



Please note the meeting will be held in person at the Carver County Government Center on the Wednesday, June 15, 2022. The meeting will also be available virtually using this [link](#).

LOWER MINNESOTA RIVER WATERSHED DISTRICT

Lower Minnesota River Watershed District

7:00 PM

Wednesday, June 15, 2022

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 April and May 2022 Regular Meetings</p> <p>B. Receive and file April and May 2022 Financial reports</p> <p>C. Approval of Invoices for payment</p> <ul style="list-style-type: none"> i. Studio Lola – Final invoice for sign project ii. Scott County Soil & Water Conservation District – Q1 2022 monitoring services iii. Metro Sales, Inc. – payment for maintenance agreement for copier iv. TimeSavers Off-Site Secretarial, Inc. – Preparation of April and May 2022 meeting minutes v. Naiad Consulting, LLC – May 2022 administrative services & expenses vi. Clifton Larson Allen, LLP - vii. Rinke Noonan – May 2022 legal services viii. US Bank Equipment Finance – June 2022 payment on copier lease ix. Inter-Fluve – March 2022 Study Area #3 services x. Young Environmental Consulting Group, LLC – May 2022 technical, and Education & Outreach services <p>D. Receive and file March 2022 Citizen Advisory Committee meeting minutes</p> <p>E. Reimburse City of Shakopee for Targeted BMP Study for Downtown Shakopee</p> <p>F. Reimburse Carver Watershed Management Organization for West Chaska</p>

	Creek re-meander project
5. New Business/ Presentations	A. 2023 Budget B. Seminary Fen Well Sealing
6. Old Business	A. Audit and Financial Accounting Services B. Cost Share Application - S. Mueller, 10745 Lyndale Bluffs Trail - no new information to report since last update C. City of Carver Levee – no new information to report since last update D. Dredge Management i. Vernon Avenue Dredge Material Management site ii. Private Dredge Material Placement E. Watershed Management Plan F. 2022 Legislative Action G. Education & Outreach H. LMRWD Projects <i>(only projects that require Board action will appear on the agenda. Informational updates will appear on the Administrator Report)</i> i. East Chaska Creek I. Permits and Project Reviews - See Administrator Report for project updates <i>(only projects that require Board action will appear on the agenda. Informational updates will appear on the Administrator Report)</i> i. LMRWD Permit Renewals ii. Minnesota MASH and 130 th Street Extension (LMRWD No, 2021-033) iii. CenterPoint Energy – Oak Street North (Chaska) (LMRWD No. 2022-021) iv. 535 Lakota Lane, Chanhasen – work without a permit J. MPCA Soil Reference Values – no new information to report 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 7:00 pm Wednesday, July 20, 2022.

Upcoming meetings/Events

Managers are invited to attend any of these meetings. Most are free of charge and if not the LMRWD will reimburse registration fees.

- UMWA monthly meeting – Thursday, June 16, 2022, Lilydale Pool & Yacht Club
- Lower MN River East 1W1P Policy Committee – Thursday, , 3:00 to 5:00,
- LMRWD Citizen Advisory Committee meeting – Tuesday, July 5, 2022, 9:00 am
- 14th MN River Congress – June 15, 2022 – Kato Ballroom, Mankato, MN
- Metro MAWD – Tuesday July 19, 2022, 7:00 pm, no meeting details yet
- [Salt Symposium](#) – Tuesday & Wednesday, August 2 & 3, 2022, 8:30 am to 3:30 pm (early bird pricing ends June 30th) on-line
- USACE River Resource Forum – Tuesday & Wednesday, August 23 & 24, 2022, 8:30am to 3:00pm,
- MAWD Summer Tour – August 23 – 25m Grand Forks

For Information Only

- **WCA Notices**
 - City of Shakopee – Notice of Decision (No Loss) – Prior Lake Outlet Channel Segment 5
- **DNR Public Waters Work permits**
 - Scott County – Request for Comments/Permit – Barge/Wharf/Anchor/Floating Excavation – CHS
 - Dakota County – Request for comments – I 494 Bridge - roadway/pathway fill (temporary), erosion control/stabilization fill & grading, and bridge construction/modification/replacement
- **DNR Water Appropriation permits**
 - Dakota County – amended water appropriation permit for Kraemer Mining and Materials, Inc. – to increase the authorized volume of water.



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Minutes of Regular Meeting

Board of Managers

Wednesday, April 20, 2022

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

Approved _____

1. CALL TO ORDER AND ROLL CALL

On Wednesday, April 20, 2022, at 7:00 PM CST, 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: Manager Laura Amundson, President Jesse Hartmann, Manager Patricia Mraz, and Manager Lauren Salvato. Manager David Raby joined the meeting virtually. In addition, the following attended the meeting: Linda Loomis, Naiad Consulting, LLC, LMRWD Administrator; Della Schall Young, Young Environmental Consulting Group, LLC, LMRWD Technical Consultant; and Attorney John Kolb, Rinke Noonan Attorneys at Law. Also in attendance; Jon Utecht, Water Resource Specialist, Scott Soil & Water Conservation District. Lisa Frenette, Frenette Legislative Advisors, LMRWD Legislative Liaison joined virtually at 8:15 pm and Katy Thompson, Young Environmental Consulting Group LLC, joined virtually at 8:30 pm.

2. APPROVAL OF THE AGENDA

Administrator Loomis asked to add Item 5. C. – 535 Lakota – Chanhassen – Work Without a Permit and an addendum to Item 6. C. – Audit and Financial Accounting Services – approval of invoices for payment.

Manager Raby made a motion to approve the agenda with the addition of Item 5. C. – 535 Lakota – Chanhassen – Work Without a Permit and an addendum to Item 6. C. – Audit and Financial Accounting Services – approval of invoices for payment. The motion was seconded by President Hartmann. Upon a vote being taken the following voted in favor of the motion: Amundson, Hartmann, Mraz, Raby, and Salvato; the following voted against: None.

3. CITIZEN FORUM

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

4. CONSENT AGENDA

President Hartmann introduced the item.

- A. Approve Minutes March 16, 2022 Regular Meeting
- B. Receive and file February and March 2022 Financial reports

C. Approval of Invoices for payment

- i. Daniel Hron – March 2022 office rent
- ii. Rinke Noonan – December 2021 legal services
- iii. Scott County SWCD – Q4 2021 monitoring, TACS & SCWEP
- iv. City of Shakopee – Cost share & grant reimbursement for PLOC
- v. Global Portfolio Consulting, LLC – down payment for 2021 audit services
- vi. Dakota County SWCD – Q4 2021 monitoring, cost share & education
- vii. HDR Engineering, Inc. – Website maintenance expenses
- viii. Naiad Consulting, LLC – October, November & December 2021 Administrative services, mileage & expenses
- ix. Young Environmental Consulting Group, LLC – December 2021 technical, and Education & Outreach Services
- x. Frenette Legislative Advisors – January/February 2022 legislative services
- xi. Inter-Fluve – January 2022 Area #3 services
- xii. Liberty Mutual Insurance Company – 2022 Directors & Officers insurance
- xiii. Metro Sales, Inc – payment on copier service agreement
- xiv. Rinke Noonan – January 2022 legal services
- xv. US Bank Equipment Finance – March 2022 copier lease payment
- xvi. Daniel Hron – April 2022 office rent
- xvii. State of MN – publication of advertisement for engineering pool, legal & technical services
- xviii. City of Burnsville – Cost Share for Willow Creek Ravine stabilization
- xix. Frenette Legislative Advisors – March 2022 legislative services
- xx. Inter-Fluve – February 2022 Area #3 services
- xxi. US Bank Equipment Finance – April payment on copier lease
- xxii. Bolton & Menk, Inc. – Sponsorship of 2022 Salt Symposium
- xxiii. Naiad Consulting, LLC – January 2022 administrative services & expenses
- xxiv. TimeSavers Off Site Secretarial – preparation of December 2021 meeting minutes
- xxv. Young Environmental Consulting Group, LLC, January 2022 Engineering & Technical services
- xxvi. TimeSavers Off Site Secretarial – preparation of January 2022 meeting minutes
- xxvii. Young Environmental Consulting Group – February 2022 Engineering & Technical services

D. Receive and file March 2022 Citizens Advisory Committee meeting minutes

E. Authorize execution of the Cooperative Agreement among the Lower Minnesota River Watershed District, Nine Mile Creek Watershed District, Richfield-Bloomington Watershed Management Organization and Riley-Purgatory-Bluff Creek Watershed District – Lower Minnesota River Chloride Cost-Share Program

F. Authorize execution of Grant Agreement between the Metropolitan Council and the Lower Minnesota River Watershed District for the Metropolitan Watershed Outlet Monitoring Program (WOMP1)

G. Authorize payment to Inter-Fluve for Area #3 invoice 21-04-21-03

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

5. NEW BUSINESS/PRESENTATIONS

A. Presentation by Scott County Soil & Water Conservation District of 2022 Monitoring Program

Administrator Loomis introduced Jon Utecht.

Jon Utecht, Scott County Water Resource Specialist, addressed the Board and provided a presentation on the outcomes of the Soil and Water Conservation District of 2022 Monitoring Program.

Ms. Della Schall Young asked if they have any idea what is making the TSS so high in certain months.

Mr. Utecht stated in his opinion it is the animals, or more specifically the ducks. He stated sand may be influencing the numbers a bit but it's hard to know for sure. Since the higher levels are seen in the winter months when the banks are frozen, the most logical source of the sediment is re-suspension of sediment from the bottom from duck activity.

Ms. Young asked if there is a correlation between the E. Coli levels and the atmospheric and water temperature. Mr. Utecht explained that is quite likely. Ms. Young said the LMRWD may want to investigate the correlation between atmospheric temperatures and E.coli further. Mr. Utecht said they observed the same increase in the Vermillion River and did some additional investigation which has not been completed. They discussed how difficult it can be to track down the sources of E. Coli because it can persist in the soils. Manager Salvato asked what it would cost to conduct further investigation. Ms. Young explained what further investigation would entail.

Mr. Utecht provided sampling information from Dean Lake. Manager Raby stated that he thinks that monitoring data at the outlet of Dean Lake would be more beneficial in terms of the Minnesota River.

Mr. Utecht stated there is a monitoring station near Valley Fair and he believes there is data that can be provided to the Board for review. Manager Raby thought that Dean Lake inlet data should be compared with the data collected at the Valley Fair data.

Administrator Loomis provided the Board with the history of Dean Lake's classification. The LMRWD requested that it be reclassified from a shallow water lake to a wetland.

Mr. Utecht continued, providing data on the well monitoring within Savage Fen.

Manager Raby made a motion to approve the Agreement Between the LMRWD and the Scott Soil and Water Conservation District for Monitoring, Technical, Education and other Conservation Services and authorize execution by President Hartmann. The motion was seconded by President Hartmann. Upon a vote being taken the following voted in favor of the motion: Amundson, Hartmann, Mraz, Raby, and Salvato; the following voted against: None

B. Cost Share Application for 4624 Overlook Drive Bloomington

Administrator Loomis introduced this item. She explained that even though the application lists the applicant is requesting \$4500, the applicant understands and is only requesting the maximum allowed which is \$2500. She noted the applicant intends to create a second rain garden in a year or so as well.

Manager Salvato asked if there is some sort of protocol for allowing someone to apply and create a second rain garden within a certain time frame.

Manager Raby stated that it appears there will be a year between, and it sounds like each rain garden will be completely separate projects, the applicant would follow the same process and have the project next year evaluated on its own merit for the Board to review. He noted they have allowed this in the past and doesn't see why they wouldn't in the future.

Motion by Manager Raby to approve Cost Share Application for 4624 Overlook Drive. The motion was seconded by Manager Mraz. Upon a vote being taken the following voted in favor of the motion: Amundson, Hartmann, Mraz, Raby, and Salvato; the following voted against: None

C. 535 Lakota – Chanhassen – work without permit

Administrator Loomis introduced this item. She stated the City of Chanhassen advised the LMRWD that they had become aware of a property which had done work without pulling the appropriate permits required.

Attorney John Kolb addressed the Board and stated they need to review the property to figure out what work had been done and potential violations that may have occurred to determine what restorations the LMRWD may need to require. He stated once they have had time to review the property and make those determinations then they will serve a notice of potential rule violation. He asked the Board for permission to conduct an inspection and send a notice to the property owner, so that a special meeting would not be needed.

Manager Raby asked about the timing of the notification to the property owner. Attorney Kolb explained that the LMRWD would not send any notice until after an inspection has been conducted. Manager Raby asked about accessing the property for an inspection. Attorney Kolb explained that the LMRWD has the right to enter the property to conduct inspections.

Ms. Schall Young, said that she has staff that are qualified to make the required inspection and that the LMRWD would coordinate all activities with the City.

Motion by Manager Raby to approve inspecting the property and sending notice of potential code violation. The motion was seconded by President Hartmann. Upon a vote being taken the following voted in favor of the motion: Amundson, Hartmann, Mraz, Raby, and Salvato; the following voted against: None

6. OLD BUSINESS

A. Legal & Technical Services

Administrator Loomis explained that the LMRWD received one proposal to provide technical and engineering services from Young Environmental Consulting Group and no proposals to provide legal services. She explained that she has spoken with the current legal services provider, Rinke Noonan, about continuing to provide legal services for the LMRWD. She reported that Rinke Noonan said they would be happy to continue with the LMRWD and provided an agreement to provide legal service.

She noted the proposal from Young Environmental Consulting Group was included with the meeting materials.

Manager Raby made a motion to accept the proposal provided by Young Environmental Consulting Group and to negotiate a contract with the assistance of legal counsel. The motion was seconded by Manager Salvato. Upon a vote being taken the following voted in favor of

the motion: Amundson, Hartmann, Mraz, Raby, and Salvato; the following voted against: None

President Hartmann made a motion to approve the agreement between the LMRWD and Rinke Noonan to provide legal services to the LMRWD and authorize execution. The motion was seconded by Manager Amundson. Upon a vote being taken the following voted in favor of the motion: Amundson, Hartmann, Mraz, Raby, and Salvato; the following voted against: None

B. Engineering Pool

Administrator Loomis introduced this item and provided an overview. She explained that nine proposals had been received. Staff reviewed all the proposals and recommends that all firms that applied be included in a pool.

Ms. Schall Young explained that more information is needed from several firms, but that they are all qualified to provide the services required by the LMRWD.

Manager Raby asked what the duration of the contract will be.

Attorney John Kolb stated there isn't a specific contract or time frame, but more of an annual opportunity to look at the options. Agreements would be drafted when a specific task is required. He noted that the list would be refreshed every two years when the LMRWD solicits for engineering services.

Manager Amundson asked about the number of firms that are being included in the pool. Ms. Schall Young explained that this is not unusual and noted that some watershed districts have more. She further noted that this list does not preclude the LMRWD from using firms outside of the pool.

Motion by Manager Mraz to accept all firms into the engineering pool for service areas identified in Table 1, pending the receipt of the following:

- **IMO should provide 2022 billing rates and specify whether it would expect an increase annually; and**
- **All firms should provide a conflict of interest statement, including how they would address the occurrence of a real or perceived conflict**

Motion was seconded by Manager Salvato. Upon a vote being taken the following voted in favor of the motion: Amundson, Hartmann, Mraz, Raby, and Salvato; the following voted against: None.

C. Audit and Financial Accounting Services Proposals

i. Addendum to Audit and Financial Accounting Service.

Administrator Loomis provided an overview of this item. Invoices will need to be approved by the Board before they are paid moving forward.

Motion by Manager Raby to pay the invoices listed in the addendum presented this evening. Motion was seconded by Manager Salvato. Upon a vote being taken the following voted in favor of the motion: Amundson, Hartmann, Mraz, Raby, and Salvato; the following voted against: None.

President Hartmann and Manager Amundson asked about Bill.com. Administrator Loomis noted that this is a new service that the Managers will use to authorize payment of invoices to the LMRWD.

D. MAWD Membership

Administrator Loomis provided an overview of this item. She reported that she had attended the most recent Metro MAWD meeting.

The Board did not need to take any action unless they choose to renew membership in the organization.

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

No new information to report since last update.

F. City of Carver Levee

Administrator Loomis provided an overview of this item.

Motion by President Hartmann to authorize reimbursement to the City of Carver. The motion was seconded by Manager Salvato. Upon a vote being taken the following voted in favor of the motion: Amundson, Hartmann, Mraz, Raby, and Salvato; the following voted against: None.

G. Dredge Management

The Board had requested information about the amount of dredge material that has been placed on the LMRWD dredge site historically. Administrator Loomis reported that she provided that information with the meeting materials.

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

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

H. Watershed Management Plan

No new information to report since last update.

I. 2022 Legislative Action

Administrator Loomis reported that she had testified before the House of Representatives Capital Investment Committee. Lisa Frenette provided a brief update and stated there is a report in the Executive Summary for the Board's review.

J. Education and Outreach Plan

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

Administrator Loomis reported that the LMRWD plans to table at the Eden Prairie Green Fair and Arbor Day Walk, April 30, 2022.

K. LMRWD Projects

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

i. Area #3

Administrator Loomis introduced this item. She stated there is an overview of this project in the meeting packet for the Board's information

President Hartmann made a motion to approve the work plan. Manager Mraz seconded the motion.

Manager Raby asked to affirm the intent of the proposed scope of work. Ms. Schall Young said Manager Raby was correct, the scope of work now includes all the aspects of the

project and to bring the project to the 90% design. The project would then be shovel ready if the LMRWD is successful getting funding from the legislature. Manager Raby asked for clarification of the cost of specific tasks. Ms. Schall Young provided that information.

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

L. Project/Plan Reviews

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

i. LMRWD Permit renewal

Administrator Loomis introduced this item. She stated there is an overview of this project in the meeting packet for the Board's information.

Manager Raby made a motion to renew permits as provided in Table 1 [CSAH 11 Reconstruction, Canterbury Crossing, Southwest Logistics Center, and 106th Street Improvements] attached to the Technical Memorandum dated April 2022 Individual Project Permit Renewal Requests. The motion was seconded by Manager Amundson. Upon a vote being taken the following voted in favor of the motion: Amundson, Hartmann, Mraz, Raby, and Salvato; the following voted against: None.

ii. Biff's Inc. (LMRWD Permit No. 2022-011)

Administrator Loomis introduced this item. She stated there is an overview of this project in the meeting packet for the Board's information.

Manager Mraz made a motion to conditionally approve Biff's Inc. (LMRWD Permit No. 2022-011) contingent upon the receipt of an NPDES permit and contact information for the contractor and the person(s) responsible for inspection and maintenance of all erosion and sediment control features. The motion was seconded by Manager Salvato. Upon a vote being taken the following voted in favor of the motion: Amundson, Hartmann, Mraz, Raby, and Salvato; the following voted against: None.

iii. Engineered Hillside (LMRWD No. 2022-007)

Administrator Loomis introduced this item. She stated there is an overview of this project in the meeting packet for the Board's information.

President Hartmann made a motion to approve a permit for 10800 Azure Skies, Eden Prairie, MN (LMRWD Permit No. 2022-007). The motion was seconded by Manager Raby. Upon a vote being taken the following voted in favor of the motion: Amundson, Hartmann, Mraz, Raby, and Salvato; the following voted against: None

iv. Quarry Lake Trail and Pedestrian Bridge (LMRWD No. 2022-010)

Administrator Loomis introduced this item. She stated there is an overview of this project in the meeting packet for the Board's information.

President Hartman made a Motion to conditionally approve a permit for Quarry Lake Trail and Pedestrian Bridge (LMRWD No. 2022-010) contingent upon receipt of the final signed construction plan. The motion was seconded by Manager Mraz Upon a vote being taken the following voted in favor of the motion: Amundson, Hartmann, Mraz, Raby, and Salvato; the following voted against: None

v. Normandale Blvd & 98th Street Intersection project (LMRWD No. 2022-013)

Administrator Loomis introduced this item. She stated there is an overview of this project in the meeting packet for the Board's information.

Manager Mraz made a motion to conditionally approve Normandale Blvd & 98th St Intersection Project (LMRWD No. 2022-013) contingent upon receipt of a copy of the NPDES permit and contact information for the contractor and the person(s) responsible for inspection and maintenance of all erosion and sediment control features. The motion was seconded by Manager Amundson. Upon a vote being taken the following voted in favor of the motion: Amundson, Hartmann, Mraz, Raby, and Salvato; the following voted against: None

- K. MPCA Soil Reference Values - no change since last update**
No new information to report since last update.

9. COMMUNICATIONS

- A. Administrator Report:** Administrator Loomis provided the Administrator's Report verbally, since it was not posted to the website until late Wednesday afternoon. She reported on the following items:

- **BWSR Grant reconciliation**
- **Seminary Fen Ravine Stabilization Grant replacement**
- **West Chaska Creek Sediment Release**
- **14th MN River Congress**
- **Lower Mn River East 1W1P**
- **USACE River Resource Forum**

Administrator Loomis asked the Board if they would rather see the report on permits in the format provided by Young Environmental Consulting Group or in the narrative format that they have been seeing. The Consensus of the Board was to use the table format provided by Young Environmental.

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

10. ADJOURN

At 8:55 PM, President Hartmann made a motion to adjourn the meeting. Manager Amundson seconded the motion. Upon a vote being taken the motion carried unanimously.

The next meeting of the LMRWD Board of Managers meeting will be 7:00, Wednesday, May 18, 2022, and will be held at the Carver County Government Center, 602 East 4th Street, Chaska, MN. Electronic access will also be available.

Attest:

Lauren Manager Salvato, Secretary

Linda Administrator Loomis, Administrator



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Minutes of Regular Meeting

Board of Managers

Wednesday, May 18, 2022

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

Approved _____

1. CALL TO ORDER AND ROLL CALL

On Wednesday, May 18, 2022, at 7:00 PM CST, 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. Manager Amundson was absent. In addition, the following attended the meeting: Linda Loomis, Naiad Consulting, LLC, LMRWD Administrator; Attorney John Kolb, Rinke Noonan Attorneys at Law, LMRWD legal counsel; and Joe Donkers, ISG, representing Minnesota MASH. Della Schall Young, Young Environmental Consulting Group, LLC, LMRWD Technical Consultant; joined the meeting virtually. Lisa Frenette, Frenette Legislative Advisors, LMRWD Legislative Liaison joined virtually at 7:21 pm and Hannah LeClaire, Young Environmental Consulting Group LLC, joined virtually at 7:24 pm.

2. APPROVAL OF THE AGENDA

Administrator Loomis asked to remove Item 4. A. - Minutes for April 20, 2022, Regular Meeting from the meeting agenda. She asked to add an invoice for Frenette Legislative Advisors (for April & May 2022 services) and two invoices from Daniel Hron for May and June 2022 office rent under Agenda Item 4. C. She asked to add an action under Agenda Item 6.I.v. to adopt Resolution 22-05.

Manager Raby made a motion to approve the agenda with the removal of the Item 4. A. – Minutes for April 20, 2022, Regular Meeting and the addition of invoices from Frenette Legislative Advisors for April and May 2022 services and Daniel Hron for May and June 2022 rent and the addition of Resolution 22-05 to Agenda Item 6. I. v. – 535 Lakota Lane. Manager Salvato seconded the motion. Upon a vote being taken motion carried unanimously.

3. CITIZEN FORUM

Administrator Loomis reported that she had not received communication from anyone that wished to address the Board and no one was present that wished to address the Board.

4. CONSENT AGENDA

President Hartmann introduced the item.

~~A. Approve Minutes April 20, 2022 Regular Meeting~~

- B. Receive and file April 2022 Financial reports**
- C. Approval of Invoices for payment**
 - i. **Clifton Larson Allen – April 2022 Financial Accounting Services**
 - ii. **Dakota County Soil & Water Conservation District – Q1 2022 monitoring services**
 - iii. **Safeguard – fees to order checks for LMRWD checking account**
 - iv. **HDR Engineering, Inc. – December 2021 to April 2022 website services**
 - v. **Naiad Consulting, LLC – March 2022 Administrative services, mileage & expenses**
 - vi. **Naiad Consulting, LLC – April 2022 Administrative services, mileage & expense**
 - vii. **State of MN – publication of advertisement for interest in inclusion in an engineering pool**
 - viii. **Rinke Noonan – April 2021 legal services**
 - ix. **US Bank Equipment Finance – May payment on copier leases**
 - x. **Young Environmental Consulting Group, LLC – April 2022 technical, and Education & Outreach Services**
 - xi. **Frenette Legislative Advisors – April & May 2022 legislative Services**
 - xii. **Daniel Hron – May & June 2022 office rent**
- D. Receive and file March 2022 Citizens Advisory Committee meeting minutes**

Manager Raby made a motion to approve the Consent Agenda with the Minutes April 20, 2022, Regular Meeting removed and the addition of invoices for Frenette Legislative Advisors. Manager Salvato seconded the motion. Upon a vote being taken the motion carried unanimously.

