

THE BOARD OF MANAGERS OF THE LOWER MINNESOTA RIVER WATERSHED DISTRICT WILL MEET IN PERSON BEGINNING JULY 21, 2021

# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Lower Minnesota River Watershed District

7:00 PM

Wednesday July 21, 2021

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	Citizens may address the Board of Managers about any item not contained on the regular agenda. A maximum of 15 minutes is allowed for the Forum. If the full 15 So are not needed for the Forum, the Board will continue with the agenda. The Board will take no official action on items discussed at the Forum, with the exception of referral to staff or a Board Committee for a recommendation to be brought back to the Board for discussion or action at a future meeting.
4.	Consent Agenda	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.
		A. Approve Minutes June 16, 2021 Regular Meeting
		B. Receive and file June 2021 Financial reports
		C. Approval of Invoices for payment
		i. Daniel Hron - June 2021 office rent
		<ul><li>ii. Rinke Noonan Attorneys at Law - April 2021 legal services</li><li>iii. Young Environmental Consulting Group - April 2021 technical and</li></ul>
		Education & Outreach services
		D. Receive and file Citizen Advisory Committee June 2021 meeting minutes
5.	New Business/ Presentations	A. Presentation of 2022 Preliminary Budget
6.	Old Business	A. Cost Share Application - S. Mueller, 10745 Lyndale Bluffs Trail - no new information to report
		B. City of Carver Levee
		C. Remote meeting participation
		D. Dredge Management
		i. Vernon Avenue Dredge Material Management site
		ii. Private Dredge Material Placement

E.Watershed Management Plan - no new information to reportF.2021 Legislative ActionG.Education & Outreachi.Tour of LMRWD projectsii.LMRWD River and Creek Crossing Signage Updateiii.City Partnership Updateiv.Schools Partnership Updateiv.Item Prairie Study Area #3ii.East Chaska Creekiii.MN River Gully Inventoryi.Permits and Project Reviews - See Administrator Report for project updates(only projects that require Board action will appear on the agenda.Informational updates will appear on the Administrator Report)i.Core Crossings Apartments (LMRWD No. 2021-020)ii.Fort Snelling Upper Post Redevelopment Extension Request (LMRWD No. 2020-113)iii.Trunk Highway (TH) 13 Project Review (LMRWD No. 2021-025)iv.Burn		
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		F. Engineer
	8. Adjourn	

Upcoming meetings/Events

- Metro MAWD, Tuesday, July 20, 2021, 7:00pm Virtual meeting join with ZOOM
- <u>2021 Salt Symposium</u> August 3 & 4, 2021
- <u>UMWA monthly meeting</u>- 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
- <u>Minnesota Water Resource Conference</u> October 19 and 20, 2021 virtual conference

#### For Information Only

- WCA Notices
  - City of Shakopee Notice of Application TH 169 Pedestrian Bridge
  - o City of Shakopee Notice of Application and Notice of Decision Southbridge Crossing

### • DNR Public Waters Work permits

- City of Savage Riverland Ag application & permit for work in public waters Dredging of barge slip
- City of Shakopee Whispering Waters permit for work in public waters- PLOC (Prior Lake Outlet Channel)

## • DNR Water Appropriation permits

• City of Bloomington - Application & Permit – 28th Avenue Sanitary Sewer Replacement

Item 4A LMRWD 7-21-2021



## LOWER MINNESOTA RIVER WATERSHED DISTRICT

Minutes of Regular Meeting Board of Managers Wednesday, June 16, 2021 Carver County Government Center, 602 East 4th Street, Chaska, MN 7:00 p.m. Approved \_\_\_\_\_, 2021

#### 1. CALL TO ORDER AND ROLL CALL

On Wednesday, June 16, 2021, at 7:00 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: President Jesse Hartmann, Manager Patricia Mraz, Manager Lauren Salvato and Manager David Raby. In addition, the following joined the meeting: Linda Loomis, Naiad Consulting, LLC, LMRWD Administrator; Della Schall Young, Young Environmental Consulting Group, LLC (YECG), Technical Consultant; Katie Vculek, Rinke Noonan, Attorneys at Law, Legal Counsel; Lindsey Albright, Dakota County Soil & Water Conservation District; Steve Pany, Manager, Prior Lake Spring Lake Watershed District; Scott Sparlin, Coalition for a Clean Minnesota River and Paul Fritton, LMRWD resident.

#### 2. APPROVAL OF THE AGENDA

Administrator Loomis said she had no additions or changes to the agenda.

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

#### 3. CITIZEN FORUM

Administrator Loomis reported that she had not received communication from anyone that wished to address the Board.

#### 4. CONSENT AGENDA

President Hartmann introduced the item.

- A. Approve Minutes May 19, 2021 Regular Meeting and June 2, 2021 Meeting
- B. Receive and file May 2021 Financial reports
- C. Approval of Invoices for payment
  - i. Blackstone Contractors, LLC Partial payment for East Chaska Creek
  - ii. Daniel Hron May 2021 office rent
  - iii. Riley Purgatory Bluff Creek Watershed District LMRWD share of match for 2018 Watershed Based Funding grant
  - iv. Rinke Noonan Attorneys at Law March 2021 legal services
  - v. DRB Consulting, LLC Final payment for data management project

- vi. Frenette Legislative Advisors May 2021 legislative services
- vii. Metro Sales payment on copier service agreement
- viii. Scott Soil & Water Conservation District Q1 2021 monitoring TACS & education services
- ix. US Bank Equipment Finance June 2021 copier lease payment
- x. Dakota County Soil & Water Conservation District 2018 Watershed Based Funding Grant Administration Services
- xi. Dakota County Soil & Water Conservation District Q1 2021 monitoring, TACS & education services
- xii. Fortin Consulting, Inc. Sponsorship of 2021 Salt Symposium
- xiii. Young Environmental Consulting Group March 2021 technical and Education & Outreach services
- xiv. Naiad Consulting, LLC March 2021 administrator services and expenses
- D. Authorize final payment to Blackstone Contractors, LLC for East Chaska Creek
- E. Receive and file Citizen Advisory Committee May 2021 meeting minutes
- F. Authorize payment of invoice #1 for Area #3 from Inter-Fluve

Manager Salvato 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: Hartmann, Mraz, Raby and Salvato; the following voted against: None.

#### 5. NEW BUSINESS

#### A. Report on Water Storage Initiative

This item was tabled at the May 19, 2021 Board and Mr. Scott Sparlin was invited to present the project to the Board, since Managers Salvato and Mraz were not familiar with the project when the Board agreed to fund the initiative.

Administrator Loomis introduced Mr. Sparlin, who provided details about the project, the work done and the results to the Board and answered questions from Managers. Administrator Loomis asked the Board to authorize payment to Coalition for a Clean Minnesota River for the second half of the grant for the Water Storage Initiative.

Manager Raby made a motion to authorize the second half payment for the Water Storage Initiative to Coalition for a Clean Minnesota River. The motion was seconded by President Hartmann. Upon a vote being taken the following voted in favor of the motion: Hartmann, Mraz, Raby and Salvato; the following voted against: None.

#### B. Return to in-person meetings

Administrator Loomis said Carver County has notified her that the County Board Room is open for LMRWD Board meetings beginning in June. She consulted legal counsel about steps the Board should take to begin meeting in person. Legal Counsel recommended that the Board rescind the resolution calling for alternative means for meeting because of the health emergency created by COVID-19.

Administrator Loomis noted that Manager Salvato is interested in remote attendance while she in on parental leave once she delivers her baby. Legal Counsel Katie Vculek stated there are provisions to allow Managers to participate remotely in a number of circumstances. Special provisions due to the emergency declaration are allowed for 60 days after the end of the emergency. After the 60 days, the requirements of the open meeting law would be in force.

The Board expressed frustration with state's requirements. The Board asked that legal counsel further investigates rules that might allow Managers to attend meeting while on parental leave.

Manager Raby asked if the direction to legal counsel needed a motion. Administrator Loomis said that a motion was not required for that, but that a motion was necessary to adopt Resolution 21-07 rescinding resolution 20-03.

Manager Raby made a motion to adopt Resolution 21-07 Rescinding Resolution 20-03 Adopting Interim Meeting Schedule and Format. The motion was seconded by President Hartmann. Upon a vote being taken the following voted in favor of the motion: Hartmann, Mraz, Raby and Salvato; the following voted against: None.

#### C. Board tour of District

Administrator Loomis suggested that the Board might want staff to arrange a tour of the District. She noted that in the past the District has hosted tours of the River by boat or barge. This year staff thought it might be a good time to visit some of the projects the District has completed. She wanted to know if the Board wanted staff to arrange a tour before a lot of staff time was spent on it.

Manager Raby thought this was a great idea and that the Citizen Advisory Committee should be invited. Other Managers thought this was a good idea also and thought it should be later in the fall so that Manager Salvato could attend. Manager Raby asked to keep his schedule in mind also. Manager Mraz said the Board could consider a series of yearly tours.

Manager Salvato said barge tours should also be thought about because she has been on tours of the Mississippi and thought they were valuable. Manager Raby said he agreed and that LMRWD tours have been very well attended in the past.

