



MEMORANDUM

Comfort Lake-Forest Lake Watershed District

Date: April 20, 2026
To: CLFLWD Board of Managers
From: Mike Kinney, District Administrator
Subject: CLFLWD Permit 25-015 – Havenwood



Background/Discussion:

In 2016, the District approved Permit 16-008 which is the Chestnut Creek development south of Forest Lake and across Harrow Avenue from the Forest Hills Golf Course. The permit included two phases of the development at the request of the developer. Now, the portion formerly known as Chestnut Creek Phase II is being renamed as Havenwood and this is a proposed subdivision for 119 single family homes located at the end of Greystone Ave N, 207th St N, and 208th St. N. in Forest Lake. The location can be viewed here: [linked](#)

Issuance of permit 25-015 would functionally serve as a continuation of the platting & development of land under the compass of permit 16-008 Chestnut Creek. However, for administrative simplicity, a new permit number is assigned. The permittee is held accountable for original requirements of permit 16-008, including the outstanding permit fee balance and compensation of the encroached buffer from phase 1.

The total size of the site is 51.58 acres, and the project will result in approximately 14.74 acres of new impervious cover. The project triggered CLFLWD rules 2.0, 3.0, 4.0, 9.0, & 10.0 which require stormwater management, erosion control, and wetland buffers. Stormwater management requirements are met through three retention ponds with biofiltration along the edges to be constructed in alignment with permit 16-008. Two additional ponds were constructed for Chestnut Creek Phase I and will not be altered during construction activities of this permit.

Erosion control requirements will be met through a detailed erosion control plan which includes rock construction entrances, silt fence, sediment control logs, erosion control blankets, stormwater inlet protection, and revegetation specifications along with a detailed stormwater pollution prevention plan (SWPPP). Erosion control will be installed for individual lots after mass grading and before home construction begins.

Numerous wetlands are onsite including two Manage 2 wetlands requiring 50-foot buffers, and two Manage 1 wetlands requiring a 75-foot buffer. These buffer widths have been met with variable width buffers following district requirements. An additional 44,707 SF of buffer is



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included in phase 2 to compensate for encroachment of buffer on phase 1 properties. Invasive species are present in the planned buffers requiring management.

Recommended Motion:

Proposed Motion: Manager _____ moves to approve permit application #25-015 with conditions stated in EOR's April 16, 2026, Permit Application #25-015, Forest Lake memorandum. Seconded by Manager _____.

Attached:

Emmons & Olivier Resources' Memorandum
Emmons & Olivier Resources' Exhibit
City of Forest Lake 16-008 Maintenance Letter
City of Forest Lake Cooperative Agreement

Project	Havenwood	Date	4/16/2026
To	Board of Managers	Contact Info	CLFLWD
Cc	Mike Kinney, District Administrator Mike Sandager	Contact Info	CLFLWD
From	Ali Stone Anne Wilkinson, PE, PhD	Contact Info	EOR
Regarding	Permit Application #25-015, Havenwood		

Applicant

Northern Land Co. LLC- _1
 Attn: Steven Sadowski
 15960 Jeffery Ave
 Hugo, Mn 55308
 Phone: 813-205-2794

Authorized Agent

D.R. Horton
 Attn: Deb Ridgeway
 20860 Kenbridge Ct
 Lakeville, MN 55044
 Phone: 952-985-7864
 Email: dridgeway@drhorton

Project Purpose: The proposed project is subdivision and construction of 119 single family homes. Permit 16-008 concerned the subdivision of about 114 acres of land and development of approximately 220 single family homes. Phase 1 of the development occurred pursuant to the initial permit approval. The present proposal would constitute Phase 2, completing the development of lots encompassed by Permit 16-008, which has lapsed. The present application is in the nature of a renewal and amendment of Permit 16-008 but has moved forward under a new permit number, 25-015, to distinguish this second phase.

Project Location: Parcels 2103221120010 and 2103221120011, located in the City of Forest Lake at the end of Greystone Ave N, 207th St N, and 208th St. N. The majority of the site drains to Shields Lake and a small northern portion of the site drains to Forest Lake, both within Forest Lake Management District.

Applicable District Rules: 1.0, 2.0, 3.0, 4.0, 9.0, 10.0

Recommendation: Approval, with issuance on receipt of the following:

1. Payment of negative permit balance of \$1,021.60.
2. Financial assurance in the amount of \$78,000 for grading and alteration.
3. Financial assurance in the amount of \$448,695 for stormwater management or demonstration that the applicant has provided the municipality with a financial assurance, specific to the stormwater facilities, of equal or greater value.
4. An amended buffer maintenance declaration filed with the County. The proposed amendment shall be provided to the District for review prior to execution, and documentation of recording with the County must be provided before permit issuance.

Stipulations of permit:

1. Wetland buffer markers shall be placed on each lot line, with additional makers at an interval of no more than 200 feet (design may use existing CLFLWD template OR the design must be first approved by both the District and the City of Forest Lake).

2. All buffer markers shall be installed prior to any lot grading or home construction.
3. Submittal of as-built survey showing [including ponds, filtration benches, inlet/outlet pipe inverts and all outlet control structure pipe, orifice and overflow inverts].

Rule 2.0: Stormwater Management

The applicant must fulfill stormwater management requirements in alignment with the original permit. Soil borings showed sandy clay in soil group D, indicating that infiltration isn't feasible. Accordingly, stormwater management for the site consists of retention ponds with biofiltration along the edges. There are five stormwater treatment facilities for the site as a whole. Two basins, to manage stormwater within the Phase 1 development, were constructed and three more, within the Phase 2 portion of the site, were graded as part of Phase 1 work. No changes are proposed to these systems.

CLFLWD Rules require that the peak flow rate not increase from pre-development conditions for 24-hour precipitation events with a return frequency of 2, 10, and 100 years. Rate control is met at all discharge locations. The discharge sites include: W1 & O-1 (1R) which discharges to the west via small overland flow drainage areas, 5W which discharges south via a wetland, 4W which discharges east via a pond basin constructed under the 16-008 permit, and 7W which discharges via a wetland to the southeast. The applicant has provided the existing and post construction rate control table.

Table 1: Peak Discharge Rates for the 2-year event

Discharge Point	Existing (cfs)	Proposed (cfs)
W1 & O-1 (1R) vs E6	46.0	28.4
5W	13.3	10.4
4W	28.9	23.4
7W	30.4	29.4

Table 2: Peak Discharge Rates for the 10-year event

Discharge Point	Existing (cfs)	Proposed (cfs)
W1 & O-1 (1R) vs E6	19.5	13.0
5W	1.0	0.0
4W	12.5	8.4
7W	19.5	12.4

Table 3: Peak Discharge Rates for the 100-year event

Discharge Point	Existing (cfs)	Proposed (cfs)
W1 & O-1 (1R) vs E6	46.0	28.4
5W	13.3	10.4
4W	28.9	23.4
7W	30.4	29.4

For new development, the volumes at the point of discharge must not increase from pre-development conditions for the 24-hour precipitation event with a return frequency of two years. Based on the submitted calculations the required infiltration volume for the site is approximately 2.8 acre-feet (Predevelopment volume vs. Post-development volume for the 2-year event). Utilizing a 0.65 conversion factor for the biofiltration basins results in a required treatment volume of 4.4 acre-feet. The stormwater ponds must also capture runoff from the 2-year event per rule 2.3.3. The biofiltration basins provide 6.2 acre-feet of bio-filtration volume and 6.8 acre-feet of dead storage which satisfies all the stormwater basin sizing requirements.

