on Living Roots (C3) |
| ☐ Sediment Deposits (B2) | ☐ Presence of Reduced Iron (C4) |
| ☐ Drift Deposits (B3) | ☐ Recent Iron Reduction in Tilled Soils (C6) |
| ☐ Algal Mat or Crust (B4) | ☐ Thin Muck Surface (C7) |
| ☐ Iron Deposits (B5) | ☐ Gauge or Well Data (D9) |
| ☐ Inundation Visible on Aerial Imagery (B7) | ☐ Other (Explain in Remarks) |
| ☐ Sparsely Vegetated Concave Surface (B8) | |
| ☒ Water-Stained Leaves (B9) | |

Secondary Indicators (minimum of two required)

- | |
|--|
| ☐ Surface Soil Cracks (B6) |
| ☐ Drainage Patterns (B10) |
| ☐ Dry-Season Water Table (C2) |
| ☐ Crayfish Burrows (C8) |
| ☐ Saturation Visible on Aerial Imagery (C9) |
| ☐ Stunted or Stressed Plants (D1) |
| ☒ Geomorphic Position (D2) |
| ☒ FAC-Neutral Test (D5) |

Field Observations:

Surface water present?	Yes ☐ No ☐	Depth (inches): _____
Water table present?	Yes ☐ No ☐	Depth (inches): _____
Saturation present? (includes capillary fringe)	Yes ☐ No ☐	Depth (inches): _____

Indicators of wetland hydrology present? Y

Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Hydrology observed at time of delineation.

WETLAND DETERMINATION DATA FORM - Midwest Region

Project/Site IMH Inver Grove Heights City/County: Dakota Sampling Date: 4/20/2015
 Applicant/Owner: WPS State: MN Sampling Point: WB_02_UP
 Investigator(s): LEM Section, Township, Range: S5/T27/R22
 Landform (hillslope, terrace, etc.): Side Slope Local relief (concave, convex, none): VL
 Slope (%): 3_5 Lat: 93.081 Long: 44.85 Datum:
 Soil Map Unit Name 895C NWI Classification: None

Are climatic/hydrologic conditions of the site typical for this time of the year? Y (If no, explain in remarks)

Are vegetation , soil , or hydrology significantly disturbed?

Are "normal circumstances"

Are vegetation , soil , or hydrology naturally problematic?

present? Yes

SUMMARY OF FINDINGS

(If needed, explain any answers in remarks.)

Hydrophytic vegetation present? <u>N</u>	Is the sampled area within a wetland? <u>N</u> If yes, optional wetland site ID: <u></u>
Hydric soil present? <u>N</u>	
Indicators of wetland hydrology present? <u>N</u>	

Remarks: (Explain alternative procedures here or in a separate report.)

Upland point taken on sloped hill leading toward wetland basin.

VEGETATION -- Use scientific names of plants.

Tree Stratum	(Plot size: <u>30</u>)	Absolute % Cover	Dominant Species	Indicator Status	Dominance Test Worksheet Number of Dominant Species that are OBL, FACW, or FAC: <u>1</u> (A) Total Number of Dominant Species Across all Strata: <u>3</u> (B) Percent of Dominant Species that are OBL, FACW, or FAC: <u>33.33%</u> (A/B)
1 <i>Robinia pseudoacacia</i>		50	Y	FACU	
2					
3					
4					
5					
		50	= Total Cover		Prevalence Index Worksheet Total % Cover of: OBL species <u>0</u> x 1 = <u>0</u> FACW species <u>0</u> x 2 = <u>0</u> FAC species <u>60</u> x 3 = <u>180</u> FACU species <u>95</u> x 4 = <u>380</u> UPL species <u>0</u> x 5 = <u>0</u> Column totals <u>155</u> (A) <u>560</u> (B) Prevalence Index = B/A = <u>3.61</u>
Sapling/Shrub stratum	(Plot size: <u>15</u>)	Absolute % Cover	Dominant Species	Indicator Status	
1 <i>Zanthoxylum americanum</i>		30	Y	FACU	
2					
3					
4					
5					
		30	= Total Cover		
Herb stratum	(Plot size: <u>5</u>)	Absolute % Cover	Dominant Species	Indicator Status	Hydrophytic Vegetation Indicators: <u></u> Rapid test for hydrophytic vegetation <u></u> Dominance test is >50% <u></u> Prevalence index is ≤3.0* <u></u> Morphological adaptations* (provide supporting data in Remarks or on a separate sheet) <u></u> Problematic hydrophytic vegetation* (explain) *Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic
1 <i>Poa pratensis</i>		60	Y	FAC	
2 <i>Solidago canadensis</i>		10	N	FACU	
3 <i>Taraxacum officinale</i>		5	N	FACU	
4					
5					
6					
7					
8					
9					
10					
		75	= Total Cover		
Woody vine stratum	(Plot size: <u>30</u>)	Absolute % Cover	Dominant Species	Indicator Status	Hydrophytic vegetation present? <u>N</u>
1					
2					
		0	= Total Cover		

Remarks: (Include photo numbers here or on a separate sheet)

Hydrophytic vegetation indicator not met. Dominated by Kentucky blue grass and Black locust.

SOIL

Sampling Point: WB_02_UP

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
0-6	10YR 3/1	100					SL	
6-20	10YR 4/2	100					SL	
20-26	10YR 4/3	100					FSL	

*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. **Location: PL = Pore Lining, M = Matrix

Hydric Soil Indicators:

- | | |
|--|---|
| ☐ Histisol (A1) | ☐ Sandy Gleyed Matrix (S4) |
| ☐ Histic Epipedon (A2) | ☐ Sandy Redox (S5) |
| ☐ Black Histic (A3) | ☐ Stripped Matrix (S6) |
| ☐ Hydrogen Sulfide (A4) | ☐ Loamy Mucky Mineral (F1) |
| ☐ Stratified Layers (A5) | ☐ Loamy Gleyed Matrix (F2) |
| ☐ 2 cm Muck (A10) | ☐ Depleted Matrix (F3) |
| ☐ Depleted Below Dark Surface (A11) | ☐ Redox Dark Surface (F6) |
| ☐ Thick Dark Surface (A12) | ☐ Depleted Dark Surface (F7) |
| ☐ Sandy Mucky Mineral (S1) | ☐ Redox Depressions (F8) |
| ☐ 5 cm Mucky Peat or Peat (S3) | |

Indicators for Problematic Hydric Soils:

- | |
|--|
| ☐ Coast Prairie Redox (A16) (LRR K, L, R) |
| ☐ Dark Surface (S7) (LRR K, L) |
| ☐ Iron-Manganese Masses (F12) (LRR K, L, R) |
| ☐ Very Shallow Dark Surface (TF12) |
| ☐ Other (explain in remarks) |

*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

Restrictive Layer (if observed):

Type: _____
Depth (inches): _____

Hydric soil present? N

Remarks:

Hydric soil not observed.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- | | |
|--|---|
| ☐ Surface Water (A1) | ☐ Aquatic Fauna (B13) |
| ☐ High Water Table (A2) | ☐ True Aquatic Plants (B14) |
| ☐ Saturation (A3) | ☐ Hydrogen Sulfide Odor (C1) |
| ☐ Water Marks (B1) | ☐ Oxidized Rhizospheres on Living Roots (C3) |
| ☐ Sediment Deposits (B2) | ☐ Presence of Reduced Iron (C4) |
| ☐ Drift Deposits (B3) | ☐ Recent Iron Reduction in Tilled Soils (C6) |
| ☐ Algal Mat or Crust (B4) | ☐ Thin Muck Surface (C7) |
| ☐ Iron Deposits (B5) | ☐ Gauge or Well Data (D9) |
| ☐ Inundation Visible on Aerial Imagery (B7) | ☐ Other (Explain in Remarks) |
| ☐ Sparsely Vegetated Concave Surface (B8) | |
| ☐ Water-Stained Leaves (B9) | |

Secondary Indicators (minimum of two required)

- | |
|--|
| ☐ Surface Soil Cracks (B6) |
| ☐ Drainage Patterns (B10) |
| ☐ Dry-Season Water Table (C2) |
| ☐ Crayfish Burrows (C8) |
| ☐ Saturation Visible on Aerial Imagery (C9) |
| ☐ Stunted or Stressed Plants (D1) |
| ☐ Geomorphic Position (D2) |
| ☐ FAC-Neutral Test (D5) |

Field Observations:

Surface water present?	Yes ☐	No ☒	Depth (inches): _____
Water table present?	Yes ☐	No ☒	Depth (inches): _____
Saturation present? (includes capillary fringe)	Yes ☐	No ☒	Depth (inches): _____

Indicators of wetland hydrology present? N

Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

No hydrology observed.

WETLAND DETERMINATION DATA FORM - Midwest Region

Project/Site IMH Inver Grove Heights City/County: Dakota Sampling Date: 4/20/2015
 Applicant/Owner: WPS State: MN Sampling Point: WB_03_WET
 Investigator(s): LEM Section, Township, Range: S5/T27/R22
 Landform (hillslope, terrace, etc.): Depression Local relief (concave, convex, none): CL
 Slope (%): 0-2 Lat: 93.083 Long: 44.851 Datum:
 Soil Map Unit Name 1824 NWI Classification: PEM1A

Are climatic/hydrologic conditions of the site typical for this time of the year? Y (If no, explain in remarks)

Are vegetation , soil , or hydrology significantly disturbed?

Are "normal circumstances"

Are vegetation , soil , or hydrology naturally problematic?

present? Yes

SUMMARY OF FINDINGS

(If needed, explain any answers in remarks.)

Hydrophytic vegetation present?	<u>Y</u>	Is the sampled area within a wetland? <u>Y</u> If yes, optional wetland site ID: <u></u>
Hydric soil present?	<u>Y</u>	
Indicators of wetland hydrology present?	<u>Y</u>	

Remarks: (Explain alternative procedures here or in a separate report.)

Wetland basin running north-south. PEM type 2. Sloped on all sides, with elevation decreasing towards basin.

VEGETATION -- Use scientific names of plants.

Tree Stratum	(Plot size: <u>30</u>)	Absolute % Cover	Dominant Species	Indicator Status	Dominance Test Worksheet Number of Dominant Species that are OBL, FACW, or FAC: <u>1</u> (A) Total Number of Dominant Species Across all Strata: <u>1</u> (B) Percent of Dominant Species that are OBL, FACW, or FAC: <u>100.00%</u> (A/B)
1					
2					
3					
4					
5					
		<u>0</u> = Total Cover			Prevalence Index Worksheet Total % Cover of: OBL species <u>15</u> x 1 = <u>15</u> FACW species <u>90</u> x 2 = <u>180</u> FAC species <u>0</u> x 3 = <u>0</u> FACU species <u>0</u> x 4 = <u>0</u> UPL species <u>0</u> x 5 = <u>0</u> Column totals <u>105</u> (A) <u>195</u> (B) Prevalence Index = B/A = <u>1.86</u>
Sapling/Shrub stratum	(Plot size: <u>15</u>)				
1					
2					
3					
4					
5					
		<u>0</u> = Total Cover			
Herb stratum	(Plot size: <u>5</u>)				Hydrophytic Vegetation Indicators: Rapid test for hydrophytic vegetation ☒ Dominance test is >50% ☒ Prevalence index is ≤3.0* Morphological adaptations* (provide supporting data in Remarks or on a separate sheet) Problematic hydrophytic vegetation* (explain) *Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic
1	<i>Phalaris arundinacea</i>	90	Y	FACW	
2	<i>Scirpus atrovirens</i>	10	N	OBL	
3	<i>Lemna minor</i>	5	N	OBL	
4					
5					
6					
7					
8					
9					
10					
		<u>105</u> = Total Cover			
Woody vine stratum	(Plot size: <u>30</u>)				Hydrophytic vegetation present? <u>Y</u>
1					
2					
		<u>0</u> = Total Cover			

Remarks: (Include photo numbers here or on a separate sheet)

Hydrophytic vegetation observed. Dominated by Reed canary grass.

SOIL

Sampling Point: WB_03_WET

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
0-12	10YR 2/1	100					M	
12-25	10YR4/1	90	10YR 5/6	10	D	M	CL	

*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. **Location: PL = Pore Lining, M = Matrix

Hydric Soil Indicators:

- | | |
|--|---|
| ☐ Histisol (A1) | ☐ Sandy Gleyed Matrix (S4) |
| ☐ Histic Epipedon (A2) | ☐ Sandy Redox (S5) |
| ☒ Black Histic (A3) | ☐ Stripped Matrix (S6) |
| ☐ Hydrogen Sulfide (A4) | ☐ Loamy Mucky Mineral (F1) |
| ☐ Stratified Layers (A5) | ☐ Loamy Gleyed Matrix (F2) |
| ☐ 2 cm Muck (A10) | ☐ Depleted Matrix (F3) |
| ☐ Depleted Below Dark Surface (A11) | ☐ Redox Dark Surface (F6) |
| ☐ Thick Dark Surface (A12) | ☐ Depleted Dark Surface (F7) |
| ☐ Sandy Mucky Mineral (S1) | ☐ Redox Depressions (F8) |
| ☐ 5 cm Mucky Peat or Peat (S3) | |

Indicators for Problematic Hydric Soils:

- | |
|--|
| ☐ Coast Prairie Redox (A16) (LRR K, L, R) |
| ☐ Dark Surface (S7) (LRR K, L) |
| ☐ Iron-Manganese Masses (F12) (LRR K, L, R) |
| ☐ Very Shallow Dark Surface (TF12) |
| ☐ Other (explain in remarks) |

*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

Restrictive Layer (if observed):

 Type: _____
 Depth (inches): _____
Hydric soil present? Y

Remarks:

Hydric soil observed.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- | | |
|--|---|
| ☐ Surface Water (A1) | ☐ Aquatic Fauna (B13) |
| ☒ High Water Table (A2) | ☐ True Aquatic Plants (B14) |
| ☒ Saturation (A3) | ☐ Hydrogen Sulfide Odor (C1) |
| ☐ Water Marks (B1) | ☐ Oxidized Rhizospheres on Living Roots (C3) |
| ☐ Sediment Deposits (B2) | ☐ Presence of Reduced Iron (C4) |
| ☐ Drift Deposits (B3) | ☐ Recent Iron Reduction in Tilled Soils (C6) |
| ☐ Algal Mat or Crust (B4) | ☐ Thin Muck Surface (C7) |
| ☐ Iron Deposits (B5) | ☐ Gauge or Well Data (D9) |
| ☐ Inundation Visible on Aerial Imagery (B7) | ☐ Other (Explain in Remarks) |
| ☐ Sparsely Vegetated Concave Surface (B8) | |
| ☐ Water-Stained Leaves (B9) | |

Secondary Indicators (minimum of two required)

- | |
|--|
| ☐ Surface Soil Cracks (B6) |
| ☐ Drainage Patterns (B10) |
| ☐ Dry-Season Water Table (C2) |
| ☐ Crayfish Burrows (C8) |
| ☐ Saturation Visible on Aerial Imagery (C9) |
| ☐ Stunted or Stressed Plants (D1) |
| ☒ Geomorphic Position (D2) |
| ☒ FAC-Neutral Test (D5) |

Field Observations:

Surface water present?	Yes ☐ No ☐	Depth (inches):	<u>1</u>
Water table present?	Yes ☒ No ☐	Depth (inches):	<u>0</u>
Saturation present?	Yes ☒ No ☐	Depth (inches):	<u>0</u>

 (includes capillary fringe)
Indicators of wetland hydrology present? Y

Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Saturation at surface with water table observed at 1".

WETLAND DETERMINATION DATA FORM - Midwest Region

Project/Site IMH Inver Grove Heights City/County: Dakota Sampling Date: 4/20/2015
 Applicant/Owner: WPS State: MN Sampling Point: WB_03_UP
 Investigator(s): LEM Section, Township, Range: S5/T27/R22
 Landform (hillslope, terrace, etc.): Rise Local relief (concave, convex, none): VL
 Slope (%): 0-2 Lat: 93.081 Long: 44.85 Datum:
 Soil Map Unit Name 1824 NWI Classification: None

Are climatic/hydrologic conditions of the site typical for this time of the year? Y (If no, explain in remarks)

Are vegetation , soil , or hydrology significantly disturbed?

Are "normal circumstances"

Are vegetation , soil , or hydrology naturally problematic?

present? Yes

SUMMARY OF FINDINGS

(If needed, explain any answers in remarks.)

Hydrophytic vegetation present?	<u>Y</u>	Is the sampled area within a wetland? <u>N</u> If yes, optional wetland site ID: <u></u>
Hydric soil present?	<u>Y</u>	
Indicators of wetland hydrology present?	<u>N</u>	

Remarks: (Explain alternative procedures here or in a separate report.)

Upland point taken at base of wooded slope prior to wetland complex.

VEGETATION -- Use scientific names of plants.

Tree Stratum	(Plot size: <u>30</u>)	Absolute % Cover	Dominant Species	Indicator Status	Dominance Test Worksheet Number of Dominant Species that are OBL, FACW, or FAC: <u>3</u> (A) Total Number of Dominant Species Across all Strata: <u>4</u> (B) Percent of Dominant Species that are OBL, FACW, or FAC: <u>75.00%</u> (A/B)
1	<u>Fraxinus pennsylvanica</u>	<u>25</u>	<u>Y</u>	<u>FACW</u>	
2	<u>Populus tremuloides</u>	<u>10</u>	<u>Y</u>	<u>FAC</u>	
3					
4					
5					
		<u>35</u>	= Total Cover		Prevalence Index Worksheet Total % Cover of: OBL species <u>0</u> x 1 = <u>0</u> FACW species <u>30</u> x 2 = <u>60</u> FAC species <u>70</u> x 3 = <u>210</u> FACU species <u>30</u> x 4 = <u>120</u> UPL species <u>0</u> x 5 = <u>0</u> Column totals <u>130</u> (A) <u>390</u> (B) Prevalence Index = B/A = <u>3.00</u>
Sapling/Shrub stratum	(Plot size: <u>15</u>)	Absolute % Cover	Dominant Species	Indicator Status	
1	<u>Rhamnus cathartica</u>	<u>60</u>	<u>Y</u>	<u>FAC</u>	
2	<u>Zanthoxylum americanum</u>	<u>10</u>	<u>N</u>	<u>FACU</u>	
3	<u>Fraxinus pennsylvanica</u>	<u>5</u>	<u>N</u>	<u>FACW</u>	
4					
5					
		<u>75</u>	= Total Cover		
Herb stratum	(Plot size: <u>5</u>)	Absolute % Cover	Dominant Species	Indicator Status	Hydrophytic Vegetation Indicators: <u></u> Rapid test for hydrophytic vegetation <u>X</u> Dominance test is >50% <u>X</u> Prevalence index is ≤3.0* Morphological adaptations* (provide supporting data in Remarks or on a separate sheet) Problematic hydrophytic vegetation* (explain) *Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic
1	<u>Ribes oxycanthoides</u>	<u>20</u>	<u>Y</u>	<u>FACU</u>	
2					
3					
4					
5					
6					
7					
8					
9					
10					
		<u>20</u>	= Total Cover		
Woody vine stratum	(Plot size: <u>30</u>)	Absolute % Cover	Dominant Species	Indicator Status	Hydrophytic vegetation present? <u>Y</u>
1					
2					
		<u>0</u>	= Total Cover		

Remarks: (Include photo numbers here or on a separate sheet)

Hydrophytic vegetation met in wooded edge adjacent to wetland basin.

SOIL

Sampling Point: WB_03_UP

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
0-8	10YR 3/2	100					SL	
8-14	10YR 3/2	95	10YR 5/6	5	D	M	SCL	
14-22	10YR 4/2	100					CL	

*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. **Location: PL = Pore Lining, M = Matrix

Hydric Soil Indicators:

- | | |
|--|---|
| ☐ Histisol (A1) | ☐ Sandy Gleyed Matrix (S4) |
| ☐ Histic Epipedon (A2) | ☐ Sandy Redox (S5) |
| ☐ Black Histic (A3) | ☐ Stripped Matrix (S6) |
| ☐ Hydrogen Sulfide (A4) | ☐ Loamy Mucky Mineral (F1) |
| ☐ Stratified Layers (A5) | ☐ Loamy Gleyed Matrix (F2) |
| ☐ 2 cm Muck (A10) | ☐ Depleted Matrix (F3) |
| ☐ Depleted Below Dark Surface (A11) | ☒ Redox Dark Surface (F6) |
| ☐ Thick Dark Surface (A12) | ☐ Depleted Dark Surface (F7) |
| ☐ Sandy Mucky Mineral (S1) | ☐ Redox Depressions (F8) |
| ☐ 5 cm Mucky Peat or Peat (S3) | |

Indicators for Problematic Hydric Soils:

- | |
|--|
| ☐ Coast Prairie Redox (A16) (LRR K, L, R) |
| ☐ Dark Surface (S7) (LRR K, L) |
| ☐ Iron-Manganese Masses (F12) (LRR K, L, R) |
| ☐ Very Shallow Dark Surface (TF12) |
| ☐ Other (explain in remarks) |

*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

Restrictive Layer (if observed):

Type: _____
Depth (inches): _____

Hydric soil present? Y

Remarks:

Hydric soil observed.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- | |
|--|
| ☐ Surface Water (A1) |
| ☐ High Water Table (A2) |
| ☐ Saturation (A3) |
| ☐ Water Marks (B1) |
| ☐ Sediment Deposits (B2) |
| ☐ Drift Deposits (B3) |
| ☐ Algal Mat or Crust (B4) |
| ☐ Iron Deposits (B5) |
| ☐ Inundation Visible on Aerial Imagery (B7) |
| ☐ Sparsely Vegetated Concave Surface (B8) |
| ☐ Water-Stained Leaves (B9) |

- | |
|---|
| ☐ Aquatic Fauna (B13) |
| ☐ True Aquatic Plants (B14) |
| ☐ Hydrogen Sulfide Odor (C1) |
| ☐ Oxidized Rhizospheres on Living Roots (C3) |
| ☐ Presence of Reduced Iron (C4) |
| ☐ Recent Iron Reduction in Tilled Soils (C6) |
| ☐ Thin Muck Surface (C7) |
| ☐ Gauge or Well Data (D9) |
| ☐ Other (Explain in Remarks) |

Secondary Indicators (minimum of two required)

- | |
|--|
| ☐ Surface Soil Cracks (B6) |
| ☐ Drainage Patterns (B10) |
| ☐ Dry-Season Water Table (C2) |
| ☐ Crayfish Burrows (C8) |
| ☐ Saturation Visible on Aerial Imagery (C9) |
| ☐ Stunted or Stressed Plants (D1) |
| ☐ Geomorphic Position (D2) |
| ☐ FAC-Neutral Test (D5) |

Field Observations:

Surface water present?	Yes ☐ No ☐	Depth (inches): _____
Water table present?	Yes ☐ No ☐	Depth (inches): _____
Saturation present? (includes capillary fringe)	Yes ☐ No ☐	Depth (inches): _____

Indicators of wetland hydrology present? N

Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

No hydrology observed at time of delineation.

Appendix C

Wetland Delineation Photographs

IMH Financial Corporation 70th St S and Roberts Trail Property

City of Inver Grove Heights, Dakota County, Minnesota

Westwood



WB_01_A_Wet facing north



WB_01_A_Wet facing south



WB_01_A_Wet facing east



WB_01_A_Wet facing west

Westwood



WB_01_B_Wet facing north



WB_01_B_Wet facing south



WB_01_B_Wet facing east



WB_01_B_West facing west

Westwood



WB_02_Up facing north



WB_02_Up facing south



WB_02_Up facing east



WB_02_Up facing west

Westwood



WB_02_Wet facing north



WB_02_Wet facing south



WB_02_Wet facing east



WB_02_Wet facing west

Westwood



WB_03_Wet facing north



WB_03_Wet facing south



WB_03_Wet facing east



WB_03_Wet facing west

Westwood



WB_03_Up facing north



WB_03_Up facing south



WB_03_Up facing east



WB_03_Up facing west

Appendix C

2015 Notice of Decision –

Wetland Boundary/Type

Minnesota Wetland Conservation Act

Notice of Decision

Local Government Unit (LGU) City of Inver Grove Heights	Address 8150 Barbara Avenue Inver Grove Heights, MN 55077
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1. PROJECT INFORMATION

Applicant Name IMH Financial Corporation	Project Name IMH Financial Corporation Site	Date of Application 07-02-2015	Application Number 2015-01
☒ Attach site locator map.			

Type of Decision:

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

Technical Evaluation Panel Findings and Recommendation (if any):

☐ Approve	☐ Approve with conditions	☐ Deny
Summary (or attach): 		

2. LOCAL GOVERNMENT UNIT DECISION

Date of Decision: July 28, 2015		
☒ Approved	☐ Approved with conditions (include below)	☐ Denied

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

Westwood Professional Services completed a wetland delineation on the IMH Financial Corporation Site located at the intersection of 70th Street SW and Roberts Trail S. in the City of Inver Grove Heights, Dakota County, MN (Section 5, Township 27N, Range 22W). Three wetlands were delineated on April 20th, 2015. A site review was completed by Westwood, Dakota County SWCD, and USACE on May 18th, during which two of the boundaries were adjusted. One wetland was also identified on the DNR Public Waters Inventory.

No comments were received on the Wetland Boundary and Type Application; therefore, the City of Inver Grove Heights accepts the boundaries and types identified in the wetland delineation report as accurate.

For Replacement Plans using credits from the State Wetland Bank:

Bank Account #	Bank Service Area	County	Credits Approved for Withdrawal (sq. ft. or nearest .01 acre)

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

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

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

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

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

LGU Authorized Signature:

Signing and mailing of this completed form to the appropriate recipients in accordance with 8420.0255, Subp. 5 provides notice that a decision was made by the LGU under the Wetland Conservation Act as specified above. If additional details on the decision exist, they have been provided to the landowner and are available from the LGU upon request.

Name Ashley Payne, Kimley-Horn and Associates, Inc.	Title City's WCA Consultant	
Signature 	Date July 28, 2015	Phone Number and E-mail (507) 216-0763 ashley.payne@kimley-horn.com

THIS DECISION ONLY APPLIES TO THE MINNESOTA WETLAND CONSERVATION ACT. Additional approvals or permits from local, state, and federal agencies may be required. Check with all appropriate authorities before commencing work in or near wetlands.

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

This decision is valid for three years from the date of decision unless a longer period is advised by the TEP and specified in this notice of decision.

3. APPEAL OF THIS DECISION

Pursuant to MN Rule 8420.0905, any appeal of this decision can only be commenced by mailing a petition for appeal, including applicable fee, within thirty (30) calendar days of the date of the mailing of this Notice to the following as indicated:

Check one:

☐ Appeal of an LGU staff decision. Send petition and \$_____ fee (if applicable) to:	☐ Appeal of LGU governing body decision. Send petition and \$500 filing fee to: Executive Director Minnesota Board of Water and Soil Resources 520 Lafayette Road North St. Paul, MN 55155
---	---

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4. LIST OF ADDRESSEES

- ☒ SWCD TEP member: **Brian Watson**
 - ☒ BWSR TEP member: **Dennis Rodacker**
 - ☒ LGU TEP member (if different than LGU Contact): **Allan Hunting**
 - ☒ DNR TEP member: **Brooke Haworth**
 - ☐ DNR Regional Office (if different than DNR TEP member)
 - ☐ WD or WMO (if applicable):
 - ☐ Applicant and Landowner (if different)
 - ☐ Members of the public who requested notice:
-
- ☐ Corps of Engineers Project Manager
 - ☐ BWSR Wetland Bank Coordinator (wetland bank plan decisions only)

5. MAILING INFORMATION

- For a list of BWSR TEP representatives: www.bwsr.state.mn.us/aboutbwsr/workareas/WCA_areas.pdf
- For a list of DNR TEP representatives: www.bwsr.state.mn.us/wetlands/wca/DNR_TEP_contacts.pdf
- Department of Natural Resources Regional Offices:

<u>NW Region:</u> Reg. Env. Assess. Ecol. Div. Ecol. Resources 2115 Birchmont Beach Rd. NE Bemidji, MN 56601	<u>NE Region:</u> Reg. Env. Assess. Ecol. Div. Ecol. Resources 1201 E. Hwy. 2 Grand Rapids, MN 55744	<u>Central Region:</u> Reg. Env. Assess. Ecol. Div. Ecol. Resources 1200 Warner Road St. Paul, MN 55106	<u>Southern Region:</u> Reg. Env. Assess. Ecol. Div. Ecol. Resources 261 Hwy. 15 South New Ulm, MN 56073
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For a map of DNR Administrative Regions, see: http://files.dnr.state.mn.us/aboutdnr/dnr_regions.pdf

- For a list of Corps of Project Managers: www.mvp.usace.army.mil/regulatory/default.asp?pageid=687
or send to:

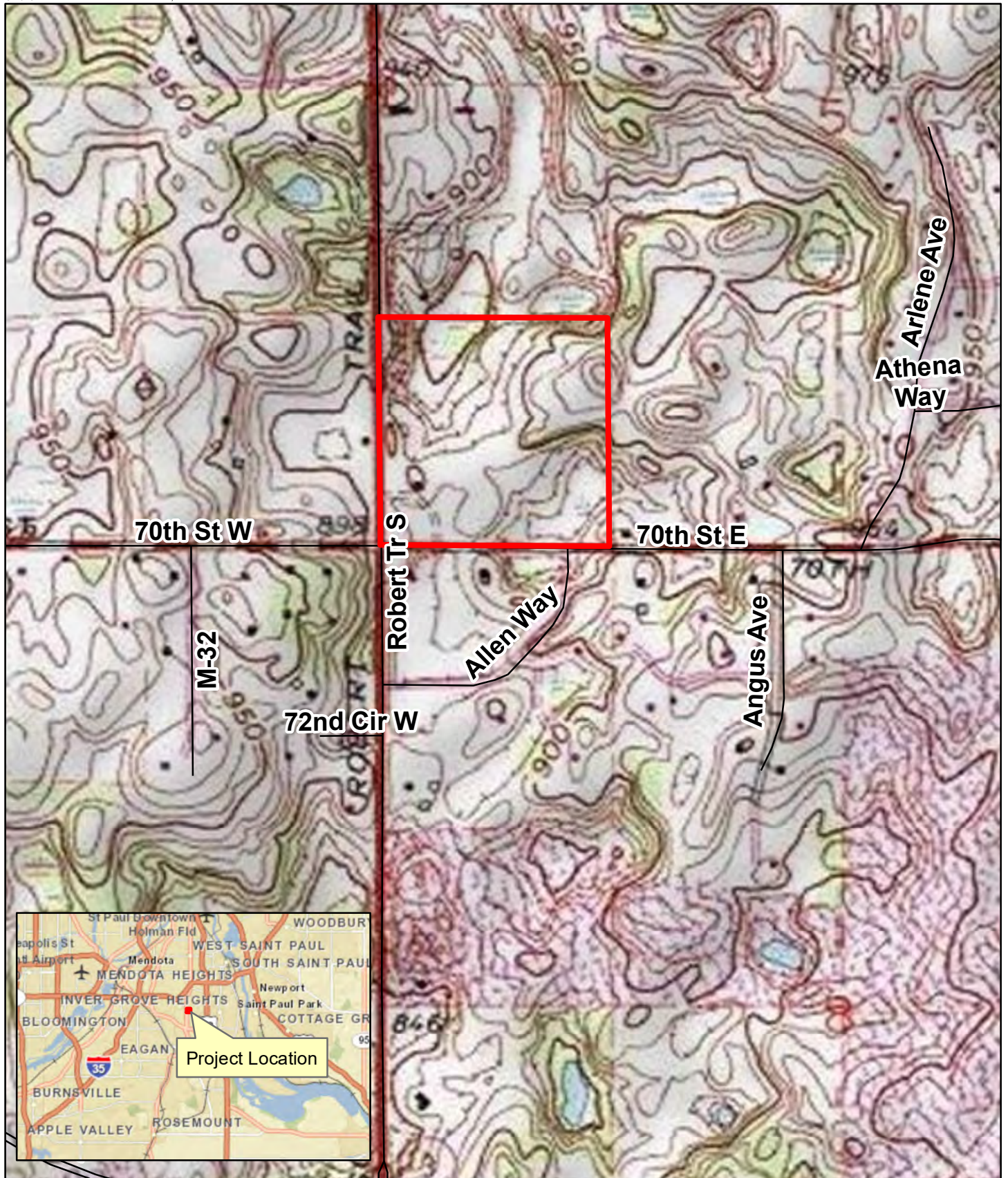
US Army Corps of Engineers
St. Paul District, ATTN: OP-R
180 Fifth St. East, Suite 700
St. Paul, MN 55101-1678

- For Wetland Bank Plan applications, also send a copy of the application to:
Minnesota Board of Water and Soil Resources
Wetland Bank Coordinator
520 Lafayette Road North
St. Paul, MN 55155

6. ATTACHMENTS

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

☐
☐
☐
☐
☐



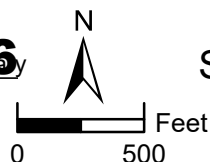
Data Source(s): Westwood (2015), ESRI USA Topo (2014), ESRI Roads

IMH Financial Corporation

Inver Grove Heights, Minnesota

Legend

- Proposed Boundary
- Dakota_Roads



Site Location and Topography

EXHIBIT 1



Westwood Professional Services, Inc.
7699 Anagram Drive
Eden Prairie, MN 55344
PHONE 952-937-5150
FAX 952-937-5822
TOLL FREE 1-888-937-5150
www.westwoodps.com



Data Source(s): Westwood (2015), ESRI World Imagery (2014)

Legend

- Proposed Boundary
- Delineated Wetland
- Upland Point
- Wetland Point

IMH Financial Corporation

Inver Grove Heights, Minnesota

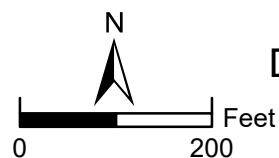
Delineated Wetlands

EXHIBIT 4



Westwood Professional Services, Inc.
7699 Anagram Drive
Eden Prairie, MN 55344

PHONE 952-937-5150
FAX 952-937-5822
TOLL FREE 1-888-937-5150
www.westwoodps.com



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Appendix D

2015 Notice of Decision –

No Loss

Minnesota Wetland Conservation Act

Notice of Decision

Local Government Unit (LGU) City of Inver Grove Heights	Address 8150 Barbara Avenue Inver Grove Heights, MN 55077
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1. PROJECT INFORMATION

Applicant Name IMH Financial Corporation	Project Name IMH Financial Corporation Site	Date of Application 06-16-2015	Application Number 2015-02
☒ Attach site locator map.			

Type of Decision:

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

Technical Evaluation Panel Findings and Recommendation (if any):

☐ Approve	☐ Approve with conditions	☐ Deny
Summary (or attach):		

2. LOCAL GOVERNMENT UNIT DECISION

Date of Decision: August 12, 2015		
☒ Approved	☐ Approved with conditions (include below)	☐ Denied

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

Westwood Professional Services requested an incidental claim for Wetland 02 located on the IMH Financial Corporation site located at the intersection of 70th Street SW and Roberts Trail South in the City of Inver Grove Heights, Dakota County, MN (Section 5, Township 27N, Range 22W). Based on the information provided by the applicant, it appears that this wetland was constructed in upland sometime between 1991 and 1994.

No comments were received on this application; therefore, the City concurs with the findings that Wetland 02 is considered incidental and non-jurisdictional under WCA.

Please note, this decision is only valid for Wetland 02 and not the other two wetlands delineated on the site.

For Replacement Plans using credits from the State Wetland Bank:

Bank Account #	Bank Service Area	County	Credits Approved for Withdrawal (sq. ft. or nearest .01 acre)
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Replacement Plan Approval Conditions. In addition to any conditions specified by the LGU, the approval of a Wetland Replacement Plan is conditional upon the following:

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

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

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

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

LGU Authorized Signature:

Signing and mailing of this completed form to the appropriate recipients in accordance with 8420.0255, Subp. 5 provides notice that a decision was made by the LGU under the Wetland Conservation Act as specified above. If additional details on the decision exist, they have been provided to the landowner and are available from the LGU upon request.

Name Ashley Payne, Kimley-Horn and Associates, Inc.	Title City's WCA Consultant	
Signature 	Date 08/12/2015	Phone Number and E-mail (507) 216-0763 ashley.payne@kimley-horn.com

THIS DECISION ONLY APPLIES TO THE MINNESOTA WETLAND CONSERVATION ACT. Additional approvals or permits from local, state, and federal agencies may be required. Check with all appropriate authorities before commencing work in or near wetlands.

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

This decision is valid for three years from the date of decision unless a longer period is advised by the TEP and specified in this notice of decision.

3. APPEAL OF THIS DECISION

Pursuant to MN Rule 8420.0905, any appeal of this decision can only be commenced by mailing a petition for appeal, including applicable fee, within thirty (30) calendar days of the date of the mailing of this Notice to the following as indicated:

Check one:

☐ Appeal of an LGU staff decision. Send petition and \$_____ fee (if applicable) to:	☐ Appeal of LGU governing body decision. Send petition and \$500 filing fee to: Executive Director Minnesota Board of Water and Soil Resources 520 Lafayette Road North St. Paul, MN 55155
---	---

4. LIST OF ADDRESSEES

- ☒ SWCD TEP member: **Brian Watson**
 - ☒ BWSR TEP member: **Dennis Rodacker**
 - ☒ LGU TEP member (if different than LGU Contact): **Allan Hunting**
 - ☒ DNR TEP member: **Brooke Haworth**
 - ☐ DNR Regional Office (if different than DNR TEP member)
 - ☐ WD or WMO (if applicable):
 - ☐ Applicant and Landowner (if different)
 - ☐ Members of the public who requested notice:
-
- ☒ Corps of Engineers Project Manager
 - ☐ BWSR Wetland Bank Coordinator (wetland bank plan decisions only)

5. MAILING INFORMATION

- For a list of BWSR TEP representatives: www.bwsr.state.mn.us/aboutbwsr/workareas/WCA_areas.pdf
- For a list of DNR TEP representatives: www.bwsr.state.mn.us/wetlands/wca/DNR_TEP_contacts.pdf
- Department of Natural Resources Regional Offices:

NW Region:	NE Region:	Central Region:	Southern Region:
Reg. Env. Assess. Ecol. Div. Ecol. Resources 2115 Birchmont Beach Rd. NE Bemidji, MN 56601	Reg. Env. Assess. Ecol. Div. Ecol. Resources 1201 E. Hwy. 2 Grand Rapids, MN 55744	Reg. Env. Assess. Ecol. Div. Ecol. Resources 1200 Warner Road St. Paul, MN 55106	Reg. Env. Assess. Ecol. Div. Ecol. Resources 261 Hwy. 15 South New Ulm, MN 56073

For a map of DNR Administrative Regions, see: http://files.dnr.state.mn.us/aboutdnr/dnr_regions.pdf

- For a list of Corps of Project Managers: www.mvp.usace.army.mil/regulatory/default.asp?pageid=687
or send to:

US Army Corps of Engineers
St. Paul District, ATTN: OP-R
180 Fifth St. East, Suite 700
St. Paul, MN 55101-1678

- For Wetland Bank Plan applications, also send a copy of the application to:
Minnesota Board of Water and Soil Resources
Wetland Bank Coordinator
520 Lafayette Road North
St. Paul, MN 55155

6. ATTACHMENTS

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

☐
☐
☐
☐
☐

Appendix E

2020 Notice of Decision Extension –

Wetland Boundary/Type and No Loss

Determination

Minnesota Wetland Conservation Act Notice of Decision

Local Government Unit: Inver Grove Heights	County: Dakota
Applicant Name: IMH Financial Corporation, Ian Peterson	
Applicant Representative: Alliant Engineering Inc., Tony Kaster	
Project Name: 70th St SW and Roberts Trail S Property	LGU Project No. (if any): SWCD # 15-IGH-089
Date Complete Application Received by LGU: 5/29/20	
Date of LGU Decision: 6/08/20	
Date this Notice was Sent: 6/08/20	

WCA Decision Type - check all that apply

☒ Wetland Boundary/Type	☐ Sequencing	☐ Replacement Plan	☐ Bank Plan (not credit purchase)
☒ No-Loss (8420.0415)	☐ Exemption (8420.0420)		
Part: ☒ A ☐ B ☐ C ☐ D ☐ E ☐ F ☐ G ☐ H		Subpart: ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9	

Replacement Plan Impacts (replacement plan decisions only)

Total WCA Wetland Impact Area:
Wetland Replacement Type: ☐ Project Specific Credits: ☐ Bank Credits:
Bank Account Number(s):

Technical Evaluation Panel Findings and Recommendations (attach if any)

☐ Approve ☐ Approve w/Conditions ☐ Deny ☒ No TEP Recommendation
--

LGU Decision

☐ Approved with Conditions (specify below) ¹ List Conditions:	☒ Approved ¹	☐ Denied
Decision-Maker for this Application: ☒ Staff ☐ Governing Board/Council ☐ Other:		
Decision is valid for: ☒ 5 years (default) ☐ Other (specify):		

¹ *Wetland Replacement Plan approval is not valid until BWSR confirms the withdrawal of any required wetland bank credits. For project-specific replacement a financial assurance per MN Rule 8420.0522, Subp. 9 and evidence that all required forms have been recorded on the title of the property on which the replacement wetland is located must be provided to the LGU for the approval to be valid.*

LGU Findings – Attach document(s) and/or insert narrative providing the basis for the LGU decision¹.

☐ Attachment(s) (specify): ☒ Summary: The wetland delineation was completed by Westwood Professional Services, Inc. on 04/20/15. The applicant requested an extension to the decision dated 07/28/15. The SWCD and BWSR conducted a field review of the project site on 06/03/20 and verified Wetlands 1 and 3 have not changed. Wetland 2 was deemed incidental in a no-loss decision dated 08/15/15. Both NOD's are extended and will remain valid until 06/08/2025.
--

¹ Findings must consider any TEP recommendations.

Attached Project Documents

☒ Site Location Map ☐ Project Plan(s)/Descriptions/Reports (specify):

Appeals of LGU Decisions

If you wish to appeal this decision, you must provide a written request within 30 calendar days of the date you received the notice. All appeals must be submitted to the Board of Water and Soil Resources Executive Director along with a check payable to BWSR for \$500 *unless* the LGU has adopted a local appeal process as identified below. The check must be sent by mail and the written request to appeal can be submitted by mail or e-mail. The appeal should include a copy of this notice, name and contact information of appellant(s) and their representatives (if applicable), a statement clarifying the intent to appeal and supporting information as to why the decision is in error. Send to:

Appeals & Regulatory Compliance Coordinator
Minnesota Board of Water & Soils Resources
520 Lafayette Road North
St. Paul, MN 55155
travis.germundson@state.mn.us

Does the LGU have a local appeal process applicable to this decision?

☒ Yes¹ ☐ No

¹If yes, all appeals must first be considered via the local appeals process.

Local Appeals Submittal Requirements (LGU must describe how to appeal, submittal requirements, fees, etc. as applicable)

Send petition within 30 calendar days of date receive notice and \$TBD fee to: City of Inver Grove Heights, 8150 Barbara Avenue, Inver Grove Heights, MN 55077

Notice Distribution (include name)

Required on all notices:

☒ SWCD TEP Member: David Holmen	☒ BWSR TEP Member: Ben Carlson
☒ LGU TEP Member (if different than LGU contact): Allan Hunting, Ally Sutherland	
☒ DNR Representative: Melissa Collins, Leslie Parris	
☒ Watershed District or Watershed Mgmt. Org.: Joe Barten, Lower Mississippi River WMO Administrator	
☒ Applicant (notice only): Ian Peterson, IMH Financial Corporation	
☒ Agent/Consultant (notice only): Tony Kaster, Alliant Engineering, Inc.	

Optional or As Applicable:

☒ Corps of Engineers:	
☐ BWSR Wetland Mitigation Coordinator (required for bank plan applications only):	
☐ Members of the Public (notice only):	☐ Other:

Signature: 	Date: 6/08/20
---	-------------------------

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

Appendix F

Purchase Agreement

Wetland Bank Credits

The following is a sample of a possible Purchase Agreement for the sale of Wetland Banking Credits. This Purchase Agreement does not necessarily cover all of the issues that would be important to Sellers and Buyers, nor does it address the terms that would be appropriate for any particular transaction. Sellers and Buyers should obtain the services of qualified legal counsel to adapt this Purchase Agreement to meet their specific needs.

**PURCHASE AGREEMENT
FOR
WETLAND BANKING CREDITS**

THIS AGREEMENT is made this X day of X , 2020_ between
Jon Samuelson (Seller) and Ian Peterson (Watermark Equity Group) (Buyer).

1. Seller agrees to sell to Buyer, and Buyer agrees to buy from Seller, the wetland banking credits
(Credits) listed below:

Credits to be Sold											
Credit Subgroup		Credit Type SWC or AGC		Wetland Type/Plant Community Type			Cost per Credit		Credit Amounts		
A		SWC		Shallow Marsh			\$38,000		0.3056		
Per Credit Withdrawal Fee by BSA*						Enter the Withdrawal Fee for the BSA of the account:	Total Cost:	\$11,611.11	Total Credits:	0.3056	
BSA 1	SWC	AGC	BSA 6	SWC	AGC		Withdrawal Fee x total credits = fee				
	\$520	\$270		\$1,083	\$586		Withdrawal Fee:				\$787.42
BSA 2	\$371	\$191	BSA 7	\$1,992	\$1,060	\$2,577	Easement Stewardship Fee:				Easement Stewardship fee x total credits = fee
BSA 3	\$725	\$389	BSA 8	\$2,577	\$1,348		Stewardship Fee:				\$92.28
BSA 4	\$1,412	\$724	BSA 9	\$2,628	\$1,332		Total Fees:				\$879.69
BSA 5	\$685	\$367	BSA 10	\$3,099	\$1,580		Grand Total:				\$12,490.81

*AGC is for Ag bank credits and SWC is for standard bank credits.