#### 6. OLD BUSINESS

## A. Cost Share Application - S. Mueller, 10745 Lyndale Bluffs Trail

No new information to report since last update.

#### B. City of Carver Levee

Administrator Loomis noted that the City of Carver is planning a stakeholder meeting regarding this project on June 24th. She asked Managers to let her know if they wanted to attend. Manager Raby said he would like to attend.

#### C. Remote meeting participation

No new information to report since last update.

#### D. Dredge Management

i. Vernon Avenue Dredge Material Management site

No new information to report since last update.

#### ii. Private Dredge Material Placement

Administrator Loomis informed the Board that the District has received notice that Savage Riverport has applied for a permit to dredge. She also noted that Savage Riverport, Cargill and CHS have all been billed for placement of material on the LMRWD site in 2020 and to date payment has been received from Savage Riverport. She said she plans to follow up with Cargill and CHS.

#### E. Watershed Management Plan

No new information to report since last update.

#### F. 2021 Legislative Action

No information other than what was reported in the Executive Summary.

LOWER MINNESOTA RIVER WATERSHED DISTRICT BOARD OF MANAGERS WEDNESDAY, June 21, 2021 MEETING MINUTES

#### G. Education and Outreach Plan

Administrator Loomis reported some minor revisions had been to the Citizen Advisory Committee (CAC) bylaws since the Board had last reviewed them, most notably that the CAC thought that members who reside outside the boundaries of the LMRWD should be voting members. Ms. Della Young noted that the revisions requested by Manager Raby had also been made.

An orientation packet for CAC members was prepared and in the meeting packet for the Board to approve. Manager Raby thought the orientation packet was very nice, however he noted that he is no longer in the position stated in his bio. Manager Salvato noted that her name is misspelled. Ms Young said she will have Jen Cheever who had prepared this info contact the managers for correct information. The Board thought it would be a good idea to prepare an orientation packet for new Managers.

Manager Raby made a motion to adopt Citizen Advisory Committee Bylaws and Orientation Packet. The motion was seconded by Manager Mraz. Upon a vote being taken the following voted in favor of the motion: Hartmann, Mraz, Raby and Salvato; the following voted against: None.

#### 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

Administrator Loomis reported that work is continuing on this project and that a bathymetric study had been performed. Staff is working with Inter Fluve to prepare a recommendation for the Board to consider.

Ms. Young added that staff hopes to have specific recommendations ready for the Board to consider at the July meeting.

#### ii. East Chaska Creek

Administrator Loomis noted the project is complete and that the District will not payout the final amount until the warranty period is over for the vegetation.

### I. Project/Plan Reviews

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

#### i. Whispering Pines

Administrator Loomis turned the explanation of this item over to Ms. Young. Ms. Young outlined the details of the project. Three of the LMRWD rules are triggered by the project; Rule B - Erosion and Sediment Control, Rule C Floodplain and Drainage Alteration and Rule D Stormwater Management. There were some discrepancies in the information provided, but the plans as presented meet the LMRWD requirements. Staff is recommending conditional approval of the project pending resolution of the discrepancies, and receipt of the NPDES permit. She noted the LMRWD receive notice of work in a public waters permit application and provided comments on the application.

Manager Raby thought the area of the current proposal was larger than the original application and he questioned that. Ms. Young explained the process the District follows to ensure that the entire project is considered. Manager Raby is correct, however staff recommendations on made based on the actual plans for what is happening at that time.

Manager Raby made a motion to approve LMRWD Permit No. 2021-15 - Whispering Waters subject to the resolution of the outstanding comments and receipt of the NPDES permit. The motion was seconded by Manager Mraz. Upon a vote being taken the following voted in favor of the motion: Hartmann, Mraz, 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 updated the Board in regards to filling the vacant Hennepin County Manager position. She has received several inquiries and so has the County. The County will keep the posting open for 30 days and then chose from the applications they may receive.

She announced that there is not a need for a Board meeting on July 7th, so the meeting will be cancelled.

Manager Salvato had asked about the letters Administrator Loomis shared in the Administrator's report. Administrator Loomis noted that the LMRWD may not agree with the position help by the letters authors. The Board suggested the LMRWD may want to reach out to other District's that may have similar concerns and send its own letter.

Administrator Loomis brought up the MPCA report on PFAs and noted that several locations within the LMRWD have levels high enough to be of concern.

Manager Salvato said she would be interested in attending the Salt Symposium. Manager Mraz said she would like to attend the first day, because she has a conflict on the second day. The Board agreed the District should reimburse Managers for the cost of attending. The District did receive one free registration with the sponsorship the LMRWD provided.

- B. Managers: No Report
- **C.** Committees: No report
- D. Legal Counsel: No report
- E. Engineer: No report

### 8. ADJOURN

At 8:12 pm, 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: Hartmann, Mraz, Raby and Salvato the following voted against: None.

The next meeting of the LMRWD Board of Managers will be 7:00, Wednesday, July 21, 2021 and will be held at the Carver County Government Center, 602 East 4th Street, Chaska, MN. Electronic access will also be available.

Lauren Salvato, Secretary

Attest:

Linda Loomis, Administrator

Meeting Date: July 21, 2021			em 4.B. VRWD 7-21-2	21	
BEGINNING BALANCE	31-May-2	1		\$	1,513,135.98
ADD:					
General Fund R					
	ent - Scott County 1st half		\$ 112,536.12		
Payments in	Lieu		\$ 399.61	_	
Total Reven	ue and Transfers In			\$	112,935.73
DEDUCT:					
Warrants:					
430355	Daniel Hron	June 2021 Office Rent	\$ 650.00		
430371	Rinke Noonan Attorneys at Law	April 2021 Legal services	\$ 2,328.50		
100016584	Young Environmental Consulting	Apr 2021 Technical & Education services	\$ 42,840.84		
Total Warra	nts/Reductions			\$	45,819.34
ENDING BALANCE	30-Jun-2	1		\$	1,580,252.37

\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	2021 Budget 250,000.00 100,000.00 - - - - -	\$ \$ \$ \$	10,073.68 3,726.02	\$ \$	<b>YTD 2021</b> 92,264.07	\$	<b>Budget</b> (157,735.93
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\$	75,000.00	\$	3,058.25	\$	26,423.00	\$	(48,577.0
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\$	-	\$	-	\$	2,125.50	\$	2,125.5
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\$	70,000.00	\$	-	\$	-	\$	(70,000.0
\$	75,000.00	\$	-	\$	-	\$	(75,000.0
\$	-	\$	-	\$	-	\$	-
\$	-	\$	-	\$	-	\$	-
\$	-	\$	-	\$	-	\$	-
\$	25,000.00	\$	1,705.40	\$	5,642.64	\$	(19,357.3
\$	-	\$	-	\$	-	\$	-
\$	-	\$	379.50	\$	58,088.28	\$	58,088.2
\$	-	\$	-	\$	-	\$	-
\$	-	\$	-	\$	-	\$	-
\$	15,000.00	\$	895.50	\$	895.50	\$	(14,104.5
\$	50,000.00	\$	21,380.02	\$	42,813.36	\$	(7,186.6
\$	75,000.00	\$	-	\$	12,838.00	\$	(62,162.0
\$	10,000.00	\$	-	\$	1,037.54	\$	(8,962.4
\$	30,000.00	\$	4,600.97	\$	22,272.70	\$	(7,727.3
\$	50,000.00	\$	-	\$	5,543.50	\$	(44,456.5
\$	-	\$	-	\$	-	\$	-
\$	240,000.00	\$	-	\$	102.00	\$	(239 <i>,</i> 898.0
	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	<ul> <li>\$ -</li> <li>\$ 70,000.00</li> <li>\$ 75,000.00</li> <li>\$ -</li> <li>\$ -</li></ul>	\$        \$         \$        \$         \$        \$         \$        \$         \$        \$         \$        \$         \$        \$         \$        \$         \$       70,000.00       \$         \$       75,000.00       \$         \$        \$         \$        \$         \$        \$         \$        \$         \$        \$         \$        \$         \$        \$         \$        \$         \$        \$         \$        \$         \$        \$         \$        \$         \$        \$         \$        \$         \$       50,000.00       \$         \$       50,000.00       \$         \$       50,000.00       \$         \$       50,000.00       \$     <	\$        \$          \$        \$          \$        \$          \$        \$          \$        \$          \$        \$          \$        \$          \$        \$          \$       70,000.00       \$          \$       75,000.00       \$          \$       75,000.00       \$          \$        \$          \$        \$          \$        \$          \$       25,000.00       \$       1,705.40         \$        \$          \$        \$          \$        \$          \$       15,000.00       \$       895.50         \$       50,000.00       \$          \$       10,000.00       \$          \$       30,000.00       \$	\$        \$        \$         \$        \$        \$         \$        \$        \$         \$        \$        \$         \$        \$        \$         \$        \$        \$         \$        \$        \$         \$       70,000.00       \$        \$         \$       75,000.00       \$        \$         \$       75,000.00       \$        \$         \$        \$        \$         \$        \$        \$         \$        \$        \$         \$        \$        \$         \$        \$        \$         \$        \$        \$         \$        \$       379.50       \$         \$       15,000.00       \$       21,380.02       \$         \$       50,000.00       \$       -	\$        \$        \$          \$        \$        \$       2,125.50         \$        \$        \$          \$        \$        \$          \$        \$        \$          \$        \$        \$          \$        \$        \$          \$       70,000.00       \$        \$          \$       70,000.00       \$        \$          \$       75,000.00       \$        \$          \$       75,000.00       \$       1,705.40       \$       5,642.64         \$        \$       1,705.40       \$       58,088.28         \$        \$       379.50       \$       58,088.28         \$        \$       379.50       \$       895.50         \$       15,000.00       \$       895.50       \$       895.50         \$       50,000.00       \$       21,	



Minutes Citizen Advisory Committee Tuesday, June 1, 2021 Videoconference via WebEx by Cisco

## 1. Call to Order and Roll Call

Meeting called to order at 9:04 a.m. by chair Diederichs. Roll call was taken. The following members were present: Judy Berglund, Craig Diederichs, and Theresa Kuplic. It should be noted that Judy Berglund's microphone was not working; however, she added to the discussion through the chat function and by raising her hand for votes. Greg Genz joined the meeting at 9:18 a.m.

