



Please note the meeting will be held in person at the Carver County Government Center on the Wednesday, September 15, 2021

LOWER MINNESOTA RIVER WATERSHED DISTRICT

Lower Minnesota River Watershed District

7:00 PM

Wednesday September 15, 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	<p><i>Citizens may address the Board of Managers about any item not contained on the regular agenda. A maximum of 15 minutes is allowed for the Forum. If the full 15 So are not needed for the Forum, the Board will continue with the agenda. The Board will take no official action on items discussed at the Forum, with the exception of referral to staff or a Board Committee for a recommendation to be brought back to the Board for discussion or action at a future meeting.</i></p>
4. Consent Agenda	<p><i>All items listed under the consent agenda are considered to be routine by the Board of Managers and will be enacted by one motion and an affirmative vote of a majority of the members present. There will be no separate discussion of these items unless a Board Member or citizen request, in which event, the items will be removed from the consent agenda and considered as a separate item in its normal sequence on the agenda.</i></p> <p>A. Approve Minutes July 21, 2021 and August 18, 2021 Regular Meeting</p> <p>B. Receive and file August 2021 Financial reports</p> <p>C. Approval of Invoices for payment</p> <ul style="list-style-type: none"> i. Blackstone Contractors LLC - final payment for East Chaska Creek project less retainage ii. Daniel Hron - July 2021 office rent iii. Inter-Fluve, Inc. - first payment on alternative review/validation project iv. Rinke Noonan Attorneys at Law - May 2021 legal services v. Coalition for a Clean Minnesota River– 2nd installment of payment for Water Storage Initiative vi. Frenette Legislative Advisors - June 2021 legislative services vii. TimeSaver Off-Site Secretarial – preparation of May 2021 meeting minutes viii. Young Environmental Consulting Group - May 2021 technical and Education & Outreach services ix. Carver County - Q2 2021 financial services <p>D. Receive and file Citizen Advisory Committee August 2021 meeting minutes</p> <p>E. Authorize Final payment to Inter-Fluve for Area #3</p>

5. New Business/ Presentations	A. Nonyphenol & Sedimentation History in Riverine Lakes B. Request from Coalition for a Clean Minnesota River C. Appletree Condominium Cost Share Application D. Modification to LMRWD Board of Managers meeting schedule
6. Old Business	A. Burnsville Projects i. I 35W Trail ii. Burnsville Willow Creek Ravine Stabilization B. Cost Share Application - S. Mueller, 10745 Lyndale Bluffs Trail - no new information to report C. City of Carver Levee – No new information to report D. Remote meeting participation – no new information to report E. Dredge Management i. Vernon Avenue Dredge Material Management site ii. Private Dredge Material Placement F. Watershed Management Plan – no new information to report i. Rules update G. 2021 Legislative Action - no new information to report H. Education & Outreach i. Tour of LMRWD Projects - Update I. LMRWD Projects <i>(only projects that require Board action will appear on the agenda. Informational updates will appear on the Administrator Report)</i> J. Permits and Project Reviews - See Administrator Report for project updates <i>(only projects that require Board action will appear on the agenda. Informational updates will appear on the Administrator Report)</i> i. Excel Energy Line 0832 ii. Canterbury Senior Living iii. Circle K/Holiday Station iv. Burnsville Park Jeep K. MPCA Soil Reference Values - No new information since last update
7. Communications	A. Administrator Report B. President C. Managers D. Committees E. Legal Counsel F. Engineer
8. Adjourn	Next meeting of the LMRWD Board of Managers is 7:00pm Wednesday, October 20, 2021.

Upcoming meetings/Events

- UMWA monthly meeting- 2:30 to 7:00pm, Monday, September 27, 2021, La Crosse Port Tour – contact Administrator for information to register. THIS EVENT HAS BEEN CANCELLED
- Metro Children’s Water Festival – Virtual the week of September 27, 2021.
- Minnesota Aquatic Invasive Species Research Center (MAISRC) [Research & Management Showcase](#) – September 22, 2021 8:30am to 5:00pm, virtual
- Watershed District Tour – 9:00am Saturday, October 2, 2021

- Prior Lake/Spring Lake Watershed District “Hike the Outlet Channel” Tour, 1:00 to 4:30pm, Monday, October 4 – contact Administrator if you are interested in attending this event
- Metro MAWD, Tuesday, October 19, 2021
- [Minnesota Water Resources Conference](#) – Virtual conference, October 19 & 20, 2021

For Information Only

- **WCA Notices**
 - City of Chaska – No-Loss Decision for TH 41 and CSAH 61 transportation improvements
 - City of Shakopee - Notice of Decision for Peace Circle and Windsor Ponds Improvements
- **DNR Public Waters Work permits**
 - Dakota County – Permit issued for Xcel Energy - roadway/pathway fill, pilings/anchors/footings
 - Dakota County – Request for Comments Dakota County MN River Greenway, boardwalk construction
 - City of Shakopee – Request for Comments – Whispering Waters, for construction of culvert and intake/outfall structure
- **DNR Water Appropriation permits**
 - City of Richfield – Permit issued for TH 77 & 77th Street Underpass project



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Minutes of Regular Meeting

Board of Managers

Wednesday, July 21, 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, July 21, 2021, at 7:00 PM, in the Board Room of the Carver County Government Center, 602 East 4th Street, Chaska, Minnesota, President Hartmann called to order the meeting of the Board of Managers of the Lower Minnesota River Watershed District (LMRWD).

President Hartmann asked for roll call to be taken. The following Managers were present: President Jesse Hartmann, Manager Patricia Mraz, Manager David Raby and Manager Lauren Salvato. 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; John Kolb, Rinke Noonan, Attorneys at Law, Legal Counsel; and Lisa Frenette, Frenette Legislative Advisors, Legislative Relations Specialist.

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 motion carried unanimously.

3. CITIZEN FORUM

Administrator Loomis reported that she had not received communication from anyone that wished to address the Board and there were no citizens present at the meeting who wished to address the board on non-agenda items.

4. CONSENT AGENDA

President Hartmann introduced the item.

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

ii. Rinke Noonan Attorneys at Law - April 2021 legal services

iii. Young Environmental Consulting Group - April 2021 technical and Education & Outreach services

D. Receive and file Citizen Advisory Committee April 2021 meeting minutes

Manager Raby made a motion to approve the Consent Agenda. The motion was seconded by Manager Salvato. Upon a vote being taken the motion carried unanimously.

5. NEW BUSINESS

A. Presentation of 2022 Preliminary Budget

Administrator Loomis stated the proposed budget pretty much matches the table in Section 4 of the Watershed Management Plan. The Managers have a month to take a look at it, ask questions, and make adjustments. She noted they do not need to approve it tonight, but she asked that they call for a public hearing for the August 18, 2021 meeting for the adoption and preliminary certification of the budget.

President Hartmann noted on Line 77, it says Projected 2021 Dues [to MAWD] and asked if they are keeping that in just in case.

Administrator Loomis replied that would be her recommendation, in case they decide to pay them; it is not a big dollar item at \$7,500 and she felt it was prudent to leave it in.

Manager Salvato noted they have had the same administrative and managerial expenses for nine years and asked about inflation or rising costs.

Administrator Loomis does not know that they have ever spent the entire budget in that line item. Typically, it is Administrator Loomis' fee, and she is not intending to raise that fee; since Manager Salvato brought it up, Administrator Loomis stated she is thinking of retiring sometime in the future as she will be 70 the following year. The Board should begin thinking of whether they want to do an RFP for replacement administrative services. By Statute they are limited to \$250,000 for administrative costs and she tweaked the other lines based on past experience. She noted that the General Engineering costs were increased from \$20,000 to \$35,000 because those expenses have been higher.

Manager Salvato asked on the Actual Dredging Income versus Projected, is that being conservative based on being able to sell the dredge material?

Administrator Loomis replied yes, noting the District has not really sold dredge material since 2014 and the number is based on the actual price for the material which is currently estimated to be about a couple of dollars/cubic yard right now. It is based on what Southport does in St. Paul and what they sell dredge material for; the LMRWD material is not as high-quality [as Southport] because it has more silt.

Manager Raby asked Administrator Loomis to check the columns and totals as it seems like many of them do not match. And that one line item appears incorrect. Administrator Loomis said she noted that and it will be corrected.

Manager Mraz noted a June YTD line item and asked if they typically spent more in the second half of the year.

Administrator Loomis replied not really and the district does not typically do not spend their entire budget. That sometimes, projected items are not always completed and paid for in the year they are levied. Administrator Loomis always noted that she is behind in invoicing the district for administrative services.

President Hartmann made a motion to call for a public hearing to adopt the 2022 Budget and Preliminary Certification of the Levies Payable 2022 on August 18, 2021. Manager Salvato seconded the motion. Upon a vote being taken the motion carried unanimously.

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 gave the Managers the minutes from the Stakeholder meeting and said there is a second meeting scheduled for August 12.

Manager Raby said he had a couple of comments. He attended the stakeholder meeting and heard some items he thought were of interest to the district. He said the City is talking about pre-design to start this fall, there is a bonding request of \$11,700,000 and will need to phase the project over several years and the next likely phase will be the easement acquisition. He stated there is a Minnesota River Bluff Trail is proposed by Scott County, that includes a proposed bridge over the Minnesota River to connect to that. The proposed bridge will be near the location of the old Carver railroad bridge. Manager Raby noted the proposed bridge is not part of the \$11,000,000 proposal for the levee

C. Remote meeting participation

Administrator Loomis is going to ask the County if there is a way the district can tie into this system to make it easier for Managers to participate remotely or observe.

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 received notice that the payment is on its way from CHS and Cargill was testing the system to make the transfer to the LMRWD.

E. Watershed Management Plan

No new information to report since last update.

F. 2021 Legislative Action

Administrator Loomis introduced Lisa Frenette, the legislative liaison for the LMRWD. Ms. Frenette updated the Board and noted they have had an odd couple of years at the Legislature in not being able to meet in person. She is counting on getting a grip on the pandemic and being able to get back next year for any issues that pop up.

She said her legislative summary is in the meeting packet and would go through some of the highlights. She shared accomplishments from the 2021 session. It has been two years that the district worked on being able to transfer \$111,000 of funds from the Board of Water and Soil Resources (BWSR) for dredge to the Seminary Fen project. In 2020, Senator Ingebrigtsen [Chair of the Senate Natural Resource Committee] was very amendable to that but unfortunately there was no environment bill that year. Ms. Frenette said they were able to get that provision put in again this year and passed. She has contacted BWSR for how the transfer will be managed and is waiting to hear back on the details.

The district also received Dredge Maintenance Funding of \$240,000/year. She noted some issues she pushed back on. One was regarding a Feasibility Study to combine Soil and Water Conservation Districts (SWCD) and Watershed Districts; a bill was proposed to have BWSR lead a study and many people were hesitant to allow that. The concern was that it was not clear that what could come out of such a study may not be beneficial to Watershed Districts or SWCD's. Ms. Frenette thinks any such proposal should be thought through some more.

There was also some soil health policy language that would have allowed for BWSR to look over everyone's shoulder rather than letting local governments figure out how they would work on soil health. She noted money did go into soil health which is always good, cover crops, and different things to keep sediment from flowing downstream.

Ms. Frenette has been watching PFAs as it will become an issue for water quality down the line; she spoke with an environmental attorney about this who explained why it is so important to know more about it. When a water treatment facility has leftover sludge after recycling the water, they go and spread that out over land which could then leach into the Minnesota River, and they do not want that. Ms. Frenette said \$600,000 went into a study on PFAs. PFAs are now prohibited in food packaging and will be completely phased out by 2025.

Lastly, she noted that there are many programs to manage the flow of water off the land, however new legislation was passed regarding water storage. Only \$2,000,000 of funding was provided for the new program, which isn't enough to accomplish much. She worked with Friends of the Minnesota Valley to get funding for a Minnesota River watch program, which provides learning opportunities to get student out on the river.

Ms. Della Young asked if there was any movement asked if there was any movement in using dredge management money for sediment reduction projects. MS. Frenette responded that the House and the Senate were so far apart in agreeing on what to fund that there really wasn't an opportunity to get any work done on policy. She hopes to have that addressed in the upcoming session.

Manager Salvato asked about the movement to merge SWCDs and Watershed Districts. Ms. Frenette felt that it is to reduce costs and improve efficiency. Ms. Frenette said that Representative Torkelson has been the main force behind this and that perhaps the LMRWD might want to have him speak with them. She explained some of the background activities going on at the Legislature. Manager Raby said he thought hearing from Representative Torkelson would be interesting. Ms. Frenette said she will work on inviting him to the November Board of Manager meeting.

G. Education and Outreach Plan

i. Tour of LMRWD Projects

Administrator Loomis noted at the last meeting it was mentioned that the Managers may want to go on a tour; there is a route and a few places mapped out and may take 3-4 hours. They would start at the Government Center, go to the East Chaska Creek project, get lunches and stop at the Landing to visit the Shakopee Ravine project, and go to the Boiling Spring cost-share project in Savage, then end the tour at the dredge site. She asked managers to pick a date for the tour.

Manager Raby noted he will be resigning as he will be moving out of the district and would not be here in October.

After discussion, Friday, September 24 was chosen as a celebration of Manager Raby and tour date.

Manager Mraz made a motion to schedule a project tour on September 24, 2021 at 3:00 p.m. The motion was seconded by President Hartmann. Upon a vote being taken the motion carried unanimously.

ii. LMRWD River and Creek Crossing Signage Plan

Administrator Loomis asked for a motion to approve the plan as presented.

Manager Raby made a motion to approve the LMRWD River and Creek Crossing Signage Plan. The motion was seconded by Manager Salvato. Upon a vote being taken the motion carried unanimously.

iii. **City Partnership Update**

Administrator Loomis asked if the Board would like the LMRWD to participate in some of the events.

Manager Raby thinks the more events they can do to educate their constituents the better, as residents are funding the LMRWD and should understand where their funding is going.

iv. **School Partnership Update**

Manager Raby noted there was a lot of focus on Burnsville High School and in the plan, it says they contacted schools within the district; it seems to him that there are other high schools that are not physically within the district but their constituents fund the LMRWD. It seems they should be reaching out to more schools within the cities in the District.

Ms. Schall-Young said they are happy to amend that as there is a school in Eagan that would like to participate.

After discussion, the Managers would like to reach out to public and private schools within the cities in the district.

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**

Ms. Schall Young shared that this project has been going on for a while. A meeting of stakeholders was held and there was discussion as to what was the responsibility of the City of Eden Prairie and what was the responsibility of the LMRWD. The LMRWD is concerned about the district taking on municipal responsibilities as it would be setting a precedent. The LMRWD retained Inter-Fluve, Inc. to look at previous studies prepared for the district and to validate the findings and recommendations of the studies; then move on to project design.

While validating the findings of the previous studies, Inter-Fluve has found that the City of Eden Prairie's stormwater pond is adversely affecting this location and pushing the river to the north, putting pressure on the steep slope above. The conclusion is that stabilizing the riverbank is not the solution the LMRWD is looking for. The project needs to include the city and look at the total dynamics of this area to come to the best solution.

Ms. Schall Young recommends that Inter-Fluve will finish the analysis and then the contract will be terminated. At that point the district will work with the City of Eden Prairie to develop a Comprehensive Plan for this area. The pond is constantly flooded and the city has spent significant resources to stabilize the banks of the pond. There is little water quality benefit, and it is actually causing more problems than anything else.

President Hartmann asked the physical distance between the area of concern and the pond. Ms. Schall Young replied perhaps 2,000 feet.

Administrator Loomis clarified the pond takes water from the neighborhood and the district must talk to Eden Prairie to see what function this pond is supposed to have as it is obviously not functioning the way it was intended.

Manager Salvato asked if the LMRWD would absorb the costs of moving the pond, because they shouldn't.

Administrator Loomis noted the city has always maintained that this is the LMRWD's responsibility because the river is the cause of the problem. Now the LMRWD is saying it is not the river that is causing the problem, it is the pond. She noted they will set up a meeting with the City of Eden Prairie.

Ms. Schall Young said the action needed from the Board tonight is to provide direction to staff. Ms. Schall Young said this is also a good opportunity for legislative support.

The Managers are all in favor of moving forward with the recommendations in the report.

ii. East Chaska Creek

Administrator Loomis noted the report in the packet and that they will see the project on the tour.

iii. MN River Gully Inventory and Condition Assessment

Administrator Loomis noted the report is in the packet. She advised the Board that the LMRWD was approached by the City of Burnsville regarding a gully stabilization they will be bringing before the Board in August. The gully is not within the district but is contributing sediment to the Minnesota River and the City has requested that they consider participating in the cost of stabilizing the ravine. Staff is reviewing to see what an appropriate contribution would be based on the amount of sediment that would be kept out of the district and the Board will see that the following month.

Ms. Schall Young noted a report on the gully inventory and condition assessment will be presented at the August Board of Manager meeting.

I. Project/Plan Reviews

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

i. Core Crossing Apartments (LMRWD No.2021-020)

Administrator Loomis said this is a 61-unit building being built in the City of Shakopee and Staff recommends approval subject to a copy of their NPDES (National Pollutant Discharge Elimination System) permit and contact information for the contractor.

ii. President Hartmann made a motion to approve a permit for Core Crossing Apartments (LMRWD No.2021-020). The motion was seconded by Manager Salvato. Upon a vote being taken the motion carried unanimously.

iii. Fort Snelling Upper Post Permit Extension (LMRWD No. 2020-113)

Administrator Loomis noted this is a housing project that will rehabilitate existing buildings at the upper post of Fort Snelling into low-income housing. The Board approved a permit last August. Permit are good for one year, so it is set to expire August 19, 2021. The proponent has asked for an extension of the permit to August 19, 2022. Ms. Schall Young and her staff reviewed the project to make sure there had not been any substantial changes since approval and they are recommending permit extension for one year.

Manager Raby made a motion to approve a permit extension of the project for one year to August 19, 2022 for Fort Snelling Upper Post (LMRWD No. 2020-113). The motion was seconded by Manager Mraz.

President Hartmann asked if these are historic buildings.

Administrator Loomis replied yes, they are, and they are refurbishing them.

Upon a vote being taken the motion carried unanimously.

iv. Trunk Highway (TH) 13 (LMRWD No. 2021-025)

Administrator Loomis said this is a MnDOT project to improve the intersections at Dakota, Yosemite, and Vernon Avenue on Trunk Highway 13. MnDOT made a complete application to the district but is required to have a maintenance agreement between MnDOT and the City of Savage. The maintenance agreement has not been worked out and it is not likely to be done before the end of the 60-day period allowed by Statute to approve a project. The LMRWD has the option to extend the 60-day review period if needed and is recommending the Board extend that period by 60 days.

President Hartmann made a motion to approve an a 60-day extension for approval of a permit for the TH 13 transportation improvement project until October 13, 2021. The motion was seconded by Manager Raby. Upon a vote being taken the motion carried unanimously.

President Hartmann asked for clarification about this project and what the proposed design alternative is. Administrator Loomis said the preferred alternative for this project would be to bring TH 13 over Dakota Avenue, extend the off ramps for west bound to east of Vernon Avenue. East bound traffic will exit at Dakota Avenue go under TH 13 to a two-way frontage road. This project will improve access to the LMRWD dredge site.

v. Burnsville Sanitary Landfill

Administrator Loomis updated that a supplemental environmental impact statement was done, the LMRWD reviewed it, and submitted comments which included LMRWD permit requirements for the proposed expansion of the Burnsville Sanitary Landfill. The LMRWD has not received an application for this project. She noted that this is a separate project and is not connected to the Freeway Dump and Landfill remediation project.

vi. TH 169 Pedestrian Bridge Wetland Boundary and No-Loss Application

Administrator Loomis said the City of Shakopee plans to construct a pedestrian bridge over TH 169 near Dean Lake and was provided information regarding wetland impacts. The City of Shakopee is seeking federal funding for the project.

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

7. COMMUNICATIONS

A. Administrator Report: Administrator Loomis heard from Hennepin County that there is an applicant they will appoint to the Board for the vacant seat.

Administrator Loomis said she was contacted by the Highway 169 Coalition about scheduling a boat tour of the Minnesota River for August 12, 2021; Administrator Loomis will speak to CHS about getting a barge and assist with the tour planning. She noted she would keep the Board informed at they may want to attend.

The Prior Lake Spring Lake Watershed District is planning a tour of the Prior Lake Outlet Channel and Administrator Loomis suggested inviting the Managers from LMRWD since a good portion of the outlet channel flows through the Watershed District. She will keep the Board posted with more information.

Administrator Loomis reported on the letters from Capitol Region and Ramsey Washington WDs, from her report in June, sent to BWSR asking them to make Watershed-based funding eligible only to Watershed Districts that are not part of a One Watershed, One Plan. LMRWD's

problem is that there is a portion of the district that will be part of a One Watershed, One Plan; when BWSR had a listening session Administrator Loomis pointed that out to them and did not get an answer as to how they would look at that. She thinks the LMRWD should send a letter asking for clarification. She has heard that 7 other Watershed Districts have also sent letters with the same request made by Capitol Region and Ramsey Washington. She reached out the Prior Lake/Spring Lake Watershed District and Scott WMO to gather their views on this recommendation. She noted that both Savage and Shakopee are in the planning area for the Lower Minnesota River East 1W1P.

B. President: No Report

C. Managers: Manager Salvato asked about high chloride levels on Ike's Creek.

Administrator Loomis replied the LMRWD has worked with US Fish & Wildlife Services (USFWS) to monitor Ike's Creek. Initial samples, collected in the winter only, tested showed high Chloride levels. Sampling was not regular, and we wanted to know if summer levels are high. USFWS did not have personnel dedicated to collecting samples and the LMRWD and USFWS wanted to set up a more regular sampling and testing protocol, so the Metropolitan Council was asked if they could monitor Ike's Creek. The District and the Metropolitan Council executed an agreement to begin sampling Ike's Creek, however the agreement was not executed in time to collect samples during the winter season. The Met Council is conducting summer sampling and it is likely the agreement will need to be extended to monitor through the 2021/2022 winter season. The source of the Chlorides is not obvious and more investigation will need to be done to determine if it is connected to the winter salt use or natural. She noted the levels are high enough that it will most likely impact the fish as they are almost up to the acute toxicity level.

The Board discussed how to find a replacement for Manager Raby. Administrator Loomis will talk to her contacts at Hennepin County and reach out to other contacts.

Manager Mraz witnessed a tree fire in June near the river and the fire department could not find a hydrant to use. She suggested looking into the future as parks are added and improvements are made, that they look at adding fire hydrants just in case.

D. Committees: No report

E. Legal Counsel: No report

F. Engineer: No report

8. ADJOURN

At 8:31 pm, President Hartmann made a motion to adjourn the meeting. Manager Salvato 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, August 4, 2021 and August 16, 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



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Minutes of Regular Meeting

Board of Managers

Wednesday, August 18, 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, August 18, 2021, at 7:00 PM, in the Board Room of the Carver County Government Center, 602 East 4th Street, Chaska, Minnesota, President Hartmann called to order the meeting of the Board of Managers of the Lower Minnesota River Watershed District (LMRWD).

The first item on the agenda was the Oath of Office for Manager Amundson. Manager Amundson was appointed to the LMRWD Board of Manager by the Hennepin County Board of Commissioners on April 5, 2021. Manager Amundson read the Oath of Office into the record and executed the Oath of Office and the Manager's Bond.

President Hartmann asked for roll call to be taken. The following Managers were present: Manager Laura Amundson, President Jesse Hartmann, Manager Patricia Mraz, and Manager David Raby. Manager Lauren Salvato was absent. In addition, the following joined the meeting: Linda Loomis, Naiad Consulting, LLC, LMRWD Administrator; Anthony Crosby, and Rebecca Even, Interns with Young Environmental Consulting Group, LLC; Della Schall Young, Young Environmental Consulting Group, LLC, Technical Consultant; John Kolb, Rinke Noonan, Attorneys at Law, Legal Counsel; and Steve Pany, Manager at Prior Lake/Spring Lake Watershed District; Jen Desrude, City Engineer, City of Burnsville.

2. APPROVAL OF THE AGENDA

Administrator Loomis asked that the July 21, 2021, meeting minutes be removed from the agenda as they were not ready for approval and had not been included in the meeting packet. There were no other additions or changes.

Manager Raby made a motion to approve the agenda removing the July 21, 2021 meeting minutes. The motion was seconded by President Hartmann. Upon a vote being taken the motion carried unanimously.

3. CITIZEN FORUM

Administrator Loomis reported that she had not received communication from anyone that wished to address the Board. She noted that Manager Steve Pany from the Prior Lake/Spring Lake Watershed District was in attendance. Manager Pany had been joining the LMRWD meeting virtually and was now joining in person. Manager Pany introduced himself.

4. CONSENT AGENDA

President Hartmann introduced the item.

- ~~A. Approve Minutes July 21, 2021 Regular Meeting~~
- B. Receive and file July 2021 Financial reports
 - C. Approval of Invoices for payment
 - i. Blackstone Contractors LLC - final payment for East Chaska Creek project less retainage
 - ii. Daniel Hron - July 2021 office rent
 - iii. Inter-Fluve, Inc. - first payment on alternative review/validation project
 - iv. Rinke Noonan Attorneys at Law - May 2021 legal services
 - v. Coalition for a Clean Minnesota River– 2nd installment of payment for Water Storage Initiative
 - vi. Frenette Legislative Advisors - June 2021 legislative services
 - vii. TimeSaver Off-Site Secretarial – preparation of May 2021 meeting minutes
 - viii. Young Environmental Consulting Group - May 2021 technical and Education & Outreach services
 - ix. Carver County - Q2 2021 financial services
 - D. Authorize payment of invoice #2 for Area #3 from Inter-Fluve
 - E. Receive and file Citizen Advisory Committee June 2021 meeting minutes
 - F. Authorize payment of invoice from Freshwater for LMRWD share of Nonyphenol investigation
 - G. Approve and authorize letter to BWSR regarding Watershed Based Funding
Authorize amendment to Intergovernmental Agreement Between the Metropolitan Council and the Lower Minnesota River Watershed District for water quality monitoring in Ike's Creek

President Hartmann made a motion to approve the Consent Agenda with the July 2021 meeting minutes removed. The motion was seconded by Manager Mraz. Upon a vote being taken the motion carried unanimously.

