



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Please note the Carver County Government is closed therefore the meeting will be held online.
PLEASE CONTACT DISTRICT ADMINISTRATOR, LINDA LOOMIS FOR DIRECTIONS ON HOW TO PARTICIPATE.

Lower Minnesota River Watershed District
7:00 PM
Wednesday, September 16, 2020
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	<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>
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 August 19, 2020 Regular Meeting B. Receive and file August 2020 Financial reports C. Approval of Invoices for payment <ul style="list-style-type: none"> i. Frenette Legislative Advisors - for July 2020 lobbying services ii. Daniel Hron - for July office rent iii. Rinke Noonan, Attorneys at Law - June 2020 legal services iv. US Bank Equipment Finance - August 2020 payment on copier lease v. Chimney Pines HOA - payment of 2019 Cost Share - Storm Water Buffer vi. Renae Larson - payment for 2020 Cost Share - rain garden installation vii. Lori Rathjen - payment for 2019 Cost Share - prairie restoration viii. HDR Engineering, Inc. - for updates to LMRWD website rules pages ix. TimeSaver Off Site Secretarial - for preparation of June 2020 meeting minutes x. US Geological Survey - Q3 payment for sediment survey xi. Young Environmental Consulting Group - For May 2020 technical services D. Receive and file letter from City of Eden Prairie</p>
5. New Business/ Presentations	A. Presentation by Carver County WMO of 2019 monitoring results in Carver County

	<p>B. Election of Officers</p> <p>C. Call for an EAW on Yellow Medicine County Ditch 9</p> <p>D. Cost Share Application - S. Mueller, 10745 Lyndale Bluffs Trail</p>
6. Old Business	<p>A. Request from Friends of the Minnesota Valley</p> <p>B. City of Carver Levee</p> <p>C. Remote meeting participation - no new information to report</p> <p>D. Dredge Management</p> <p> i. Vernon Avenue Dredge Material Management site</p> <p> ii. Private Dredge Material Placement</p> <p>E. Watershed Management Plan</p> <p> i. Approve Eagan Municipal Permit</p> <p> ii. Approve Mendota Heights Municipal Permit</p> <p> iii. Approve Chanhassen Municipal Permit</p> <p> iv. Approve Bloomington Municipal Permit</p> <p>F. 2020 Legislative Action</p> <p>G. Education & Outreach - Update will be provided at the meeting</p> <p>H. LMRWD Projects - See Administrator Report for project updates <i>(only projects that require Board action will appear on the agenda. Informational updates will appear on the Administrator Report)</i></p> <p>I. Permits and Project Reviews - See Administrator Report for project updates <i>(only projects that require Board action will appear on the agenda. Informational updates will appear on the Administrator Report)</i></p> <p> i. Greystone Headquarters/Canterbury Park</p> <p> ii. Guaghan Demolition Plan</p> <p> iii. Quarry Lake Improvement Project</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	<p>Next meeting of the LMRWD Board of Managers is 7:00pm Wednesday, October 21, 2020</p>

Upcoming meetings/Events

- UMWA - Thursday, September 17, 2020, 12:30pm to 1:30pm, contact District Administrator to join
- [Cycling, Stormwater and Suds](#) - Thursday, September 17, 2020 3:00pm to 5:30pm, Broken Clock Brewing Cooperative, 3134 California Street NE, Minneapolis
- [Virtual MS4 permit chloride discussion](#) - Monday, October 5, 2020, 8:30am to 12:00 noon
- [Metro MAWD](#) - Tuesday, October 20, 7:00pm to 9:00pm
- [Water Resource Conference](#) - October 20-21, virtual conference, registration can be accessed through link provided.
- [BWSR Academy](#) - October 27th - 29, 2020, Virtual, no charge
- USACE River Resource Forum #118 - December 1-2, MN Valley US Fish & Wildlife Service Visitor's Center, Bloomington, MN

- [MAWD Annual Conference](#) - December 1st - 4th, 2020, Virtual

For Information Only

- **WCA Notices**
 - Notice of Application - Peterson Wetland Bank - Eden Prairie is the LGU
 - Notice of Application - MN River Greenway - MN DNR is the LGU
- **DNR Public Waters Work permits**
 - Amended Public Waters Work Permit to Xcel Energy Black Dog Plant to allow for placement of additional riprap at the Intake Screen House.
- **DNR Water Appropriation permits**
 - City of Chaska, Ryan Contracting Co. - temporary water appropriation permit for the purpose of repair of existing water mains and sanitary sewer in downtown Chaska.



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Minutes of Regular Meeting

Board of Managers

Wednesday, August 19, 2020

Carver County Government Center, 602 East 4th Street, Chaska, MN 7:00 p.m.

Approved _____, 2019

1. CALL TO ORDER AND ROLL CALL

On Wednesday, August 19, 2020, at 7:04 PM, President Hartmann called to order the meeting of the Board of Managers of the Lower Minnesota River Watershed District (LMRWD). The meeting was convened on-line due to the health emergency created by the COVID-19 pandemic.

President Hartmann asked for roll call to be taken. The following Managers were present: Manager Adam Frey, Manager Dave Raby, President Jesse Hartmann and Manager Lauren Salvato. In addition, the following joined the meeting: Linda Loomis, Naiad Consulting, LLC, LMRWD Administrator; Della Schall Young, Katy Thompson, Phil Margarit, and Katherine Tomaska, Young Environmental Consulting Group, LLC (YECG), Technical Consultant; John Kolb, Rinke Noonan, Attorneys at Law, Legal Counsel; Lindsey Albright, Dakota County Soil & Water Conservation District; Steve Pany, Manager, Prior Lake Spring Lake Watershed District and Austen Adam, Loucks. Lisa Frenette, Frenette Legislative Advisors joined the meeting at 8:33pm.

2. APPROVAL OF THE AGENDA

Administrator Loomis requested that the professional services agreements for legal services from Rinke Noonan be added to the Consent Agenda as Item 4. D and for technical services from Young Environmental Consulting Group, LLC be added as Item 4.E. She also asked that a discussion of Carver CSAH 11 - Jonathan Carver Parkway be added as Item 7.I iv.

President Hartmann made a motion to approve the Agenda with the additions of Item 4. D. - Agreement for legal services, Item 4. E. - Agreement for technical services, and Item 7. I. iv - Carver CSAH 11 - Jonathan Carver Parkway. The motion was seconded by Manager Raby. Upon a vote being taken the following voted in favor of the motion: Frey, Hartmann, Raby and Salvato; the following voted against: None.

3. CITIZEN FORUM

Administrator Loomis said that a new liaison from the Prior Lake/Spring Lake Watershed District, Steve Pany, has called in to the meeting. Mr. Pany is a new Manager for the Prior Lake Spring Lake Watershed District, who was appointed to fill out the remaining term of Manager Fred Corrigan and was appointed by the PLSLWD as the liaison to the LMRWD.

She did not receive communication from anyone who wished to address the Board.

4. CONSENT AGENDA

President Hartmann introduced the item.

- A. Approve Minutes June 17, 2020 and July 15, 2020 Regular Meeting**
- B. Receive and file July 2020 Financial reports**
- C. Approval of Invoices for payment**
 - i. Frenette Legislative Advisors - June lobbying services**
 - ii. Scott County Soil & Water Conservation District - Q1 monitoring services**
 - iii. Manager Hartmann - 1st half 2020 per diem payment & expenses**
 - iv. US Bank Equipment Finance - July & August 2020 payment on copier lease**
 - v. Naiad Consulting, LLC - April & May administrative services & expenses**
 - vi. Redpath and Company - 2019 financial audit services**
 - vii. Time Savers Offsite Secretarial Service - for preparation of May 2020 meeting minutes**
- D. Agreement for Legal Services with Rinke Noonan Attorneys at Law**
- E. Agreement between LMRWD and Young Environmental Consulting Group, LLC for Technical Services**

Manager Raby made a motion to approve the Consent Agenda. The motion was seconded by President Hartmann. Upon a vote being taken the following voted in favor of the motion: Frey, Hartmann, Raby and Salvato; the following voted against: None.

5. PUBLIC HEARING

A. Public Hearing on the Proposed 2021 Budget and Preliminary Certification of Tax Levy Payable 2021

Administrator Loomis said no changes were made to the budget since the board saw it in July. She noted no one has contacted her asking to provide input to the board on the budget or preliminary levy certification.

President Hartmann opened the public hearing.

Hearing and seeing on one wanting to provide input to the Board, President Hartmann closed the public hearing.

Administrator Loomis said she provided some other documentation regarding funds that make up the fund balance. She noted that the Board had asked about the fund balance at the July Board meeting. She also noted that the Board could reduce the amount of the proposed levy and rely more on the fund balance.

Manager Raby commented on the Education and Outreach Work Plan. He noted that the Work Plan is more than what is in the budget for that. Administrator Loomis said there is \$30,000 in education next year. She said the intent of the budget was to use fund balance to implement the Education & Outreach Work Plan.

Manager Raby made a motion to adopt resolutions 20-05, 20-06, 20-07 and 20-08 for Preliminary Certification of Property Tax Levies Payable 2021 and approving the 2021 Proposed Budget. And to adopt Resolution 20-09 Approving Mid-year Budget Adjustment for Fiscal Year 2020 and Authorizing District Administrator to Implement Same The motion was seconded by President Hartmann. Upon a vote being taken the following voted in favor of the motion: Frey, Hartmann, Raby and Salvato; the following voted against: None.

6. NEW BUSINESS

A. Gully Inventory Report

Administrator Loomis said this report is an update to the inventory done for the District by the MN Conservation Corp in 2007. Ms. Young introduced the interns.

Phil Margarit and Katherine Tomaska spent the summer assessing the current conditions. The interns reviewed the findings and experiences they encountered during field inspections.

They talked about the importance of the study and how the findings of the study can be used to manage resources within the District.

Ms. Young highlighted the challenges of the project. She introduced Katy Thompson, of YECG, who provided support to the interns. Ms. Young noted that safety training was conducted jointly with Riley/Purgatory/Bluff Creek Watershed District and that COVID provided an additional safety challenge and that precautions were taken to maintain physical distance when conducting field inspections and in traveling to and from sites. She said the full report will be coming in September.

Manager Salvato asked about the methodology used in characterization of the gullies. Mr. Margarit said the interns received information from Ms. Thompson to use when characterizing the gullies. He said they looked at geometry, slope, length, and notable features of the gully. They also looked for aggradation and degradation. Ms. Thompson said there was a desktop analysis component which was used. They looked at what had been done in the past and tried to apply standard criteria to those gullies when comparing to 2020 sites. They tried to make sure that we were comparing apples to apples when looking at the progression from 2008 to today. They consulted research papers and the University of Minnesota to come up with standard datasets to be used in the field to try to characterize the site and to justify why something was classified high vs. low.

President Hartmann asked how many more sites were identified. Mr. Margarit said 216. President Hartmann asked if the sites were pre-identified or if they just found them. Mr. Margarit said that they started with the 2008 inventory, but new sites were found by observation. President Hartmann asked if there is a map of all the locations. Ms. Tomaska said yes, that will be in the report. President Hartmann said this sounded like a great opportunity for an internship and thanked Mr. Margarit and Ms. Tomaska for the presentation. The other Managers thanked the interns also.

Ms. Young said that the LMRWD is planning to make a presentation of this work at the MAWD Annual Conference.

Manager Salvato asked staff if a reason could be identified as to why there seems to be more gullies and erosion. Ms. Young noted it will be difficult to say that additional gully's have been developing because it is not clear how gullies were identified in the 2008 inventory. She noted that this inventory will be used as a baseline for all future assessments.

Administrator Loomis one reason for more gullies may be due to the increase in impervious surfaces and changes to drainage patterns caused by development and changes in the climate where we are receiving more frequent and heavier rainfalls.

7. OLD BUSINESS

A. 2020 Metro Children's Water Festival

Administrator Loomis said this item was tabled at the last meeting. She noted a budget for the project was provided in the executive summary. She noted organizers have collected \$14,000 so

far. They would like to raise another \$10,000, because they are not sure what production of a virtual festival will cost. While they will save money on one side as they will not need to rent the State Fair Grounds or provided buses for transporting students they are not sure costs will be for making presentations. They are also planning to close caption presentations and add other accessibility features.

Administrator Loomis said the organizers are planning a career path curriculum that is new this year, which will highlight presentations by diverse professionals with the intent of encouraging minority students to pursue careers in natural resource fields. She said the outreach will be greater than other years because presentations will be recorded and available on-line. They will target under-served school. Every year there is a waiting list for schools wanting to attend and this year presentations will be available to all schools.

Manager Raby said this is a good program. He only questions the thinking that it will cost more this year. He is fine with the LMRWD contributing the amount of dollars that it has in the past.

Manager Salvato said she is glad they are reaching out to underserved communities and agrees with Manager Raby. President Hartmann agreed.

President Hartmann made a motion to authorize sponsorship of the virtual 2020 Metro Children's Water Festival in the amount of \$1,650. The motion was seconded by Manager Salvato. Upon a vote being taken the following voted in favor of the motion: Frey, Hartmann, Raby and Salvato; the following voted against: None.

B. City of Carver Levee

Administrator loomis noted in 2015 the city had approached the district for funds to repair a bank failure in City Park. The City determined that it did not need the money so funds were reallocated to another project. That project did not occur either, so those funds have been collected, but were not spent. The amount of those funds was \$50,000.

The District will schedule a meeting with the City before the September Board meeting.

C. Remote meeting participation

No new information to report since last update.

D. Dredge Management

i. Vernon Avenue Dredge Material Management site

Administrator Loomis said staff is working to schedule a meeting on site with LMRWD staff, the site manager and the contractor for the project, Meyer Construction.

ii. Private Dredge Material Placement

Administrator Loomis reported that the site manager is concerned that private dredge material may not be completely removed by September 15th. She also reported that private terminal operators have indicated that they may need to dredge again this season.

President Hartmann asked what is usually done with the material and if the terminal operators are concerned with the cost of removal. Administrator Loomis said they are concerned with the cost (it can cost up to \$30/CY to manage the private dredge material) and that is why they have contracted with some one other the LS Marine to remove the material from the LMRWD dredge site.

E. Watershed Management Plan

Administrator Loomis reminded the Board that the date municipalities must have official controls in place that conform to the LMRWD standards is September 1st. She said there is some confusion among the cities about what they are required to do based upon

communications with the cities. She noted that staff will meet to bring recommendations to the Board at the September meeting. So far, there is only one permit that staff would be comfortable approving.

Attorney Kolb reviewed the requirements in order to bring Manager Salvato up to date. He outlined the options for the Cities and what recourse the District has.

Manager Salvato asked if it would be helpful for Managers to go to City Council meetings. Attorney Kolb said that is a good idea but that he thinks this can be resolved at a staff level.

