

Riley Purgatory Bluff Creek Watershed District Permit Application Review

Permit No: 2024-072

Considered at Board of Managers Meeting: November 6, 2024

Received complete: October 3, 2024

Applicant: CenterPoint Energy, Madelyn Nierengarten

Consultant: NA

Project: CenterPoint Energy (CenterPoint) is proposing a waterbody crossing over Purgatory Creek and replacement of the natural gas lines in the Stodola Road neighborhood of Minnetonka.

Location: Stodola Road, Minnetonka, MN

Reviewer: Scott Sobiech, PE, Barr Engineering

Proposed Board Action

Manager _____ moved and Manager _____ seconded adoption of the following resolutions based on the permit report that follows and the presentation of the matter at the November 6, 2024 meeting of the managers. Resolved that the application for Permit 2024-072 is approved, subject to the conditions and stipulations set forth in the Recommendations section of the attached report;

Resolved that on determination by the RPBCWD administrator that the conditions of approval have been affirmatively resolved, the RPBCWD president or administrator is authorized and directed to sign and deliver Permit 2024-072 to the applicant on behalf of RPBCWD.

Upon vote, the resolutions were adopted, _____ [VOTE TALLY].

Rule Conformance Summary

Rule	Issue	Conforms to RBPCWD Rules?	Comments
B	Floodplain Management and Drainage Alterations	Yes	
C	Erosion Control Plan	Yes	
D	Wetland and Creek Buffer	Yes	
G	Waterbody Crossing and Structures	Yes	
L	Permit Fee	Yes	\$3000 received October 3, 2024. The applicant must replenish the permit fee deposit to the original amount due before the permit will be issued. As of October 28, 2024 the amount due is \$1,517

Rule	Issue	Conforms to RBPCWD Rules?	Comments
M	Financial Assurance	See Comment	Financial assurance amount is calculated at \$5,000.

Project Background

CenterPoint Energy is proposing installation of approximately 3,320 feet of new 2-inch-diameter, and 15 feet of 4-inch-diameter natural gas pipeline. The new lines will be installed using the directional drilling method, with additional excavations for tie-ins, services, and in-place abandonment of about 3,345 feet of existing gas line. The new pipeline installation will cross over Purgatory Creek at the Stodola Road crossing. The top of the existing culvert is approximately 6.5 feet below ground surface. The proposed 2-inch-diameter pipeline crossing over the culvert will be installed at approximately 2.5 – 3 feet below grade. As such, a minimum of 3.5 feet above the top of the culvert will be maintained. Excavated material will be temporarily stored alongside the excavation and backfilled to pre-construction contours upon Project completion.

Because the applicant proposes less than 5,000 square feet of land disturbing activities, RPBCWD stormwater management rule (Rule J) does not impose requirements on this project.

The water resource within the project site or downgradient of the proposed activities is noted in the following table. The table also provides a brief explanation of how the resource is implicated in the permit application review process.

Water resource impacted by proposed project

Water Resource	Projected resource impacts
Purgatory Creek	A public watercourse with a gas line crossing proposed to be horizontally drilled in the roadway embankment above the watercourse.

The project site information is summarized below:

Description	Area (acres)
Total Site Area	0.05
Existing Site Impervious	0.05
Post-Construction Site Impervious	0.05
Change in Site Impervious Area	0.0
Disturbed Impervious Surface	0.05
Total Disturbed Area	0.05

Exhibits:

1. Permit Application received September 3, 2024 (applicant was notified of an incomplete application on September 23, 2024; information completing the application was received on October 3, 2024)
2. Project site location map received September 3, 2024

3. Site plan sheet dated August 28, 2024 (revision received October 1, 2024)
4. CenterPoint Energy Gas Operations - Best Management Practices (BMPs) for Stormwater Management Use and Application information received October 1, 2024
5. Response to review comments dated October 1, 2024
6. Copy of performance bond no. 022232328.

Rule Specific Permit Conditions

Rule B: Floodplain Management and Drainage Alterations

Because the project disturbs land below the 100-year flood elevation of Purgatory Creek for the excavations associated with the boring pits adjacent to Purgatory Creek, the project must conform to the requirements in the RPBCWD Floodplain Management and Drainage Alteration rule (Rule B, Subsection 2.1).

