



Please note the meeting will be held in person at the Carver County Government Center on the Wednesday, May 9, 2023. The meeting will also be available virtually using this [link](#).

LOWER MINNESOTA RIVER WATERSHED DISTRICT

Lower Minnesota River Watershed District

7:00 PM

Wednesday, May 9, 2023

Carver County Government Center

602 East Fourth Street, Chaska, MN 55318

Agenda Item	Discussion
1. Call to order	A. Roll Call
2. Approval of agenda	
3. Citizen Forum	<p><i>Citizens may address the Board of Managers about any item not contained on the regular agenda. A maximum of 15 minutes is allowed for the Forum. If the full 15 So are not needed for the Forum, the Board will continue with the agenda. The Board will take no official action on items discussed at the Forum, with the exception of referral to staff or a Board Committee for a recommendation to be brought back to the Board for discussion or action at a future meeting.</i></p>
4. Consent Agenda	<p><i>All items listed under the consent agenda are considered to be routine by the Board of Managers and will be enacted by one motion and an affirmative vote of a majority of the members present. There will be no separate discussion of these items unless a Board Member or citizen request, in which event, the items will be removed from the consent agenda and considered as a separate item in its normal sequence on the agenda.</i></p> <ul style="list-style-type: none"> A. Approve Minutes April 19, 2023, Regular Meeting B. Receive and file April 2023 Financial Reports C. Approval of Invoices for payment <ul style="list-style-type: none"> i. Clifton Larson Allen (CLA) – Financial services through April 2023 ii. Scott County Q1 2023 monitoring, TACS & education services iii. Rinke Noonan – March 2023 Legal Services iv. US Bank Equipment Finance – May 2023 copier lease payment v. Young Environmental Consulting Group, LLC – April 2023 technical, and Education & Outreach services vi. Naiad Consulting, LLC – April 2023 administrative services, mileage & expenses vii. Sponsor Minnesota River Congress D. Report on Citizen Advisory Committee meeting minutes E. LMRWD Permit Renewals F. LMRWD Permit Program Summary G. Financial Assurance Release H. Quarry Lake Playground – Administrative permit approval

5. New Business/ Presentations	A. Discussion of outreach message B. Metro Children’s Water Festival
6. Old Business	A. 2021 Financial Audit B. 2027 World EXPO – “Healthy People, Healthy Planet – Wellness and Well Being for All” – no new information to report since the last update C. 2023 Cost Share Applications D. City of Carver Levee – no new information to report since last update E. Dredge Management F. Watershed Management Plan G. 2023 Legislative Action H. Education & Outreach I. LMRWD Projects <i>(only projects that require Board action will appear on the agenda. Informational updates will appear on the Administrator Report)</i> <ol style="list-style-type: none"> i. Area #3 ii. LMRWD Chloride Management iii. Minnesota River Floodplain model update J. Permits & Project Reviews <i>(only projects that require Board action will appear on the agenda. Informational updates will appear on the Administrator Report)</i> <ol style="list-style-type: none"> i. Structures, Inc. (LMRWD No. 2022-036) ii. Eagle Creek Bridge (LMRWD No. 2023-002) iii. 535 Lakota Lane, Chanhassen – work without a permit
7. Communications	A. Administrator Report B. President C. Managers D. Committees E. Legal Counsel F. Engineer
8. Adjourn	Next meeting of the LMRWD Board of Managers is 7:00 pm Wednesday, June 21, 2023.

Upcoming meetings/Events

Managers are invited to attend any of these meetings. Most are free of charge and if not the LMRWD will reimburse registration fees.

- UMWA monthly meeting – Thursday, May 18, 2023, 12:00 noon, Lilydale Pool & Yacht Club
- Lower MN River East 1W1P Advisory Committee Meeting & Steering Committee – Wednesday, April 19, 2023, 10:00 am and 1:00 pm respectively – Scott SWCD, Jordan, MN
- Lower MN River East 1W1P Policy Committee meeting – April 20, 2023, 3:00pm to 5:00 pm, in-person and [virtual](#) at 181 W Minnesota Street, Le Center, MN. Contact Administrator for information to participate virtually
- LMRWD Citizen Advisory Committee meeting – Tuesday, June , 2023, 9:00 am
- [Water Connects Us](#) – Freshwater Annual Fundraiser – June 22, 2023, Harriet Island Wigington Pavillion
- Minnesota Watersheds Summer Tour – Tuesday June 20, Wednesday, June 21, 2023, Wedgewood Cove Golf Club, 2200 W 9th Street, Albert Lea; Shell Rock River, Cedar River & Turtle Creek Watershed Districts hosts. Registration fee \$99 until June 12; \$125 after June 12; Tour hotel - Country Inn & Suites by Radisson, Alber Lea, MN

For Information Only

- **WCA Notices**
 - None
- **DNR Public Waters Work permits**
 - Scott County – CHS Barge/Wharf/Anchor/Fleeting Excavation – annual dredging at CHS terminal
 - Carver County – City of Chaska – Chaska Tech Center – to construct a 25-inch outfall and associated riprap to East Chaska Creek
- **DNR Water Appropriation permits**
 - City of Savage – Request for comments regarding temporary water appropriation to clean out sediment from a stormwater pond in Eagle Creek Watershed

Item 4.B.
LMRWD 5-9-2023

BEGINNING BALANCE	31-Mar-23		\$ 945,276.82
ADD:			
General Fund Revenue:			
April 2023 Dividend		\$ 4,468.57	
Permit Review fees		\$ 1,500.00	
			5,968.57
Total Revenue and Transfers In			\$ 5,968.57
DEDUCT:			
Debits/Reductions			
HDR Engineering, Inc.	Website hosting & management	\$ 708.08	
Bolton & Menk	Sponsorship of 2023 Salt Symposium	\$ 500.00	
Inter-Fluve, Inc.		\$ 16,420.50	
Young Environmental Consulting	January 2023 invoices for technical services	\$ 63,716.12	
CLA (Clifton Larson Allen)	January 2023 financial services	\$ 2,613.33	
Daniel Hron	May 2023 office rent	\$ 650.00	
Frenette Legislative Advisors	March & April 2023 legislative services	\$ 3,333.34	
TimeSaver Off Site Secretarial	February & March meeting minutes	\$ 431.25	
Rinke Noonan	March 2023 legal expenses	\$ 1,224.50	
Dakota County Soil & Water CD	Q1 2023 monitoring & education services	\$ 1,845.00	
Redpath & Company	Assistance with 2021 Audit	\$ 240.00	
Naiad Consultitng, LLC	Mar 2023 Administrative services & expenses	\$ 11,841.68	
US Bank Equipment Finance	February 2023 copier lease payment	\$ 168.10	
Community Assett Foundation	return of overpayment of permit review fee	\$ 50.00	
4M Fund	Bank Service Charges	\$ 40.00	
			103,781.90
Total Debits/Reductions			\$ 103,781.90
ENDING BALANCE	30-Apr-23		\$ 847,463.49

	2023 Budget	April Actuals	YTD 2023	Over (Under) Budget
Administrative expenses	\$ 250,000.00	\$ 29,678.70	\$ 83,301.90	\$ (166,698.10)
Cooperative Projects				
Eden Prairie Bank Stabilization Area #3	\$ -	\$ 32,049.00	\$ 70,376.65	\$ 70,376.65
Gully Erosion Contingency Fund	\$ -	\$ -	\$ -	\$ -
Seminary Fen Ravine Restoration site A	\$ -	\$ -	\$ -	\$ -
Seminary Fen Ravine Restoration site C-2	\$ 20,000.00	\$ -	\$ -	\$ (20,000.00)
509 Plan Budget				
<i>Resource Plan Implementation</i>				
Watershed Resource Restoration Fund	\$ 100,000.00	\$ -	\$ -	\$ (100,000.00)
Gully Inventory	\$ 90,500.00	\$ 1,062.50	\$ 1,437.50	\$ (89,062.50)
MN River Corridor Management Project	\$ -	\$ -	\$ -	\$ -
Gun Club Fen Intrusion investigation	\$ -	\$ -	\$ -	\$ -
Assumption Creek Hydrology Restoration	\$ -	\$ -	\$ -	\$ -
Carver Creek Restoration	\$ -	\$ -	\$ -	\$ -
Groundwater Screening Tool Model	\$ -	\$ -	\$ -	\$ -
MN River Floodplain Model Feasibility Study	\$ 75,000.00	\$ -	\$ -	\$ (75,000.00)
	\$ -	\$ -	\$ -	\$ -
Downtown Shakopee Stormwater BMPs	\$ 50,000.00	\$ -	\$ -	\$ (50,000.00)
PLOC Realignment/Wetland Restoration	\$ -	\$ -	\$ -	\$ -
Spring Creek Project	\$ 90,000.00	\$ -	\$ -	\$ (90,000.00)
West Chaska Creek	\$ -	\$ -	\$ -	\$ -
Sustainable Lakes Mgmt. Plan (Trout Lakes)	\$ -	\$ -	\$ -	\$ -
Geomorphic Assessments (Trout Streams)	\$ -	\$ -	\$ -	\$ -
Fen Stewardship Program	\$ 75,000.00	\$ 13,197.50	\$ 25,410.75	\$ (49,589.25)
District Boundary Modification	\$ -	\$ -	\$ -	\$ -
MN River Sediment Reduction Strategy	\$ -	\$ -	\$ -	\$ -
Local Water Management Plan reviews	\$ 5,000.00	\$ -	\$ 31.25	\$ (4,968.75)
Project Reviews	\$ 50,000.00	\$ 15,677.50	\$ 37,575.81	\$ (12,424.19)
<i>Monitoring</i>	\$ 75,000.00	\$ 1,530.00	\$ 28,889.44	\$ (46,110.56)
<i>Watershed Management Plan</i>	\$ -	\$ 667.25	\$ 3,708.75	\$ 3,708.75
<i>Public Education/CAC/Outreach Program</i>	\$ 85,000.00	\$ 9,171.70	\$ 31,607.43	\$ (53,392.57)
<i>Cost Share Program</i>	\$ 20,000.00	\$ 315.00	\$ 619.00	\$ (19,381.00)
Nine Foot Channel				
Transfer from General Fund	\$ -	\$ -	\$ -	\$ -
Dredge Site Improvements	\$ 240,000.00	\$ 432.75	\$ 190,349.22	\$ (49,650.78)
Total:	\$ 1,225,500.00	\$ 103,781.90	\$ 473,307.70	\$ (752,192.30)



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, May 9, 2023

Agenda Item

Item 4. E. – LMRWD Permit Renewals

Prepared By

Linda Loomis, Administrator

Summary

Two permits are set to expire and have asked for extensions. Young Environmental Consulting Group has reviewed the request for extension on behalf of the LMRWD and its report is attached.

May extension requests are for Cliff Road at I-35W Ramp Realignment (LMRWD No. 2021-057) and Jefferson Court (LMRWD No. 2021-018).

Attachments

Technical Memorandum – May 2023 Permit Renewal Requests dated May 2, 2023

Recommended Action

Motion to authorize renewals as recommended in Technical Memorandum – May 2023 Permit Renewal Requests dated May 2, 2023



Technical Memorandum

To: Linda Loomis, Administrator
Lower Minnesota River Watershed District

From: Erica Bock, Water Resources Scientist
Hannah LeClaire, PE, Project Manager

Date: May 2, 2023

Re: May 2023 Permit Renewal Requests

Per Lower Minnesota River Watershed District (LMRWD) Rule A, it is the permittee's responsibility to request permit renewals when necessary. However, LMRWD staff has taken a proactive approach by sending out monthly reminders to current permit holders with upcoming permit expirations.

Table 1 summarizes the permittees who have responded to the permit expiration reminder, confirmed that no significant changes to the proposed project have occurred since the original permit was issued, and requested a permit extension to complete their projects.

Table 1. Summary of May 2023 LMRWD permit renewal requests

LMRWD No.	Project Name	City	Previous Expiration	Recommended Expiration Date
2021-057	Cliff Road at I-35 Ramp Realignment	Burnsville	06/08/2023	12/1/2023
2021-018	Jefferson Court	Shakopee	06/02/2023	06/02/2024

Recommendation

This is for informational purposes only. No Board action is required at this time. The permits in Table 1 will be renewed.



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, May 9, 2023

Agenda Item

Item 4. F. - LMRWD permit Summary

Prepared By

Linda Loomis, Administrator

Summary

The summary of the status of LMRWD permits for May 2023 is attached.