Administrator Loomis asked the Board to approve the work plans that were presented. Manager Raby said it is a lot of work and questioned if it is going to get done. Ms. Young said there were not work plans set up last year to authorize work to get done. She noted that some of the items that appeared in the LMRWD CIP, that were not done, were items brought to the District by the Cities and the Cities moved ahead on many of them without the District. Manager Raby asked about the Education and Outreach Work Plan and said he likes the scope of work. He asked about how the District will fund the work. She noted that money was included in the 2020 budget for some of these tasks and some others will not happen because of COVID 19, so that frees up some funds. Administrator Loomis said funding to complete the E & O plan in 2021 would come from fund balance.

Manager Salvato questioned if people know who the District is. She noted a social media presence might be helpful. Manager Raby agreed and noted the work plan had a task to interact with the media. He did not disregard that there are other things that could be done. He asked Ms. Young for her thoughts for increasing the District's visibility. She thought there were several opportunities and that they gave that quite a bit of thought in developing the Work Plan. She noted that the timeline in the Work Plan is flexible and could be adjusted as work begins.

Manager Salvato commented on the corridor plan and on randomly selecting focus groups virtually. She felt that it might be challenging. She referenced her work on the Mississippi River leading open citizen sessions (pre-COVID) to understand new ways for addressing sediment, channel management, flooding and drought. She wanted to better understand the focus groups and use of businesses. Ms. Young responded that she has done similar sessions for other clients and that she has found that it has been easier to gather groups for virtual meetings. She said she is more concerned with how to engage participants and get information from them. She thought that Manager Salvato would be a good resource moving forward.

Manager Raby made a motion to approve and authorize implementation of the watershed management work plans as presented. The motion was seconded by Manager Salvato. Upon a vote being taken the following voted in favor of the motion: Frey, Hartmann, Raby and Salvato; the following voted against: None.

F. 2020 Legislative Action

Administrator Loomis said a copy of a joint letter to the Governor and legislative leaders urging passage of a bonding bill was sent to the Board.

Manager Salvato asked who drafted the letter. Administrator Loomis said she wasn't sure. Manager Salvato said there is a good way to be direct and be cordial and she said she is not comfortable with how the letter was worded. Manager Raby said he agrees. He said there are a couple things he didn't think were appropriate. First, he didn't think blaming inaction on the pandemic was appropriate; he thinks it is irresponsible to not pass a bonding bill regardless of the pandemic. He also thinks that stating there is an economic crisis is not an appropriate

reason for the same reason. Administrator Loomis said she would convey the Board's thoughts to Lisa Frenette, who has been that contact on this for the District.

Lisa Frenette joined the meeting. She said she understands the tone is tough. She said it is tough because everyone is frustrated that nothing has been done. There have been several years of no bonding. She said there are close to 50 groups that have signed on, including the Red River Board. She said the board can write their own letter. Manager Raby said again for Ms. Frenette, inaction is not about the pandemic, it has been happening for years.

Ms. Frenette noted that bonding does not directly affect the District, but the project would be funded that impacts the District indirectly. Manager Raby repeated his concerns and that the legislature has not been doing their job for a long time. Manager Salvato concurred. Ms. Frenette they could put together a flood hazard mitigation funding and transportation funding letter. She felt there was more impact signing on to a letter from a larger group.

President Hartmann suggested signing this letter and sending their own, since we are passed the point of amending the letter presented tonight. Ms. Frenette said the timing is imperative and should not wait until the next Board meeting. She suggested the LMRWD could send a letter stating that the LMRWD agrees with the intent of the letter and that we urge passage of a bonding bill for - and give our reasons. Manager Raby said he agrees with the intent of the letter, but that the LMRWD should write its own. Manager Salvato asked whether this is consensus or majority vote.

Attorney Kolb said there should be an action by motion. As to the letter and suggestions he said he didn't think the nuance the Board is concerned with will be apparent to the recipients of the letter and that the tone of the coalition letter would not hurt the LMRWD at all. The Board could sign the coalition letter and then can clarify the expansive concern in an individual letter.

President Hartmann said he felt signing on to a coalition letter would have more clout and by sending our own letter both concerns would be addressed.

Ms. Frenette said a letter needs to be sent before the next special session, September 11th.

Manager Raby made a motion to not sign the letter and instead write the Board's own letter that they are in agreement with the intention but for specific reasons. The motion was seconded by Manager Salvato. Upon a vote being taken the following voted in favor of the motion: Raby and Salvato; the following voted against: Hartmann. Manager Frey voted present.

Ms. Frenette noted that there really is nothing to report in the way of a legislative update. She noted that the State is looking at a projected \$5 Billion dollar deficit in next biennium.

G. Education and Outreach Plan

This item was discussed above.

H. LMRWD Projects

(only projects that require Board action will appear on the agenda. Informational updates will appear on the Administrator Report)

i. Eden Prairie Study Area #3 Stabilization

Administrator Loomis said this is included in the list of projects being considered for funding under the MN River North Watershed Based Funding Program. She noted the grant request to Hennepin County was denied. The County encouraged the District to apply again next year after additional sources of funding for the project have been identified.

I. Project/Plan Reviews

(only projects that require Board action will appear on the agenda. Informational updates will appear on the Administrator Report)

i. Freeway Dump and Landfill

Administrator Loomis said the reason this is on the agenda has to do with the definition of impervious surface in the LMRWD Plan. She said staff met with the MPCA and its consultants to discuss the management of stormwater and whether or not the cap on the dig and line option should be considered impervious or pervious. The MPCA has not decided which option it will choose.

Consultants for the MPCA want to consider the cap as pervious. LMRWD staff believes it should be considered impervious.

Ms. Young said LMRWD staff researched how caps like the one being proposed are considered by other watershed entities. After that research, LMRWD staff recommends looking at this project as artificial turf, where it is not 100% impervious, but it is not completely pervious either. She noted the MPCA will be doing robust maintenance and will meet the floodplain requirements.

President Hartmann asked if the definition would be changed or if additional definitions would be added. Ms. Young noted that the District is not yet prepared to revise the definitions, because of all that entails. She said the staff recommendation is for a compromise by calling this specific project artificial turf rather than to issue a variance to the definition.

Manager Raby said he understands artificial turf to have a drainage system in place and this project does not have that. Ms. Young pointed out that there is a drain system between the pervious layer and the cap. Attorney Kolb noted that there is treatment of both the stormwater and the leachate. He noted that it is up to the Board how to interpret the District's rules.

Manager Salvato agrees with the approach staff is presenting and appreciates the research that staff did.

Manager Raby made a motion to move forward with the approach that this be considered artificial turf and approve the recommendation of staff. The motion was seconded by Manager Salvato. Upon a vote being taken the following voted in favor of the motion: Frey, Hartmann, Raby and Salvato; the following voted against: None.

ii. Fort Snelling

Administrator Loomis said this project is at the Upper Post Area of Old Fort Snelling. The Project proposes to rehabilitate existing buildings to create affordable housing targeted to Veterans.

Austen Adam, an engineer for the project from Loucks Inc., answered questions from the Managers.

Ms. Young noted the maintenance agreement has been reviewed and Attorney Kolb has given approval.

President Hartmann made a motion to approve the request. The motion was seconded by Manager Salvato. Upon a vote being taken the following voted in favor of the motion: Frey, Hartmann, Raby and Salvato; the following voted against: None.

iii. Prairie Heights

Administrator Loomis said this project has been approved by the Riley/Purgatory/Bluff Creek Watershed District, which was a condition of the LMRWD approval. RPBCWD had conditions to its approval. She noted the developer has been informed.

iv. Carver CSAH 11 Jonathan Carver Parkway

Administrator Loomis said this is a project of Carver County in the City of Carver. This project is in two watershed districts. Staff is recommending deferring the permitting authority for Rule B and Rule D and retaining the authority for Rule F, for steep slopes, since some of the stormwater from the project will be directed to Spring Creek.

Manager Salvato asked if Carver WMO rules are comparable to LMRWD rules. Ms. Young responded that Carver WMO rules are generally more strict with respect to erosion control and storm water management outside of High Value Resource Areas. She said that the reason staff is recommending that the LMRWD retain authority for Rule F - Steep Slopes is because that rule is unique to the District and is more strict.

Manager Salvato made a motion to defer the permitting authority for Rule B and Rule D. The motion was seconded by Manager Raby. Upon a vote being taken the following voted in favor of the motion: Frey, Hartmann, Raby and Salvato; the following voted against: None.

J. MPCA Soil Reference Values - no change since last update

7. COMMUNICATIONS

A. Administrator Report: Administrator Loomis said she doesn't have anything to add.

B. Managers: Manager Raby said there is a bluff observation area in Eden Prairie and it is one of the last pieces of savannah in the Upper Midwest. He commented that commercial photographers inundate the area creating paths that cause erosion that destroys the prairie. He suggested that the District contact the City to see if the District can help them protect the area. Ms Young noted the county is very concerned too. She said she and her staff were in the area looking at a project for the County to protect the area. She related what she experienced while she was out there.

Manager Raby made a motion to direct staff to contact the City of Eden Prairie parks department to see if there is anything the board can support City efforts to protect the conservation area. The motion was seconded by President Hartmann. Upon a vote being taken the following voted in favor of the motion: Frey, Hartmann, Raby and Salvato; the following voted against: None.

Administrator Loomis updated the Board on efforts to find a Manager from Dakota County. She spoke with Mark Zabel from Dakota County who said they sent a notice to residents of Dakota County within the LMRWD after Manager Shirk resigned. She checked with Freshwater to get a list of Master Water Stewards that live in Dakota County and they all live in the Eagan/Inver Grove Heights WMO. Manager Raby asked if the County had an application on its website. Administrator Loomis said it was not currently posted. Manager Raby thought the District should send out a mailing of its own.

C. Committees: No report

D. Legal Counsel: No report

E. Engineer: No report

8. ADJOURN

At 9:21pm, President Hartmann made a motion to adjourn the meeting. Manager Raby seconded the motion. Upon a vote being taken the following voted in favor of the motion: Frey, Hartmann and Raby the following voted against: None.

The next meeting of the LMRWD Board of Managers will be 7:00, Wednesday, September 16, 2020 and will be held at the Carver County Government Center, 602 East 4th Street, Chaska, MN. Electronic access will also be available.

Dave Raby, Secretary

Attest:

Linda Loomis, Administrator

DRAFT

Item 4.B.
LMRWD 9-16-20

BEGINNING BALANCE	31-Jul-20	\$ 2,404,930.02
ADD:		
General Fund Revenue:		
Scott County Tax receipts		\$ 181.83
Project Review fees		\$ 3,000.00
		\$ 3,181.83
Total Revenue and Transfers In		\$ 3,181.83
DEDUCT:		
Warrants:		
425252 Frenette Legislative Advisors July 2020 lobbying services		\$ 1,666.67
425263 Danial Hron July 2020 Office rent		\$ 650.00
425281 Rinke Noonan Attorneys at Law June 2020 legal services		\$ 877.50
425287 US Bank Equipment Finance July/August 2020 copier lease payment		\$ 420.25
425500 Chimney Pines HOA 2019 Cost Share		\$ 2,129.17
425518 Renae Larson 2020 Cost Share		\$ 2,500.00
425538 Lori Rathjen 2019 Cost Share		\$ 1,327.08
100013484 HDR Engineering, Inc. Update to LMRWD website rules pages		\$ 1,020.79
100013209 TimeSaver Off Site Secretarial prep of June 2020 meeting minutes		\$ 219.00
100013505 USGS Q3 MN River Sediment Survey		\$ 5,045.75
100013508 Young Environmental Consulting June 2020 technical services		\$ 45,785.76
		\$ 61,641.97
Total Warrants/Reductions		\$ 61,641.97
ENDING BALANCE	31-Aug-20	<u>\$ 2,346,469.88</u>

EXPENDITURES	2020 Budget	August Actual	YTD 2020	Over (Under) Budget
Administrative expenses	\$ 250,000.00	\$ 7,542.43	\$ 130,889.95	\$ (119,110.05)
Cooperative Projects				
Eden Prairie Bank Stabilization Area #3	\$ 35,000.00	\$ 1,518.00	\$ 6,656.21	\$ (28,343.79)
Gully Erosion Contingency Fund		\$ -	\$ -	\$ -
USGS Sediment & Flow Monitoring	\$ 19,700.00	\$ 5,045.75	\$ 10,091.50	\$ (9,608.50)
Ravine Stabilization at Seminary Fen in Chaska	\$ 55,200.00	\$ -	\$ -	\$ (55,200.00)
Riley Creek Cooperative Project with RPBCWD	\$ 74,565.67	\$ -	\$ -	\$ (74,565.67)
Seminary Fen Ravine C-2	\$ -	\$ -	\$ 97.50	\$ -
509 Plan Budget				
<i>Resource Plan Implementation</i>				
Gully Inventory	\$ -	\$ 23,393.55	\$ 51,714.34	\$ 51,714.34
TH 101 Shakopee Ravine	\$ 35,000.00	\$ -	\$ -	\$ (35,000.00)
Assumption Creek Hydrology Restoration		\$ -	\$ -	\$ -
Carver Creek Restoration	\$ 15,000.00	\$ -	\$ -	\$ (15,000.00)
Groundwater Screening Tool Model	\$ 50,000.00	\$ -	\$ -	\$ (50,000.00)
MN River Floodplain Model Feasibility Study	\$ -	\$ -	\$ -	\$ -
Schroeder Acres Park SW Mgmt Project	\$ 181,055.00	\$ -	\$ -	\$ (181,055.00)
PLOC Realignment/Wetland Restoration	\$ -	\$ -	\$ -	\$ -
Spring Creek Project	\$ -	\$ -	\$ -	\$ -
West Chaska Creek	\$ -	\$ -	\$ 162.50	\$ 162.50
Sustainable Lakes Mgmt. Plan (Trout Lakes)	\$ 50,000.00	\$ -	\$ 1,223.62	\$ (48,776.38)
Geomorphic Assessments (Trout Streams)	\$ 50,000.00	\$ 782.46	\$ 782.46	\$ (49,217.54)
Fen Stewardship Program	\$ -	\$ 577.50	\$ 69,247.40	\$ 69,247.40
District Boundary Modification	\$ -	\$ -	\$ -	\$ -
E. Chaska Creek Bank Stabilization Project	\$ -	\$ 865.35	\$ 36,877.75	\$ 36,877.75
E. Chaska Creek Treatment Wetland Project	\$ -	\$ -	\$ -	\$ -
MN River Sediment Reduction Strategy	\$ -	\$ -	\$ -	\$ -
MN River Fens - gap analysis	\$ -	\$ -	\$ 762.20	\$ 762.20
Dakota County Fen Management Study	\$ 25,000.00	\$ -	\$ -	\$ (25,000.00)
Local Water Management Plan reviews	\$ 8,000.00	\$ -	\$ 5,024.75	\$ (2,975.25)
Project Reviews	\$ 20,000.00	\$ 14,223.04	\$ 47,090.44	\$ 27,090.44
<i>Monitoring</i>	\$ 65,000.00	\$ -	\$ 12,484.36	\$ (52,515.64)
<i>Watershed Management Plan</i>	\$ 56,000.00	\$ 1,020.79	\$ 23,668.39	\$ (32,331.61)
<i>Public Education/CAC/Outreach Program</i>	\$ 30,000.00	\$ 207.65	\$ 8,863.70	\$ (21,136.30)
<i>Cost Share Program</i>	\$ 20,000.00	\$ 5,956.25	\$ 5,992.25	\$ (14,007.75)
Nine Foot Channel				
Transfer from General Fund	\$ 80,000.00	\$ -	\$ -	\$ (80,000.00)
Dredge Site Improvements	\$ 315,000.00	\$ 509.20	\$ 5,133.25	\$ (309,866.75)
Total:	\$ 1,184,520.67	\$ 61,641.97	\$ 416,762.57	\$ (898,745.55)



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, September 16, 2020

Agenda Item

Item 4. D. - Receive and file letter from City of Eden Prairie

Prepared By

Linda Loomis, Administrator

Summary

The LMRWD received a letter from the City of Eden Prairie stating that the city declines to act as the permitting authority to enforce LMRWD rules.