5. NEW BUSINESS/PRESENTATIONS

A. Metro Children’s Water Festival Sponsorship

Administrator Loomis introduced and provided an overview of this item. She noted the date of the event is September 28, 2022. She stated there will be a call for volunteers for the event later. She added they have typically sponsored buses for the event in the past and it was included in the budget they already approved for this year again.

Manager Raby made a motion to sponsor 6 buses to the 2022 Metro Children’s Water Festival for a total cost of \$1,650. Manager Mraz seconded the motion. Upon a vote being taken the motion carried unanimously.

B. Sponsorship of 14th Minnesota River Congress

Administrator Loomis introduced and provided an overview of this item. She stated the event is June 15th, 2022, at the Mankato Ballroom and they are looking for sponsorship from the Board. It was noted this event is the same night as the June LMRWD Board of Managers meeting.

Manager Raby made a motion to authorize \$100 support for the Minnesota River Congress. The motion was seconded by President Hartmann. Upon a vote being taken the motion carried unanimously.

6. OLD BUSINESS

A. Audit and Financial Accounting Services Proposals

Administrator Loomis provided an update on this item. She noted they are not set-up with US Bank yet and they will continue to have the President sign the checks until they are.

Administrator Loomis said that the audit should be completed by the June meeting. She noted stated the audit has a statutory due date of June 30th and is wondering if the Board wants to have the budget presented by the Auditor at June Board of Managers meeting.

It was the consensus of the Board to not have the Auditor present the budget, unless there is a serious finding that should be brought to the attention of the Board.

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

No new information to report since last update.

C. City of Carver Levee

There is no information to discuss other than what staff provided in the Executive Summary included with the meeting materials.

D. Dredge Management

Administrator Loomis reported on an issue that the City of Savage brought to her attention the day of the meeting. There has been difficulty accessing the dredge management placement site and the site operator, LS Marine, has been hauling outside approved hours by the Conditional Use Permit the LMRWD has with the City. Della Schall Young noted that the permit conditioned approval on the LMRWD having access to the site. Staff will check with MnDOT.

i. Vernon Avenue Dredge Material Management site

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

ii. Private Dredge Material Placement

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

E. Watershed Management Plan

Administrator Loomis introduced and provided an overview of this item. She stated they are looking for the Board to provide feedback on the draft CIP prepared by Young Environmental. She stated once the Board has approved the draft CIP, it will be shared with all LMRWD partners for comment, according to statutory requirements.

Ms. Schall Young stated the plan captures all the projects that have been done over the past five years. She noted they still need to add the revenue into the draft plan.

Manager Salvato asked for clarification on how they calculate the budget.

Ms. Schall Young stated they generally try to leave the total levy between \$700k-\$800k a year so the amount levied doesn't swing wildly

The Board discussed managing the expenses across multiple years and designating certain projects in the plan as unfunded.

Manager Mraz asked if projects looking for funding can also use federal money.

Attorney John Kolb stated the projects can come with any type of financial package and ask for extra, but for them to be eligible for watershed funds they need to be listed somewhere in the plan.

Manager Salvato had a question about the difference between managing fens and trout streams. Attorney Kolb noted that the difference is statutory. Fen are protected in MN Statute and can not be impacted in any way. Trout streams can be impacted in certain ways by MN Statute

Manager Mraz made a motion to approve the first draft CIP and share with LMRWD partners. The motion was seconded by Manager Raby. Upon a vote being taken the motion carried unanimously.

F. 2022 Legislative Action

Lisa Frenette, Frenette Legislative Advisor, legislative liaison to the LMRWD, reported on activity at the legislature.

G. Education and Outreach Plan

Administrator Loomis introduced this item and stated Jen Dillum, LMRWD Education & Outreach Coordinator, put together the map provided of all the School Districts that students living in the LMRWD might attend. The Board asked if private school's had been identified.

She stated they had planned to table at Eden Prairie's Green Fair and Arbor Day Walk on April 30th but the event was cancelled due to weather. In preparing to table at that event, they wanted to purchase some gear as listed in the Board packets to use when tabling in the future. She stated they are looking for the Board to consider approval of the funds to purchase items to use when tabling events.

There was a brief discussion of where equipment would be stored and then of the LMRWD's office space.

Manager Mraz made a motion to authorize LMRWD staff to spend up to \$500 on equipment to be used when tabling. The motion was seconded by Manager Salvato. Upon a vote being taken the motion carried unanimously.

H. LMRWD Projects

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

i. Trout Streams Gaps Analysis and Management Plan

Administrator Loomis provided an overview of this project and stated it is recommended the Board consider a motion to accept the plan provided.

President Hartman made a motion to receive and file the Trout Streams Gaps Analysis and Management Plan. The motion was seconded by Manager Salvato. Upon a vote being taken the motion carried unanimously.

ii. Lower Minnesota River Floodplain Model Feasibility Study

Administrator Loomis provided an overview of this project and stated it is recommended the Board consider a motion to accept the study provided.

President Hartman made a motion to accept the Lower Minnesota River Floodplain Model Feasibility Study. The motion was seconded by Manager Salvato. Upon a vote being taken the motion carried unanimously.

I. Project/Plan Reviews

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

i. LMRWD Permit renewal

Administrator Loomis introduced this item. She stated that information about permits that require renewal was included with the materials in the meeting packet.

Manager Raby made a motion to renew permit for CSAH 61 drainage improvements as recommended in the Technical Memorandum dated April 2022 Individual Project Permit Renewal Requests. Manager Salvato seconded the motion. Upon a vote being taken the motion carried unanimously.

ii. Minnesota MASH and 130th Street Extension (LMRWD No, 2021-033)

Administrator Loomis introduced this item. She stated that information about this application was included with the materials in the meeting packet.

President Hartmann asked about financial assurance. Ms. Schall Young, as only the first phase is being authorized, which is only for grading. The only outstanding information the LMRWD is waiting on is clarification of the 130th Street extension drainage, which is coming from the City. Legal Counsel also explained there is not great financial risk to the LMRWD. He noted a representative from the Project Applicant is at the meeting. Mr. Joe Donkers, from ISG, representing Minnesota MASH provided more detail about the project and what the Board is being asked to approve.

Manager Mraz made a motion to conditionally approve a permit for site preparation and grading. President Hartmann seconded the motion. Upon a vote being taken the motion carried unanimously.

iii. Chaska TH 41/CSAH 61 Improvements (LMRWD No. 2022-014)

Administrator Loomis introduced this item. She stated that information about this application was included with the materials in the meeting packet.

Manager Salvato made a motion to conditionally approve a permit for Chaska TH41/CSAH 61 Improvements (LMRWD Permit No. 2022-014) contingent upon receipt of a copy of the NPDES permit and contact information for the contractor and the person(s) responsible for inspection and maintenance of all erosion and sediment control features. Manager Raby seconded the motion. Upon a vote being taken the motion carried unanimously.

iv. Prior Lake Outlet Channel 2022 Bank Stabilization (LMRWD No. 2022-017)

Administrator Loomis introduced this item. She stated that information about this application was included with the materials in the meeting packet. She noted that no action by the Board is necessary. The LMRWD has received notification that DNR permits have been applied for.

v. 535 Lakota Lane, Chanhassen – work without a permit

Administrator Loomis introduced this item. She said a report was included with the meeting materials that reported the findings of the LMRWD inspection of the property. Attorney Kolb presented Resolution 22-05 Adopting Findings and an Order Determining a Violation of District Administrative Rules, Authorizing Notice and Initiation Enforcement, for the Board to consider, which calls for a letter from the LMRWD to the property owner. He detailed the actions that the LMRWD would take to bring this property into compliance and answered questions from the Board.

Manager Raby made a motion to adopt Resolution 22-05 Adopting Findings and an Order Determining a Violation of District Administrative Rules, Authorizing Notice and Initiation Enforcement. Manager Salvato seconded the motion. Upon a vote being taken the motion carried unanimously.

K. MPCA Soil Reference Values

Administrator Loomis explained how the LMRWD will proceed now that the MPCA has released pollutant tolerance levels. She noted that this will impact dredge and that samples are taken from materials placed on the LMRWD dredge placement site.

9. COMMUNICATIONS

A. **Administrator Report:** Administrator Loomis provided the Administrator’s Report verbally, since it was not posted to the website until late Wednesday afternoon. She reported on the following items:

- **BWSR Grant reporting**
- **2022 Watershed Base Implementation Funding**
- **Savage Fen**
- **Lower Mn River East 1W1P**
- **MAWD**

Administrator Loomis noted the report is posted to the May 18, 2022, meeting page on the website and includes the tabling reporting the status of LMRWD permits.

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

10. ADJOURN

At 8:30 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 next meeting of the LMRWD Board of Managers meeting will be 7:00, Wednesday, June 15, 2022, and will be held at the Carver County Government Center, 602 East 4th Street, Chaska, MN. Electronic access will also be available.

Attest:

Lauren Manager Salvato, Secretary

Linda Administrator Loomis, Administrator

Item 4.B.
LMRWD 6-15-2022

BEGINNING BALANCE	30-Apr-22	\$ 1,391,097.25
ADD:		
General Fund Revenue:		
April Dividend		\$ 123.76
May Dividend		\$ 517.17
Permit Review Fee - Merjent/CenterPoint Energy		\$ 750.00
Placement of private dredge material - Savage Riverport		\$ 2,607.00
		\$ 3,997.93
Total Revenue and Transfers In		
		\$ 3,997.93
DEDUCT:		
Warrants:		
435455 Rinke Noonan	February 2022 legal services	\$ 1,095.00
100019758 Clifton Larson Allen LLP	Set-up fianancial systems	\$ 3,780.00
100019771 Naiad Consulting, LLC	February 2022 Admin services	\$ 11,013.71
100019777 TimeSaver Off-Site Sec.	Preparation of Feb mtg. min.	\$ 154.00
Checks:		
1001 Void		\$ -
1002 Studio Lola		\$ 4,861.25
1003 State Dept. of Admin.		\$ 324.00
		\$ 21,227.96
Total Warrants/Reductions		
		\$ 21,227.96
ENDING BALANCE	31-May-22	\$ 1,373,867.22

EXPENDITURES	2022 Budget	March Actual	YTD 2022	Over (Under) Budget
Administrative expenses	\$ 250,000.00	\$ 16,366.71	\$ 71,127.37	\$ (178,872.63)
Cooperative Projects				
Eden Prairie Bank Stabilization Area #3	\$ 100,000.00	\$ -	\$ 21,064.55	\$ (78,935.45)
Gully Erosion Contingency Fund	\$ -	\$ -	\$ -	\$ -
USGS Sediment & Flow Monitoring	\$ -	\$ -	\$ -	\$ -
Ravine Stabilization at Seminary Fen in Chaska	\$ -	\$ -	\$ -	\$ -
Seminary Fen Ravine Restoration site A	\$ -	\$ -	\$ -	\$ -
Seminary Fen Ravine Restoration site C-2	\$ -	\$ -	\$ -	\$ -
509 Plan Budget				
<i>Resource Plan Implementation</i>				
Watershed Resource Restoration Fund	\$ 120,000.00	\$ -	\$ 67,500.00	\$ (52,500.00)
Gully Inventory	\$ -	\$ -	\$ -	\$ -
MN River Corridor Management Project	\$ -	\$ -	\$ 4,647.96	\$ 4,647.96
TH 101 Shakopee Ravine	\$ -	\$ -	\$ -	\$ -
Assumption Creek Hydrology Restoration	\$ -	\$ -	\$ 1,246.75	\$ 1,246.75
Carver Creek Restoration	\$ -	\$ -	\$ -	\$ -
Groundwater Screening Tool Model	\$ -	\$ -	\$ -	\$ -
MN River Floodplain Model Feasibility Study	\$ -	\$ -	\$ 3,111.00	\$ 3,111.00
Schroeder Acres Park SW Mgmt Project	\$ -	\$ -	\$ -	\$ -
Downtown Shakopee Stormwater BMPs	\$ 50,000.00	\$ -	\$ -	\$ (50,000.00)
PLOC Realignment/Wetland Restoration	\$ 30,000.00	\$ -	\$ -	\$ (30,000.00)
Spring Creek Project	\$ -	\$ -	\$ 6,533.76	\$ 6,533.76
West Chaska Creek	\$ -	\$ -	\$ -	\$ -
Sustainable Lakes Mgmt. Plan (Trout Lakes)	\$ 50,000.00	\$ -	\$ -	\$ (50,000.00)
Geomorphic Assessments (Trout Streams)	\$ -	\$ -	\$ 2,752.55	\$ 2,752.55
Fen Stewardship Program	\$ 25,000.00	\$ -	\$ 10,649.32	\$ (14,350.68)
District Boundary Modification	\$ -	\$ -	\$ -	\$ -
E. Chaska Creek Bank Stabilization Project	\$ -	\$ -	\$ -	\$ -
E. Chaska Creek Treatment Wetland Project	\$ -	\$ -	\$ -	\$ -
MN River Sediment Reduction Strategy	\$ -	\$ -	\$ -	\$ -
Local Water Management Plan reviews	\$ 5,000.00	\$ -	\$ 375.00	\$ (4,625.00)
Project Reviews	\$ 75,000.00	\$ -	\$ 28,372.75	\$ (46,627.25)
<i>Monitoring</i>	\$ 75,000.00	\$ -	\$ -	\$ (75,000.00)
<i>Watershed Management Plan</i>	\$ -	\$ -	\$ 4,574.09	\$ 4,574.09
<i>Public Education/CAC/Outreach Program</i>	\$ 75,000.00	\$ 4,861.25	\$ 12,627.73	\$ (62,372.27)
<i>Cost Share Program</i>	\$ 20,000.00	\$ -	\$ -	\$ (20,000.00)
Nine Foot Channel				
Transfer from General Fund	\$ -	\$ -	\$ -	\$ -
Dredge Site Improvements	\$ 240,000.00	\$ -	\$ -	\$ (240,000.00)
Total:	\$ 1,115,000.00	\$ 21,227.96	\$ 234,582.83	\$ (880,417.17)



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, June 15, 2022

Agenda Item

Item 4. D. – Receive and file March 2022 Citizen Advisory Committee meeting minutes

Prepared By

Linda Loomis, Administrator

Summary

The Citizen Advisory Committee (CAC) met on June 7, 2022. A quorum of the committee was present to officially approve the meeting minutes of the March 2022 CAC meeting.

The CAC toured LMRWD cost share projects located at the Carver County government Center. While there we met Paul Moline of the Carver County WMO. He reported that the County was happy with the native plantings that were introduced with the LMRWD Cost Share Project and has expanded the area that will be maintained with native planting. The shoreland surrounding Courthouse Lake was mowed down to the waters edge. Two years ago the County replanted the lawn with natives. The expanded area has not been as successful as the original project. Mr. Moline said it was due to the amount of maintenance provided. He also said that the County was successful in getting funding from the DNR, to plant an area between Courthouse Lake and the Chaska Levee with native plants and will move ahead with that project this season. The property in question is owned by the City of Chaska and has been maintained as mowed lawn.

The CAC decided to cancel its July meeting, since it falls on July 5th. They expressed interest in no-mow lawns, so we will ask Nine Mile Creek Watershed District if it would be possible to tour its building at the August CAC meeting. The CAC has been added to the stakeholder list for the Lower Minnesota River East 1W1P kick-off meeting on July 26th. They would like to attend the Corps of Engineers River Resource Forum in August to tour the Bass Ponds Habitat Restoration that was completed in 2021.

Attachments

March 2022 CAC meeting minutes

April 2022 CAC meeting notes

May 2022 CAC meeting notes

Recommended Action

Motion to receive and file March 2022 CAC meeting minutes



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Minutes Citizen Advisory Committee (CAC) Tuesday, March 1, 2022 Teleconference via Webex

1. Call to Order and Roll Call

President Diederichs called the meeting to order. The following members were present: Judy Berglund, Craig Diederichs, and Theresa Kuplic. The following individuals also attended the meeting: Linda Loomis (Naiad Consulting LLC and Lower Minnesota River Watershed District [LMRWD] Administrator), Jen Dullum (representing Young Environmental Consulting Group LLC), and Vicki Sherry (US Fish and Wildlife Service [FWS], National Wildlife Refuge System).

2. Consent Agenda

- a. Approval of the March Agenda
- b. Approval of the February Minutes

Berglund moved to approve the consent agenda, and Diederichs seconded the motion. In a roll-call vote, the following individuals voted in favor of the motion: Berglund, Diederichs, and Kuplic. The following individuals voted against it: none.

3. Citizen Input on Non-Agenda Items

There was no input.

4. New Business

Vicki Sherry, FWS

Sherry, a wildlife biologist, gave a presentation on the Minnesota Valley National Wildlife Refuge (Minnesota Valley NWR) and Wetland Management District (WMD).

Diederichs asked about sediment removal from the holding pond mentioned in the presentation. Sherry noted that the Minnesota Valley NWR and WMD is not removing sediment from the holding pond. Currently, the sediment just spreads out. The Minnesota Valley NWR and WMD hopes to solve this issue, but it has proven to be extremely expensive. The Minnesota Valley NWR and WMD also do not own the property where the sediment is originating, which makes remediation more difficult. Outreach to landowners is ongoing. Kuplic asked if any legislation to remedy the sediment issue would be available if the parcel of land were ever to be developed. Sherry noted ongoing work with city officials and stated that donation of the portion of the property below the bluff could allow access for repairs.

Loomis asked if vegetation surveys have ever been conducted. Sherry responded that many wildlife and

vegetation surveys have been conducted in the Minnesota Valley NWR and WMD. Most surveys take place before and after restoration efforts to gauge progress on management practices. There have also been surveys for the endangered and threatened species within the Minnesota Valley NWR and WMD. Sherry noted that the Minnesota Valley NWR and WMD is interested in partnerships and in exploring partnership opportunities with LMRWD.

5. Old Business

Berglund had questions about cost-share opportunities for rain barrels. Loomis noted that applications should be submitted and approved before purchase and installation of rain barrels.

6. Communications

Kuplic suggested uploading more handouts and information on cost-share opportunities to the LMRWD website.

Diederichs suggested we record our meetings so we can link to presentations on the website. Loomis noted that she is considering this option and will continue to investigate it.

There were comments on winter salt use, pending legislation, and the Stop Over Salting citizen group.

Kuplic suggested we post a list of water issues facing the Minnesota River on the website. For each water issue, we could create a page link to share solutions.

Loomis noted an upcoming potential outreach event in Eden Prairie where LMRWD informational handouts could be shared. She is looking into the details.

7. Adjournment

Berglund moved to adjourn the meeting, and Kuplic seconded the motion. In a roll-call vote, the following individuals voted in favor of the motion: Berglund, Diederichs, and Kuplic. The following individuals voted against it: none.



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Minutes Citizen Advisory Committee (CAC) Tuesday, April 5, 2022 Teleconference via Webex

The following members were present: Craig Diederichs and Theresa Kuplic. The following individuals also joined the meeting: Linda Loomis (Naiad Consulting LLC and Lower Minnesota River Watershed District [LMRWD] administrator), Jen Dullum (Young Environmental Consulting Group LLC), and Seth Ristow (Carver County Soil & Water Conservation District [SWCD]).

*There was not a quorum for this meeting. Minutes are unofficial. Names and addresses have been redacted from the attached slide presentation.

Seth Ristow, landscape restoration specialist with the SWCD, gave a presentation on completed and proposed water quality projects in Carver County within the LMRWD. Below is a summary from the Q & A session.

Q: Craig Diederichs asked about funding for projects on private property.

A: Ristow replied that most projects require property owners to contribute 25 percent of the project cost. Occasionally, larger projects receive funding from additional sources.

Q: Theresa Kuplic asked about the funding source for the properties along Spring Creek.

A: Ristow noted that this is a potential project that has not yet begun. Linda Loomis replied that the LMRWD Board of Managers approved a work plan to implement repairs in the Spring Creek subwatershed, which came from a LMRWD hydrology study. The LMRWD hopes that funding for the repairs will come not only from the LMRWD but also from the city of Carver and the property owner. Currently, the city of Carver is not interested in contributing funding to the repairs. Spring Creek acts as a stormwater conveyance channel for the city of Carver. A landowner meeting is the next step in the process.

Q: Diederichs inquired about the hierarchy of responsibility and ownership in areas where streams affect private property.

A: Loomis noted that the property owner is the responsible party. Loomis believes that because Spring Creek is used in stormwater conveyance, the city of Carver has some liability because flows from development have exacerbated erosion from the banks of the creek. The hydrology study from the LMRWD identified stormwater outfalls draining into the creek.

Q: Kuplic clarified that, if the city allows development, which changes hydrology and affects private

property, the city is still not liable for property damages.

A: Loomis noted that sometimes these issues need to be decided through the court system. The LMRWD wants to repair the issues in Spring Creek but is reluctant to completely fund projects when they are on private property.

Q: Kuplic asked about the proposed plantings along the creek and their hardiness.

A: Ristow explained that the shrubs used have very fibrous root structures and are tolerant of wet conditions. They form colonies that help stabilize the creek banks. Extremely heavy flows have the potential to wash out the plants. Where water directly hits the creek bank, rocks and other hard armor are used for additional stabilization.

Q: Kuplic inquired about mowing native vegetation.

A: Ristow explained that regardless of how thorough removal of weeds and non-native vegetation is in an area of native planting, weeds will still sprout. Prairie plants can take up to five years to establish. By mowing the restoration site, you eliminate the annual weeds while still allowing native plants to grow.

Q: Jen Dullum asked if the Carver County SWCD consults on residential projects outside of the county boundary.

A: Ristow noted that he has a contract through Hennepin County to consult on projects in the Riley Purgatory Bluff Creek Watershed District. This does not include areas of the LMRWD in Hennepin County.

Q: Kuplic asked where funding for Seth's services come from.

A: Ristow replied that his services are paid for as part of his salary from Carver County.

Q: Dullum asked what the process is for projects on private property within the LMRWD and Carver County boundaries.

A: Loomis replied that residents first apply for the cost share with the LMRWD. Once a project is approved, residents contact the SWCD for technical services. The LMRWD has a similar agreement with the Scott SWCD. They are investigating options for services with Hennepin County.



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Minutes
Citizen Advisory Committee (CAC)
Tuesday, May 3, 2022
Old Cedar Ave Trailhead, 9500 Old Cedar Ave S, Bloomington, MN 55425

The following members were present: Craig Diederichs and Judy Berglund. The following individuals also attended the meeting: Linda Loomis—Naiad Consulting LLC and Lower Minnesota River Watershed District (LMRWD) Administrator; Jen Dullum—Young Environmental Consulting Group LLC.

*There was not a quorum for this meeting. Minutes are unofficial.

The group developed a list of meeting topics, tours, and locations for the remainder of 2022. Staff will strive to provide suggested speakers and field trips to the group.

Speakers/presentations

- LS Marine on behalf of the Army Corps of Engineers (presentation about the dredge site)
- Beekeeping

Tours

- Black Dog Power Plant
- Fort Snelling
- Wild Ones garden tours

Meeting locations

- The Landing, Shakopee
- Moir Park, Bloomington
- Carver County Government Center, Chaska

The group also discussed tabling opportunities at local farmers' markets. Staff will research which local cities host farmers' markets throughout the growing season and bring that information back to the group at the June meeting.

The group has interest in getting water and natural resource messaging out to the communities of the LMRWD through local newsletters. Staff will investigate city and county print newsletters for opportunities to submit content.



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, June 15, 2022

Agenda Item

Item 4. E. – Request from City of Shakopee for reimbursement of Watershed Based Implementation Funding Grant for Targeted BMP Study for Downtown Shakopee

Prepared By

Linda Loomis, Administrator

Summary

In 2019, the LMRWD received a grant from BWSR under the Metro-area Watershed Based Funding Pilot Program. Four LMRWD projects were funded under this program; 1) East Chaska Creek Bank Stabilization, 2) Prior Lake Outlet Channel Re-meander (also known as Ridge Creek Park Project) 3) Downtown Shakopee BMP feasibility study, and 4) Schroeder's Acres Park Project. East Chaska Creek was completed by the LMRWD. Prior Lake Outlet Channel Re-meander and the Downtown Shakopee BMP feasibility study were to be completed by the City of Shakopee. Schroeder's Acres Park was to be completed by the City of Savage.

