

Please note the meeting will be held at the Carver County Government Center on the Wednesday, December 18, 2019



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Lower Minnesota River Watershed District

7:00 PM

Wednesday, December 18, 2019

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 minutes 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> <p>A. Approve Minutes November 20, 2019 Regular Meetings</p> <p>B. Receive and file November 2019 Financial reports</p> <p>C. Approval of Invoices for payment</p> <ul style="list-style-type: none"> i. Freshwater Society - for 2019 Master Water Steward ii. Daniel Hron - for November 2019 office rent iii. Braun Intertech Corporation - Area 3 inclinometer readings iv. Coalition for a Clean Minnesota - Sponsorship for MN River Congress v. Rinke Noonan Attorneys at Law - October 2019 legal services vi. Naiad Consulting, LLC - September 2019 administrative services & expenses vii. TimeSaver Off Site Secretarial, Inc. - September 2019 meeting minutes preparation viii. Young Environmental Consulting Group, LLC - September 2019 technical services ix. Dakota County Soil & Water Conservation District - Q3 monitoring in Dakota County and Cost Share x. Redpath and Company Ltd. - Final billing for 2018 financial audit xi. Young Environmental Consulting Group, LLC - October 2019 technical |

| | |
|-----------------------------------|--|
| | <p>services</p> <p>D. Adopting 2020 Budget and Certification of property tax levy for taxes payable 2020</p> <p>E. Approving the transfer of LMRWD funds from General Fund to 9' Channel Fund</p> |
| 5. New Business/ Presentations | No new business |
| 6. Old Business | <p>A. 2018 Annual Report</p> <p>B. Remote meeting participation</p> <p>C. Dredge Management</p> <p> i. Funding for dredge material management</p> <p> ii. Vernon Avenue Dredge Material Management site</p> <p> iii. Private Dredge Material Placement</p> <p>D. Watershed Management Plan</p> <p>E. 2020 Legislative Action</p> <p>F. Education & Outreach - no new information to report</p> <p>G. LMRWD Projects - See Administrator Report for project updates</p> <p><i>(only projects that require Board action will appear on the agenda. Informational updates will appear on the Administrator Report)</i></p> <p> i. East Chaska Creek Stream Bank Stabilization</p> <p> ii. Seminary Fen Restoration Area C-2</p> <p>H. Local Water Management Plan Reviews</p> <p> i. City of Shakopee</p> <p>I. Project Reviews - See Administrator Report for project updates</p> <p><i>(only projects that require Board action will appear on the agenda. Informational updates will appear on the Administrator Report)</i></p> <p>J. MPCA Soil Reference Values - No new information since last update</p> |
| 7. Communications | <p>A. Administrator Report</p> <p>B. President</p> <p>C. Managers</p> <p>D. Committees</p> <p>E. Legal Counsel</p> <p>F. Engineer</p> |
| 8. Adjourn | Next meeting of the LMRWD Board of Managers is Wednesday, January 15, 2020 |

Upcoming meetings/Events

- Upper Mississippi Waterway Association - Thursday, December 19, 2019 4:30 to 6:30pm, Lilydale Pool & Yacht Club
- Metro MAWD - Tuesday, January 21, 2020, 7:00 - 9:00pm, Capitol Region WD 595 Aldine Street, St. Paul
- [Watershed Specialist Training](#) - Jan 21-May 3 2020, MN Water Resources Center, Online
- [MAWD Legislative Reception & Day at the Capitol](#) - March 18 & 19, 2020, Doubletree Hotel, St. Paul

For Information Only

- WCA Notices
 - City of Chanhassen - Notice of Application - Hennepin County Railroad Authority has applied for a wetland permit from the City of Chanhassen in order to repair the Minnesota River Bluffs Regional Trail that washed out in 2014.
 - City of Chanhassen – Notice of Decision – HCRRA Minnesota River Bluffs LRT Regional Trail slope stabilization.
 - City of Bloomington - Notice of Decision (no loss) - Crown Plaza apartment project, 8101 36th Avenue South.
 - City of Savage - Notice of Application (no loss) - LMRWD has applied for a wetland permit from the City of Savage for the construction at the Cargill East Dredge Site.
 - City of Bloomington - Notice of Decision - The City of Bloomington is proposing maintenance/dredging of a storm water pond (Ford Pond) at 11000 Nesbitt Avenue South and will stabilize an eroding streambank along Nine Mile Creek in the LMRWD.
 - Dakota County - Notice of Decision - The Minnesota DNR has determined that the wetland delineation conducted for the MN River Greenway Eagan alignment is complete and accurate.
- DNR Public Waters Work permits
 - None
- DNR Water Appropriation permits
 - City of Bloomington - Temporary Water Appropriation permit for construction dewatering - MNDNR Engineering - Central Region; in order the repair the Minnesota Valley Trail Project.

Future Manager Agenda Items list

-

Future TAC Agenda Items List

- LMRWD Vegetation Management Plan
- LMRWD monitoring plan

Item 4.B.
LMRWD 12-18-19

| | | |
|--|---------------------------------------|------------------------|
| BEGINNING BALANCE | 31-Oct-19 | \$ 1,940,028.51 |
| ADD: | | |
| General Fund Revenue: | | |
| Misc. Revenue (Savage Chamber of Commerce share of MN River Boat Tour) | | \$ 2,176.79 |
| Total Revenue and Transfers In | | \$ 2,176.79 |
| DEDUCT: | | |
| Warrants: | | |
| 419621 Freshwater Society | 2019 Master Water Steward Prog. | \$ 2,500.00 |
| 419627 Daniel Hron | November 2019 office rent | \$ 650.00 |
| 420016 Braun Intertec Corp. | Area #3 inclinometer reading | \$ 472.00 |
| 420022 Coalition for a Clean MN River | Sponsor MN River Congress | \$ 100.00 |
| 420058 Rinke Noonan Attorneys at Law | October 2019 legal fees | \$ 85.50 |
| 100010899 Naiad Consulting, LLC | Sept. 2019 admin service & expenses | \$ 11,476.21 |
| 100010908 TimeSaver Off Site Secretarial, Inc. | Sept. 2019 meeting minutes prep | \$ 145.00 |
| 100010911 Young Environmental Consulting | Sept. 2019 Technical services | \$ 25,821.73 |
| 100011039 Dakota County SWCD | Q3 2019 monitoring services | \$ 3,150.00 |
| 100011067 Red[ath and Company LTD | Final billing for 2018 audit services | \$ 4,000.00 |
| 100011075 TimeSaver Off Site Secretarial, Inc. | October 2019 meeting minutes prep | \$ 145.00 |
| 100011077 Young Environmental Consulting | October 2019 Technical services | \$ 44,399.78 |
| Total Warrants/Reductions | | \$ 92,945.22 |
| ENDING BALANCE | 30-Nov-19 | \$ 1,849,260.08 |

| EXPENDITURES | 2019 Budget | November Actual | YTD 2019 | Over (Under) Budget |
|--|------------------------|---------------------|----------------------|------------------------|
| Administrative expenses | \$ 250,000.00 | \$ 19,960.10 | \$ 200,623.11 | \$ (49,376.89) |
| Cooperative Projects | | | | |
| Eden Prairie Bank Stabilization Area #3 | \$ - | \$ 472.00 | \$ 4,026.80 | \$ 4,026.80 |
| Gully Erosion Contingency Fund | \$ - | \$ - | \$ - | \$ - |
| USGS Sediment & Flow Monitoring | \$ 19,700.00 | \$ - | \$ 19,788.00 | \$ 88.00 |
| Ravine Stabilization at Seminary Fen in Chaska | \$ - | \$ - | \$ 110,400.00 | \$ 110,400.00 |
| 509 Plan Budget | | | | |
| <i>Resource Plan Implementation</i> | | | | |
| TH 101 Shakopee Ravine | \$ - | \$ - | \$ 402.97 | \$ 402.97 |
| Assumption Creek Hydrology Restoration | \$ 30,000.00 | \$ - | \$ - | \$ (30,000.00) |
| Carver Creek Restoration | \$ 80,000.00 | \$ - | \$ - | \$ (80,000.00) |
| Groundwater Screening Tool Model | \$ 50,000.00 | \$ - | \$ - | \$ (50,000.00) |
| Eagle Creek (East Branch) Project | \$ 10,000.00 | \$ - | \$ - | \$ (10,000.00) |
| Minnesota River Floodplain Model Feasibility Study | \$ 30,000.00 | \$ - | \$ - | \$ (30,000.00) |
| Schroeder Acres Park Stormwater Mgmt Project | \$ 39,555.00 | \$ - | \$ - | \$ (39,555.00) |
| PLOC Realignment/Wetland Restoration | \$ 71,727.00 | \$ - | \$ - | \$ (71,727.00) |
| Spring Creek Project | \$ 45,000.00 | \$ 1,047.10 | \$ 4,543.78 | \$ (40,456.22) |
| West Chaska Creek | \$ 50,000.00 | \$ - | \$ - | \$ (50,000.00) |
| Sustainable Lakes Management Plan (Trout Lakes) | \$ 50,000.00 | \$ 4,925.00 | \$ 4,925.00 | \$ (45,075.00) |
| Geomorphic Assessments (Trout Streams) | \$ - | \$ 285.00 | \$ 88,771.08 | \$ 88,771.08 |
| Paleolimnology Study (Floodplain Lakes) | \$ - | \$ - | \$ - | \$ - |
| Fen Stewardship Program | \$ 25,000.00 | \$ 15,845.03 | \$ 61,615.05 | \$ 36,615.05 |
| District Boundary Modification | \$ - | \$ - | \$ - | \$ - |
| East Chaska Creek Bank Stabilization Project | \$ 50,000.00 | \$ 1,963.45 | \$ 26,190.85 | \$ (23,809.15) |
| East Chaska Creek Treatment Wetland Project | \$ 50,000.00 | \$ - | \$ - | \$ (50,000.00) |
| Minnesota River Sediment Reduction Strategy | \$ 25,000.00 | \$ - | \$ - | \$ (25,000.00) |
| Seminary Fen - gap analysis | \$ - | \$ - | \$ - | \$ - |
| Data Assessments and Program Review | \$ - | \$ - | \$ - | \$ - |
| Dakota County groundwater modeling | \$ - | \$ - | \$ - | \$ - |
| Riley Creek Cooperative Project | \$ - | \$ - | \$ 49,680.40 | \$ 49,680.40 |
| Local Water Management Plan reviews | \$ 12,000.00 | \$ - | \$ 2,410.70 | \$ (9,589.30) |
| Project Reviews | \$ 20,000.00 | \$ 15,806.00 | \$ 49,680.40 | \$ 29,680.40 |
| <i>Monitoring</i> | \$ 65,000.00 | \$ 2,400.00 | \$ 16,240.63 | \$ (48,759.37) |
| <i>Monitoring Data Analysis</i> | | | \$ - | |
| <i>Technical Assistance</i> | | | \$ - | |
| <i>Watershed Management Plan</i> | | | \$ - | |
| Rule Drafting | \$ 25,000.00 | \$ 16,095.46 | \$ 23,622.62 | \$ (1,377.38) |
| Plan Amendment | \$ - | \$ - | \$ - | \$ - |
| Vegetation Management Standard/Plan | \$ 50,000.00 | \$ - | \$ 6,456.10 | \$ (43,543.90) |
| <i>Public Education/CAC/Outreach Program</i> | \$ 30,000.00 | \$ 2,600.00 | \$ 4,533.55 | \$ (25,466.45) |
| <i>Cost Share Program</i> | \$ 20,000.00 | \$ 750.00 | \$ - | \$ (20,000.00) |
| | | | \$ - | \$ - |
| Nine Foot Channel | | | | |
| Transfer from General Fund | \$ 80,000.00 | \$ - | \$ - | \$ (80,000.00) |
| Dredge Site Improvements | \$ 240,000.00 | \$ 10,796.08 | \$ 144,348.74 | \$ (95,651.26) |
| Total: | \$ 1,417,982.00 | \$ 92,945.22 | \$ 818,259.78 | \$ (599,722.22) |



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday December 18, 2019

Agenda Item

Item 4. D. Adopting 2020 Budget and certification of Property Tax Levy for taxes payable 2020.

Prepared By

Linda Loomis, Administrator

Summary

At the August 2019 Board meeting, the Board approved a proposed budget and preliminary certification of levy for taxes payable 2020. No changes have been made to the budget since the August meeting

The levy for taxes payable in 2020 certified in August was \$800,000. The Board added an additional \$75,000 to the levy to assure the LMRWD had sufficient funds to complete the dredge site project. The bids received for the project were significantly lower than the engineer's estimate. The District will have sufficient funds to pay for the project without the additional levy (and enough to cover any contingencies). The Board may wish to consider reducing the levy to \$725,000

Managers should adopt the final budget and certify the final levy. Resolution 19-11 Adopting 2020 Budget and Certification of Property Tax Levy for Taxes Payable 2020 is attached, as well as the 2020 budget. If the Board chooses to reduce the levy the Board should adopt the budget as amended and certify the reduced levy amount.

Attachments

Resolution 19-11 Adopting 2020 Budget and Certification of Property Tax Levy for Taxes Payable 2020
Final 2020 Budget

Recommended Action

Motion to adopt Resolution 19-11

Manager _____ introduced the following resolution and moved its adoption:

LOWER MINNESOTA RIVER WATERSHED DISTRICT

RESOLUTION 19-11

ADOPTING 2020 BUDGET AND CERTIFICATION OF
PROPERTY TAX LEVY FOR TAXES PAYABLE 2020

WHEREAS, in August 2019, the Board of Managers of the Lower Minnesota River Watershed District ("LMRWD") adopted a proposed preliminary total budget of One Million Four Hundred Thirty Four Thousand Five Hundred Twenty Dollars and 67/100 Dollars (\$1,434,520.67) for the fiscal year commencing January 1, 2020; and

WHEREAS, the 2020 budget requires Eight Hundred Thousand Dollars (\$800,000) to be raised from an ad valorem tax levy on taxable property in the LMRWD, for the purpose of paying administrative expenses (Minnesota Statutes § 103D.905 Subd. 3) of Two Hundred Fifty Thousand Dollars (\$250,000) and providing for a planning and implementation fund (Minnesota Statutes § 103B.241) of Five Hundred Fifty Thousand Dollars (\$550,000).

NOW, THEREFORE, BE IT RESOLVED, that the Secretary, in accordance with Minnesota Statutes, shall certify an ad valorem tax of Eight Hundred Thousand Dollars (\$800,000) to the Auditors of the following Counties: Carver, Dakota, Hennepin and Scott apportioned according to the attached Schedule A, which sum to be raised by a levy on all taxable property in the Lower Minnesota River Watershed District payable in the year 2020 and for the purposes noted above as provided in Minnesota Statutes, Sections 103D.911 and 103D.915;

BE IT FURTHER RESOLVED by the Board of Managers of the LMRWD that the proposed 2020 Budget is hereby approved and adopted as the final budget for 2020.

Adopted by the Board of Managers of the Lower Minnesota River Watershed District this 18th day of December, 2019.

Jesse Hartmann, President

SCHEDULE A

District 060 - Lower MN River Watershed

The following table was presented for the Managers' consideration with regard to the proposed amounts to be levied in each separate county, based upon the net tax capacities available:

Preliminary Certification of Apportioned Levies

Payable 2020

| | | | | |
|----|--|---|---|---|
| 1) | General Fund (M.S. 103D.905, Subd.3) | | \$250,000.00 | |
| 2) | Planning and Implementation Fund (M.S. 103B.241) | | \$550,000.00 | |
| 3) | Payable 2018 Property Tax Levy | | \$800,000.00 | |
| | <u>County</u> | (4) Payable 2020 Taxable Net Tax Capacity | (5) Net Tax Capacity Percent Distribution | (6) Apportioned Payable 2020 Levy \$800,000 x column (5) |
| | Carver | \$6,536,231 | 5.9080% | \$47,264.00 |
| | Dakota | \$10,794,180 | 9.7566% | \$78,052.80 |
| | Hennepin | \$49,059,437 | 44.3437% | \$354,749.60 |
| | Scott | \$44,244,599 | 39.9917% | \$319,933.60 |
| | TOTAL | \$110,634,447 | 100.00% | \$800,000.00 |

ATTEST:

David Raby, Secretary/Treasurer

The motion for the adoption of the foregoing resolution was seconded by Manager _____ and upon a vote being taken thereon, the following voted in favor thereof: Hartmann, Raby and Frey; and the following voted against the same: None. Whereupon said resolution was declared passed and adopted, this 19th day of December, 2018, signed by the President and his signature attested by the Secretary/Treasurer.