Attachments

Letter from Rick Getschow, City Manager, Eden Prairie dated August 13, 2020

Recommended Action

Motion to receive and file letter



August 13, 2020

Ms. Linda Loomis
Lower Minnesota River Watershed District
112 5th Str. E.
Suite 102
Chaska, MN 55318

OFC 952 949 8300
FAX 952 949 8390
TDD 952 949 8399

8080 Mitchell Rd
Eden Prairie, MN
55344-4485

edenprairie.org

Re: Letter of Authorization for Lower Minnesota River Watershed District Rule
Enforcement

Dear Ms. Loomis:

The City of Eden Prairie hereby declines to act as the permitting authority for enforcement of Lower Minnesota River Watershed District's (LMRWD) rules within the City. Pursuant to Minnesota Statutes Sections 103D.335, subd. 23 and 103B.211, subd. 1(3)(iii), the City hereby authorizes the Lower Minnesota River Watershed District to require and issue permits for the use and development of land within that portion of Eden Prairie contained within the district. As required by Eden Prairie City Code Section 11.55, subd. 3.D, the City will not issue a permit for land alteration unless the applicant first provides the City with a copy of any required permit from LMRWD.

I should point out that the City will continue to act as regulatory authority for the Wetland Conservation Act within the district. Thank you for your assistance, and please feel free to contact me with any questions or concerns.

Sincerely,

Rick Getschow
City Manager



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, September 16, 2020

Agenda Item

Item 5. A. - Presentation by Carver County Water Management Organization of 2019 monitoring results in Carver County

Prepared By

Linda Loomis, Administrator

Summary

Andrew Edgcumbe, Water Resource Technician from CCWMO will join the meeting to present the 2019 monitoring results in Carver County.

Attachments

No attachments

Recommended Action

No recommended action



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, September 16, 2020

Agenda Item

Item 5. B. - Election of Officers

Prepared By

Linda Loomis, Administrator

Summary

According to the bylaws for the Lower Minnesota River Watershed District election of officers is to be held annually in September. Currently, Jesse Hartmann is President (since 2018 election), Adam Frey is Vice President (since 2018 election), and Dave Raby is Secretary/Treasurer (Secretary since 2017 and Treasurer since 2015).

Bylaws call for the election of a President, Vice President, Secretary, Treasurer and Assistant Treasurer. Since the point that only three managers were on the Board the offices of Secretary and Treasurer were combined. Now that there are four Managers, those two offices can be separated. The duties for each office are defined in the bylaws.

Attachments

LMRWD Bylaws

Recommended Action

Hold election of officers for the Board of Managers, in accordance with the Bylaws

**BY-LAWS OF
LOWER MINNESOTA RIVER WATERSHED DISTRICT**

(By-Laws adopted by Lower Minnesota River Watershed District under Minn. Stat. § 103D.315:
Subd. 11. "Administration By-Laws: *"The managers shall adopt bylaws for the administration
of the business and affairs of the watershed district."*)

ARTICLE I.

NAME

Section 1. **NAME:** Lower Minnesota River Watershed District.

Section 2. **ABBREVIATIONS:** Throughout these By-Laws whenever it is desirable to abbreviate the name of the Lower Minnesota River Watershed District, the initials "LMRWD" or the word "District" shall be used.

ARTICLE II.

PURPOSE

Pursuant to Minn. Stat. § 103D.201, the District's General Purpose is as follows:

1. Protect, preserve, and use natural surface and groundwater storage and retention systems.
2. Minimize public capital expenditures needed to correct flooding and water quality problems.
3. Identify and plan for means to effectively protect and improve surface and groundwater quality.
4. Establish more uniform local policies and official controls for surface and groundwater management.
5. Prevent erosion of soil into surface water systems.
6. Promote groundwater recharge.
7. Protect and enhance fish and wildlife habitat and water recreational facilities.
8. Secure the other benefits associated with the proper management of surface and groundwater.
9. Cooperate with, aid and assist the state and/or federal government to provide for commercial river transportation.

ARTICLE III

LMRWD OFFICE and WATERSHED DISTRICT'S BOUNDARIES

Section 1. DISTRICT OFFICE: LMRWD office is located at 112 East 5th Street, Suite 102, Chaska, MN 55318.

Section 2. BOUNDARIES of LMRWD: The LMRWD covers an area of 64 square miles of Carver, Hennepin, Dakota, Scott and Ramsey counties. It also includes the Minnesota River Valley from Fort Snelling at the confluence of the Minnesota and Mississippi rivers, upstream to Carver Minnesota. The width of the District includes the bluffs on both sides of the Minnesota River within this reach of the river. In addition, included in its boundaries are fourteen (14) cities or townships, partially or in their entirety.

ARTICLE IV

BOARD OF MANAGERS

Section 1. DISTRIBUTION of MANAGERS and APPOINTMENT THEREOF: Pursuant to Minn. Stat. § 103D.301, Distribution of Manager Positions, Subd. 1: More than one affected county. *"If more than one county is affected by a watershed district, the board must provide that managers are distributed by residence among the counties affected by the watershed district."* Minn. Stat. § 103D.301 Subd. 3: *"...The county board of commissioners of a county affected by the watershed district..."* appoints the manager.

Section 2. COMPOSITION OF LMRWD BOARD OF MANAGERS: The LMRWD is composed of five managers appointed by the four counties in the District: Hennepin County, two (2) managers; Dakota County, one (1) manager; Carver County, one (1) manager; and Scott County, one (1) manager. Ramsey County is no longer represented because there is no population from Ramsey County in the District.

Section 3. TERMS OF OFFICE: Appointments made by the respective counties' Board of Commissioners to the LMRWD Board of Managers are for three-year terms. Terms of office begin in March of the year they are appointed unless a county delays in the appointment of a manager. Per Minn. Stat. § 103D.315, Subd. 6., a manager's term continues until a successor is appointed and qualified.

Section 4. BONDING: Before assuming the duties of the Board, each Board member, at District expense, will obtain and file a bond in accordance with Minn. Stat. §103D.315, Subd. 2. The Board, at District expense, will provide for insurance for its members to provide liability protection on such terms and in such amounts as the Board decides.

Section 5. VACANCIES: Any manager who is unable to fulfill his/her three-year term of office on LMRWD Board of Managers shall notify his/her respective county commissioner of the fact he/she will leaving his/her position as manager on the LMRWD so the county he/she

represents can appoint another manager as soon as possible to complete the departing manager's term in office.

Section 6. COMPENSATION: Minn. Stat. § 103D.315 Subd. 8: *“The compensation of managers for meetings and for performance of other necessary duties may not exceed the amount specified by law. Managers are entitled to reimbursement for traveling and other necessary expenses incurred in the performance of official duties.”*

Managers shall be compensated the statutory maximum per diem for meetings and the performance of other necessary duties authorized by the Board. Managers are entitled to reimbursement for mileage, travel expenses, and lodging in accordance with the LMRWD travel policy. Managers cannot be reimbursed for alcoholic beverages.

Section 7. SUBMISSION OF MANAGER'S EXPENSES: A claim form shall be filled out by each Manager and submitted to the LMRWD office to be processed and approved in the same manner as other claims in June and December.

Section 8. DUTIES OF MANAGERS IN STATUTE: Minn. Stat. § 103D.315 “Managers” defines additional duties of the District's Managers.

In addition to statutory duties, Managers shall abide by the following principles:

- (a) The Board of Managers acts as the unified voice of LMRWD and the president serves as the spokesperson for the Board of Managers.
- (b) No individual Manager may provide direction, instructions or authorization to the Administrator or a District consultant unless specifically authorized to do so by the Board of Managers.
- (c) A Manager's request for information that would require a significant amount of the Administrator's time must be approved by the Board of Managers.
- (d) A Manager must notify the Administrator when a request for information is made from consultants to the District.
- (e) A Manager may not request or authorize on behalf of the District performance of services by the Administrator or consultant unless authorized by action of the Board of Managers.
- (f) Individual managers cannot bind the District to agreements or expenditures.

ARTICLE V OFFICERS

Section 1. ELECTION OF OFFICERS: The following officers shall be elected each calendar year on or before the first regularly scheduled meeting in September: President, Vice-

President, Secretary and Treasurer and Assistant Treasurer. Terms are for one-year unless re-elected.

Section 2. OFFICER VACANCIES: Minn. Stat. § 103D.315 Subd. 3: *“The managers must fill vacancies occurring in the officers’ positions.”*

Section 3. TEMPORARY APPOINTMENTS OF OFFICERS: The Board may appoint a Board member as officer pro tem if an officer is absent or disabled and action by that officer is required.

Section 4. DUTIES OF OFFICERS:

- (a) President: The President shall preside at all meetings of the Board of Managers. The President shall serve under the supervision and direction of the Board and shall see that all orders and resolutions of the Board are carried into effect. The President shall execute all contracts or instruments requiring an officer’s signature, unless otherwise directed by the Board, and shall have the general powers and duties usually vested in the office of President of the Board and shall have such other powers and perform such other duties as the Board may from time to time prescribe.
- (b) Vice-President: In the absence of the President at a regularly held LMRWD meeting, the Vice-President shall preside at the meeting. The Vice-President shall exercise and perform the authorities and duties of the President in the event of the latter’s absence, death, disqualification, or incapacity until the LMRWD Board of Managers elects a new President. The Vice-President shall exercise and perform such other authorities and duties as may be prescribed or limited from time to time by the Board of Managers.
- (c) Secretary: The Secretary shall cause to be recorded all votes and the minutes of all proceedings of the Board of Managers in a book to be kept for that purpose. The Secretary shall give, or cause to be given, notice of all meetings of the Board, and shall perform such other duties as may from time to time be prescribed by the Board or by the President. These duties may be delegated to the Administrator as directed by the Board of Managers.
- (d) Treasurer: The Treasurer shall have the care and custody of the funds and securities and shall disburse the funds of the LMRWD as may be ordered from time to time by the Board. The Treasurer shall keep or cause to be kept full and accurate accounts of receipts and disbursements in books belonging to the LMRWD, and shall deposit all monies, securities and other valuable effects of the LMRWD in the name and to the credit of the LMRWD in such depositories as may be designated from time to time by the Board. Except to the extent that some other person or persons may be specifically authorized by the Board to do so, the Treasurer shall make, execute, and endorse all checks and other commercial paper on behalf of the LMRWD when requested by the Board and shall perform such other duties as may be prescribed by the Board.

- (e) Assistant Treasurer: In the absence of the Treasurer, the Assistant Treasurer shall perform the duties of the Treasurer. The Assistant Treasurer shall exercise and perform the authorities and duties of the Treasurer in the event of the latter's absence, death, disqualification, or incapacity until the LMRWD Board of Managers elects a new Treasurer. The Assistant Treasurer shall exercise and perform such other authorities and duties as may be prescribed or limited from time to time by the Board of Managers.

Section 5. AUTHORIZED SIGNATORIES BY MANAGERS: LMRWD has a fiscal agency agreement with Carver County. Payments made by Carver County on behalf of LMRWD must comply with the processes and internal controls contained in the fiscal agency agreement. All other checks, drafts, or orders for the payment of money, notes or other evidences of indebtedness issued in the name of the LMRWD shall be signed by two members of the LMRWD Board of Managers. Checks may be endorsed through electronic signature.

Section 6. COMMUNICATIONS: Unless it is a personnel issue, when communicating with the LMRWD consultants Board members should inform the Administrator about the communication to keep her/ him updated about ongoing issues and business of the LMRWD.

Section 7. HARRASSMENT AND DISCRIMINATION: Board members and those with whom they work have the right and responsibility to work in an environment free from harassing or discriminating behavior. It is the responsibility of each Board member to refrain from creating a discriminatory or harassing environment. Each Board member is also responsible for treating others with dignity and respect and to report all incidents of harassment immediately so that they can be quickly and fairly resolved.

Section 7. REMOVAL FROM OFFICE: Any officer may be removed at any time, with or without cause, upon the affirmative vote of two-thirds (2/3) of the Board of Managers.

ARTICLE VI. MEETINGS OF LMRWD BOARD OF MANAGERS

Section 1. REGULAR SET MEETINGS: The Managers shall have regular meetings to conduct the business of the LMRWD on the third Wednesday of each month and if such day shall fall on a holiday, an alternative date shall be set and noticed. The meetings may be cancelled and rescheduled at any time that the Managers deem necessary.

Section 2. SPECIAL MEETINGS: Special meetings to conduct the business of the LMRWD may be held and shall be legally noticed at any other time that the Managers may deem necessary.

Section 3. PUBLIC HEARINGS: Public hearings shall be conducted as required by law or, in addition, as directed by the Board of Managers.

Section 4. MEETING CALLED BY MANAGER: Minn. Stat. § 103D.315 Subd. 10, states: "*A meeting may be called at any time at the request of any manger. When a manager*

requests a meeting, the secretary of the watershed district must mail a notice of the meeting to each member at least eight (8) days before the meeting.” The District’s administrator shall notify the Managers as soon as possible of the time and place of the pending meeting and shall provide other notice as required by law.

Section 5. QUORUM and ADJOURNED MEETING: At all meetings of the Managers, a majority of the Managers appointed shall constitute a quorum to do business but a smaller number may adjourn from time to time. Unless otherwise required by law, all decisions must be approved by the affirmative vote of a majority of the Managers present at a meeting where there is a quorum.

Section 6. CHAIR of MEETINGS: The President shall preside as chairperson at all meetings of the Managers. In the absence of the President, the Vice-President shall preside. In the absence of both, the Secretary shall serve as temporary President. The President and temporary President shall have the same privileges.

