Minnesota Local/State/Federal Application for Water/Wetland Projects

Project Name: Clear Lake Water Quality Improvement Project

> Applicant: Clearwater River Watershed District

> > Location: Meeker County, Minnesota

> > > Date: **December 13, 2011**

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NA-026620-03B

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(V.2.02 for MS WORD) 9/17/2007

Application No.	Field Office		For Internal Use Only nitial Application Receive		initial Applic	ation Deemed Complete
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See HELP" directs you	o important addition		tance in Instructions, Page 1		•	
. LANDOWNER/AI Name: Dennis Loewe Complete mailing addr	n, Clearwater R	iver Watershed Dist		(320)274-39	35	E-mail: loewen.dennis@yahoo
lame: Wes Boll, Wei	nck Associates,	nc.	<i>ible; un agent is not requ</i> Phone: PO Box 249 Maple Plair	(763)479-4283		E-mail:wboll@wenck.com
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Jennie Ja ignature of applicant (Landowner)	10/11-1/11 Date	Signature of agent	(if applicable)		<u>12/14/11</u> Date
his block must be signed	by the person who d	esires to undertake the p	roposed activity and has the	necessary proper	ty rights to do	so. If only the Agent has signed,
ee Wetland Plants and F	lant Communities of		v authorization to the Agent nsin (Eggers and Reed, 199	7) as modified b	y the Board o	f Water and Soil Resources,
nited States Army Corp	s of Engineers.			Vater/Wetland Pr	1. N.	

APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT (33 CFR 325)

OMB APPROVAL NO. 0710-003 Expires Dec 31, 2004

The public burden for this collection of information is estimated to average 10 hours per response, although the majority of applications should require 5 hours or less. This includes the time for reviewing instructions, searching existing data sources, gathering and manataning the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to Department of Defense, Washington Headquarters Service Directorate of Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-1302; and to the Office of Management and Budget, Paperwork Reduction Project (0710-0003), Washington, DC 20503. Respondents should be aware that notwithstanding any other provision of raw, no person shall be subject to any penalty for failing to comply with a collection of information (if id does not display a currently valid OMB control number, Please DO NOT RETURN year form to either of these addresses. Completed applications must be submitted to the District engineer having jurisdiction over the location of the proposed activity. PRIVACY ACT STATEMENT: Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research and Sanctuaries Act, 33 USC 1413, Section 10 Juricipal purpose: Information provided on this form will be used in evaluating the application for a pennit. Routine uses: This information is not provided, the permit application cannot be evaluated on can a permit the issued.

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1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED	4. DATE APPLICATION COMPLETED		
	te non-shaded items 5 and 2		-25 in the SHADED AREAS. te items 8 and 11. This optional Federal form is valid application packet.		
5 APPLICANT'S NAME Dennis Loewen		8. AUTHORIZED AGENT'S NAME AND TITLE (an agent is not required) Wes Boll, Consultant			
6. APPLICANT'S ADDRESS		9. AGENT'S ADDRESS			
7. APPLICANT'S PHONE NO.		10. AGENT'S PHONE NO.			
I hereby authorize Wes Boll supplemental information in su APPLICANT''S SIGNATURE: 12, PROJECT NAME OR TIT	pppri at this permit application	<u>DCUPCH</u> date: <u>197</u>	of this application and to furnish, upon request, $\frac{1}{M}$		
13. NAME OF WATERBODY	, IF KNOWN (if applicable)	14. PROJECT STREET ADDRESS	(if applicable)		
15. LOCATION OF PROJECT					
16. OTHER LOCATION DESC	CRIPTIONS, IF KNOWN (see i	nstructions)	in in the second second		
17. DIRECTIONS TO THE SITE		18. NATURE OF ACTIVITY			
19. PROJECT PURPOSE		20. REASON(S) FOR DISCHARGE			
21. TYPES OF MATERIAL BI	EING DISCHARGED AND TH	E AMOUNT OF EACH TYPE IN CUI	BIC YARDS		
22. SURFACE AREA IN ACR	ES OF WETLANDS OR OTHI	R WATERS FILLED			
23. IS ANY PORTION OF THI	E WORK ALREADY COMPLI	ete? Yes NO I	F YES, DESCRIBE COMPLETED WORK.		
24. ADDRESSES OF ADJOIN	ING PROPERTY OWNERS,				
25. LIST OF OTHER CERTIFI WORK DESCRIBED IN THIS		DENIALS RECEIVED FROM OTHER	FEDERAL, STATE OR LOCAL AGENCIES FOR		