A small fraction of site hard surface, consisting of rooftops, drains to backyards and will sheet flow through turf areas and protected wetland buffers, so most or all of the regulated volume will be captured for the 24-hour precipitation event with a return frequency of two years, and suspended solids will be removed from this runoff to the maximum extent practicable.

Three stormwater treatment facilities are to be used to adhere to CLFLWD requirements for this phase of the project. The locations and details for these biofiltration facilities are provided in the plan set. Pretreatment is provided by the body of the pond, and the biofiltration medium is proposed to be an 80-10-10 mix of sand-compost-peat. The biofiltration facilities successfully exhibit a less than 48 hour drawdown period of the required volume, and all buildings meet freeboard requirements. Wetlands 2 and 5 both are below the wetland bounce and inundation limits for their respective wetland classes. Basins 1, 2 and 3 as part of the current phase ii work have been graded, ponds 4 and 5 have been fully constructed with functional inlets and outlet control structures as part of phase i.

The City of Forest Lake has assumed responsibility for the maintenance of all stormwater treatment facilities in accordance with the terms of the November 9, 2012 cooperative agreement between the District and the City. This commitment is stated in a June 27, 2016, letter from the City of Forest Lake to the District. The City affirmed this commitment via an April 20, 2026 email from Steven Gilmore, Assistant Community Development Director.

Rule 3.0: Erosion Control

The proposed project involves grading an estimated 38.89 acres of land. Perimeter control is to be installed in two phases- before and after grading. Inlet protection is to be installed concurrently with stormwater infrastructure. Rock construction exits are shown on the erosion control plans.

The required statements regarding erosion control installation, construction schedule and site stabilization are present. A revegetation plan has been submitted. The district may require additional erosion control as necessary based on site conditions.

Rule 4.0: Lake, Stream, and Wetland Buffer Requirements

Buffer requirements were imposed under Permit 16-008 across both phases. Four wetlands within the Phase 2 portion of the site are subject to buffers. Buffers were delineated in conjunction with the issuance of the original permit based on a MNRAM completed in 2015. A maintenance declaration was recorded in 2016 and amended in 2017. An estimated 0.9 acres of the buffer within phase 1 of the project was, and remains, subject to encroachment by turf. Pursuant to CLFLWD rule 1.7, the applicant proposes to cure this noncompliance by providing for compensating buffer in Phase 2. The applicant proposes a 1.02 acre increase in wetland buffer within Phase 2, which provides equivalent or better function to remediate the loss of 0.9 of encroachment within Phase 1. An amendment of the buffer maintenance declaration will need to be filed with Washington County to memorialize the increased buffer area within Phase 2 and, at the applicant's election, to reflect the reduced buffer within Phase 1.

Rule 5.0: Shoreline and Streambank Alterations

The proposed project does not trigger this rule; a DNR general permit applicable to owners who hold a District permit is not in effect.

Rule 6.0: Watercourse and Basin Crossings

The proposed project does not trigger this rule; no roadways, utilities, or water control structures are proposed in the bed of District waterbodies.

Rule 7.0: Floodplain and Drainage Alterations

The proposed project does not trigger this rule; Forest Lake has a state-approved floodplain ordinance

Rule 8.0: Wetland Management

The proposed project does not trigger this rule; the District is not the LGU for wetland impacts.

Rule 9.0: Fee

The fees for the proposed project are the \$10 application fee and the \$17,100 review and inspection deposit. The applicant has submitted \$17,110. There is still an existing balance of \$18,113.63 for the reconciliation of overdrawn deposit from permit 16-008 Chestnut Creek Phase I. The applicant has submitted \$17,092.03 and must pay an additional \$1,021.60 prior to permit issuance.

Rule 10.0: Financial Assurances

Based on the information submitted, the financial assurances required for the proposed project are \$78,000 for grading and erosion control.

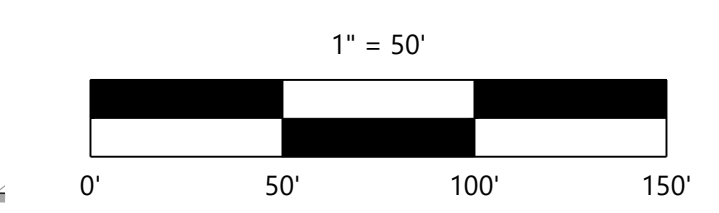
Based on the information submitted, the financial assurances required for the proposed project are \$448,695 for stormwater management facilities.