2. Seller represents and warrants as follows:
- The Credits are deposited in an account in the Minnesota Wetland Bank administered by the Minnesota Board of Water and Soil Resources (BWSR) pursuant to Minn. Rules Chapter 8420.0700-.0760.
 - Seller owns the Credits and has the right to sell the Credits to Buyer.

3. Buyer will pay Seller a total of \$11,611.11 for the Credits, as follows:
- a) \$0.00 as earnest money, to be paid when this Agreement is signed; and
 - b) The balance of \$11,611.11 to be paid on the Closing Date listed below.
4. ☒ Buyer, ☐ Seller agrees to pay to a withdrawal fee of \$787.42 to the State of Minnesota based on the per credit fee of \$2,577 for Bank Service Area 8 and a stewardship fee of \$92.28 based on the per credit fee of \$302. At the Closing Date, ☒ Buyer, ☐ Seller will execute a check made out for this amount, payable to the Board of Water and Soil Resources.
5. The closing of the purchase and sale shall occur on March 31, 2021 (Closing Date) at 12:00 PM. The Closing Date and location may be changed by written consent of both parties. Upon payment of the balance of the purchase price, Seller will sign a fully executed Transaction Form to Withdraw Credits provided by BWSR, provide a copy of the Transaction Form to Withdraw Credits to the Buyer and forward the same to the BWSR along with the check for the withdrawal fee and stewardship fee.
6. Buyer has applied or will apply to Dakota County Soil and Water Conservation District (Local Government Unit (LGU) or other regulatory authority) for approval of a replacement plan utilizing the Credits as the means of replacing impacted wetlands. If the LGU has not approved the Buyer's application for a replacement plan utilizing the Credits by the Closing Date, and no postponement of the Closing Date has been agreed to by Buyer and Seller in writing, then either Buyer or Seller may cancel this Agreement by giving written notice to the other. In this case, Seller shall return Buyer's earnest money, and neither Buyer nor Seller shall have any further obligations under this Agreement. If the LGU has approved the replacement plan and the Seller is ready to proceed with the sale on the Closing Date, but Buyer fails to proceed, then the Seller may retain the earnest money as liquidated damages.

(Signature of Seller)

(Date)

(Signature of Buyer)

(Date)

**Staff Report**

TITLE: Consider recommending City Council approval of the Wetland Replacement Plan submitted by Dakota County for CSAH 26 Reconstruction

		Fiscal/FTE Impact	Mark all that apply
Meeting Date:	January 28, 2021	None	
Item Type:	Regular Agenda	Amount included in current budget	
Contact:	Ally Sutherland, 651-604-8511	Budget amendment requested	
Prepared by:	Ally Sutherland	FTE included in current complement	
Reviewed by:	Allan Hunting	New FTE requested - N/A	
		Other	

PURPOSE/ACTION REQUESTED:

Review the Wetland Conservation Act (WCA) Technical Evaluation Panel's (TEP) review of the Wetland Replacement Plan submitted by Dakota County and consider recommending City Council approval.

PROJECT BACKGROUND:

Dakota County and the Cities of Inver Grove Heights and Eagan are proposing to expand approximately 2 miles of County Road (CR) 26 (Lone Oak Road in Eagan, 70th Street in Inver Grove Heights) from Trunk Highway (TH) 55 to TH 3 from an existing two-lane roadway rural section to a four-lane divided (urban) highway. CR 63 (Argenta Trail) will be reconstructed from Amana Trail north to 65th Street and from 65th Street to old Argenta Trail (CR 63) to the north of CR 26. The County Road 63 construction will be on new alignment and include two lanes, stormwater infrastructure and trails on both sides of the roadway. A new roundabout will be constructed at CR 26 and the realigned CR 63.

The project purpose is to improve vehicle mobility, vehicle safety, and enhance walkability/bikeability along CSAH 26 and CSAH 63. The roadway will include turn lanes, improved stormwater management infrastructure, multi-use trails on both sides of the roadway, and access management of residential driveways and city streets. Construction is expected to take place from August 2021 to 2023.

The preliminary site plan, stormwater management plan and grading plan have been reviewed by City staff, and by the Planning Commission and City Council during the public

review process. The Wetland Replacement Plan will be brought to the City Council for review and approval along with the final development plans for the proposed project.

PROPOSED WETLAND REPLACEMENT PLAN:

Under WCA Rule, wetland impacts associated with road safety improvements are mitigated by the State of Minnesota through their Local Road Wetland Replacement Program (LRWRP). These impacts do not require local city approvals. Wetland impacts for new roads and infrastructure that do not fall under this road safety provision need to be replaced by the applicant. The proposed Wetland Replacement Plan includes 0.76 acres of replacement through LRWRP and 1.54 acres by Dakota County. The overview of wetlands on the IGH portion of the site, proposed impacts and proposed mitigation are indicated in the table.

Wetland #	Existing Size	Proposed Impact	Proposed Mitigation
Wetland 5	0.03 acres	0.03 acres	Local Road Wetland Replacement Program
Wetland 6	0.01 acres	0.01 acres	Incidental. Not regulated under WCA and no mitigation is required
Wetland 7	0.25 acres	No impact	N/A
Wetland 8	0.32 acres	No impact	N/A
Wetland 9	0.01 acres	0.01 acres	Local Road Wetland Replacement Program
Wetland 10	0.43 acres	155 sq ft	Local Road Wetland Replacement Program
Wetland 11	0.10 acres	0.10 acres	0.25 acres (2.5:1 ratio) of wetland bank credits purchased from Wetland Bank Service Area #8 in Dakota County.
Wetland 12	0.04 acres	0.04 acres	0.1 acres (2.5:1 ratio) of wetland bank credits purchased from Wetland Bank Service Area #8 in Dakota County.
Wetland 13	0.26 acres	0.26 acres	Incidental. Not regulated under WCA and no mitigation is required
Wetland 14	1.40 acres	1.40 acres	3.5 acres (2.5:1 ratio) of wetland bank credits purchased from Wetland Bank Service Area #8 in Dakota County.
Wetland 15	0.01 acres	0.01 acres	Incidental. Not regulated under WCA and no mitigation is required

Stormwater Pond 2	0.07 acres	0.07 acres	Incidental. Not regulated under WCA and no mitigation is required
Stormwater Pond 3	0.29 acres	368 sq ft	Incidental. Not regulated under WCA and no mitigation is required
TOTAL	3.22 acres	1.54 acres (WCA Regulated Impact from applicant)	3.85 acres (WCA Wetland Bank Credits purchased by applicant)

TECHNICAL EVALUATION PANEL (TEP) RECOMMENDATION:

The Wetland Replacement Plan application was noticed on December 4, 2020 and the comment period ended on December 30, 2020. The application was reviewed by TEP, including the Board of Soil and Water (BWSR), Soil and Water Conservation District (SWCD), and SWCD on behalf of the City. The TEP determined the proposed Wetland Replacement Plan meets all Wetland Conversation Act rules and guidelines defined by MN Rule Chapter 8420, including the following:

- The application demonstrates the purpose of the project can only be reasonably achieved by permanently impacting wetland(s) and replacing them.
- The applicant has shown they have taken reasonable steps to avoid wetland impacts and/or designed the project in a way that minimizes or reduces impacts on remaining wetlands after project implementation.
- Mitigation is proposed for replacement within the same minor, major, or service bank areas for a 2:1 ratio, or at a different ratio required by Board of Soil and Water Resources.

The TEP has no objection to the proposed wetland impacts and recommends approval of the Wetland Replacement Plan as submitted by the applicant.

Attachments: SWCD Review Memo

Wetland Permit Application

MEMORANDUM

To: Ally Sutherland, City of Inver Grove Heights

Cc: Allan Hunting, Tom Kaldunski, City of Inver Grove Heights, Brian Watson, Dakota County SWCD

From: David Holmen, Dakota County SWCD

Date: January 20, 2021

**RE: Inver Grove Heights CSAH 26 and 63 Improvements
Application for a Wetland Replacement Plan submitted by Dakota County**

Under delegated authorities from the City of Inver Grove Heights pursuant to the Minnesota Wetland Conservation Act (WCA), the CSAH 26 and 63 Improvements project has undergone the following administrative process to date:

- July 17, 2020 Notice of Decision was provided approving the wetland boundary and wetland type of eleven wetlands labeled as Wetland 5-15 and two storm ponds labeled as Pond 2 and 3. Ponds 2 and 3 and Wetlands 6, 13 and 15 were determined to be incidental and not regulated under the WCA.
- November 30, 2020 A wetland replacement plan application was submitted proposing to fill 2.30 acres of wetland. Of this amount, 0.76 acres were considered applicable to the WCA's Local Road Replacement Program and 1.54 acres were considered unavoidable for constructing new roads and infrastructure. Under WCA Rule, wetland impacts associated with road safety improvements are mitigated by the State of Minnesota through the Minnesota Board of Water and Soil Resources (BWSR) under their Local Road Wetland Replacement Program. These impacts no longer require local city approvals. Wetland impacts for new roads and infrastructure that do not fall under this road safety provision need to be replaced by the applicant. The submitted wetland replacement application included 0.76 acres of replacement by BWSR and 1.54 acres by Dakota County as the applicant.
- December 4, 2020 Application was noticed as required under Minnesota Rule 8420.0255. Comments were requested by December 30, 2020.
- December 16, 2020 Per WCA Rule, the replacement plan application decision was extended 60 days to allow adequate time for the scheduling and consideration of this application by City Council.
- December 16, 2020 The Cities of Eagan and Inver Grove Heights met virtually with BWSR, DNR, and the applicant's representatives to review the separate 11/30/20 replacement plan applications for each City. Eagan's application proposed 0.70 acres of wetland impact

for road safety improvements with all replacement occurring through BWSR's Local Road Wetland Replacement Program. Inver Grove Height's application proposed 0.06 acres of wetland impact for road safety improvements with replacement through BWSR's Local Road Replacement Program and 1.54 acres of wetland impact for new roads and infrastructure. Both BWSR and the applicant would be responsible for wetland mitigation. During the comment period, the DNR waived their permitting authority for proposed impacts to Public Water #265W to the WCA. No concerns from the Cities, BWSR or DNR were expressed during the review period.

December 30, 2020 Comment period closed. SWCD made comments via email to the BWSR indicating that the application incorrectly identified that replacement acres by the applicant would occur within Bank Service Area (BSA) 9. While wetland impacts associated with the Inver Grove Heights portion of this project are located in BSA 7 and BSA 9, the county owned wetland banks are located within BSA 8. Under WCA Rule, a replacement ratio of 2.5:1 is required when mitigation occurs outside of the BSA where the actual impacts occur. Therefore, an additional 0.77 acres of wetland bank credits would need to be provided by the applicant.

January 15, 2021 Coordination occurred with BWSR to determine if flexibility with WCA Rule was possible since each BSA boundary is based on historic watershed boundaries in the metropolitan area and three BSA's collide in and around this two mile road project (See Figure 1). Comments via email were received by the BWSR indicating that use of County owned bank credits from the adjacent BSA 8 were acceptable but that the applicant must mitigate at a 2.5:1 ratio increasing the applicants need for wetland bank credits from 3.08 acres to 3.85 acres. The applicant is proposing to provide wetland replacement for the 1.54 acres of impact by using 3.85 acres (2.5:1 ratio) from wetland bank accounts #149, #1149, and #1686 all of which are located in BSA 8. BWSR will be responsible for wetland replacement associated with the 0.76 acres of wetland impact applicable to safety improvements and the Local Road Replacement Program.

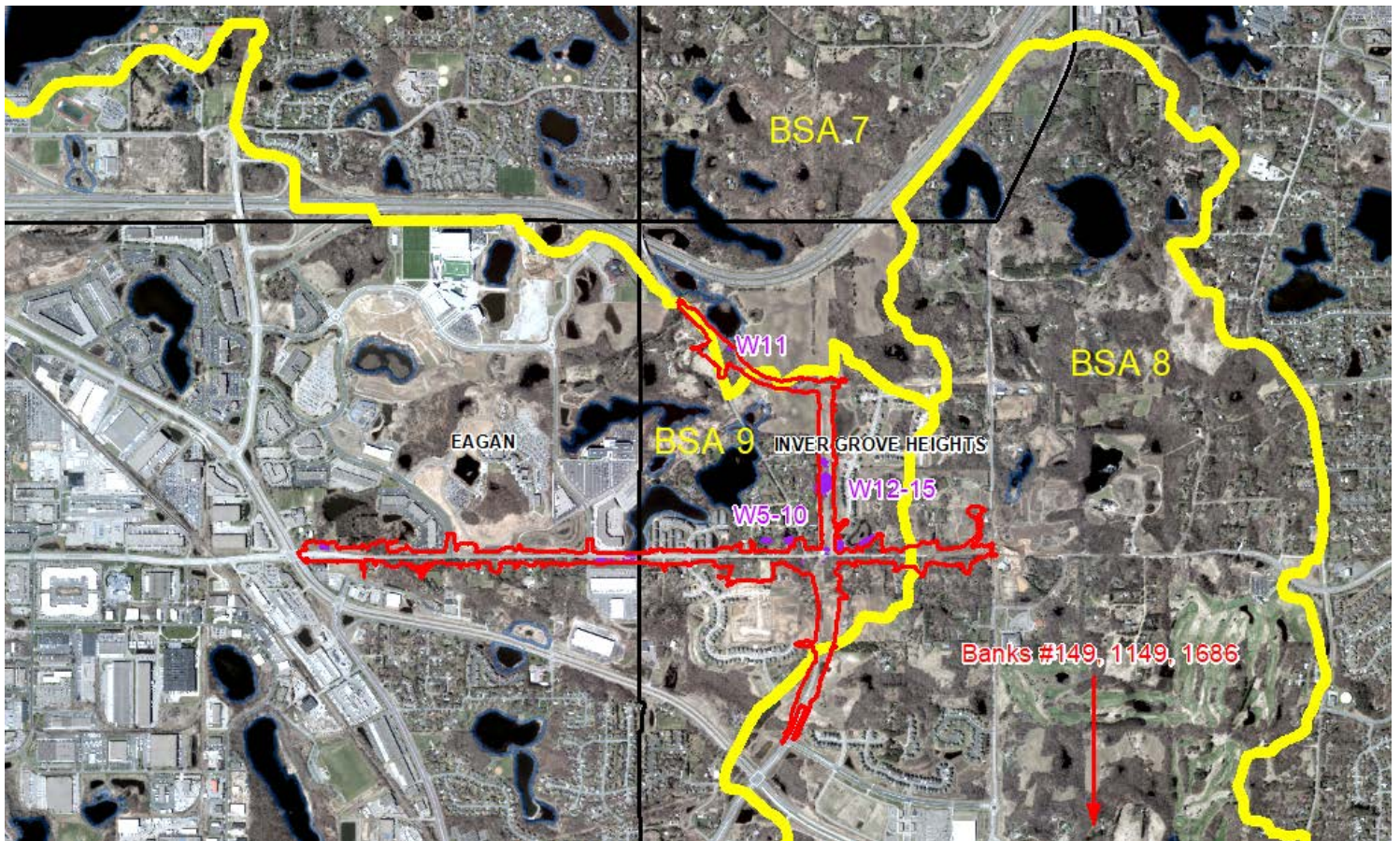
Summary/Recommendation

This project is complicated under WCA Rule due to the fact that of the 8 BSA's identified for the entire State of Minnesota, wetland impacts are occurring in two and the applicant's proposed wetland replacement is occurring in a third. In this case, even though the applicant is replacing wetlands with the same County (Dakota) and less than 20 miles away, no flexibility is provided within WCA Rule and the applicant is required to replace wetlands at a 2.5:1 ratio if they use their established wetland banks.

The SWCD supports approval of the Wetland Replacement Plan application to include 1.54 acre of wetland impact and the use of 3.85 acre (2.5:1 ratio) of wetland bank credits from accounts #149, #1149, and #1686 all of which are located within Dakota County and BSA 8. The 0.76 acres of wetland impact determined to be applicable to road safety issues and BWSRs Local Road Replacement Program is not addressed under this decision.

Upon approval by City Council, the Notice of Decision form and the wetland bank transaction form will need to be coordinated and processed by City and SWCD.

Figure 1. CSAH 26 Project Area (red) and Bank Service Area divide (yellow) and impacted wetlands (purple)



PART ONE: Applicant Information

If applicant is an entity (company, government entity, partnership, etc.), an authorized contact person must be identified. If the applicant is using an agent (consultant, lawyer, or other third party) and has authorized them to act on their behalf, the agent's contact information must also be provided.

Applicant/Landowner Name: Dakota County, John Sass

Mailing Address: 14955 Galaxie Avenue, Apple Valley, MN

Phone: 952-891-7130

E-mail Address: john.sass@co.dakota.mn.us

Agent Name: Kimley-Horn, Aaron Stolte

Mailing Address: 767 Eustis Street, Suite 100, St. Paul, MN 55904

Phone: 612-326-9510

E-mail Address: aaron.stolte@kimley-horn.com

PART TWO: Site Location Information

County: Dakota County

City/Township: Eagan/Inver Grove Heights

Parcel ID and/or Address: CSAH 26 from TH 55 to TH 3

Legal Description (Section, Township, Range): Section 1 of Township 27N, Range 23W and Sections 6, 7, and 12 of Township 27N, Range 22W

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

Approximate size of site (acres) or if a linear project, length (feet): 2.12 miles

If you know that your proposal will require an individual Permit from the U.S. Army Corps of Engineers, you must provide the names and addresses of all property owners adjacent to the project site. This information may be provided by attaching a list to your application or by using block 25 of the Application for Department of the Army permit which can be obtained at:

http://www.mvp.usace.army.mil/Portals/57/docs/regulatory/RegulatoryDocs/engform_4345_2012oct.pdf

PART THREE: General Project/Site Information

If this application is related to a delineation approval, exemption determination, jurisdictional determination, or other correspondence submitted **prior to** this application then describe that here and provide the Corps of Engineers project number.

Describe the project that is being proposed, the project purpose and need, and schedule for implementation and completion. The project description must fully describe the nature and scope of the proposed activity including a description of all project elements that effect aquatic resources (wetland, lake, tributary, etc.) and must also include plans and cross section or profile drawings showing the location, character, and dimensions of all proposed activities and aquatic resource impacts.

Project Description:

Dakota County and the Cities of Inver Grove Heights and Eagan are proposing to expand approximately 2 miles of County Road (CR) 26 (Lone Oak Road in Eagan, 70th Street in Inver Grove Heights) from Trunk Highway (TH) 55 to TH 3 from an existing two-lane roadway rural section to a four-lane divided (urban) highway. The roadway will include turn lanes, improved stormwater management infrastructure, multi-use trails on both sides of the roadway, and access management of residential driveways and city streets. CR 63 (Argenta Trail) will be reconstructed from Amana Trail north to 65th Street and from 65th Street to old Argenta Trail (CR 63) to the north of CR 26. The County Road 63 construction will be on new alignment and include two lanes,

stormwater infrastructure and trails on both sides of the roadway. A new roundabout will be constructed at CR 26 and the realigned CR 63.

The site investigation and delineation occurred on October 2, 2017, September 25, 2019, and September 27, 2019 and included all areas within approximately 75 feet of centerline along CSAH 26 between TH 55/TH 149 and TH 3 (Robert Trail) and additional areas required for potential tie ins and stormwater management. During the 2017 delineation, 15 areas were investigated, 6 of which were delineated as wetland and 3 of which were delineated as stormwater ponds. During the 2019 delineation, 12 areas were investigated, 9 of which were delineated as wetland. The delineation was approved by the City of Eagan and Inver Grove Heights in July 2020.

Jurisdictional Status of Resources:

Two Notice of Decisions (NOD) were issued for the project, the City of Eagan on 7/16/2020 and the City of Inver Grove Heights on 7/17/2020. The NODs approved wetland boundaries and types approval as well as noted aquatic resources that are not anticipated to be regulated under the Wetland Conservation Act (WCA). NODs are included in **Appendix A**. Additionally, an Approved Jurisdictional Determination (AJD) was received (11/4/2020) for all resources with the exception of Wetland 14 which was determined to be non-jurisdictional in a letter from the Corps on 3/17/2017 (see **Appendix A**); *therefore, no Corps approval is required for this project*. Table 1 lists the aquatic resource IDs and regulatory/jurisdictional status known on the date of this application submittal.

Table 1: Aquatic Resource Regulatory/Jurisdictional Statuses

Aquatic Resource ID	WCA Regulatory Status (per NODs in Appendix A)	USACE Jurisdictional Status
1	Incidental (NOD dated 7/16/20)	Non-Jurisdictional (11/4/2020)
2	Regulated	Non-Jurisdictional (11/4/2020)
3	Regulated	Non-Jurisdictional (11/4/2020)
4a	Regulated	Non-Jurisdictional (11/4/2020)
4b	Regulated	Non-Jurisdictional (11/4/2020)
PWI #256W	Regulated	Non-Jurisdictional (11/4/2020)
5	Regulated	Non-Jurisdictional (11/4/2020)
6	Incidental (NOD dated 7/17/20)	Non-Jurisdictional (11/4/2020)
7	Regulated	Non-Jurisdictional (11/4/2020)
8	Regulated	Non-Jurisdictional (11/4/2020)
9	Regulated	Non-Jurisdictional (11/4/2020)
10	Regulated	Non-Jurisdictional (11/4/2020)
11	Regulated	Non-Jurisdictional (11/4/2020)
12	Regulated	Non-Jurisdictional (11/4/2020)
13	Incidental (NOD dated 7/17/20)	Non-Jurisdictional (11/4/2020)
14	Regulated	Non-Jurisdictional letter dated 3/17/2017)
15	Incidental (NOD dated 7/17/20)	Non-Jurisdictional (11/4/2020)
Stormwater Pond 1	Incidental (NOD dated 7/16/20)	Non-Jurisdictional (11/4/2020)
Stormwater Pond 2	Incidental (NOD dated 7/17/20)	Non-Jurisdictional (11/4/2020)
Stormwater Pond 3	Incidental (NOD dated 7/17/20)	Non-Jurisdictional (11/4/2020)

Project Purpose:

The project purpose is to improve vehicle mobility, vehicle safety, and enhance walkability/bikeability along CSAH 26 and CSAH 63.

Project Need:

Vehicle Mobility

CSAH 26 between TH 55 and TH 3 and CSAH 63 between TH 55 and 65th Street are currently two-lane rural highways. The existing Annual Average Daily Traffic (AADT) along CSAH 26 ranges between 6,500 east of CSAH 63 to 7,600 west of CSAH 63. The existing AADT along CSAH 63 ranges from 4,500 (vehicles per day) north of CSAH 26 to 6,500 south of CSAH 26. According to a Traffic Analysis report conducted for the project (available upon request), traffic is projected to grow substantially as development in the surrounding area continues. Specifically, growth between 150 and 270% is expected by 2040, which assumes a full build out of the planned land use in the project area. The volume forecasts generally result in an annual growth

rate of approximately four percent along CSAH 26 and CSAH 63. Table 2 shows existing and future traffic volumes and anticipated growth by road segment.

Table 2: Future Year ADT Forecasts

Count Location	Daily Traffic Volumes (vehicles/day)		Percent Growth
	Existing AADT	2040 Forecast ADT	
CSAH 26, West of CSAH 63	7,600	19,000	250%
CSAH 26, East of CSAH 63	6,500	17,600	270%
CSAH 63, North of CSAH 26	4,500	8,300	185%
CSAH 63, South of CSAH 26	6,500	10,000	150%

A traffic operation analysis was performed to assess the effect of forecasted traffic volumes on the existing roadway network. The results of the operational analysis, included in Table 3, revealed that several intersections along CSAH 26, specifically Lone Oak Road, Ames Crossing Drive, and CSAH 63, are expected to operate at a level of service (LOS) D or worse during peak travel times by 2040. The intersections will experience delay times of over 100 seconds per vehicle for some movements during peak travel times.

Table 3: 2040 Capacity Analysis Summary (AM/PM Peak Hour)

Intersection	Control	Movement	AM PEAK HOUR		PM PEAK HOUR	
			2040		2040	
			Delay (s/veh)	LOS	Delay (s/veh)	LOS
CSAH 26 & Lone Oak Road	Two-Way Stop Control	EBL	100+	F	3.8	A
		SBL	100+	F	100+	F
		SBR	7.0	A	100+	F
CSAH 26 & Ames Crossing Drive	Two-Way Stop Control	EBL	33.8	D	4.8	A
		WBL	4.1	A	7.4	A
		NBL	100+	F	45.7	E
		NBR	49.3	E	19.7	C
		SBL	100+	F	100+	F
		SBR	7.7	A	100+	F
CSAH 26 & CSAH 63	All-Way Stop Control	Overall	100+	F	100+	F

Vehicle Safety:

Table 4 provides a summary of crashes for the roadway segments along CSAH 26 and CSAH 63 based on ten years of data from MnDOT's Crash Mapping Analysis Tool and includes the total number of crashes (categorized by severity type), observed crash rates, statewide average and critical crash rates, and the critical index. Based on a review of the crash data, the segment of CSAH 63 north of CSAH 26 has a demonstrated safety issue, with a critical index of 1.57. The segment of CSAH 63 south of CSAH 26 has a crash rate above the statewide average and is close to exceeding the critical crash rate (critical index of 0.93). More than half of the crashes along CSAH 63 involved vehicles running off the road, which can be attributed to a combination of a non-standard profiles and narrow shoulders for the roadway speed. A crash map is available upon request. Generally, an intersection should be reviewed for safety improvements if the crash rate is greater than the critical crash rate or if the critical index is above 1.00.

Table 4: Segment Crash Summary

Roadway Segment	Total Number of Crashes	Crash Type ¹					Observed Crash Rate (crashes/MVM)	Statewide Average Crash Rate ² (crashes/MVM)	Critical Crash Rate	Critical Index ³
		PD	C	B	A	K				
CSAH 26, West of Lone Oak Drive	4	4	0	0	0	0	0.65	0.57	1.44	0.45
CSAH 26, Lone Oak Drive to Ames Crossing Road	2	0	0	1	0	1	0.20	0.57	1.24	0.16
CSAH 26, Ames Crossing Road to CSAH 63	3	1	1	0	1	0	0.19	0.57	1.10	0.17
CSAH 26, East of CSAH 63	1	1	0	0	0	0	0.08	0.57	1.15	0.07
CSAH 63, North of CSAH 26	9	5	2	1	1	0	2.11	0.42	1.34	1.57
CSAH 63, South of CSAH 26	8	5	3	0	0	0	0.99	0.42	1.07	0.93

Walkability/bikeability:

There is a lack of continuous pedestrian and bicycle facilities along CSAH 26 and CSAH 63. Bicyclists and pedestrians lack reasonable connections between Eagan and Inver Grove Heights. Both roadways have narrow shoulders, approximately 0 to 2 feet, steep slopes, and a maximum speed limit that reaches up to 50 miles per hour (mph). The narrow shoulders and high-speed limit create safety concerns for multimodal users of the corridor.

Bicyclists and pedestrians lack reasonable connections between Eagan and Inver Grove Heights. The only existing trail in the corridor is privately-owned and runs adjacent to the north side of CSAH 26. There are trail facilities in proximity to the project, but none are located within the corridor. Trails were constructed adjacent to the corridor on the west side of Lone Oak Drive, both sides of Ames Crossing Road, along the north side of 65th Street, and associated with the Blackstone Ponds development. According to the Dakota County 2040 Comprehensive Plan, CSAH 26 and CSAH 63 currently represent a medium priority county highway bicycle gap meaning there are locations that lack sidewalk or a shared use trail. Comprehensive plans for Dakota County, Inver Grove Heights, and Eagan propose expanding trails and sidewalks within the project limits. One of those proposed trails is the Mendota Lebanon Hills Trail, a regional trail that would cross CSAH 26 east of Archer Trail.

Additional Considerations:

In addition to the safety considerations listed above, there are a number of additional considerations influencing the project development:

- There are a number of environmental resources within the corridor that should be avoided and/or minimized to the extent possible (e.g. wetlands and endangered species). These impacts should also be considered as the alternatives are evaluated.
- Impervious surface will increase if traffic lanes are added and new runoff generated will need to be managed per local and state requirements.
- Minimize property acquisitions

Proposed Impacts:

A total of 3.06 acres of wetland impacts are proposed are part of this project. All wetland impacts are anticipated to be permanent, resulting from roadway fill, culvert installations (i.e. new pipes/aprons, riprap placement), or stormwater BMP expansion. As discussed above, a number of these wetlands are not anticipated to require mitigation, specifically those listed in Table 6 below. The remaining 2.30 acres of impact, listed in Table 5 below, are anticipated to require mitigation. Specific impacts to regulated resources are described below and shown in **Appendix B**.

1 Crash types by category: PD = property damage, C = possible injury, B = non-incapacitating injury, A = Incapacitating injury, K = fatal

2 Source: MnDOT 2015 Segment Green Sheet, Urban 2-lane section.

3 A Critical Index above 1.0 indicates a crash rate that is above the statewide average for similar intersections at a statistically significant level.

- The proposed road expansion of CSAH26 will impact regulated wetlands 2, 3, 4a, 4b, PWI#256W, 5, and 9 for a total of 0.73 acres of impact.
- The proposed realignment of CSAH 63 will impact regulated wetlands 11, 12, and 14 for a total of 1.54 acres of impact.
- A new outfall will be installed at Wetland 10 as part of the proposed stormwater management system, this will affect 155 square feet.

Typical sections and representative cross-sections showing wetland impacts are included in Attachment C.

Construction Methods:

Construction means and methods are determined by the Contractor. We would however anticipate standard roadway construction methods being completed for this project. Standard excavating and earth moving construction equipment will be necessary to construct the roadways to the new profile grades that are proposed. Hauling of dirt from different locations on the project to another will be frequent due to the proposed changes in grade across different areas of the project. Construction will be under full closure of the section being worked on in all three construction years. Detour routes have been identified and will be finalized as the project progressing to final plans. Construction will be in 2021, 2022 and 2023. The 2021 season will short (start date of August).

Other considerations:

State Environmental Review:

The project meets the mandatory EAW thresholds under Minnesota Rules, Part 4410.4300, Subp. 22; but does not have potential for significant environmental effects. A completed EAW has been prepared in accordance with Minnesota Rules 4410. The EAW was published and made available for comment on May 4th, 2020 with comments being accepted until June 3rd, 2020. In a Dakota County Board of Commissioners Meeting on July 14, 2020, the County adopted Findings of Fact and Conclusion document for the EAW and authorized the distribution of a Negative Declaration for an Environmental Impact Statement. This information is available upon request.

PART FOUR: Aquatic Resource Impact⁴ Summary

If your proposed project involves a direct or indirect impact to an aquatic resource (wetland, lake, tributary, etc.) identify each impact in the table below. Include all anticipated impacts, including those expected to be temporary. Attach an overhead view map, aerial photo, and/or drawing showing all of the aquatic resources in the project area and the location(s) of the proposed impacts. Label each aquatic resource on the map with a reference number or letter and identify the impacts in the following table.

Table 5: Aquatic Resource Impacts in which Compensatory Mitigation is Anticipated to be Required.

Aquatic Resource ID (as noted on overhead view)	Aquatic Resource Type (wetland, lake, tributary etc.)	Type of Impact (fill, excavate, drain, or remove vegetation)	Duration of Impact Permanent (P) or Temporary (T) ¹	Size of Impact ²	Overall Size of Aquatic Resource ³	Existing Plant Community Type(s) in Impact Area ⁴	County, Major Watershed #, and Bank Service Area # of Impact Area ⁵
2	wetland	fill	P	0.38	N/A	3/Shallow Marsh	Dakota, MW #33, BSA #9
3	wetland	fill	P	0.13	N/A	2/Fresh (Wet) Meadow	Dakota, MW #33, BSA #9
4a	wetland	fill	P	0.02	N/A	3/Shallow Marsh	Dakota, MW #33, BSA #9
4b	wetland	fill	P	0.02	N/A	3/Shallow Marsh	Dakota, MW #33, BSA #9
PWI #256W	wetland	fill	P	0.17	N/A	5/Shallow Open Water	Dakota, MW #33, BSA #9
5	wetland	fill	P	0.03	N/A	1/Seasonally Flooded Basin	Dakota, MW #33, BSA #9
9	wetland	fill	P	0.01	N/A	1/Seasonally Flooded Basin	Dakota, MW #33, BSA #9
10	wetland	fill	P	155 square feet	N/A	3/Shallow Marsh	Dakota, MW #33, BSA #9
11	wetland	fill	P	0.10	N/A	1/Seasonally Flooded Basin	Dakota, MW #33, BSA #9
12	wetland	fill	P	0.04	N/A	1/Seasonally Flooded Basin	Dakota, MW #33, BSA #9
14	wetland	fill	P	1.40	N/A	3/Shallow Marsh	Dakota, MW #33, BSA #9

¹If impacts are temporary; enter the duration of the impacts in days next to the "T". For example, a project with a temporary access fill that would be removed after 220 days would be entered "T (220)".

²Impacts less than 0.01 acre should be reported in square feet. Impacts 0.01 acre or greater should be reported as acres and rounded to the nearest 0.01 acre. Tributary impacts must be reported in linear feet of impact and an area of impact by indicating first the linear feet of impact along the flowline of the stream followed by the area impact in parentheses). For example, a project that impacts 50 feet of a stream that is 6 feet wide would be reported as 50 ft (300 square feet).

³This is generally only applicable if you are applying for a de minimis exemption under MN Rules 8420.0420 Subp. 8, otherwise enter "N/A".

⁴Use *Wetland Plants and Plant Community Types of Minnesota and Wisconsin* 3rd Ed. as modified in MN Rules 8420.0405 Subp. 2.

⁵Refer to Major Watershed and Bank Service Area maps in MN Rules 8420.0522 Subp. 7.

⁴ The term "impact" as used in this joint application form is a generic term used for disclosure purposes to identify activities that may require approval from one or more regulatory agencies. For purposes of this form it is not meant to indicate whether or not those activities may require mitigation/replacement.

Table 6: Aquatic Resource Impacts in which Compensatory Mitigation *is not* Anticipated to be Required.

Aquatic Resource ID (as noted on overhead view)	Aquatic Resource Type (wetland, lake, tributary etc.)	Type of Impact (fill, excavate, drain, or remove vegetation)	Duration of Impact Permanent (P) or Temporary (T) ¹	Size of Impact ²	Overall Size of Aquatic Resource ³	Existing Plant Community Type(s) in Impact Area ⁴	County, Major Watershed #, and Bank Service Area # of Impact Area ⁵
1	wetland	fill	P	0.18	N/A	3/Shallow Marsh	Dakota, MW #33, BSA #9
6	wetland	fill	P	0.01	N/A	2/Fresh (Wet) Meadow	Dakota, MW #33, BSA #9
13	wetland	fill	P	0.26	N/A	1/Seasonally Flooded Basin	Dakota, MW #33, BSA #9
15	wetland	fill	P	0.01	N/A	3/Shallow Marsh	Dakota, MW #33, BSA #9
Stormwater Pond 1	wetland	fill	P	0.22	N/A	3/Shallow Marsh	Dakota, MW #33, BSA #9
Stormwater Pond 2	wetland	fill	P	0.07	N/A	3/Shallow Marsh	Dakota, MW #33, BSA #9
Stormwater Pond 3	wetland	fill	P	368 square feet	N/A	3/Shallow Marsh	Dakota, MW #33, BSA #9

¹If impacts are temporary; enter the duration of the impacts in days next to the "T". For example, a project with a temporary access fill that would be removed after 220 days would be entered "T (220)".

²Impacts less than 0.01 acre should be reported in square feet. Impacts 0.01 acre or greater should be reported as acres and rounded to the nearest 0.01 acre. Tributary impacts must be reported in linear feet of impact and an area of impact by indicating first the linear feet of impact along the flowline of the stream followed by the area impact in parentheses). For example, a project that impacts 50 feet of a stream that is 6 feet wide would be reported as 50 ft (300 square feet).

³This is generally only applicable if you are applying for a de minimis exemption under MN Rules 8420.0420 Subp. 8, otherwise enter "N/A".

⁴Use *Wetland Plants and Plant Community Types of Minnesota and Wisconsin* 3rd Ed. as modified in MN Rules 8420.0405 Subp. 2.

⁵Refer to Major Watershed and Bank Service Area maps in MN Rules 8420.0522 Subp. 7.

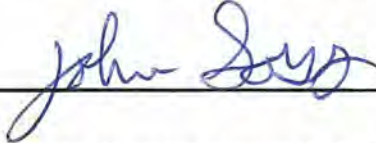
If any of the above identified impacts have already occurred, identify which impacts they are and the circumstances associated with each:

None to date

PART FIVE: Applicant Signature

☐ Check here if you are requesting a pre-application consultation with the Corps and LGU based on the information you have provided. Regulatory entities will not initiate a formal application review if this box is checked.

By signature below, I attest that the information in this application is complete and accurate. I further attest that I possess the authority to undertake the work described herein.

Signature:  Date: 11/24/2020

I hereby authorize Kimley-Horn to act on my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this application.

Attachment C

Avoidance and Minimization

Project Purpose, Need, and Requirements. Clearly state the purpose of your project and need for your project. Also include a description of any specific requirements of the project as they relate to project location, project footprint, water management, and any other applicable requirements. Attach an overhead plan sheet showing all relevant features of the project (buildings, roads, etc.), aquatic resource features (impact areas noted) and construction details (grading plans, storm water management plans, etc.), referencing these as necessary:

Project Description:

Dakota County and the Cities of Inver Grove Heights and Eagan are proposing to expand approximately 2 miles of County Road (CR) 26 (Lone Oak Road in Eagan, 70th Street in Inver Grove Heights) from Trunk Highway (TH) 55 to TH 3 from an existing two-lane roadway rural section to a four-lane divided (urban) highway. Full project description is provided above.

Project Purpose:

The project purpose is to improve vehicle mobility, vehicle safety, and enhance walkability/bikeability along CSAH 26 and CSAH 63.

Project Need:

The corridor issues include forecasted congestion, crash problems, and lack of ped/bike infrastructure.

Roadway Design Criteria:

This project is being designed to meet minimum design standards for principal arterial roadways. This includes:

- 12-foot travel lane width
- 8 to 10-foot shoulder widths
- 10-foot trail width – 8 foot is required but 10 feet is consistent with other regional trail facilities
- Spacing between full access intersections of at least ½ mile

Avoidance. Both the CWA and the WCA require that impacts to aquatic resources be avoided if practicable alternatives exist. Clearly describe all on-site measures considered to avoid impacts to aquatic resources and discuss at least two project alternatives that avoid all impacts to aquatic resources on the site. These alternatives may include alternative site plans, alternate sites, and/or not doing the project. Alternatives should be feasible and prudent (see MN Rules 8420.0520 Subp. 2 C). Applicants are encouraged to attach drawings and plans to support their analysis:

No-Build Alternative:

The no-build alternative would do nothing, leaving the roadway geometry as a two-lane rural road section. Growth of the surrounding area will lead to mobility issues under future traffic forecasts. The No-Build condition would not require any new right-of-way acquisitions. This alternative is not feasible as it does not provide accommodations for multi-modal mobility and does not improve safety, traffic operations, or infrastructure within the project area. The No-Build would avoid all wetland impacts; however, it does not address the purpose and needs for the project; therefore, it was rejected as a viable alternative.

Alignment Shift for CSAH 26 (north or south):

Shifting the roadway alignment to the north or south was evaluated. Considering the wetlands are located on both sides of the roadway, neither shift would result in a reduction of wetland impacts. Additionally, shifting the roadway either north or south would result in more right-of-way acquisition from the adjacent land owners.

CSAH 63 Alignment Reconstruction:

Dakota County, MnDOT, and the Cities of Inver Grove Heights, Eagan, Sunfish Lake, and Mendota Heights completed the Regional Roadway Visioning Study (available upon request) in 2010 to identify long-term roadway system visioning for the project area. The result of the study included a future interchange at I-494 with CSAH 63 to be located approximately one-half mile east of the existing Argenta Trail overpass of I-494.

In 2015, Dakota County and the City of Inver Grove Heights took this study further as it relates to the existing alignment of CSAH 63 in the Argenta Trail (CSAH 63) Realignment Study. The intent of the study was to identify a preferred alignment for a 200-foot right-of-way corridor needed for a CSAH 63, provide guidance to local residents, currently planned development, and

future development within the City's Northwest Area, and coordinate the alignment with the South Argenta Trail project between TH 55 and CSAH 26 (completed in 2019).

The 2015 study analyzed six preliminary design alternatives, including a "No Build" alternative, under the following evaluation criteria:

- Roadway Operations and Safety
- Impacts to Northwest Area Stormwater Basins
- Right-of-Way Acquisition and Property Impacts
- Impacts to Private Utilities (Xcel Transmission Lines)
- Earthwork Volume
- Total Cost Differential

The following design alternatives (exhibits showing these alternatives are available upon request) were considered for this roadway segment:

- Alignment 1: The proposed CSAH 63 right-of-way (ROW) would be placed adjacent to the west side of an Xcel Energy transmission line and Blackstone Ridge residential development (which was in the planning phases during the time of this study). The eastern edge of the proposed ROW would be located on the property line that separates the existing neighborhood north of CSAH 26 and the planned Blackstone Ridge development. This proposed ROW would be located completely within an existing neighborhood of single-family residences.
- Alignment 2: The proposed CSAH 63 ROW would be centered on the west side of the Xcel transmission line and Blackstone Ridge residential development. This would require the relocation of the existing Xcel transmission lines to the west side of the proposed ROW.
- Alignment 3: The proposed CSAH 63 ROW would be placed on the west side of the Blackstone Ridge residential development. This alignment would require the relocation of the existing Xcel transmission lines to the west side of the proposed ROW.
- Alignment 3A: The proposed CSAH 63 ROW would be placed on the western side of the Blackstone Ridge residential development, but east of the Xcel transmission easement. This alignment would require the relocation of the existing Xcel transmission lines south of CSAH 26, but no impacts would be anticipated north of CSAH 26.
- Alignment 4: The proposed CSAH 63 ROW would be placed east of the existing neighborhood, Xcel transmission lines, and stormwater basins which would be impacted in Alignments 1 – 3.
- Alignment 5: The proposed CSAH 63 ROW would be placed as far east as possible to limit impacts to both the Blackstone Ridge residential development and existing neighborhood north of CSAH 26. This alignment would be placed approximately 950 feet east of the property line that separates the existing neighborhood north of CSAH 26 and the planned Blackstone Ridge development. This alternative would also require less desirable reverse curves and intersection alignments than Alignments 1 – 4.
- A 'no-build' alignment was developed to understand impacts that would occur along CSAH 63 if it was not expanded to accommodate future traffic growth within the project area. This option was inconsistent with the City of Inver Grove Heights' Comprehensive Plan and the Regional Roadway System Visioning Study, which was adopted by the cities of Inver Grove Heights, Eagan, Mendota Heights, Sunfish Lake, and Dakota County. Therefore, this alternative was not recommended for further consideration.

An evaluation of each of the CSAH 63 alignment alternative's ability to meet project goals is included in Attachment D. In summary, Alignment 3A was chosen as the recommended alternative and was incorporated into alternatives considered for this proposed project because it provided a preferable direct alignment from TH 55 to I-494, requires minimal roadway curvature, maintains 90 degree intersections at collector street intersections, and balances impacts to existing transmission lines and properties. The conclusion of the study was to dedicate right-of-way for the new CSAH 63 alignment which is being constructed as part of this project.

Minimization. Both the CWA and the WCA require that all unavoidable impacts to aquatic resources be minimized to the greatest extent practicable. Discuss all features of the proposed project that have been modified to minimize the impacts to water resources (see MN Rules 8420.0520 Subp. 4):

The following minimization measures have been taken to reduce wetland impacts:

- All stormwater BMPs have been located and designed to avoid wetland impacts; additionally, all project runoff would be treated before discharging to wetlands
- In order to reduce impacts to Wetland 4a, 4b, and to PWI #256W, a retaining wall will be constructed.

Off-Site Alternatives. An off-site alternatives analysis is not required for all permit applications. If you know that your proposal will require an individual permit (standard permit or letter of permission) from the U.S. Army Corps of Engineers, you may be required to provide an off-site alternatives analysis. The alternatives analysis is not required for a complete application but must be provided during the review process in order for the Corps to complete the evaluation of your application and reach a final decision. Applicants with questions about when an off-site alternatives analysis is required should contact their Corps Project Manager.

Alternatives for the CSAH 63 alignment are discussed above. No off-site alternatives were evaluated as it pertains to CSAH 26; therefore, Dakota County is not required to evaluate more than one alternative for this portion of the project (8420.0520 Subpart 3, C (1)). Off-site alternatives would also not be feasible as this is a road improvement project that follows the existing roadway alignment.

Attachment D

Replacement/Compensatory Mitigation

Complete this part *if* your application involves wetland replacement/compensatory mitigation not associated with the local road wetland replacement program. Applicants should consult Corps mitigation guidelines and WCA rules for requirements.