26. Application is hereby made for a permit or permits to authorize the work described in this application. I certify that the information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

Signature of applicant

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ature of agent (if any

The application must be signed by the person who desires to undertake the proposed activity (applicant), or it may be signed by a duly authorized agent if the statement in Block 11 has been filled out and signed. 18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up with any trick, scheme, or disguises a material thet or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false. Fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both. ENG FORM 4345, Jul 97 EDITION OF FEB 94 IS OBSOLETE. (Proponent: CECW-OR)

12/1-1/1

Minnesota Local/State/Federal Application Forms for Water/Wetland Projects Page 2

Determination for Part 1:	No Loss: Wetland Boun Replacement r	(per MN Rule 8420.0122)		
Application is (check one): 🗌 A		Approved with conditions (conditions attached)	Denied	
		LGU official signature	Date	
		Name and Title		
For Agricultural and Drainage e (per MN Rule 8420,0115):	cemptions (MN I	Rule 8420,0122 Subps. 1 and 2B), LGU has received p	roof of recording of restrictions	
	Date	Document # assigned by record	ter	
County where recorded				

2

Appendix A - Type of Project

The Applicant (Clearwater River Watershed District (CRWD)) has proposed a water quality improvement project in Meeker County south of Clear Lake (See Figure 1). The project is proposed in a ditch channel in a wetland located upstream of Clear Lake (DNR Public Water 47-009500) (See Figure 2).

Clear Lake is an Impaired Water that exceeds the state standard for nutrient concentrations. The completed TMDL study for Clear Lake indicated that a 90% reduction of total phosphorus loads is necessary to meet in-lake water quality goals.

The proposed project gives the CRWD an opportunity to progress towards the achievement of water quality goals established in its TMDL Implementation Plan (approved in 2009) and Comprehensive Watershed Management Plan (approved in 2011). The goals of the project include progress towards meeting water quality goals for downstream water bodies by removing particulate and soluble phosphorus from surface water draining to Clear Lake.

The primary purpose of the project is to reduce phosphorus flowing through the ditch channel to Clear Lake. The CRWD proposes to install a weir with a rectangular notched opening to create a temporary retention area to treat agricultural runoff and reduce particulate phosphorus load to Clear Lake. In order to address the significant soluble phosphorus load from the wetland, the CRWD also proposes to install a sand/iron filter to remove soluble phosphorus during low flow conditions. Based on water quality data from the site, the installation of the filter will allow for significant phosphorus load reductions to Clear Lake.

The proposed project will involve a small amount of fill and temporary impacts to a Type 3 wetland adjacent to the ditch channel. Under the Minnesota Wetland Conservation Act (WCA), no wetland replacement plan is necessary, since all impacts qualify as no-loss or exempt activities according to WCA.

Appendix B - Project Description

The CRWD proposes to install a notched sheet pile weir and sand/iron filter in a wetland in the proposed project area to remove particulate and soluble phosphorus from low flows before the water reaches Clear Lake.

As shown in Figure 2, 1,404 acres of land drain to the proposed project area, with an estimated annual total phosphorus load of 1,470 lbs. The proposed project will temporarily extend the retention time of water over approximately 12 acres in the wetland to allow phosphorus to settle out of agricultural runoff before discharging to Clear Lake. Temporary retention volume offered by the proposed weir is equal to the 1.25 inch storm event, also known as the water quality event through which most nutrients and sediments are transported.

