

Information for File # 2006-02139-JCD

Applicant: Mattamy Homes – Rick Packer

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Primary County: Wright

Section: 27

Township: 121 North

Range: 23 West

Information Complete On: May 20, 2014

Posting Expires On: July 24, 2014

Authorization Type: LOP-05-MN

This application is being reviewed in accordance with the practices for documenting Corps jurisdiction under Sections 9 & 10 of the Rivers and Harbor Act of 1899 and Section 404 of the Clean Water Act identified in Regulatory Guidance Letter 07-01. We have made a preliminary determination that the aquatic resources that would be impacted by the proposed project are regulated by the Corps of Engineers under Section 404 of the Clean Water Act. Our jurisdictional review and final jurisdictional determination could result in modifications to the scope of the project's regulated waterbody/wetland impacts and compensatory mitigation requirements identified above.

Project Purpose and Description:

Mattamy Homes is proposing to construct Boulder Creek, a housing development project on an approximately 155-acre site located in Otsego, Minnesota, as shown on the attached Pages 1 of 9 through 9 of 9. The project involves grading to construct roadways, building pads, stormwater ponds, and the installation of utilities for 360 residential units.

The project site is located on the north side of County State Aid Highway (CSAH) 37 just west of Highway 101, as shown on Page 1 of 9. The existing land use of the site is primarily cropland. There is also a ditch that flows from west to east that bisects the center of the site. Land use adjacent to the proposed development includes: a residential

neighborhood to the northwest, cropland and a large Department of Natural Resources (DNR) wetland to the east, and cropland to the west and south.

There are 5 wetlands that were delineated within the proposed development site, as shown on the attached figures Page 2 of 9 through 3 of 9. The project as proposed would result in impacts to 3 of the 5 wetlands delineated, as shown on the attached figure Page 3 of 9. Impacts to wetland 1 are primarily from roadway grading, and impacts to wetlands 4 and 5 are secondary impacts due to watershed reduction of the surrounding areas.

Alternatives Considered:

The applicant considered 5 different alternatives including the proposed development plan. The alternatives considered are as follows:

1. The ***no-build alternative*** was considered as a way to eliminate all wetland impacts. Although the no-build would avoid direct impacts to all wetlands on the site, it would not allow the applicant to effectively utilize the site for residential development. The proposed project site is located within an Urban Service Expansion Area (Low and Medium Density residential housing) as indicated by the City of Otsego. A development project of this type is consistent with adjacent land use. The need for residential development within the city would not be met should the project be abandoned. For these reasons, the no-build alternative was rejected.

2. An ***alternative project design avoiding wetland 1 impacts*** was considered as shown on Page 4 of 9. Avoidance of direct and indirect impacts to wetland 1 would require removal of approximately 500 feet of roadway located directly south of Wetland 1. The proposed impact to Wetland 1 is primarily a result of roadway alignment in the west central portion of the project area. Steeply sloping topography along the south side of the ditch dictates the roadway alignment and associated fill footprint. Wide side slopes are needed to build the land up to a consistent grade along the entire north side of Street A. This would result in the majority of the impact to Wetland 1. This design would require the creation of 2 long dead-end cul-de-sacs east and west of the wetland. A roadway system as such would prevent the safe and efficient movement of emergency vehicles, as well as inefficient traffic movement for residents.

3. An ***alternative project design avoiding wetland 4 impacts*** was considered as shown on Page 5 of 9. Avoidance of direct impact to Wetland 4 is possible, but would result in secondary impacts to Wetland 4 due to the elimination of the wetland's surrounding watershed and significant reduction in supporting hydrology. To avoid indirect impacts to Wetland 4 a substantial area within the east half of the north 40 acres of the site would need to be completely avoided since the majority of wetland 4's hydrology is via surface runoff from the surrounding minor watershed. This alternative does not meet the developer's goals and is not consistent with the planned land-use.

4. An ***alternative project design avoiding wetland 5 impacts*** was considered as shown on Page 6 of 9. Avoidance of direct impacts to Wetland 5 is also possible, but would not prevent secondary impacts to Wetland 5 due to the elimination of much of the wetland's

surrounding watershed and supporting hydrology. An alternative project design that would avoid indirect impact to Wetland 5 would require Street N near Wetland 5 be eliminated. Street N is projected to continue to the west in the future, tying into a main access road off of 70th Street NE. Elimination of a portion of Street N does not meet the developer's needs and was therefore rejected as an alternative.

