



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, December 15, 2021

Agenda Item

Item 8. J. – Permits and Project Reviews

Prepared By

Linda Loomis, Administrator

Summary

i. **Shakopee Dental Office (LMRWD No. 2021-052)**

This project proposes to build a new Dental Office in Shakopee at 8350 Hansen Avenue. Staff has reviewed the application. Details of the project are contained in the attached Technical Memorandum – Shakopee Dental Office (LMRWD No. 2021-052) dated December 7, 2021. Conditional approval is recommended subject to receipt of a copy of the NPDES permit, contact information of the contractor and the name and contact information of the person(s) responsible for inspection and maintenance of erosion and sediment control measures.

Attachments

Technical Memorandum – Shakopee Dental Office (LMRWD No. 2021-052) dated December 7, 2021

Recommended Action

Motion to conditionally approve – Shakopee Dental Office (LMRWD No. 2021-052), subject to receipt of a copy of the NPDES permit, contact information of the contractor and the name and contact information of the person(s) responsible for inspection and maintenance of erosion and sediment control measures.

ii. **Kraemer Quarry DNR Permit Application (LMRWD No. 2021-053)**

The LMRWD received notice that Kraemer Mining and Materials, Inc. and Cemstone Products Company applied with the MN DNR for a water appropriation permit. The DNR asked for comments. Young Environmental Consulting Group reviewed the application on behalf of the LMRWD. A Technical Memorandum dated December 5, 2021 is attached. Comments have been provided to the DNR.

Attachments

Technical Memorandum Kraemer Quarry DNR Permit Application (LMRWD No. 2021-053) dated December 5, 2021

Recommended Action

No action is recommended – for information only

Technical Memorandum

To: Linda Loomis, Administrator
Lower Minnesota River Watershed District

From: Kaci Fisher, Environmental Scientist
Katy Thompson, PE, CFM

Date: December 7, 2021

Re: Shakopee Dental Office (LMRWD No. 2021-052)

Tarr Group (the applicant) has applied for an individual project permit from the Lower Minnesota River Watershed District (LMRWD) to develop a dental office in the City of Shakopee (City), as shown in Figure 1. The applicant has provided site plans for the Shakopee Dental Office project (Project) and the permit application.

The Project involves constructing a 4,260-square-foot office building, associated parking, and three biofiltration basins. The Project would disturb approximately 1.2 acres and create 0.79 acres of new impervious surfaces. The Project is not located within the High Value Resource Area, Steep Slopes Overlay District, or 100-year floodplain.

Because the Project was submitted prior to the City receiving its LMRWD municipal permit on November 17, 2021, it requires an LMRWD individual permit and is subject to LMRWD permitting review.

Summary

<u>Project Name:</u>	Shakopee Dental Office
<u>Purpose:</u>	Construction of a dental office
<u>Project Size:</u>	1.2 acres disturbed; 0.01 acres existing impervious; 0.79 acres new impervious
<u>Location:</u>	Southeast of intersection of County Road 21 and

Hansen Ave, Shakopee, MN 55379 (PID
274310010)

LMRWD Rules: Rule B—Erosion and Sediment Control

Recommended Board Action: Conditional approval

Discussion

The District has received the following documents for review:

- LMRWD permit application; received November 5, 2021
- LMRWD permit review fee of \$750; received November 12, 2021
- Authorization of Agent form; received November 29, 2021
- Civil plans by Tarr Group; dated November 2, 2021; received November 5, 2021
- Stormwater narrative by Tarr Group; dated October 29, 2021; received November 5, 2021

The application was deemed complete on November 29, 2021, and the documents received provide the minimum information necessary for permit review.

Rule B—Erosion and Sediment Control

The District regulates land-disturbing activities that affect one acre or more under Rule B. The proposed project would disturb approximately 1.2 acres within LMRWD. The applicant has provided erosion and sediment control and stormwater pollution prevention plans. The Project generally complies with Rule B; however, a copy of the NPDES permit and contact information for the contractor and person(s) responsible for inspection and maintenance of all erosion and sediment control features are required before the final LMRWD permit can be issued.

Additional Considerations

The Project does not trigger Rule D, so treating stormwater from new impervious surfaces is not required under LMRWD rules. However, the City requires stormwater management, and the applicant provided a stormwater narrative that explains that runoff from the site will be routed to the regional Hansen Pond on the north side of Hansen Avenue and was part of the Hansen Avenue—Eagle Creek Watershed Drainage Study. Hanson Pond was designed to provide water quality treatment and rate control from this drainage area and the proposed project.

The existing stormwater infrastructure would not meet the City's requirement of one inch of stormwater value from the impervious surfaces, so the applicant has proposed three on-site biofiltration basins to meet the volume reduction requirement. The two west

biofiltration basins include forebays to provide pretreatment, and the east biofiltration basin will use a three-foot-long grass filter strip for pretreatment.

