



## LOWER MINNESOTA RIVER WATERSHED DISTRICT

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July 2021 Administrator report  
From: Linda Loomis, Administrator  
To: LMRWD Board of Managers

In addition to items on the meeting agenda, the following District projects and issues were addressed during the month:

### **Other Work**

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#### **Capitol Region letter to BWSR (Board of Water & Soil Resources)**

I have had an opportunity to discuss this letter with Lisa Frenette. The MAWD policy and the request being made by the letter may cause the LMRWD confusion when requesting funding for projects. The reason for the LMRWD to be concerned is that a portion of the LMRWD will be covered by the Lower Minnesota River East One Watershed One Plan being developed.

BWSR held a listening session on June 30th to gather input from watershed districts and watershed management organizations. I expressed the LMRWD concern with the proposal being supported by MAWD and other District. I think it would be helpful for the LMRWD to put our concerns in writing and intend to draft a letter.

#### **MAWA**

On June 29, 2021, I attended the summer meeting of the Minnesota Association of Watershed Administrators. Administrators from most of the watershed districts and water management organizations throughout the state were in attendance. Reports were given by MPCA, BWSR, Red River Board and MAWD.

#### **One Watershed One Plan Lower Minnesota River East**

A meeting was held June 21, 2021 for cities within this planning area. I was able to join the meeting. The cities of Shakopee and Savage had joined the meeting as well. A lot of the discussion at this meeting was how a 1W1P would impact the LMRWD Watershed Management Plan and the Local Surface Water Management Plans. This topic was brought up at the BWSR listening session.

#### **2021 Estimated Market Value for Watershed Districts**

The District has received notice of the 2021 estimate market value of properties located with the District. The notice and EMVs is attached.

#### **Hennepin County Landslide Assessment Project**

Katy Thompson and I were able to join this meeting. Eric Waage, the Emergency Management Director for Hennepin County made a general presentation of the findings of the study conducted. Carrie Jennings, project geologist for the study identified areas along the major rivers that are of particular concern. Ms. Jennings suggested that some of these areas warrant monitoring because of the threat posed to public safety.

After the meeting I reached out the Mr. Waage and Ms. Jennings to see if they had given any thought to what a monitoring program for areas of special concern would entail.

Project website: <https://www.hennepin.us/landslide>

### **Meetings with LMRWD Cities**

Since the May Board meeting LMRWD staff has met with staff from all cities in the LMRWD. Young Environmental has prepared a report from each meeting that has been shared with the participants of each meeting.

As reported in May the cities have expressed appreciation for the district arranging the meetings and holding discussions.

### **MPCA PFA's**

Lisa Frenette and I have spoken about setting up a meeting with the MPCA to discuss landfill issues within the LMRWD. Ms. Frenette is planning to set up a meeting with Kirk Koudelka. Topics of discussion will include PFAs and the expansion of capacity in the landfills within the LMRWD and the implications expansion of capacity will have on the LMRWD. Here is a link to the [MPCA PFAs website](#).

### **Proposed Amendment to the Bloomington Comprehensive Plan**

On June 23rd the City of Bloomington notified the LMRWD that they have proposed a change in the land use for the property located at 9201 Old Cedar Avenue South. The Land Use for this property currently is High Density Residential and an apartment building is located on the site. The City is proposing to change the land use to Office so that the current structure can be repurposed to a medical office use.

### **Lower Mississippi River WMO**

The Lower Mississippi River WMO has initiated its process to update its Comprehensive Watershed Management Plan. The LMRWD was invited to participate as a stakeholder. I attended the kick-off meeting and will monitor progress on the Plan update, but I do not plan to be directly involved in the process.

### **Ike's Creek**

I met with representatives from US Fish & Wildlife Service (USFWS) and Metropolitan Council Environmental Services (MCES) staff to discuss preliminary data collection of Chloride monitoring of Ike's Creek. The LMRWD and USFWS have collected samples from Ike's Creek during two winter seasons, although not on a regular basis. The LMRWD recently entered into an agreement with MCES to conduct regular sampling and testing. The winter monitoring indicated the Creek had elevated levels of Chloride and USFWS and the LMRWD were interested in sampling and testing Chloride levels during the summer months.

Preliminary indications show that Chloride levels are elevated in the summer months too. Levels are the highest at the most upstream reach sampled. Levels drop further downstream. The levels of Chloride in the uppermost reach of the Creek are high enough to be of concern. The LMRWD will develop a plan to investigate the reason for the high Chloride levels.

### **Highway 169 Coalition**

The Highway 169 Coalition would like to plan a tour of the Minnesota River or a tour of the CHS terminal in Savage. They approached CHS to organize a tour of some kind and CHS responded that they have typically worked with Upper River Services and the LMRWD for tours of the MN River. I have offered our services to organize a tour if they want. CHS terminal is not open for tours by large groups, because of COVID.