5. The ***proposed development plan*** as shown on Page 7 of 9 meets the project goals and requirements and is compatible with adjacent land use.

Impact Minimization:

Wetlands 2 and 3 as shown on the attached Pages 2 of 9 through 3 of 9 have been completely avoided. Impacts to wetland 5 have been minimized by constructing fill side slopes at a grade of 3:1; which is the maximum allowed by the city. Wetlands 1 and 4 will be entirely impacted and minimization is not feasible as proposed.

In order to minimize the potential for future degradation to wetlands 2 and 3 the following will be implemented:

- wetland buffers with a width of 20 feet will be established adjacent to wetlands 2 and 3, and will be protected under an easement;
- BMP's will be implemented during construction to prevent erosion into the remaining wetlands;
- Stormwater plans, as shown on Page 7 of 9, will pre-treat runoff from impervious surfaces on the site.

Proposed Aquatic Resource Impacts & Compensatory Mitigation:

The development plan as proposed will require filling of 46,611 square feet (1.0700 acres) of seasonally flooded basin and fresh (wet) meadow (Type 1/2) wetlands.

Wetland replacement for project impacts will be satisfied at a 2:1 ratio through the purchase of 2.1401 acres of Standard Wetland Credit (SWC) from three separate wetland banks located in Bank Service Area (BSA) 7, Wright County, Major Watershed 17 (Mississippi River – St. Cloud) as shown on the attached Page 8 of 9. The attached table labeled Page 9 of 9 shows the wetland bank purchase summary.

Drawings See attached.

Note: Site boundaries on this figure are approximate and do not constitute an official survey product.



Figure 1 – Site Location

Boulder Creek (KES No. 2014-010)
Otsego, Minnesota



KJOLHAUG ENVIRONMENTAL SERVICES COMPANY

↑N No Scale

Note: Site boundaries on this figure are approximate and do not constitute an official survey product.