5. PUBLIC HEARING

A. Proposed 2022 Budget and Preliminary Certification of Tax Levy Payable 2022

Administrator Loomis made no changes to the budget that was presented to the Board at the July meeting. The recommended levy for taxes payable 2022 is the same as the previous year at \$725,000. The levy is apportioned as follows: Carver County \$41,762; Dakota County \$72,153; Hennepin County \$306,964; Scott County \$304,120. The total proposed expenses for the 2022 budget are \$1,035,000 and is below the expenses in the 2021 budget. Public notice of the public hearing was published in the Star Tribune on Thursday, August 12, 2021 and Sunday, August 15, 2021.

President Hartmann opened the public hearing.

Administrator Loomis walked the Board through line items in the budget.

Seeing and hearing no one wishing to testify, President Hartmann closed the public hearing.

Manager Raby requested clarification about the posting of the hearing notice. Attorney Kolb clarified that the notices met the requirements of statute.

Manager Raby made a motion to approve the Resolutions 21-08, 21-09, 21-10 and 20-11. The motion was seconded by Manager Mraz. Upon a vote being taken the motion carried unanimously.

6. NEW BUSINESS

A. I-35W Frontage Trail Cost Share – Burnsville

Administrator Loomis noted Burnsville requested cost sharing for two projects; the first is a trail along I-35W to connect the trails on the north and south sides of the river. She introduced Jen Desrude, City Engineer for Burnsville.

Engineer Desrude gave some background and history on the I-35W project and showed pictures of the flooding on the trail. She explained the proposed changes to the trail and noted construction costs are estimated to be \$485,000 and they have received a federal grant that will cover 80% of the construction costs. Local funding must cover 20% of the construction and federal funding does not cover any of the associated project costs (engineering design, environmental review, permits, project admin, materials testing, etcetera.) Associated project costs are much higher on this project so local funding is about \$350,000 and the total to raise the trail is about \$735,000. Construction will begin spring/summer of 2022. Pedestrian facilities were constructed as part of the new I-35W bridge. She noted Construction cost are likely to be higher for this project, because of sensitive natural resources nearby.

Ms. Desrude answered questions from the Board and discussed the project details further. Administrator Loomis noted Young Environmental reviewed the documents and they shared the technical comments with Ms. Desrude. The recommendation is that the Board authorize Staff to continue to work with the city to better define what the value is to the Watershed District. At that time, they would put together a memorandum of agreement before committing funding to the project.

Ms. Schall Young gave a high-level overview of the project, explaining the scoring metric that was used to understand the benefits of the project. Her recommendation is to continue having conversations with Ms. Desrude's team and bring a recommendation to the Board in September. There was further discussion about the merits of the project by the Board.

Manager Mraz made a motion to authorize Staff to continue working with the City of Burnsville to bring a proposal back before the Board in September. The motion was seconded by President Hartmann.

Manager Raby agrees this is a wonderful project but he struggles a bit to see how it benefits the District and meets any of the District's goals.

Upon a vote being taken the motion carried.

B. Burnsville ravine stabilization cost share

Administrator Loomis stated this is a request from the City of Burnsville to stabilize a ravine that has been contributing sediment to the Minnesota River. The actual project itself is outside the boundaries of the Watershed District.

Ms. Desrude gave a presentation on the project, noting erosion issues that have been going on for quite some time. The solution is to realign the creek, install a gabion wall along the edge of the creek, and add some fill up to the top of the bank. She noted there are other, smaller areas along the creek that also need spot repair. She thinks it will be a great benefit to the Watershed District to stop the sediment from going downstream. The city is in the process of receiving easements, permits and finalizing plans; the 60% cost estimate was \$400,000 before they started adding in the spot treatments so their consultant is working on updated costs. He estimated reduction in total Phosphorus is 25,000 lbs./yr. and total sediment reduction is around 45,000 lbs./yr. areas; it then discharges into the Lower Minnesota Watershed District and out to the Minnesota River.

President Hartmann asked where the water in the ravine comes from. Ms. Desrude said it is stormwater drainage coming from a pipe. He then asked where the water ends up. Ms. Desrude said it ultimately ends up in the Minnesota River.

Attorney Kolb asked if the city considers this channel part of its municipal storm water system.

Ms. Desrude replied in the affirmative.

Ms. Schall Young commented on scoring factors and said this project reminds her of the Riley Creek project where they partnered on a segment of the creek that was not in the Watershed District. She said the city has set aside \$500,000 and the Board should know where the rest of the money will come from, what the money will be spent on, and how it fits the district's requirements. Staff recommends additional discussion with the city on this project.

Manager Raby made a motion to authorize Staff to continue working with the City of Burnsville to determine benefits for the LMRWD to contribute funding. The motion was seconded by President Hartmann.

Manager Raby thinks this project promises much more benefit to the district.

Upon a vote being taken the motion carried unanimously.

C. Audit and Financial Services

Administrator Loomis stated the Watershed District had a contract with Red Path for audit services that expires this year; the Board needs to go out for proposals for audit services. She noted the agreement with Carver County to provide financial services, bookkeeping, accounting, payroll, etc., also ends this year. Administrator Loomis said she has met with the County Finance Department and they asked that the LMRWD consider soliciting financial services along with the audit services

Manager Raby does not think they should request proposals just to help Carver County figure out what their services are worth and he is also concerned that if they issue an RFP for financial services they need to be considering those proposals. He said that proposes should be made aware that they are competing against a government entity.

Administrator Loomis noted previously they had the same firm doing audits and financials and she sees that as a potential conflict. One reason the County wanted to bring this up to the Board is that they believe they will need to increase their rates because of new requirements of GASB 84 and wanted the Board to be aware of that. She suggested calling some of the other Watershed Districts to find out what they are paying for financial services and do the RFP for the audit services.

President Hartmann made a motion to authorize Staff to develop an RFP for audit services and financial services. The motion was seconded by Manager Mraz. Upon a vote being taken the motion carried unanimously.

7. OLD BUSINESS

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

Administrator Loomis updated the Board, reminding them that this was an application for a cost share grant to remove buckthorn and other invasive species that came in in 2020 and is part of a townhome association in Bloomington. The Board did not approve the application and wanted staff to investigate the possibilities of making it a larger project. The concern was if the District did a cost share for this applicant it is possible every other homeowner would come in for a project circumventing the limits of the program guidelines.

Ms. Schall Young suggested talking to Ms. Mueller about improving the slope, speaking with the contractor, and looking at the entire bluff to make some recommendations to stabilize the bluff.

B. City of Carver Levee

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

C. Remote meeting participation

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

D. Dredge Management

i. Vernon Avenue Dredge Material Management site

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

ii. Private Dredge Material Placement

Administrator Loomis updated the Board that the LMRWD has not received payment from CHS or Cargill for placement of dredge material on the LMRWD site. She has contacted both companies to follow up.

E. Watershed Management Plan

Administrator Loomis said as they have been doing permitting it has come to their attention that they must update their rules; they are looking for the Board to authorize updating the rules to bring a red-lined version the Board in October/November.

President Hartmann made a motion to authorize Staff to update the rules. The motion was seconded by Manager Raby. Upon a vote being taken the motion carried unanimously.

F. 2021 Legislative Action

No new information to report since last update.

G. Education and Outreach Plan

i. Tour of LMRWD Projects

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

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

The Board discussed the possibility of changing the date from September 24th to a weekend.

ii. MN River Gully Inventory and Condition Assessment

Ms. Schall Young said this summer they have had the pleasure of working with interns Anthony Crosby and Rebecca Even on the second phase of the gully inventory and condition assessment project. Ms. Schall Young gave some background on this project. Interns conducted a desktop analysis to determine locations to check on and then do the inventory and assessment.

Mr. Crosby and Ms. Even gave a presentation on the gully inventory and assessment. In total, they found a total of 257 new gullies which were broken down into low, moderate, and high priority, which corresponds to the erosion potential of each site. They used a numerical scoring system and ended up with 52 low-priority sites, 149 moderate, and 56 high-priority sites. They walked the Board through examples of medium and high priority sites, showing pictures and examples on screen. They also explained difficulties they

encountered while surveying gullies. Recommendations were made as to actions managing the gullies.

The Board thanked the interns for their hard work and the presentation.

I. Project/Plan Reviews

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

i. Caribou Coffee – Savage (LMRWD No. 2021-031)

Administrator Loomis noted this property is currently vacant and has issues with flood plain and floodways. Staff recommends approval.

Ms. Schall Young said with the review of this project, there is no impact to flood plains so they recommend approval pending completion and submittal of the requirements.

Manager Raby made a motion to conditionally approve Caribou Coffee – Savage (LMRWD No. 2021-031), pending receipt of the NPDES permit copy and contact information for the contractor(s) and person(s) responsible for the inspection and maintenance of erosion and sediment control features. The motion was seconded by Manager Mraz. Upon a vote being taken the motion carried unanimously.

ii. Shakopee Flats/River Bluffs Improvements (LMRWD No. 2021-040)

Administrator Loomis stated this item is an amendment to the permit previously issued by the district. The reason for this is because the city is planning to construct stormwater facilities for the project. This project has had a new name every time it has come before the Board. Staff has been working with the city and recommends approval.

Ms. Schall Young said the amendment to the permit is to approve regional treatment facility to put in a pond in to manage the stormwater. All of the District's requirements are met in terms of water quality, volume reduction, and rate control. Staff recommends approval subject to conditions.

President Hartmann asked if anything is being done with the streets itself. Ms. Schall Young said the streets will be reconstructed according to the 2021 city plans. He asked about the location of the pond and if the trail will be diverted. Ms. Schall Young responded pointed out the location of the pond and that yes, the trail will need to be re-routed.

President Hartmann made a motion for conditional approval of the amendment to River Bluffs Improvements (LMRWD No. 2021-040), pending the receipt of the NPDES permit and contractor contact information, and continued coordination with the City on future development projects that may utilize any excess filtration volume provided in the proposed underground BMP. The motion was seconded by Manager Raby. Upon a vote being taken the motion carried unanimously.

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

7. COMMUNICATIONS

- A. Administrator Report:** Administrator Loomis noted the report was completed and posted to the website and she apologized that she may not have notified the Board when it was posted. She updated the Board on two items that were not on the report. She was at the Carver County Fair with the Carver WMO booth for a shift on Saturday morning. The second item is in regards to Study Area #3; she received a call from the property owner's representative that the owner is considering donating that area of the property and wondered if the LMRWD would be

interested in acquiring the property. In discussions with the City there is not an easement to get down to this area to address the issue. Administrator Loomis has been looking at other groups that may be interested in acquiring the property as she does not think the Watershed wants to own property other than the dredge site. Ms. Loomis stated that the property owner does not want to donate the land to the City as there has been some contention between the city and the property owner over plans and permission to subdivide the property.

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

8. ADJOURN

At 9:16 pm, President Hartmann made a motion to adjourn the meeting. Manager Raby seconded the motion. Upon a vote being taken the motion carried unanimously.

The September 1, 2021 meeting has been cancelled. The next meeting of the LMRWD Board of Managers meeting will be 7:00, Wednesday, September 15, 2021 and will be held at the Carver County Government Center, 602 East 4th Street, Chaska, MN. Electronic access will also be available.

Lauren Manager Salvato, Secretary

Attest:

Linda Administrator Loomis, Administrator



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Minutes
Citizen Advisory Committee
Tuesday, August 3, 2021
Spyglass Drive, Eden Prairie, MN

1. Call to Order and Roll Call

The meeting was called to order at 9:10 a.m. by Vice-Chair Karkowski. Roll call was taken. The following members were present: Judy Berglund, Theresa Kuplic, and Jenny Karkowski.

2. Approval of the Agenda

Berglund moved to approve the August agenda, and this was seconded by Kuplic. The following attendees voted in favor of the motion: Karkowski, Kuplic, and Berglund. No one voted against the motion.

3. Approval of the August Minutes

Berglund moved to approve the August minutes, and this was seconded by Karkowski. The following attendees voted in favor of the motion: Karkowski, Kuplic, and Berglund. No one voted against the motion.

4. Citizen Input on Non-Agenda Items

There was no input.

5. New Business

There was no new business.

6. Old Business

Hold the Water Back—priority discussion.

At the last meeting, the CAC created a list of priorities (cost-share grants, runoff, rain gardens, native plants, salt reduction, rain barrels, watershed education, and resident success stories) to focus their outreach efforts on. Jen Dullum shared the list with the CAC to narrow it down further on what to prioritize first. Judy Berglund suggested that rain gardens and native plants are focused on first and cost-share grants second. The CAC agreed and suggested that any materials created should include where to purchase native plants and who to consult when creating your own rain or native plant garden. CAC members also hope to share resident success stories related to cost-share grants in any materials developed.

The conversation moved on to tabling events that the District and the CAC could be involved with. The CAC will be involved in the development of outreach materials, including the rain

garden and native plant handout for 2022 events.

7. Communications

Linda Loomis mentioned the pollinator summit at the Minnesota Landscape Arboretum in September as an opportunity for CAC members to attend. Both Judy Berglund and Theresa Kuplic showed interest in attending. Linda also shared plans for the district bus tour on September 24, 2021. The CAC is invited to attend.

Next, the CAC discussed bringing speakers into the meetings on different topics. Speakers from the University of Minnesota on turf and native plantings and watersheds were suggested as well as a master gardener.

Last, the CAC then discussed in-person and virtual meetings. As it was left, the CAC will determine month to month whether to meet in person or virtually. September and October's meetings are planned to be in person at an outdoor location to be determined.

8. Adjournment

Berglund moved to adjourn the meeting, and this was seconded by Karkowski. The following attendees voted in favor of the motion: Karkowski, Kuplic, and Berglund. No one voted against the motion.

The next meeting will be on September 7, 2021, at 9:00 a.m.



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, September 15, 2021

Agenda Item

Item 4. E. – Authorize Final payment to Inte-Fluve, Inc. for Area #3 validation/design project

Prepared By

Linda Loomis, Administrator

Summary

The LMRWD has received the final invoice for the project with Inter-Fluve, Inc to validate recommendations of previous investigations of Area #3 in Eden Prairie.

The goal of this project was to validate a study and recommendations from a [2010 report prepared by Wenck Associates, Inc.](#) for the LMRWD. Inter-Fluve conducted several investigations of the site, including a bathymetric survey. The LMRWD concluded that stabilization of the river bank along this reach of the river would not adequately protect the slope above from failure. The District therefore terminated the work with Inter-Fluve and this is the final invoice. Staff has reviewed the invoice and is recommending payment conditioned upon receipt of the detailed bathymetric survey.

Attachments

Final Invoice from Inter-Fluve, Inc.

Recommended Action

Motion to authorize payment subject to receipt of detailed bathymetric survey.



Inter-Fluve, Inc.
 501 Portway Ave., Ste. 101
 Hood River, OR 97031
 Office: (541) 386-9003

Lower Minnesota River Watershed District
 112 E 5th St
 #102
 Chaska, MN 55318

Invoice number 21-04-07-03
 Date 09/10/2021

Project **21-04-07 Area 3 Minnesota Riverbank Stabilization**

Billing Period Through 09/10/2021

Invoice Summary

Description	Contract Amount	Prior Billed	Total Billed	Current Billed	Remaining
Task 1: Project Management	14,804.00	3,493.50	4,767.50	1,274.00	10,036.50
Task 2: Alternative Review and Validation	50,705.78	37,662.46	48,614.46	10,952.00	2,091.32
Task 3: Preliminary Design (60%)	30,411.00	534.00	534.00	0.00	29,877.00
Task 4: Final Design (90%)	31,595.00	0.00	0.00	0.00	31,595.00
Task 5: Bid Documentation (100% Design)	46,701.22	7,532.42	7,654.39	121.97	39,046.83
1.1 - Project Management(Closed - disregard)	0.00	0.00	0.00	0.00	0.00
Total	174,217.00	49,222.38	61,570.35	12,347.97	112,646.65

Task 1: Project Management

Professional Fees:

	Hours	Rate	Billed Amount
Senior Staff	6.50	178.00	1,157.00
Administration/Clerical	1.50	78.00	117.00
Phase subtotal			1,274.00

Task 2: Alternative Review and Validation

Professional Fees:

	Hours	Rate	Billed Amount
Principal	1.00	247.00	247.00
Senior Staff	2.50	178.00	445.00
Staff	71.25	144.00	10,260.00
Phase subtotal			10,952.00

Task 5: Bid Documentation (100% Design)

Project Expenses:

	Units	Rate	Billed Amount
Miles	198.00	0.616	121.97

Invoice total **12,347.97**

Aging Summary

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
21-04-07-02	07/26/2021	23,044.92		23,044.92			
21-04-07-03	09/10/2021	12,347.97	12,347.97				
	Total	35,392.89	12,347.97	23,044.92	0.00	0.00	0.00



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, September 15, 2021

Agenda Item

Item 5. A. Report on Nonyphenol & Sedimentation History in Riverine Lakes

Prepared By

Linda Loomis, Administrator

Summary

The final report on the Nonyphenol & Sedimentation History in Riverine Lakes in the Twin Cities Metropolitan Area was previously provided to the Board. Dr. Carrie Jennings will attend to September Board meeting to make a brief presentation of the report to the Board and to answer any questions the Board may have.

Attachments

[Nonyphenol & Sedimentation History in Riverine Lakes in the Twin Cities Metropolitan Area](#)

Recommended Action

No action recommended



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, September 15, 2021

Agenda Item

Item 5. B. – Request from Coalition for a Clean Minnesota River

Prepared By

Linda Loomis, Administrator

Summary

In 2018, Mr. Scott Sparlin, Executive Director for the Coalition for a Clean Minnesota River, requested the LMRWD provide financial assistance to an initiative to seek legislative funding for water storage projects within the Minnesota River watershed. The LMRWD agreed to fund the project over the course of two years (\$5,000 per year). The District provide funds as a match to other funds raised for the project.

In 2021, the Minnesota Legislature included funding for water storage projects and now Mr. Sparlin is planning to request federal funds for projects. He is requesting that the LMRWD consider funding this work. A request from Mr. Sparlin is attached along with a timeline and budget for the project. The 2022 budget has funds that could be used for this project. Funds could come from either the Education line or from the Watershed Resource Restoration Fund.

Attachments

LMRWD Funding Request dated 9/21/2021

Draft Workplan Timeline for the LMRWD dated 9/21/2021

Recommended Action

Motion to approve funding request as a match to other funds raised

9-2-21

Lower Minnesota River Watershed
Linda Loomis, Administrator
112 5th St. East, Suite 102
Chaska, MN 55318

Building on our success in securing a Water Storage Program for the Minnesota River Basin this past legislative session, The Minnesota River Congress is now moving into the federal phase of our Water Storage Initiative. Our goal is to secure federal funding for the program by engaging our Minnesota Senators and Representatives to create legislation and/or gain access to current legislation. This action will provide the state program the adequate resources it will need to be implemented basin-wide and to the scale it needs to have significant impacts on the river system.

We are asking for \$10,000 over the next 2 years to cover a portion of our initiative's costs related to accomplish this goal. As in the past we are seeking funding from all partners to the degree they can give. The dollars you have donated in the past have made it easier to raise funds overall and with everyone chipping in something it makes us all good partners.

We appreciate your past support of our collective efforts and are asking for your support to continue this important work. We need funds to see this to its fruition. We highly value our partnership and will work diligently to make this a reality. We are also continuing to grow our already significant support for this critically needed program and with you on board we are stronger.

Contact me any time at 507 276 2280 or sesparlin@gmail.com

Thank you for your most serious consideration

Scott Sparlin Coordinator/Facilitator, Minnesota River Congress
Executive Director, the Coalition for a Clean Minnesota River

Minnesota River Congress/CCMR Water Storage Legislative Initiative
Work Plan-Timeline 9-1-21 to 7-1-23

September 1st, 2021, to July 1st, 2023

On behalf of our partnership, I have already made contacts with Senator Tina Smith's staff and Senator Amy Klobuchar's staff and have begun the process of setting up direct meetings to strategize best ways of moving to obtain federal support for our new state Water Storage program. I will meet in an on-going capacity with the two senator's staff and will attempt to also meet in person with the senator's themselves when they are in Minnesota in this regard. I will use electronic media communications daily to assess and accelerate progress and do the associated work involved in gaining key support from those decision makers at the federal level regarding the senate. This will involve some travel to and from the Metro and other Minnesota cities on occasion.

I and members of our partnership will also contact key Minnesota U.S. Representatives and their staffs to strategize and identify those in leadership roles who can gain support for and move legislation through the U.S. House. This will require on-going electronic and in person communications. Some of the communications will require travel to the metro and various parts of the state.

I will continue to meet with state agency staff, commissioners, Watershed Districts, SWCD's and local units of Government as well as Tribal Governments to help make the current Water Storage program at the state level a success. This will be by creating a set of parameters and developing a criterion for potential projects of all size and scope. Process will be key in the success of the program and demonstration of the various sizes and types of water storage needs to be completed. This action will create the interest needed to secure federal funding. Parts of this action will also possibly take over a year to complete and demonstrate.

I will provide a first-year report to the LMRWD by 9-1-22 and a final report by the ending date of 7-1-23

Periodic updates will always occur and will be forwarded as the process continues. **Total of on-going tasks \$5,000.00**

Minnesota River Congress/CCMR Water Storage Legislative Initiative
Draft Work Plan-Timeline 9-1-21 to 7-1-23

January 15, 2021, to December 15th, 2022

I and our partnership will have identified high priority funding sources including both existing sources and potential legislative bills that would need to be developed. All the work associated with the legislative process would need to include that of intensive monitoring, assessment and numerous meetings and process requirements such as developing and delivering testimony and consultations with various legislative staff and partners

Total \$3000.00

December 15th, 2022, to July 1st, 2023

I and partners will foster the final phases of advancing legislation or federal program development or modification and monitor and accelerate either existing situation to its final approval and enactment as law. This will also entail a great deal of electronic and in person communications and travel will also be required. Further monitoring and development of program parameters will most likely also be needed in the final phases prior to federal approval.

Total \$2000.00



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, September 15, 2021

Agenda Item

Item 5. C. – Appletree Condominium Cost Share Application

Prepared By

Linda Loomis, Administrator

Summary

The LMRWD received an application under its Cost Share Program for a project at the Appletree Condominiums. The project is located at 8121 34th Avenue South, Bloomington, MN, and a large portion of the property is within the Steep Slope Overlay Zone. The purpose of the project is to prevent erosion of the steep slope behind the condominium building. The application is attached.

Young Environmental Consulting Group was asked to review the Cost Share Application and their review is attached to this Executive Summary.

Staff is recommending approval of the Cost Share Application and that the Association apply for a permit from the LMRWD.

Attachments

Appletree Condominium Cost Share Application

Technical Memorandum dated September 13, 2021 – Appletree Condominium Association Cost-Share Review

Recommended Action

Motion to approve Cost Application for Appletree Condominium Association



LOWER MINNESOTA RIVER
WATERSHED DISTRICT

Cost share grant application 2021

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

Project type (check all that apply) Raingarden Vegetated Swale Infiltration Basin
 Wetland restoration Lake/creek/wetland buffer Conservation practice
 Shoreline/bank stabilization Pervious hard surface
 Other Steep Slope Overlay District

Applicant Information

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

Appletree Condominium Association

Address (street, city and ZIP code): 8121 34th Ave. S., Bloomington MN 55425

Phone: _____ Email address: _____

Primary Contact (if different from above)

Name of Organization or Individual Applying for Grant (to be named as Grantee): Tom Fahey, primary contact.

Address (street, city and ZIP code): 8121 34th Ave. S., Unit 201, Bloomington MN 55425

Phone: Mobile 651-503-8903

Email address: thfahey@comcast.net

Project location

Address (street, city and ZIP code): 8121 34th Ave. S., Bloomington MN 55425

Property Identification Number (PID): There are 45 separate condominium units, each owned separately.

Property Owners: See Exhibit #5

Project Summary

Title: Erosion Control & Maintenance Project

Total Project Cost \$21,673

Grant amount requested \$7500 or more if possible.

Estimated start date: 01Nov2021

Estimated completion date: 01Jun2022

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

Project description: [See Attachment file, page 1](#)

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

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

Project Details

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

- | | |
|--|---|
| <input checked="" type="checkbox"/> location map- Exhibit #1 | <input checked="" type="checkbox"/> project timeline- Exhibit #4 |
| <input checked="" type="checkbox"/> site plan- Exhibit #2 Current Conditions | <input checked="" type="checkbox"/> proof of property ownership- Exhibit #5 |
| <input checked="" type="checkbox"/> & design schematic- Exhibit #3 | <input checked="" type="checkbox"/> plant list & planting plan- Exhibit #4 |
| <input checked="" type="checkbox"/> contractor bid- Exhibit #4 | |

Description

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

[See Attachment file, pages 1-2](#)

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

[See Attachment file, page 3](#)

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

[See Attachment file, page 4](#)

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

- | | |
|---|---|
| <input checked="" type="checkbox"/> improve watershed resources | <input checked="" type="checkbox"/> Foster water resource stewardship |
| <input checked="" type="checkbox"/> increase awareness of the vulnerability of watershed resources | |
| <input checked="" type="checkbox"/> increase familiarity with and acceptance of solutions to improve waters | |

How does the project support the goals you checked?

[See Attachment file, page 5](#)

Project Details (continued)

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

Benefit	Amount
Water captures [^]	see footnote --> gal/year
Water infiltrated	gal/year
Phosphorus removed	lbs/year
Sediment removed	lbs/year
Land restored	approx 8600* sq. ft. & see footnote below

* Gravel replaced with Mesic Southwest seed mix: (310' X 13') approx 4000 sq. ft.
 Invasive species removed: (310' X 10') approx 3100 sq. ft.
 Bare dirt seeded with Fescue turf: (30' X 50') approx 1500 sq. ft.

[^] estimate 50% water capture of the rainfall from (300' X 12') approx 3600 sq. ft. of horizontal surface area on the sloping south side of the building & another 5500 sq. ft. that falls on gravel replaced and bare dirt replaced area will be captured. During spring snow melts the sq. ft. capture will be much greater because a significant amount of snow blows off the (64' X 300') approx 19,200 sq. ft. roof & collects on the sloping south side of the building & the ground below.

How will you share the project results with your community?

See Attachment file, page 6

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

See Attachment file, page 6

Evaluation

How will the project be monitored and evaluated? See Attachment file, page 7

Maintenance agreement

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

Authorization

Name of landowner or responsible party Maureen Olstad, President & Tom Fahey, Secretary Appletree Condo Assoc.

Signatures Maureen Olstad & Tom Fahey Date 20 August 2021

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

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

Mail the completed application to:

or Email to:

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

Linda Loomis, Administrator
naiadconsulting@gmail.com

Attachments - LMRWD Grant application
(page 1 of 7)

PROJECT DESCRIPTION:

The Appletree Condominium Association property is located entirely within the boundaries of the Lower MN River Watershed District (LMRWD). In addition, the property on the south side of the building is also within the Steep Slopes Overlay District (See Exhibit #1 "Location Maps").