Attachments

May 2023 LMRWD permit Program Summary

Recommended Action

No action Recommended – for information only

LMRWD Permit Program Summary



Permit Number	Project Name	Status	Pre-Permit Meeting	Date Received	Date Considered Complete	Board Actions			Permit Issued	Permit Expiration Date	First Renewal Expiration	Second Renewal Expiration	Construction Completed	Date Permit Closed
						Information Only	Conditional Approval	Approval						
2019-065	TH 101 Chanhassen	Closed		11/8/2019				11/20/2019	11/20/2019	1/20/2020				11/22/2022
2019-085	Minnesota Bluffs LRT Regional Trail Repair	Closed		12/12/2019					5/20/2020	6/1/2023				7/22/2022
2020-100	Peterson Farms Road Maintenance	Closed		5/6/2020	5/6/2020			5/20/2020	5/21/2020	5/21/2021				8/11/2022
2020-103	Prairie Heights Development	Expired		5/27/2020	6/5/2020		6/17/2020		10/23/2020	10/23/2021				
2020-105	Freeway Landfill	Pre-Permit		8/19/2022		9/21/2022								
2020-110	CSAH 11 Reconstruction	Construction Complete		9/28/2020	11/3/2020		12/16/2020		4/13/2021	4/13/2022	4/20/2023			
2020-112	Vierling Industrial Project	Closed		6/25/2020	6/29/2020		7/15/2020							10/14/2022
2020-113	Fort Snelling Redevelopment (2019-057)	Active		7/20/2020	8/12/2020		8/19/2020		9/11/2020	8/19/2022	8/19/2023			
2020-115	Quarry Lake Park Improvements	Closed		7/23/2020	9/8/2020		9/16/2020		9/16/2020	9/16/2021				3/17/2022
2020-116	Shakopee Memorial Bridge	Closed		8/24/2020	10/5/2020		10/21/2020		10/23/2020	10/23/2021				7/20/2022
2020-117	Greystone HQ	Closed		7/24/2020	9/10/2020			9/16/2020	9/16/2020	9/16/2021				10/3/2022
2020-123	Gaughan Companies Demolition	Closed		8/27/2020	8/27/2020			9/16/2020	9/17/2020	9/17/2021				10/15/2021
2020-123 (amended)	Shakopee Flats	Closed							2/17/2021	9/17/2021				
2020-126	Texas Roadhouse	Closed		9/17/2020	11/5/2020			11/18/2020	11/19/2020	11/18/2021				7/26/2022
2020-132	77th Underpass	Active	10/18/2020	10/21/2020	11/12/2020	11/18/2020	12/16/2020		7/27/2021	7/27/2022	7/27/2023			
2020-133	Shakopee Mix Use	Closed	10/29/2020	11/2/2020	11/2/2020			11/18/2020						
2020-135	Canterbury Crossings	Active		11/19/2020	12/3/2020		12/16/2020		5/11/2021	5/11/2022	4/20/2023	4/20/2024		
2021-002	CSAH 61 Drainage Ditch	Active		2/1/2021	10/11/2021			10/20/2021	10/21/2021	5/31/2022				
2021-003	Southwest Logistics Center	Closed		2/11/2021	3/12/2021		3/17/2021		4/21/2021	4/21/2022				11/22/2022
2021-007	Burnsville Cemetery Expansion	Expired	3/5/2021	9/2/2021	9/17/2021		10/20/2021		11/17/2021	10/20/2022				
2021-009	Burnsville Industrial IV	Closed	4/2/2021	3/22/2021	3/31/2021		4/21/2021		4/23/2021	4/21/2022				10/5/2022
2021-011	2021 Shakopee Street Reconstruction	Closed	3/30/2021	3/30/2021	4/16/2021		4/21/2021		4/28/2021	4/28/2022				7/25/2022
2021-012	Canterbury Park Parking Lots Phase 2	Closed	4/1/2021	4/2/2021	4/10/2021		4/21/2021		5/11/2021	5/11/2022				7/25/2022
2021-013	Summerland Place	Closed		4/8/2021	5/27/2021		4/21/2021		4/26/2021	4/22/2022				3/22/2022

Permit Number	Project Name	Status	Pre-Permit Meeting	Date Received	Date Considered Complete	Board Actions			Permit Issued	Permit Expiration Date	First Renewal Expiration	Second Renewal Expiration	Construction Completed	Date Permit Closed
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2021-015	Stagecoach Rd Improvements	Closed	4/16/2021	4/12/2021	4/30/2021		5/5/2021		5/7/2021	5/5/2022				3/23/2022
2021-016	Whispering Waters	Active		4/14/2021	6/4/2021		6/16/2021		7/13/2021	7/13/2022				
2021-017	Capstone35	Closed		4/20/2021	5/12/2021		5/19/2021		8/19/2021	8/17/2022				11/22/2022
2021-018	Jefferson Court	Active		4/22/2021	5/17/2021		6/2/2021		6/3/2021	6/2/2022	6/2/2023	6/2/2024		
2021-019	Cretex Site	Closed	4/23/2021	4/26/2021	4/30/2021		5/5/2021		5/7/2021	5/5/2022				5/5/2022
2021-020	Core Crossing Apartments (Prev. Southbridge)	Construction Complete		6/14/2021	7/13/2021		7/21/2021		8/5/2021	6/15/2023	6/17/2023		11/1/2022	
2021-022	2021 Security & Safety Center	Active		5/18/2021	10/29/2021		11/17/2021		3/18/2022	3/18/2023	3/18/2024			
2021-023	106th Improvements Project	Construction Complete		5/25/2021	5/28/2021		6/2/2021		6/17/2022	6/17/2022	6/17/2023		4/17/2023	
2021-025	TH13/Dakota Ave Improvement	Active		6/11/2021	6/15/2021		2/16/2022		5/20/2022	5/20/2023	5/20/2024			
2021-030	Building Renovation Park Jeep	Active		7/9/2021	7/16/2021		9/15/2021		6/21/2022	6/21/2023				
2021-031	Caribou Coffee	Closed	6/1/2021	7/9/2021	8/10/2021		8/18/2021		8/19/2021					10/4/2022
2021-033	MN MASH	Active	6/23/2021	9/17/2021				6/15/2022	6/17/2022	6/17/2023	11/30/2023			
2021-034	Circle K Holiday Station Stores	Closed	8/25/2021	7/26/2021	9/10/2021		9/15/2021		10/19/2021	9/15/2022				7/12/2022
2021-035	135W Frontage Trail	Active		12/15/2021	12/22/2021		1/19/2022		11/3/2022	11/3/2023				
2021-039	River Bluffs Improvements	Active		7/23/2021	8/12/2021		8/18/2021		10/1/2021	8/18/2022				
2021-040	Canterbury Independent Senior Living	Active		8/11/2021	8/19/2021		9/15/2021	9/15/2022	8/19/2022	10/1/2023				
2021-041	Line 0832	Closed		9/7/2021	9/7/2021		9/15/2021		9/17/2021	9/15/2022				6/27/2022
2021-042	Hwy 13 & Lone Oak	Active		8/27/2021	9/16/2021		10/20/2021		10/22/2021	10/22/2022	6/30/2023			
2021-045	Triple Crown Residences Phase II	Active		9/22/2021	10/27/2021		11/17/2021		11/19/2021	11/17/2023				
2021-046	CenterPoint Dakota Station Facility	Closed		9/21/2021	10/15/2021		10/20/2021		10/22/2021	10/22/2022				9/12/2022
2021-047	River Valley Industrial Center	On Hold		9/21/2021										
2021-048	Minnesota River Greenway Railroad Bridge	Pre-Permit	9/28/2021											
2021-049	Stump Road Maintenance	Closed	10/20/2021	10/22/2021	10/29/2021		11/17/2021		11/19/2021	11/17/2022				9/5/2022
2021-052	Shakopee Dental Office	Construction Complete		11/3/2021	12/14/2021		12/15/2021		12/17/2021	12/15/2022			12/1/2022	
2021-057	Cliff Road Ramps	Active		12/14/2021	1/4/2022		1/19/2022		6/8/2022	6/8/2023	12/1/2023			
2021-058	Perimeter Gate Improvements	Active		12/15/2021	12/16/2021		1/19/2022		4/27/2022	4/27/2023	10/31/2023			

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2021-061	Merriam Junction Trail	Pre-Permit	1/31/2022											
2022-002	CenterPoint MBL Nicollet River Crossing	Construction Complete		1/18/2022		3/16/2022		4/25/2022	4/25/2023	10/31/2023			12/17/2022	
2022-003	Ivy Brook Parking East	Construction Complete		1/19/2022	2/25/2022		3/16/2022		5/16/2022	5/16/2023			2/16/2023	
2022-004	CHS Savage Terminal	Incomplete		1/27/2022										
2022-005	Chaska West Creek Apt	Conditional Approval		2/8/2022	3/29/2023		4/19/2023							
2022-007	Engineered Hillside	Expired		2/15/2022	3/14/2022			4/20/2022	4/21/2022	4/21/2023				
2022-008	Ivy Brook Parking West	Construction Complete		2/16/2022	2/25/2022		3/16/2022		5/31/2022	5/31/2023			2/27/2023	
2022-010	Quarry Lake Trail and Ped Bridge	Active		2/24/2022			4/20/2022		3/1/2023	3/1/2024				
2022-011	Biffs, Inc.	Active		2/28/2022	3/29/2022		4/20/2022		8/16/2022	8/16/2023				
2022-013	Normandale & 98th St	Active		3/22/2022	4/1/2022		4/20/2022		4/22/2022	4/22/2023	11/30/2023			
2022-014	TH41 & CSAH61 Improvements	Active	1/6/2022	3/23/2022	5/11/2022		5/18/2022		12/13/2022	12/13/2023				
2022-015	Xcel Driveway	Incomplete		4/20/2022										
2022-016	ORF Relocation	Incomplete		4/20/2022										
2022-017	PLOC 2022 Bank Stabilization	Active		6/30/2022	7/5/2022			7/20/2022	7/21/2022	7/21/2023				
2022-018	535 Lakota Ln Violation	Under Review		4/19/2022		5/18/2022								
2022-019	1494 SP 2785-433	Active		4/21/2022	6/24/2022		7/20/2022		4/10/2023	4/10/2024				
2022-021	CenterPoint Oak St N	Construction Complete		4/29/2022				6/15/2022	6/17/2022	6/17/2023			3/14/2023	
2022-022	Ace Rent A Car	Incomplete		5/10/2022										
2022-023	494 Corridors of Commerce	Pre-Permit	5/3/2022	5/19/2022		7/20/2022								
2022-024	Gedney Pickles Holding Pond Restoration	Construction Complete	6/16/2022	8/10/2022			9/21/2022		11/14/2022	11/14/2023				
2022-026	10521 Spyglass Dr	Construction Complete	5/31/2022	7/13/2022	8/8/2022			7/20/2022	8/8/2022	8/8/2023			11/30/2022	
2022-027	Ivy Brook Northeast	Active		7/5/2022			8/17/2022		8/31/2022	8/31/2023				
2022-028	Quarry Lake Park Restroom	Active		7/6/2022	7/8/2022		7/20/2022		7/22/2022	7/22/2023				
2022-029	Reliakor	Closed		7/20/2022			8/17/2022		9/19/2022	9/19/2023				10/28/2022
2022-030	Frenchies Metals	Incomplete		7/22/2022										
2022-031	RSI Marine	Pre-Permit		7/18/2022		8/17/2022								

Permit Number	Project Name	Status	Pre-Permit Meeting	Date Received	Date Considered Complete	Board Actions			Permit Issued	Permit Expiration Date	First Renewal Expiration	Second Renewal Expiration	Construction Completed	Date Permit Closed
						Information Only	Conditional Approval	Approval						
2022-034	Valleyfair Parking	Conditional Approval		9/26/2022	10/11/2022		10/19/2022							
2022-036*	Structures Inc. Amendment	Conditional Approval		10/6/2022	12/2/2022		5/9/2023							
2022-037	Peterson Wetland Bank	Upcoming		10/3/2022		11/16/2022								
2022-039	Former Knox Site	Conditional Approval		11/3/2022	12/19/2022		1/18/2023							
2022-040	Burnsville Sanitary Landfill	Conditional Approval		11/21/2022			3/15/2023							
2022-041	35W SP 2782-352	Active		12/15/2022	2/10/2023		2/15/2023		4/10/2023	4/10/2024				
2022-042	3rd Street Bridge Replacement	Conditional Approval		12/16/2022	2/2/2023		2/15/2023							
2023-001	Lakota Lane After-the-Fact	Incomplete		1/10/2023										
2023-002*	Eagle Creek Bridge	Conditional Approval		1/13/2023	4/19/2023		5/9/2023							
2023-003	Ernst & Reidele Potential Development	No Permit Required		1/17/2023										
2023-004	CenterPoint Hwy 13 and Lynn Project	No Permit Required		1/24/2023										
2023-005	Cargill Savage West Safety Improvement Project	No Permit Required		1/25/2023										
2023-006	Borca Family DNR Dewater Review	No Permit Required		1/23/2023										
2023-007	MN River Greenway Trail	Conditional Approval		3/1/2023	3/15/2023		4/19/2023							
2023-008	Chaska Tech Center	Conditional Approval		3/4/2023	4/11/2023		4/19/2023							
2023-009	AT&T Bloomington to Eureka Fiber	Under Review		3/31/2023										
2023-010	MN River Greenway RR Bridge	Upcoming	4/5/2023											
2023-011	Quarry Lake Playground	Active		4/19/2023		5/9/2023		4/24/2023	4/24/2023	4/24/2024				

*Conditional Approval, staff recommendation only, has not yet been presented to the Board for action

STATUS DEFINITIONS:

Active Permit: Applicant has a valid permit issued by LMRWD

Cancelled by Applicant: Applicant withdrew their application for a LMRWD permit

Closed: Applicant has indicated the project has completed construction and that the permit file may be closed

Conditional Approval: LMRWD managers conditionally approved the permit application, pending receipt of additional information from applicant

Expired: Applicant either obtained conditional approval, approval, and/or was issued a permit and the expiration date has passed

Incomplete: Applicant applied for a permit, but the application is incomplete

No Permit Required: Applicant applied for a permit, but during the completeness review, it was determined that the project did not trigger the regulatory thresholds

On Hold: Applicant requested their application be placed on hold

Pre-Permit: Applicant has requested pre-permit application reviews or meetings, but has not yet applied for a permit from LMRWD

Under Review: Permit application is complete and under review by LMRWD staff

Construction Complete: project construction is complete but permit is not closed





LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, May 9, 2023

Agenda Item

Item 4. G. – Financial Assurance Release

Prepared By

Linda Loomis, Administrator

Summary

The LMRWD is holding financial assurance on three projects. On behalf of the LMRWD, Young Environmental Consulting Group has reviewed the projects to determine whether release if the financial assurance is warranted. The findings of the projects reviews and recommendations are attached.