East Chaska Creek is complete and has been reported to BWSR through elink. The Prior Lake Outlet Channel re-meander is completed, reported in elink and the LMRWD disbursed grant funds for this project to the City of Shakopee earlier in 2022. The City is now requesting disbursement of the grant funds for the Downtown BMP feasibility study. An invoice from the City with supporting documents is attached. Since this was not a construction project and only a study, the study was not reviewed by Young Environmental. However, the LMRWD will use the study to evaluate opportunities to improve storm water outfalls to the Minnesota River from Shakopee.

The LMRWD had included funding for this project in the amount of \$50,000 in its 2022 budget. The total cost of this project was \$38,102.00. The grant requires a 10% match (of the grant amount) which would equal \$2,500. The match requirement has been met. The LMRWD 2022 budget included \$50,000 for this project. LMRWD staff anticipates this money can be used to implement projects identified in the feasibility study.

Attachments

Invoice from the City of Shakopee with supporting documentation (Invoices, Cooperative Agreement, WBIF Grant Agreement & Grant Workplan)

[Targeted BMP Study for Shakopee Downtown Subwatershed](#)

Recommended Action

Motion to authorize payment of grant funds to City of Shakopee for Downtown BMP feasibility study



SHAKOPEE

Remit To:

CITY OF SHAKOPEE
485 GORMAN ST
SHAKOPEE MN 55379
952 233-9300

Billing Address:

132718
LOWER MN RIVER WATERSHED DIST
% LINDA LOOMIS
112 EAST 5TH ST SUITE 102
CHASKA MN 55318

INVOICE

10420

Invoice Date 5/16/2022

Due Date 6/15/2022

Page: 1

Item	Remark	Amount
001	GRANT REIMBURSEMENT REQUEST FOR TARGETED BMP FOR DOWNTOWN SHAKOPEE AREA.	25,000.00
	ANY QUESTIONS PLEASE CONTACT KIRBY TEMPLIN 952-233-9372	
	Total Amount Invoiced	<u>25,000.00</u>
	Balance Due	<u>25,000.00</u>

A Finance Charge of 1.50% interest will be assessed on all past due balances.
Finance charge compounded monthly



May 12, 2022

Linda Loomis
Lower Minnesota River Watershed District
112 East Fifth Street, Suite #102
Chaska, MN 55318

Re: Grant Reimbursement Request for Targeted BMPs for Downtown Shakopee Area

Dear Linda:

I am pleased to inform you the Target BMPs for Downtown Shakopee Area study is complete. I am requesting on behalf of the City of Shakopee for reimbursement of \$25,000 from the Lower Minnesota River Watershed District, as agreed upon for this project with the passthrough funding for the Board of Water and Soil Resources 2019 Watershed Based Funding Grant Program.

The following documents are attached for this request.

- Paid invoice numbered 23701094.00-8 which shows total expenditures of \$38,102 to complete the study
- Agreement for Passthrough Funding for Targeted BMPs for Downtown Shakopee Area
- Grant Extension Documentation
- Final Targeted BMP Study for Shakopee Downtown Subwatershed

Please do not hesitate to contact me with any questions or concerns.

Thank you and the Lower Minnesota River Watershed District for your contribution to this project.

Kind regards,

Kirby Templin,

Environmental – Water Resources Engineer
City of Shakopee
(952)233-9372
ktemplin@shakopeemn.gov



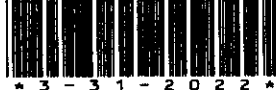

COMMUNITY PRIDE SINCE 1857

City of Shakopee | 485 Gorman St., Shakopee MN 55379 | Phone: 952-233-9300 | Fax: 952-233-3801 | www.ShakopeeMN.gov

Note: Payment amount may not reflect the actual amount due to data sequencing and/or data selection.

Council Check Summary

3/31/2022 - 4/1/2022

Check #	Date	Amount	Supplier / Explanation	PO#	Doc No	Inv No	BU	Obj	Sub	Subledger	Account Description	BU Description	Co	Dept	Div	
 * 1 5 3 2 0 D *			 * 1 2 9 6 5 7 *			 * 3 - 3 1 - 2 0 2 2 *										
 * B A R R E N G I N E E R I N G C O *																
153200	3/31/2022		129657 BARR ENGINEERING CO													
			4300 MARKETPOINTE DR, SUITE 200													
			MINNEAPOLIS													
		10,924.50														
		10,924.50														
					148970	23701094.00-8	6903	6765								
											IMPROVEMENTS/INFRASTRUCTURE STS22-001 DOWNTOWN BMP AS		07300		73	

X



INVOICE

Barr Engineering Co.
4300 MarketPointe Drive, Suite 200
Minneapolis, MN 55435
Phone: 952-832-2600; Fax: 952-832-2601
FEIN #: 41-0905995 Inc: 1966

2021 expenses are in yellow = \$4,082.50
 2022 expenses are not in yellow = \$6842.00
 Melissa in finance has the breakdown. CN

Mr. Kirby Templin, PE
 City of Shakopee
 485 Gorman Street
 Shakopee, MN 55379

Remittance address:
Lockbox 446104
PO Box 64825
St Paul, MN 55164-0825

March 11, 2022
 Invoice No: 23701094.00 - 8

Total this Invoice	\$10,924.50
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Regarding: Feasibility Assessment of Possible Downtown BMPs

This invoice is for professional services, which include the following:

- Checking in on project status
- Reviewing city comments on potential BMP locations
- Meeting with city to discuss comments and feedback
- Requesting additional data from city staff
- Updating potential BMP parameters and modeling
- Preparing draft figures, draft cost estimates, and draft report for submittal to the city
- Updating BMP parameters and modeling
- Updating and QAQC-ing report, figures, and cost

Budget	Previously Invoiced	Current Invoice	Total Billed	Remaining Budget
\$38,105.00	\$27,177.50	\$10,924.50	\$38,102.00	\$3.00

The highlighted time is from 11/27/21 through 12/31/21. All the remaining time was in 2022.

Professional Services for Period Ending February 25, 2022

Job: 100 Downtown BMP Assessment

Task: 007 Report

Labor Charges

	Hours	Rate	Amount
Engineer / Scientist / Specialist IV			
Anderson, Timothy	6.10	165.00	1,006.50
Anderson, Timothy	7.70	170.00	1,309.00
Engineer / Scientist / Specialist II			
Anderson, Edward	6.60	95.00	627.00
Baker, Kimberly	7.00	110.00	770.00
Baker, Kimberly	22.10	115.00	2,541.50
Phillips, Josh	14.60	115.00	1,679.00
Phillips, Josh	17.80	125.00	2,225.00

Terms: Due upon receipt. 1 1/2% per month after 30 days. Please refer to the contract if other terms apply.

Engineer / Scientist / Specialist I

Anderson, Edward

7.30	105.00	766.50
89.20		10,924.50

Subtotal Labor

10,924.50

Task Subtotal

\$10,924.50

Job Subtotal

\$10,924.50

Total this Invoice

\$10,924.50

	Current	Prior	Total	Received	A/R Balance
Invoiced to Date	10,924.50	27,177.50	38,102.00	27,177.50	10,924.50

Thank you in advance for the prompt processing of this invoice. If you have any questions, please contact Josh Phillips, your Barr project manager at 952.832.2723 or email at jphillips@barr.com.

Barr declares under the penalties of Law that this account, claim or demand is just and no part of it has been paid.



INVOICE

Barr Engineering Co.
4300 MarketPointe Drive, Suite 200
Minneapolis, MN 55435
Phone: 952-832-2600; Fax: 952-832-2601
FEIN #: 41-0905995 Inc: 1966

Mr. Kirby Templin, PE
 City of Shakopee
 485 Gorman Street
 Shakopee, MN 55379

November 23, 2020
 Invoice No: 23701094.00 - 7

Total this Invoice	\$2,673.50
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Regarding: Feasibility Assessment of Possible Downtown BMPs

- This invoice is for professional services, which include the following:
- Refining the water quality model and performing BMP modeling
 - TEAMS meeting with client to go over preliminary results
 - Transmitting model graphics and results to client
 - Project management activities

Total Budget	Current Invoice	Previously Invoiced	Total Invoiced	Budget Remaining
27,500.00	2,673.50	24,504.00	27,177.50	322.50

Professional Services from October 3, 2020 to November 13, 2020

Job:	100	Downtown BMP Assessment
Task:	004	Coolaboration w/ City Staff

Labor Charges

	Hours	Rate	Amount	
Engineer / Scientist / Specialist IV Anderson, Timothy	6.50	165.00	1,072.50	
	6.50		1,072.50	
Subtotal Labor				1,072.50
				Task Subtotal
				\$1,072.50

Task:	005	Water Quality Model Dev. and Scenarios
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Labor Charges

	Hours	Rate	Amount
Principal Klein, Steven	5.50	195.00	1,072.50
Engineer / Scientist / Specialist IV Anderson, Timothy	1.80	165.00	297.00
Engineer / Scientist / Specialist II McKinney, Michael	1.60	115.00	184.00

Support Personnel II				
Nypan, Nyssa	.50	95.00	47.50	
	9.40		1,601.00	
Subtotal Labor				1,601.00
		Task Subtotal		\$1,601.00
		Job Subtotal		\$2,673.50
		Total this Invoice		\$2,673.50

	Current	Prior	Total	Received	A/R Balance
Invoiced to Date	2,673.50	24,504.00	27,177.50	24,504.00	2,673.50

Thank you in advance for the prompt processing of this invoice. If you have any questions, please contact Steve Klein, your Barr project manager at 952.832.2809 or email at sklein@barr.com.

Barr declares under the penalties of Law that this account, claim or demand is just and no part of it has been paid.



INVOICE

Barr Engineering Co.
 4300 MarketPointe Drive, Suite 200
 Minneapolis, MN 55435
 Phone: 952-832-2600; Fax: 952-832-2601
 FEIN #: 41-0905995 Inc: 1966

Mr. Kirby Templin, PE
 City of Shakopee
 485 Gorman Street
 Shakopee, MN 55379

October 21, 2020
 Invoice No: 23701094.00 - 6

Total this Invoice	\$2,032.00
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Regarding: Feasibility Assessment of Possible Downtown BMPs

- This invoice is for professional services, which include the following:
- Refining the water quality model and performing BMP modeling
 - Project management activities

Total Budget	Current Invoice	Previously Invoiced	Total Invoiced	Budget Remaining
27,500.00	2,032.00	22,472.00	24,504.00	2,996.00

Professional Services from September 5, 2020 to October 2, 2020

Job:	100	Downtown BMP Assessment
Task:	005	Water Quality Model Dev. and Scenarios

Labor Charges

	Hours	Rate	Amount	
Principal				
Klein, Steven	1.00	195.00	195.00	
Engineer / Scientist / Specialist IV				
Anderson, Timothy	8.00	165.00	1,320.00	
Engineer / Scientist / Specialist II				
McKinney, Michael	4.00	115.00	460.00	
	13.00		1,975.00	
Subtotal Labor				1,975.00
				Task Subtotal
				\$1,975.00

Task:	007	Report
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Labor Charges

	Hours	Rate	Amount	
Support Personnel II				
Nypan, Nyssa	.60	95.00	57.00	
	.60		57.00	
Subtotal Labor				57.00
				Task Subtotal
				\$57.00

PLEASE REMIT TO ABOVE ADDRESS and INCLUDE INVOICE NUMBER ON CHECK.
 Terms: Due upon receipt. 1 1/2% per month after 30 days. Please refer to the contract if other terms apply.

Job Subtotal **\$2,032.00**

Total this Invoice **\$2,032.00**

	Current	Prior	Total	Received	A/R Balance
Invoiced to Date	2,032.00	22,472.00	24,504.00	16,596.00	7,908.00

Outstanding Invoices

Invoice	Date	Balance
4	8/20/2020	2,068.00
5	9/29/2020	3,808.00
Total		5,876.00

Thank you in advance for the prompt processing of this invoice. If you have any questions, please contact Steve Klein, your Barr project manager at 952.832.2809 or email at sklein@barr.com.

Barr declares under the penalties of Law that this account, claim or demand is just and no part of it has been paid.



INVOICE

Barr Engineering Co.
4300 MarketPointe Drive, Suite 200
Minneapolis, MN 55435
Phone: 952-832-2600; Fax: 952-832-2601
FEIN #: 41-0905995 Inc: 1966

Mr. Kirby Templin, PE
 City of Shakopee
 485 Gorman Street
 Shakopee, MN 55379

September 29, 2020
 Invoice No: 23701094.00 - 5

Total this Invoice	\$3,808.00
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Regarding: Feasibility Assessment of Possible Downtown BMPs

This invoice is for professional services, which include the following:

- Refining the water quality model and performing BMP modeling
- Requesting additional info from client and incorporating that info into the water quality model

Total Budget	Current Invoice	Previously Invoiced	Total Invoiced	Budget Remaining
27,500.00	3,808.00	18,664.00	22,472.00	5,028.00

Professional Services from August 8, 2020 to September 4, 2020

Job:	100	Downtown BMP Assessment
Task:	005	Water Quality Model Dev. and Scenarios

Labor Charges

	Hours	Rate	Amount	
Principal				
Klein, Steven	.50	195.00	97.50	
Engineer / Scientist / Specialist IV				
Anderson, Timothy	14.20	165.00	2,343.00	
Engineer / Scientist / Specialist III				
Lindstrom, Brent	1.00	130.00	130.00	
Engineer / Scientist / Specialist II				
McKinney, Michael	10.10	115.00	1,161.50	
Support Personnel II				
Nypan, Nyssa	.80	95.00	76.00	
	26.60		3,808.00	
Subtotal Labor				3,808.00
				Task Subtotal
				\$3,808.00
				Job Subtotal
				\$3,808.00
				Total this Invoice
				\$3,808.00

Current	Prior	Total	Received	A/R Balance
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PLEASE REMIT TO ABOVE ADDRESS and INCLUDE INVOICE NUMBER ON CHECK.

Terms: Due upon receipt. 1 1/2% per month after 30 days. Please refer to the contract if other terms apply.

Invoiced to Date	3,808.00	18,664.00	22,472.00	16,596.00	5,876.00
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Outstanding Invoices

Invoice	Date	Balance
4	8/20/2020	2,068.00
Total		2,068.00

Thank you in advance for the prompt processing of this invoice. If you have any questions, please contact Steve Klein, your Barr project manager at 952.832.2809 or email at sklein@barr.com.

Barr declares under the penalties of Law that this account, claim or demand is just and no part of it has been paid.



INVOICE

Barr Engineering Co.
 4300 MarketPointe Drive, Suite 200
 Minneapolis, MN 55435
 Phone: 952-832-2600; Fax: 952-832-2601
 FEIN #: 41-0905995 Inc: 1966

Mr. Kirby Templin, PE
 City of Shakopee
 485 Gorman Street
 Shakopee, MN 55379

August 20, 2020
 Invoice No: 23701094.00 - 4

Total this Invoice	\$2,068.00
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Regarding: Feasibility Assessment of Possible Downtown BMPs

This invoice is for professional services, which include the following:

- Refining the water quality model and performing BMP modeling
- Requesting additional info from client and incorporating that info into the water quality model

Total Budget	Current Invoice	Previously Invoiced	Total Invoiced	Budget Remaining
27,500.00	2,068.00	16,596.00	18,664.00	8,836.00

Professional Services from July 11, 2020 to August 7, 2020

Job:	100	Downtown BMP Assessment
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Task:	002	Data Collection
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Labor Charges

	Hours	Rate	Amount	
Support Personnel II Nypan, Nyssa	.50	95.00	47.50	
	.50		47.50	
Subtotal Labor				47.50
		Task Subtotal		\$47.50

Task:	005	Water Quality Model Dev. and Scenarios
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Labor Charges

	Hours	Rate	Amount	
Principal Klein, Steven	3.00	195.00	585.00	
Engineer / Scientist / Specialist IV Anderson, Timothy	8.70	165.00	1,435.50	
	11.70		2,020.50	
Subtotal Labor				2,020.50
		Task Subtotal		\$2,020.50
		Job Subtotal		\$2,068.00
		Total this Invoice		\$2,068.00

Invoiced to Date	Current	Prior	Total	Received	A/R Balance
	2,068.00	16,596.00	18,664.00	16,596.00	2,068.00

Thank you in advance for the prompt processing of this invoice. If you have any questions, please contact Steve Klein, your Barr project manager at 952.832.2809 or email at sklein@barr.com.

Barr declares under the penalties of Law that this account, claim or demand is just and no part of it has been paid.



INVOICE

Barr Engineering Co.
4300 MarketPointe Drive, Suite 200
Minneapolis, MN 55435
Phone: 952-832-2600; Fax: 952-832-2601
FEIN #: 41-0905995 Inc: 1966

Mr. Kirby Templin, PE
 City of Shakopee
 485 Gorman Street
 Shakopee, MN 55379

July 28, 2020
 Invoice No: 23701094.00 - 3

Total this Invoice	\$4,261.00
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Regarding: Feasibility Assessment of Possible Downtown BMPs

This invoice is for professional services, which include the following:

- Refining the water quality model and performing BMP modeling
- Requesting additional info from client and incorporating that info into the water quality model

Professional Services from June 13, 2020 to July 10, 2020

Job: 100 Downtown BMP Assessment

Task: 002 Data Collection

Labor Charges

	Hours	Rate	Amount	
Principal				
Klein, Steven	.50	195.00	97.50	
Engineer / Scientist / Specialist IV				
Anderson, Timothy	7.70	165.00	1,270.50	
Support Personnel II				
Nypan, Nyssa	.50	95.00	47.50	
	8.70		1,415.50	
Subtotal Labor				1,415.50
				Task Subtotal
				\$1,415.50

Task: 003 Review Citys Current H&H Model

Labor Charges

	Hours	Rate	Amount	
Principal				
Klein, Steven	.50	195.00	97.50	
	.50		97.50	
Subtotal Labor				97.50
				Task Subtotal
				\$97.50

PLEASE REMIT TO ABOVE ADDRESS and INCLUDE INVOICE NUMBER ON CHECK.

Terms: Due upon receipt. 1 1/2% per month after 30 days. Please refer to the contract if other terms apply.

Task: 005 Water Quality Model Dev. and Scenarios

Labor Charges

	Hours	Rate	Amount	
Principal				
Klein, Steven	2.50	195.00	487.50	
Engineer / Scientist / Specialist IV				
Anderson, Timothy	13.70	165.00	2,260.50	
	16.20		2,748.00	
Subtotal Labor				2,748.00
				Task Subtotal
				\$2,748.00
				Job Subtotal
				\$4,261.00
				Total this Invoice
				\$4,261.00

	Current	Prior	Total	Received	A/R Balance
Invoiced to Date	4,261.00	12,335.00	16,596.00	738.50	15,857.50

Outstanding Invoices

Invoice	Date	Balance
2	6/22/2020	11,596.50
Total		11,596.50

Thank you in advance for the prompt processing of this invoice. If you have any questions, please contact Steve Klein, your Barr project manager at 952.832.2809 or email at sklein@barr.com.

Barr declares under the penalties of Law that this account, claim or demand is just and no part of it has been paid.

Laserfiche History Report (generated using the Reporting Agent)

Vendor Number: 129657
Vendor Name: BARR ENGINEERING CO
Payment Number: 147725
Payment Date: 08/06/2020
Invoice Number: 23701094.00-3
Invoice Date: 07/28/2020
Invoice Total Amount: \$4261.00
JDE Doc Number: 135734
PID: 619182
Comments:

Activity Name	User	Proxy User	Beg Date	End Date
GL Coding	CNASCENE		07/29/2020	07/30/2020
Approval	SLILLEHAUG		07/30/2020	07/31/2020
Finance Review	kmacklin		07/31/2020	08/06/2020



INVOICE

Barr Engineering Co.
4300 MarketPointe Drive, Suite 200
Minneapolis, MN 55435
Phone: 952-832-2600; Fax: 952-832-2601
FEIN #: 41-0905995 Inc: 1966

Mr. Kirby Templin, PE
 City of Shakopee
 485 Gorman Street
 Shakopee, MN 55379

June 22, 2020
 Invoice No: 23701094.00 - 2

Total this Invoice	\$11,596.50
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Regarding: Feasibility Assessment of Possible Downtown BMPs

This invoice is for professional services, which include the following:

- Refining the water quality model and performing BMP modeling
- Requesting additional info from client and incorporating that info into the water quality model

Total Budget	Current Invoice	Previously Invoiced	Total Invoiced	Budget Remaining
27,500.00	11,596.50	738.50	12,335.00	15,165.00

Professional Services from May 16, 2020 to June 12, 2020

Job: 100 Downtown BMP Assessment

Task: 001 Kickoff Meeting

Labor Charges

	Hours	Rate	Amount	
Engineer / Scientist / Specialist I Anderson, Edward	1.00	90.00	90.00	
	1.00		90.00	
Subtotal Labor				90.00
				Task Subtotal \$90.00

Task: 002 Data Collection

Labor Charges

	Hours	Rate	Amount	
Engineer / Scientist / Specialist IV Anderson, Timothy	12.20	165.00	2,013.00	
Engineer / Scientist / Specialist I Anderson, Edward	5.70	90.00	513.00	
	17.90		2,526.00	
Subtotal Labor				2,526.00
				Task Subtotal \$2,526.00

Task: 003 Review Citys Current H&H Model

PLEASE REMIT TO ABOVE ADDRESS and INCLUDE INVOICE NUMBER ON CHECK.

Terms: Due upon receipt. 1 1/2% per month after 30 days. Please refer to the contract if other terms apply.

Labor Charges

	Hours	Rate	Amount
Principal			
Klein, Steven	3.00	195.00	585.00
	3.00		585.00
Subtotal Labor			585.00
		Task Subtotal	\$585.00

Task: 005 Water Quality Model Dev. and Scenarios

Labor Charges

	Hours	Rate	Amount
Principal			
Klein, Steven	2.00	195.00	390.00
Engineer / Scientist / Specialist IV			
Anderson, Timothy	46.00	165.00	7,590.00
Engineer / Scientist / Specialist II			
McKinney, Michael	3.20	115.00	368.00
Support Personnel II			
Nypan, Nyssa	.50	95.00	47.50
	51.70		8,395.50
Subtotal Labor			8,395.50
		Task Subtotal	\$8,395.50
		Job Subtotal	\$11,596.50
		Total this Invoice	\$11,596.50

	Current	Prior	Total	Received	A/R Balance
Invoiced to Date	11,596.50	4,999.50	16,596.00	738.50	15,857.50

Outstanding Invoices

Invoice	Date	Balance
3	7/28/2020	4,261.00
Total		4,261.00

Thank you in advance for the prompt processing of this invoice. If you have any questions, please contact Steve Klein, your Barr project manager at 952.832.2809 or email at sklein@barr.com.

Barr declares under the penalties of Law that this account, claim or demand is just and no part of it has been paid.

Laserfiche History Report (generated using the Reporting Agent)

Vendor Number: 129657
Vendor Name: BARR ENGINEERING CO
Payment Number: 147818
Payment Date: 08/13/2020
Invoice Number: 23701094.00-2
Invoice Date: 06/22/2020
Invoice Total Amount: \$11596.50
JDE Doc Number: 135976
PID: 625511
Comments:

Activity Name	User	Proxy User	Beg Date	End Date
GL Coding	CNASCENE		08/12/2020	08/12/2020
Approval	SLILLEHAUG		08/12/2020	08/12/2020
Finance Review	kmacklin		08/12/2020	08/13/2020



INVOICE

Barr Engineering Co.
 4300 MarketPointe Drive, Suite 200
 Minneapolis, MN 55435
 Phone: 952-832-2600; Fax: 952-832-2601
 FEIN #: 41-0905995 Inc: 1966

Mr. Kirby Templin, PE
 City of Shakopee
 485 Gorman Street
 Shakopee, MN 55379

June 3, 2020
 Invoice No: 23701094.00 - 1

Total this Invoice	\$738.50
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Regarding: Feasibility Assessment of Possible Downtown BMPs

This invoice is for professional services, which include the following:

- Project kick off meeting
- Internal team meeting and data gathering activities

Total Budget	Current Invoice	Previously Invoiced	Total Invoiced	Budget Remaining
27,500.00	738.50	0.00	738.50	26,761.50

Professional Services from March 21, 2020 to May 15, 2020

Job: 100 Downtown BMP Assessment

Task: 001 Kickoff Meeting

Labor Charges

	Hours	Rate	Amount	
Principal Klein, Steven	1.50	195.00	292.50	
Engineer / Scientist / Specialist II McKinney, Michael	3.40	115.00	391.00	
Support Personnel II Nypan, Nyssa	.50	95.00	47.50	
Support Personnel I Rasmussen, Kayla	.10	75.00	7.50	
	5.50		738.50	
Subtotal Labor				738.50
		Task Subtotal		\$738.50
		Job Subtotal		\$738.50
		Total this Invoice		\$738.50

Invoiced to Date	Current	Prior	Total	Received	A/R Balance
	738.50	0.00	738.50	0.00	738.50

Thank you in advance for the prompt processing of this invoice. If you have any questions, please contact Steve Klein, your Barr project manager at 952.832.2809 or email at sklein@barr.com.