The proposed work in the Purgatory Creek floodplain conforms to Rule B, Subsections 3.1 because no buildings are proposed to be constructed or reconstructed as part of the project. Placement of fill below the 100-year flood elevation is prohibited unless fully compensatory storage at the same elevation for fill in the floodplain of a watercourse and within the floodplain of the same waterbody is provided (Rule B, Subsection 3.2). Because the plan and application indicate the site will be restored to preconstruction elevations, there is no fill in the floodplain and the proposed project conforms to Rule B, Section 3.2.

Because the proposed land disturbing activity does not alter surface flows of Purgatory Creek, the project conforms to subsection 3.3. Because the proposed reconstructed impervious surface within 50 of the centerline of Purgatory Creek is associated with a crossing regulated under Rule G, Waterbody Crossing and Structures, , Rule B, subsection 3.4 does not impose requirements on the project. The applicant has submitted plans requiring appropriate erosion prevention and sediment control measures in alignment with RPBCWDs Rule C (subsection 3.5) A note on the plans requiring that activities must be conducted to minimize the potential transfer of aquatic invasive species conforming to Rule B, Subsection 3.6.

The proposed project conforms to the floodplain management and drainage alteration requirements of Rule B.

Rule C: Erosion and Sediment Control

Because the project will involve 158 cubic yards of land-disturbing activities, the project must conform to the requirements in the RPBCWD Erosion and Sediment Control rule (Rule C, Subsection 2.1).

The plans include installation of perimeter erosion control, vegetation establishment, daily inspection, placement of a minimum of 6 inches of topsoil with 5 percent organic matter, minimization of compaction during construction, and retention of native topsoil onsite. The applicant identified Madelyn Nierengarten (madelyn.nierengarten@centerpointenergy.com, 612.321.4494) as the person responsible for erosion prevention and sediment control during construction.

The proposed project conforms to the erosion and sediment control requirements of Rule C.

Rule D: Wetland and Creek Buffers

Because the proposed work triggers a permit under RPBCWD Rule B and G for the utility installation and Purgatory Creek is a public waters watercourse, Rule D, Subsections 2.1a and 3.1c requires buffer adjacent to this watercourse.

Purgatory Creek flows through the project site and requires an average buffer width of 50 feet from the creek centerline, minimum 30 feet in accordance with Rule D, Subsection 3.2.b.v for a public waters watercourse. Because subsection 3.2f only requires buffer on property owned by the applicant and subject to a RPBCWD permit and CenterPoint Energy does not have land-use rights allowing planting and maintenance of install buffer along Purgatory Creek, no buffer can be provided.

Rule G: Waterbody Crossings and Structures

Because the applicant will open trench the gas line in the roadway embankment across Purgatory Creek, a public water watercourse, the project requires conformance with RPBCWD’s Waterbody Crossings and Structures Rule (Rule G).

Because the applicant is pursuing approval of the utility crossing of Purgatory Creek directly from the state Department of Natural Resources. If DNR approval is secured, RPBCWD approval under Rule G is not required (Rule G, subsection 2.1). If DNR approval is not secured, the applicant must submit a request for a permit modification to include approval under Rule G.

Rule L: Permit Fee Deposit:

The RPBCWD permit fee schedule adopted in February 2020 requires permit applicants to deposit \$3,000 to be held in escrow and applied to cover the \$10 permit-processing fee and reimburse RPBCWD for permit review and inspection-related costs and when a permit application is approved, the deposit must be replenished to the applicable deposit amount by the applicant before the permit will be issued to cover actual costs incurred to monitor compliance with permit conditions and the RPBCWD Rules. A permit fee deposit of \$3,000 was received on October 3, 2024. The applicant must replenish the permit fee deposit to the original amount due before the permit will be issued. Subsequently, if the costs of review, administration, inspections and closeout-related or other regulatory activities exceed the fee deposit amount, the applicant will be required to replenish the deposit to the original amount or such lesser amount as the RPBCWD administrator deems sufficient within 30 days of receiving notice that such deposit is due. The administrator will close out the relevant application or permit and revoke prior approvals, if any, if the permit-fee deposit is not timely replenished.