Site Location

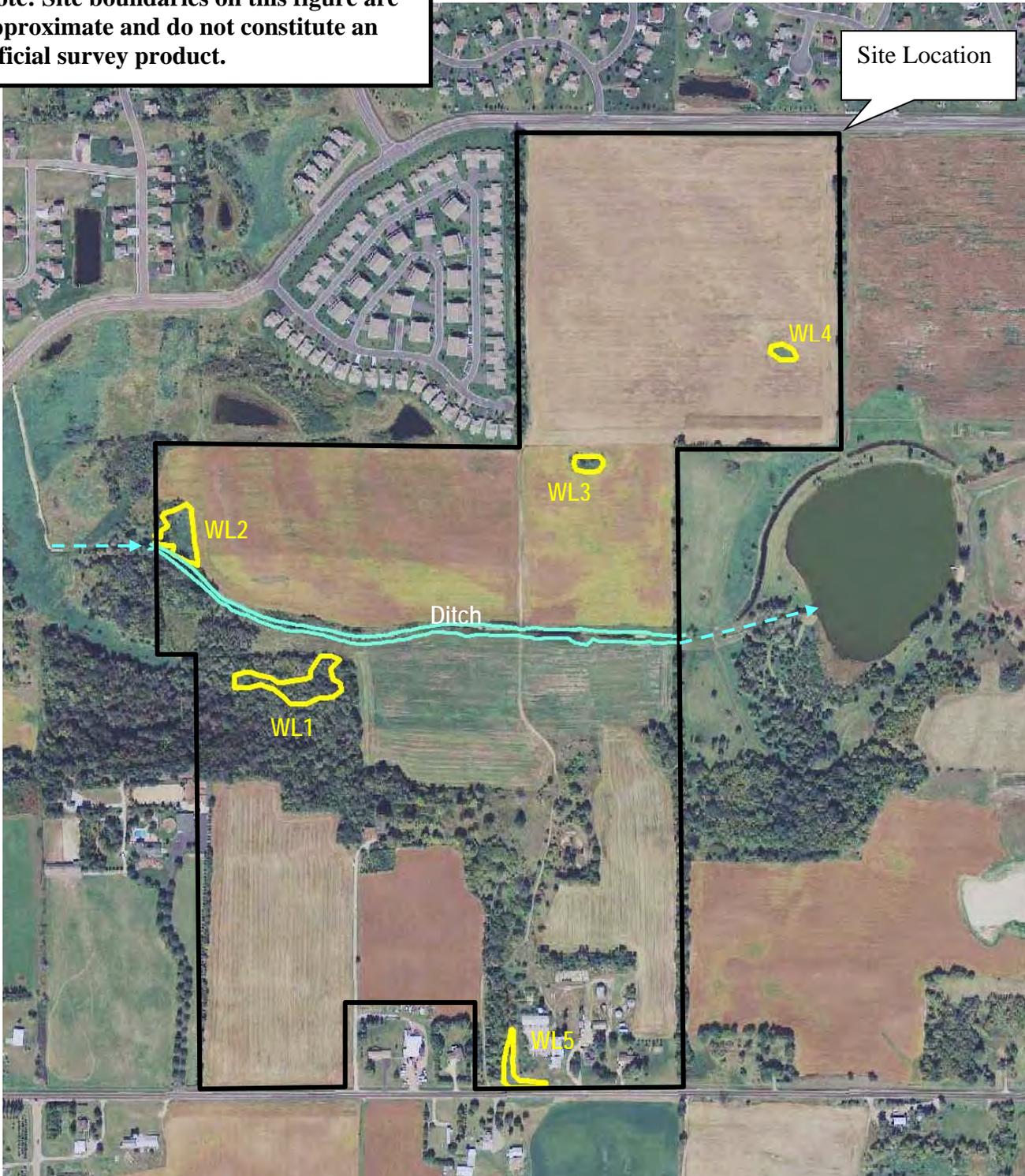


Figure 2 – 2013 Delineated Wetlands (2010 Aerial Photograph)

Boulder Creek (KES No. 2014-010)
Otsego, Minnesota



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1 inch ~ 806 feet

Note: Site boundaries on this figure are approximate and do not constitute an official survey product.