The US -169 Corridor Coalition is an organization of cities and counties that was formed to advocate for transportation improvements throughout the corridor from Plymouth to Mankato.

### **Directors & Officers Insurance**

I received a quote for Director's & Officers Insurance for the LMRWD. The premium is increasing slightly. I have attached the quote for the Board information.

## Watershed Plan Projects

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**Gully Inventory and condition assessment:** Interns continue to inspect and document ravines and gullies on the south side of the Minnesota River. A report on this project is in the July meeting packet  
Project website: <http://lowermnriverwd.org/projects/mn-river-corridor-management-project>

**Eden Prairie Area #3 Stabilization:** An update for this project is in the July 21, 2021 meeting packet.  
Project website: <http://lowermnriverwd.org/projects/mn-river-corridor-management-project>

**Seminary Fen ravine stabilization project:** No new information to report since last update.  
Project website: <http://lowermnriverwd.org/projects/bwsr-clean-water-fund-grant-administration>

**East Chaska Creek: (Carver County Watershed Based Funding):** This project is complete. The contractor has been paid. A report on the final inspection of this project is in the July 21, 2021 meeting packet.  
Project website: <http://lowermnriverwd.org/projects/east-chaska-creek-bank-stabilization>

**Schroeder Acres Park (Scott County Watershed Based Funding):** There is no new information to report since last update.  
Project website: <http://lowermnriverwd.org/projects/schroeder-acres-parkeagle-creek-sub-watershed-stormwater-study>

**Shakopee Downtown BMP Retrofit (Scott County Watershed Based Funding):** There is no new information to report since last update.  
Project website: <http://lowermnriverwd.org/projects/targeted-bmps-downtown-shakopee>

**PLOC (Prior Lake Outlet Channel) Restoration (Scott County Watershed Based Funding):** This project is also called Ridge Creek Park. There is no new information to report since last update..  
Project website: <http://lowermnriverwd.org/projects/prior-lake-outlet-channel-realignmentwetland-restoration>

**Dakota County Fen Gap Analysis and Conceptual Model (Dakota County Watershed Based Funding):**  
The LMRWD is continuing work with Dakota County SWCD to close out the grant on this project.  
Project website: <http://lowermnriverwd.org/projects/dakota-county-fen-study-management-plan>

**Hennepin County Chloride Project (HHCl) (Hennepin County Watershed Based Funding):** There is no new information to report on either the county-wide project or the Lower Minnesota River project. Grant details for the Lower Minnesota River project can be found on the LMRWD website using this link <http://lowermnriverwd.org/news/chloride-reduction-grants-available>

**Vegetation Management Plan:** No new information since last update.

**Sustainable Lake Management Plan: Trout Lakes:** No new information to report since last update.

**Geomorphic Assessment of Trout Streams:** No new information to report since last update.  
Project website: <http://lowermnriverwd.org/projects/geomorphic-assessment-trout-streams>

**Spring Creek Cost Share:** Work has started on the hydrology study of the Spring Creek Watershed.

**West Chaska Creek Re-meander:** No new information to report since last update.  
Project website: <https://storymaps.arcgis.com/stories/1695a2cf90b44ddba730aad399196405>

**Seminary Fen Ravine Restoration Area C2:** No new information to report since last update.

**MN River Corridor Plan:** Staff continues to work on this plan.

## Project Reviews

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**Northland Paving:** - City of Burnsville - The property owner is planning to re-locate some fuel storage tanks on its property at 12450 Beard Avenue. Staff has reviewed the project and determined that the project does meet to the threshold to trigger the LMRWD rules.

**South Park Jeep:** - City of Burnsville - A building expansion is planned for the auto dealership at 1408 Highway 13 West in Burnsville. Staff is reviewing the application.

**Trunk Highway (TH) 55:** - MNDOT - Bloomington Road to TH 52, Mendota Heights - The LMRWD received an application for a permit to resurface the roadway, improve drainage, make pedestrian accessibility improvements and rehabilitate bridges on MN 55 from the east end of bridge over Bloomington Road in Minneapolis to junction US 52 in Inver Grove Heights and on I35E at MN 55 lighting and Construct restricted crossing intersection at Hwy 55 and Louis Lane in Eagan and extend turn lane at south junction Hwy 149.

Project website: <https://www.dot.state.mn.us/metro/projects/hwy55mpls-invergroveheights/>

**Burnsville Sanitary Landfill (BSL):** - City of Burnsville - Waste Management has proposed to increase the permitted capacity of its BSL, reduce the footprint of the landfill and increase the permitted peak elevation of the landfill located along the Minnesota River in Burnsville. A portion of the BSL is unlined. The unlined portion of the BSL has been closed and capped. An Environmental Impact Statement was prepared in 2005. A supplemental EIS was released June 1, 2021 and was reviewed by LMRWD staff. LMRWD comments were sent to the MPCA and the comments are included in the July 21, 2021 meeting packet. A public meeting was held on June 23, 2021. A recording of the meeting can be viewed on YouTube using this [link](#).