Section 7. MEETING FORMAT:

- (a) At the hour appointed for a meeting of the Board of Managers of the LMRWD, upon reaching a quorum, the Managers shall be called to order by the President or in his/her absence, by the acting President. The Managers shall proceed to do business following a set agenda.
- (b) The President shall preserve order. The President may make motions, second motions or speak on any question, provided, however, that in order to do any of these things, upon demand of any Manager, the President shall vacate the chair and designate a temporary President. The President, or acting President, shall be entitled to vote like other Managers.
- (c) Every Manager, prior to his/her speaking, shall address the President and shall not proceed until he/she has been recognized by the Chair.
- (d) If a Manager has a personal interest in a matter that comes before the LMRWD Board of Managers, to the extent that it creates a conflict of interest as a matter of law, the Manager shall not vote on said issue.
- (e) No person other than a Manager shall address the Board except with the consent of the President or by a vote of the majority of the Managers present.
- (f) The President has the authority to set a time limit that a Manager or a person addressing the Board may speak, except upon vote of the majority of the Board of Managers present.
- (g) All committees shall be appointed by the President unless expressly ordered by the Board. It shall be the duty of committees to act promptly and faithfully in all matters referred to them, to comply with the Open Meeting Law, if applicable, and to make reports at a future set time/date established by the Board.

- (h) Minutes of all meetings of the LMRWD Board of Managers shall be recorded, reviewed by the Board, adopted and kept at the District's office. They shall be signed by the Secretary and shall constitute an official record of the procedure.
- (i) Any Manager may request that the yeas and nays be recorded on any motion voted on by the Board and such request will be granted by the President.

Section 8. CONFLICTS OF INTEREST: LMRWD seeks to assure public confidence in the integrity of its proceedings by holding itself to high ethical standards. Ensuring that conflicts of interest do not affect the efforts of LMRWD is an essential element of maintaining high ethical standards. If a Manager has a conflict of interest in a matter, he or she shall state that such an interest exists, which will be noted in the minutes. The Manager must abstain from participating in any discussion, offering any motion, or voting on any matter in which the conflict of interest exists. "Conflict of interest" means a material financial interest of the Board Manager, a family member or a close associate; a relationship that limits the Manager's ability to be objective; or that creates the appearance of impropriety. At the request of the President or by any Board Manager, in a matter in which a Manager has a conflict of interest a roll call vote shall be taken and recorded in the minutes, as well as the abstention of the Manager with the conflict of interest.

Section 9. APPEAL OF A CHAIR RULING: A Board Manager may appeal to the Board from a ruling of the President. If the appeal is seconded, the Board Manager may speak once solely on the question involved and the President may explain his or her ruling, but no other Board Manager will participate in the discussion. The appeal will be sustained if it is approved by a majority of the Board Managers present exclusive of the President.

ARTICLE VII. PARLIMENTARY AUTHORITY

Section 1. PARLIMENTARY AUTHORITY: The most current version of Robert's Rules of Order Newly Revised shall govern the LMRWD's meetings in all cases to which they are applicable and in which they are not inconsistent with state law, these By-Laws and, or any special rules of order the LMRWD may adopt.

Section 2. SUSPENSION: Robert's Rules of Order may be temporally suspended by consent of the majority of the Board Managers present.

ARTICLE VIII. ANNUAL REPORT

Section 1. ANNUAL REPORT: Minn. Stat. § 103D.351: "(a) *The managers must prepare a yearly report of the financial conditions of the watershed district, the status of all projects, the business transacted by the watershed district, other matters affecting the interests of the watershed district, and a discussion of the managers plans for the succeeding year.*"

Section 2. COPIES DISTRIBUTED: Minn. Stat. § 103D.351: “(b) *Copies of the report must be transmitted to the Board of Water and Soil Resources, the commissioner, and the director within a reasonable time.*”

**ARTICLE IX.
ANNUAL AUDIT**

ANNUAL AUDIT: Minn. Stat. § 103D.355, Subd 1. Requirement: “*The managers must have an annual audit completed of the books and accounts of the watershed district. The annual audit may be made by a public accountant or by the state auditor.*”

**ARTICLE X.
WATERSHED MANAGEMENT PLAN**

WATERSHED MANAGEMENT PLAN. Minn. Stat. § 103D.401, Subd. 1. Contents:

- (a) “*The managers must adopt a watershed management plan for any and all of the purposes for which a watershed district may be established. The watershed management plan must give a narrative description of existing water and water-related problems within the watershed district, possible solutions to the problems, and the general objectives of the watershed district. The watershed management plan must also conform closely with watershed management plan guidelines as adopted and amended from time to time by the Board of Water and Soil Resources.*”
- (b) “*The watershed management plan may include a separate section on proposed projects. If the watershed district is within the metropolitan area, the separate section of proposed projects or petitions for projects to be undertaken according to the watershed management plan is a comprehensive plan of the watershed district for purposes of review by the Metropolitan Council under section 473.165.*”

**ARTICLE XI.
AMENDMENT TO BY-LAWS**

Section 1. AMENDMENT TO BY-LAWS. LMRWD BY-LAWS MAY BE AMENDED, repealed, or adopted by a majority of the LMRWD Board of Managers upon thirty (30) days written notice of the proposed change in its entirety during a meeting of the LMRWD Board of Managers unless said notice is waived by all of the Managers. Notice of such alteration or amendment is to be contained in the notice of such meeting. The alteration/s or amendment/s must pass by a majority vote of the LMRWD Board of Managers.

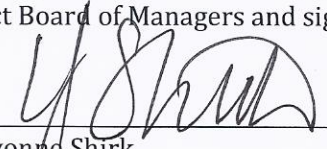
Section 2. INTERPRETATION of the By-Laws and any amendment or additions thereto shall rest with the LMRWD Board of Managers.

Section 3. TEMPORARY SUSPENSION OF BYLAWS: These rules may be temporarily suspended by consent of a majority of the Managers present.

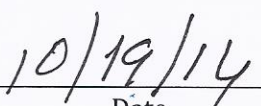
**ARTICLE XII.
REVIEW OF BY-LAWS**

THESE BY-LAWS shall be reviewed at least every five years and revised if needed. These bylaws govern internal LMRWD matters and do not create rights in any third parties.

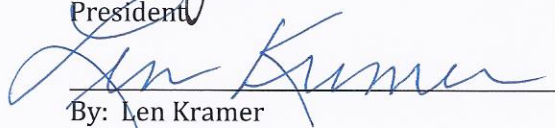
Duly adopted on the 21st day of October, 2015 by the Lower Minnesota River Watershed District Board of Managers and signed by the President and Secretary of the organization.



By: Yvonne Shirk
President



Date



By: Len Kramer
Secretary



Date



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, September 16, 2020

Agenda Item

Item 5. C. - Call for an EAW on Yellow Medicine County Ditch 9

Prepared By

Linda Loomis, Administrator

Summary

The Izaak Walton League Minnesota Valley Chapter is planning to petition the MN Environmental Quality Board for the preparation of an Environmental Assessment Worksheet for a drainage improvement project on County Ditch 9 in Yellow Medicine County. The Izaak Walton League has asked the LMRWD to join the petition.

The proposed project has identified several BMPs to address rate and volume control as part of the improvements. Additional BMPs were identified however they are on private property and it is noted that they will not be constructed unless the private property owner is willing.

It is possible that more could be done to reduce the erosion potential caused by the proposed increase to the flow of water. However a more thorough investigation and review of the plans would need to be made. The Izaak Walton League is relying on a review of the project by Patrick Belmont as a basis for its request for an EAW. Dr. Belmont was involved in the Collaborative for Sediment Source Reduction (CSSR) and is very familiar with the issue of sediment and erosion in the Minnesota River.

In the past, the LMRWD used an outside consultant to review TMDL studies done within the MN River Basin. Comment letters were then submitted to the MPCA based on the reviews. Young Environmental Consulting Group did the most recent reviews.

It appears that the Izaak Walton League is planning to challenge every drainage improvement project proposed in the MN River Basin and more requests for the LMRWD to join will be forthcoming. Staff recommends that the Board consider whether or not the LMRWD wants to become a party to the petition and adopt a policy in order to be prepared to address similar requests in the future.

Attachments

Email from Ted Suss, President, Izaak Walton League, Minnesota Valley Chapter

Letter from Patrick Belmont dated September 8, 2020

Recommended Action

Provide direction to staff

Yellow Medicine Countyb Ditch 9

Ted Suss <tedlsuss@gmail.com>

Wed, Sep 9, 2020 at 1:24 PM

To: Linda Loomis <naiadconsulting@gmail.com>

Linda

Might the LMRWD Board send a letter to EQB calling for a mandatory EAW on this drainage project?

Drainage projects such as the proposed improvement to Yellow Medicine County Ditch 9 increase river flow levels that cause flooding.

The Minnesota Izaak Walton League is leading an effort to prevent completion of this project unless it is designed in such a way to store water in that watershed and make certain that the discharge from this improved drainage system is no greater than the current discharge.

I am writing to seek a letter of support from LMRWD for our call for a mandatory Environmental Assessment Worksheet on Yellow Medicine County Ditch 9.

If your city government chooses to join in this effort, please address the letter to the Environmental Quality Board (EQB) but send a signed digital copy to me at this address so that we can attach your letter to our petition to the EQB.

Because the final engineering report is already completed, we must petition EQB as quickly as possible, therefore time is of the essence.

I am attaching a link to the engineering report as well as a copy of a letter from Patrick Belmont, a scientist who has extensively studied the Minnesota River.

Ted

 [19047 Yellow Medicine CD 9 Draft FER.pdf](#)

 **Belmont letter on Yellow Medicine CD 9 Sep 8 2020.pdf**
230K

Ted L Suss, President
Izakk Walton League, Minnesota Valley Chapter
6601 Auto Club Road
Bloomington, MN 55438

I have reviewed the final engineering report for the Yellow Medicine County Ditch 9 drainage project and am writing to request a mandatory Environmental Assessment Worksheet be conducted for the project. Let me start by saying that I fully understand why farmers implement these drainage efficiency projects. Crop yields increase significantly following these projects. Many such projects pay for themselves within just a few years due to increased productivity. The problem is that these drainage efficiency projects have significantly increased flood risk, diminished water quality and degraded aquatic habitat downstream.

The basic physics behind these projects is quite simple. Increasing drainage efficiency necessarily means getting the water to downstream receiving bodies more quickly and as a result, peak flows and the erosive power of the river both increase. The extent to which peak flows increase is difficult to predict before the project is implemented, even with a sophisticated model such as XP SWMM, because there is considerable heterogeneity in the soils and sub-surface flow paths. But analyses of historical projects in the Yellow Medicine and many other Minnesota River tributaries clearly demonstrate that each individual project has an impact and the cumulative effects of drainage projects have had devastating impacts on flooding, water quality, biological communities and recreational activities downstream. Recent papers by Kelly et al., 2017, Schottler et al., 2014, Foufoula-Georgiou et al., 2015; Hansen et al., 2016, and Belmont and Foufoula-Georgiou, 2017 lay out the scientific evidence linking artificial drainage to increased peak flows and downstream impacts. While some have attempted to argue that the substantially increased flows in Minnesota are entirely due to changes in precipitation, this argument has been resoundingly discredited by Belmont et al., 2016 and Foufoula-Georgiou et al., 2016, among others.

While it is laudable that some amount of water storage has been integrated into the proposed plan, in an effort to mitigate peak flow increases and delivery of water to downstream receiving waterbodies, I believe that the proposed amount of storage is entirely inadequate to avoid detrimental impacts downstream. A considerable amount of additional work would be required to determine the amount and location of water storage needed to offset the proposed increases in drainage efficiency, but I expect that the amount of storage would need to be increased 10-20 fold (see Mitchell et al., 2018; Cho et al., 2019). Further, the location of the

water storage included in the plan is located far upstream from the project area. The downstream costs of increasing drainage efficiency with inadequate water storage are very real, as we have seen for decades in terms of increased flooding, diminished water quality and degraded ecological populations in streams and rivers throughout Minnesota. Continuing to allow drainage projects with inadequate water storage simply forces those living downstream to pay the externalized costs of these drainage projects. Minnesota can and must do better than that.

Sincerely submitted,



Patrick Belmont
Professor and Head of the Department of Watershed Sciences
Utah State University

References:

Belmont, P., and Fofoula-Georgiou, E. (2017) Solving water quality problems in agricultural landscapes: new approaches for these nonlinear, multi-process, multi-scale systems. *Water Resources Research*. 53(4), 2585-2590. doi:10.1002/2017WR020839

Belmont, P., Stevens, J.R., Czuba, J.A., Kumarasamy, K., Kelly, S.A. (2016) Comment on "Climate and agricultural land use change impacts on streamflow in the upper midwestern United States" by Gupta et al. *Water Resources Research*. 52(9), 7523-7528.

Cho, S.J., Wilcock, P.R., Belmont, P., Gran, K.B., Hobbs, B.F. (2019) Simulation model for collaborative decision-making on sediment source reduction in an intensively managed watershed. *Water Resources Research*. 55(2), 1544-1564.

Fofoula-Georgiou, E., Belmont, P., Wilcock, P.R., Gran, K.B., Finlay, J., Kumar, P., Czuba, J.A., Schwenk, J., and Takbiri, Z. (2016) Comment on "Climate and agricultural land use change impacts on streamflow in the upper midwestern United States" by Gupta et al. *Water Resources Research*. 52(9), 7536-7539.

Hansen, A. T., Czuba, J. A., Schwenk, J., Longjas, A., Danesh-Yazdi, M., Hornbach, D. J., & Foufoula-Georgiou, E. (2016) Coupling freshwater mussel ecology and river dynamics using a simplified dynamic interaction model. *Freshwater Science*, 35(1), 200-215.

Kelly, S., Takbiri, Z., Belmont, P., Foufoula-Georgiou, E. (2017) Human amplified changes in precipitation-runoff patterns in large river basins of the Midwestern United States. *Hydrology and Earth System Sciences*. 21(10), 5065. doi:10.5194/hess-2017-133

Mitchell, N., Kumarasamy, K., Cho, S.J., Belmont, P., Dalzell, B., Gran, K.B. (2018) Reducing High Flows and Sediment Loading through Increased Water Storage in an Agricultural Watershed of the Upper Midwest, USA. *Water*. 10(8), 1053; <https://doi.org/10.3390/w10081053>

Schottler, S.P., Ulrich, J., Belmont, P., Moore, R., Lauer, J.W., Engstrom, D.R. (2014) Twentieth century agricultural drainage creates more erosive rivers. *Hydrological Processes*. 28(4), 1951-1961 DOI: 10.1002/hyp.9738



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, September 16, 2020

Agenda Item

Item 5. D. - Cost Share Application - S. Mueller, 10745 Lyndale Bluffs Trail

Prepared By

Linda Loomis, Administrator

Summary

The LMRWD received an application for a Cost Share project at 10745 Lyndale Bluffs Trail in Bloomington. The project the resident is requesting funding for will remove invasive species from an area of steep slope and replace with native species. The homeowners has investigated several options for removing the invasive species, including using goats. They have opted to use a contractor that will come in and hand pull invasive species and hand cut and treat buckthorn.

The plans have been forwarded to Young Environmental Consulting Group for review because the project is in the District's Steep Slope Overlay Zone.

This is the fourth application the District has received this year. The applicant is asking for \$2,419. The table below shows the application received in 2020 and the approved amounts. The Larson application is the only one that has been completed and reimbursed so far this year. The work has been completed on the Sullivan application and I have visited the project. The project can be reimbursed once the District has a final report, including receipts.