Barr declares under the penalties of Law that this account, claim or demand is just and no part of it has been paid.

Laserfiche History Report (generated using the Reporting Agent)

Vendor Number: 129657
Vendor Name: BARR ENGINEERING CO
Payment Number: 147056
Payment Date: 06/11/2020
Invoice Number: 23701094.00-1
Invoice Date: 06/03/2020
Invoice Total Amount: \$738.50
JDE Doc Number: 134403
PID: 597305
Comments:

Activity Name	User	Proxy User	Beg Date	End Date
GL Coding	CNASCENE		06/08/2020	06/08/2020
Approval	SLILLEHAUG		06/08/2020	06/09/2020
Finance Review	kmacklin		06/09/2020	06/11/2020

AGREEMENT FOR PASSTHROUGH FUNDING FOR TARGETED BMPS FOR DOWNTOWN SHAKOPEE AREA

This agreement, made and entered into this ____ day of _____, 2019, by and between the Lower Minnesota River Watershed District a public body with purposes and powers set forth in Minnesota Statutes Chapters 103B and 103D, hereafter referred to as the "LMRWD" and the city of Shakopee, a body politic and corporate of the state of Minnesota, hereinafter referred to as the "City".

RECITALS:

WHEREAS, the City and the LMRWD desire to improve storm water quality; and

WHEREAS, the LMRWD and the City worked together to include funding for an activity titled "Targeted BMPs for downtown Shakopee area" to be led by the City as part of the 2019 - Watershed Based Funding Metro (Lower Minnesota River WD) Grant hereinafter referred to as the "Activity"; and

WHEREAS, the 2019 - Watershed Based Funding Metro (Lower Minnesota River WD) Grant work plan has been approved by the MN Board of Water and Soil Resources (BWSR) and the contract for associated state grant funding is with the LMRWD; and

WHEREAS the Activity work plan and grant award includes up to Twenty Five Thousand and 00/100 Dollars (\$25,000) for the Activity being led by the City; and

WHEREAS, the Activity Work Plan includes a 10% match requirements up to Two Thousand Five Hundred and 00/100 Dollars (\$2,500) to be provided by the City.

NOW, THEREFORE, IT IS HEREBY AGREED:

1. The recitals set forth in the whereas clauses above are incorporated by reference as if fully set forth herein; and
2. This Activity as described in the approved work plan consists of analysis of current storm water system in downtown Shakopee and identification of opportunities to implement BMPs before stormwater is discharged in to the Minnesota River; and
3. A 10 percent match to grant funds will be provided by the city of Shakopee; and
4. Milestones include: 1) execution of a grant agreement between the LMRWD and the City for completion of the Activity; 2) starting the Activity in 2019 or early 2020; and 3) completing the Activity in either 2020 or early 2021. It is anticipated that the Activity will include identification of opportunities, analysis of opportunities (water quality benefits, technical, physical and permitting) cost estimates and concept design(s); and
5. The Activity will be completed by an engineering firm under the direction of City's Public Works Director, or his/her designee; and
6. The city will comply with all of the terms and conditions of the grant agreement between the LMRWD and the granting agency as set forth in the grant agreement included as exhibit A. This includes the responsibility for timely completion of the reporting as required in BWSR's e-link system for this Activity; and

7. The LMRWD shall reimburse the City for actual allowed costs related to the Activity, not to exceed Twenty Thousand and 00/100 Dollars (\$20,000). Reimbursements shall be made within thirty (30) days after receipt of invoices documenting incurred expenses and the required proportional City match. Final payment will be made following confirmation that the city has completed all required reporting for the Activity in BWSR's e-link system.
8. Neither party, its officers, agents or employees, either in their individual or official capacity, shall be responsible or liable in any manner to the other party for any claim, demand, action or cause of action of any kind or character arising out of, allegedly arising out of or by reason of the performance, negligent performance or nonperformance of the described maintenance, restoration, repair or replacement work by the other party, or arising out of the negligence of any contractor under any contract let by the other party for the performance of said work; and each party agrees to defend, save, keep and hold harmless the other, its officers, agents and employees from all claims, demands, actions or causes of actions arising out of the negligent performance by its officers agents or employees; and
9. It is further agreed that neither party to this Agreement shall be responsible or liable to the other or to any other person or entity for any claims, damages, actions, or causes of actions of any kind or character arising out of, allegedly arising out of or by reason of the performance, negligent performance or nonperformance of any work or part hereof by the other as provided herein; and each party further agrees to defend at its sole cost and expense and indemnify the other party for any action or proceeding commenced for the purpose of asserting any claim of whatsoever character arising in connection with or by virtue of performance of its own work as provided herein. Each party's obligation to indemnify the other under this clause shall be limited in accordance with the statutory tort liability limitation as set forth in Minnesota Statutes Chapter 466.0 to limit each party's total liability for all claims arising from a single occurrence, include the other party's claim for indemnification, to the limits prescribed under 466.04. It is further understood and agreed that the Parties' total liability shall be limited by Minnesota Statutes Chapter 471.59, Subdivision 1(a) as a single governmental unit; and
10. It is further agreed that any and all employees of each party and all other person engaged by a party in the performance of any work or service required or provided herein to be performed by the party shall not be considered employees, agents or independent contractors of the other party, and that any and all claims that may or might arise under the Worker's Compensation Act or the Unemployment Compensations Act of the State of Minnesota on behalf of said employees while so engaged and any and all claims made by any third parties as a consequence of any act or omission on the part of said employees while so engaged shall be the sole responsibility of the employing party and shall not be the obligation or responsibility of the other party; and
11. Pursuant to Minnesota Statutes Chapter 16C.05, Subdivision 5, the books, records, documents and accounting procedures and practices of the LMRWD and the City pursuant to the Agreement shall be subject to examination by the LMRWD, the City and the State Auditor. Complete and accurate records of the work performed pursuant to this Agreement shall be kept by the LMRWD and the City for a minimum of six (6) years following termination of this Agreement for such auditing purposes. The retention period shall be automatically extended during the course of any administrative or judicial action involving the LMRWD or the City regarding matters to which the records are relevant.

The retention period shall be automatically extended until the administrative or judicial action is finally completed or until the authorized agent of the LMRWD or the City notifies each party in writing that the records no longer need to be kept; and

12. The laws of the State of Minnesota shall govern all questions and interpretations concerning the validity and construction of this Agreement and the legal relations between the parties and performance under it. The appropriate venue and jurisdiction for any litigation hereunder shall be those courts located within the County of Scott, State of Minnesota. Litigation, however, in the federal courts involving the parties shall be in the appropriate federal court within the State of Minnesota; and
13. In the event any provision of this Agreement shall be held invalid and unenforceable, the remaining provisions shall be valid and binding upon the parties unless such invalidity or non-enforceability would cause the Agreement to fail its purpose. One or more waivers by either party of any provision, term, condition or covenant shall not be construed by the other party as a waiver of a subsequent breach of the same by the other party; and
14. Any notice or demand, authorized or required under this Agreement shall be in writing and shall be sent by certified mail to the other party as follows:

To the LMRWD: Lower Minnesota River Watershed District
Linda Loomis, Administrator, her designees, successors or assigns
112 East Fifth Street, Suite #102
Chaska, MN 55318

To the City: City of Shakopee
Kirby Templin, Water Resource - Environmental Engineer, his designees,
successors or assigns
485 Gorman Street
Shakopee, MN 55379

IN TESTIMONY WHEREOF, The parties hereto have caused this Agreement to be executed by their respective authorized officers as of this day and year first above written.

LOWER MINNESOTA RIVER WATERSHED DISTRICT: CITY OF SHAKOPEE:

By: Jesse Hartmann, President

By: Bill Mars, Mayor

Date: JJH

Date: WPM 11/6/19

Approved as to form & execution:

[Signature]

Joh C. Kolt
District counsel

By: William H. Reynolds, City Administrator

Date: 11/6/19

FY 2019 STATE OF MINNESOTA
 BOARD OF WATER and SOIL RESOURCES
 WATERSHED BASED FUNDING GRANTS PROGRAM
 GRANT AGREEMENT

Vendor:	0000201935	VN#:	53 19916
PO#:	3000009659	Date Paid:	5/8/19

This Grant Agreement is between the State of Minnesota, acting through its Board of Water and Soil Resources (Board) and Lower Minnesota River WD, 10901 Riverview Road Eden Prairie Minnesota 55347 (Grantee).

This grant is for the following Grant Programs :		
P19-3264	2019 - Watershed Based Funding Metro (Lower Minnesota River WD)	\$182,042
Total Grant Awarded: \$182,042		

Recitals

1. The Laws of Minnesota 2017, Chapter 91, Article 2, Section 7 (a), appropriated Clean Water Funds (CWF) to the Board for the FY 2019 Watershed-based Funding Pilot Program.
2. The Board adopted the Clean Water Fund Watershed-based Funding Pilot Program Policy and authorized the Watershed-based Funding Pilot Program Grants through Board Resolution 17-96.
3. The Board adopted Board Resolution 17-9G to allocate funds for the FY 2019 Watershed-based Funding Pilot Program.
4. The Grantee has submitted a BWSR approved work plan for this Program which is incorporated into this agreement by reference.
5. The Grantee represents that it is duly qualified and agrees to perform all services described in this grant agreement to the satisfaction of the State.
6. As a condition of the grant, Grantee agrees to minimize administration costs.

Authorized Representative

The State's Authorized Representative is Marcey Westrick, Clean Water Coordinator, BWSR, 520 Lafayette Road North, Saint Paul, MN 55155, 651-284-4153, or her successor, and has the responsibility to monitor the Grantee's performance and the authority to accept the services and performance provided under this Grant Agreement.

The Grantee's Authorized Representative is:

TITLE *Linda Loomis, Naiad Consulting*
 ADDRESS *112 E. 5th Street #102*
 CITY *Chaska, MN 55318*
 TELEPHONE NUMBER *763-545-4659*

If the Grantee's Authorized Representative changes at any time during this Grant Agreement, the Grantee must immediately notify the Board.

Grant Agreement

1. **Term of Grant Agreement.**
 - 1.1. **Effective date:** The date the Board obtains all required signatures under Minn. Stat. § 16B.98, Subd. 5. The State's Authorized Representative will notify the Grantee when this grant agreement has been executed. The Grantee must not begin work under this grant agreement until it is executed.
 - 1.2. **Expiration date:** December 31, 2021, or until all obligations have been satisfactorily fulfilled, whichever comes first.
 - 1.3. **Survival of Terms:** The following clauses survive the expiration or cancellation of this Agreement: 7. Liability; 8. State Audits; 9. Government Data Practices; 11. Publicity and Endorsement; 12. Governing Law, Jurisdiction, and Venue; 14. Data Disclosure; and 18. Intellectual Property Rights.

2. Grantee's Duties.

The Grantee will comply with required grants management policies and procedures set forth through Minn. Stat. § 16B.97, Subd. 4(a)(1). The Grantee is responsible for the specific duties for the Program as follows:

- 2.1. **Implementation:** The Grantee will implement their work plan, which is incorporated into this Agreement by reference.
- 2.2. **Reporting:** All data and information provided in a Grantee's report shall be considered public.
 - 2.2.1. The Grantee will submit an annual progress report to the Board by February 1 of each year on the status of program implementation by the Grantee. Information provided must conform to the requirements and formats set by the Board. All individual grants over \$500,000 will also require a reporting of expenditures by June 30 of each year.
 - 2.2.2. The Grantee will prominently display on its website the Clean Water Legacy Logo and a link to the Legislative Coordinating Commission website.
 - 2.2.3. **Final Progress Report:** The Grantee will submit a final progress report to the Board by February 1, 2022 or within 30 days of completion of the project, whichever occurs sooner. Information provided must conform to the requirements and formats set by the Board.
- 2.3. **Match:** The Grantee will ensure any local match requirement will be provided as stated in Grantee's approved work plan.

3. Time. The Grantee must comply with all the time requirements described in this Grant Agreement. In the performance of this Grant Agreement, time is of the essence.

4. Terms of Payment.

- 4.1. Grant funds will be distributed in three installments: 1) The first payment of 50% will be distributed after the execution of the Grant Agreement. 2) The second payment of 40% will be distributed after the first payment of 50% has been expended and reporting requirements have been met. An eLINK Interim Financial Report that summarizes expenditures of the first 50% must be signed by the Grantee and approved by BWSR. Selected grantees may be required at this point to submit documentation of the expenditures reported on the Interim Financial Report for verification. 3) The third payment of 10% will be distributed after the grant has been fully expended and reporting requirements are met. The final, 10% payment must be requested within 30 days of the expiration date of the Grant Agreement. An eLINK Final Financial Report that summarizes final expenditures for the grant must be signed by the grantee and approved by BWSR.
- 4.2. All costs must be incurred within the grant period.
- 4.3. All incurred costs must be paid before the amount of unspent grant funds is determined. Unspent grant funds must be returned within 30 days of the expiration date of the Grant Agreement.
- 4.4. The obligation of the State under this Grant Agreement will not exceed the amount stated above.
- 4.5. This grant includes an advance payment of 50 percent of the grant's total amount. Advance payments allow the grantee to have adequate operating capital for start-up costs, ensure their financial commitment to landowners and contractors, and to better schedule work into the future.

5. Conditions of Payment. All services provided by the Grantee under this Grant Agreement must be performed to the State's satisfaction, as set forth in this Agreement and in the BWSR approved work plan for this program. Compliance will be determined at the sole discretion of the State's Authorized Representative and in accordance with all applicable federal, State, and local laws, policies, ordinances, rules, FY 2018 Clean Water Fund Competitive Grants Policy, and regulations. All Grantees must follow the Grants Administration Manual policy. Minnesota Statutes §103C.401 (2014) establishes BWSR's obligation to assure program compliance. If the noncompliance is severe, or if work under the grant agreement is found by BWSR to be unsatisfactory or performed in violation of federal, state, or local law, BWSR has the authority to require the repayment of grant funds, or an additional penalty. Penalties can be assessed at a rate up to 150% of the grant agreement.

6. Assignment, Amendments, and Waiver.

- 6.1. **Assignment.** The Grantee may neither assign nor transfer any rights or obligations under this Grant Agreement without the prior consent of the State and a fully executed Assignment Agreement, executed and approved by the same parties who executed and approved this Grant Agreement, or their successors in office.
- 6.2. **Amendments.** Any amendment to this Grant Agreement must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original Grant Agreement, or their successors in office. Amendments must be executed prior to the expiration of the original agreement or any amendments thereto.
- 6.3. **Waiver.** If the State fails to enforce any provision of this Grant Agreement, that failure does not waive the provision or its

right to enforce it.

7. **Liability.** The Grantee must indemnify, save, and hold the State, its agents, and employees harmless from any claims or causes of action, including attorney's fees incurred by the State, arising from the performance of this Grant Agreement by the Grantee or the Grantee's agents or employees. This clause will not be construed to bar any legal remedies the Grantee may have for the State's failure to fulfill its obligations under this Grant Agreement.
8. **State Audits.** Under Minn. Stat. § 16B.98, subd. 8, the Grantee's books, records, documents, and accounting procedures and practices of the Grantee or other party relevant to this Grant Agreement or transaction are subject to examination by the Board and/or the State Auditor or Legislative Auditor, as appropriate, for a minimum of six years from the end of this Grant Agreement, receipt and approval of all final reports, or the required period of time to satisfy all State and program retention requirements, whichever is later.
 - 8.1. The books, records, documents, accounting procedures and practices of the Grantee and its designated local units of government and contractors relevant to this grant, may be examined at any time by the Board or Board's designee and are subject to verification. The Grantee or delegated local unit of government will maintain records relating to the receipt and expenditure of grant funds.
9. **Government Data Practices.** The Grantee and State must comply with the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, as it applies to all data provided by the State under this Agreement, and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by the Grantee under this Grant Agreement. The civil remedies of Minn. Stat. § 13.08 apply to the release of the data referred to in this clause by either the Grantee or the State.
10. **Workers' Compensation.** The Grantee certifies that it is in compliance with Minn. Stat. § 176.181, subd. 2, pertaining to workers' compensation insurance coverage. The Grantee's employees and agents will not be considered State employees. Any claims that may arise under the Minnesota Workers' Compensation Act on behalf of these employees and any claims made by any third party as a consequence of any act or omission on the part of these employees are in no way the State's obligation or responsibility.
11. **Publicity and Endorsement.**
 - 11.1. **Publicity.** Any publicity regarding the subject matter of this Grant Agreement must identify the Board as the sponsoring agency. For purposes of this provision, publicity includes notices, informational pamphlets, press releases, research, reports, signs, and similar public notices prepared by or for the Grantee individually or jointly with others, or any subcontractors, with respect to the program, publications, or services provided resulting from this Grant Agreement.
 - 11.2. **Endorsement.** The Grantee must not claim that the State endorses its products or services.
12. **Governing Law, Jurisdiction, and Venue.** Minnesota law, without regard to its choice-of-law provisions, governs this Grant Agreement. Venue for all legal proceedings out of this Agreement, or its breach, must be in the appropriate State or federal court with competent jurisdiction in Ramsey County, Minnesota.
13. **Termination.**
 - 13.1. The State may cancel this Grant Agreement at any time, with or without cause, upon 30 days' written notice to the Grantee. Upon termination, the Grantee will be entitled to payment, determined on a pro rata basis, for services satisfactorily performed.
 - 13.2. In the event of a lawsuit, an appropriation from a Clean Water Fund is canceled to the extent that a court determines that the appropriation unconstitutionally substitutes for a traditional source of funding.
 - 13.3. The State may immediately terminate this grant contract if the State finds that there has been a failure to comply with the provisions of this grant contract, that reasonable progress has not been made or that the purposes for which the funds were granted have not been or will not be fulfilled. The State may take action to protect the interests of the State of Minnesota, including the refusal to disburse additional funds and requiring the return of all or part of the funds already disbursed.
14. **Data Disclosure.** Under Minn. Stat. § 270C.65, Subd. 3, and other applicable law, the Grantee consents to disclosure of its social security number, federal employer tax identification number, and/or Minnesota tax identification number, already provided to the State, to federal and State tax agencies and State personnel involved in the payment of State obligations. These identification numbers may be used in the enforcement of federal and State tax laws which could result in action requiring the Grantee to file State tax returns and pay delinquent State tax liabilities, if any.

15. **Prevailing Wage.** It is the responsibility of the Grantee or contractor to pay prevailing wages for projects that include construction work of \$25,000 or more, prevailing wage rules apply per Minn. Stat. §§177.41 through 177.44. All laborers and mechanics employed by grant recipients and subcontractors funded in whole or in part with these State funds shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality. Bid requests must state the project is subject to prevailing wage.
16. **Municipal Contracting Law.** Per Minn. Stat. §471.345, grantees that are municipalities as defined in Subd. 1 of this statute must follow the Uniform Municipal Contracting Law. Supporting documentation of the bidding process utilized to contract services must be included in the Grantee's financial records, including support documentation justifying a single/sole source bid, if applicable.
17. **Constitutional Compliance.** It is the responsibility of the Grantee to comply with requirements of the Minnesota Constitution regarding use of Clean Water Funds to supplement traditional sources of funding.
18. **Signage.** It is the responsibility of the Grantee to comply with requirements for project signage as provided in Minnesota Laws 2010, Chapter 361, article 3, section 5 (b) for Clean Water Fund projects.
19. **Intellectual Property Rights.** The State owns all rights, title, and interest in all of the intellectual property rights, including copyrights, patents, trade secrets, trademarks, and service marks in the Works and Documents *created and paid for under this grant*. Works means all inventions, improvements, discoveries (whether or not patentable), databases, computer programs, reports, notes, studies, photographs, negatives, designs, drawings, specifications, materials, tapes, and disks conceived, reduced to practice, created or originated by the Grantee, its employees, agents, and subcontractors, either individually or jointly with others in the performance of this grant. Works includes "Documents." Documents are the originals of any databases, computer programs, reports, notes, studies, photographs, negatives, designs, drawings, specifications, materials, tapes, disks, or other materials, whether in tangible or electronic forms, prepared by the Grantee, its employees, agents, or subcontractors, in the performance of this grant. The Documents will be the exclusive property of the State and all such Documents must be immediately returned to the State by the Grantee upon completion or cancellation of this grant at the State's request. To the extent possible, those Works eligible for copyright protection under the United States Copyright Act will be deemed to be "works made for hire." The Grantee assigns all right, title, and interest it may have in the Works and the Documents to the State. The Grantee must, at the request of the State, execute all papers and perform all other acts necessary to transfer or record the State's ownership interest in the Works and Documents.

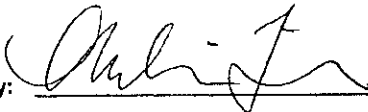
IN WITNESS WHEREOF, the parties have caused this Grant Agreement to be duly executed intending to be bound thereby.

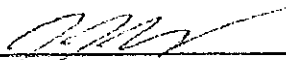
Approved:

Lower Minnesota River WD

Board of Water and Soil Resources

By: Jesse Hartmann
(print)

By: 


(signature)

Title: President

Title: Assist. Sec. Mgr

Date: October 24, 2018

Date: May 7, 2019



Grant Workplan Watershed Based Funding Metro 2019

Grant Title - 2019 - Watershed Based Funding Metro (Lower Minnesota River WD)

Grant ID - P19-3264

Organization - Lower Minnesota River WD

Original Awarded Amount	\$182,042.00	Grant Execution Date	5/7/2019
Required Match Amount	\$18,204.20	Original Grant End Date	12/31/2021
Required Match %	10%	Grant Day To Day Contact	Linda Loomis
Current Awarded Amount	\$182,042.00	Current End Date	12/31/2022

Budget Summary

	Budgeted	Spent	Balance Remaining
Total Grant Amount	\$182,042.00	\$97,042.00	\$85,000.00
Total Match Amount	\$18,204.20	\$718,849.38	\$-700,645.18
Total Other Funds	\$0.00	\$0.00	\$0.00
Total	\$200,246.20	\$815,891.38	\$-615,645.18

**Grant balance remaining is the difference between the Awarded Amount and the Spent Amount. Other values compare budgeted and spent amounts.*

Budget Details

Activity Name	Activity Category	Source Type	Source Description	Budgeted	Spent	Last Transaction Date	Matching Fund
East Chaska Creek Restoration	Streambank or Shoreline Protection	Current State Grant	2019 - Watershed Based Funding Metro (Lower Minnesota River ..	\$25,472.00	\$25,472.00	3/12/2021	N
East Chaska Creek Restoration	Streambank or Shoreline Protection	Local Fund	Watershed District levy & City of Chaska	\$2,547.20	\$100,791.42	12/31/2021	Y

Activity Name	Activity Category	Source Type	Source Description	Budgeted	Spent	Last Transaction Date	Matching Fund
Prior Lake Outlet Channel Realignment/Wetland restoration	Planning and Assessment	Current State Grant	2019 - Watershed Based Funding Metro (Lower Minnesota River ..	\$71,570.00	\$71,570.00	11/18/2021	N
Prior Lake Outlet Channel Realignment/Wetland restoration	Planning and Assessment	Local Fund	Watershed District Levy & City of Shakopee	\$7,157.00	\$618,057.96	4/22/2021	Y
Schroeder Acres Park/Eagle Creek sub-watershed stormwater study	Planning and Assessment	Current State Grant	2019 - Watershed Based Funding Metro (Lower Minnesota River ..	\$60,000.00			N
Schroeder Acres Park/Eagle Creek sub-watershed stormwater study	Planning and Assessment	Local Fund	Watershed District Levy & City of Savage	\$6,000.00			Y
Targeted BMP for downtown Shakopee area	Planning and Assessment	Current State Grant	2019 - Watershed Based Funding Metro (Lower Minnesota River ..	\$25,000.00			N
Targeted BMP for downtown Shakopee area	Planning and Assessment	Local Fund	Watershed District Levy & City of Shakopee	\$2,500.00			Y

Activity Details Summary

Activity Details	Total Action Count	Total Activity Mapped	Proposed Size / Unit	Actual Size / Unit
590 - Nutrient Management	1	0	5 AC	5 AC
590 - Nutrient Management	2	1	5 AC	0 AC
510M - Subwatershed Analysis	2	0	5 AC	0 AC
510M - Subwatershed Analysis	3	0	3 AC	0 AC
584 - Stream Channel Stabilization	3	1	600 LINEAR FEET	0 LINEAR FEET

Proposed Activity Indicators

Activity Name	Indicator Name	Value & Units	Waterbody	Calculation Tool	Comments
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Grant Activity

Grant Activity - East Chaska Creek Restoration					
Description	Repair the scour hole downstream of Crosstown Boulevard Bridge, install bank armoring, toe protection and grade control structures behind the car dealership, and install toe protection on the right bank east of Oak Street.				
Category	STREAMBANK OR SHORELINE PROTECTION				
Has Rates and Hours?	No				

Activity Action - Contract Management					
Practice	584 - Stream Channel Stabilization	Count of Activities	3		
Description	Manage contract between LMRWD and consultant for the completion of the project				
Proposed Size / Units	600 LINEAR FEET	Lifespan	25 Years		

Activity Action - East Chaska Creek feasibility report					
Practice	584 - Stream Channel Stabilization	Count of Activities	3		
Description	Previous studies and field investigations were completed in 2015, the project area and proposed countermeasures will need to be validated				
Proposed Size / Units	600 LINEAR FEET	Lifespan	25 Years		

Activity Action - East Chaska Creek Survey and engineering design					
Practice	584 - Stream Channel Stabilization	Count of Activities	3		
Description	Complete a photographic survey of the project reach to aid in the detailed engineering design of the project. Prepare construction drawing and specifications necessary to competitively bid and construct the project				
Proposed Size / Units	600 LINEAR FEET	Lifespan	25 Years		

Grant Activity - Prior Lake Outlet Channel Realignment/Wetland restoration

Description

This project includes a feasibility study to determine potential water quality benefits to Dean Lake that would result from restoration of the Prior Lake Outlet Channel including altering the alignment (creating meanders) and constructing a flow-through wetland complex to slow the flow of water. Funds will also be used towards the construction of identified activities/BMP's that will benefit water quality in Dean Lake and, subsequently, the Minnesota River downstream.