Project website: <https://www.pca.state.mn.us/regulations/burnsville-sanitary-landfill-expansion-project>

**DEM-CON Landfill:** - City of Shakopee - In late 2019, Great River Energy (GRE) closed its waste to energy plant in Elk River. Based on the amount of waste that was accommodated by GRE, the MPCA notified landfills located in the Twin Cities Metropolitan Area that applications for additional capacity were being accepted. Dem- Con landfill in Shakopee was one of four area landfills that submitted an application. (Waste Management's Burnsville Sanitary Landfill was another one of the four). There was a public meeting that discussed the process for determining Certificates of Need for metro-area landfills. You can view the meeting on YouTube using this [link](#). An Environmental Impact Study will have to be prepared for this application.

**4905 TH Highway 13:** - City of Savage - Caribou Coffee has planned a new store at this location. The site is located within the 100 year floodplain. Staff is reviewing the application.

**TH 169 Pedestrian Bridge:** - City of Shakopee – The LMRWD has not received an application for this project. A report on the wetland delineation and the no-loss application are in the July 21, 2021 meeting packet.

Project website: <https://www.shakopeemn.gov/recreation/parks-trails-projects/highway-169-pedestrian-bridge>

**2021 Safety & Security Center Phase 1:** - Metropolitan Airport Commission – The LMRWD received an application for improvements planned at MSP airport. Staff has met with the MAC and its consultants and is reviewing the construction documents.

**106<sup>th</sup> Street Transportation Improvement Project:** - City of Bloomington – This project was conditionally approved at the June 2, 2021 Board meeting.

**Burnsville Cemetery Expansion:** - City of Burnsville - This project will expand the area available for burial plots by tree removal and re-grading. The Cemetery is located at 400 State Hwy 13 E. Staff is reviewing the application. No new information to report since last update.

**Capstone 35:** - City of Burnsville – This project was approved at the May 2021 Board meeting.

**Jefferson Court:** - City of Shakopee – This project was approved at the June 2, 2021 Board meeting.

**Spirit of Truth Church:** - City of Burnsville - This project proposes to build a church on a vacant parcel of property located 12215 Nicollet Avenue. Staff had planned to bring this permit application to the July 21, 2021 Board meeting for approval, however the applicant withdrew the application and is not planning to move ahead with the project.

**TH 41/CSAH 61:** - City of Chaska - This project is for transportation improvements to TH 41 in downtown Chaska, including the intersection of TH 41 with CSAH 61. No new information to report since last update.

**CSAH 61 Drainage Channel Extension:** - Carver County - The LMRWD received an application for this project which will alter the course of a channel that runs underneath CASH 61. This channel is the one that has been filling the box culvert with sediment. No new information to report since last update.

**494 River Bridge:** - 494 & MN River - This project is part of a MNDOT improvement project for I- 494. The project proposes to repairs bridges from 34th Avenue to TH 13 (including the 494 bridge over the MN River). It will widen and reconstruct the existing trail, replace lighting and deteriorated concrete median, repair concrete pavement and reconstruct bituminous shoulder. No new information to report since last update.

**Credit River Outfall Repair:** - City of Savage - This project is to repair the Credit River outfall where it daylight after going under TH 13 in Savage. There is no new information to report since the last update.

**Watermark in Savage:** City of Savage - This project is for 24 acre residential development that will be located at the intersection of McColl Drive and Dakota Avenue. This project will not proceed, however a new project is being planned for this site.

**Southbridge Crossing 6th Addition/Core Crossing:** - City of Shakopee - Permit approval for this project is on the July 2021 meeting agenda.

Project website: <https://www.shakopeemn.gov/business-development/current-development/southbridge-crossings>

**Veterans Memorial Bridge:** City of Shakopee - No new information to report since last update.

Project website: <https://www.shakopeemn.gov/recreation/parks-trails/parks-trails-projects/memorial-park-bridge>

**Quarry Lake Park Improvements:** City of Shakopee – There are three components to this project; 1) a mountain bike trail in the southern portion of the site, 2) improvements to the park area and changes to accommodate the water-ski club and 3) an outlet of the lake to the Prior Lake Outlet Channel (PLOC). The City recently met with the LMRWD to discuss the permit for the outlet.

Project website: <https://www.shakopeemn.gov/recreation/parks-trails/parks-trails-projects/quarry-lake-park>.

**Prairie Heights:** City of Eden Prairie - This project is a residential housing development in Eden Prairie that is partially in the LMRWD and partially in Riley Purgatory Bluff Creek Watershed District (RPBCWD). It is not in a High Value Resource Area or the Steep Slope Overlay zone. Permitting authority was given to RPBCWD. No new information to report since the last update.