Replacement/Compensatory Mitigation via Wetland Banking. Complete this section if you are proposing to use credits from an existing wetland bank (with an account number in the State wetland banking system) for all or part of your replacement/compensatory mitigation requirements.

Wetland Bank Account #	County	Major Watershed #	Bank Service Area #	Credit Type (if applicable)	Number of Credits
149	Dakota	33	9		1.01
1149	Dakota	33	9		0.21
1686	Dakota	33	9		1.86

Applicants should attach documentation indicating that they have contacted the wetland bank account owner and reached at least a tentative agreement to utilize the identified credits for the project. This documentation could be a signed purchase agreement, signed application for withdrawal of credits or some other correspondence indicating an agreement between the applicant and the bank owner. *However, applicants are advised not to enter into a binding agreement to purchase credits until the mitigation plan is approved by the Corps and LGU.*

By signature below, the applicant attests to the following (only required if application involves project-specific/permittee responsible replacement):

- All proposed replacement wetlands were not:
 - Previously restored or created under a prior approved replacement plan or permit
 - Drained or filled under an exemption during the previous 10 years
 - Restored with financial assistance from public conservation programs
 - Restored using private funds, other than landowner funds, unless the funds are paid back with interest to the individual or organization that funded the restoration and the individual or organization notifies the local government unit in writing that the restored wetland may be considered for replacement.
- The wetland will be replaced before or concurrent with the actual draining or filling of a wetland.
- An irrevocable bank letter of credit, performance bond, or other acceptable security will be provided to guarantee successful completion of the wetland replacement.
- Within 30 days of either receiving approval of this application or beginning work on the project, I will record the Declaration of Restrictions and Covenants on the deed for the property on which the replacement wetland(s) will be located and submit proof of such recording to the LGU and the Corps.

Applicant or Representative:

Title:

Signature: _____

Date:

Attachment E

Local Road Replacement Program Qualification

Complete this part *if* you are a local road authority (county highway department, city transportation department, etc.) seeking verification that your project (or a portion of your project) qualifies for the MN Local Government Road Wetland Replacement Program (LGRWRP). If portions of your project are not eligible for the LGRWRP, then Attachment D should be completed and attached to your application.

Discuss how your project is a repair, rehabilitation, reconstruction, or replacement of a currently serviceable road to meet state/federal design or safety standards/requirements. Applicants should identify the specific road deficiencies and how the project will rectify them. Attach supporting documents and information as applicable:

A component of this project is the reconstruction of an existing roadway, CSAH 26, to improve safety by managing the number of accesses and conflict points, adding turn lanes, realigning some intersections to improve spacing, providing paved shoulders, and adding multi-use trails on both sides of the road. Existing Average Annual Daily Traffic (AADT) ranges from 6,500 vehicles per day (vpd) to 7,600 vpd. Between 2008 and 2015 there were 10 reported crashes along roadway segments of CSAH 26 between TH 55 and TH 3, a large portion of which are run-off-road crashes, and an additional 19 crashes at intersections.

The preferred alternative would satisfy the purpose and needs of the project by adding additional capacity, improving mobility and safety, and providing bike/pedestrian connections. Operational deficiencies will be corrected through implementation of the preferred alternative by adding additional lanes, adding a roundabout, and modifying access points. Safety is anticipated to improve by constructing medians, paving and widening shoulders, and multi-use trails. By providing multimodal connectivity, the project will address the county highway bicycle gap along CSAH 26 and CSAH 63. Additional safety enhancements include intersection and roundabout lighting, curb ramps with detectable warnings, and a new grade-separated trail crossing for the planned expansion of the Mendota Lebanon Hills Trail underneath CSAH 26.

Based on the Crash Modification Factor study (*Evaluation of the Safety Effectiveness of the Conversion of Two-Lane Roadways to Four-Lane Divided Roadways: Bayesian vs. Empirical Bayes, January 2015*), it is anticipated that corridor related crashes would reduce by 65% when adding an additional through lane and raised concrete median. Additionally, based on the Crash Modification Factor study (*Impact of Shoulder Width and Median Width on Safety, 2009*), it is anticipated that widening shoulders from 3 feet to 8 feet would reduce crashes by 29%. A combination of improving sight distances and widening shoulders is anticipated to improve the conditions that lead to run-off-road crash types.

Provide a map, plan, and/or aerial photograph accurately depicting wetland boundaries within the project area. Attach associated delineation/determination report or otherwise explain the method(s) used to identify and delineate wetlands. Also attach and discuss any type of review or approval of wetland boundaries or other aspects of the project by a member or members of the local Technical Evaluation Panel (TEP) or Corps of Engineers:

The site investigation and delineation occurred on October 2, 2017, September 25, 2019, and September 27, 2019 and included 15 wetlands and three stormwater ponds which are shown in **Appendix B**. Two Notice of Decisions (NOD) were issued for the project, the City of Eagan on 7/16/2020 and the City of Inver Grove Heights on 7/17/2020. The NODs approved wetland boundaries and types approval as well as noted aquatic resources that are not anticipated to be regulated under the Wetland Conservation Act (WCA). NODs are included in **Appendix A**.

In the table below, identify only the wetland impacts from Part 4 that the road authority has determined should qualify for the LGRWRP.

Wetland Impact ID (as noted on overhead view)	Type of Impact (fill, excavate, drain)	Size of Impact (square feet or acres to 0.01)	Existing Plant Community Type(s) in Impact Area ¹	County, Major Watershed #, and Bank Service Area # of Impact ²
2	fill	0.38	3/Shallow Marsh	Dakota, MW #33, BSA #9
3	fill	0.13	2/Fresh (Wet) Meadow	Dakota, MW #33, BSA #9
4a	fill	0.02	3/Shallow Marsh	Dakota, MW #33, BSA #9
4b	fill	0.02	3/Shallow Marsh	Dakota, MW #33, BSA #9
PWI #256W	fill	0.17	5/Shallow Open Water	Dakota, MW #33, BSA #9
5	fill	0.03	1/Seasonally Flooded Basin	Dakota, MW #33, BSA #9
9	fill	0.01	1/Seasonally Flooded Basin	Dakota, MW #33, BSA #9
10	fill	155 square feet	3/Shallow Marsh	Dakota, MW #33, BSA #9

¹Use *Wetland Plants and Plant Community Types of Minnesota and Wisconsin* 3rd Ed. as modified in MN Rules 8420.0405 Subp. 2.

²Refer to Major Watershed and Bank Service Area maps in MN Rules 8420.0522 Subp. 7.

Discuss the feasibility of providing onsite compensatory mitigation/replacement for important site-specific wetland functions:

Due to the linear roadway corridor, and the limited amount of additional ROW, it is not feasible to construct onsite mitigation and have a high success rate. Due to the relative small size of mitigation required, the USACE does not recommend mitigation sites less than 5 acres as these small sites have a low success rate (vegetation and hydrology establishment). There is a limited opportunity for onsite replacement within the existing and proposed ROW; therefore, the use of wetland mitigation bank credits is proposed.

Please note that under the MN Wetland Conservation Act, projects with less than 10,000 square feet of wetland impact are allowed to commence prior to submission of this notification so long as the notification is submitted within 30 days of the impact. The Clean Water Act has no such provision and requires that permits be obtained prior to any regulated discharges into water of the United States. To avoid potential unauthorized activities, road authorities must, at a minimum, provide a complete application to the Corps and receive a permit prior to commencing work.

By signature below, the road authority attests that they have followed the process in MN Rules 8420.0544 and have determined that the wetland impacts identified in Part 4 are eligible for the MN Local Government Road Wetland Replacement Program.

Road Authority Representative:

Title:

Signature:

Date: 11/24/2020

Technical Evaluation Panel Concurrence:

Project Name and/or Number: *CSAH 26 and CSAH63 Improvements Project*

TEP member:

Representing:

Concur with road authority's determination of qualification for the local road wetland replacement program? ☐ Yes ☐ No

Signature: _____

Date:

TEP member:

Representing:

Concur with road authority's determination of qualification for the local road wetland replacement program? ☐ Yes ☐ No

Signature: _____

Date:

TEP member:

Representing:

Concur with road authority's determination of qualification for the local road wetland replacement program? ☐ Yes ☐ No

Signature: _____

Date:

TEP member:

Representing:

Concur with road authority's determination of qualification for the local road wetland replacement program? ☐ Yes ☐ No

Signature: _____

Date:

Upon approval and signature by the TEP, application must be sent to: **Wetland Bank Administration**
Minnesota Board of Water & Soil Resources
520 Lafayette Road North
Saint Paul, MN 55155

APPENDIX A: WETLAND DOCUMENTATION



DEPARTMENT OF THE ARMY
ST. PAUL DISTRICT, CORPS OF ENGINEERS
180 FIFTH STREET EAST, SUITE 700
ST. PAUL, MN 55101-1678

REPLY TO ATTENTION OF
REGULATORY BRANCH

Regulatory File No. MVP-2014-02104-JTB

MAR 23 2017

Dakota County Transportation Department
c/o Jenna Fabish
14995 Galaxie Avenue
Apple Valley, Minnesota 55124

Dear Ms. Fabish:

This letter is in response to your request for an approved jurisdictional determination for a 12 acre property located at 70th Street and Argenta Trail in Inver Grove Heights. The project site is located in Section 6, Township 27 North, Range 22 West, Dakota County, Minnesota. The review area for our jurisdictional determination is identified in red on the enclosed figures labeled MVP-2014-02104-JTB Page 1 of 5 through Page 5 of 5.

The review area contains no waters of the United States subject to Corps of Engineers (Corps) jurisdiction. Therefore, you are not required to obtain Department of the Army authorization to discharge dredged or fill material within this area. The rationale for this determination is provided in the attached Approved Jurisdictional Determination form. This determination is only valid for the review area shown on the enclosed figures.

If you object to this approved jurisdictional determination, you may request an administrative appeal under Corps regulations at 33 CFR 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form. If you request to appeal this determination, you must submit a completed RFA form to the Mississippi Valley Division Office at the address shown on the form.

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR 331.5, and that it has been received by the Division Office within 60 days of the date of the attached NAP. It is not necessary to submit an RFA form to the division office if you do not object to the determination in this letter.

This approved jurisdictional determination may be relied upon for five years from the date of this letter. However, the Corps reserves the right to review and revise the boundary in response to changing site conditions, information that was not considered during our initial review, or off-site activities that could indirectly alter the extent of wetlands and other resources on-site. This determination may be renewed at the end of the five year period provided you submit a written request and our staff are able to verify that the limits established during the original determination are still accurate.

Regulatory Branch (File No. MVP-2014-02104-JTB)

If you have any questions, please contact Justin Berndt in our Choose office office at (651) 290-5446 or Justin.t.berndt@usace.army.mil. In any correspondence or inquiries, please refer to the Regulatory file number shown above.

Sincerely,

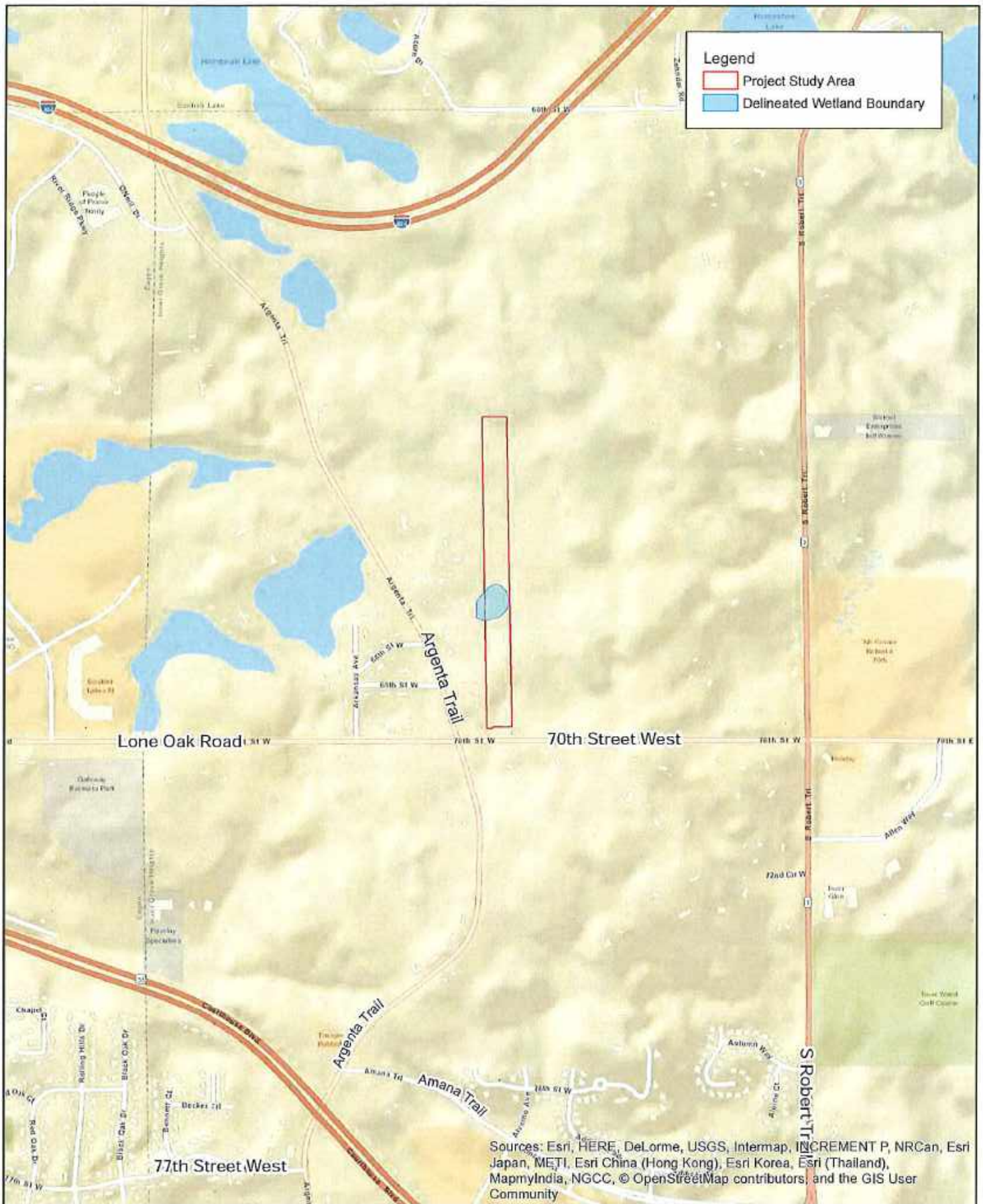
A handwritten signature in black ink, appearing to read "Kristen Hafer". The signature is fluid and cursive, with the first name "Kristen" written in a larger, more prominent script than the last name "Hafer".

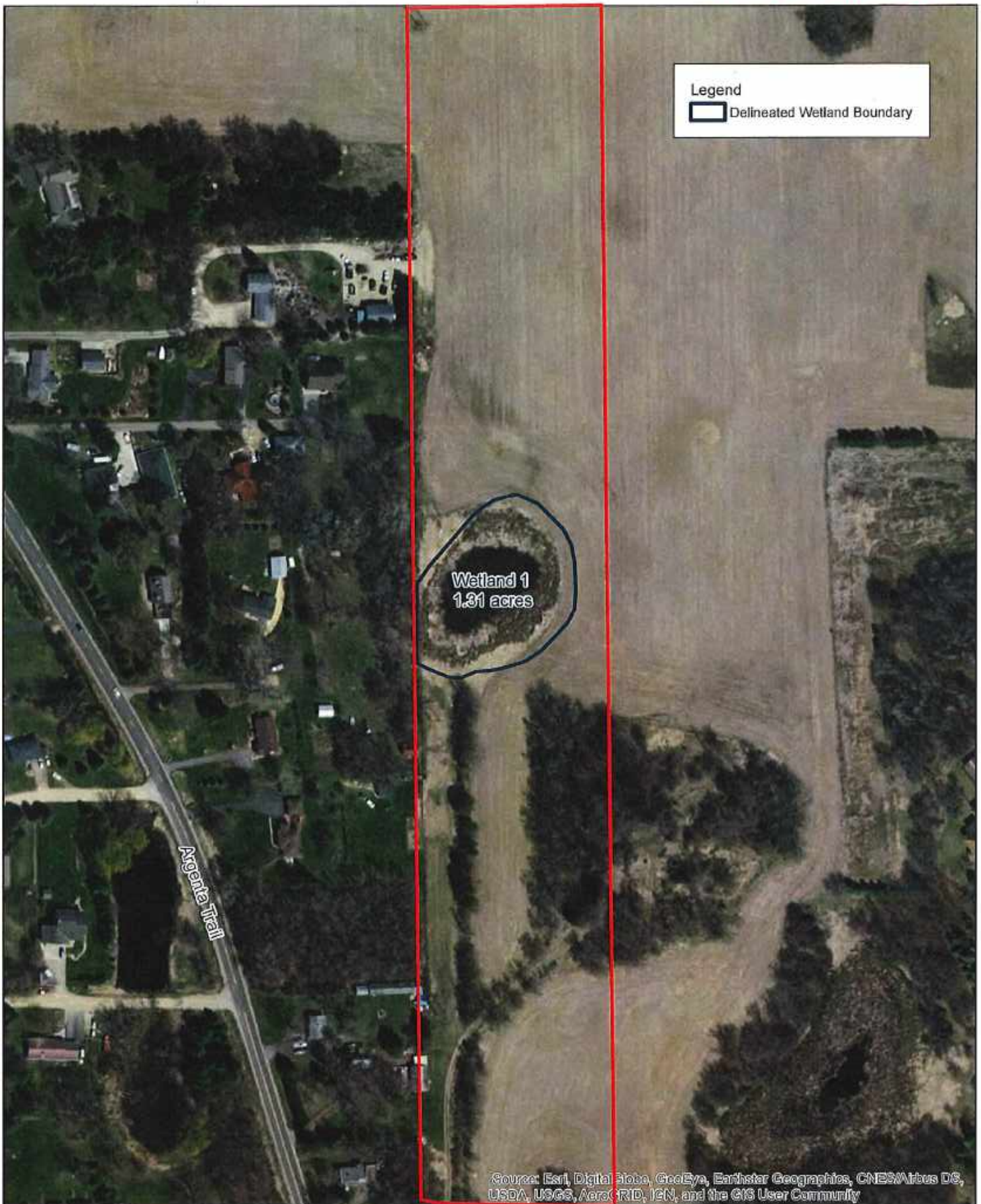
Kristen Hafer
Chief, Southwest Section

Enclosures

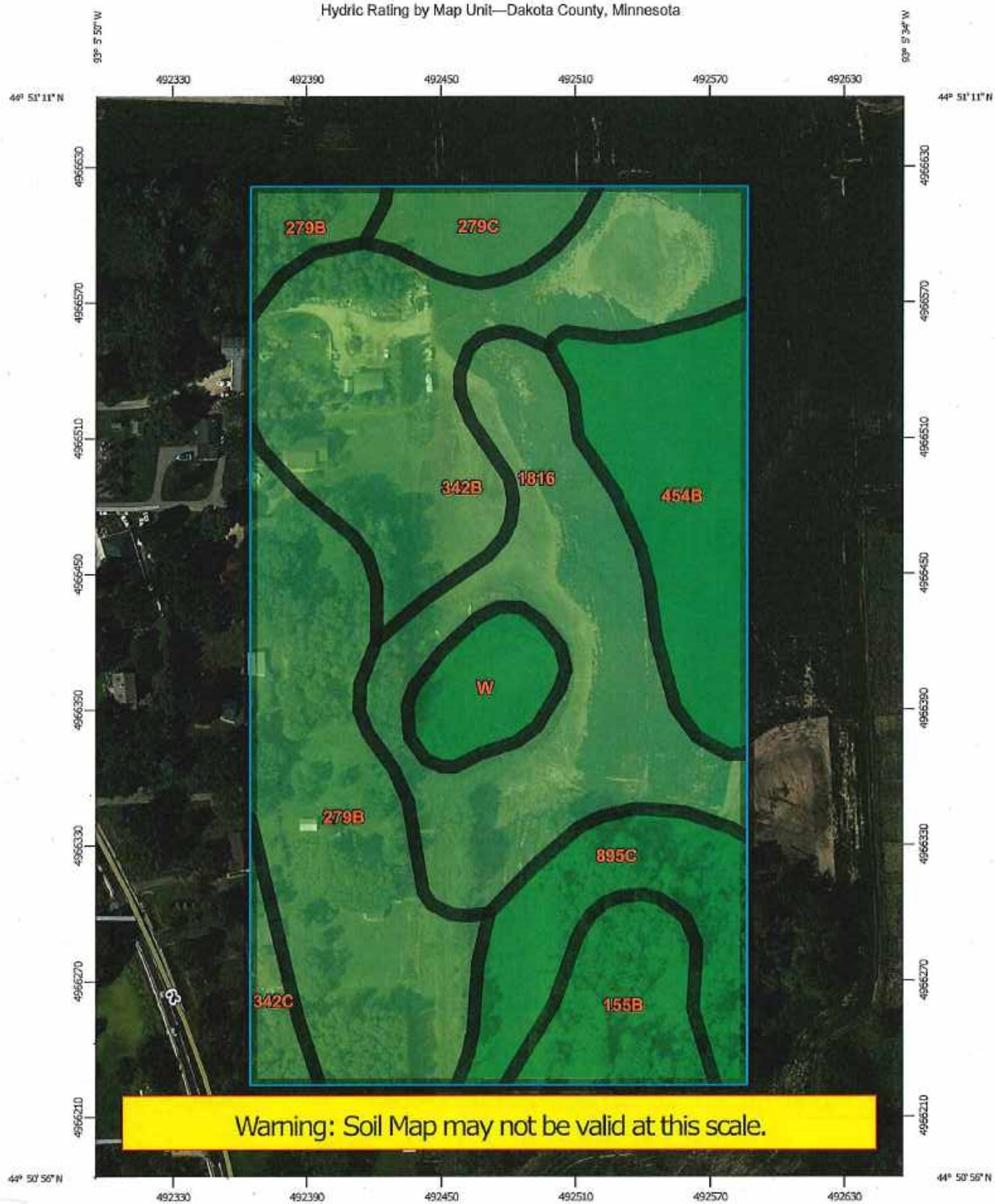
cc:

Ashley Payne (Agent)
Jed Chesnut (BWSR)
Brian Watson (SWCD)





Hydro Rating by Map Unit—Dakota County, Minnesota



Map Scale: 1:2,330 if printed on A portrait (8.5" x 11") sheet.

0 30 60 120 180 Meters

0 100 200 400 600 Feet

Map projection: Web Mercator Corner coordinates: WGS84 Datum: NAD83 TM Zone 15N WGS84

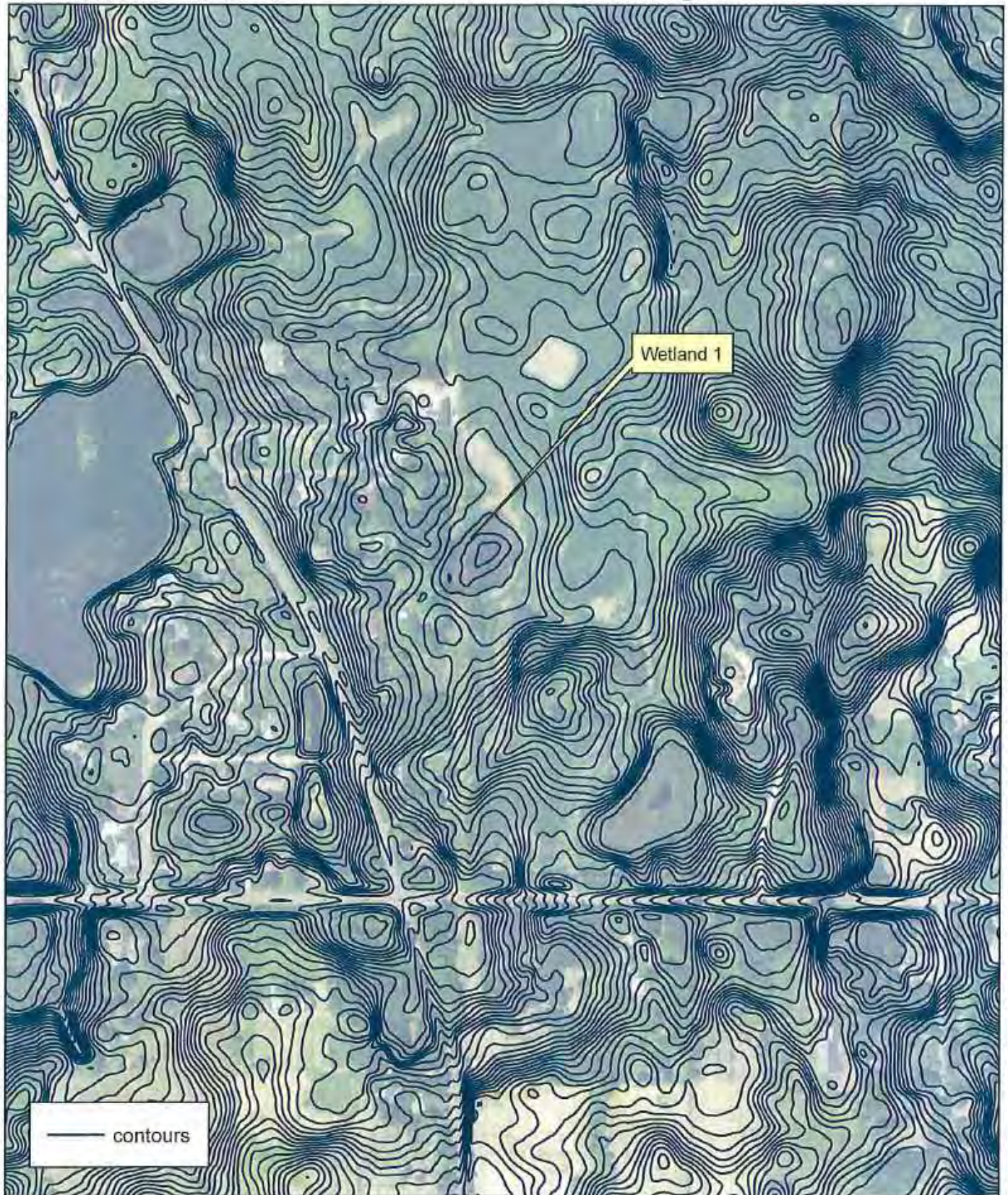


Natural Resources
Conservation Service

Web Soil Survey
National Cooperative Soil Survey

12/8/2016
Page 1 of 5

Jeffer's Pond - Blackstone Ridge



St. Paul District
Regulatory Branch

US Army Corps
of Engineers



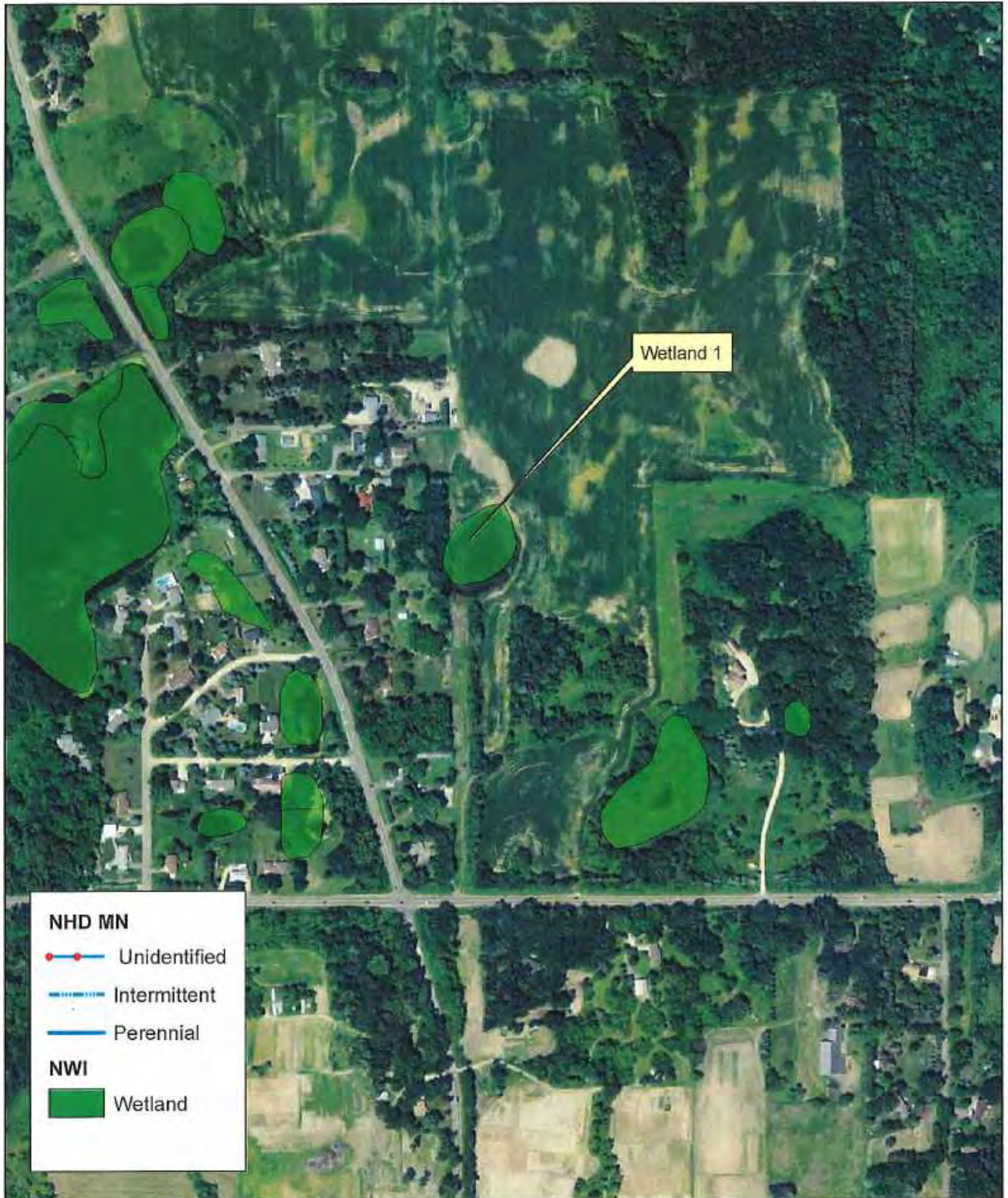
125
Feet

0 470 940

2014-02104-JTB
City of Plymouth

Imagery: LMIC 2013 aerial

Jeffer's Pond - Blackstone Ridge



NHD MN

- Unidentified
- Intermittent
- Perennial

NWI

- Wetland



St. Paul District
Regulatory Branch

US Army Corps
of Engineers



126
Feet

0 470 940

2014-02104-JTB
City of Plymouth

Imagery: LMIC 2013 aerial

APPROVED JURISDICTIONAL DETERMINATION FORM
U.S. Army Corps of Engineers

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD):

MAR 23 2017

B. ST PAUL, MN DISTRICT OFFICE, FILE NAME, AND NUMBER: MVP-2014-02104-JTB

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: Minnesota County/parish/borough: Dakota City: Inver Grove Heights

Center coordinates of site (lat/long in degree decimal format): Lat. 44.8516° N, Long. -93.09305° W.

Universal Transverse Mercator: 15

Name of nearest waterbody: Minnesota River

Name of watershed or Hydrologic Unit Code (HUC): 07020012

☒ Check if map/diagram of review area and/or potential jurisdictional areas is/are available upon request.

☐ Check if other sites (e.g., offsite mitigation sites, disposal sites, etc...) are associated with this action and are recorded on a different JD form.

D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

☒ Office (Desk) Determination. Date: February 8, 2017

☐ Field Determination. Date(s):

SECTION II: SUMMARY OF FINDINGS

A. RHA SECTION 10 DETERMINATION OF JURISDICTION.

There are no "navigable waters of the U.S." within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area.

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.

There are no "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area.

1. Waters of the U.S.: N/A

2. Non-regulated waters/wetlands (check if applicable):¹

- ☒ Potentially jurisdictional waters and/or wetlands were assessed within the review area and determined to be not jurisdictional.
Explain: The review area for this AJD is located on the enclosed figures labeled MVP-2014-02104-JTB Page 1 of 5 through Page 5 of 5.

Wetland 1 does not have a surface or shallow sub-surface hydrologic connection to any navigable waters or their tributaries. The wetland is surrounded by upland, and has no swales, pipes or other means to connect it to waters of the U.S. We have determined this wetland is an isolated depression and not considered to be a water of the U.S.

Wetland 1 does not support a link to interstate or foreign commerce because it is not known to be used by interstate or foreign travelers for recreation or other purposes; it does not produce fish or shellfish that could be taken and sold in interstate or foreign commerce; and is not known to be used for industrial purposes by industries in interstate or foreign commerce. This wetland does not have an ecological connection to other waters within or adjacent to the review area. The waterbody has been determined to not be jurisdictional under the CWA.

SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs: N/A

B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY): N/A

C. SIGNIFICANT NEXUS DETERMINATION: N/A

¹ Supporting documentation is presented in Section III.F.

D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE (CHECK ALL THAT APPLY): N/A

E. ISOLATED [INTERSTATE OR INTRA-STATE] WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE, INCLUDING ANY SUCH WATERS (CHECK ALL THAT APPLY): N/A

F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS (CHECK ALL THAT APPLY):

- ☐ If potential wetlands were assessed within the review area, these areas did not meet the criteria in the 1987 Corps of Engineers Wetland Delineation Manual and/or appropriate Regional Supplements.
- ☒ Review area included isolated waters with no substantial nexus to interstate (or foreign) commerce.
 - ☒ Prior to the Jan 2001 Supreme Court decision in "SWANCC," the review area would have been regulated based solely on the "Migratory Bird Rule" (MBR).
- ☐ Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction. Explain:
- ☐ Other (explain, if not covered above):

Provide acreage estimates for non-jurisdictional waters in the review area, where the sole potential basis of jurisdiction is the MBR factors (i.e., presence of migratory birds, presence of endangered species, use of water for irrigated agriculture), using best professional judgment (check all that apply):

- ☐ Non-wetland waters (i.e., rivers, streams): linear feet width (ft).
- ☐ Lakes/ponds: acres.
- ☐ Other non-wetland waters: acres. List type of aquatic resource:
- ☒ Wetlands: Wetland 1 - 1.31 acres.

Provide acreage estimates for non-jurisdictional waters in the review area that do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction (check all that apply):

- ☐ Non-wetland waters (i.e., rivers, streams): linear feet width (ft).
- ☐ Lakes/ponds: acres.
- ☐ Other non-wetland waters: acres. List type of aquatic resource:
- ☐ Wetlands: acres.

SECTION IV: DATA SOURCES.

A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below):

- ☒ Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: Location Map
- ☒ Data sheets prepared/submitted by or on behalf of the applicant/consultant.
 - ☒ Office concurs with data sheets/delineation report.
 - ☐ Office does not concur with data sheets/delineation report.
- ☐ Data sheets prepared by the Corps:
- ☐ Corps navigable waters' study:
- ☐ U.S. Geological Survey Hydrologic Atlas:
 - ☐ USGS NHD data.
 - ☐ USGS 8 and 12 digit HUC maps.
- ☒ U.S. Geological Survey map(s). Cite scale & quad name: 1:24K MN-INVER GROVE HEIGHTS
- ☐ USDA Natural Resources Conservation Service Soil Survey. Citation:
- ☒ National wetlands inventory map(s). Cite name: USFWS NWI and MnDNR NWI
- ☐ State/Local wetland inventory map(s):
- ☐ FEMA/FIRM maps:
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Photographs: ☒ Aerial (Name & Date): FSA 2013
or ☐ Other (Name & Date): Google Earth 03/2016
- ☐ Previous determination(s). File no. and date of response letter:
- ☐ Applicable/supporting case law:
- ☐ Applicable/supporting scientific literature:
- ☐ Other information (please specify):

B. ADDITIONAL COMMENTS TO SUPPORT JD: .

**NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND
REQUEST FOR APPEAL**

Applicant: Jenna Fabish		File No.: MVP-2014-02104-JTB	Date: MAR 23 2017
Attached is:			See Section below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A	
	PROFFERED PERMIT (Standard Permit or Letter of permission)	B	
	PERMIT DENIAL	C	
X	APPROVED JURISDICTIONAL DETERMINATION	D	
	PRELIMINARY JURISDICTIONAL DETERMINATION	E	

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://usace.army.mil/inet/functions/cw/cecwo/reg> or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:

U. S. Army Corps of Engineers, Regulatory Branch
Attn: OP-R, Justin Berndt
180 Fifth Street East, Ste 700
Telephone (651) 290-5446

If you only have questions regarding the appeal process you may also contact the Division Engineer through:

Mr. Thomas McCabe
Administrative Appeals Review Officer
Mississippi Valley Division
P.O. Box 80 (1400 Walnut Street)
Vicksburg, MS 39181-0080
601-634-5820 FAX: 601-634-5816

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Signature of appellant or agent.

Date:

Telephone number:

Minnesota Wetland Conservation Act Notice of Decision

Local Government Unit: Inver Grove Heights	County: Dakota
Applicant Name: John Sass, Dakota County	
Applicant Representative: Kimley Horn, Aaron Stolte	
Project Name: CSAH 26 Reconstruction	LGU Project No. (if any): SWCD # 20-IGH-071
Date Complete Application Received by LGU: 6/03/20	
Date of LGU Decision: 7/17/20	
Date this Notice was Sent: 7/17/20	

WCA Decision Type - check all that apply

☒ Wetland Boundary/Type	☐ Sequencing	☐ Replacement Plan	☐ Bank Plan (not credit purchase)
☒ No-Loss (8420.0415)	☐ Exemption (8420.0420)		
Part: ☒ A ☐ B ☐ C ☐ D ☐ E ☐ F ☐ G ☐ H		Subpart: ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9	

Replacement Plan Impacts (replacement plan decisions only)

Total WCA Wetland Impact Area:
Wetland Replacement Type: ☐ Project Specific Credits: ☐ Bank Credits:
Bank Account Number(s):

Technical Evaluation Panel Findings and Recommendations (attach if any)

☐ Approve ☐ Approve w/Conditions ☐ Deny ☒ No TEP Recommendation
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LGU Decision

☐ Approved with Conditions (specify below) ¹ List Conditions:	☒ Approved ¹	☐ Denied
Decision-Maker for this Application: ☒ Staff ☐ Governing Board/Council ☐ Other:		
Decision is valid for: ☒ 5 years (default) ☐ Other (specify):		

¹ *Wetland Replacement Plan approval is not valid until BWSR confirms the withdrawal of any required wetland bank credits. For project-specific replacement a financial assurance per MN Rule 8420.0522, Subp. 9 and evidence that all required forms have been recorded on the title of the property on which the replacement wetland is located must be provided to the LGU for the approval to be valid.*

LGU Findings – Attach document(s) and/or insert narrative providing the basis for the LGU decision¹.

☐ Attachment(s) (specify): ☒ Summary: The Notice of Application was sent out June 10, 2020 and the comment period ended on July 9, 2020. No comments were received during the comment period. The SWCD and BWSR conducted a field review of the project site on June 18, 2020 and verified 11 wetlands and two storm ponds (see Table 1.) present in the project area. Ponds 2 and 3 and Wetlands 6, 13 and 15 were determined to be incidental based on aerial photography and field review.

¹ Findings must consider any TEP recommendations.

☒ Site Location Map ☐ Project Plan(s)/Descriptions/Reports (specify):

Appeals of LGU Decisions

If you wish to appeal this decision, you must provide a written request within 30 calendar days of the date you received the notice. All appeals must be submitted to the Board of Water and Soil Resources Executive Director along with a check payable to BWSR for \$500 *unless* the LGU has adopted a local appeal process as identified below. The check must be sent by mail and the written request to appeal can be submitted by mail or e-mail. The appeal should include a copy of this notice, name and contact information of appellant(s) and their representatives (if applicable), a statement clarifying the intent to appeal and supporting information as to why the decision is in error. Send to:

Appeals & Regulatory Compliance Coordinator
Minnesota Board of Water & Soils Resources
520 Lafayette Road North
St. Paul, MN 55155
travis.germundson@state.mn.us

Does the LGU have a local appeal process applicable to this decision?

☒ Yes¹ ☐ No

¹If yes, all appeals must first be considered via the local appeals process.

Local Appeals Submittal Requirements (LGU must describe how to appeal, submittal requirements, fees, etc. as applicable)

Send petition within 30 calendar days of date receive notice and \$TBD fee to: City of Inver Grove Heights, 8150 Barbara Avenue, Inver Grove Heights, MN 55077

Notice Distribution (include name)

Required on all notices:

☒ SWCD TEP Member: David Holmen	☒ BWSR TEP Member: Ben Carlson
☒ LGU TEP Member (if different than LGU contact): Allan Hunting, Ally Sutherland	
☒ DNR Representative: Melissa Collins, Leslie Parris	
☒ Watershed District or Watershed Mgmt. Org.: Joe Barten, Lower Mississippi River WMO Administrator	
☒ Applicant (notice only): John Sass, Dakota County	
☒ Agent/Consultant (notice only): Aaron Stolte, Kimley Horn	

Optional or As Applicable:

☒ Corps of Engineers: usace_requests_mn@usace.army.mil	
☐ BWSR Wetland Mitigation Coordinator (required for bank plan applications only):	
☐ Members of the Public (notice only):	☐ Other:

Signature: 	Date: 7/17/20
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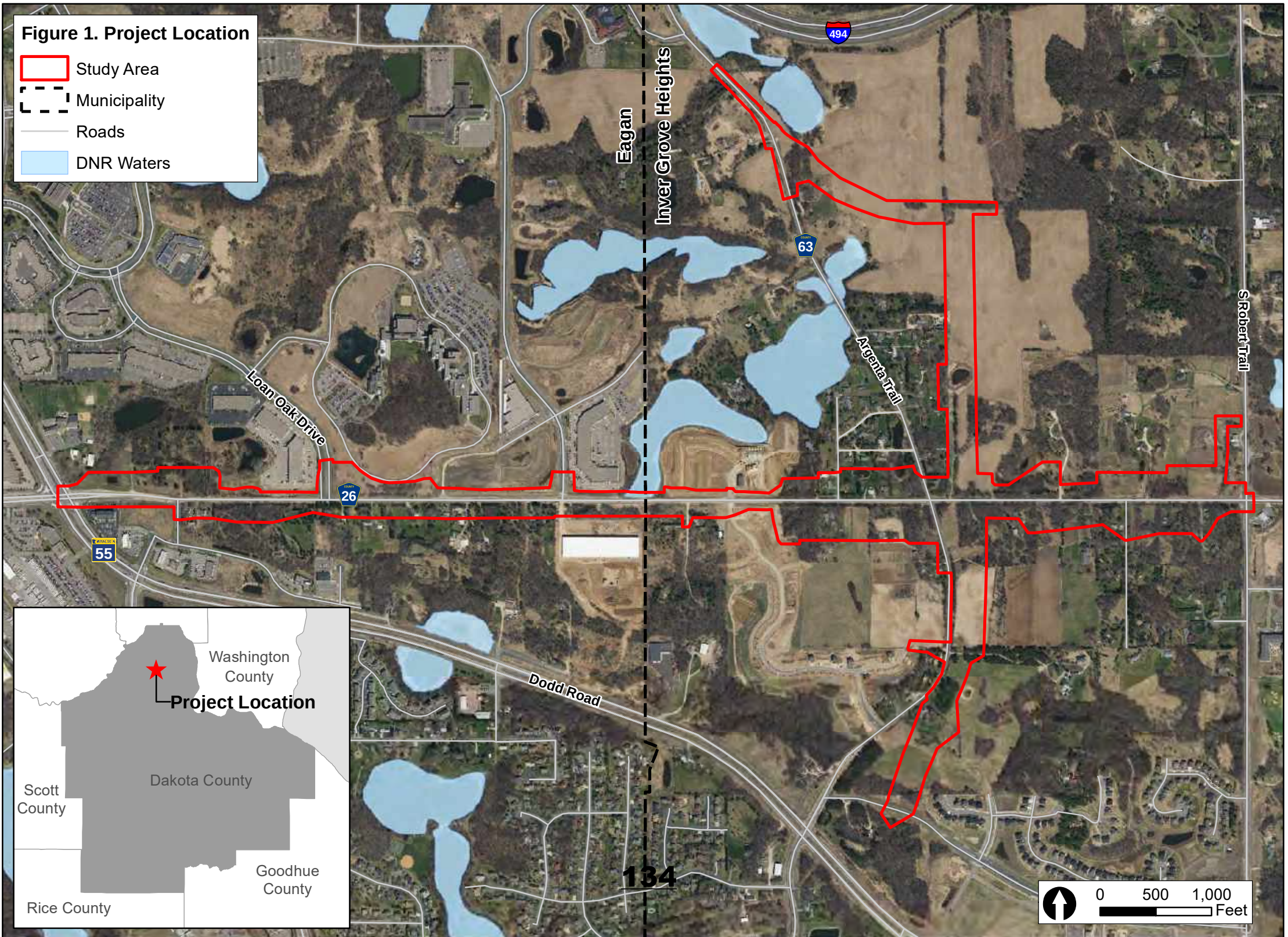
This notice and accompanying application materials may be sent electronically or by mail. The LGU may opt to send a summary of the application to members of the public upon request per 8420.0255, Subp. 3.