Rule 11.0: Variances

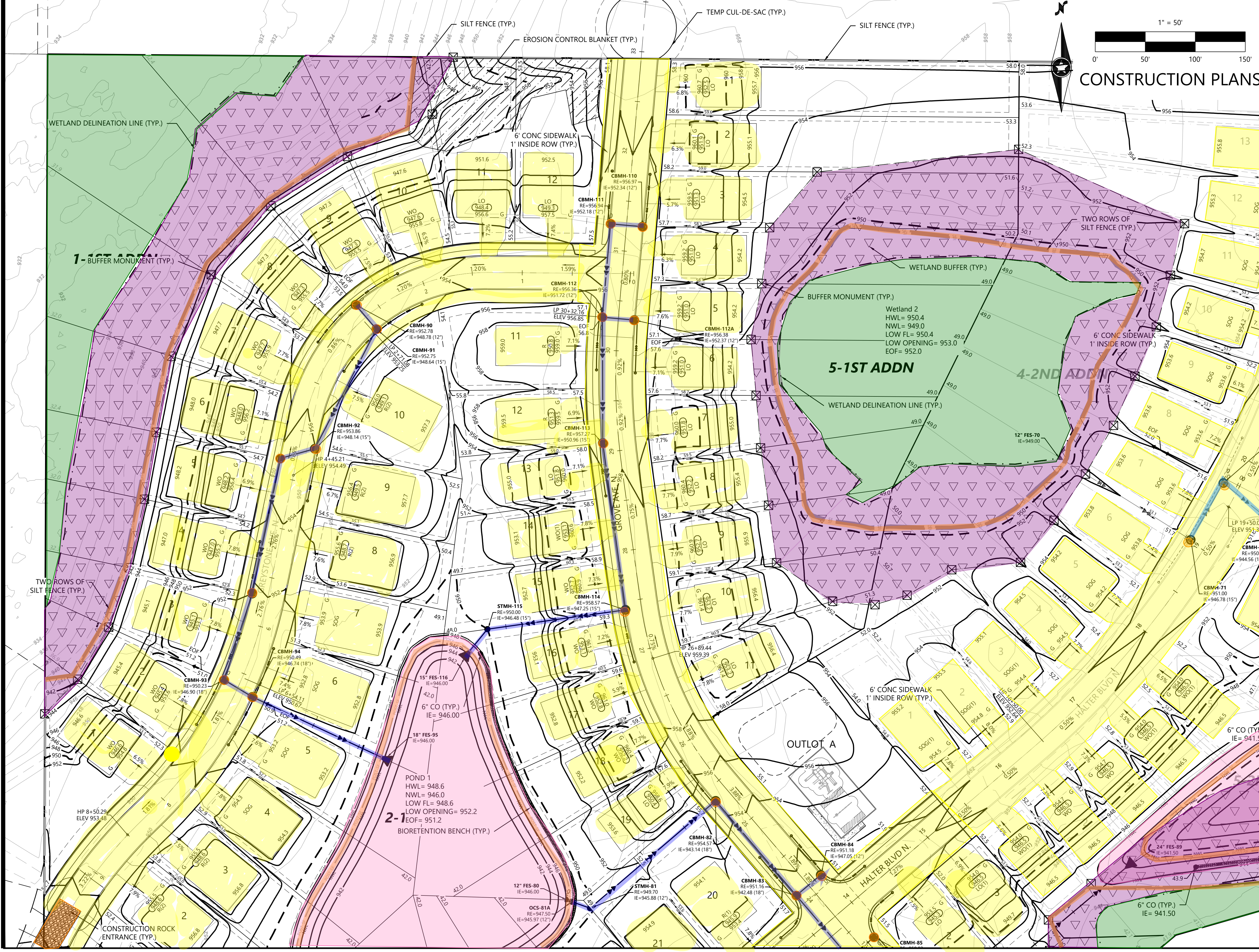
Not applicable. The submitted plans do not require a variance.

Submittals Received

1. Preliminary Plat with drainage and erosion control plans as well as buffer plan, dated March 3, 2026, received March 18, 2026, prepared by Westwood.
2. Stormwater Memorandum, received November 19, 2025, dated November 12, 2025, prepared by Westwood.
3. Application, received August 4, 2025, prepared by Applicant.
4. Stormwater Cost estimate, received February 9, 2026, prepared by Westwood.
5. Permit review, application fee, and inspection deposit in the amount of \$17,110, received August 4, 2025.
6. Partial reconciliation of the 16-008 overdrawn deposit in the amount of \$17,092.03, received April 15, 2026.



CONSTRUCTION PLANS



GRADING & EROSION CONTROL LEGEND

EXISTING	PROPOSED	PROPERTY LINE
		SOIL BORING LOCATION
		INDEX CONTOUR
		INTERVAL CONTOUR
		TREE LINE
		TREE PROTECTION FENCE
		RETAINING WALL (MODULAR BLOCK)
		GRADING LIMITS
		SILT FENCE
		SILT FENCE-POST GRADING
		HEAVY DUTY SILT FENCE
		INLET PROTECTION
		EROSION CONTROL CHECKS/BIOROLLS
		ROCK CONSTRUCTION ENTRANCE
		EROSION CONTROL BLANKET
		TURF REINFORCEMENT MAT
		POND NORMAL WATER LEVEL
		WETLAND LINE
		WETLAND BUFFER
		POND ACCESS MAINTENANCE BENCH
		WETLAND BUFFER LIMITS
		WETLAND BUFFER MONUMENT

GRADING & DRAINAGE NOTES

- ALL CONTOURS AND SPOT ELEVATIONS ARE SHOWN TO FINISHED SURFACE/GUTTER GRADES UNLESS OTHERWISE NOTED.
- REFER TO THE SITE PLAN/RECORD PLAT FOR MOST CURRENT HORIZONTAL SITE DIMENSIONS AND LAYOUT.
- THE CONTRACTOR SHALL VERIFY THE LOCATION AND ELEVATION OF EXISTING UTILITIES AND TOPOGRAPHICAL FEATURES WITH THE OWNERS AND FIELD-VERIFY PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER OF ANY DISCREPANCIES OR VARIATIONS FROM PLAN.
- ALL CONSTRUCTION SHALL CONFORM TO LOCAL RULES.
- POSITIVE DRAINAGE FROM THE SITE MUST BE PROVIDED AT ALL TIMES.

EROSION CONTROL NOTES

- ALL SILT FENCE AND OTHER EROSION CONTROL FEATURES SHALL BE IN-PLACE PRIOR TO ANY EXCAVATION/CONSTRUCTION AND SHALL BE MAINTAINED UNTIL VIABLE TURF OR GROUND COVER HAS BEEN ESTABLISHED. EXISTING SILT FENCE ON-SITE SHALL BE MAINTAINED AND OR REMOVED AND SHALL BE CONSIDERED INCIDENTAL TO THE GRADING CONTRACT. IT IS OF EXTREME IMPORTANCE TO BE AWARE OF CURRENT FIELD CONDITIONS WITH RESPECT TO EROSION CONTROL. TEMPORARY PONDING, DIKES, HAY BALES, ETC., REQUIRED BY THE CITY SHALL BE INCIDENTAL TO THE GRADING CONTRACT.
- ALL STREETS DISTURBED DURING WORKING HOURS MUST BE CLEANED AT THE END OF EACH WORKING DAY. A ROCK ENTRANCE TO THE SITE MUST BE PROVIDED ACCORDING TO DETAILS TO REDUCE TRACKING OF DIRT ONTO PUBLIC STREETS.
- REDUNDANT PERIMETER SEDIMENT CONTROLS ARE NECESSARY WHEN SOIL DISTURBANCE IS WITHIN 50 FEET OF SURFACE WATERS. REDUNDANT SEDIMENT CONTROLS COULD INCLUDE:
 - TWO ROWS OF SILT FENCE (SEPARATED BY 8 FEET); OR
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 - REMOVE ACCUMULATED SEDIMENT.
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 - FILTRATION BENCHES (DRAINLITE, FILTRATION MEDIA AND PERMANENT SEEDING) IN THE PROPOSED BASINS TO BE COMPLETED ONCE HOME CONSTRUCTION IS SUBSTANTIALLY COMPLETED WITHIN THE DRAINAGE AREA.
 - WHEN ALL CONSTRUCTION ACTIVITY IS COMPLETE AND THE SITE IS STABILIZED BY EITHER SEED OR SOD AND LANDSCAPING, REMOVE SILT FENCE AND RESEED ANY AREAS DISTURBED BY THE REMOVAL.