Attachments

Technical Memorandum – May 2023 Financial Assurance Release dated May 9, 2023

Recommended Action

Motion to authorize release of Financial Assurance as recommended in Technical Memorandum – May 2023 Financial Assurance Release dated May 9, 2023



Technical Memorandum

To: Linda Loomis, Administrator
Lower Minnesota River Watershed District

From: Karina Weelborg, Water Resources Scientist
Hannah LeClaire, PE, Project Manager

Date: May 9, 2023

Re: May 2023 Financial Assurance Releases

Per Lower Minnesota River Watershed District (LMRWD) Rule A, the LMRWD collects financial assurance for projects when necessary to ensure adequate adherence to LMRWD rules when performing authorized activities. Once a project is complete, financial assurance may be released when the project is found to be stabilized, functioning, and constructed in accordance with LMRWD rules and the issued permit.

The LMRWD has collected financial assurances from three projects since the rules were adopted in February 2020. Table 1 summarizes the projects that were inspected in 2022 and have met the requirements for financial assurance release.

Table 1. Summary of May 2023 LMRWD financial assurance releases.

LMRWD No.	Project Name	Financial Assurance	Date Received	Inspection Date
2021-009	Burnsville Industrial IV	Performance Bond: \$32,200	04/23/21	07/28/2022
2021-013	Summerland Place	Check: \$155,120	04/23/2021	07/28/2022
2021-034	Circle K Holiday Station Stores	Performance Bond: \$24,500	09/10/2021	07/13/2022

The project inspection memos describing the inspection process and violations found (if

any) are attached for reference.

Recommendation

Staff recommends the release of financial assurance for the projects listed in Table 1.

Attachments

- Attachment 1 – Burnsville Industrial IV Post-Inspection Memo
- Attachment 2 – Summerland Place Post-Inspection Memo
- Attachment 3 – Circle K Holiday Station Stores Post-Inspection Memo

Technical Memorandum

To: Linda Loomis, Administrator
Lower Minnesota River Watershed District

From: Anthony Crosby, Water Resources Science Intern
Karina Weelborg, Water Resources Science Intern
Hannah LeClaire, PE, Water Resources Engineer

Date: October 31, 2022

Re: Burnsville Industrial – Phase IV (LMRWD 2021-009) | Project Inspection

The Lower Minnesota River Watershed District (LMRWD) issued an individual project permit to United Properties for the Burnsville Industrial – Phase IV project (Project) on May 23, 2021. The permit allowed for the construction of an industrial and trucking facility within an existing industrial park in the City of Burnsville, MN. The Project permit expired on May 23, 2021, and no renewal was requested. Therefore, in accordance with the LMRWD Rules, Young Environmental Consulting Group, LLC (Young Environmental) inspected the site to close out the project and ensure compliance of the authorized actions outlined in the permit.

Summary

Project Name: Burnsville Industrial – Phase IV

Permit Purpose: Industrial and trucking facility located within Burnsville’s Minnesota River Quadrant Industrial Redevelopment Area

Authorized Actions: Grading, erosion and sediment control, and stormwater management.

Project Size: 7.48 acres disturbed; 0.83 acres existing impervious; 5.25 acres proposed impervious; net increase of 4.42 acres new impervious

Location: 12400 Dupont Ave South, Burnsville, MN 55337

Applicable LMRWD Rules: Rule B: Erosion and Sediment Control, Rule D: Stormwater Management

Contractor: RJ Ryan Construction, Inc.
Email: jthomas@rjryan.com
Phone: 651.365.7009

Erosion & Sediment Control Inspector: Mike Johnson
Email: mjohnson@rjryan.com
Phone: 651.365.7022

Discussion

Young Environmental notified United Properties of the upcoming inspection and requested record drawings as well as erosion and sediment control inspection records and stormwater management plan updates. The LMRWD received the following document for review:

- Burnsville Industrial Phase IV Utility Plans by Alliant Engineering; received August 8, 2022.
- ATLA/NSPS Land Title Survey by Alliant Engineering; dated May 23, 2022; received October 5, 2022.

The LMRWD did not receive any erosion and sediment control inspection records.

Following document review of permit application documents, Anthony Crosby and Karina Weelborg inspected the site on July 28, 2022.

Rule B – Erosion and Sediment Control

No sediment and erosion control violations were found at the Project site. All disturbed areas have been restored to greater than 70% vegetation. All other temporary best management practices (BMPs) have been removed, and there was no evidence of erosion or sedimentation on-site. The Project complies with Rule B.

Rule D – Stormwater Management

No stormwater management violations were found at the Project site. All impervious surfaces were constructed as proposed, and the stormwater pond appears well maintained. The Project complies with Rule D.

Recommendations

Based on the Project inspection, no further action is necessary. The Project complies with LMRWD Rules B – Erosion and Sediment Control and D – Stormwater Management. Because no issues were found on site, the inspection records are not required to determine recurrent issues. We recommend the Project be closed.

Attachments

Figure 1. Good Vegetation on West Wide of Site



Figure 2. Stormwater Management Pond



Figure 3. Correct Impervious Area on South Side of Site



Technical Memorandum

To: Linda Loomis, Administrator
Lower Minnesota River Watershed District

From: Anthony Crosby, Water Resources Science Intern
Karina Weelborg, Water Resources Science Intern
Hannah LeClaire, PE, Water Resources Engineer

Date: October 21, 2022

Re: Summerland Place (LMRWD 2021-013) / Project Inspection

The Lower Minnesota River Watershed District (LMRWD) issued an individual project permit to Summergate Companies for the Summerland Place project (Project) on April 22, 2021. The permit allowed the construction of a residential development in the City of Shakopee. The Project permit expired on April 22, 2022, and no renewal was requested. Therefore, in accordance with LMRWD Rules, Young Environmental Consulting Group, LLC (Young Environmental) inspected the site to close out the project and ensure compliance of authorized actions outlined in the permit.

Summary

<u>Project Name:</u>	Summerland Place
<u>Permit Purpose:</u>	The construction of 126-lot single family home, 71-unit villa, 114 townhomes, and 300-unit apartment development
<u>Authorized Actions:</u>	Grading, erosion and sediment control, and stormwater management.
<u>Project Size:</u>	36.4 acres disturbed; 0 acres existing impervious; 17.6 acres new impervious; net increase of 17.6 acres new impervious
<u>Location:</u>	1600 Phillips Drive, Shakopee, MN 55379

Applicable LMRWD Rules: Rule B – Erosion and Sediment Control
Rule D – Stormwater Management

Contractor: Northern Lines Contracting
Email: brady@nlcontracting.com
Phone: 952.807.3322

Erosion & Sediment Control Inspector Brady Enright
Email: brady@nlcontracting.com
Phone: 952.807.3322

Discussion

Young Environmental notified Summergate Companies of the upcoming inspection and requested record drawings as well as erosion and sediment control inspection records and any stormwater management plan updates. The LMRWD received the following documents for review:

- Summerland Place 1st Addition Record Grading Plan by Pioneer Engineering, dated February 18, 2021; revised June 4, 2021; received April 6, 2022
- Summerland Place 1st Addition Final Utility and Street Construction Plan by Pioneer Engineering, dated February 18, 2021; revised July 9, 2021; received April 6, 2022

The LMRWD did not receive any inspection records.

Following document review, Anthony Crosby and Karina Weelborg inspected the site on July 28, 2022.

Rule B – Erosion and Sediment Control

The site is currently under construction for phase 2 of the Project, permitted under the City of Shakopee.

Table 1 summarizes the sediment and erosion control issues that Young Environmental found during the Project inspection.

Table 1. Rule B Violation Summary

Issue Identified	Proposed Solution	Date Permittee Notified	Date Issue Resolved
Rill and gully formation on the north side of the Tyrone Drive	Regrading may be necessary in locations where significant erosion has occurred	July 25, 2022	TBD
Fallen and damaged silt fence	Repair or replace damaged and fallen silt fence	July 25, 2022	October 12, 2022

Rule D – Stormwater Management

Table 2 (below) summarizes stormwater management issues that Young Environmental found during the project inspection.

Table 2. Rule D Violation Summary

Issue Identified	Proposed Solution	Date Permittee Notified	Date Issue Resolved
Rills on the south infiltration basin walls	Address erosion and add erosion best management practices (BMPs)	July 25, 2022	TBD

Recommendations

The Project was reinspected on October 12, 2022. The silt fence concerns were addressed. However, rills remain on the slope north of Tyrone Drive and on the side slopes of the southern treatment basin. Summergate Companies was notified of the issues on the day of the inspection and on October 21, 2022. Because Young Environmental is no longer the permitting authority for this project, Shakopee was notified of the issues on October 20, 2022.

Attachments

Figure 1. North Road Erosion



Figure 2. Further North Road Erosion



Figure 3. Overrun Silt Fence



Figure 4. Fallen Silt Fence



Figure 5. Rills on the Infiltration Basin Walls



Figure 6. Remaining Rills on Infiltration Basin 10/12/2022



Figure 7. Remaining Erosion North of Tyrone Drive 10/12/2022



Figure 8. Remaining Erosion North of Tyrone Drive 10/12/2022



Technical Memorandum

To: Linda Loomis, Administrator
Lower Minnesota River Watershed District

From: Anthony Crosby, Water Resources Science Intern
Karina Weelborg, Water Resources Science Intern
Hannah LeClaire, PE

Date: October 31, 2022

Re: Circle K/Holiday Station (LMRWD 2021-034) / Project Inspection

The Lower Minnesota River Watershed District (LMRWD) issued an individual project permit to Holiday Station Stores LLC for the Circle K/Holiday Station project (the “Project”) on October 19, 2021. The permit is active and allows for the development of a gas station on undeveloped parcels within the City of Savage. The gas station construction is complete. Therefore, in accordance with LMRWD rules, the site was inspected to close out the project and ensure compliance of the authorized actions outlined in the permit.

Summary

<u>Project Name:</u>	Circle K/Holiday Station
<u>Permit Purpose:</u>	Construction of a convenience store/gas station and underground storage tanks
<u>Authorized Actions:</u>	Site grading and improvements, erosion and sediment control, and construction of stormwater management features
<u>Project Size:</u>	6.04 acres disturbed; 0.00 acres existing impervious; 2.96 acres proposed impervious; net increase of 2.96 acres new impervious
<u>Location:</u>	7800 126th Street, Savage, MN 55378

LMRWD Rules: Rule B—Erosion and Sediment Control

Contractor: Shingobee Builders
Phone: 763-479-5647

Erosion & Sediment Control
Inspector: Eric Munt
Phone: 612-991-5150

Discussion

Young Environmental notified Holiday Station Stores LLC of the upcoming inspection and requested record drawings as well as erosion and sediment control inspection records. The LMRWD received the following documents for review in preparation for site inspections:

- Stormwater Management Plan and Stormwater Pollution Prevention Plan for Construction Activities by Bergman Associates; dated March 31, 2021; revised January 10, 2022; received July 12, 2022
- Civil Plans by Bergman Associates; dated March 31, 2021; revised February 8, 2022; received July 12, 2022

The LMRWD did not receive any erosion and sediment control inspection records or record drawings.

Following document review, Anthony Crosby and Karina inspected the site on July 13, 2022.

Rule B—Erosion and Sediment Control

No sediment and erosion control violations were found on site. All temporary best management practices have been removed and disturbed areas have been restored to greater than 70 percent vegetation. There is no evidence of sedimentation or erosion on site. The Project complies with Rule B.

Rule D—Stormwater Management

Although the Project did not trigger Rule D, a stormwater pond was constructed on site. No stormwater management concerns were found on site, and the pond appears well maintained.

Recommendations

Based on the Project inspection, no further action or follow-up inspections are

necessary. The Project complies with LMRWD Rule B—Erosion and Sediment Control. Because no issues were found on site, the inspection records are not required to determine recurring issues. Additionally, because the project only triggers Rule B—Erosion and Sediment Control, record drawings are not required to confirm compliance to LMRWD rules. We recommend the permit be closed.