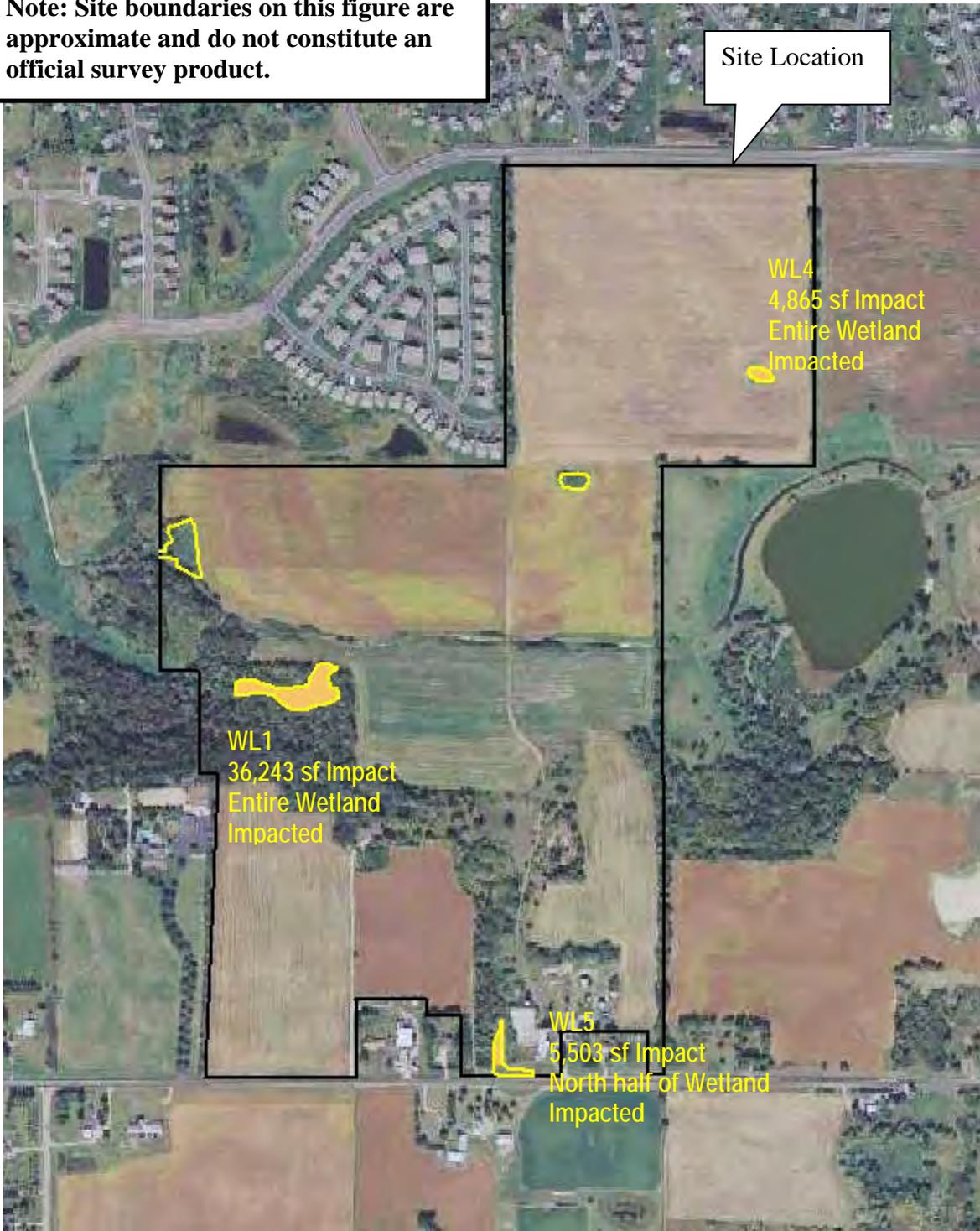


Figure 3 – Wetlands Proposed For Impact

**Boulder Creek (KES No. 2014-010)
Otsego, Minnesota**



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1 inch ~ 903 feet