2020 Proposed Total Budget
2018 Adopted Budget/Actuals - 2019 Adopted Budget/YTD/Projected - 2020 Proposed

| Account | 2018 Adopted | 2018 Actual | 2019 Adopted | 2019 YTD | Projected 2019 | Proposed 2020 |
|---|------------------------|-----------------------|------------------------|------------------------|-----------------------|------------------------|
| Revenues: | | | | | | |
| 1 General Property Tax | | | | | | |
| 2 Carver County | \$ 42,113.07 | \$ 42,092.18 | \$ 48,442.33 | \$ 26,188.24 | \$ 48,442.33 | \$ 47,264.00 |
| 3 Dakota County | \$ 73,373.63 | \$ 75,657.55 | \$ 76,001.75 | \$ 41,029.40 | \$ 76,001.75 | \$ 78,052.80 |
| 4 Hennepin County | \$ 316,479.90 | \$ 310,688.16 | \$ 276,570.10 | \$ 143,575.72 | \$ 276,570.10 | \$ 354,749.60 |
| 5 Scott County | \$ 293,033.40 | \$ 290,220.58 | \$ 323,985.83 | \$ 385,029.12 | \$ 323,985.83 | \$ 319,933.60 |
| Total Levy: | \$ 725,000.00 | \$ 718,658.47 | \$ 725,000.01 | \$ 595,822.48 | \$ 725,000.01 | \$ 800,000.00 |
| 6 Interest Income | \$ 26,000.00 | \$ - | \$ - | \$ - | \$ - | \$ - |
| 7 MCES WOMP Grant | \$ 5,500.00 | \$ 5,500.00 | \$ 5,500.00 | \$ 4,500.00 | \$ 5,500.00 | \$ 5,500.00 |
| 8 State of MN Grant for Dredge Material Management | \$ 240,000.00 | \$ 480,000.00 | \$ 240,000.00 | \$ - | \$ - | \$ 240,000.00 |
| 9 Metro-Area Watershed Based funding grants | \$ - | \$ - | \$ 182,042.00 | \$ 91,021.00 | \$ 91,021.00 | \$ 91,021.00 |
| 10 License Revenue from placement of dredge | \$ 25,000.00 | \$ 29,652.00 | \$ 25,000.00 | \$ - | \$ 25,000.00 | \$ 25,000.00 |
| 11 Revenues from sale of dredge material | \$ 5,000.00 | \$ 8,904.94 | \$ 5,000.00 | \$ - | \$ 5,000.00 | \$ 5,000.00 |
| 12 Miscellaneous Income | \$ - | \$ 2,549.68 | \$ - | \$ 231.91 | \$ 231.91 | \$ - |
| Total Revenues: | \$ 1,026,500.00 | \$1,245,265.09 | \$1,182,542.01 | \$691,575.39 | \$ 851,752.92 | \$ 1,166,521.00 |
| Expenses: | | | | | | |
| 13 Administration | \$ 250,000.00 | \$ 244,965.60 | \$ 250,000.00 | \$ 199,012.48 | \$ 250,000.00 | \$ 250,000.00 |
| Cooperative Projects | | | | | | |
| 14 Eden Prairie Bank Stabilization -Area #3 | \$ - | \$ 1,371.00 | \$ - | \$ 4,026.80 | \$ 3,554.80 | \$ 35,000.00 |
| 15 Eagle Creek | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| 16 Gully Erosion Contingency | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| 17 USGS | \$ 18,500.00 | \$ 19,400.00 | \$ 19,700.00 | \$ 19,788.00 | \$ 19,700.00 | \$ 19,700.00 |
| 18 Ravine Stabilization at Seminary Fen in Chaska | \$ - | \$ - | \$ - | \$ 110,400.00 | \$ 110,400.00 | \$ 55,200.00 |
| 19 Riley Creek Cooperative Project with RPBCWD | \$ 50,000.00 | \$ - | \$ - | \$ - | \$ 75,000.00 | \$ 74,565.67 |
| 509 Plan Budget | | | | | | |
| 20 Resource Plan Implementation | | | | | | |
| 21 TH 101 Ravine/Shakopee | \$ - | \$ - | \$ - | \$ 402.97 | \$ 350.00 | \$ 35,000.00 |
| 22 Assumption Creek Hydrology Restoration Project | \$ - | \$ - | \$ 30,000.00 | \$ - | \$ - | \$ - |
| 23 Carver Creek restoration Project | \$ - | \$ - | \$ 80,000.00 | \$ - | \$ - | \$ 15,000.00 |
| 24 Groundwater Screening Tool Model | \$ - | \$ - | \$ 50,000.00 | \$ - | \$ - | \$ 50,000.00 |
| 25 Eagle Creek (East Branch) Project | \$ - | \$ - | \$ 10,000.00 | \$ - | \$ - | \$ - |
| 26 East Creek Bank Stabilization Project | \$ - | \$ - | \$ 50,000.00 | \$ 26,190.85 | \$ - | \$ - |
| 27 East Creek Water Quality Treatment Project | \$ - | \$ - | \$ 50,000.00 | \$ - | \$ - | \$ - |
| 28 Minnesota River Floodplain Model Feasibility Study | \$ - | \$ - | \$ 30,000.00 | \$ - | \$ - | \$ - |
| 29 Schroeder's Acres Park/Savage Fen Stormwater Management F | \$ - | \$ - | \$ 39,555.00 | \$ - | \$ - | \$ 181,055.00 |
| 30 Prior Lake Outlet Channel | \$ - | \$ - | \$ 71,727.00 | \$ - | \$ - | \$ - |
| 31 Spring Creek Project | \$ - | \$ - | \$ 45,000.00 | \$ 4,543.78 | \$ - | \$ - |
| 32 West Chaska Creek Project | \$ - | \$ - | \$ 50,000.00 | \$ - | \$ 50,000.00 | \$ - |
| 33 Sustainable Lakes Management Plan (Trout Lakes) | \$ 50,000.00 | \$ - | \$ - | \$ 4,925.00 | \$ - | \$ 50,000.00 |
| 34 Geomorphhc Assessments (Trout Streams) | \$ 50,000.00 | \$ 2,729.75 | \$ - | \$ 67,647.26 | \$ 50,000.00 | \$ 50,000.00 |
| 35 Paleolimnology Study (Floodplain Lakes) | \$ 50,000.00 | \$ 37,200.00 | \$ - | \$ - | \$ - | \$ - |
| 36 Dakota County Fen Management Study | \$ 75,000.00 | \$ 2,655.51 | \$ 25,000.00 | \$ 61,615.05 | \$ - | \$ 25,000.00 |
| 37 District Boundary Modification Project | \$ 10,000.00 | \$ - | \$ - | \$ - | \$ - | \$ - |
| 38 East Chaska Creek Treatment Wetland Project | \$ 10,000.00 | \$ 3,510.74 | \$ - | \$ - | \$ - | \$ - |
| 39 Minnesota River Sediment Reduction Strategy | \$ 25,000.00 | \$ - | \$ 25,000.00 | \$ - | \$ - | \$ - |
| 40 Riley Creek Bank Stabilization below CSAH 61 | \$ 50,000.00 | \$ 74,724.49 | \$ - | \$ - | \$ - | \$ - |
| 41 Local Water Management Plan reviews | \$ 12,000.00 | \$ 17,981.93 | \$ 12,000.00 | \$ 2,410.70 | \$ 12,000.00 | \$ 8,000.00 |
| 42 Project Reviews | \$ 16,000.00 | \$ 42,713.64 | \$ 20,000.00 | \$ 49,680.40 | \$ 20,000.00 | \$ 20,000.00 |
| 43 Monitoring | \$ 65,000.00 | \$ 50,631.20 | \$ 65,000.00 | \$ 40,677.13 | \$ 65,000.00 | \$ 65,000.00 |
| 44 Watershed Management Plan | | | | | | |
| 45 Next Generation Watershed Management Plan | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| 46 Plan Clarification and proposed rules/Rule implementation | \$ - | \$ - | \$ 25,000.00 | \$ 10,130.20 | \$ 25,000.00 | \$ 56,000.00 |
| 47 Plan Amendment | \$ 50,000.00 | \$ 94,849.35 | \$ - | \$ - | \$ - | \$ - |
| 48 Vegetation Management Standard/Plan | \$ - | \$ 3,304.75 | \$ 50,000.00 | \$ 7,095.90 | \$ 50,000.00 | \$ - |
| 49 Public Education/Citizen Advisory Committee/Outreach Program | \$ 30,000.00 | \$ 26,959.84 | \$ 30,000.00 | \$ 14,348.65 | \$ 30,000.00 | \$ 30,000.00 |
| 50 Cost Share Program | \$ 20,000.00 | \$ 19,935.49 | \$ 20,000.00 | \$ 750.00 | \$ 20,000.00 | \$ 20,000.00 |
| Nine Foot Channel | | | | | | |
| 51 Transfer from General Fund | \$ 50,000.00 | \$ 50,000.00 | \$ 80,000.00 | \$ - | \$ 80,000.00 | \$ 80,000.00 |
| 52 Dredge Site Restoration | \$ 240,000.00 | \$ 60,794.39 | \$ 240,000.00 | \$ 55,252.48 | \$ 240,000.00 | \$ 315,000.00 |
| 53 Total Non-administrative Expenses: | \$ 721,500.00 | \$ 457,391.08 | \$ 1,367,982.00 | \$ 678,897.65 | \$ 642,100.00 | \$ 1,184,520.67 |
| 54 Total Administrative Expenses (from line 13) | \$ 250,000.00 | \$ 244,965.60 | \$ 250,000.00 | \$ 199,012.48 | \$ 250,000.00 | \$ 250,000.00 |
| 55 Total Expenses | \$ 971,500.00 | \$ 702,356.68 | \$ 1,617,982.00 | \$ 877,910.13 | \$ 892,100.00 | \$ 1,434,520.67 |
| 56 Revenue less Expenses | \$ 55,000.00 | \$ 542,908.41 | \$ (435,439.99) | \$ (186,334.74) | \$ (40,347.08) | \$ (267,999.67) |
| 57 Beginning Fund Balance - January 1 | | \$ 1,289,341.15 | \$ 1,831,230.64 | \$ 1,831,230.64 | | \$ 1,395,790.65 |
| 58 Total Revenue | | \$ 1,245,265.09 | \$ 1,182,542.01 | \$ 691,575.39 | | \$ 1,166,521.00 |
| 59 Total Expenses | | \$ (702,356.68) | \$ (1,617,982.00) | \$ (877,910.13) | | \$ (1,434,520.67) |
| 60 Ending Fund Balance - December 31 (bold figures are projected) | | \$ 1,832,249.56 | \$ 1,395,790.65 | \$ 1,644,895.90 | | \$ 1,127,790.98 |

2020 Proposed Total Budget
2018 Adopted Budget/Actuals - 2019 Adopted Budget/YTD/Projected - 2020 Proposed

| Account | 2018 Adopted | 2018 Actual | 2019 Adopted | 2019 YTD | Projected 2019 | Proposed 2020 |
|--|------------------------|------------------------|--------------------------|------------------------|-----------------------|--------------------------|
| Revenues: | | | | | | |
| 1 General Property Tax | | | | | | |
| 2 Carver County | \$ 42,113.07 | \$ 42,092.18 | \$ 48,442.33 | \$ 26,188.24 | \$ 48,442.33 | \$ 47,264.00 |
| 3 Dakota County | \$ 73,373.63 | \$ 75,657.55 | \$ 76,001.75 | \$ 41,029.40 | \$ 76,001.75 | \$ 78,052.80 |
| 4 Hennepin County | \$ 316,479.90 | \$ 310,688.16 | \$ 276,570.10 | \$ 143,575.72 | \$ 276,570.10 | \$ 354,749.60 |
| 5 Scott County | \$ 293,033.40 | \$ 290,220.58 | \$ 323,985.83 | \$ 385,029.12 | \$ 323,985.83 | \$ 319,933.60 |
| Total Levy: | \$ 725,000.00 | \$ 718,658.47 | \$ 725,000.01 | \$ 595,822.48 | \$ 725,000.01 | \$ 800,000.00 |
| 6 Interest Income | \$ 26,000.00 | \$ - | \$ - | \$ - | \$ - | \$ - |
| 7 MCES WOMP Grant | \$ 5,500.00 | \$ 5,500.00 | \$ 5,500.00 | \$ 4,500.00 | \$ 5,500.00 | \$ 5,500.00 |
| 8 State of MN Grant for Dredge Material Management | \$ 240,000.00 | \$ 480,000.00 | \$ 240,000.00 | \$ - | \$ - | \$ 240,000.00 |
| 9 Metro-Area Watershed Based funding grants | \$ - | \$ - | \$ 182,042.00 | \$ 91,021.00 | \$ 91,021.00 | \$ 91,021.00 |
| 10 License Revenue from placement of dredge | \$ 25,000.00 | \$ 29,652.00 | \$ 25,000.00 | \$ - | \$ 25,000.00 | \$ 25,000.00 |
| 11 Revenues from sale of dredge material | \$ 5,000.00 | \$ 8,904.94 | \$ 5,000.00 | \$ - | \$ 5,000.00 | \$ 5,000.00 |
| 12 Miscellaneous Income | \$ - | \$ 2,549.68 | \$ - | \$ 231.91 | \$ 231.91 | \$ - |
| Total Revenues: | \$ 1,026,500.00 | \$1,245,265.09 | \$1,182,542.01 | \$691,575.39 | \$ 851,752.92 | \$ 1,166,521.00 |
| Expenses: | | | | | | |
| 13 Administration | \$ 250,000.00 | \$ 244,965.60 | \$ 250,000.00 | \$ 199,012.48 | \$ 250,000.00 | \$ 250,000.00 |
| Cooperative Projects | | | | | | |
| 14 Eden Prairie Bank Stabilization -Area #3 | \$ - | \$ 1,371.00 | \$ - | \$ 4,026.80 | \$ 3,554.80 | \$ 35,000.00 |
| 15 Eagle Creek | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| 16 Gully Erosion Contingency | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| 17 USGS | \$ 18,500.00 | \$ 19,400.00 | \$ 19,700.00 | \$ 19,788.00 | \$ 19,700.00 | \$ 19,700.00 |
| 18 Ravine Stabilization at Seminary Fen in Chaska | \$ - | \$ - | \$ - | \$ 110,400.00 | \$ 110,400.00 | \$ 55,200.00 |
| 19 Riley Creek Cooperative Project with RPBCWD | \$ 50,000.00 | \$ - | \$ - | \$ - | \$ 75,000.00 | \$ 74,565.67 |
| 509 Plan Budget | | | | | | |
| 20 Resource Plan Implementation | | | | | | |
| 21 TH 101 Ravine/Shakopee | \$ - | \$ - | \$ - | \$ 402.97 | \$ 350.00 | \$ 35,000.00 |
| 22 Assumption Creek Hydrology Restoration Project | \$ - | \$ - | \$ 30,000.00 | \$ - | \$ - | \$ - |
| 23 Carver Creek restoration Project | \$ - | \$ - | \$ 80,000.00 | \$ - | \$ - | \$ 15,000.00 |
| 24 Groundwater Screening Tool Model | \$ - | \$ - | \$ 50,000.00 | \$ - | \$ - | \$ 50,000.00 |
| 25 Eagle Creek (East Branch) Project | \$ - | \$ - | \$ 10,000.00 | \$ - | \$ - | \$ - |
| 26 East Creek Bank Stabilization Project | \$ - | \$ - | \$ 50,000.00 | \$ 26,190.85 | \$ - | \$ - |
| 27 East Creek Water Quality Treatment Project | \$ - | \$ - | \$ 50,000.00 | \$ - | \$ - | \$ - |
| 28 Minnesota River Floodplain Model Feasibility Study | \$ - | \$ - | \$ 30,000.00 | \$ - | \$ - | \$ - |
| 29 Schroeder's Acres Park/Savage Fen Stormwater Management Plan | \$ - | \$ - | \$ 39,555.00 | \$ - | \$ - | \$ 181,055.00 |
| 30 Prior Lake Outlet Channel | \$ - | \$ - | \$ 71,727.00 | \$ - | \$ - | \$ - |
| 31 Spring Creek Project | \$ - | \$ - | \$ 45,000.00 | \$ 4,543.78 | \$ - | \$ - |
| 32 West Chaska Creek Project | \$ - | \$ - | \$ 50,000.00 | \$ - | \$ 50,000.00 | \$ - |
| 33 Sustainable Lakes Management Plan (Trout Lakes) | \$ 50,000.00 | \$ - | \$ - | \$ 4,925.00 | \$ - | \$ 50,000.00 |
| 34 Geomorphpic Assessments (Trout Streams) | \$ 50,000.00 | \$ 2,729.75 | \$ - | \$ 67,647.26 | \$ 50,000.00 | \$ 50,000.00 |
| 35 Paleolimnology Study (Floodplain Lakes) | \$ 50,000.00 | \$ 37,200.00 | \$ - | \$ - | \$ - | \$ - |
| 36 Dakota County Fen Management Study | \$ 75,000.00 | \$ 2,655.51 | \$ 25,000.00 | \$ 61,615.05 | \$ - | \$ 25,000.00 |
| 37 District Boundary Modification Project | \$ 10,000.00 | \$ - | \$ - | \$ - | \$ - | \$ - |
| 38 East Chaska Creek Treatment Wetland Project | \$ 10,000.00 | \$ 3,510.74 | \$ - | \$ - | \$ - | \$ - |
| 39 Minnesota River Sediment Reduction Strategy | \$ 25,000.00 | \$ - | \$ 25,000.00 | \$ - | \$ - | \$ - |
| 40 Riley Creek Bank Stabilization below CSAH 61 | \$ 50,000.00 | \$ 74,724.49 | \$ - | \$ - | \$ - | \$ - |
| 41 Local Water Management Plan reviews | \$ 12,000.00 | \$ 17,981.93 | \$ 12,000.00 | \$ 2,410.70 | \$ 12,000.00 | \$ 8,000.00 |
| 42 Project Reviews | \$ 16,000.00 | \$ 42,713.64 | \$ 20,000.00 | \$ 49,680.40 | \$ 20,000.00 | \$ 20,000.00 |
| 43 Monitoring | \$ 65,000.00 | \$ 50,631.20 | \$ 65,000.00 | \$ 40,677.13 | \$ 65,000.00 | \$ 65,000.00 |
| 44 Watershed Management Plan | | | | | | |
| 45 Next Generation Watershed Management Plan | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| 46 Plan Clarification and proposed rules/Rule implementation | \$ - | \$ - | \$ 25,000.00 | \$ 10,130.20 | \$ 25,000.00 | \$ 56,000.00 |
| 47 Plan Amendment | \$ 50,000.00 | \$ 94,849.35 | \$ - | \$ - | \$ - | \$ - |
| 48 Vegetation Management Standard/Plan | \$ - | \$ 3,304.75 | \$ 50,000.00 | \$ 7,095.90 | \$ 50,000.00 | \$ - |
| 49 Public Education/Citizen Advisory Committee/Outreach Program | \$ 30,000.00 | \$ 26,959.84 | \$ 30,000.00 | \$ 14,348.65 | \$ 30,000.00 | \$ 30,000.00 |
| 50 Cost Share Program | \$ 20,000.00 | \$ 19,935.49 | \$ 20,000.00 | \$ 750.00 | \$ 20,000.00 | \$ 20,000.00 |
| Nine Foot Channel | | | | | | |
| 51 Transfer from General Fund | \$ 50,000.00 | \$ 50,000.00 | \$ 80,000.00 | \$ - | \$ 80,000.00 | \$ 80,000.00 |
| 52 Dredge Site Restoration | \$ 240,000.00 | \$ 60,794.39 | \$ 240,000.00 | \$ 55,252.48 | \$ 240,000.00 | \$ 315,000.00 |
| 53 Total Non-administrative Expenses: | \$ 721,500.00 | \$ 457,391.08 | \$ 1,367,982.00 | \$ 678,897.65 | \$ 642,100.00 | \$ 1,184,520.67 |
| 54 Total Administrative Expenses (from line 13) | \$ 250,000.00 | \$ 244,965.60 | \$ 250,000.00 | \$ 199,012.48 | \$ 250,000.00 | \$ 250,000.00 |
| 55 Total Expenses | \$ 971,500.00 | \$ 702,356.68 | \$ 1,617,982.00 | \$ 877,910.13 | \$ 892,100.00 | \$ 1,434,520.67 |
| 56 Revenue less Expenses | \$ 55,000.00 | \$ 542,908.41 | \$ (435,439.99) | \$ (186,334.74) | \$ (40,347.08) | \$ (267,999.67) |
| 57 Beginning Fund Balance - January 1 | | \$ 1,289,341.15 | \$ 1,831,230.64 | \$ 1,831,230.64 | | \$ 1,395,790.65 |
| 58 Total Revenue | | \$ 1,245,265.09 | \$ 1,182,542.01 | \$ 691,575.39 | | \$ 1,166,521.00 |
| 59 Total Expenses | | \$ (702,356.68) | \$ (1,617,982.00) | \$ (877,910.13) | | \$ (1,434,520.67) |
| 60 Ending Fund Balance - December 31 (bold figures are projected) | | \$ 1,832,249.56 | \$ 1,395,790.65 | \$ 1,644,895.90 | | \$ 1,127,790.98 |



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, December 18, 2019

Agenda Item

Item 4. E. - Adopt Resolution 19-10 Approving the transfer of LMRWD funds from General Fund to 9-foot Channel Fund

Prepared By

Linda Loomis, Administrator

Summary

The 2019 Budget includes a \$50,000 transfer of LMRWD funds from the General Fund to the 9-foot Channel Fund, in order to reduce the deficit that has built up in the 9-foot channel fund.

Attachments

Resolution 19-10 Approving Transfer of Lower Minnesota River Watershed District Funds from the General Fund to the Nine (9) Foot Channel Fund

Recommended Action

Motion to adopt Resolution 19-10 Approving Transfer of Lower Minnesota River Watershed District Funds from the General Fund to the Nine (9) Foot Channel Fund

Manager _____ introduced the following resolution and moved its adoption:

LOWER MINNESOTA RIVER WATERSHED DISTRICT

RESOLUTION 19-10

RESOLUTION APPROVING THE TRANSFER OF LOWER MINNESOTA RIVER WATERSHED DISTRICT FUNDS
FROM THE GENERAL FUND TO THE NINE (9) FOOT CHANNEL FUND

BE IT RESOLVED by the Board of Managers of the Lower Minnesota River Watershed District as follows:

\$80,000 will be transferred from the Lower Minnesota River Watershed District's General Fund to the Nine (9) Foot Channel Fund.

Adopted by the Board of Managers of the Lower Minnesota River Watershed District this 18th day of December, 2019.

Jesse Hartmann, President

ATTEST:

David Raby, Secretary/Treasurer

The motion for the adoption of the foregoing resolution was seconded by Manager _____ and upon a vote being taken thereon, the following voted in favor thereof: _____; and the following voted against the same: None, whereupon said resolution was declared passed and adopted, this 18th day of December, 2019 signed by the President and his signature attested by the Secretary/Treasurer.



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday December 18, 2019

Agenda Item

Item 6. A. - 2018 Annual Report

Prepared By

Linda Loomis, Administrator

Summary

A draft of the 2018 LMRWD Annual Report (without the Appendices) has been posted to the website and can be found by following this link http://lowermnriverwd.org/application/files/5615/7663/5972/2018_Annual_Report.pdf.

Attachments

2018 LMRWD Annual Report

Recommended Action

Motion to approve Annual Report and authorize distribution



LOWER MINNESOTA RIVER WATERSHED DISTRICT



2018 Annual Report
December 2019

Lower Minnesota River Watershed District

2018 Annual Report

TABLE OF CONTENTS

| | |
|---|----|
| Executive Summary: 2018 Annual Report | i |
| I. Annual Activity Report | 1 |
| A. 2018 Board of Managers..... | 2 |
| B. LMRWD Staff and Consultants..... | 3 |
| C. LMRWD Technical Advisory Committee | 3 |
| D. LMRWD Citizens Advisory Committee | 3 |
| E. LMRWD Goals | 4 |
| F. 2018 Work Activities Completed..... | 4 |
| G. 2018 LMRWD Project Reviews..... | 14 |
| H. 2018 Water Quality Monitoring Data and Studies | 16 |
| I. Local Plan Adoption | 17 |
| J. Watershed Communication/Public Education | 18 |
| K. Professional Services Proposal..... | 19 |
| L. Assessment of Changes in Fund Balance | 19 |
| M. Wetland Conservation Act/Wetland Banking Program | 20 |
| II. 2018 Projected Work Activities | 21 |
| III. Annual Financial Report | 27 |
| A. 2018 Adopted Budget | |
| B. Report of Revenues | |
| C. Report of Expenditures | |
| D. Financial Audit Report | |

List of Appendices

- Appendix A: Financial Information
- Appendix B: Resolutions
- Appendix C: Capital Improvement Program
- Appendix D: Dredge Site Work Plan, July 26 2017
- Appendix E: 2018 Cost Share and Water Quality Restoration Projects



LOWER MINNESOTA RIVER
WATERSHED DISTRICT



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary

Draft



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary: 2018 Annual Report

2018 Activities & Achievements

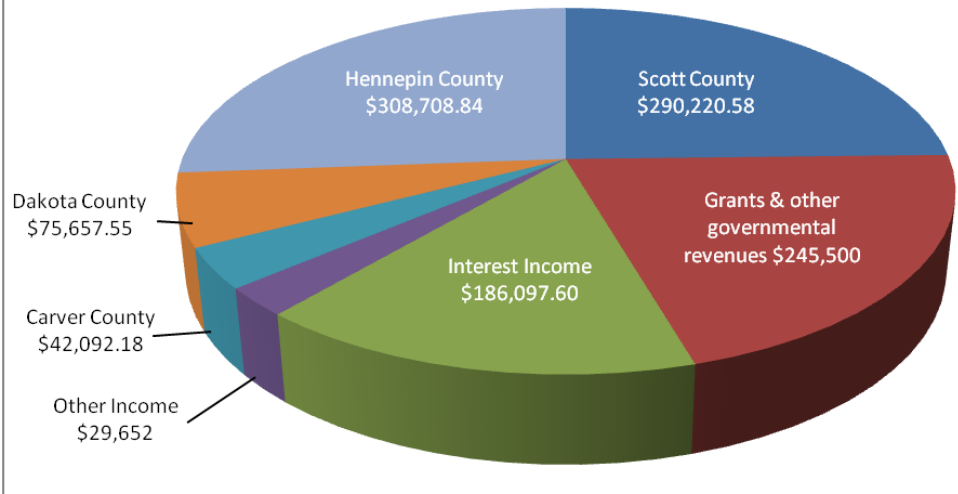
This Executive Summary highlights the Lower Minnesota River Watershed District’s (LMRWD) work and accomplishments during its fiscal year 2018 (January 1, 2018—December 31, 2018) in the following areas: Nine-foot Channel, Plan Implementation Activities, Water Quality Activities and Education Activities. The LMRWD activities and projects are guided by its *Watershed Management Plan* (Plan). In 2018, the LMRWD completed a plan amendment, which was unconditionally approved by the MN Board of Water & Soil Resource, September 25, 2018 and adopted by the LMRWD Board, October 24, 2018.