DESIGNED:	RMB
CHECKED:	RMB
DRAWN:	EJK
HORIZONTAL SCALE:	50'
VERTICAL SCALE:	10' OR 5'

INITIAL ISSUE:	01/16/2026
REVISIONS:	
△ 02/09/26	CITY COMMENTS
△ 03/03/26	EROSION CONTROL REVISION

PREPARED FOR:
D.R. HORTON, INC. - MINNESOTA
20860 KENBRIDGE COURT, SUITE 100
LAKEVILLE, MINNESOTA, 55044

I HEREBY CERTIFY THAT THIS PLAN 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
RYAN M. BLUHM
DATE: 03/03/2026 LICENSE NO. 41257

HAVENWOOD FINAL GRADING
FOREST LAKE, MINNESOTA



SHEET NUMBER:
4 OF **18**
DATE: 03/03/2026
PROJECT NUMBER: 0067061.00

GRADING & EROSION CONTROL LEGEND

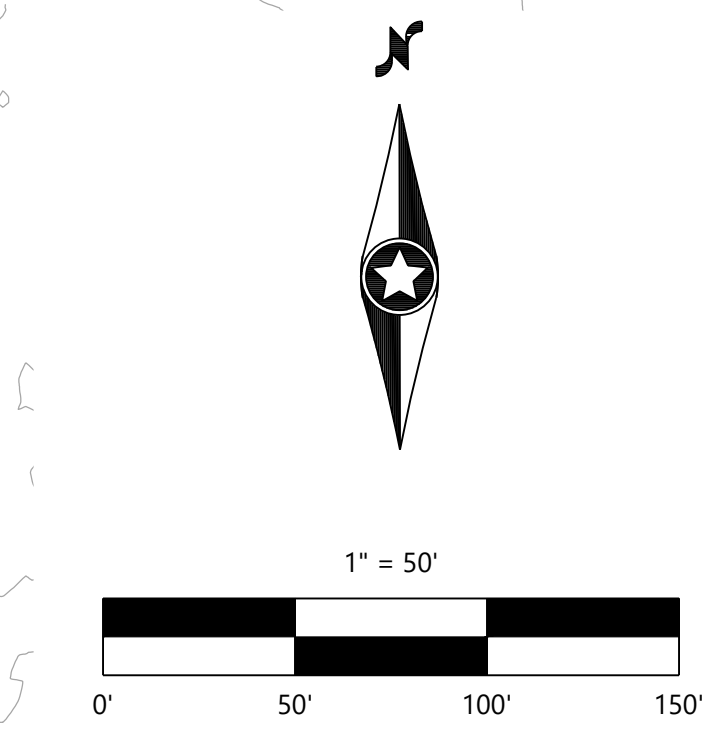
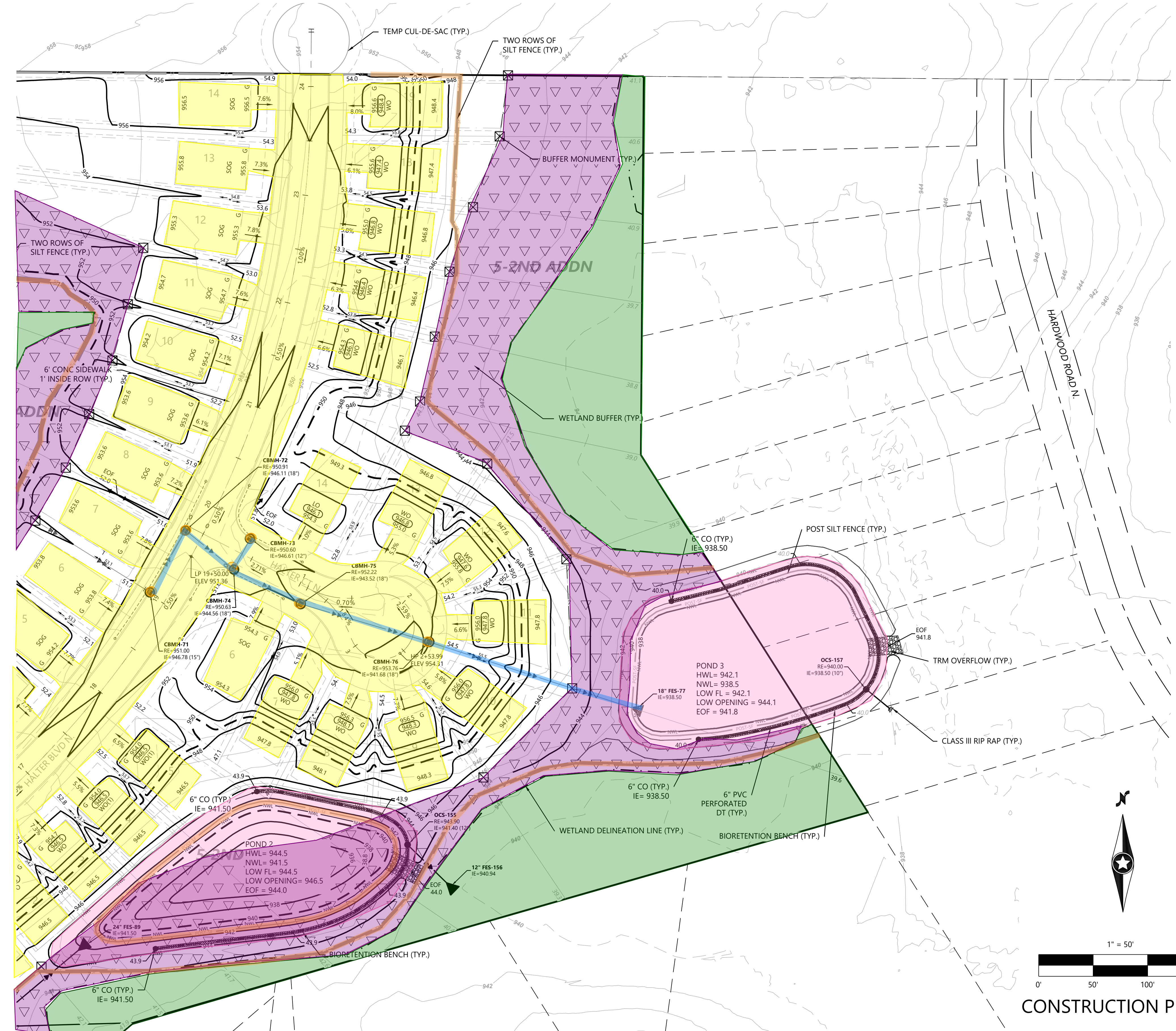
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FOREST LAKE, MINNESOTA

Westwood
Phone (952) 937-5150 12701 Whitewater Drive, Suite #300
TollFree (888) 937-5150 Minneapolis, MN, 55434
Westwoodps.com
Westwood Professional Services, Inc.