### 2. Approval of the Agenda

Motion to approve the agenda by Diederichs. Second by Kuplic. Upon a vote being taken, the following voted in favor of the motion: Diederichs, Kuplic, and Berglund. Voting against: none.

### 3. Approval of the May Minutes

Motion to approve the May minutes by Diederichs. Second by Kuplic. Upon a vote being taken, the following voted in favor of the motion: Diederichs, Kuplic, and Berglund. Voting against: none.

- 4. Citizen Input on Non-Agenda Items There were none.
- 5. New Business There was none.

### 6. Old Business

a. LMRWD Website Review

Jen Dullum asked the Citizen Advisory Committee (CAC) to submit website review comments to her. She agreed to synthesize the committee's comments and bring them back for review at the July 6 meeting. Comments would then be submitted to Linda Loomis, district administrator.

### b. Review and Approve Updated Bylaws

Jen Dullum reminded the committee that at the May meeting the CAC deliberated ex-officio status. Linda Loomis reached out to legal counsel who stated there was no prohibition against voting by non-resident CAC members. The Board of Managers approved the removal of ex-officio status from the bylaws. Jen Dullum reviewed the recommended text.

Teresa Kuplic felt that Greg Genz brought helpful and educational insight on the Minnesota River to the CAC. She welcomed his vote. Craig Diederichs agreed that Greg brought knowledge to the table and did not want to discount his vote.

Administrator Linda Loomis noted that ex-officio status did not appear in the state statute, and it was up to the Board of Managers to decide if CAC members outside the District had voting authority. The Board of Managers felt that if individuals were contributing their time to the CAC, they should be voting members, so the board agreed with removing the exofficio status from the bylaws.

Motion to approve the bylaws as amended by Diederichs. Second by Kuplic. Upon a vote being taken, the following voted in favor of the motion: Diederichs, Kuplic, and Berglund. Voting against: none.

### c. Priority Discussion—Hold the Water Back

Jen Dullum opened this topic for discussion among the CAC members. Teresa Kuplic was interested to hear from Judy Berglund about the watershed grant she received from the District. She felt that this type of project could be replicated and wanted more information.

Greg Genz joined the meeting.

Theresa Kuplic mentioned sharing success stories and homeowner-scale project resources on the website. She noted that testimonials could be placed on the front page of the website in the circles. She also noted that there should be clear information about how individuals could become more involved in the watershed. Craig Diederichs noted that he would like to see before-and-after project how-to guidance with photos on the website. Judy Berglund wrote in the chat that she would be happy to talk about watershed grants and provide a site visit of the project she worked on at any time.

Both Theresa Kuplic and Craig Diederichs reflected on how homeowner-scale projects, however small, could add up and affect our environment, whether the actions were positive or negative.

Linda Loomis suggested that the CAC plan to meet in person. The meeting site could be wherever the CAC decided but should be open to the public. Linda planned to ask the Board of Managers about their interest in a watershed district tour. The tour would visit costshare projects with Judy Berglund's site on the list. The CAC would be invited on the tour.

Greg Genz noted that the CAC should keep in mind the current legislation being proposed

regarding the Minnesota River Valley. Linda Loomis discussed the legislation in more detail and will send out a link to the CAC for their information. Greg would also provide a PowerPoint presentation of the Le Sueur River basin for the CAC's information.

Greg Genz asked whether there was a program to educate landscape companies on best management practices. Jen Dullum noted that there was a certification training program available that could be further discussed if the CAC and the District chose to sponsor the training within the District.

Jen Dullum asked each CAC member to develop a list of resources for the July meeting that they would like to see provided to District residents or businesses.

## 7. Communications

Jen Dullum reminded the CAC to fill out the short bio survey. This information would be used in social media posts to introduce the CAC to our watershed followers.

## 8. Adjournment

Motion to adjourn the meeting by Diederichs. Second by Kuplic. Upon a vote being taken the following voted in favor of the motion: Diederichs, Kuplic, Berglund, and Genz. Voting against: none.

The next meeting will be July 6, 2021, at 9:00 a.m. via WebEx.



## **Executive Summary for Action**

Lower Minnesota River Watershed District Board of Managers Meeting Wednesday, July 15, 2020

#### Agenda Item Item 5. A. - 2022 Draft Preliminary Budget

#### Prepared By

Linda Loomis, Administrator

#### Summary

The 2022 proposed Preliminary budget is attached for review by the Board. An explanation of certain individual line items is also attached.

The 2022 budget is straight-forward and follows the implementation plan presented in Table 4-1, Section 4 of the LMRWD Watershed Management Plan

Administrative costs are allocated across the different programs of the District by percentage. Currently, expenses are allocated across the different programs of the District as follows:

- Administration 29%
- Cooperative Project 10%
- 509 Plan 46%
- 9' Foot Channel 15%

This means that expenses such as rent and other costs of the LMRWD's operations are divided across the various cost centers according the split shown above.

The Board is asked to call a public hearing for August 18, 2021, to approve the Preliminary Budget and authorize preliminary certification of the levy for taxes payable 2022. (The deadline for preliminary certification to the counties is September 30, 2021.) The Board will then be asked to call a public hearing for December 15, 2021, to adopt the Final Budget and Certification of Levy. The Board can make changes to the Budget at the August meeting, or if necessary continue the public hearing to September.

A spreadsheet of Capital Improvement Projects will be sent to Board members between the July and August Board meetings, once it has been updated. Additionally, the LMRWD has not received the Notice of Net Tax Capacities to Use to Apportion Payable 2022 Property Tax Levies.

Item 5. A. - 2022 Draft Preliminary Budget Executive Summary July 21, 2021 Page 2

Attachments 2022 draft proposed budget 2022 proposed budget explanation Table 4.1 Lower Minnesota River Watershed District - Implementation Program Budget for 2018-2027

#### **Recommended Action**

Motion to Call for public hearing August 18, 2021 to certify tax levy payable 2022 and approve preliminary 2022 budget. Any action the Board wishes to take regarding the 2022 Budget should be made by a motion during the Board meeting.