Category

PLANNING AND ASSESSMENT

Has Rates and Hours?

No

Activity Action - PLOC Feasibility Study

Practice

590 - Nutrient Management

Count of Activities

3

Description

Complete feasibility study to evaluate the potential water quality benefits of the channel re-alignment/wetland restoration project

Proposed Size / Units

5 AC

Lifespan

25 Years

Activity Action - Prior Lake Outlet Channel Realignment/Wetland Restoration - Survey and Engineering Design

Practice

590 - Nutrient Management

Count of Activities

3

Description

Complete a topographic survey the project area to aid in the detailed engineering design of the project. Prepare construction drawing and specifications necessary to competitively bid and construct the project

Proposed Size / Units

5 AC

Lifespan

25 Years

Activity Action - PLOC Contract Management

Practice

590 - Nutrient Management

Count of Activities

3

Description

Manage contract between city of Shakopee, LMRWD and consultant for the completion of the project

Proposed Size / Units

5 AC

Lifespan

25 Years

Grant Activity - Schroeder Acres Park/Eagle Creek sub-watershed stormwater study

Description	This project would be a study to look at the storm water wetland design and the opportunity to re-use storm water for irrigation. The project will conduct a sub-watershed assessment to ascertain whether or not current system is treating water as intended and determine what changes are needed to prevent nutrients from reaching Eagle Creek, a designated trout stream. The project will also address the temperature of water flowing from regional storm water treatment chain to Eagle Creek. The project will include development of concept and preliminary designs.
Category	PLANNING AND ASSESSMENT
Has Rates and Hours?	No

Activity Action - Schroeder Acres Park/Eagle Creek Sub-watershed Stormwater Study - Contract Management

Practice	510M - Subwatershed Analysis	Count of Activities	3
Description	Manage contract between City of Savage, LMRWD and consultant for the completion of the Project		
Proposed Size / Units	3 AC	Lifespan	25 Years

Activity Action - Schroeder Acres Park/Eagle Creek Sub-watershed - Feasibility Study

Practice	510M - Subwatershed Analysis	Count of Activities	3
Description	Conduct study to evaluate current conditions impacts to overall stream health, related to bacteria, nutrients, temperature and volume. The area is heavily industrialized and chloride use has not been evaluated. Study will help us to better define parameters to focus on		
Proposed Size / Units	3 AC	Lifespan	25 Years

Activity Action - Schroeder Acres Park/Eagle Creek Sub-watershed - Conceptual engineering design

Practice	510M - Subwatershed Analysis	Count of Activities	3
Description	Using information gathered in feasibility study to aid in the conceptual engineering design of the Project. Prepare construction drawings and specifications necessary to competitively bid and construct the project		
Proposed Size / Units	3 AC	Lifespan	25 Years

Grant Activity - Targeted BMP for downtown Shakopee area

Description	Analyze current storm water system in Shakopee and identify opportunities to implement BMPs before storm water is discharged into the Minnesota River.
Category	PLANNING AND ASSESSMENT
Has Rates and Hours?	No

Activity Action - Targeted BMP for Downtown Shakopee Study - Contract Management

Practice	510M - Subwatershed Analysis	Count of Activities	2
Description	Manage contract between City of Shakopee, LMRWD and Consultant for the successful completion of the project		
Proposed Size / Units	5 AC	Lifespan	10 Years

Activity Action - Targeted BMP for Downtown Shakopee Study

Practice	510M - Subwatershed Analysis	Count of Activities	2
Description	Complete targeted BMP study for Downtown Shakopee to identify opportunities to implement BMPs before stormwater is discharged into the Minnesota River. The Targeted BMP study will include identifying potential BMP opportunities, modeling for preliminary BMP sizing and check feasibility, modeling to estimate water quality benefits, life cycle cost estimates, cost-benefit analysis and summary report.		
Proposed Size / Units	5 AC	Lifespan	10 Years

Grant Attachments

Document Name	Document Type	Description
2019 WBIF Metro amendment EXECUTED	Grant Agreement Amendment	
2019 Watershed Based Funding Metro	Grant Agreement	2019 Watershed Based Funding Metro - Lower Minnesota River WD
2019 Watershed Based Funding Metro EXECUTED	Grant Agreement	2019 Watershed Based Funding Metro - Lower Minnesota River WD
All Details Report	Workflow Generated	Workflow Generated - All Details Report - 02/04/2020
All Details Report	Workflow Generated	Workflow Generated - All Details Report - 04/13/2020
All Details Report	Workflow Generated	Workflow Generated - All Details Report - 01/26/2021
All Details Report	Workflow Generated	Workflow Generated - All Details Report - 03/02/2021

Document Name	Document Type	Description
All Details Report	Workflow Generated	Workflow Generated - All Details Report - 01/30/2022
All Details Report	Workflow Generated	Workflow Generated - All Details Report - 01/21/2020
All Details Report	Workflow Generated	Workflow Generated - All Details Report - 12/13/2019
All Details Report	Workflow Generated	Workflow Generated - All Details Report - 10/22/2019
All Details Report	Workflow Generated	Workflow Generated - All Details Report - 11/04/2019
All Details Report	Workflow Generated	Workflow Generated - All Details Report - 04/05/2022
Extension Request 12-6-21	Grant	2019 - Watershed Based Funding Metro (Lower Minnesota River WD)
Invoices for East Chaska Creek	Grant	2019 - Watershed Based Funding Metro (Lower Minnesota River WD)
Invoices for PLOC_Ridge Creek_Shakopee	Grant	2019 - Watershed Based Funding Metro (Lower Minnesota River WD)
P19-3264_1 Expenditures Report	Journal	Journal Dated - 03/30/2022
P19-3264_1 Reconciliation Checklist	Journal	Journal Dated - 03/30/2022
Work Plan	Workflow Generated	Workflow Generated - Work Plan - 12/03/2018
Work Plan	Workflow Generated	Workflow Generated - Work Plan - 09/11/2018



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, June 15, 2022

Agenda Item

Item 4. F. – Reimburse Carver Water Management Organization for West Chaska Creek Re-meander Project

Prepared By

Linda Loomis, Administrator

Summary

In February 2019, the Carver County Watershed Management Organization (CCWMO) approached the LMRWD to participate in a project to re-establish meanders in West Chaska Creek. The goals of the project was to reduce sediment loads reaching the Minnesota River by adding BMPs to West Chaska Creek, which had been straightened for agricultural drainage purposes. The project was outside the boundaries of the LMRWD. A cooperative agreement between the LMRWD and the CCWMO was authorized and signed in April 2020.

The project is complete and the CCWMO has requested reimbursement. Funding for this project was included in the 2019 budget. Young Environmental was asked to review the reimbursement request on behalf of the LMRWD and recommends approving reimbursement contingent upon a field inspection of the project.

Attachments

LMRWD Board of Managers meeting minutes excerpt from April 2020 approving cooperative agreement
Reimbursement request from CCWMO – including supporting documentation (Request for reimbursement, invoices, and cooperative agreement)

Recommended Action

Motion to authorize reimbursement to Carver County WMO for West Chaska Creek Re-meander project contingent upon the outcome of a final field inspection of the project by Young Environmental Consulting Group on behalf of the LMRWD

Manager Raby asked if the fees are enough to cover the estimated costs for the completing reviews. Ms. Young said that at the moment they are not sufficient and are aligned with the fees charged by surrounding watershed districts. She noted that reviewing projects in High Value Resource Areas may align better. She noted that the fees do not necessarily correlate with the complexity of a project; that sometimes smaller projects take more time and are charged less.

She said the majority of the reviews that will be conducted by the District will be MNDOT projects and will not be charged a fee. Manager Raby asked if this is a result of the reviews being conducted by the local entity. Ms. Young said that is correct.

Attorney Kolb noted that project reviews should be structured to be revenue neutral. Fees should cover the actual cost realized by the District to permit and inspect projects. He noted that the District has the ability to change the fee schedule as it moves forward and has real day to day experience with the cost of projects reviews and oversight.

E. 2020 Legislative Action

Administrator Loomis said she didn't have anything to report and asked Ms. Frenette to report. Ms. Frenette said the legislature has moved back in to action. She said she has spoken with Senators Ingebrigtsen and Hall about how important it is to the LMRWD request to reallocate money from the dredge site to replace the grant that for the Seminary Fen Ravine stabilization that was lost. Representative Cantrell has had the bill heard in the house Environmental Committee and it was laid over for inclusion in the omnibus bill.

She noted that a Freeway Landfill Bill was being heard in the Judiciary Committee. The Bill deals with the ability of property owner to benefit from clean up of the property by the State.

She noted next year's funding will be tight with the state of the economy. President Hartmann asked how it will be. Ms. Frenette said it looks pretty bad.

F. Education and Outreach Plan

No information to report since last update.

G. LMRWD Projects

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

i. West Chaska Creek

Administrator Loomis said this project is in the 2018 capital improvement plan. She said a cost share agreement between the Carver County WMO and the LMRWD for this project is before the Board for approval and execution authorization. The agreement has been reviewed by legal counsel who recommended some edits. CCWMO accepted the edits and staff is recommending approval. The term of the agreement will end 10 years after the completion of construction. Contribution by the LMRWD is \$50,000.

Manager Raby asked what the projected total cost is. Administrator Loomis said the total for phase one and two is over \$1.5 million. [Upon review of the project after the meeting Administrator Loomis corrected the cost of the project, which is estimated to cost \$352,230.]

Attorney Kolb noted the amount of contribution by the LMRWD was not apportioned according to a percentage but on the benefits of the project to the District.

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

Invoice

Invoice No PWM-22-007

Date 05/27/22



Carver County

Financial Services Division
 PO Box 69
 Chaska, MN 55318-0069

* **Bill To: Linda Loomis**
 Lower Minnesota River Watershed District
 112 East Fifth St, Suite 102
 Chaska, MN 55318

Make checks payable to:
 Carver County

* **For: Chaska Creek Remeander Stilling Basin**

Date	Description	Amount
05/17/22	Chaska Creek Remeander Stilling Basin	\$ 27,441.00
TOTAL		\$ 27,441.00

Fund	Dept	Program	Service	Object	Amount
16	000	157	0424	5280	\$ 27,441.00
Total					\$ 27,441.00

Submitted by:
Tim Sundby

PWM

 952-361-1816
 Phone



400 Water Street, Suite 200
Excelsior, MN 55331
Phone: 952.294.0353

Invoice

DATE May 17, 2022
INVOICE MG002
DUE DATE Upon Receipt

Bill To:

Carver County
Attn: Tim Sundby
600 E 4th Street
Chaska, MN 55318

DESCRIPTION	AMOUNT
Chaska Creek Settling Basin Work 2021 - Remaining Balance - See attached Frattalone Change Order - Previously paid \$20,000 on inv # MG001	\$7,441.00
PAYMENT DUE	\$7,441.00

Please Remit Payment to:

Oppidan, Inc.
400 Water Street, Suite 200
Excelsior, MN 55331



SUBCONTRACTOR CHANGE ORDER

To: Oppidan
400 Water Street , Suite 200
Excelsior, MN 55331

Project: Chaska Creek
FCI Job #: 21065.1
CO Number One
Date: 10/12/2021

CONTRACT CHANGE ORDER DESCRIPTION

Settling Basin Installation

Excavation	587 CY @	\$3.00 =	\$1,761.00
Rip Rap	50 CY @	\$125.00 =	\$6,250.00
Erosion Blanket & Seed	1300 SY @	\$2.00 =	\$2,600.00
48" RCP Pipe	38 LF @	\$442.89 =	\$16,830.00
		Grand Total	\$27,441.00

CONTRACT RECAP


Original Contract Amount	\$2,106,297.00
Previous Change Orders/Extras	\$0.00
Adjusted Contract Amount	\$2,106,297.00
Current Change Order	\$27,441.00
Revised Contract Amount	\$2,133,738.00

Oppidan

Frattonone Companies, Inc.

Accepted By:

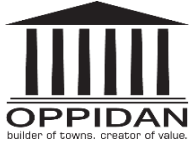
Accepted By:



Date 10/20/21



Date 10/20/21



400 Water Street, Suite 200
Excelsior, MN 55331
Phone: 952.294.0353

Invoice

DATE March 4, 2022
INVOICE MG001
DUE DATE Upon Receipt

Bill To:
Carver County
Attn: Tim Sundby
600 E 4th Street
Chaska, MN 55318

DESCRIPTION	AMOUNT
Chaska Creek Settling Basin Work 2021 - Partial Invoice - See attached Frattalone Change Order	\$20,000.00
PAYMENT DUE	\$20,000.00

Please Remit Payment to:
Oppidan, Inc.
400 Water Street, Suite 200
Excelsior, MN 55331



SUBCONTRACTOR CHANGE ORDER

To: Oppidan
400 Water Street , Suite 200
Excelsior, MN 55331

Project: Chaska Creek
FCI Job #: 21065.1
CO Number One
Date: 10/12/2021

CONTRACT CHANGE ORDER DESCRIPTION

Settling Basin Installation

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Revised Contract Amount	\$2,133,738.00

Oppidan

Frattonone Companies, Inc.

Accepted By:

Accepted By:



Date 10/20/21



Date 10/20/21



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, June 15, 2022

Agenda Item

Item 5. A. – 2023 Budget

Prepared By

Linda Loomis, Administrator

Summary

It is time to begin work on the 2023 budget for the LMRWD. According to the implementation plan contained in Section 4 of the 2018 Comprehensive Watershed Management Plan the total levy planned is \$775,000, a \$25,000 increase from the 2022 levy. The \$775,00 is comprised of a general levy of \$250,000 for LMRWD operations and a planning and implementation levy of \$525,000.

The planning and implementation levy consists of the following expenses:

- | | |
|--------------------|--|
| • \$20,000 | Cost Share Incentive and Water Quality Restoration Program |
| • \$30,000 | Education and Outreach Program |
| • \$25,000 | Fen Stewardship Program |
| • \$75,000 | Monitoring Program |
| • \$125,000 | Water Resources Restoration Fund |
| • <u>\$250,000</u> | Minnesota River Study Area 3 – Bluff Stabilization Project |
| \$525,000 | Total |

Staff will be meeting with the Technical Advisory Committee to update the implementation plan. It is likely that some of the projects will change before the budget must be adopted and the preliminary levy is certified to the Counties.

Preliminary certification of the levy is due to the Counties September 30th. Counties must be notified of the final certification by December 31st. The final levy can be less than the preliminary levy certified to the Counties but can't be higher. The Board should provide direction to staff regarding the amount of levy certified by the LMRWD and any other guidance they may wish to provide.

Attachments

No Attachments

Recommended Action

Provide direction to staff with regards to the amount of levy to be certified.



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, June 15, 2022

Agenda Item

Item 5. B. – Seminary Fen Well Sealing

Prepared By

Linda Loomis, Administrator

Summary

There are two sets of well nests within Seminary Fen that are monitored by the LMRWD. The DNR and Carver County WMO, who monitors the wells within Seminary Fen on behalf of the LMRWD, feel two well sets is redundant and recommends sealing one set of well nests.

The wells, 727740 and 727741, are located on private property. The LMRWD owns the wells and has considered obtaining an easement over the private property to monitor the wells (in case future property owners would be hesitant to allow the LMRWD to access the wells). If the wells are sealed, the LMRWD will no longer need an easement. One of the reasons the DNR is recommending sealing these wells is that they are sometimes underwater in wet years.

The DNR can seal the wells and provided the LMRWD and the MN Department of Health with the documentation required when wells are sealed. The DNR has estimated the cost to seal the wells at \$1,000. Funds to seal the wells can come from the monitoring budget of the LMRWD.

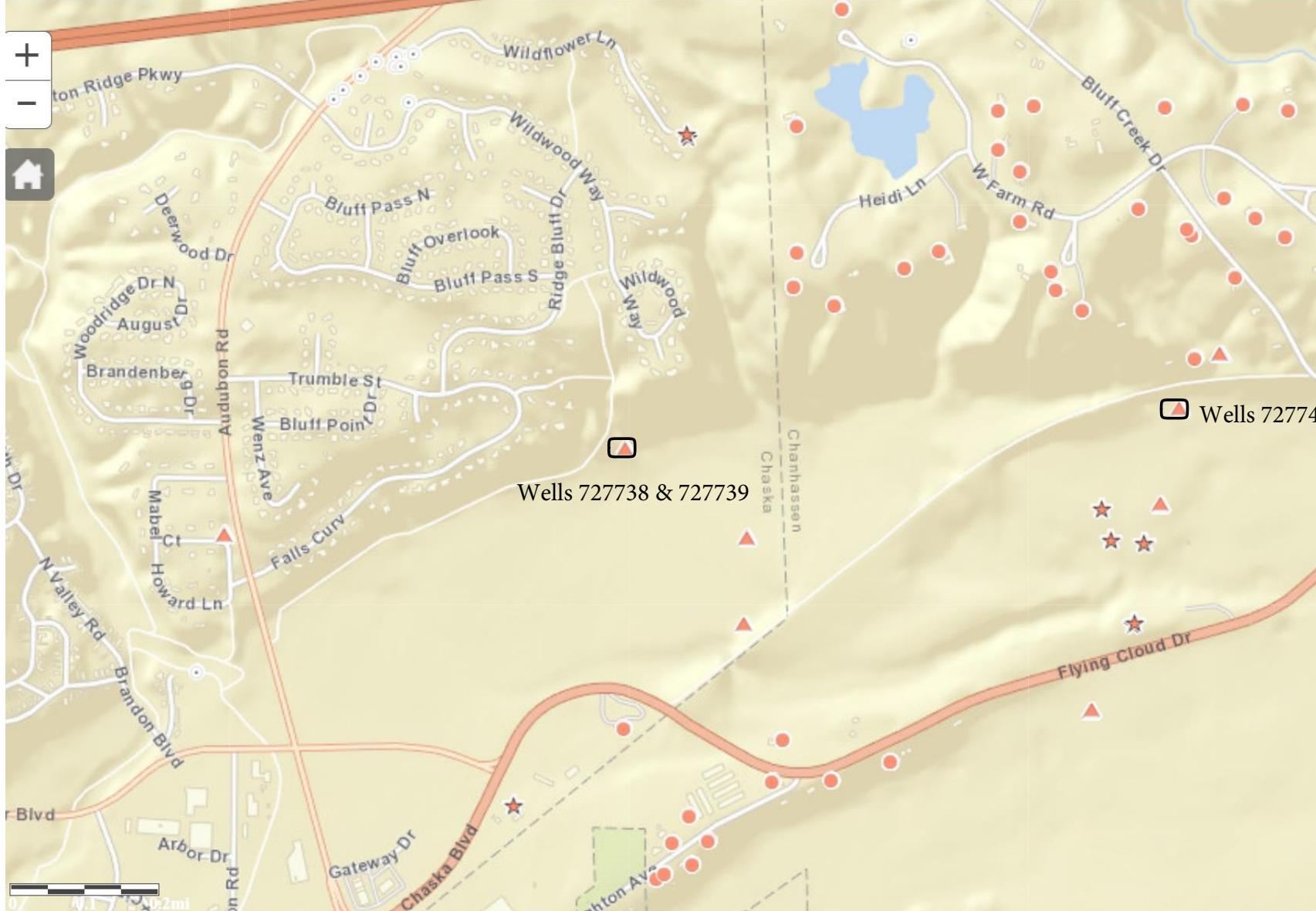
LMRWD staff recommends the Board authorize sealing of the Seminary Fen wells 727740 and 727741 by the DNR.

Attachments

Map with LMRWD well locations

Recommended Action

Motion to authorize well sealing and expenditure of \$1,000 to seal wells 727740 and 727741



Wells 727740 & 727741

Wells 727738 & 727739



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, June 15, 2022

Agenda Item

Item 6. A. – Audit and Financial Accounting Services

Prepared By

Linda Loomis, Administrator

Summary

The Auditor has reported the Audit will be finalized Friday, June 17, 2022.

The new bill paying system is up and operating. Bills are being paid and internal operations are being tweaked. Training for the invoice approval by Board member is being scheduled.

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, June 15, 2022

Agenda Item

Item 6. D. – Dredge Management

Prepared By

Linda Loomis, Administrator

Summary

i. Vernon Avenue Dredge Material Management Site

The LMRWD had some difficulty accessing the site when the TH 13 project began. LS Marine discussed access with the contractor, C.S. McCrossan, and decided to access the site after the construction crews left for the day. The City then notified the LMRWD that hauling outside the hours of 7:00 am to 5:00 pm violated the LMRWD's Conditional Use Permit. The LMRWD notified LS Marine and MnDOT. MnDOT allowed the LMRWD access to the site for hauling, which was completed by June 1st. Access to the site will be coordinated through MnDOT. LS Marine does not anticipate needing access for the rest of June. After that, access will be required whenever dredging is necessary, which in turn is dependent on the river.

ii. Private Dredge Material Placement

Material placed on the site last year has been removed. Initial dredging of barge terminals for this year is complete. The need for additional dredging will be dependent upon the river.

Attachments

No attachments

Recommended Action

No action is recommended



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, June 15, 2022

Agenda Item

Item 6. E. – Watershed Management Plan

Prepared By

Linda Loomis, Administrator

Summary

The draft revision of the rules and proposed implementation plan has been released to the LMRWD Technical Advisory Committee and stakeholders as required by MN Rules and Statutes. A virtual meeting is scheduled for Wednesday, June 15, from 10:00 am to 12:00 noon to get input and feedback from LMRWD partners.

Managers may attend the virtual meeting by using this [link](#).

Attachments

[Draft Proposed Rules Revisions](#)

[Draft Proposed Implementation Plan](#)

Recommended Action

No action recommended



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, June 15, 2022

Agenda Item

Item 6. F. – 2022 Legislative Action

Prepared By

Linda Loomis, Administrator

Summary

The Legislature adjourned sine die without passing a bonding bill. There has been some mention in the news about a special session, but no word officially.

The LMRWD has asked its BWSR Board Conservationist if BWSR would support asking the Legislature to re-direct money appropriated to the LMRWD for dredge management to sediment reduction projects. The BWSR Board Conservationist for the LMRWD has agreed to bring our request to his superiors. The LMRWD wants to have BWSR support for this before making a request.

LMRWD staff is developing a plan of projects related to dredge management to be included in the updated Implementation Plan.