Nine-foot Channel Achievements

The LMRWD is unique among Watershed Management Organizations in the State of Minnesota. It is the only Watershed District charged with acting as a local sponsor, responsible for working with the US Army Corps of Engineers to maintain the navigation channel. In 2018, the District successfully:

- Received a report on special benefits derived by businesses and landowners with access to the 9’ Navigation channel;
- Held a public meeting to discuss special assessments and funding of dredge management activities;
- Held a public hearing granting the LMRWD authority to assess properties for special benefit;
- Succeeded in procuring state funding for management of dredge material;
- Developed a work plan for capital improvements to the dredge site and began work on design of capital improvements to bring the site up to industry standards;
- Began work to evaluate impact on the water elevations of the Minnesota River caused by storage of dredge material in the floodplain;
- Prepared a Threatened & Endangered Species evaluation for the dredge site; and
- Delineated wetlands located on the dredge site.

2018 LMRWD Revenue



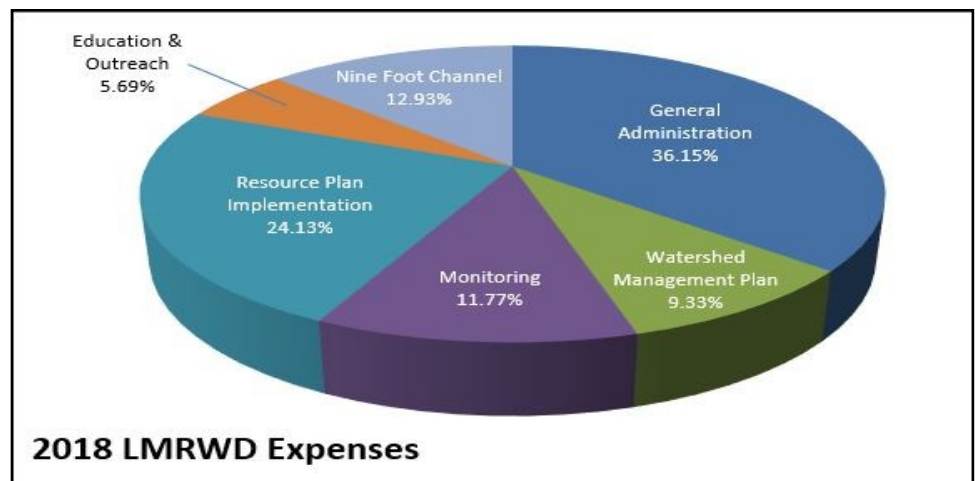
In FY 2018, levy revenues totaled \$716,679.15, divided among four counties as shown by the chart at left. Other Income was mainly from license fees from industry for storage of private dredge material on the Vernon Avenue dredge site. For more information on the LMRWD’s FY 2018 revenue, see the Financial Information in Appendix A of the Annual Report.

Watershed Plan Activities

The LMRWD continued to implement the goals of its plan. In addition to the Plan Amendment, in 2018 the LMRWD:

- Released a Statement of Need and Reasonableness (SONAR) for changes to standards in the LMRWD Plan;
- Continued public engagement related to Plan revisions, by holding public meetings in Bloomington, Eden Prairie, Chanhassen, Burnsville and Savage; and making a presentation to the City Council in the City of Carver;
- Held a second public hearing in April, before the Plan Amendment was sent for its final agency review;
- Completed a stream bank stabilization on Riley Creek below Flying Cloud Drive in Eden Prairie;
- Reviewed and approved the local water management plans and/or Comprehensive Plans from the Cities of Chanhassen, Chaska, Bloomington, Lilydale, Eagan Eden Prairie and Mendota Heights;
- Worked with Freshwater Society and Lac Core to study sediment cores from floodplain lakes; and
- Received the final altered hydrology of the Minnesota River Basin report from Freshwater Society.

In FY 2018, the LMRWD spent a total of \$177,900.13 to implement the LMRWD's Resource Management Plan identified in the Watershed Management Plan and approximately \$559,400 on its other activities, including \$95,350 to maintain the 9' Navigation Channel. For an itemization or more information on the LMRWD's FY 2018 expenditures, see the Financial Information in Appendix A of the Annual Report



Water Quality Activities

In 2018, the LMRWD addressed water quality issues by:

- Performing monitoring for water quality on Eagle Creek, in cooperation with the Metropolitan Council Environmental Services Watershed Outlet Monitoring Program and the Scott County SWCD;
- Monitoring water levels in observation wells in Savage, Seminary, Nichols, Fort Snelling and Quarry Island Fens;
- Adding additional sites for thermal monitoring of Eagle Creek, a designated trout stream, in Scott County and added chloride monitoring of Eagle Creek;
- Monitoring East & West Chaska Creeks for occurrence and concentration of nutrients;
- Monitoring Dean Lake Inlet Channel for nutrients;
- Monitoring water quality of Courthouse, Fireman's and Brickyard lakes;
- Continuing sampling of suspended sediment and bed-loading in the Minnesota River through a partnership with the USGS and the US Army Corps of Engineers;
- Continuing monitoring Ike's Creek in Bloomington for chlorides in cooperation with the US Fish & Wildlife Service and the University of Minnesota; and
- Continuing to work with the MN Department of Natural Resources to develop a fen stewardship plan for all calcareous fens in the In the District.

Education Activities

In 2018, the LMRWD pursued its education goals as it:

- Sponsored six classrooms to attend the Metro Children's Water Festival in September;
- Continued to sponsor the Minnesota River Congress and participated in its networking fair;
- Redesigned the LMRWD website and brought it live in February;
- Funded five (5) Cost Share projects for a total of \$6,380.30;
- Funded participation for one Master Water Steward;
- Posted agendas and minutes of Board of Managers meetings on the LMRWD website;
- Partnered with Freshwater and other watershed districts to inventory historical landslides in Hennepin County; and
- Hosted a boat tour of the Minnesota River in partnership with the Minnesota Association of Watershed Districts, Riley Purgatory Bluff Creek Watershed District and Carver County Watershed Management Organization.



LOWER MINNESOTA RIVER WATERSHED DISTRICT

I. Annual Activity Report

Draft



LOWER MINNESOTA RIVER WATERSHED DISTRICT

I. Annual Activity Report

This report covers the Lower Minnesota River Watershed District's (LMRWD) activities for fiscal year 2018 (January 1, 2018—December 31, 2018). The LMRWD Annual Report was prepared to meet the Annual Reporting Requirements set forth in Minnesota Statutes Annotated 103B.231 Subd. 14, 103D.351 and Minnesota Rules Chapter 8410.0150 .

A. Board of Managers

The LMRWD is governed by a Board of Managers appointed by the County Commissioners of each respective County (Carver, Dakota, Hennepin and Scott), for a term of three years. Managers can be re-appointed. Each County is entitled to appoint one Manager. Hennepin County appoints two. It is the job of the Board of Managers to preside over the business of the LMRWD as it pursues the goals contained in the Watershed Management Plan. The following reflects the Managers appointed and officers elected at the meeting held on September 17, 2018:

Vacant since January 1, 2015
Carver County

Term Expires: 2-28-2020

YVONNE SHIRK (resigned July 1, 2018)
Dakota County

Term Expires: 2-28-2021
Phone: 612-860-6680
Email: yshirk@msn.com
Address: 11000 Territorial Dr.
Burnsville, MN 55337

ADAM FREY
Vice President
Hennepin County

Term Expires: 2-28-2021
Phone:
Email: adamfrey@comcast.net
Address: 5621 Auto Club Road
Bloomington, MN 55437

DAVID RABY
Secretary/Treasurer
Hennepin County

Term Expires: 2-28-2021
Phone: (m) 651-341-3507
Email: dave.raby@aol.com
Address: 10006 Indigo Dr.
Eden Prairie, MN 55347

JESSE HARTMANN
President
Scott County

Term Expires: 2-28-2020
Phone: (612) 232-7820
Email: jessehartmann@hotmail.com
Address: 201 Appleblossom Lane W
Shakopee, MN 55379

B. LMRWD Staff and Consultants

All Lower Minnesota River Watershed District (LMRWD) staff is hired on a contract basis. The Administrator implements the policies set by the Board of Managers in the Watershed Management Plan, oversees the daily operations of the LMRWD and coordinates the activities of the engineering consultant, legal counsel, financial services and dredge site operations manager. The LMRWD contracts with an outside accounting firm to perform its annual financial audit, required under Minnesota Statutes 103D.355.

Administrator

Linda Loomis
Naiad Consulting, LLC
6677 Olson Highway
Golden Valley, MN 55427
763-545-4659
naiadconsulting@gmail.com

Auditor

Peggy Moeller
Redpath and Company
4810 White Bear Parkway
White Bear Lake, MN 55110
651-426-7000
PMoeller@redpathcpas.com

Engineer/Technical

Della Schall Young, PMP, CPESC
Young Environmental Consulting Group, LLC
915 Mainstreet, Suite #4000
Hopkins, MN 55343
(651) 249-6974
della@youngecg.com

Legal Counsel

John C. Kolb
Rinke Noonan
Suite 300 US Bank Plaza
1015 St. Germain Street
St. Cloud, MN 56303
320-251-6700
jkolb@rinkenoonan.com

Accounting Services

David Frischmon
Mary Kaye Wahl
Brandon Zabel
Carver County Financial
Services Division
600 East 4th Street
Chaska, MN 55318
952-361-1506
dfrischmon@co.carver.mn.us
mwahl@co.carver.mn.us
bzabel@co.carver.mn.us

C. LMRWD Technical Advisory Committee

| Name | Representing |
|---|--|
| Leslie Stovring, Rod Rue..... | City of Eden Prairie |
| Bryan Gruidl, Steve Segar..... | City of Bloomington |
| Vanessa Strong, Renae Clark..... | City of Chanhassen |
| Matt Clark, Dan Edgerton..... | City of Chaska |
| Brian Skok, Bob Bean..... | City of Carver |
| Jesse Carlson, Seng Thongvanh..... | City of Savage |
| Steve Lillehaug, Kirby Templin, | City of Shakopee |
| Daryl Jacobson, Ryan Peterson, Deb Gaross..... | City of Burnsville |
| Eric MacBeth..... | City of Eagan |
| Sarah Inouye, Vicki Sherry, Gerry Shimek..... | U.S. Fish & Wildlife Service |
| Steve Christopher..... | Board of Water & Soil Resources |
| Paul Moline, Andrew Edgcumbe..... | Carver County Water Management Organization |
| Paul Nelson..... | Scott County Water Management Organization |
| Stacy Boone, Scott Walz..... | Shakopee Mdewakanton Sioux Community |
| Lindsey Albright, Brian Watson..... | Dakota County Soil & Water Conservation District |
| Melissa Jenny, Zach Kimmel, Marissa Merriman..... | U.S. Army Corp of Engineers |
| Troy Kuphal..... | Scott County Soil & Water Conservation District |
| Joe Mulcahy..... | Metropolitan Council Environmental Services |
| Mark Nemeth, Jennie Skancke..... | MN Department of Natural Resources |
| Beth Neuendorf..... | MN Department of Transportation |
| Mike Wanous..... | Carver County Soil & Water Conservation District |
| Timothy Schwartz..... | MN Pollution Control Agency |
| Al Dye, Jennifer Gora..... | Metropolitan Airport Commission |
| Karen Galles..... | Hennepin County |
| Ryan Ruzek..... | Mendota Heights |
| Greg Genz..... | Upper Mississippi Waterway Association |
| Mike Wanous..... | Carver County Soil & Water Conservation District |

D. LMRWD Citizen Advisory Committee

Currently, the Lower Minnesota River does not have a Citizen Advisory Committee

E. LMRWD Goals

Description of Overall Goals

The LMRWD's general goals fall under the categories of organizational management, surface water and groundwater management, unique natural resource management, wetland management, flood and floodplain management, erosion and sediment control, and public education and outreach. The Plan adopted in 2018 incorporated new emphasis on protecting unique resources within the District, such as trout waters, calcareous fens and steep slopes.

Unlike other water management programs in the state subject to M.S. 103B, the LMRWD has an additional purpose which is to assist and facilitate the efforts of state and federal agencies to maintain the Minnesota River 9-foot channel for commercial and recreational navigation. The goals identified in the Watershed Management Plan (October 2018) are to:

- Manage the different roles of the District;
- Protect, improve and restore surface water quality;
- Protect and promote groundwater quality and quantity;
- Protect and manage unique natural resource;
- Protect and preserve wetlands;
- Manage floodplains and mitigate flooding;
- Manage erosion and control sediment discharge;
- Maintain and improve navigation and recreational use of the Lower Minnesota River;
- Increase public participation and awareness of the unique natural resources and the Minnesota River; and
- Encourage other LGUs to include information about the District in their water resource related documents.

F. 2018 LMRWD Work Activities

The LMRWD conducted the following activities in 2018. Work related to water quality monitoring is addressed in Section H.

Capital Improvements Program - The LMRWD continued to implement its Capital Improvement Program. In 2018 achievements included:

1. The following CIP projects were underway in 2018:
 - **Seminary Fen** - This project was completed in 2016. Staff worked with BWSR to get the reporting finalized and request disbursement of the final portion of the grant.
 - **East Chaska Creek** - The LMRWD worked jointly with the city of Chaska, to prepare a feasibility report to identify channel maintenance activities, prioritize channel stabilization projects and provide conceptual design and cost estimates. The report identified several areas where the city needed to perform channel maintenance and areas with active erosion that needed stabilization. Lastly, the report identified potential capital projects to address the various impairments on the creek and mitigate sediment transport to the Minnesota River. This project was included for funding under the Board of Water & Soil Resource's Metro-area Watershed Based Funding Pilot Program.

- **Riley Creek Restoration** - The LMRWD worked with Barr Engineering to design a project downstream of CSAH 61/Flying Cloud Drive, to stabilize banks and manage flow velocity. The project was constructed with Hennepin County's reconstruction of Flying Cloud Drive/CSAH 61.
- **Riley Purgatory Bluff Creek Watershed District's Lower Riley Creek Ecological Restoration** - The LMRWD continued its partnership with the Riley Purgatory Bluff Creek Watershed District to stabilize a segment of Lower Riley Creek and reconnect Riley Creek with its floodplain, in order to improve water quality and address the Creek's impairments.
- **Nine Foot Channel Permanent Disposal Sites Acquisition and Development Basic Water Management Project** - The LMRWD succeeded in securing state funding to assist the District in bringing the Vernon Avenue Dredge Management site up to industry standards. Once funding was secured the LMRWD began work that would be needed to secure necessary permits from the US Army Corps of Engineers, the MN Department of Natural Resources and the City of Savage. Additional information on this project can be found in Section F. 2. of this report.
- **Paleolimnology Study (Floodplain Lakes)** - The LMRWD completed a study of sedimentation of floodplain lakes with the Freshwater Society and Lac Core, at the University of Minnesota, to see if the rate of accumulation of sediment in the floodplain lakes could be tied to changes in land uses upstream. A report was prepared and in October 2018 was presented to the Board of Managers. This report can be viewed on the LMRWD website at https://lowermnriverwd.org/application/files/4015/5708/0823/Freshwater_Lake_Coring_Project_FINAL_082018.pdf.

The LMRWD Technical Advisory Committee recommended that the District update its plan to coincide with the cycle for updating municipal local surface water management plans. The District began this process and released a draft watershed management plan in 2017. The 2017 draft included a draft Capital Improvement Program (CIP) plan. Additional projects were added to the CIP before adoption of the Plan, due to opportunities that were presented to the District through the plan amendment process and as part of BWSR's Metro-area Watershed Based Funding Pilot Program. The CIP adopted in the 2018 Plan can be found in Appendix C

The following projects were included in the in the 2017 draft (in addition to projects that remained from the 2011 revision of the Plan, as amended):

- **Minnesota River Corridor Management Project** in 2020-2021 - Using the Minnesota River as a focal point, this project will examine issues facing the river's complex natural system, a shared resource and a place where varied interests and other systems converge. We seek to (1) create greater understanding of the Lower Minnesota River Corridor and its landscape, (2) demonstrate a desired future for the river and how change in the surrounding landscape can help attain this future, (3) suggest a structure or framework by which the vision can be implemented, and (4) identify shared community and public values that form the basis of the project. (This design is modeled after the Vermillion River Corridor Plan.);
- **District Boundary Modification Project** in 2018 - District staff will work with BWSR and the neighboring watershed districts and water management organizations to review and possibly modify the district's jurisdictional boundary. In addition in 2018 the LMRWD was approached by the Metropolitan Airport Commission (MAC) about adjusting boundaries at the MSP airport to better align with hydrological boundaries. The Board of Manager, MAC and Minnehaha Creek Watershed District have agreed to this realignment in principal;
- **Eagle Creek Project (East Branch Project)** in 2018 - This project will restore approximately 2,400 feet of stream and repair erosion under the 128th Street Bridge. The goals of the project are to reduce erosion and improve fish habitat. Due to beaver dams, the stream cuts into three valley walls, contributing to significant deposits of sediment; and

- **Spring Creek Project** in 2019 - This project consists of retrofitting two catch basins into the structural treatment devices in the Lenzen first and second additions. In addition, the project will treat untreated discharge that comes from upstream into Spring Creek at 6th Street.