An existing gravel surface 10-14 feet wide and approximately 300 feet long on the south side of the building will be removed, new topsoil will be brought in as needed. The south side will be planted with a Mesic Prairie Southwest seed mix and the east side with shade tolerant fescue seed. In addition, the first approximate 10-15 feet of the embankment on the south side of the building will be cleared of buckthorn, wild grape, a few dead trees, and some, but not all other growth, to provide additional sunlight for the prairie seed. The trees on the east side will be trimmed to provide more sunlight for the turf.

PROJECT DETAILS

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

Current site conditions:

An aerial photograph with annotations, as well as a legend are provided to help explain current conditions at the 8121 34th Ave S, Bloomington, MN 55425 project site (See "Current Conditions Diagram" and "Legend"). Existing gravel area, drain tile, top of the embankment, double silt fence, approximate property lines, and trees to be trimmed are highlighted on the photo and in the legend. Gravel, drain tile, and silt fence were installed in spring 2020 as part of a separate building repair project. All proposed erosion control work will be done on the south and east sides of the building. Future work, on the west side of the building, as a separate project, is anticipated after a 146-unit apartment building is completed, located at 8131 34th Ave S., which is immediately to the west of the project site.

Site History:

It appears, based on original 1984 owners' anecdotal information and drill core results from 1997, some fill had been placed at the site, prior to 1984 construction of the building.

In November 1997 a Geotechnical Evaluation Report for Lindberg Pierce Architects, Inc. in response to a proposed Driveway Reconstruction and Groundwater Monitoring Program, was performed by Braun Intertec at the site. Excerpts from the 12 December 1997 summary letter state:

"Four soil borings were completed in the project area. Fill was encountered in two of the borings to depths of 8 1/2 and 12 feet. The fill consisted primarily of silty sand with lesser amounts of clayey sand. ... Groundwater was observed in one of the borings 24 feet below the ground surface and about 35 feet below the sub-basement of the building. Groundwater was not observed in the other borings."

The 12-page Geotechnical Evaluation Report goes into more detail regarding the 2nd goal for performing the soil borings:

"... (2) determine groundwater elevations and provide recommendations for minimizing the potential for groundwater seepage into the building."

**Attachments - LMRWD Grant application
(page 2 of 7)**

Site History: (continued)

"B. Results

...

B.5. Site Hydrogeology

... Seasonal fluctuations in groundwater levels are generally less than 5 feet over a year. As the water table was encountered at 35 feet below the sub-basement floor of the condominiums, the seepage encountered in the building does not appear to be from the groundwater table. Because continued monitoring of the water table would not provide any additional useful information regarding the building seepage, the piezometers were not installed."

"C. Analyses and Recommendations

...

C.4. Seepage Review

Based on the depth of the water table at the site, the seepage problems in the building do not appear to be related to the groundwater table. The basement seepage is probably primarily a result of infiltration of surface drainage from the higher ground and paved surfaces north and west of the building. After the water infiltrates the surface, it probably percolates down alongside the building foundation walls until it encounters a relatively impermeable layer, such as clay or compacted silty sand. The water collects on top of the relatively impermeable layer and then seeps into the building. If infiltration can be reduced by not allowing water to pond adjacent to the building, seepage can likely be reduced.

We understand the condominium association has obtained a proposal to address surface runoff by such measures as resloping the land around the condominium and installing drains. We recommend you proceed with this course of action. Proper installation of rain gutters and downspouts will also reduce potential adverse runoff."

Past Management attempts:

The existing 12-16 feet of relatively flat surface immediately south of the building has undergone several water and erosion control management efforts over the last 24 years since 1997.

Retaining walls have been constructed above existing grade next to the building and soil has been hauled in to backfill around the retaining walls. Retaining walls were removed approximately 10 years ago and seeding with prairie plants was attempted soon after. Seeding was relatively unsuccessful due to no maintenance performed during the initial 1-2 years after seeding.

More recently, in spring 2020, drain tile was installed next to the south side of the building, in coordination with an engineer; general contractor; and City of Bloomington. The entire approx. 300 feet along the building had river rock laid over the drain tile at the time of installation, extending 2-3 feet from the building. The drain continues from the east side of the building another 130 feet, buried without river rock at the surface (see Current Conditions Diagram & Legend). This was the latest effort to control erosion on the south side of the building at a cost of \$25,000. The follow-on planned Erosion Control and Maintenance Project is the next step in this effort, after a southside building repair project is completed Fall 2021.

**Attachments - LMRWD Grant application
(page 3 of 7)**

PROJECT DETAILS (continued)

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

The primary objective of the Erosion Control and Maintenance Project is to maintain the stability of the steep slope and to reduce bluff erosion by removing the semi-impervious gravel surface and seeding with Mesic Prairie Southwest seed mix. The seeding will extend the 10-14 foot width of the removed gravel surface area as well as another 1-5 feet down the embankment to an existing double silt fence that was installed at the beginning of the building repair project in Spring 2020. After seeding is completed, a double-sided, natural erosion blanket will be installed over this area. It will then be mowed and weeded three times during the first 12 months of growth per Native Landscape Maintenance procedures and once per year thereafter. The 10 additional feet beyond the silt fences, down the embankment will have buckthorn, wild grape, a few dead trees, and some, but not all other growth removed and will be seeded with a cover crop to further protect the hillside from erosion during the first 12 months after project completion. This 10-foot area will also be periodically cut to manage woody and invasive species.

Associated objectives are to protect the water quality of nearby Long Meadow Lake and the Minnesota River by minimizing erosion, nutrients and other contaminant loadings from the steep slope in and near the project area as well as reducing sedimentation down gradient. In addition, the replacement of gravel surface with prairie plants will allow more ground water recharge. Lastly, the native prairie plantings and removal of a relatively small area of invasive species could be the first, small step in a larger effort to encourage Native plantings that enhance natural vegetation on the steep slope and enhance the biological and ecological functions of noninvasive vegetation on steep slopes (see the section describing: “other projects that could be initiated as a result of this one”).

Hantho Outdoor Service will be the contractor responsible for implementing the project (for more details see the spreadsheet containing Contractor (Hantho) Quote/Bid & Planting Plan with Cost Share Worksheet & Project Timeline).

**Attachments - LMRWD Grant application
(page 4 of 7)**

PROJECT DETAILS (continued)

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

Andy Marchant, Hantho Outdoor Services

Contact Info: Cell 612-990-9357 | Office 763-477-5011, Email: andy@hanthofarms.com
2230 Edgewood Avenue S, Suite 4, St. Louis Park, MN 55426

Role: Project Manager

Appletree Condominium Association, Landscape Committee

Contact Info (Committee Members):

Pam Bott, Email: pamela.bott@comcast.net

Phil Burke, Email: a2zburke@gmail.com

Mary Cole, Email: mary@pscop.com

Tom Fahey, Chair, Cell: 651-503-8903, Email: thfahey@comcast.net

Brad Pedersen, Email: bbappletree@comcast.net

Committee's Mission: Recommend and take cost effective actions to ensure well maintained, safe, useful, inviting and aesthetically pleasing outdoor spaces that preserve or enhance the property values of our homeowners:

- 1) Continue to minimize need for lawn maintenance as deemed appropriate
- 2) Minimize and/or eliminate use of chemicals for weed control, etc.
- 3) Use native plants and/or organic materials where deemed appropriate for ground cover and erosion control
- 4) Minimize and/or eliminate need for watering when & where deemed appropriate.
- 5) Minimize noise from mowing, etc.

Committee's Proposed 2022 Goals:

- 1) Community outreach supporting objectives of the LWRWD Grant program.
- 2) Oversee implementation & help implement long term maintenance of the Erosion Control Project.

Appletree Condominium Association, Board

Contact Info: Maureen Olstad, Board President. Cell: 952-210-3435, Email: maureenolstad@gmail.com

Role: Oversight of the Landscape Committee

City of Bloomington

Contact Info: Bryan Gruidl, Office 952-563-4557, Email: bgruidl@bloomingtonmn.gov

Role: Sr. Water Resources Manager, provided input during the planning stage for our Erosion Control Project.

Contact Info: Barb Wolff, Office 952-563-4706, Email: bwolff@bloomingtonmn.gov

Role: Special Projects & Initiatives Manager & Appletree Condominium Association member helping with grant application & Erosion Control Project & Maintenance Plan implementation.

**Attachments - LMRWD Grant application
(page 5 of 7)**

PROJECT DETAILS (continued)

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

- improve watershed resources
- Foster water resource stewardship
- increase awareness of the vulnerability of watershed resources
- increase familiarity with and acceptance of solutions to improve waters

• **How does the project support the goals you checked?**

- Improve watershed resources

The section that outlines the objectives and expected outcomes for this Erosion Control & Maintenance project describes how we intend to help protect the water quality and allow more ground water infiltration, as well as help support noninvasive vegetation on steep slopes.

This relatively small project has the potential to be the catalyst for several other larger projects in the same area of the Steep Slopes Overlay District within the LMRWD. The outreach we plan to accomplish is further described in the section that identifies other projects that could be initiated as a result of this one and is intended to accomplish the below three goals:

- Foster water resource stewardship
- increase awareness of the vulnerability of watershed resources
- increase familiarity with and acceptance of solutions to improve waters

**Attachments - LMRWD Grant application
(page 6 of 7)**

PROJECT DETAILS (continued)

BENEFITS

- **How will you share the project results with your community?**

In order to apprise the community and continue to build on our Erosion Control and Maintenance Plan, the association plans to reach out to the following organizations to inform them of our restoration and preventative work:

- Minnesota Valley National Wildlife Refuge
- U.S. Fish and Wildlife Service
- The City of Bloomington
- Roers Companies and future developers

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

As a result of the Erosion Control and Maintenance Plan work, the association plans to explore the following potential projects in partnership with the organizations listed above.

- **Minnesota Valley National Wildlife Refuge** – Potential benefits and any adverse effects of exploring a trail access on the south side of the project site through the Minnesota Valley National Wildlife Refuge lands, connecting residents and visitors to the Bloomington Education and Visitor Center and the Bass Ponds Trailhead.
- **U.S. Fish and Wildlife Service** – *Partners for Fish and Wildlife Program* to restore fish and wildlife habitat. The Program primarily restores wetlands, grasslands, forests and stream corridors, of which combinations of these types of habitats are restored on landowner property. The Program focuses on projects that will provide the greatest benefits for complementing National Wildlife Refuge System lands, Federal trust species (migratory birds, threatened and endangered species, and migratory fish), and reducing habitat fragmentation. The Program can assist the association with habitat conservation goals by working one-on-one to improve habitat in order to attract a certain species or restoring the land to its historical ecological state. Restoration may improve populations of many fish and wildlife species and may even result in the recovery of endangered species.

The U.S. Fish and Wildlife Service addresses some of the goals that the association shares: conserve habitat; broaden and strengthen partnerships; improve information sharing and communication; and increase accountability to all landowners.

- **The City of Bloomington** – The association will keep the Water Resources Division apprised of efforts and partnerships in case there are additional funding or educational opportunities that arise in the future.
- **Roers Companies and future developers** – The association has reached out to the developer of the 146-unit senior living apartments proposed on the river bluff immediately to the west of our condominium building. The association has contacted and requested partnering with Roers Companies on future efforts to restore native plant and wildlife habitat. The association plans to continue this outreach and communication with the other two proposed developments on the river bluff northeast of our condominium building.

The association is open and willing to finding additional opportunities for partnerships, public education, and engaging the public in stewardship of the Wildlife Refuge's natural habitat.

**Attachments - LMRWD Grant application
(page 7 of 7)**

EVALUATION

- **How will the project be monitored and evaluated?**

Upon completion of the project, the association will complete and submit a project report to LMRWD within 30 days. Ongoing maintenance of the project site will be undertaken by the association's Landscape Committee. During the first year following the planting of the Mesic Prairie Southwest seed mix, the association will closely monitor the site, performing three mowings and weeding as recommended by the Native Landscape Maintenance procedures. Each year thereafter, mowings and weeding will be performed annually.

The City of Bloomington does not monitor performance of projects that are implemented by private property owners, although the association plans to inform the Water Resources Division of the completed project. Bloomington's Water Resource Specialist Bryan Gruidl was consulted prior to commencing the current south façade project for consultation so the association will reach out to inform Mr. Gruidl of the finished projects in order to conclude our conversations.

Exhibit #1 2021 Cost Share Grant Application

Appletree Condominium Association, 8121 34th Ave South, Bloomington MN 55425

Location Maps – property is within LMRWD & Steep Slope Overlay District

Page 1 of 2

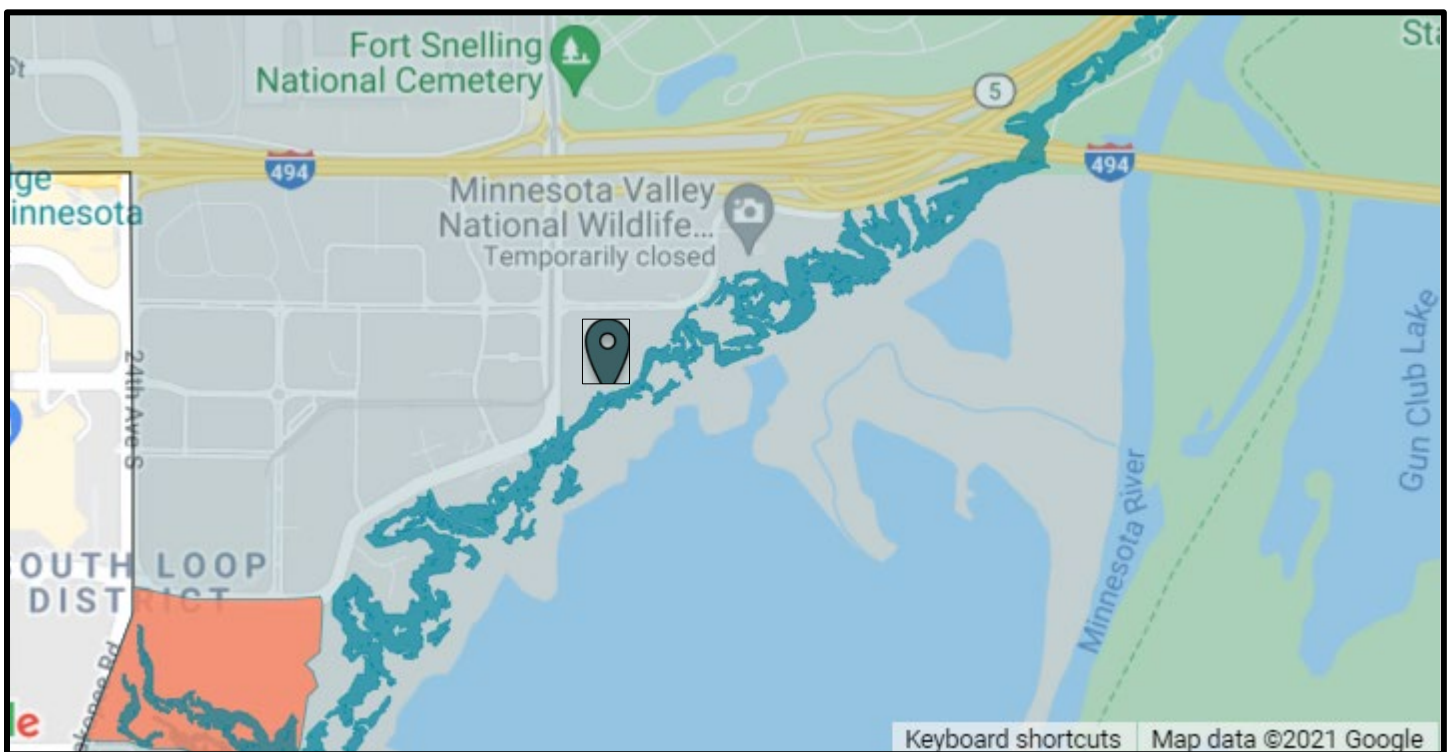
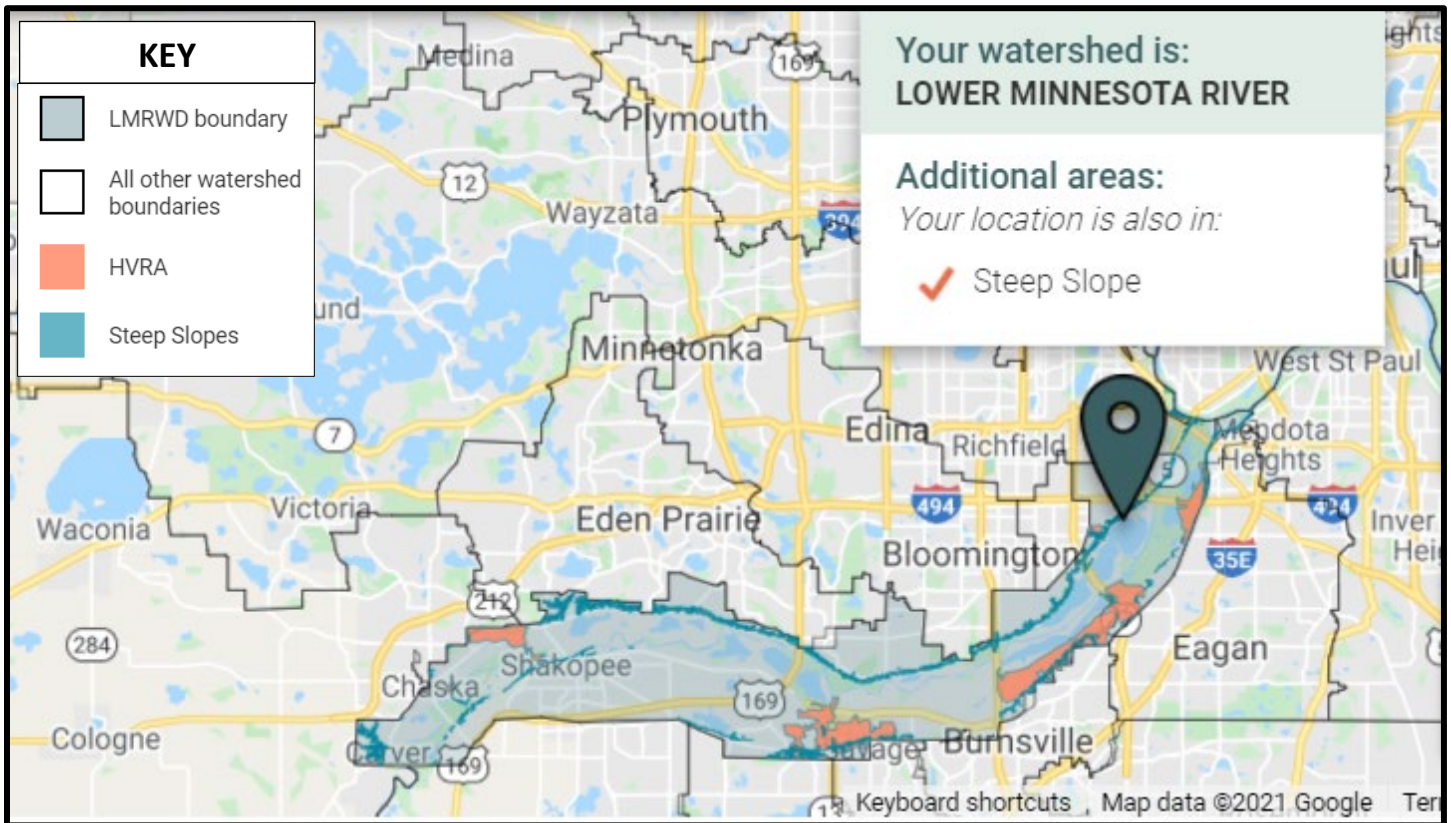


Exhibit #1 2021 Cost Share Grant Application

Appletree Condominium Association, 8121 34th Ave South, Bloomington MN 55425

Location Maps – property is within LMRWD & Step Slope Overlay District

Page 2 of 2

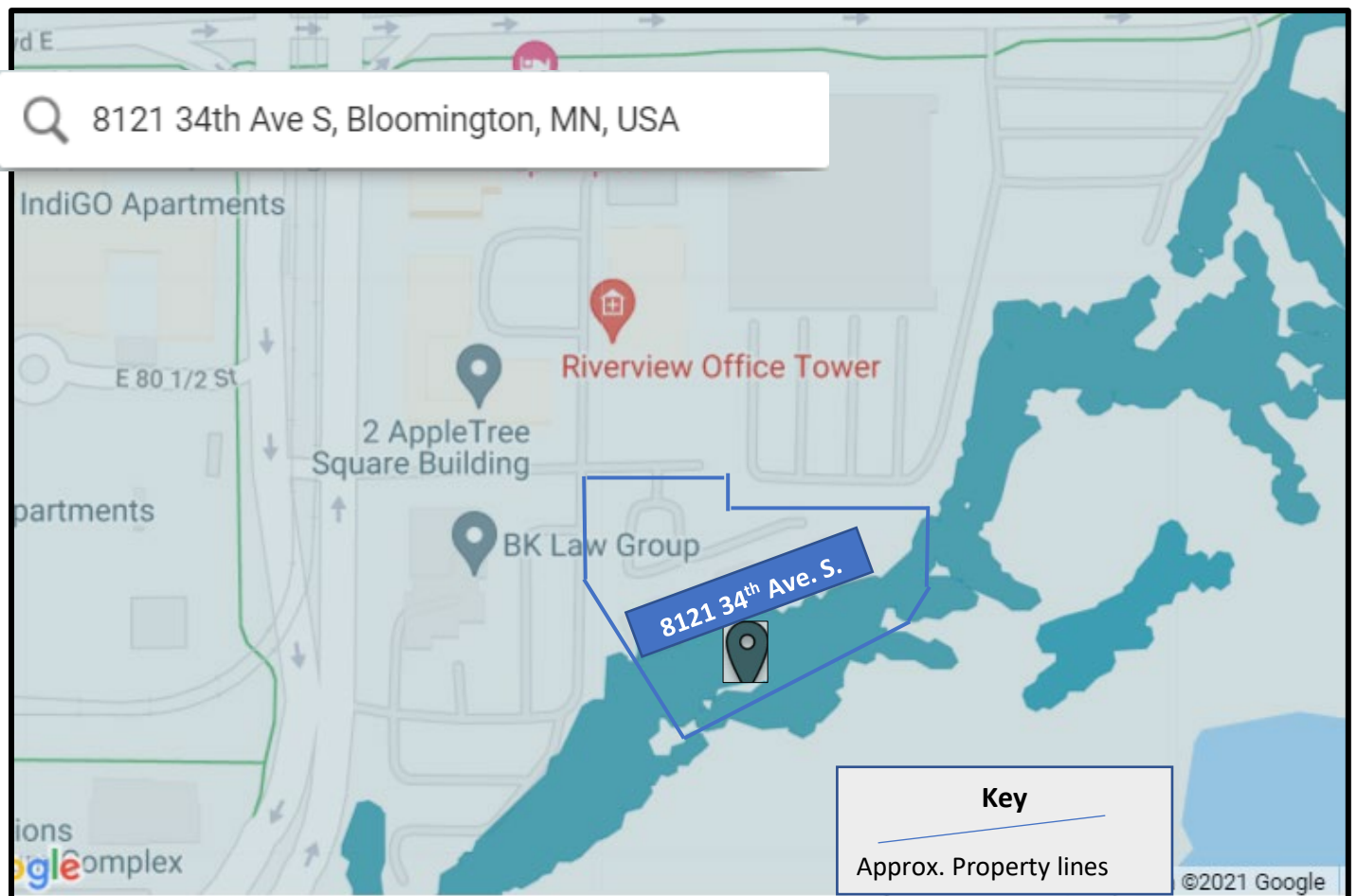
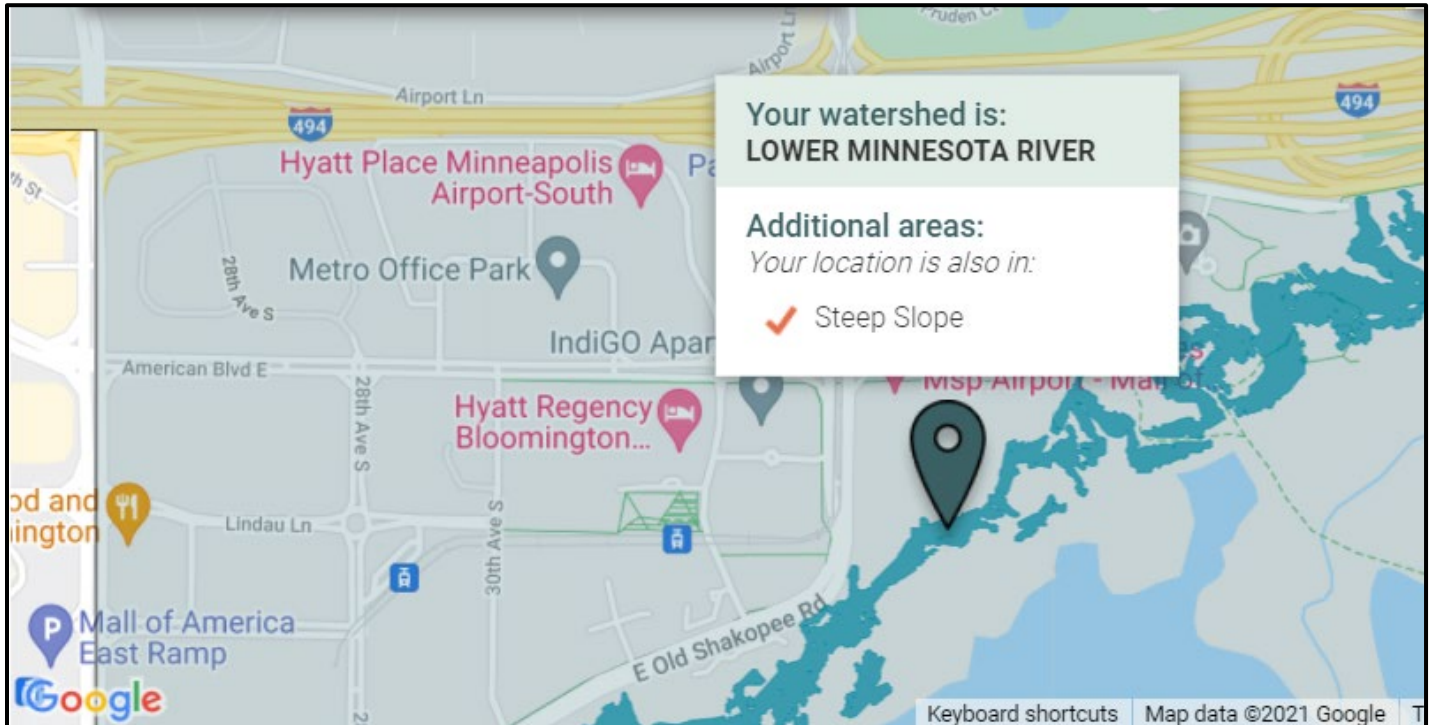


Exhibit #2 2021 Cost Share Grant Application

Appletree Condominium Association, 8121 34th Ave South, Bloomington MN 55425

Current Conditions - Diagram

Prior to Proposed Hantho Outdoor Services Erosion Control Project Work




Exhibit #2 2021 Cost Share Grant Application


Appletree Condominium Association, 8121 34th Ave South, Bloomington MN 55425


Current Conditions - Legend


Prior to Proposed Hantho Outdoor Services Erosion Control Project Work

Legend

 Draintile buried along entire southside of building with river rock at the surface. Extends 2 feet to 3 feet out from the south side of the building, approx 310 feet along length of the building. **Must not be removed.**

 Drain extends underground from east side of building approx 130' to the edge of bluff. **Must not be damaged.**

 13 inch diameter boxelder tree. (located 11 ft E of west edge of bldg & 12 ft from top of the embankment & 7 ft down from 2nd silt fence). To be trimmed or if determined in coordination with City Forester, removed.