Applicant name	Project address	Type of project	Amount requested	Amount approved	Amount reimbursed
Braun	10312 Portland Avenue S., Bloomington	Rainwater collection system	\$2,418.00	\$2,418.00	
Sullivan	4419 West Old Shakopee Rd., Bloomington	Raingarden	\$1,240.50	\$1,240.50	
Larson	1033 Sunny Ridge Drive, Carver	Raingarden	\$2,500.00	\$2,500.00	\$2,500.00
Mueller	10745 Lyndale Bluffs Trail, Bloomington	Invasive Species removal	\$2,419.00		
Total			\$8,577.50		

The 2020 LMRWD Budget included \$20,000 for the Cost Share Program. Ms. Mueller has spoken to her neighbors about addressing additional slopes adjacent to her property. She did try to get her neighbors to try to apply for a townhome project, but the neighbors were not as prepared to submit applications at this time.

Attachments

Cost Share Application for 10745 Lyndale Bluffs Trail, Bloomington

Recommended Action

Motion to approve funding of Cost Share Application for 10745 Lyndale Bluffs Trail

September 1, 2020

Linda Loomis, Administrator
Lower Minnesota River Watershed District
112 E. Fifth St., Suite 102
Chaska, MN 55318

Dear Linda,

We are pleased to apply for a Lower Minnesota River Watershed District 2020 Cost Share grant. The application is for a residential Slope Remediation project (Phase I), which would start in September 2020 and extend through May 2021, if possible.

Given the lateness of the year we hope to hear a determination as soon as possible. We have included the Slope Restoration plan (Phase II) for the complete picture. We plan to apply for the Cost Share 2021 grant for Phase II.

Please let us know if you have questions or need additional information.

Thank you for your consideration.

Sandy and Nathan Mueller

Sandy and Nathan Mueller
10745 Lyndale Bluffs Trail
Bloomington, MN 55420
651-303-2626; 612-616-4655
skmueller@comcast.net;
nmueller@comcast.net

Enclosures:

- A: Grant Application
- B: Project Narrative
- C: Location Maps
- D: Ownership Record
- E: Contractor Bid Phase I
- F: Contractor Bid Phase II



Application type (check one) Homeowner Non-profit - 501(c)(3) School
 Business or corporation Public agency or local government unit

Project type (check all that apply) Raingarden Vegetated Swale Infiltration Basin
 Wetland restoration Lake/creek/wetland buffer Conservation practice
 Shoreline/bank stabilization Pervious hard surface
 Other Environmentally sensitive bluff and steep slope restoration

Applicant Information

Name of Organization or Individual Applying for Grant (to be named as Grantee):

Sandy and Nathan Mueller

Address (street, city and ZIP code):

10745 Lyndale Bluffs Trl, Bloomington, MN 55420

Phone: 651-303-2626; 612-616-4655 Email address: skmueller@comcast.net;

nmueller@comcast.net

Primary Contact (if different from above)

Name of Organization or Individual Applying for Grant (to be named as Grantee):

Address (street, city and ZIP code):

Phone: _____ Email address: _____

Project location

Address (street, city and ZIP code):

10745 Lyndale Bluffs Trl, Bloomington, MN 55420

Property Identification Number (PID)

22-027-24 33 0004

Property Owners:

Sandy and Nathan Mueller

Project Summary

Title Slope Remediation and Restoration

Total Project Cost \$4839 Phase I Remediation Grant amount requested \$2419

Estimated start date September 2020 (ASAP) Estimated completion date May 31, 2021

Is project tributary to a water body? No, water remains on site Yes, indirectly Yes, directly adjacent

Project description:

We wish to remediate and restore our back property slope, which extends 200 feet down the Minnesota River Bluffs. We ask the Lower Minnesota River Watershed District (LMRWD) to co-sponsor our efforts to remove noxious, invasive vegetation and shrubs (such as Buckthorn) planned for Phase I of our project. We wish to begin as soon as possible. Phase II Restoration plans are included for reference.

Is this work required as part of a permit? No Yes

(If yes; describe how the project provides water quality treatment beyond permit requirement on a separate page.)

Project Details

Checklist To be considered complete the following must be included with the application.

App C: location map

App E: project timeline

App B: site plan & design schematic

App D: proof of property ownership

App E: itemized budget or contractor bid

App F: Phase II plant list & planting plan (reference)

Description

Describe the current site conditions, as well as site history, and past management

Our home is situated in The Bluffs on Sans Pierre townhome development, along the Bluffs of the Minnesota River. A corporation owned our site and sold to our developer. To our knowledge, neither party took initiative to preserve/maintain the bluffs slope (s). We purchased in 2015, inheriting a back slope filled with buckthorn and invasive plants that encroached on our lawn. We removed larger buckthorn and installed rip rap where the top of the slope was eroding. Our slope does not have a dense canopy so invasive plantings (such as garlic mustard) grew in where the buckthorn was cut down and are now rapidly multiplying.

What are the project objectives and expected outcomes? Give any additional project details.

Phase I objectives are to:

- 1) Reduce noxious/invasive vegetation that crowds out native plants and tree growth.
- 2) Use brush and existing logs to make "wind rows" to help reduce erosion and provide habitat.
- 3) Protect our home and lawn from erosion impact.
- 4) Reduce further erosion and potential habitat loss and water pollution down slope.

List other key participants and their roles (provide contact information for each partner and his/her expected contribution to the project)

None at this time. We are open to suggestions if there are others who should be involved in some way.

Which cost share goals does the project support? (check all that apply)

improve watershed resources

Foster water resource stewardship

increase awareness of the vulnerability of watershed resources

increase familiarity with and acceptance of solutions to improve waters

How does the project support the goals you checked?

We have learned so much about invasive vegetation, animal habitat support, protecting our woodlands, and water drainage and possible pollution. We have already increased awareness with our neighbors, have investigated solutions including the use of goats, and our efforts will be an example to foster water resource stewardship.

Project Details (continued)

Benefits Estimate the project benefits in terms of restoration and/or **annual** pollution reduction. If you are working with a designer or contractor, they can provide these numbers. If you need help contact the district Administrator.

Benefit	Amount
Water captures	gal/year
Water infiltrated	gal/year
Phosphorus removed	lbs/year
Sediment removed	lbs/year
Land restored	10,000 sq. ft. Bluffs Steep Slope sq. ft.

How will you share the project results with your community?

- 1) We will share results within our townhome community, especially the 16 Villa townhomes along the Bluffs (word of mouth, visits to our lot, a pictorial journal, and lists and photos of noxious weeds).
- 2) We can provide summaries and photos for the City of Bloomington, LMRWD or other agencies.

Are there other projects that could be initiated as a result of this one?

Yes, certainly. We would like to submit the Phase II Resoration part of our project for funding in 2021. And, as mentioned, there are 16 other Bluffs on Sans Pierre Villa units that sit on the Bluffs. Homeowners welcome grant assistance for conservation and restoration.

Evaluation

How will the project be monitored and evaluated?

- 1) The contractor will direct staff and monitor progress.
- 2) As homeowners, any issues or problems will be communicated for feedback and resolve.
- 3) LMRWD representatives or other experts are welcome to visit along the way and at the conclusion.

Maintenance agreement

I acknowledge that receipt of a grant is contingent upon agreeing to maintain the project for the number of years outlined in the cost share guidelines. Yes we understand 5 years with minimal costs.

Authorization

Name of landowner or responsible party Sandy and Nathan Mueller

Signature  Date 09/01/20

Type or handwrite your answers on this form. Attached additional pages as needed

(For questions, contact Linda Loomis at [Naiad Consulting@gmail.com](mailto:NaiadConsulting@gmail.com) or call 763-545-4659.)

Mail the completed application to:

or Email to:

Lower Minnesota River Watershed District
c/o Linda Loomis, Administrator
112 E. Fifth St., Suite 102
Chaska, MN 55318

Linda Loomis, Administrator
naiadconsulting@gmail.com

APPENDIX B: PROJECT NARRATIVE**“Slope Remediation and Restoration”****THE NEED**

We wish to remediate and restore our property back slope, which extends 200 feet down the Minnesota River Bluffs. We ask the Lower Minnesota River Watershed District (LMRWD) to co-sponsor our efforts to remove noxious, invasive vegetation and shrubs (such as buckthorn) in Phase I of our initiative. Phase II Restoration plans are included for reference.

PHASE I OBJECTIVES (September 2020 – May 2021)

- 1) Reduce noxious/invasive vegetation that crowds out native plants and tree growth.
- 2) Use brush and existing logs to make "wind rows" to help reduce erosion and provide habitat.
- 3) Protect our home and lawn proper from erosion impact.
- 4) Reduce further erosion and potential habitat loss and water pollution down slope.

**BACKGROUND**

Our home is situated in The Bluffs on Sans Pierre townhome development, along the Bluffs of the Minnesota River. A corporation previously owned our site and sold to our land developer. To our knowledge, neither party took initiative to preserve and maintain the bluffs slope (s).

We purchased in 2015, inheriting a back slope filled with buckthorn and invasive plants that encroached on our lawn. In 2017 we cut and treated larger buckthorn clumps and installed rip rap where the top of the slope was eroding (with necessary permissions). We found out just how expensive this can be.

Our slope does not have a dense canopy so invasive plantings (such as garlic mustard) grew in where the buckthorn was cut down. By now the noxious vegetation is rapidly multiplying and we wish to reduce the spread and prepare for woodland restoration.



LOCATION AND APPROACH

- 1) Our property is in the LMRWD. In early 2020 we participated in Bloomington community meetings around the Bluffs Standards, zoning changes and the LMRWD's Vegetation Management Plan. We plan to conduct our project using experts and in accordance with these standards and vegetation management recommendations.
- 2) Our 200' down the slope is a scenic easement and deed language reads that we should "refrain from cutting, destroying, or removing foliage, trees or vegetation of any kind whatsoever, except noxious or offensive weeds and dead, diseased, or damaged trees, as directed by the City Forester, or as approved by the City Council of the City of Bloomington. Subject to easements of record and reservations by the State of Minnesota of minerals or mineral rights."
- 3) We sought consultation on the approach to remediate noxious vegetation on our back slope and restore native species. We learned that this is a phased approach, and that vegetation management is an ongoing process. We wish to start immediately on removal and move toward restoration so that ongoing maintenance is not as expensive for us in the years to come.



CONTRACTOR SELECTION

Our contractor choice is:

Ed Mallam, Founder & Operator
Ed's Buckthorn Control
 14702 Excelsior Boulevard #1245
 Minnetonka, MN 55345
 Edsbuckthorncontrol.com
edsbuckthorncontrol@gmail.com;
 612-564-5771



Ed's Buckthorn Control specializes in buckthorn management and forest restoration services in the West Metro area of Minnesota. Their mission includes invasive weed removal, attention to responsibility and sustainability, and forest restoration. We gravitated to their message that: "Invasive plant control is an ongoing battle due to the "seed bank" in the soil teeming with deposits from mother plants each year. By using an "integrated pest management" method, we will create the plan for your woodlot that is the most successful and cost effective over time."

Ed's team has been working with the University of Minnesota on a seed experiment. They published a paper last year, showing that sufficient diversity and abundance of native plants can seriously challenge invasive plants coming from seed. Over the next few years, Ed's team will be studying this small-scale epic battle in action and put findings to use in the field.

As a Master Water Steward Volunteer, Ed is concerned about the management and conservation of water and soil along with the above-ground health and biodiversity. He and his team are constantly seeking ways to sustain pollinators on their worksites.

References: *(Contact information available upon request but is not for public distribution.)*

- 1) **Erica Sniegowski**, Program and Project Manager, Nine Mile Creek Watershed District, ninemilecreek.org *Ed and Erica have been in contact numerous times for Watershed District grants.*
- 2) **Heather Holm**, Holm Consulting. Local restoration expert and author: "Pollinators of Native Plants" & "Bees: An Identification and Native Plant Forage Guide." www.pollinatorsnativeplants.com/ *Ed's mentor for planting and species selection for native restoration in Minnetonka.*
- 3) **Janet Van Sloun**, Restoration Specialist for the City of Minnetonka. B.S. in Urban Forestry, University of Minnesota. *Ed's inspiration and mentor for invasive plant removal and passive restoration.*

PHASE II RESTORATION STEPS (Early to Late Fall 2021)

To complete our project, we will seek LMRWD Cost Share funding in 2021. The Phase II plan from Ed's Buckthorn Control is attached. The goals of Phase II are to:

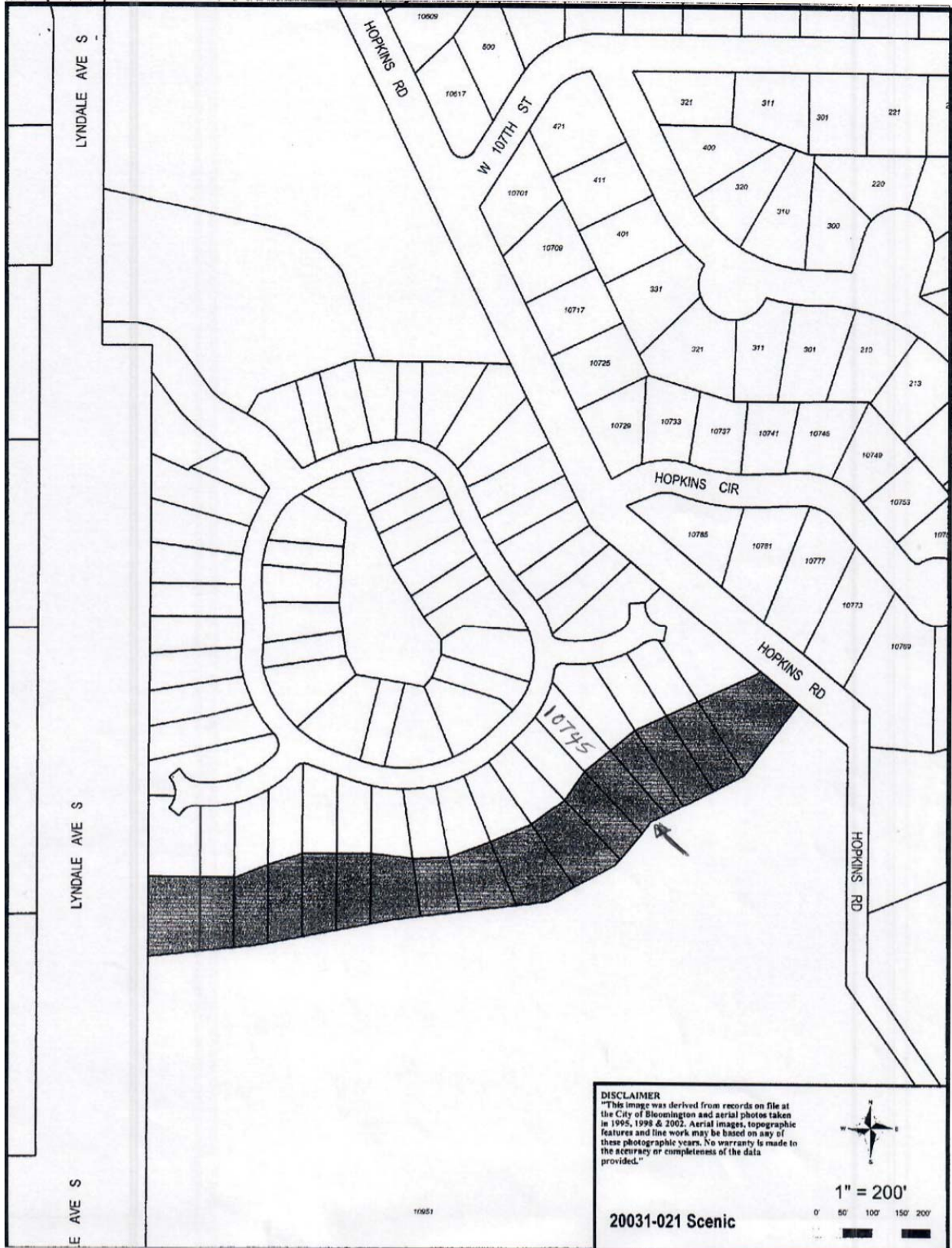
- 1) Prepare the site to maximize seed to soil contact and germination.
- 2) Apply woodland and native pollinator mix, with nettled straw seed blankets for protection.
- 3) Plant shrubs and trees and add wire fencing to deter rodents and deer.
- 4) Spot spray weeds to encourage new planting growth.