2022 Proposed Total Budget
2020 Adopted Budget/Actuals - 2021 Adopted Budget/YTD/Projected - 2022 Proposed

	Account	2	020 Adopted		2020 Actual		2021 Adopted		2021 YTD	Р	rojected 2021	Р	roposed 2022
									1011 110				000000 2022
	Revenues:												
4	General Property Tax	\$	42,833.00	ć		ć	42,871.42	ć		ć	42,871.42	ć	42.871.42
1	Carver County Dakota County	ې \$	70,735.35	\$ \$	47,147.51 67,616.35	\$ \$	42,871.42		-	\$ \$	,	\$ \$	72,959.65
2	Hennepin County	ې \$	321,491.83	ې \$	315,715.12	<u> </u>	318,293.13	_		ې \$	318,293.13	ې \$	318,293.13
5 4	Scott County	ې \$	289,939.83	ې \$	72,725.74	ې Ś	290,875.80		- 112,935.73	ې \$	290,875.80	ې \$	290,875.80
4	Total Levy:	\$	725,000.01	\$	503,204.72	\$	725,000.00	_	112,935.73	\$	725,000.00	\$	725,000.00
5	Interest Income	Ś	-	Ś		\$	-	۲ Ś		\$	-	Ś	-
6	MCES WOMP Grant	\$	5,500.00	Ś	5,500.00	Ś	5,000.00		4,500.00	\$	5,000.00	Ś	5,000.00
7	State of MN Grant for Dredge Material Management	\$	240,000.00	\$	240,000.00	Ś	240,000.00		-	\$	240,000.00	\$	240,000.00
8	Metro-Area Watershed Based funding grants	\$	91,021.00	Ś		Ś	-	Ś	63,866.00	\$		\$	
9	License Revenue from placement of dredge	\$	25,000.00	Ś	_	Ś	25,000.00	· ·	-	Ś	25,000.00	Ś	25,000.00
10	Revenues from sale of dredge material	\$	5,000.00	\$	-	\$	5,000.00		11,406.00	\$	5,000.00	\$	5,000.00
11	Permit Fees	\$	-	\$	5,500.00	\$	-	\$	13,094.25	\$	1,000.00	\$	-
12	Miscellaneous Income	\$	-	\$	5.00	\$	-	\$	-	\$	-	\$	-
									4000 000 00				
	Total Revenues:	\$	1,091,521.01		\$754,209.72		\$1,000,000.00		\$205,801.98	Ş	1,001,000.00	\$	1,000,000.00
	Expenses:	<i>.</i>	250 000 00	<u> </u>	222 704 72		252 222 22	<i>.</i>		<i>.</i>	250 000 00	<u> </u>	250.000.00
13	Administration (from Administrative Budget Page)	\$	250,000.00	\$	233,781.73	\$	250,000.00	Ş	92,264.07	\$	250,000.00	\$	250,000.00
	Cooperative Projects					L							
14	Eden Prairie Bank Stabilization - Area #3	\$	35,000.00	\$	27,045.65	\$	100,000.00	\$	27,331.25	\$	100,000.00	\$	100,000.00
15	Eagle Creek	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-
16	Gully Erosion Contingency	\$	-	\$	78,657.38	\$	-	\$	-	\$	-	\$	-
17	USGS	\$	19,700.00	\$	10,091.50	\$	-	\$	-	\$	-	\$	-
18	Ravine Stabilization at Seminary Fen in Chaska	\$	55,200.00	\$	-	\$	-	\$	-	\$	-	\$	-
19	Riley Creek Cooperative Project with RPBCWD	\$	74,565.67	\$	-	\$	-	\$	150,000.00	\$	150,000.00	\$	
20	Seminary Fen Ravine Restoration site A	\$	-	\$	97.50	\$	75,000.00		-	\$	75,000.00		
21	Seminary Fen Ravine C-2	\$	20,000.00	\$	-	\$	-	\$	-	\$	20,000.00	\$	-
	509 Plan Budget												
	Resource Plan Implementation												
22	Watershed Resource Restoration Fund											\$	120,000.00
23	Gully Inventory	\$	80,000.00	\$	51,714.34	\$	-	\$	-	\$	-	\$	
24	Minnesota River Corridor Management Project	\$	-	\$	-	\$	75,000.00	\$	26,423.00	\$	75,000.00		
25	TH 101 Ravine/Shakopee	\$	35,000.00	\$	-	\$	-	\$	-	\$	350.00	\$	-
26	Assumption Creek Hydrology Restoration Project	\$	-	\$	-	\$	-	\$	2,125.50	\$	2,125.50	\$	-
27	Carver Creek restoration Project	\$	15,000.00	\$	-	\$	-	\$	-	\$	-	\$	-
28	Groundwater Screening Tool Model	\$	50,000.00	\$	-	\$	-	\$	-	\$	-	\$	-
29	Eagle Creek (East Branch) Project	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-
30	Minnesota River Floodplain Model Feasibility Study	\$	-	\$	260.00	\$	-	\$	-	\$	-	\$	-
31	Schroeder's Acres Park/Savage Fen Stormwater Management F	\$	181,055.00	\$	-	\$	-	\$	-	\$	-	\$	-
32	Downtown Shakopee Stormwater BMPs			\$	-	\$	-	\$	-			\$	50,000.00
33	PLOC Realignment/Wetland Restoration	\$	-	\$	162.50	\$	70,000.00	\$	-	\$	70,000.00	\$	30,000.00
34	Spring Creek Project	\$	-	\$	1,223.62	\$	75,000.00	\$	-	\$	75,000.00		
35	West Chaska Creek Project	\$	-	\$	34,490.96	\$	-	\$	-	\$	-	\$	-
36	Sustainable Lakes Management Plan (Trout Lakes)	\$	50,000.00	\$	78,714.21	\$	-	\$	-	\$	-	\$	50,000.00
37	Geomorhpic Assessments (Trout Streams)	\$	50,000.00	\$	-	\$	-	\$	-	\$	-	\$	
38	Fen Stewardship Program	\$	25,000.00	\$	40,960.90	\$	25,000.00	\$	5,642.64	\$	25,000.00	\$	25,000.00
39	District Boundary Modification Project	\$	-	\$	-			\$	-	\$	-	\$	-
40	East Chaska Creek Bank Stabilization Project	\$	-	\$	-	\$	-	\$	58,088.28	\$	60,000.00	\$	-
41	East Chaska Creek Water Quality Treatment Project	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-
42	Minnesota River Sediment Reduction Strategy	\$	-	\$	16,289.96	\$	-	\$	-	\$	-	\$	
43	Riley Creek Bank Stabilization below CSAH 61	\$	-	\$	118,581.68		-	\$	-	\$	-	\$	
44	Local Water Management Plan reviews	\$	8,000.00	\$	16,279.80	\$	15,000.00		895.50	_	15,000.00		
45	Project Reviews	\$ ¢	20,000.00	\$ ¢	-	\$	50,000.00		42,813.36		50,000.00	ć	75 000 00
46	Monitoring	\$	65,000.00	\$ ¢	16,279.80	\$	75,000.00	Ş	12,838.00	\$	75,000.00	\$	75,000.00
47	Watershed Management Plan	~		\$ ¢	-	~		ć		ć		<u>د</u>	
48	Next Generation Watershed Management Plan	\$ ¢	-	\$ ¢	-	\$ ¢	-	\$ ¢	-	\$ ¢	-	\$ \$	-
49	Plan Clarification and proposed rules/Rule implementation	\$ \$	56,000.00	\$ \$	-	\$ ¢	-	\$ ¢	1 007 54	\$ ¢	-	Ş	-
50	Plan Amendment	\$ \$	-		-	\$ \$	10,000.00	\$ ¢	1,037.54	\$ ¢	10,000.00	Ś	
51	Vegetation Management Standard/Plan	Ş Ş	-	\$ ¢	- E0 107 10	Ş Ş	-	\$ ¢	-	\$ ¢	-	Ŧ	-
52	Public Education/Citizen Advisory Committee/Outreach Program	· ·	30,000.00	\$ ¢	50,187.10	Ş Ş	30,000.00		22,272.70	\$ \$	30,000.00	\$ \$	75,000.00
53	Cost Share Program	\$	20,000.00	\$	9,043.64	Ş	50,000.00	\$	5,543.50	Ş	50,000.00	Ş	20,000.00
	Nine Foot Channel												
54	Transfer from General Fund	\$		\$	-	\$	-	\$	-	\$	-	\$	-
55	Dredge site operations	\$				\$	-	\$	102.00	\$	-	\$	-
56	Dredge Site Restoration	\$	315,000.00	\$	459,845.30	\$	240,000.00	\$	-	\$	240,000.00	\$	240,000.00

57	Total Non-adminsitrative Expenses:	\$ 1,204,520.67	\$	1,009,925.84	\$	890,000.00	\$	355,113.27	\$	1,122,475.50	\$	785,000.00
58	Total Administrative Expenses (from line 13)	\$ 250,000.00	\$	233,781.73	\$	250,000.00	\$	92,264.07	\$	250,000.00	\$	250,000.00
59	Total Expenses	\$ 1,454,520.67	\$	1,243,707.57	\$	1,140,000.00	\$	447,377.34	\$	1,372,475.50	\$	1,035,000.00
60	Revenue less Expenses	\$ (362,999.66)	\$	(489,497.85)	\$	(140,000.00)	\$	(241,575.36)	\$	(371,475.50)	\$	(35,000.00)
61	Beginning Fund Balance - January 1				\$		s	(1.046.000.97)	8		6	(1.626.007.97)
62	Total Revenue		æ			\$1,000,000,00	¢	205,801.98			50	1,000,000.00
63	Total Expenses		6	(1.240.70757)	Ŝ		s				6	(00:6.000.00)
64	Ending Fund Balance - December 31 (bold figures are projected)		Ŷ		\$	(1.385.707.77)	ŕ	0_4(5,4)4(3)			Ċ,	0,448,707.51)

## 2022 proposed LMRWD Budget for Administration Operations 2020 Adopted Budget/Actuals - 2021 Adopted Budget/YTD/Projected - 2022 Proposed