**FINAL GRADING
DRAINAGE & EROSION
CONTROL**
PROJECT NUMBER: 0067061.00

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HAVENWOOD FINAL GRADING

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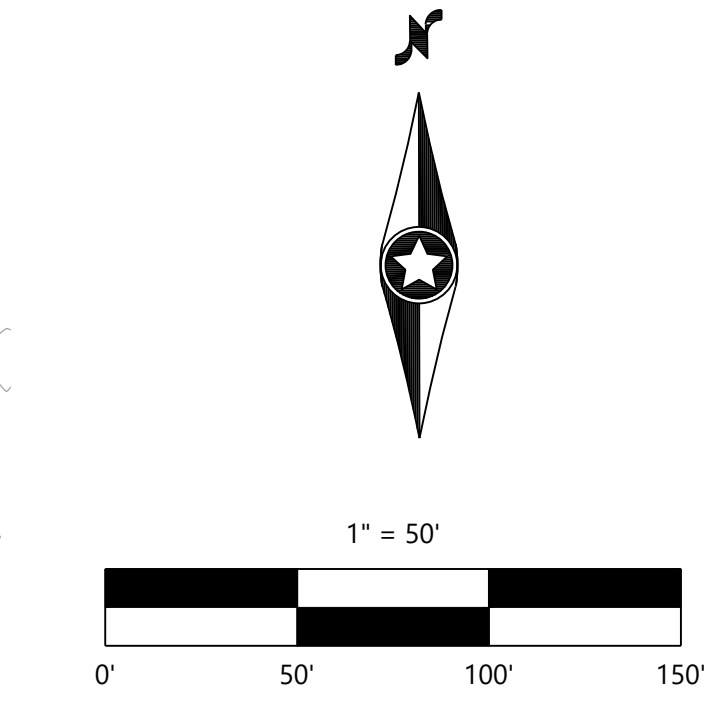
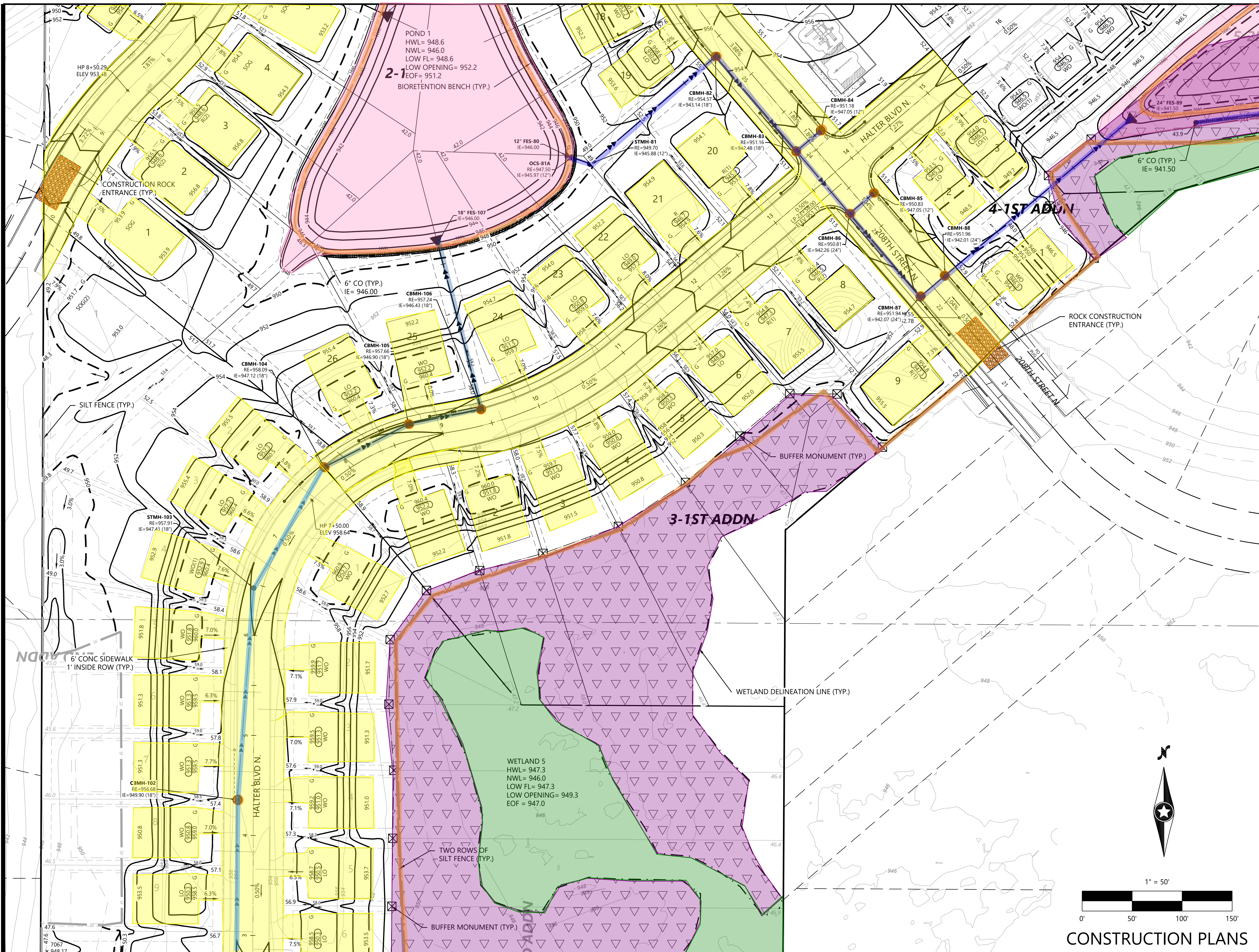
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 - INSTALL SANITARY SEWER, WATERMAIN, STORM SEWER AND SERVICES.
 - INSTALL INLET PROTECTION AROUND CATCH BASINS.
 - INSTALL STREET SECTION, CURB AND GUTTER AND PAVEMENT.
 - INSTALL SMALL UTILITIES (GAS, ELECTRIC, PHONE, CABLE, ETC.).
 - FINE GRADE BOULEVARD, LANDSCAPE AREAS, SEED AND MULCH.
 - REMOVE ACCUMULATED SEDIMENT.
 - FINAL GRADE.
 - FILTRATION BENCHES (DRAIN TILE, FILTRATION MEDIA AND PERMANENT SEEDING) IN THE PROPOSED BASINS TO BE COMPLETED ONCE MAJOR CONSTRUCTION IS SUBSTANTIALLY COMPLETED WITHIN THE DRAINAGE AREA.
 - WHEN ALL CONSTRUCTION ACTIVITY IS COMPLETE AND THE SITE IS STABILIZED BY EITHER SEED OR SOD AND LANDSCAPING, REMOVE SILT FENCE AND RESEED ANY AREAS DISTURBED BY THE REMOVAL.