Attachments

Figure 1. Furthest east outlet



Figure 2. Middle outlet



Figure 3. Western emergency overflow



Figure 4. Erosion control blankets surrounding pond



Figure 5. Sod still visible but high vegetative cover found throughout





LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, May 9, 2023

Agenda Item

Item 4. H. – Quarry Lake Playground

Prepared By

Linda Loomis, Administrator

Summary

The most recent update to the LMRWD rules allowed for administrative approval of certain permits. The Quarry Lake Playground is the first permit that has been approved under this provision. The rules require that the Board of Managers be informed of administrative approval to provide a level of oversight.

On behalf of the LMRWD, Young Environmental Consulting Group reviewed the information provided by the applicant and approval was recommended. A permit was signed and provided to the applicant. According to the rules, the Board must be notified of the permit approval. Details of the project and approval are attached for the Board's review.

Attachments

Technical Memorandum – Quarry Lake Playground (2023-011) Administrative Approval dated May 2, 2023
LMRWD Permit 2023-011 - Quarry Lake Playground

Recommended Action

No action is recommended – for information only



Technical Memorandum

To: Linda Loomis, Administrator
Lower Minnesota River Watershed District

From: Hannah LeClaire, PE, Project Manager
Erica Bock, Water Resources Scientist

Date: May 2, 2023

Re: Quarry Lake Playground | LMRWD No. 2023-011
Administrative Approval

On April 19, 2023, the City of Shakopee (City) notified the Lower Minnesota River Watershed District (LMRWD) that construction of a playground is currently underway at Quarry Lake Park. Although the City has their municipal local government unit (LGU) permit, permitting authority for projects located within High Value Resource Areas (HVRAs) remains with the LMRWD, and therefore this project requires a LMRWD permit review. The Quarry Lake Playground (Project) is located west of Quarry Lake within the HVRA as shown in Figure 1. The City provided site plans and photographs of the erosion and sediment control on-site for the Quarry Lake Playground (Project) along with the permit application.

The proposed project consists of constructing a playground with mulch land cover surrounded by a concrete curb. The estimated project disturbance is approximately 6,000 square feet and the concrete curb that surrounds the playground will create less than 0.01 acres of impervious surface. The project is not located in the floodplain or Steep Slopes Overlay District and therefore only triggers Rule B—Erosion and Sediment Control.

Per LMRWD Rule A, Section 2.2.12, the LMRWD has the authority to issue an after-the-fact permit. Additionally, per LMRWD Rule A, Section 2.2.3.A.v, because the project disturbs less than 10,000 square feet, it qualified for an administrative review and approval.

Summary

Project Name: Quarry Lake Playground

Purpose: Construction of a playground near Quarry Lake

Project Size:

Area Disturbed	Existing Impervious Area	Proposed Impervious Area	Net Increase Impervious Area
6,000 square feet	0	300 square feet	300 square feet

Location: Quarry Lake Park, Shakopee, MN 55379

LMRWD Rules: Rule B – Erosion and Sediment Control

Recommended Board Action: Information Only

Discussion

The LMRWD received the following documents for review:

- Erosion Control and Site Plan, no date, received April 19, 2023
- On-Site Photos dated April 18, 2023, received April 19, 2023
- Quarry Lake Park Master Plan Map, no date, received April 21, 2023
- Contractor and Site Inspector information, received April 24, 2023

The documents received provided the minimum information necessary for a permit review.

Rule B – Erosion and Sediment Control

The LMRWD regulates land-disturbing activities that involve the displacement or removal of 5,000 square feet or more of surface area or vegetation with an HVRA. The proposed project disturbs approximately 6,000 square feet within the LMRWD boundary and the Quarry Lake HVRA. The applicant provided an erosion and sediment control plan and current, on-site photos to confirm that the erosion and sediment control is being implemented effectively. The applicant also provided the name and contact information for the contractor and site inspector. The project complies with Rule B.

Contractor:

St. Croix Recreation
Chris Johnsen
Office: 651-430-1247
Mobile 651-795-1403

cj@stcroixrec.com

Site Inspector:

Alex Enyi

952-240-9218

aenyi@shakopeemn.gov

Recommendations

On April 24, 2023, staff recommended approval of a Rule B permit for the Quarry Lake Playground. The District Administrator signed and issued the permit on April 25, 2023. This memorandum acts as notification that a permit was issued for the Quarry Lake Playground and no Board action is required at this time.

Attachments

- Figure 1 – Quarry Lake Playground Project Location Map



LOWER MINNESOTA RIVER
WATERSHED DISTRICT

Figure I: Quarry Lake Playground Project Location

LMRWD No. 2023-011









Quarry
Lake HVRA

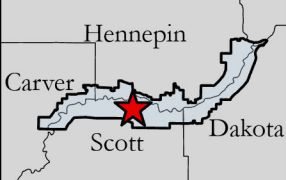
Emerald
Stream

Projects\LMRWD\Project Reviews\02 In Process\2023-011 Quarry Lake Playground\04 GIS

Legend

-  Project Location
-  Public Waters
-  Proposed Playground
-  Railroads
-  Parcels
-  High Value Resource Area

LMRWD Watershed Location Map



Young Environmental
Consulting Group, LLC



Permit Number
2023-011

Individual Project Permit

Pursuant to Minnesota Statutes, Chapter 103B, 103D, and 103F consistent with the rules of the Lower Minnesota River Watershed District (LMRWD), and on the basis of statements and information contained in the permit application, plans and supporting information provided by the applicant, all of which are made part hereof by reference, **permission is hereby granted** to the applicant to perform actions as authorized below.

By granting this permit, the LMRWD does not direct the activity authorized herein or warrant the soundness of the applicant's design or methods in any respect. The LMRWD waives no immunity or protection applicable to itself, an officer, an agent or an employee pursuant to this approval.

Project Name		Project Location	
Quarry Lake Playground		Quarry Lake Park (6056 Innovation Blvd, Shakopee, MN 55379)	
Type of Development		City	County
Public improvements		Shakopee	Scott
Permittee/Property Owner's Name		Permittee Mailing Address	
City of Shakopee		485 Gorman St Shakopee, MN 55379	
Authorized Agent Name		Agent Email Address	Agent Phone Number
Kirby Templin, City of Shakopee		ktemplin@shakopeemn.gov	952-233-9372
Purpose of Permit		Authorized Action(s)	
Constructing a playground		Grading, erosion and sediment control	
Affected Rule(s): Rule B—Erosion and Sediment Control			
Administrative Approval		Expiration Date	Issued Date
April 24, 2023		April 24, 2024	April 24, 2023
Authorized Issuer Name and Title		Email Address	Phone Number
Linda Loomis, LMRWD Administrator		permit@lowermnriverwd.org	(763) 545-4659

This permit is granted **subject to** the following **general conditions**:

NPDES Permit: Submit a copy of the NPDES construction stormwater general permit to the LMRWD before construction begins. All erosion and sediment control measures must be effectively installed and maintained according to LMRWD guidelines and MPCA NPDES Permit guidelines as laid out by current District Rules and Policies until all disturbed soils have been permanently stabilized.

Start Work: Grading and excavating must not begin until the applicant has been notified that a permit has been issued and required erosion control measures are in place. Working without a permit where required is in violation of LMRWD Rules and is a misdemeanor subject to penalty by law.

Applicable federal, state, or local regulations: The permittee is responsible for the action(s) of their representative, contractor and employees and compliance with all 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.

Site access: In accepting this permit, the owner recognizes and agrees that LMRWD representatives may enter the site at reasonable times to inspect the activities authorized hereunder and compliance with the requirements of this permit, the LMRWD Rules and applicable statutes. This includes routine site inspections as well as inspections during or immediately following installation of best management practices, following storms/critical events, prior to seeding deadlines, for the purpose of permit closeout, or on report of issue or complaint. This right of access is in addition to the access authority of the LMRWD under existing law.

Completion date: Construction work authorized under this permit shall be completed on or before the date specified above. No construction is authorized beyond the expiration date. The permittee may request an extension of the time to complete the project by submitting a written request, stating the reason thereof, to the LMRWD, no later than two weeks before this permit expiration.

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.

Not assignable: This permit is not assignable nor transferable by the permittee except with the written consent of the LMRWD.

No changes: The permittee shall make no changes, without written permission or amendment previously obtained from the LMRWD, in the dimensions, capacity or location of any items of work authorized hereunder.

Permission only/no liability: This permit is permissive only. No liability shall be imposed by the LMRWD 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.

Contractor responsibility: The permittee shall ensure the contractor has received and thoroughly understands all conditions of this permit.

Termination: This permit may be terminated by the LMRWD at any time deemed necessary for the conservation of water resources, 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.



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, May 9, 2023

Agenda Item

Item 5. A. – Discussion of outreach message

Prepared By

Linda Loomis, Administrator

Summary

The LMRWD has opportunities planned to engage the public and staff would like the Board to discuss the message from the LMRWD when engaging the public. The LMRWD has been invited to make a presentation at the 15th Minnesota River Congress on June 16th. The LMRWD will also be able to engage the public at County Fairs throughout the MN River Basin.

We plan to have a 10 to 15 minute facilitated discussion about the message that will be used to develop materials to be used at the County Fairs and for the presentation at the Minnesota River Congress.

Attachments

No attachments

Recommended Action

Provide direction to staff after discussion



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, May 9, 2023

Agenda Item

Item 5. B. – Metro Children’s Water Festival

Prepared By

Linda Loomis, Administrator

Summary

The [Metro Children’s Water Festival](#) is an annual event that is hosted by the Metro-area Conservation Districts. The LMRWD has supported the Festival for many years. The Festival is a one-day event that will be held Wednesday, September 27, 2023 at the State Fair grounds in St. Paul. Registration to the in-person event fills quickly and is already closed for this year. After the COVID-19 health emergency, the Festival was able to host an on-line version of the Festival and since the end of the COVID-19 health emergency has provided access to the Festival to classes that are unable to join the in-person event.

Manager Salvato has been asked to staff/host an educational station at the event and has asked to place this item on the agenda to inform the Board of her work and garner support.

Attachments

No attachments

Recommended Action

Motion to authorize Manager Salvato’s attendance and reimbursement



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, May 9, 2023

Agenda Item

Item 6. A. – 2021 Audit

Prepared By

Linda Loomis, Administrator

Summary

The Board was informed that Global Portfolio Consulting LLP withdrew from the LMRWD 2021 financial audit. The LMRWD must find a way to get its financials audited. This is an fluid situation and changes are occurring daily.

The LMRWD paid Global Portfolio Consulting \$17,841.00 in February 2022, one half of the fee to conduct the 2021 audit.

The Office of the State Auditor (OSA) was informed of the audit situation and made some suggestions. The first is that the LMRWD contact the Board of Water and Soil Resources (BWSR) to see if they have the capacity to perform and audit. Lisa Frenette will reach out to BWSR Director John Jaschke. OSA suggested that legal counsel contact Global Portfolio Consulting and ask for an accounting of work performed, and costs charged for that work. Legal Counsel will also ask for a refund of the unexpended fees paid and that all work products developed be forwarded to a successor auditor once the LMRWD has engaged a successor.

The OSA made suggestions about finding another firm. The LMRWD informed our accountant of the situation and asked for a referral. The LMRWD will wait for a response from BWSR and if BWSR can't perform an audit, the LMRWD will work with our accountant to begin contacting firms, if the LMRWD accountant does not have a referral.

The OSA said they are seeing this kind of situation more and more. That it is becoming more difficult in this economic environment for small agencies to find audit firms willing to take them on as clients.

Attachments

Global Portfolio Consulting February 1, 2022, Invoice

Recommended Action

No action recommended



CPA Global Portfolio Consulting C.A., LLC.

February 1, 2022

TO Lower Minnesota River Watershed District
(LMRWD)
Attn: Linda Loomis

		PAYMENT TERMS	DUE DATE
		Due on receipt	Upon Receipt
QTY	DESCRIPTION	UNIT PRICE	LINE TOTAL
1	First half of 2021 audit Services (\$35,682 x ½)		\$17,841
SUBTOTAL			\$17,841
TOTAL			\$17,841

Amount Due Upon Receipt:

Seventeen Thousand Eight Hundred Forty-One (\$17,841) Dollars

CPA Global Portfolio Consulting C.A., LLC

Charles Amevo, CPA, MBT, CPPM



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, May 9, 2023

Agenda Item

Item 6. C. – 2023 Cost Share Applications

Prepared By

Linda Loomis, Administrator

Summary

At the April meeting the Board tabled approval of two 2023 Cost Share Applications; one from Appletree Condominiums and one from Bloomington Neighbors Nurturing Nature. Two additional applications were received and other had inquired about the program indicating they intended to apply. LMRWD staff were concerned that the amount requested for the Cost Share would exceed the amount budgeted. Therefore, the Board tabled a decision until after the deadline (May 15th) in the Cost Share Guidelines.

Applicants were informed of the decision to table approval of the grant awards until after the May 15th deadline. Applicants were asked how the delay would impact the proposed project and how the project would be impacted if the full request was not awarded. Only one applicant responded, who said the delay was not an issue, and the provided the minimum amount of funding required to complete the project.

No new applications have been received between the April meeting and the May meeting.

