

**Amended**

## Public Waters Work Permit

**Expiration Date: 12/24/2025**
**Permit Number**  
  
**1965-1239**

Pursuant to Minnesota Statutes, Chapter 103G, and on the basis of statements and information contained in the permit application, letters, maps, and plans submitted by the applicant and other supporting data, all of which are made part hereof by reference, **PERMISSION IS HEREBY GRANTED** to the applicant to perform actions as authorized below. This permit supersedes the original permit and all previous amendments.

<b>Project Name:</b> Rice Lake Dam/waterlevel control structure and drawdown	<b>County:</b> Hennepin	<b>Watershed:</b> Mississippi River - Twin Cities	<b>Resource:</b> Stream/River: Elm Creek (EC) (27011a); Lake: Rice (27011600)
<b>Purpose of Permit:</b> Water Level Control Structure, Drawdown (temporary)		<b>Authorized Action:</b> Extend permit expiration date and authorize draw-down of the water level of Rice Lake by approximately 5 feet over the 2021/22 winter seasons for the control of rough fish and curlyleaf pond weed; all in accordance with the amendment request dated 9/25/2020 and the conditions of this permit. To limit impacts to amphibians and reptiles (including the endangered Blanding's Turtle), the drawdown must be completed by October 15.	
<b>Permittee:</b> CITY OF MAPLE GROVE CONTACT: ASCHE, DEREK, (763) 494-6354 12800 ARBOR LAKES PKWY MAPLE GROVE, MN 55369 (763) 494-6000		<b>Authorized Agent:</b> N/A	
<b>Property Description (land owned or leased or where work will be conducted):</b> UTM zone 15N, 463977m east, 4997466m north, NWSW of Section 10, T119N, R22W, UTM zone 15N, 463977m east, 4997466m north, NWSW of Section 10, T119N, R22W			
<b>Issued Date:</b> 12/24/2020	<b>Effective Date:</b> 12/24/2020	<b>Expiration Date:</b> 12/24/2025	
<b>Authorized Issuer:</b> Lucas Youngsma	<b>Title:</b> Area Hydrologist	<b>Email Address:</b> lucas.youngsma@state.mn.us	<b>Phone Number:</b> 651-259-5822

This permit is granted **subject to** the following **CONDITIONS**:

**APPLICABLE FEDERAL, STATE, OR LOCAL REGULATIONS:** The permittee is not released from any rules, regulations, requirements, or standards of any applicable federal, state, or local agencies; including, but not limited to, the U.S. Army Corps of Engineers, Board of Water and Soil Resources, MN Pollution Control Agency, watershed districts, water management organizations, county, city and township zoning.

**NOT ASSIGNABLE:** This permit is not assignable by the permittee except with the written consent of the Commissioner of Natural Resources.

**NO CHANGES:** The permittee shall make no changes, without written permission or amendment previously obtained from

## **CONDITIONS** (Continued from previous page)

the Commissioner of Natural Resources, in the dimensions, capacity or location of any items of work authorized hereunder.

**SITE ACCESS:** The permittee shall grant access to the site at all reasonable times during and after construction to authorized representatives of the Commissioner of Natural Resources for inspection of the work authorized hereunder.

**TERMINATION:** This permit may be terminated by the Commissioner of Natural Resources at any time deemed necessary for the conservation of water resources of the state, or in the interest of public health and welfare, or for violation of any of the conditions or applicable laws, unless otherwise provided in the permit.

**COMPLETION DATE:** Construction work authorized under this permit shall be completed on or before the date specified above. The permittee may request an extension of the time to complete the project by submitting a written request, stating the reason thereof, to the Commissioner of Natural Resources.

**WRITTEN CONSENT:** In all cases where the permittee by performing the work authorized by this permit shall involve 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 thereon or interests therein, the permittee, before proceeding, shall obtain the written consent of all persons, agencies, or authorities concerned, and shall acquire all property, rights, and interests needed for the work.