 Approximate property lines. (Bldg is approx. 307 feet long. South property line is approx. 90-110 ft from SW corner of the bldg. & approx. 45-55 ft from SE corner of the bldg.)



Gravel area is in light tan color, it extends 12 ft to 16 ft from building to top of embankment (extending 10 ft to 14 ft from edge of river rock to top of embankment).

The top of the embankment is shown as a white line.

Double silt fence is shown in a double grey line & has been placed anywhere from 1 foot to 5 feet down the embankment from the crest. **(Both silt fences to remain until new Mesic Prairie Native seed is 80% established.)**

 Two Maple trees on East side of building. Require trimming.


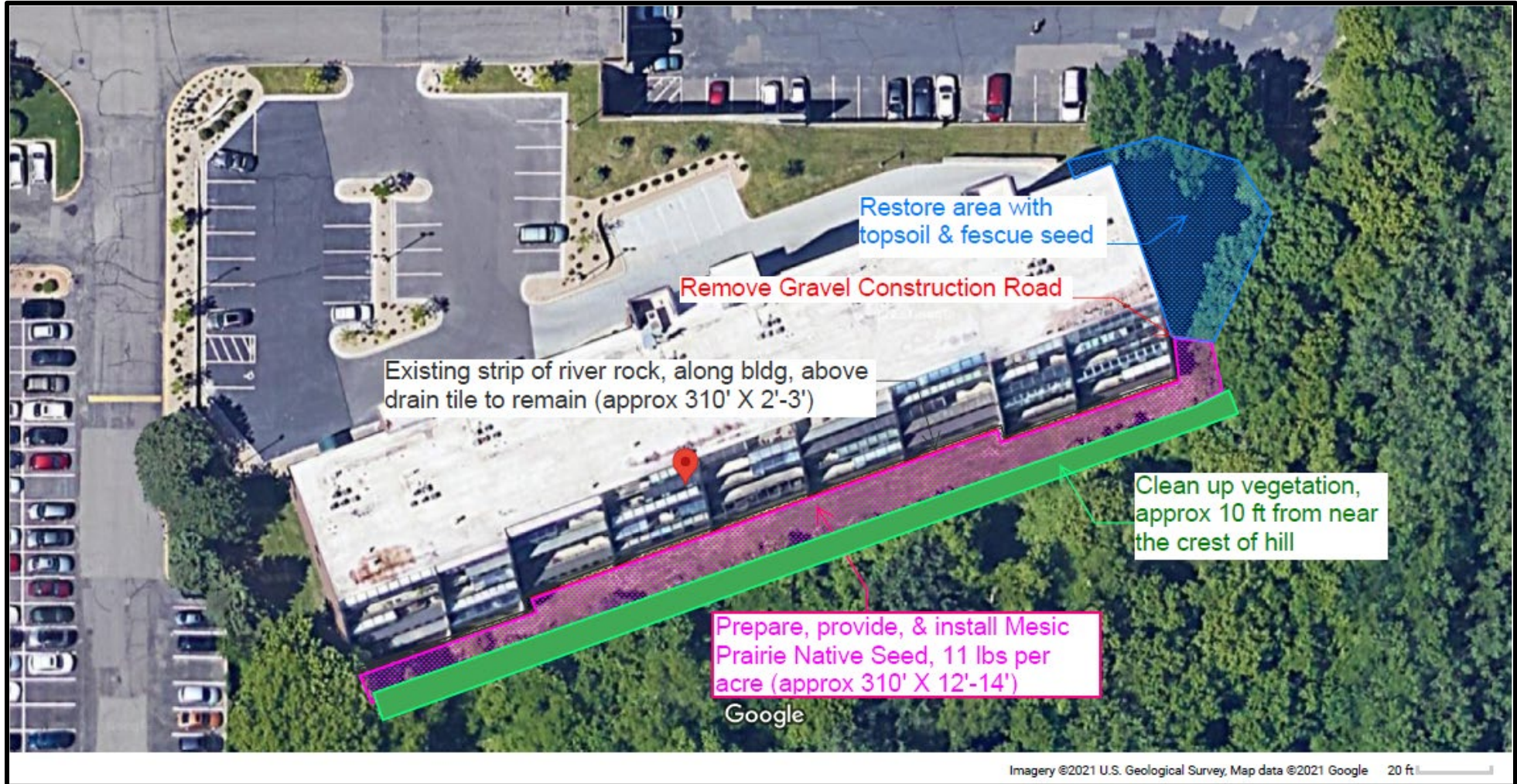
 One Green Ash on East side of building, to be determined if needing trimming or removal.

Exhibit #3 2021 Cost Share Grant Application

Appletree Condominium Association, 8121 34th Ave South, Bloomington MN 55425

Erosion Control & Maintenance Project – Design Schematic

Prepared by Andy Marchant, Hantho Outdoor Services & Appletree Condo Landscape Committee



See spreadsheet with “Contractor Hantho Quote/Bid & Planting Plan with Cost Share Worksheet & Project Timeline” for detailed specifications on the Project. For the list of types & percentages of seed content see the Mesic Prairie Southwest seed chart.

Exhibit #4 2021 Cost Share Grant Application
Appletree Condo Assoc. 8121 34th Ave. S., Bloominton MN 55425

Contractor (Hantho) Quote/Bid & Planting Plan with Cost Share Worksheet & Project Timeline

Tasks Details (including Planting Plan)	Quoted Cost \$	Requested Funds from LMRWD	Matching In-Kind Funds	Total	Approximate Timeline (Tasks timing for each Project Area)
<i>ENTIRE PROJECT AREA</i>					
Apply herbicide to existing vegetation (minimal, just on S periphery & old turf on E.) & remove 30ton of gravel from surface but not river rock over French drain.	\$ 4,253	\$ 1,000	\$ 3,253	\$ 4,253	Fall 2021 or Spring 2022
<i>SOUTHSIDE PROJECT AREA</i>					
Cut all brush & dispose (wild grape vine, small & dead trees, etc) in 1st approx 10ft from silt fence down hill. Trim a 13" dia. tree located on embankment 7' from silt fence (see Current Conditions Exh 1) or cut down if needed after City Forester approval.	\$ 6,832	\$ 3,000	\$ 3,832	\$ 6,832	Late Fall 2021 or Winter 2021-2022, or Spring 2022
Add top soil as necessary, till & rake sfc, plant Mesic Prairie native seed from edge of draintile rock to the silt fence & install double-sided natural net erosion blanket.	\$ 3,638	\$ 3,500	\$ 138	\$ 3,638	Late Fall 2021 or Spring 2022
Silt fence to remain until 80% established.					Hantho to remove 2022 or 2023.
Mow & pull weeds from native area 3 x's per Native Landscape Maint. procedures*	\$ 1,359	\$ -	\$ 1,359	\$ 1,359	Summer 2022; Fall 2022 & Spring 2023
<i>* To be charged approximately \$453 per time when cutting & weeding are performed.</i>					
<i>EASTSIDE PROJECT AREA</i>					
Trim 2 Maple trees & trim or cut down 1 Green Ash if needed after City Forester approval, as shown in Exhibit 1	\$ 1,853	\$ -	\$ 1,853	\$ 1,853	Late Fall 2021 or Winter 2021-2022, or Spring 2022
(fescue). Hydromulch fescue area.					Late Fall 2021 or Spring 2022
<i>IRRIGATION SYSTEM</i>					
Reinstall line, control wires & E side heads.	\$ 3,738	\$ -	\$ 3,738	\$ 3,738	Late Fall 2021 or Spring 2022

TOTAL \$ 21,673 \$ 7,500 \$ 14,173 \$ 21,673

Total Requested Funds from LMRWD	\$ 7,500	A
Total Match/In-Kind Funds by Appletree	\$ 14,173	B
Project Total	\$ 21,673	C

Exhibit #5 (page 1 of 2)

Appletree Condominium Association Owners			
Pins No	Owners Name	Location	Site Unit #
0602723240019	COLE, MARY	8121 34TH AVE S 101	101
0602723240020	ANDERSON, CHAD D	8121 34TH AVE S 102	102
0602723240021	ANDERSON, STEVEN	8121 34TH AVE S 103	103
0602723240022	GONNELLA, JOSEPH C JR	8121 34TH AVE S 104	104
0602723240023	BRINGS, AUDREY L	8121 34TH AVE S 105	105
0602723240024	PEDERSON, GREGG L	8121 34TH AVE S 106	106
0602723240147	HAUGE, ROGER	8121 34TH AVE S 106	107
0602723240026	ROOD, JAMES L	8121 34TH AVE S 108	108
0602723240027	WOLLACK, FORREST L	8121 34TH AVE S 109	109
0602723240028	BOISCLAIR-,FAHEY ANNE L	8121 34TH AVE S 201	201
0602723240029	ANDERSEN, KEITH	8121 34TH AVE S 202	202
0602723240030	ROCKWELL, ROSEMARY T TRUST	8121 34TH AVE S 203	203
0602723240031	MELLING, DUANE B TRUST	8121 34TH AVE S 204	204
0602723240032	OLSON, R. ERIC	8121 34TH AVE S 205	205
0602723240033	WARD, LLOYD C	8121 34TH AVE S 206	206
0602723240034	HARTMANN, STEVEN G	8121 34TH AVE S 207	207
0602723240035	DONDLINGER, ANN K	8121 34TH AVE S 208	208
0602723240036	BURKE, PHILIP ALAN	8121 34TH AVE S 209	209
0602723240037	BOTT, MICHAEL J	8121 34TH AVE S 301	301
0602723240038	WALTERS, KATHRYN A	8121 34TH AVE S 302	302
0602723240039	DELORIA, LAUREL B	8121 34TH AVE S 303	303
0602723240040	CARLSON, DANIEL C	8121 34TH AVE S 304	304
0602723240041	MADY, JOHN S	8121 34TH AVE S 305	305
0602723240042	HAUKOOS, RONALD	8121 34TH AVE S 306	306
0602723240043	WUEST, PAMELA	8121 34TH AVE S 307	307
0602723240044	PEDERSON, BRADLEY F	8121 34TH AVE S 308	308
0602723240045	JOHNSON, KAREN M	8121 34TH AVE S 309	309
0602723240046	HANKE, NANCY H	8121 34TH AVE S 401	401
0602723240047	HUMPHREY, JUDSON B	8121 34TH AVE S 402	402
0602723240048	BARENSCHEER, JAMES	8121 34TH AVE S 403	403
0602723240049	SIMPSON, JAMES R	8121 34TH AVE S 404	404
0602723240050	BEIDLER, JULIE	8121 34TH AVE S 405	405
0602723240051	DOTY, PAMELA	8121 34TH AVE S 406	406
0602723240052	WHITNEY, ROBERT R TRUST	8121 34TH AVE S 407	407
0602723240053	FAHEY, THOMAS H. III	8121 34TH AVE S 408	408
0602723240054	DONDLINGER, PAUL J	8121 34TH AVE S 409	409
0602723240055	HALL, DOUGLAS E.	8121 34TH AVE S 501	501

Exhibit #5 (page 2 of 2)

0602723240056	FORS, LENNART C.	8121 34TH AVE S 502	502
0602723240057	KOPPEN, MARK D TRUST	8121 34TH AVE S 503	503
0602723240058	FJESTAD, STEVEN PETER	8121 34TH AVE S 504	504
0602723240059	GUELICH, JOYCE F	8121 34TH AVE S 505	505
0602723240060	WOLFF, BARBARA L	8121 34TH AVE S 506	506
0602723240061	OLSTAD, KENNETH L	8121 34TH AVE S 507	507
0602723240062	HALER, SCOTT N	8121 34TH AVE S 508	508
0602723240063	SKAAR, OMMUND D	8121 34TH AVE S 509	509

Technical Memorandum

To: Linda Loomis, Administrator
Lower Minnesota River Watershed District

From: Katy Thompson, PE, CFM
Della Schall Young, CPESC

Date: September 13, 2021

Re: Appletree Condominium Association Project Cost-Share Review

The Appletree Condominium Association (Association) is requesting a cost-share grant from the Lower Minnesota River Watershed District (LMRWD) for an erosion control and maintenance project (Project) in the amount of \$7,500. A summary of the Project and Young Environmental Consulting Group's (Young Environmental) recommendation is presented below.

Project Background

The proposed Project is located at 8121 34th Avenue in Bloomington; the condominium building is built on the top of the Minnesota River bluff, and runoff from the Project site enters Long Meadow Lake and ultimately the Minnesota River. The Project area is also located within the LMRWD Steep Slopes Overlay District (SSOD). The \$21,673 Project proposes to remove an existing gravel surface that surrounds the back of the condominium and plant the area with a mesic prairie seed mix on the south side and a shade-tolerant fescue seed on the east side (Figure 1).

The Association has been working to manage surface water runoff and erosion on the south side of the building since 1997. The goals of this project are to maintain the stability of the steep slope behind the building and protect the water quality downstream in Long Meadow Lake and the Minnesota River by reducing erosion and sediment inputs. The Project will improve vegetation and infiltration in an area of approximately 8,600 square feet and is assumed to reduce stormwater runoff by 50 percent. The Association also intends to develop an outreach plan for the project to

- identify similar projects that could be initiated within the SSOD and in partnership with the LMRWD,
- foster water resource stewardship,
- increase awareness of the vulnerability of watershed resources, and
- increase familiarity with and acceptance of solutions to improve water quality.

The Association proposes to reach out to the Minnesota Valley National Wildlife Refuge, the US Fish and Wildlife Service, the City of Bloomington, and Roers Companies to inform them of this Project and preventative work as well as other restoration opportunities the Association has identified.

Discussion

Design Evaluation

In review of the proposed Project, Young Environmental performed a simple analysis to evaluate the applicant's claims in the change in stormwater runoff and developed a HydroCAD model of the Project area to consider the runoff from existing and proposed conditions from the condominium rooftop and surrounding areas shown in Figure 1. The results of this preliminary analysis indicate that for the smaller, more frequent events, such as the two-year design storm, the project will likely exceed the assumed 50 percent reduction in peak runoff rates. In fact, for a one-inch rainfall event, the change in landcover may allow 94 percent of the rainfall to infiltrate. However, for the larger and more infrequent events, such as a 100-year design storm, the peak reduction is reduced to approximately 20 percent. It should be noted that the change in runoff is negligible for spring snowmelt events because the ground is frozen, which prevents infiltration.

The Association expects the Project to help protect the steep slope and prevent erosion within the SSOD. Because the Project will reduce peak stormwater runoff rates, it is reasonable to assume it would also prevent further erosion of the steep slope on the south side of the building.

We also reviewed the change in landcover to quantify the water quality benefits that may result from the project. Replacing the existing gravel surfaces with prairie and turf is estimated to provide approximately 28 percent reduction in both total phosphorus and total suspended solids leaving the Association property and entering Long Meadow Lake and the Minnesota River.

From our analysis, it appears that the Project would provide rate control, volume reduction, water quality, and erosion prevention benefits to the District.

Cost Summary

The Association has requested \$7,500 from the LMRWD to help fund the total Project. In the cost-share grant application, the Association presents quotes obtained from Hantho

Outdoor Services, a landscaping and ground maintenance company located in St. Louis Park, Minnesota. The total cost for the Project is expected to be \$21,673, which includes three years of professional maintenance services. The Project is expected to be constructed in late fall 2021 through spring 2022.

District Permit Requirement

The Project is located within the SSOD and will likely disturb more than 5,000 square feet of surface area and include more than 50 cubic yards of earthwork, triggering LMRWD Rule F—Steep Slopes Rule. A LMRWD permit will be required for the Project before construction activities may commence.

Summary and Recommendations

The Project addresses the following issues and goals outlined in the District's Watershed Management Plan:

- Issue 3: Water Quality
- Issue 5: Erosion and Sediment Control
- Issue 8: Public Education and Outreach
- Goal 2: Surface Water Management—to protect, improve, and restore surface water quality
- Goal 7: Erosion and Sediment Control—to manage erosion and control sediment discharge
- Goal 9: Public Education and Outreach—to increase public participation and awareness of the Minnesota River and its unique natural resources.

The Project embodies the District's strategy to provide educational, technical, and financial assistance to landowners to implement projects that have water quality and water quantity benefits to the District and help the District achieve the goals of its Watershed Management Plan.

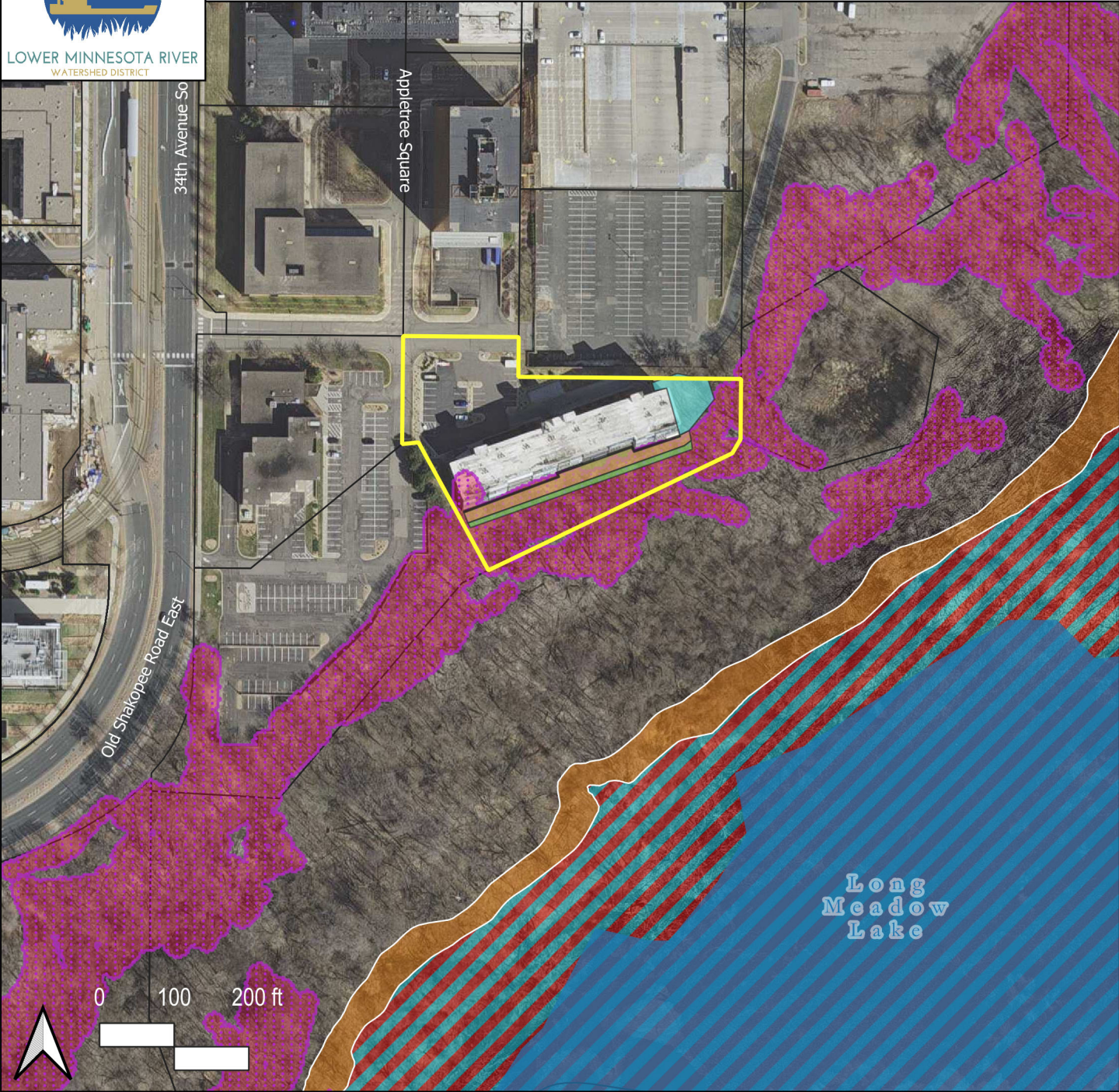
Because the Project goals align with those of the District and the construction will be completed by a qualified contractor, Hantho Outdoor Services, Young Environmental recommends approving the Appletree Condominium Association's request for \$7,500. The project will require a permit from the LMRWD before any construction activities may commence. We recommend the Association apply for the permit as soon as possible to reduce the risk of construction delays.

Attachments











- Figure 1 – Appletree Condominium Association Project Location Map



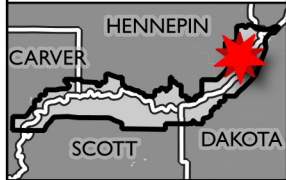
Figure 1: Appletree Condo Association Project Location



LEGEND

-  Project Location
-  Appletree Condo Association
- Proposed Project Features
 -  Fescue Seeding
 -  Mesic Prairie Seeding
 -  Vegetation Management
-  Steep Slopes Overlay District
- Hennepin Co. Floodplain
 -  Floodway
 -  100-yr Floodplain
 -  500-yr Floodplain
 -  Public Waterbodies

LMRWd Watershed Location Map





LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, September 15, 2021

Agenda Item

Item 5. D. Modification to LMRWD Board of Managers meeting Schedule

Prepared By

Linda Loomis, Administrator

Summary

At the December 2020 meeting of the Board of Managers, the Board adopted a 2021 meeting schedule. At the April 2021 meeting, the Board made a motion to modify the meeting and add an additional meeting of the Board on the first Wednesday of the month beginning in May 2021 and continuing until September 2021. The purpose of the additional meeting was to manager the flow of permit applications the District has received.

The Board should affirm that the additional meetings are no longer necessary and make a motion to go back to the 2021 meeting schedule adopted by the Board in December 2020.

Attachments

Page 7 of April 2021 meeting minutes

LMRWD 2021 meeting schedule

Recommended Action

Motion to affirm additional meeting on the first Monday of the month is no longer necessary

Lower Minnesota River Watershed District 2021 Schedule of Regular Meetings

<p>January 2021</p>	<p>February 2021</p>	<p>March 2021</p>	<p>April 2021</p>
<p>Meeting January 20</p> <ul style="list-style-type: none"> • Designate official newspaper • Authorize preparation of Annual Report • Designate official Depository • Annual Conflict of Interest reporting • Report of Outstanding Indebtedness to Counties 	<p>Meeting – February 17</p> <ul style="list-style-type: none"> • February 1 - Update CWF Grant in e-link deadline • Begin annual audit of LMRWD finances 	<p>Meeting – March 17</p> <ul style="list-style-type: none"> • Beginning of term of office for Managers 	<p>Meeting – April 21</p> <ul style="list-style-type: none"> • April 30 - Annual report due to BWSR and DNR
<p>May 2021</p>	<p>June 2021</p>	<p>July 2021</p>	<p>August 2021</p>
<p>Meeting – May 5 Meeting – May 19</p> <ul style="list-style-type: none"> • May 15 - Cost Share Program application deadline • Audit Report Presentation 	<p>Meeting - June 2 Meeting - June 16</p> <ul style="list-style-type: none"> • Financial Audit due to BWSR and OSA • Announce Cost Share Program Grants • Begin 2021 Budget process • Manager Per Diem reimbursement due (first half 2021) 	<p>Meeting – July 7 Meeting – July 21</p> <ul style="list-style-type: none"> • Receive first half of ad valorem tax • 2021 Budget review • Update written data access policy MS 13.025 (August 1 due date) 	<p>Meeting – August 4 Meeting – August 18</p> <ul style="list-style-type: none"> • Public hearing for budget adoption and preliminary certification of levy • Certification of Preliminary Levy (due to Counties September 15) • Adopt Budget before September 15 (MN Statute 103D.911) • Update data practices policy
<p>September 2021</p>	<p>October 2021</p>	<p>November 2021</p>	<p>December 2021</p>
<p>Meeting - September 1 Meeting – September 15</p> <ul style="list-style-type: none"> • Election of Watershed Officers • Review By-Laws • Notify Counties of Expiring terms for Managers 	<p>Watershed Tour – October 2 Meeting – October 20</p> <ul style="list-style-type: none"> • Update Cost Share Incentive and Water Quality Restoration Program • Authorize agreement for Annual Financial Audit 	<p>Meeting – November 17</p> <ul style="list-style-type: none"> • Public hearing (if necessary) for budget adoption and final certification of levy 	<p>Meeting – December 15</p> <ul style="list-style-type: none"> • Receive second half of ad valorem tax for taxes payable 2021 • Certification of final Levy • Manager Per Diem reimbursement due(second half) • Prepare dredge site activity report for city of Savage • December 31 – End of Fiscal Year • December 31 - Annual WOMP report due to MCES

District's inspection and maintenance requirements. The motion was seconded by Manager Raby.

Manager Salvato questioned whether or not a steep slope will be impacted by the project and was there a site visit to confirm. Ms. Thompson said she was concerned with the proximity of the project to the steep slope and consulted the City to compare maps. The construction limit is just outside the District's steep slope overlay district. She said the permit will stipulate that no work is authorized within the steep slope overlay zone.