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, June 15, 2022

Agenda Item

Item 6. G. – Education & Outreach

Prepared By

Linda Loomis, Administrator

Summary

The Citizen Advisory Committee has been looking for opportunities to table at public events. Numerous opportunities, County Fairs, City Festivals, Home Remodeling Fairs, etc. have been identified. Jen Dullum, Education and Outreach Coordinator, has reached out to Carver County WMO, Riley Purgatory Bluff Creek WD and Nine Mile Creek WMO to see if there all these organizations can work together to cover more events. Jen will continue with this effort.

She has continued to follow up with schools and has received some response. She will update the Board once more specifics are available.

The LMRWD has received delivery of the educational signs. The City of Chaska has agreed to install the East Creek sign and the Savage Fen and Eagle Creek sign was delivered to the City of Savage for installation. The agreement that was used between Studio Lola and the LMRWD did not have language that would provide the LMRWD ownership of the images created by the artist. The LMRWD can purchase the artwork. Studio Lola has given the LMRWD two options to purchase the artwork:

Option 1: Unlimited use in any media without an end date - \$1,800 (150% of the original cost to develop the images). With this option the artist will still own the right to the images and the LMRWD would credit the artist any time the artwork is used and the LMRWD cannot alter the artwork.

Option 2: Total copyright transfer - \$2,875 (250% of the original cost to develop the images). With this option the LMRWD totally owns the artwork and can alter the artwork however it chooses.

Staff has discussed this and can see multiple uses for the artwork. Staff recommends the Board authorize Option 2. Money from the LMRWD Education budget would be used to pay for the purchase. Final sign design is attached.

Attachments

East Chaska Creek Sign

Savage Fen and Eagle Creek Sign

Recommended Action

Motion to authorize Option 2 purchase of artwork

EAST CHASKA CREEK RESTORATION

Q: WHAT IS EROSION

Erosion is the wearing away of soil by forces such as water, wind, gravity, and ice. While erosion has helped to form many distinct features of the Earth's surface including mountain peaks, valleys, and coastlines, excess erosion in the LMRWD is harming local ecosystems.

Q: WHAT IS A ROCK CROSS VANE?

A rock cross vane is a U-shaped boulder structure that redirects water flow away from streambanks to the center of the channel to increase stability. They also provide a habitat for fish and aquatic organisms.

Q: WHAT DO ROOT WADS DO?

Root wads are dead, or recently cut, trees that are buried into the streambank with the root system still intact to stabilize, reduce bank erosion, and provide fish and aquatic insect habitat.

Q: WHAT IS A SCOUR HOLE?

A scour hole is created by fast-moving water which carves out the creek bed material (soil and rocks) creating large holes in the channel that may cause infrastructure failure. However, engineered scour holes can provide areas of habitat for fish and other aquatic organisms if placed correctly in the stream.

Q: WHAT IS TOE PROTECTION?

Streambank toe protection is riprap (softball to basketball-sized boulders) installed where storm pipes enter the creek that slow the speed of entering stormwater, as well as protect the streambanks.

The City of Chaska and Lower Minnesota River Watershed District (LMRWD) coordinated efforts to restore and stabilize portions of East Chaska Creek in an effort to improve downstream water quality in the Minnesota River. The illustration shows the engineering techniques used in stabilizing the banks to prevent further erosion of the channel and reduce sediment from flowing to the Minnesota River. This will make the waters cleaner and healthier for the wildlife that relies on these waterways while also protecting city infrastructure like roads and trails.

DETAILS & IMPROVEMENTS

- Repair a large scour hole in the creek channel downstream of Crosstown Boulevard
- Remove trees and debris within the creek to prevent further scour in the channel
- Improve creek resilience to high and low water flows by arming the creek banks with streambank toe protection and installing in-channel supports, such as root wads and rock cross vanes

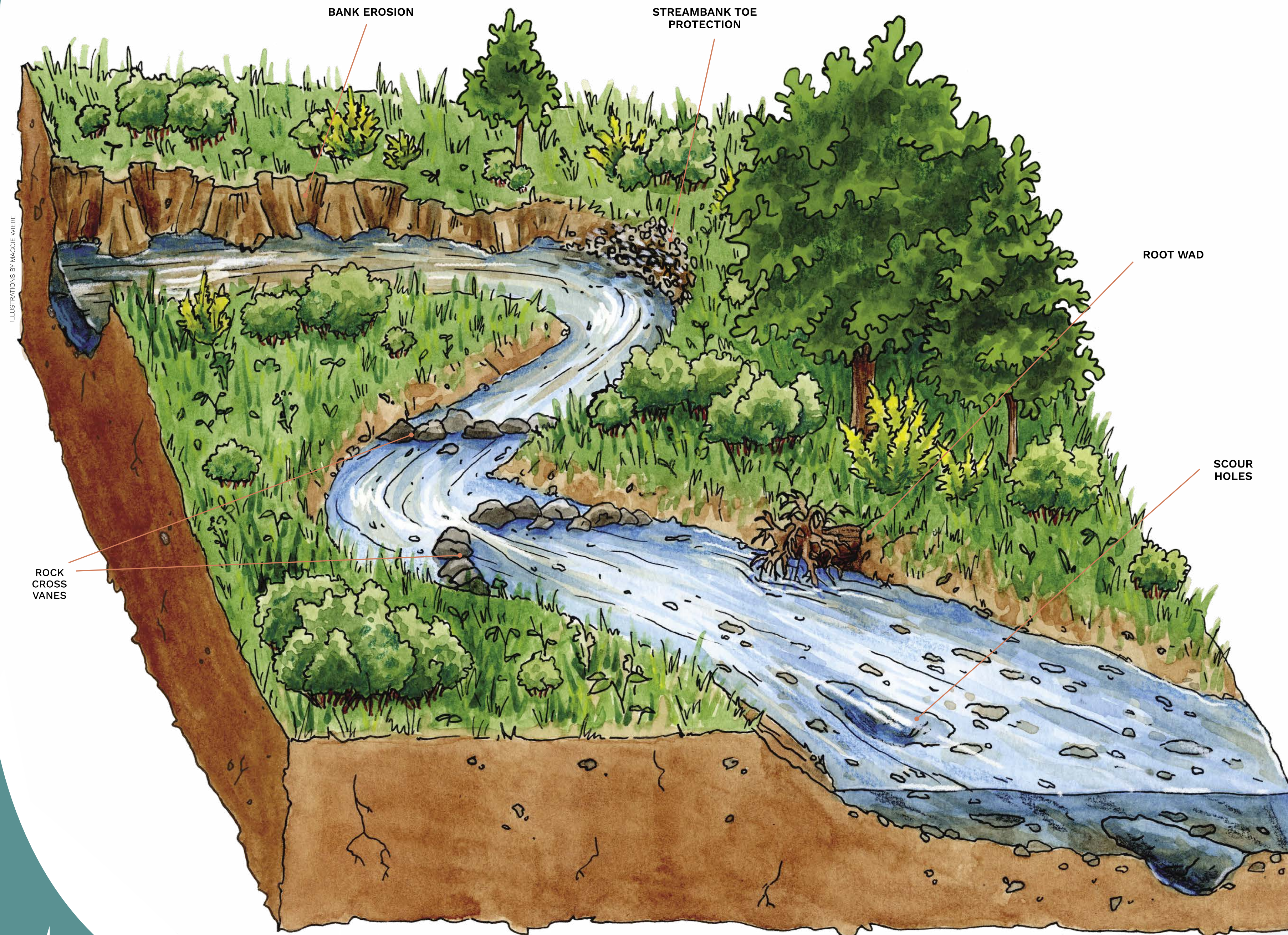
Why is it important to protect and restore? East Chaska Creek has an important role in the City of Chaska's stormwater management system by helping to drain local runoff and reduce flooding. By repairing the unstable creek banks of East Chaska Creek we reduce the likelihood of the creek to create a new path that may undercut public infrastructure like trails, roads, and buildings while reducing the amount of sediment entering our water resources.

HOW CAN YOU MAKE AN IMPACT?

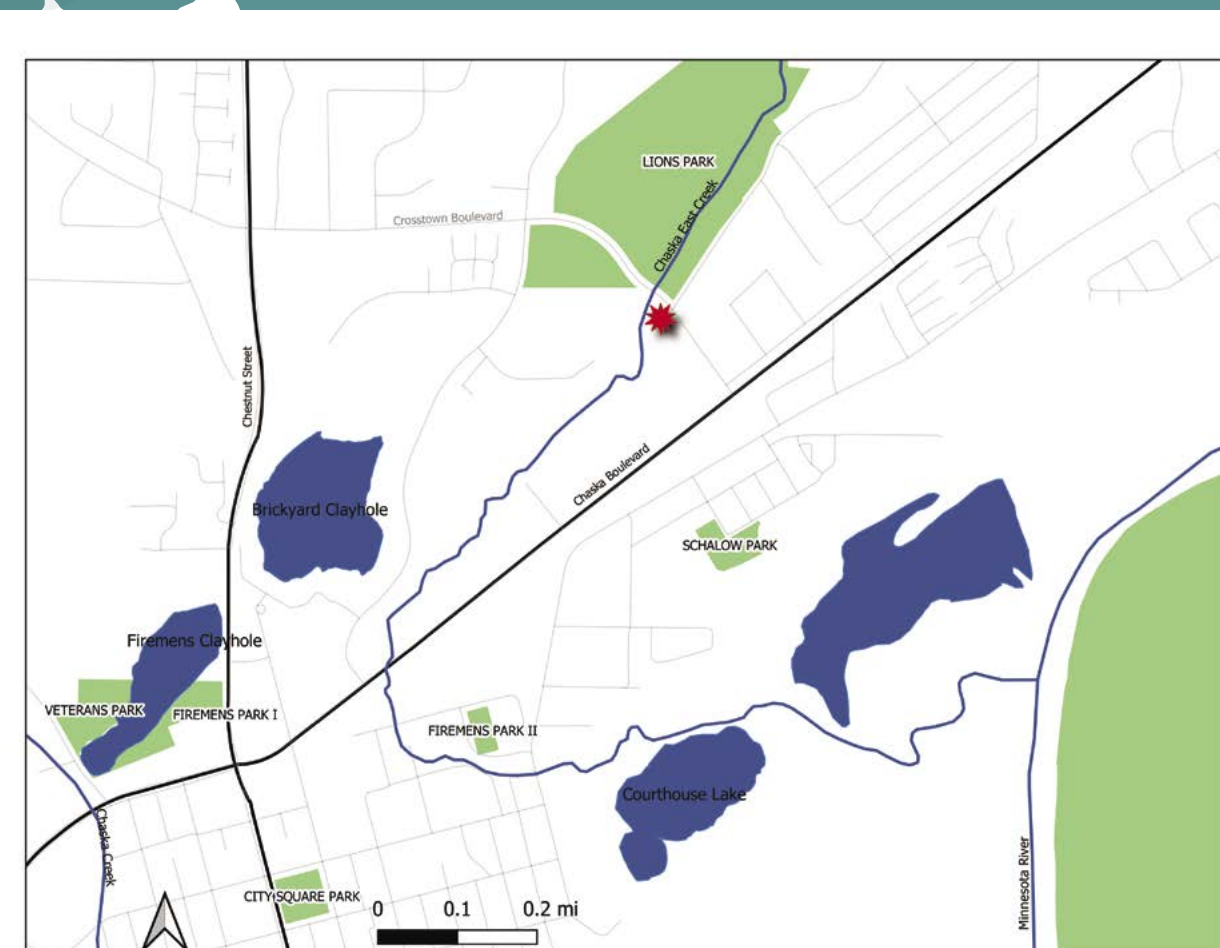
Reduce Water Quantity—Think about ways to keep rainwater and snowmelt on your property where it can move into the soil naturally. Rain gardens, rain barrels, or simply aiming your downspouts onto the lawn or garden will reduce the amount of stormwater flushing from the storm sewers into the creek.

Improve Water Quality—Make sure to keep stormwater clean by picking up pet waste, disposing properly of chemicals, and keeping storm drains clear of litter, leaves, and debris. Water from rain and snowmelt that enters the drain on your street is not cleaned before entering your local waters.

Report to LMRWD if you see muddy water, unnatural colors, or bad smells coming into the creek from a pipe.



This is an artist rendition of engineering practices used in the project.



LOWER MINNESOTA RIVER WATERSHED DISTRICT

ABOUT THESE RESOURCES: LMRWD has partnered with communities, cities, and counties locally to preserve and protect water and natural resources.

Learn more at lowermnriverwd.org.

UNIQUE NATURAL RESOURCES

Did you know that Savage is home to several rare natural resources? Savage Fen and Eagle Creek Trout Stream are two of these unique ecological features. What makes them so special?

SAVAGE FEN

Savage Fen is a rare calcareous fen, a unique peat-accumulating wetland that relies on a consistent supply of cool, calcium-rich groundwater. This fen was formed gradually after glaciers in the Minnesota River Valley receded, and its spongy, wet surface supports a variety of distinct species of plants, animals, and insects, including the threatened sterile sedge.

FACTS & FIGURES

- There are only about 200 known calcareous fens in Minnesota and most are less than four acres in size. Savage Fen is 55 acres.
- The plants that thrive in Savage Fen, such as sedges and rushes, enjoy an environment that is rich in calcium carbonate and low in oxygen and nutrient availability.
- To protect the rare native plant community found here, a Scientific and Natural Area was established encompassing Savage Fen in 1989.
- This balanced and fragile ecosystem is put at risk by changes in water levels. Too little moisture will cause the delicate peat to break down. Too much groundwater can flood plant species.

EAGLE CREEK

Eagle Creek is a nearly three-mile-long designated trout stream that flows into the Minnesota River and supports a self-sustaining brown trout population. The trout are cool-water-dependent and rely on groundwater that rises from natural springs along the stream.

FACTS & FIGURES

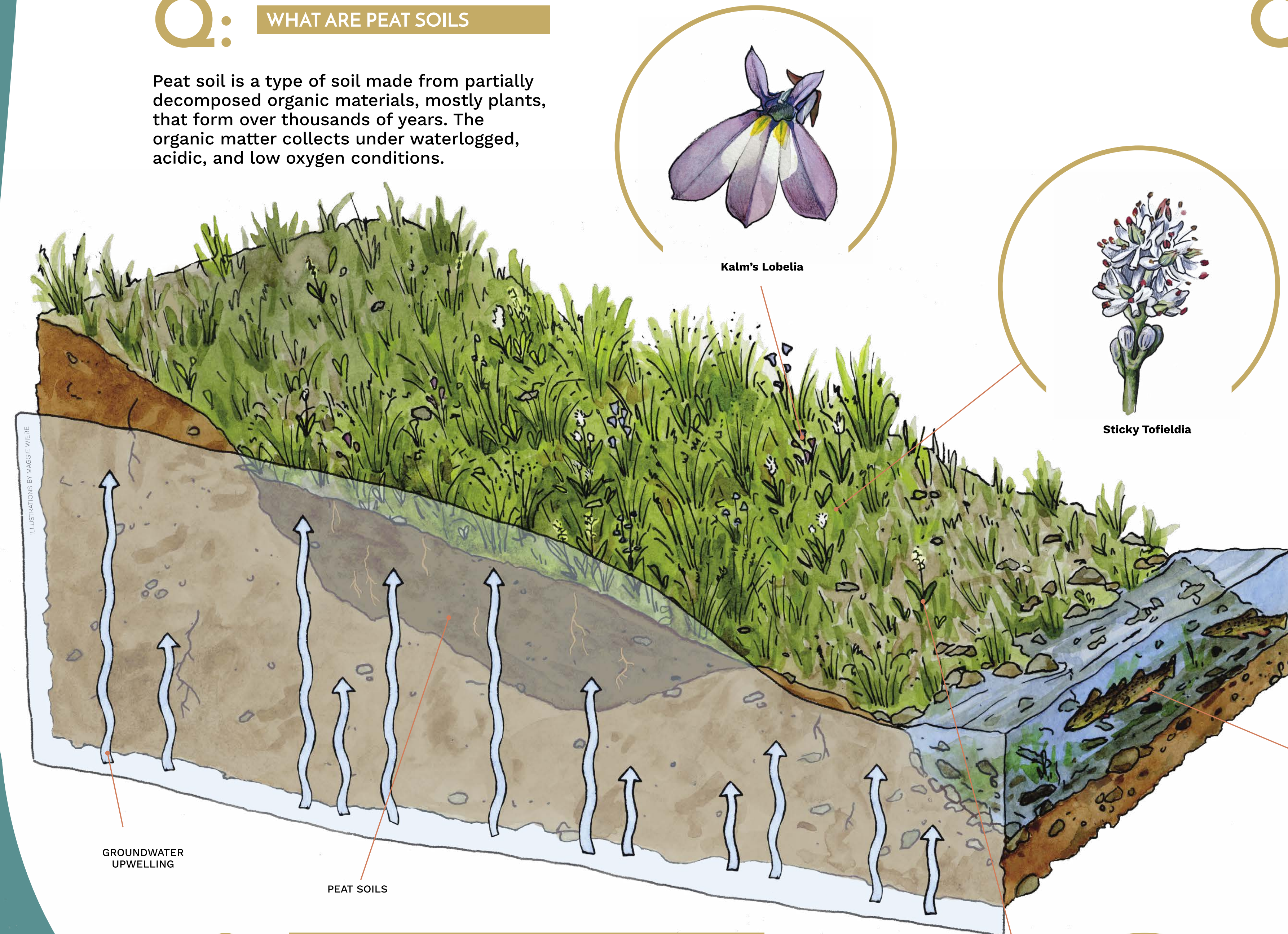
- In this area of the Minnesota River Valley, upward moving groundwater find breaks in the bedrock, forming the natural springs found along Eagle Creek. These springs support trout populations and keep the stream open year-round.
- The area surrounding Eagle Creek was Minnesota's first designated aquatic management area and is managed by the Minnesota Department of Natural Resources.
- Eagle Creek is one of seven state-designated trout waters in the Lower Minnesota River Watershed District (LMRW).



SAVAGE FEN & EAGLE CREEK

Q: WHAT ARE PEAT SOILS

Peat soil is a type of soil made from partially decomposed organic materials, mostly plants, that form over thousands of years. The organic matter collects under waterlogged, acidic, and low oxygen conditions.



Kalm's Lobelia

Sticky Tofieldia

GROUNDWATER UPWELLING

PEAT SOILS

Q: WHAT IS AN AQUATIC MANAGEMENT AREA? (AMA)

AMAs were established to protect and manage shoreland and riparian landscapes that are vital for fish and aquatic life, water quality, public fishing, and other outdoor recreation.



LOWER MINNESOTA RIVER
WATERSHED DISTRICT



Yellow Widelip
Orchid

Q: WHAT IS A CALCAREOUS FEN?

Calcareous [kal-kair-ee-uhs]:
containing calcium carbonate

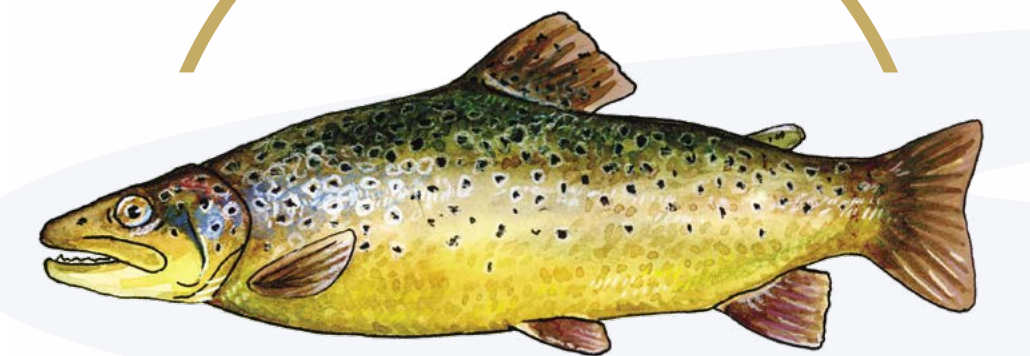
Fen: a wetland predominantly fed by groundwater (as opposed to rainfall)

Q: WHAT CAN YOU DO TO HELP PROTECT THESE NEIGHBORHOOD GEMS?

Redirect Your Downspout: Angle your downspouts toward your lawn or gardens. This helps rainwater and snowmelt to flow into the ground where it can be naturally filtered and cooled to recharge the groundwater supply that feeds Savage Fen and Eagle Creek.

Conserve Water: Don't over water your lawn. Grass needs only about an inch of water per week (including rainfall). Overwatering directly affects fragile ecosystems because the water we use is pumped from the same sources the calcareous fens and trout streams depend on to survive.

Use Sidewalk Salt Minimally (or not at all): Shovel snow early and often so de-icers are not needed. One tablespoon of sidewalk salt permanently pollutes five gallons of water and can wreak havoc on the fragile trout stream and calcareous fen ecosystems. That adds up!



Brown Trout

ABOUT THESE RESOURCES:
LMRW has partnered with communities, cities, and counties locally to preserve and protect water and natural resources.

Learn more at lowermnriverwd.org.



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, June 15, 2022

Agenda Item

Item 6. H. – LMRWD Projects

Prepared By

Linda Loomis, Administrator

Summary

Construction of East Chaska Creek bank stabilization was completed in 2021. The LMRWD retained a portion of the funds for one year to cover the warranty period. Young Environmental conducted an inspection of the project with the contractor and project manager, Barr Engineering.

Overall, the site looks great, a small low-flow channel is forming in the bottom and there appears to be a lot of variation in the in-channel habitat. The hole dug into the channel that was noted during the fall tour appears to have filled in and the plunge pool at Crosstown Blvd. appears to have filled in and is protecting the bridge crossing as intended.

The vegetation has established itself with two exceptions:

1. One of the three oak trees planted did not make it through winter and will be replaced.
2. Only five of the 25 red-twigged dogwood plantings were found.

It appears that surface run-off from Cuzzy's/Lenzen Chevrolet appears to be crossing the trail at a low point and causing erosion at the upstream end of the left bank riprap. The erosion does not appear to be a result of the project, but rather poor drainage from the trail.

Blackstone will replace the dead oak tree, but the LMRWD needs to contact the City so that they can confirm if the red-twigged dogwoods need replacement. The City staked all the planting locations, but the planting locations were never surveyed. Young Environmental will reach out to Brent Alcott, with the City to discuss the plantings and erosion concerns so the contractor can correct any issues and request final payment next month.

Attachments

No attachments

Recommended Action

No action recommended – for information only



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, June 15, 2022

Agenda Item

Item 6. I. – LMRWD Permits and Project Reviews

Prepared By

Linda Loomis, Administrator

Summary

i. LMRWD Permit Renewals

One permit, for Core Crossing Apartments is set to expire and has requested an extension of its LMRWD permit. Staff has reviewed the request. A summary and recommendations can be found in the attached Technical Memorandum Re: Core Crossings Apartments - Amendment (LMRWD No. 2021-020) dated June 8, 2022.

Attachments

Technical Memorandum Re: Core Crossings Apartments - Amendment (LMRWD No. 2021-020) dated June 8, 2022

Recommended Action

Motion to approve LMRWD No. 2021-020 permit amendment and extension of the permit term to June 15, 2023

ii. Minnesota MASH and 130th Street Extension (LMRWD No, 2021-033)

At the May 2022 LMRWD Board of Managers meeting, the Board approved a permit for the first phase of this project to allow for materials for the project to be delivered.

The City of Savage has provided the information required by the LMRWD to approve the project and staff now recommends approval of the project as provided in the attached Technical Memorandum Re: Minnesota MASH/130th Street Extension (LMRWD No. 2021-033) dated June 8, 2022.

Attachments

Technical Memorandum Re: Minnesota MASH/130th Street Extension (LMRWD No. 2021-033) dated June 8, 2022

Recommended Action

Motion to approve a permit for Minnesota MASH/130th Street Extension (LMRWD No. 2021-033)

iii. CenterPoint Energy – Oak Street North (Chaska) (LMRWD No. 2022-021)

This is a public utility project in the City of Chaska. Young Environmental Consulting Group has reviewed the project on behalf of the LMRWD. A summary with recommendation is attached as Technical Memorandum Re: CenterPoint Oak Street North (LMRWD No. 2022-021) dated June 8, 2022.

Attachments

Technical Memorandum Re: CenterPoint Oak Street North (LMRWD No. 2022-021) dated June 8, 2022

Recommended Action

Motion to approve a permit for CenterPoint Oak Street North (LMRWD No. 2022-021)

iv. 535 Lakota Lane

At the May 18, 2022, meeting of the LMRWD Board of Managers, the Board adopted Resolution 22-05 Adopting Findings and an Order Determining a Violation of District Administrative Rules, Authorizing Notice and Initiation Enforcement. Subsequently, legal counsel drew up a letter to the property owner advising the owner of the LMRWD actions. The letter is attached for the Board's information. The LMRWD has not received any response from the owner, however the owner referenced the letter from the LMRWD in correspondence with the City. An email was sent to the property owner, June 12, 2022 as a follow up advising him that he must apply for a LMRWD permit and specific information to be provided to the LMRWD from a survey. The applicant has until June 15 to initiate action.