Recommendations

Staff recommends conditional approval of the Project, conditioned on the receipt of the following:

- Copy of NPDES permit
- Contact information of the contractor
- Contact information for the person(s) responsible for erosion and sediment control

Attachments

- Figure 1—Shakopee Dental Office Project Location Map



Figure I: Shakopee Dental Office Project Location



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- | | | |
|------------------|-------------------------------|-------------------|
| Project Location | Pavement | 100-yr Floodplain |
| Dental Office | Public Waterways | Floodway |
| Biofiltration | Public Waterbodies | 500-yr Floodplain |
| Building | High Value Resource Area | Parcel Boundaries |
| Concrete | Calcareous Fens | County Boundaries |
| | Trout Streams | LMRWD Boundary |
| | Steep Slopes Overlay District | |

LMRWd Watershed Location Map



Technical Memorandum

To: Linda Loomis, Administrator
Lower Minnesota River Watershed District

From: Kaci Fisher, Environmental Scientist
Katy Thompson, PE, CFM

Date: December 5, 2021

Re: Kraemer Quarry DNR Permit Application (LMRWD No. 2021-053)

Kraemer Mining and Materials, Inc. (Kraemer), and Cemstone Products Company (Cemstone) have applied for a Water Appropriation Permit from the Minnesota Department of Natural Resources (DNR) to pump 15 million gallons per year from the CPC Burnsville Well within the Kraemer Quarry in the City of Burnsville (City). The Kraemer Quarry project (Project) is located within the Lower Minnesota River Watershed District (LMRWD or District).

The Project does not propose land-disturbing activities or the creation of new impervious surfaces. It is not located within the High Value Resource Area or Steep Slopes Overlay District; however, it is entirely within the mapped 100-year floodplain of the Minnesota River.

The City does not have a municipal permit from the District, so the Project may be subject to LMRWD permitting review for an LMRWD individual permit. Young Environmental Consulting Group has reviewed the DNR Water Appropriation Permit for potential applicable District rules; a project summary and comments on the permit application are provided below.

Summary

Project Name: Kraemer Quarry

Purpose: Pumping from well

<u>Project Size:</u>	0.0 acres disturbed; 0.0 acres new impervious
<u>Location:</u>	2300 Cliff Road West, Burnsville, MN 55377 (Parcel ID 02-03210-76-010)
<u>LMRWD Rules:</u>	None
<u>Recommended Board Action:</u>	Informational only

Discussion

The District received the following documents for review:

- Location Map with 1.5 mile radius scale; received November 10, 2021
- Location Map with 5 mile radius scale; received November 10, 2021
- Aerial well location map; received November 10, 2021
- MPARS Resource Review Report; dated March 12, 2021; received November 10, 2021
- Preliminary well assessment request email by Joe Richter (DNR); dated March 15, 2021; received November 10, 2021
- DNR well construction assessment form by Kraemer; dated March 12, 2021; received November 10, 2021
- Re: Preliminary Well Construction Assessment Internal Memo by DNR; dated March 22, 2021; received November 10, 2021
- Re: DNR Preliminary Well Construction Assessment; Tracking No. 2021-0620 by Joe Richter; dated March 23, 2021; received November 10, 2021
- Proposed Cemstone Well email by Joe Richter; dated March 30, 2021; received November 10, 2021
- Re: Assessment Tracking No. 2021-0620 email by Joe Richter; dated March 31, 2021; received November 10, 2021
- Cemstone Well on Kraemer Leased Property email by Jesrin Gaier (Kraemer); dated April 26, 2021; received November 10, 2021
- Lease Agreement Amendment Number Four between Kraemer and Cemstone; dated March 2021; received November 10, 2021
- Cemstone Permit Application 2021-2922 email by Joe Richter; dated July 28, 2021; received November 10, 2021
- DNR Water Appropriation Permit application by Cemstone and Kraemer; dated July 7, 2021; received November 10, 2021
- Well pumping report by Cemstone; dated April 27–28, 2021; received November 10, 2021
- Well boring construction record by Minnesota Department of Health; dated April 28, 2021; received November 10, 2021

- Guide to the Collection of Well Capacity Test Data by DNR; dated November 20, 2018; received November 10, 2021

Background

Cemstone, as the lessee, has an agreement with Kraemer, the landowner, to build and use a well for the manufacture of ready-mix concrete. Cemstone had previously used City water, but there were issues with water temperature and a water hammer that damaged equipment. The City could not fix the issues, and it supported Cemstone drilling its own well. In March of 2021, Cemstone asked DNR for a preliminary assessment of constructing a well, and DNR recommended that water be appropriated from a deeper aquifer so as not to affect groundwater supply to the fens and that Cemstone provide a groundwater technical review.

DNR approved a well construction down to 520 feet to reach the Wonewoc Aquifer; construction was completed on April 28, 2021, and water withdrawal began on June 10, 2021. DNR stated that after the well was drilled, and before using the well, the applicant must apply for a DNR Water Appropriation Permit or amend the existing Water Appropriation Permit. The well has a pumping rate of 300 gallons per minute and is proposed to pump 15 million gallons per year. The appropriated water will be used in the manufacture of concrete and will not be discharged to any receiving waters.