VEGETATION MAINTENANCE PHASE (FIVE YEARS 2022-2027)

We will do our best to maintain the vegetation in the five-year period following the grant project (s). We expect that yearly vegetation management costs will be minimal and will get estimates later on.





MUELLER SEED MAP



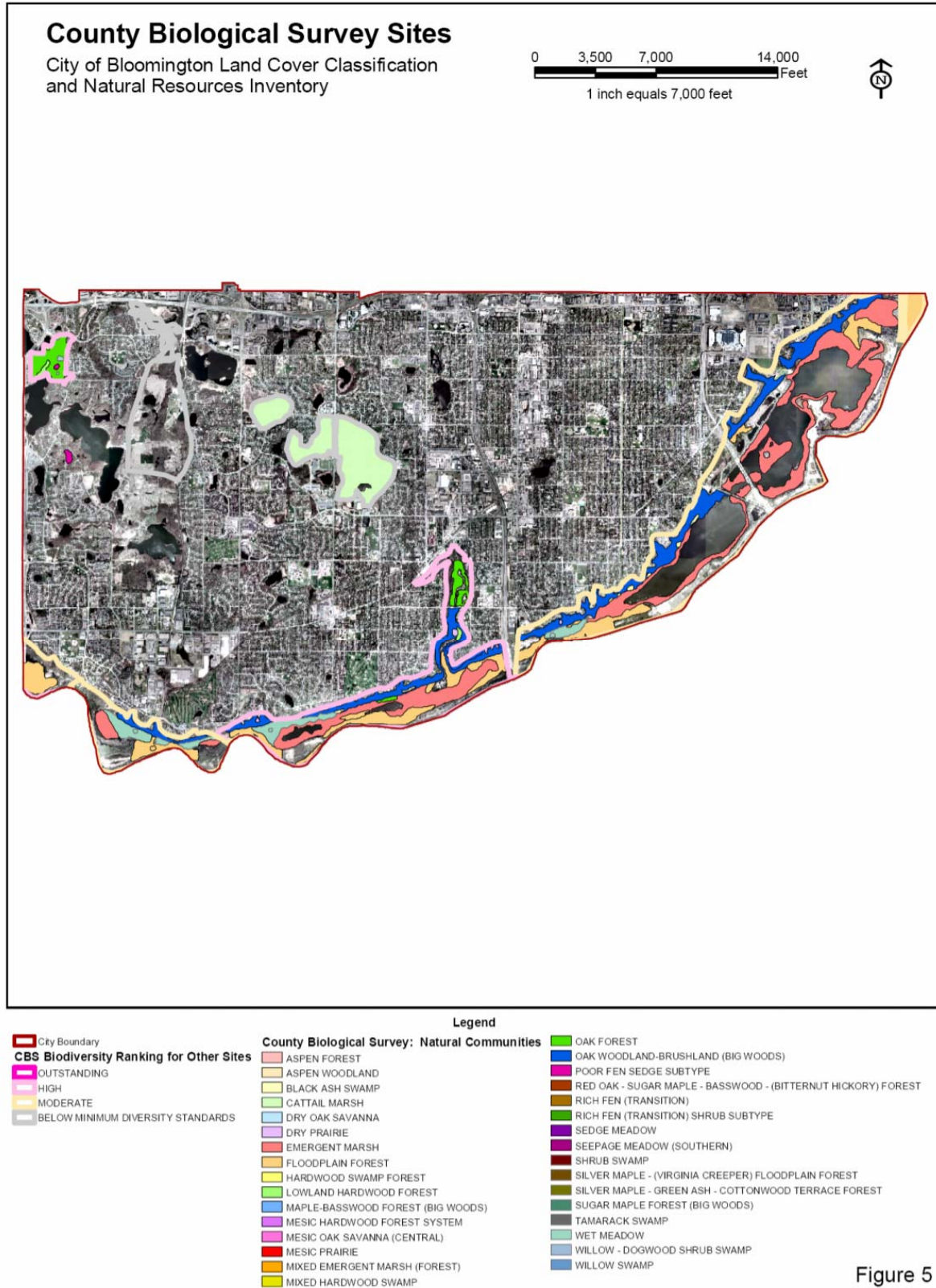


Figure 5

APPENDIX D: RECORD OF OWNERSHIP



Hennepin County

A-600 Government Center
300 S. Sixth Street
Minneapolis, MN 55487-0060
612-348-3011 www.hennepin.us

Property ID number: 22-027-24 33 0004

Property taxes statement schedule

Property tax statement **2020**
2019 values for taxes payable in 2020

Step 1	Value & classification	2019	2020
	TAX YEAR PAYABLE CLASS (ES):	2019 HOMESTEAD	2020 HOMESTEAD
	Estimated Market Value:	777,500	737,500
	Homestead Exclusion:		
	Other Exclusion/Deferral:		
	New Improvements/Expired Exclusions:	0	0
	Taxable Market Value:	777,500	737,500

TAXPAYER(S):

NATHAN SCOTT MUELLER
SANDRA KAY MUELLER
10745 LYNDALDE BLUFFS TR
BLOOMINGTON MN 55420-5652

Step 2 Proposed levies & taxes

2020 Proposed: 10,310.15

Step 3 Property tax statement

First-half Taxes: 5,138.98
Second-half Taxes: 5,138.98
Total Taxes 2020: 10,277.96

Owner: NATHAN S MUELLER/S K MUELLER

Property address: 10745 LYNDALDE BLUFFS TR

Property description: LOT 019 BLK 001 ADDITION: THE BLUFFS ON SANS PIERRE

Property tax refund information Taxes payable in year: **2019** **2020**

- Use this amount on Form M1PR to see if you are eligible for a property tax refund. File by August 15. If this box is checked, you owe delinquent taxes and are not eligible. Taxes owed 10,277.96
 - Use these amounts on Form M1PR to see if you are eligible for a special refund. 11,116.56
- Don't forget to see if you qualify for a property tax refund! Go to www.revenue.state.mn.us for Form M1PR.*

Property Tax and Credits

3. Property tax before credits	11,116.56	10,277.96
4. A. Agricultural and rural land credits	.00	.00
B. Other credits	.00	.00
5. Property taxes after credits	11,116.56	10,277.96
Property Tax by Jurisdiction		
6. A. County	3,545.20	3,273.97
B. Regional Rail Authority	153.03	110.60
7. City or Town	3,391.40	3,152.29
8. State General Tax	.00	.00
9. School District:		
A. Voter approved levies	1,936.51	1,875.92
B. Other Local Levies	1,344.61	1,153.52
10. Special Taxing Districts:		
A. Metropolitan Special Taxing Districts	215.28	196.11
B. Other Special Taxing Districts	530.53	515.55
C. Tax Increment	.00	.00
D. Fiscal Disparity	.00	.00
11. Non-School Voter Approved Referenda Levies	.00	.00
12. Total property tax before fees and Special Assessments	11,116.56	10,277.96
13. A. Special Assessment Principal and Fees		
B. Special Assessment Interest		
14. YOUR TOTAL PROPERTY TAX AND SPECIAL ASSESSMENTS	11,116.56	10,277.96



Learn about property taxes: www.hennepin.us/propertytaxes





14702 Excelsior Boulevard | #1245 | Minnetonka, Minnesota 55345
6125645771 | edsbuckthorncontrol@gmail.com | edsbuckthorncontrol.com

APPENDIX E: PHASE I - REMEDIATION

August 28, 2020

Sandy and Nathan,

Thank you for inviting me to your wonderful woods! We would be delighted to help you restore the natural beauty and resilience to your threatened forest.

Keep in mind, we can postpone planting and seeding to fit your budget and the grant cycle. We can change the quantity of planting and seeding, if you wish.

Timing for planting and seeding can be scheduled, or can be on an "observe and adjust" basis, depending on what we see come up next spring after the buckthorn is gone. The more natural regeneration there is, the less intervention the ecosystem needs.

This is a prime example of Norway maple exhibiting invasive behavior. They are competing with (and even rubbing against) bur oaks. The maples have reached the canopy, and are a real threat to this special ecosystem. I have recommended we cut down the ones flagged with green ribbon, and girdle/treat the largest ones to die standing and become critter condos.

Stickseed and burdock will need to be managed before we start buckthorn removal. We will bag the seeds and dispose. We will cut and treat the buckthorn to ensure they do not grow back from the stump.

Rather than haul out all the brush, (we will responsibly dispose of the brush with berries), we will use it on site to stabilize the soil (prevent further erosion) by lining it up in "wind rows." Wind rows are continuous stripes of brush, usually about 3 feet tall at first, aligned along the slope, perpendicular to water flow. This makes water slow down, spread out, and infiltrate the soil, rather than running off and taking soil with it.

The brush will naturally decompose over time, and leaves will cover them up, and we will compact them during later visits. Typically, within a year or two, they are hardly noticeable.

Per the land inventory, (attached), and observation, we recommend planting chokecherry, raspberry, gooseberry, nannyberry, snowberry, American elm, and butternut. We may also recommend other native flowering shrubs that belong in this forest type, which were not on the 2007 inventory survey.

The steepest slopes will need more shrubs like native honeysuckles and elderberry. Shrubs and a canopy tree will be strategically placed, especially where there is a recent hole in the canopy.

After initial bulk removal of buckthorn, we have planned several return visits to manage new growth from seed, mainly buckthorn and garlic mustard. These visits are strategically timed to take advantage of the invasive plants' seasonal weaknesses, to maximize efficiency and efficacy.

We will pull down or cut grape vines that are climbing desirable trees. There is a deeply eroded ravine/trench. We will cut and strategically place some maple and other deadfall logs into the trench to help with erosion.

I flagged the property corners with dull orange ribbons. I may have marked the official corners, but my ribbons are unofficial.

Please share your thoughts and questions as they arise. Thank you!

Ed



14702 Excelsior Boulevard | #1245 | Minnetonka, Minnesota 55345
 6125645771 | edsbuckthorncontrol@gmail.com | edsbuckthorncontrol.com

RECIPIENT:

Sandy Mueller
 10745 Lyndale Bluffs Trail
 Minneapolis, Minnesota 55420

Quote #69	
Sent on	Aug 28, 2020
Total	\$4,838.63

PRODUCT / SERVICE	DESCRIPTION	QTY.	UNIT COST	TOTAL
Hand Pull Weeds	ASAP: Weed out the invasive species among the native wildflowers at the edge of the lawn/woods. pull stickseed and burdock across entire property. Bag up seeds and dispose.	1	\$350.00	\$350.00
Buckthorn Control - Wind Rows	ASAP: Cut buckthorn greater than 3 feet tall. Apply herbicide to stumps with wick daubers to prevent regrowth. Use all brush in "wind rows" to prevent further erosion, provide habitat, and decompose on site.	1	\$2,000.00	\$2,000.00
Brush Removal	ASAP: Haul away brush with berries for responsible disposal, usually either burned by the power plant for electricity or burned by a local greenhouse for heat!	1	\$200.00	\$200.00
General	ASAP: Cut down invasive Norway maple trees that are marked with green tape. limb them and cut to length, and use the logs to fight erosion. Girdle and apply herbicide to the larger ones, so they die standing, and become critter condos.	1	\$1,000.00	\$1,000.00
Buckthorn Maintenance - Foliar Herbicide Application	Late Fall 2020: Once native plants are dormant, apply herbicide to control smallest buckthorn, and garlic mustard, along with other noxious invasive plants that are still susceptible to herbicide this time of year. Backpack sprayer with wand for precise application. Wetland-approved herbicide included. Workers are experts at identifying our target species and licensed herbicide applicators.	1	\$350.00	\$350.00
Spot Spray Weeds	April 2021 (1 of 2) Spot spray for garlic mustard, motherwort, burdock, and other invasive/pesky weeds. Backpack sprayer with wand for precise application. Wetland-approved herbicide included. Workers are experts at identifying our target species and licensed herbicide applicators.	1	\$350.00	\$350.00
Spot Spray Weeds	May 2021 (2 of 2) Spot spray for garlic mustard, motherwort, burdock, and other invasive/pesky weeds. Backpack sprayer with wand for precise application. Wetland-approved herbicide included. Workers are experts at identifying our target species and licensed herbicide applicators.	1	\$250.00	\$250.00



14702 Excelsior Boulevard | #1245 | Minnetonka, Minnesota 55345
6125645771 | edsbuckthorncontrol@gmail.com | edsbuckthorncontrol.com

This quote is valid for the next 30 days, after which values may be subject to change.