- L1. The applicant must replenish the permit fee deposit to the original amount due before the permit will be issued. As of October 28, 2024 the amount due is \$1,517.

Rule M: Financial Assurance:

	Unit	Unit Cost	# of Units	Total
Rule C: Erosion Control				
Perimeter Control	LF	\$2.50	550	\$1,375
Restoration	Ac	\$2,500	0.05	\$125
Contingency (10%)		10%		\$1,500
Total Financial Assurance (FA)				\$1,650
Because the computed FA is less than the minimum listed in the adopted financial assurance schedule, the minimum FA is applicable for this project				\$5,000

Applicable General Requirements:

1. The RPBCWD Administrator and Engineer shall be notified at least three days prior to commencement of work.
2. Construction must be consistent with the plans, specifications, and models that were submitted by the applicant that were the basis of permit approval. The date(s) of the approved plans, specifications, and modeling are listed above and on the permit. The granting of the permit does not in any way relieve the permittee, its engineer, or other professional consultants of responsibility for the permitted work.
3. The grant of the permit does not relieve the permittee of any responsibility to obtain approval of any other regulatory body with authority.
4. The issuance of this permit does not convey any rights to either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.
5. In all cases where the doing by the permittee of anything authorized by this permit involves the taking, using or damaging of any property, rights or interests of any other person or persons, or of any publicly owned lands or improvements or interests, the permittee, before proceeding therewith, must acquire all necessary property rights and interest.
6. RPBCWD's determination to issue this permit was made in reliance on the information provided by the applicant. Any substantive change in the work affecting the nature and extent of applicability of RPBCWD regulatory requirements or substantive changes in the methods or means of compliance with RPBCWD regulatory requirements must be the subject of an application for a permit modification to the RPBCWD.
7. If the conditions herein are met and the permit is issued by RPBCWD, the applicant, by accepting the permit, grants access to the site of the work at all reasonable times during and after construction to authorized representatives of the RPBCWD for inspection of the work.