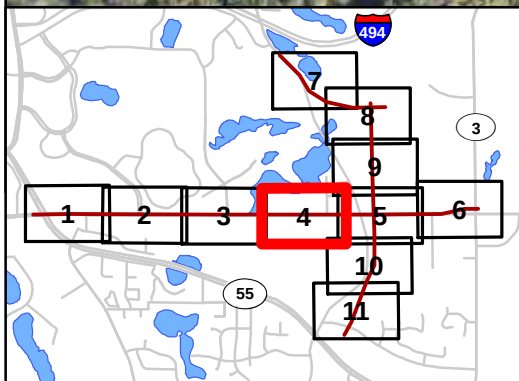
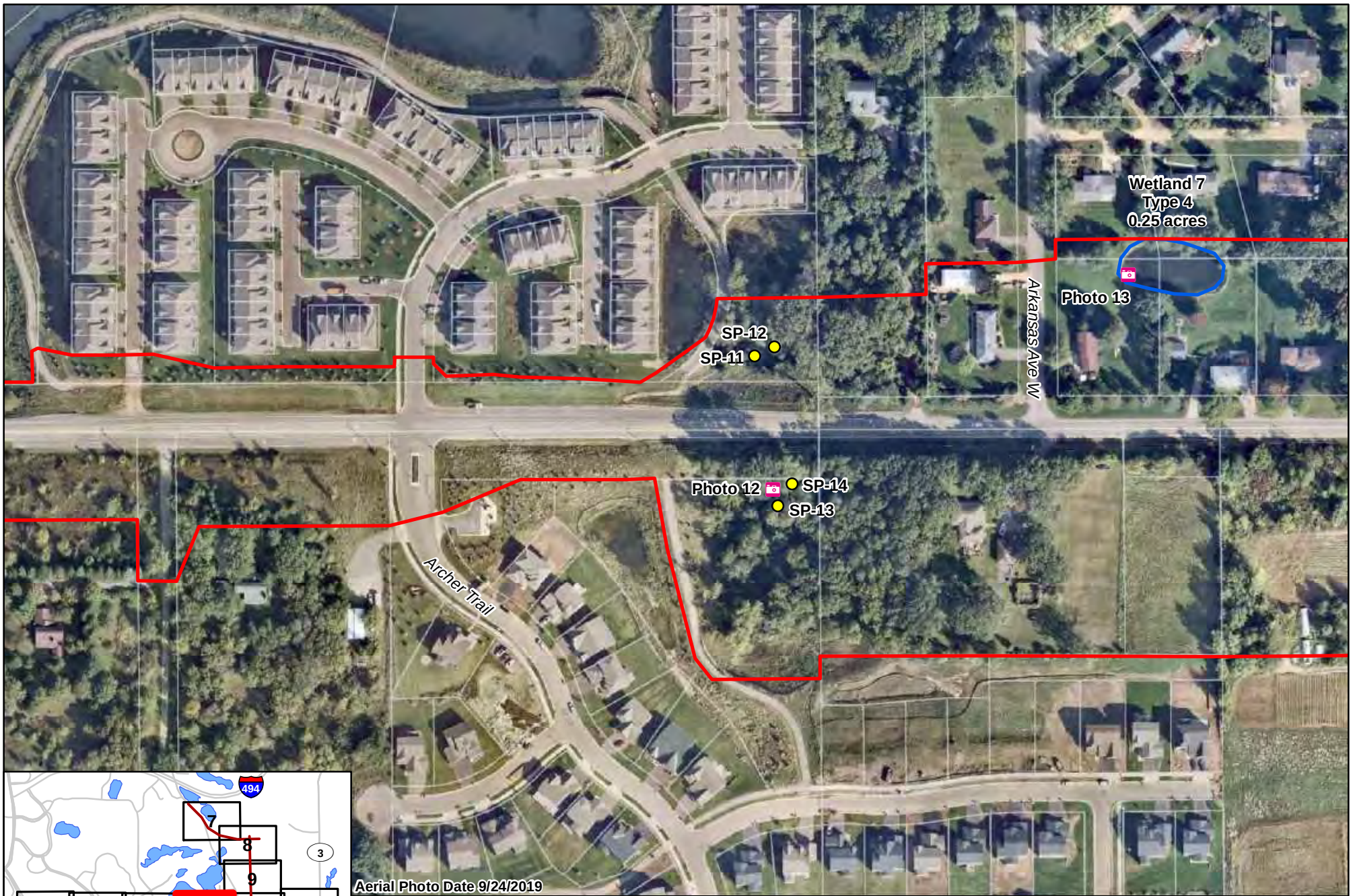
Table 1. Wetland Characteristics

Aquatic Resource ID	Figure No.	Wetland Plant Community	C-39 Type	Size ¹ (acres)	Corresponding Data Sheets	Photo No	Notes
5 ⁴	3-5	Seasonally Flooded Basin	1	0.03	Wetland: SP-15 Upland: SP-16	7	Wetland 5 is located in a small depressional area in the southwest quadrant of the intersection at CSAH 26 and Argenta Trail W. One transect was completed. This is an isolated wetland.
6 ⁴	3-5	Fresh (Wet) Meadow	2	0.01	Wetland: SP-7 Upland: SP-8	8	Wetland 6 is a roadside wetland ditch located along the north side of CSAH 26 just west of Road 1 (Settlers Ridge Housing Development—future CSAH 63). Sample points SP-7 and SP-8 are representative of this wetland. This is an isolated wetland.
7 ⁴	3-4	Deep Marsh	4	0.25	N/A	13	Wetland 7 is located in a depression between multiple residential properties. The boundary was placed based on abrupt change in topography and the presence of open water. No soil pits were completed for this wetland. This wetland is isolated and a mapped NWI.
8 ⁴	3-5	Fresh (Wet) Meadow/ Deep Marsh	2/4	0.32	Wetland: SP-31 Upland: SP-32	14 & 15	Wetland 8 is located in a depression between multiple residential properties. The wetland fringe around the Type 4 – Deep Marsh wetland is a Type 2 – Fresh (Wet) Meadow, dominated by reed canary grass. Sample points SP-31 and SP-32 are representative of this wetland. This wetland is isolated and a mapped NWI.
9 ⁴	3-5	Seasonally Flooded Basin	1	0.01	Wetland: SP-34 Upland: SP-33	16	Wetland 9 is a small Type 1 – Seasonally Flooded Basin located in a depressional area in a field. It is located between Argenta Trail and CSAH 26. This is an isolated wetland.
10 ⁴	3-5	Shallow Marsh	3	0.43	Wetland: SP-35 Upland: SP-36	17	Wetland 10 is a large Type 3 – Shallow Marsh adjacent to CSAH 26, a stormwater feature, and multiple residential properties. The wetland is a mapped NWI and also has mapped hydric soils. This is an isolated wetland.
11 ⁴	3-7	Seasonally Flooded Basin	1	0.09	Wetland: SP-27 Upland: SP-28	18 & 19	Wetland 11 is a Type 1 – Seasonally Flooded Basin located in a depression between Argenta Trail and an agricultural field at the northern end of the project. There are mapped hydric soils in this location. This is an isolated wetland.
12 ⁴	3-8	Seasonally Flooded Basin	1	0.04	Wetland: SP-24 Upland: SP-25	21	Wetland 12 is a Type 1 – Seasonally Flooded Basin wetland located in a depression adjacent to an agricultural field. Hydric soils were observed, along with hydrophytic vegetation. The resource is isolated.
13 ⁴	3-9	Seasonally Flooded Basin	1	0.26	Wetland: SP-20 Upland: SP-21	23	Wetland 13 is a large Type 1 – Seasonally Flooded Basin located in a depressional area in a field between residential properties. Sample points SP-20 and SP-21 are representative of this wetland. This is an isolated wetland.
14 ⁴	3-9	Shallow Marsh	3	1.39	Wetland: SP-29 Upland: SP-30	24	Wetland 14 is a Type 3 – Shallow Marsh located between residential properties. This wetland is isolated and is mapped on the NWI.
15 ⁴	3-9	Shallow Marsh	3	0.01	N/A	25	This wetland is a Type 3 – Shallow Marsh located in a small excavated pit just south of Wetland 14. This is an isolated wetland.
Stormwater Pond 2 ⁴	3-5	Shallow Marsh	3	0.07	N/A	10	Stormwater Pond 2 is a constructed feature located on the north side of CSAH 26 just north Wetland 6.
Stormwater Pond 3 ⁴	3-5	Shallow Marsh	3	0.29	N/A		Stormwater Pond 3 is a constructed feature located on the north side of CSAH 26 and to the east of Stormwater Pond 2.

Figure 1. Project Location

-  Study Area
-  Municipality
-  Roads
-  DNR Waters



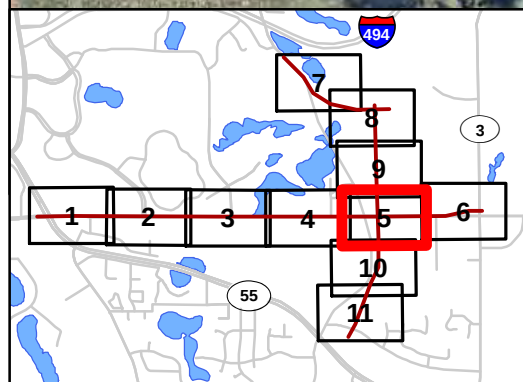


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Kimley»Horn

Figure 3. Delineated Wetland Boundaries and Type

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|---|--|
| Study Area | Delineated Resources |
| ● Sample Points | Wetland |
| 📷 Photos | Stormwater Pond |
| ✱ Culverts | DNR Waterbody |



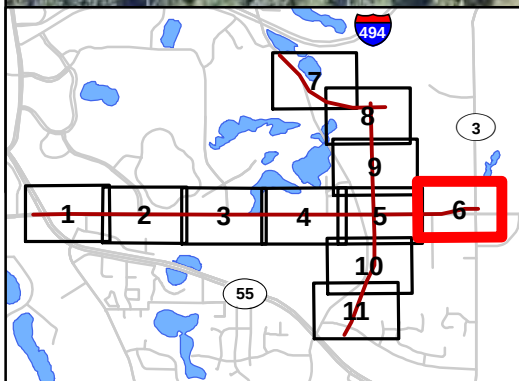
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Kimley»Horn

Figure 3. Delineated Wetland Boundaries and Type

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Aerial Photo Date 9/24/2019



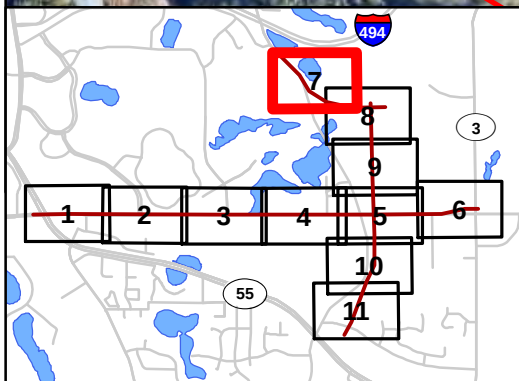
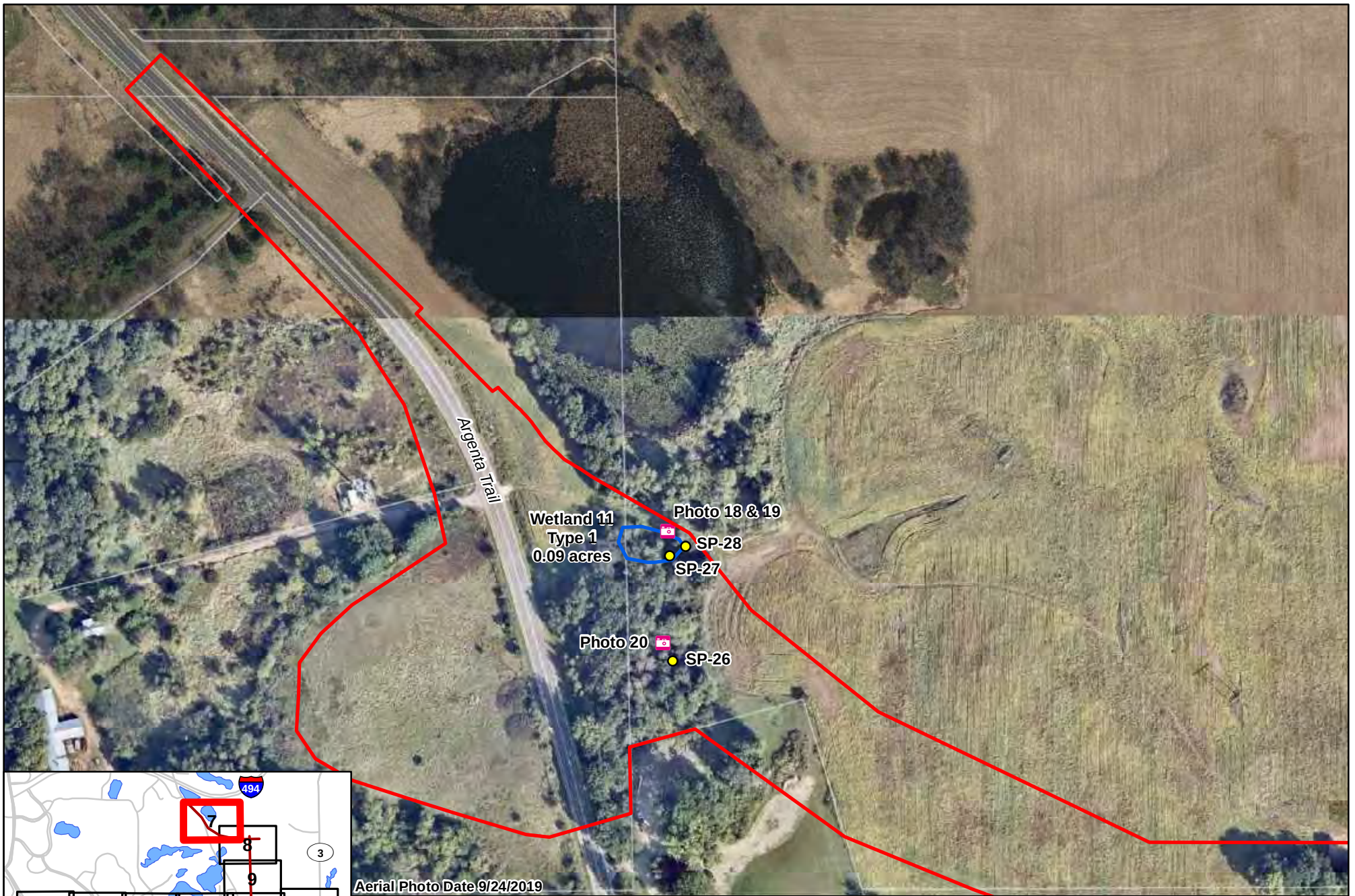
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Kimley»Horn

Figure 3. Delineated Wetland Boundaries and Type

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Aerial Photo Date 9/24/2019



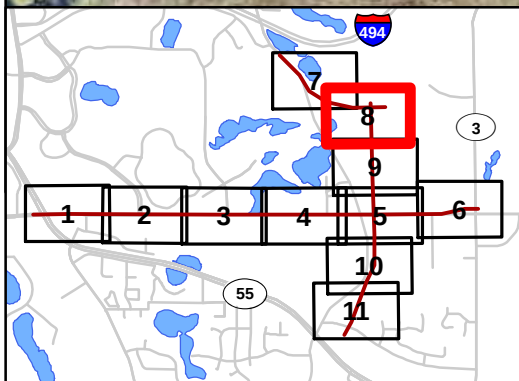
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Figure 3. Delineated Wetland Boundaries and Type

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| ▮ Study Area | Delineated Resources |
| ● Sample Points | ▮ Wetland |
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Aerial Photo Date 9/24/2019



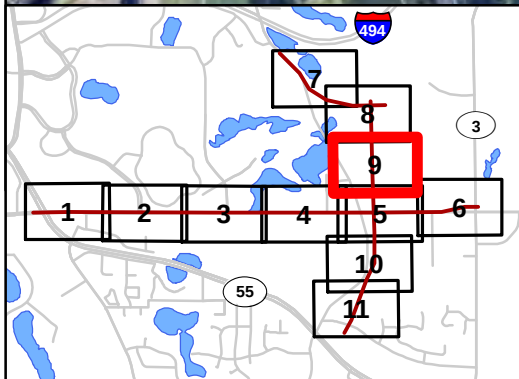
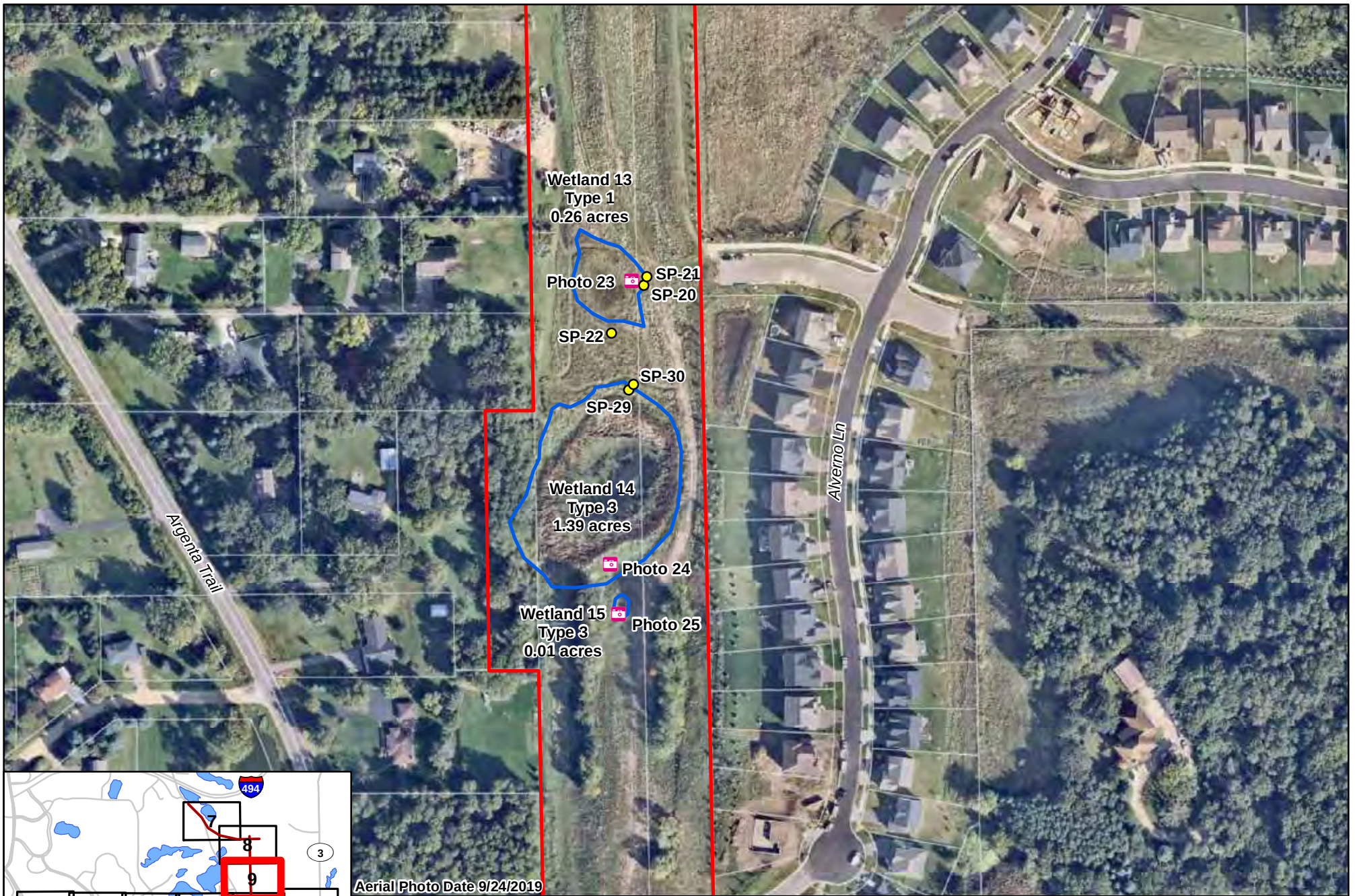
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Figure 3. Delineated Wetland Boundaries and Type

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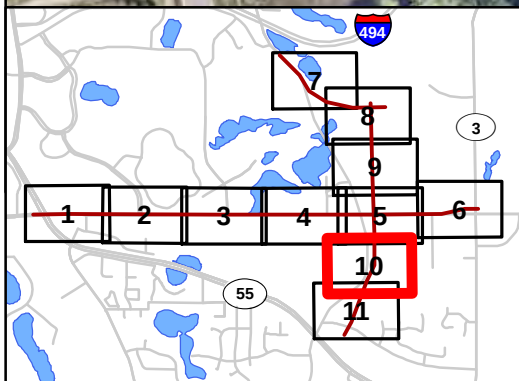
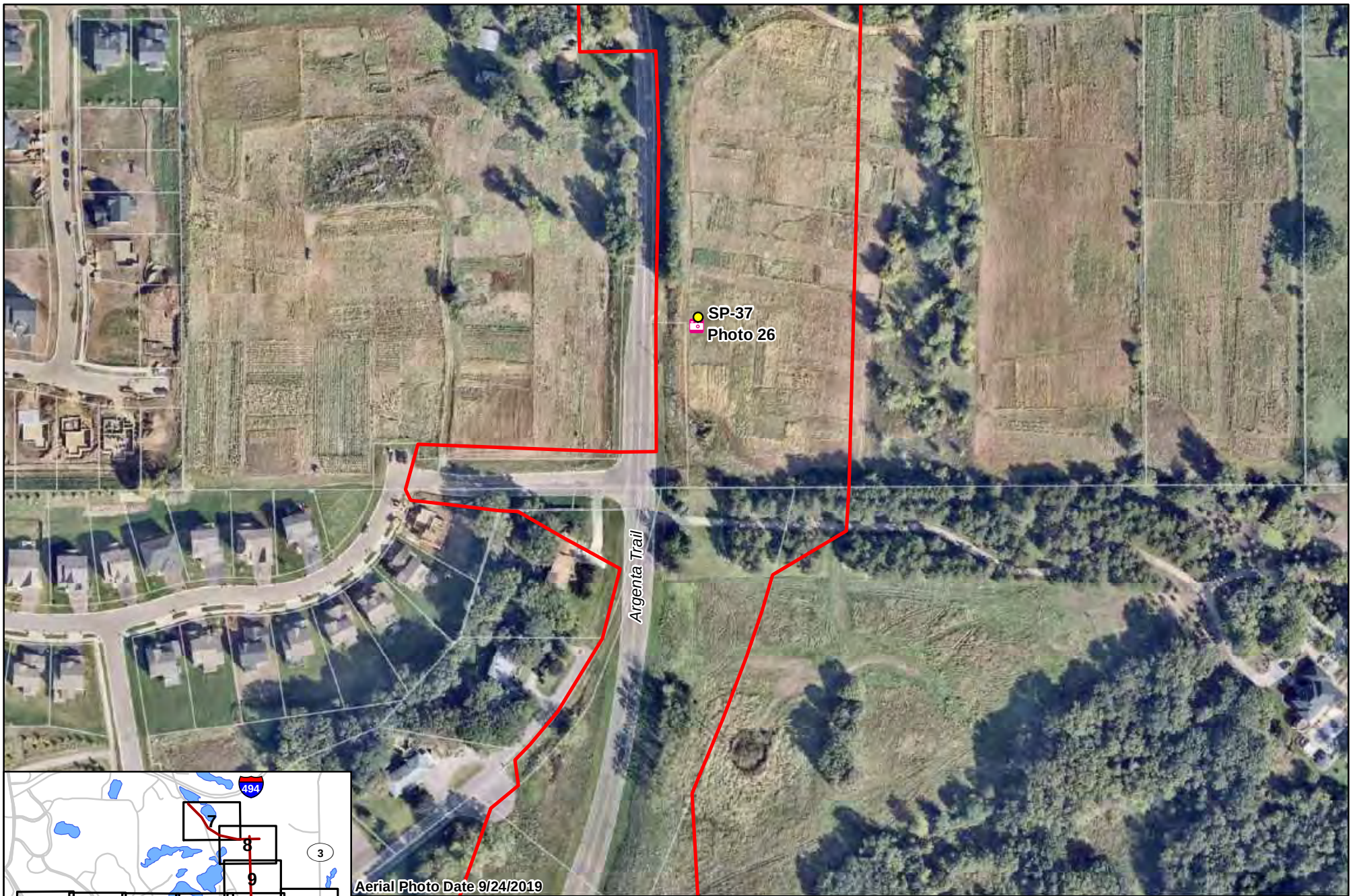
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| ● Sample Points | Wetland |
| 📷 Photos | Stormwater Pond |
| ✖ Culverts | DNR Waterbody |



Aerial Photo Date 9/24/2019



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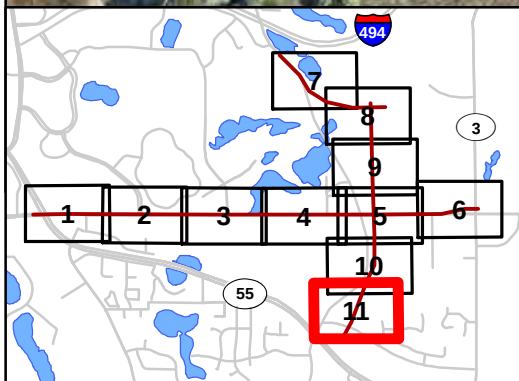
Kimley»Horn

Figure 3. Delineated Wetland Boundaries and Type

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| Study Area | Delineated Resources |
| ● Sample Points | Wetland |
| ■ Photos | Stormwater Pond |
| ✱ Culverts | DNR Waterbody |



Aerial Photo Date 9/24/2019



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Figure 3. Delineated Wetland Boundaries and Type

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| ▬ Study Area | Delineated Resources |
| ● Sample Points | ▬ Wetland |
| ⬢ Photos | ▬ Stormwater Pond |
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Appeals of LGU Decisions

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Appeals & Regulatory Compliance Coordinator
Minnesota Board of Water & Soils Resources
520 Lafayette Road North
St. Paul, MN 55155
travis.germundson@state.mn.us

Does the LGU have a local appeal process applicable to this decision?

☐ Yes¹ ☒ No

¹If yes, all appeals must first be considered via the local appeals process.

Local Appeals Submittal Requirements (LGU must describe how to appeal, submittal requirements, fees, etc. as applicable)

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Notice Distribution (include name)

Required on all notices:

☒ SWCD TEP Member: Dave Holman, Dakota County SWCD	☒ BWSR TEP Member: Ben Carlson
☐ LGU TEP Member (if different than LGU contact): N/A	
☒ DNR Representative: Melissa Collins, Leslie Parris	
☐ Watershed District or Watershed Mgmt. Org.: N/A	
☒ Applicant: John Sass, Dakota County ☒ Agent/Consultant: Aaron Stolte, Kimley Horn	

Optional or As Applicable:

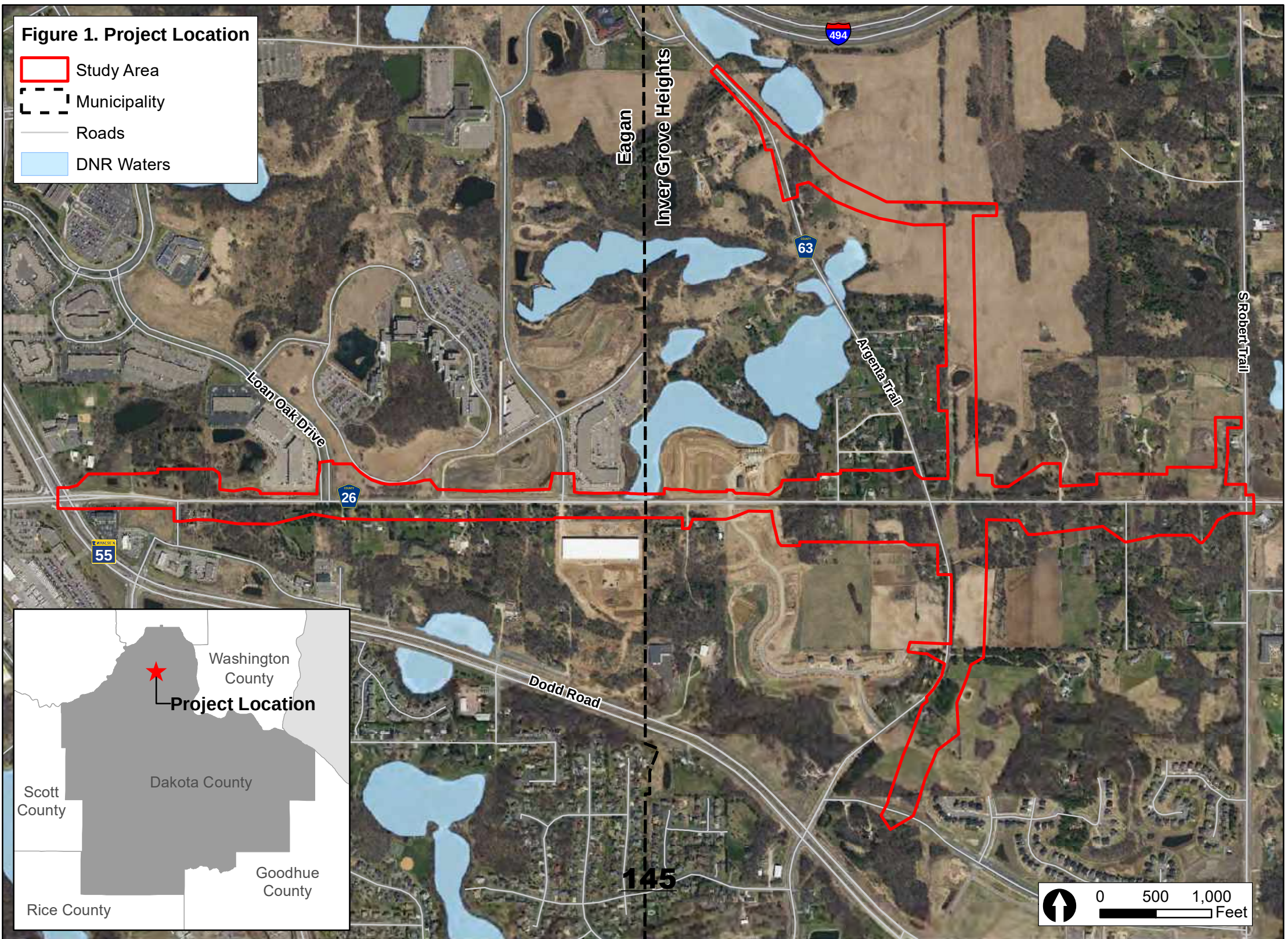
☐ Corps of Engineers:	
☐ BWSR Wetland Mitigation Coordinator (required for bank plan applications only):	
☐ Members of the Public (notice only):	☐ Other:

Signature: 	Date: 07/16/2020
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This notice and accompanying application materials may be sent electronically or by mail. The LGU may opt to send a summary of the application to members of the public upon request per 8420.0255, Subp. 3.

Figure 1. Project Location

-  Study Area
-  Municipality
-  Roads
-  DNR Waters





DEPARTMENT OF THE ARMY
ST. PAUL DISTRICT, CORPS OF ENGINEERS
180 FIFTH STREET EAST, SUITE 700
ST. PAUL, MN 55101-1678

November 4, 2020

Regulatory File No. MVP-2020-02186-CCK

Dakota County Department of Transportation
c/o Mr. John Sass
14955 Galaxie Avenue
Apple Valley, MN 55124

Dear Mr. Sass:

This letter regards an approved jurisdictional determination for the proposed County State Aid Highway (CSAH) 26 project located in Eagan and Inver Grove Heights, MN. The review area for our jurisdictional determination is identified in Section III.C of the enclosed Approved Jurisdictional Determination form, and on the enclosed figures labeled 2020-02186-CCK AJD Attachments, Pages 1-11.

The review area consists of 15 wetland areas, 1 open water area, and 3 stormwater ponds labeled as Wetland 1, Wetland 2, Wetland 3, Wetland 4, Wetland 5, Wetland 6, Wetland 7, Wetland 8, Wetland 9, Wetland 10, Wetland 11, Wetland 12, Wetland 13, Wetland 14, Wetland 15, PWI #256W, Stormwater Pond 1, Stormwater Pond 2, and Stormwater Pond 3; which are not waters of the United States subject to Corps of Engineers (Corps) jurisdiction. Therefore, you are not required to obtain Department of the Army authorization to discharge dredged or fill material within this area. The rationale for this determination is provided in the enclosed Approved Jurisdictional Determination form. This determination is only valid for the review area described.

If you object to this approved jurisdictional determination, you may request an administrative appeal under Corps regulations at 33 CFR 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form. If you request to appeal this determination, you must submit a completed RFA form to the Mississippi Valley Division Office at the address shown on the form.

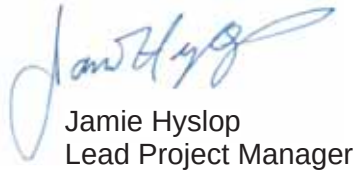
In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR 331.5, and that it has been received by the Division Office within 60 days of the date of the enclosed NAP. It is not necessary to submit an RFA form to the division office if you do not object to the determination in this letter.

This approved jurisdictional determination may be relied upon for five years from the date of this letter. However, the Corps reserves the right to review and revise the determination in response to changing site conditions, information that was not considered during our initial review, or off-site activities that could indirectly alter the extent of wetlands and other resources on-site. This determination may be renewed at the end of the five year period provided you submit a written request and our staff are able to verify that the limits established during the original determination are still accurate.

Regulatory Branch (File No. 2020-02186-CCK)

If you have any questions, please contact Caree Kovacevich in our St. Paul office at (651) 290-5280 or caree.c.kovacevich@usace.army.mil. In any correspondence or inquiries, please refer to the Regulatory file number shown above.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jamie Hyslop", is positioned above the printed name and title.

Jamie Hyslop
Lead Project Manager

Enclosures

cc: Aaron Stolte, Kimley-Horn

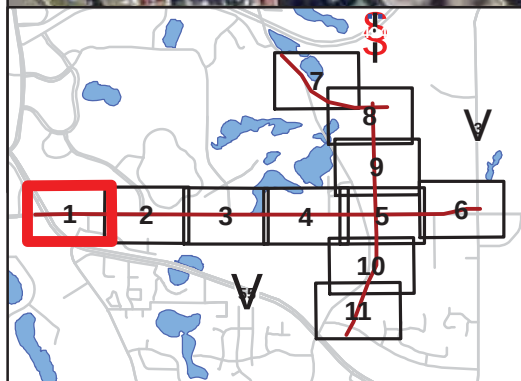
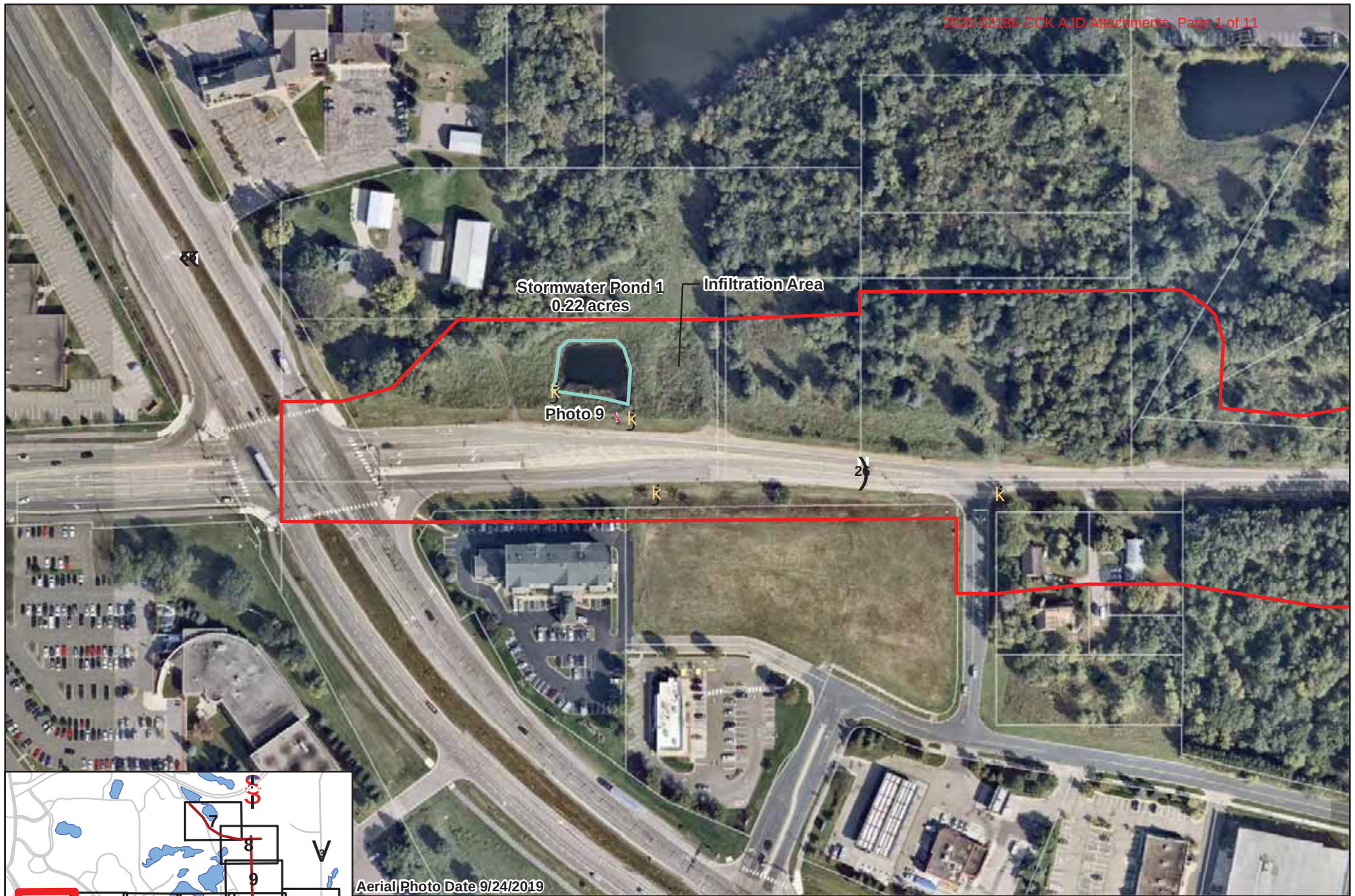


Figure 3. Delineated Wetland Boundaries and Type

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| ● Sample Points | Wetland |
| \ Photos | Stormwater Pond |
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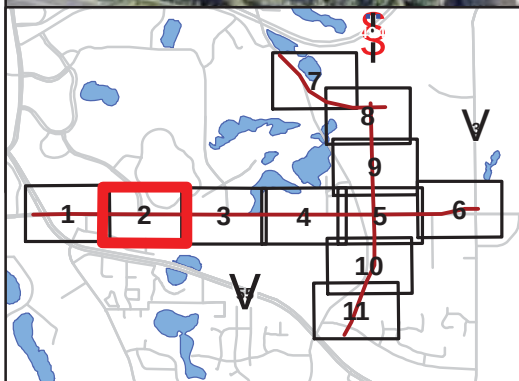
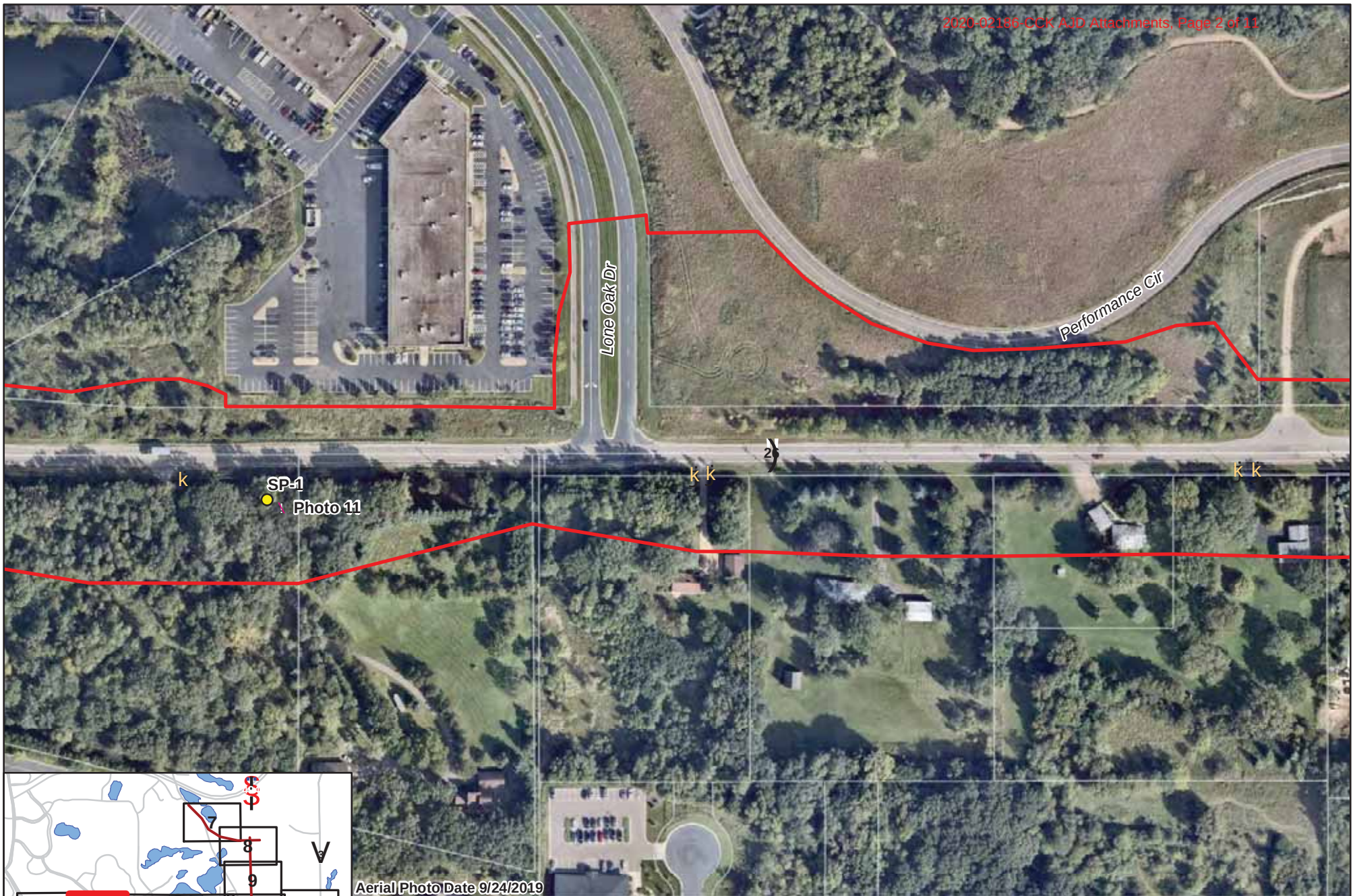
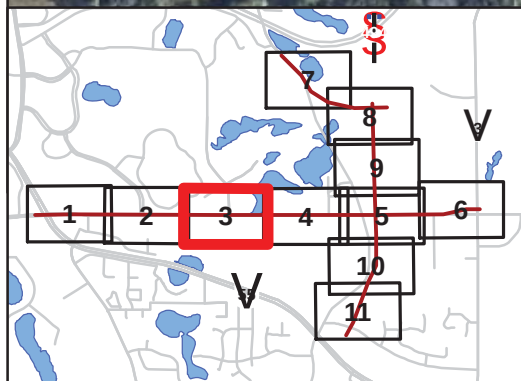
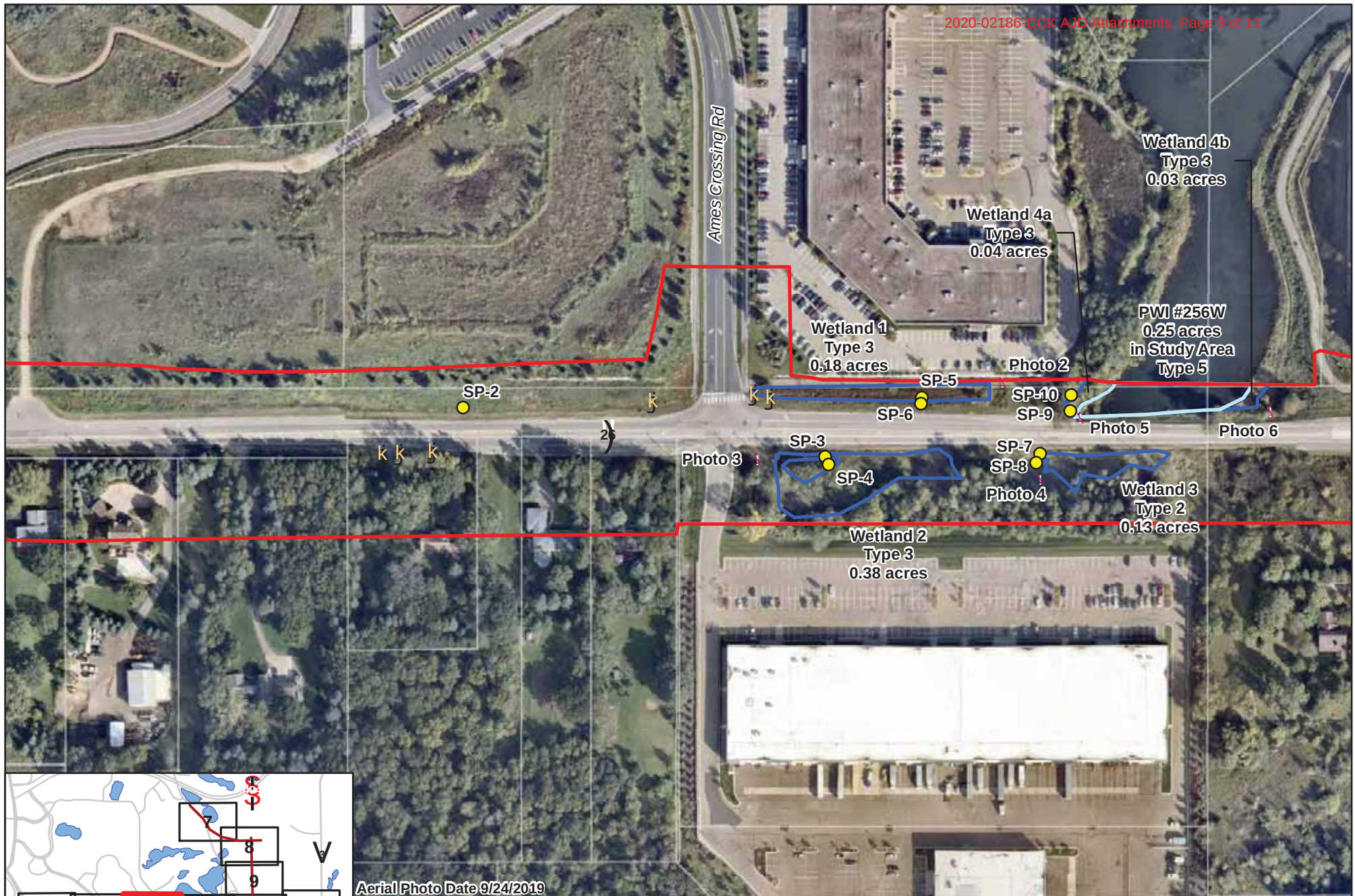