Attachments

No attachments

Recommended Action

No action recommended



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

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Item 6. E. – Dredge Management

Prepared By

Linda Loomis, Administrator

Summary

This project has been moving ahead as high water allows. Young Environmental Consulting Group staff have met with the applicant for a LMRWD permit to construct an A T & T fiber optic cable project that is planned for this summer along Vernon Avenue. The purpose of the meeting was to coordinate activities of that project with the LMRWD project and share information.

The Agreement with RailPro for the rail line flagging is all set. On April 27, 2023, a meeting was held with City of Savage officials to inform the City of the project and determine requirements the City may have that the LMRWD must comply with. Soil borings are complete and geotechnical analysis has begun.

In addition, Merjent is planning a utility relocation project within the MN River Floodplain. They inquired about the need for a permit from the LMRWD for work in the floodplain, however it was determined that this work would fall under the permit issued to MnDOT for the TH 13 project.

Attachments

No attachments

Recommended Action

No action recommended



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, May 9, 2023

Agenda Item

Item 6. F. – Watershed Management Plan

Prepared By

Linda Loomis, Administrator

Summary

The LMRWD received an inquiry from the City of Chanhassen regarding permeable pavers. The LMRWD does not have any rules regarding the use of permeable pavers, or how to assess the impact of permeable pavers. Young Environmental Consulting Group reviewed the inquiry on behalf of the LMRWD and provided the attached communication to the City.

As noted in the attached Technical Memorandum, the LMRWD will take this into consideration when reviewing projects for LMRWD permits. The Board should adopt the recommendations in the Technical Memorandum.

Attachments

Technical Memorandum – Permeable Paver Use Recommendation dated May 9, 2023

Recommended Action

Motion to approve maintenance and use requirements when reviewing proposed developments within the LMRWD that permeable pavers should be installed in only low-traffic and low-impact areas with interlocking pavers in areas without snowplow traffic, the ratio of drainage area to permeable pavement area should not exceed 2:1, upgradient drainage areas should be vegetated or contain other sediment-control BMPs, and maintenance to remove sediment should occur at a minimum frequency of twice per year with annual filtration monitoring to assess the product's efficacy.

Technical Memorandum

To: Linda Loomis, Administrator
Lower Minnesota River Watershed District

From: Karina Weelborg, Water Resources Scientist
Della Schall Young, CPESC, PMP

Date: May 9, 2023

Re: Permeable Pavement Use Recommendation

Permeable or pervious pavement is a best management practice (BMP) that can reduce runoff and transport of sediments to receiving waters by mimicking porous soils and allowing for stormwater infiltration. Recently, the City of Chanhassen (City) requested feedback from the Minnesota Department of Natural Resources (MNDNR); Riley Purgatory Bluff Creek, Lower Minnesota River, and Minnehaha Creek watershed districts; and Carver County on the use of permeable pavement because the City may update its shoreland overlay district policies to allow greater permeable pavement coverage. The request presented an opportunity for the LMRWD to consider the opportunities and challenges of using this BMP within the watershed and provide a review of them. Young Environmental reviewed material on permeable pavement and presents a summary of the review and recommendations below.

Permeable Pavement Performance

Permeable pavement is a paved surface that contains open joints or pores that facilitate the filtration of stormwater for temporary storage or infiltration. The most commonly used forms of permeable pavement include interlocking pavers, permeable asphalt, and permeable concrete. Permeable pavement is generally designed to treat rainfall landing directly on the pavement surface, but it can accept runoff from nearby impervious surfaces. When properly installed and maintained, permeable pavement has the potential to last 20–30 years, providing reductions in stormwater volume, temperature, and pollutant loads (MPCA, 2022). However, there are concerns and limitations associated with permeable pavement performance, particularly in cold climates such as Minnesota.

Propensity to Clog

Like all filtration BMPs, pervious pavers are likely to become filled with sediment over time. Clogging, defined as an inability of the permeable pavement to infiltrate water

because of sediment buildup, generally occurs within one year of installation. The inability of the permeable pavement to infiltrate can lead to flooding, pollution of surface waters, and increased volumes in municipal storm sewers.

Early clogging in cold climates is often due to salt and sand application during the winter months (Selbig & Buer, 2018). To prevent clogging, the MPCA recommends a minimum maintenance of sediment removal twice per year with a vacuum sweeper (MPCA, 2022). Researchers have seen good recovery of permeable pavement following maintenance for sediment removal (Kuruppu, Rahman, & Rahman, 2019). Removal is more effective with higher-intensity cleaning processes such as pressure washing and vacuuming, compressed air and vacuuming, and manual disturbance of the aggregate (Selbig & Buer, 2018). Unfortunately, aggressive maintenance practices can damage the pavement and decrease its life span (Alsobrooks, 2020).

Additional methods to reduce clogging include decreasing the drainage area to no greater than two times the size of the permeable pavement area. The upgradient drainage area should be managed to reduce the amount of sediment that reaches the permeable pavement. When possible, upgradient areas should be heavily vegetated or contain additional sediment-control BMPs.

Pavement Durability

A major factor in the reluctance to implement permeable pavement as a BMPs is its lack of durability (MNDR, n.d.). Given the porous nature of the material, permeable pavement is not as durable as its impervious counterpart. Permeable pavement should not be used in high-traffic, high-speed areas or areas repeatedly used by heavy vehicles. It should be used in only low-impact areas, such as low-speed residential areas, parking lots, alleys, and sidewalks. The high failure rates of permeable pavement have been attributed to unfamiliarity with the material, leading to faulty installation and improper maintenance (Dauphin County Conservation District, 2006). With proper installation and maintenance, permeable pavement can provide a benefit to the environment for 20–30 years.

Performance in Cold Climates

Permeable pavements can provide benefits to cold climate areas such as Minnesota. During thaw/freeze cycles, the porous subbase below the permeable pavement acts as a thermal insulator, preventing thermal transfer to the ground surface below (Gulliver, 2020). Additionally, snowmelt occurring during freeze/thaw cycles filters through permeable pavements rather than refreezing on the surface. However, runoff containing salts or sands from winter application can negatively affect the performance of permeable pavements. The subbase aggregate material often retains water containing salts, which washes out of the system and into surface waters during the spring snowmelt. Sand application is also likely to clog the permeable pavement system immediately following the spring snowmelt, requiring additional maintenance.

Additional concerns arise with the use of interlocking permeable pavers. Snowblower blades can catch on modular pavers (Lake Superior Streams, 1999). This can damage or dislodge the paver and slow snow removal efforts. In areas with snowplow traffic, permeable asphalt and concrete should be used in place of permeable interlocking pavers.

Dissolved Contaminants

Permeable pavement has been shown to remove sediments and sediment-bound pollutants from storm water. However, permeable pavement does not adequately remove dissolved contaminants. Research has shown that in some cases, dissolved phosphorus and nitrate concentrations in the permeable pavement effluent are greater than in runoff, likely due to leaching from trapped vegetation or biological activity (Danz, Selbig, & Buer, 2020; Drake, Bradford, & Van Seters, 2014). Additionally, permeable pavers should not be placed in areas near fuel or toxic chemicals (MPCA, 2022). Permeable pavers do not contain reactive media to remove these chemicals, allowing them to infiltrate through the permeable pavement and be transported to ground or surface waters.

Permeable Pavement Regulation.

Although no definition of impervious surfaces is included in the state shoreland statutes, the MNDNR includes permeable pavement in its definition of impervious surfaces within its example shoreland ordinance (MNDNR, 2022). The MNDNR considers permeable pavement an impervious surface because it is a hard surface that removes vegetation and habitat.

Three adjacent watershed organizations—Riley Purgatory Bluff Creek Watershed District (RPBCWD), Nine Mile Creek Watershed District, and Prior Lake–Spring Lake Watershed District—were also reviewed for regulatory information on permeable pavers. Currently, none of the watershed management plans or district rules list regulations for the use of permeable pavement. However, a May 1, 2023, email from Terry Jerry, RPBCWD administrator, stated the district would be opposed to allowing the use of permeable pavement based on a decade-old study that concluded it was antithetical to resource protection.

Recommendation

Presenting a permissive instead of restrictive approach to the use of permeable pavement within the LMRWD, staff recommends approving the following maintenance and use requirements when reviewing proposed developments within the LMRWD:

- Permeable pavers should be installed in only low-traffic and low-impact areas with interlocking pavers in areas without snowplow traffic.

- The ratio of drainage area to permeable pavement area should not exceed 2:1.
- Upgradient drainage areas should be vegetated or contain other sediment-control BMPs.
- Maintenance to remove sediment should occur at a minimum frequency of twice per year with annual filtration monitoring to assess the product's efficacy.

This memo will also be sent to the City for its consideration.

References

- Alsobrooks, A. (2020). Permeable Pavement Fact Sheet. Department of the Environment.
- Danz, M., Selbig, W., & Buer, N. (2020). Assessment of Restorative Maintenance Practices on the Infiltration Capacity of Permeable Pavement. *Water*.
- Dauphin County Conservation District. (2006). Best Management Practices Fact Sheet Porous Concrete. Dauphin, PA.
- Gulliver, J. (2020). *Permeable Pavement for Road Salt Reduction*. Minneapolis: MnDOT.
- Kuruppu, U., Rahman, A., & Rahman, M. A. (2019). Permeable Pavement as a Stormwater Best Management Practice. *Environmental Earth Sciences*.
- MNDR. (n.d.). Permeable Pavement (Asphalt, Concrete, or Pavers). Retrieved from https://www.dnr.state.mn.us/water_access/bmp/pervious_pavement_bmp.html
- MPCA. (2022). Minnesota Stormwater Manual. Retrieved from https://stormwater.pca.state.mn.us/index.php?title=Main_Page
- Nguyen, N. P., Sultana, A., Areerachakul, N., & Kandasamy, J. (2022). Evaluating the Field Performance of Permeable Concrete Pavers. *Water*.
- Selbig, W., & Buer, N. (2018). Hydraulic, Water-Quality, and Temperature Performance of Three Types of Permeable Pavement under High Sediment Loading Conditions. Reston, Virginia: USGS.
- Selbig, W., Buer, N., & Danz, M. (2019). Stormwater-quality Performance of Lined Permeable Pavement Systems. *Journal of Environmental Management*.
- Sprouse, C. E., Hoover, C., Obritsch, O., & Thomazin, H. (2020). Advancing Pervious Pavements through Nomenclature, Standards, and Holistic Green Design. *Sustainability*.
- Tota-Maharaj, K., Oluwaseun Adeleke, B., Staddon, C., & Sweileh, F. (2021). Feasibility of Low-Carbon Permeable Pavement Systems (PPS) for Stormwater Management. *Journal of Urban and Environmental Engineering*.

TRCA. (2016). Permeable Pavement. *Low Impact Development Stormwater Management Practice Inspection and Maintenance Guide*.



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

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Item 6. G. – 2023 Legislative Action

Prepared By

Linda Loomis, Administrator

Summary

There is nothing new to report currently. Negotiations are very fluid at the Capitol and changing daily. Lisa Frenette, Frenette Legislative Advisors, LMRWD legislative liaison, may have information to share with the Board at the meeting

Attachments

No attachments

Recommended Action

No action recommended



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

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Item 6. H. _ Education and Outreach

Prepared By

Linda Loomis, Administrator

Summary

US Fish & Wildlife Service will be working with Jen Dullum, Young Environmental Consulting Group, LMRWD Education & Outreach Director to develop educational signage for Ike's Creek. The City of Bloomington will allow signs to be placed on City property near the intersection of 24th Avenue South and Old Shakopee Road. We also discussed placing signage with a phrase like "Clean Water Starts here" along the property lines to the commercial properties that remind/inform people that this is a high value resource.

We are also looking at other video firms to see if educational videos can be developed for less. This item was tabled at the April Board of Managers meeting. There is \$85,000 in the 2023 LMRWD budget for Education & Outreach. So far, about \$31,600 has been spent. The Board could also direct that the \$7,500 in the budget for dues to Minnesota Watershed be directed to the Education and Outreach budget.

Attachments

No attachments

Recommended Action

Motion to direct Budget for Minnesota Watershed Dues to Education and Outreach



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, May 9, 2023

Agenda Item

Item 6. I. – LMRWD Projects

Prepared By

Linda Loomis, Administrator

Summary

i. Area #3

The LMRWD is proceeding with this project and all agreements are in place. The LMRWD has still not been able to communicate directly with the property owner. The owner has been called and emails have been sent to keep them informed of the project. Communication efforts will continue.

A meeting between all the consultants for the project is scheduled for May 9, 2023. The agenda for the scheduled meeting is attached for the Board's information.

The LMRWD is still waiting for the legislature to take action.

ii. LMRWD Chloride Management

At the April Board meeting the Board authorized staff to begin work on recommendations made by Young Environmental Consulting Group. Work has begun to develop a web page regarding Chloride pollution.

iii. Floodplain Model Project

Work has begun to update the floodplain model. Communication was sent to the MN Department of Natural Resources (MnDNR) and the US Army Corps of Engineers (USACE). The LMRWD team held a meeting on May 4, 2023. It is possible that funding may be available for this project from the USACE. The LMRWD will need to send a letter requesting the project. The biggest question about USACE funding is the length of time that it will take for the LMRWD to get a decision.