Findings

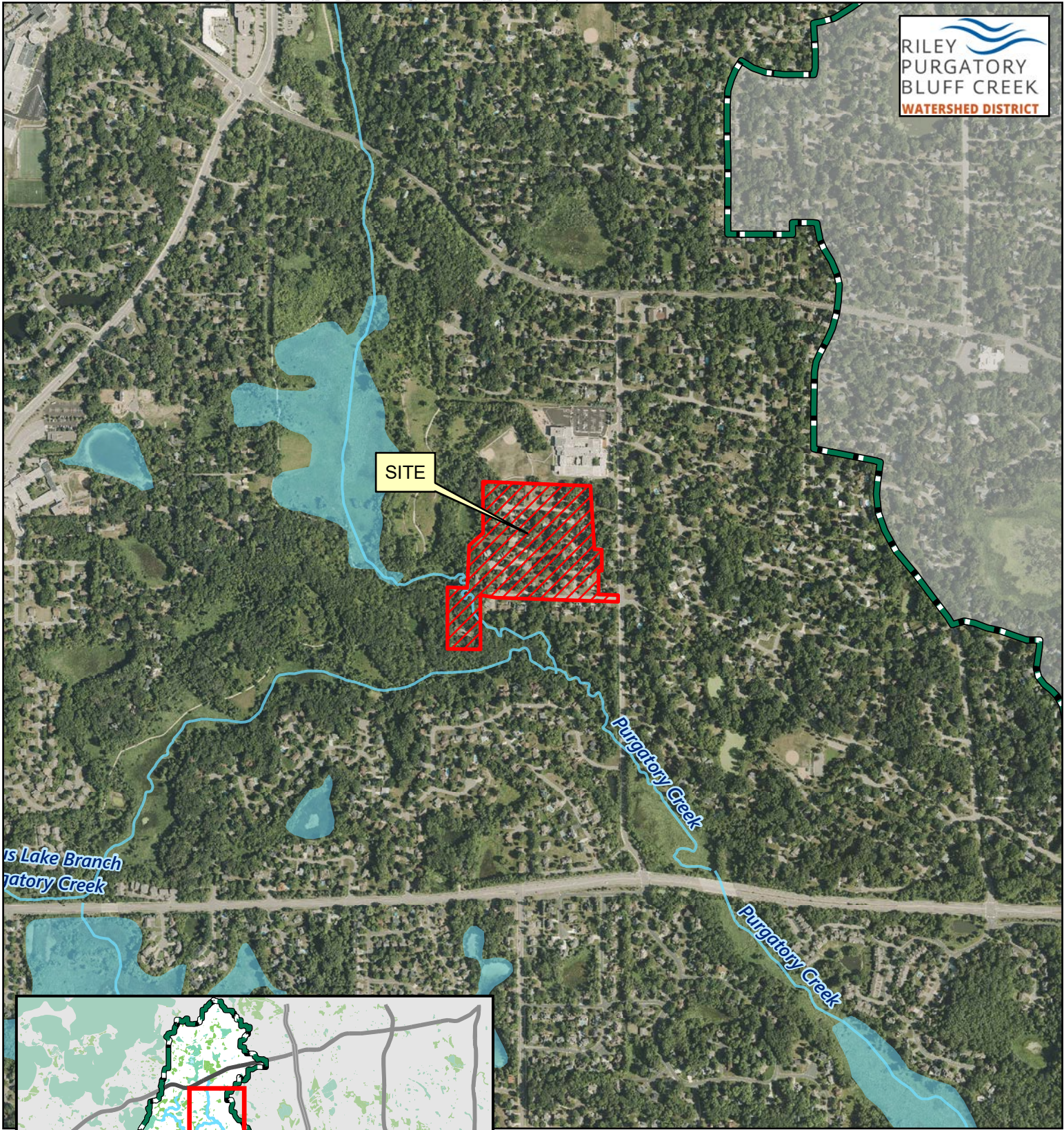
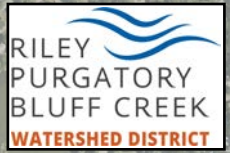
1. The proposed project includes the information necessary, plan sheets and erosion control plan for review.

2. The proposed project conforms to Rules B, C, D and G.
3. The work for Bluff Creek crossing triggers state regulatory requirements administered by the Department of Natural Resources (i.e., require a Work in Public Waters permit). The applicant is pursuing obtaining the necessary DNR approval.

Recommendation:

Approval of the permit contingent upon:

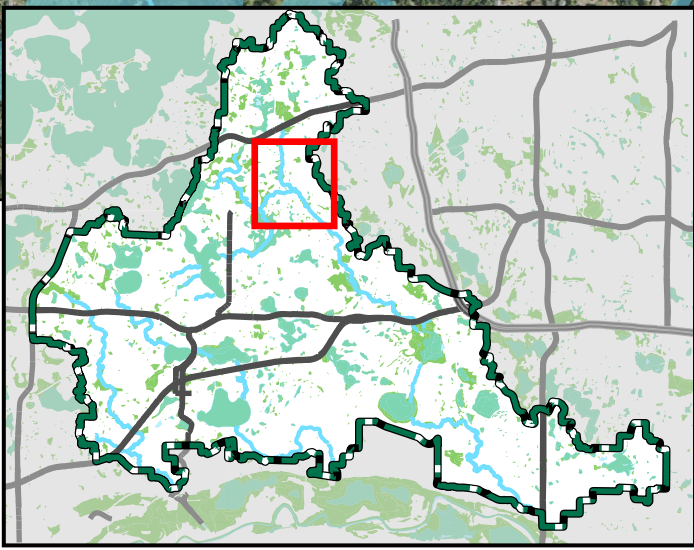
1. Continued compliance with General Requirements.
2. Financial Assurance in the amount of \$5,000 for this permit.
3. The applicant must replenish the permit fee deposit to the original amount due before the permit will be issued. As of October 28, 2024 the amount due is \$1,517.