Attachments

No attachments

Recommended Action

No action recommended

Technical Memorandum

To: Linda Loomis, Administrator
Lower Minnesota River Watershed District

From: Hannah LeClaire, PE
Katy Thompson, PE, CFM

Date: June 8, 2022

Re: Core Crossings Apartments – Amendment (LMRWD No. 2021-020)

At the June 2021 board meeting, the Lower Minnesota River Watershed District (LMRWD) approved a permit application by Sand Companies to develop an apartment building in the City of Shakopee (City, Attachment 1), called Core Crossings Apartments (Project).

The applicant contacted the LMRWD to discuss renewal of the permit and an amendment to the original permit terms to include the addition of a small sports court (Figure 1).

Although the City has its LMRWD municipal LGU permit, this Project was originally permitted by LMRWD and has been reviewed for compliance with the original permit terms (Attachment 1).

Summary

<u>Project Name:</u>	Core Crossings Apartments Amendment
<u>Purpose:</u>	Sports court addition
<u>Project Size:</u>	1,886 square feet new impervious surface
<u>Location:</u>	1360 Stagecoach Road, Shakopee, MN 55379
<u>LMRWD Rules:</u>	Rule B – Erosion and Sediment Control Rule D – Stormwater Management
<u>Recommended Board Action:</u>	Approval

Discussion

The District received the following documents for review:

- Updated construction plans by Larson Engineering dated May 5, 2022; received May 2, 2022
- Updated Stormwater Management Plan by Larson Engineering; dated and received May 2, 2022
- Utility Facilities Easement Agreement with the City of Shakopee, recorded with Scott County on August 26, 2021, and received May 25, 2022
- Revised MIDS calculations received May 31, 2022

The documents provided include the information necessary for review.

Rule B – Erosion and Sediment Control

The District regulates land-disturbing activities that affect one acre or more under Rule B. The original Project disturbs approximately 3.8 acres within the LMRWD boundary; the proposed sports court is within the original disturbance footprint. As a result, no amendment to Rule B is necessary, and the Project continues to comply with Rule B.

Rule D – Stormwater Management

The Project originally proposed 1.8 acres of new impervious surfaces that were treated by expanding two existing infiltration basins to meet the District’s stormwater management requirements. The applicant is proposing to add an additional 1,886 square feet of impervious area for the new sports court and, as a result, has revised the stormwater management report. The results reported below incorporate the previous development’s impervious surfaces as well as the proposed Core Crossings Project.

Table 1. Core Crossings Off-Site Discharge Rates

Design Storm	Existing Rate (cfs)	Permitted Rate (cfs)	Amended Rates (cfs)	Change from Permitted (cfs)
2-YR/24-HR	0.03	0.04	0.04	-
10-YR/24-HR	0.53	0.49	0.46	-
100-YR/24-HR	4.99	3.53	3.33	-0.20

The slight reduction in off-site discharge rates is due to the addition of storm sewer to collect runoff from the new sports court and route that water to the existing infiltration ponds rather than discharge directly off-site. This decrease in runoff is offset by the increase in discharge rates from the infiltration basin.

Section 4.4.2 of Rule D requires 1-inch volume reduction for post-construction stormwater runoff volume for projects that create more than one acre of impervious surface. The Project is required to provide 6,534 cubic feet (cf) of volume reduction to meet the requirements of Rule D; the sports court addition will require an additional 13 cf of infiltration to meet Rule D.

The City has required that the Project infiltrate the entire 100-year design event, and the project currently infiltrates 162,084 cf with an excess of 130,572 cf, more than meeting the District's volume reduction requirement.

Section 4.4.3 of Rule D requires projects that create more than one acre of impervious surfaces to provide evidence that no net increase in total phosphorus (TP) and total suspended solids (TSS) to receiving waters would result from the Project. The revised MIDS summary sheet states 96 percent of both TP and TSS will be removed, meeting the water quality requirement.

Recommendations

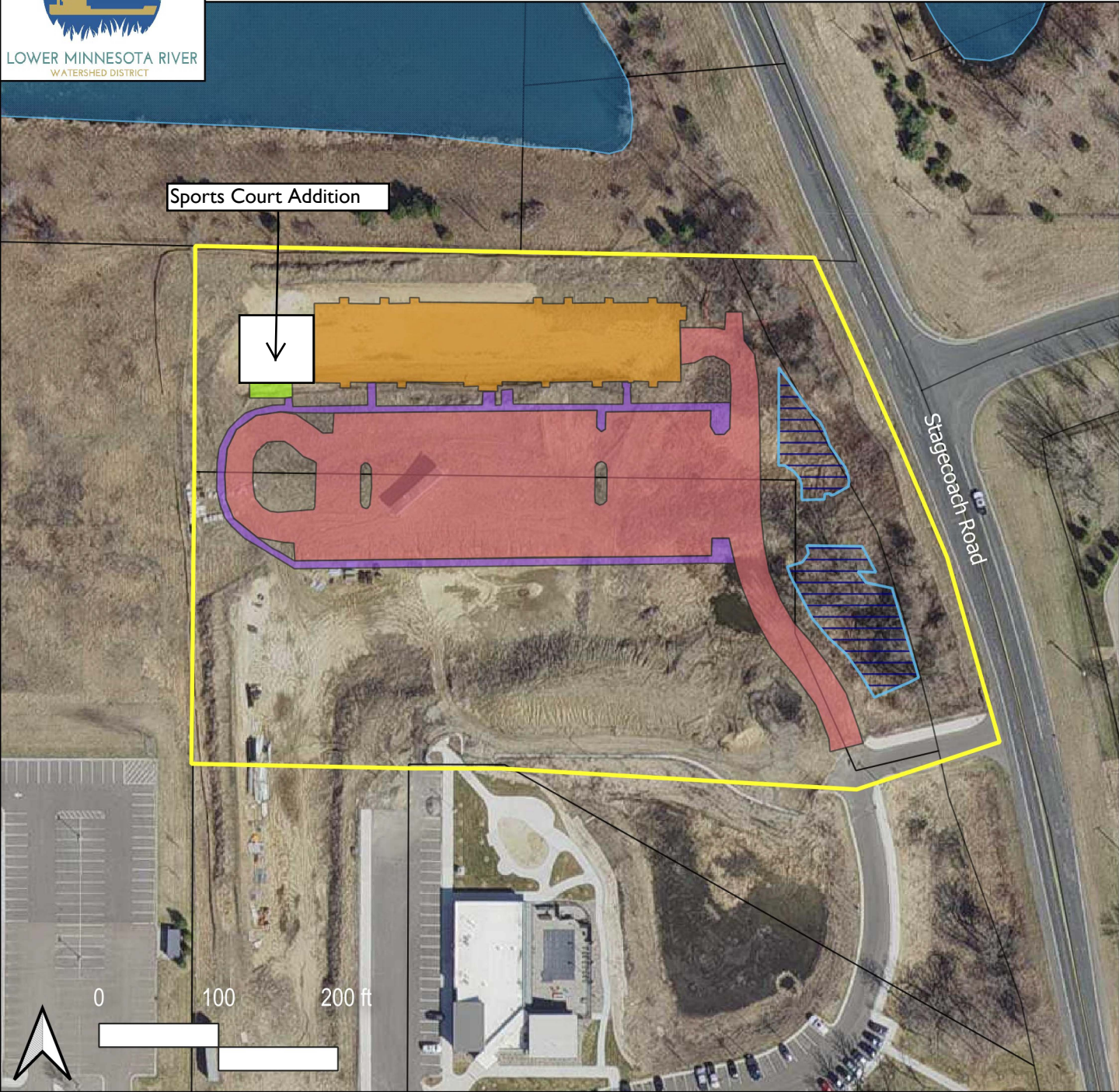
Staff recommends approval of the permit amendment and extension of the permit term to June 15, 2023.

Attachments














- Core Crossings Apartment Permit Review Memo, dated July 7, 2021
- Figure 1 – Core Crossings Project Location Map



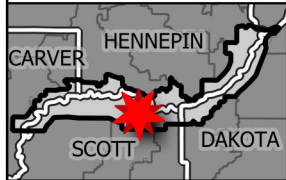
Figure 1: Core Crossings Apartments Project Location



LEGEND

-  Project Location
-  Core Crossings Apartments
-  Building
-  Parking lot/driveways
-  Play ground
-  Sidewalk
-  Infiltration basins
-  Public Waterways
-  Public Waterbodies
-  Open Water
-  High Value Resource Area Overlay District
-  Steep Slopes Overlay District
-  Parcel Boundaries

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: July 7, 2021

Re: Core Crossings Apartments (LMRWD No. 2021-020)

Sand Companies (the applicant) has applied for an individual project permit from the Lower Minnesota River Watershed District (LMRWD) to develop an apartment building in the City of Shakopee (City), as shown in Figure 1. The applicant's engineer, Larson Engineering, has provided site plans for the Core Crossings Apartments project (Project) along with the permit application. This Project was previously reviewed as part of the Wetland Conservation Act application by Young Environmental Consulting Group (Young Environmental) under the project name Southbridge Crossings; the wetland delineation was approved June 7, 2021.

The proposed Project consists of constructing an apartment building, playground, parking lot, sidewalks, and two infiltration basins (Figure 1). The Project would disturb approximately 3.8 acres and create 1.8 acres of new impervious surfaces. The Project is not located within the High Value Resource Area, Steep Slopes Overlay District, or within a 100-year floodplain, and the applicant proposes to commence construction on August 2, 2021. The Project is part of a second phase of the two-phase development. The first phase consisted of several apartment buildings, two parking lots, and two infiltration basins.

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

Summary

Project Name: Core Crossings Apartments

<u>Purpose:</u>	61-unit apartment building
<u>Project Size:</u>	3.8 acres disturbed; 1.8 acres of new impervious surface
<u>Location:</u>	1360 Stagecoach Road, Shakopee, MN 55379
<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 online permit application, received June 14, 2021
- Fee of \$750, received June 30, 2021
- Project Map, dated May 4, 2021, received June 14, 2021
- Aerial photo of overall project site, received June 30, 2021
- Core Crossings plan sheets by Larson Engineering, dated May 25, 2021, revised June 10, 2021, received June 14, 2021
- Southbridge Apartments Stormwater report by Larson Engineering, dated May 26, 2016, revised most recently on January 24, 2018, received June 14, 2021
- Southbridge Apartments Stormwater Calculations by Larson Engineering, dated June 30, 2021, received June 30, 2021
- Southbridge Crossings Apartments plan sheets by Larson Engineering, dated March 2, 2018, received June 30, 2021
- Notice of Decision for Southbridge Crossing, dated June 7, 2021, received June 14, 2021
- Utility Facilities Easement Agreement with the City of Shakopee, unsigned, received June 30, 2021

The documents provided include the information necessary for review, and the application is considered complete as of July 1, 2021.

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 3.8 acres within the LMRWD boundary. The applicant has provided an erosion and sediment control plan and Stormwater Pollution Prevention Plan. The Project generally complies with Rule B; however, before the District can issue the final permit, the following items are needed:

- Copy of NPDES Construction Stormwater Permit coverage
- Contact information of contractors and person(s) responsible for inspection and maintenance of all erosion and sediment control features

Rule D—Stormwater Management

The Project proposes a total of 1.8 acres of impervious surfaces, including the construction of an apartment building, playground, and parking lot. The applicant is proposing to expand the existing infiltration basins constructed in the first phase of development with the construction of two infiltration basins, connected via equalizer pipes to function as a single infiltration basin, to meet the District’s stormwater management requirements (Figure 1). The stormwater management report provided by the applicant was developed with the full-build out of the site; the results reported below incorporate the previous development’s impervious surfaces as well as the proposed Core Crossings Project.

Section 4.4.1 of Rule D requires applicants to demonstrate no increase in proposed runoff rates compared with existing conditions. It should be noted that this area is subject to the City discharge rate control requirement of 1/3 cfs per acre for the 100-year, 24-hour design event.

Table 1. Core Crossings Design Discharge Rates

EVENT	Existing Conditions (cfs)	Proposed Conditions (cfs)	Change (cfs)
2-YR/24-HR	0.03	0.04	+0.01
10-YR/24-HR	0.53	0.49	-0.04
100-YR/24-HR	4.99	3.53	-1.46

The reported runoff rates show a total decrease from existing to proposed for the 10- and 100-year events, but there is a 0.01 cubic feet per second increase for the 2-year event. In discussion with the City and applicant, this slight increase is likely due to small fugitive areas within the development that cannot be captured by the stormwater collection system and sent to a stormwater basin. The City said that this is a common occurrence with developments that are required to infiltrate the full 100-year design event, such as Core Crossings. Staff concur with the City that the potential to infiltrate 7.2 inches of rainfall during the 100-year event outweighs the negligible increase in the 2-year design event.

Section 4.4.2 of Rule D requires 1-inch volume reduction for post-construction stormwater runoff volume for projects that create more than one acre of impervious surface. The Project is required to provide 6,534 cubic feet of volume reduction to meet the requirements of Rule D. Additionally, the City has required that the Project also infiltrate the entire 100-year design event within 72 hours.

There is approximately 44,800 square feet of off-site runoff from the area adjacent to

Stagecoach Road that will also be treated in the proposed conditions. The revised stormwater report states the entire infiltration basin has the capacity to treat 6.9 acres of new impervious surfaces, requiring 24,978 cubic feet of volume reduction to meet the District's Rule D requirement. Due to the City's requirement, the Project infiltrates the 100-year event and provides 162,084 cubic feet of volume reduction, more than meeting the District's volume reduction requirement.

Section 4.4.3 of Rule D requires projects that create more than one acre of impervious surfaces to provide evidence that no net increase in total phosphorus (TP) and total suspended solids (TSS) to receiving waters would result from the Project. The MIDS summary sheet states 96 percent of both TP and TSS will be removed, meeting the water quality requirement.

Finally, the applicant has provided a draft copy of the City's Facility Utilities Agreement; however, the final agreement is not yet available since it will be recorded with Scott County. The City's Utility Facility Agreement is transferrable to all future owners and grants the City right of entry to maintain the best management practice should the owner fail to meet its obligations. The District's legal counsel has previously reviewed the City's agreement and stated that a separate maintenance agreement between the applicant and the District is not required.

Recommendations

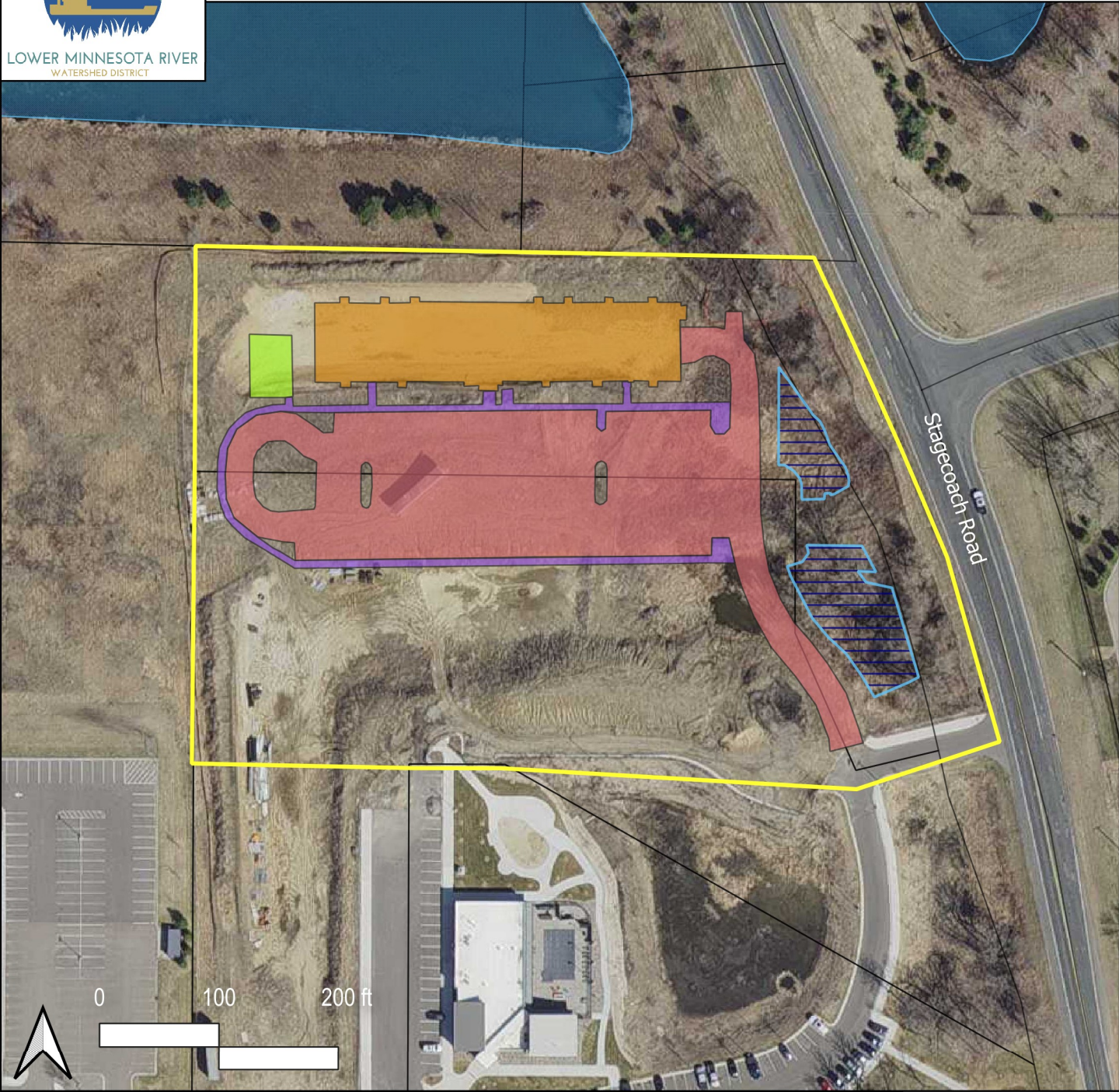
Staff recommends conditional approval of the Project, pending receipt of the NPDES permit copy and contact information for the contractors. The City of Shakopee must also provide the final copy of the executed Utility Facilities Agreement after it has been recorded with Scott County.

Attachments














- Figure 1—Core Crossings Project Location Map



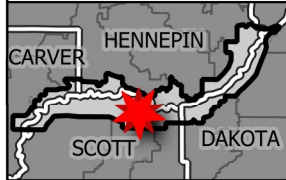
Figure 1: Core Crossings Apartments Project Location



LEGEND

-  Project Location
-  Core Crossings Apartments
-  Building
-  Parking lot/driveways
-  Play ground
-  Sidewalk
-  Infiltration basins
-  Public Waterways
-  Public Waterbodies
-  Open Water
-  High Value Resource Area Overlay District
-  Steep Slopes Overlay District
-  Parcel Boundaries

LMRWD Watershed Location Map



Technical Memorandum

To: Linda Loomis, Administrator
Lower Minnesota River Watershed District

From: Hannah LeClaire, PE
Katy Thompson, PE, CFM

Date: June 8, 2022

Re: Minnesota MASH/130th Street Extension (LMRWD No. 2021-033)

Minnesota MASH ([MN MASH] the applicant) previously applied for an individual project permit from the Lower Minnesota River Watershed District (LMRWD) to develop a baseball complex in the City of Savage (City). As part of the project, 130th Street will be extended to provide access to the facility and future development. The applicant's engineer, ISG, Inc., has provided site plans for the MN MASH project and street extension (Project) with the permit application.

Staff previously reviewed this project, and the Board approved it at the May 18, 2022, meeting, which allowed for initial grading of the site for material delivery (refer to Young Environmental memo, MN MASH [LMRWD No. 2021-033] dated May 11, 2022). The applicant is seeking an amendment to the permit to complete the construction of the baseball complex, street extension, and associated stormwater management system.

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

Summary

<u>Project Name:</u>	MN MASH/130th Street Extension
<u>Purpose:</u>	Development of baseball complex and street extension
<u>Project Size:</u>	13.56 acres disturbed; 8.77 acres new impervious

Location: 13050 Dakota Avenue South, Savage, MN 55378

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

Recommended Board Action: Approval

Discussion

The District received the following documents for review:

- Stormwater report by ISG, dated November 12, 2021; revised April 29, 2022; and received May 2, 2022
- Construction Site Plans by ISG, dated February 9, 2022; revised April 4, 2022; and received April 29, 2022
- Maintenance Agreement between LMRWD and MN MASH, no date, received April 14, 2022
- Stormwater Management Plan by the City of Savage, dated April 6, 2022; revised May 6, May 18, and May 31, 2022; and received May 31, 2022
- Wetland Reestablishment and Pond Grading by the City of Savage, no date, received April 29, 2022
- Savage Fire Station No. 60 Pond Outlet and East Storm Sewer Details by the City of Savage, no date, received April 29, 2022
- MN MASH/City of Savage 130th Street Extension Construction Plans by ISG, dated December 8, 2021; revised April 4, 2022; and received May 4, 2022

The application was approved for only Rule B to allow the applicant to begin work on the site preparation while the 130th Street Extension stormwater management was refined. The documents received now allows for the review of the stormwater design. Therefore, the application was deemed complete on May 9, 2022.

Rule D—Stormwater Management

ISG provided construction plans and stormwater management for the MN MASH site and 130th street extension, including a temporary infiltration basin to treat the western portion of 130th Street; this temporary basin will be reconstructed with future development. The City provided a stormwater management report for the 130th Street East area that will be treated by the existing Fire Station Pond.

MN MASH will treat 8.17 acres of impervious surface on-site with three filtration basins and one temporary filtration basin. The filtration ponds discharge to the ditch on the eastern edge of the site, which then drains to the storm sewer and, ultimately, north toward the Savage Fen. The temporary filtration basin discharges to a ravine on the

west side of the site before draining to Savage Fen.

The remaining 0.6 acres of the impervious area from the 130th Street extension will be directed to the City’s Fire Station Pond, constructed in 2011. The City has agreed to modify the outlet control structure and basin to accommodate the increased impervious area from the MN MASH’s extension of 130th Street. Fire Station Pond ultimately discharges to the Credit River.

Section 4.4.1 of Rule D requires development projects to not exceed the existing discharge rates from the project sites. The post-construction conditions from the MN MASH site and the western portion of the 130th Street extension are anticipated to have an overall reduction in runoff rates from the existing conditions for the two-year, 10-year, and 100-year 24-hour storm events (Tables 1 and 2).

Table 1. MN MASH Runoff Rate Summary

Rainfall Event (24-hour)	Existing Conditions (cfs)	Proposed Conditions (cfs)
2-year	8.7	4.5
10-year	22.7	11.0
100-year	63.1	29.8

Table 2. 130th Street Extension West Runoff Rate Summary

Rainfall Event (24-hour)	Existing Conditions (cfs)	Proposed Conditions (cfs)
2-year	0.48	0.00
10-year	1.02	0.00
100-year	2.42	1.26

The 130th Street East extension is treated by Fire Station Pond. Adjacent to the pond is the Fire Station Wetland, as shown in Figure 1. The pond discharges to the wetland through an outlet control structure, and the wetland discharges to the City storm sewer. The City proposes to modify the existing outlet structure of the pond by raising the weir elevation to 897.2 to reduce outflows. The peak runoff rates were evaluated at the outlet of the wetland to determine downstream effects (Table 3). There is a 0.01 cfs increase for the two- and 10-year event due to the minimum four-inch diameter orifice requirement by the City. Staff concurs with the City that a decrease in peak runoff rates for the 100-year event outweighs the negligible increases.

Table 3. 130th Street Extension East Runoff Rate Summary

Rainfall Event (24-hour)	Existing Conditions (cfs)	Proposed Conditions (cfs)
2-year	1.81	1.82
10-year	3.69	3.70
100-year	3.99	3.93

Section 4.4.2. of Rule D requires projects to retain one inch of runoff from the new impervious surfaces on-site; however, the site consists mostly of clay soils classified as Hydrologic Soil Group D. Therefore, volume control requirement is proposed to be obtained primarily through filtration.

