



**US Army Corps
of Engineers**
St Paul District

APPLICANT:

Motor Condos, LLC
c/o William Stoddard

Public Notice

ISSUED: April 1, 2024
EXPIRES: May 1, 2024

REFER TO:

MVP-2022-01604-ACM

SECTION: 404 - Clean Water Act

1. APPLICATION FOR PERMIT TO construct the Breckenridge Farm Development project, which consists of a commercial lot, auto condos, residential lots, and associated infrastructure. The project would result in the permanent discharge of fill material into 0.90 acres of wetland.

2. SPECIFIC INFORMATION

AGENT

Ben Hodapp
Anderson Engineering of Minnesota, LLC
13605 1st Avenue North, Suite 100,
Plymouth, MN 55441

PROJECT LOCATION: The project site is located in Section 18, Township 118 North, Range 24 West, Hennepin County, Minnesota. The approximate UTM coordinates are N 440064.033173, E 4986929.064465. Latitude 45.033281, Longitude -93.760902.

DESCRIPTION OF PROJECT: The applicant proposes to develop a 60-acre site in the City of Independence, into a mixed used development. The proposed development would include construction of one commercial lot, 116-units of auto condos, 7 single family residential lots, stormwater management facilities, roads, and utilities.

QUANTITY, TYPE, AND AREA OF FILL: The proposed project would result in the permanent discharge of fill material into 0.90 acres of wetlands for the grading associated with building pads and construction of roadways.

VEGETATION IN AFFECTED AREA: The 0.90 acres of wetland proposed to be impacted are dominated by seasonally flooded basin, floodplain forest, fresh wet meadow, shallow marsh vegetation.

SURROUNDING LAND USE: The project site is surrounded by roads, cropped fields, farmsteads, commercial and residential development.

THE FOLLOWING POTENTIALLY TOXIC MATERIALS COULD BE USED AT THE PROJECT SITE: Fuel/Oil from construction equipment. However, a Stormwater Pollution Prevention Plan has been developed for the site to mitigate any spills that may occur.

THE FOLLOWING PRECAUTIONS TO PROTECT WATER QUALITY HAVE BEEN DESCRIBED BY THE APPLICANT: Implementation of a Stormwater Pollution Prevention Plan would be utilized to help reduce or eliminate potential effects of stormwater runoff to onsite wetlands as well as offsite water resources. This includes the construction of multiple stormwater ponds to manage and reduce potential effects of stormwater runoff from the proposed development.

MITIGATION: The applicant proposes to compensate for proposed wetland losses by

purchasing 1.80 acres of wetland credits from Wetland Bank #1768 (County Road 32 Sod Farm), which is located within the same Bank Service Area (BSA 7) as the proposed project.

3. FEDERALLY LISTED THREATENED OR ENDANGERED WILDLIFE OR PLANTS OR THEIR CRITICAL HABITAT

None were identified by the applicant or are known to exist in the permit area. However, Washington County is within the known or historic range of the following Federally listed species:

Northern Long-Eared Bat	Hibernates in caves and mines – swarming in surrounding wooded areas in autumn. Roosts and forages in upland forests during spring and summer.
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This application is being coordinated with the U.S. Fish and Wildlife Service. Any comments it may have concerning Federally listed threatened or endangered wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

4. JURISDICTION

This application is being reviewed in accordance with the practices for documenting Corps jurisdiction under Sections 9 & 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act.

5. SECTION 401 WATER QUALITY CERTIFICATION

Valid Section 404 permits cannot be issued for any activity unless water quality certification for the activity is granted or waived pursuant to Section 401 of the Clean Water Act. The Section 401 authority for this project is the Minnesota Pollution Control Agency (MPCA). A Department of the Army permit will not be granted until the MPCA has issued or waived Section 401 WQC certification and the U.S. Environmental Protection Agency (USEPA) neighboring jurisdiction process is completed. Corps Section 404 Clean Water Act decisions may not be finalized until after the USEPA completes this process.

The MPCA has indicated that this public notice serves as its public notice of the application for Section 401 water quality certification under Minnesota Rules Part 7001 Section 401 of the Clean Water Act (33 U.S. Code 1341 (a)(1)). The MPCA has indicated that if, at a later date, it makes a preliminary anti-degradation determination regarding Section 401 Water Quality Certification, it will at that time plan to issue an additional public notice under Minnesota Rules Part 7001.