is Lake Branch
Purgatory Creek

Purgatory Creek

Purgatory Creek



Feet



Permit Location Map

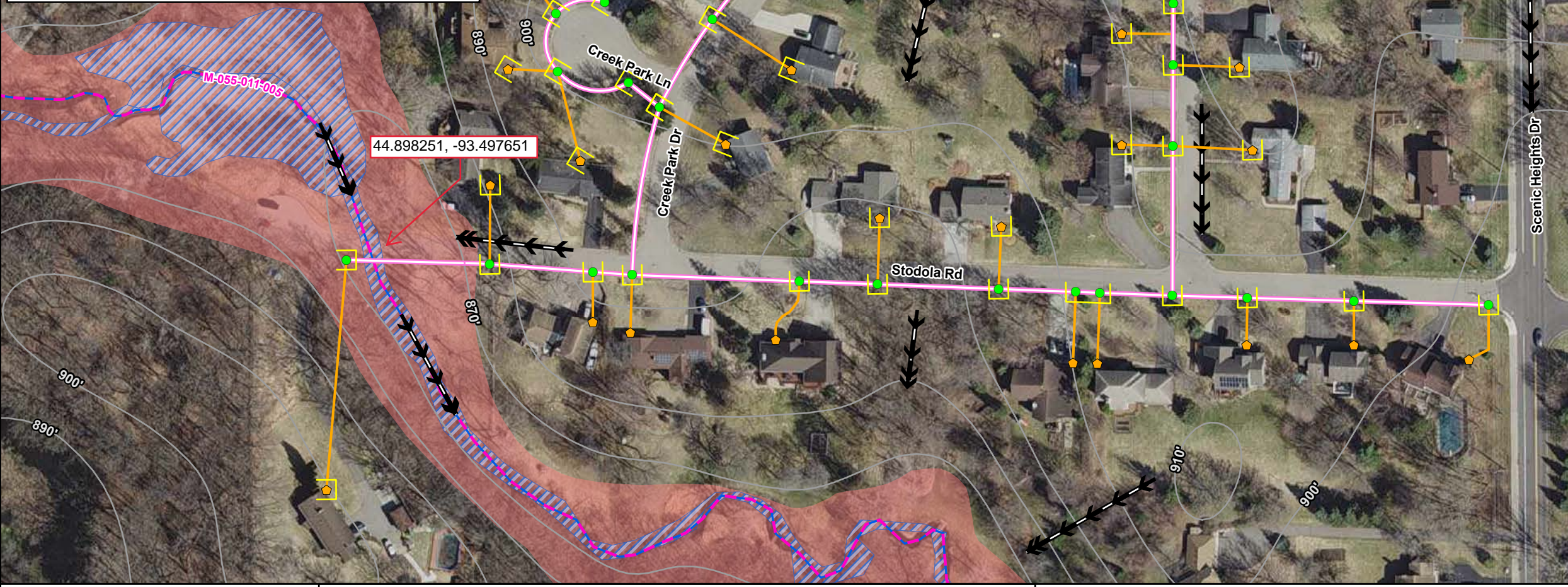
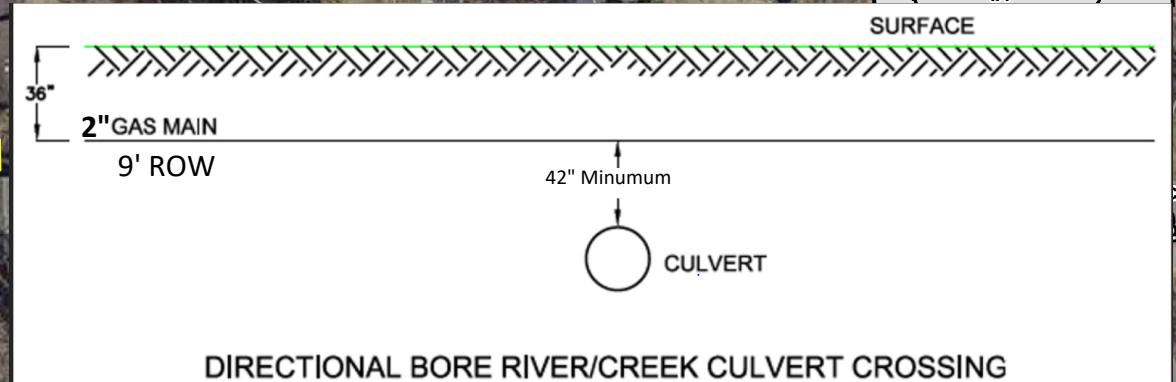
CENTERPOINT - STODOLA RD