Αссοι	int	A	Adopted 2020		Adopted 2020 2020 Actual			A	dopted 2021		YTD 2021	Pro	ojected 2021		Adopted 2022
	_							(Th	rough 6/30/21)						
	Expenses:	-								-					
65	Wages-General	\$	-			\$	-	\$	-	\$	-	\$	-		
66	Severance Allowance	\$	-												
67	Benefits	\$	-			\$	-	\$	-	\$	-	\$	-		
68	PERA Expense	\$	-			\$	-								
69	Payroll Tax (FICA/Medicare)	\$	-			\$	-	\$	-	\$	-	\$	-		
70	Unemployment compensation	\$	-			\$	-								
71	Manager Per Diem	\$	11,250.00	\$	4,875.00	\$	11,250.00	\$	-	\$	11,250.00	\$	11,250.00		
72	Manager Expense (mileage/food/registrations)	\$	,	\$	256.83	\$	3,000.00	\$	-	\$	3,000.00		3,000.00		
73	Telecommunications-Cell-Internet/Phone	\$	1,000.00	\$	-	\$	1,000.00	\$	-	\$	1,000.00	\$	1,000.00		
74	Office Supplies	\$	300.00	\$	76.54	\$	300.00	\$	86.75	\$	300.00	\$	300.00		
75	Meeting Supplies/Expense	\$	100.00	\$	-	\$	100.00	\$	-	\$	100.00	\$	100.00		
76	Rent	\$	7,800.00	\$	8,450.00	\$	7,800.00	\$	3,250.00	\$	7,800.00	\$	7,800.00		
77	Dues	\$	7,500.00	\$	7,500.00	\$	7,500.00	\$	-	\$	7,500.00	\$	7,500.00		
78	Miscellaneous-General	\$	3,000.00	\$	1,870.50	\$	3,000.00	\$	561.00	\$	3,000.00	\$	3,000.00		
79	Training & Education	\$	1,500.00	\$	285.00	\$	1,500.00	\$	-	\$	1,500.00	\$	1,500.00		
80	Insurance & Bonds	\$	10,000.00	\$	9,399.00	\$	11,000.00	\$	180.00	\$	11,000.00	\$	11,000.00		
81	Postage	\$	500.00	\$	96.86	\$	375.00	\$	18.00	\$	375.00	\$	375.00		
82	Photocopying	\$	1,000.00	\$	34.41	\$	875.00	\$	2.43	\$	875.00	\$	875.00		
83	Legal Notices-General	\$	1,500.00	\$	2,707.20	\$	1,500.00	\$	42.00	\$	1,500.00	\$	1,500.00		
84	Subscriptions & License Fees	\$	-	\$	475.42	\$	250.00	\$	162.00	\$	250.00	\$	250.00		
85	Mileage	\$	5,000.00	\$	1,696.12	\$	5,000.00	\$	368.99	\$	5,000.00	\$	5,000.00		
86	Taxable meal reimbursement	\$	500.00	\$	52.86	\$	500.00	\$	-	\$	500.00	\$	500.00		
87	Lodging/ Staff Travel	\$	1,500.00	\$	-	\$	1,500.00	\$	-	\$	1,500.00	\$	1,500.00		
88	Accounting/Financial Services	\$	5,500.00	\$	5,215.70	\$	5,382.00	\$	1,373.50	\$	5,382.00		5,580.00		
89	Audit Fees	\$		\$	14,525.00	\$	15,000.00	\$	-	\$	15,000.00	\$	15,000.00		
90	Professional Services-General	\$	121,050.00		97,931.25	\$	120,168.00	\$	33,750.00		120,168.00	\$	104,970.00		
91	Legal Fees-General	\$		\$	6,878.50	\$	10,000.00	\$	3,248.50	\$	10,000.00	\$	10,000.00		
92	Engineering-General	\$	20,000.00	\$	49,930.10	\$	20,000.00	\$	34,615.81	\$	20,000.00	\$	35,000.00		
93	Equipment-General	\$	-	\$		\$		\$	-	\$	-		, - • • • • •		
94	Equipment-Maintenance	\$	500.00	\$	334.37	\$	500.00	\$	157.24	\$	500.00	\$	500.00		
95	Equipment-Lease	\$	2,500.00	\$	2,857.70	\$	2,500.00	\$	840.50	\$	2,500.00	\$	2,500.00		
96	Newsletter Expense(Web Articles)	\$	-	\$	-	Ś	-	\$	-	\$	-	\$	-		
97	Lobbying	\$	20,000.00	\$	18,333.37	\$	20,000.00	\$	8,333.35	\$	20,000.00	\$	20,000.00		
5.	/0	Ť	20,000.00	Ť	10,000.07	Ť	_0,000.00	Ť	2,000.00	Ŧ	_0,000.00	Ť	_0,00000		
98	Total Expense for Administration:	\$	250,000.00	\$	233,781.73	\$	250,000.00	\$	86,990.07	\$	250,000.00	\$	250,000.00		

Project funding proposed in the 2022 Budget is taken from Table 4-1 Implementation Program Budget found in Section 4 of the LMRWD Watershed Management Plan.

Explanatio	ns for certain lines follow.
Line #	Cooperative Projects
	Cooperative Projects ate those projects that are intended to be completed by the LMRWD
	with other partners
14	Eden Prairie Bank Stabilization - Area #3
	The LMRWD received a Clean Water grant for this project under BWSR's Watershed Based
	Funding Program. The LMRWD has allocated \$100,000 in 2022 for this project.
	509 Plan Budget
22	Watershed Resource Restoration Fund
	This fund implements Goals 2 and 3, which are to protect, improve and restore surface
	water and ground water quality within the District. This program will fund projects
	sponsored by LGUs and were not identified at the time the Plan was adopted.
32	Downtown Shakopee Stormwater BMPs
	This project received a Watershed Based Funding Grant. The project is to study the
	stormwater of downtown Shakopee, which currently drains untreated to the Minnesota
	River. The purpose of the study is to identify BMPs to treat storm water before it reaches
	the River.
33	Prior Lake Outlet Channel re-alignment
	This project also received a Watershed Based Funding Grant. The project will create
	meanders in the Prior Lake Outlet Channel (PLOC) in an attempt to reduce the amount of
	sediment carried to the Minnesota River.
36	Sustainable Lakes Management Plan (Trout Lakes)
	This project will study the trout lakes within the LMRWD and develop a management plan
	for the lakes.
38	Fen Stewardship Program
	This project is a partnership between the LMRWD, the MN DNR and the Metropolitan
	Council. The effort will develop a management plan to protect, preserve and possibly
	restore calcareous fens within the LMRWD.
44	Local Water Management Plan Reviews
	The LMRWD has not yet approved the Local Water Management Plans for Savage and
	Mendota. Some Cities' Plans are in the process of being updated due to LMRWD rules,
	which required cities to amend their official controls to conform to the rules.
45	Project Reviews
	This item includes costs incurred by the LMRWD to review non-LMRWD projects in cities
	that have either opted to have the LMRWD review projects or have not yet received a
	Municipal permit.
	Eden Prairie and Chaska have opted to have the LMRWD review projects within the
	boundaries of the LMRWD. The LMRWD is also responsible for reviewing MNDOT, and MAC
	(Metropolitan Airport Commission) projects and for the unincorporated areas of the
	District. Burnsville, Savage and Shakopee intend to apply for a municipal permit, but
	permits have not been approved for these cities yet.
46	Monitoring
	The LMRWD intends to conduct a comprehensive review of its monitoring program to
	evaluate whether monitoring is providing the information needed to manage resources
	within the District.

47-51	Watershed Management Plan Amendment
	Staff is planning an update to the Watershed Management Plan; primarily to update Table
	4-1 Implementation Program Budget for 2018 - 2027. \$10,000 was included in the budget
	2021 for amending the Plan. This amount should be enough to cover any Plan Amendment.
52	Public Education/CAC/Outreach Program
	More detail for this line will be provided with the August meeting packet.
	TOTAL:\$75,000.00
Line #	Nine Foot Channel
54-56	Transfer from General Fund
5150	The deficit that was built up in the Channel Fund was eliminated in 2019. All expenses
	incurred for managing dredge and maintenance of the dredge site are covered by the grant
	from the state of Minnesota. The transfer that was budgeted in 2020 was not necessary
	and a mid-year budget adjustment was done in August 2020 to reassign the money
	allocated for a transfer to the Channel Fund. \$80,000 was reassigned to the Gully
	Inventory.
Line #	Administrative Budget
71	Manager Per Diem
/1	This figure is calculated for 5 Managers, using a per diem of \$125/meeting and 1.5 meetings
	per month per manager.
77	Dues
,,,	MAWD dues were included at \$7,500. Staff is recommending that the MAWD dues be
	included in the budget.
88	Accounting /Financial Services
00	The agreement for financial services with Carver County will expire at the end of 2021. A
	new agreement is being prepared. This line includes an increase in fees to Carver County of
	3.7%.
92	
92	Engineering
	This line has been increased to better reflect the actual cost of general engineering
	expenses. Costs incurred by the District that are charged to this line include preparation for
	monthly board meeting, Board meeting attendance of technical consultant. To offset the
	increase to this line, line 86 was reduced. Line 86 is the line that administrative services
	(Naiad Consulting) are charged to. More administrative service fees can be charged to
	directly to project budgets than has been done in the past.



## **Executive Summary for Action**

Lower Minnesota River Watershed District Board of Managers Meeting Wednesday, July 21, 2021

#### Agenda Item Item 6. B. - City of Carver Levee

#### Prepared By Linda Loomis, Administrator

#### Summary

On June 24, 2021, the City of Carver held a stakeholder meeting for its Levee Improvement Project. Manager and Raby and I both joined the virtual meeting. A second meeting is scheduled for 3:00 pm, Thursday, August 12, 2021. The majority of the discussion focused on meeting the requirements of different agencies that must permit the project. Notes from the meeting are attached.