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DESIGNED:	RMB
CHECKED:	RMB
DRAWN:	EJK
HORIZONTAL SCALE:	50'
VERTICAL SCALE:	10' OR 5'

INITIAL ISSUE:	01/16/2026
REVISIONS:	
▲ 02/09/26	CITY COMMENTS
▲ 03/03/26	EROSION CONTROL REVISION

PREPARED FOR:
D.R. HORTON, INC. - MINNESOTA
20860 KENBRIDGE COURT, SUITE 100
LAKEVILLE, MINNESOTA, 55044

I HEREBY CERTIFY THAT THIS PLAN 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
RYAN M. BLUHM
DATE: 03/03/2026 LICENSE NO. 41257

HAVENWOOD FINAL GRADING
FOREST LAKE, MINNESOTA

Westwood
Phone (952) 937-5150 12701 Whitewater Drive, Suite #300
TollFree (888) 937-5150 Minneapolis, MN, 55434
westwoodsps.com
Westwood Professional Services, Inc.

**FINAL GRADING
DRAINAGE & EROSION
CONTROL**
PROJECT NUMBER: 0067061.00

SHEET NUMBER:
6 OF **18**
DATE: 03/03/2026

HAVENWOOD FINAL GRADING

GRADING & EROSION CONTROL LEGEND

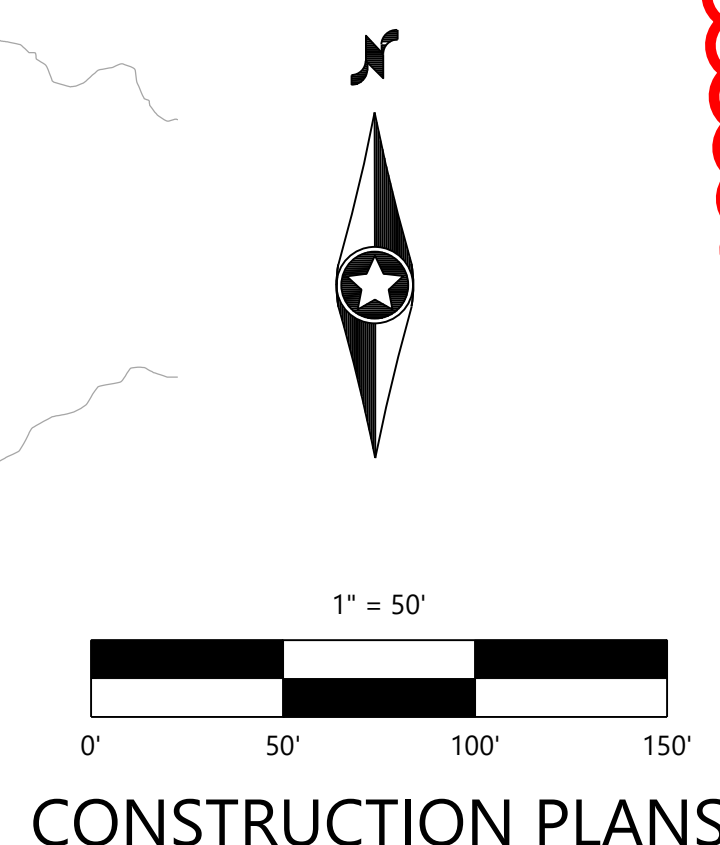
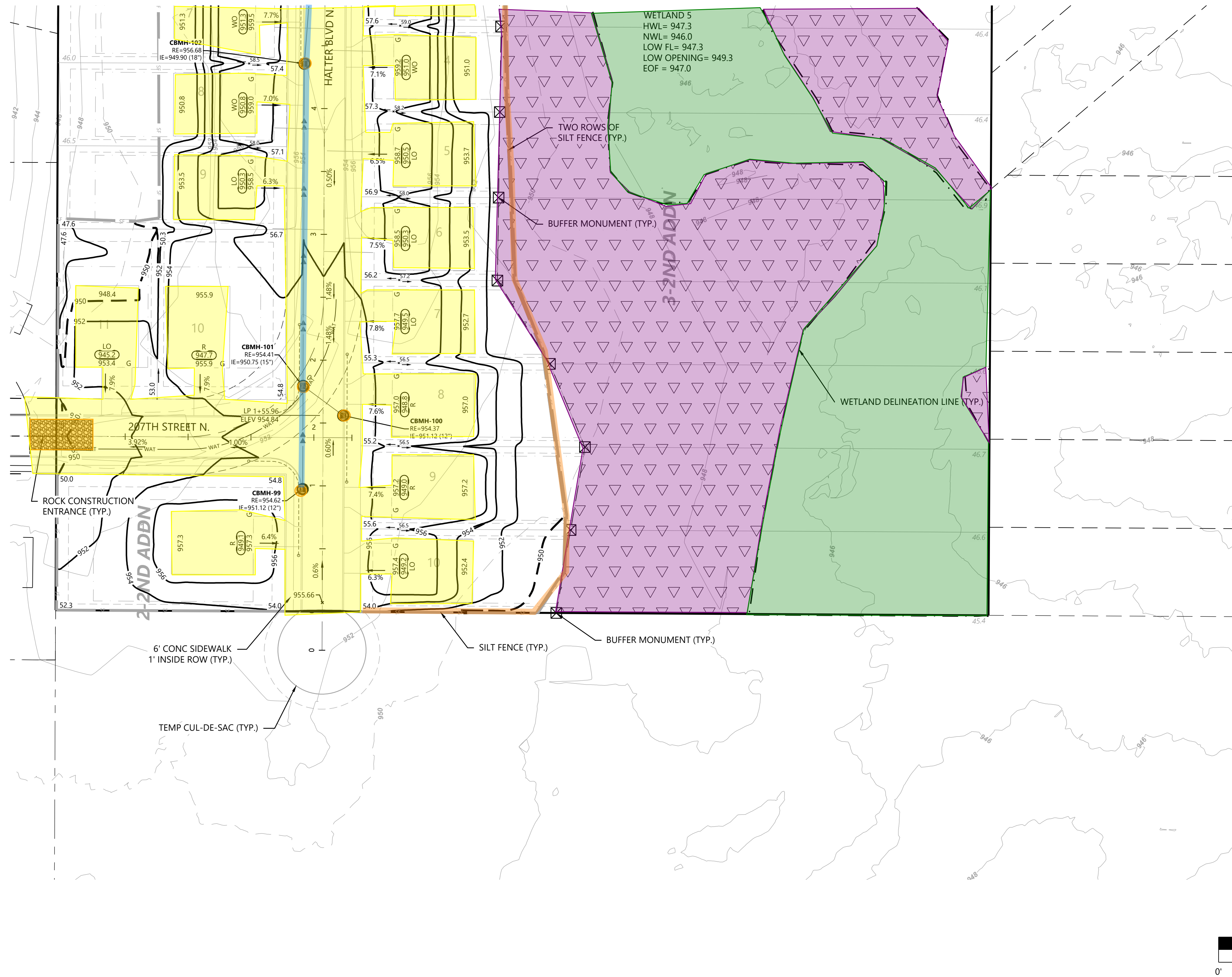
EXISTING	PROPOSED	
		PROPERTY LINE
		SOIL BORING LOCATION
		INDEX CONTOUR
		INTERVAL CONTOUR
		TREE LINE
		TREE PROTECTION FENCE
		RETAINING WALL (MODULAR BLOCK)
		GRADING LIMITS
		SILT FENCE
		SILT FENCE-POST GRADING
		HEAVY DUTY SILT FENCE
		INLET PROTECTION
		EROSION CONTROL CHECKS/BIOROLLS
		ROCK CONSTRUCTION ENTRANCE
		EROSION CONTROL BLANKET
		TURF REINFORCEMENT MAT
		POND NORMAL WATER LEVEL
		WETLAND LINE
		WETLAND BUFFER
		POND ACCESS MAINTENANCE BENCH
		WETLAND BUFFER LIMITS
		WETLAND BUFFER MONUMENT