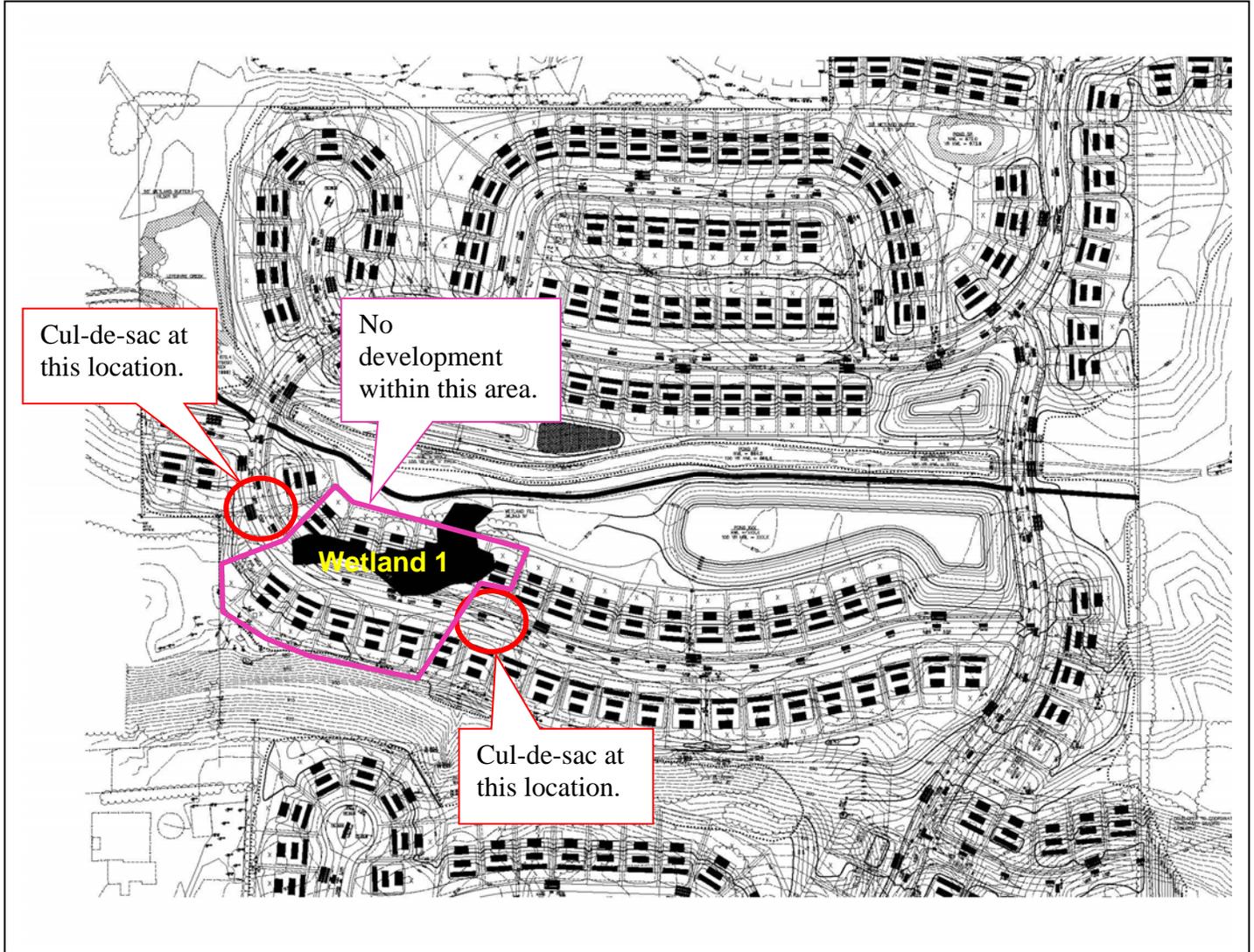


Figure 4 – Wetland 1 Avoidance Alternative

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**Boulder Creek (KES No. 2014-010)
Otsego, Minnesota**