**Carver County CSAH 10:** City of Chaska - No new information to report since the last update.

Project website: <https://www.co.carver.mn.us/departments/public-works/projects-studies/highway-10-study-victoria-chaska-area>

**Keyland Development/Whispering Waters:** - City of Shakopee – This permit was approved at the June 16, 2021 Board meeting.

**Hentges Industrial park:** City Shakopee - A portion of this property is being developed as Southwest Logistics Center (SLC). A permit for SLC was approved at the March 2021 meeting of the LMRWD Board of Managers. Additional developments are planned for this property.

Project website: <https://www.shakopeemn.gov/business-development/current-development/hentges-industrial-park>

**9960 Deerbrook, Chanhassen:** No new information to report since last update.

**Summerland Place Residential Development:** Shakopee - No new information since last update.

Project website: <https://www.shakopeemn.gov/business-development/current-development/summerland-place>

**Timber Creek Residential Development EAW:** Carver - No new information to report since last update.

Project website: <https://www.cityofcarver.com/timber-creek/>

**MNDOT TH13 Improvement:** The LMRWD received notification of an Environmental Assessment Worksheet (EAW) on this project. LMRWD comments are included as part of the July 21, 2021 meeting packet. A permit application was received on this project. An extension of the 60-day approval period for this project is on the July 21, 2021 agenda.

Project website: <http://www.dot.state.mn.us/metro/projects/hwy13savageburnsville/index.html>

**Historic Fort Snelling Revitalization:** No new information to report since last update.

Project website: <https://www.dnr.state.mn.us/input/environmentalreview/upperpost/index.html>

**MNDOT ADA Trail improvements in Mendota:** No new information since last update.

**MNDOT trail drainage improvements in Lilydale:** No new information since last update.

**City of Chanhassen - Moon Valley Gravel Pit:** No new information to report since last update.

**Dakota County - MN River Greenway:** An Environmental Assessment Worksheet was prepared for this project and was reviewed by the LMRWD. Comments were sent to Dakota County and are attached for the Board's information.

Project website: <https://www.co.dakota.mn.us/parks/About/TrailPlanning/Pages/minnesota-river.aspx>

**City of Burnsville - Freeway Dump and Landfill:** No new information to report since last update. See above information about PFAS pollution.

Project website: <https://www.pca.state.mn.us/waste/freeway-landfill-and-dump>

**City of Eden Prairie - Peterson Wetland Bank:** No new information to report since last update.

**City of Chanhassen - TH 101 Improvements:** There is no new information to report since the last update.

Project website: <https://www.highway101improvements.com/>

**City of Bloomington - MN Valley State Trail:** No new information to report since last update.

Project website: [https://www.dnr.state.mn.us/state\\_trails/minnesota\\_valley/plans.html](https://www.dnr.state.mn.us/state_trails/minnesota_valley/plans.html)

**MNDOT - I35W Bridge Replacement:** No new information to report since last update.

Project website: <https://www.dot.state.mn.us/metro/projects/i35wbloomington/index.html>

**MNDOT - I494 from TH169 to Minnesota River:** MNDOT held a meeting on this project on July 7, 2021. This project has received partial funding and MNDOT plans to move forward are being developed. The project proposes to construct E-ZPass lanes (formerly MnPass lanes) and to eliminate flooding of freeway at Penn Avenue and between Nicollett Avenue and TH 77/Cedar Avenue. Penn Avenue stormwater will be directed to Penn Lake in Bloomington. Stormwater from freeway between I-35W



and MN River will flow to underground storage that will control rate of stormwater release to the MN River. Initial will be replacement of bridges over I-494 between I-35W and MN River.

Project website: <https://www.dot.state.mn.us/metro/projects/i494-airport-hwy169/index.html>

**MAC/LMRWD/MCWD boundary realignment:** No new information to report since last update.

**USACOE/USFWS - Bass Ponds, Marsh & Wetland:** No new information to report since last update.

Project website: <https://www.mvp.usace.army.mil/Home/Projects/Article/1467604/upper-mississippi-river-restoration-program-bass-ponds-marsh-wetland-habitat-re/>

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### Upcoming meetings/events

- Metro MAWD, Tuesday, July 20, 2021, 7:00pm - Virtual meeting - join with [ZOOM](#)
- [2021 Salt Symposium](#) - August 3 & 4, 2021
- [UMWA monthly meeting](#)- Thursday, August 12, 2021, 1:00 pm to 6:00pm; in person meeting in Lacrosse, WI – contact administrator to attend or use link to register on your own.
- 2021 USACE River Resource Forums -August & December 2021 - contact administrator for more information
- [Minnesota Water Resource Conference](#) - October 19 and 20, 2021 - virtual conference
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## Memo

**Date:** June 28, 2021

**To:** Watershed District Administrators and Managers

**From:** Annie Felix-Gerth, Water Programs Coordinator

**Cc:** Emily Javens, MAWD

Rob Sip, RRWMB

BWSR: John Jaschke, Angie Becker Kudelka, Kevin Bigalke, Dave Weirens, Jeremy Olson,  
Regional Operations Staff

### **RE: 2021 Estimated Market Values**

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Please find attached a table containing the recently released total estimate market values (EMV) for 2021 from the Minnesota Department of Revenue. The 2020 abstract of tax lists was used as the basis for calculating the table.