Any comments relative to MPCA's Section 401 Certification for the activity proposed in this public notice may be sent to:

Minnesota Pollution Control Agency
Resource Management and Assistance Division
Attention: 401 Certification
520 Lafayette Road North
St. Paul, Minnesota 55155-4194
401Certification.PCA@state.mn.us

6. HISTORICAL/ARCHAEOLOGICAL

This public notice is being sent to the National Park Service and the State Archaeologist for their comments. The Corps will review information on known cultural resources and/or historic properties within and adjacent to the project area. The Corps will also consider the potential effects of the project on any properties that have yet to be identified. The results of this review and the Corps' determination of effect will be coordinated with the State Historic Preservation Officer independent of this public notice. Any adverse effects on historic properties will be resolved prior to the Corps authorization, or approval, of the work in connection with this project.

7. PUBLIC HEARING REQUESTS

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, in detail, the reasons for holding a public hearing. A request may be denied if substantive reasons for holding a hearing are not provided or if there is otherwise no valid interest to be served.

8. PUBLIC INTEREST REVIEW

The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. Environmental and other documents will be available for review in the St. Paul District Office.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

REPLIES/COMMENTS

Interested parties are invited to submit to this office written facts, arguments, or objections by the expiration date indicated above. These statements should bear upon the suitability of the location and the adequacy of the project and should, if appropriate, suggest any changes believed to be desirable. Comments received may be forwarded to the applicant.

Regulatory Division (File No. MVP-2022-01604-ACM)

Replies may be sent to Alex Meincke at alexander.c.meincke@usace.army.mil.

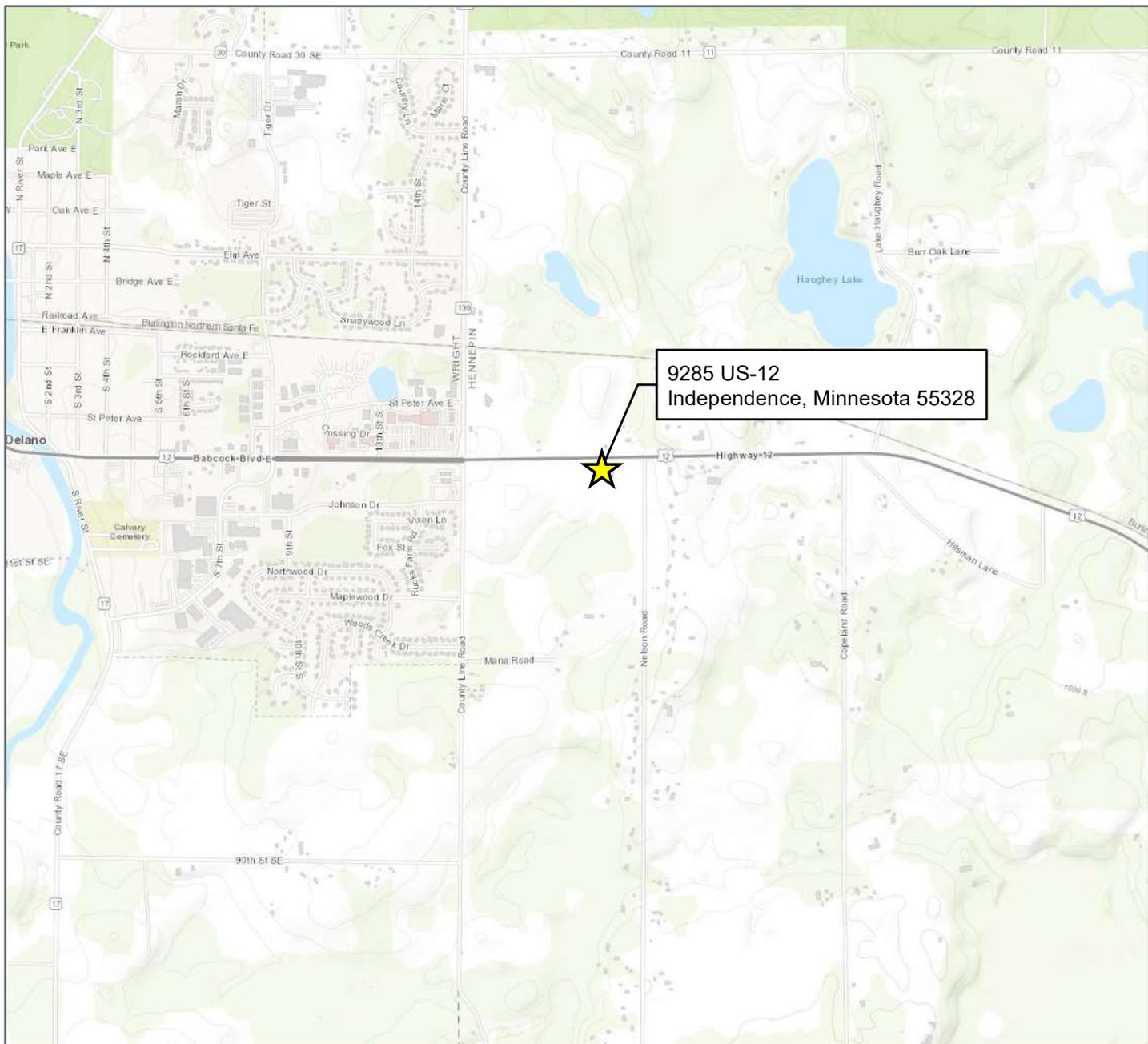
IF YOU HAVE QUESTIONS ABOUT THE PROJECT, contact Alex Meincke at the St. Paul office at 651-290-5485 or alexander.c.meincke@usace.army.mil.