The agenda for the Kick-off meeting is attached for the Board's information.

Attachments

Agenda for May 9, 2023, Area #3 Kick-off meeting

Agenda for May 4, 2023, Floodplain Model Update Kick-off meeting

Recommended Action

No action recommended



LOWER MINNESOTA RIVER
WATERSHED DISTRICT

Agenda

Date: May 9, 2023

Start Time: 2:00 p.m.

End Time: 3:30 p.m.

Location: Virtual meeting using MS Teams

PROJECT NAME: Lower Minnesota River Watershed District (LMRWD) Area 3 Slope Stabilization Project

OBJECTIVES:

- To introduce the project team.
- To reaffirm the project approach and schedule.
- To review and discuss responsibilities, communication protocol, and preliminary data needs.

PROJECT TEAM: **Wetland Delineation and T&E Species Review:** Karen Chandler, Katie Turpin-Nagel, Tyler Conley—Barr Engineering

Archaeology and Architectural History Review and Assessment: Claire Nelson and Meredith Anderson—106 Group

LMRWD Oversight Team: Linda Loomis—LMRWD; Della Young, Meghan Litsey, Hannah LeClaire, and Erica Bock—Young Environmental Consulting Group

AGENDA:

1. Welcome and General Area 3 Project Background – Linda

2. Introductions – All

- 1) State your name, organization, and your role on the project

3. Review of Responsibilities, Schedule, and Communication – All

1) Responsibilities

i. Barr Engineering

- Wetland Delineation
 - a. Develop the joint permit application
 - b. Coordinate with LGU to gain approval of wetland boundaries
- Complete threatened and endangered (T&E) species assessment (Natural Heritage Information System (NHIS) data request and USFWS IPaC)
 - a. Prepare memo summarizing results and recommending BMPs to avoid and minimize impacts to species

Meeting Agenda

ii. 106 Group

- Agency Coordination
- Archaeology
- Architectural History

iii. LMRWD/Young Environmental

- Provide necessary background information/data sharing
- Lead coordination with City of Eden Prairie, Inter-Fluve, and regulatory agencies

2) Schedule

- i. Projected project schedule (considering potential impact of Minnesota River flooding and regulatory permissions)

3) Communication

- i. Identify primary project contacts
- ii. Communicating with regulatory agencies
- iii. Project progress updates
- iv. Invoicing

4. Discuss data needs – All

1) Barr's initial data needs and questions from Katie Turpin-Nagel's email on April 6, 2023:

i. Data needs

- Project background information (GIS preferred, CAD is okay):
 - a. Proposed limits of disturbance (LOD)
 - b. Access Route
 - c. Proposed restoration features (Launchable toe, rip rap)
 - d. Grading extents
 - e. Storm sewer
- Brief description of the project, including project activities, disturbance, and construction methods
 - a. Timing and duration of construction activities

ii. Questions

- Will the project require an EAW, Local government permit, or DNR permit?
- Will the project affect any groundwater sources?
- Has the project previously undergone a Natural Heritage Review?
- Have any native plant community or rare species surveys been conducted within the site?

2) 106 Group's data needs from the scope of work:

i. Data needs

- An electronic map of the project boundaries in GIS shapefile format
- Any previous agency communication
- Any other pertinent project data in electronic format

5. Next Steps – Meghan



Agenda

Date: May 4, 2023

Start Time: 2:00 p.m.

End Time: 3:00 p.m.

Location: Virtual meeting using MS Teams

PROJECT NAME: Floodplain Modeling Project

OBJECTIVES:

- To introduce the project team
- To review project scope/workplan
- To discuss next steps

PROJECT TEAM: Linda Loomis, Naiad Consulting and Della Young, Hannah LeClaire, and Karina Weelborg – Young Environmental Consulting Group

AGENDA:

1. Project Team

- 1) Della Young – Principle
- 2) Hannah LeClaire – Project Manager
- 3) Karina Weelborg - Modeler

2. Project Overview

- 1) 2018 White Paper: Evaluated the LMRWD floodplain standard and recommended adding the requirement that grading/fill is not allowed in floodplain (flood fringe) if it reduces flood-carrying capacity (no-rise)
- 2) 2022 Floodplain Model Updates:
 - i. Investigate the effectiveness of Rule C – evaluated the cumulative effects of multiple no-rise certified developments and found that no-rise developments can cause a rise in the 100-year flood elevation.
 - ii. Recommendations
 - Review hydrologic analysis at Jordan gage
 - Update HEC-RAS model with recent developments and survey data
 - Coordinate with USACE and MnDNR to better track floodplain developments and revised mapping
- 3) 2023 Floodplain Model Project
 - i. Update 2004 HEC-RAS Model (hydrology and hydraulics)

- ii. Future Conditions Analysis
- iii. Partner Coordination (!)
 - Municipalities
 - USACE and MnDNR

3. USACE Planning Assistance to States (PAS) Fund

- 1) Typical water resource problems addressed: flood risk management, environmental restoration, water quality, erosion, navigation, fish and wildlife, cultural resources, and environmental resources
- 2) 50% Match (so up to \$75,000)
- 3) Request letter to initiate the process (can take 4-6 months)
- 4) Effects to scope and schedule

4. Schedule and Communication

- 1) High level schedule (May 2023 – December 2023)
 - i. May – Data Collection
 - ii. June – Meeting with Partners, begin hydrology and hydraulics
 - iii. July-September – Continue model updates and coordination with partners
 - iv. October – Tech memo and Model QC
 - v. November – Model adjustments, final coordination with partners
 - vi. December – Final Reporting/Next Steps
- 2) Communication
 - i. Board updates?
 - ii. MnDNR – Jeff Weiss
 - iii. USACE – Karla Sparks
 - iv. Municipalities

5. Next Steps

- 1) Project introduction email to municipalities
- 2) PAS request letter to USACE
- 3) Data collection/light literature review on current FEMA mapped areas



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, May 9, 2023

Agenda Item

Item 6. J. – Permits & Project Reviews

Prepared By

Linda Loomis, Administrator

Summary

i. Structures, Inc. – Amendment (LMRWD No. 2022-036)

The LMRWD Board approved a permit for this project at the December Board of Managers meeting. The applicant notified the LMRWD of changes to the project that require an amendment to the permit. Young Environmental Consulting Group reviewed the new information provided by the applicant, on behalf of the LMRWD and is recommending conditional approval of an amendment to the Permit.

Attachments

Technical Memorandum - Structures, Inc. – Amendment (LMRWD No. 2022-036) dated May 2, 2023

Recommended Action

Motion to conditionally approve project amendments contingent upon receipt of final construction plans signed by a professional engineer, name and contact information for all contractors undertaking land-disturbing activities as part of the proposed project, name and contact information for the person(s) responsible for erosion control inspections and maintenance, copy of NPDES construction stormwater permit, and documentation that the applicant has received approval for the project from the City of Chaska.

ii. Eagle Creek Bridge (LMRWD No. 2023-002)

This is a project by the City of Savage to restore and stabilize the reach of Eagle Creek underneath Eagle Creek Parkway. Young Environmental Consulting Group reviewed the application and supporting documentation, on behalf of the LMRWD and is recommending conditional approval of the Permit.

Attachments

Technical Memorandum – Eagle Creek Bridge Slope Stabilization (LMRWD No. 2023-002) dated May 2, 2023

Recommended Action

Motion to conditionally approve a permit for Eagle Creek Bridge Slope Stabilization (LMRWD No. 2023-002) contingent upon receipt of the name and contact information for all contractors undertaking land-disturbing activities as part of the proposed project, name and contact information for the person(s) responsible for erosion control inspections and maintenance, and a copy of the approved MnDNR permit.

iii. **535 Lakota Lane, Chanhassen – work without a permit**

Legal Counsel for the LMRWD informed the attorney for the property owner that there was no communication from the owner. Since that time, we have received an email message from the owner that his surveyor was not available and he has retained a new surveyor. The new surveyor communicated that he would look over the project and respond after he reviewed the project. The property owner indicated that he planned to schedule a meeting and would be in town in late May. The last communication from the owner was April 13, 2023. There has been no communication since.

Attachments

No attachments

Recommended Action

No action recommended



Young Environmental
Consulting Group, LLC

Technical Memorandum

To: Linda Loomis, Administrator
Lower Minnesota River Watershed District

From: Erica Bock, Water Resources Scientist
Hannah LeClaire, PE, Project Manager

Date: May 2, 2023

Re: Structures Inc. – Amendment | LMRWD No. 2022-036

At the December 2022 Board meeting, the Lower Minnesota River Watershed District (LMRWD) conditionally approved a permit application by Anderson Engineering for the Structures Inc. project (Project, Attachment 1).

This Project has been reevaluated for continued compliance with the applicable LMRWD Rules. **Bold text** indicates changes from the December permit review.

The applicant contacted the LMRWD on April 12, 2023, notifying the LMRWD that the owner decided to propose a two-lot split instead of three. The applicant sent the updated construction plans and updated Stormwater Management Plan (SWMP) for review. The proposed project includes clearing an existing agricultural field, constructing **two** new office/warehouse buildings and storage yards; installing parking lot facilities; and constructing new storm sewer, sanitary sewer, and water main utilities. New stormwater management facilities will also be constructed, including a Bio-Filtration Basin on Lot 1 and underground GeoStorage Chambers on Lot 2, shown in Figure 1. The project disturbs 5.25 acres and creates **2.65** acres of new impervious surfaces. The project proposes to commence construction in **July 2023**.

Summary

Project Name: Structures Inc.

Purpose: Construction of new offices/warehouses, parking lots, and storage yards for Structures, Inc.

Project Size:

Area Disturbed	Existing Impervious Area	Proposed Impervious Area	Net Increase Impervious Area
5.25 acres	0.07 acres	2.72 acres	2.65 acres

Location:

Southwest corner of Arbor Drive and Old Audubon Road, Chaska, MN (Parcel ID: 301460020)

LMRWD Rules:

Rule B – Erosion and Sediment Control
Rule D – Stormwater Management

Recommended Board Action:

Conditional approval

Discussion

The LMRWD received the following documents for review on April 17th:

- Updated construction plans by Anderson Engineering, dated April 4, 2023; received April 17, 2023
- Updated Stormwater Management Plan by Anderson Engineering, dated April 4, 2023; received April 17, 2023

The documents provided include the information necessary for review.

Rule B – Erosion and Sediment Control

The District regulates land-disturbing activities that affect one acre or more under Rule B. The original Project disturbs approximately 5.25 acres within the LMRWD boundary; the proposed two lot split is within the original disturbance footprint. The applicant has provided an updated erosion and sediment control plan and a Stormwater Pollution Prevention Plan (SWPPP). The Project generally complies with Rule B, but the LMRWD needs a copy of the National Pollutant Discharge Elimination System (NPDES) permit and contact information for the contractor and person(s) responsible for the inspection and maintenance of erosion and sediment control features before it can issue a permit.

Rule D – Stormwater Management

The proposed amendments to the Project include increasing the impervious area, which affects LMRWD Rule D – Stormwater Management. The project proposes to construct 2.65 acres of new impervious surface. The newly constructed impervious pavement for Lot 1 will be collected through local storm sewer and directed southwest into the proposed Bio-Filtration Basin. Newly constructed impervious pavement from Lot 2 will

also be collected through local storm sewer and directed centrally into the proposed underground GeoStorage Chambers. Discharge from the Bio-Filtration Basin and underground GeoStorage Chambers will be limited by an outlet control structure and directed south into the existing stormwater pond, as shown in Figure 1. The existing stormwater pond was constructed as part of the 2003 East Creek Acres Second Addition Development, with an overall drainage area to the pond of 14.8 acres, including the Structures Inc. property.

Rule 5.4.1 of Rule D requires that applicants demonstrate no increase in proposed runoff rates compared with existing conditions. Under existing and proposed conditions, stormwater drains off the site in two areas: (1) west to Ravoux Road’s storm sewer and (2) south to the existing stormwater pond.

Table 1. Structures Inc. Runoff Rate Summary

Rainfall Event (24-hour rainfall depth)	Existing Conditions (cfs)		Proposed Conditions (cfs)		Change (cfs)	
	Ravoux Road	Existing stormwater pond	Ravoux Road	Existing stormwater pond	Ravoux Road	Existing stormwater pond
2-year—2.90”	0.92	2.91	0.50	2.9	-0.42	-0.01
10-year—4.20”	1.73	3.71	0.94	3.67	-0.79	-0.04
100-year—7.30”	3.82	10.95	2.08	10.89	-1.74	-0.06

The reported runoff rates continue to show no increase from existing conditions for the 2-, 10-, and 100-year marks, meeting the rate control requirements of Rule D. In addition, modeling shows that proposed conditions will not increase the high-water level (HWL) of the existing stormwater pond.

Section 5.4.2 of Rule D requires projects without restrictions to retain one inch of runoff from the new and/or reconstructed on-site impervious surfaces. The total added impervious surfaces for the project is **2.65** acres, requiring the project to provide **9,620** cubic feet of volume retention. However, Anderson provided a geotechnical report that shows on-site soils are predominately hydrologic soil group D, therefore prohibiting infiltration on-site. The applicant is proposing two filtration practices, a Bio-Filtration Basin, and an underground GeoStorage Chamber to meet the volume control requirements of Rule D.