The following projects were added to the LMRWD CIP after the 2017 draft of the Plan was released for initial comment:

- **Assumption Creek Hydrology Restoration Project** in 2019 - Assumption Creek is a trout stream, so it is important to maintain the temperature of groundwater discharge. According to the City of Chaska, portions of the creek dry out periodically. It is unknown exactly what has reduced the hydrology of the creek. It may have been the U.S. Army Corps of Engineers' historic creek rerouting for the brick factory, road construction, or other development effects. The project described here will evaluate the opportunities available to resupply the groundwater hydrology to the creek;
- **Groundwater Screening Tool Model** in 2018-2020; The District will develop a district-specific groundwater model that can be used as a preliminary screening tool for the evaluation of groundwater appropriation requests related to four fens within the district (Black Dog, Fort Snelling, Nicols, and Quarry Island). The goal of the model is to define the approximate extent of the recharge zones for the fens and provide a method for evaluating whether the proposed groundwater withdrawals may cause significant decline in head at one or more of the referenced fens.
- **Minnesota River Assessment of Ecological and Economic Impacts of Sedimentation** in 2024 through 2027 - This project will examine sedimentation in the Lower Minnesota River Watershed including monitoring, modeling, and analyzing sediment sources, sinks, and pathways in the watershed; summarizing how sources, sinks, and pathways may have changed; and estimating the economic and ecological effects of sedimentation. The project team will look at how sedimentation (1) changes the stage-discharge relationships that may cause flooding, (2) generates costs to maintain a commercial navigation channel on the Minnesota River, and (3) affects the watershed with its ecological conditions. Through these analyses, a new baseline can be established, and an understanding created of how changes in land use will alter the watershed baseline and create a new condition. This project has been proposed to the US Army Corp of Engineers as a spin-off study of the Minnesota River Basin Integrated Watershed Study.
- **Minnesota River Assessment of Water Storage Benefits and Opportunities** in 2024 through 2027 - Using the Agricultural Conservation Planning Framework (ACPF) and the Prioritize, Target, and Measure Application (PTMApp), we will determine if a flow reduction would benefit from the placement of storage measures in key locations throughout the basin. This analysis will help us understand if the threshold for meaningful change can be realized to recommend specific levels of storage in the basin. The analysis is needed to accomplish the desired outcomes: (1) hydro-correct DEMs for the lower watershed where storage impacts are desired, (2) run ACPF on priority sub-basins to determine where storage opportunities exist, (3) develop a detailed hydrologic model if one does not exist, (4) run existing and storage scenarios to determine if the amount of the discharges could be lowered for hypothetical rainfall events ranging from 10-year to 100-year events, and (5) summarize the saturation of storage and the maximum change anticipated in the specific agro-eco-region. This project has been proposed to the US Army Corp of Engineers as a spin-off study of the Minnesota River Basin Integrated Watershed Study;
- **Minnesota River Floodplain Model Feasibility Study** in 2019 - We will review the existing Minnesota River floodplain model to determine if updates are required. The LMRWD will partner with the MN Department of Natural Resources and the US Army Corp of Engineers;
- **Seminary Fen Restoration Site A** in 2021 - At the intersection of Engler and Audubon in Chaska, Minnesota, 3.61 acres of wetland will be purchased and restored. This site is

dominated by reed canary grass and offers the greatest threat to the rare plants of the Seminary Fen Wetland Community. The site is next to a 6-acre wetland that was restored by the City of Chaska in partnership with the DNR;

- **Seminary Fen Restoration Site B** in 2024 through 2025 - A partially drained 17-acre wetland from Falls Curve Road to Old Highway 12, that is predominantly growing reed canary grass, will be restored. The restoration involves disabling the drainage system and restoring vegetation;
 - **Seminary Fen Ravines Site C-2 and C-3 Studies** in 2024 through 2025 - Seminary Fen Ravine Sites C-2 and C-3 are actively discharging sediment into the Seminary Fen Wetland Complex. This project will conduct a ravine study to estimate sediment contribution to the Seminary Fen from sites C-2 and C-3 and provide approaches and cost estimates for correcting the erosion problems;
 - **Seminary Fen Ravines Sites C-2 and C-3 Design and Construction** in 2025 through 2027 - The final design and construction will be done for the Ravine Sites C2 and C-3, which are discharging sediment into the Seminary Fen Wetland Complex; and
 - **West Chaska Creek** in 2019 - This project will re-meander approximately 1,100 linear feet of a ditched segment of West Chaska Creek. Lengthening the channel will reduce water velocity, lower shear stress on the banks, reconnect the creek to its floodplain, and reduce the amount of sediment transported downstream to the Minnesota River. Based on upstream reference reaches and changes observed since the creek was straightened, the re-meander project will reduce total suspended solids by an estimated 4,400 pounds per year for 30 years. This project is being completed in partnership with Carver County WMO.
2. Nine foot Channel Dredge Management

The LMRWD is the local sponsor for the nine foot navigation channel (the Channel), which extends from the confluence of the Minnesota River with the Mississippi upstream to River Mile Post (RMP) 14.7. As the local sponsor the LMRWD must provide locations for the storage and disposal of material dredged from the River in order to maintain navigation. To this end the LMRWD owns and operates a dredge material placement site at RMP 14.2 (12020 Vernon Avenue South), in the city of Savage, MN.

In 2015 the LMRWD adopted Resolution 15-12 initiating proceedings to modify the Nine Foot Channel permanent disposal sites acquisition and development basic water management project. This Resolution made management of dredge material a permanent capital project of the LMRWD.

In 2017, the LMRWD was successful in obtaining state funding to assist with its role of local sponsor, managing dredge material. The LMRWD received an appropriation of \$480,000 for the biennium. In 2018, a work plan was prepared for the Dredge Site Restoration Project and a grant agreement was executed. As a result the Dredge Site Restoration Project was added to the CIP. The Work Plan can be found in Appendix D

- **Dredge Site Restoration Project** in 2018 and 2019 - In 2018, the LMRWD began work on the following items identified in the February 15, 2017, Estimate of Probable Cost, Cargill East River (MN-14.2 RMP) Dredge Material Site technical memorandum prepared by Burns & McDonnell, Young Environmental Consulting Group, LLC, and Berrini & Associates, LLC, for the Cargill East River (MN – 14.2 RMP) Dredge Material Site (12020 Vernon Avenue South, Savage, MN) located on the Minnesota River. The Estimate can be viewed on the District's web site at http://www.lowermnriverwd.org/application/files/9315/3624/4534/Final_Revised_Tech_Memo_for_Dredge_Site_Cost_Analysis_02152017.pdf:
 - ◇ Wetland evaluation and delineation
 - ◇ Preliminary threatened and endangered species survey
 - ◇ Hydrologic and hydraulic modeling and no-rise certification
 - ◇ Geotechnical survey

- ◇ 30, 60 and 90 percent engineering plans for Site and supporting probable cost estimates
- ◇ Amendment to City of Savage's Conditional Use Permit.

3. BWSR Clean Water Fund Grant Administration:

- **Seminary Fen Ravine Stabilization Project** was completed in 2016. As noted previously, LMRWD staff worked with the BWSR Board Conservationist from BWSR to finalize the reporting and request final payment.

In 2018, the Board of Water and Soil Resource implemented the Metro-area Watershed Based Funding Pilot Program. This funding was provided throughout the Metro-area to implement Clean Water projects contained in local surface water management plans of counties, water management organizations and municipalities. The funds were distributed by county. The LMRWD worked with four counties; Carver, Dakota, Hennepin and Scott (LMRWD ceded its Ramsey County allocation) and three cities to submit six projects to be funded. The projects submitted follow:

- **Downtown Shakopee Targeted BMP Feasibility Study;** This project will be in partnership with the City of Shakopee. It will analyze current stormwater systems in Downtown Shakopee and identify opportunities to implement BMPs before stormwater is discharged into the Minnesota River.
- **Realignment of the Prior Lake Spring Lake Outlet Channel;** This project will be done in partnership with the City of Shakopee. It includes a feasibility study to determine potential water quality benefits to Dean Lake that would result from restoration of the Prior Lake Outlet Channel including altering the alignment (creating meanders) and constructing a flow-through wetland complex to slow the flow of water. Funds will also be used towards the construction of identified activities/BMP's that will benefit water quality in Dean Lake and, subsequently, the Minnesota River downstream.
- **Schroeder's Acres Park/Savage Fen Stormwater Management Project;** This project will be done in partnership with the City of Savage. Schroeder Acres Park contains a storm water treatment pond that receives stormwater from several industrial areas where stormwater would drain directly to Eagle Creek if not re-directed. Stormwater from Schroeder Acres Park returns to Eagle eventually. Eagle Creek is a designated Trout stream that supports a reproducing population of brown trout. The goal of this project is to improve the overall health of Eagle Creek, a designated trout stream, by reducing bacteria, and nutrients, managing temperature, reducing volume, evaluate impacts of chlorides.
- **Hennepin County Minnesota River Basin Chloride Project;** In Hennepin County, the watershed management organizations, Riley Purgatory Bluff Creek Watershed District, Nine Mile Creek Watershed District, Lower Minnesota River Watershed District and the Richfield Bloomington Watershed Management Organization agreed to pool the funds each of them received to collectively address Chloride pollution.
- **East Chaska Creek;** This project has been in the LMRWD CIP for several years. The LMRWD will use funding allocated under to Metro-area Watershed Based Funding Pilot Program to stabilize the section of East Chaska Creek between Crosstown Boulevard and CSAH 61/ Chaska Boulevard.
- **Dakota County Fen Study/Management Plan:** This project is being overseen by the Dakota County Soil & Water Conservation District. The LMRWD has been working with the DNR to assess and evaluate the fens within the LMRWD. In particular the fens located within Dakota County. This project will complete a gaps analysis in coordination with the Minnesota Department of Natural Resources (DNR) to assist in the protection of groundwater-dependent resources. The end goal is to develop (along with the DNR) a management plan for all fens in the LMRWD. This project would assist the development of rules and a permitting program for activity in High Value Resource Areas identified in the LMRWD Watershed Management Plan Amendment.

Watershed Management Plan - In 2016, the LMRWD began the process to amend its Watershed Management Plan. Revisions to the Plan included increased protection for high value resources: calcareous fens and trout waters. In addition, increased protection of steep slopes within the LMRWD was a major goal of the Plan Amendment. The LMRWD initially proposed implementing the special land use regulations that guide development and activity in the Mississippi River Critical Corridor Area (MRCCA). Adoption of the rules for the MRCCA as standards within the LMRWD Plan was proposed in order to maintain consistent standards throughout the District, since the first four miles upstream of the confluence of the Minnesota River with the Mississippi are in the MRCCA.

A draft Plan was submitted for 60-day comment in June 2017. The LMRWD called for a public hearing to adopt the plan in October 2017. Many LMRWD partners and members of the public testified at the hearing that using the MRCCA rules would create many non-conforming properties within the LMRWD. The Board of Managers continued the Public hearing to a future date and requested the hearing be noticed at the time it would reconvene. The Board of Managers also directed LMRWD staff to take a second look at the new standards in the draft Plan to see if there was another way to accomplish the goals of the Board. In the time between the October 2017 hearing and the continued hearing, the Board directed that LMRWD staff hold informational meetings in each city within the LMRWD. Meetings were held in Bloomington, Burnsville, Eden Prairie, Chanhassen, and Savage. In the city of Carver, LMRWD staff met with the City Council.

Additional meetings of the Technical Advisory committee were held and comments were solicited and received from the DNR, USFWS, Metropolitan Council, and the cities of Savage, Chaska, Bloomington and Burnsville. LMRWD Staff met individually with the cities of Savage and Burnsville.

To address the objections to the new LMRWD standards, a mapped steep slope overlay zone was created and standard was revised to allow activity within the steep slope zone as long as the development proponent could provide certification by a qualified professional that the proposed activity would be safe and stable.

The October 2017 public hearing to adopt the Plan was continued to April 2018. In July, the Plan was submitted to state agencies for final review. The MN Board of Water & Soil Resources approved the Plan in September 2018 and the LMRWD Board of Managers adopted the Plan at its October 2018 Board meeting.

Nine Foot Channel - In 2016, the LMRWD began a process to enable the LMRWD to assess benefitted properties for costs incurred that are associated with the management of dredge material. The LMRWD commissioned Burns & McDonnell and Patchin, Messner Dodd and Brumm to prepare and estimate of projected costs and a determination of special benefits, respectively. At the September 2018 LMRWD Board of Managers meeting a public hearing was held to take public input on the District's ability to assess benefitted properties. The hearing was continued to November 2018, in order to allow LMRWD staff to meet with benefitting property owners and their representatives. In December 2018 the Board voted to adopt Resolution 18-21 *Adopting Findings and an Order Modifying the Nine Foot Channel Permanent Disposal Sites Acquisition and Development Basic Water Management Project and Determining Project Benefits*.

In addition, in 2018, the following activities occurred at the LMRWD Dredge Site:

- License agreements with Cargill, CHS, Inc. and Savage Riverport were renewed and amended to reflect the name change of Riverland Ag Corp. to Savage Riverport, LLC;
- The US Army Corps of Engineers placed 29,573 CY of new material dredged from the 9' navigation channel on the site;
- 33,833 CY of private dredge material placed on the site in 2017 was removed from the site in June 2018. This material was placed permanently at Allied Waste in Rosemount;
- 29,652 CY of new material dredged from private industry barge slips was placed on the site on August 30, 2018;

- Finalized the process to authorize Made a determination to sell material dredged from the main channel for beneficial re-use on a first come first serve basis;
- Transferred \$50,000 from the general fund to the 9' channel fund in order to address the deficit in the 9' channel fund; and
- Continued to monitor MPCA rule making regarding changes to acceptable tolerance levels of pollutants, Soil Reference Values (SRVs), in dredge material.

Technical Advisory Committee - Technical Advisory Committee meetings are open to the public and announced on the LMRWD's website. The LMRWD held a series of TAC meetings in 2018 as part of the Plan Amendment process.

Review of Municipal Plans and Adjacent WD/WMO Plans/Plan Amendments - In 2018, the LMRWD reviewed and commented Local Surface Water Management Plans from the cities of Bloomington, Carver, Chanhassen, Chaska, Eagan and Lilydale. In addition, the LMRWD reviewed and commented on the Carver County and the Scott County Water plans.

The LMRWD participates as a member of the Technical Advisory Committee and in the plan development process for Riley, Purgatory, Bluff Creek Watershed District, Prior Lake, Spring Lake Watershed District, Carver County Watershed Management Organization and Scott County Watershed Management Organization. The District reviewed Comprehensive plans for Scott County, and Dakota County, and for the cities of Bloomington, Burnsville, Chanhassen, Eagan, Eden Prairie, Lilydale and Shakopee. The reviews of municipal comprehensive plans focused on the natural resource and water sections of the plans.

Resolutions - The LMRWD passed 22 resolutions in 2018. Copies of the resolutions are included are included in Appendix B.

Minnesota River TSS TMDL: - The MPCA invited the LMRWD to discuss the MN River and Greater Blue River TSS TMDL, ahead of its release to the public for comment. The LMRWD reviewed the TMDL and met with MPCA staff in June 2018.

Hennepin County Project No. 0904, Flying Cloud Drive - In 2018, the LMRWD received notice that an NPDES inspection of this project was completed by the MPCA and a notice of corrective action was issued. In response to this the LMRWD began bi-weekly inspections of this project.

Minnesota River Congress - The LMRWD continued its participation with the Minnesota River Congress (MRC). The LMRWD sponsors the semi-annual Congress meetings and attends the Congress meetings and on occasion will attend meetings of the MRC Action Committee.

Legislative Action - In 2018, the LMRWD continued to maintain a presence at the Legislature. No specific bills were introduced. The LMRWD retained the services of Frenette Legislative Advisors after the retirement of Ron Harnack.

I-35W Bridge Replacement - In February 2018, the LMRWD Board of Managers heard a presentation from Scott Pederson, MNDOT, regarding plans for the Interstate 35W Bridge across the Minnesota River.

Bluff Erosion and Landslides in Hennepin County - The LMRWD agreed to participate in a the second phase of a project that Hennepin County Emergency Management has undertaken. The first phase of this project inventoried and mapped all landslides in the County. The purpose for undertaking the second phase of this work is to minimize health and safety risk, damage to infrastructure, and help predict areas susceptible to landslides in light of changing precipitation events and human modifications to slopes.

Minnesota River Data Center - At the May 2018 LMRWD Board of Managers meeting, Kim Musser from the Minnesota River Data Center at Minnesota State University, Mankato made a presentation to the Board about the work the Center does.

Friends of the Minnesota Valley - In May 2018, Ted Suss executive director of Friends of the Minnesota Valley (Friends) made a presentation to the LMRWD Board of Managers about the project the LMRWD and Friends conducted in 2017. Friends hired an intern to set up a booth at County Fairs in each county in the Minnesota River Basin to hand out information and inform the public of the problem with sedimentation in the Minnesota River Basin.

Ike's Creek - The amended LMRWD Plan adopted in October 2018 identified Ike's Creek as a High Value Resource. Ike's Creek is located on US Fish & Wildlife Service property in the Minnesota Valley National Wildlife Refuge in the City of Bloomington, Hennepin County.

US Geological Survey (USGS) - In July 2018, James Fallon and Joel Groten from the USGS made a presentation to the LMRWD Board of Managers regarding flow and sediment monitoring in the Minnesota River. The LMRWD has provided financial assistance to this monitoring since 2010. The Board agreed to continue to assist financially, however the Board directed that staff should look for partners.

Draft

Impaired Waters and Total Daily Loads (TMDL) Studies - The following water bodies in the Lower Minnesota River Watershed District are listed in the MN Pollution Control Agency's (MPCA's) Draft 2018 *Impaired Waters List*. The inventory includes listings of (1) impaired waters that require the development of a TMDL study, (2) impaired waters that have an approved TMDL study, but are not yet meeting water quality standards, and (3) impaired waters from natural causes that do not require a TMDL study. The inventory is available at the MPCA's Impaired Waters website: <http://www.pca.state.mn.us/water/tmdls/impaired-waters-list.html>.

| Water Body (Lake/River ID#) | Pollutant or Stressor (Year of Listing)/TMDL Status |
|---|--|
| Assumption Creek - Headwaters to MN River (07020012-582) | Aquatic macroinvertebrate bioassessments (2018)/Underway |
| Bluff Creek - Headwaters to Rive Lake (07020012-7190) | Fishes bioassessments (2004)/Approved 2013 Turbidity (2002)/Approved 2013 |
| Carver Creek - MN Hwy 284 to MN River (07020012-806) | Aquatic macroinvertebrate bioassessments (2018)/Underway Fishes bioassessments (2018)/Underway Nutrient/eutrophication biological indicators (2016)/Underway Turbidity (2002)/Approved 2012 Fecal Coliform (2002)/Approved 2007 |
| Chaska Creek - Creek Rd to MN River (07020012-804) | Fecal Coliform (2006)/Underway |
| Credit River - -93.3526, 44.7059 to MN River (07020012-811) | Aquatic macroinvertebrate bioassessments (2018)/Underway Chloride (2018)/Underway Fishes bioassessments (2018)/Underway Escherichia coli (2018)/Underway |
| Eagle Creek - Headwaters to MN River (07020012-519) | Escherichia coli (2018)/Underway |
| East Chaska Creek - Unnamed creek to MN River (07020012-581) | Aquatic macroinvertebrate bioassessments (2018)/Underway Fishes bioassessments (2014)/Underway Turbidity (2008)/Underway Fecal Coliform (2006)/Underway |
| Minnesota River: Segment 1; High Island Cr to Carver Cr (07020012-800) Segment 2; Carver Creek to RM 22 (07020012-506) Segment 3; RM 22 to Mississippi River (07020012-505) | Mercury in fish tissue (1998) ^{1,3} /Approved 2008 Mercury in water column (1998) ^{1,3} /Approved 2008 PCB in fish tissue (1998) ^{2,3} /Targeted completion 2020 Nutrient/Eutrophication biological indicators (2016) ³ /Targeted completion: Segments 1 & 2, 2018; Segment 3, 2022 Turbidity (1996) ³ /Targeted completion: Segment 1, 2019; Segments 2 & 3, 2019 Fecal Coliform (2002) ⁴ /Targeted completion 2019 Dissolved Oxygen (1998) ⁵ /Approved 2004 |
| Nine Nile Creek - Unnamed wetland to MN River (07020012-809) | Aquatic macroinvertebrate bioassessments (2018)/Targeted completion 2029 Chloride (2004)/Approved 2010 Fishes Bioassessments (2018)/Targeted completion 2029 Escherichia coli (2018)/Underway |
| Purgatory Creek - Staring Lake to MN River (07020012-828) | Aquatic macroinvertebrate bioassessments (2018)/Underway Escherichia coli (2018)/Underway |
| Riley Creek - Riley Lake to MN River (07020012-511) | Aquatic macroinvertebrate bioassessments (2018)/Underway Fishes bioassessments (2018)/Underway Turbidity (2002)/Underway Escherichia coli (2018)/Underway |
| Prior Lake Outlet Channel - Dean Lake to Blue Lake (07020012-728) | Aquatic macroinvertebrate bioassessments (2018)/Underway Fishes bioassessments (2018)/Underway |

| Water Body (Lake/River ID#) | Pollutant or Stressor (Year of Listing)/TMDL Status |
|--|---|
| Snelling Lake (27-0001-00) | Mercury in fish tissue (1998)/Underway |
| Spring Creek - Headwaters to MN River (07020012-528) | Fecal Coliform (2006)/Underway |

¹ The MPCA completed a state-wide Mercury TMDL that was approved in 2008. Permit limits and monitoring requirements are required to be in accordance with the Mercury Permit.

² Polychlorinated biphenyls (PCBs) are regulated by the *Toxic Substance Control Act* that includes among other things prohibitions on the manufacture, processing and distribution in commerce of PCBs, which led to “cradle to grave” management of PCBs.

³ This impairment is found in all segments of the Minnesota River from High Island Creek to the Mississippi River.

⁴ Only Segment 1 (High Island Creek to Carver Creek) is impaired for Fecal Coliform.

⁵ Only Segment 3 (RM22 to Mississippi) is impaired for Dissolved Oxygen.

- **Bluff Creek, Carver Creek, Chaska Creek, Credit River, East Chaska Creek, Nine Mile Creek, Prior Lake Outlet Channel and Riley Creek** - The majority of the watersheds of each of these water bodies lie outside the boundaries of the LMRWD. Only the final reach, before it reaches the Minnesota River lies within the LMRWD.
- **Assumption Creek, Eagle Creek and Spring Creek**- Each of these waterbodies lie wholly within the boundaries of the LMRWD.
- **Dean Lake** - The MPCA reclassified Dean lake from a shallow lake to a wetland, based upon information provided by and a request from the LMRWD. In 2018, Dean Lake no longer appears on the Impaired Waters list.
- **Minnesota River** - The lower 22 miles of the Minnesota River is impaired for dissolved oxygen. The River is impaired for fecal Coliform bacteria from High Island Creek to Carver Creek. The entire reach from High Island Creek to the Mississippi River is impaired for turbidity, PCBs in fish tissue and Mercury in fish tissues and in the water column. In 2016, an impairment for nutrients/eutrophication biological indicators from High Island Creek to the Mississippi River was added.