On the MN MASH and 130th Street West site, the proposed basins will be constructed with a raised underdrain at an elevation of 0.24 feet above the surface, which is the maximum depth that can infiltrate in 48 hours with underlying clay soils. The remaining water will be collected by the underdrains. Table 2 summarizes the volumes for each basin. The Project requires 29,802 cubic feet (cf) of volume control for runoff that drains toward Savage Fen and proposes to treat 54,831 cf, meeting the requirement in Section 4.4.2.

Table 4. MN MASH Volume Control Summary

Discharge Location	Basin Name	Infiltration Volume (cf)	Filtrated Volume (cf)	Total Proposed Volume (cf)
Savage Fen	Filtration Basin #1	2,956	24,054	27,010
	Filtration Basin #2	1,980	16,021	18,001
	Filtration Basin #3	1,429	4,476	5,905
	Temporary Filtration Basin	393	3,522	3,915
	Total	6,758	44,551	54,831

The Fire Station Pond will provide water quality for the 130th Street East extension. The pond was originally oversized to provide 2.92 ac-ft of live storage to treat 2.26 acres of existing impervious area. The 130th Street East will contribute an additional 0.6 acres of impervious area, requiring 0.05 ac-ft. By increasing the weir elevation and footprint of the pond for rate control, the live storage capacity is also increased by 0.62 ac-ft, meeting the requirements of Section 4.4.2.

Section 4.4.3. of Rule D requires a no net increase in TP or TSS loads from existing conditions and a 60 and 80 percent decreases in TP and TSS, respectively, for the impervious area within the High Value Resource Area (HVRA). A summary of the MIDS results for TP and TSS loads for the MN MASH and 130th Street West Extension is provided in Tables 6 and 7, meeting Rule D requirements.

Table 6. Water Quality Summary for MN MASH Site

	Overall Site		HVRA Area	
	TP (lb/yr)	TSS (lb/yr)	TP (lb/yr)	TSS (lb/yr)
Existing	15.92	2,891.6	2.509	455.7
Proposed	0.802	120.3	0.420	77.0
Difference	-15.12	-2,771	-2.09	-378.7
% Reduction	95%	96%	83%	83%

Table 7. Water Quality Summary for 130th Street West Extension

	HVRA Area	
	TP (lb/yr)	TSS (lb/yr)
Existing	0.17	31.8
Proposed	0.04	5.8
Difference	-0.13	-26
% Reduction	76%	82%

The City provided record drawings and maintenance and inspection records for the Fire Station Pond, indicating the pond is in good working condition with no maintenance concerns. The City estimated the current removal rates of the pond are 55% and 93% for TP and TSS, respectively. The Fire Station Pond does not drain to an HVRA and requires no net increase in TP and TSS from existing conditions. Table 8 summarizes the water quality load for the 130th Street East extension.

	Overall Site	
	TP (lb/yr)	TSS (lb/yr)
Existing	2.56	318
Proposed	2.04	92
Difference	-0.52	-226
% Reduction	20%	71%

Recommendations

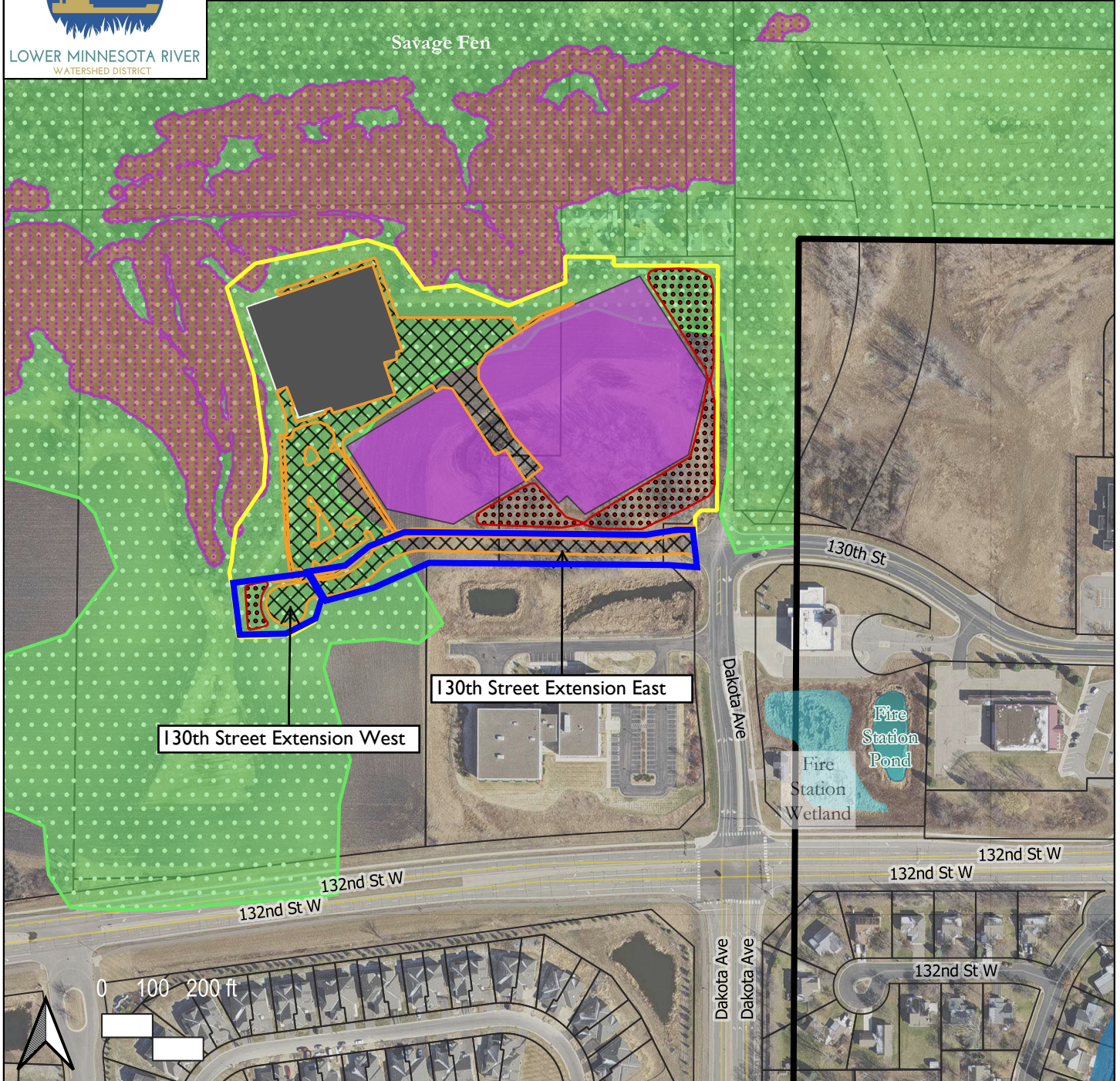
With the proposed modifications to the City Fire Station Pond demonstrating the Project now meets the requirements of Rule D, staff recommends full approval of the project.

Attachments














- Figure 1—Project Location Map
- Young Environmental memo, MN MASH [LMRWD No. 2021-033], dated May 11, 2022



Figure I: MN MASH Project Location



LEGEND

-  Project Location
-  MN MASH
-  Baseball field
-  Building
-  Impervious Surface
-  Filtration Basin
-  Fire Station Pond
-  Public Waterbody
-  High Value Resource Area
-  Steep Slopes Overlay District
-  LMRWD Boundary
-  Scott Co. Parcels
-  County Boundaries

**LMRWD Watershed
Location Map**



Technical Memorandum

To: Linda Loomis, Administrator
Lower Minnesota River Watershed District

From: Hannah LeClaire, PE
Katy Thompson, PE, CFM

Date: May 11, 2022

Re: Minnesota MASH and 130th Street (LMRWD No. 2021-033)

Minnesota MASH (the applicant) has applied for an individual project permit from the Lower Minnesota River Watershed District (LMRWD) to develop a baseball complex in the City of Savage (City). As part of the project, 130th Street will be extended to provide access to the facility and future development, as shown in Figure 1. The applicant's engineer, ISG, Inc., has provided site plans for the Minnesota MASH project and street extension (Project) along with the permit application. Because the City does not have its LMRWD municipal LGU permit, this Project requires an LMRWD individual permit.

The Project consists of constructing an indoor sports facility, two outdoor baseball fields, associated parking, and four filtration basins. The project will be constructed in two phases. Phase I work includes the extension of 130th Street and the construction of the indoor sporting facility, parking lots, and filtration basins. Phase II will consist of the construction of the outdoor baseball fields. The proposed activities would disturb approximately 13.56 acres and create 8.97 acres of new impervious surface. The site is partially located within the High Value Resource Area ([HVRA] near Savage Fen) and is adjacent to the Steep Slopes Overlay District, but it is not within the 100-year floodplain.

A majority of the proposed impervious area (8.21 acres) will be treated on-site by three filtration basins and one temporary filtration basin. The remaining proposed impervious area from the 130th Street extension will be directed to a City NURP pond, Fire Station Pond, that was constructed as part of a previous City project. The City has agreed to modify the Fire Station Pond outlet and basin to accommodate the increased impervious area from Minnesota MASH's extension of 130th Street. Unfortunately, as of May 10, 2022, the City's modifications to Fire Station Pond still do not meet LMRWD

requirements.

Timing is a concern to the applicant because materials have been ordered for delivery in July 2022. Grading is scheduled to begin in June and must be completed before the building materials arrive. The City has requested the LMRWD permit be approved for the initial grading of the site to prepare for the delivery of materials while the Fire Station Pond design is reworked to meet LMRWD Rule D.

In previous permit applications with similar time constraints, permits have been issued in phases, allowing the applicant to begin mass grading ahead of the stormwater approvals under Rule D. In these cases, the initial permits explicitly forbid the construction of impervious surfaces until LMRWD staff members were able to confirm the project met all the requirements under Rule D. This approach would provide the City with additional time to revise its stormwater management plans for the drainage directed to the Fire Station Pond while also allowing construction to stay on schedule.

Summary

<u>Project Name:</u>	Minnesota MASH
<u>Purpose:</u>	Development of baseball complex and street extension
<u>Project Size:</u>	13.56 acres disturbed; 8.97 acres new impervious
<u>Location:</u>	13050 Dakota Avenue South, Savage, MN 55378
<u>LMRWD Rules:</u>	Rule B—Erosion and Sediment Control Rule D—Stormwater Management
<u>Recommended Board Action:</u>	Approval of initial grading only

Discussion

The LMRWD received the following documents for review:

- LMRWD permit application; received September 17, 2021
- LMRWD permit review fee of \$1,500; received December 8, 2021
- Authorization of agent form; received December 6, 2021
- Preliminary development plans by ISG; dated August 27, 2021; revised October 1, 2021; received November 12, 2021
- Draft stormwater report by ISG; dated August 27, 2021; received September 17, 2021
- Stormwater report by ISG; dated November 12, 2021; revised April 29, 2022;

- received May 2, 2022
- Draft maintenance agreement between LMRWD and MN Mash; received September 17, 2021
 - Preliminary structural plans by ISG; dated November 12, 2021; received November 12, 2021
 - LMRWD response letter by ISG; received November 12, 2021
 - LMRWD response letter by ISG; dated November 24, 2021; received November 24, 2021
 - Stormwater Management Report by ISG; dated January 6, 2022; received January 19, 2022
 - WCA Notice of Decision by City of Savage; dated November 1, 2021; received January 31, 2022
 - Construction site plans by ISG; dated February 9, 2022; revised April 4, 2022; received April 29, 2022
 - Maintenance Agreement between LMRWD and MN MASH, no date; received April 14, 2022
 - Stormwater Management Plan by the City of Savage, dated April 6, 2022; revised May 6; received May 6, 2022
 - Wetland Reestablishment and Pond Grading by the City of Savage, no date; received April 29, 2022
 - Savage Fire Station No. 60 Pond Outlet and East Storm Sewer Details by the City of Savage, no date; received April 29, 2022
 - MN MASH/City of Savage 130th Street Extension Construction Plans by ISG, dated December 8, 2021; revised April 4, 2022; received May 4, 2022

The application was originally deemed complete on December 8, 2021, and the documents received provided the minimum information necessary for permit review. However, during discussions with the applicant, it became apparent that the 130th Street extension was not accounted for in the stormwater design, and the application was deemed incomplete, pending updated modeling and calculations. Revised plans were provided in April, and the project application, including 130th Street, was deemed complete on May 9, 2022.

Rules Review

Because of the timing concerns of the applicant, we have segregated our permit review to just the initial site preparation work and mass grading activities. The applicant will be required to provide updated stormwater treatment calculations to obtain a permit amendment to include the construction of impervious surfaces.

Rule B—Erosion and Sediment Control

The LMRWD regulates land-disturbing activities that affect one acre or more under Rule

B as well as land-disturbing activities that involve the displacement or removal of 5,000 square feet or more of surface area or vegetation or the excavation of 50 cubic yards or more of earth within the HVRA Overlay District. The proposed project would disturb approximately 13.56 acres within the LMRWD boundary, of which 5.7 acres are within the HVRA. The applicant has provided an erosion and sediment control plan, a Stormwater Pollution Prevention Plan, a copy of the NPDES permit, and the contact information for the contractor and person(s) responsible for the inspection and maintenance of erosion and sediment control features. The Project complies with Rule B.

Recommendations

The applicant has made it clear that time is of the essence for the project. Therefore, the staff recommends approval of the Project for initial site preparation and grading only.

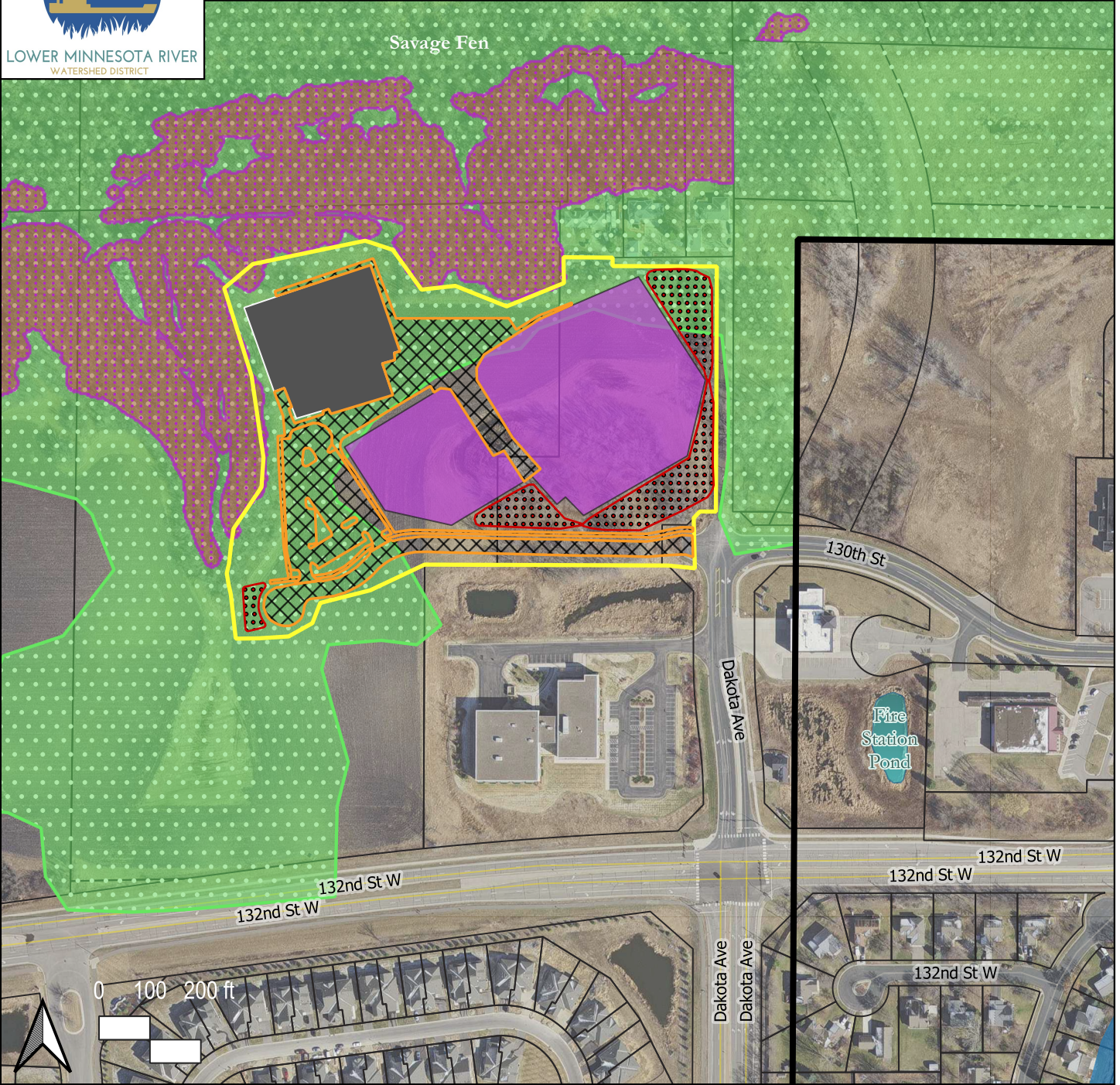
As discussed above, this permit allows the applicant to begin work on the site preparation, including mass grading, but does not allow for the construction of any new impervious surface. Staff recommends the applicant and the City of Savage continue to work together with the LMRWD to ensure the stormwater management system complies with LMRWD rules. A permit amendment will be required to construct impervious surface and stormwater BMPs.

Attachments

- Figure 1 – Minnesota MASH Project Location Map



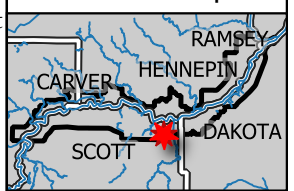
Figure I: MN MASH Project Location



LEGEND

- | | | |
|--------------------|--------------------------|-------------------------------|
| Project Location | Filtration Basin | Steep Slopes Overlay District |
| MN MASH | Fire Station Pond | LMRWD Boundary |
| Baseball field | Public Watercourse | Scott Co. Parcels |
| Building | Public Waterbody | County Boundaries |
| Impervious Surface | High Value Resource Area | |

LMRWD Watershed Location Map



Technical Memorandum

To: Linda Loomis, Administrator
Lower Minnesota River Watershed District

From: Hannah LeClaire, PE
Katy Thompson, PE, CFM

Date: June 8, 2022

Re: CenterPoint Oak Street North (LMRWD No. 2022-021)

CenterPoint Energy (the applicant) has applied for an individual project permit from the Lower Minnesota River Watershed District (LMRWD) to construct approximately 2,100 linear feet of natural gas pipeline (the Project) under East Chaska Creek in the City of Chaska (City), as shown in Figure 1. The applicant's engineer, Merjent Engineering, has provided site plans for the Project along with the permit application.

The proposed Project consists of excavation pits to allow for the directional boring construction of the proposed pipeline. The Project would disturb approximately 0.02 acres and creates no new impervious surfaces. The Project is located within the 100-year floodplain, and the applicant proposes to commence construction on June 27, 2022.

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

Summary

<u>Project Name:</u>	CenterPoint Oak Street North
<u>Purpose:</u>	Natural gas pipeline installation
<u>Project Size:</u>	0.02 acres disturbed
<u>Location:</u>	Oak, Ash, Maple, and Beech Streets between 4th and 6th Streets in Chaska

LMRWD Rules: Rule F – Floodplain and Drainage Alteration

Recommended Board Action: Approval

Discussion

The District received the following documents for review:

- LMRWD online permit application; received April 29, 2022
- Project Map, dated April 21, 2022; received April 29, 2022
- Site Plan, dated April 26, 2022 and revised May 31, 2022; received May 31, 2022
- LMRWD permit application fee of \$750, received May 4, 2022
- Right-of-Way exhibit, dated April 19, 2022; received May 31, 2022

The application was deemed complete on June 2, 2022, and the documents received provide the minimum information necessary for permit review.

Rule C – Floodplain and Drainage Alteration

As discussed, the Project is located in the 100-year floodplain and floodway of East Chaska Creek, shown on the Carver County Flood Insurance Rate Map Panel 27019C0236D (effective December 21, 2018). Although the Project does not propose any fill in the floodplain, the excavation and creek crossing triggered the need for a project permit.

The applicant has provided erosion and sediment control plans, and because the creek crossing will be constructed using directional boring, no impact or equipment will be in the floodway of the creek and will not affect flood elevations. The Project meets the minimum requirements of Rule C.

Recommendations

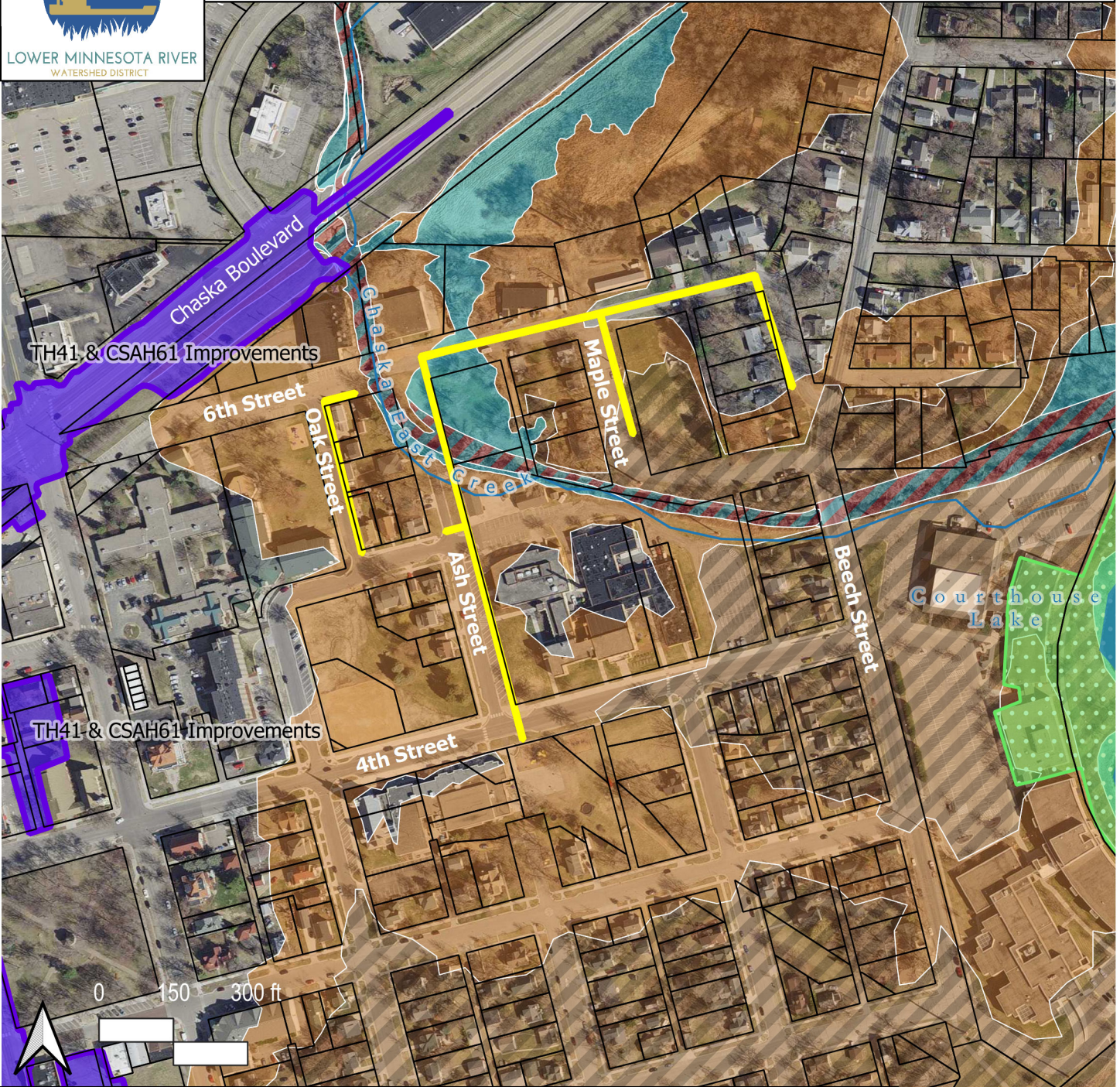
Staff recommends approval of the Project.

Attachments

- Figure 1 – Project Location Map



Figure I: CenterPoint Oak Street North



LEGEND

- CenterPoint Oak Street North
- Previous LMRWD Permit Reviews
- High Value Resource Area
- Carver Co. Floodplain
- Area with Reduced Flood Risk Due to Levee
- Floodway
- 100-yr Floodplain
- 500-yr Floodplain

LMRWD Watershed Location Map

