

EXHIBIT C



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Permit Application Number:

17-037

Permit Applicant Name:

Bituminous Roadways Columbus

Applicant:

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Project Name: Bituminous Roadways Columbus

Purpose: FSD – Final Site Drainage; site construction for asphalt plant

Site Size: 2 parcels totaling 46.4± acres/ 38± acres of disturbed area; existing and proposed impervious area is 0.90 ± acres and 20.85± acres, respectively

Location: West Freeway Drive/ I 35W / I 35E, Columbus

T-R-S: SW ¼, Section 36, T32N, R22W

District Rule: C, D, E, F – Columbus CWPMP

Recommendations: CAPROC

It is recommended that this Permit Application be given Conditional Approval Pending Receipt of Changes (CAPROC) and outstanding items related to the following items:

Rule D – Erosion and Sediment Control

1. Submit the following information per Rule D.4:
 - (c) Name, address and phone number of party responsible for maintenance of all erosion and sediment control measures.
 - (h) Provide documentation that an NPDES Permit has been applied for and submitted to the Minnesota Pollution Control Agency (MPCA).

Rule F – Wetland Alteration

2. Per F.6(b)(4), provide a GIS shapefile or CADD file of the final WMC boundary to the District.

3. The applicant must provide a draft declaration establishing a vegetated buffer area for the WMC for District approval per F.6(e)(9).
4. The applicant must provide a draft WCA declaration of restrictions and covenants for all wetland replacement areas.
5. The applicant must provide a draft easement granting the District the authority to monitor, modify and maintain hydrologic and vegetative conditions within the WMC wetland and buffer adjacent to WMC wetland for District approval per F.6(f).
6. The applicant must provide a buffer signage plan including proposed signage and placement location for District consideration.

Administrative

7. Send one final, signed 11x17 sized plan set to the District, and e-mail a full sized pdf copy to both the District and the District Engineer. Include a list of changes that have been made since approval by the RCWD Board. Add "EOF" to the reinforced spillways label.
8. The applicant must pay the Current Charge associated ACD 15/JD-4 WMD of \$198.68. Payment shall be made to the District.
9. Submit a copy of the plat or easements establishing drainage or flowage over stormwater management facilities, stormwater conveyances, ponds, wetlands, on-site floodplain up to the 100-year flood elevation, or any other hydrologic feature (if easements are required by the City of Columbus).
10. Before permit issuance, the permittee must convey to the District an easement over the public drainage system specifying a District right of maintenance access. The easement width has been determined to be 100-feet centered on Anoka County Judicial Ditch No. 4, Branch 4, and the 80 The applicant must submit a Draft Declaration for Maintenance of Stormwater Management Facilities acceptable to the District for proposed onsite stormwater management and pretreatment features.
11. The applicant must provide an attested copy of the signed and notarized legal document(s) from the County Recorder. Applicant may wish to contact the County Recorder to determine recordation requirements prior to recordation.
12. The applicant must submit a surety of \$263,900 along with an original executed escrow agreement acceptable to the District. If the applicant desires an original copy for their records, then two original signed escrow agreements should be submitted. The applicant must provide the first \$5000 in the form of a check and has the option of providing the remainder of the surety amount in the form of a check or a Performance Bond or Letter of Credit. The surety is based on \$12,500 for 38 acres of disturbance, \$92,600 for 185,217 CF of storm water ponds, \$800 for 109 CY of floodplain mitigation and \$158,000 for 6.30 acres of wetland mitigation.

Stipulations: The permit will be issued with the following stipulations as conditions of the permit. By accepting the permit, applicant agrees to these stipulations:

1. An as-built survey of all stormwater BMPs (ponds, rain gardens, trenches, swales, etc.) is to be submitted to the District for verification of compliance with the approved plans before return of the surety.

2. Applicant must provide an as-built survey of the flood plain mitigation area to the District for verification of compliance with the approved plans.
3. An as-built survey of wetland boundaries and wetland replacement activities, including quantification of wetland impact and replacement areas, is to be submitted for verification that wetland impact does not exceed amount proposed and replacement areas are graded to approved plan.
4. The applicant must perform and provide replacement wetland monitoring in accordance with Minnesota Rules 8420.0810, no later than December 31.