District Comments

It is unlikely a permit from LMRWD will be needed for this Project because there was no land disturbance associated with the new well; however, if there are future changes that include any fill within the 100-year floodplain or disturbances greater than one acre, then a permit will be needed.

The DNR application appears to imply that the newly constructed well will be used instead of the previously operated City well. The District requests confirmation as to whether this assumption is correct.

Additionally, the District would like to request a copy of DNR's groundwater technical review that Joe Richter requested be completed by Amanda Yourd in his email dated July 28, 2021.

Recommendations

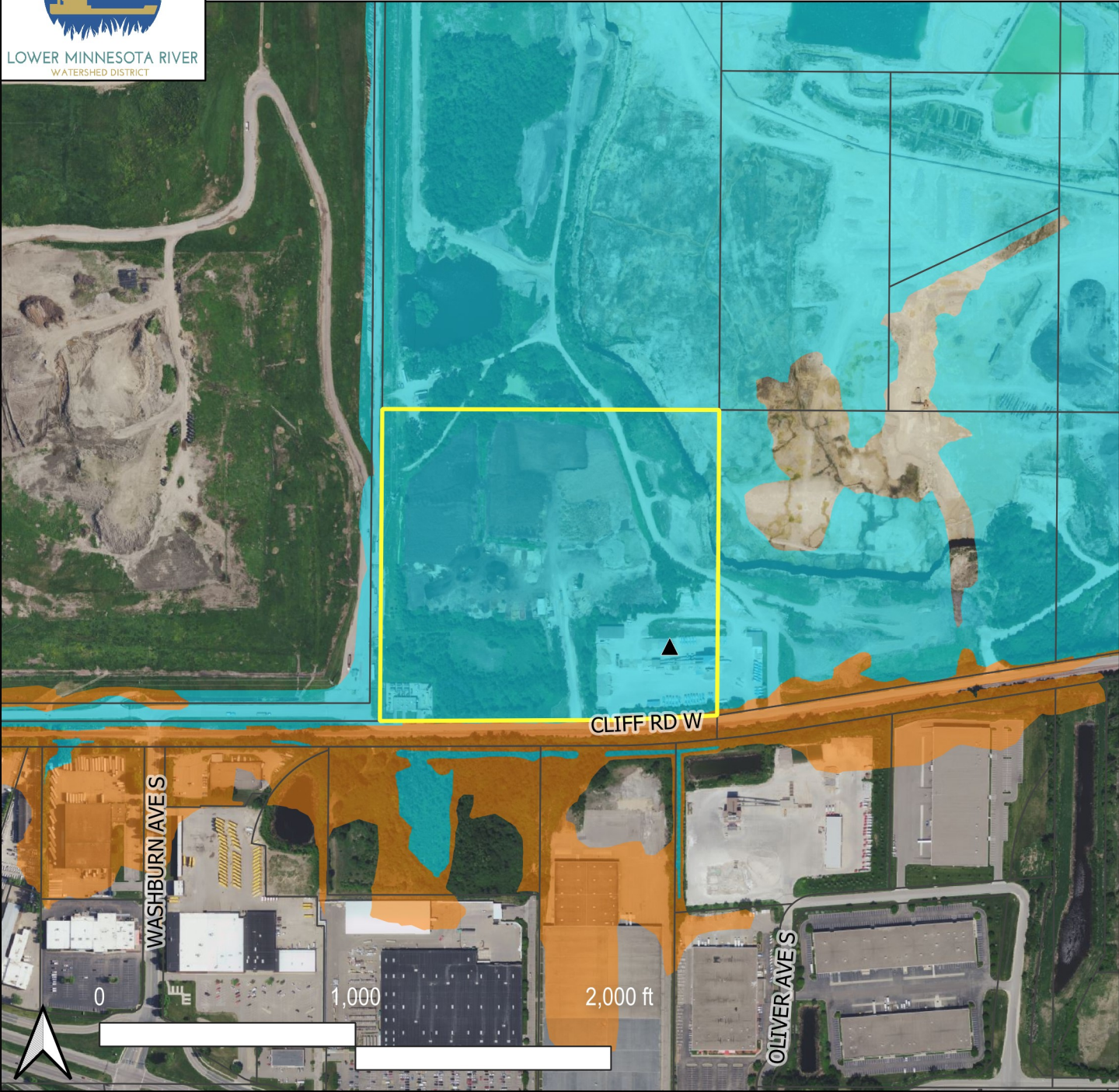
No Board action required at this time. This memo will also be submitted to DNR as part of the Water Appropriations Permit comment period.

Attachments

- Figure 1 – Kraemer Quarry Location Map



Figure 1: Kraemer Quarry Project Location



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-  Project Location
-  Kraemer Quarry
-  CPC Burnsville Well
-  Public Waterways
-  Public Waterbodies
-  High Value Resource Area
-  Calcareous Fens
-  Trout Streams
-  Steep Slopes Overlay District
-  100-yr Floodplain
-  Floodway
-  500-yr Floodplain
-  Parcel Boundaries
-  County Boundaries
-  LMRWD Boundary

LMRWD Watershed Location Map