↑N

No Scale

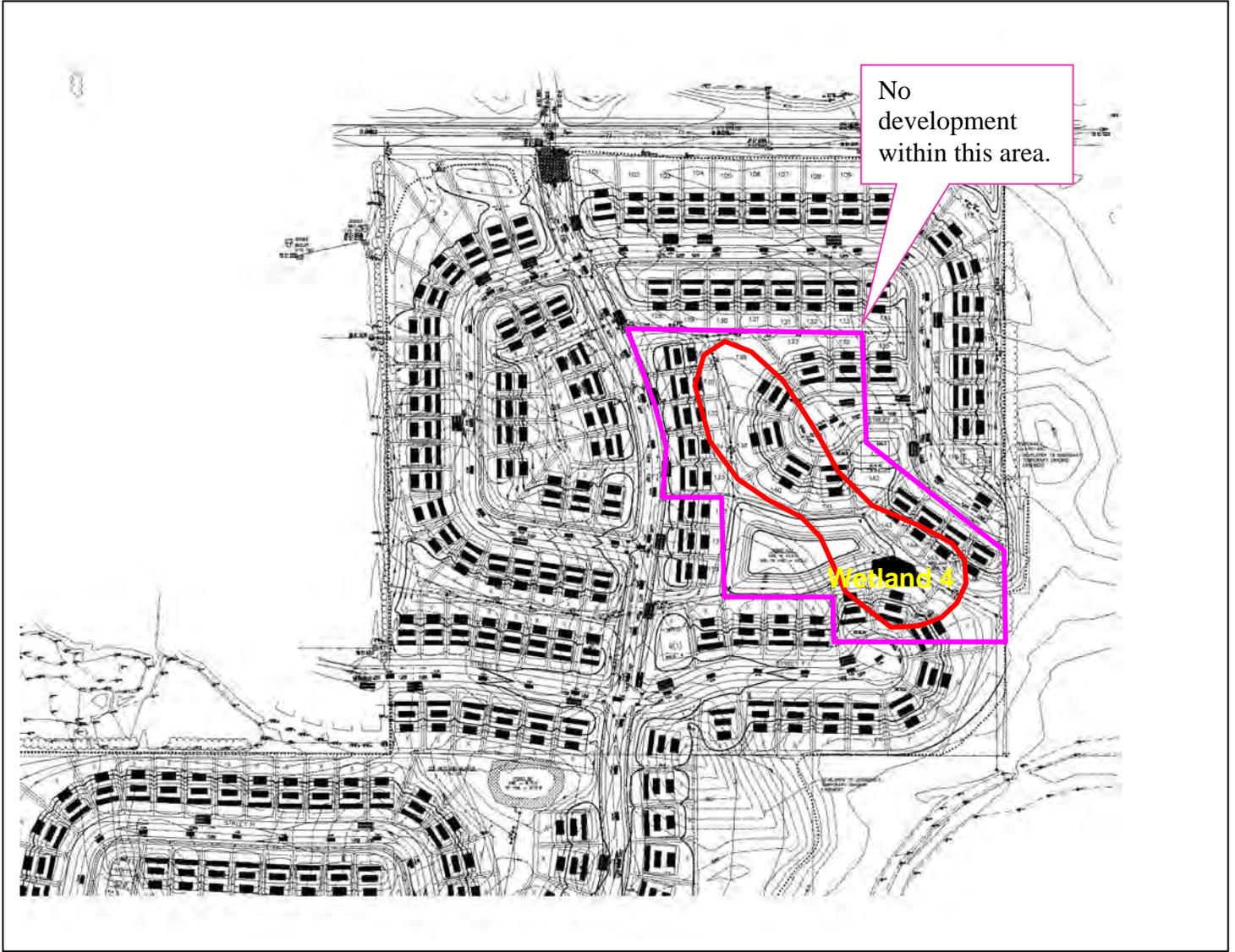


Figure 5 – Wetland 4 Avoidance Alternative

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**Boulder Creek (KES No. 2014-010)
Otsego, Minnesota**

↑N

No Scale

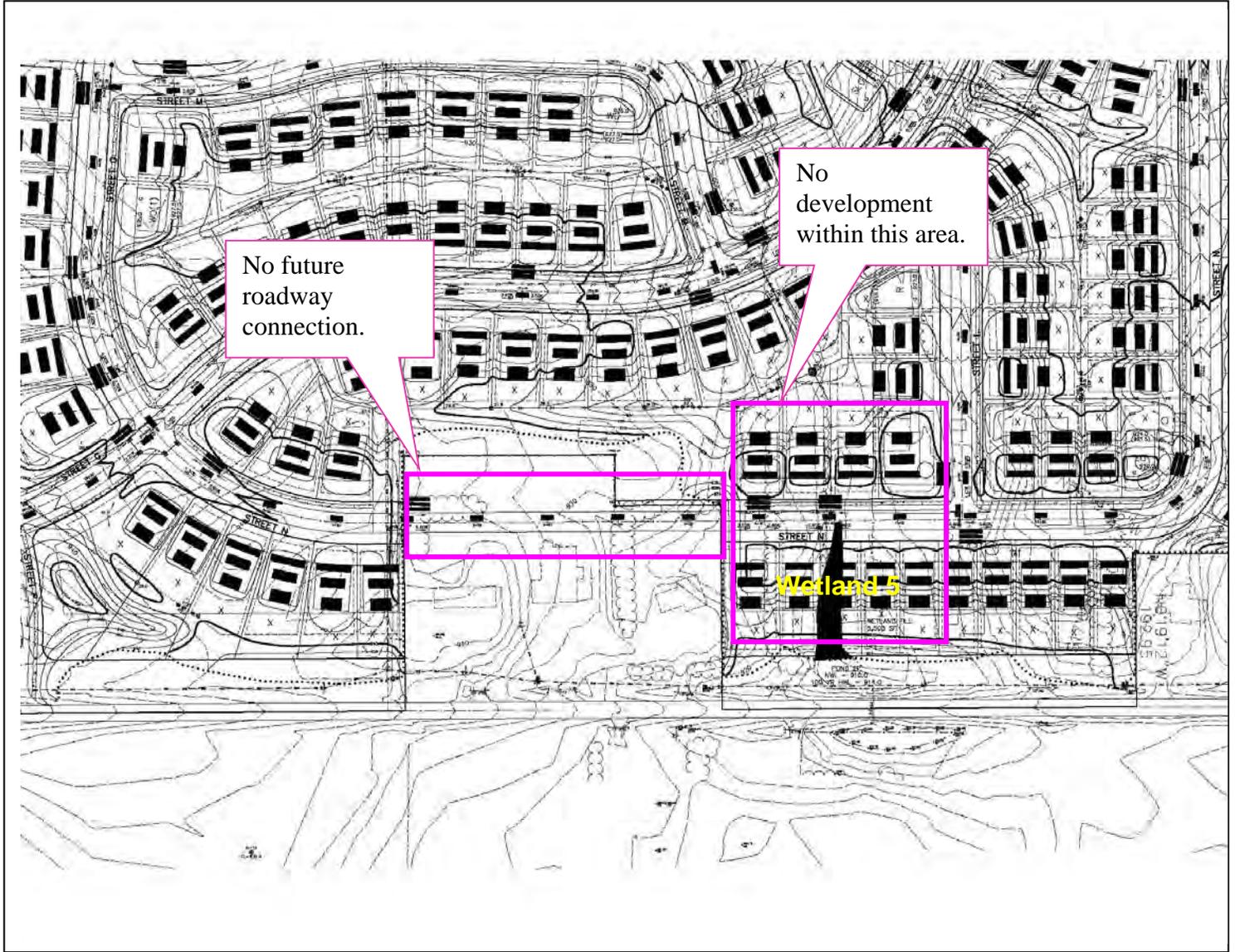


Figure 6 – Wetland 5 Avoidance Alternative

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**Boulder Creek (KES No. 2014-010)
Otsego, Minnesota**