Permit 2024-072

Riley Purgatory Bluff Creek
Watershed District

EROSION and SEDIMENT CONTROL PLAN

- a. Natural topography and soil conditions must be protected, including retention onsite of native topsoil to the greatest extent possible.
- b. Additional measures, such as hydraulic mulching and other practices as specified by the District must be used on slopes of 3:1 (H:V) or steeper to provide adequate stabilization.
- c. Final site stabilization measures must specify that at least six inches of topsoil or organic matter be spread and incorporated into the underlying soil during final site treatment wherever topsoil has been removed. Topsoil must contain at least 5% organic material.
- d. Construction site waste such as discarded building materials, concrete truck washout, chemicals, litter and sanitary waste must be properly managed.
- e. All temporary erosion and sediment control BMPs must be maintained until completion of construction and vegetation is established sufficiently to ensure stability of the site, as determined by the District.
- f. All temporary erosion and sediment control BMPs must be removed upon final stabilization.
- g. Soil surfaces compacted during construction and remaining pervious upon completion of construction must be decompacted to achieve a soil compaction testing pressure of less than 1,400 kilopascals or 200 pounds per square inch in the upper 12 inches of the soil profile while taking care to protect utilities, tree roots, and other existing vegetation.
- h. All disturbed areas must be stabilized within 7 calendar days after land-disturbing work has temporarily or permanently ceased on a property that drains to an impaired water, within 14 days elsewhere.
- i. The permittee must, at a minimum, inspect, maintain and repair all disturbed surfaces and all erosion and sediment control facilities and soil stabilization measures every day work is performed on the site and at least weekly until land-disturbing activity has ceased. Thereafter, the permittee must perform these responsibilities at least weekly until vegetative cover is established. The permittee will maintain a log of activities under this section for inspection by the District on request.



Construction activities must be conducted so as to minimize the potential transfer of aquatic invasive species (e.g., zebra mussels, Eurasian watermilfoil, etc.) to the maximum extent possible. As no equipment travel or construction activities will occur within the waterbody, transfer of aquatic invasive species is not anticipated.

Michels Corporation is responsible for BMPs during project installation.
Q3 Contracting is responsible for restoration.

- 1) M-055-011-005, culverted at the crossing location, will be crossed via bore over the top of the culvert.
- 2) No equipment travel or construction activities will occur within the waterbody.
- 3) Construction workspaces within the regulatory floodplain will be returned to pre-construction grade and condition following completion of project activities.

The site inspector and/or contractor are responsible for incorporating additional BMPs as site conditions dictate.

0 75 150 Feet
1:1,500

For Environmental Review Purposes Only

Figure 2: Site Plan
Stodola Road Project (WO# 112619094)
 CenterPoint Energy
 Minnetonka, Hennepin County, Minnesota

Bore/Tie-In Site	Proposed Bore, Service	NHD Waterbody
Service Tie-In Excavation	Stormwater Flow	PWI Waterway
BMP	10' Contour	NWI Wetland
2" Proposed Pipeline - Bore Method	1% Annual Chance Flood Hazard	

Date: (8/29/2024) Source: Z:\Client\SA_D\CenterPoint\Minnesota\2024\Stodola_Road\Stodola_Road\Stodola_Road.aprx

LEGEND:

	IN SERVICE
	PROPOSED
	PROPOSED ABANDONED
	ABANDONED
	NOT A PART OF PROJECT
	SEE NOTES

Pipe Summary

3320'	2" PE Class 6
15'	4" PE Class 6
3335'	TOTAL PIPE

Proposed Abandoned Pipe

2225'	1-1/4" PE Class 6
1114'	3" PE Class 6
8'	4" TR Class 6
3345'	TOTAL PIPE

COPIES:
 PIPELINE INTEGRITY PACKET: N
 STATION MANAGER: N
 DD NUMBER: N/A
 CORROSION: N/A
 EMP: N

SITE CONTACT: N/A

SURVEYOR REQUIRED? N

RETURN PACKET TO ENG? N

JOB BRIEFING REQUIRED? N

GFIP #: N/A

PERMITS: CITY OF MINNETONKA

PROJECT DESCRIPTION: SP74
 STODOLA RD

DESIGNER: ANNAH ANDERSON
PHONE#: 612-749-3556
DRAWN BY: ANNAH ANDERSON
DESIGN DATE: 08/26/2024

REVISION INFO:

MAIN	SCALE: 1" = 60'
SS#: 250-2024	SHEET 1 OF 1

CONSTRUCTION PROCEDURES

Install: Clean and Test; and Put in Service; Proposed new main per CenterPoint Energy Construction and Services Manual.

Procedure for tapping or making tie-ins to existing gas mains: Verify existing gas main size, type, and location prior to tapping or making tie-in. Monitor and verify, using a pressure gauge, existing gas main Pressure Class within the bell hole of tap location or tie-in location prior to tapping or making tie-in.

Purge new main until essentially 100% reading is obtained on Combustible Gas Indicator. See CenterPoint Energy Construction and Services Manual Section CS-B-1.230 for purging mains into service.

Complete all Service / Meter Work as directed. (See Service Survey)

See Abandonment Procedures for abandonment and purging procedures.

Install a marker ball at a new end of main, at a valve, at each end of a horizontal offset, at road crossings and at any fitting or pressure control identified as needing to be located in the future. Refer to CenterPoint Energy Construction and Services Manual section CS-B-1.310 for installation procedures.

ABANDONMENT PROCEDURES

See Construction Procedures for installation of mains and services prior to abandonment.

The project includes work on one-way feed mains. Ensure all proposed main is in service, all taps are completed. And all services have been transferred to new main prior to abandonment.

Cut and abandon existing main as shown. Purge abandoned mains until essentially 0% gas reading is obtained on Combustible Gas Indicator. See CenterPoint Energy Construction and Services Manual Section CS-B-1.110 and Section CS-B-1.230 for purging mains out of service using air movers.

Cross Compression may be used to lower pressure in line prior to venting trapped gas and purging line out of service. **Warning:** cross compression into a one-way feed system requires Engineering approval. Trapped gas to be transferred to CL-6 (65) PSIG system. Do not exceed 55 PSIG on the outlet side of the Cross Compression unit. Monitor using digital gauge on outlet side of unit.

Contact Area C&M Personnel prior to starting job to review Cross Compression process and to arrange field support.

For typical connection of Cross Compression: Plastic Mains: Use a 1-1/4" PE Service Tee with a temp. 1-1/4" anodeless riser with valve Steel Mains: Use a 2" TOR Drill Nipple.

Contact Engineering with questions.

CONSTRUCTION NOTES

When butt fusing to existing in-service polyethylene, visually inspect for the presence of hydrocarbon permeation immediately after removing fusion iron. If any bubbling is identified on the heated surface, do not join to new PE pipe. Allow to cool and cut this end off (12" length) and send to the Golden Valley Lab with street location and W.O. #. Complete tie-in/extension using an electrofusion coupling(s). Document in field notes.