To receive Public Notice notifications, go to: <https://www.mvp.usace.army.mil/Contact/RSS/> and subscribe to the RSS Feed for which you would like to receive Public Notices.

Enclosures: MVP-2022-01604-ACM, PN Attachments, Pages 1-5 of 5

Stoddard Companies Property
Independence, Minnesota

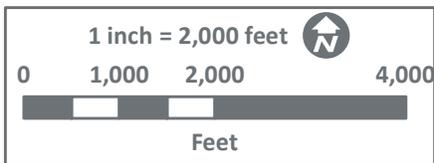
Figure 1
Project Location



Legend

 Project Location

Address: 9285 US-12
Independence, Minnesota 55328
Lat/Long: 44.0353,-93.7598
PID: 1811824210001
Project No: 16915
Date: 4.19.2022

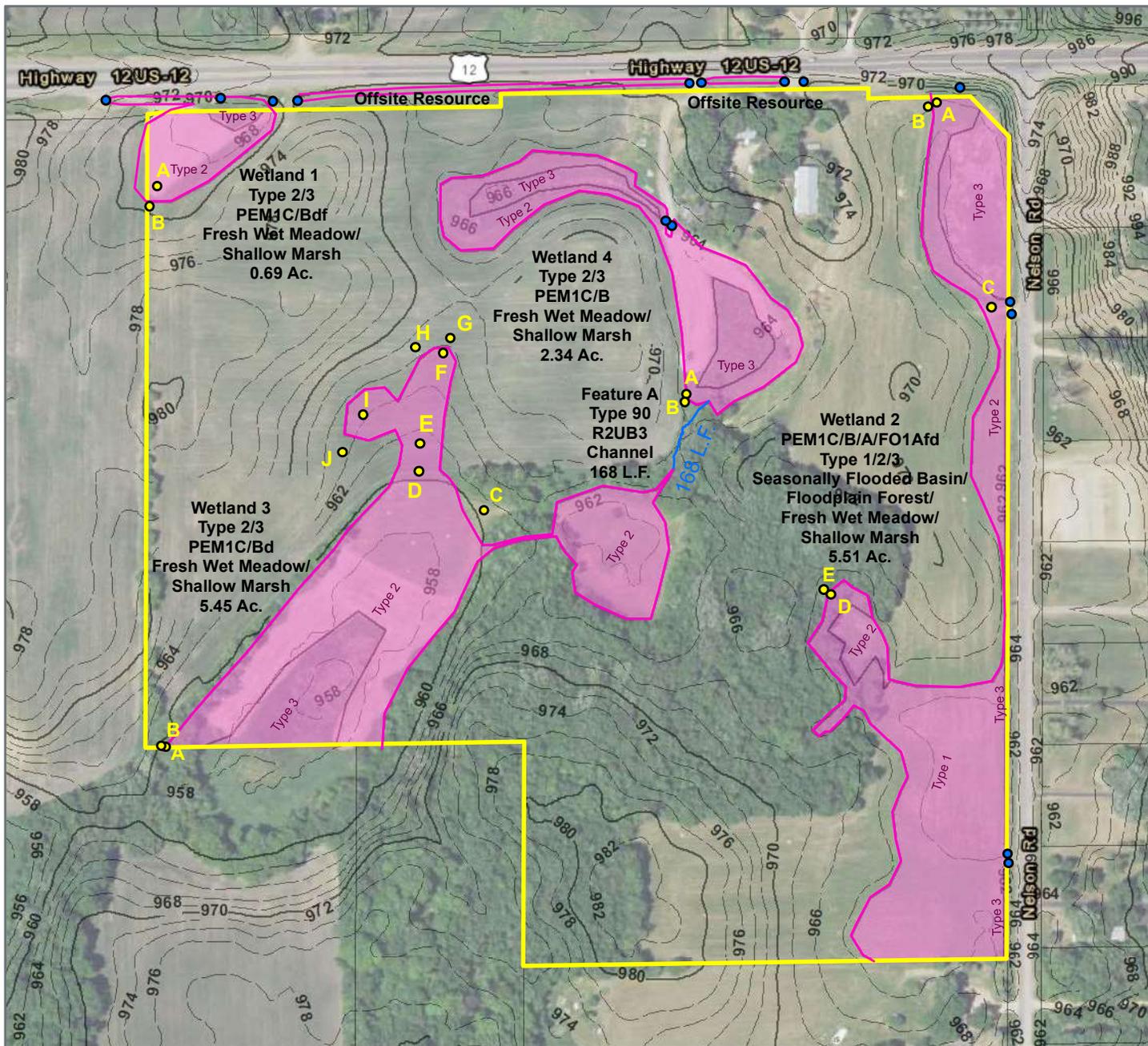


ANDERSON
13605 1st Ave N #100, Plymouth, MN 55441
P 763.412.4000 F 763.412.4090 ae-mn.com



Stoddard Companies Property
Independence, Minnesota

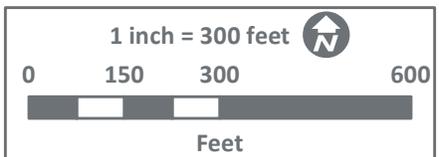
Figure 5
Delineation



Legend

- Project Parcel
- Hennepin Co. Parcels
- Wetland Field Delineated
- April 26th, 2022
- Rev. October 3rd, 2022
- Sample Point
- Culvert
- Ephemeral Stream

Address: 9285 US-12
Independence, Minnesota 55328
Lat/Long: 44.0353,-93.7598
PID: 1811824210001
Project No: 16915
Date: 10.4.2022



ANDERSON
13605 1st Ave N #100, Plymouth, MN 55441
P 763.412.4000 F 763.412.4090 ae-mn.com

Project Location

City of Independence
Hennepin County, MN



ANDERSON
 13,605, 1st Avenue N, #100
 Plymouth, MN 55441 | a@am.com
 P 763.412.4000 | F 763.412.4090
 Anderson Engineering of Minnesota, LLC

BRECKENRIDGE FARM