↑N

No Scale

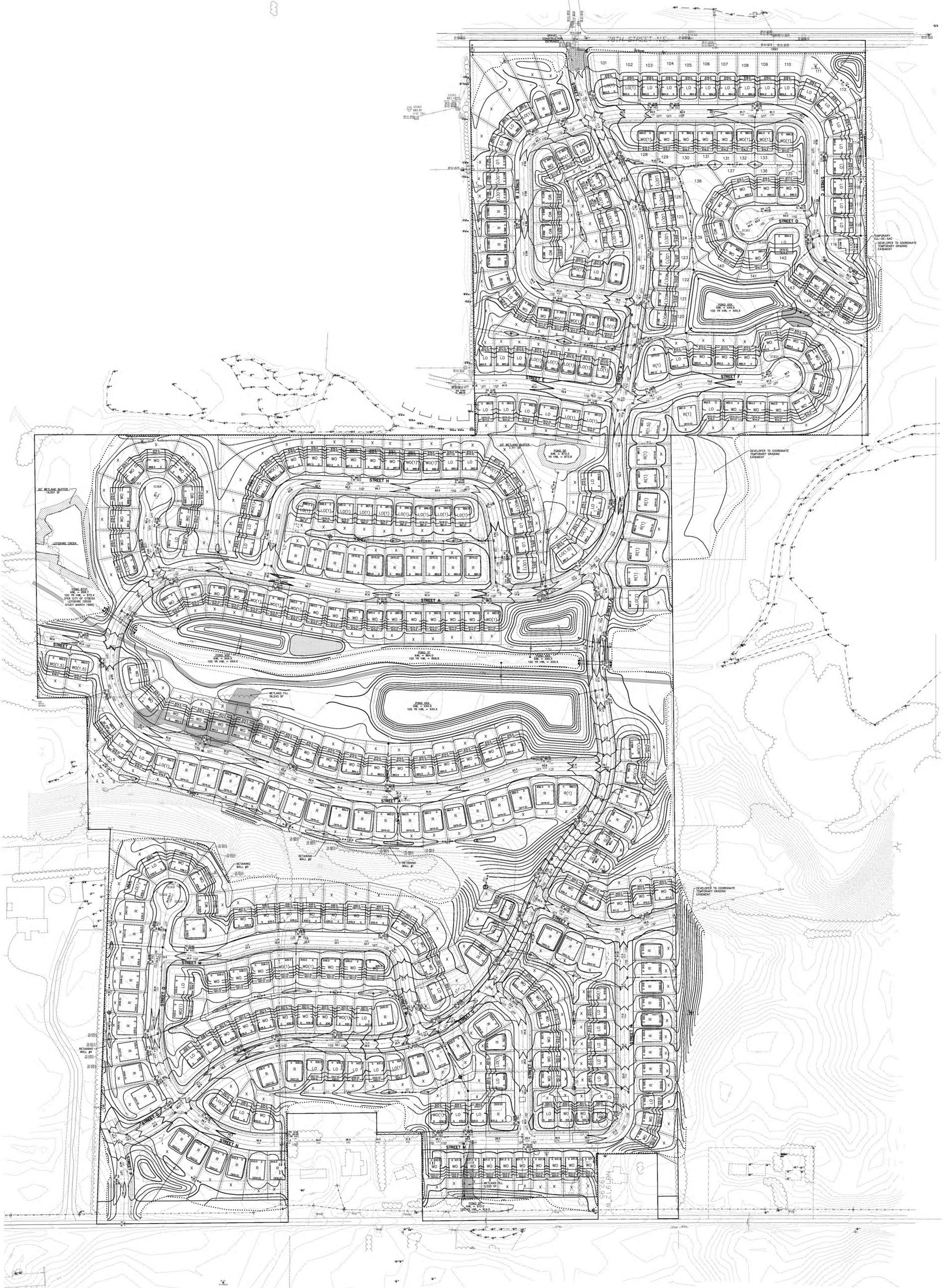


FIGURE 7

Note: Site boundaries on this figure are approximate and do not constitute an official survey product.