Based on the retention provided by the weir, the approximate total phosphorus removal efficiency is estimated at 40 to 50 percent. Assuming a 40 percent removal rate of total phosphorus by installing the weir, the total reduction of phosphorus load to Clear Lake would be 588 lbs/year.

The passive sand/iron filtration system is designed to remove soluble phosphorus from the low flows at the project location. Water quality data collected by the CRWD at the site shows that soluble phosphorus makes up approximately 70-80% of the total phosphorus measured at the site during some time periods and flow conditions. According to data conducted by the University of Minnesota, sand/iron filters can remove up to 90% of soluble phosphorus. Assuming a more conservative removal rate of 40%, the installation of the sand/iron filter could potentially reduce the phosphorus load to Clear Lake by an additional 300-400 lbs per year.

The installation of the notched sheet pile weir and sand/iron filter will not significantly alter the hydrology or physical characteristics of the wetland. The top of the sheet pile weir will be set at an elevation of 1133 ft, which is 0.4 feet below the top of the culvert. The bottom elevation of the 6 inch wide notch in the weir will be set to 1129.4 ft, matching the elevation of the existing culvert invert. Under this configuration, the weir will not change the existing hydrologic controls of the wetland elevation. During high flow events, the water will flow over the top of the weir and through the culvert or over the road as it does under the existing conditions.

Since the bottom of the notch will be set at the same elevation as the culvert invert, the weir will not permanently impound water in the wetland or alter the hydrology or elevation of the wetland boundary. Rather, the weir will extend the retention time of water of the 1.25 inch runoff event in the wetland by approximately 48 hours.

A Hydrocad hydrologic model comparing the existing conditions to the proposed condition outflows under different runoff events is found in Appendix D. The figures in Appendix D show the existing and proposed runoff conditions under the 1.25 inch event,

1 year 2.20 inch event, 2 year 2.80 inch event, 10 year 4.80 inch event, and 100 year 6.00 inch event. As shown by these figures, there is no significant change in outflow in events above the 1.25 inch event.

There will be no impacts to the hydrology of the wetland by the proposed project. Although the wetland may have slightly elevated water elevations for a slightly longer period of time (approximately 48 hours) under the proposed conditions, it will not be a long enough period to cause a change in the vegetation community or wetland type.

Design Summary

An overview of the proposed design of the sheet pile weir and filter is shown overlaid on a recent aerial photograph in Figure 3. Plan and section views of the weir and filter design are shown in Figure 4. Additional detail of the filter design is shown in Figure 5.

The proposed design includes the installation of a sheet pile weir 32 ft in length with a 12 ft wide face and 10 ft wide sides. The weir will be driven into the ground upstream of the culvert and riprap will be placed at the base of the weir inside of the sheet pile structure.

As shown in Figure 3, the sand/iron filter is proposed to be 10 ft in width by 50 ft length and will be installed west of the channel upstream of the weir. As shown in Figures 4 and 5, the filter will be installed by excavating 20 inches below the existing grade and installing the filter materials. The filter cell will consist of three layers of material. The bottom layer will have a perforated 6 inch PVC pipe surrounded by coarse aggregate. A filter fabric will be placed on top of the coarse aggregate and the second layer will consist of 6 inches of sand. The top layer will consist of 8 inches of coarse sand mixed with 7% iron filings by weight.

Project Purpose

The proposed project is identified by the CRWD as a priority project in its TMDL Implementation Plan and Comprehensive Water Management Plan, with the goal of progressing towards meeting water quality goals in downstream water bodies.

Clear Lake is listed as an Impaired Water body due to phosphorus concentrations in excess of the State standards. A reduction of external phosphorus loading is necessary to meet water quality goals. Since a large portion of the particulate phosphorus is removed in large wetland complexes upstream of the site, it is necessary to target the removal of soluble phosphorus in order to progress towards water quality goals. Since the lake flows into the Clearwater River, an improvement in Clear Lake water quality will also improve water quality in the Clearwater River and other downstream water bodies.