Upon a vote being taken the following voted in favor of the motion: Hartmann, Mraz, Raby and Salvato; the following voted against: None.

iv. Summerland Place

Administrator Loomis said this is a residential development in the City of Shakopee. She noted the applicant would like to start construction before the District's review is complete. She asked Ms. Thompson to provide the Board with more information. Ms. Thompson explained that this applicant has asked to begin construction before the Board's May meeting. This is a 117 acre development of single family residential homes. The applicant was not aware they needed to get a LMRWD permit. Attorney Kolb asked if the applicant will need to get an NPDES Permit. Ms. Thompson confirmed that is correct. Attorney Kolb point out that the NPDES permit requirement affords the District with a certain level of security the LMRWD rules will be followed should the Board decide to allow construction to move forward before the LMRWD review is complete.

Manager Raby made a motion for conditional approval subject to receipt of financial assurance in accordance with the District's rules. The motion was seconded by Manager Salvato. Upon a vote being taken the following voted in favor of the motion: Hartmann, Mraz, Raby and Salvato; the following voted against: None.

Administrator Loomis said that she and Della Young have talked about the need for an additional monthly meeting. Because Burnsville and Shakopee are seeing a lot of development and neither city has an LGU municipal permit issued by the LMRWD. Both cities are working toward getting a permit, but that is not likely to happen until later this year. In the meantime, LMRWD staff is seeing a lot of permit applications and believes an additional meeting solely for the purpose of the approving permits would help with the work flow.

Manager Salvato asked if this would reduce the time spent on the third Wednesday. Administrator Loomis said it should, but she cannot guarantee that it would. Manager Raby thinks it would have to reduce the meetings on the third Wednesday. Manager Mraz asked how long the need for these meetings would exist and if it was necessary for the full board to attend. Administrator Loomis felt the need for the meetings is temporary. She said it is better to say the Board has decided to hold regular meetings rather than call for special meetings when needed, because of the meeting notice rules in Minnesota Statute.

Manager Mraz asked if the Board could adopt a schedule of Managers to attend. Manager Raby asked if a motion was needed. Attorney Kolb said it was.

Manager Raby made a motion that the LMRWD Board of Managers meet on the first Wednesday of the month from May until September at 7:00pm for the purpose of considering permits application.



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, September 15, 2021

Agenda Item

Item 6. A – Burnsville Projects

Prepared By

Linda Loomis, Administrator

Summary

At the August meeting, the City of Burnsville presented requests for funding for two projects. Scoring of each projects was presented by Young Environmental Consulting Group (YECG). The Board directed that YECG hold further discussions with the City to determine an appropriate level of funding by the District.

An evaluation of additional information and recommendation by YECG is attached. Staff is recommending that the LMRWD not participate in the I 35W Trail project and that the LMRWD agree to contribute \$75,000 to the Willow Creek Ravine Stabilization project

Attachments

Technical Memorandum dated September 13, 2021 – Burnsville Slope Project – Funding Request Review

Recommended Action

Motion to agree to contribute \$75,000 to the City of Burnsville for the Willow Creek slope stabilization project and direct staff to prepare a cooperative agreement between the City and the LMRWD

Technical Memorandum

To: Linda Loomis, Administrator
Lower Minnesota River Watershed District

From: Katy Thompson, PE, CFM
Della Schall Young, CPESC, PMP

Date: September 13, 2021

Re: Burnsville 2021 Slope Project—Funding Request Review

At the August 18, 2021, Lower Minnesota River Watershed District (LMRWD) board of managers meeting, the City of Burnsville (City) presented two projects for which it was requesting funding from the LMRWD—the I35W Trail Project and the 2021 Slope Project (also known as the Willow Creek Stabilization Project). Young Environmental provided a review of the two projects and scored them as moderate-to-low and moderate-to-high priority, respectively. The LMRWD managers requested that Young Environmental work with the City to review the projects further and make a recommendation at the September 15, 2021, board meeting for funding.

Young Environmental and the District Administrator met with the City of Burnsville on September 8, 2021, to discuss the two projects. Upon further review and discussion with the City, the I-35W Trail project is not being recommended for funding because we were unable to identify added value or benefits to the LMRWD in excess of what was previously presented. The Willow Creek Stabilization Project, however, provides quantifiable benefits to the LMRWD in terms of reduction in total suspended solids and total phosphorus loading. Young Environmental requested the City provide a specific request for the LMRWD funding contribution for Willow Creek, which is presented below.

Willow Creek Project Request

The City is requesting a grant from the LMRWD to fund an expansion of the Willow Creek Slope Stabilization project first presented to the managers at the August 18, 2021, meeting. The expansion of the project footprint will stabilize an additional 120 feet of streambank that is actively eroding. The cost for the entire project is \$462,395, and the City is requesting that the LMRWD fund \$75,000, which would cover the material and installation costs of riprap, gabions, and anchored slope protection to stabilize the

failing streambank (see attached estimate).

Funding Recommendations

We recommend the LMRWD approve the \$75,000 request from the Willow Creek Stabilization Project because the project aligns with the following issues and goals outlined in the District's Watershed Management Plan:

- Issue 3: Water Quality
- Issue 5: Erosion and Sediment Control
- Goal 2: Surface Water Management—to protect, improve, and restore surface water quality
- Goal 7: Erosion and Sediment Control—to manage erosion and control sediment discharge

Furthermore, the Willow Creek Stabilization Project follows the District's strategy of partnering with municipalities to leverage financial resources and improve the natural resources within the LMRWD boundaries.

The project is slated to be constructed in late fall 2021 to winter 2022, with final restoration in spring 2022. As part of the cooperative agreement between the LMRWD and the City for these funds, we recommend specifying they can be used for only the bank stabilization items highlighted in Attachment 2. Additionally, because of the extended window between substantial completion and final restoration, we recommend that 90 percent of the grant funds be released to the City, upon request, at substantial completion. The remaining 10 percent should be held until LMRWD staff confirm final site restoration in spring or summer 2022.

Attachments

Attachment 1—Young Environmental Review of City of Burnsville's 2021 Slope Project Funding Request

Attachment 2—City of Burnsville Willow Creek Engineers Estimate

ATTACHMENT 1
August 13, 2021 Funding Request Review Memo

Technical Memorandum

To: Linda Loomis, Administrator
Lower Minnesota River Watershed District

From: Katy Thompson, PE, CFM
Della Schall Young, CPESC, PMP

Date: August 13, 2021

Re: Burnsville 2021 Slope Project—Funding Request Review

In 2018, the City of Burnsville (City) performed a slope stability analysis as part of its asset management program. This analysis identified and estimated the risk of unstable slopes on public and private properties within the City's political boundaries. In its first phase, the analysis involved the development of a slope vulnerability model, followed by a second phase of field verifications to develop recommendations for slope mitigation, further study, or no further action. The City's analysis was similar to the Lower Minnesota River Watershed District (LMRWD) *2021 Gully Inventory and Condition Assessment*, which also relied on desktop methods to identify potential gullies and conduct field surveys to verify their condition. The City has many steep ravines in various states of erosion and the slope stability analysis was used to target which ravines are most in need of maintenance. The City funds its repairs through a biannual Ravine Restoration and Slope Stabilization project included in its annual budget. In 2019, four slopes were stabilized. For 2021, one site, located in a large gully behind 3104 Glenview Drive (see attached memo from WSB and Figure 1), has been selected for repair in the fall of 2021. The severity of the erosion is threatening the home at 3104 Glenview Drive and a 72-inch storm sewer parallel to the ravine. The ravine itself flows under County Road 34 (Williams Drive) and enters the LMRWD, where it eventually discharges into the Minnesota River.

The project location is within the Black Dog Watershed Management Organization (WMO) boundary; however, it is approximately 300 feet upstream of the boundary with the LMRWD and is tributary to the Minnesota River. While not located within the LMRWD, the LMRWD managers have established precedent in funding projects outside of the District boundaries to leverage resources to protect, preserve, and manage water and natural resources within the District. Most recently, the LMRWD partnered with the Riley Purgatory Bluff Creek Watershed District to provide funding for a feasibility study

in 2016 that identified opportunities to improve Riley Creek's water quality and reduce annual sediment transport to the Minnesota River, as well as \$150,000 in funding for the construction of the Lower Riley Creek Ecological Restoration Project in 2019.

As part of the *2021 Gully Inventory and Condition Assessment*, on July 21, 2021, Young Environmental Consulting Group (Young Environmental) staff visited the ravine behind 3104 Glenview Drive and confirmed the instability of the site (see attached survey report. In response to the City's request, Young Environmental completed an initial funding review. Additionally, the City found the homeowners in this area to be receptive to the project and is therefore considering expanding the original scope of the project to stabilize additional failing banks within the same ravine system to maximize the benefits of the project.

Funding Request Evaluation

LMRWD continues to receive requests from municipalities and other partners for project funding support. Historically, because these requests were infrequent and appeared to compete with other requests and priorities, decisions to provide financial assistance were not supported by documented criteria or scoring. Recently, in response to the request from the City of Carver for the levee project, Young Environmental developed the following scoring system, which was applied to the Burnsville 2021 Slope request.

The goal of the scoring system is to establish an impartial and fair evaluation of all District funding requests based on the project's alignment with the goals, policies, and strategies of the LMRWD Watershed Management Plan. Projects are scored on nine different metrics, detailed below, for a possible 82 points.

- 1. Project Type (Maximum 24 points):** The Project Type Score considers whether a proposed project is tributary to an impaired waterway, if it solves an issue previously identified by the community or LMRWD plans, and whether the project is explicitly included in the community or LMRWD plans. Points are awarded based on how well the project aligns with the community or LMRWD plans.
- 2. Plan Goals (Maximum 9 points):** The Plan Goals Score gives credit depending on how well-aligned a proposed project is with the goals of the LMRWD Watershed Plan. Projects are assigned a score of 0 through 9 based on how many of the District's goals are addressed.
- 3. Water Capture (Maximum 7 points):** The Water Capture Score gives credit to projects that meet or exceed the standards for stormwater runoff volume management. Projects are assigned a score of 0 to 7 based on the amount of volume reduction that the proposed project provides.
- 4. Pollutant Management (Maximum 7 points):** The Pollutant Management Score gives credit to projects that meet or exceed the amount of water quality treatment provided beyond what is required for regulatory purposes. Projects without a

pollutant reduction component will receive a score of 0, whereas those that reduce pollutant loading to downstream resources can receive a score of up to 7.

5. **Habitat Restoration (Maximum 7 points):** The Habitat Restoration Score gives credit to projects that provide habitat benefits. Projects with no habitat benefit receive a score of 0. Projects likely to achieve habitat benefits as a secondary project benefit receive a score of 3. Projects that include a replacement of the existing habitat with an improved habitat receive a score of 5. Projects that include habitat creation or enhancement as the primary purpose of the project receive a score of 7.
6. **Bank Stabilization (Maximum 7 points):** The Bank Stabilization Score gives credit to projects that restore or stabilize degraded stream banks or shorelines. A project is assigned a bank stabilization score based on the length of the stream bank or shoreline restored or stabilized and the level of existing degradation. This metric is only applied to projects with a designed restoration component (versus indirect benefits). Projects without a designed stream bank or shoreline restoration component are assigned a score of 0.
7. **Watershed Benefits (Maximum 7 points):** The Watershed Benefits Score gives credit to projects that provide benefits beyond the immediate site location. Scores are based on where the proposed project is located within the watershed, giving greater weight to those near headwaters.
8. **Partnership Opportunities (Maximum 7 points):** The Partnership Opportunity Score gives credit to projects that allow the District to partner with other organizations. The District is interested in being a project partner with its member communities. A project receives the maximum score of 7 if one or more of the partners is a financial contributor to the project.
9. **Public Education (Maximum 7 points):** The Public Education Score gives credit to projects that spread awareness of the District’s projects and their benefits to the public. The score is based on the accessibility of the final project, giving the greatest weight to those on public lands with public access.

Using the total points scored, projects fit into one of four priority categories (low, low-to-moderate, moderate-to-high, and high), as shown in Table 1.

Table 1. LMRWD Funding Request Scoring Priority

Project Score	Priority	Recommended Action
0–19	Low	Do not recommend funding requests at this time; additional information may be needed to evaluate the potential project more fully.

20–40	Low-to-Moderate	Work with project sponsors to incorporate more District goals, policies, or strategies.
41–61	Moderate-to-High	Consider partial funding requests with funding amount and design components that align with District priorities.
62–82	High	Recommend full funding request as presented.

The detailed scoring of the Burnsville 2021 Slope Project is provided in Table 2, below.

Table 2. City of Burnsville 2021 Slope Project Funding Request Scoring

Scoring Metric	Project Comment	Project Score	Max Points
1. Project Type	Although the Burnsville 2021 Slope Project is located within the Black Dog WMO, it is a tributary of the Minnesota River. In addition, the need to address steep slopes and ravine restoration is included in the City's five-year Capital Improvement Plan, 2040 Comprehensive Plan, and 2017 Water Resources Management Plan.	24	24
2. Plan Goals Addressed	<p>The project addresses three of the District's goals:</p> <ul style="list-style-type: none"> • Goal 2—Surface Water Management: The project proposes to stabilize an actively eroding slope that is contributing sediment and phosphorus to the Minnesota River, meeting the intent of the goal, which is to protect, improve, and restore surface water quality. • Goal 4—Unique Natural Resources Management: The project proposes to stabilize an eroding ravine, characteristic of the unique bluff and steep slopes landscape within the LRMWD, meeting the intent of the goal. • Goal 7—Erosion and Sediment Control: The project proposes to prevent further erosion of the slope and restore failed banks, addressing this goal. 	3	9
3. Water Capture	The project does not provide any stormwater runoff volume management, so no points were awarded in	0	7

Scoring Metric	Project Comment	Project Score	Max Points
	this category.		
4. Pollutant Management	In its funding request, the City of Burnsville provided water quality calculations demonstrating that the project would remove large-scale erosion areas and stabilize the banks of the ravine, and would provide an annual reduction in the LMRWD of 22.25 pounds of total phosphorus and 44,500 pounds of total suspended solids.	7	7
5. Habitat Restoration	Although the planting plans have not been provided for the site, by stabilizing and revegetating the ravine, there is opportunity to improve the quality of the area's existing habitat.	5	7
6. Bank Stabilization	The primary purpose of the 2021 Burnsville Slope Project is to stabilize an existing eroded bank and ravine. The site has been evaluated by both the City and its consultants, as well as by LMRWD staff members, all of whom concur that the site is unstable and in need of restoration.	7	7
7. Watershed Benefits	The 2021 Burnsville Slope Project is located slightly above the midpoint of the subwatershed, with approximately 70 percent of the subwatershed located downstream.	5	7
8. Partnership Opportunities	The City of Burnsville has a recurring line item in its annual budget for ravine restoration projects and is a committed partner to the construction of the 2021 Slope project. The City also has a \$500,000 biannual budget item to fund these projects.	7	7
9. Public Education	The 2021 Burnsville Slope Project is located almost entirely on private lands, with a small portion of the project on public lands adjacent to County Road 34 (Williams Drive). There do not appear to be any trails or other public access to the site, which presents limited visibility of the project for the public and therefore limited opportunities for public education as part of this project.	1	7

Scoring Metric	Project Comment	Project Score	Max Points
Total Score		59	82

Project Scoring

Based on the presented information, the 2021 Burnsville Slope Project received a score of 59 points out of a maximum of 82, placing it at the top of the moderate-to-high priority category, three points short of high priority status.

Funding Recommendation

Based on the observations made on July 21, 2021, if the project were located within the LMRWD boundaries, it would be ranked as having moderate erosion probability and the recommendation to monitor the site for future study and collaboration opportunities would be put forward. Because the City has requested a potential partnership with the LMRWD and is looking to maximize the restoration opportunities in the area, we recommend providing funding assistance for the development of the preliminary engineering designs for the expanded footprint and/or contributing to the cost of the construction for the overall project. Because the City has not requested a specific monetary amount from the LMRWD, staff members will continue to coordinate with the City to better understand the financial needs associated with the unfunded portion of the project to provide a funding recommendation.

Attachments

Figure 1. Project Location Map

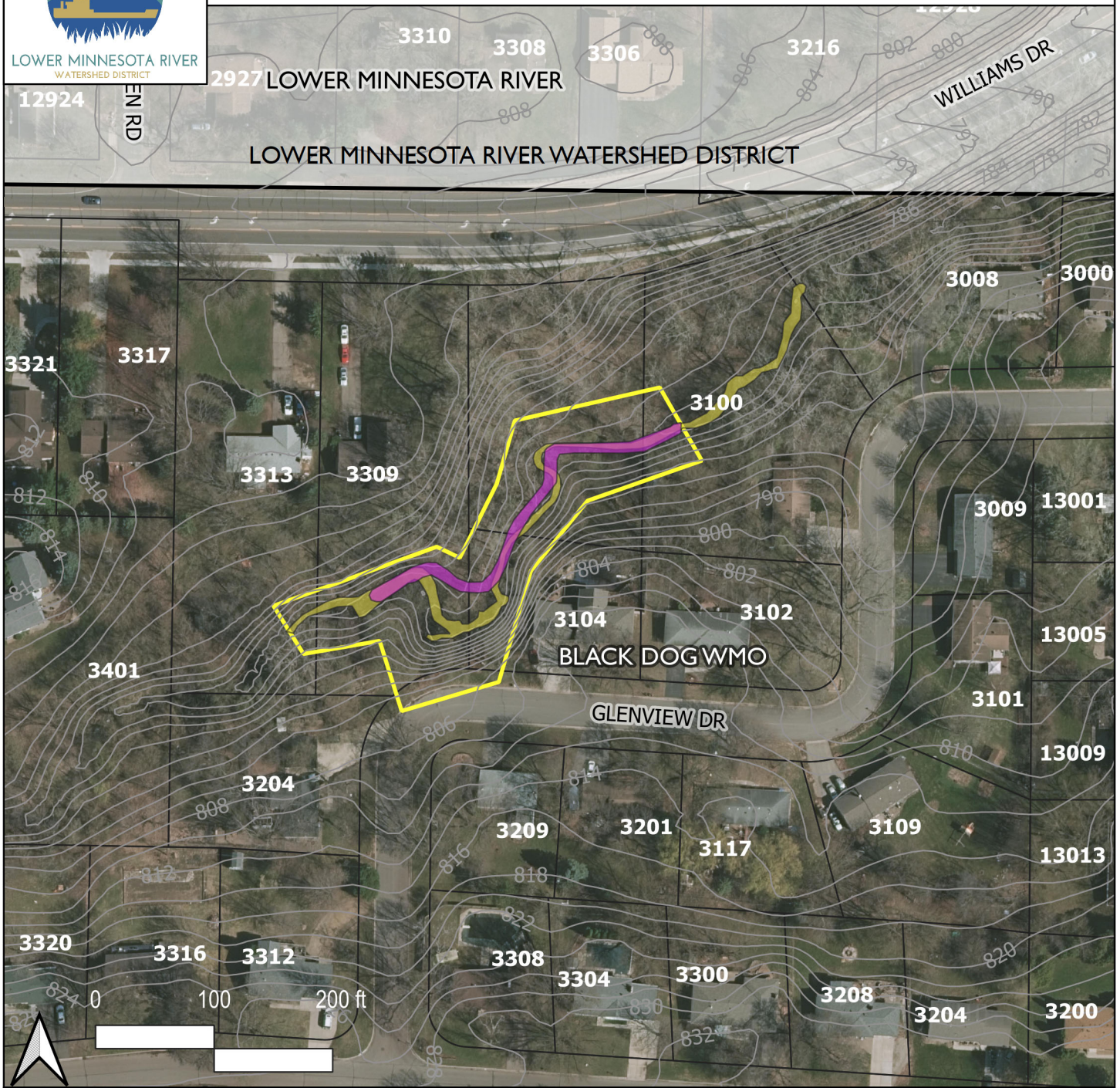
2021 Ravine Stabilization Project Memo from WSB

LMRWD 2021 Gully 07:21–01:33 Survey Report










LOWER MINNESOTA RIVER
WATERSHED DISTRICT

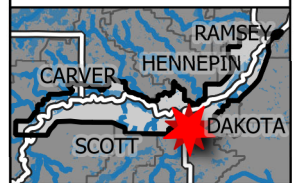
Figure I: 2021 Bursville Slope Project Location



LEGEND

-  Approximate Project Extents
-  Project Location
-  Existing Stream Alignment
-  Proposed Stream Alignment
-  LMRWD Boundary
-  Parcel Boundaries
-  LiDAR Contours

LMRWD Watershed Location Map



Attachment 2 -- 2021 Ravine Stabilization Project Memo from WSB

Memorandum

To: Ms. Linda Loomis, Administrator, LMRWD

From: Jen Desrude, PE, City Engineer, City of Burnsville
Jacob Newhall, PE, WSB
Laura Cummings, PE, WSB

Date: June 30, 2021

Re: 2021 Ravine Stabilization Project
WSB Project No. 016830-000

BACKGROUND

In 2018, WSB performed a geohazards evaluation throughout the City of Burnsville to determine the risk of slope failure as part of their asset management program. Several failure types were evaluated including gullying, slides, river migration, and springs. 131 slopes were then ranked using the Slope Risk Matrix previously developed in collaboration with the City. Initial risk ranking results identified 12 of the 131 as mitigation recommended. In further collaboration with the City, two of these 12 slopes were removed from the list and one was added, for a new total of 11 slopes.

In 2019, four of the slopes identified as mitigation recommended were addressed. The City has since identified two additional slopes for review during the 2021 slope project.

A site visit was conducted in September 2020 to review eight slope areas. Of these eight slopes one was selected to be repaired in the fall of 2021. WSB and the City of Burnsville continue to work together to minimize the effects of slope failures including property damage, costly maintenance repairs, and threats to public infrastructure and safety.

2021 SITE

The proposed site is located north and west of 3104 Glenview Drive in the rear yard along a City drainageway. Severe erosion has occurred resulting in very steep slopes adjacent to an existing home and Glenview Drive. The drainageway is not a DNR water. See attached photos for existing conditions. There is an existing 72-inch trunk storm sewer that runs parallel to the stream. The stream drains to City storm sewer and crosses through Williams drive and continues north, ultimately discharging to the Minnesota River. While the boundaries show the project is within Black Dog Watershed Management Commission, the Lower Minnesota River Watershed District is ultimately receiving the drainage from the stream.

OBJECTIVE AND PROJECT DESIGN

The objectives of the project are as follows:

- Reduce the risk of erosion to city road, existing utilities, and adjacent home.
- Increase stability of the channel.
- Erosion reduction and ultimate downstream loading reduction in TSS and TP.

The proposed project will change the alignment to remove large scale erosion areas, and the banks will be stabilized with hard armoring and bioengineering. Gabion retaining walls will also be used along the southern side adjacent to the roadway and home to result in more gradual slopes. Grading and turf reinforcement mats will be installed along the banks to reduce erosion and stabilize the bank slopes. Removal of sloughed material will be done with the location of the new alignment. See **Figure 1** for project location and proposed improvements.

The Board of Water and Soil Resources Pollution Reduction Estimator was used to quantify the TP and TSS reduction from the project. See **Table 1** for water quality reductions made with the proposed improvements.

Table 1: Water Quality Summary

Water Quality	Reduction (pounds/year)
Total Phosphorus	22.25
Total Suspended Solids	44,500

SUMMARY

The proposed improvements will help reduce erosion, benefit downstream water quality, and increase the stability of the creek and streambanks. The City of Burnsville is planning on construction in the fall of 2021. The 60% construction cost estimate is approximately \$400,000. The proposed project will alter the channel alignment, include bioengineering and rock armoring, install gabion walls, grading side slopes, and installation of geofabrics.