Attachments Stakeholder meeting #1 - minutes

**Recommended Action** No action recommended - information only



## **Carver Levee**



## Stakeholder Meeting #1 - Minutes

June 24, 2021 | 10:30 AM – 12:00 PM | Microsoft Teams Meeting

## 1. Introductions – Attendees:

Suzanne Jiwani (DNR) Eric Mruz (USACE) Linda Loomis (LMRWD) David Raby (LMRWD) Jeff Weiss (DNR – Floodplain Mapping) Ceil Strauss (DNR – Floodplain Regulatory) Craig Jenson (Scott County – Transportation Planning Manager) Georgina Stanley (SRF – Scott County Regional Trail Project Manager) Marty Walsh (Carver County – Parks and Recreation) Deb Paige (Carver County – Emergency Management) Erin Smith (City of Carver - Community Development Director) Chad Shell (City of Carver - Public Services Director) Todd Hubmer (Bolton & Menk – Levee Project Manager) Roberta Cronquist (Bolton & Menk Water Resources Engineer) Aaron Schmidt (Bolton & Menk – City of Carver Assistant City Engineer) Nicole Krause (Bolton & Menk – Levee Project Communications Specialist)

- 2. City Levee Presentation Intro to Project Scope/Schedule. Primary project goals include levee repairs, FEMA certification, and reissuance into USACE voluntary program.
- 3. Carver County Comments
  - a. MN river bluffs regional trail system on levee.
  - b. Carver Regional Rail Authority Trail and Levee use agreement will need to be executed.
  - c. Spring Creek Bridge has bridge been included in bonding? Not at this time.
  - d. Design preference for trail is 10 foot width with 2 foot clear zones. Bicycle facilities design guidelines will need to be reviewed including in-slope grade requirements vs fencing. A fence would not be desirable with potential flooding.
  - e. Inquired about project phasing TBD at this time.
  - f. Memorandum of understanding to be amended with City of Carver for the authority to manage the levee.
- 4. Scott County Comments

- a. Preliminary alignment alternatives were shared at the meeting. Three potential options were shared. Alignments to be provided.
- b. Phase 1 archaeological survey and EAW being completed. Wetland delineations also completed. This information to be shared.
- c. No federal funding anticipated for the trail project at this time.
- d. Final design is anticipated to start by the end of year. Need to coordinate before design is established.
- e. Will need to coordinate on several final design elements. For example, need to incorporate abutment design into levee design.
- 5. DNR Coordination
  - a. Had question regarding storage increase and no rise condition. How does levee play into the model?
  - b. Submit as one combined project when submitting LOMR. Work with Salam at DNR. To be reviewed as one project even if phased.
  - c. Ok to have existing bridge in existing model and say removal is part of the project.
  - d. SMS model to be provided by DNR.
  - e. DNR permits-Taylor Hyder
- 6. USACE Discussion
  - a. Initial eligibility inspection. Since levee was in program before, should be straight forward. Over the shoulder design review can be completed. Send to Eric.
- 7. Other Discussion Items
  - a. LMRWD -would like copies of wetland delineation report.
- 8. Schedule and Time for Next Meeting
  - a. August 12, 2021 at 3 PM



## **Executive Summary for Action**

Lower Minnesota River Watershed District Board of Managers Meeting Wednesday, July 21, 2021

#### Agenda Item Item 6. C. - Remote meeting participation

Prepared By Linda Loomis, Administrator

#### Summary

Staff is working to have equipment in place to allow Managers participate in meetings remotely. The LMRWD has been waiting on Carver County to agree to reconfigure the Audio/Video system in the County Board Room before being able to allow Managers to participate remotely. With the experience of virtual meeting for the past year, the LMRWD has been in touch with other watershed districts about how they have managed remote participation.

The goal is to have something set up in time for the August meeting.

Attachments No attachments

Recommended Action No action recommended



## **Executive Summary for Action**

Lower Minnesota River Watershed District Board of Managers Meeting Wednesday, July 21, 2021

#### Agenda Item Item 6. D. - Dredge Management

### Prepared By

Linda Loomis, Administrator

#### Summary

#### i. Vernon Avenue Dredge Material Management site

According to Taylor Luke, LS Marine, site operator for the LMRWD, the improvements to the site have worked well for placement of private dredge material.

#### ii. Private Dredge Material Placement

Material placed on site last fall has been removed. New material from the dredging of private terminals has been placed.

The LMRWD has not received payment from Cargill or CHS for placement of material on the site in 2020. I have been working with both to get set up to receive payment and hopefully we will receive payments soon.

**Background:** In 2014, private terminal operators in Savage approached the LMRWD looking for a site to place material dredged from barge slips so that it could dewater before being hauled to a location for final placement. The LMRWD agreed to allow material to be placed on the site owned by the LMRWD and entered into a license agreement with three terminal operators; Cargill, CHS, Inc. and Savage Riverport. The licensees agreed to pay the LMRWD \$1 per yard of material placed. Removal of the material is the responsibility of the terminal operators, who must remove material from the site in accordance with the permit they receive from the MPCA. Material must also be tested for pollutants and must meet the level 1 standard; suitable for use or reuse on properties with a residential or recreational use category.

## Attachments

No attachments

#### **Recommended Action** No recommended action



## **Executive Summary for Action**

Lower Minnesota River Watershed District Board of Managers Meeting Wednesday, July 21, 2021

#### Agenda Item Item 6. F. - Legislative Action

#### Prepared By

Linda Loomis, Administrator

#### Summary

The Legislature met in special session since the last Board meeting and many bills were passed and signed by the Governor. Lisa Frenette, Legislative consultant for the LMRWD has provided a summary for the Board, which is attached. Lisa is planning to attend to the meeting in order to meet the Board.

One provision that was passed would allow the LMRWD to use State funds provided to the District for dredge management to replace the Clean Water Fund grant for the Seminary Fen Ravine project. Ms. Frenette has contacted BWSR to see how to facilitate the transfer and I will be working with Carver County, the District's financial service provider and Redpath and Company, LMRWD auditors, to make such the transfer is booked properly.

**History:** In 2013, the LMRWD received a grant of \$220,800 to stabilize a ravine in Chaska that was contributing sediment to Seminary Fen. The original grant application under-estimated the cost of the project and several years were spent trying to design a project that would stabilize the ravine and fit the original budget. Eventually, a design that was acceptable to BWSR, the granting agency, was found and the project was bid before the grant expired. Weather conditions prevented the project from being completed on time and an extension of the grant was requested and approved. After completion of the project, reporting to BWSR was not complete in a timely manner and when the reporting was finally accepted by BWSR, the LMRWD was told that funds were not available to pay the second half of the grant. (The first half of the grant was received when the grant was approved.) The LMRWD reimbursed the City of Chaska for costs incurred for completion of the project. Reimbursement included the grant funds that were not paid and the LMRWD contribution to the project. The LMRWD worked with BWSR to try to find funds to replace the grant money.

The LMRWD successfully lobbied the State to contribute financially to dredge management. The LMRWD planned to use State funds for dredge management to bring the dredge storage site up to industry standards. The bids received for the dredge site project came in significantly below the estimated cost. BWSR suggested that the LMRWD seek permission from the Legislature to use funds allocated to the LMRWD for dredge management to replace the lost grant for the ravine stabilization. This permission was in legislation passed this year.

Attachments Legislative update

Recommended Action No action recommended The legislature met remotely for the second year making it difficult to have one on one contact with legislators to discuss issues related to the Lower Minnesota River Watershed District (LMRWD). It looks as though the legislature will be fully open for next year's session and lobbyists and their associations will be able to meet directly with legislators and attend committee hearings. For now, everyone gets to take a much needed break after 18 months of sessions (2 regular and 8 special).

The Minnesota Legislature came down to the wire and passed budget bills to keep the state of Minnesota running on June 30, 2021. The legislature must pass its budget bills by June 30th at the end of each biennium in order to avoid a shut down. Avoiding this shut down allowed Minnesota parks to stay open for the Fourth of July.

### **Bonding**

Sessions during even years tend to focus on a larger capital investment bill than in odd years. There were discussions around a \$400 to \$500 million-dollar bill for emergent and maintenance projects, but did not gain enough momentum to move forward. Minnesota passed its largest bonding bill last October.

### **Environment**

The 2021 Special Session Environment bill was a pared down, limited focus bill due to the disagreements between the House and the Senate on several provisions. The first year of the biennium is technically dedicated to appropriating funds to agencies while the second year is to pass policy language and funding for capital investment projects. The bills main highlights were on Aquatic Invasive Species, PFAS ( or Per- and polyfluoroalkyl substances) and hunting and fishing regulations. Also included in the bill was language appropriation funds from the Environmental Trust Fund for 2021 and 2022.

The two provisions sought by the LMRWD were continued funding for the Dredge Maintenance fund as well as the transfer of funds to the city of Chaska. Dredge Maintenance was funded at is full and current level (\$240,000 per year). This is a testament to job the LMRWD is doing to maintain water quality and wildlife habitat while ensuring important transportation commerce on the Lower Minnesota.

The legislature also agreed to allow a transfer of \$111,000 from one LMRWD account to another. This fills a gap in the LMRWD budget for funds that were paid to the city of Chaska for the Seminary Fen project.

The following initiatives were passed on PFAS:

- \*\$600,000 the first year of the biennium to develop and implement an initiative to reduce sources of PFAS in the environment that are eventually conveyed to municipal wastewater treatment facilities; and
- Prohibiting PFAS in food packaging.

A new water quality and storage program was established to provide financial assistance (\$2 million) to local units of governments with priority funding to the Minnesota River Basin to help sustain or improve water quality with high water rate and volume.