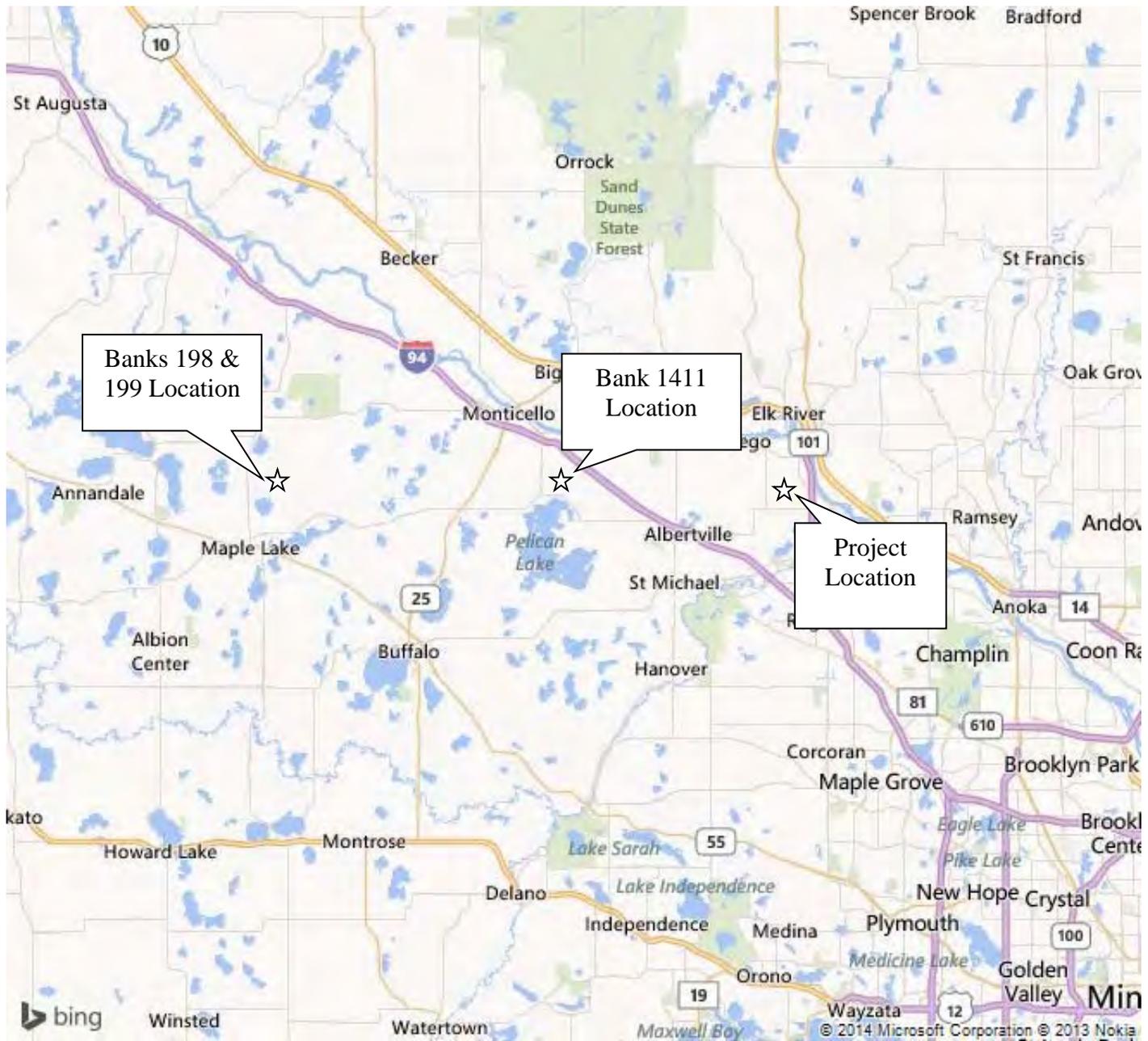


Figure 8 –Wetland Bank Locations in Relation to Project Location

**Boulder Creek (KES No. 2014-010)
Otsego, Minnesota**



No Scale



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