Table 2. Structures Inc. Volume Control Summary

BMP	Volume (CF)
Bio-Filtration Basin	4,490
Underground GeoStorage Chambers	6,529
Total	11,019

The proposed filtration practices provide a total of 11,019 cubic feet of volume control for the proposed site, continuing to comply with Rule D.

Section 5.4.3 of Rule D requires no net increase in total phosphorus (TP) or total suspended solids (TSS) to receiving waterbodies when compared to existing conditions.

Table 3. Water Quality Summary for Structures Inc.

	TP (lb/yr)	TSS (lb/yr)
Existing	1.84	333.6
Proposed	1.78	186.4
Difference	0.05	147.2
% Reduction	3%	44%

As presented, the pollutant load will be reduced for both TP and TSS, ensuring the Project meets the water quality requirements established under Rule D.

Recommendations

Based on the reevaluation of the project, we recommend conditional approval of the project amendments contingent on receipt of the following:

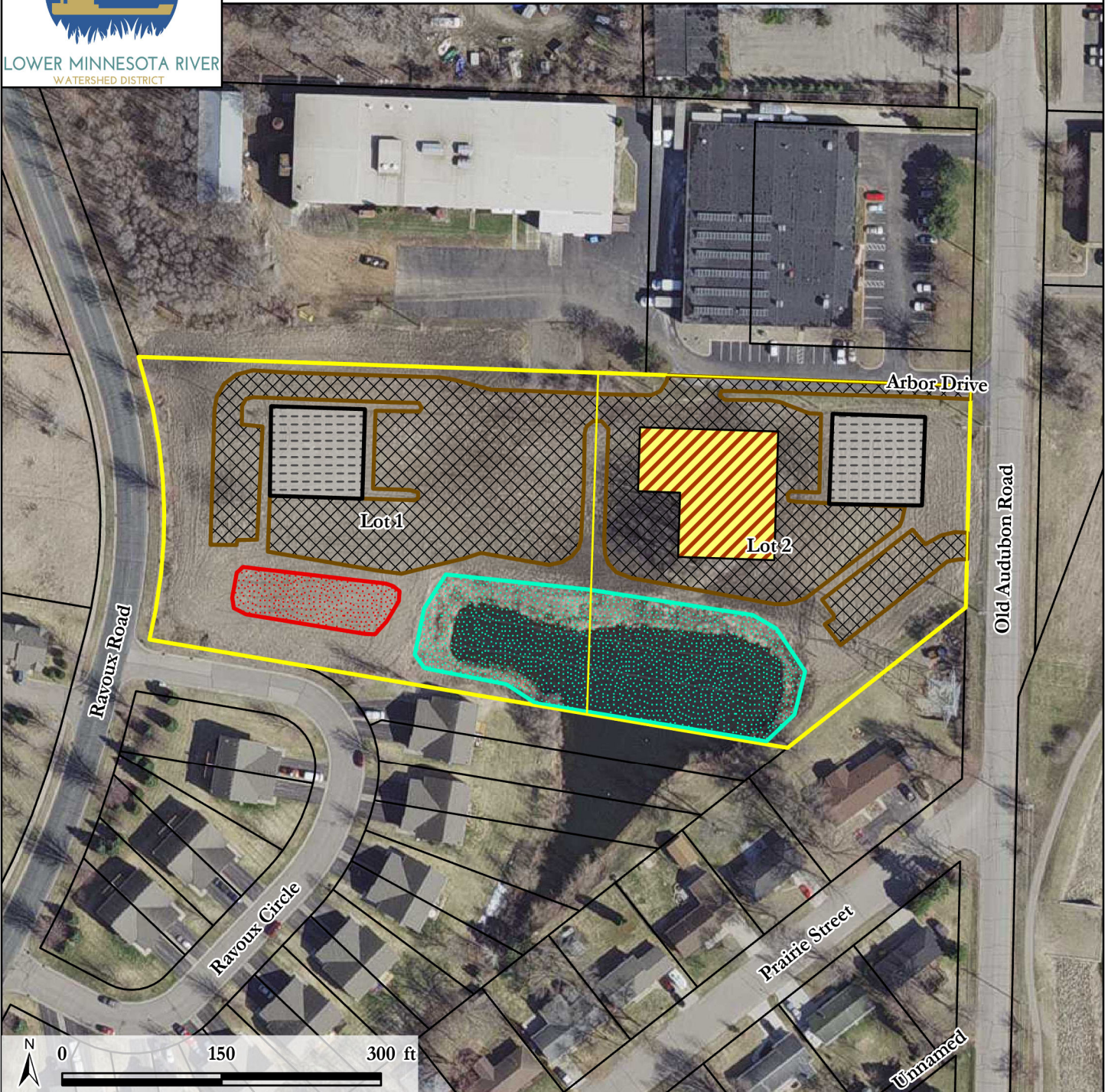
- Final construction plans signed by a professional engineer.
- Name and contact information for all contractors undertaking land-disturbing activities as part of the proposed project.
- Name and contact information for the person(s) responsible for erosion control inspections and maintenance.
- Copy of NPDES construction stormwater permit.
- Documentation that the applicant has received approval for the project from the City of Chaska.

Attachments

- Figure 1 – Structures Inc. Project Location Map
- Attachment 1 – Structures Inc. Permit Review Memo, dated December 7, 2022



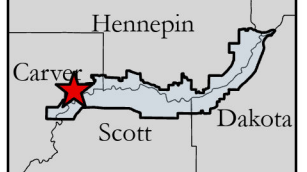
Figure I: Structures Inc Project Location
LMRWD No. 2022-036



Legend

- Project Location
- Existing Pond
- Proposed Bio-Filtration Basin
- Proposed Building
- Proposed GeoStorage
- Proposed Parking Lot
- Parcels

LMRWD Watershed
Location Map



Technical Memorandum



To: Linda Loomis, Administrator
Lower Minnesota River Watershed District

From: Erica Bock, Water Resources Scientist
Hannah LeClaire, PE

Date: December 7, 2022

Re: Structures Inc. | LMRWD No. 2022-036

Structures Inc. has applied for an individual project permit from the Lower Minnesota River Watershed District (LMRWD), for an industrial development in the City of Chaska (City), as shown in Figure 1. The project is not located within the High Value Resource Area, Steep Slopes Overlay District, or Minnesota River floodplain. The applicant's engineer, Anderson Engineering of Minnesota LLC (Anderson), has provided site plans as well as a stormwater management plan for the Structures Inc. project (Project).

The proposed Project includes clearing an existing agricultural field, constructing three new office/warehouse buildings and storage yards; installing parking lot facilities; and constructing new storm sewer, sanitary sewer, and water main utilities. New stormwater management facilities will also be constructed, including a Bio-Filtration Basin on Lot 1 and Underground GeoStorage Chambers on Lot 3, shown in Figure 1. The project disturbs 5.25 acres and creates 2.59 acres of new impervious surfaces. The project proposes to commence construction in March 2023.

Because the City does not have its LMRWD municipal permit, this project requires an LMRWD individual permit.

Summary

Project Name: Structures Inc.

Purpose: Construction of new offices/warehouses, parking lots, and storage yards for Structures, Inc.

Project Size:

Area Disturbed	Existing Impervious Area	Proposed Impervious Area	Net Increase Impervious Area
5.25 acres	0.07 acres	2.66 acres	2.59 acres

Location:

Southwest corner of Arbor Drive and Old Audubon Road, Chaska, MN (Parcel ID: 301460020)

LMRWD Rules:

Rule B—Erosion and Sediment Control
Rule D—Stormwater Management

Recommended Board Action:

Conditional approval

Discussion

The LMRWD received the following documents for review:

- LMRWD Individual Project Permit Application; signed October 6, 2022; received October 13, 2022
- Permit application fee of \$750; received October 13, 2022
- Stormwater Management Plan for Structures Inc. by Anderson Engineering; dated September 30, 2022; revised November 23, 2022; received November 23, 2022
- Structures Inc. Civil Engineering Plans by Anderson Engineering; dated September 30, 2022; revised November 23, 2022; received November 23, 2022
- Chaska Creek Watershed Management email; dated October 17, 2022; received October 25, 2022
- James R. Hill HydroCAD Report for existing stormwater pond; received October 25, 2022
- Draft Maintenance Agreement; received October 25, 2022

The application was deemed complete on December 2, 2022, and the documents received provide the minimum information necessary for permit review.

Rule B—Erosion and Sediment Control

The LMRWD regulates land-disturbing activities that affect one acre or more under Rule B. The proposed project would disturb approximately 5.25 acres within the LMRWD boundary. The applicant has provided an erosion and sediment control plan and a Stormwater Pollution Prevention Plan. The project generally complies with Rule B, but a copy of the NPDES permit and contact information for the contractor and person(s) responsible for the inspection and maintenance of erosion and sediment control features are needed before the LMRWD can issue a permit.

Rule D—Stormwater Management

The project proposes the construction of 2.59 acres of new impervious surface. Newly constructed impervious pavement for Lots 1 and 2 will be collected via local storm sewer and directed southwest into the proposed Bio-Filtration Basin. Newly constructed impervious pavement from Lot 3 will also be collected via local storm sewer and directed southeast into the proposed Underground GeoStorage Chambers. Discharge from the Bio-Filtration Basin and Underground GeoStorage Chambers will be limited by an outlet control structure and directed south into the existing stormwater pond, as shown in Figure 1. The existing stormwater pond was constructed as part of the 2003 East Creek Acres Second Addition Development, with an overall drainage area to the pond of 14.8 acres, including the Structures Inc. property.

Rule 5.4.1 of Rule D requires that applicants demonstrate no increase in proposed runoff rates compared with existing conditions. Under existing and proposed conditions, stormwater drains off the site in two areas: west to Ravoux Road’s storm sewer and south to the existing stormwater pond.

Table 1. Structures Inc. Runoff Rate Summary

Rainfall Event (24-hour rainfall depth)	Existing Conditions (cfs)		Proposed Conditions (cfs)	
	Ravoux Road	Existing stormwater pond	Ravoux Road	Existing stormwater pond
2-year—2.90”	0.92	2.91	0.50	2.85
10-year—4.20”	1.73	3.71	0.94	3.64
100-year—7.30”	3.82	10.95	2.08	10.93

The reported runoff rates show a decrease from existing conditions for the 2-, 10-, and 100-year marks, meeting the rate control requirements of Rule D. In addition, modeling shows that proposed conditions will not increase the high-water level (HWL) of the existing stormwater pond.

Section 5.4.2 of Rule D requires projects without restrictions to retain one inch of runoff from the new and/or reconstructed on-site impervious surfaces. The total added impervious surfaces for the project is 2.59 acres, requiring the project to provide 9,402 cubic feet of volume retention. However, Anderson provided a geotechnical report that shows on-site soils are predominately hydrologic soil group D, therefore prohibiting infiltration on-site. The applicant is proposing two filtration practices, a Bio-Filtration Basin, and an Underground GeoStorage Chamber to meet the volume control requirements of Rule D.

Table 2. Structures Inc. Volume Control Summary

BMP	Volume (CF)
Bio-Filtration Basin	4,490
Underground GeoStorage	4,923
Total	9,413

The proposed filtration practices provide a total of 9,413 cubic feet of volume control for the proposed site, complying with Rule D.

Section 5.4.3 of Rule D requires no net increase in total phosphorus (TP) or total suspended solids (TSS) to receiving waterbodies when compared to existing conditions.

Table 3. Water Quality Summary for Structures Inc.

	TP (lb/yr)	TSS (lb/yr)
Existing	1.84	333.6
Proposed	1.79	226.9
Difference	0.05	106.7
% Reduction	3%	32%

As presented, the pollutant load will be reduced for both TP and TSS. Hence, the project meets the water quality requirements established under Rule D.