The Minnesota River is a major source of phosphorus and sediment in the Mississippi River, which contributes to degradation of downstream water quality, especially Pool 2 and Lake Pepin. A TMDL for Excess Nutrients in Lake Pepin is currently underway. The *South Metro Mississippi River Total Suspended Solids TMDL* was prepared and recently approved by the EPA. The draft *Minnesota River Turbidity TMDL Report* was prepared in February 2012. A new report is being prepared and will likely be released for public comment in 2019.

The *Lower Minnesota River Dissolved Oxygen TMDL Report* was prepared and approved by the EPA in September 2004. The *Minnesota River Basin General Phosphorus Permit* was developed in response to address the reductions necessary from point sources identified in the TMDL.

- **Snelling Lake** - Snelling Lake is a floodplain lake within Fort Snelling State Park.
- **Lower Minnesota River Watershed Restoration and Protection Strategy (WRAPS)** - In 2014, the MPCA began preparation of the WRAPS for Hydrologic Unit Code (HUC) identified as the Lower Minnesota River Watershed. This WRAPS has been split into two unique tracks based on land use within the HUC 8; one for the urban/suburban Metropolitan Area and the other for the predominantly agricultural area of the HUC 8. Completion of this WRAPS is expected in 2019.

G. 2015 LMRWD Project reviews

It is the policy of the LMRWD that project review and permitting by the District would be redundant and that regulation is more properly performed by local units of government with land use authority. The LMRWD has agreements in place with all local governmental units, with the exception of the City of Chanhassen. The cities perform reviews and permitting necessary to implement the goals and policies of the LMRWD. The LMRWD has historically reviewed projects and provided technical assistance is requested.

With the adoption of the updated Plan in October 2018, the LMRWD intends to develop and adopt rules, as required by MN Statutes 103D.341 Subd. 1.

In 2018, the LMRWD reviewed and commented, as LMRWD staff deemed appropriate, on following development/redevelopment projects within the LMRWD:

| Project Name | Date Received | City/Agency | Project Type |
|---|---------------|---|---|
| Hyatt House Hotel 2343-2373 Old Shakopee Road | 12/21/17 | Bloomington | Commercial |
| 10315 Riverview Road | 11/27/17 | Eden Prairie | Bank Stabilization Public Waters Work Permit |
| Bluff Creek Culvert Repair | 9/28/17 | Hennepin County Rail Authority/ Chanhassen | Public Agency Public Waters Work Permit |
| Xcel Energy Black Dog Plant | 1/24/18 | Burnsville | Public Utility/Gas Pipeline |
| 1-35W Bridge Replacement | 1/5/18 | Bloomington/Burnsville | Public Agency/EAW Review |
| Bloomington Road | 9/6/16 | Hennepin County | Public Agency/Transportation |
| Metro Transit Orange Line | 12/18/17 | Bloomington/Metro Transit | Public Agency/Transportation |
| Valley Oil 7369 Highway 13 | 4/13/18 | Savage | Commercial Water Appropriation |
| MCES L-71 lift station | 4/3/18 | Chaska/MCES | Public Agency Water Appropriation |
| Jefferson High School | 4/13/18 | Bloomington | Institutional |
| TH 169/41 Interchange | April | Scott County | Public Agency/Transportation |
| Dodge of Burnsville | 5/23/18 | Burnsville | Commercial |
| MN Valley State Trail | 4/4/18 | Bloomington/DNR | Public Agency |
| Abra Auto Body | 5/30/18 | Eden Prairie | Commercial |
| I-494 TH 169 to MN River | 10/10/18 | MNDOT | Public Agency |
| Richfield-Bloomington CU 4025 West Old Shakopee Road | 7/3/18 | Bloomington | Commercial |
| Formacoat | 7/10/18 | Chaska | Commercial |
| Notermann & Peterson Residential Development | 9/28/18 | Eden Prairie | Residential |
| 11558 - SP 1985-148 | 8/9/18 | MNDOT | Public Agency |
| Magellan Pipeline | 5/15/18 | Savage | Public Utility Water Appropriation |
| Amazon Fulfillment Center | 9/18/19 | Shakopee | Public Agency |
| Dominion Housing | 10/18/18 | Fort Snelling | Public Agency/Residential Housing |
| Bass Ponds, March & Wetland | 9/10/18 | Scott County/USACOE | Public Agency |

| Project Name | Date Received | City/Agency | Project Type |
|-------------------------------|---------------|-------------|-----------------------|
| TH 101 Realignment | 11/27/18 | Chanhassen | Public Agency |
| 12113 Lynn Avenue | 11/5/18 | Savage | Commercial/Industrial |
| TH 77 & 77th Street Underpass | 10/26/18 | Richfield | Public Agency |
| I-494 Brush removal | 11/20/18 | MNDOT | Public Agency |
| TH Signage Project | 11/20/18 | MNDOT | Public Agency |
| Xcel Energy Black Dog | 11/19/18 | Burnsville | Bank Stabilization |

Draft

H. 2018 Water Quality Monitoring Data and Studies

The following water quality monitoring and water quality studies were performed:

- **Stream monitoring at the Eagle Creek WOMP station** - Stream monitoring was performed in cooperation with the Metropolitan Council Environmental Services (MCES) as part of the stream monitoring and watershed outlet monitoring program (WOMP). The LMRWD contracts with Scott Soil & Water Conservation District to perform monitoring activities at this station.

Reports that include WOMP monitoring results can be found on the Met Council website at:

<http://www.metrocouncil.org/Waste-Water/Services/Water-Quality-Management/Stream-Monitoring-Assessment/Minnesota-River-Tributary-Stream-Assessment.aspx?source=child>

- **Thermal monitoring of Eagle Creek** - Eagle Creek is a designated trout stream and the LMRWD contracts with the Scott Soil & Water Conservation District to conduct thermal monitoring of Eagle Creek to ensure the creek can continue to support a healthy trout population. In 2018, the LMRWD discussed additional thermal monitoring of Eagle Creek. The LMRWD also began to monitor Chloride levels in Eagle Creek
- **Water level monitoring in Savage Fen** - The LMRWD contracts with Scott Soil & Water Conservation District to monitor 15 wells in Savage. Nine wells are within Savage Fen, four wells across TH 13 from Savage Fen nearer to Eagle Creek and 2 deep wells in the bluff above Savage fen are monitored for water levels.
- **Water quality and flow monitoring at Dean Lake** - Dean Lake is connected to Prior Lake by way of the outlet channel that connects Prior Lake to the Minnesota River. The LMRWD contracts with Scott Soil & Water Conservation District to monitor the channel for flow and water quality. Dean Lake is no longer on the 303d list as it is now classified as a wetland, however the LMRWD has continued monitoring water quality because of the Prior Lake Outlet Channel.
- **Water quality monitoring of Courthouse, Brickyard and Fireman's Lakes** - All these lakes are quarry lakes left from the mining of clay for brick making. They have small watersheds and relatively good water quality. Monitoring in Fireman's Lake was inconsistent in 2015 due to the construction of the Chaska Curling Center, which made access to the lake difficult. The LMRWD contracts with Carver County WMO to monitor these lakes for water quality through the Citizen Assisted Monitoring Program (CAMP). Reports that include CAMP monitoring results can be found on the Met Council website at: http://es.metrocouncil.org/eims/related_documents/view_documents_by_topic.asp?optn=12
- **Water quality and flow monitoring of Assumption Creek, Chaska Creek and East Chaska Creek** - The LMRWD contracts with Carver County WMO to monitor these creek for water quality and flow. Assumption Creek runs through Seminary Fen and is monitored as part of the fen complex. Assumption Creek is designated as a trout stream and thermal monitoring is conducted downstream of the fen.
- **Water level monitoring in Seminary Fen** - Five nested shallow wells, four deep wells and three stream sites are monitored by the Carver County WMO on behalf of the LMRWD. Three additional wells were installed in 2015 within the Seminary Fen Scientific and Natural Area (SNA).
- **Water level monitoring Nichols, Black Dog, Fort Snelling and Quarry Island Fens** - These fens are all located in Dakota County and predominantly within Fort Snelling State Park. The LMRWD has contracted with the Dakota County Soil & Water Conservation District to monitor the water levels of the fens. Two wells are located in Quarry Island Fen, 13 in Fort Snelling Fen and 13 in Nichols Fen for a total of 28 wells.
- **Sediment monitoring of the Minnesota River** - Since 2011, the LMRWD along with the US Army Corps of Engineers has been working with the USGS to conduct suspended sediment concentrations and bedload monitoring of the Minnesota River. The LMRWD continued this monitoring in 2018.
- **Ike's Creek** - The LMRWD and US Fish & Wildlife Service began collecting Chloride data for Ike's Creek

- **Minnesota River Study Area #3** - In 2010, the LMRWD installed inclinometers at RMP 19.6, near the intersection of Riverview Road and Mooer Lane in Eden Prairie, to monitor the meander movement of the river channel. Prior to installation of the inclinometers, a study of the meander movement of the river channel and various factors influencing erosion of the bluff was prepared by Wenck for the city of Eden Prairie and the LMRWD. Inclinometers are checked annually and the readings are shared with the city of Eden Prairie.

I. Local Plan Adoption

LMRWD records are not up-to-date with local plans reviews and approvals. All municipalities are required to update local plans before 12-31-2018 in response to changes to MN Rule 8410. The District is reviewing plans as they are received. The following table is completed as plans are adopted. The table will be updated as plan updates and revision are received, reviewed and approved by the LMRWD for each municipality.

| Municipality | Date of current plan | Comments |
|-----------------------------|---|---|
| Bloomington | June 25, 2018 | On April 18, 2018, the LMRWD adopted Resolution 18-04 conditionally approving the Local Surface Water Management Plan for the City of Bloomington.. |
| Burnsville | 2017 | On September 20, 2017, the LMRWD adopted Resolution 17-10 approving the Burnsville Local Surface Water Management Plan |
| Carver | December 2018 | On November 19, 2018, the LMRWD conditionally approved the Local Surface Water Management Plan for the City of Carver.. |
| Chanhassen | 2018 | On April 18, 2018, the LMRWD adopted Resolution 18-03 conditionally approving the Local Surface Water Management Plan for the City of Chanhassen. |
| Chaska | November 2018 | On April 18, 2018, the LMRWD adopted Resolution 18-02 conditionally approving the Local Surface Water Management Plan for the City of Chaska, |
| Eagan | January 2019 | On October 24, 2018, the LMRWD adopted Resolution 18-15 conditionally approving the Storm Water Management Plan for the City of Eagan. |
| Eden Prairie | August 2016 | On September 21, 2016, the LMRWD adopted Resolution 16-07 approving the Local Surface Water Management Pkan for the City of Eden Prairie. |
| Lilydale | December 2013 | On October 24, 2018, the LMRWD adopted Resolution 18-17 conditionally approving the Local Surface Water Management Plan for the City of Lilydale. |
| Mendota | | |
| Mendota Heights | 2017 | On September 17, 2018, the LMRWD adopted Resolution 18-12 approving the Mendota Heights Local Surface Water Management Plan. |
| Savage | 2007 | The city of Savage is in the process of updating its Local Surface Water Management Plan. |
| Shakopee | 2007 | The City of Shakopee is in the process of updating its Local Surface Water Management Plan. |
| MSP Airport Flying Cloud | SWPPP August 2010 Revised January 2014 SWPPP April 2015 Revised May 2015 | The MSP Airport & Flying Cloud Airport are both within the boundaries of the LMRWD. They are a permitted MS4s and as such are required to have a storm water pollution prevention plan. |

J. Watershed Communication/Public Education

In accordance with Minnesota Rules, Chapter 8410.0100, Subpart 4, the Lower Minnesota River utilized the following information sources for providing information to the general public:

- **Website** - The LMRWD launched a new website and URL for the District's website. The new website allows the LMRWD to share all materials for the Board of Manager meetings on-line. It also allows the LMRWD to post news articles, meeting notices, and educational information about the LMRWD on-line. The address for the Lower Minnesota River Watershed District Website is <http://lowermnrwaterwd.org/>.
- **LMRWD Meeting Packet** - Each month in 2018, the LMRWD emailed a link to meeting agendas, minutes and packet materials for each meeting to approximately 75 individuals. During the Plan Amendment process approximately
- **Publications** - In 2018, the LMRWD published its public hearing notices in the Minneapolis Star Tribune.
- **Cost Share Incentive and Water Quality Restoration Grant Program** - The LMRWD provides a program for residents, businesses, neighborhoods and communities to apply for matching funds for projects intended to improve water quality and provide public education. This program requires a 50% match and will accept sweat equity and other in-kind costs as a match. The deadline for applications is May 15th and awards for funding are made at the June LMRWD Board of Managers meeting. The LMRWD will continue to accept applications for the Cost Share Grant Program throughout the year if funds are available. All projects approved under this program must be complete by November 1st. In 2018, \$20,000 was included in the LMRWD budget for this program. The LMRWD received 7 applications for a total of \$17,588.65. Five of the six applications were approved. The 2018 projects are listed below:

| Applicant | Address | Amount (50% of total) | |
|--------------------------------------|-----------------------------------|--------------------------|---|
| Chimney Pines Homeowners Association | Spyglass Drive, Eden Prairie | \$2,769.48 | See report in Appendix E |
| Bergo | 727 7th Street, Chaska | \$2,281.73 | See report in Appendix E |
| Larson | 10831 Quebec Ave. Bloomington | \$1,374.00 | Only part of the Application was approved - installation of rain barrels. Installation of shrubs was not approved |
| Schwartz | 3113 Chelsea Court, Burnsville | \$250.00 | See report in Appendix E |
| Zepeda | 3100 Chelsea Court, Burnsville | \$250.00 | See report in Appendix E |
| Glassen | 1437 Valley Drive, Burnsville | \$250.00 | See report in Appendix E |
| Carver County | | \$1,200 | To be Completed in 2019 |

- **Minnesota River Congress** - The LMRWD supported the Minnesota River Congress financially and by participating on the organizing team. The LMRWD offered to place a page on the LMRWD website for the Congress. In July, at the 5th MN River Congress the LMRWD made a presentation detailing the issue of sediment in the Lower Minnesota River Watershed and the bill the LMRWD was able to get introduced in the MN Senate during the 2015 Legislative Session. Manager Shirk was selected to be on the Congress Action Committee.
- **Minnesota River Barge Tour** - In June 2018, the LMRWD partnered with Minnesota Association of Watershed Districts (MAWD) and the Riley/Purgatory/ Bluff Creek Watershed District, to host a river barge tour for, MAWS members, local elected officials, State Legislators, State Agencies and others.

- **Metro Children's Water Festival** - The LMRWD financially sponsored six classes of elementary school students from the watershed to attend the 2018 Metro Children's Water Festival on September 29th. Students spent the day at the MN State Fair grounds learning about water resources and ways to wisely manage and protect them.
- **Master Water Steward Program** - The LMRWD worked with Hennepin County Environment and Energy to sign up two residents from the LMRWD for the Freshwater Society's Master Water Steward Program in 2018. One resident lives in Hennepin County and one resident lives in Scott County.

K. Professional Services Proposal

The LMRWD last solicited proposals for legal and engineering/technical consultant services In March 2018. As per Minnesota Statutes the LMRWD will solicit proposals again in 2020.

The LMRWD also solicited proposal for a consultant to direct education and outreach activities for the LMRWD. No proposal were received.

L. Assessment of Changes in Fund Balance

A discussion of the fund balance is included in the LMRWD's annual financial audit report. A copy of the annual audit report is included in Appendix A and is available in the Reports section of the Lower Minnesota River Watershed District's website at <http://lowermnriverwd.org/>.

DRAFT

M. Wetland Conservation Act/Wetland Banking Program

1991 Wetland Conservation Act - Wetlands are an abundant resource within the LMRWD. The interim program of the 1991 Wetland Conservation Act was effective through December 31, 1993. On January 1, 1994, the permanent program of the 1991 Wetland Conservation Act became effective. Each municipality was required to designate the local government unit (LGU) responsible for administering the interim program and the permanent program of the 1991 Wetland Conservation Act.

| Municipality | Designated LGU/Permanent Program (Effective 1/1/94) |
|---------------------|--|
| Bloomington | Bloomington |
| Burnsville | Burnsville |
| Carver | Carver |
| Chanhassen | Chanhassen |
| Chaska | Chaska |
| Eagan | Eagan |
| Eden Prairie | Eden Prairie |
| Jackson Township | Scott SWCD |
| Lilydale | Lilydale |
| Louisville Township | Scott SWCD |
| Mendota | Mendota |
| Mendota Heights | Mendota Heights |
| MAC | MAC |
| Savage | Savage |
| Shakopee | Shakopee |

The LMRWD Plan strategy 5.1.2, requires each city within the LMRWD to “evaluate the function and value of wetlands either through development of a comprehensive wetland management plan or on a case by case basis.”. Strategy 5.1.2 further state the LMRWD will audit LGUs and report in the Annual Report. This audit is in progress.

Wetland Banking Program - The LMRWD has not adopted a wetland banking program.



LOWER MINNESOTA RIVER WATERSHED DISTRICT

II. 2018 Projected Work Activities

Draft



LOWER MINNESOTA RIVER WATERSHED DISTRICT

II. 2018 Projected Work Activities

Following is a list of task to be completed during 2018:

- **Capital Improvement Program (CIP)** - The Lower Minnesota River Watershed District (LMRWD) will continue to implement its capital improvements program. In 2018, this work will include:
 1. Capital Improvement Program and Prioritization - The LMRWD annually reviews and update its Capital Improvement Program as necessary. The LMRWD will also evaluate its water resource prioritization annually. The CIP is included in Appendix C.
 2. Progress on CIP projects:
 - **Seminary Fen/Chaska Ravine Project** - Finalize reporting on this project and request the second half of the grant.
 - **Riley Creek Cooperative Project** - Partner with Riley/Purgatory/Bluff Creek watershed District on a project to restore and stabilize eroded streambank on Riley Creek.
 - **East Chaska Creek Bank Stabilization** - This project was submitted and approved for funding under the Metro-area Watershed Based Funding Pilot Program. The LMRWD intends to begins this project in 2018.

Identified in the East Chaska Creek Restoration feasibility study, the scour hole downstream of Crosstown Boulevard Bridge will be repaired. Additionally, the project will extend downstream 1,500 feet and install bank armoring, toe protection and add grade control structures behind Cuzzy's Brickhouse Restaurant. Bank armoring and toe protection will be installed on the right bank of East Oak Street.

- **Groundwater Screening Tool Model** - In 2015, the LMRWD completed an analysis of the monitoring data collected since 2007 from fens located within the LMRWD in Dakota County. The next phase of study is to fill in data gaps and develop a groundwater model of the area surrounding the fens.

This project was submitted and approved for funding under the Metro-area Watershed Based Funding Pilot Program. The District will develop a district-specific groundwater model that can be used as a preliminary screening tool for the evaluation of groundwater appropriation requests related to four fens within the district (Black Dog, Fort Snelling, Nicols, and Quarry Island). The goal of the model is to define the approximate extent of the recharge zones for the fens and provide a method for evaluating whether the proposed groundwater withdrawals may cause significant decline in head at one or more of the referenced fens. The DNR and MCES are partnering on this project with the LMRWD.

- **Dredge Site Restoration Project** - The LMRWD received funding from the State of Minnesota for managing dredge material. This project consists of implementing the site restoration project identified in the February 15, 2017, *Estimate of Probable Cost, Cargill East River (MN-14.2 RMP) Dredge Material Site technical memorandum* prepared by Burns & McDonnell, Young Environmental Consulting Group, LLC, and Berrini & Associates, LLC, for the Cargill East River (MN – 14.2 RMP) Dredge Material Site located on the Minnesota River in Savage, Minnesota.

Hydrologic and hydraulic modeling will be done to assure that dredge material will not create a rise in the flood elevations. A Threatened and Endangered Species Assessment will be conducted, a Wetland Delineation will be prepared, a geotechnical survey will be prepared and design work will be done. The LMRWD is hoping to be ready for construction in the fall of 2018.

- **Minnesota River Floodplain Model Feasibility Study** - In 2004, the LMRWD in partnership with the US Army Corp of Engineers and the MN DNR prepared a Minnesota River Floodplain Model. This project will review the existing model to determine if updates are required.
- **Minnesota River Sediment Reduction Strategy** - This project team will collaborate with the MPCA in developing strategies for evaluating and mitigating sediment loads going into the Minnesota River.
- **Schroeder's Acres Park/Savage Fen Stormwater Management Project** - This project will evaluate options for incorporating storm-water wetland and irrigation reuse systems on the site and address phosphorous, temperature, metals, E. coli and runoff volume in Eagle Creek.
- **Spring Creek Project** - This project consists of retrofitting two catch basins into the structural treatment devices in the Lenzen first and second additions. In addition, the project will treat untreated discharge that comes from upstream into Spring Creek at 6th Street.
- **West Chaska Creek Project** - The project will re-meander approximately 1,100 linear feet of a ditched segment of West Chaska Creek. Lengthening the channel will reduce water velocity, lower shear stress on the banks, reconnect the creek to its floodplain, and reduce the amount of sediment transported downstream to the Minnesota River. Based on upstream reference reaches and changes observed since the creek was straightened, the re-meander project will reduce total suspended solids by an estimated 4,400 pounds per year for 30 years. This is a project of Carver County WMO.
- **Carver Creek Restoration Project** - Carver County approached the LMRWD to participate in this project in order to protect Carver County Road 40. The project will include stabilizing the outer bends with toe protection, grading banks to a more stable slope, and stabilizing a gully near the mouth of Carver Creek.
- **Assumption Creek Hydrology Restoration Project** - Assumption Creek is a trout stream, so it is important to maintain the temperature of groundwater discharge. According to the City of Chaska, portions of the creek dry out periodically. It is unknown exactly what has reduced the hydrology of the creek. It may have been the U.S. Army Corps of Engineers' historic creek rerouting for the brick factory, road construction, or other development effects. The project described here will evaluate the opportunities available to resupply the groundwater hydrology to the creek.