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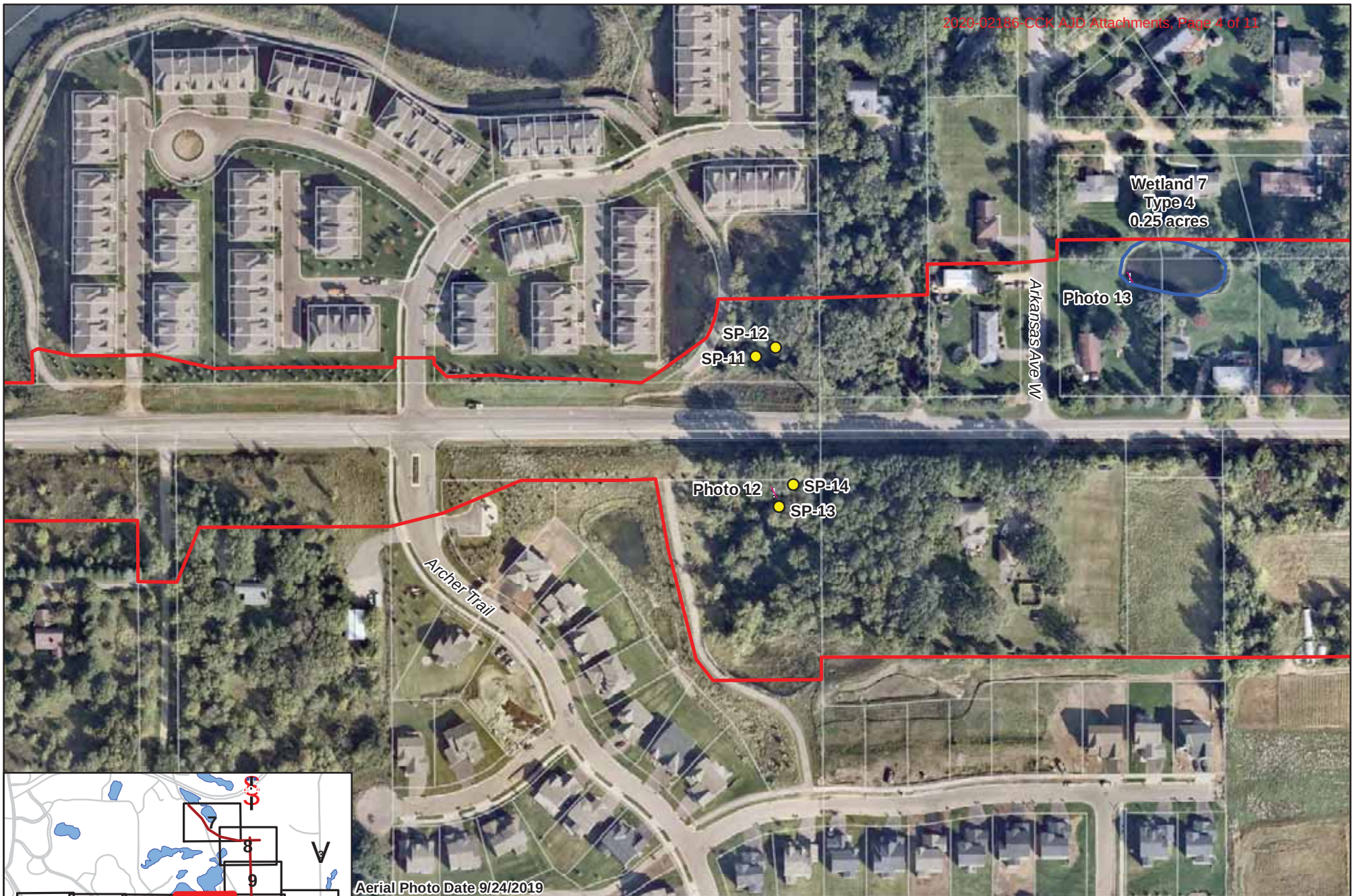


Aerial Photo Date 9/24/2019



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Aerial Photo Date 9/24/2019



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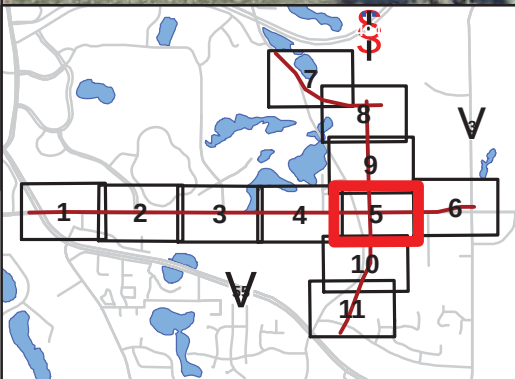
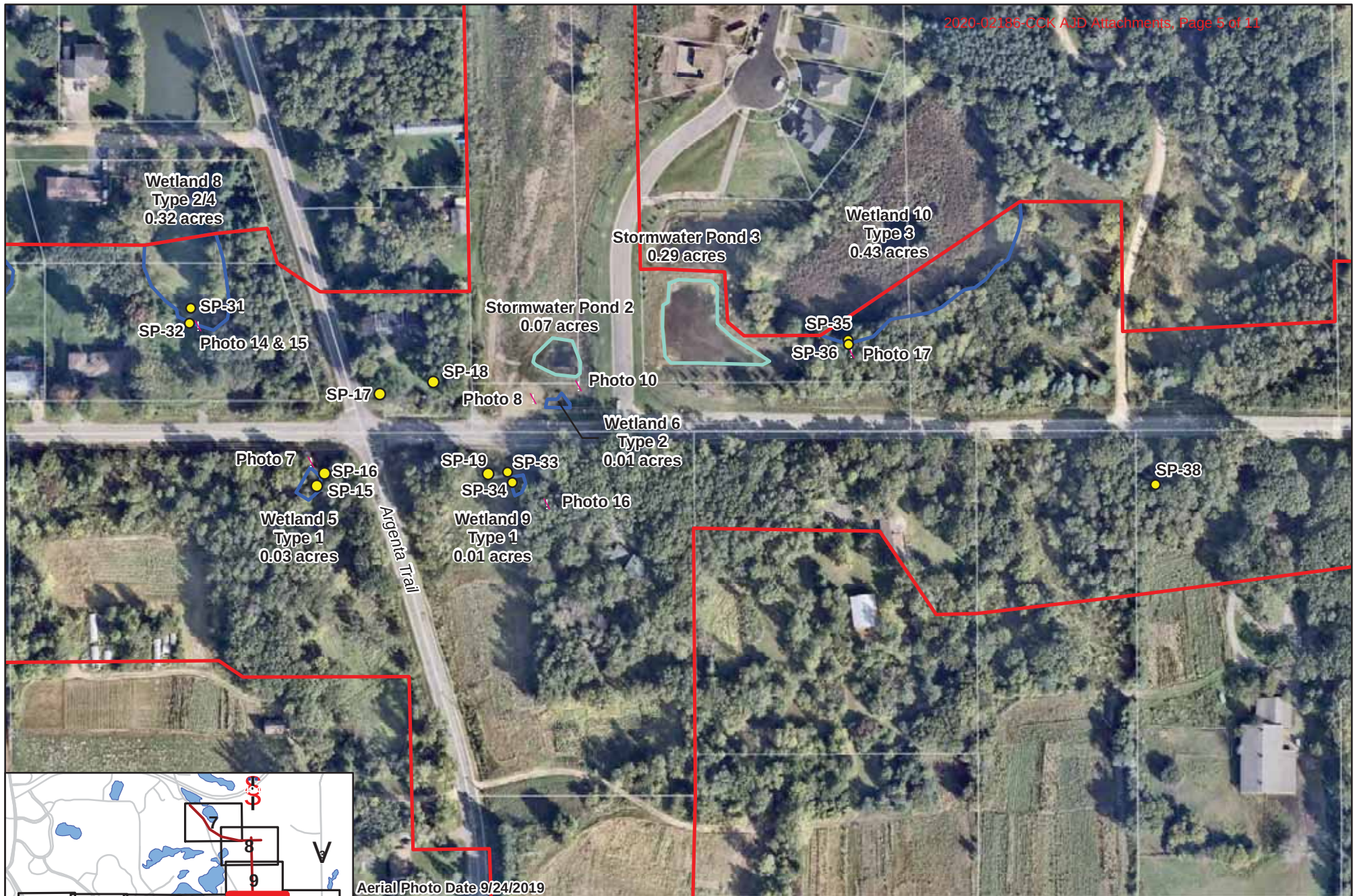
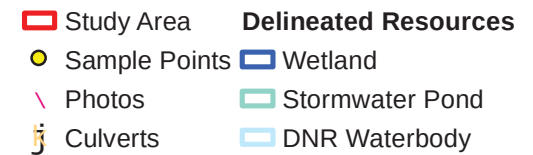
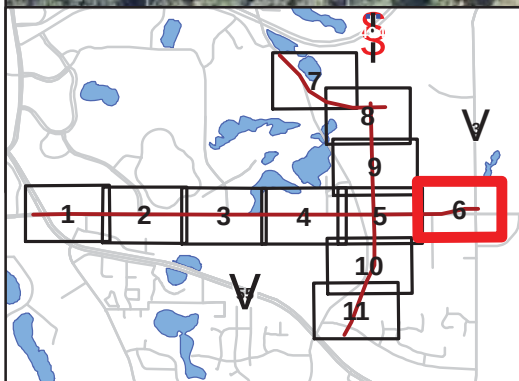


Figure 3. Delineated Wetland Boundaries and Type





Aerial Photo Date 9/24/2019



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Kimley»Horn

Figure 3. Delineated Wetland Boundaries and Type

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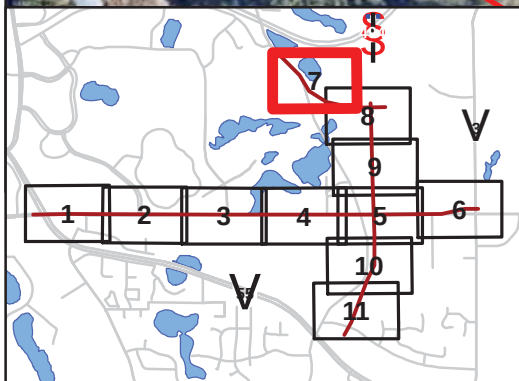
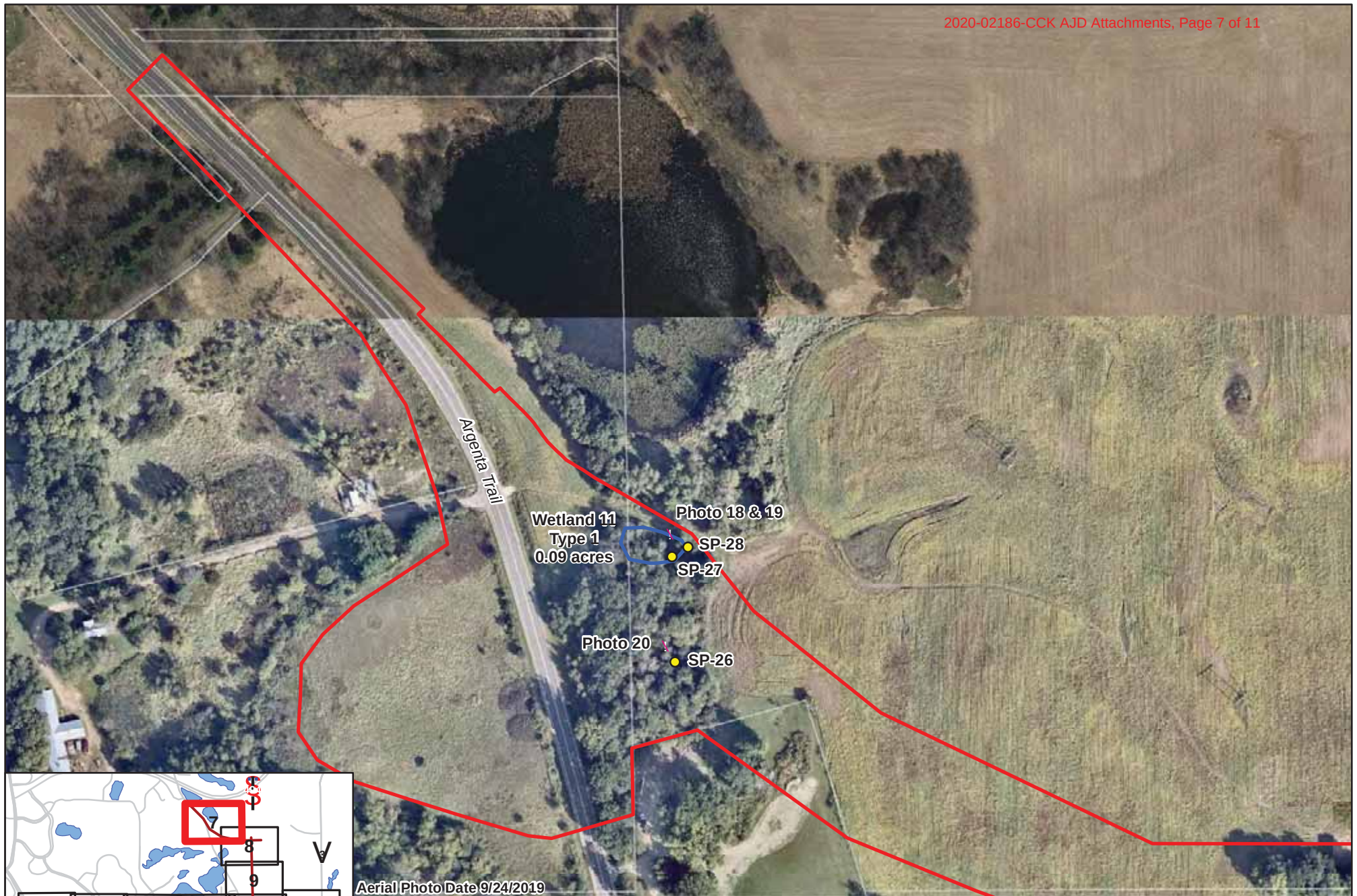


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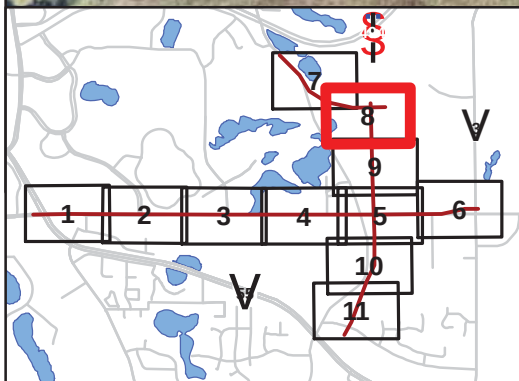
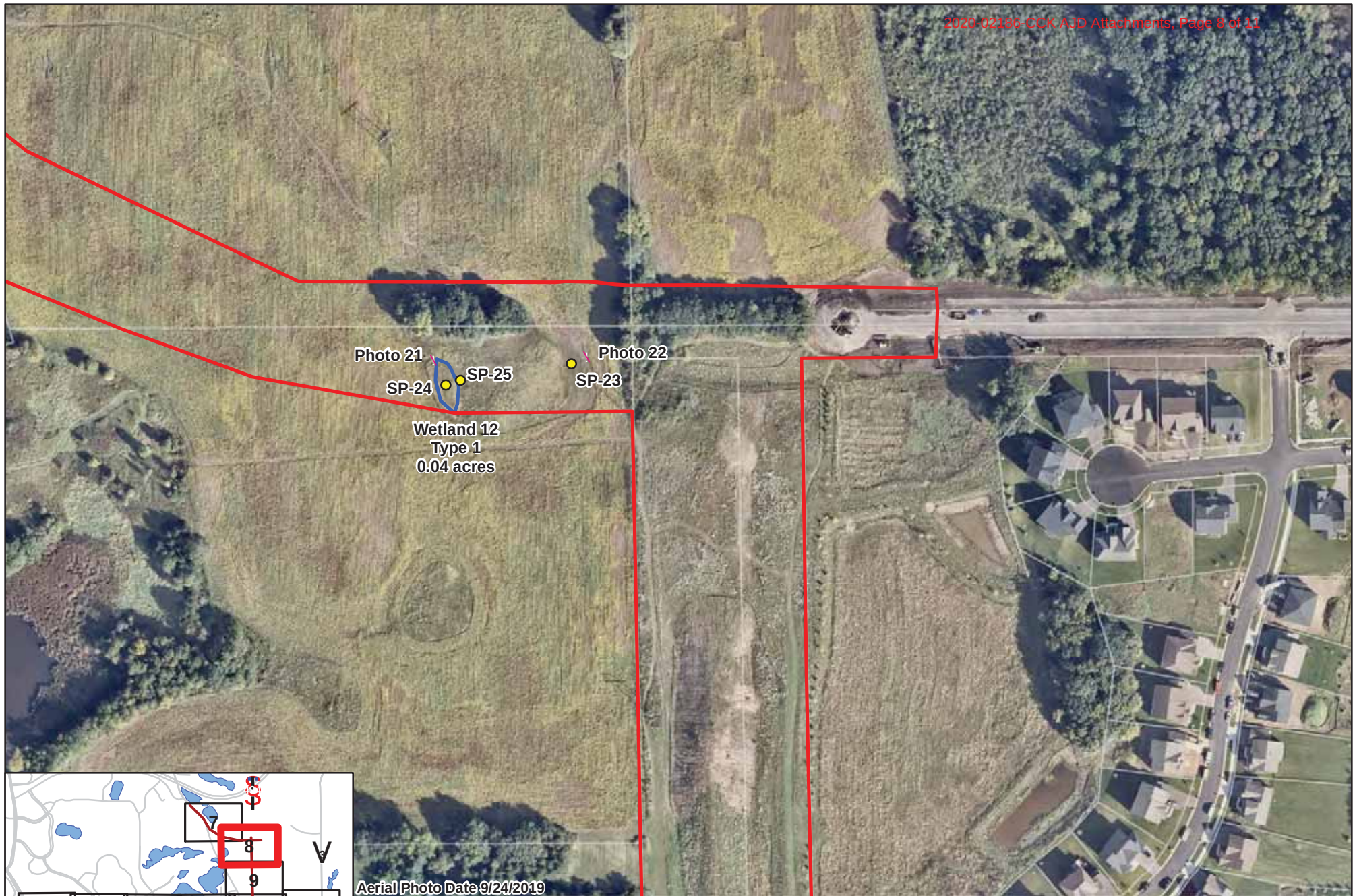
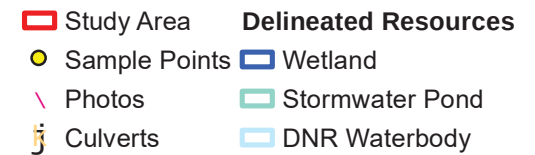


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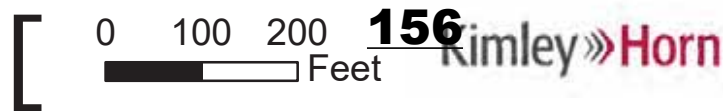
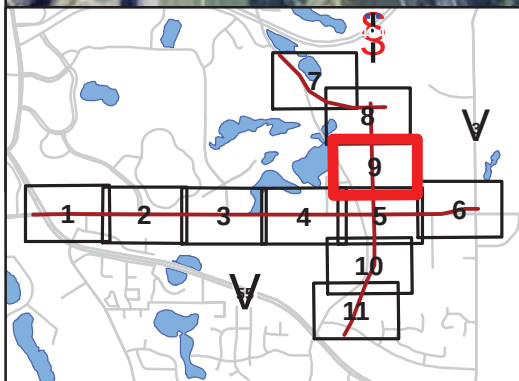
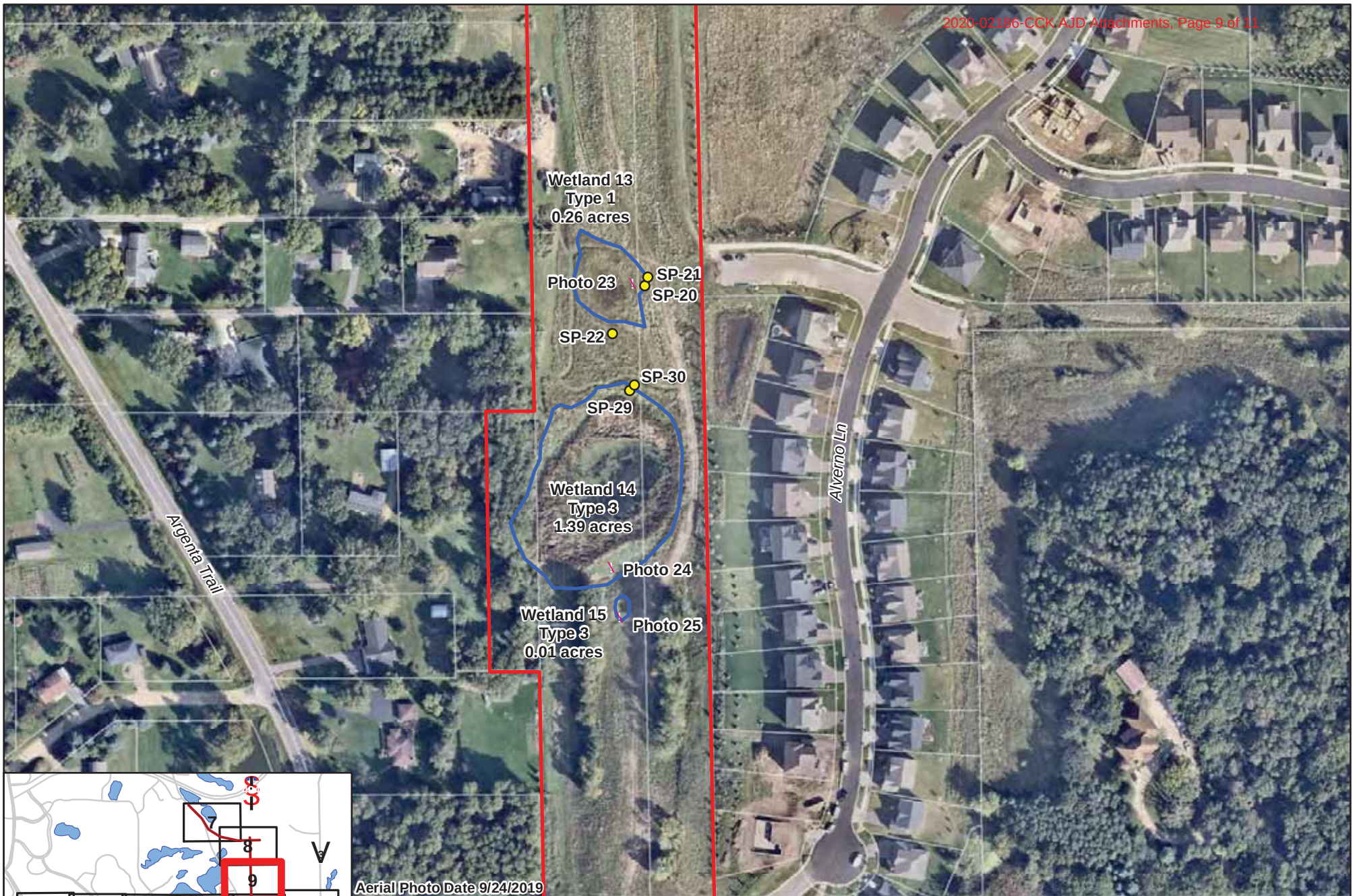
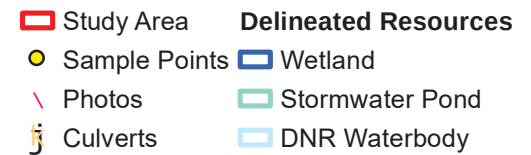


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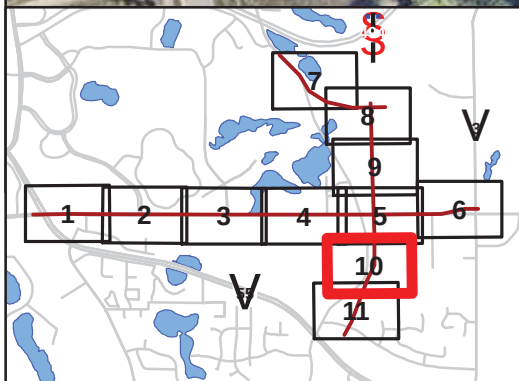
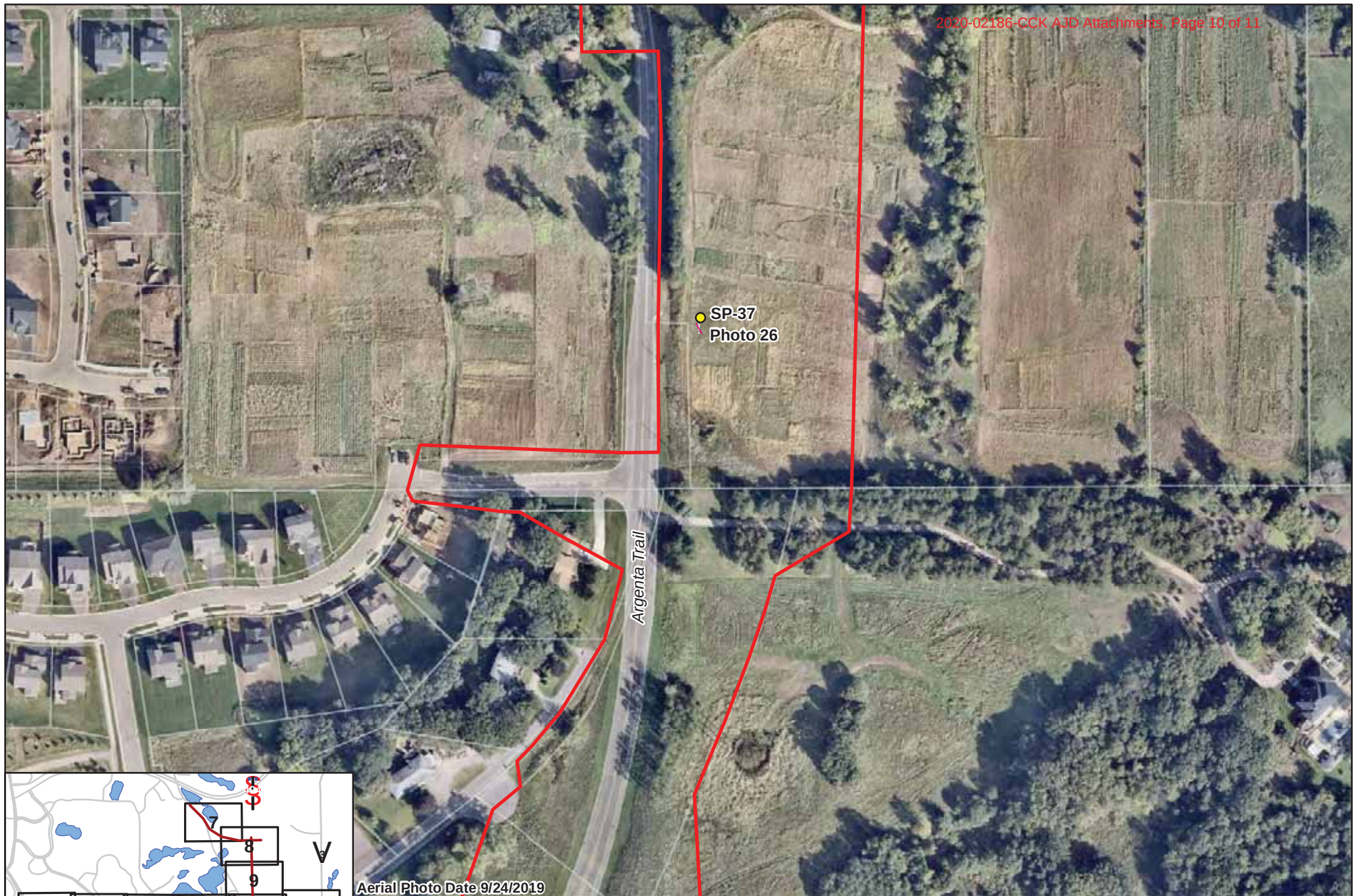
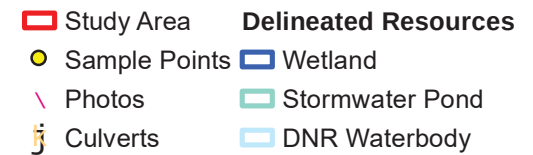
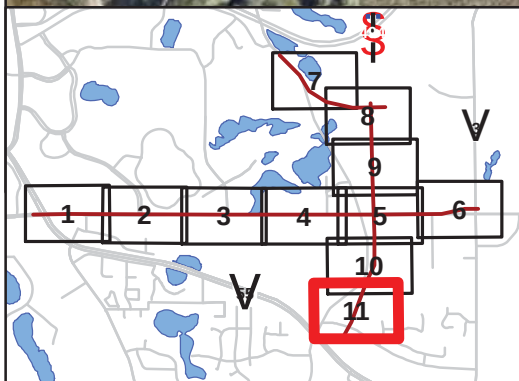


Figure 3. Delineated Wetland Boundaries and Type





Aerial Photo Date 9/24/2019

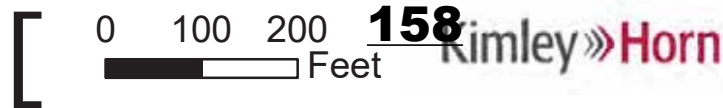


Figure 3. Delineated Wetland Boundaries and Type

- | | |
|---|--|
| ■ Study Area | Delineated Resources |
| ● Sample Points | ■ Wetland |
| \ Photos | ■ Stormwater Pond |
| ■ Culverts | ■ DNR Waterbody |

**NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND
REQUEST FOR APPEAL**

Applicant: Dakota County Dept. of Transportation		File No.: MVP-2020-02186-CCK	Date: November 04, 2020
Attached is:			See Section below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)		A
	PROFFERED PERMIT (Standard Permit or Letter of permission)		B
	PERMIT DENIAL		C
X	APPROVED JURISDICTIONAL DETERMINATION		D
	PRELIMINARY JURISDICTIONAL DETERMINATION		E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://usace.army.mil/inet/functions/cw/cecwo/reg> or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:

U.S. Army Corps of Engineers
St. Paul District, Regulatory Branch
180 Fifth Street East
St. Paul, MN 55101-1678

If you only have questions regarding the appeal process you may also contact the Division Engineer through:

Administrative Appeals Review Officer
Mississippi Valley Division
P.O. Box 80 (1400 Walnut Street)
Vicksburg, MS 39181-0080
601-634-5820 FAX: 601-634-5816

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Signature of appellant or agent.

Date:

Telephone number:



**U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE**

I. ADMINISTRATIVE INFORMATION

Completion Date of Approved Jurisdictional Determination (AJD): November 04, 2020

ORM Number: MVP-2020-02186-CCK

Associated JDs: N/A

Review Area Location¹: State/Territory: Minnesota City: Eagan and Inver Grove Heights

County/Parish/Borough: Dakota

Center Coordinates of Review Area: Latitude 44.848057 Longitude -93.106924

II. FINDINGS

A. Summary: Check all that apply. At least one box from the following list MUST be selected. Complete the corresponding sections/tables and summarize data sources.

- ☐ The review area is comprised entirely of dry land (i.e., there are no waters or water features, including wetlands, of any kind in the entire review area). Rationale: N/A
- ☐ There are "navigable waters of the United States" within Rivers and Harbors Act jurisdiction within the review area (complete table in Section II.B).
- ☐ There are "waters of the United States" within Clean Water Act jurisdiction within the review area (complete appropriate tables in Section II.C).
- ☒ There are waters or water features excluded from Clean Water Act jurisdiction within the review area (complete table in Section II.D).

B. Rivers and Harbors Act of 1899 Section 10 (§ 10)²

§ 10 Name	§ 10 Size	§ 10 Criteria	Rationale for § 10 Determination
N/A.	N/A.	N/A.	N/A.

C. Clean Water Act Section 404

Territorial Seas and Traditional Navigable Waters ((a)(1) waters): ³				
(a)(1) Name	(a)(1) Size	(a)(1) Criteria	Rationale for (a)(1) Determination	
N/A.	N/A.	N/A.	N/A.	

Tributaries ((a)(2) waters):				
(a)(2) Name	(a)(2) Size	(a)(2) Criteria	Rationale for (a)(2) Determination	
N/A.	N/A.	N/A.	N/A.	

Lakes and ponds, and impoundments of jurisdictional waters ((a)(3) waters):				
(a)(3) Name	(a)(3) Size	(a)(3) Criteria	Rationale for (a)(3) Determination	
N/A.	N/A.	N/A.	N/A.	

Adjacent wetlands ((a)(4) waters):				
(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) Determination	
N/A.	N/A.	N/A.	N/A.	

¹ Map(s)/figure(s) are attached to the AJD provided to the requestor.

² If the navigable water is not subject to the ebb and flow of the tide or included on the District's list of Rivers and Harbors Act Section 10 navigable waters list, do NOT use this document to make the determination. The District must continue to follow the procedure outlined in 33 CFR part 329.14 to make a Rivers and Harbors Act Section 10 navigability determination.

³ A stand-alone TNW determination is completed independently of a request for an AJD. A stand-alone TNW determination is conducted for a specific segment of river or stream or other type of waterbody, such as a lake, where upstream or downstream limits or lake borders are established. A stand-alone TNW determination should be completed following applicable guidance and should NOT be documented on the AJD Form.



**U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE**

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
Wetland 2, 3, 7, 8, 9, 10	1.92	acre(s)	(b)(1) Nonadjacent wetland.	Wetlands 2, 3, 7, 8, 9, and 10 are six separate wetland areas located on the north and south sides of CSAH 26. A review of the data sources in Section III.A indicates that all six of these wetland areas are geographically isolated and physically separated from potential downstream waters.
Wetland 11, 12, 13, 14, 15	0.40	acre(s)	(b)(1) Nonadjacent wetland.	Wetlands 11, 12, 13, 14, and 15 are five separate wetland areas located to the east of Argenta Trail. A review of the data sources in Section III.A indicates that all five of these wetland areas are geographically isolated and physically separated from potential downstream waters.
Wetland 4 (4a and 4b), PWI#256W	0.32	acre(s)	(b)(1) Nonadjacent wetland.	Wetland 4a and 4b are small wetland areas located on the north side of CSAH 26. These wetland areas may convey flows north into a larger wetland area (PWI #256W). However, the data sources in Section III.A indicates that PWI #256W is surrounded by uplands, and is physically separated from other potential downstream waters. No connectivity conveying flow was found between this wetland area and adjacent wetlands to the north and northeast.
Stormwater pond 1, Stormwater pond 2, Stormwater pond 3	0.58	acre(s)	(b)(10) Stormwater control feature constructed or excavated in upland or in a non-jurisdictional water to convey, treat, infiltrate, or store stormwater runoff.	Stormwater ponds 1, 2, and 3 are stormwater control features constructed in uplands to store stormwater runoff. A review of the data sources in Section III.A indicates Stormwater Pond 1 was constructed in uplands in 2014, and Stormwater Ponds 2 and 3 were constructed in 2017 in uplands.

⁴ Some excluded waters, such as (b)(2) and (b)(4), may not be specifically identified on the AJD form unless a requestor specifically asks a Corps district to do so. Corps districts may, in case-by-case instances, choose to identify some or all of these waters within the review area.

⁵ Because of the broad nature of the (b)(1) exclusion and in an effort to collect data on specific types of waters that would be covered by the (b)(1) exclusion, four sub-categories of (b)(1) exclusions were administratively created for the purposes of the AJD Form. These four sub-categories are not new exclusions, but are simply administrative distinctions and remain (b)(1) exclusions as defined by the NWPR.



**U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE**

Excluded waters ((b)(1) – (b)(12)): ⁶			
Exclusion Name	Exclusion Size	Exclusion ⁷	Rationale for Exclusion Determination
Wetland 1, 5, 6	0.22	acre(s)	(b)(5) Ditch that is not an (a)(1) or (a)(2) water, and those portions of a ditch constructed in an (a)(4) water that do not satisfy the conditions of (c)(1).
			Wetlands 1, 5, and 6 are roadside ditches that were constructed in uplands and are now linear wetlands.

III. SUPPORTING INFORMATION

A. Select/enter all resources that were used to aid in this determination and attach data/maps to this document and/or references/citations in the administrative record, as appropriate.

☒ Information submitted by, or on behalf of, the applicant/consultant: [Dakota County Department of Transportation, Joint Permit Application](#)

This information is sufficient for purposes of this AJD.

Rationale: [N/A](#)

☐ Data sheets prepared by the Corps: [Title\(s\) and/or date\(s\)](#).

☒ Photographs: [Aerial: Google Earth Imagery, \(1991-2020\); 2006, 2008, 2013, 2014, 2016, 2017, 2018, 2019 photos from Applicant, On-site photos provided by applicant dated November 2019](#)

☐ Corps site visit(s) conducted on: [Date\(s\)](#).

☐ Previous Jurisdictional Determinations (AJDs or PJDs): [MVP-2014-02104-JTB, March 23, 2017 \(for Wetland 14\)](#)

☐ Antecedent Precipitation Tool: [provide detailed discussion in Section III.B.](#)

☐ USDA NRCS Soil Survey: [Dakota County Web Soil Survey, accessed October 2019](#)

☒ USFWS NWI maps: [USFWS NWI of MN, 1974-1978](#)

☒ USGS topographic maps: [1:24k USGS Saint Paul SW Quadrangle](#)

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	N/A.
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other Sources	Lidar 2-Foot Contours

⁶ Some excluded waters, such as (b)(2) and (b)(4), may not be specifically identified on the AJD form unless a requestor specifically asks a Corps district to do so. Corps districts may, in case-by-case instances, choose to identify some or all of these waters within the review area.

⁷ Because of the broad nature of the (b)(1) exclusion and in an effort to collect data on specific types of waters that would be covered by the (b)(1) exclusion, four sub-categories of (b)(1) exclusions were administratively created for the purposes of the AJD Form. These four sub-categories are not new exclusions, but are simply administrative distinctions and remain (b)(1) exclusions as defined by the NWPR.



**U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE**

B. Typical year assessment(s): N/A or provide typical year assessment for each relevant data source used to support the conclusions in the AJD.

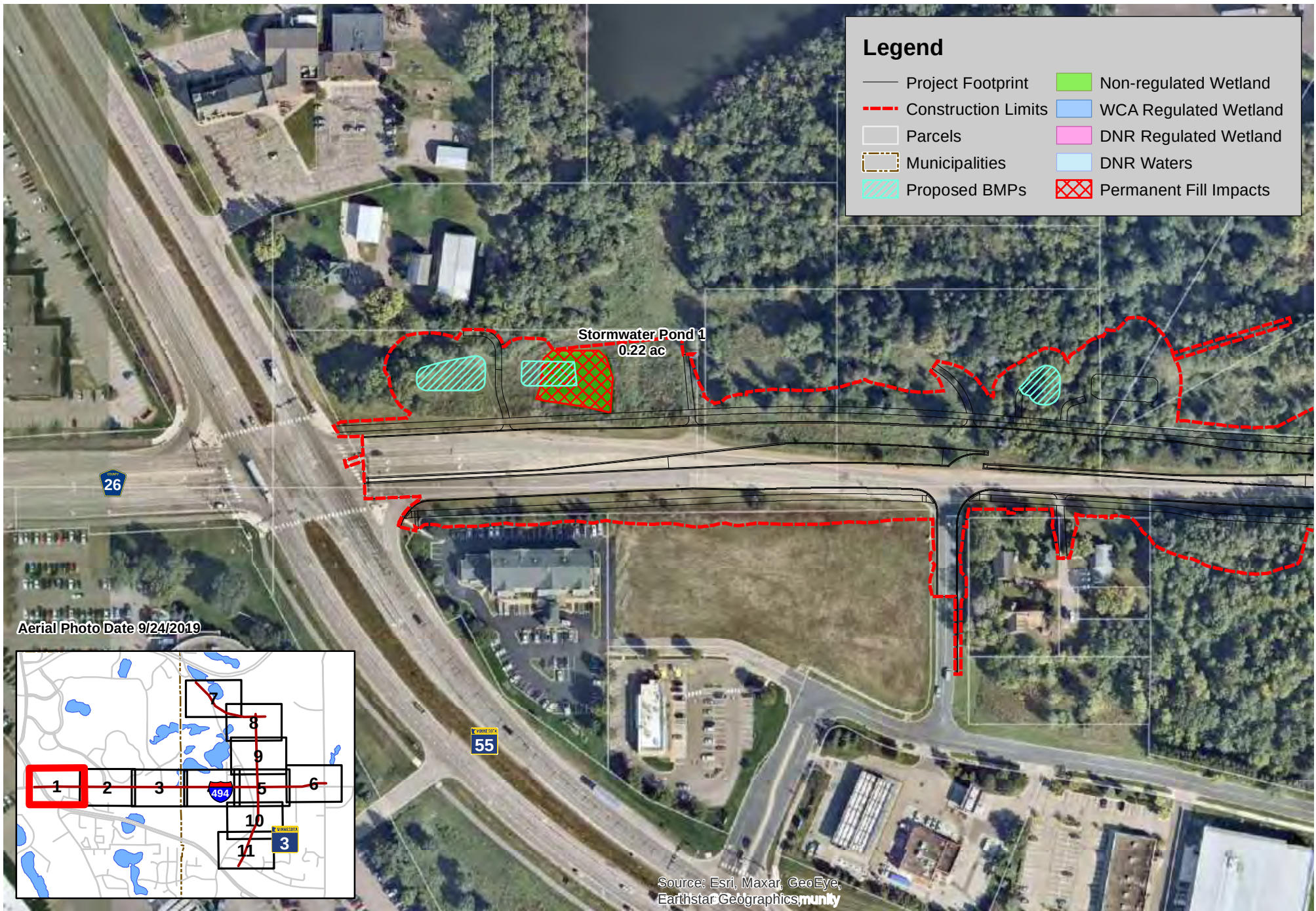
C. Additional comments to support AJD: The review are for this determination is limited to the delineated boundaries of 15 wetland areas, 1 open water area, and 3 stormwater ponds labeled as Wetland 1, Wetland 2, Wetland 3, Wetland 4, Wetland 5, Wetland 6, Wetland 7, Wetland 8, Wetland 9, Wetland 10, Wetland 11, Wetland 12, Wetland 13, Wetland 14, Wetland 15, PWI #256W, Stormwater Pond 1, Stormwater Pond 2, and Stormwater Pond 3 on the attached figures labeled 2020-02186-CCK AJD Attachments, Pages 1-4.. The total area of non-jurisdictional waters within the review area is approximately 3.44 acres.