In order to determine the annual maximum General Fund levy for a watershed district, the EMV listed in the table must be multiplied by 0.048 percent (0.00048) and then compared to the maximum General Fund levy limit of \$250,000. Use whichever value is less. See Minn. Stat. § 103D.905, Subd. 3 for reference.

Please contact me if you have any questions,

Annie Felix-Gerth

[Annie.Felix-gerth@state.mn.us](mailto:Annie.Felix-gerth@state.mn.us) | 651-238-0677

Attachment: Taxes Payable 2021 Estimated Market Values for Watershed Districts in Minnesota

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**TAXES PAYABLE 2021****ESTIMATED & TAXABLE MARKET VALUES FOR WATERSHEDS IN MINNESOTA**

| <b>Watershed Name</b>                                   | <b>Total EMV (\$)</b> | <b>Watershed Code</b> |
|---|-----------------------|-----------------------|
| Bear Valley Watershed District                          | 224,975,300           | 001                   |
| Belle Creek Watershed District                          | 424,118,500           | 003                   |
| Bois De Sioux Watershed District                        | 4,606,146,500         | 031                   |
| Browns Creek Watershed District                         | 2,137,451,400         | 069                   |
| Buffalo Creek Watershed District                        | 2,444,687,900         | 005                   |
| Buffalo-Red River Watershed District                    | 9,317,905,900         | 007                   |
| Capitol Region Watershed District                       | 25,899,519,900        | 070                   |
| Carnelian-Marine-St. Croix Watershed District           | 1,925,444,400         | 010                   |
| Cedar River Watershed District                          | 3,168,693,200         | 002                   |
| Clearwater River Watershed District                     | 1,813,016,700         | 009                   |
| Comfort Lake-Forest Lake Watershed District             | 2,294,312,700         | 071                   |
| Coon Creek Watershed District                           | 18,333,796,600        | 013                   |
| Cormorant Lakes Watershed District                      | 631,570,700           | 015                   |
| Crooked Creek Watershed District                        | 406,323,000           | 016                   |
| Heron Lake Watershed District                           | 2,495,004,200         | 024                   |
| High Island Watershed District                          | 1,210,914,200         | 018                   |
| Joe River Watershed District                            | 234,768,400           | 020                   |
| Kanaranzi-Little Rock Watershed District                | 1,770,101,400         | 021                   |
| Lac qui Parle-Yellow Bank Watershed District            | 2,817,445,000         | 022                   |
| Lower Minnesota River Watershed District                | 11,890,535,300        | 060                   |
| Middle Fork-Crow River Watershed District               | 1,918,921,400         | 074                   |
| Middle-Snake-Tamarac Rivers Watershed District          | 2,704,993,000         | 026                   |
| Minnehaha Creek Watershed District                      | 60,337,920,800        | 062                   |
| Nine Mile Creek Watershed District                      | 22,871,435,900        | 058                   |
| North Fork Crow River Watershed District                | 1,547,178,500         | 008                   |
| Okabena-Ocheda Watershed District                       | 1,009,825,800         | 028                   |
| Pelican River Watershed District                        | 2,435,242,600         | 030                   |
| Prior Lake-Spring Lake Watershed District               | 4,777,961,100         | 032                   |
| Ramsey-Washington Metropolitan Watershed District       | 19,159,680,800        | 034                   |
| Red Lake Watershed District                             | 8,576,861,300         | 036                   |
| Rice Creek Watershed District                           | 26,212,348,400        | 038                   |
| Riley-Purgatory-Bluff Creek Watershed District          | 16,210,441,400        | 064                   |
| Roseau River Watershed District                         | 810,243,400           | 040                   |
| Sand Hill Watershed District                            | 1,211,427,700         | 042                   |
| Sauk River Watershed District                           | 9,506,470,000         | 043                   |
| Shell Rock River Watershed District                     | 2,173,136,300         | 073                   |
| South Washington Watershed District                     | 14,692,742,500        | 014                   |
| Stockton-Rollingstone-Minnesota City Watershed District | 549,673,300           | 044                   |
| The Two Rivers Watershed District                       | 1,577,158,000         | 050                   |
| Turtle Creek Watershed District                         | 1,295,615,600         | 048                   |
| Upper Minnesota River Watershed District                | 1,425,780,300         | 052                   |
| Valley Branch Watershed District                        | 5,445,217,600         | 054                   |
| Warroad Watershed District                              | 428,011,100           | 056                   |
| Wild Rice Watershed District                            | 3,876,943,600         | 066                   |
| Yellow Medicine River Watershed District                | 2,477,437,300         | 068                   |