INDEPENDENCE,
MINNESOTA

STODDARD COMPANIES

DESIGNER'S CERTIFICATE UNDER THE LAWS OF THE STATE OF MINNESOTA
 I, STODDARD COMPANIES, LICENSE NO. 001882
 DATE 02/22/2024
 SIGNATURE *[Signature]*
 PRINT NAME: BEN HODAPP
 DESCRIPTION OF PROJECTS AND AREAS:
 1. 0.90 ACRES IMPACT
 2. 0.04 INCIDENTAL DITCH

Preferred Alt

0.90 acres impact

0.04 incidental ditch

DRAWING NO.

C500

PLOTTED: 02/12/2024
 COMM. NO.: 10915

LEGEND

PROPERTY LIMITS
 - 965 - EXISTING MINOR CONTOUR
 - 965 - EXISTING MAJOR CONTOUR
 - 985 - PROPOSED MINOR CONTOUR
 - 985 - PROPOSED MAJOR CONTOUR

WETLAND
 - TYPE 1 WETLAND
 - TYPE 2 WETLAND
 - TYPE 3 WETLAND
 - WETLAND IMPACT AREA
 - WETLAND IMPACT
 - PROPOSED SEPTIC DRAINFIELD

EXISTING WETLAND AREAS
 TYPE 1 = 185,968 SF. (4.27 AC.)
 TYPE 2 = 377,277 SF. (8.66 AC.)
 TYPE 3 = 121,173 SF. (2.78 AC.)
 TOTAL = 684,418 SF. (15.71 AC.)

PROPOSED WETLAND IMPACT

ID	TYPE 1	TYPE 2	TYPE 3	TOTAL
A	1,545 SF	0 SF	0 SF	1,545 SF
B	0 SF	1,896 SF	0 SF	1,896 SF
C	0 SF	767 SF	0 SF	767 SF
D	0 SF	3,492 SF	0 SF	3,492 SF
E	0 SF	6,369 SF	0 SF	6,369 SF
F	0 SF	7,697 SF	0 SF	7,697 SF
G	0 SF	7,596 SF	0 SF	7,596 SF
H	0 SF	1,400 SF	0 SF	1,400 SF
I	0 SF	611 SF	78 SF	789 SF
J	642 SF	0 SF	188 SF	830 SF
K	1,495 SF	166 SF	0 SF	1,661 SF
L	6,499 SF	0 SF	28 SF	6,527 SF
TOTALS	10,181 SF	29,969 SF	387 SF	40,544 SF
				0.93 AC

NOTE: WETLAND QUALITY OF ALL EX. WETLANDS WITHIN PROJECT AREA IS 'LOW'.