All of the wetlands within the review area meet the definition of “wetlands” under paragraph (c)(16) and are not (a)(4) waters because they do not meet the definition of “adjacent wetlands” under paragraph (c)(1). Wetlands 2, 3, 7, 8, 9, and 10 are six separate wetland areas located on the north and south sides of CSAH 26. A review of the data sources in Section III.A indicates that all six of these wetland areas are geographically isolated and physically separated from potential downstream waters. Wetlands 11, 12, 13, 14, and 15 are five separate wetland areas located to the east of Argenta Trail. A review of the data sources in Section III.A indicates that all five of these wetland areas are geographically isolated and physically separated from potential downstream waters

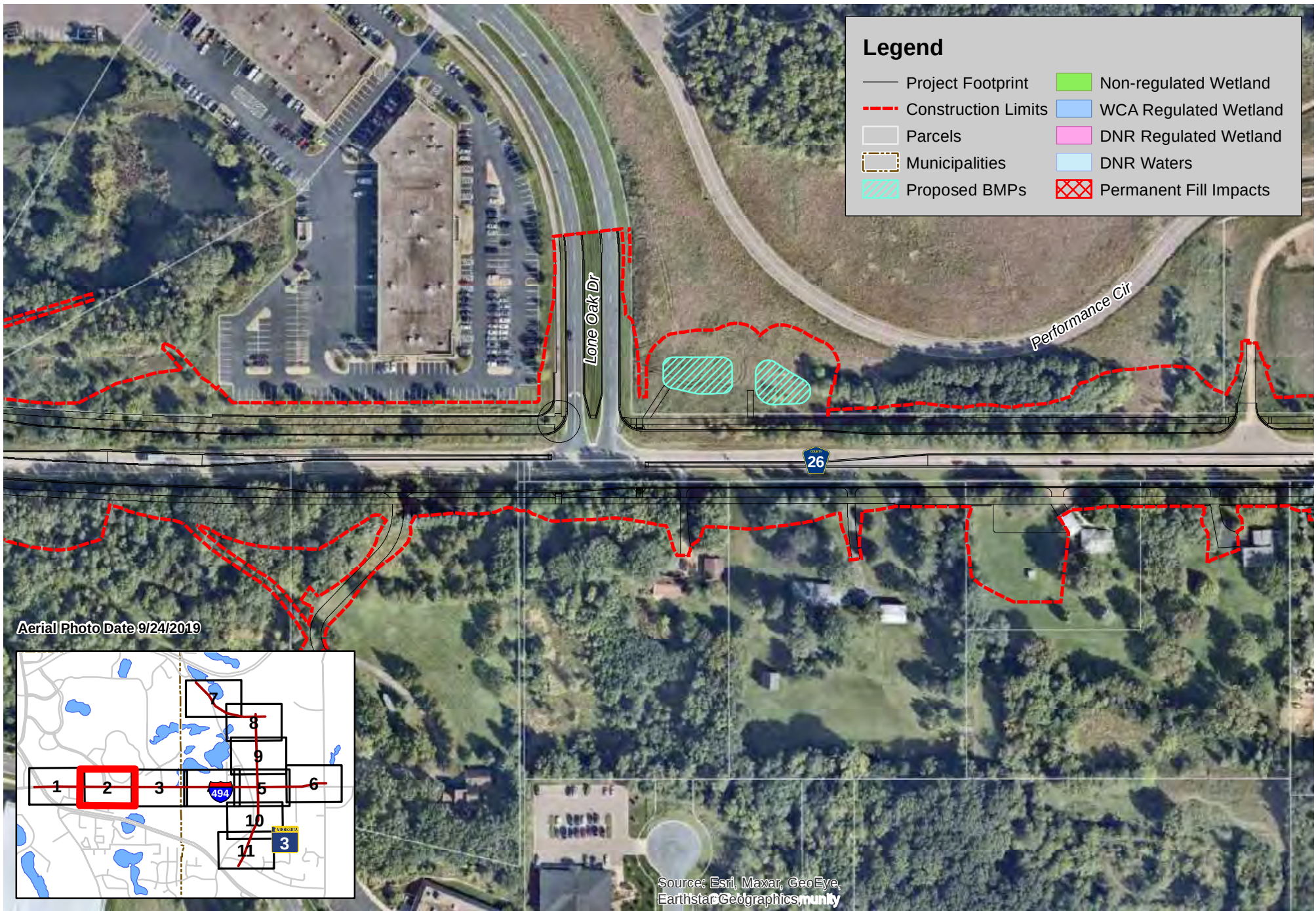
Wetland 4a and 4b are small wetland areas located on the north side of CSAH 26. These wetland areas may convey flows north into a larger wetland area (PWI #256W). However, the data sources in Section III.A indicates that PWI #256W is surrounded by uplands, and is physically separated from other potential downstream waters. No connectivity conveying flow was found between this wetland area and adjacent wetlands to the north and northeast. Wetlands 1, 5, and 6 are roadside ditches that were constructed in uplands and are now linear wetlands.

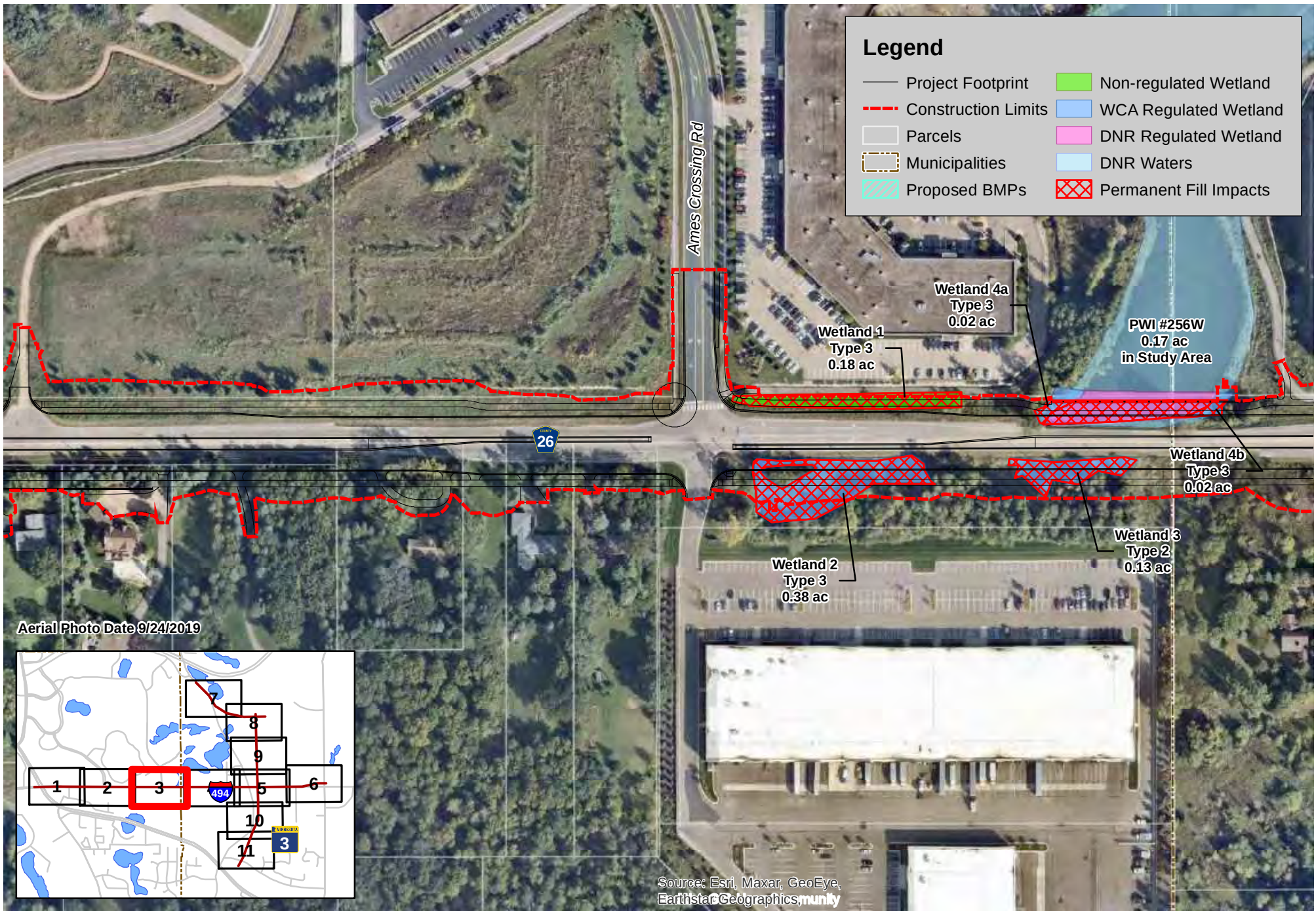
This was confirmed by reviewing aerial photography, national hydrography data, and topographic data. Based on this review, the assessed ditches are not jurisdictional under the Navigable Waters Protection Rule because they meet the requirements of the exclusion for ditches under paragraph (b)(5).

APPENDIX B: WETLAND IMPACTS

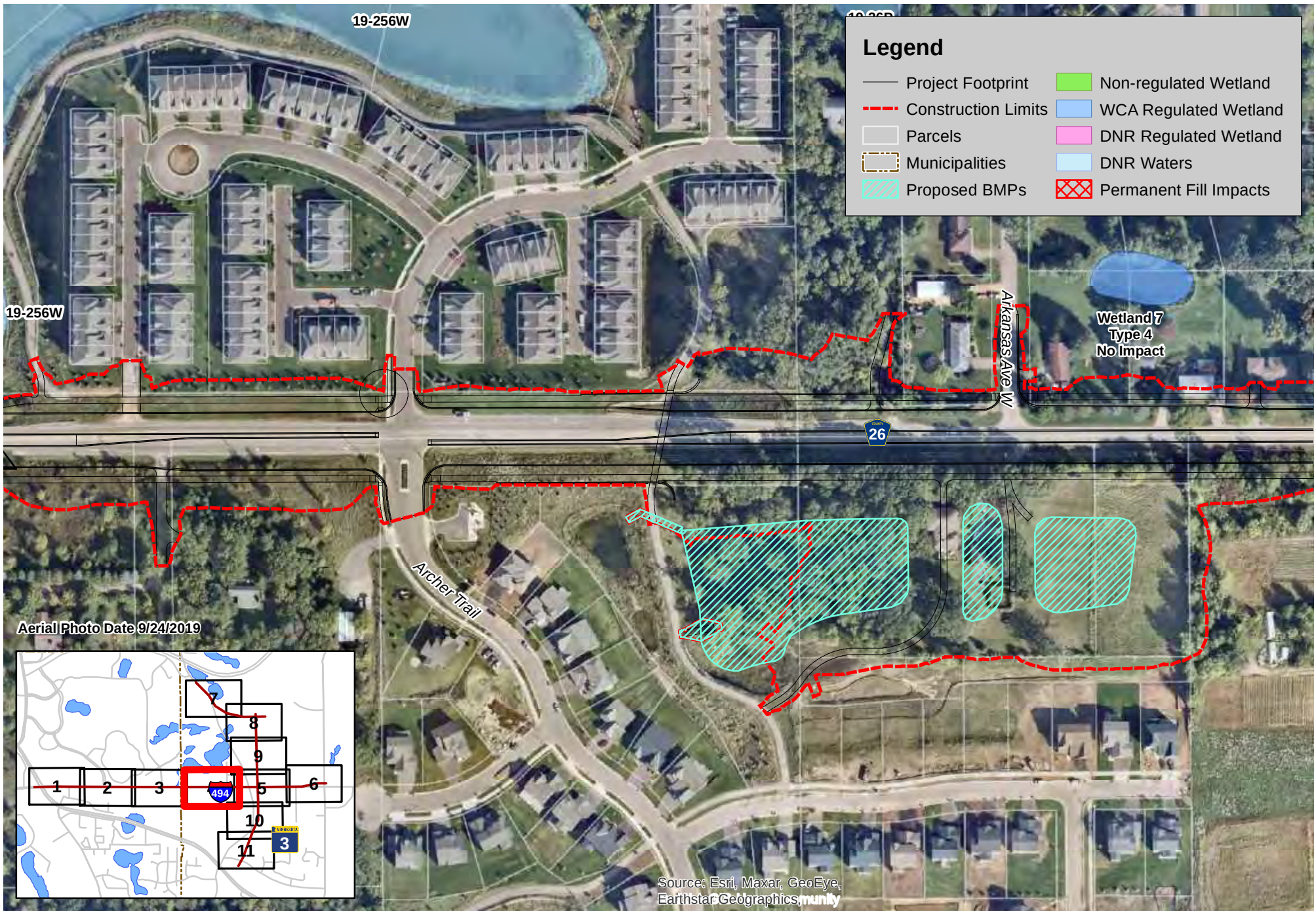


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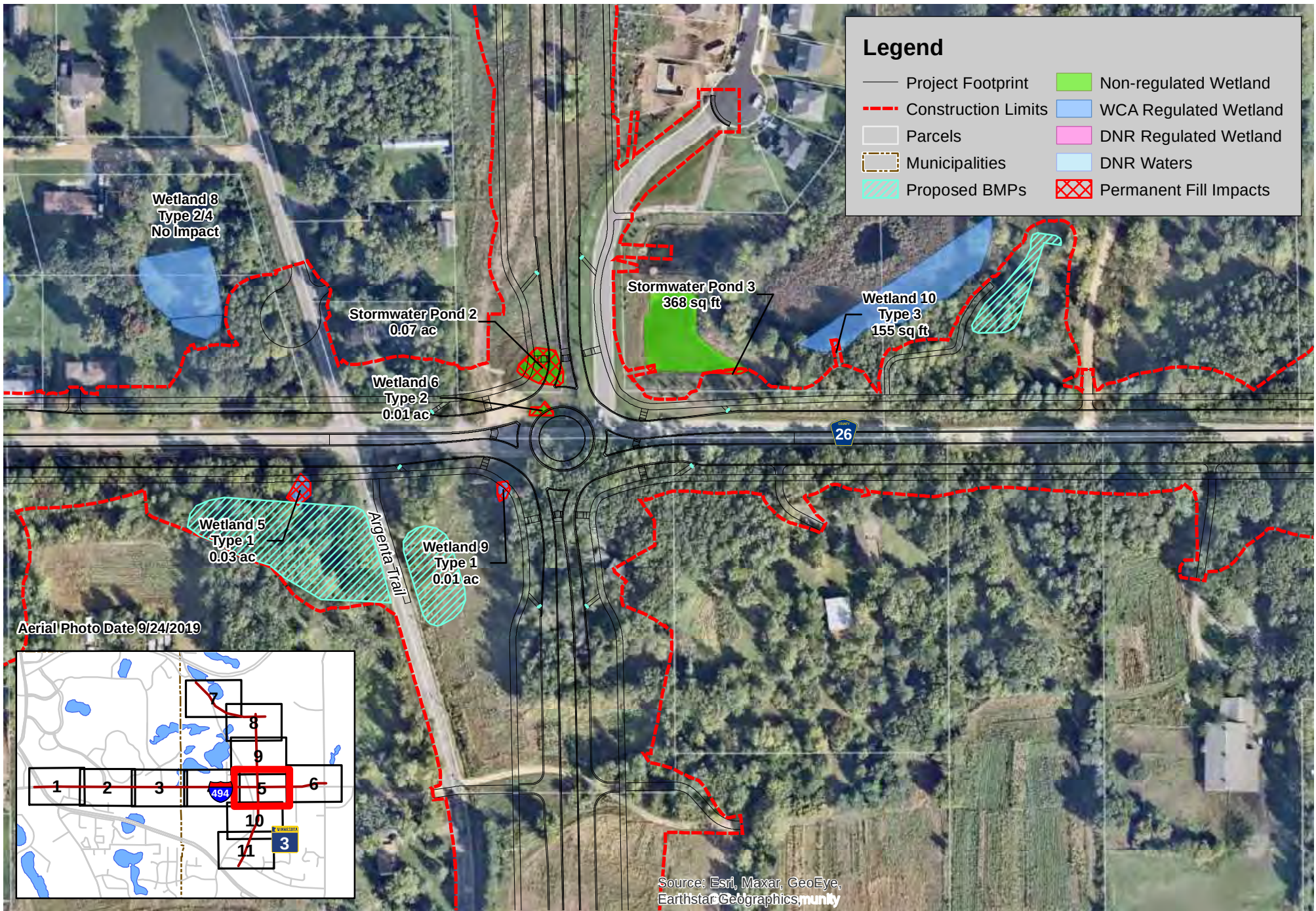




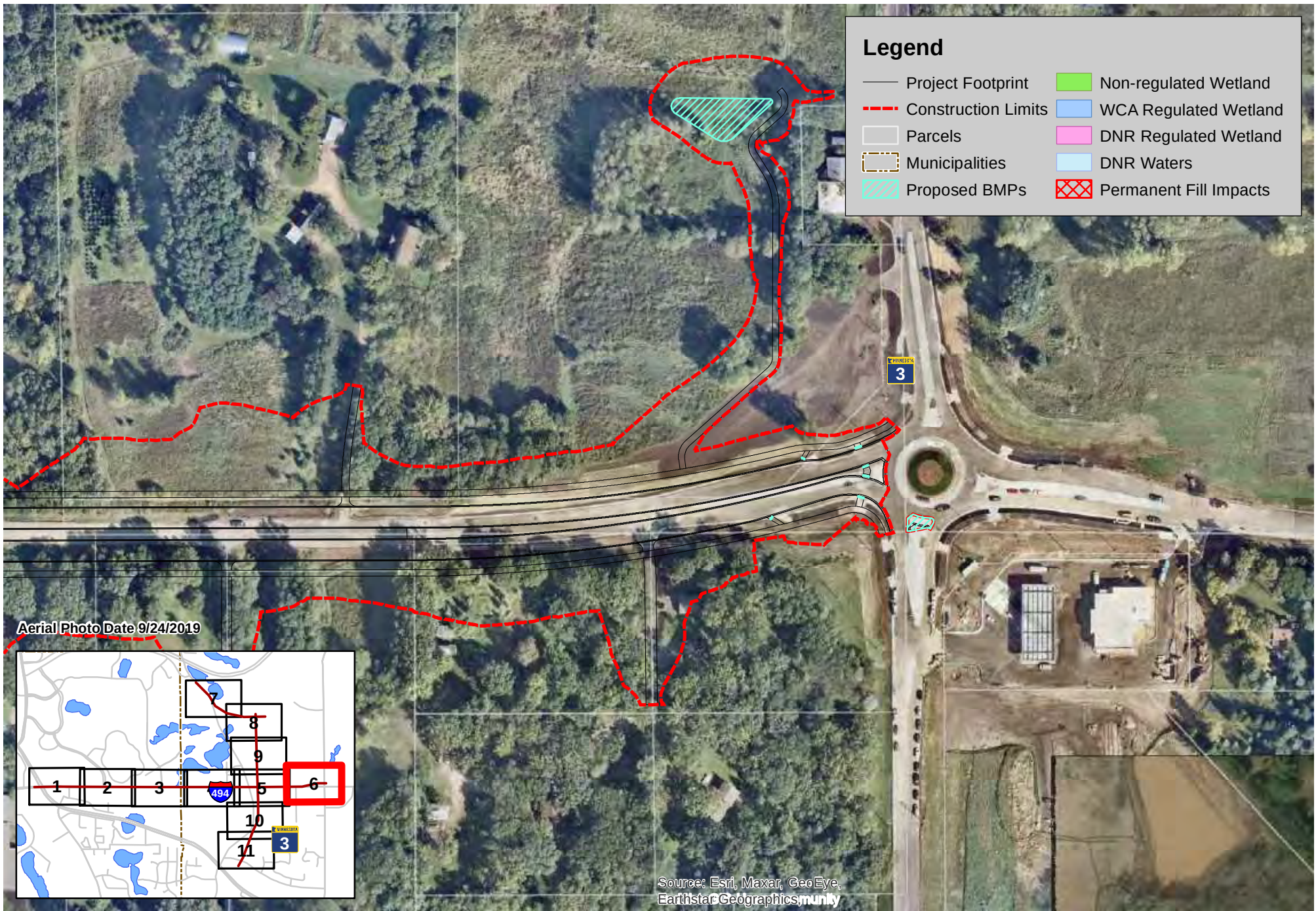
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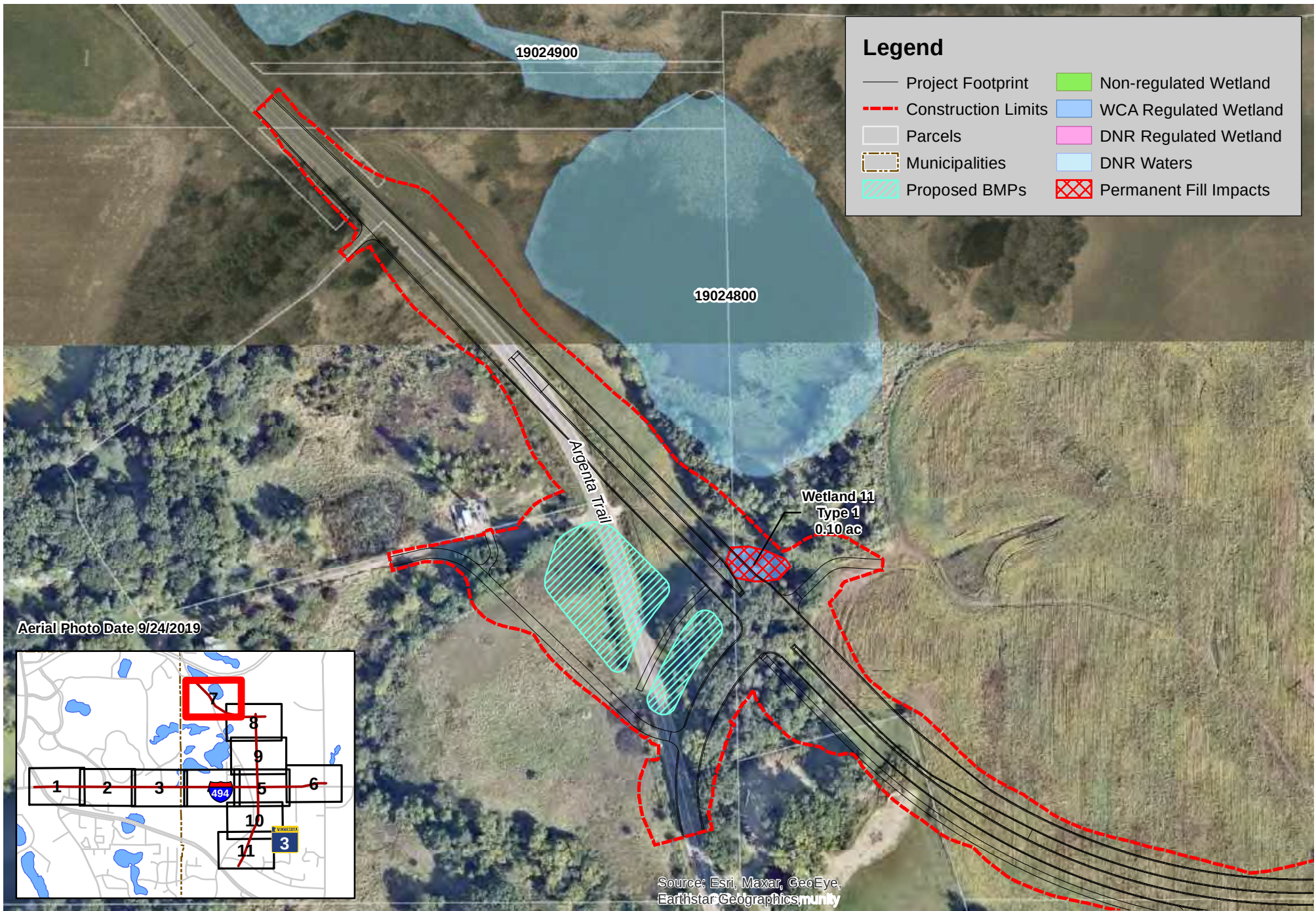


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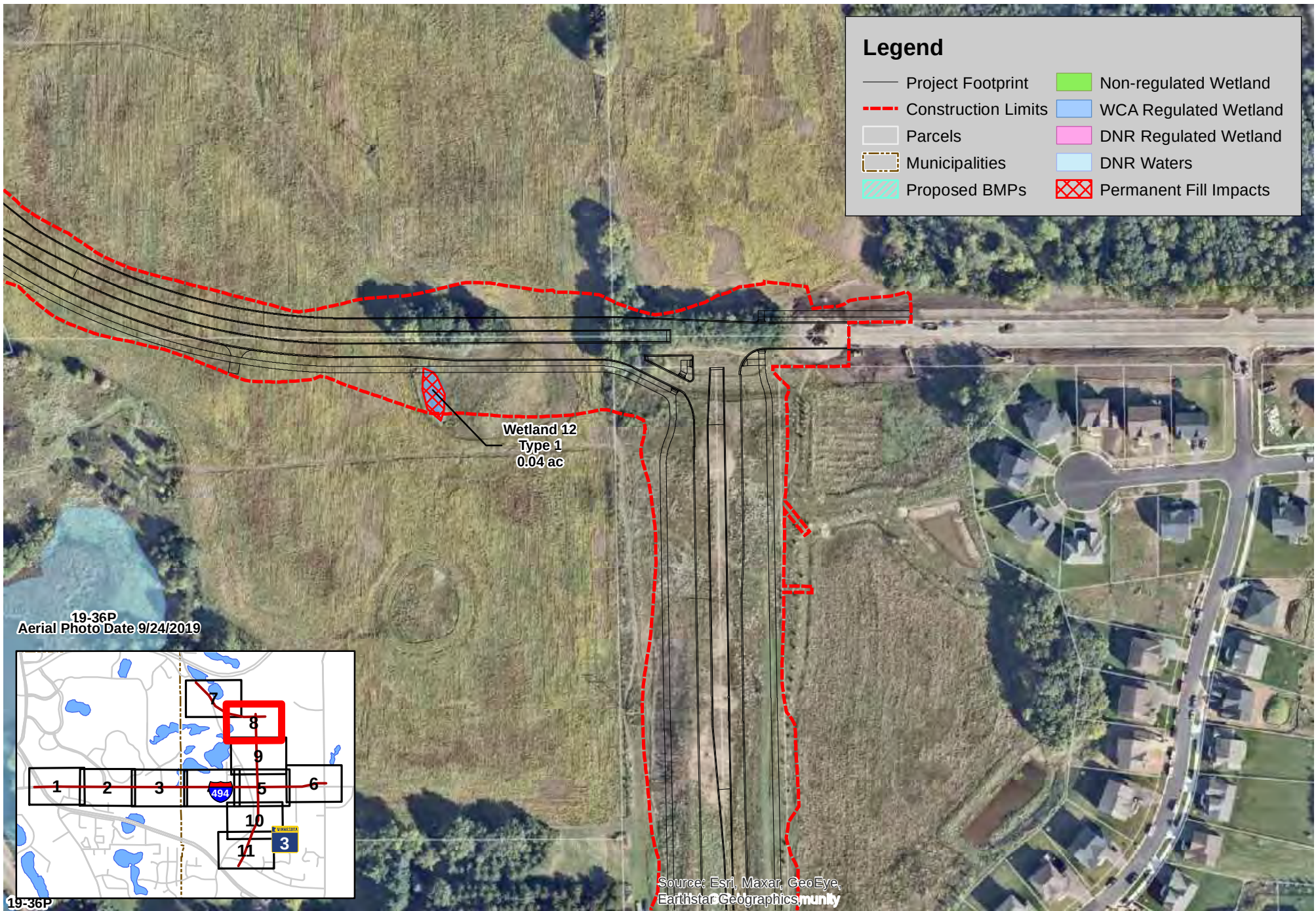


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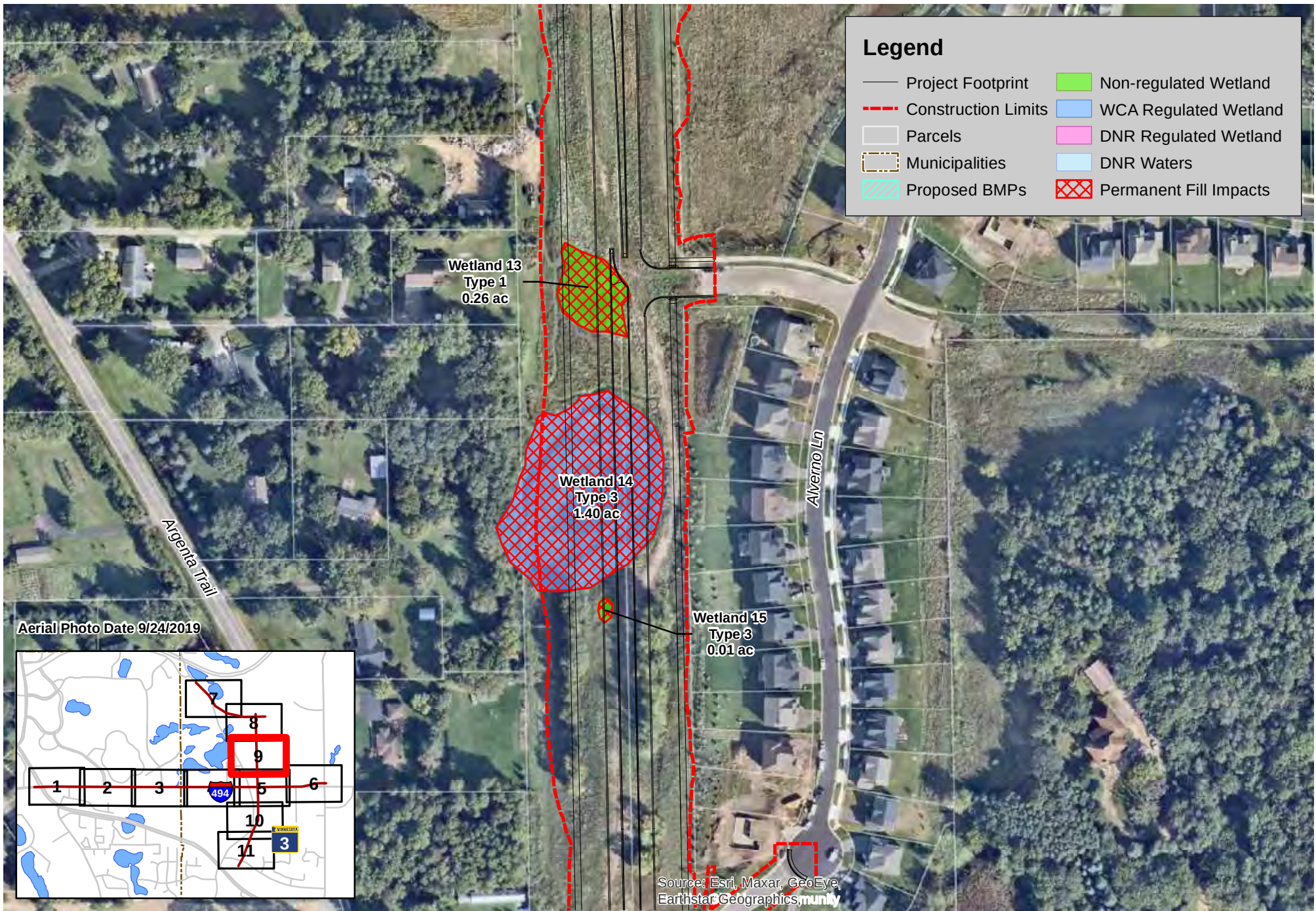




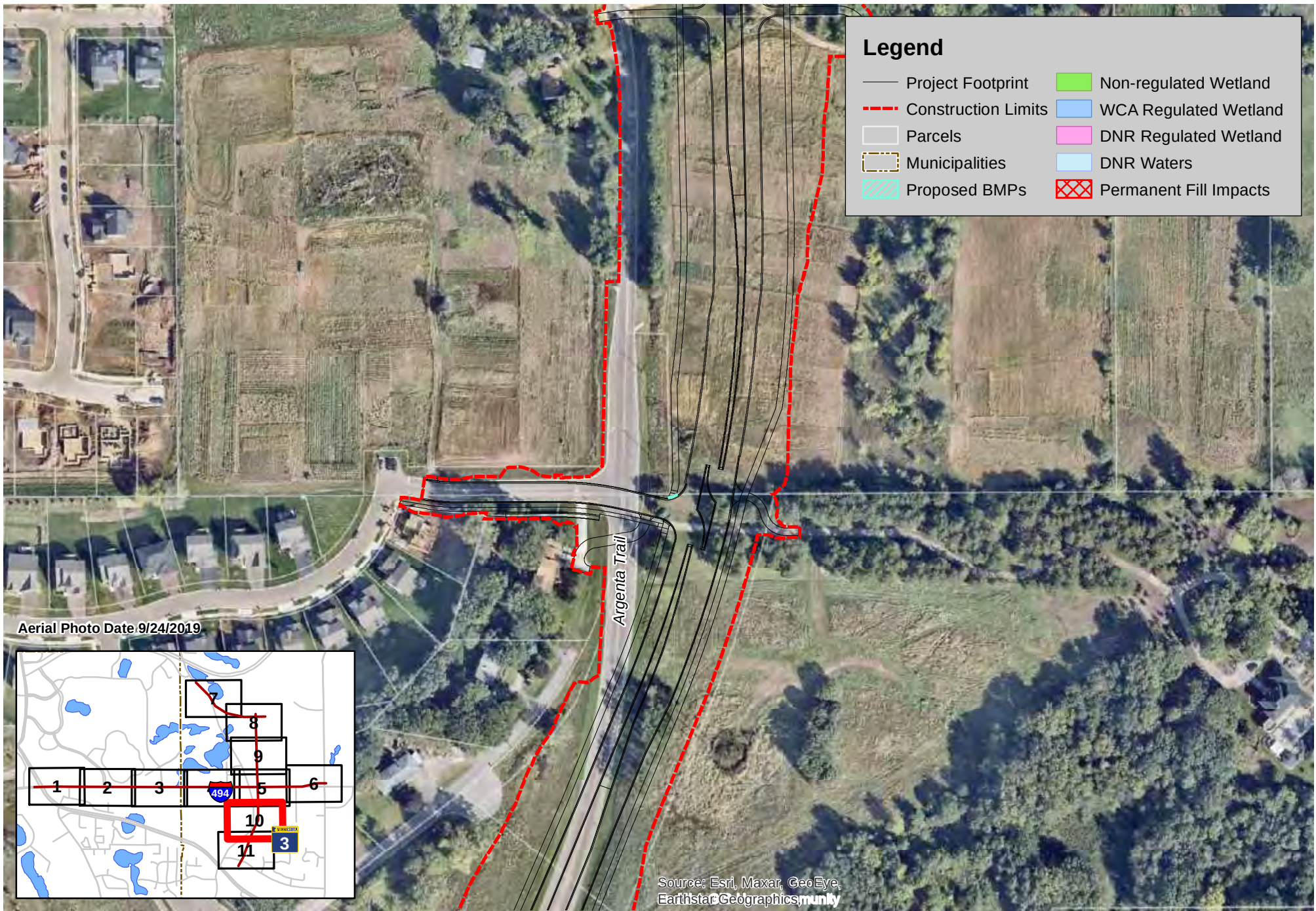
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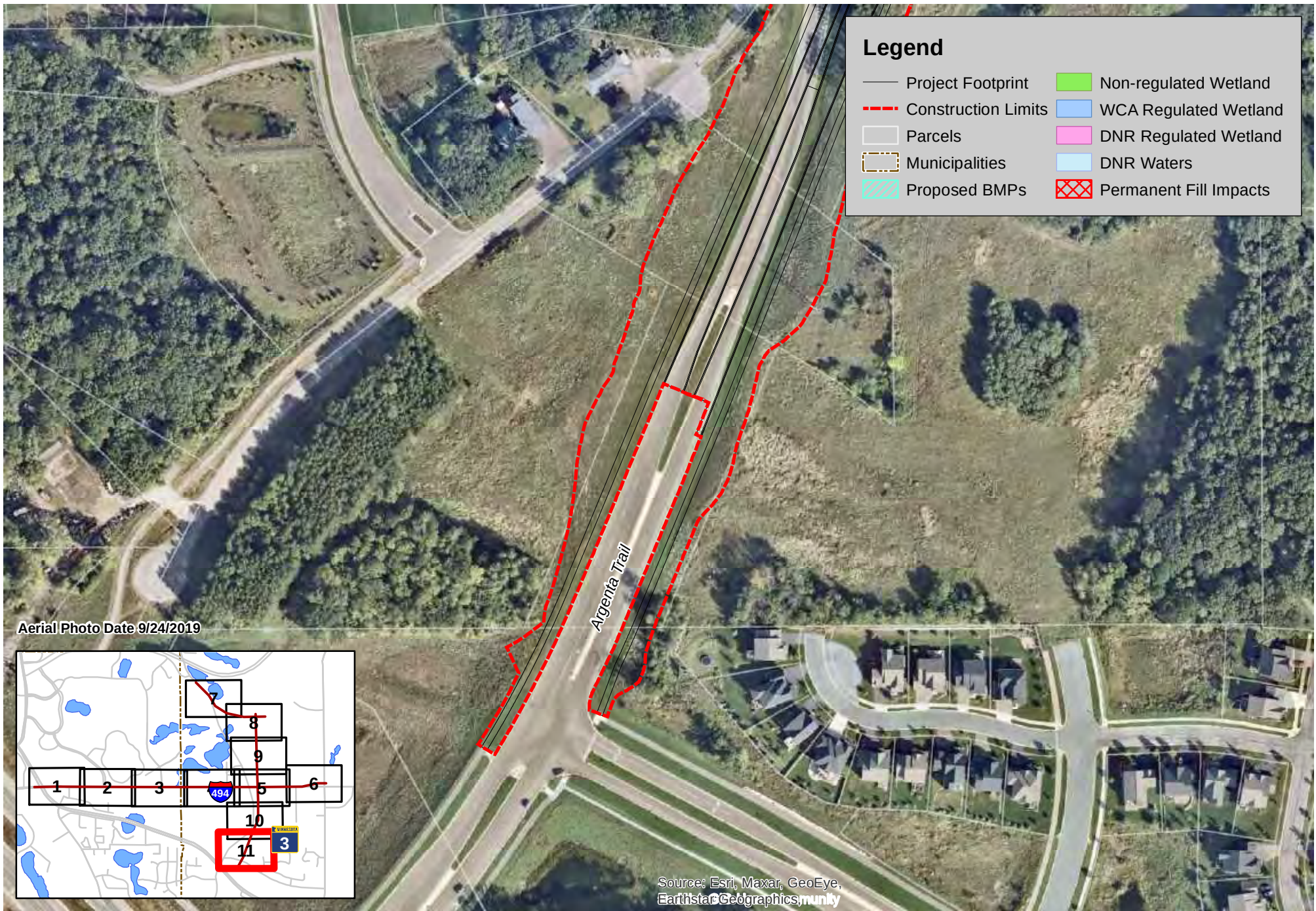


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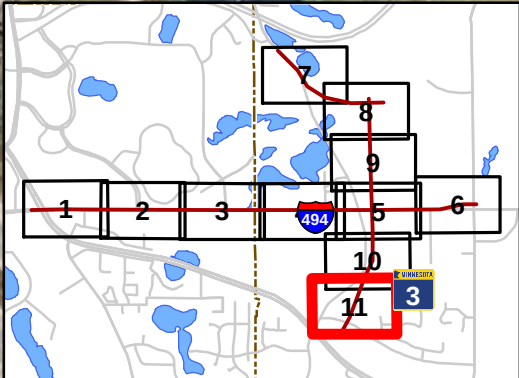




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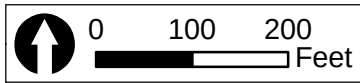
— Project Footprint	Non-regulated Wetland
- - - Construction Limits	WCA Regulated Wetland
▭ Parcels	DNR Regulated Wetland
- - - Municipalities	DNR Waters
▨ Proposed BMPs	Permanent Fill Impacts

Aerial Photo Date 9/24/2019



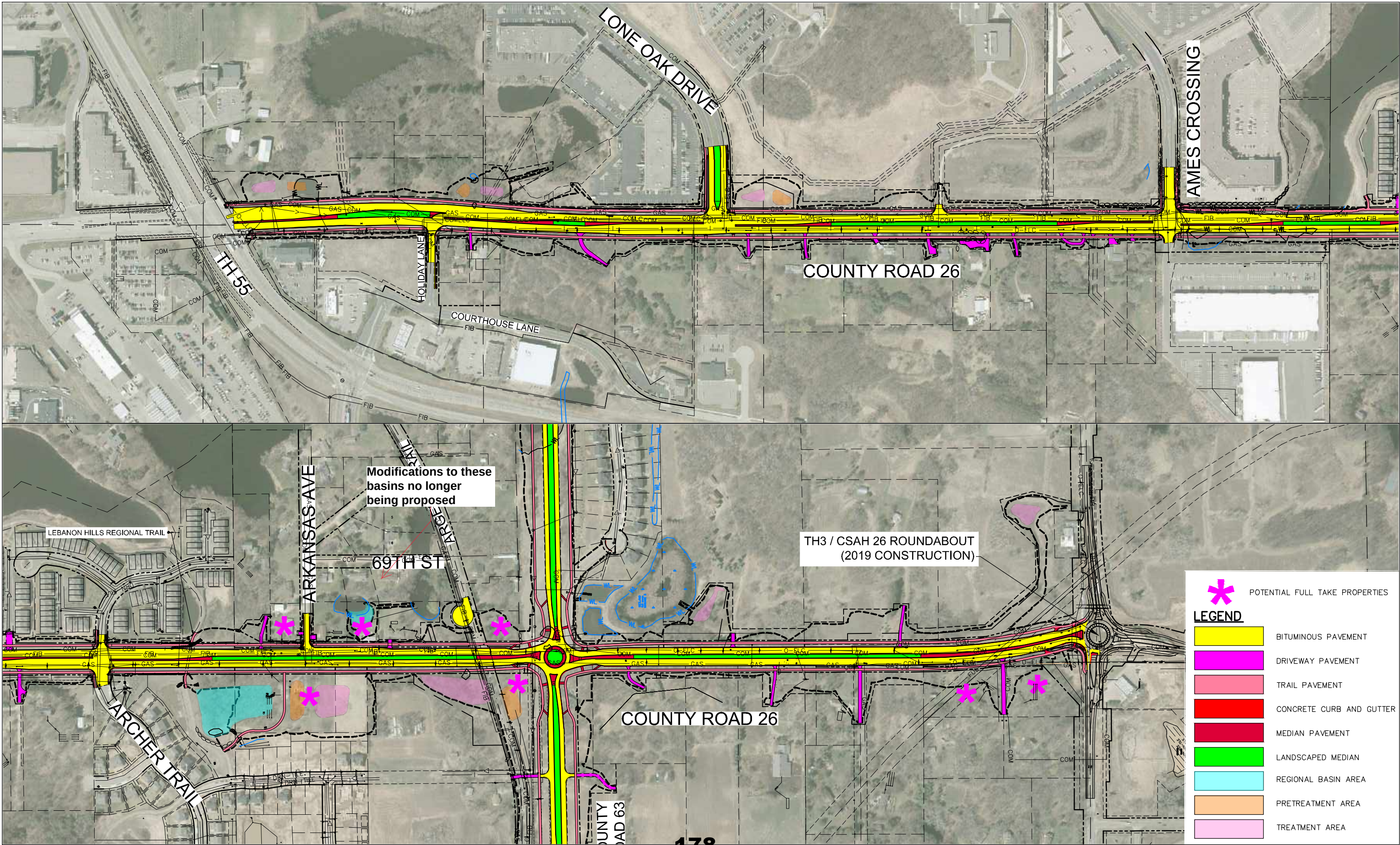
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176