Exhibits:

1. Plan set containing sheets C1-C6, C3.1, L1 and L2, revised and received 6-22-2017.
2. Preliminary Plan (Sheet 1) and Existing Conditions (Sheet 2), dated 6-1-17 and received 6-8-2017.
3. Permit application, dated 4-12-2017 and received 4-14-2017.
4. Stormwater Calculations, dated 4-13-2017 and received 4-14-2017, containing narrative, drainage maps, HydroCAD report for the 2-year, 10-year, and 100-year rainfall and snowmelt events for proposed and existing conditions, pond design calculations, and soil boring logs.
5. Revised stormwater Calculations, dated 6-1-2017 and received 6-8-2017, containing narrative, drainage maps, HydroCAD report for the 2-year, 10-year, and 100-year rainfall and snowmelt events for proposed and existing conditions, pond design calculations, and (duplicate) soil boring logs.
6. Narrative response, dated 6-1-2017 and received 6-8-2017.
7. Wetland Permit application, dated and received 4-14-2017.
8. Wetland Replacement plan, dated and received 4-14-2017.
9. WCA Notice of application, dated 5-1-2017.
10. Response to Engineers Report Dated 5-26-2017 (response to WCA comments), dated and received 6-9-2017.
11. Wetland buffer exhibit, dated and received 6-22-2017.
12. Revised wetland impact and replacement tables and associated figures, undated and received 6-23-2017.

Findings:

1. Description – The project proposed to demolish an existing house and construct an asphalt plant, with two office/shop buildings with paved parking/storage area in Columbus. The project will increase the impervious area from 0.90± acres to 20.85± acres and disturb an additional 38± acres. The project is located in the Peltier Resource of Concern. The applicant has submitted a \$14,100 application fee, which corresponds to greater than 10 acres of new/redeveloped impervious surface, greater than 10 acres of land disturbance, floodplain mitigation, and 5-10 acres of wetland mitigation.

2. Stormwater – The applicant is proposing the BMPs as described below for the project:

Proposed BMP Description	Location	2.5-inch NURP requirement (AF)	Volume provided (AF)	EOF
NURP pond (10P)	South property line	2.403	4.522	895.7
NURP pond (20P)	North of side	1.849	1.873	895

Soils on site are a mix of peat, silty sands (SM), sandy silt (ML) clayey sand (SC) and lean clay and sandy lean clay (CL) (HSG B, C and D) which in conjunction with a high water table will not support infiltration. Thus, ponds are acceptable to meet the water quality requirement. The applicant has combined with the design criteria of Rule C.9(d). 100% of the site has been treated. Thus the applicant has met the Rule C.6 Water Quality requirements.

Drainage Area	2-year (cfs)		10-year (cfs)		100-year (cfs)	
	Existing	Proposed	Existing	Proposed	Existing	Proposed
North drainage	12.4	10.9	28.7	27.1	65.9	61.2
South drainage	4.9	4.3	11.2	7.6	25.1	16.7
Totals	17.3	15.2	39.9	34.7	91.0	77.9

The project is not located within the Flood Management Zone. The applicant has met the rate control requirements of Rule C.7 and the freeboard requirements of Rule C.9(g).

3. Wetlands – A wetland delineation report and boundary decision occurred under review files 16-098R and 17-048R.

The applicant submitted an initial wetland replacement plan application on 4-13-17, which was deemed complete and was noticed to the TEP on 5-1-17. The comment period closed on 5-22-17. The TEP, applicant and consultants met on 5-11-2017, there were no formal TEP comments.

The proposed project includes construction of an asphalt plant with stockpile and aggregate storage/operations used in production of bituminous products. The site is located within the Columbus CWPMP area.

The applicant has provided a thorough offsite alternatives analysis for wetland impact sequencing, which contemplates various sites throughout the north-metro area, and found that the proposed site is the most practical and met the specific criteria required by the proposed land use. The applicant also provided an on-site alternatives analysis, which included discussion of wetland impact avoidance and minimization measures for each impact area. The applicant has shown impact avoidance and minimization measures to the greatest extent possible while meeting the projects purpose and need.

The applicant is proposing 3.55 acres of wetland impact, located both inside and outside of the WMC, requiring 6.30 acres of replacement. The following table summarizes wetland impacts, replacement ratio (as described in Rule F) and required mitigation totals per Rule F.