- **Eagle Creek (East Branch) Project** - This project will restore approximately 2,400 feet of stream and repair erosion under the 128th Street Bridge. The goals of the project are to reduce erosion and improve fish habitat. Due to beaver dams, the stream cuts into three valley walls, contributing to significant deposits of sediment
 - **East Chaska Creek Water Quality Treatment Project** - This feasibility study reports that the ideal site to construct a treatment wetland was south of the creek in two vacant lots along Chaska Boulevard. Most lots there are paved right up to the edge of the creek bank. The flow could be diverted from the creek channel into a stormwater treatment system to provide for sediment removal, flood storage, and bacteria treatment.
3. Complete and submit to BWSR a Biennial Budget Request (BBR) detailing projects for which the LMRWD will likely request state funding in the next biennium.
 4. Submitting project updates, reports, etc. for the BWSR Clean Water Fund Grants for the following LMRWD CIP projects:
 - Seminary Fen/Chaska Ravine
 - East Chaska Creek Bank Stabilization
 - Groundwater Screening Tool Model
 - Dredge Site Restoration Project
 - Schroeder's Acres Park/Savage Fen Stormwater Management Project
 - Downtown Shakopee Targeted BMP Feasibility Study
 - Realignment of Prior Lake Outlet Channel
- **Complete studies and programs included in the LMRWD Plan**
 - Geomorphic Assessments (Trout Streams)
 - Sustainable Lake Management Plan (Trout Lakes)
 - Vegetation Management Plan
 - **Draft Watershed Rules** - The LMRWD began work to draft rules as required by MN Statutes 103D.341 Subd. 1. Work on the rules to implement the Standards contained in the LMRWD plan will continue in 2019. The LMRWD goal is to have rules adopted by December 2019.
 - **Municipal Plan Review** - This item includes LMRWD review of local water management plans and plan amendments of cities within its boundaries and review of adjacent WD/WMO plans and amendments. The majority of cities within the LMRWD have updated their Local Surface Water Management Plans (LSWMP). The LMRWD will review future amendment to LSWMPs as they are made and will also ask cities to ensure that their official controls are at least as strict as the rules of the LMRWD. The LMRWD intends to identify and request adjacent WDs and WMOs to incorporate protections in areas that impact fens, trout streams and steep slopes.
 - **Monitoring** - The LMRWD will continue to perform monitoring of resource within the boundaries of the LMRWD.

- **Water Quantity** - The LMRWD will continue to perform water level monitoring in Seminary Fen, Savage Fen, Nichols Fen, Quarry Island Fen and Fort Snelling Fen and will continue to work with Carver County WMO, Scott SWCD and Dakota SWCD to collect this data.

The LMRWD anticipate the one of the results of the Groundwater Screening Tool Model will help to determine if the monitoring regime conducted by the LMRWD is sufficient or whether or not changes to the program are warranted.

- **Water Quality** - Proposed water quality tasks for 2019 include performance of the following:

1. **Water Quality Monitoring:** The LMRWD will continue to monitor resources with the assistance of Scott SWCD, Dakota SWCD and Carver County WMO. Resources monitored for water quality include: Dean Lake, Eagle Creek, East Chaska Creek, Courthouse, Fireman's and Brickyard Lake. Additional monitoring may be determined as a response to the Groundwater Screening Tool Model, such as water chemistry of the Fen Wells.
2. **Watershed Outlet Monitoring Program (WOMP):** This program is managed by the Metropolitan Council Environmental Services (MCES). The LMRWD contracts Scott SWCD to perform monitoring of the WOMP station on Eagle Creek. MCES will provide up to \$5,000 in financial support conduct the monitoring. In addition to the WOMP monitoring on Eagle Creek, the LMRWD will continue to monitor the Creek for temperature and Chloride, which the LMRWD began in 2018.

- **Nine Foot Channel** - The LMRWD will continue to explore opportunities for beneficial reuse of material dredged from the main channel of the Minnesota River in order to maintain navigation and to work with local industry to temporarily store material dredged from private barge slips.

The District will continue to work with the US Army Corps of Engineers (COE) on navigation channel maintenance by following the COE Dredged Material Management Plan (DMMP) for reaches of the Minnesota River upstream of the I-35W bridge and will work cooperatively in developing a comprehensive plan for the dredged reaches in the Minnesota River downstream of the I-35W bridge.

The LMRWD will continue to address the negative balance in the channel maintenance fund and will work with local industry to address funding of channel maintenance obligations moving forward.

- **Development Reviews** - The LMRWD does not wish to duplicate existing regulatory authority of other local authorities and agencies. The Managers believe that regulation is better performed at the local level (cities, townships, counties), rather than by the LMRWD. Once rules are adopted, the LMRWD plans to develop an audit process to ensure LGUs are enforcing LMRWD standards and policies.

The LMRWD will begin to review plans for projects that fall in unincorporated areas of the LMRWD, such as Fort Snelling. The LMRWD will also review transportation improvement projects that are beyond the ability of the local authorities to review or projects that have a potential for conflict of interest, such as local street improvement projects.

Rules will address to enforcement and remedies, if the District finds that an LGU has failed to enforce LMRWD standards and policies

- **Citizen Involvement** - The LMRWD encourages citizen participation at the monthly meetings of its Board of Managers and has a long term goal to organize a Citizen Advisory Committee. The Board of Managers has not had a complete complement of Managers since 2011 and current recruitment efforts are targeted at filling out the Board of Managers.

Gully Erosion - In 2006/2007, the LMRWD hired the Minnesota Civilian Conservation Corps (MCCC) to inventory gullies in the District. The inventory identified gullies with current and potential erosion issues. The LMRWD has set aside funds for a number of years that cities can apply for to stabilize and restore any of the ravines identified in the inventory. The LMRWD is considering an update to the gully inventory.

- **Education and Outreach** - The LMRWD will engage and educate residents through informational displays, through opportunities provided by community festivals and expositions. It will cooperate and provide financial assistance to various educational programs and organizations, including Scott County Water Education Partnership, Dakota County SWCD, Carver County WMO, Freshwater Society, Metro Children's Water Festival, Prior Lake/Spring Lake Watershed District, Riley/Purgatory/Bluff Creek Watershed District, Nine Mile Creek Watershed District and Scott WMO.

The LMRWD has a Cost Share Incentive and Water Quality Restoration Program that residents of the District can apply to use. This program provides a 50% to qualifying projects or programs. The LMRWD included \$20,000 in its 2019 budget for the cost share program.

In 2018, the LMRWD hosted a tour of the Minnesota River by barge. The District plans to offer a similar tour again in 2019 on its own or with partners.

The LMRWD will continue to educate the public about the Minnesota River Valley, by working with other agencies and organizations and promoting activities on the River, like the DNR's Paddle the Minnesota River in a Day.

The LMRWD plans to prepare a comprehensive education and outreach plan in 2019.

- **Annual Report** - The LMRWD will prepare an annual report, submit the report to BWSR, cities and counties within the District and post it on the LMRWD's website.
- **LMRWD Policy Development** - The LMRWD will continue to develop and adopt policies for operation of the District. Policies expected in 2019 include:
 1. River Bank Restoration Policy
 2. Records Retention Policy and Schedule
 3. Surety Policy
- **TMDLS, WRAPS & One Watershed One Plan** - The LMRWD will continue to follow the development of TMDLs, WRAPS and One Watershed One Plans in the Minnesota River Basin..
- **2019 Legislative Agenda** - The LMRWD will approach the MN Legislature again in 2019 to bring attention to the increased sediment loads in the Minnesota River. It is a long term goal of the LMRWD to organize the Minnesota River basin in order to leverage local funds with state and federal dollars and to work together to implement water management practices that will reduce peak flows to reduce erosion of ravines, gullies and river, creek and stream channels that contribute sediment loads to the Minnesota River. The LMRWD also intends to continue the pursuit of state participation in the management of dredge materials.



LOWER MINNESOTA RIVER WATERSHED DISTRICT

III. Annual Financial Report

Draft



LOWER MINNESOTA RIVER WATERSHED DISTRICT

The 2018 fiscal year for the Lower Minnesota River Watershed District (LMRWD) commenced on January 1, 2018 and ended December 31, 2018.

A. Approved Budget

The approved operating budget for fiscal year 2018 was \$1,071,500. The annual budget is funded through an ad valorem tax across all properties within the boundaries of the LMRWD. In 2018, the total of this tax was \$725,000. The tax was apportioned to each county within the LMRWD based on the taxable value of property in each county. A copy of the 2018 Budget is located in Appendix A

B. Report of Revenues

See the Financial Audit Report in Appendix A

C. Report of Expenditures

See the Financial Audit Report in Appendix A

D. Financial Audit Report

The annual audit report for the year ended December 31, 2018, was performed by Redpath and Company, Ltd. The audit report has not yet been finalized. Before the 2018 Audit Report was finalized the LMRWD became aware that BWSR declined to disburse the final payment of the Seminary Fen grant. A copy of the annual audit report will be included in the Annual Report as soon as it becomes available. It will also be made available on the Lower Minnesota River Watershed District's website at <http://lowernriverwd.org/>



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Appendix A

Financial Information

**FY 2018 Communication with Those Charged with Governance
FY 2018 Financial Audit
FY 2018 Budget**



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Appendix B

2018 Resolutions

Draft



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Appendix C

Capital Improvement Program

Draft



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Appendix D

Dredge Site Work Plan, July 26 2017

Draft



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Appendix E

2018 Cost Share Projects

Draft



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday December 18, 2019

Agenda Item

Item 6. B. - Remote meeting participation

Prepared By

Linda Loomis, Administrator

Summary

Staff is working to prepare and agreement with Carver County. Once that is complete, Tierney can begin installation of the remote equipment. The LMRWD must adopt a policy for remote participation.

Legal Counsel provide a draft a proposed policy for the Managers to consider. The proposed draft has been sent to Attorney John Kolb for review. The Managers should review the draft Data Practices Policy. This is a rather lengthy policy and the Managers may wish to table this item to take additional time for review.

Attachments

District Policy for Remote Meeting Participation

Recommended Action

Motion to adopt District Policy for remote Meeting Participation

Lower Minnesota River Watershed
District Policy for Remote Meeting Participation

Purpose: To allow Lower Minnesota River Watershed District (District) Board Managers to attend and participate in meetings by interactive video teleconference (Skype or similar interactive media) in a manner consistent with the Open Meeting Law (Minnesota Statutes, chapter 13D).

Background: By an advisory opinion issued December 28, 2018, the State confirmed that watershed district managers may participate in meetings while out of state via interactive video teleconference, pursuant to Minnesota Statutes, section 13D.02, as long as the conditions of that section are met.

Policy: Any manager may attend and participate in any meeting of the Board by interactive video teleconference if the following requirements have been met:

1. The manager seeking to attend a meeting by interactive video teleconference must physically be unable to attend the meeting in person (e.g., the manager is located out of state or beyond a four hour commute to the meeting);
2. The manager seeking to attend a meeting by interactive video teleconference must be located in a space that is open and accessible to the public (i.e. a public library, municipal building or a conference room therein);
3. A quorum of the Board must be physically present at the regular meeting location;
4. Technological equipment and facilities, to include cameras, microphones, speakers, computers and related software and internet or network connectivity is present at both the regular meeting location and the remote participant location and in working order to allow the following conditions to be met at all times during the meeting:
 - a. All Board members participating in the meeting, wherever their physical location, can hear and see one another and can hear and see all discussion and testimony presented at any location at which at least one member is present;
 - b. Members of the public attending the meeting, wherever their physical location, can hear and see all discussion and testimony and all votes of members of the Board.

Each manager participating in a meeting, whether in the regular meeting location or in a remote location, shall have all the privileges of a manager to participate in discussion and voting on all matters in all proceedings. If at any time a quorum of the governing body at the regular meeting location has determined the method of attendance by interactive video teleconference has become disruptive or troublesome to meeting proceedings, or that the conditions of part 4 a & b, above, are no longer met, the remote attendee will no longer be considered in attendance and the remote attendee's participation in the meeting will terminate. Reasons to terminate the link to the remote attendee may include be poor quality video or audio, excessive lag time, or other failure of technology. Nothing in this paragraph will prevent a manager from continuing to monitor a meeting after his or her remote participation is terminated.

A manager who desires to participate in a meeting by interactive video teleconference shall notify the District Board President and Administrator at least fourteen (14) days in advance of the manager's absence from the meeting site.

When interactive video teleconference is used to conduct a regular, special, or emergency meeting, the District will provide notice of the regular meeting location and notice of any site where a member of the Board will be participating in the meeting by interactive television. The timing and method of providing notice must be as described in section 13D.04. The posted notice will also comply with the following requirements:

- Notice will be posted by District Staff at the District office and on the District website, and to those on the District's email distribution list of people requesting an email notice of hearings and special meetings.
- Notice will be posted at the remote location by the remote attendee.
- The notice will specify the time zone for the meeting time at both locations.

If interactive video teleconference is used to conduct a meeting, to the extent practical, the District shall allow a person or manager to monitor the meeting electronically from a remote location. The District may require the person making such a connection to pay for documented marginal costs that the District incurs as a result of the additional connection.

Any changes in Minnesota State Statute may void or require amendment of this policy.

Adopted by the Board of Managers of the Lower Minnesota River Watershed District this 18th day of December, 2019.



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday December 18, 2019

Agenda Item

Item 6. C. - Dredge Management

Prepared By

Linda Loomis, Administrator

Summary

i. Funding for dredge material management

The Grant agreement was signed and uploaded to BWSR's elink system.

ii. Vernon Avenue Dredge Material Management site

Plans and specifications to bring the Vernon Avenue dredge management site up to industry standards were put out to bid. Staff has prepared a bid award memo which is attached to this summary. The Board should accept the bids and authorize staff to prepare a contract between the winning bidder and the LMRWD.

iii. Private Dredge Material Placement

No new information to report since last update

Attachments

Technical Memo - Dredge Site Project - Award Bid

Recommended Action

Motion to accept bids and award a contract to Meyer Contracting, Inc. in the amount of \$384,418.50

Technical Memorandum

To: Linda Loomis, Administrator
Lower Minnesota River Watershed District

From: Shane Soukup, Water Resources Scientist
Della Schall Young, CPESC, PMP

Date: December 14, 2019

Re: Dredge Site Project – Award Bid

Background

The Lower Minnesota River Watershed District (LMRWD or District) owns and manages the Cargill East River Dredge Site (Dredge Site) as required by the local sponsorship agreement with the US Army Corps of Engineers (COE). The site is located off of Vernon Avenue in the City of Savage (City), between Port Richards to the west, the Minnesota River to the north and east, and County Road 13 to the south. The Dredge Site serves as a location to place dredge material from the Minnesota River to maintain a navigable 9-foot-deep river channel. In 2014, the District entered into agreements with Cargill, Inc., CHS, Inc., and Riverland Ag Corp., to provide an area at the site for temporary storage of dredge material from their slips.

In 2017, the State of Minnesota (State) appropriated \$480,000 to the District to defray the annual cost of operating and maintaining dredge material at the site to sustain state, national, and international commercial and recreational navigation on the lower Minnesota River. In 2019, the State has once again appropriated \$480,000 for the management and operation of the site. These appropriated funds will be used largely for preconstruction, construction administration, and construction of the Dredge Site Project (Project).

Design, Permitting, and Bidding

As an in-house project, the District's technical consulting team composed of Young Environmental Consulting Group, LLC (Young Environmental) and Barr Engineering Company (Barr) completed the design, permitting, and bidding for the Project.

Design

The Project proposes to modify the site to maintain separation between the COE's sandy dredge materials and the fine-grained materials from private facilities, optimize dewatering and consolidation of the private material, and design structurally sound berms around the storage piles.

In preparation for the Project, several studies were carried out to review the site:

- A threatened and endangered species study was conducted to determine whether any habitats will be affected. The Project was cleared with conditions, including a required nest survey for bald eagles, if the Project construction occurs between January 15 and July 31.
- A no-rise certification was completed identifying the maximum elevation of the stockpiled material to avoid affecting the floodway width or the 100-year flood elevation of the Minnesota River.
- A wetland delineation was completed to evaluate potential wetlands impacts. The wetland delineation discovered two wetlands within the study area, with a third as a low-lying area that may be a wetland. The Project was designed to avoid two wetlands. The COE and City (the local government unit) will determine whether the third low-lying wet area is a wetland.

Permitting

The following permits are applicable to the Project:

- A conditional use permit with the City was approved as of August 5, 2019, allowing for the placement of dredge materials within the floodway.
- The COE regulates the discharge of dredge or fill material into public waters, including wetlands. Through correspondence with the COE, it has been determined that the wetland within the Project area that may be affected is under the City's regulation. Project information has been submitted to the City and is awaiting review through a technical evaluation panel. The review status is pending.
- The NPDES General Construction Stormwater Permit must be completed by the contractor and sent to the District upon receipt.

Bidding

Upon completion of the Project's design and substantial completion of the permitting process; bid documents were prepared. The following presents the Project's bid process:

- November 7, 2019 — Bid documents were uploaded to QuestCDN, and potential bidders were able to access them.

- November 2019 — The Project was advertised in the *Star Tribune*. We are still waiting for the final invoice, which will include the dates the publication was noticed in the paper and the affidavit. The information will be forwarded to the managers upon receipt.
- November 21, 2019 — A mandatory prebid meeting was held at 10:00 a.m. at the Barr office, located at 4300 MarketPointe Dr, Minneapolis, Minnesota. District Administrator Linda Loomis and Barr Senior Project Engineer Jeff Weiss provided an overview of the Project and answered questions from potential bidders. Attached is the meeting's sign-in sheet.
- December 2, 2019 — Closed the question-and-answer period that occurred between the prebid meeting and the bid period closing. Questions received resulted in two addenda being issued:
 - November 27, 2019 — Addendum #1 was issued. This addendum addressed general requests for project files and information. The addendum also included questions and answers that were received during the prebid meeting.
 - December 2, 2019 — Addendum #2 was issued to update and clarify quantities after receiving several questions from bidders.
- December 3, 2019 — The bidding period closed, and bids received were publicly opened and read aloud. The bid opening was held at the Barr office at 10:00 a.m. and was open to the public. Each bid package was checked to ensure both addenda had been acknowledged, and the presence of the company at the prebid meeting was verified. Seven bids were received and opened in the following order:
 - Northwest Asphalt, Inc. — \$486,630.00
 - Present at prebid meeting and acknowledged only one addendum, rendering the bid invalid
 - Fratallone Companies, Inc. — \$660,591.60
 - Present at prebid meeting and acknowledged both addenda
 - Peterson Companies, Inc. — \$475,463.50
 - Present at prebid meeting and acknowledged both addenda
 - S. M. Hentges & Sons, Inc. — \$779,946.50
 - Present at prebid meeting and acknowledged both addenda
 - Minger Construction Companies, Inc. — \$399,863.00
 - Present at prebid meeting and acknowledged both addenda

- Rachel Contracting, LLC — \$450,943.00
 - Present at prebid meeting and acknowledged both addenda
- Meyer Contracting, Inc. — \$384,418.50
 - Present at prebid meeting and acknowledged both addenda

Meyer Contracting, Inc. (Meyer) was the apparent low bidder.

- December 4, 2019 — Meyer's bid was validated. The estimated quantities developed by Barr and included in the bid specifications were multiplied by the unit prices provided by each bidder. This was done to verify that calculations had been done correctly by each company when preparing their bid packages.

Recommendations

Young Environmental recommends awarding the contract for the Dredge Site Project to Meyer, the validated low bidder. We further ask the board of managers to direct staff to prepare contract documents with Meyer.



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday December 18, 2019

Agenda Item

Item 6. D. - Watershed Management Plan

Prepared By

Linda Loomis, Administrator

Summary

The final draft rules were sent to LMRWD stakeholders for comment and State agency review on October 31st. This is a 45-day review, so the end of the comment period is just about over. A reminder was sent to all parties asking for comments by December 20th. So far the LMRWD has received comments from the cities of Savage and Shakopee.