Subtotal	\$4,500.00
Minnesota, 80004 District (0.5%)	\$22.50
Minnesota, Hennepin County (0.15%)	\$6.75
Minnesota State (6.875%)	\$309.38
Total	\$4,838.63

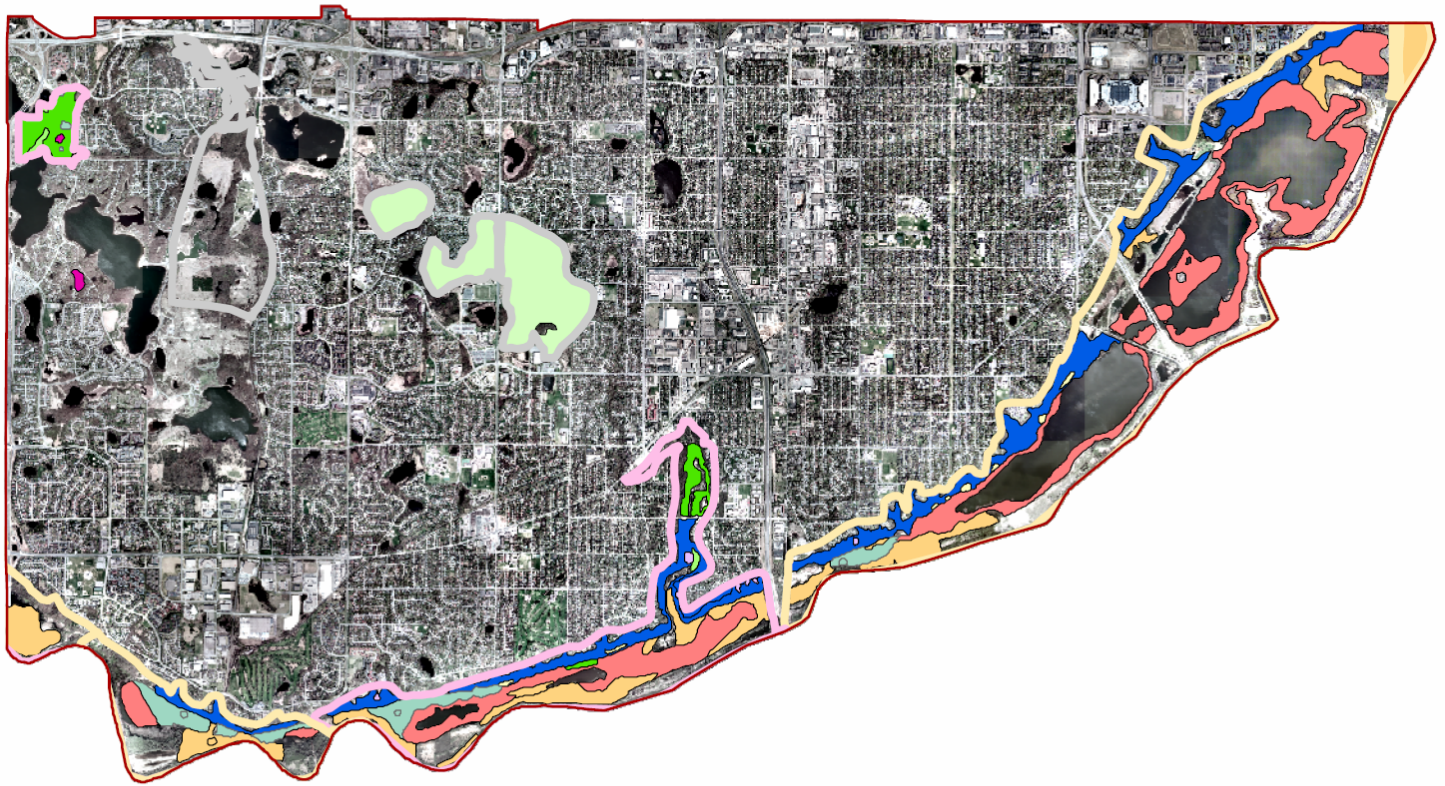
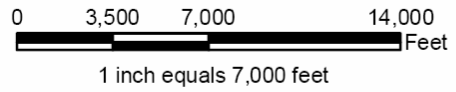
Natural Polygon ID	381	MLCCS Code	42120
Community Description	Oak woodland-brushland	Quality Ranking	DC
Field Check Level	3	Invasives	408-6
Surveyor	FH	Date	8/2/2006

Location	Scientific Name	Common Name
Canopy	<i>Quercus macrocarpa</i>	Bur oak
	<i>Quercus rubra</i>	Northern red oak
Subcanopy	<i>Celtis occidentalis</i>	Hackberry
	<i>Juglans cinerea</i>	Butternut
	<i>Juniperus virginiana</i> var. <i>virginiana</i>	Eastern red cedar
	<i>Ulmus americana</i>	American elm
Shrubs	<i>Rhamnus cathartica</i>	Common buckthorn
	<i>Rubus idaeus</i> var. <i>strigosus</i>	Red raspberry
	<i>Symphoricarpos</i> sp.	Snowberry
	<i>Viburnum lentago</i>	Nannyberry
	<i>Zanthoxylum americanum</i>	Prickly ash
	<i>Aster cordifolius</i>	Heart-leaved aster
Ground	<i>Carex pensylvanica</i> var. <i>pensylvanica</i>	Pennsylvania sedge
	<i>Eupatorium rugosum</i>	White snakeroot
	<i>Sanicula marilandica</i>	Maryland black snakeroot

Notes: Oak woodland dominated by Northern red oak and Bur oak within a matrix of Eastern red cedars and dense Common buckthorn.

County Biological Survey Sites

City of Bloomington Land Cover Classification and Natural Resources Inventory



Legend

- City Boundary
- CBS Biodiversity Ranking for Other Sites**
- OUTSTANDING
- HIGH
- MODERATE
- BELOW MINIMUM DIVERSITY STANDARDS

County Biological Survey: Natural Communities

- ASPEN FOREST
- ASPEN WOODLAND
- BLACK ASH SWAMP
- CATTAIL MARSH
- DRY OAK SAVANNA
- DRY PRAIRIE
- EMERGENT MARSH
- FLOODPLAIN FOREST
- HARDWOOD SWAMP FOREST
- LOWLAND HARDWOOD FOREST
- MAPLE-BASSWOOD FOREST (BIG WOODS)
- MESIC HARDWOOD FOREST SYSTEM
- MESIC OAK SAVANNA (CENTRAL)
- MESIC PRAIRIE
- MIXED EMERGENT MARSH (FOREST)
- MIXED HARDWOOD SWAMP

- OAK FOREST
- OAK WOODLAND-BRUSHLAND (BIG WOODS)
- POOR FEN SEDGE SUBTYPE
- RED OAK - SUGAR MAPLE - BASSWOOD - (BITTERNUT HICKORY) FOREST
- RICH FEN (TRANSITION)
- RICH FEN (TRANSITION) SHRUB SUBTYPE
- SEDGE MEADOW
- SEEPAGE MEADOW (SOUTHERN)
- SHRUB SWAMP
- SILVER MAPLE - (VIRGINIA CREEPER) FLOODPLAIN FOREST
- SILVER MAPLE - GREEN ASH - COTTONWOOD TERRACE FOREST
- SUGAR MAPLE FOREST (BIG WOODS)
- TAMARACK SWAMP
- WET MEADOW
- WILLOW - DOGWOOD SHRUB SWAMP
- WILLOW SWAMP

Figure 5



14702 Excelsior Boulevard | #1245 | Minnetonka, Minnesota 55345
 6125645771 | edsbuckthorncontrol@gmail.com | edsbuckthorncontrol.com

APPENDIX F: PHASE II – RESTORATION

RECIPIENT:

Sandy Mueller
 10745 Lyndale Bluffs Trail
 Minneapolis, Minnesota 55420

Quote #70	
Sent on	Aug 28, 2020
Total	\$5,391.49

PRODUCT / SERVICE	DESCRIPTION	QTY.	UNIT COST	TOTAL
Seeding Labor	Labor for site prep to maximize seed to soil contact and germination, seed dispersal, and application of seed blankets. Price per 5,000 square feet	1	\$500.00	\$500.00*
Seed - Woodland Mix	Shady woodland native plant mix - about 20 wildflowers, plus grasses and sedges. price per 5,000 square feet.	1.2	\$500.00	\$600.00*
Seed - Native Pollinator Mix	Native pollinator-friendly wildflower seed mix with grasses. Local genotype for best possible outcome. Price per 1000 square feet	1	\$75.00	\$75.00*
Seed Blanket	Netted straw seed blankets to protect seed from wind, rain, and birds. Includes delivery and biodegradable stakes. Price per 1,000 square feet	7	\$85.00	\$595.00*
Planting Shrubs/Trees	Labor cost for design, species selection, layout, installation, guarding, labeling, and watering. Price per 20 shrubs/trees	2	\$500.00	\$1,000.00*
Trees/Shrubs #1/#2 Pots	Plant native flowering shrubs, #1 or #2 pot size to replace buckthorn and invasive maples in the understory. Price per 20 shrubs.	2	\$500.00	\$1,000.00*
Wire Fencing	4 foot tall welded wire fencing to deter rodents and deer from destroying planted shrubs/trees. Shipping and stakes included. Price per 20 shrubs' worth = 200 feet.	2	\$300.00	\$600.00*
Spot Spray Weeds	April 2022: Spot spray for garlic mustard, motherwort, burdock, and other invasive/pesky weeds. Backpack sprayer with wand for precise application. Wetland-approved herbicide included. Workers are experts at identifying our target species and licensed herbicide applicators.	1	\$350.00	\$350.00
Spot Spray Weeds	May 2022: Spot spray for garlic mustard, motherwort, burdock, and other invasive/pesky weeds. Backpack sprayer with wand for precise application. Wetland-approved herbicide included. Workers are experts at identifying our target species and licensed herbicide applicators.	1	\$250.00	\$250.00



14702 Excelsior Boulevard | #1245 | Minnetonka, Minnesota 55345
 6125645771 | edsbuckthorncontrol@gmail.com | edsbuckthorncontrol.com

PRODUCT / SERVICE	DESCRIPTION	QTY.	UNIT COST	TOTAL
Foliar herbicide treatment	Late Fall 2022: Once native plants are dormant, apply herbicide to control smallest buckthorn, and garlic mustard, along with other noxious invasive plants that are still susceptible to herbicide this time of year. Backpack sprayer with wand for precise application. Wetland-approved herbicide included. Workers are experts at identifying our target species and licensed herbicide applicators.	1	\$350.00	\$350.00

*Non-taxable

This quote is valid for the next 30 days, after which values may be subject to change.

Subtotal	\$5,320.00
Minnesota, 80004 District (0.5%)	\$4.75
Minnesota, Hennepin County (0.15%)	\$1.43
Minnesota State (6.875%)	\$65.31

2 of 2 pages

Total \$5,391



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, September 16, 2020

Agenda Item

Item 6. A. - Request from Friends of the Minnesota Valley

Prepared By

Linda Loomis, Administrator

Summary

At the February meeting of the LMRWD Board of Managers, Ted Suss, Executive Director of the Friends of the Minnesota asked the Board to consider funding two projects. The first project was to set up educational booths at County Fairs throughout the MN River Basin. County Fairs were cancelled because of the COVID-19 pandemic, so this project did not move forward. The second project was for the LMRWD to contribute funding for a Minnesota River [River Watch program](#). The Board asked for additional information before making a decision whether or not to fund the program.

The District has received additional information about the program which is attached. The request is for the LMRWD provide \$10,000 to fund the program. This project can provide another way for the LMRWD Education and Outreach coordinator to connect with local schools.

River Watch was not included in the 2020 Budget, however a project was identified with the MN River Congress. This project was to hold an educational event in each county in the MN River Basin regarding soil health and regenerative agriculture. The MN River Congress did not proceed with this project and has instead focused on increasing the amount of upland water storage. The LMRWD 2020 and the 2021 Education budgets included \$5,000 each year for a project with the MN River Congress. This could be used for the River Watch Program and still stay within the budget.

Attachments

Email message from Ted Suss dated September 9, 2020
Minutes from February 2020, LMRWD Board meeting (excerpt)
Friends of the Minnesota Valley Fall 2020 River Watch Program

Recommended Action

Motion to authorize funding for the Friends of the Minnesota River Valley River Watch Program



Linda Loomis <naiadconsulting@gmail.com>

Invoice from Friends of the Minnesota Valley

Ted Suss <tedsuss@gmail.com>

Wed, Sep 9, 2020 at 12:06 PM

To: Linda Loomis <naiadconsulting@gmail.com>, Carolyn Rindahl <mnvalleyfriends@gmail.com>

Linda

Sorry for the delay in responding to you with detailed answers to your questions.

Due to cancelling our summer county fair project; Carol Rindahl, our River Watch Coordinator, was off for the summer and returned to work last week.

First, YES, the program will definitely be offered this year in spite of Covid. I am attaching a program plan that Carol developed last week which outlines for schools how River Watch will operate this school year using a virtual classroom model. Carol's model will work whether the students are actually in a classroom or attending school online from home. This document is being sent to each participating school this week. Carol has been in contact with teachers at several schools as she developed this model.

At present we have preliminary commitments to participate this year from the following schools.

In the Lower Minnesota River
Bloomington Kennedy
Shakopee

All of our new team recruiting this year will focus on the Lower Minnesota River including the schools listed after the participating schools.

Other Participating Schools

Sleepy Eye Public
Sleepy Eye St Mary's
Mankato East
Mankato West
Lesueur
Belle Plaine
St Peter
New Ulm Public
Waseca
Lac Qui Parle Valley
Yellow Medicine East in Granite Falls
Redwood Area
Cedar Mountain in Morton
Faribault Area Learning Center (Not in the MN River Watershed and will begin this fall)

Recruiting targets
Bloomington Jefferson
Burnsville
Prior Lake Savage
School of Environmental Studies at the Minnesota Zoo
Chaska
Jordan

It is my firm belief that by offering the virtual option, all of the schools will participate this year and recruiting will be easier than asking them to start with monitoring field trips.

Our budget for the 2020-2021 school year is \$52,000

Salary and Benefits	\$45,000
Travel	\$3,000

Materials and supplies	\$3,000
Printing, mailing, misc	\$1,000
Total	\$52,000

Funds committed to date

LCCMR Carry over	\$25,000
Speilman Family	\$10,000
LMRWD	\$10,000
Friends Board	\$5,000
New Ulm Ikes	\$3000
New Ulm Lions	\$500
Total	\$52,500

All of the above except LMRWD funds are received.

We have begun to solicit grants and donations for the 2021-2022 program year.

I am copying Carol on this as I would like to put the two of you in touch.

Thanks again so much

Ted

On Tue, Jul 21, 2020 at 9:29 AM Friends MNValley <friendsmnvalley@gmail.com> wrote:

[Quoted text hidden]

 **RiverWatch2020.pdf**
125K

President Hartmann asked if Spring Creek is part of this project. Heather Nelson explained the flooding that the City experiences and that some levee improvements will be along Spring Creek

Administrator Loomis commented on two properties cited by the LMRWD that are experiencing loss of property through erosion. Todd Humber said erosion control upstream is not part of this project and funds received from the State would not be eligible to fix erosion.

Mayor Johnson said the \$11.2 would be to make improvements, not tearing down and starting from scratch. Mr. Hubmer said that under the State program the local match is capped. Currently the City's contribution is capped at \$2.1 million.

Attorney Kolb commented on the process the LMRWD would need to go through to be able to contribute. It would likely require a plan amendment to add the project to the CIP.

Administrator Loomis pointed out that the LMRWD plan was adopted in 2018 and this project was not identified by the City through the Plan amendment process.

President Hartmann asked some questions about the project and Ms. Nelson responded.

Ms. Young asked what the timeline for the project was. Mayor Johnson said sooner rather than later. She asked what is realistic for the LMRWD. Ms. Young said LMRWD staff will have to go through a process similar to what was done for the Amazon project in Shakopee.

Next steps will be for city staff to get in touch with the LMRWD. Administrator Loomis asked about the status of legislation. Mr. Hubmer said language is being drafted and that he would share it with the LMRWD once it is drafted.