Wetland	WMC	Degradation Status	Replacement Ratio	Fill (ac)	Excavation (ac)	Required Replacement
1A	Out	Severely	1:1	0.10	0.04	0.14
1B	Out	Severely	1:1	0.03	0.00	0.03
2	Out	Severely	1:1	0.04	0.00	0.04
3A	Out	Severely	1:1	0.03	0.00	0.03
3B	Out	Severely	1:1	0.21	0.00	0.21
4	Out	Severely	1:1	0.11	0.00	0.11
5-north	In	Severely	2:1	0.41	0.00	0.82
5-south	In	Moderately	2:1	2.29	0.00	4.58
6	Out	Severely	1:1	0.10	0.00	0.10
7	Out	Marginally	1.5:1	0.07	0.00	0.11
8	Out	Marginally	1.5:1	0.02	0.00	0.03
9	Out	Severely	1:1	0.10	0.00	0.10
TOTAL				3.51	0.04	6.30

Onsite mitigation will be completed via wetland creation, hydrologic and vegetative restoration of existing wetland, and vegetative restoration of existing wetland. Mitigation on site will total 6.6225 acres of credit. Wetland mitigation is summarized in the following table:

Actions Eligible for Credit (Rule F)	In or Out of Final WMC	Credit Allocation (%)	Acres	Credit Granted
Wetland Creation (Upland to wetland conversion)	In	50%	2.41	1.2050
Wetland Restoration (hydrologic and vegetative restoration of severely degraded wetland)	In	75%	5.42	2.7100
Vegetative restoration (positive shift in vegetative integrity)	In	50%	0.55	0.1375
Wetland Total			8.38	5.5450
Upland Buffer (native, non-invasive dominated around other action eligible for credit)	In	25%	4.31	1.0775
TOTAL CREDIT			12.69	6.6225

Mitigation will be met when performance standards have been met. The District recognizes the performance standards provided in Table 3 of the Wetland Replacement Plan, dated April 14, 2017. Consistent with the applicant's statements, no partial credit, or credit granted over time will occur.

The on-site mitigation is not located within a ponding and flowage easement dedicated to the City of Columbus (Document No. 842559), as the District has determined that this area may be needed for future public drainage maintenance activities and requires a public drainage easement specifying a District right of maintenance access.

The applicant is providing 4.31 acres of WMC buffer. The 50-foot average total is 4.27 ac. Rule F buffer standards have been met, including both the 25-foot minimum and the 50-foot average.

A GIS shapefile or CADD file of the final WMC boundary must be submitted to the District.

As a condition of permit issuance under this Rule, a property owner must file on the deed a declaration in a form approved by the District establishing a vegetated buffer area adjacent to the delineated wetland edge within the final WMC and other wetland buffers approved as part of a permit under this Rule. The declaration must state that on further subdivision of the property, each subdivided lot of record shall meet the documentation requirement of Section 6(e)(8).

The property owner must convey to the District and record or register, in a form acceptable to the District, a perpetual, assignable easement granting the District the authority to monitor, modify and maintain hydrologic and vegetative conditions within the WMC wetland and buffer adjacent to WMC wetland, including the authority to install and maintain structural elements within those areas and reasonable access to those areas to perform authorized activities. The WMC shall be identified and delineated as part of the recorded easement.

4. Floodplain – The regulatory floodplain on site is 891.0 NAVD88. The applicant is proposing to place 2,955± cubic feet of fill within the floodplain, and created 3,480± cubic feet of mitigation, complying with the Rule E requirements.
5. Erosion Control – Proposed erosion control methods include silt fence, a rock construction entrance, erosion control blanket and rip rap. An NPDES permit is required for the project. A SWPP plan has been provided on sheet C5. The information listed under the Erosion and Sedimentation Control Recommendations needs to be submitted. Otherwise, the project complies with RCWD Rule D requirements.
6. Drainage Systems – The Main Trunk and Branch 4 of JD-4 are both located on the property. The applicant is not proposing any modifications to the public drainage system. The applicant must pay the current WMD charge as noted above. An acceptable drainage easement was previously recorded on the property.
7. Documenting Easements and Maintenance Obligations – Applicant must meet the easement and maintenance obligations per Recommendations above. Applicant must provide draft documents for approval, and an attested copy of the approved documents and the drainage and flowage easements (if required).
8. Previous Permit Information – Prior attempts to develop the property have occurred under 88-210, 06-150R, 07-095, 08-022. Current wetland information is found under files 16-098R and 17-048R.

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Registered Professional Engineer under the laws of the state of Minnesota.

Greg Bowles 7-5-17

Greg Bowles
MN Reg. No 41929

K. MacDonald 7-5-17

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