Staff is planning to hold a public hearing and potentially ask the Board to adopt the rules at the January Board of Managers 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
Wednesday December 18, 2019

Agenda Item

Item 6. E. - 2020 Legislative Action

Prepared By

Linda Loomis, Administrator

Summary

Manager Raby, Lisa Frenette and I met with Senator Ingebrigtsen at the MAWD Conference in Alexandria. He indicated that he will support the LMRWD with finding funds to replace the grant that was lost. Lisa and I will follow up with all the suggestions that we received from Senator Ingebrigtsen and Representative Hansen before the session begins in February.

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 December 18, 2019

Agenda Item

Item 6. G. - LMRWD Projects

Prepared By

Linda Loomis, Administrator

Summary

i. East Chaska Creek Stream Bank Stabilization

The LMRWD identified this project in the 2012 LMRWD Strategic Resource Evaluation. In 2018 the LMRWD was able to secure partial funding (\$25,472) for this project through the Metro-area Watershed Based Funding Pilot Program (WBF). Additionally, in 2016, the LMRWD included \$200,000 in its annual budget for this project. At that time the proposed project included creation of a wetland on a parcel of land owned by the City of Chaska's Economic Development Authority. That parcel of land has been developed and is no longer available for the wetland. The funds allocated in the LMRWD budget along with the WBF will be used to fund the project.

Plans and specifications were developed to stabilize the stream bank on East Chaska Creek from Crosstown Boulevard extending approximately 1,500 feet downstream and were put out to bid. Staff has prepared a bid award memo which is attached to this summary. The Board should accept the bids and authorize staff to prepare a contract between the winning bidder and the LMRWD. Resolution 19-09 Authorization to Award Construction Contract for East Chaska Creek Stream Bank Stabilization project is attached for adoption by the Board.

ii. Seminary Fen Restoration Area C-2

This project was added to the LMRWD Capital Improvement Program (CIP) during the Watershed Plan update. The City of Chaska is ready to begin work on this project and has received a proposal from Stantec to prepare a preliminary study. The LMRWD included \$20,000 in year 2024 for this study.

The proposal from Stantec is attached for the Board's information, along with a cooperative agreement between the City and the LMRWD. This project was not included in the 2020 budget. Funds for this project could be provided from the East Chaska Creek Project. The funds reserved for that project exceed the amount needed to fund the stream bank stabilization and are sufficient to fund this project. The agreement is currently being reviewed by the City and LMRWD legal counsel.

Attachments

Technical Memo - East Chaska Creek Stream Bank Stabilization Project - Award Bid

Resolution 19-09 East Chaska Creek Stream Bank Stabilization Project

Cooperative Agreement for Seminary Fen C2 Ravine Study

Seminary Fen Ravine C2 Ravine Study Scope-9-11-19

Recommended Action

Motion to adopt Resolution 19-09 East Chaska Creek Stream Bank Stabilization Project

Motion to authorize Cooperative Agreement between City of Chaska and the LMRWD.

Technical Memorandum

To: Linda Loomis, Administrator
Lower Minnesota River Watershed District

From: Shane Soukup, Water Resources Scientist
Della Schall Young, CPESC, PMP

Date: December 13, 2019

Re: East Chaska Creek Stream Stabilization Project—Award Bid

Background

The Lower Minnesota River Watershed District (District) commissioned a feasibility study that was completed by HDR, Inc., in 2012 as part of the District's Strategic Resources Evaluation. The study identified East Chaska Creek as one of four streams in which to implement best management practices to mitigate sources of erosion and reduce turbidity in streams within the District. In response, the East Chaska Creek Stream Stabilization Project (Project) was designed, construction drawings were developed by Barr Engineering Co., (Barr), and bidding was completed to restore the creek.

The Project received its funding through the Metro-area Watershed Based Funding Pilot Program offered by the Minnesota Board of Water & Soil Resources.

The following presents the design, permitting, and bidding process and the recommendations.

Design, Permitting, and Bidding

As an in-house project, the District's technical consulting team, composed of Young Environmental Consulting Group, LLC (Young Environmental), and Barr, completed the design, permitting, and bidding for the Project.

Design

The Project is located on a portion of East Chaska Creek in the City of Chaska, starting at Crosstown Boulevard, and extends approximately 1,500 feet downstream. The

Project disturbs approximately an acre of land, implements erosion control measure and debris removal; constructs grade control structures; and incorporates root wads, riprap armoring, and cross vanes to armor the banks of the stream.

Permitting

The following permits are applicable to the Project:

- The Project requires an NPDES General Construction Stormwater Permit, which is to be completed by the contractor and sent to the District upon receipt.
- Young Environmental reviewed the Project to ensure compliance with the District's standards and issued a memo on November 14, 2019, recommending approval of the Project.
- The US Army Corps of Engineers (COE) regulates the discharge of dredge or fill material into public waters. These actions require a COE Section 404 permit. The permit status is pending.

Bidding Process

Upon completion of the Project's design and substantial completion of the permitting process, bid documents were prepared and put out for bid on November 17, 2019. The following presents the Project's bid process:

- 11/7/2019—Bid documents were uploaded to QuestCDN, and potential bidders were able to access them.
- 11/2019—The Project was advertised in the Star Tribune. We are still waiting for the final invoice that will include the dates the publication was noticed in the paper and the affidavit. The information will be forward to the managers upon receipt.
- 11/21/2019—Held a mandatory pre-bid meeting at 8:30 a.m. at the Chaska Fire Station, located at 285 Engler Blvd., Chaska, Minnesota, 55318. Linda Loomis, District Administrator, and Jeff Wiess, Barr Senior Project Engineer provided an overview of the Project and answered questions from potential bidders. Attached is the meeting's sign-in sheet.
- 12/2/2019—Closed the question-and-answer period between the pre-bid meeting and the bid-period closing. Questions received resulted in two addenda being issued:
 - 11/20/2019—Addendum #1 is issued to address a location change for the pre-bid meeting.
 - 12/2/2019—Addendum #2 is issued to clarify quantities.
- 12/3/2019—Bidding period was closed, and bids received were publicly opened and read aloud. The bid opening was held at the Barr office located at 4300

MarketPointe Dr., Minneapolis, Minnesota, 55435, and open to the public. Each bid package was checked to ensure that both addenda had been acknowledged, and the presence of the company at the pre-bid meeting was verified. Five bids were received and opened in the following order:

- Sunram Construction, Inc.—\$87,456.00
 - Present at pre-bid meeting, acknowledged both addenda
- G.F. Jedlicki, Inc.—\$110,670.00
 - Present at pre-bid meeting, acknowledged both addenda
- Minnesota Native Landscapes—\$94,042.50
 - Present at pre-bid meeting, acknowledged both addenda
- Rachel Contracting, LLC—\$119,749.75
 - Present at pre-bid meeting, acknowledged both addenda
- Blackstone Contractors, LLC—\$68,959.50
 - Present at pre-bid meeting, acknowledged both addenda

Blackstone Contractors, LLC (Blackstone), was the apparent low bidder.

- 12/4/2019: Blackstone's bid was validated. The estimated quantities developed by Barr and included in the bid specifications were multiplied by the unit prices given by each bidder. This was done to verify that calculations had been done correctly by each company when preparing their bid packages.

Recommendations

Young Environmental recommends awarding the contract for East Chaska Creek Stream Stabilization Project to Blackstone, the validated low bidder. We further ask the board of managers to direct staff to prepare contract documents with Blackstone.

Enclosure: East Chaska Creek Pre-Bid Meeting Sign-In Sheet

_____ introduced the following resolution and moved its adoption:

RESOLUTION 19-09

LOWER MINNESOTA RIVER WATERSHED DISTRICT

AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR
THE EAST CHASKA CREEK STREAM BANK STABILIZATION PROJECT

WHEREAS, the Lower Minnesota River Watershed District (LMRWD) has an approved watershed management plan pursuant to Minnesota Statutes section 103B.231 (the Plan); and

WHEREAS, the Plan identifies the East Chaska Creek Bank Stabilization Project (the Project) in its capital improvement program for the purpose of implementing best management practices to mitigate sources of erosion, reduce turbidity, protect the stream channel and improve ecological integrity of the stream corridor in East Chaska Creek within the City of Chaska; and

WHEREAS, in 2012, the LMRWD's Strategic Resource Evaluation identified East Chaska Creek as one of four streams in which to implement best management practices. In 2015, the LMRWD commissioned a feasibility study to identify specific areas and practices to be implemented; and

WHEREAS, in 2018 the LMRWD submitted this project for funding under the Minnesota Board of Water and Soil Resources' Metro-area Watershed Based Funding Pilot Program; and

WHEREAS, In 2019, the LMRWD caused plans and specifications to be prepared to stabilize the banks of East Chaska Creek downstream of Crosstown Boulevard and completed bidding to restore the Creek and has met with and shared said plans and specifications with appropriate staff at the City of Chaska; and

WHEREAS, the LMRWD solicited sealed bids for the work in accordance with Minnesota law and five bids were received and opened, Blackstone Contractors, LLC submitted the lowest bid and is determined by the Board of Managers, on the basis of recommendations of District staff and engineer, to be a responsible bidder.

NOW, THEREFORE, BE IT RESOLVED, that the Lower Minnesota River Watershed District Board of Managers awards the contract for construction to Blackstone Contractors, LLC in the amount of \$68,959.50; and

BE IT FURTHER RESOLVED that the LMRWD Board of Managers authorizes the Administrator to execute a construction contract for the Project in the amount of \$68959.50; and

BE IT FURTHER RESOLVED that the LMRWD Board of Managers authorizes the Administrator to issue a formal notice to proceed to Blackstone Contractors, LLC in accordance

with the terms of this resolution, on advice of counsel and after receipt of a signed contract and required bonds and insurance documentation; and

BE IT FINALLY RESOLVED that the LMRWD Board of Managers authorizes the Administrator to issue this resolution to the City of Chaska to serve as notice of LMRWD intent.

Adopted by the Board of Managers of the Lower Minnesota River Watershed District this 21st day of August, 2019.

Jesse Hartmann, President

ATTEST:

David L. Raby, Secretary/Treasurer

The motion for the adoption of the foregoing resolution was seconded by Manager _____ and upon a vote being taken thereon, the following voted in favor thereof: Hartmann, Raby and Frey; and the following voted against the same: None. Whereupon said resolution was declared passed and adopted, this 18th day of December, 2019, signed by the President and his signature attested by the Secretary/Treasurer.

COOPERATIVE AGREEMENT
BETWEEN THE CITY OF CHASKA AND
THE LOWER MINNESOTA RIVER WATERSHED DISTRICT

SEMINARY FEN C-2 RAVINE STUDY

This cooperative agreement is made by and between the City of Chaska, a Minnesota municipal corporation (the City) and the Lower Minnesota River Watershed District a watershed district created pursuant to Minnesota Statutes chapters 103B and 103D (LMRWD) to implement the Seminary Fen C-2 Ravine study (the Study) in Chaska, Carver County, Minnesota. The purpose of the Seminary Fen C-2 ravine study is to determine the causes of erosion, estimate the sediment contributions from the ravine, develop stabilization options, and provide a cost range for the alternatives and a cost estimate for the chosen option.

Recitals

WHEREAS, LMRWD has an approved water resources management plan pursuant to Minnesota Statutes section 103B.231 (the Plan) that has a goals to protect, improve and restore surface water quality through the use of High Value Resources Areas and to protect and manage unique natural resources and wetlands;

WHEREAS, the Seminary Fen Wetland Complex is a 600 acre complex in Carver County that is one of only 500 calcareous fens in the world and is one of the highest quality calcareous fens in southern Minnesota;

WHEREAS, Seminary Fen is both a unique natural resource and a wetland whose unique hydrology, soils plants and habitats are highly sensitive to water quality and sediment stress;

WHEREAS, the bluffs located north of Seminary Fen are highly prone to erosion due to sandy soils, groundwater discharges, naturally steep slopes and surface water flows. As a result several ravines have eroded and caused sediment plumes to enter the fringe of the wetland;

WHEREAS, the LMRWD and the City completed a project that stabilized the longest ravine, labeled C1, which was estimated to contribute 1,680 tons per year of sediment to the Seminary Fen complex;

WHEREAS, the LMRWD and the City would like to stabilize the next largest ravine, labeled C-2

WHEREAS, the capital improvement program in the Plan includes the Seminary Fen Ravine Site C-2 and C-3 studies, which will conduct a study to estimate the sediment contribution to Seminary Fen and provide approaches and cost estimates for correcting the erosion problems;

WHEREAS, in September 2019 Stantec Consulting Services, Inc. provided the City with a scope of services (the Scope) for the Seminary Fen C-2 Ravine Study, attached to and incorporates herein as Exhibit A, which details the scope of services which includes: collect existing information to be used as

part of the analysis, investigate the sediment plume, analyze the ravine C-2, survey representative cross-section and ravine profile, complete hydrologic modeling, create a concept design for grade control and erosion protection meet with the City, and LMRWD staff, report and provide project management for the study; and

WHEREAS, the LMRWD and the City are authorized by Minnesota Statutes section 471.59 to enter into this cooperative agreement for the Project

Agreement

NOW, THEREFORE, THE LMRWD AND THE CITY enter into this agreement to document their understanding as to the scope of the Study, reaffirm both parties commitment as to the general responsibilities for and tasks to be undertaken by the parties and facilitate communication and cooperation to successfully complete the Study.

1. **Study.** The Study elements are described in detail in and supported by the Scope, which serves as the basis for the partner's agreement.
2. **Costs.** The Scope estimates the total cost for the study will be \$50,890, which includes reimbursable expenses, such as mileage, copying charges, etc.

2.1 The City will be responsible for:

- a. the oversight and management of the Study;
- b. \$20,000 of the Study costs.

2.2 The LMRWD will reimburse the City \$20,000 of the Study costs.

2.3 Each party will be bear the internal, administrative and incidental costs of fulfilling its responsibilities and obligations under this agreement, as well as the costs incurred in providing and conducting public education, outreach and meetings for the Study. In the event of cancellation in accordance with subsection 2.5 herein, each party will bear its costs incurred prior to the City's issuance of cancellation.

3. **The City's Specific Rights and Duties**

3.1 The City has contracted with Stantec Consulting Services (Stantec), Inc. provide the services detailed in Exhibit A. Notwithstanding the foregoing, the City makes no warranty to the LMRWD regarding Stantec's or a third party's performance.

3.2 The City will contract for Stantec's services and oversee the Study. The City may adjust the scope of service in consultation with the LMRWD, as long as the adjustments fo not exceed the scope of rights granted un this agreement or create obligations not anticipated hereunder. If the City, in its judgment, should decide that the Study is infeasible, the City

may at its option declare this agreement rescinded and annulled. If the City so declares, all obligations herein, performed or not, will be voided.

4. **LMRWD Specific Rights and Duties.** On receipt of documentation of costs incurred and paid, LMRWD will reimburse the City as described in Section 2 of this agreement.

5. **General Terms**

- 5.1 INDEPENDENT RELATIONSHIP; LIABILITY. This agreement does not create a joint powers board or organization within the meaning of Minnesota Statutes section 471.59, and no party agrees to be responsible for the acts or omission of another pursuant to subdivision 1(a) of the statute. Only contractual remedies are available for the failure of a party to fulfill the terms of this agreement. The City and LMRWD enter this agreement solely for the purposes of improving the ecological health and condition of Seminary Fen. Accordingly, with respect to any and all activity undertaken pursuant to this agreement, the City and LMRWD (each party as an Indemnitor Party) agree to hold each other harmless, and defend and indemnify each other, their officers, employees and agents (individually, an Indemnified Party) from and against any and all liability, loss, claim, damage or expense (including reasonable attorney fees, costs and disbursements) that an Indemnified Party may incur as a result of the Study due to any negligent or willful act or omission by the Indemnitor Party or the Indemnitor Party's breach of any specific contractual duty. Notwithstanding the foregoing or any other provision of this agreement, the City's and LMRWD obligations under this paragraph will survive the termination of the agreement.

This agreement creates no right in and waives no immunity, defense or liability limitation with respect to any third party. As between the parties, only contract remedies are available for a breach of this agreement.

- 5.2 PUBLICITY AND ENDORSEMENT. Any publicity regarding the Study must identify the City and LMRWD as the sponsoring entities. For purposes of this provision, publicity includes notices, information pamphlets, press releases, research, reports, signs and similar public notices prepared by or for the City or LMRWD individually or jointly with others. Each party at its own cost, may develop, produce and after approval of the other party, distribute educational, outreach and publicity materials related to the Study.
- 5.3 DATA MANAGEMENT. All designs, written materials, technical data, research or any other work-in-progress will be shared between the parties to this agreement on request, except as prohibited by law. As soon as is practicable, the party preparing plans, specifications, contractual documents, materials for public communication or education will provide them to the other party for recordkeeping and other necessary purposes.
- 5.4 DATA PRACTICES. All data created, collected, received, maintained or disseminated for any purpose in the course of this agreement is governed by the Data Practices Act, Minnesota

Statutes chapter 13, any other applicable state statute, or any state rules adopted to implement the act, as well as federal regulations on data privacy.

5.5 ENTIRE AGREEMENT. This agreement contains the complete and entire agreement between the parties relating to the subject matter hereof and supersedes all prior negotiations, agreements, representations and understandings, if any, between the parties respecting such matters. The recitals stated at the outset are incorporated into and a part of the agreement.

5.6 COMPLETE AGREEMENT. This agreement, as it may be amended in writing, constitutes the entire agreement between the City and LMRWD. Any amendment to this agreement must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original agreement or their successors in office.

5.7 WAIVERS. The Waiver by the City and LMRWD of any breach or failure to comply with any provision of this agreement by the other party will not be construed as nor will it constitute a continuing waiver of such provision or a waiver of any other breach of or failure to comply with any other provision of this agreement.

5.8 NOTICES, COORDINATION. The City and LMRWD designate the following authorized representatives, each to serve as liaison to the other party for purposes of communication regarding the Study as provided in this agreement. Any written communication required under this agreement will be addressed to the other party as follows, except that any party may change its address for notice by so notifying the other party in writing:

City of Chaska

Brent Alcott
One City Hall Plaza
Chaska, MN 55318
Phone
Email

Lower Minnesota River Watershed District

Linda Loomis
Administrator
112 East 5th Street, Suite 102
Chaska, MN 55318

5.9 TERM; TERMINATION. This agreement is effective on execution by both parties and will terminate once the final report is received or on the written agreement of the City and LMRWD.

IN WITNESS WHEREOF, the parties have caused the agreement to be duly executed intending to be bounded thereby.

(Signature page follows)

CITY OF CHASKA

By: _____

Its _____

Date: _____

By: _____

Its _____

Date: _____

Approved as to form & execution:

City Attorney

**LOWER MINNESOTA RIVER
WATERSHED DISTRICT**

By: _____

Its _____

Date: _____

Approved as to form & execution:

District Attorney

EXHIBIT A

Seminary Fen C-2 Ravine Study Scope of Services



Stantec Consulting Services Inc.
733 Marquette Avenue Suite 1000, Minneapolis MN 55402-2309

September 11, 2019

City of Chaska
Attn. Mr. Matt Clark, PE – City Engineer
One City Hall Plaza
Chaska, MN 55318

Reference: *Seminary Fen C2 Ravine Study*

Dear Matt,

As requested, this letter provides a scope of services for the above referenced project.

Project Understanding

The City of Chaska is home of the Seminary Fen Wetland Complex. Seminary Fen, a 600-acre complex in Carver County, supports one of only 500 calcareous fens in the world and is one of the highest quality calcareous fens in southern Minnesota. Given this fact, and the fact that it supports dozens of rare, threatened, and special concern plant and animal species, it has been characterized as one of the most significant natural areas in the Twin Cities Metropolitan Area and is part of the Minnesota Department of Natural Resources Scientific and Natural Areas program. The Fen feeds Assumption Creek, one of the Metro Area's last known trout streams that supports naturally reproducing native brook trout. Assumption Creek then discharges to the nearby Minnesota River. The Fen's unique hydrology, soils, plants, and habitats are highly sensitive to water quality and sedimentation stress.

The bluffs located north of the Fen are highly prone to erosion due to sandy soils, groundwater discharges, naturally steep slopes, and surface water flows. As a result, several ravines have eroded and caused sediment plumes to enter the fringe of the wetland. The ravines are labeled C-1, C-2, and C-3 on the attached Figure 1. In 2016, Chaska and other funding partners completed a project that stabilized Ravine C-1, which is the longest of the ravines and was estimated to contribute 1,680 tons per year of sediment to the Seminary Fen complex. The sediment plume from this ravine measures 6 acres in size and had maximum sediment depth of four feet.

The City of Chaska and Carver County WMO (CCWMO) would like to stabilize the next largest ravine, C-2. As with Ravine C-1, this ravine has sandy slopes with groundwater discharging, making it prone to erosion which has caused significant slope failure. The direct drainage area is much smaller than that of Ravine C-1 but, due to the slope instability, the small drainage area still has resulted in severe erosion and sediment contributions to the Seminary Fen Wetland Complex. This ravine has a park that borders the west and north side. Flows from the park and residential area are captured in a manhole structure with a beehive inlet and discharge into the ravine via a pipe. Several houses along the bluff have roof drains that discharge to backyards that eventually reach the bluff area and have contributed to the erosion of the ravine.