Attachments

- Site Photos
- Figure 1
- BWSR Water Quality Calculations

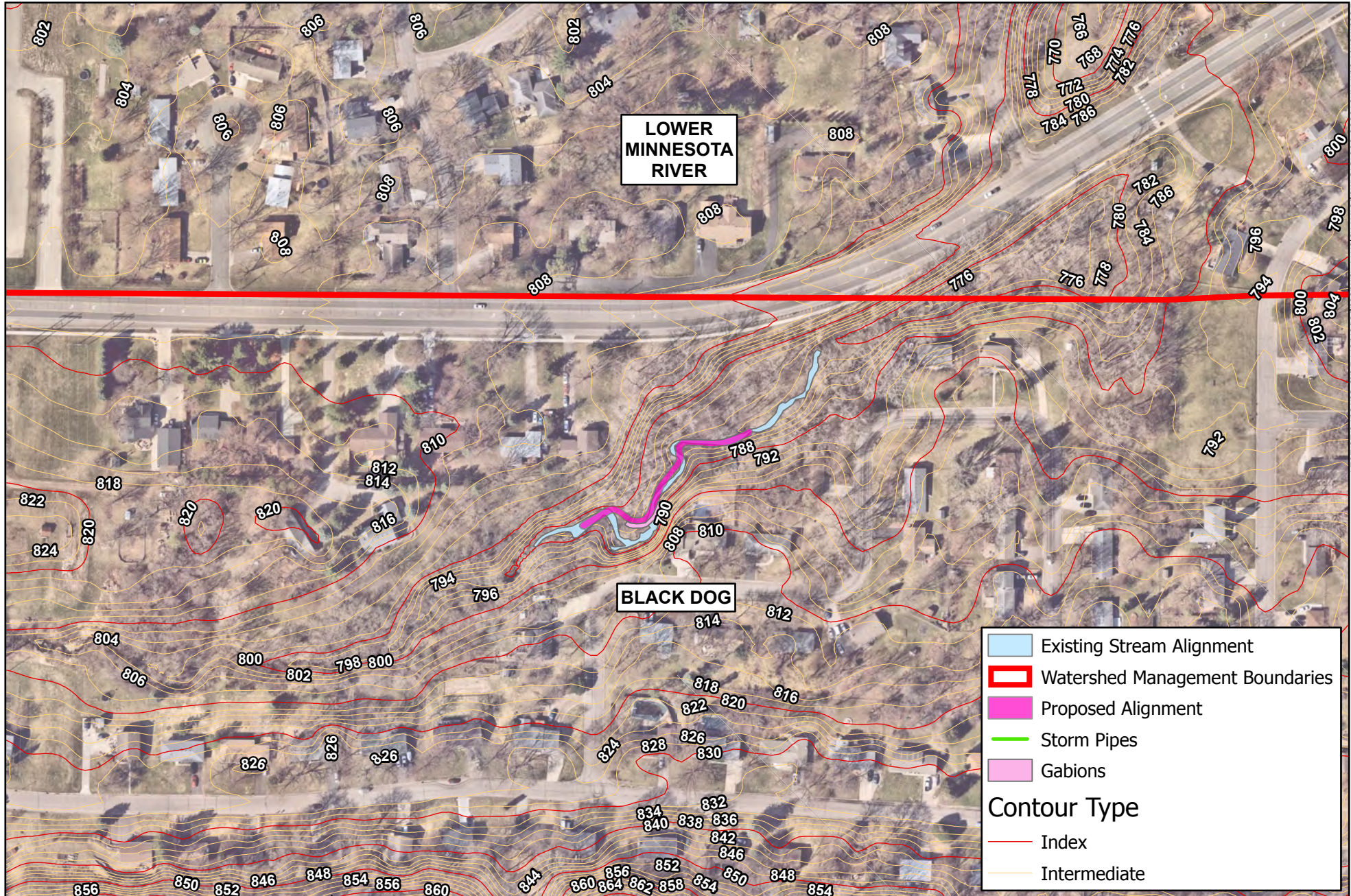
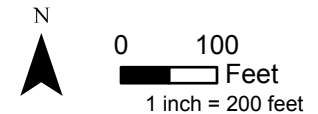


Figure 1 - Streambank Alignments
 Burnsville 2021 Slope Stability Project
 City of Burnsville



Stream & Ditch Bank Stabilization

SOIL =									
sand (1), silt (2)	<input type="text" value="2"/>	SD SOIL density	1	110	CF	<input type="text" value="1"/>	1	0.85	
clay(3), peat(4)		lbs/ft ³	2	85	P Correction Factor		2	1.00	
		tons/ft ³	3 X				3 X		
			4 X				4 X		

VOLV
volume voided (ft3)

YR
number of years to erode bank to current position

SLB = SD*VOLV/YR
Soil Loss Before (Tons/yr)
=
SLR Soil Loss Reduction Tons/yr

SEDR =
SLB*SDR =SLB * 1
(= SLR)
Sediment Reduction (Tons/yr)

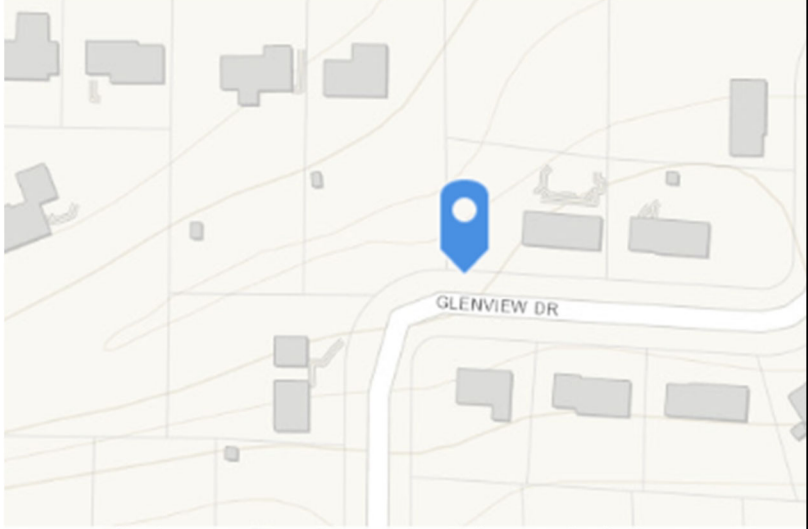
PR =
SEDR *(1.0 Lb/Ton)*CF
P reduction (Lbs/yr)

→

= input
 = calculated value
 = result

ENTER THIS DATA ON eLINK INDICATORS TAB	
SEDIMENT (TSS) T/yr:	22.25
SOIL (estimated savings) T/yr:	22.25
PHOSPHORUS (est. reduction) lbs/yr:	22.25

Attachment 3 -- Gully 07:21--01:33 Survey Report

Gully ID: 07:21-01:33	MAP	
Date & Time: July 21, 2021 1:33 PM		
Location: Burnsville		
Weather: Cloudy Storm/Rainfall Event in the Past 24 Hours? No		
GULLY INFORMATION		
Calculated Erosion Potential:	High	
Approximate Depth:	5-Deep (>15')	
Approximate Bottom Width:	3-Medium (1'-5')	
Approximate Gully Length:	5-Long (>100')	
Condition of Gully Bottom:	5-Bare Soil	
Condition of Gully Banks:	1-Heavy Vegetation	
Gully Bank Angles:	3-Mid-Range (45 to 90 degrees)	
Gully Shape:	5-V-Shaped	
Gully Material:	Silt/Clay	
Seep:	0-No	
Stormwater Runoff:	0-No	
Stormwater Inputs:		
Fallen Trees:	1-Yes	
Degradation:	3-Moderate	

Aggradation:	1-Low
Slumping:	1-Yes
Additional Notes:	<p>Classification? High</p> <p>Presence of Water? Yes</p> <p>Quantity of Water? Puddles/Stagnant</p> <p>Notes/Comments: Large gully outside district, bottom has puddles of water that look like they may be slowly flowing, many fallen trees in gully, could not get down right bank due to safety so pictures may be rough</p>

Photo 1 Image



Photo 1 View Direction

Downstream

Photo 1 Caption

Gully

Photo 2 Image



Photo 2 View Direction

Upstream

Photo 2 Caption

Gully

ATTACHMENT 2
City of Burnsville's 2021 Slope Stability Project
Engineer's Estimate

2021 SLOPE STABILIZATION PROJECT

BURNSVILLE, MINNESOTA

Date: 9.9.2021

Line Item	Item Code	Description	Units	Quantity	Cost	Total Cost	LMRWD Cost	City Cost
1	2021.501	MOBILIZATION	LS	1	\$30,000.00	\$30,000.00		\$30,000.00
2	2563.601	TRAFFIC CONTROL	LS	1	\$10,000.00	\$10,000.00		\$10,000.00
3	2101.501	CLEARING	TREE	53	\$500.00	\$26,500.00		\$26,500.00
4	2101.524	GRUBBING	TREE	40	\$500.00	\$20,000.00		\$20,000.00
5	2104.502	REMOVE PIPE APRON	E A	1	\$1,000.00	\$1,000.00		\$1,000.00
6	2104.503	REMOVE SEWER PIPE (STORM)	L F	50	\$30.00	\$1,500.00		\$1,500.00
7	2105.601	SITE GRADING	L S	1	\$40,000.00	\$40,000.00		\$40,000.00
8	2105.607	COMMON FILL(LV)	C Y	1500	\$20.00	\$30,000.00		\$30,000.00
9	2501.502	18" RC PIPE APRON	E A	1	\$2,500.00	\$2,500.00		\$2,500.00
10	2503.503	18" RC PIPE SEWER DES 3006 CL V	L F	74	\$80.00	\$5,920.00		\$5,920.00
11	2503.602	CONNECT TO EXISTING STORM SEWER	E A	1	\$2,500.00	\$2,500.00		\$2,500.00
12	2506.503	CONST DRAINAGE STRUCTURE DES 60-4020	L F	8	\$900.00	\$7,425.00		\$7,425.00
13	2511.507	RANDOM FIELDSTONE RIPRAP CLASS III	TONS	400	\$200.00	\$80,000.00	\$40,000.00	\$40,000.00
14	2511.515	GEOTEXTILE FILTER FABRIC TYPE 4	S Y	110	\$5.00	\$550.00		\$550.00
15	2512.507	GABION	C Y	70	\$600.00	\$42,000.00	\$21,000.00	\$21,000.00
16	2571.524	DECIDUOUS TREE 2.5" CAL B&B	TREE	5	\$600.00	\$3,000.00		\$3,000.00
17	2571.525	DECIDUOUS SHRUB NO 5 CONT	SHRB	20	\$120.00	\$2,400.00		\$2,400.00
18	2573.501	STABILIZED CONSTRUCTION EXIT	LS	2	\$1,500.00	\$3,000.00		\$3,000.00
19	2573.502	STORM DRAIN INLET PROTECTION	E A	1	\$300.00	\$300.00		\$300.00
20	2573.503	SEDIMENT CONTROL LOG TYPE WOOD FIBER	L F	1500	\$5.00	\$7,500.00		\$7,500.00
21	2573.602	ROCK DITCH CHECK	E A	2	\$10,000.00	\$20,000.00	\$10,000.00	\$10,000.00
22	2575.504	EROSION CONTROL BLANKETS CATEGORY 3N	S Y	3000	\$6.00	\$18,000.00		\$18,000.00
23	2575.508	SEED MIXTURE 25-151	LB	20	\$20.00	\$400.00		\$400.00
24	2575.603	ANCHORED SLOPE PROTECTION	L F	120	\$120.00	\$14,400.00	\$4,000.00	\$10,400.00
25	2575.605	SEEDING	S Y	500	\$2.00	\$1,000.00		\$1,000.00
26	2575.605	SEEDING SPECIAL	A C	0.60	\$25,000.00	\$15,000.00		\$15,000.00
27	2577.502	LIVE STAKES, DOGWOOD	E A	500	\$10.00	\$5,000.00		\$5,000.00
10% Contingency						\$40,000.00		\$40,000.00
Total						\$430,000.00	\$75,000.00	\$354,895.00
Design, Engineering, Permits, Construction and Project Admin						\$107,500.00		\$107,500.00

Total	\$537,500.00	\$75,000.00	\$462,395.00
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LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, September 15, 2021

Agenda Item

Item 6. E. Dredge Management

Prepared By

Linda Loomis, Administrator

Summary

- i. **Vernon Avenue Dredge Material Management site**
Main Channel dredging has been completed. The amount of material dredged from the navigation channel was estimated at 25, 438 cubic yards. Final amounts were 24,505 CY and can be found on the Corps' dredge schedule, which is attached.
- ii. **Private Dredge Material Placement**
Payment for 2020 placement of dredge material has been received from CHS, Inc. and Cargill. I have not yet received final amounts of material placed on the LMRWD site in 2021.

Attachments

Dredge Notice 21-22

Dredge Notice 21-23

09-09-2021 Dredging Schedule

Recommended Action

No action recommended



Dredge Notice 21-22 Petersons Bar

Published July 29, 2021

DN 21-22

DREDGING NOTICE

U.S. ARMY CORPS OF ENGINEERS

ST. PAUL DISTRICT

NOTICE DATE: July 29th, 2021

DREDGING CATEGORY: Imminent

MEETING DATE: If requested

MEETING TIME:

BOAT REQUIREMENT:

MEETING LOCATION:

DREDGE CUT NAME: Petersons Bar

RIVER MILE: MN River 12.2 – 12.6

HISTORIC DATA

Frequency: 61%

Avg. Quantity/Job: 18,725 yd³

Last Date Dredged: August 27th, 2020

Avg. Quantity/Year: 11,382 yd³

SURVEY DATA

Date Surveyed: July 27th, 2021

Water Surface Elevation: 687.1

Low Control Pool Elevation: 686.8

Net Difference: +0.3'

5 Day River Forecast: holding steady

DREDGING DATA

Recommended Channel Width: 100 feet

Recommended Dredging Depth: 12 feet

Estimated Quantity: 15,847 yd³ plus 612 yd³ placement site access

Type of Dredge: Contract Mechanical Plant 2

Proposed Dredging Date: August 3rd, 2021

Estimated Duration: 8 dredging days

Justification for Dredging: The navigation channel is reduced to 120' between the 9.0' contours and closed between the 10.5' contours.

MATERIAL PLACEMENT DATA

Proposed Placement Site: Cargill East River

Location: MN-14.1-RMP

Site Characteristics: This is an upland beneficial use stockpile site provided to the Corps by the Lower MN River Watershed District.

If you have any questions concerning this project or want to request an on-site meeting please call a dredging manager at (651) 290-5155.

Related Story: [DN 21-22 Petersons Bar](#) /Portals/57/docs/Navigation/Dredging Notices/2021/DN2122 Petersons Bar.pdf?ver=K88D8pAqNgUDJ5CBWxfgGA%3d%3d

Dredge Mississippi River navigation sedimentation St. Paul District

U.S. Army Corps of Engineers Petersons Bar

DN 21-23

DREDGING NOTICE
U.S. ARMY CORPS OF ENGINEERS
ST. PAUL DISTRICT

NOTICE DATE: August 13, 2021

MEETING DATE: If requested

BOAT REQUIREMENT:

DREDGE CUT NAME: Above Savage RR Bridge

DREDGING CATEGORY: Imminent

MEETING TIME:

MEETING LOCATION:

RIVER MILE: 14.4 - 14.7

HISTORIC DATA

Frequency: 37%

Date Last Dredged: September 18th, 2017

Avg. Quantity/Job: 13,767 yd³

Avg. Quantity/Year: 5,129 yd³

SURVEY DATA

Date Surveyed: August 10th, 2021

Water Surface Elevation: 686.9

Low Control Pool Elevation: 686.8

Net Difference: +0.1

5 Day River Forecast: Slow Decline

DREDGING DATA

Recommended Channel Width: 100 feet

Recommended Dredging Depth: 12 feet

Estimated Quantity: 8,979 yd³

Type of Dredge: Contract Mechanical

Proposed Dredging Date: August 13th, 2021

Estimated Duration: 5 dredging days

Justification for Dredging: The navigation channel is reduced to 8' between the 9.0' and 20' between 10.5' contours.

MATERIAL PLACEMENT DATA

Proposed Placement Site: Cargill East River

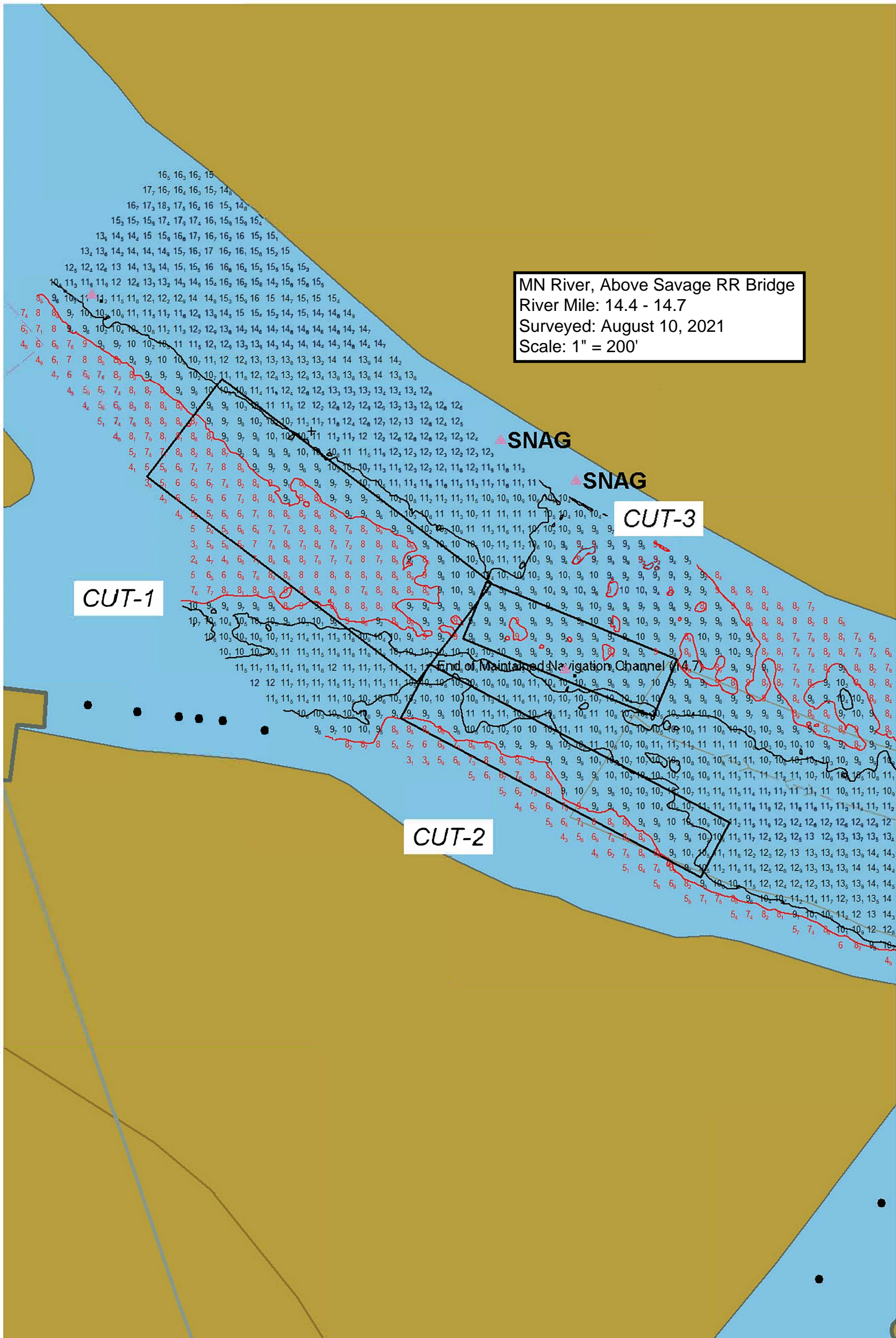
Location: MN-14.1-RMP

Site Characteristics: This is an upland beneficial use site provided to the Corps by the Lower Minnesota River Watershed District.

If you have any questions concerning this project, or if you would like to request an on-site meeting, please call me at (651) 290-5328.

Dan DeVaney
Channel Maintenance Coordinator

MN River, Above Savage RR Bridge
River Mile: 14.4 - 14.7
Surveyed: August 10, 2021
Scale: 1" = 200'



ST. PAUL DISTRICT (MVP) - CORPS OF ENGINEERS

2021 Dredging Schedule by Equipment

9-Sep-2021

Scheduled Dredging Jobs

Pool	Dredge Cut Name	River Mile	Dredging Dates	Depth (ft) & Est. Quantity	Equipment	Placement Site	Dredge Notice #	Task Order #	Cat.
4	** Crats Island	758.5 - 759.3	5/4 - 5/17	12 51,894	GZ	4-759.3-LWT	DN 21-04		I
4	** Teepeeota Point	757.2 - 758.0	5/18 - 5/28	12 76,305	GZ	4-757.5-LWT	DN 21-07		I
4	** Grand Encampment	755.7 - 756.8	6/1 - 6/18	11 15,491	GZ	4-757.5-LWT	DN 21-09		I
4	** " "	" "	" "	11 25,061	GZ	4-756.5-LWT	DN 21-09		I
5	** Fisher Island	744.6 - 745.3	6/19 - 6/27	12 62,904	GZ	4-744.7-LWT	DN 21-14		I
5	** Lower Zumbro	743.0 - 744.5	6/28 - 7/8	12 53,048	GZ	4-744.7-LWT	DN 21-18		I
8	** Above Brownsville	689.8 - 690.3	7/12 - 7/17	12 25,060	GZ	8-690.4-LWT	DN 21-20		R
	Departed for Rock Island Dist		7/18/2021						
4	** Grand Encampment	755.7 - 756.8	6/5 - 6/6	11 1,348	GM	4-754.0-LWP	DN 21-12		E
5A	** Betsy Slough	730.9 - 731.9	6/9 - 7/26	12 49,374	GM	5A-731.9-LWP	DN 21-13		I
3	** Diamond Bluff (2)	798.9 - 799.4	9/13 - 9/17	12 9,913	GM	3-801.0-RMP	DN 21-28		R
4	** Beef Slough	754.0 - 754.5	4/21 - 5/14	12 29,890	CM1	4-754.0-LWP	DN 21-03	0063	I
8	** Deadmans Slough	686.5 - 687.5	5/18 - 6/1	12 29,532	CM1	8-688.7-RMP	DN 21-06	0064	I
8	** Head of Raft Channel	687.5 - 688.2	6/2 - 6/23	12 27,691	CM1	8-688.7-RMP	DN 21-10	0067	I
9	** Indian Camp Light	665.0 - 665.8	6/24 - 7/26	12 48,466	CM1	9-663.5-LWP	DN 21-17	0068	I
9	** Lansing Upper Light	663.8 - 664.7	7/27 - 8/26	12 48,869	CM1	9-663.5-LWP	DN 21-21	0071	I
6	** Below Winona RR Bridge	723.3 - 723.7	8/31 - 9/9	12 13,382	CM1	6-726.0-LMP	DN 21-25	0075	I
6	** East End Boat Harbor Access	723.5	9/10/2021	7 392	CM1	6-722.9-RMP	DN 21-27	0077	R
6	** Below Winona RR Bridge (2)	722.6 - 723.3	9/10 - 9/23	12 20,134	CM1	6-722.9-RMP	DN 21-27	0077	I
2	** Pine Bend Plcmt Site Access	823.8	4/19/2021	7 299	CM2	2-823.8-LMT	DN 21-02	0062	R
2	** Pine Bend	822.6 - 823.8	4/19 - 5/14	12 37,054	CM2	2-823.8-LMT	DN 21-02	0062	I
2	** Boulanger Bend	820.4 - 821.4	5/14 - 6/1	12 20,945	CM2	2-823.8-LMT	DN 21-05	0065	I
3	** Corps Island Access	799.2	6/2/2021	7 98	CM2	3-799.2-RMT	DN 21-11	0066	R
3	** Coulters Island	801.5 - 802.0	6/3 - 6/23	12 27,657	CM2	3-799.2-RMT	DN 21-11	0066	I
3	** Morgans Coulee	802.0 - 803.0	6/24 - 7/9	12 23,008	CM2	3-799.2-RMT	DN 21-16	0069	I
3	** Diamond Bluff	799.7 - 800.7	7/12 - 7/30	12 26,411	CM2	3-799.2-RMT	DN 21-19	0070	I
MN	** Cargill E River Access	14.1	8/3/2021	7 753	CM2	MN-14.1-RMP	DN 21-22	0072	R
MN	** Petersons Bar	11.7 - 12.6	8/4 - 8/12	12 14,773	CM2	MN-14.1-RMP	DN 21-22	0072	I
MN	** Abv Savage RR Bridge	14.5 - 14.7	8/13 - 8/18	12 8,979	CM2	MN-14.1-RMP	DN 21-23	0073	I
4	** Red Wing Comm Har Access	791.6	8/23/2021	7 1,361	CM2	4-791.6-RMP	DN 21-24	0074	R
4	** Cannon River	792.8 - 793.4	8/23 - 9/2	12 11,677	CM2	4-791.6-RMP	DN 21-24	0074	I
4	** Head of Lake Pepin	784.4 - 784.9	9/7 - 9/27	11 26,168	CM2	4-791.6-RMP	DN 21-26	0076	I
7	** Trempealeau Plcmt Site Access	714.1	6/21/2021	7 45	CM3	7-714.1-LWP	DN 21-15	0002	R
7	** Winters Landing	707.5 - 708.0	6/21 - 7/19	12 15,186	CM3	7-714.1-LWP	DN 21-15	0002	I
10	** McMillan Island	617.7 - 618.3	4/12 - 5/19	12 70,016	CM4	10-634.5-LWP	DN 21-01		R
10	** East Channel	635.5 - 636.4	5/20 - 7/2	12 70,000	CM4	10-634.5-LWP	DN 21-08		I
10	** Hovie Island	622.0 - 622.4	8/9 - 8/12	12 4,000	CM4	10-634.5-LWP	NA		R
10	** Hovie Island	621.6 - 622.0	8/30 - 9/3	12 15,000	CM4	10-634.5-LWP	NA		R
9	** "Unnamed Borrow Source"	653.3 - 654.5	8/16 - 10/15	20 20,000	CM5		NA		R

* Currently Dredging
** Dredging Complete

Cat. Codes: E = Emergency
I = Imminent Closure
R = Routine Dredging

	Equipment:	Scheduled:	Unscheduled:	Total:
	Government Hydraulic - GOETZ - (GZ)=	309,763	131,076	440,839
	Government Mechanical - HAUSER/WADE - (GM)=	50,722		50,722
	Contract Mechanical - (CM1)=	218,356	595,326	1,012,865
	Contract Mechanical - (CM2)=	199,183		
	Contract Mechanical - Unload IDIQ - (CM3)=	15,231		15,231
	McGregor HREP Contract Mechanical - (CM4)=	159,016		159,016
	Harper Slough HREP Contract Mechanical - (CM5)=	20,000		20,000

Total Dredging Quantities = **972,271** **726,402** **1,698,673**

Potential Unscheduled Dredging Jobs

Pool	Dredge Cut Name	River Mile	Depth & Est.	Equipment	Placement Site		Cat.
MN	Cargill Slip	12.6 - 12.8	12 5,054				
MN	Mouth of the MN River	0.6 - 1.0	12 14,465				
2	St Paul Barge Terminal	837.2 - 837.6	12 22,989				
2	Pine Bend Landing	824.0 - 824.5	12 19,599				
2	Boulanger Bend Lower Light	819.9 - 820.3	12 18,852				
2	Freeborn Light	818.2 - 819.0	12 18,318				
3	Lower Aprr to LD 2	814.5 - 815.1	13 20,241				
3	Prescott	810.1 - 810.5	12 29,369				
3	Four Mile Island	807.3 - 807.6	12 5,788				
3	Big River	804.8 - 805.4	12 8,690				
4	Red Wing Hwy Bridge	789.6 - 790.0	12 21,717				
4	Head of Lake Pepin	784.5 - 785.5	12 71,568				
4	Reads Landing	762.4 - 762.7	12 7,412				
4	Grand Encampment	755.7 - 756.8	12				
5	Mule Bend	747.7 - 749.0	12 70,111				
5	West Newton	747.4 - 747.7	12 14,659				
5	Below West Newton	746.3 - 746.5	12 9,125				
5	Abv Mt Vernon Light	741.1 - 741.4	12 11,067				
5A	Wilds Bend	730.3 - 730.7	12 14,935				
6	Homer	719.8 - 720.8	12 32,650				
6	Blacksmith Slough	719.0 - 719.5	12 20,346				
7	Head of Richmond Island	712.2 - 712.9	12 36,007				
7	Dakota	706.0 - 706.4	12 31,448				
8	Sand Slough	694.3 - 694.6	12 15,238				
8	Root River	692.8 - 693.2	12 15,283				
8	Picayune Island	690.5 - 691.7	12 99,838				
8	Brownsville	688.7 - 689.0	12 23,826				
9	Island 126	677.5 - 678.0	12 41,192				
10	McMillan Island	617.9 - 619.0	12 26,615				

Total quantity for jobs that have not been scheduled = 726,402



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, September 15, 2021

Agenda Item

Item 6. H. Tour of LMRWD Project - Update

Prepared By

Linda Loomis, Administrator

Summary

We have a date for the tour! Saturday, October 2, 2021. And a route of projects. Staff will lead a discussion of other logistics at the meeting.