Recommendations

Based on our review of the project, we recommend conditional approval contingent on receipt of the following:

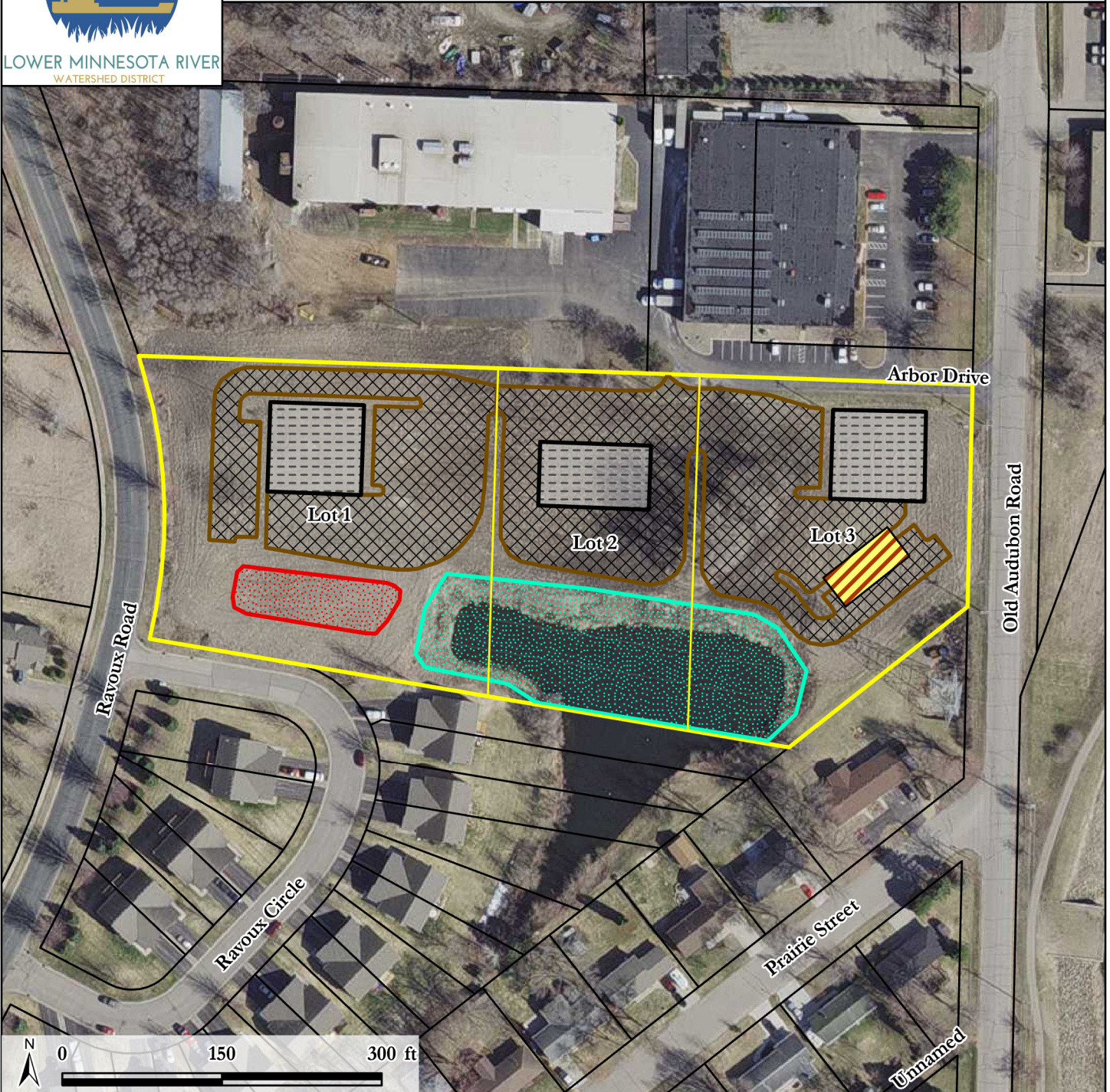
- Final construction plans signed by a professional engineer
- Name and contact information for all contractors undertaking land-disturbing activities as part of the proposed project
- Name and contact information for the person(s) responsible for erosion control inspections and maintenance
- Copy of NPDES permit
- Documentation that the applicant has received full approval for the project from the City of Chaska

Attachments

- Figure 1—Structures Inc. Project Location Map



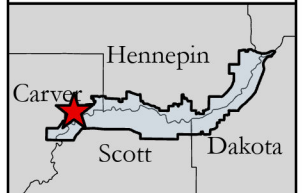
Figure I: Structures Inc Project Location
LMRWD No. 2022-036



Legend

- Project Location
- Existing Pond
- Proposed Bio-Filtration Basin
- Proposed Building
- Proposed GeoStorage
- Proposed Parking Lot
- Parcels

LMRWD Watershed
Location Map





Technical Memorandum

To: Linda Loomis, Administrator
Lower Minnesota River Watershed District

From: Erica Bock, Water Resources Scientist
Hannah LeClaire, PE, Project Manager

Date: May 2, 2023

Re: Eagle Creek Bridge Slope Stabilization Project | LMRWD No. 2023-002

The City of Savage (City) has applied for an individual project permit from the Lower Minnesota River Watershed District (LMRWD) to stabilize the banks of Eagle Creek underneath the Eagle Creek Parkway bridge (Figure 1) due to erosion issues and infrastructure concerns. Eagle Creek is a trout stream within the LMRWD and the stabilization project will help protect the trout population as well as the existing bridge abutment.

The City proposes the placement of rock riffles (also known as cross vanes) in the channel and boulder stabilization on the banks. The thalweg of the channel will be excavated to remove sediments that have built up from erosion on the banks. The project consists of 0.29 acres of disturbance within the Eagle Creek High Value Resource Area (HVRA) and Minnesota River 100-year floodplain. The project access route crosses the LMRWD Steep Slopes Overlay District (SSOD). The City proposes to begin construction in May of 2023.

Because the City does not have its LMRWD municipal permit, this project requires a LMRWD individual permit.

Summary

Project Name: Eagle Creek Bridge Slope Stabilization

Purpose: Stabilization of Eagle Creek underneath Eagle Creek Parkway

Project Size:

Area Disturbed	Existing Impervious Area	Proposed Impervious Area	Net Increase Impervious Area
0.29 acres	0 acres	0 acres	0 acres

Location:

Underneath Eagle Creek Parkway Bridge,
12792 State Highway 13, Savage MN, 55378

LMRWD Rules:

Rule B – Erosion and Sediment Control
Rule C – Floodplain and Drainage Alteration

Recommended Board Action:

Conditional approval

Discussion

The LMRWD received the following documents for review:

- LMRWD online permit application, received January 13, 2023
- Eagle Creek Bridge Slope Stabilization Project Location Map, received January 13, 2023
- Project plan sheets by City of Savage, received January 13, 2023
- Eagle Creek Bridge Slope Stabilization Project No-Rise Memo by WSB, dated January 16, 2023, received January 18, 2023
- Eagle Creek No-Rise XPSWMM Model, received January 18, 2023, revised and received April 7, 2023
- Signed construction plans by the City of Savage, received March 24, 2023
- Cut and fill calculations, received April 19, 2023

The application was deemed complete on April 19, 2023, and the documents received provide the minimum information necessary for permit review.

Background

On December 15, 2022, the City hosted a meeting with the LMRWD and Minnesota Department of Natural Resources (MnDNR) staff, including Mark Nemeth, a trout stream habitat specialist, and David DePaz, a geomorphologist. The City and MnDNR discussed the excessive erosion that has occurred since the bridge was installed due to lack of vegetation under the bridge. The creek channel has widened from 6-10 feet to 20 feet. Eagle Creek is within a MnDNR Aquatic Management Area (AMA) and maintained by the MnDNR. Mark shared that brown trout have been surveyed in the creek, and the MnDNR recently reintroduced brook trout in April 2022. The City has worked closely with the MnDNR throughout the design process to ensure the proposed

alternative provides benefits to the City's infrastructure as well as the trout stream. The proposed boulder wall will protect the bridge abutments and provide in-stream habitat for trout, while the rock riffles will stabilize the grade of the creek and restore the riffle-pool pattern to this portion of the creek. The MnDNR noted that no construction is allowed within the creek channel between August 1st and April 1st, therefore the City plans to construct the project during the summer months.

Rule B – Erosion and Sediment Control

Under Rule B, the LMRWD regulates land-disturbing activities that affect 5,000 square feet or more within the HVRA. The proposed project would disturb approximately 0.29 acres (12,632 square feet) within the Eagle Creek HVRA boundary. The applicant has provided an erosion and sediment control plan. Because the project does not disturb one or more acres, a National Pollutant Discharge Elimination System (NPDES) Permit is not required. The Project generally complies with Rule B but the LMRWD will need the contact information for the contractor and person(s) responsible for the inspection and maintenance of erosion and sediment control features before it can issue a permit.

While the Project access route crosses the SSOD and proposes to stabilize the steep slopes and reduce erosion with the installation of the boulder wall, it does not trigger Rule F. The project proposes silt fence, composite construction mats, and filter mats for erosion and sediment control throughout the SSOD.

Rule C – Floodplain and Drainage Alteration

The Project is in the Minnesota River floodplain, shown on the Scott County Flood Insurance Rate Map (FIRM) Panel 27139C0044E (effective February 11, 2021). The effective FIRM shows the project in FEMA Zone AE (or 100-year floodplain). The project proposes 29 cubic yards of fill and no compensatory storage. A No-Rise memo was submitted by WSB, which states that there is no existing effective HEC-RAS model of Eagle Creek and it is modeled as backwaters of the Minnesota River in the effective model for the Minnesota River. WSB built a hydrologic and hydraulic model of Eagle Creek and its watershed for the Project, which shows no increase in the 100-year water surface elevation for proposed conditions, meeting the minimum requirements of Rule C.

Recommendations

Based on our review of the project, we recommend conditional approval contingent on the receipt of the following:

- Name and contact information for all contractors undertaking land-disturbing activities as part of the proposed project.
- Name and contact information for the person(s) responsible for erosion control inspections and maintenance.

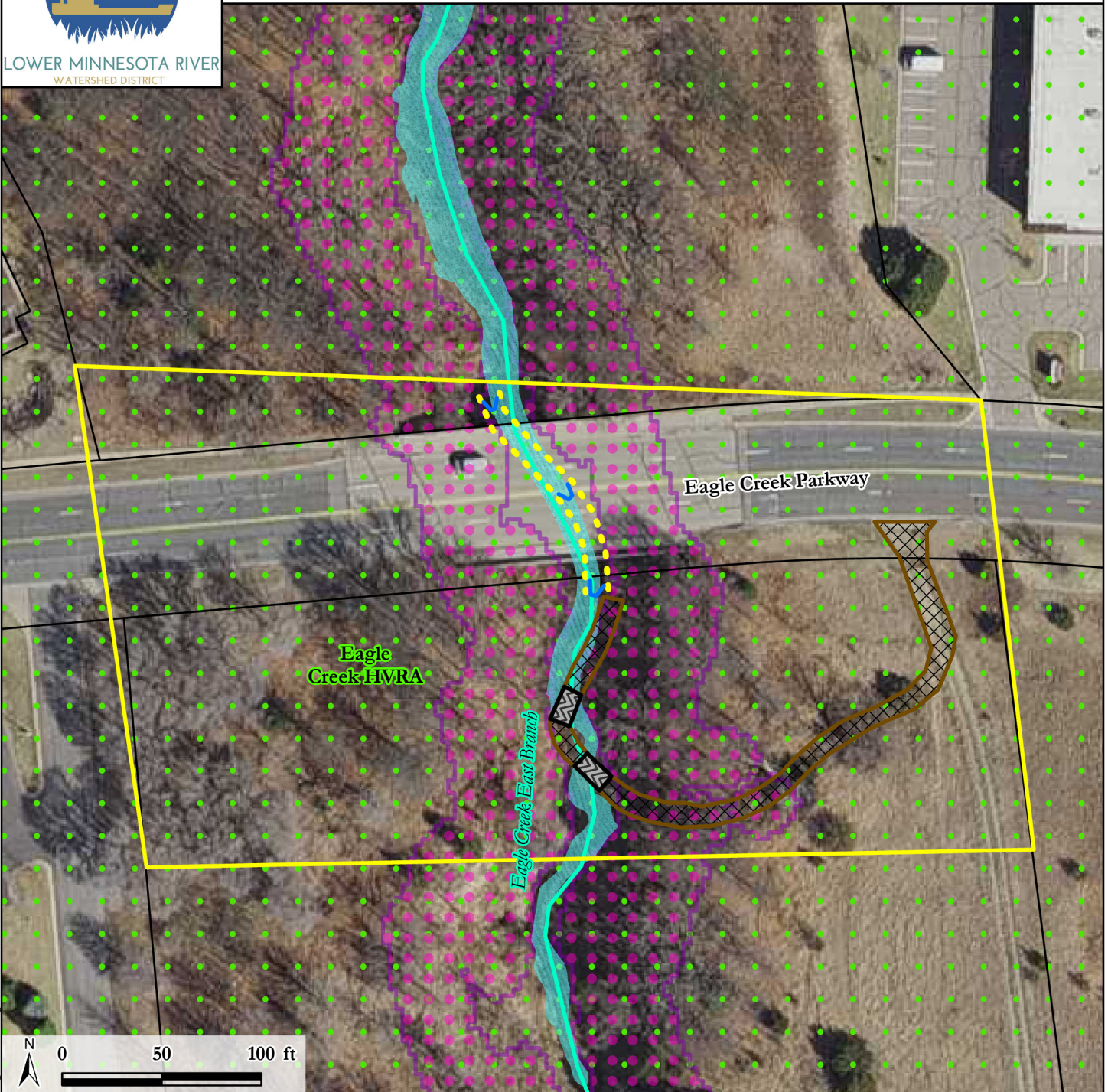
- Copy of the approved MnDNR permit.

Attachments






- Figure 1 – Eagle Creek Stabilization Map



Figure I: Eagle Creek Bridge Project Location
LMRWD No. 2023-002



Legend

-  Project Location
-  Boulder Wall
-  Rock Riffle
-  Access Route
-  Temporary Crossing
-  Trout Streams
-  Steep Slope Overlay District
-  High Value Resource Area
-  Parcels
-  100-yr Floodplain

LMRWD Watershed Location Map