SOURCE: Mn Dept. of Revenue 2021 PRISM SUBMISSION #3 - FINAL ASSESSMENT AND TAXATION



Daniel Adorno  
Horton Group, Inc. - Orland Park  
10320 Orland Parkway  
Orland Park, IL 60467

May 18, 2021

Re: Lower Minnesota River Watershed District, Ref# 9322269-A  
Proposed Effective 8/1/2021 to 8/1/2022

Dear Daniel:

We are pleased to confirm the attached quotation for **NP D&O** being offered with **Great American Insurance Company**. This carrier is **Admitted** in the state of **MN**. Please note that this quotation is based on the coverage, terms and conditions as stated in the attached quotation, which may be different from those requested in your original submission. As you are the representative of the Insured, it is incumbent upon you to review the terms of this quotation carefully with your Insured, and reconcile any differences from the terms requested in the original submission. CRC Insurance Services, Inc. disclaims any responsibility for your failure to reconcile with the Insured any differences between the terms quoted as per the attached and those terms originally requested. The attached quotation may not be bound without a fully executed CRC brokerage agreement.

**NOTE: The Insurance Carrier indicated in this quotation reserves the right, at its sole discretion, to amend or withdraw this quotation if it becomes aware of any new, corrected or updated information that is believed to be a material change and consequently would change the original underwriting decision.**

Should coverage be elected as quoted per the attached, Premium and Commission are as follows:

|                     |                   |
|---------------------|-------------------|
| <b>Premium:</b>     | <b>\$986.00</b>   |
| Broker Fee          | \$50.00           |
| <b>Grand Total:</b> | <b>\$1,036.00</b> |

**Broker Fees & Policy Fees are Fully Earned at Binding**

**NOTE: If insured is located outside your resident state, you must hold appropriate non-resident license prior to binding.**

CRC is compensated in a variety of ways, including commissions and fees paid by insurance companies and fees paid by clients. Some insurance companies pay brokers supplemental commissions (sometimes referred to as "contingent commissions" or "incentive commissions"), which is compensation that is based on a broker's performance with that carrier. These supplemental commissions may be based on volume, profitability, retention, growth or other measures. Even if a contingent commission agreement exists with a carrier, we recognize that our responsibility is to promote the best interests of the policyholder in the selection of an

insurance company. For more information on CRC's compensation, please contact your CRC broker.

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### **Financing Insurance Premiums**

Premium financing budgets insurance payments and improves liquidity for other business objectives: working capital, business growth, business expansion.

If your clients choose to pay their insurance in monthly installments, it's fast and easy with AFCO Credit Corporation, which is an affiliate of CRC, providing premium financing solutions for companies across the United States.

You can learn more about how premium financing works and how it can expand your relationship with your clients by emailing [afcodirect@afco.com](mailto:afcodirect@afco.com); or call toll-free **877-317-6437**, option 1. Additional information is available at <https://www.afco.com/partners/crc.html>.

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# Technical Memorandum

**To:** Linda Loomis, Administrator  
Lower Minnesota River Watershed District

**From:** Kaci Fisher, Environmental Specialist  
Katy Thompson, PE, CFM

**Date:** July 7, 2021

**Re:** Minnesota River Greenway, Fort Snelling State Park Segment Project  
Environmental Assessment Worksheet Review

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Dakota County is proposing to construct a new paved trail between two existing trailheads within Fort Snelling State Park (Figure 1). The existing trailheads are located at the Trunk Highway 77 (Cedar Avenue) Bridge in the City of Burnsville and at County Highway 26 (Lone Oak Road) in the City of Eagan. The trail is proposed to be 3.7 miles long and 10-foot wide with two-foot vegetated shoulders. Sections of the trail will include raised boardwalks over wetlands as well as pedestrian bridges over a trout stream and the Union Pacific Railroad track.

On June 8, 2021, Dakota County published the Environmental Assessment Worksheet (EAW) for the Minnesota River Greenway in Fort Snelling State Park (Project) for a 30-day public comment review. The trail is within the Lower Minnesota River Watershed District (LMRWD or District). Young Environmental Consulting Group, LLC (Young Environmental), as the District's technical consultants, reviewed the EAW for potential applicable District rules.

The Project is located within the High Value Resource Areas (HVRA) Overlay District and the Minnesota River floodway, and the proposed trail crosses Kennaley's Creek, a State-designated trout stream. The Project is not within the Steep Slopes Overlay District. The Project appears to trigger *Rule B – Erosion and Sediment Control* and *Rule C – Floodplain and Drainage Alteration* and potentially *Rule D – Stormwater Management*. The Project is within Minnesota Department of Natural Resources (DNR)-owned property and is subject to LMRWD permitting review, regardless of the city

municipal local government unit (LGU) permit status. A project summary and comments on the EAW are provided below. The project was previously reviewed in 2020 as part of the Wetland Conservation Act Notice of Application process and presented at the September 16, 2020 board meeting. At that time the project review was limited to the proposed pedestrian bridge at the Minnesota River Greenway Trailhead in Eagan.