Attachments

No attachments

Recommended Action

No action recommended



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, September 15, 2021

Agenda Item

Item 6. J. – Permits and Project Reviews

Prepared By

Linda Loomis, Administrator

Summary

i. Excel Energy Line 0832 (LMRWD Permit No. 2021-041)

Xcel Energy is proposing to replace a transmission line structure in Black Dog Lake. Staff has reviewed the project and the review and recommendations are attached. Staff is recommending approval of the permit.

Attachments

Xcel Energy Line #0832 (LMRWD No. 2021-041) Technical Memorandum dated September 10, 2021

Recommended Action

Motion to approve Xcel Energy Line #0832 (LMRWD No. 2021-041)

ii. Canterbury Senior Living (LMRWD Permit No. 2021-040)

This project is part of the Canterbury Commons development in Shakopee. Staff has reviewed the application and related documents and is recommending conditional approval, subject to receipt of the NPDES (National Pollution Discharge Elimination System) permit and the name and contact information for those responsible for compliance.

Attachments

Canterbury Senior Living (LMRWD Permit No. 2021-040) Technical Memorandum dated September 9, 2021

Recommended Action

Motion to approve Canterbury Senior Living (LMRWD Permit No. 2021-040) pending receipt of a copy of the NPDES permit and contact information for the contractor(s) and/or the person(s) responsible for inspection and maintenance of all erosion and sediment control features.

iii. Circle K/Holiday Station (LMRWD Permit No. 2021-034)

(Updated September 15, 2021) The LMRWD received an application to construct a gas station on a vacant parcel in the City of Savage. The parcel is located at 7800 126th Street. Staff has reviewed the application and has worked with the proponent for the project to recommend conditional approval of the project.

A summary of the project is included with the Technical Memorandum dated September 13, 2021 – Circle K/Holiday Station Stores (LMRWD No. 2021-034). Young Environmental will continue to work with the applicant to determine the adequacy of the stormwater management approach proposed and will recommend release of the bond if the final analysis demonstrates that the Project meets the District's Rule D— Stormwater Management.

Attachments

Circle K/Holiday Station Stores (LMRWD Permit No. 2021-034) Technical Memorandum dated September 13, 2021

Recommended Action

Motion to conditionally approve Circle K/Holiday Station Stores (LMRWD Permit No. 2021-034) pending receipt of A commercially issued performance bond for \$24,500; a copy of the NPDES permit and the contact information for the contractor(s) and/or the person(s) responsible for inspection and maintenance of all erosion and sediment control features; and a copy of the DNR-requested dewatering analysis report.

iv. Burnsville Park Chrysler Jeep (LMRWD Permit No. 2021-030)

Burnsville Park Chrysler Jeep, located at 1408 Highway 13 West in Burnsville, is planning an expansion of its auto dealership. LMRWD staff has reviewed the application and supporting documents and is recommending conditional approval, pending receipt of a copy of the NPDES permit and contact information for those responsible for compliance.

Attachments

Burnsville Park Chrysler Jeep (LMRWD Permit No. 2021-030) Technical Memorandum dated September 9, 2021

Recommended Action

Motion to approve Burnsville Park Chrysler Jeep (LMRWD Permit No. 2021-030) pending receipt of a copy of the NPDES permit and contact information for the contractor(s) and/or the person(s) responsible for inspection and maintenance of all erosion and sediment control features.



Young Environmental Consulting
Group, LLC

Technical Memorandum

To: Linda Loomis, Administrator
Lower Minnesota River Watershed District

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

Date: September 10, 2021

Re: Xcel Energy Line #0832 (LMRWD No. 2021-041)

Xcel Energy (the applicant) has applied for an individual project permit from the Lower Minnesota River Watershed District (LMRWD) to remove a failing transmission line structure and install a new structure within Black Dog Lake, as shown in **Figure 1**. The Xcel Energy Line #0832 project (Project) is located within the City of Burnsville in Black Dog Lake.

The Project includes the installation of temporary mats on and near the shore, the construction of temporary rock roads, and the removal and replacement of a piling within Black Dog Lake (**Figure 2**). No new impervious area is proposed. The Project would disturb approximately 0.4 acres and is under the one-acre threshold for Rule B—Erosion and Sediment Control to apply. The Project is not located within the High Value Resource Area or Steep Slopes Overlay District; however, the site is within a floodway, as shown in **Figure 1**. Thus, the Project will need a permit under Rule C—Floodplain and Drainage Alteration.

Because the City does not have its LMRWD municipal Local Government Unit permit, the Project requires an LMRWD individual permit and is subject to an LMRWD permit review.

Summary

Project Name: Xcel Energy Line #0832

Purpose: Replacing transmission line structure

<u>Project Size:</u>	0.4 acres disturbed; 0.0 acres of new impervious surfaces
<u>Location:</u>	Black Dog Lake
<u>LMRWD Rules:</u>	Rule C—Floodplain and Drainage Alteration
<u>Recommended Board Action:</u>	Approval

Discussion

The District received the following documents with the application for review:

- LMRWD PDF permit application; received September 7, 2021
- Structure and foundation plan sheets by Xcel Energy; dated June 15, 2021; received September 7, 2021
- Public waters work permit by Xcel Energy; dated July 21, 2021; received September 7, 2021
- Site photographs and aerial maps overlain by hand drawings; received September 7, 2021

The applicant has been invoiced for the \$750 application fee and has until September 15, 2021, for the LMRWD to receive payment. Because Young Environmental staff have previously reviewed the project for the Minnesota Department of Natural Resources public waters permit comment period (see attached permit review memo), we are able to expediate the LMRWD permit review. The documents received provide the minimum information necessary for permit review.

Rule C—Floodplain and Drainage Alteration

Rule C requires permits for all projects that place fill within the 100-year floodplain. As discussed, the Project is located within a floodway, as shown on the Dakota County Flood Insurance Rate Map Panel 27037C0070E (effective December 2, 2011). The Project proposes 0.8 cubic yards of fill for the new pilings that will be offset by the removal of the old pilings, meeting the compensatory storage requirements under Rule C and confirming that no increase in water surface elevations would occur due to this Project.

Recommendations

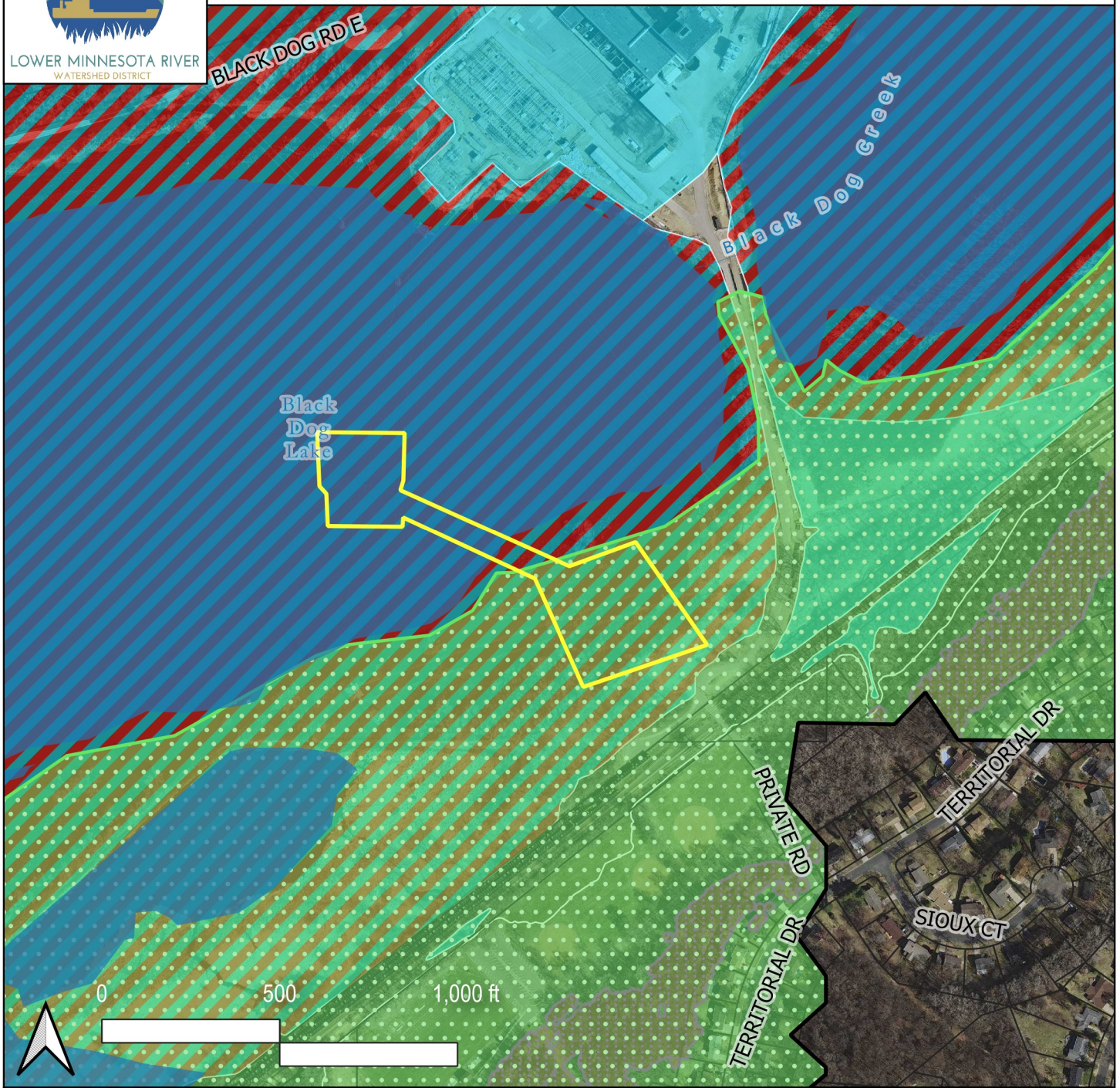
Staff recommends the approval of the Project.

Attachments












- Figure 1: Line #0832 Project Location Map
- Figure 2: Line #0832 Site Plan Map
- Xcel Energy Line #0832 MPARS Review Memo, dated August 27, 2021



Figure I: Line #0832 Project Location



LEGEND

-  Project Location
-  Line 0832
-  Public Waterways
-  Public Waters
-  Calcareous Fens
-  Steep Slopes Overlay District
-  High Value Resource Area
-  100-yr Floodplain
-  Floodway
-  Dakota Co. Parcels
-  LMRWD Boundary

LMRWD Watershed Location Map

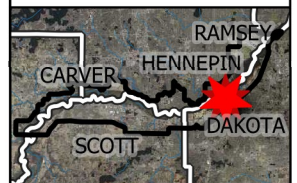
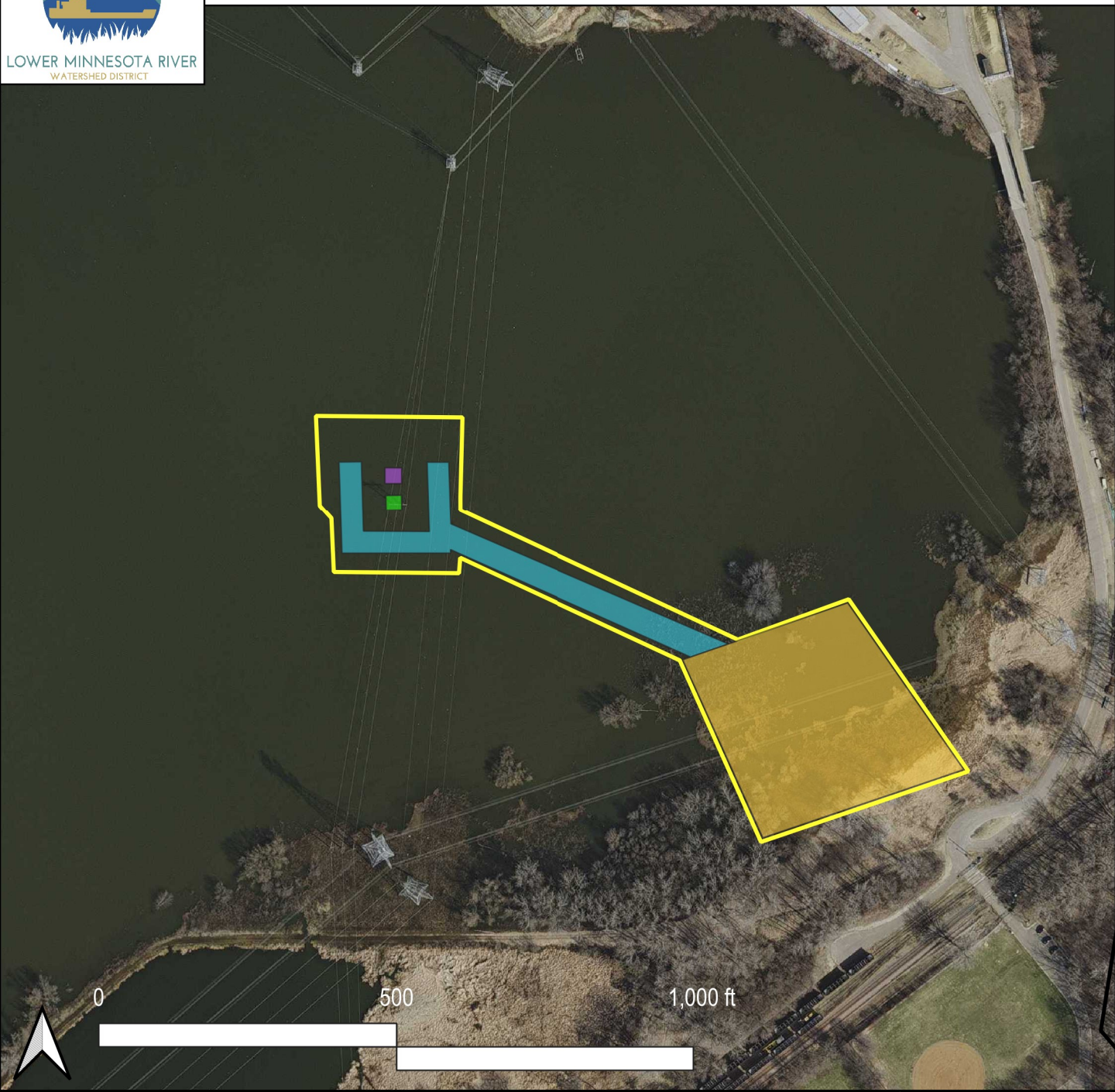




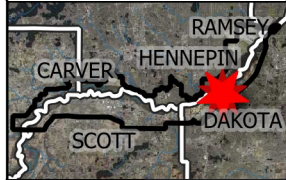
Figure 2: Line #0832 Site Plan



LEGEND

-  Project Location
-  Line 0832
-  New Piling
-  Old Piling
-  Temporary Mats
-  Temporary Rock Road

LMRWD Watershed Location Map



Technical Memorandum

To: Linda Loomis, Administrator
Lower Minnesota River Watershed District

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

Date: August 27, 2021

Re: Xcel Energy Line 0832 (LMRWD No. 2021-041)

Xcel Energy Services (the applicant) has applied for a Public Waters Work Permit from the Minnesota Department of Natural Resources (MnDNR) through the MnDNR Permitting and Reporting System (MPARS) to replace a damaged transmission line structure within Black Dog Lake. The Xcel Energy Line 0832 Project (Project) is located within the Lower Minnesota River Watershed District (LMRWD or District) within the City of Burnsville, and the MnDNR has requested comments on the Project through MPARS.

The Project is located within the District's High Value Resource Area (HVRA) and is within the Minnesota River 100-year floodplain, as shown in [Figure 1](#). The Project proposes to construct a temporary staging area on mats and temporary rock roads within Black Dog Lake ([Figure 2](#)). Xcel Energy is proposing to place 18,928 square feet of temporary fill in the floodplain that will be removed within 60 days of construction, which is anticipated to be complete by November 1, 2021. To prevent the transmission structure collapse, a new foundation piling will be installed, creating a permanent fill of 0.8 cubic yards and covering 9 square feet within the floodway. The existing piling will be cut off at mud level.

The City of Burnsville has not yet received its municipal permit from the District, so the Project is subject to LMRWD permitting review for an LMRWD individual permit. Young Environmental has reviewed the MPARS Public Waters Work Permit application for potential applicable District rules; a project summary and comments on the permit application are provided below.

Summary

<u>Project Name:</u>	Xcel Energy Line 0832
<u>Purpose:</u>	Replacement transmission line piling
<u>Project Size:</u>	Approximately 4 acres of disturbance, 0.8 cubic yards of floodplain fill
<u>Location:</u>	1400 Black Dog Road East, Burnsville, MN 55337
<u>LMRWD Rules:</u>	Rule B—Erosion and Sediment Control Rule C—Floodplain and Drainage Alteration
<u>Recommended Board Action:</u>	Informational only

Discussion

The District received the following documents for review:

- Public Waters Work Permit Application, dated July 21, 2021; received July 29, 2021
- Photographs, received July 29, 2021
- Hand drawing of access road and pad by Xcel Energy, received July 29, 2021
- Structure plan sheets by Xcel Energy, dated June 15, 2021; received July 29, 2021

Rule B—Erosion and Sediment Control

The District regulates land-disturbing activities of one acre or more or in the HVRA land-disturbing activities of 5,000 square feet or more. The proposed Project appears to disturb approximately 4 acres total, with approximately 2.5 acres within the HVRA, which will trigger the requirements under Rule B.

Rule C—Floodplain and Drainage Alteration

As discussed, the Project is located within the 100-year floodplain, shown on the Dakota County Flood Insurance Rate Map Panel 27037C0070E (effective December 2, 2011). The Project proposes a temporary fill of 1,752 cubic yards and 0.8 cubic yards of permanent fill within the floodway. Rule C requires the applicant to show that the proposed fill will not cause a rise in the 100-year flood elevation of the waterbody. The District also requests that documentation be provided showing the removal of all temporary fill following Project completion.

Recommendations

We appreciate the opportunity to comment on the proposed Project. Although no Board action is required at this time, we offer the following summarized comments to the Applicant, which will be uploaded to MPARS as part of the Public Waters Work Permit commend period:

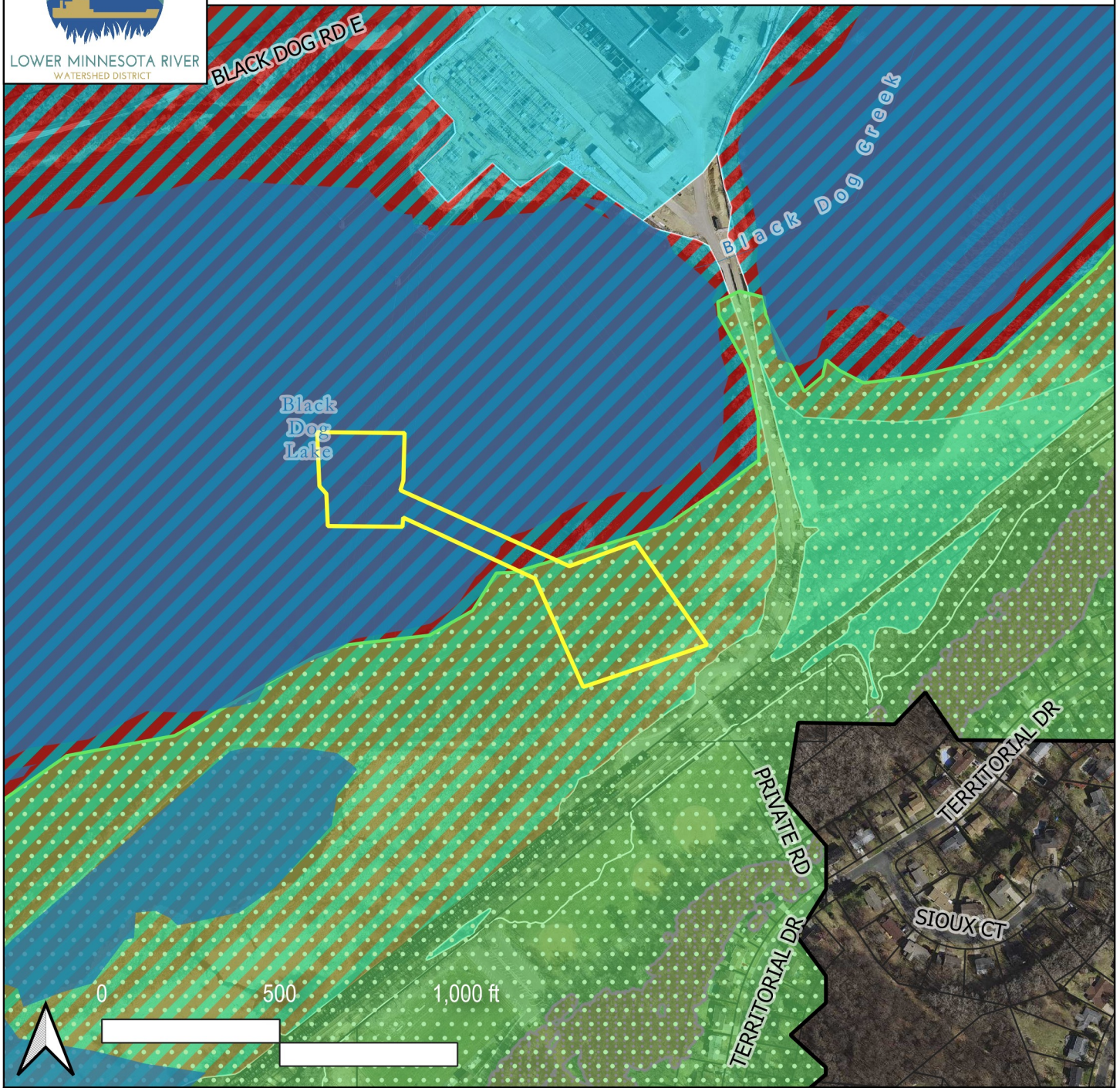
- Xcel Energy should apply for and receive a District Individual Project Permit before construction begins. As presented, the Project appears to trigger Rules B and C.
- The Project is located within the 100-year floodplain; provide documentation that no loss of floodplain storage or increases to water surface elevations would result from the Project.
- Following completion of the Project, provide documentation to the LMRWD that all temporary fill has been removed and that original grades have been re-established.

Attachments












- Figure 1: Line #0832 Project Location Map
- Figure 2: Line #0832 Site Plan Map



Figure I: Line #0832 Project Location



LEGEND

-  Project Location
-  Line 0832
-  Public Waterways
-  Public Waters
-  Calcareous Fens
-  Steep Slopes Overlay District
-  High Value Resource Area
-  100-yr Floodplain
-  Floodway
-  Dakota Co. Parcels
-  LMRWD Boundary

LMRWD Watershed Location Map

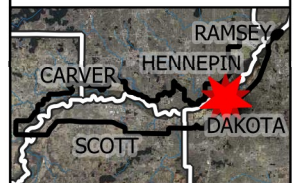
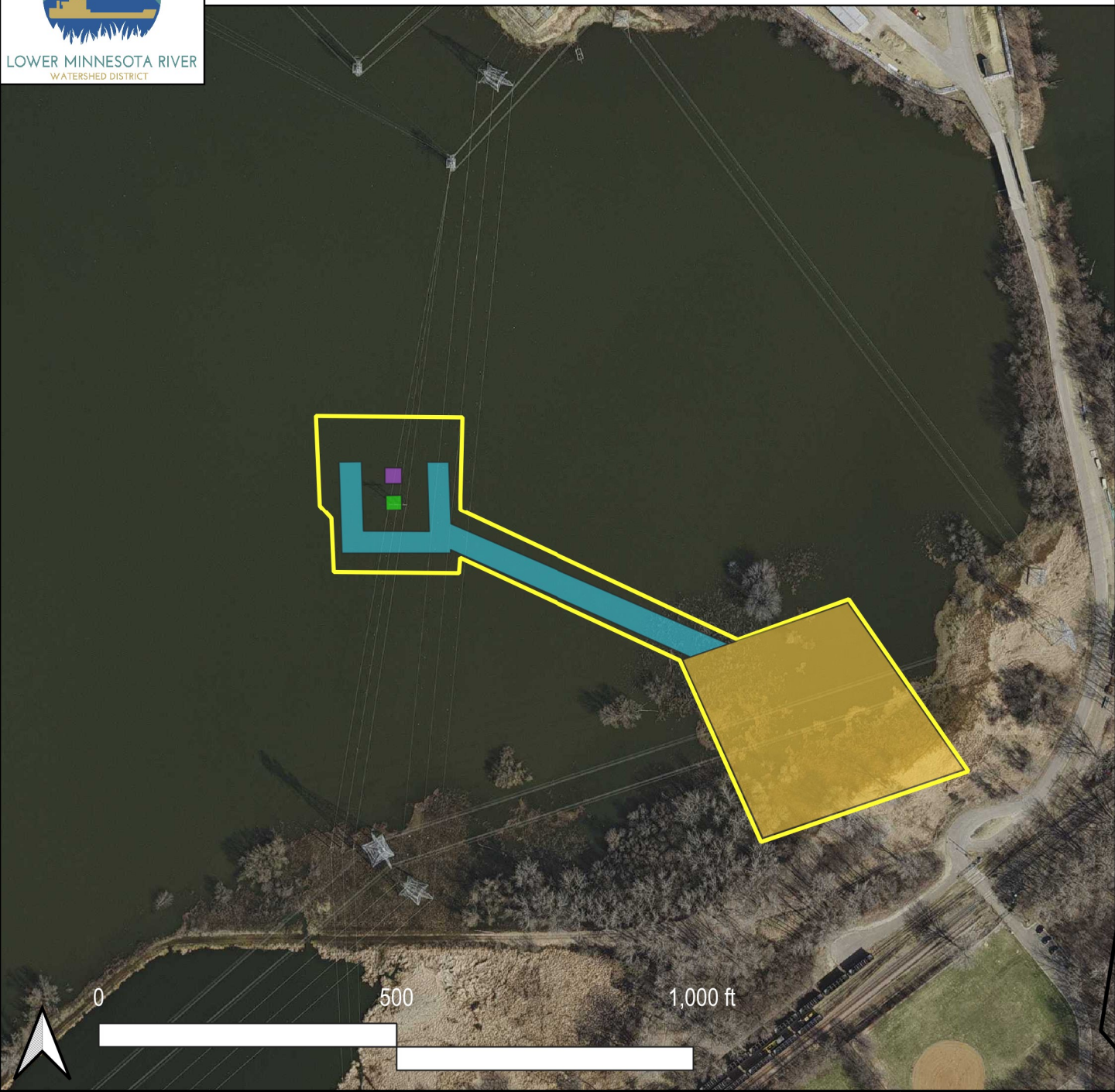




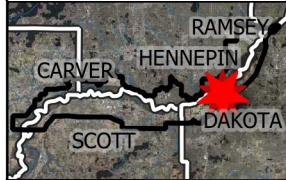
Figure 2: Line #0832 Site Plan



LEGEND

-  Project Location
-  Line 0832
-  New Piling
-  Old Piling
-  Temporary Mats
-  Temporary Rock Road

LMRWD Watershed Location Map



Technical Memorandum

To: Linda Loomis, Administrator
Lower Minnesota River Watershed District

From: Kaci Fisher, Environmental Scientist
Katy Thompson, PE, CFM

Date: September 9, 2021

Re: Canterbury Independent Senior Living (LMRWD No. 2021-040)

TE Miller Development LLC (the applicant) has applied for an individual project permit from the Lower Minnesota River Watershed District (LMRWD) to develop a residential site within Canterbury Park in the City of Shakopee (City), as shown in **Figure 1**. The applicant's engineer, Wenck, has provided site plans for Canterbury Independent Senior Living (Project) along with the permit application.

