

MEMORANDUM

TO: Board of Managers

FROM: Mathieu Nicklay and Scott Sobiech

DATE: February 28, 2022

RE: Status of work without an RPBCWD permit

Permit # 2020-041 Eliason Shoreline: 7420 Chanhassen Rd Chanhassen

Shoreline maintenance work, including replacement of riprap, was conducted in 2020 without a permit. A permit application was submitted and found to be incomplete; the work did not qualify as “maintenance” under the shoreline rule’s fast-track permitting option in effect at the time of application. At their December 2021 meeting the Board directed staff to communicate that the applicant may wish to withdraw the prior permit application (2020-041) and submit a new application under the revised fast-track provision. Temporary Interim Administrator Sobiech contacted the applicant on February 17, 2022. The applicant indicated via email the intention to submit a new permit application.



7420 Chanhassen Rd. Site condition on 2/15/22

7300 Laredo Dr Chanhassen MN

On June 25, 2021 Staff Nicklay observed construction at 7300 Laredo Dr. At the time of observation, the previous structure had been demolished and excavation was underway for foundations of a new single-family dwelling. This was reported to Interim Administrator Jeffery, who emailed the contractor, Platinum Construction LLC, a notification that they would need a permit from the Watershed District and that failure to comply would result in a notice of probable violation. Work has continued and is ongoing without a permit. As of February 18, 2022 no response of any kind has been received from the contractor or property owner. Staff Nicklay reached out via email to the contractor on February 18, 2022 to confirm receipt of the NOPV and request submittal of the necessary permit application. An online permit application was received on February 23, 2022.



7300 Laredo Dr Chanhassen. Site condition on February 1, 2022.

15252 Boulder Pointe Rd, Eden Prairie

On February 15, 2022 Staff Maxwell received an email from Eden Prairie Forestry and Natural Resources Supervisor Lauren Stuft notifying the district about extensive shoreline work on Red Rock Lake, including installation of boulder riprap at the shoreline, earthen fill into the lake, and clearing of aquatic vegetation on the shoreline. A small two season porch and two trees were also placed on the peninsula. No permit application was submitted to the district for this work. Additionally, City of Eden Prairie Water Resources Coordinator Leslie Stovring and Minnesota Department of Natural Resources hydrologist Wes Saunders-Pierce confirmed that the work had not been approved by their agencies. The city informed the DNR and met with two DNR conservation officers on site on February 17, 2022. The DNR indicates lead enforcement action under its Public Waters jurisdiction. The property owner may need approval by RPBCWD under the floodplain management rule, erosion prevention and sediment control rule, and potentially wetland and creek buffer rule (if there is wetland above the ordinary high-water level of the lake which cannot be readily determined during winter). RPBCWD sent a notice of probable violation via certified mail to the property owner on February 17, 2022 informing the owner of

the need to get a permit from RPBCWD. Staff will continue to work with the city and DNR. Spoke with property owner on February 24, 2022 to understand the reasoning of the work, RPBCWD resource protection policies, and the need to obtain a permit. The property owner was very forthright and expressed a desire to work to resolve the situation.



Riprap, fill, structure, and vegetation clearance at 15252 Boulder Pointe Rd Eden Prairie.