Language was introduced this session to have BWSR conduct a study on the impacts of merging watershed districts and soil and water conservation districts. The LMRWD along with other watershed districts opposed this language. The bills were passed in either body.

### **Legacy**

The Friends of the Minnesota River Valley secured \$200,000 for a River Watch program. This program gets kids out on the river to study water quality, snow depth and other environmental issues to assist in maintaining a healthy river ecosystem. Also passed was a study on how to best appropriate funds for this important educational opportunity throughout the state.



## **Executive Summary for Action**

Lower Minnesota River Watershed District Board of Managers Meeting Wednesday, July 21, 2021

#### Agenda Item Item 6. G. Education & Outreach

#### Prepared By

Linda Loomis, Administrator

#### Summary

#### i. Tour of LMRWD projects

At the meeting on June 16, 2021, the Board authorized staff to investigate a fall 2021 tour of the watershed for the Board of Managers, the members of the Citizen Advisory Committee, and staff. Below is a high-level logistics of the tour for consideration:

Date:	Sometime between September 7 and September 10. A backup rain date for this tour
	can be chosen for as late as September 24.

Time:4:00 p.m.-8:00 p.m. This time is flexible if the Board chooses. This time should to<br/>avoid potential rush-hour traffic and still provide enough daylight to view projects.

Route: The tour will most likely depart from the Carver County Government Center in Chaska. Recommended tour sites include the East Chaska Creek stabilization project, the Shakopee 101 Ravine project, the cost-share site in Savage, Boiling Springs, and the dredge site. A map with tour sites will be created for participants.

Transportation: Rented coach bus.

Food and beverages: Boxed meals will be provided along with a variety of beverages.

The District has \$7,500 in the 2021 Budget for a River Tour. This event would be charged to that line of the Budget. Costs for the tour should come in well below this amount. The Board should set a date and offer direction to staff regarding the recommendations

#### Attachments

No attachments

#### **Recommended Action**

The Board should set a date (and decide if they would like to set up a rain date) and provide direction as to staff recommendations

#### ii. LMRWD River and Creek Crossing Signage Update

One of the tasks of the Education and Outreach work plan was to develop a plan for signage. An update of staff activites regarding a signage plan is attached.

Item 6. G. - Education and Outreach Executive Summary July 21, 2021 Page 2

Attachments

LMRWD River and Creek Crossing Signage Update dated July 14, 2021

#### **Recommended Action**

Provide direction to staff

#### iii. Schools Partnership Update

Staff has been investigating opportunities to work with local schools. An update of staff activities is attached.

#### Attachments

School Partnership Update dates July 14, 2021

#### **Recommended Action**

No action recommended - for information only

#### iv. City Partnership Update

LMRWD staff has been investing opportunities to collaborate with cities and bring awareness of the LMRWD to residents. The LMRWD occasionally receives invitations to table at events. Tabling was discussed with the Citizen Advisory Committee (CAC) and the July CAC meeting and they will assist staff develop information to hand out at tabling events.

An update of staff activities is attached.

#### Attachments

City Partnership Update dates July 13, 2021

#### **Recommended Action**

Motion to authorize LMRWD participation in events identified and develop handouts for distribution.



# **Technical Memorandum**

То:	Linda Loomis, District Administrator Lower Minnesota River Watershed District
From:	Jen Dullum, Education and Outreach Coordinator Della Schall Young, PMP, CPESC
Date:	July 14, 2021
Re:	LMRWD River and Creek Crossing Signage Update

The approved Lower Minnesota River Watershed District (LMRWD or District) 2020– 2022 Public Education and Outreach Plan includes a review of potential signage locations at river and creek crossings and high-value resource areas. The following is an update since the April 21 board of managers meeting.

## I. Crossing Signs

As presented at the April 21 board meeting, Young Environmental first explored crossing signs in both directions on roads traversing the Minnesota River. Additional crossing signs on major interstate corridors and other transportation systems (e.g., Interstate 35W, Trunk Highway [TH] 77, TH494, TH62, TH101, and TH169) along the Minnesota River under Minnesota Department of Transportation (MNDOT) jurisdiction are unviable and should be rendered complete because of complex intersection geometry; lack of available room for post-mounted signs; and the cost, structural design, and maintenance issues associated with attaching signs to bridges.

Next, Young Environmental investigated minor trunk highway and county roads under MNDOT jurisdiction. MNDOT is in the process of designing a sign renewal project and will consider adding signs to the locations noted below. Young Environmental will continue to coordinate with MNDOT as it moves through its project.

- Minnesota River at TH41 in Chaska, MN
- Eagle Creek at TH13 in Savage, MN
- Credit River at TH13 in Savage, MN

Finally, Young Environmental reviewed crossings under local jurisdiction. Table 1 below presents our findings. Table 1 lists waterbodies and the roads that cross them where a

potential crossing sign could be placed. The city and county of the crossing location are also listed. The findings column presents Young Environmental's opinion on the feasibility of a creek crossing sign at the identified location. As noted below, creek crossing signs are prohibited on county highway rights-of-way in Carver County.

Waterbody	<b>Road Crossing</b>	City	County	Findings
Carver Creek	No road crossing within District	Carver	Carver	No road crossing and not allowed per Carver County
Assumption Creek (trout stream)	County State Aid Highway (CSAH) 61/Flying Cloud Drive	Chanhassen	Carver	Not allowed per Carver County
Bluff Creek	Flying Cloud and 101	Chanhassen	Carver	Not allowed per Carver County
East Chaska Creek	CSAH 61	Chaska	Carver	Not allowed per Carver County
Chaska Creek	CSAH 61	Chaska	Carver	Not allowed per Carver County
Kennaley's Creek (trout stream)	No road crossing within District	Eagan	Dakota	No road crossing
Black Dog Creek (trout stream)	Nicols Road	Eagan	Dakota	Dead-end road— location not visible
Nine Mile Creek	No road crossing within District	Bloomington	Hennepin	No road crossing
Riley Creek	No road crossing within District	<mark>Eden Prairie</mark>	<mark>Hennepin</mark>	No road crossing
				Road is on boundary with Riley Purgatory Bluff Creek Watershed District; determining
Purgatory Creek	<b>Riverview Road</b>	Eden Prairie	Hennepin	jurisdiction is difficult

Table 1: Potential LMRWD	Crossing Sign Locations

Based on the above information, Young Environmental believes river and creek crossings at the listed sites are unfeasible because (a) signage is not allowed, (b) there is no road crossing, and (c) there is a case where jurisdictional boundary is subjective.

## II. Interpretive Signs

Young Environmental investigated several locations for interpretive signage that convey the overview of a District-sponsored project and/or educational information about the local habitat or ecosystem. Below are our findings.

- Regarding the recently completed East Chaska Creek Stabilization Project at Crosstown Boulevard across from Lions Park, the City of Chaska must provide approval but is willing to look into the location and work with the District.
- Seminary Fen already has an up-to-date sign and has been eliminated from consideration.
- Eagle Creek and the Minnesota Department of Natural Resources (MNDNR) Aquatic Management Area have several potential locations on City of Savage and MNDNR property. Both the City of Savage and the MNDNR are willing to review any proposal the District submits.
- Finding a publicly accessible and owned parcel for interpretive signage at the dredge site near river mile post 14 has been difficult. Young Environmental will continue to evaluate this site.

## **Recommendation**

Staff recommends moving forward with interpretive signs at East Chaska Creek and Eagle Creek. This will include taking the following actions:

- Working with local entities on processes for interpretive sign location approval
- Soliciting design and fabrication firms for quotes for interpretive signs
- Drafting a contract with a design and fabrication firm
- Bringing a contract to the board for review and approval consideration
- Proceeding with design and fabrication if the board approves
- Working with local partners on installation if the board approves



# **Technical Memorandum**

То:	Linda Loomis, District Administrator Lower Minnesota River Watershed District
From:	Jen Dullum, Education and Outreach Coordinator Della Schall Young, PMP, CPESC
Date:	July 14, 2021
Re:	LMRWD Education and Outreach—Schools Partnership Update

As presented in the approved Lower Minnesota River Watershed District (District) education and outreach plan, Young Environmental Consulting Group (Young Environmental) continues to move forward investigating collaborative District education and outreach programming opportunities. The following is an update of what Young Environmental has accomplished and the next steps.

- Young Environmental identified all public and private K–12 schools, afterschool programming, and school-sponsored clubs that could benefit from District watershed education and outreach resources.
- Young Environmental contacted four schools within the District to determine partnership opportunities. Those schools were Oak Grove Middle School in Bloomington, Thomas Jefferson High School in Bloomington, Burnsville High School in Burnsville, and Sweeney Elementary School in Shakopee. These schools were chosen because of their proximity to the Minnesota River. Young Environmental chose primary, middle, and secondary schools to contact.
- Young Environmental met with the four science teachers from Burnsville High School who responded to their contact. Staff met with these teachers in May 2021 to discuss the needs and wants for their classrooms and students. Teachers hope that any partnership/programming will bring local, hands-on, long-term learning to their students.
- Young Environmental began an investigation into programming that would fit the needs of Burnsville High School while also aligning with the District watershed management plan.