B. Proposal from Friends of the Minnesota Valley

Administrator Loomis said she was approached by Ted Suss, Executive Director for Friends of the Minnesota Valley (FMV), for two projects. The first project, FMV is looking for \$10,000 to help fund a River Watch Program. Administrator Loomis explained what River Watch is.

The second project is to set up booths at County fairs within the MN River Basin, similar to the project the LMRWD did with Friends in 2017.

President Hartmann asked about other proposals the Mr. Suss had presented to the Board. Administrator Loomis said that Mr. Suss had come to the LMRWD in 2018 to ask for a proposal to hold education events in each county in the MN River basin to improve soil health. She also spoke about a project proposed by Scott Sparlin, from the MN River Congress. Mr. Sparlin had requested the LMRWD's help to pass legislation that would fund water storage within the MN River basin in an effort to reduce water flow and erosion. She said right now she is only asking if the Board is interested in having her meet with Mr. Suss to gather more information about his proposals.

President Hartmann made a motion to direct staff to bring back further information on these programs. The motion was seconded by Manager Frey. The motion carried unanimously.

C. Sponsorship of 2020 Salt Symposium

Administrator Loomis talked about a request the LMRWD received to sponsor a salt symposium. She explained that in the past the LMRWD has sponsored a Road Salt Symposium that has been a project of the Freshwater Society. The Road Salt Symposium has been a joint effort between Freshwater, the MPCA, and Fortin Consulting and was aimed at cities and others that maintain Minnesota roadways. Recently, winter maintenance contractors have also been invited to attend.

Friends of the Minnesota Valley Fall 2020 River Watch Program



Minnesota Valley River Watch Program Covid-19 Update:

The Minnesota Valley River Watch program seeks to create a hands on learning experience for teams of high school students, that enables the monitoring and improvement of water quality throughout the Minnesota River Basin. While our objectives have not changed, we understand that the Covid-19 global pandemic has impacted the ways in which schools and classrooms are able to gather. To meet this unique situation and the needs of the students, the Friends of the Minnesota Valley has created an innovative new approach to the Minnesota Valley River Watch Program for the 2020/2021 school year.

2020/2021 River Watch Program Overview:

In light of the Covid-19 pandemic, and updated school requirements around social distancing and virtual learning, The Friends of the Minnesota Valley River Watch Program will offer two options for participation in the River Watch Program this school year.

1. **In person sampling:** The first option is, at the request of the teacher and the approval of the school, to take the students out to the testing sites as normal. This option will essentially function as it has in all years past, with a few additional measures that are listed out below:
-

-
- All schools participating in in-person sampling agree to assume all risk to teacher and student health and safety particularly associated with Covid-19 that comes with gathering in large groups.
 - Friends of the Minnesota Valley will lead the sampling at the request of the teacher/school, but our standard field-trip waiver will be adjusted to include risk of contracting/spreading Covid-19. These must be signed and returned before sampling begins.
 - Each member participating in the in-person programming will be required to wear a mask during the sampling.

2. **Distance Learning/Discussion:** The second option available will be for the students to participate in a distance learning version of the program. I have outlined the components of this below:

- Friends of the Minnesota Valley (FMV) staff will conduct water quality sampling on each site across the Minnesota River Basin, and record the sampling as it is being done.
- FMV staff will send each teacher the video recording for their class's water quality assessment at their specific location where they would normally conduct in-person monitoring.
- Teachers will sign up on the schedule for a time-slot where their class can watch the video, have a discussion with the FMV staff, and then record the data shown on the video onto the MPCA data sheets (if teachers wish this can be the "homework" for the class).
- During the video FMV staff will be present on zoom or another video-conferencing service to explain what is happening and answer questions.
- After the video, FMV staff will lead a discussion with the students around topics of water quality, ecological impacts and other correlating areas of science (teachers and FMV staff can work together if there are specific areas to focus on.)

-
- After the class, students &/or teachers will work to send the data they gathered from the video to the MPCA.
 - FMV staff have developed innovative ideas to keep the students engaged. Throughout the videos, we will be including hidden “easter eggs” for the students to find. This will require the students to be paying attention to what is physically happening and verbally being said. The first student to find the easter egg in their class's video, can notify their teacher or FMV staff and they will receive a prize.
 - The hope of FMV staff is to use this method to teach at least two classes in the fall and two in the spring to students.
 - With FMV staff gathering the data in video format, there allows for flexibility for these video/discussion classes to be held even after the weather turns cold.

We understand that these are trying times, and that each of the teachers and schools in our program are working hard to continue educating students. We hope that the options outlined above can meet the needs of all of our schools, while still allowing us to engage the students in important ecological issues and gather valuable data.

If you have any questions on the options above please reach out to Program Director Carolyn Rindahl at: carolyn@friendsmnvalley.org

Thank you all for your continued support of the Minnesota Valley River Watch Program, we hope to see you all this fall!





LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, September 16, 2020

Agenda Item

Item 6. B. - City of Carver Levee

Prepared By

Linda Loomis, Administrator

Summary

A meeting has been scheduled with the City of Carver and the LMRWD for Monday, September 14th. The goal of the meeting is to get more information about the project and a timeline for moving forward.

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, September 16, 2020

Agenda Item

Item 6. D. - Dredge Management

Prepared By

Linda Loomis, Administrator

Summary

i. Vernon Avenue Dredge Material Management site

Minnesota River dredging information was made available at the US Army Corps of Engineers August River Resource Forum. The following table contains information about this year dredging. All material was placed on the LMRWD's dredge placement site.

Dredge Cut Name	River Mile	Dredging Dates	Depth (ft) & Est. Quantity		Dredge Notice	Category
Cargill River East Placement Site	14.1	7/15/2020	7	157 CY	20-27	Routine
Petersons Bar	11.7 - 12.6	7/15 - 7/27	12	10,518 CY	20-27	Imminent Closure
Cargill River East Placement Site	14.1	8/11/20	7	278 CY	20-33	Routine
Petersons Bar	11.7 - 12.1	8/11 - 8/27	12	18,038 CY	20-33	Imminent Closure

Staff is scheduled to meet with the contractor on the site Friday, September 18th.

ii. Private Dredge Material Placement

Private material is continuing to be removed from the site. There has been no report on whether or not material will be completely removed by the time construction is ready to start.

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, September 16, 2020

Agenda Item

Item 6. E. - Watershed Management plan

Prepared By

Linda Loomis, Administrator

Summary

The LMRWD extended the deadline for the Cities to have applied for a municipal permit from the District to September 1, 2020. Three cities have submitted applications to the District for approval of a municipal permit - Eagan, Mendota Heights, Chanhassen and Bloomington. Staff is recommending the Board approve a municipal permit for the City of Eagan. The City of Mendota Heights, City of Bloomington and City of Chanhassen are currently being reviewed and may be recommended for approval at the Board meeting. (Even though Bloomington adopted revisions to its municipal code in June, it did not submit an application until Friday.) These cities have worked with LMRWD staff to determine necessary amendments to municipal code to bring ordinances into conformity with the LMRWD standards and rules, so even though staff is not completed review of Mendota Heights, Bloomington, and Chanhassen staff is recommending approval be conditioned upon the completion of review by staff.

One city has informed the District as required by MN Statutes that it declines to act as the permitting authority and that it authorizes the LMRWD to issue permits for land alteration for areas of the City within the LMRWD. Furthermore, Eden Prairie has indicated that it will not issue permit for land alteration unless a permit is obtained from the District. (See Item 4.D. of this agenda)

Chaska has said they intend to follow the City of Eden Prairie; however, the District has not received official notice.

LMRWD staff is working with the City of Shakopee and Carver on ordinance revisions that are necessary to bring the municipal code into conformance with the LMRWD rules.

The LMRWD has not received any communications from the cities of Burnsville, Lilydale, Mendota and Savage, or from Scott County. LMRWD Staff will contact each of these cities to see what their plans are. A letter is being prepared to send to these cities informing them that approval of the Local Surface Water Management Plans (LSWMP) by the District will be rescinded unless they take action in accordance with MN Statutes §103B.211 subd. 1 as follows:

- Amend municipal code to conform to the standard of the LMRWD watershed Management Plan and apply for and receive a Municipal Permit from the LMRWD; or
- Authorize the LMRWD to require permits for the use and development of land within the boundaries of the LMRWD.

If no action is taken, LMRWD approval of the cities' LSWMP can be rescinded and the LMRWD can assume authority under chapter 103D to regulate the use and development of land within the LMRWD.

Attachments

No attachments

Item 6. E. - Watershed Management Plan

Executive Summary

September 16, 2020

Page 2

Recommended Action

Motion to approve municipal permit for the City Eagan

Motion to approve municipal permits for the City of Chanhassen, the City of Mendota Heights and the City of Bloomington
subject to completion of review by LMRWD staff



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, September 16, 2020

Agenda Item

Item 6. F. - 2020 Legislative Action

Prepared By

Linda Loomis, Administrator

Summary

At the August Board of Managers meeting the Board was presented with a joint letter to the Governor and legislative leaders urging them to pass a bonding bill. The Board opted to send its own letter and not sign on to the joint letter. Because of miscommunication the LMRWD's name ended up on the joint letter. That has been corrected and the District' name has been removed from letter and on electronic media. A letter from the LMRWD was drafted with input from the Board and sent to the Governor and legislative leaders on Wednesday, September 9th. A copy of the letter is attached.

A fourth special session was called Friday, September 11, 2020.

Attachments

Letter to Governor Walz and legislative leaders dated September 9, 2020

Recommended Action

No recommended action

September 9, 2020



LOWER MINNESOTA RIVER
WATERSHED DISTRICT

Carver

Lauren Salvato

Dakota

Vacant

Hennepin

David Raby
Secretary/Treasurer

Adam Frey
Vice President

Scott

Jesse Hartmann
President

Governor Tim Walz
130 State Capitol
St. Paul, MN 55155

Speaker Melissa Hortman
463 State Office Building
St. Paul, MN 55155

Kurt Daudt
House Minority Leader
267 State Office Building
St. Paul, MN 55155

Representative Mary Murphy
Chair Capital Investment Committee
343 State Office Building
St. Paul, MN 55155

Senate Majority Leader Paul Gazelka
3113 Senate Office Building
St. Paul, MN 55155

Senate Minority Leader Susan Kent
2227 Senate Office Building
St. Paul, MN 55155

Senator David Senjem
Chair Capital Investment Committee
3401 Senate Office Building
St. Paul, MN 55155

Dear Governor Walz and Legislative Leaders:

The Lower Minnesota River Watershed District (LMRWD) supports the passage of a strong bonding bill in 2020. Passage of a bonding package will provide much needed public infrastructure in Minnesota. Minnesota has lagged in funding public infrastructure over the past decade. In the last several years, legislative sessions have ended with either the passage of a bonding bill that did not meet the needs of the state or no bonding bill at all.

Within the LMRWD is a 15-mile long, 9 foot deep navigation channel that supports commerce which is critical to Minnesota's economy. The LMRWD is responsible, with the US Army Corps of Engineers, for maintaining the Navigation Channel to enable barges to move imports and exports through Minnesota, across the United States and globally. Every biennium the LMRWD has sought funds from the state to assist with managing dredge material resulting from maintenance of the channel. If the amount of sediment reaching the Lower Minnesota River could be reduced, the need for dredging could also be reduced.

Reducing the flow of water is a key strategy to reducing the transport of sediment that results from excessive flows. A bill introduced this year would allow for projects that would retain water (impoundment) to help reduce the flow of water in the Minnesota River during heavy rains or extreme snow melts. Providing funds for impoundments will not only alleviate flooding but will help to reduce the transport of sediment downstream by storing water on the land to slow the flow that reaches waterways and allow for infiltration.

Linda Loomis, Administrator
Home/Office: (763) 545-4659
Cell: (763) 568-9522

112 East 5th Street
Suite 102
Chaska, M 55318

E-mail: lwermnriverwd.org



LOWER MINNESOTA RIVER
WATERSHED DISTRICT

Construction projects that manage the flow of water from the land would also reduce the need for flood hazard mitigation, such as that being considered for the City of Henderson. Funding of flood hazard mitigation through a bonding bill will provide much needed relief for Henderson, help store flood waters and minimize the impact of flooding through the channel.

The LMRWD urges the Legislature to pass and the Governor to sign a bonding bill that will begin to catch up with the needs for public infrastructure across the state. Flood hazard mitigation and increased efforts to manage water flows should also be supported and will allow the LMRWD to become less reliant on the state to help maintain the channel which is so crucial to commerce.

I'm happy to answer any questions you may have or provide additional detail.

Linda Loomis
Administrator,
Lower Minnesota River Watershed District



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, September 16, 2020

Agenda Item

Item 6. I. - Projects Reviews

Prepared By

Linda Loomis, Administrator

Summary

Three projects have been reviewed and are ready for Board action: There are not attachments as link to the technical memorandum are included.

i. **Greystone Headquarters/Canterbury Park** (LMRWD Permit 2020- 117)

The Project meets the requirements outlined in the District Rules. Staff recommends Board approval and issuance of the attached permit subject to the following general condition:

- All erosion and sediment control measures must be effectively installed and maintained according to LMRWD guidelines and MPCA NPDES Permit guidelines as laid out by current District Rules and Policies until all disturbed soils have been permanently stabilized.

Recommended Action

Motion to approve LMRWD Permit 2020- 117 with the following conditions

1. All erosion and sediment control measures must be effectively installed and maintained according to LMRWD guidelines and MPCA NPDES Permit guidelines as laid out by current District Rules and Policies until all disturbed soils have been permanently stabilized.

ii. **Guaghan Demolition Plan** (LMRWD Permit 2020- 0123)

The Project meets the requirements outlined in the District Rules. Staff recommends Board approval and issuance of the attached permit subject to the following general conditions:

- All erosion and sediment control measures must be effectively installed and maintained according to LMRWD guidelines and MPCA NPDES Permit guidelines as laid out by current District Rules and Policies until all disturbed soils have been permanently stabilized.
- Grading and excavating must not begin until the applicant has been noticed that a permit has been issued and required erosion control measures are in place. Working without a permit where required is in violation of LMRWD Rules and is a misdemeanor subject to penalty by law.

Recommended Action

Motion to approve LMRWD Permit 2020- 0123 with the following conditions:

1. All erosion and sediment control measures must be effectively installed and maintained according to LMRWD guidelines and MPCA NPDES Permit guidelines as laid out by current District Rules and Policies until all disturbed soils have been permanently stabilized.

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

iii. **Quarry Lake Improvement Project** (LMRWD Permit 2020- 0115)

Overall, the project meets the requirements laid out in the District's rules, and staff recommends conditional approval of the project by the Board—pending receipt of the outstanding items listed:

- A copy of the NPDES permit.
- Names and contact information for the contractor and the person responsible for compliance with the District's inspection and maintenance requirements.

Recommended Action

Motion to approve LMRWD Permit 2020- 0115 with the following conditions:

1. A copy of the NPDES permit.
2. Names and contact information for the contractor and the person responsible for compliance with the District's inspection and maintenance requirements.