GRADING & DRAINAGE NOTES

- ALL CONTOURS AND SPOT ELEVATIONS ARE SHOWN TO FINISHED SURFACE/GUTTER GRADES UNLESS OTHERWISE NOTED.
- REFER TO THE SITE PLAN/RECORD PLAT FOR MOST CURRENT HORIZONTAL SITE DIMENSIONS AND LAYOUT.
- THE CONTRACTOR SHALL VERIFY THE LOCATION AND ELEVATION OF EXISTING UTILITIES AND TOPOGRAPHICAL FEATURES WITH THE OWNERS AND FIELD-VERIFY PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER OF ANY DISCREPANCIES OR VARIATIONS FROM PLAN.
- ALL CONSTRUCTION SHALL CONFORM TO LOCAL RULES.

EROSION CONTROL NOTES

- ALL SILT FENCE AND OTHER EROSION CONTROL FEATURES SHALL BE IN-PLACE PRIOR TO ANY EXCAVATION/CONSTRUCTION AND SHALL BE MAINTAINED UNTIL VIABLE TURF OR GROUND COVER HAS BEEN ESTABLISHED. EXISTING SILT FENCE ON-SITE SHALL BE MAINTAINED AND/OR REMOVED AND SHALL BE CONSIDERED INCIDENTAL TO THE GRADING CONTRACT. IT IS OF EXTREME IMPORTANCE TO BE AWARE OF CURRENT FIELD CONDITIONS WITH RESPECT TO EROSION CONTROL. TEMPORARY PONDING, DIKES, HAY BALES, ETC., REQUIRED BY THE CITY SHALL BE INCIDENTAL TO THE GRADING CONTRACT.
- ALL STREETS DISTURBED DURING WORKING HOURS MUST BE CLEANED AT THE END OF EACH WORKING DAY. A ROCK ENTRANCE TO THE SITE MUST BE PROVIDED ACCORDING TO DETAILS TO REDUCE TRACKING OF DIRT ONTO PUBLIC STREETS.
- REDUNDANT PERIMETER SEDIMENT CONTROLS ARE NECESSARY WHEN SOIL DISTURBANCE IS WITHIN 50 FEET OF SURFACE WATERS. REDUNDANT SEDIMENT CONTROLS COULD INCLUDE:
 - TWO ROWS OF SILT FENCE (SEPARATED BY 8 FEET); OR
 - SILT FENCE AND A TOPSOIL BERM (STABILIZE BERM WITH MULCH); OR
 - SILT FENCE AND FIBER LOGS; OR
 - TOPSOIL BERM AND FIBER LOGS (STABILIZE BERM WITH MULCH).
- REDUNDANT SEDIMENT CONTROLS MUST BE INSTALLED PRIOR TO DISTURBING WITHIN 50 FEET OF THE SURFACE WATER.
- CONSTRUCTION SEQUENCE
THE INTENDED SEQUENCING OF MAJOR SITE CONSTRUCTION ACTIVITIES IS AS FOLLOWS:
 - INSTALL PERIMETER CONTROL DEVICES (SILT FENCE, BIO-LOGS, ETC.) AND INLET PROTECTION TO EXISTING STRUCTURES AS SHOWN ON PLAN. INSTALL TREE PROTECTION FENCE AS SHOWN ON PLAN.
 - INSTALL STABILIZED ROCK CONSTRUCTION ENTRANCE.
 - CLEAR AND GRUB SITE. STRIP AND STOCKPILE TOPSOIL.
 - ROUGH GRADE OF SITE. EXCAVATE PONDS FIRST AND ESTABLISH TEMPORARY OUTLETS, THEN COMPLETE MASS GRADING.
 - STABILIZE DENUDED AREAS AND STOCKPILES.
 - INSTALL SANITARY SEWER, WATERMAIN, STORM SEWER AND SERVICES.
 - INSTALL INLET PROTECTION AROUND CATCH BASINS.
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FINAL GRADING
DRAINAGE & EROSION
CONTROL
PROJECT NUMBER: 0067061.00

SHEET NUMBER:
7 OF **18**
DATE: 03/03/2026

June 27, 2016

Michael Kinney
Comfort Lake Forest Lake Watershed District
44 Lake St South
Forest Lake, MN 55025

RE: Chestnut Creek Development

Dear Mike,

The City assumes responsibility to maintain the stormwater management facilities identified in the approved plans for the Chestnut Creek subdivision and the June 9, 2016 memorandum of the District engineer concerning District permit 16-008. Maintenance will be in accordance with the "Cooperative Agreement for Maintenance of Stormwater Management Facilities and Watercourse and Basin Crossings" (November 9, 2012). The City provides this assurance in place of the permittee's declaration for perpetual maintenance and agrees that the District may issue permit 16-008 in reliance on it.

The City also will ensure that when subsequent phases of the subdivision are platted, they will include dedicated drainage, utility and access easements for the City to perform its maintenance responsibilities.

Sincerely,



Aaron Parrish, City Administrator
City of Forest Lake

**COOPERATIVE AGREEMENT
FOR MAINTENANCE OF
STORMWATER MANAGEMENT FACILITIES AND WATERCOURSE AND BASIN CROSSINGS**

**Between the Comfort Lake–Forest Lake Watershed District
and the City of Forest Lake**

This Agreement is made by and between the Comfort Lake – Forest Lake Watershed District (CLFLWD), a watershed district with purposes and powers set forth at Minnesota Statutes Chapters 103B and 103D, and the City of Forest Lake (City), an political subdivision of the State of Minnesota.