 Young Environmental contacted Friends of the Minnesota Valley, Three Rivers Park District, Great River Greening, Wilderness Inquiry, Dakota County Soil and Water Conservation District (SWCD), and the City of Burnsville for potential programming partnership. The City of Burnsville is working with School District 191 (Burnsville) and the Dakota County SWCD on potential programming and curriculum. The District will continue to monitor this potential partnership opportunity.

With the momentum Young Environmental has established with Burnsville High School, we anticipate proposing the below plan before August 2021. Young Environmental suggests, for the 9th-grade earth science classrooms, a primer into water resources through Wilderness Inquiry. Wilderness Inquiry will provide an all-day water resources activities day with Voyager Canoeing for between \$2,550 and \$3,600, depending on the number of students. This outdoor activity will be preparation for hands-on citizen science in 10th-grade life science, when it is proposed that students participate in River Watch through the Friends of Minnesota River Valley. The District currently supports the River Watch program. Young Environmental is investigating additional funding that may be required to support a third high school team in the District through River Watch.

In addition to classroom learning, Young Environmental is suggesting that the Burnsville High School Environmental Club participate in hands-on environmental activities. These activities could be provided through Great River Greening and may include water chemistry testing; geocaching; plant scavenger hunt; and/or hands-on restoration or, through Three Rivers Park District and their Adopt-A-Woodlot, invasive species removal and prairie seed collection programming. There is no cost associated with programming through Three Rivers Park District. Young Environmental is still waiting on cost information from Great River Greening.

Young Environmental will continue to work toward sustainable programming that will advance the District toward meeting engagement goals. The goal will be to ensure programming will align with watershed management plan Policy 9.1 and Strategy 9.1.2, which suggest developing an education outreach program to familiarize the public with District activities.



# **Technical Memorandum**

То:	Linda Loomis, District Administrator Lower Minnesota River Watershed District
From:	Jen Dullum, Education and Outreach Coordinator Della Schall Young, PMP, CPESC
Date:	July 13, 2021
Re:	LMRWD Education and Outreach—City Partnership Update

As presented in the approved Lower Minnesota River Watershed District (District) education and outreach plan, Young Environmental Consulting Group (Young Environmental) continues to investigate opportunities for collaborative District education and outreach programming opportunities. In the following, we summarize what has been accomplished and recommend future action.

Young Environmental contacted several District cities and partners regarding inperson, public outreach events (e.g., Earth Day and fall cleanup programs). Those contacted include the cities of Bloomington, Burnsville, Chaska, Eden Prairie, Savage, and Shakopee as well as the Carver County Water Management Organization. The following are public events in which the District could participate:

- Carver County: Carver County Fair, Summer 2021
- Dakota County: Dakota County Fair, Summer 2021
- Bloomington: Old Cedar Bridge Celebration, Fall 2021
- Chaska: Native Plant Workshop (Carver Soil and Water Conservation District), Fall 2021
- Burnsville: Native Plant Market, Spring 2022
- Eden Prairie: Arbor Day, Spring 2022
- Eden Prairie: Chamber of Commerce Spring Expo, Spring 2022
- Shakopee: Tree Sale, Spring 2022
- Carver: Public Works Open House, to be determined

With the support of the citizen advisory commission, we recommend that the Board of Managers authorize District participation in these events and the development of handouts for distribution.

The goal of any outreach will align with Policy 9.1 and Strategy 9.1.2 of the watershed management plan. These provisions suggest developing an education outreach program to familiarize the public with District activities.



## **Executive Summary for Action**

Lower Minnesota River Watershed District Board of Managers Meeting Wednesday, July 21, 2021

#### Agenda Item Item 6. H. - LMRWD Projects

#### Prepared By

Linda Loomis, Administrator

#### Summary

#### i. Eden Prairie Study Area #3

Staff has been working with Inter-Fluve on this project and a summary of work and recommendations are attached.

The Board should discuss the recommendations and provide direction to staff.

#### Attachments

Area 3 Minnesota Riverbank Stabilization Project Update dated July 14, 2021

#### **Recommended Action**

Provide direction to staff

#### ii. East Chaska Creek

The Board approved payment to the contractor for this project at the June 16, 2021 meeting of the Board of Managers. Staff has conducted a final walk-through of the project and a report is attached for the Board's information. This project will be on the tour of projects planned for later this year.

#### Attachments

East Chaska Creek Restoration—Final Walk-Through dated July 6, 2021

#### **Recommended Action**

No action necessary for East Chaska Creek - for information only

#### iii. Gully Inventory and Condition Assessment

Young Environmental Consulting Group has been working with Dr. Joe Magner from the University of Minnesota to have a group of his students assist with the District Gully inventory and condition assessment project. An update of this project is attached for the Board's information.

#### Attachments

<u>Technical Memorandum - University of Minnesota Partnership for the Gully Assessment and Condition Project dated July</u> <u>14, 2021</u>

#### **Recommended Action**

No action necessary for Gully inventory and condition assessment project - for information only



## **Executive Summary for Action**

Lower Minnesota River Watershed District Board of Managers Meeting Wednesday, July 21, 2021

#### Agenda Item Item 6. I. - Permits & Project Reviews

#### **Prepared By** Linda Loomis, Administrator

#### Summary

#### i. Core Crossings Apartments (LMRWD permit No. 2021-020)

This application is for an apartment building located at 1360 Stagecoach Road in Shakopee. A 61 unit apartment building and amenities will be constructed. Staff has reviewed the projects and recommends approval subject to receipt of the NPDES (National Pollutant Discharge Elimination System) permit and the name and contact information for the person responsible for compliance with the District's rules. The District must also receive a copy of the executed Utility Facilities Agreement from the City of Shakopee after it has been recorded in Scott County.

The staff review and recommendations are attached.

#### Attachments

Technical Memorandum - Core Crossings Apartments (LMRWD No. 2021-020) dated Jul 7, 2021

#### **Recommended Action**

Motion to approve LMRWD Permit No. 2021-020 - Core Crossings Apartment subject to receipt of a copy of the NPDES and contact information for the contractor.

#### ii. Fort Snelling Upper Post Redevelopment Extension Request (LMRWD permit No. 2020-113)

This project was issued a permit by the LMRWD in August of 2020. Permit have a one year expiration from the date of issuance. The engineer for the project has requested a one year extension of the permit. Staff has reviewed the project to make sure that changes to the proposed project will not affect the permit approval. At the time of approval in 2020 a maintenance agreement was requested. The LMRWD has not received the maintenance agreement, however, staff is recommending the Board approve an extension of the permit.

#### Attachments

Technical Memorandum - Fort Snelling Redevelopment Extension Request (LMRWD No. 2020-113) dated July 14, 2021

#### **Recommended Action**

Motion to extend permit expiration to August 19, 2022

#### iii. Trunk Highway (TH) 13 Project Review SP 7001-128 (LMRWD permit No. 2021-025)

This project proposes improvements to TH 13 and the intersections of Yosemite, Dakota Avenues etal. LMRWD staff has attended several meetings with MNDOT and other stakeholders to provide input to this project. MNDOT is close to beginning construction of the project. At the most recent meeting with MNDOT, it became apparent that the

Item 6. I. - Permits and Project Reviews Executive Summary July 21, 2021 Page 2

LMRWD will not be able to approve a permit within the 60 day window required by MN Statutes Section 15.99. The reason that the LMRWD cannot issue a permit within the 60 day is we are waiting for a maintenance agreement from the City of Savage. Staff is therefore requesting the Board consider extending the initial 60 day period for an additional 60 days. MNDOT has agreed to the extension and LMRWD legal counsel has been consulted.

#### Attachments

#### Technical Memorandum - SP 7001-128 TH 13 Project Review (LMRWD No. 2021-025)) dated Jul 7, 2021

#### **Recommended Action**

Motion to extend 60 the initial permit approval period an additional 60 days to October 13, 2021.

#### iv. Burnsville Sanitary Landfill

Waste Management has applied for permission to expand the capacity of the Burnsville Sanitary Landfill. As part of the approval process an Environmental Impact Statement (EIS) was prepared. A Supplemental Environmental Impact statement was prepared and a draft was released June 1, 2021 for public comment. LMRWD staff reviewed the draft Supplemental EIS and provided comments to the MPCA. Comments submitted by the LMRWD are attached for the Board's information.

#### Attachments

Technical Memorandum - Burnsville Sanitary Landfill Expansion Environmental Impact Statement Review dated Jul 12, 2021

#### **Recommended Action**

No action recommended

#### v. Trunk Highway (TH) 169 Pedestrian Bridge Wetland Boundary and No-Loss Application

The City of Shakopee informed the LMRWD that they are planning to construct a pedestrian bridge over TH 169 near the intersection of the Prior Lake Outlet Channel (PLOC) and TH 169. The City is seeking federal funding for this project and the LMRWD submitted a letter to US Senators Klobuchar and Smith in support of the project. The City recently prepared a wetland delineation and submitted a no-loss application with the Board of Water and Soil Resources. The LMRWD reviewed the documents provided and comments are attached for the Board's information.

#### Attachments

<u>Technical Memorandum - Trunk Highway (TH) 169 Pedestrian Bridge Wetland Boundary and No-Loss Application dated July</u> <u>14, 2021</u>

#### **Recommended Action**

No action recommended - for information only