The purpose of the Seminary Fen C-2 ravine study is to determine the causes of erosion, estimate the sediment contributions from the ravine, develop stabilization options, and provide a cost range for the alternatives and a cost estimate for the chosen option. This effort will help with future grant requests.

A detailed scope of services to meet the project understanding is provided below.

Scope of Services

Task 1: Collect Existing Information

We will collect existing information regarding the sewer location, storm pipe outfalls, and topography in an electronic format to be used as part of the analysis.

Task 2: Sediment Plume Investigation

Hand borings and elevations will be taken at the sediment plume location to estimate the size and volume of the plume within the wetland.

Task 3: Ravine Analysis

An inventory and analysis of the ravine will be completed as part of this task. This inventory will include site reconnaissance, photographs, and documentation of the causes of erosion. It will be used to assist in developing options for stabilization.

Task 4: Survey of Representative Cross-Sections and Ravine Profile

A detailed survey will not be completed as part of this phase of the project. Representative cross-sections of the main ravine and major side ravines will be taken along with a profile of the main ravine bottom. This information will be used to complete the preliminary ravine analysis and cost estimate.

Task 5: Preliminary Analysis

We will complete hydrologic modeling for 2-, 10-, and 100-year storm events to determine the appropriate grade control, channel improvement, and slope stabilization methods.

We understand that there may be limited options for additional rate control in the watershed and will focus the improvements in the ravine, to improve its ability to handle the current flows. Hydrologic modeling outcomes will help determine what options can be considered for stabilizing the ravine bottom. Stabilization approaches will depend on flow rates and velocities and slope characteristics.

We will create a concept design for grade control and streambank erosion protection, along with a discussion of proposed improvements.

Task 6: Meeting with City and CCWMO Staff

We will meet with City and CCWMO staff to review the results of the analysis, discuss alternatives for consideration, and begin preparations for the report. We estimate 2 meetings will be necessary for this task.

Task 7: Report

A report will be developed that includes:

- Summary of existing conditions
- Analysis of the ravine erosion site
- Site location map and description of the ravine erosion site
- Plan view of the ravine site with potential improvements, along with discussion of the improvements
- Sketch details for ravine stabilization and grade-control options
- Determination if proposed improvements require permits and indicate regulatory authority

- Cost estimate
- Potential funding sources

Task 8: Project Management

Project management will involve work coordination for this project.

Schedule

Tasks 1 and 2 can begin within three weeks of authorization but the next tasks are more efficiently done with leaf-off conditions so could not be finished until November 1, 2019.

Compensation

Stantec will complete the tasks outlined in the Scope of Services for **an estimated fee of \$50,890**. This cost includes reimbursable expenses (mileage, copying charges, etc.).

Potential Additional Services

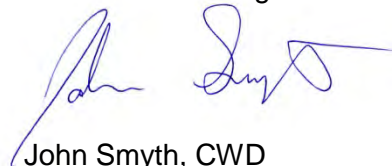
If authorized by the Client, Stantec may provide the following Additional Services to the client at an agreed to cost. These services may include but are not limited to the following.

- Field work, collecting, and/or providing additional information beyond that identified in the Scope of Services
- Meetings, response to comments, or coordination beyond that identified in the Scope of Services.
- Final Construction Plans
- Grant Applications
- Construction Observation

If you wish to proceed, please return a signed copy of this document to activate this Work Order. Thanks for a chance to continue to restore resources in Chaska. If you have any questions, please contact me at 612-712-2132 or john.smyth@stantec.com.

Sincerely,

Stantec Consulting Services Inc.

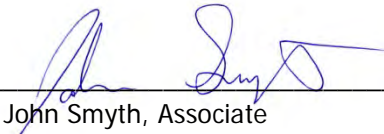


John Smyth, CWD
Water Resource Specialist
Associate

Attachment: Project Area Map

STANTEC

ACCEPTED BY CLIENT:

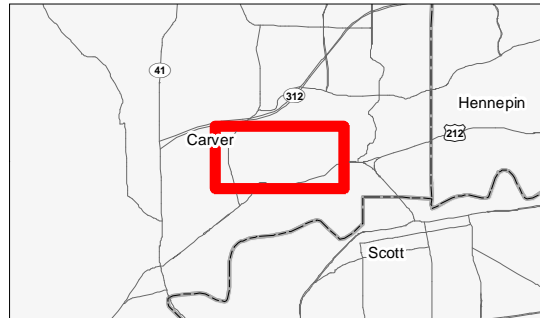
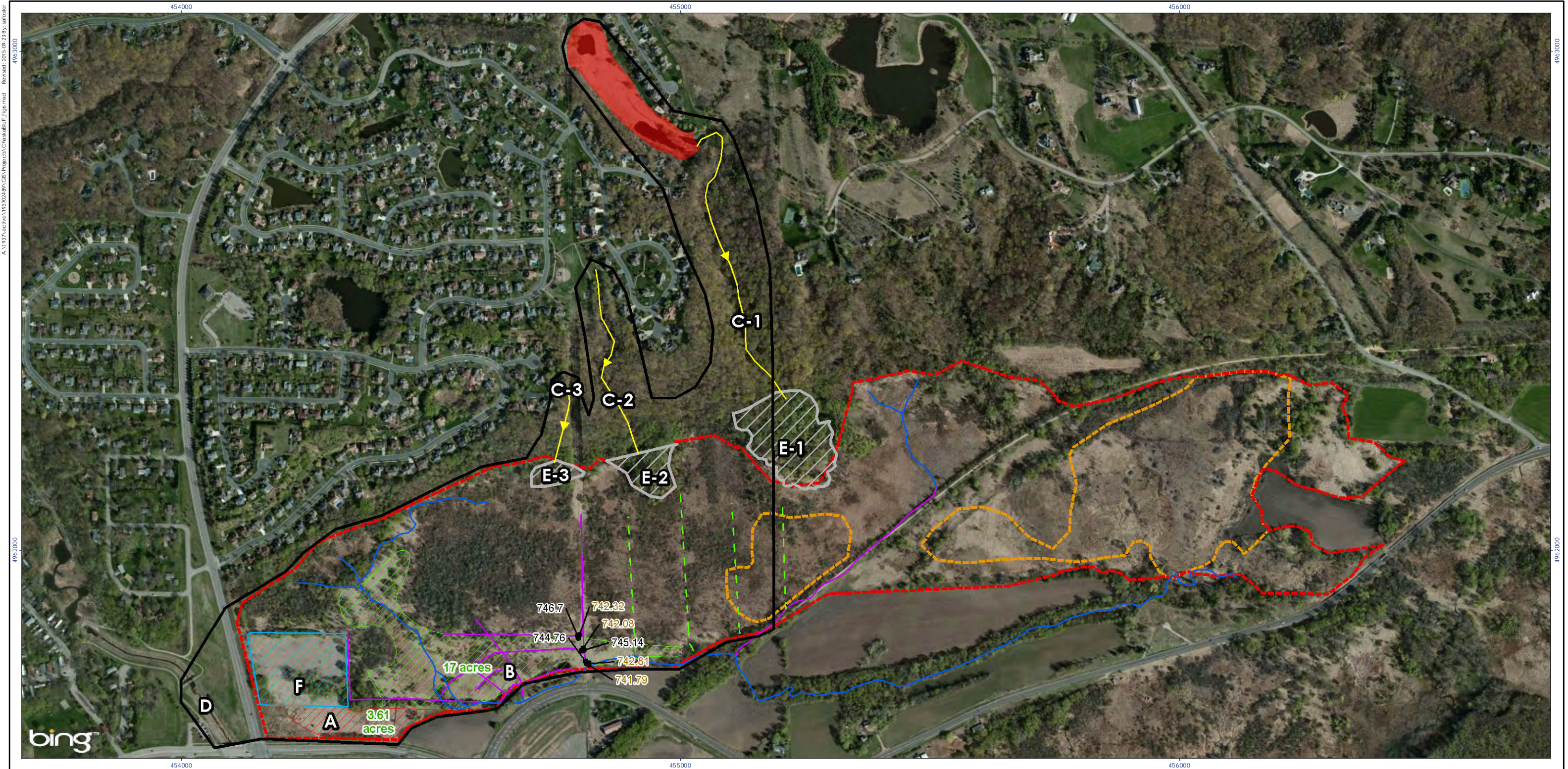
By  _____
John Smyth, Associate

Date 9/11/19 _____

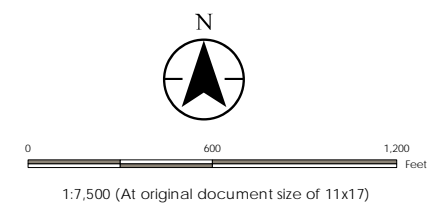
Print Name _____

Sign Name _____

Date _____



- Legend**
- Project Site
 - Seminary Fen Wetland Complex (B)
 - Calcareous Fen (Southeastern)
 - Sedimentation Plumes (E-1, E-2, E-3)
 - Barr Restoration and Management Data
 - Natural Drainageway
 - Potential Tile (No tile observed)
 - Surface Ditch
 - 745.14 Ditch Top Elevations
 - 742.32 Ditch Bottom Elevations
 - 2011 Wetland Restored (F)
 - Potential Purchase and Wetland Restoration Area (A)
 - Proposed Wetland Restoration Area (B)
 - Hazeltine Bluff Wetland
 - Ravines (C-1, C-2, C-3)



Notes
 1. Coordinate System: NAD 1983 UTM Zone 15N
 2. Data Sources Include: Stantec, USGS, and ESRI
 3. Orthophotography: Microsoft Corporation, with permission

Figure No. **1**
 Title **Seminary Fen Investigation Report For The Area Within Chaska**
 Client/Project **City of Chaska**
 Project Location **1116, R23, S34 C. of Chaska Carver Co., MN**
 193702489
 Prepared by CS on 2015-03-05
 Technical Review by JS on 2015-09-18



Disclaimer: Stantec assumes no responsibility for data supplied in electronic format. The recipient accepts full responsibility for verifying the accuracy and completeness of the data. The recipient releases Stantec, its officers, employees, consultants and agents, from any and all claims arising in any way from the content or provision of the data.



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday December 18, 2019

Agenda Item

Item 6. H. - Local Water Management Plan Reviews

Prepared By

Linda Loomis, Administrator

Summary

i. City of Shakopee

The LMRWD received the Shakopee's draft Local Surface Water Management Plan (LSWMP) February 6, 2019. The LMRWD reviewed the LSWMP and submitted comments to the City on April 12, 2019. On November 27, 2019 the LMRWD received the final plan from the City and a response to the LMRWD comments. After review of the City's response to the LMRWD comments staff is recommending the LMRWD Board of Managers approve the Shakopee LSWMP. Resolution 19-03 is attached for adoption by the Board.

Attachments

Response to LMRWD comments from the City of Shakopee
Resolution 19-03 Approving the LSWMP for the City of Shakopee

Recommended Action

Motion to adopt Resolution 19-03

Memorandum

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

From: Stephanie Thulien, WSB

Cc: Kirby Templin, PE, City of Shakopee

Date: November 27, 2019

Re: City of Shakopee SWMP Agency Review Comment Responses
WSB Project No. 011510-000

The following comments were provided by LMRWD on April 11, 2019. Response to comments are shown in red.

1. SECTION III, Page 5: The MOU between City and the District was not included in Appendix B. Nevertheless, an updated agreement between the District and the City is required before May 1, 2020.

Response: Noted

2. SECTION IV, Page 2, Issue 4.1.7: This presents a coordination opportunity for the District and the City.

Response: Noted.

3. SECTION IV, Page 2, Issue 4.1.8: How does following the requirements of the WHP and the DWSMAs help protect and preserve groundwater-dependent resources like trout streams?

Response: The DWSMA within Shakopee does not appear to fall within the Eagle Creek watershed (known trout stream). Therefore, the City does not anticipate the restrictions on infiltration BMPs due to DWSMA and WHP to be an issue for groundwater-dependent resources like Eagle Creek.

4. SECTION IV, Page 7, Issue 4.3.2: This presents a coordination opportunity for the District, City, and City of Savage. The District has identified the Schroeder's Acres Park/Savage Fen Stormwater Management Project in its capital improvement program. The incorporation of the project into the SWMP should be considered.

Response: The City of Shakopee is not identified in the District's plan as being a partner on this project. However, with future projects the City will work with LMRWD and Savage regarding concerns and issues with Eagle Creek that relate to the City of Shakopee.

5. SECTION IV, Page 10, Issue 4.10.4: The City is encouraged to coordinate salt applicators' training programs with the District. The District and several other public entities have received grant funds from Scott County as a part of the watershed-based

fund, and they are working on a comprehensive chloride management plan that can be shared with the City once complete.

Response: Language added to Issue 4.10.4 Corrective Action stating that the City will cooperate with the District for this plan and will consider implementing any action items that are identified.

6. SECTION IV, Page 11, Issue 4.11.3: Participation of City staff in the District's technical advisory meetings is an important coordination component. It allows for a combination of technical and financial resources to address water and natural challenges.

Response: Noted.

7. SECTION V, Page 1, Stormwater infrastructure shall be designed using Atlas 14 rainfall data, or most current and best available information. Commendable.

Response: Noted.

8. SECTION V, Page 3, Dean Wetland water quality: Dean Lake is a classified wetland. As a wetland, are these desired water quality parameters reasonable?

Response: Specific water quality parameters have been removed. Goal was added to Dean Wetland to not degrade from current conditions.

9. SECTION V, Page 4, The City will investigate opportunities to retrofit the downtown area to provide additional water quality treatment in this fully developed area. The District is a partner on this project, as well as the state through the watershed-based funding grant, and they should be noted in the SWMP.

Response: Language was added to Section 5.3, #9 identifying the District and the state as partners on this project.

10. SECTION V, Page 5, Increased public involvement through volunteering with groups such as CAMP (Citizen Assisted Monitoring Program) and CSMP (Citizen Stream Monitoring Program). How is this information used to inform public works activities or projects?

Response: When questions, issues, or projects are brought to the City, monitoring data, when available and needed/relevant, is used to help evaluate and educate to resolve questions, issues, and projects.

11. SECTION V, Page 6, Erosion and sedimentation control plans and SWPPP's for projects that disturb one acre or more of land shall be reviewed and enforced by the City for all new developments. These plans shall conform to the requirements of the Scott WMO, PLSLWD or LMRWD (depending on location) and the NPDES Construction Stormwater Permit. Noted. The City's official controls must be updated to conform to the District's requirements on or before May 2020.

Response: Noted, this will occur through the District's Municipal Permit process.

12. SECTION V, Page 6, The City will prohibit work in areas having steep slopes (>12%) and high erosion potential where the impacts of significant erosion cannot be protected against or mitigated in accordance with the City's ordinances. Commendable. This City's

ordinance is more protective of steep slopes than the District's Steep Slopes Standard.

Response: Noted.

13. SECTION V Page 6, 5.7 Groundwater: The inclusion of a policy should be considered that would involve working with the District to promote the protection of groundwater resources, which in turn would protect trout waters and fen resources.

Response: Policy 7 under Section 5.7 was added to promote the protection of groundwater resources.

14. SECTION V, Page 6: Information about District led activities in this area should be incorporated. Additionally, how does this tangibly translate to actionable activities?

Response: Goal 1 relates to more of a coordination effort than actionable activities. These activities will be developed as groundwater needs arise.

15. SECTION V, Page 7: Again, given the District's focus on preserving groundwater resources for the protection, preservation, and restoration of trout waters and fens, we are very interested in how the City plans to translate this into actionable activities—funding, technical resources, etc.?

Response: Actionable activities will be developed when new information is received.

16. SECTION V, Page 7, 5.8 Wetlands: The City's wetland ordinance was passed in 2008 and appears to have last been updated in 2013. Was the information in Appendix E reviewed and updated to conform to current requirements, or is this a planned activity? If it is planned, when will it be performed?

Response: Noted, this will occur as needed through the Districts Municipal Permit process.

17. Section VI, Table 6.1: Do any of the projects listed fit the goals, policies, and strategies of the District? If so, it would be helpful to see the items specifically associated with the District.

Response: LMRWD was referenced as a possible funding source for projects that fit goals, policies and strategies of the District.

18. Section VI, Table 6.1, Ordinance updates - The City will continually evaluate their adopted ordinances related to floodplain regulation, illicit discharge, surface water management, wetland management, and erosion control. Any necessary revisions will be made as regulations change. This appears to focus on minor tweaks to ordinances. Is there a planned update before the District May 2020 deadline, when the City's official controls must be updated?

Response: The City's ordinances will be updated as needed as part of the Districts Municipal Permit process.

Met Council Comment

1. In the water resource water quality classifications table (page 3, Section 5), O'Dowd Lake is designated as level 3; supporting fishing, aesthetic viewing activities and observing wildlife. According to Section 2.4.2 (Public Area for Water Based Recreation and Access), O'Dowd Lake is also used for swimming. So it seems the lake should be designated as Level 1 in the Table.

Response: O'Dowd water quality classification was revised to Level 1.

Manager _____ introduced the following resolution and moved its adoption:

RESOLUTION 19-03

LOWER MINNESOTA RIVER WATERSHED DISTRICT

RESOLUTION APPROVING THE LOCAL SURFACE WATER MANAGEMENT PLAN
FOR THE CITY OF SHAKOPEE

WHEREAS, the Lower Minnesota River Watershed District ("LMRWD") is a special purpose unit of government, established in accordance with Minnesota Statutes 103B and 1013D; and

WHEREAS, On October 24, 2018, the LMRWD adopted a Watershed Management Plan (LMRWD Plan) under Minnesota Statutes 103B.231 subdivision 10, which details the existing physical environment, land use and development in the watershed and establishes as plan to manage water resources and regulate water resource use to improve water quality, prevent flooding and otherwise achieve goals of Minnesota Statutes Chapters 103B and 103D; and

WHEREAS, Minnesota Statute 103B.235 Local Water Management Plans require that local government units having land use planning and regulatory responsibility for territory within the watershed shall prepare or cause to be prepared a local water management plan, capital improvement program and official controls as necessary to bring local water management into conformance with the LMRWD Plan. Local Plans must meet the requirements of the LMRWD Plan as well as the general requirement of Minnesota Statutes 103B.235 and Minnesota Rules Chapter 8410; and

WHEREAS, the City of Shakopee ("City") lies partially within the LMRWD and therefore must meet the requirements of the LMRWD Plan; and

WHEREAS, the City prepared and submitted its Local Surface Water Management Plan (LSWMP) to the LMRWD for review on February 6, 2019; and

WHEREAS, the LMRWD has reviewed the LSWMP and on April 12, 2019 submitted its comments to the City; and

WHEREAS, on November 27, 2019 the City issued the City's final LSWMP and responded to LMRWD comments satisfactorily. The LMRWD hereby determines that the plan has been prepared in accordance with the requirements of Minnesota Statutes, Section 103B.235 and Minnesota Rules 8410.0160 and 8410.9171 and contains the requirements for local plans; and

WHEREAS, Minnesota Statutes, Section 103B.235, Subdivision 3 authorizes the watershed district to review and approve local water management plans and to take other actions necessary to assure that the local plan is in conformance with the LMRWD's plan and standards set forth therein.

NOW, THEREFORE, BE IT RESOLVED by the Lower Minnesota River Watershed District Board of Managers hereby approves the Local Surface Water Management Plan for the City of Shakopee, dated November 2019 with the conditional understanding that:

- 1) In accordance with Minnesota Statutes, Section 103B.235, Subd. 4, the Shakopee LSWMP shall be adopted and implemented by the City within 120 days of this action, and the City shall amend its official controls accordingly within 180 days.
- 2) Pursuant to Minnesota Statutes, Section 103B.235, Subd. 5 and consistent with the Lower Minnesota River Watershed Management Plan, the City shall submit amendments to the local water management plan to the LMRWD for review and approval in accordance with State Statutes and Minnesota Rules.
- 3) The LMRWD Managers believe that regulation is most properly performed by the local governmental unit (LGU), provided that regulation by the LGU is consistent with the goals and policies of the LMRWD Plan. The City of Shakopee shall implement water management policies, standards and criteria as least as strict as those in the LMRWD Plan, as amended, on all projects within the boundaries of the LMRWD in the City of Shakopee.
- 4) The LMRWD is in the process of adopting rules to implement the standards contained in the LMRWD Plan. Municipalities within the LMRWD will be asked to apply for a general permit to enforce the standards of the LMRWD Plan on or before February 1, 2020.
- 5) For properties that are split between the LMRWD and any other watershed management organization, the most restrictive water management policies, standards and criteria will be implemented.

Adopted by the LMRWD Board of Managers this 18th day of December, 2019.

Jesse Hartmann, President

ATTEST:

David Raby, Secretary/Treasurer

The motion for the adoption of the foregoing resolution was seconded by Manager _____ and upon a vote being taken thereon, the following voted in favor thereof: Hartmann, Raby and Frey; and the following voted against the same: None. Whereupon said resolution was declared passed and adopted, this 18th day of December, 2019, signed by the President and his signature attested by the Secretary/Treasurer.