## Project Summary

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|----------------------------------|--|
| <u>Project Name:</u>             | Minnesota River Greenway, Fort Snelling State Park Segment Project   |
| <u>Purpose:</u>                  | Pedestrian trail construction  |
| <u>Project Size:</u>             | 15.15 acres  |
| <u>Location:</u>                 | Fort Snelling State Park, Dakota County  |
| <u>Applicable LMRWD Rules:</u>   | Rule B—Erosion and Sediment Control<br>Rule C—Floodplain and Drainage Alteration<br>Rule D—Stormwater Management (potentially) |
| <u>Recommended Board Action:</u> | No action; information only  |

## Comments on the EAW

### Rule B—Erosion and Sediment Control

The LMRWD regulates land-disturbing activities that affect one acre or more outside of the special overlay districts or affect 5,000 square feet within the HVRA. The proposed trail has a total project area of 15.15 acres. The Project will be required to obtain a District permit for erosion and sediment control.

### Rule C – Floodplain and Drainage Alteration

The proposed Project appears to be entirely within the floodway of the Minnesota River, as seen on the Flood Insurance Rate Map, panel 27037C0080E, effective December 2, 2011. The Project will be required to obtain a District permit for floodplain and drainage alteration under Rule C. To meet the minimum requirements of Rule C, the DNR must quantify the amount of fill to be placed within the floodplain and provide the amount in the LMRWD individual project permit application. If fill, or other obstructions such as bridges, are to be constructed in the floodplain, the DNR must also provide a no-rise certification demonstrating no increase in 100-year water surface elevations would occur due to the project.

Additionally, the EAW mentions that 10 to 13 culverts will be constructed with the trail to

perpetuate existing drainage paths. Rule C also regulates the alteration of hydrology, including the construction of culverts and the impoundment of water. The permit application will need to provide the hydraulic calculations to ensure that drainage alterations will not occur.

The Project proposes to cross a State-designated trout stream, Kennaley's Creek, which is within the District's HVRA, where no crossing currently exists. The construction of a new crossing on a trout stream will need to demonstrate that no adverse impacts to the trout fishery would occur due to the project, including, at a minimum, maintaining the existing hydraulic conveyance of the channel and providing adequate fish passage. The EAW also states that the trail crosses Black Dog Creek. However, due to the construction of Cedar Avenue, the DNR public streams alignment is incorrect, because Black Dog Creek no longer crosses under Cedar Avenue and instead overflows from Black Dog Lake to the Minnesota River. The stream labeled in the EAW as Black Dog Creek is its former channel. Given the presence of trout streams, confusion over the location and names of the trout streams, and the presence of the nearby Nicols Meadow calcareous fen complex, we request that the DNR Fisheries Unit also review the proposed project to ensure no harm comes to these rare resources from the trail construction.

#### *Rule D—Stormwater Management*

The LMRWD requires stormwater management for projects that create one or more acres of new impervious surface outside of special overlay districts or 10,000 square feet or more of new impervious surface within the HVRA Overlay District. A portion of the project is located in the latter. However, there is an exception in the LMRWD Rules (Section 4.3.c) for trails that do not exceed 10 feet in width and are bordered down-gradient by a pervious area extending at least half the trail width. The Project proposes a 10-foot trail with a two-foot vegetated shoulder. An additional three feet of pervious surface may be needed on each trail side to meet the exception requirements.

Additionally, the Project proposes to construct new pedestrian bridge crossings that will be 12-feet in width and not subject to the Section 4.3.c exception clause. The permit application should include the area of trail sections not meeting Rule D, Section 4.3.c. and if those areas are within the HVRA Overlay District.

#### **Recommendations**

No Board action is required at this time; however, the Project will require a permit from the LRMWD before beginning construction. This memo will also be submitted to Dakota County as part of the EAW comment period with the following initial feedback:

- Dakota County must obtain an LMRWD Individual Project Permit before the start of construction activities for the applicable rules. Based on the location within the

District's special overlay districts and the overall amount of land disturbance, the proposed Project appears to trigger Rules B and C and potentially D.

- As presented, the applicant will need to provide documentation that the proposed floodway fill will not cause an increase in water surface elevations (i.e., no-rise certification).
- The applicant will need to provide documentation that the proposed Project will not alter the existing drainage patterns (i.e., culvert calculations).
- The Project is proposed in the District's HVRA Overlay District. The applicant will need to demonstrate that the trails meet Rule D's exception under 4.3.c. For areas that do not meet the exception, the new impervious area(s) will need to be provided for portions of the trail within and outside the HVRA to determine if Rule D applies.
- We request the DNR Fisheries Unit review the Project to provide clarification on the stream names and designations as well as to provide any design requirements or better management practices for the proposed crossing locations to reduce the impact of the proposed bridge and culvert crossings on these State-designated trout streams (Black Dog Creek and Kennaley's Creek).