Wetland Impacts

Wetland Impact Summary

- Area of Wetland Fill: 64 ft² of shallow marsh (Type 3)
- Area of Temporary Impacts: 500 ft² of shallow marsh (Type 3)
- The wetland fill is associated with the installation of the sheet pile weir and riprap. The installation of the sand iron filter is a temporary impact since neither the grade or hydrologic conditions of the wetland will not be altered by the installation of the filter.
- The Applicant proposes to start construction in Spring 2012.
- The Applicant submits that the proposed impacts do not require a replacement plan under the provisions of the Wetland Conservation Act, specifically Minnesota Rules 8420.0415 (No-Loss) and Minnesota Rules 8420.0420, Subp. 8(A) (De minimis Exemption).
- There will be no work conducted below the Ordinary High Water level of MN DNR Public Waters.

A Type 3 shallow marsh was identified on the proposed project site. The stream channel within the proposed project boundaries is not listed as a DNR Public Water. Clear Lake is listed as a DNR Public Water downstream of the proposed project site. All wetlands within and adjacent to the proposed project site appear to be tributary to "Waters of the US" and are therefore likely subject to Army Corps of Engineers jurisdiction.

According to Minnesota Rules 8420.0420, Subp. 8 (De minimis exemption), the de minimis amount of fill for a Type 3 wetland in a less than 50 percent area is 100 ft². Since the proposed fill amount of 64 ft² is less than the de minimis amount allowed without a replacement plan, a replacement plan is not required for this activity.

A 500 ft² area of wetland would also have temporary impacts from the installation of the sand iron filter. According to Minnesota Rules 8420.0415, temporary impacts do not require a replacement plan as long as the area of temporary impact is restored according to the conditions listed in Subpart H of the rule. This area is currently dominantly canary grass and occasionally mowed. The area will be allowed to return to this condition.

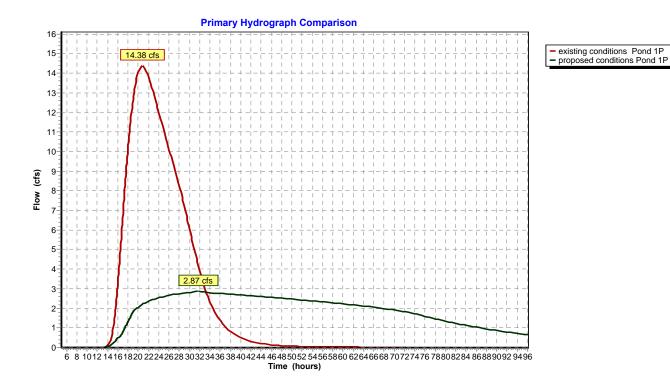
There would be no significant changes to the hydrology of the upstream wetland or Clear Lake downstream as a result of the project. The project does not change the runout elevation of the wetland. The project does not significantly change the volume of flow to the lake.

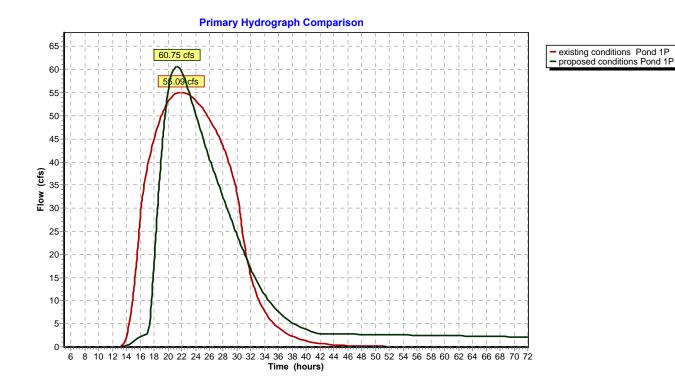
All necessary and appropriate erosion control measures will be taken during construction to prevent sedimentation or other impacts to wetlands or receiving waters adjacent to the project area.