**PERMISSIVE ONLY / NO LIABILITY:** This permit is permissive only. No liability shall be imposed by the State of Minnesota or any of its officers, agents or employees, officially or personally, on account of the granting hereof or on account of any damage to any person or property resulting from any act or omission of the permittee or any of its agents, employees, or contractors. This permit shall not be construed as estopping or limiting any legal claims or right of action of any person other than the state against the permittee, its agents, employees, or contractors, for any damage or injury resulting from any such act or omission, or as estopping or limiting any legal claim or right of action of the state against the permittee, its agents, employees, or contractors for violation of or failure to comply with the permit or applicable conditions.

**EXTENSION OF PUBLIC WATERS:** Any extension of the surface of public waters from work authorized by this permit shall become public waters and left open and unobstructed for use by the public.

**WETLAND CONSERVATION ACT:** Where the work authorized by this permit involves the draining or filling of wetlands not subject to DNR regulations, the permittee shall not initiate any work under this permit until the permittee has obtained official approval from the responsible local government unit as required by the Minnesota Wetland Conservation Act.

**CONTRACTOR RESPONSIBILITY:** The permittee shall ensure the contractor has received and thoroughly understands all conditions of this permit. Contractors must obtain a signed statement from the property owner stating that permits required for work have been obtained or that a permit is not required, and mail a copy of the statement to the regional DNR Enforcement office where the proposed work is located. The Landowner Statement and Contractor Responsibility Form can be found at: [https://bwsr.state.mn.us/sites/default/files/2019-01/Wetland\\_WCA\\_Contractor\\_Responsibility\\_Form.doc](https://bwsr.state.mn.us/sites/default/files/2019-01/Wetland_WCA_Contractor_Responsibility_Form.doc)

**INVASIVE SPECIES - EQUIPMENT DECONTAMINATION:** All equipment intended for use at a project site must be free of prohibited invasive species and aquatic plants prior to being transported into or within the state and placed into state waters. All equipment used in designated infested waters, shall be inspected by the Permittee or their authorized agent and adequately decontaminated prior to being transported from the worksite. The DNR is available to train inspectors and/or assist in these inspections. For more information refer to the "Best Practices for Preventing the Spread of Aquatic Invasive Species" at [http://files.dnr.state.mn.us/publications/ewr/invasives/ais/best\\_practices\\_for\\_prevention\\_ais.pdf](http://files.dnr.state.mn.us/publications/ewr/invasives/ais/best_practices_for_prevention_ais.pdf). Contact your regional Invasive Species Specialist for assistance at [www.mndnr.gov/invasives/contacts.html](http://www.mndnr.gov/invasives/contacts.html). A list of designated infested waters is available at [www.mndnr.gov/invasives/ais/infested.html](http://www.mndnr.gov/invasives/ais/infested.html). A list of prohibited invasive species is available at [www.mndnr.gov/invasives/laws.html#prohibited](http://www.mndnr.gov/invasives/laws.html#prohibited).

**BLANDING'S TURTLE FLYER:** The Blanding's turtle flyer (attached) must be given to all contractors working in the area.

**BLANDING'S TURTLE MONITORING:** Monitor for turtles during dewatering and report any sightings to DNR Non-Game Specialist Erica Hoaglund at [Erica.Hoaglund@state.mn.us](mailto:Erica.Hoaglund@state.mn.us). If turtles are in imminent danger they must be moved by hand out of harm's way, otherwise they are to be left undisturbed.

cc: John Gleason, EWR District Manager  
Lestina, Rick, Contact; City of Maple Grove  
Tim Maass, Conservation Officers, Osseo  
Ben Carlson, BWSR Wetland Specialists, Hennepin  
Erica Hoaglund, DNR Regional Nongame Specialists, Region 3 - North  
Leslie Parris, DNR Regional Environmental Assessment Ecologist, Region 3  
Melissa Collins, DNR Regional Environmental Assessment Ecologist, Region 3  
Scott Noland, DNR Wildlife, Forest Lake  
Daryl Ellison, DNR Fisheries, West Metro Area  
Karen Galles, County, Hennepin  
Jim Herbert, Watershed District, ELM CREEK WMO  
Corps of Engineers, Corps of Engineers, Hennepin  
Stacey Lijewski, SWCD, Hennepin Conservation District  
Derek Asche, City, Maple Grove