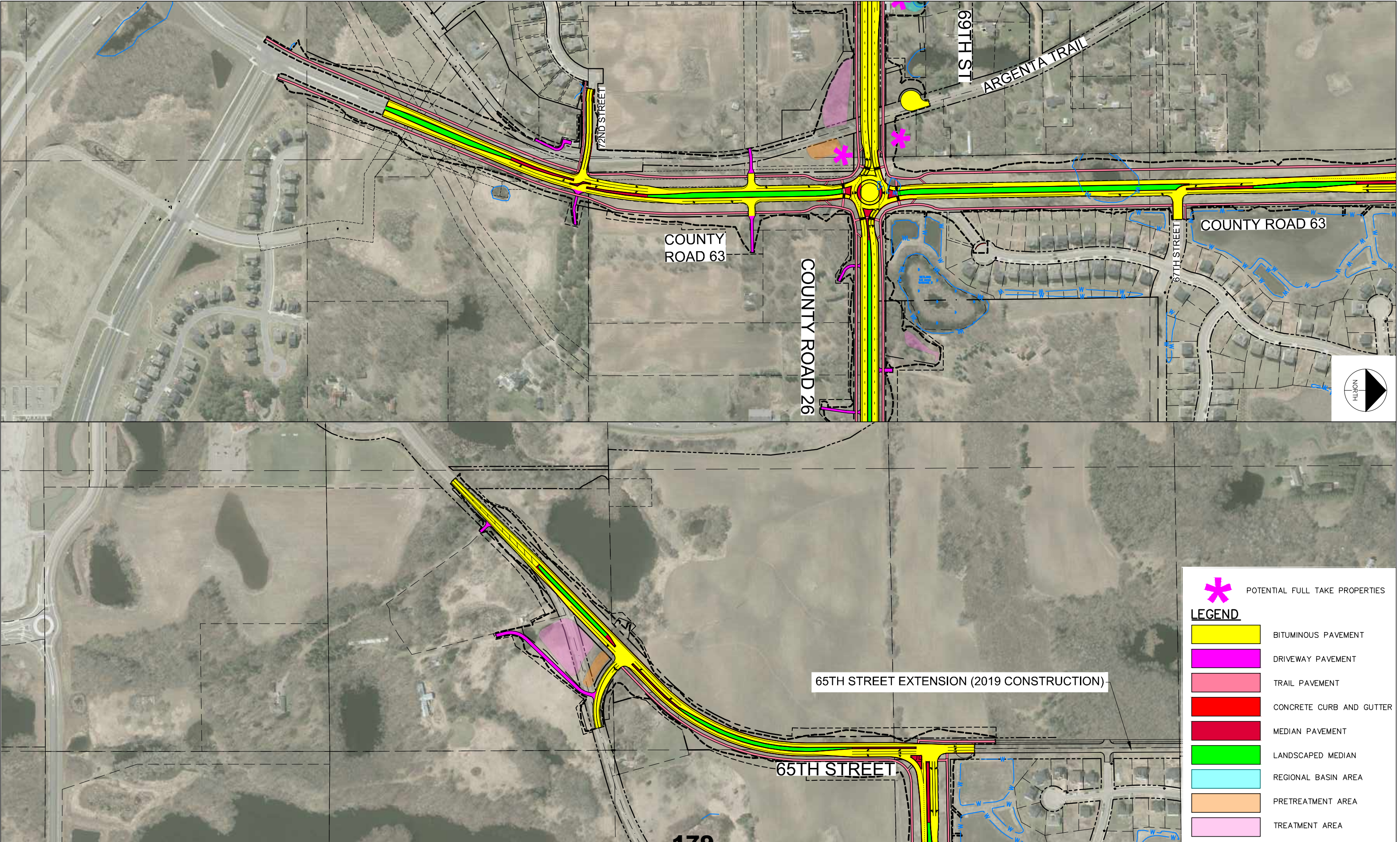


APPENDIX C: LAYOUT AND CROSS SECTIONS

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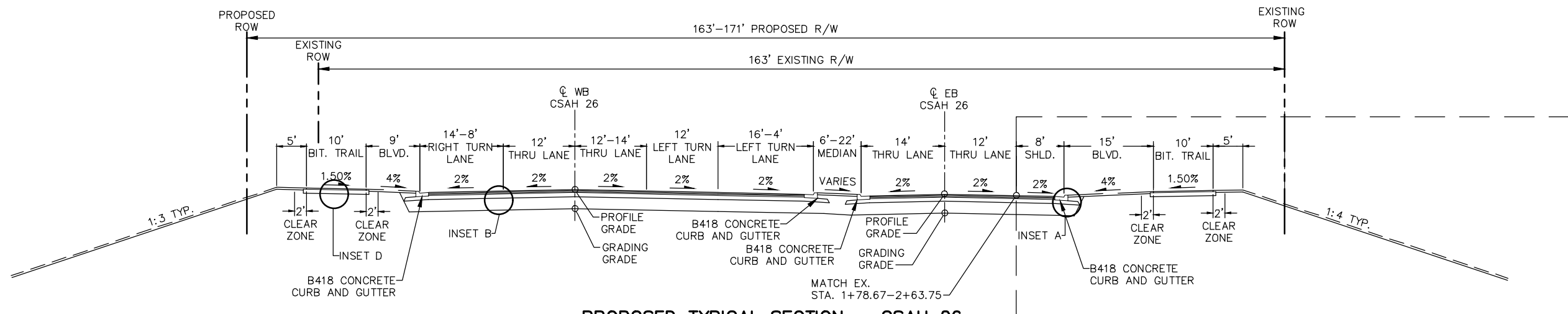
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 POTENTIAL FULL TAKE PROPERTIES

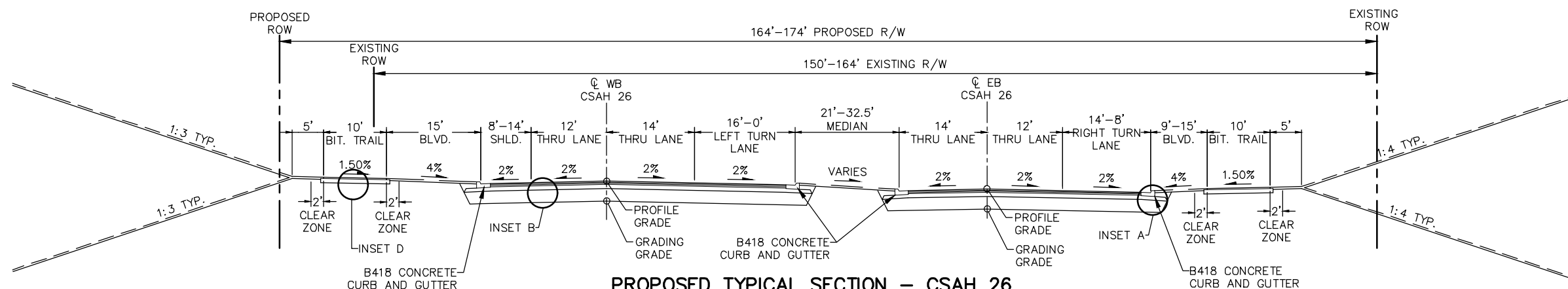
LEGEND

	BITUMINOUS PAVEMENT
	DRIVEWAY PAVEMENT
	TRAIL PAVEMENT
	CONCRETE CURB AND GUTTER
	MEDIAN PAVEMENT
	LANDSCAPED MEDIAN
	REGIONAL BASIN AREA
	PRETREATMENT AREA
	TREATMENT AREA

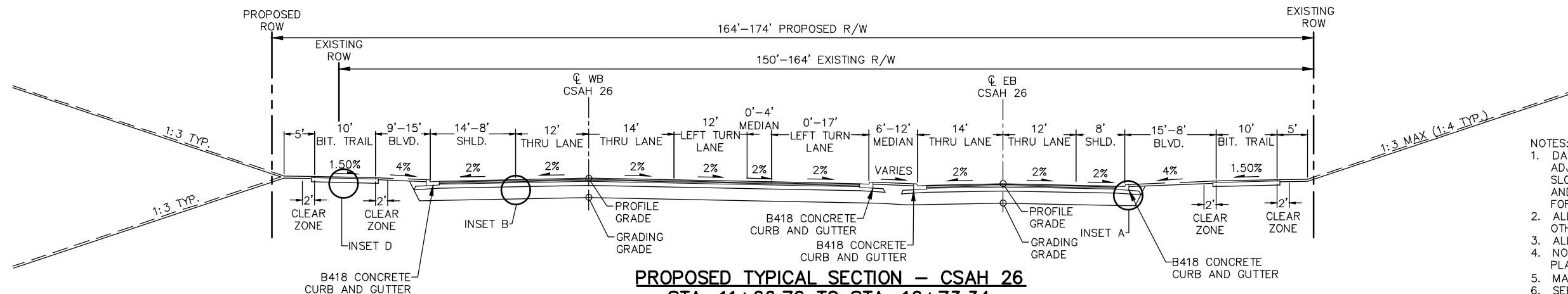


PROPOSED TYPICAL SECTION – CSAH 26
STA. 1+78.67 TO STA. 6+99.04

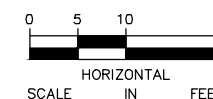
STA. 2+63.75 TO STA. 6+99.04



PROPOSED TYPICAL SECTION – CSAH 26
STA. 6+99.04 TO STA. 11+66+.76



PROPOSED TYPICAL SECTION – CSAH 26
STA. 11+66.76 TO STA. 16+73.34



- NOTES:
1. DAYLIGHT SLOPES SHALL BE 1:4 IN AREAS ADJACENT TO RESIDENTIAL PROPERTIES. DAYLIGHT SLOPES SHALL BE 1:3 IN AREAS ADJACENT TO COMMERCIAL AND INDUSTRIAL PROPERTIES. SEE CROSS SECTIONS FOR MORE DETAIL.
 2. ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
 3. ALL CROSS SLOPES ARE IN PERCENT GRADE.
 4. NORMAL CROSS SLOPES ARE SHOWN. SEE SUPERELEVATION PLANS FOR PAVEMENT TRANSITIONS AND CROWN SHIFTS.
 5. MAXIMUM ROLLOVER IS 0.07 FT/FT.
 6. SEE SHEET 31 FOR PAVEMENT INSETS.
 7. SEE SHEETS 179-### FOR TURF ESTABLISHMENT DETAILS.
 8. WHEN MEDIAN IS GREATER THAN 8 FEET, SEE DETAILS & CROSS SECTIONS FOR AGGREGATE BASE AND SAND SUBBASE.
 9. SEE CONSTRUCTION AND CROSS SECTION SHEETS FOR TRANSITIONS AND VARIABLE BOULEVARD SLOPES AND WIDTHS.
 10. TEMPORARY AND PERMANENT EASEMENTS NOT SHOWN. SEE CONSTRUCTION PLANS AND CROSS SECTIONS FOR MORE DETAIL.
 11. ALL STATIONING IS BASED ON EB CSAH 26 OR NB CSAH 63.

No.	Date	Revisions	App.	DRAWING NAME
				CSAH26-TYPICAL SECTIONS.dwg
				DESIGNED BY: MAK
				DRAWN BY: MAK
				CHECKED BY: LBM
				DATE: 5/15/2020
				PROJECT NO. 160547022

Kimley»Horn
767 EUSTIS STREET SUITE 100, ST. PAUL, MN 55114
PHONE: 651-645-4197
WWW.KIMLEY-HORN.COM

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

180

LUKE B. MOREN, P.E.
DATE: 5/15/2020 MN LIC. NO. 54190



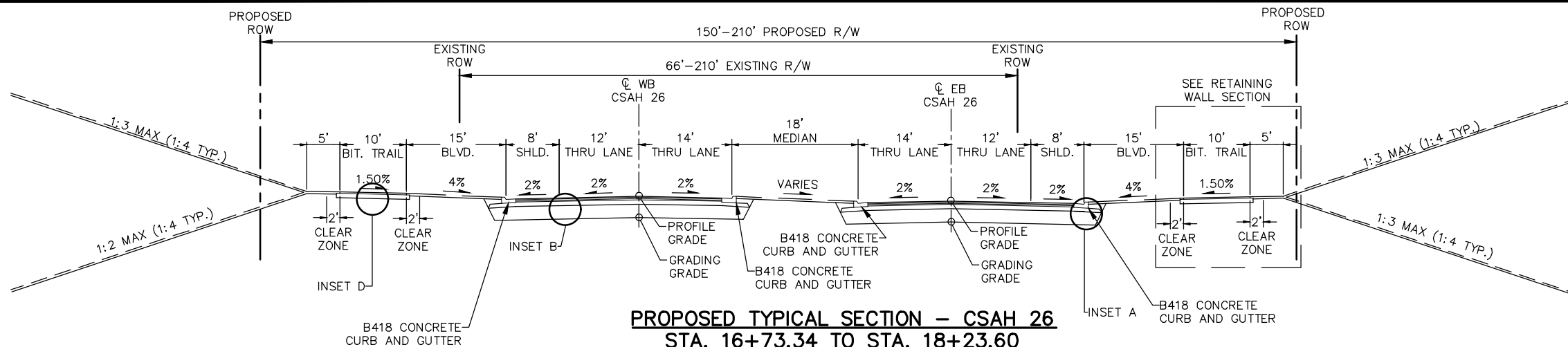
DAKOTA COUNTY
CSAH 26 / CR 63

TYPICAL SECTIONS

EAGAN CITY PROJECT:	1275
IGH CITY PROJECTS: 2016-04, 2016-05	
	2015-08
COUNTY PROJECTS:	26-54, 63-27
S.P.	019-663-007, 178-020-028
	195-020-035, 019-626-026

SHEET NO.
20

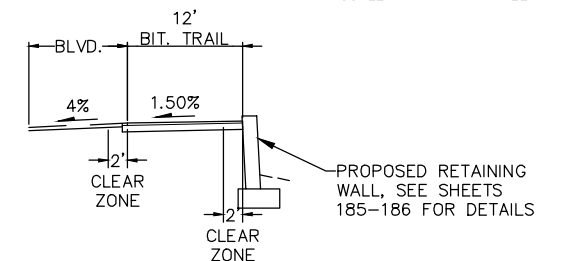
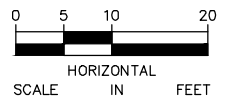
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PROPOSED TYPICAL SECTION - CSAH 26

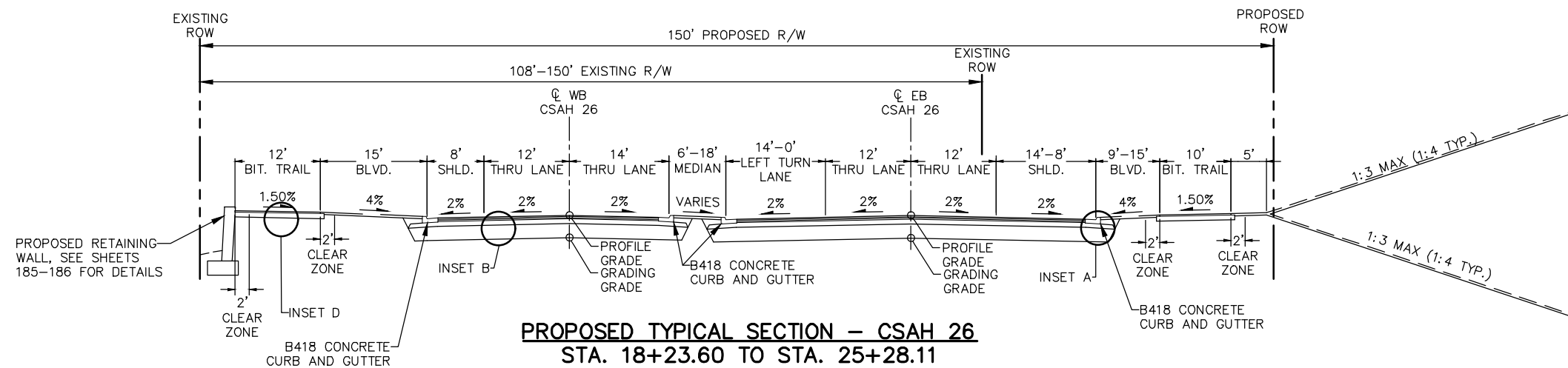
STA. 16+73.34 TO STA. 18+23.60
 STA. 29+76.74 TO STA. 34+30.43
 STA. 39+04.83 TO STA. 40+36.76
 STA. 65+90.40 TO STA. 69+89.47
 STA. 74+34.08 TO STA. 76+54.34
 STA. 87+57.16 TO STA. 104+85.44

- NOTES:
1. DAYLIGHT SLOPES SHALL BE 1:4 IN AREAS ADJACENT TO RESIDENTIAL PROPERTIES. DAYLIGHT SLOPES SHALL BE 1:3 IN AREAS ADJACENT TO COMMERCIAL AND INDUSTRIAL PROPERTIES. SEE CROSS SECTIONS FOR MORE DETAIL.
 2. ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
 3. ALL CROSS SLOPES ARE IN PERCENT GRADE.
 4. NORMAL CROSS SLOPES ARE SHOWN. SEE SUPERELEVATION PLANS FOR PAVEMENT TRANSITIONS AND CROWN SHIFTS.
 5. MAXIMUM ROLLOVER IS 0.07 FT/FT.
 6. SEE SHEET 31 FOR PAVEMENT INSETS.
 7. SEE SHEETS 179-### FOR TURF ESTABLISHMENT DETAILS.
 8. WHEN MEDIAN IS GREATER THAN 8 FEET, SEE DETAILS & CROSS SECTIONS FOR AGGREGATE BASE AND SAND SUBBASE.
 9. SEE CONSTRUCTION AND CROSS SECTION SHEETS FOR TRANSITIONS AND VARIABLE BOULEVARD SLOPES AND WIDTHS.
 10. TEMPORARY AND PERMANENT EASEMENTS NOT SHOWN. SEE CONSTRUCTION PLANS AND CROSS SECTIONS FOR MORE DETAIL.
 11. ALL STATIONING IS BASED ON EB CSAH 26 OR NB CSAH 63.



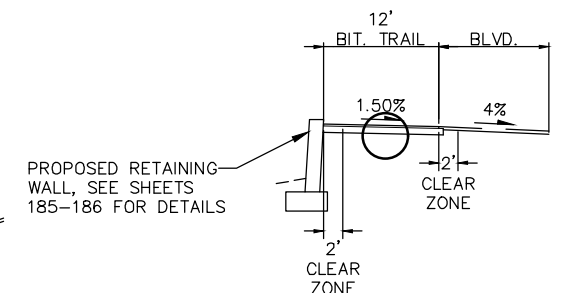
RETAINING WALL SECTION RT - CSAH 26

STA. 29+23.73 TO STA. 30+77.24
 STA. 32+50.03 TO STA. 34+23.63
 STA. 34+41.75 TO STA. 36+93.68



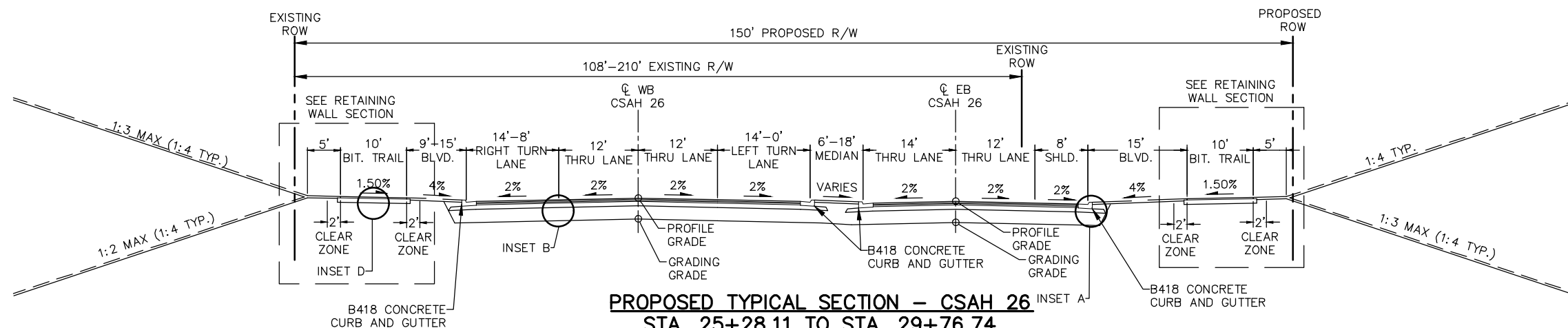
PROPOSED TYPICAL SECTION - CSAH 26

STA. 18+23.60 TO STA. 25+28.11



RETAINING WALL SECTION LT - CSAH 26

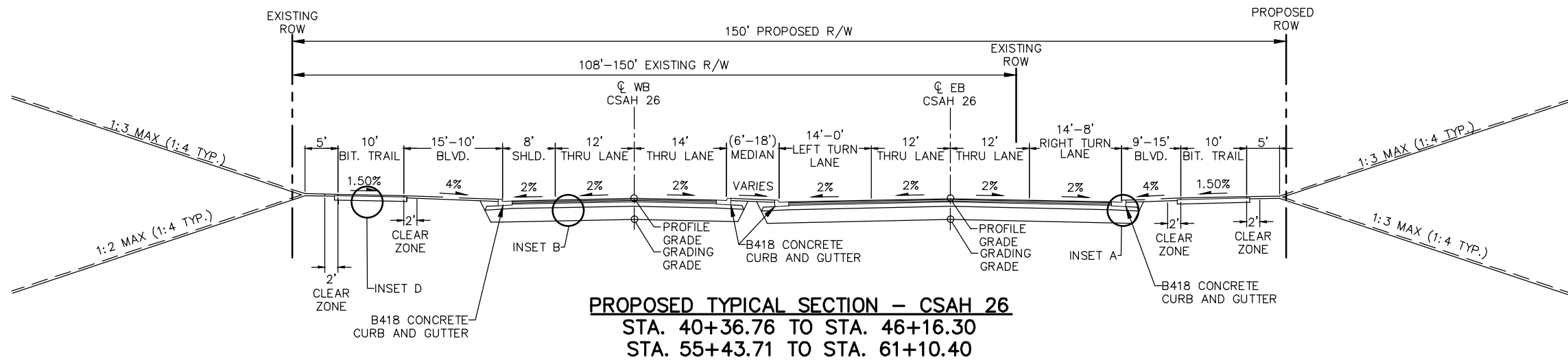
STA. 63+52.80 TO STA. 65+36.84



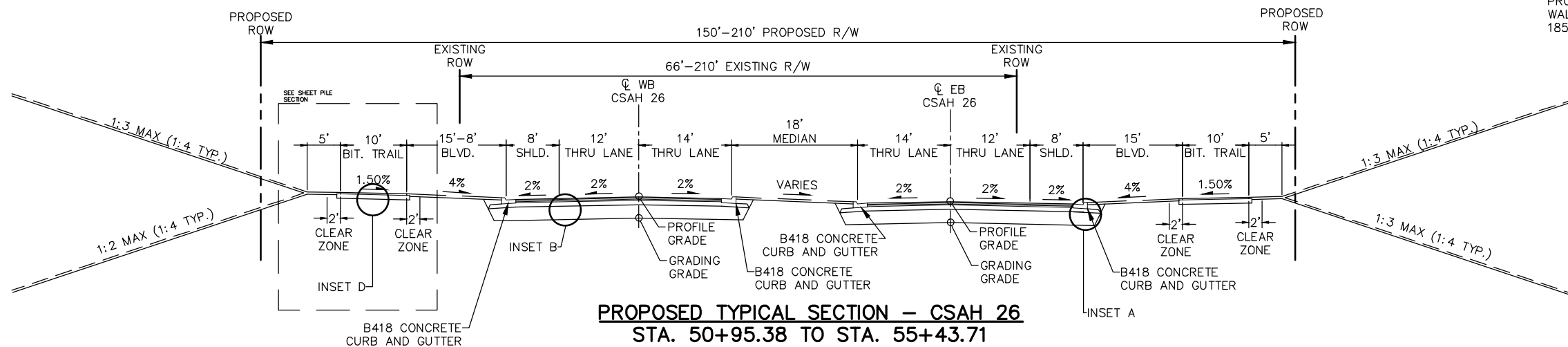
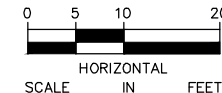
PROPOSED TYPICAL SECTION - CSAH 26

STA. 25+28.11 TO STA. 29+76.74
 STA. 34+30.43 TO STA. 39+04.83
 STA. 46+16.30 TO STA. 50+95.38
 STA. 61+10.40 TO STA. 65+90.40
 STA. 69+89.47 TO STA. 74+34.08

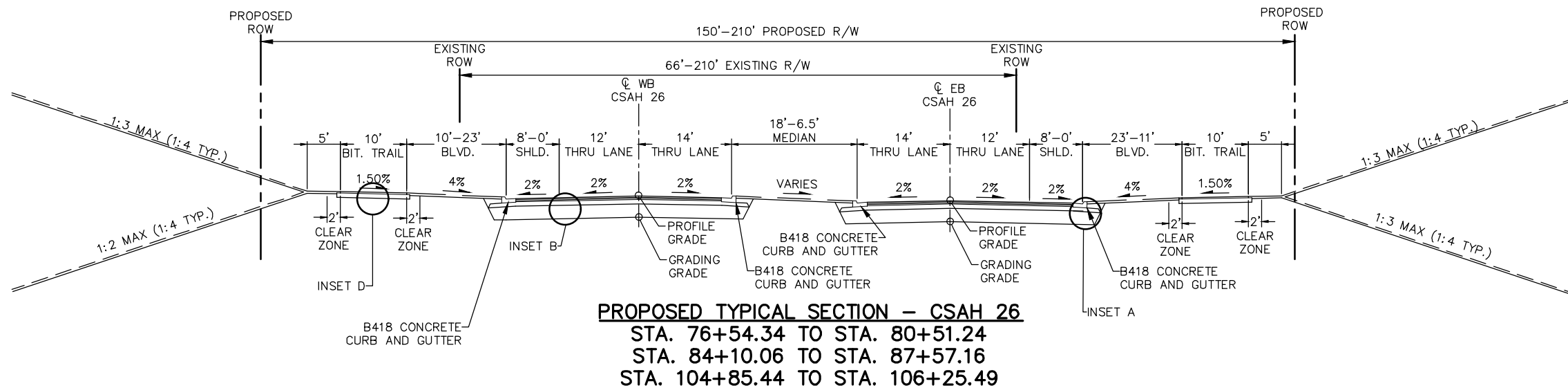
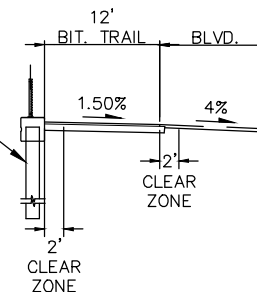
No.	Date	Revisions	App.	DRAWING NAME	Kimley»Horn 767 EUSTIS STREET SUITE 100, ST. PAUL, MN 55114 PHONE: 651-645-4197 WWW.KIMLEY-HORN.COM	I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA. LUKE B. MOREN, P.E. DATE: 5/15/2020 MN LIC. NO. 54190	 Inver Grove Heights   DAKOTA COUNTY CSAH 26 / CR 63 TYPICAL SECTIONS	EAGAN CITY PROJECT:	1275	SHEET NO. 21 565
				CSAH26-TYPICAL SECTIONS.dwg						
				DESIGNED BY: MAK				IGH CITY PROJECTS: 2016-04, 2016-05		
				DRAWN BY: AMB				2015-08		
				CHECKED BY: LBM				COUNTY PROJECTS: 26-54, 63-27		
				DATE: 5/15/2020				S.P. 019-663-007, 178-020-028		
				PROJECT NO. 160547022	195-020-035, 019-626-026					



- NOTES:
1. DAYLIGHT SLOPES SHALL BE 1:4 IN AREAS ADJACENT TO RESIDENTIAL PROPERTIES. DAYLIGHT SLOPES SHALL BE 1:3 IN AREAS ADJACENT TO COMMERCIAL AND INDUSTRIAL PROPERTIES. SEE CROSS SECTIONS FOR MORE DETAIL.
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 3. ALL CROSS SLOPES ARE IN PERCENT GRADE.
 4. NORMAL CROSS SLOPES ARE SHOWN. SEE SUPERELEVATION PLANS FOR PAVEMENT TRANSITIONS AND CROWN SHIFTS.
 5. MAXIMUM ROLLOVER IS 0.07 FT/FT.
 6. SEE SHEET 31 FOR PAVEMENT INSETS.
 7. SEE SHEETS 179-### FOR TURF ESTABLISHMENT DETAILS.
 8. WHEN MEDIAN IS GREATER THAN 8 FEET, SEE DETAILS & CROSS SECTIONS FOR AGGREGATE BASE AND SAND SUBBASE.
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 10. TEMPORARY AND PERMANENT EASEMENTS NOT SHOWN. SEE CONSTRUCTION PLANS AND CROSS SECTIONS FOR MORE DETAIL.
 11. ALL STATIONING IS BASED ON EB CSAH 26 OR NB CSAH 63.



SHEET PILE WALL SECTION – CSAH 26
STA. 51+21.37 TO STA. 54+81.10



No.	Date	Revisions	App.	DRAWING NAME
				CSAH26-TYPICAL SECTIONS.dwg
				DESIGNED BY: MAK
				DRAWN BY: AMB
				CHECKED BY: LBM
				DATE: 5/15/2020
				PROJECT NO. 160547022

Kimley»Horn
767 EUSTIS STREET SUITE 100, ST. PAUL, MN 55114
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WWW.KIMLEY-HORN.COM

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162
LUKE B. MOREN, P.E.
DATE: 5/15/2020 MN LIC. NO. 54190



DAKOTA COUNTY
CSAH 26 / CR 63

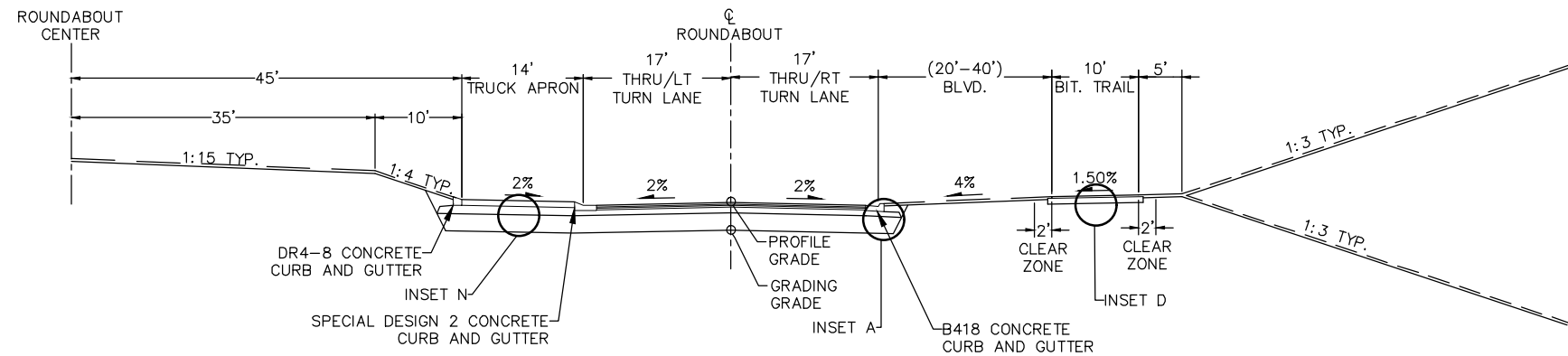
TYPICAL SECTIONS

EAGAN CITY PROJECT:	1275
IGH CITY PROJECTS:	2016-04, 2016-05 2015-08
COUNTY PROJECTS:	26-54, 63-27
S.P.	019-663-007, 178-020-028 195-020-035, 019-626-026

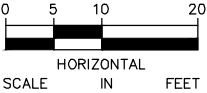
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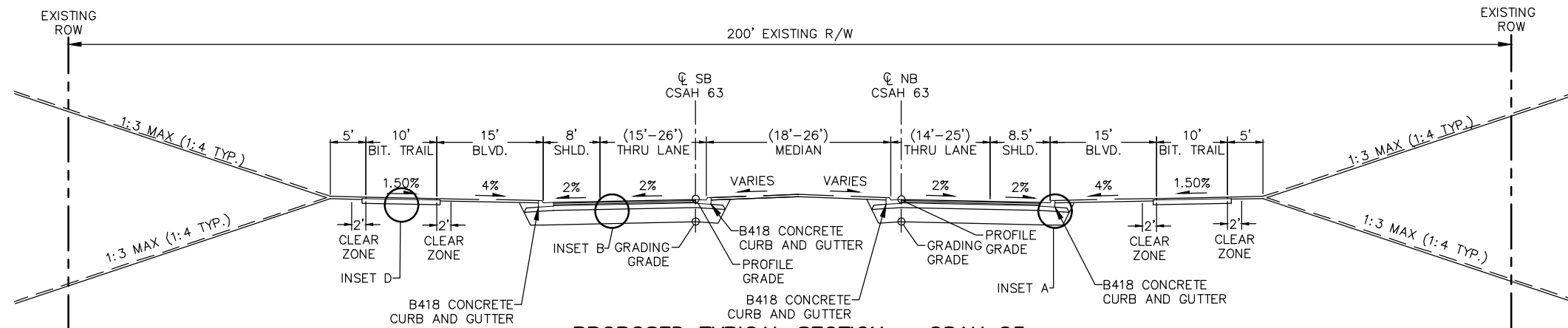
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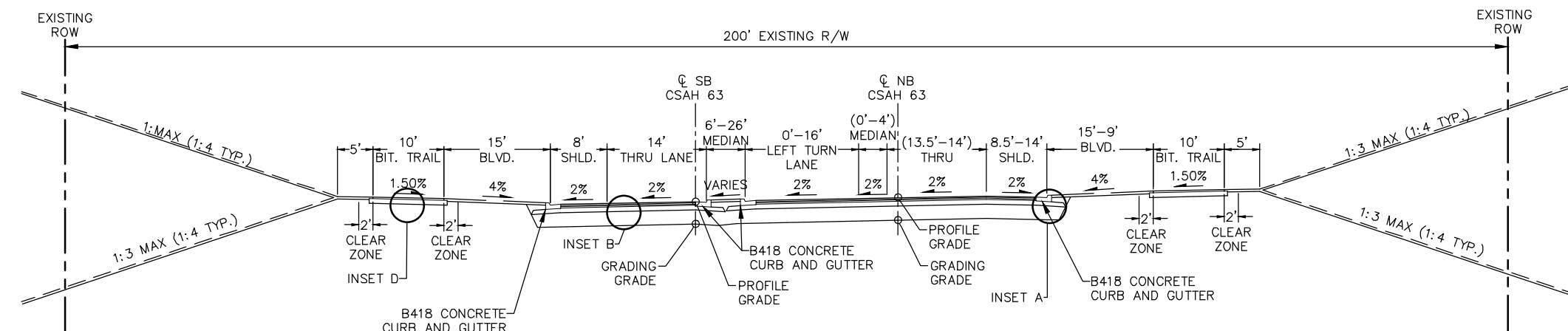
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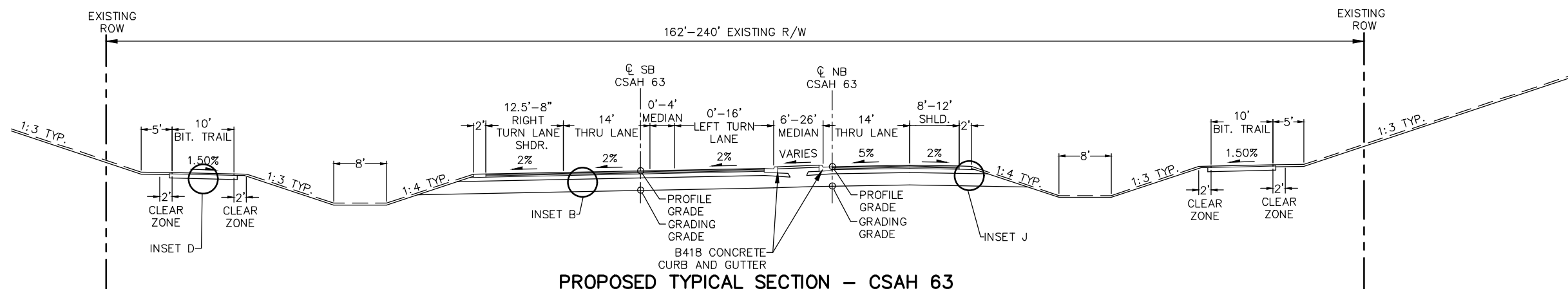
No.	Date	Revisions	App.	DRAWING NAME	Kimley»Horn 767 EUSTIS STREET SUITE 100, ST. PAUL, MN 55114 PHONE: 651-645-4197 WWW.KIMLEY-HORN.COM I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA. 183 LUKE B. MOREN, P.E. DATE: 5/15/2020 MN LIC. NO. 54190 Inver Grove Heights Dakota DAKOTA COUNTY CSAH 26 / CR 63 TYPICAL SECTIONS EAGAN CITY PROJECT: 1275 IGH CITY PROJECTS: 2016-04, 2016-05 2015-08 COUNTY PROJECTS: 26-54, 63-27 S.P. 019-663-007, 178-020-028 195-020-035, 019-626-026 SHEET NO. 23 565
				DESIGNED BY: MAK	
				DRAWN BY: AMB	
				CHECKED BY: LBM	
				DATE: 5/15/2020	
				PROJECT NO. 160547022	



PROPOSED TYPICAL SECTION – CSAH 63
STA. 407+02.17 TO STA. 411+26.34

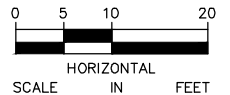


PROPOSED TYPICAL SECTION – CSAH 63
STA. 411+26.34 TO STA. 416+36.05

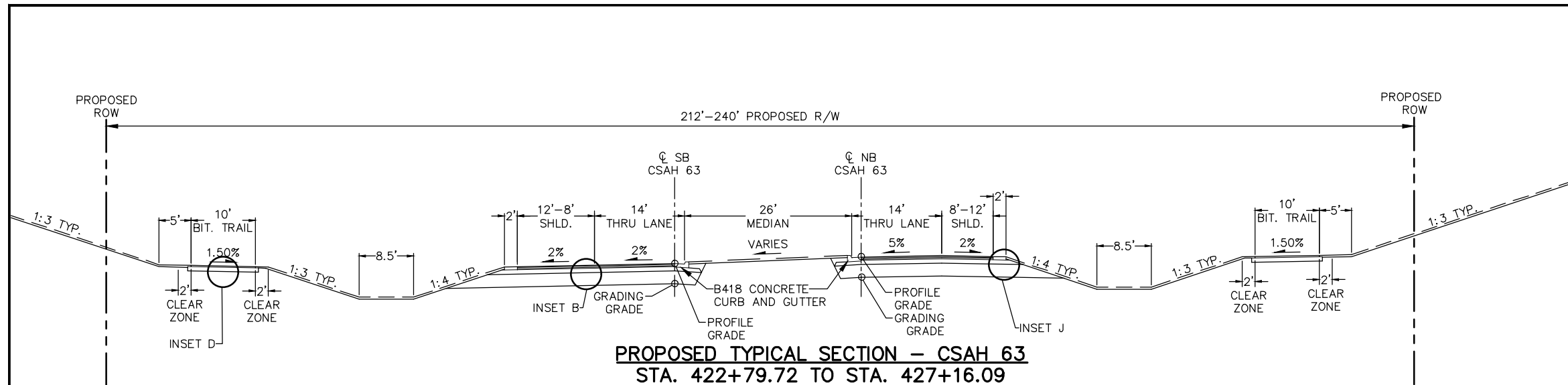


PROPOSED TYPICAL SECTION – CSAH 63
STA. 417+93.50 TO STA. 422+79.72

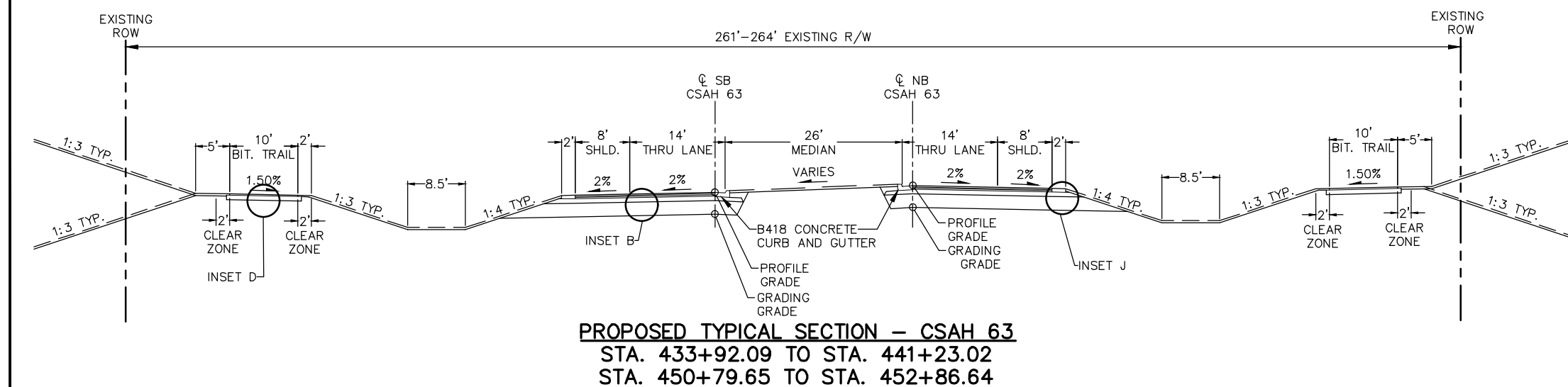
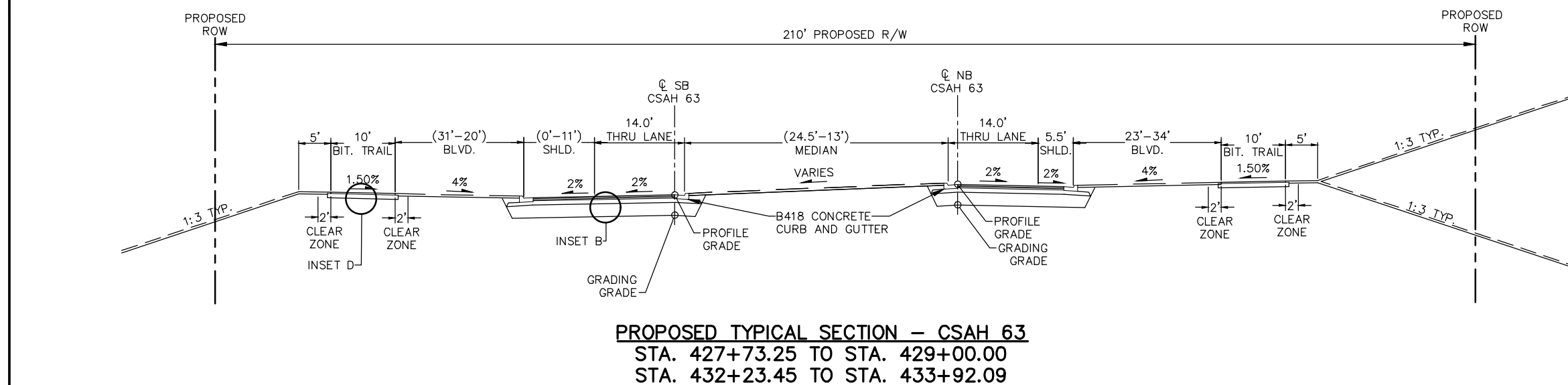
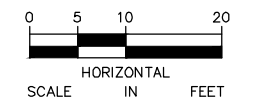
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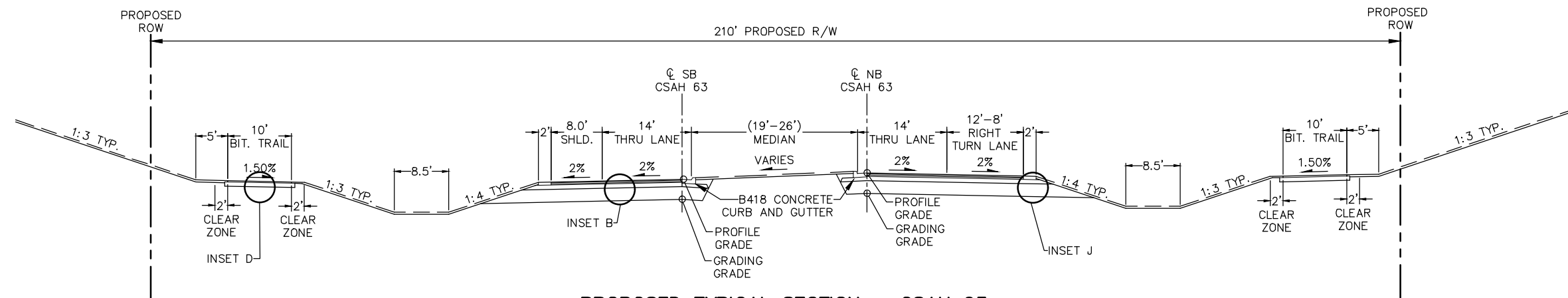
No.	Date	Revisions	App.	DRAWING NAME CSAH26-TYPICAL SECTIONS.dwg	Kimley»Horn 767 EUSTIS STREET SUITE 100, ST. PAUL, MN 55114 PHONE: 651-645-4197 WWW.KIMLEY-HORN.COM	I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA. 184 LUKE B. MOREN, P.E. DATE: 5/15/2020 MN LIC. NO. 54190	 DAKOTA COUNTY CSAH 26 / CR 63 TYPICAL SECTIONS	EAGAN CITY PROJECT: 1275	SHEET NO. 24 565
				IGH CITY PROJECTS: 2016-04, 2016-05 2015-08					
				COUNTY PROJECTS: 26-54, 63-27					
				S.P. 019-663-007, 178-020-028 195-020-035, 019-626-026					
				DATE: 5/15/2020					
				PROJECT NO. 160547022					



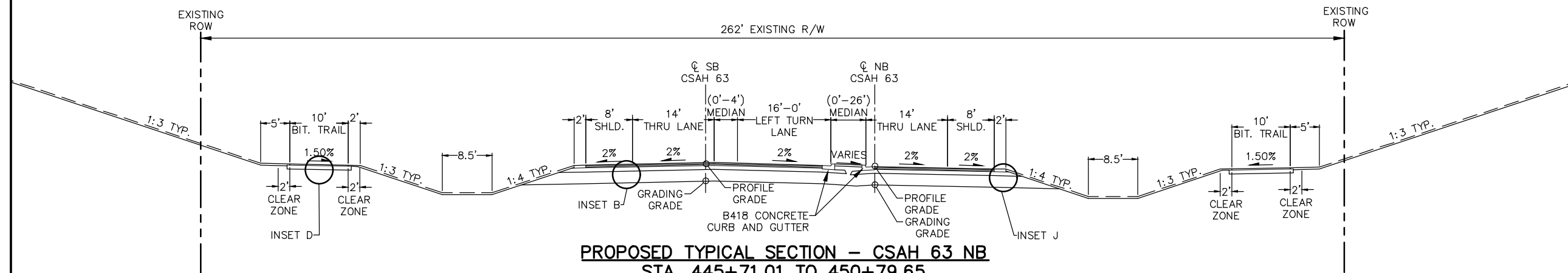
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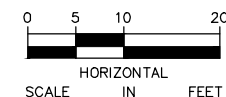
No.	Date	Revisions	App.	DRAWING NAME	Kimley»Horn 767 EUSTIS STREET SUITE 100, ST. PAUL, MN 55114 PHONE: 651-645-4197 WWW.KIMLEY-HORN.COM	I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA. 185 LUKE B. MOREN, P.E. DATE: 5/15/2020 MN LIC. NO. 54190	IGH Grove Heights SEAL OF ST. PAUL MINNESOTA Dakota COUNTY DAKOTA COUNTY CSAH 26 / CR 63 TYPICAL SECTIONS	EAGAN CITY PROJECT:	1275	SHEET NO. 25
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PROPOSED TYPICAL SECTION – CSAH 63
STA. 441+23.02 TO STA. 444+62.04
STA. 452+86.64 TO STA. 456+37.56