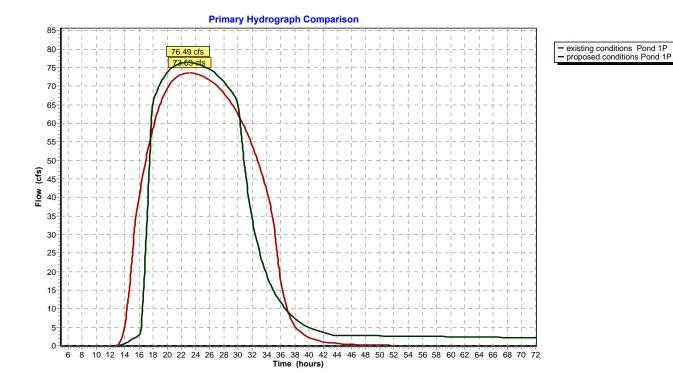
Appendix C-Status of Other Approvals

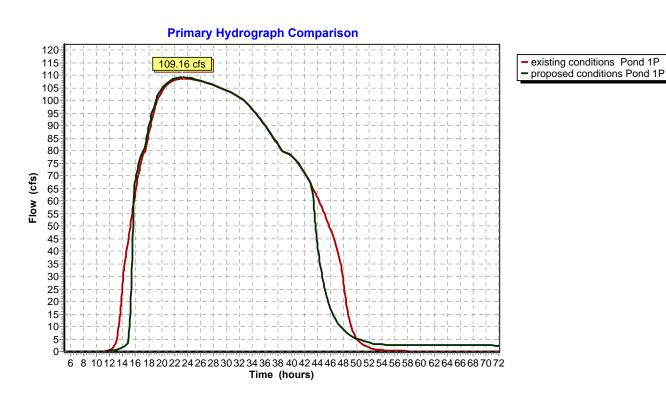
Agency	Permit	Status of Approval
Meeker County	Public Works	Pending
Minnesota Pollution Control Agency	NPDES/SWPP	Pending
Department of Natural Resources	NA	NA
Army Corps of Engineers	Wetland Permit	Pending

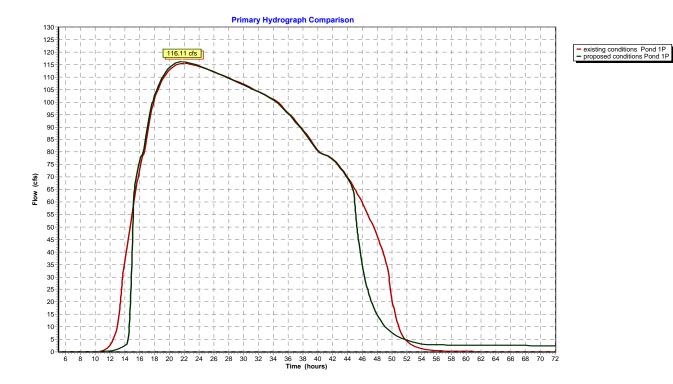
Appendix D – HydroCAD Results

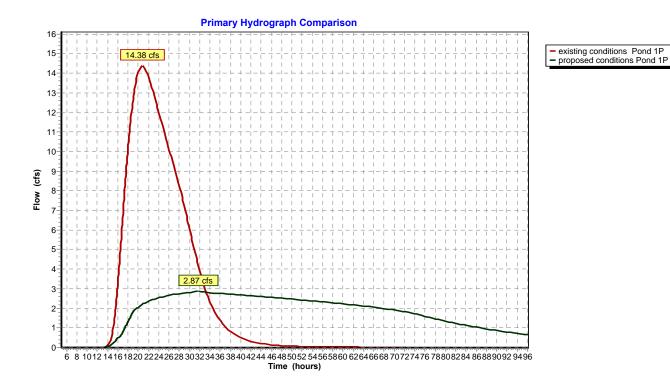












Figures

