

Minnesota Wetland Conservation Act Notice of Decision

Local Government Unit: Ramsey-Washington Metro Watershed District (RWMWD) County: Ramsey
Applicant Name: Brian Sullivan (Xcel Energy) Applicant Representative: Tyler Conley (Barr Engineering)
Project Name: Xcel Energy Maplewood Gas Plant LGU Project No. (if any): 22-06 WCA
Date Complete Application Received by LGU: 6/8/22
Date of LGU Decision: 7/6/2022
Date this Notice was Sent: 7/6/22

WCA Decision Type - check all that apply

<input checked="" type="checkbox"/> Wetland Boundary/Type	<input type="checkbox"/> Sequencing	<input type="checkbox"/> Replacement Plan	<input type="checkbox"/> Bank Plan (not credit purchase)
<input type="checkbox"/> No-Loss (8420.0415)	<input type="checkbox"/> Exemption (8420.0420)		
Part: <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E <input type="checkbox"/> F <input type="checkbox"/> G <input type="checkbox"/> H	Subpart: <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7 <input type="checkbox"/> 8 <input type="checkbox"/> 9		

Replacement Plan Impacts (replacement plan decisions only)

Total WCA Wetland Impact Area:
Wetland Replacement Type: <input type="checkbox"/> Project Specific Credits: <input type="checkbox"/> Bank Credits:
Bank Account Number(s):

Technical Evaluation Panel Findings and Recommendations (attach if any)

<input type="checkbox"/> Approve <input checked="" type="checkbox"/> Approve w/Conditions <input type="checkbox"/> Deny <input type="checkbox"/> No TEP Recommendation
<p>Nicole Soderholm (RWMWD- LGU), Tyler Conley, and Cory Tellers (Xcel Energy) met onsite for a field review on 6/22/22. There was a verbal request by the applicant to designate Wetland 1 as incidental given past grading activities on the site. A revised joint application and supporting historical aerial imagery were requested for consideration.</p> <p>The applicant submitted the requested information on 6/24/22. Ben Meyer (BWSR) and Nicole Soderholm agreed that the aerial imagery supports an incidental designation for Wetland 1. The revised joint application and imagery was distributed to the rest of the TEP on 6/30/22 without further comment.</p>

LGU Decision

<input type="checkbox"/> Approved with Conditions (specify below) ¹ <input checked="" type="checkbox"/> Approved ¹ <input type="checkbox"/> Denied List Conditions:
Decision-Maker for this Application: <input checked="" type="checkbox"/> Staff <input type="checkbox"/> Governing Board/Council <input type="checkbox"/> Other:
Decision is valid for: <input checked="" type="checkbox"/> 5 years (default) <input type="checkbox"/> 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): **Figure 6- Wetland Delineation Results**
- Summary: **The wetland delineation report (boundary/type) was approved with an incidental designation for Wetland 1. Wetland 1 is proposed to be partially or fully impacted for an upcoming safety improvement project on the site.**

While not specifically related to WCA, the applicant also requested changes in the District’s MnRAM classifications that ultimately determine the no-disturb setbacks required for the proposed development by RWMWD and the City of Maplewood. Given the documentation submitted to support this request, Wetland 1 shall be classified Manage B (previously unclassified in the District’s wetland inventory). Wetland 2 shall be classified as Manage B (previously classified as Manage A). Wetland 3 shall remain unchanged at a Manage A classification.

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)

Notice Distribution (include name)

Required on all notices:

<input checked="" type="checkbox"/> SWCD TEP Member: Mike Goodnature (Ramsey County)	<input checked="" type="checkbox"/> BWSR TEP Member: Ben Meyer
<input type="checkbox"/> LGU TEP Member (if different than LGU contact):	
<input checked="" type="checkbox"/> DNR Representative: Jim Levitt, Dan Scollan	
<input type="checkbox"/> Watershed District or Watershed Mgmt. Org.:	
<input checked="" type="checkbox"/> Applicant (notice only): Cory Tellers <input checked="" type="checkbox"/> Agent/Consultant (notice only): Aaron Mielke (Barr Engineering)	

Optional or As Applicable:

<input checked="" type="checkbox"/> Corps of Engineers:	
<input type="checkbox"/> BWSR Wetland Mitigation Coordinator (required for bank plan applications only):	
<input type="checkbox"/> Members of the Public (notice only):	<input checked="" type="checkbox"/> Other: Shann Finwall (City of Maplewood)

Signature:

Nicole Soderholm

Date:

7/6/2022

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.