Attachment:

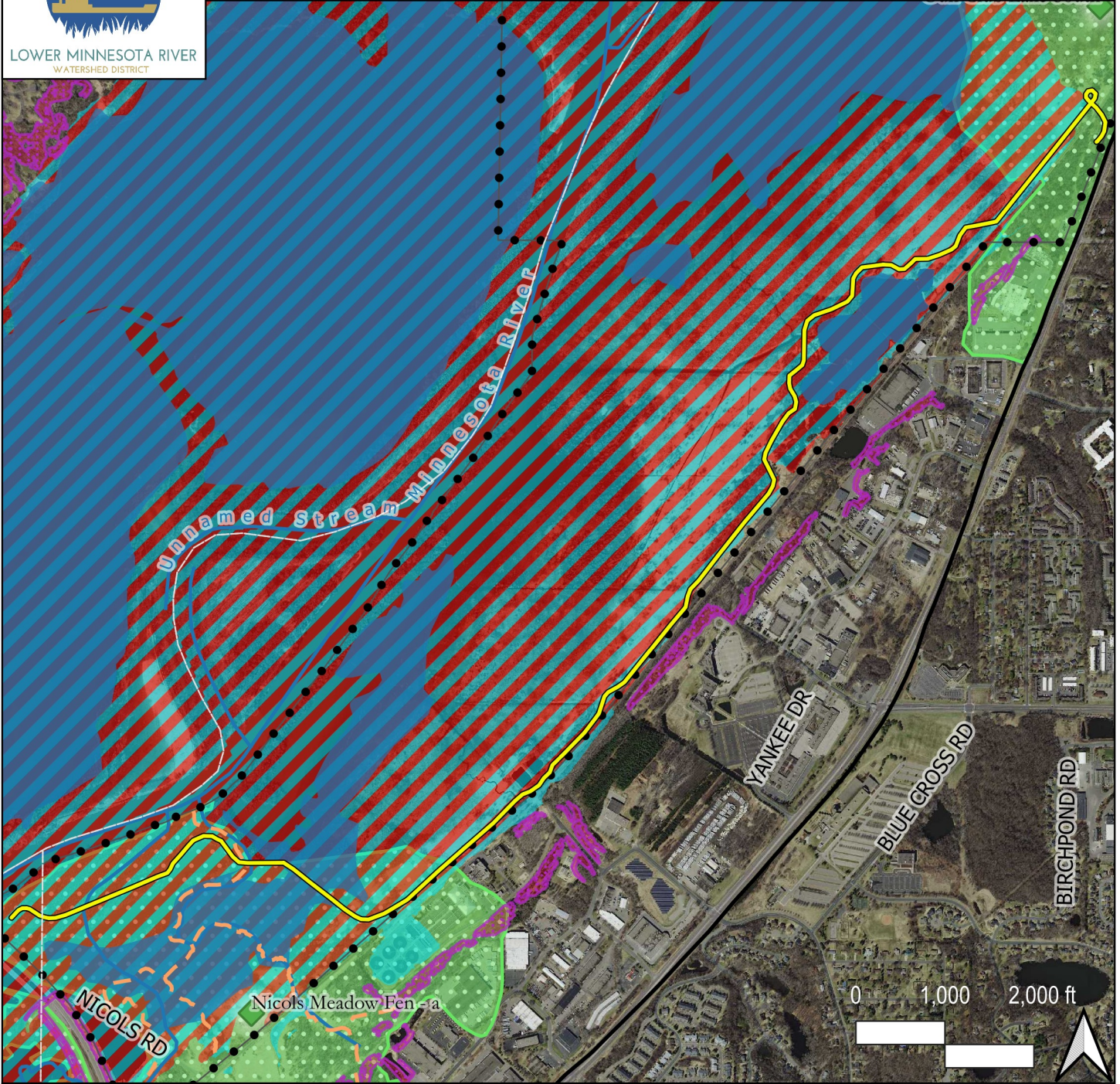
- Figure 1: Minnesota River Greenway Trail Project Location


















LOWER MINNESOTA RIVER  
WATERSHED DISTRICT

Figure 1: Minnesota River Greenway Trail Project Location



**LEGEND**

-  Project Location
-  MNR Greenway
-  Public Waterways
-  Public Waters
-  High Value Resource Area
-  Steep Slopes Overlay District
-  Calcareous Fens
-  100-yr Floodplain
-  Floodway
-  Trout Streams
-  LMRWD\_Boundary
-  Cities, Townships, Unincorporated Areas
-  Fort Snelling State Park

**LMRWD Watershed  
Location Map**