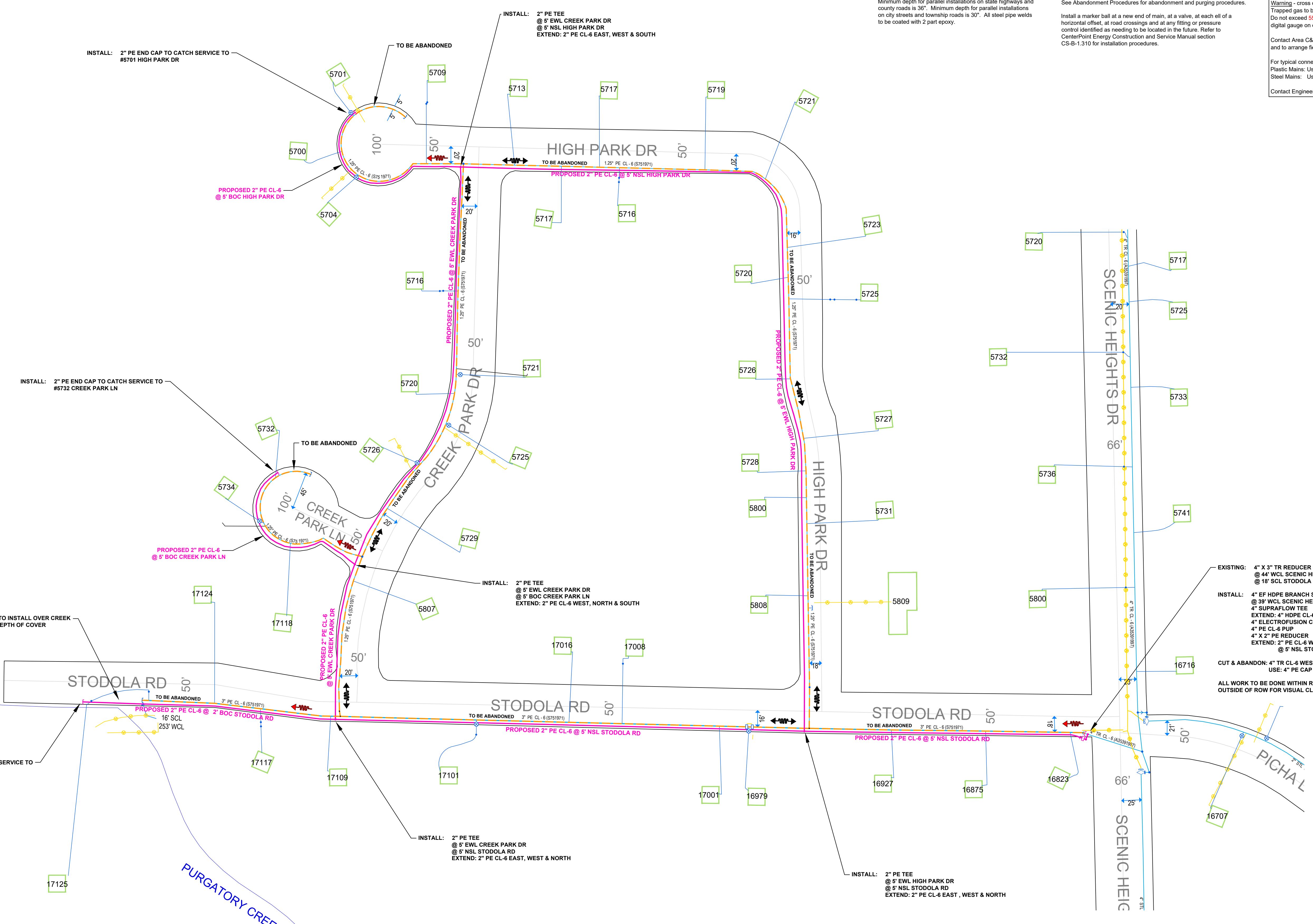
..... ≤ 4-inches Diameter (Unregulated PCB area): Project area cleared for internal impacts. Pipe being removed is unregulated for disposal if coating does not exist or is non-asbestos. Refer to CNP Construction and Service Manual CS-B-1.110, CS-B-1.330, and CS-B-1.100, for pipe to be abandoned.

Install new main as shown or as directed in field at time of installation. Contact Engineering for approval of field generated changes.

All test points should be installed in the boulevard or other acceptable locations and avoid placement in driving lanes.

Verify Coating test results if required prior to abandoning main.

NOTE: BORE ALL PAVED STREETS AND DRIVEWAYS
 Minimum depth requirements for crossings of state highways and county roads is 60". Minimum depth requirements for crossings of city streets and township roads is 48". Minimum depth for parallel installations on state highways and county roads is 36". Minimum depth for parallel installations on city streets and township roads is 30". All steel pipe weirs to be coated with 2 part epoxy.



8/26/2024 10:05:54 AM

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the state of Minnesota.

Signature:

Typed or Printed Name: Kyle Brown

Date: 8/26/2024 License Number: 57268