PROPOSED TYPICAL SECTION – CSAH 63 NB
STA. 445+71.01 TO 450+79.65



- NOTES:
1. DAYLIGHT SLOPES SHALL BE 1:4 IN AREAS ADJACENT TO RESIDENTIAL PROPERTIES. DAYLIGHT SLOPES SHALL BE 1:3 IN AREAS ADJACENT TO COMMERCIAL AND INDUSTRIAL PROPERTIES. SEE CROSS SECTIONS FOR MORE DETAIL.
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No.	Date	Revisions	App.	DRAWING NAME
				CSAH26-TYPICAL SECTIONS.dwg
				DESIGNED BY: MAK
				DRAWN BY: AMB
				CHECKED BY: LBM
				DATE: 5/15/2020
				PROJECT NO. 160547022

Kimley»Horn
767 EUSTIS STREET SUITE 100, ST. PAUL, MN 55114
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LUKE B. MOREN, P.E.
DATE: 5/15/2020 MN LIC. NO. 54190

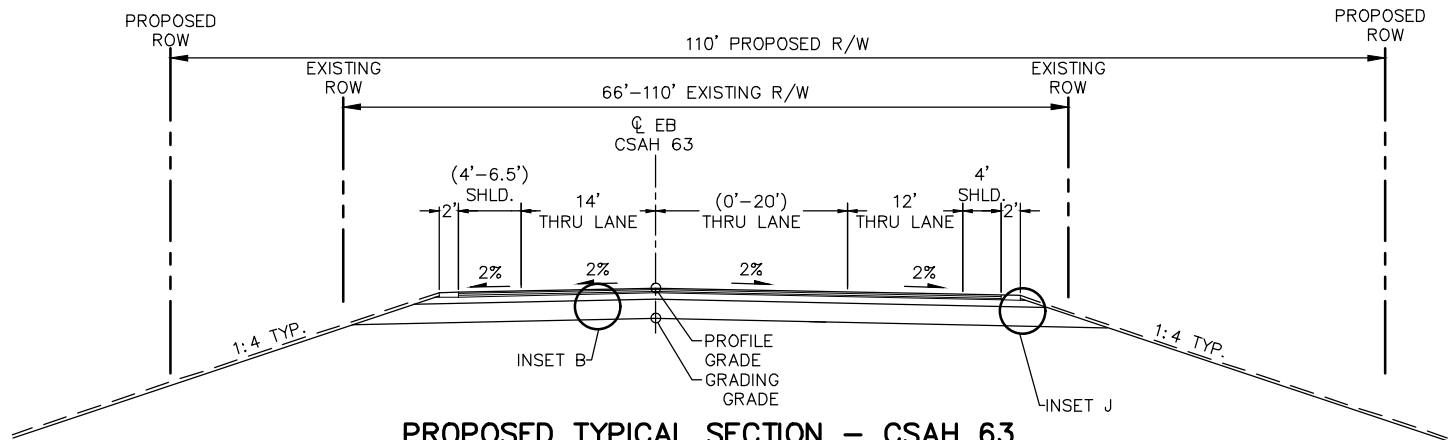


DAKOTA COUNTY
CSAH 26 / CR 63

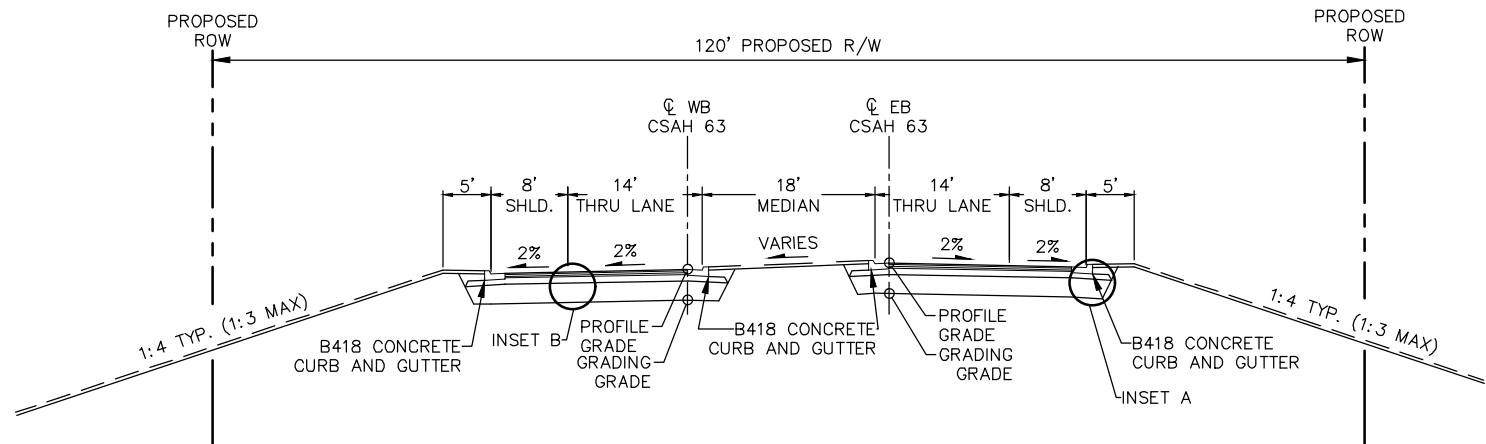
TYPICAL SECTIONS

EAGAN CITY PROJECT:	1275
IGH CITY PROJECTS:	2016-04, 2016-05 2015-08
COUNTY PROJECTS:	26-54, 63-27
S.P.	019-663-007, 178-020-028 195-020-035, 019-626-026

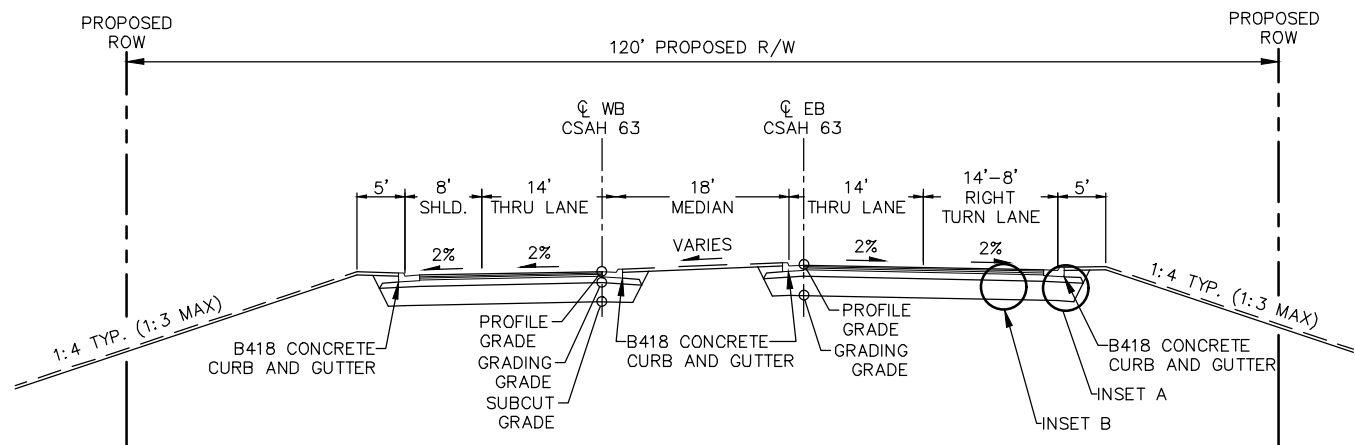
SHEET NO.
26
565



PROPOSED TYPICAL SECTION - CSAH 63
STA. 12+27.53 TO STA. 17+90.07

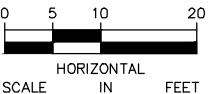


PROPOSED TYPICAL SECTION - CSAH 63
STA. 17+90.07 TO STA. 19+48.60

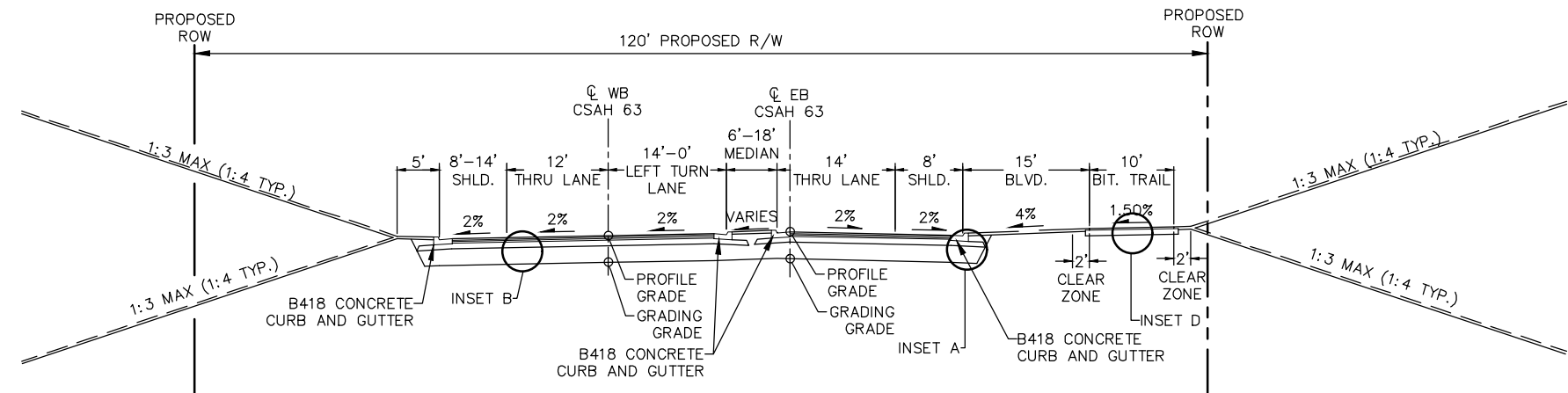


PROPOSED TYPICAL SECTION - CSAH 63
STA. 19+48.60 TO STA. 24+30.42

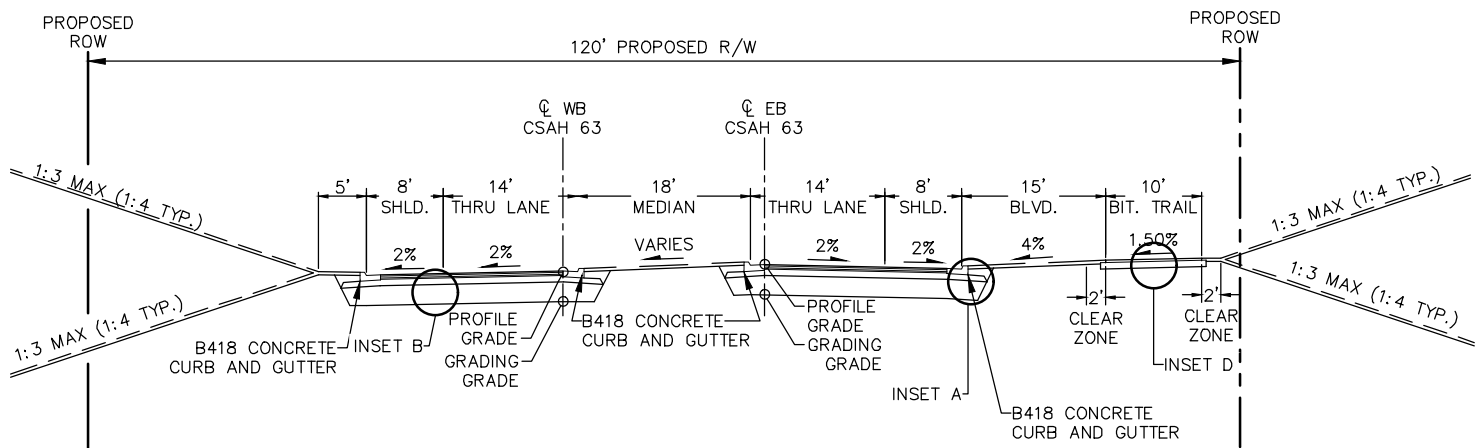
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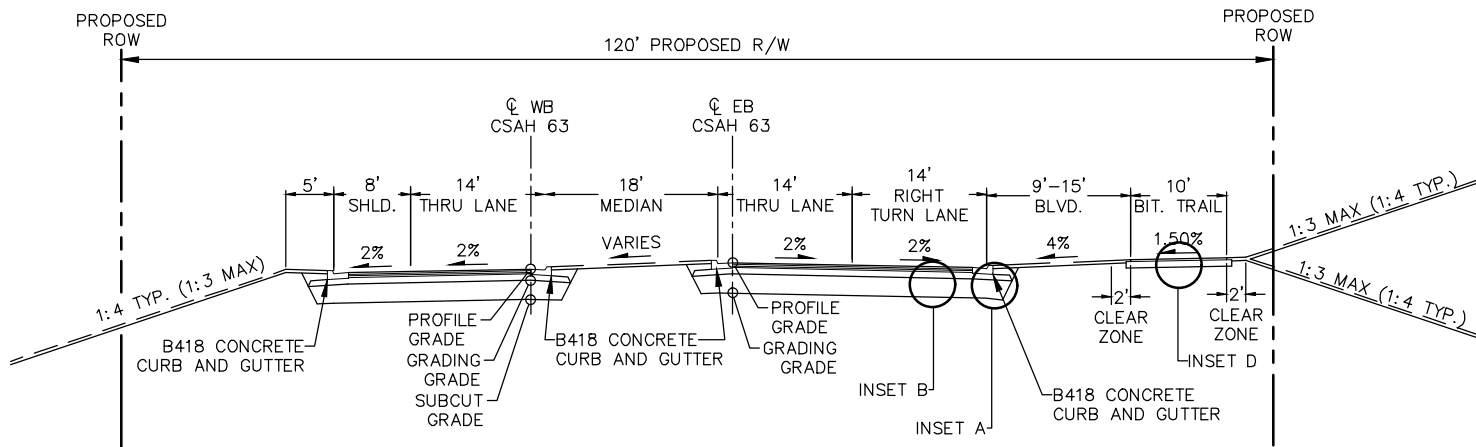
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				CSAH26-TYPICAL SECTIONS.dwg				IGH CITY PROJECTS:	2016-04, 2016-05 2015-08	
				DESIGNED BY: MAK				COUNTY PROJECTS:	26-54, 63-27	
				DRAWN BY: AMB				S.P.	019-663-007, 178-020-028 195-020-035, 019-626-026	
				CHECKED BY: LBM						
				DATE: 5/15/2020						
				PROJECT NO. 160547022						



PROPOSED TYPICAL SECTION – CSAH 63
STA. 24+30.42 TO STA. 29+17.67

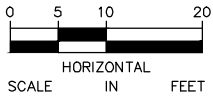


PROPOSED TYPICAL SECTION – CSAH 63
STA. 29+17.67 TO STA. 34+58.04



PROPOSED TYPICAL SECTION – CSAH 63
STA. 34+58.04 TO STA. 37+70.81

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				PROJECT NO. 160547022

Kimley»Horn

767 EUSTIS STREET SUITE 100, ST. PAUL, MN 55114
 PHONE: 651-645-4197
 WWW.KIMLEY-HORN.COM

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

188

LUKE B. MOREN, P.E.
 DATE: 5/15/2020 MN LIC. NO. 54190



DAKOTA COUNTY
 CSAH 26 / CR 63

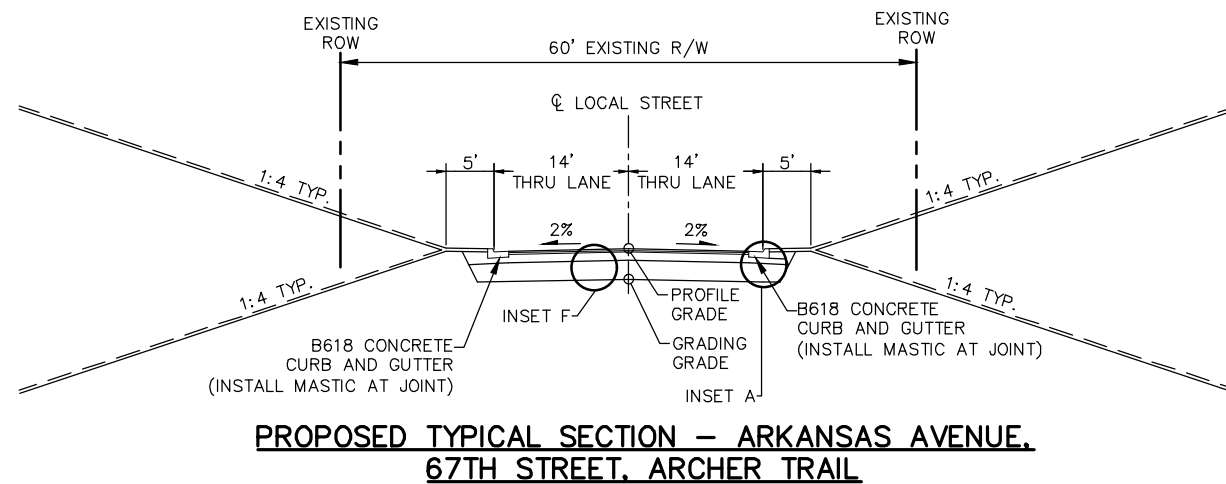
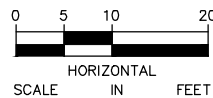
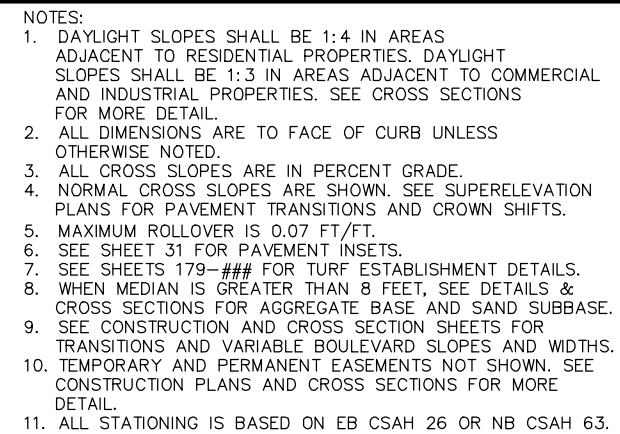
TYPICAL SECTIONS

EAGAN CITY PROJECT:	1275
IGH CITY PROJECTS: 2016-04, 2016-05	
	2015-08
COUNTY PROJECTS:	26-54, 63-27
S.P.	019-663-007, 178-020-028
	195-020-035, 019-626-026

SHEET NO.

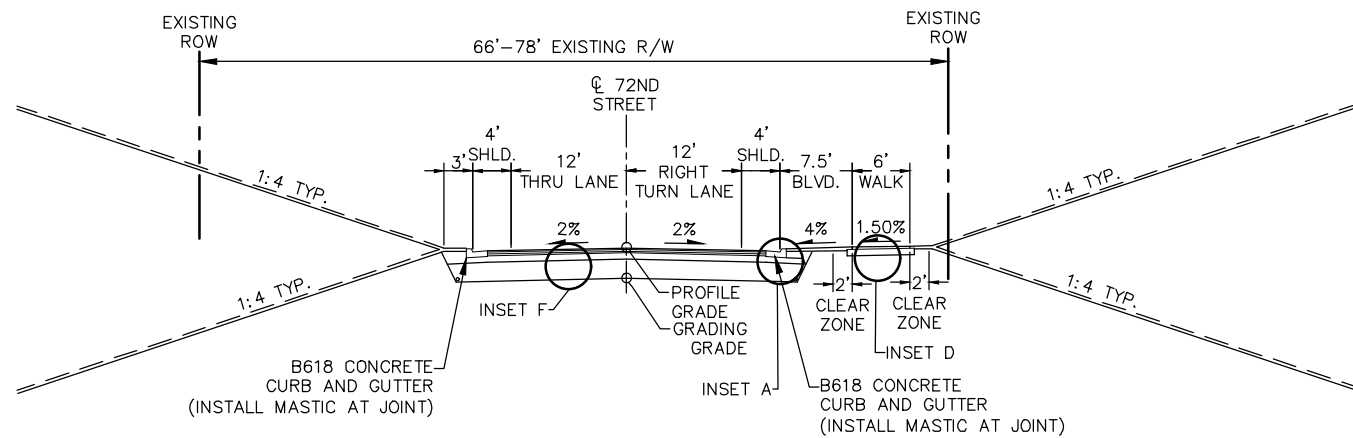
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565

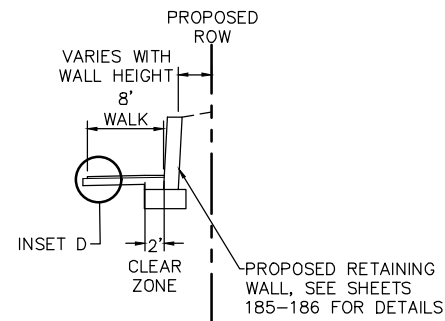


STREET NAME	TYP. LANE WIDTH
ARKANSAS AVENUE	14'
67TH STREET	23'
ARCHER TRAIL	15'

No.	Date	Revisions	App.	DRAWING NAME CSAH26-TYPICAL SECTIONS.dwg	 767 EUSTIS STREET SUITE 100, ST. PAUL, MN 55114 PHONE: 651-645-4197 WWW.KIMLEY-HORN.COM	I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA. 189 LUKE B. MOREN, P.E. DATE: 5/15/2020 MN LIC. NO. 54190	  DAKOTA COUNTY CSAH 26 / CR 63 TYPICAL SECTIONS	EAGAN CITY PROJECT: 1275	SHEET NO. 29
				DESIGNED BY: MAK				IGH CITY PROJECTS: 2016-04, 2016-05	
				DRAWN BY: AMB				2015-08	
				CHECKED BY: LBM				COUNTY PROJECTS: 26-54, 63-27	
				DATE: 5/15/2020				S.P. 019-663-007, 178-020-028	565
				PROJECT NO. 160547022				195-020-035, 019-626-026	

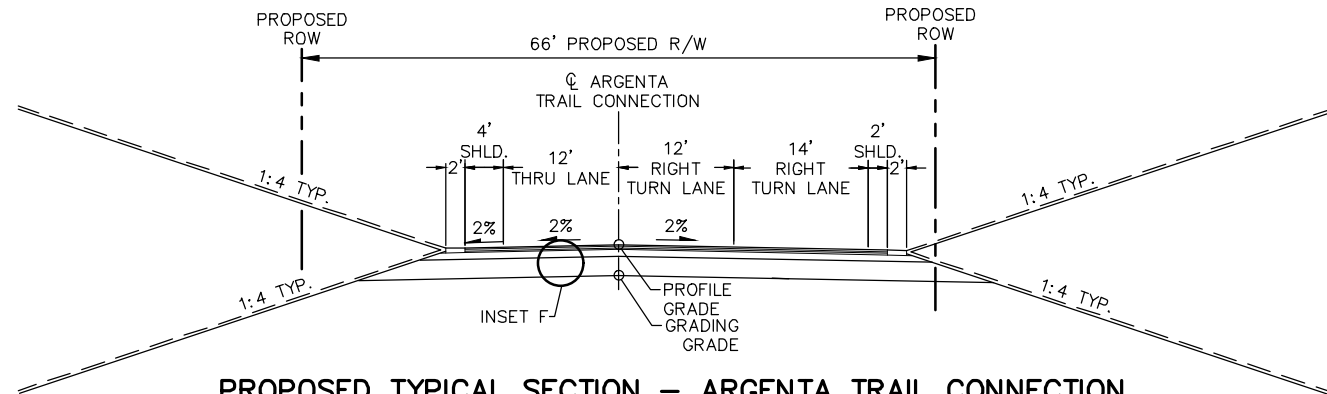
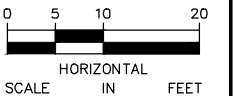


PROPOSED TYPICAL SECTION – 72ND STREET
STA. 0+52.50 TO STA. 4+36.47

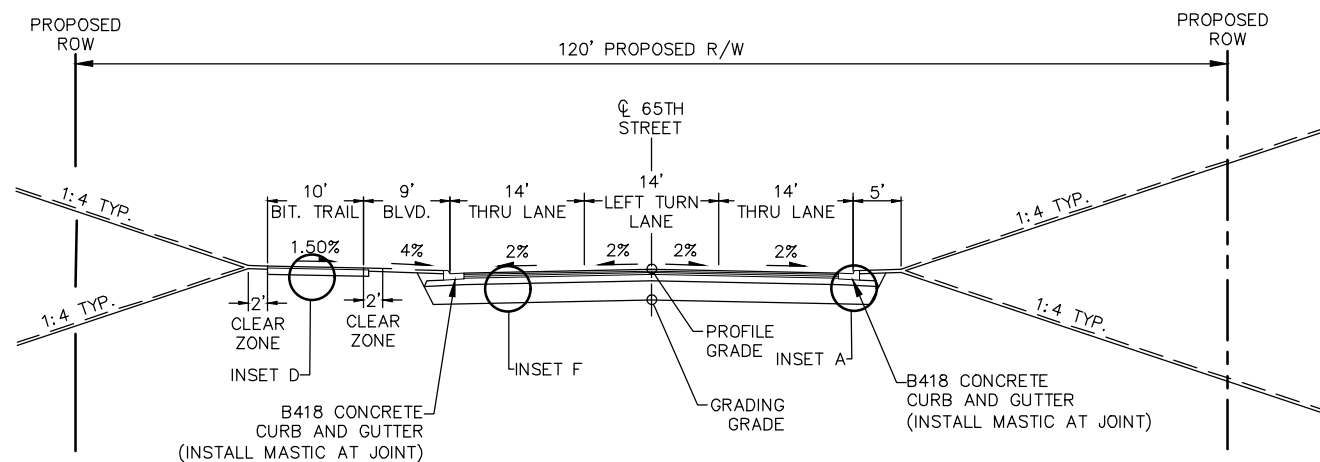


RETAINING WALL – 72ND STREET
STA. 1+84.00 TO STA. 3+23.73

- NOTES:
1. DAYLIGHT SLOPES SHALL BE 1:4 IN AREAS ADJACENT TO RESIDENTIAL PROPERTIES. DAYLIGHT SLOPES SHALL BE 1:3 IN AREAS ADJACENT TO COMMERCIAL AND INDUSTRIAL PROPERTIES. SEE CROSS SECTIONS FOR MORE DETAIL.
 2. ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
 3. ALL CROSS SLOPES ARE IN PERCENT GRADE.
 4. NORMAL CROSS SLOPES ARE SHOWN. SEE SUPERELEVATION PLANS FOR PAVEMENT TRANSITIONS AND CROWN SHIFTS.
 5. MAXIMUM ROLLOVER IS 0.07 FT/FT.
 6. SEE SHEET 31 FOR PAVEMENT INSETS.
 7. SEE SHEETS 179-### FOR TURF ESTABLISHMENT DETAILS.
 8. WHEN MEDIAN IS GREATER THAN 8 FEET, SEE DETAILS & CROSS SECTIONS FOR AGGREGATE BASE AND SAND SUBBASE.
 9. SEE CONSTRUCTION AND CROSS SECTION SHEETS FOR TRANSITIONS AND VARIABLE BOULEVARD SLOPES AND WIDTHS.
 10. TEMPORARY AND PERMANENT EASEMENTS NOT SHOWN. SEE CONSTRUCTION PLANS AND CROSS SECTIONS FOR MORE DETAIL.
 11. ALL STATIONING IS BASED ON EB CSAH 26 OR NB CSAH 63.

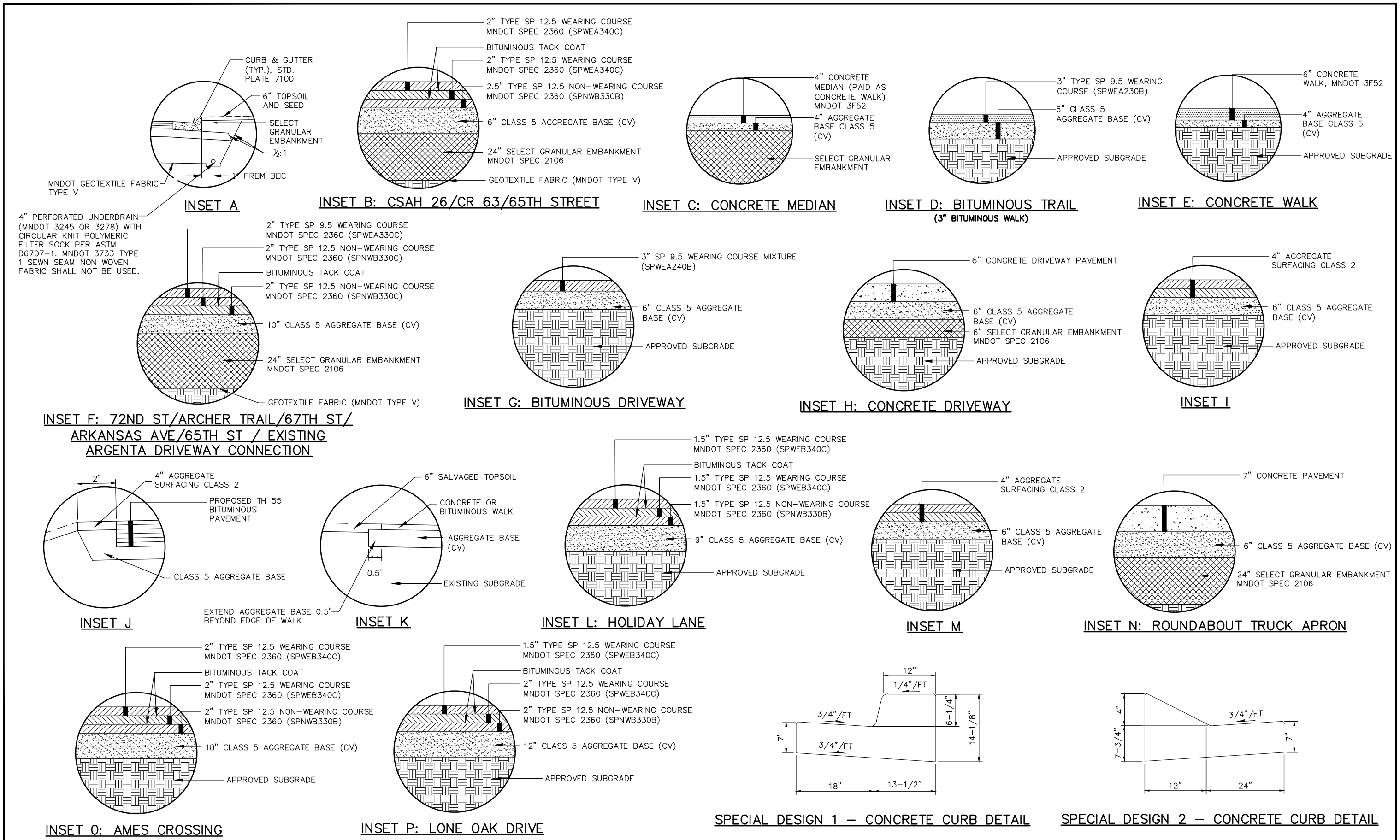


PROPOSED TYPICAL SECTION – ARGENTA TRAIL CONNECTION
STA. 10+49.53 TO STA. 14+24.18



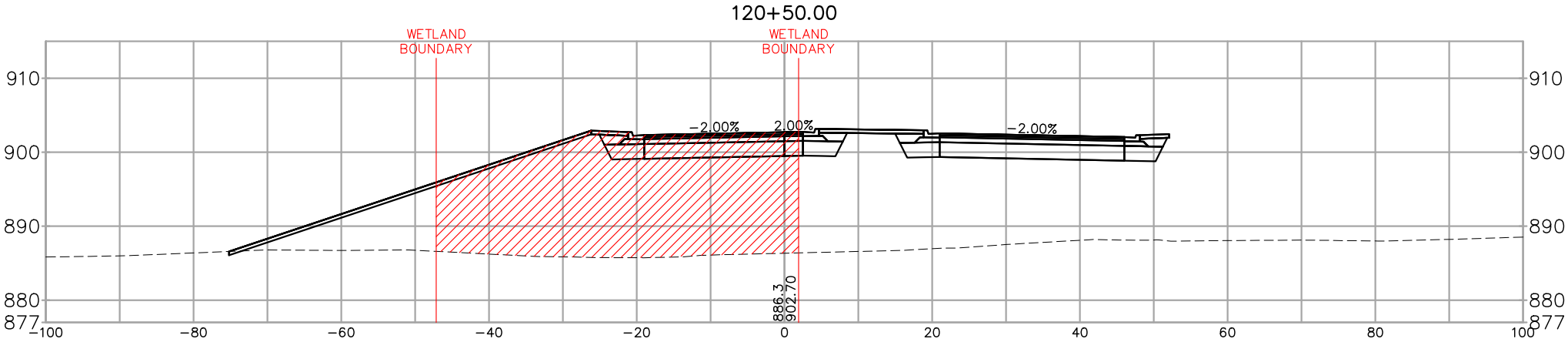
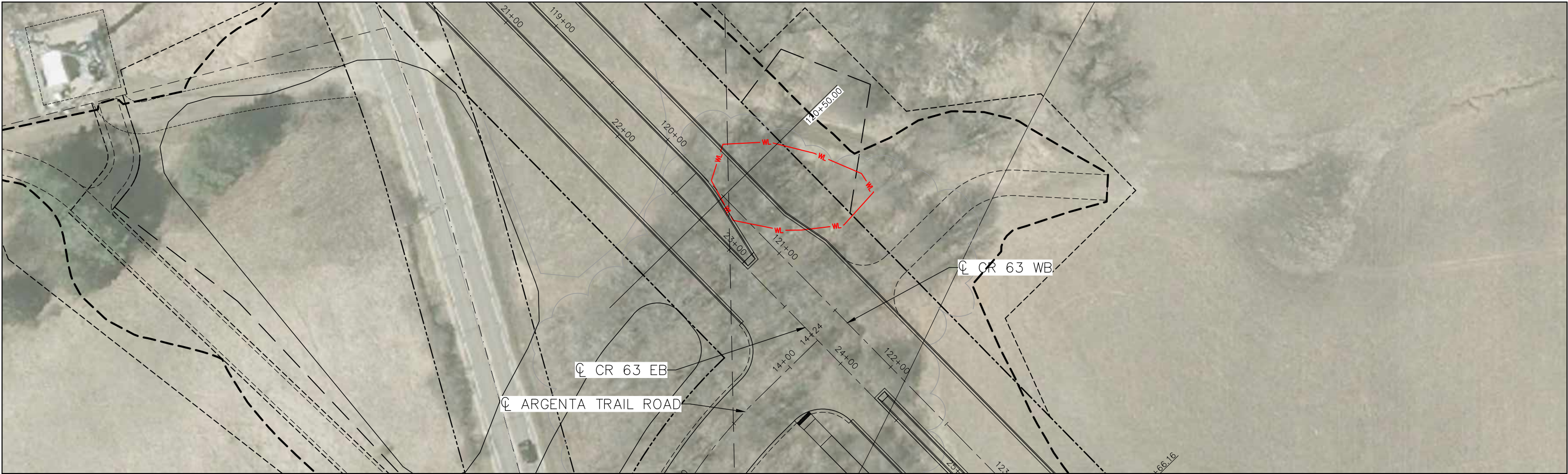
PROPOSED TYPICAL SECTION – 65TH STREET
STA. 0+65.55 TO STA. 1+98.60

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				CSAH26-TYPICAL SECTIONS.dwg					
				DESIGNED BY: MAK					
				DRAWN BY: AMB					
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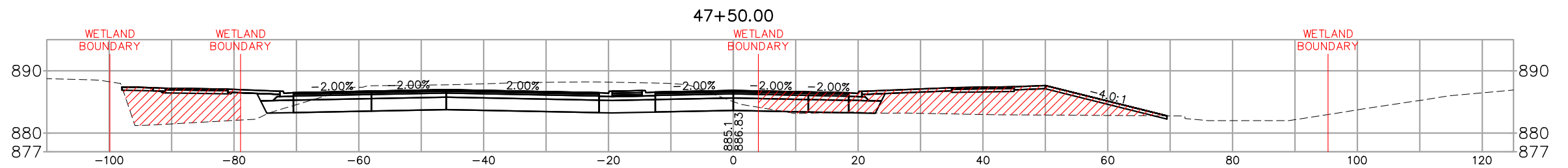
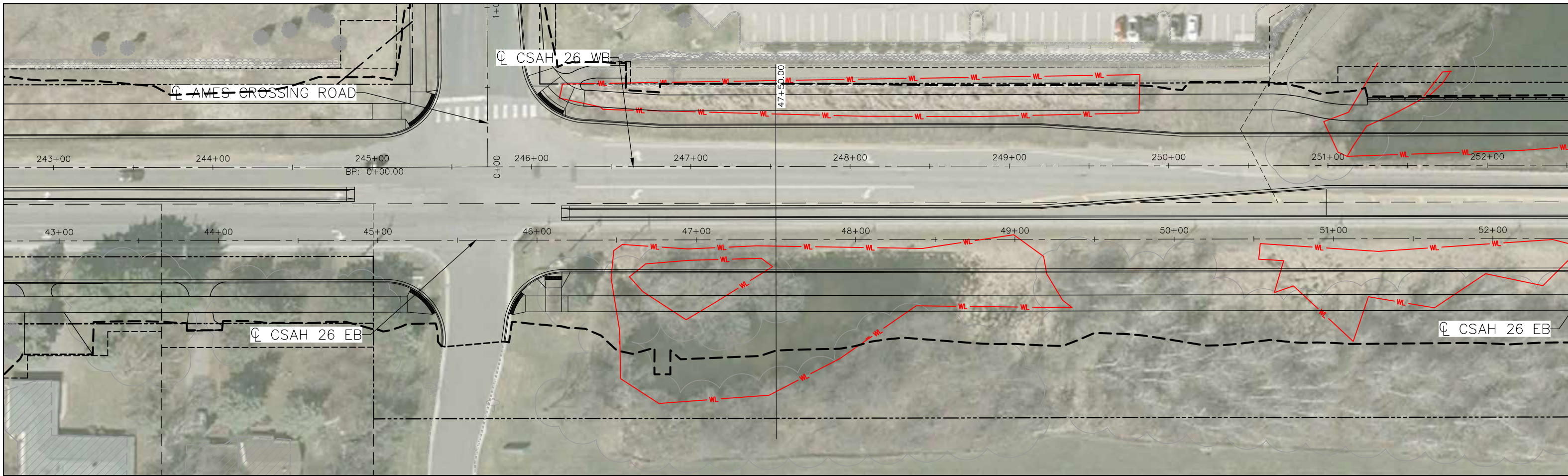


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				CSAH26-TYPICAL SECTIONS.dwg	MAK	AMB	LBM	5/15/2020	160547022					

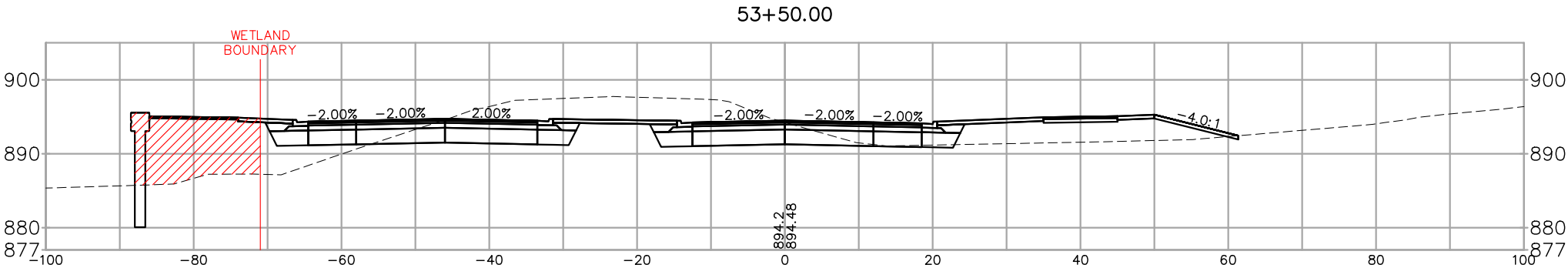
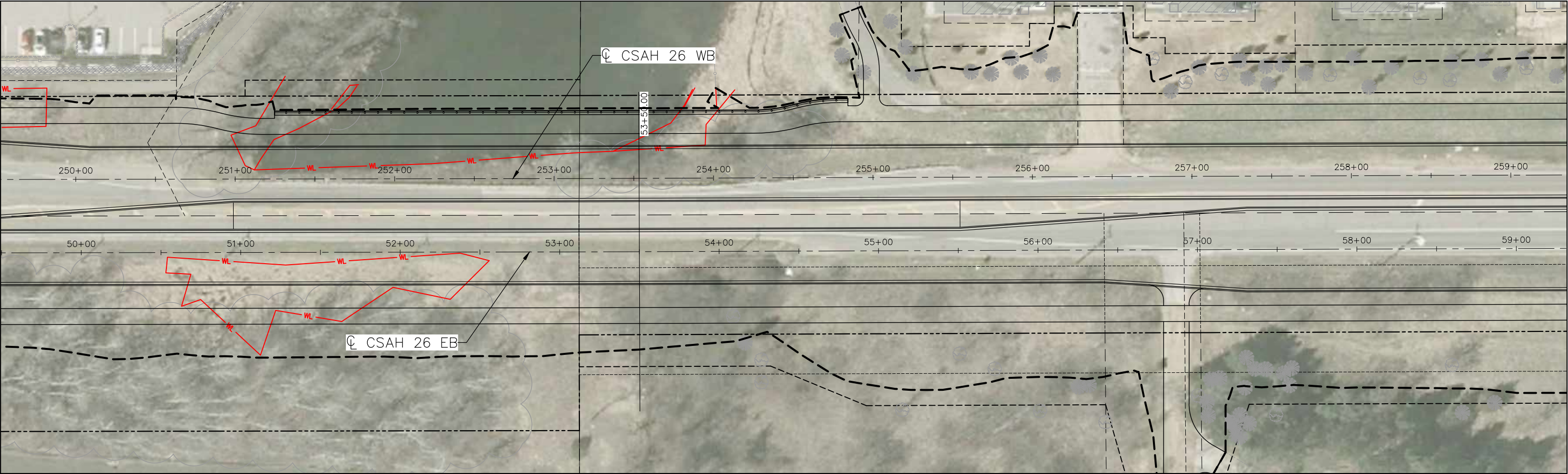
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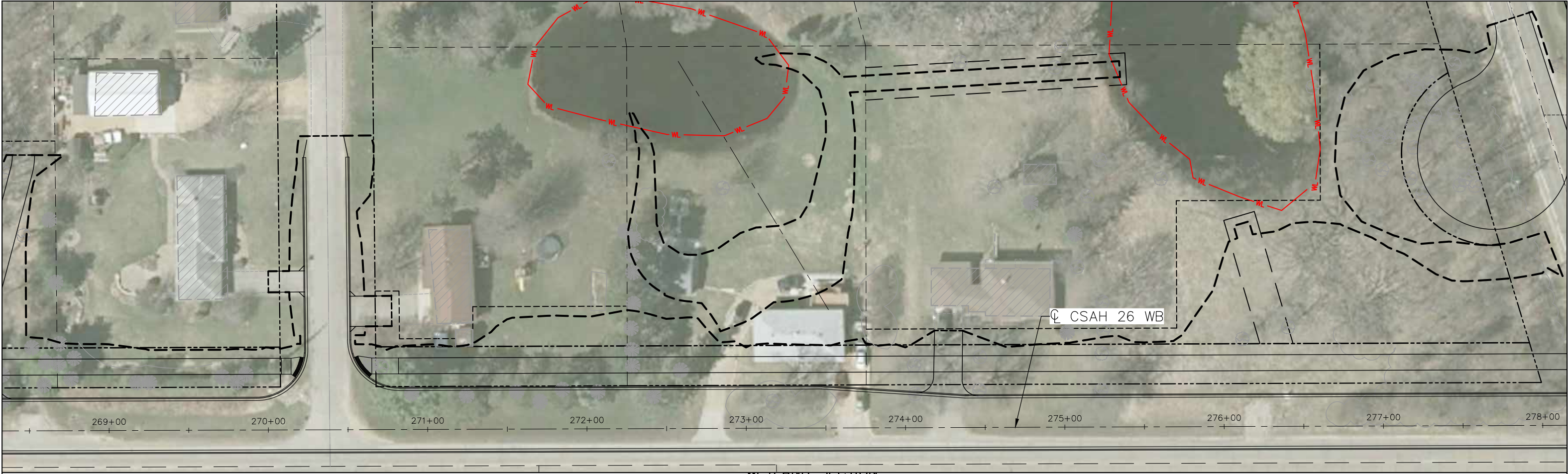
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WETLAND SECTION