The proposed Project consists of constructing an independent senior living facility along with its associated parking lot and pickleball court on an undeveloped site. The Project would disturb approximately 3.3 acres and create 2.0 acres of new impervious surfaces. The Project is not located within the High Value Resource Area, Steep Slopes Overlay District, or 100-year floodplain. It is adjacent to two recently approved permits, Greystone Headquarters (LMRWD No. 2020-117) and Canterbury Crossings (LMRWD No. 2020-135), which are all part of the multiphase Canterbury Commons development.

Because the City does not have its LMRWD municipal Local Government Unit permit, this Project requires an LMRWD individual permit and is subject to an LMRWD permit review.

Summary

Project Name: Canterbury Independent Senior Living

Purpose: Residential facility within Canterbury Park

<u>Project Size:</u>	3.3 acres disturbed; 2.0 acres new impervious
<u>Location:</u>	Near the intersection of Vierling Drive East and Eagle Creek Boulevard, Shakopee (PID 274980020)
<u>LMRWD Rules:</u>	Rule B—Erosion and Sediment Control Rule D—Stormwater Management
<u>Recommended Board Action:</u>	Conditional approval

Discussion

The District received the following documents for review:

- LMRWD permit application; received August 11, 2021
- LMRWD \$750 application review fee; received August 13, 2021
- Site Plan by Wenck; dated August 6, 2021; received August 11, 2021
- Preliminary Site Construction Plans by Wenck; dated August 6, 2021; received August 11, 2021
- Final Plat unsigned; dated August 4, 2021; received August 11, 2021
- Preliminary Plat of Canterbury Southwest Second Addition; dated August 4, 2021; received August 11, 2021
- Canterbury Independent Senior Living Stormwater Compliance Memo by Wenck; dated August 4, 2021; received August 16, 2021
- Canterbury Southwest Stormwater Management Plan & Comment Response by Wenck; dated April 28, 2020; received August 16, 2021
- Canterbury Regional Stormwater Management Plan by Wenck; dated December 12, 2019; revised April 28, 2020; received August 16, 2021

The application was deemed complete on August 13, 2021, and the documents received provide the minimum information necessary for permit review.

Background

The Project is part of a larger 402-acre regional mixed-use and commercial development surrounding Canterbury Park. This area consists of shallow bedrock, a wellhead protection area, and a high vulnerability drinking water supply management area (DWSMA), so a regional stormwater management plan (Plan) for the Canterbury Park area was developed and later approved by the City on May 26, 2020. The Plan includes several stormwater ponds to ensure water quality and rate control standards for the full buildout of the site.

The Canterbury Park development area has been divided into several subwatersheds with an assumed impervious surface area percentage. In general, if developments are

equal to or below the assumed impervious surface area percentage, then the stormwater treatment, as proposed in the Plan, will meet the City's water quality and rate control requirements. Because the City's requirements are equal to or more stringent than the District's Rule D—Stormwater Management requirements, developments below the assumed impervious area percentage threshold will also comply with the District's rule.

Rule B—Erosion and Sediment Control

The District regulates land-disturbing activities that affect 1.0 acre or more under Rule B. The proposed Project would disturb approximately 3.3 acres within the LMRWD boundary. The applicant has provided an erosion and sediment control plan and a Stormwater Pollution Prevention Plan.

The Project generally complies with Rule B; however, a copy of the NPDES permit and contact information for the contractor and person(s) responsible for inspection and maintenance of all erosion and sediment control features will be needed to issue the final LMRWD permit.

Rule D—Stormwater Management

The Project proposes a total of 2.0 acres of new impervious surfaces. The Project area is constrained by shallow bedrock, a high vulnerability DWSMA, and a wellhead protection area, so infiltration is not allowed on site. The Project proposes to treat the stormwater by discharging directly into the existing City stormwater infrastructure, which is treated by Pond 03P, the Canterbury Park infield ponds, and Northwest pond, as described in the Plan (**Figure 2**). These ponds have previously been constructed and are part of the City's MS4 program.

The Project is within the Plan's 03.2S subwatershed, which assumes a maximum of 80% impervious surfaces and is proposing 57% impervious surfaces. Since it is below the 80% maximum, the Project is assumed to meet the District's Rule D requirements.

Recommendations

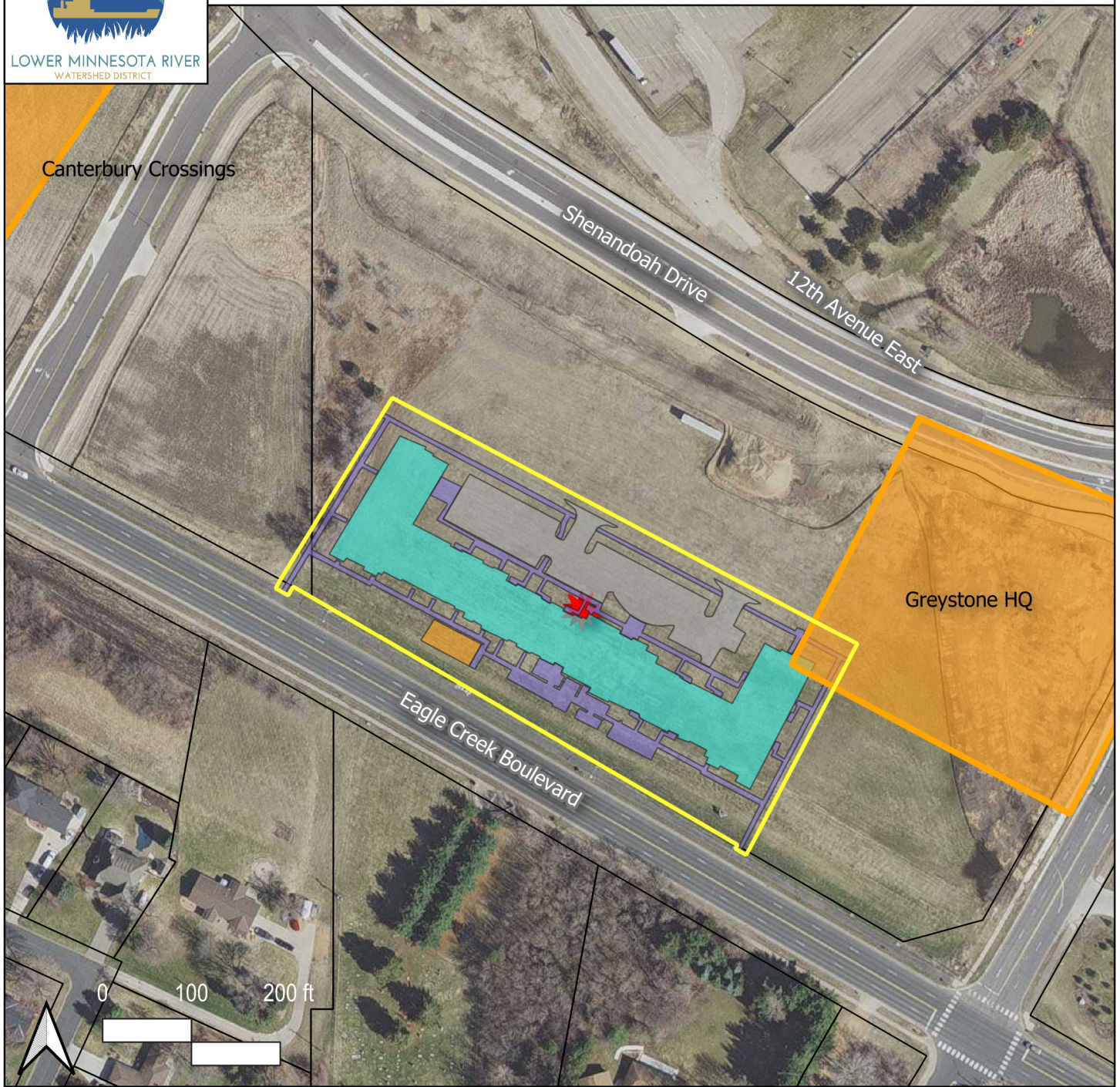
Staff recommends conditional approval of the Project, pending receipt of a copy of the NPDES permit and contact information for the contractor(s) and/or the person(s) responsible for inspection and maintenance of all erosion and sediment control features.

Attachments














- Figure 1—Canterbury Independent Senior Living Project Location Map
- Figure 2—Canterbury Senior Living Stormwater Treatment



Figure I: Canterbury Independent Senior Living Project Location



LEGEND

-  Project Location
-  Canterbury Independent Senior Living
-  Building
-  Parking Lot
-  Pickleball Court
-  Sidewalk
-  Public Waterways
-  Public Waters
-  Steep Slopes Overlay District
-  High Value Resource Area
-  Calcareous Fens
-  100-yr Floodplain
-  Floodway

LMRWd Watershed Location Map

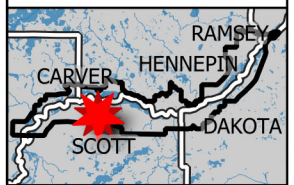




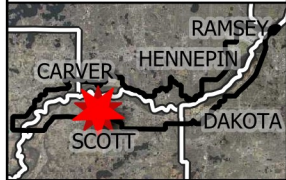
Figure 2: Canterbury Senior Living Stormwater Treatment



LEGEND

-  Project Location
-  Stormwater ponds treating Project
-  Canterbury Independent Senior Living
-  Building
-  Parking Lot
-  Pickleball Court
-  Sidewalk

LMRWD Watershed Location Map



Technical Memorandum

To: Linda Loomis, Administrator
Lower Minnesota River Watershed District

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

Date: September 13, 2021

Re: Circle K/Holiday Station Stores (LMRWD No. 2021-034)

Holiday Stationstores, LLC (the applicant) has applied for an individual project permit from the Lower Minnesota River Watershed District (LMRWD) to develop a gas station on undeveloped parcels within the City of Savage (City), as shown in Figure 1. The applicant's engineer, Bergmann Associates, has provided site plans for the Circle K/Holiday Station Stores (Project), along with the individual permit application.

The proposed Project involves constructing a 5,200-square-foot retail store that will also have fueling islands and a car wash. The Project will disturb 6.04 acres and create 2.96 acres of new impervious surface. The Project is not located within the High Value Resource Area or the Steep Slopes Overlay District, nor does it propose any grading or disturbance within the 100-year floodplain.

Because the City does not have its municipal LGU permit, the Project requires an LMRWD individual permit and is therefore subject to an LMRWD permitting review.

Summary

<u>Project Name:</u>	Circle K/Holiday Station Stores
<u>Purpose:</u>	Construction of a new gas station with car wash
<u>Project Size:</u>	6.87-acre site; 6.04 acres disturbed; 0.00 acres existing impervious; 2.96 acres proposed new impervious

Location: 7800 126th Street, Savage, MN 55378 (PIDs 260130020 and 260130030)

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

Recommended Board Action: Conditional approval

Discussion

The District received the following documents for review:

- LMRWD online permit application, received July 26, 2021
- LMRWD \$1,000 permit review fee, received August 13, 2021
- Plan Sheets by Bergmann Associates, dated July 17, 2021, received July 26, 2021
- Site location map, received July 26, 2021
- Response to LMRWD's comments letter by Bergmann Associates, dated August 17, 2021, received August 18, 2021
- Maintenance plan by Bergmann Associates, dated July 13, 2021, revised August 13, 2021, received August 18, 2021
- Stormwater Management Plan and Stormwater Pollution Plan for Construction Activities by Bergmann Associates, dated March 31, 2021, revised August 13, 2021, received August 18, 2021
- Authorization of Agent form, dated August 10, 2021, received August 18, 2021
- Stormwater Facilities Maintenance Agreement and Permanent Easement Agreement, received August 18, 2021
- Minnesota Department of Natural Resources Request for Comments for Appropriations Permit No. 2021-3356, received September 9, 2021
- Draft Performance Bond Agreement, dated September 10, 2021, received September 13, 2021

The application was deemed complete on August 23, 2021, and the documents received provide the minimum information necessary for permit review.

Rule B—Erosion and Sediment Control

The District regulates land-disturbing activities that affect 1 acre or more outside of the special overlay districts under Rule B. The proposed Project would disturb approximately 6 acres within the LMRWD boundary. The applicant has provided an erosion and sediment control plan and a Stormwater Pollution Prevention Plan.

The Project generally complies with Rule B; however, a copy of the NPDES permit and the contact information for the contractor and person(s) responsible for inspection and

maintenance of all erosion and sediment control features will be needed to issue the final LMRWD permit.

Rule D—Stormwater Management

The District regulates development and redevelopment activities that create more than 1 acre of new impervious surfaces under Rule D. The Project proposes a total of 2.96 acres of new impervious surfaces. Because Rule D, along with the NPDES and MS4 permits, prohibits construction of infiltration systems for areas that receive runoff from vehicle fueling facilities, the applicant proposes to use a proprietary filter and a wet retention pond for stormwater management. The proposed wet retention pond will treat 4.52 acres of the proposed development, whereas the remaining 2.35 acres will discharge off-site, untreated. Because infiltration is prohibited on-site, volume reduction will not be required to meet Rule D; however, rate control and water quality regulations are still applicable.

Section 4.4.1 of Rule D requires development projects not exceed existing discharge rates from the project site. The existing and proposed runoff rates from the provided HydroCAD calculations are shown in Table 1 below.

Table 1. HydroCAD Runoff Rate Summary

	EXISTING (cfs)	PROPOSED* (cfs)	CHANGE (cfs)
2-YR/24-HR	4.55	3.57	-0.98
10-YR/24-HR	10.03	7.09	-2.94
100- YR/24-HR	23.25	15.6	-7.65

*Includes runoff from untreated drainage areas (DR10 and DR11) and retention pond outflow

Despite not treating more than 30 percent of the proposed development, the post-construction conditions are anticipated to have an overall reduction in runoff rate from existing conditions for the 2-year, 10-year, and 100-year 24-hour storm events. The Project, as proposed, will meet the rate control requirements of Rule D.

Section 4.4.3 of Rule D requires development projects demonstrate that no net increase from existing conditions in total phosphorus (TP) or total suspended solids (TSS) to receiving waterbodies would result from the project. The applicant has provided existing and post-construction MIDS water quality calculations to document the TP and TSS loads under existing and proposed conditions. Table 2 below summarizes the results.

Table 2. MIDS Water Quality Summary

	EXISTING OUTPUT (lb/yr)	PROPOSED OUTPUT (lb/yr)	CHANGE (lb/yr)
Total Phosphorus	1.58 lb/yr	2.66 lb/yr	+1.08
Total Suspended Solids	286.7 lb/yr	239.4 lb/yr	-47.3

As presented, because of the increase in TP loading under the proposed conditions, the Project does not meet the water quality requirements established under Rule D. The increase in TP loading is likely caused by the 2.35 acres that discharge off-site, untreated.

Young Environmental discussed the increase in TP loading with the applicant on September 9, 2021; the applicant believes the water quality modeling is not accurately reflecting the treatment train approach proposed with the combination of the proprietary filter device and stormwater detention basin. The applicant believes the Project treats most of the site and will result in no net increase in TP or TSS loading to downstream waterbodies but has not yet provided the modeling that documents this. We have requested this information be provided for review and confirmation at the applicant's earliest convenience.

Financial Surety

The applicant has requested to use the financial assurance option to allow the development to proceed with construction while the water quality calculations are revised. The District attorney has recommended financial sureties for similar projects, such as Burnsville Industrial IV (LMRWD No. 2021-009); using that precedent, it is recommended that financial surety be required for the Circle K/Holiday Station as a condition for approving the permit. This financial surety would need to cover the potential costs of implementing alternative stormwater rate, volume, and water quality practices and facilities in the case that the modeling demonstrates that the Project does not meet the District requirements.

Based on the Individual Permit Financial Assurances approved by the Board at its February 17, 2021, board meeting, the applicant is responsible for securing a performance bond in the amount of \$24,500 from a company certified by the U.S. Department of the Treasury's Bureau of the Fiscal Service. The applicant has provided the draft performance bond agreement with Fidelity and Deposit Company of Maryland, a certified company (attached).

Additional Considerations

The LMRWD received a request for comments from the Minnesota Department of Natural Resources (DNR) for a DNR Appropriation Permit No. 2021-3356 for the Circle K/Holiday Station Project on Thursday, September 9, 2021. The DNR provided the dewatering site plan and application. In an email to DNR staff, the District Appropriations Hydrologist stated that the DNR requires the applicant to submit a report to the DNR from a professional geologist that quantifies the impacts that will result from construction dewatering to the nearby calcareous fens. The LMRWD has not received this report and requests it for our records.

Additionally, the applicant is proposing to begin construction dewatering activities on September 16, 2021. However, given our recommendation for conditional approval, the Project may not have received a permit by that date. We request the appropriations permit be conditioned on the LMRWD permit approval.

Recommendations

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

- A commercially issued performance bond for \$24,500;
- A copy of the NPDES permit and the contact information for the contractor(s) and/or the person(s) responsible for inspection and maintenance of all erosion and sediment control features; and
- A copy of the DNR-requested dewatering analysis report.

Young Environmental will continue to work with the applicant to determine the adequacy of the stormwater management approach proposed and will recommend release of the bond if the final analysis demonstrates that the Project meets the District's Rule D—Stormwater Management.

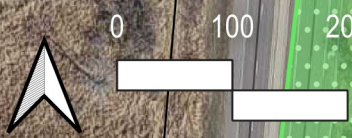
A copy of this memo will also be provided to the DNR as part of its request for comments for Appropriation Permit Application No. 2021-3356.

Attachments














- Figure 1—Circle K/Holiday Station Stores Project Location
- Draft Performance Bond Agreement



Figure I: Circle K/Holiday Station Stores Project Location



LEGEND

-  Project Location
-  Circle K/Holiday Station
-  Building
-  Concrete Area
-  Maintenance Access
-  Stormwater Pond
-  Parcel Boundaries
-  Public Waterways
-  Public Waters
-  High Value Resource Area
-  Steep Slopes Overlay District
-  100-yr Floodplain
-  Floodway

LMRWD Watershed Location Map



PERFORMANCE BOND

Bond No. 9383668

KNOW ALL BY THESE PRESENTS:

That we Holiday Stationstores, LLC, 4567 American Blvd. W, Bloomington MN 55437, as Principal, hereinafter called Principal, and Fidelity and Deposit Company of Maryland, 1299 Zurich, Way, 5th Floor, Schaumburg, IL 60196-1056, a Illinois corporation, as Surety, hereinafter called Surety, are held and firmly bound unto Lower Minnesota River Watershed District, 112 E. 5th Street, #102, Chaska MN 55318, as Obligee, hereinafter called Obligee, in the amount of Twenty Four Thousand Five Hundred and No/100 --- Dollars (\$24,500.00***) for the payment of which sum, well and truly to be made, the said Principal and Surety bind themselves, and their heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, Principal has entered into an Permit for various improvements for store located at 7800 126th Street, Savage MN 57702, which Agreement is by reference made a part hereof, and

WHEREAS, as a condition of said Agreement requires Principal to provide a Bond guaranteeing the installation of: Various improvements related to stormwater treatment for store located at 7800 126th Street, Savage MN 57702 at said location.

NOW, THEREFORE, THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if Principal shall install said work in accordance with said Agreement, then this obligation is void, otherwise to remain in full force and effect.

PROVIDED, HOWEVER, That:

1. It shall be a condition precedent to any right of recovery hereunder, that in event of any default on the part of the Principal, a written statement of the particular facts of such default shall be forwarded to the Surety, within thirty (30) days of the occurrence of such default, delivered by registered mail to Surety at its Home Office in Schuamburg, Illinois.
2. That no action, lawsuit or proceeding shall be had or maintained against the Surety on this Bond unless the same be filed and properly served upon the Surety within one year from the effective date of the cancellation of the Bond.
3. That no right of action shall accrue under this Bond to or for the use of a person or entity other than the Obligee, and its successors and assigns.
4. This Bond shall become effective September 10, 2021.
5. The liability of the Surety shall in no event exceed the aggregate penal sum of the Bond penalty.

IN WITNESS WHEREOF, The said Principal and Surety have signed and sealed this instrument on this 10th day of September, 2021.

Holiday Stationstores, LLC

By: _____
Name/Title

Fidelity and Deposit Company of Maryland

By: _____
Krista M. Lee Attorney-in-Fact

Technical Memorandum

To: Linda Loomis, Administrator
Lower Minnesota River Watershed District

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

Date: September 9, 2021

Re: Building Renovation for Park Jeep (LMRWD No. 2021-030)

Park Chrysler Jeep (the applicant) has applied for an individual project permit from the Lower Minnesota River Watershed District (LMRWD) to renovate an existing car dealership in the City of Burnsville (City), as shown in Figure 1. The applicant's engineer, Emmons & Olivier Resources, Inc. (EOR), has provided site plans for the Building Renovation for Park Jeep Project (Project) along with the permit application.

The proposed Project consists of expanding an existing building by approximately 50,000 square feet, removing several existing buildings, expanding the existing parking lot, and converting all gravel surfaces to bituminous surface. The Project would disturb approximately 5.59 acres and create 0.09 acres of new impervious surfaces, and it is not located within the High Value Resource Area, Steep Slopes Overlay District, or 100-year floodplain.

Because the City does not have its LMRWD municipal local government unit permit, this Project requires an LMRWD individual permit and, as such, is subject to an LMRWD permitting review.

Summary

<u>Project Name:</u>	Building Renovation for Park Jeep
<u>Purpose:</u>	Renovation of existing car dealership
<u>Project Size:</u>	5.59 acres disturbed; 4.79 acres existing impervious;

4.88 acres proposed impervious; net increase of 0.09 acres new impervious

Location: 1408 Highway 13 West, Burnsville, MN 55377
(PIDs 020140010014, 020140001010, 020140009010, and 020140010017)

LMRWD Rules: Rule B—Erosion and Sediment Control

Recommended Board Action: Conditional approval

Discussion

The District received the following documents for review:

- LMRWD online permit application, received July 9, 2021
- LMRWD \$1,000 permit fee, received August 13, 2021
- Project Narrative by EOR, dated July 9, 2021; received July 9, 2021
- City Certification by Bolton & Menk, dated May 18, 2021; received July 9, 2021
- Civil Plans by EOR, dated April 27, 2021; received July 9, 2021
- SWPPP by EOR, dated July 9, 2021; received July 9, 2021
- HydroCAD model, dated July 9, 2021; received July 9, 2021
- Existing Drainage Areas by EOR, dated April 26, 2021; received July 9, 2021
- Proposed Drainage Areas by EOR, dated April 26, 2021; received July 9, 2021
- Geotechnical Report by American Engineering Testing, dated November 9, 2020; received July 9, 2021
- Public Water Map by EOR, dated October 12, 2020; received July 9, 2021
- Authorization of Agent form, dated July 13, 2021; received July 14, 2021

The documents received provide the minimum information necessary for permit review.

Rule B—Erosion and Sediment Control

The District regulates land-disturbing activities that affect one acre or more under Rule B. The proposed Project would disturb approximately 5.59 acres within the LMRWD boundary. The applicant has provided an erosion and sediment control plan and a Stormwater Pollution Prevention Plan.

The Project generally complies with Rule B; however, a copy of the NPDES permit and contact information for the contractor and person(s) responsible for inspection and maintenance of all erosion and sediment control features will be needed before the final LMRWD permit can be issued.

Additional Considerations

The permit application suggested that there would be a total of 0.99 acres of new impervious surface area, which includes the conversion of 0.9 acres of existing gravel surface to bituminous. The District considers gravel to be impervious; therefore, for the purposes of determining whether the LMRWD Rule D—Stormwater Management will be triggered, only the new impervious surface of 0.09 acres has been considered, which is well below the one-acre threshold of Rule D.

Although the District is not regulating stormwater management for the Project, it should be noted that the applicant provided documentation that the project is located within the Minnesota River Quadrant (MRQ), and that Yellow Freight regional pond will provide stormwater treatment after connection to the existing storm sewer system. The LMRWD has previously reviewed the Yellow Freight regional pond (also known as Pond 2) for the Burnsville Industrial IV development (LMRWD No. 2021-009). As part of this analysis, the LMRWD determined that Yellow Freight regional pond had a remaining treatment capacity of 35 acres of new or reconstructed surfaces. The Project proposes to increase the impervious surface percentage to 87.3 percent from its existing 85.7 percent. The City should be consulted because the 2021 Yellow Freight Pond analysis assumed the MRQ would have a maximum of 80 percent impervious area. Even with the excess impervious area, by the LMRWD's accounting, Yellow Freight regional pond has adequate capacity to treat the redevelopment at Burnsville Park Jeep with a remaining credit of 30.08 acres for future impervious surfaces.

Recommendations

Staff recommends conditional approval of the Project, pending receipt of a copy of the NPDES permit and contact information for the contractor and person(s) responsible for inspection and maintenance of all erosion and sediment control features.

Attachments












- Figure 1 – Building Renovations Park Jeep Project Location Map



Figure 1: Building Renovation Park Jeep Project Location



LEGEND

-  Project Location
-  Building Renovation Park Jeep Project
-  Building
-  Parking Lot
-  Public Waterways
-  Public Waters
-  Parcel Boundary
-  High Value Resource Area
-  Steep Slopes Overlay District
-  100-yr Floodplain
-  Floodway

LMRWd Watershed Location Map