Recitals and Statement of Purpose

WHEREAS pursuant to authority of Minnesota Statute §103D.345, the CLFLWD implements a permitting program under which stormwater management and watercourse and basin crossings requirements, presently referenced as Rules 2.0 and 6.0, apply to land development and redevelopment activities; and

WHEREAS City is subject to those requirements; and

WHEREAS under the Stormwater Management rule and Watercourse and Basin Crossing rule, certain land development activities require a landowner to file for recordation a declaration or similar instrument establishing the landowner’s obligation in perpetuity to inspect and maintain stormwater management facilities and crossing structures; and

WHEREAS in each case a public landowner, as an alternative to a recorded instrument, may document its obligation in an unrecorded written agreement with the CLFLWD; and

WHEREAS Rule 2.5.8, Stormwater Management Facility Maintenance Instrument, further states that if a municipal facility maintenance plan has been approved by the CLFLWD and the municipality will maintain the facility, a separate maintenance instrument is not required; and

WHEREAS City has a District-approved Local Surface Water Management Plan (Plan) and a state approved Municipal Separate Storm Sewer System Permit (MS4) from the Minnesota Pollution Control Agency (MPCA) that includes a Storm Water Pollution Prevention Plan (SWPPP); and

WHEREAS the City SWPPP conforms to maintenance requirements set by the MPCA after rulemaking and a stakeholder-intensive process, and includes a number of specific best management practices addressing inspection, follow up maintenance/repair, reporting, evaluation, and vegetation management; and

WHEREAS City represents that it has the rights of property ownership and control sufficient to perform the responsibilities it assumes under this Agreement; and

WHEREAS the parties concur that it is clearer and procedurally more efficient for the CLFLWD and City to agree at this time on the acceptance of facility inspection and maintenance practices as presently set forth in the City MS4 Permit and SWPPP to serve as a municipal facility maintenance plan and standard requirements, so that this agreement may be incorporated into future permits as applicable;

THEREFORE IT IS AGREED as follows:

1. City will maintain stormwater management facilities and watercourse and basin crossings in conformance with its MPCA-approved MS4 Permit and SWPPP, specifically including but not limited to:
 - a. All stormwater retention, detention and treatment basins must be inspected at least once a year to determine that basin retention and treatment characteristics are adequate. A storage treatment basin will be considered inadequate if sediment has decreased the wet storage volume by 50 percent or dry storage volume by 25 percent of its original design volume. Based on this inspection, if a stormwater basin requires sediment cleanout, the basin will be restored to its original design contours and vegetated state within one year of the inspection date.
 - b. All grit chambers, sump catch basins, sump manholes, outlet structures, culverts, outfall structures and other stormwater facilities for which maintenance requirements are not otherwise specified herein must be inspected in the spring and fall of each year. Within 30 days of the inspection date, all accumulated sediment and debris must be removed such that each stormwater facility operates as designed and permitted. Contributing drainage areas must be kept clear of litter and vegetative debris, inflow pipes and overflow spillways kept clear, inlet areas kept clean, and undesirable vegetation removed. Erosion impairing the function or integrity of the facilities, if any, will be corrected, and any structural damage impairing or threatening to impair the function of the facilities must be repaired.
 - c. Volume control facilities and contributing drainage areas must be inspected at least twice annually during the operational period (between spring snowmelt and first substantial snowfall) and monitored after rainfall events of 1 inch or more to ensure that the contributing drainage area is clear of litter and debris, inflow pipes and overflow spillways are clear, inlet areas are clean, undesirable vegetation is removed and there is no erosion impairing or threatening to impair the function of a facility. If sediment has accumulated in an infiltration feature, within 30 days of inspection deposited sediments must be removed, the infiltration capacity of the underlying soils must be restored, and any surface disturbance must be stabilized. Inspection must ensure that sediment traps and forebays are trapping sediment and that more than 50 percent of the storage volume remains, the contributing drainage area is stable (i.e., no erosion is observed), and inlets and outlet/overflow spillways are in good condition with no erosion. Maintenance techniques used must protect the infiltration

capacity of the practice by limiting soil compaction to the greatest extent possible (e.g., by using low-impact earth-moving equipment).

- d. In addition to the applicable requirements above, rain gardens must be kept clean of excess sediment and debris. Healthy plant growth must be maintained in rain gardens by removing dead vegetation in the spring of each year, and the top two to five inches of media must be removed and replaced every three to five years so as not to impede filtration of sediment and oils.
- e. Pervious pavers and pervious concrete must be inspected at least once each year, after a storm events exceeding inch inch of rainfall in a 24 hour period, and otherwise annually; surface openings must be vacuumed in dry weather to remove dry, encrusted sediment as necessary; and broken units that impair the structural integrity of the surface must be replaced. If water stands for an more than 48 hours, base materials must be replaced within 9 months from the date of the inspection and report of the standing water occurred.
- f. Underground storage chambers must be inspected at least once a year to ensure that adequate storage capacity remains. Capacity will be considered inadequate if sediment has decreased the storage volume by 50 percent of its original design volume. Accumulated debris and sediment will be removed, and inlet and outlet structures will be cleared of any flow impediments, within 3 months from the date of the inspection and report that identified the loss of capacity or flow impediments.
- g. Any BMPs for which maintenance requirements are not otherwise provided in this Agreement or the SWPPP will be inspected and maintained to provide the function for which they were designed.
- h. Submission of the City Metro MS4 Permit annual report to the CLFLWD will be made at the same time that it is required to be submitted to the MPCA. The annual report format is available on-line and can be downloaded by CLFLWD.
- i. Watercourse and basin crossings and other conveyances shall be maintained in good repair at all times to preserve channel/bed stability, hydraulic capacity, and navigational capacity if designed for navigational capacity.

2. In addition, City will respond promptly to notice from the CLFLWD that a facility or crossing structure may require inspection or maintenance and will take action following inspection in the same manner as provided above.

3. The CLFLWD accepts City's MPCA-approved MS4 Permit and SWPPP as a municipal facility maintenance plan under Rule 2.5.8, subject to the terms of this Agreement.

4. If City conveys into private ownership a fee interest in all or any portion of the public property that is subject to this Agreement, it must require as a condition of sale, and enforce: (a) that the purchaser record a declaration on the property incorporating the stormwater management facility

maintenance requirements of this Agreement; and (b) that recordation occur either before any encumbrance is recorded on the property or, if after, only as accompanied by a subordination and consent executed by the encumbrance holder ensuring that the declaration will run with the land in perpetuity. If City conveys into public ownership a fee interest in all or any portion of the property that is subject to this Agreement, it must require as a condition of the purchase and sale agreement that the purchaser accept an assignment of all obligations vested under this Agreement.

5. The CLFLWD may include in any specific permit other or different conditions as it may determine warranted for the circumstances of that permit.

6. This Agreement is in force for five years from the date on which it is fully executed and will renew automatically for five-year terms unless terminated by the parties. This Agreement may be amended only in a writing signed by the parties. Either party may terminate this Agreement on 30 days' written notice to the other party. Maintenance obligations that have become binding by incorporation into an approved permit before termination of the Agreement will survive termination.

7. Violation of an inspection, maintenance or reporting provision is a violation of the CLFLWD permit for a project and of this Agreement for which the CLFLWD may take civil action against the City, after completion of its notice of rule violation procedures.

8. The recitals are incorporated as a part of this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement.

COMFORT LAKE-FOREST LAKE WATERSHED DISTRICT

By *Russ P. Daniels* 11-9-12 Date:
President, Board of Managers

CITY OF FOREST LAKE

By: *[Signature]* Date: