



Please note the meeting will be held in person at the Carver County Government Center on the Wednesday, July 20, 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, August 17, 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 July 20, 2022, Regular Meetings</p> <p>B. Receive and file July 2022 Financial reports</p> <p>C. Approval of Invoices for payment</p> <ul style="list-style-type: none"> <li>i. CLA (Clifton Larson Allen, LLP) – July 2022 Financial Services</li> <li>ii. Scott County SWCD – Q2 2022 monitoring, technical assistance &amp; education services</li> <li>iii. Dakota County SWCD - Q2 2022 monitoring, technical assistance &amp; education services</li> <li>iv. Rinke Noonan – July 2022 legal services</li> <li>v. US Bank Equipment Finance – August payment on copier lease</li> <li>vi. Young Environmental Consulting Group, LLC – July 2022 technical, and Education &amp; Outreach services</li> <li>vii. TimeSaver Off-site Secretarial</li> <li>viii. Naiad Consulting, LLC – July 2022 Administrative services, mileage and expense reimbursement</li> </ul> <p>D. Receive and file June 2022 Citizen Advisory Committee meeting minutes</p> <p>E. Accept report from 2021 Cost Share application – Sarazine, 11451 Landing Road, Eden Prairie and authorize reimbursement</p>

	<ul style="list-style-type: none"> <li>F. Authorize payment to Coalition for a Clean Minnesota River Water Storage Initiative</li> <li>G. Grant Agreement Terms &amp; Conditions for Monitoring Ike’s Creek between Minnesota Valley Refuge Friends and the LMRWD</li> <li>H. Approve Cost Share Application for 11533 Palmer Circle, Bloomington</li> <li>I. Approve Cost Share Application for 1033 Sunnyridge Drive, Carver</li> <li>J. 2022-2023 Liability Insurance Quote</li> </ul>
5. Public Hearing	<ul style="list-style-type: none"> <li>A. Presentation of 2023 Proposed Budget and Preliminary Certification of Tax Levies Payable 2023</li> </ul>
6. New Business/ Presentations	<ul style="list-style-type: none"> <li>A. Presentation of LMRWD 2020-2022 Permitted Projects Inspections Report</li> <li>B. Close-out of 2020 Lower MN River Dredge Management Grant</li> <li>C. MAWD</li> <li>D. Bylaws</li> </ul>
7. Old Business	<ul style="list-style-type: none"> <li>A. FY 2022-23 Watershed Based Implementation Funding</li> <li>B. Audit and Financial Accounting Services</li> <li>C. Cost Share Application - S. Mueller, 10745 Lyndale Bluffs Trail - no new information to report</li> <li>D. City of Carver Levee – no new information to report since last update</li> <li>E. Dredge Management – no new information to report since last update</li> <li>F. Watershed Management Plan <ul style="list-style-type: none"> <li>i. Revisions to LMRWD Rules</li> <li>ii. Update of LMRWD Comprehensive Watershed Management Plan Section 4 - Implementation Plan</li> </ul> </li> <li>G. 2022 Legislative Action - no new information to report since last update</li> <li>H. Education &amp; Outreach</li> <li>I. LMRWD Projects <p><i>(only projects that require Board action will appear on the agenda. Informational updates will appear on the Administrator Report)</i></p> <ul style="list-style-type: none"> <li>i. MN River Corridor Management Project</li> <li>ii. Spring Creek</li> </ul> </li> <li>J. Permits and Project Reviews - See Administrator Report for project updates <p><i>(only projects that require Board action will appear on the agenda. Informational updates will appear on the Administrator Report)</i></p> <ul style="list-style-type: none"> <li>i. LMRWD Permit renewals</li> <li>ii. Ivy Brook Parking Northeast (LMRWD No.2022-027)</li> <li>iii. Reliakor (LMRWD No. 2022-029)</li> <li>iv. RSI Marine (LMRWD No.2022-031)</li> <li>v. 10521 Spyglass Drive/Hoekstra (LMRWD No. 2022-026)</li> <li>vi. Omry Senior Living Permit Amendment (LMRWD No. 2021-040)</li> <li>vii. Permit Program Summary</li> <li>viii. Burnsville Future Quarry Lake Study</li> <li>ix. 535 Lakota Lane, Chanhassen – work without a permit</li> </ul> </li> <li>J. MPCA Soil Reference Values – no new information to report since last update</li> </ul>
8. Communications	<ul style="list-style-type: none"> <li>A. Administrator Report</li> <li>B. President</li> <li>C. Managers</li> <li>D. Committees</li> </ul>

	E. Legal Counsel F. Engineer
9. Adjourn	Next meeting of the LMRWD Board of Managers is 7:00 pm Wednesday, September 21, 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, August 18, 2022, Lilydale Pool & Yacht Club
- Lower MN River East 1W1P Policy Committee – Thursday, August 18, 2022, 3:00 am to 5:00 pm, LeSueur SWCD office, 181 W Minnesota St, Le Center, MN & virtual
- USACE River Resource Forum – Tuesday & Wednesday, August 23 & 24, 2022, 8:30am to 3:00pm
- MAWD Summer Tour – August 23 – 25m Grand Forks
- LMRWD MN River Corridor Project - September 7, 2022, 2:00 to 6:00 PM
- LMRWD Citizen Advisory Committee meeting – Tuesday, TBD, 2022, 9:00 am
- [Minnesota Water Resources Conference](#) – October 18-19 St. Paul River Center

For Information Only

- **WCA Notices**
  -
- **DNR Public Waters Work permits**
  - Dakota County – MnDOT – I – 494 improvements, temporary fill, erosion control/stabilization fill & grading, bridge construction/modification/replacement
- **DNR Water Appropriation permits**
  - Scott County – City of Shakopee – 12493 Pennsylvania Avenue South – Temporary water appropriation permit to repair broken fire hydrant
  - Scott County – City of Shakopee - MN Utility Extension Maras St., 13th Ave. E & Hansen Ave NW Asphalt – Temporary water appropriation permit to install utilities



# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Minutes of Regular Meeting

### Board of Managers

Wednesday, July 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, July 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, Manager David Raby and Manager Lauren Salvato. In addition, the following attended the meeting: Linda Loomis, Naiad Consulting, LLC, LMRWD Administrator; and Della Schall Young, Young Environmental Consulting Group, LLC, LMRWD Technical Consultant. Hannah LeClaire, Young Environmental Consulting Group LLC; Attorney John Kolb, Rinke Noonan Attorneys at Law, LMRWD legal counsel; Ben Burnett, Manager, Prior Lake/Spring Lake Watershed District; Theresa Kuplic, LMRWD Citizen Advisory Committee; and Carl Almer, EOR, Inc, representing PLOC bank stabilization project; joined the meeting virtually.

#### 2. APPROVAL OF THE AGENDA

Administrator Loomis asked to add two items. On the Consent Agenda, under 'Approval of invoices for payment', an invoice was added for Spartan Promotional Group (Item 4. C. xiii.) for a table cover with the LMRWD logo. Under Old Business, Permits and Project Reviews, Item 6. I. x. – 10521 Spyglass Drive was added to the agenda.

**Manager Amundson made a motion to approve the agenda with the additions of Item 4. C. xiii – invoice for Spartan Promotional Group and Item 6. I. x. – 10521 Spyglass Drive. Manager Raby 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. She introduced Manager Ben Burnett from the Prior Lake/Spring Lake Watershed District and asked if he wanted to say anything to the Board. He did not wish to address the Board beyond his introduction.

#### 4. CONSENT AGENDA

President Hartmann introduced the item.

##### A. Approve Minutes June 15, 2022, Regular Meeting

- B. Receive and file June 2022 Financial reports**
- C. Approval of Invoices for payment**
  - i. **Managers stipend & expenses – First half 2022**
  - ii. **CLA (Clifton Larson Allen, LLP) – June 2022 financial services**
  - iii. **Daniel Hron – July 2022 Rent**
  - iv. **HDR Engineering, Inc. – website maintenance & upkeep April-June 2022**
  - v. **Naiad Consulting, LLC – May 2022 administrative services & expenses**
  - vi. **Naiad Consulting, LLC – June 2022 administrative services & expenses**
  - vii. **TimeSaver Off Site Secretarial – preparation of June 2022 meeting minutes**
  - viii. **Frenette Legislative Advisors – June/July 2022 legislative services**
  - ix. **Rinke Noonan – June 2022 legal services**
  - x. **US Bank Equipment Finance – June & July payment on copier lease**
  - xi. **Daniel Hron – August 2022 office rent**
  - xii. **Young Environmental Consulting Group, LLC – June 2022 technical, and Education & Outreach Services**
  - xiii. **Spartan Promotional Group – for table cover with LMRWD logo**
- D. Reimburse City of Chaska for Seminary Fen C-2 Feasibility Study**
- E. Accept quote for Director’s & Officer’s Insurance and authorize payment**
- F. Approve and authorize execution of Professional Services Agreement between the LMRWD and Young Environmental Consulting Group**
- G. Approve agreement to transfer copyright and authorize payment**

Manager Raby made a motion to approve the Consent Agenda with the addition of Item 4. C. xiii - invoice for Spartan Promotional Group. Manager Salvato seconded the motion. Upon a vote being taken the motion carried unanimously.

## **5. NEW BUSINESS/PRESENTATIONS**

### **A. 2023 Budget Discussion**

Administrator Loomis provided an overview of this item. She explained she and Ms. Schall Young will work out additional details and get the final numbers to the Board with the August meeting materials.

Manager Raby noted there may be an error in the numbers. Administrator Loomis acknowledged the error and stated she will correct that.

Ms. Schall Young asked if at the August meeting the Board should address the budget and plan amendment at the same time during the public hearing.

Mr. Kolb stated they are separate things so they should be held separately but it is fine to hold them on the same day.

Manager Mraz stated she feels from a customer service standpoint it would make sense to hold all public hearings on the same night.

Administrator Loomis stated doing them on the same night would be convenient for the public, but they may need to wait until September to provide allow for adequate time for the required comment periods.

**Manager Raby made a motion to schedule the budget hearing for August. Manager Mraz seconded the motion. Upon a vote being taken the motion carried unanimously.**

**B. FY 2022-23 Watershed Based Implementation Funding**

Administrator Loomis introduced this item and provided background on the question posed by the Convene group. The voting members of the Convene group want to split the allocation between the two projects that were determined to qualify. The two projects were a stream bank stabilization of Eagle Creek at the 128<sup>th</sup> Street crossing (proposed by the City of Savage) and the Lewis Street stormwater BMP in the City of Shakopee. The Convene group wanted to know if the LMRWD would provide additional funding so that both projects would receive the requested grant.

LMRWD staff recommended that the LMRWD Board request the Shakopee Project receive the funding, because the LMRWD did not receive enough information from the City of Savage to properly evaluate the project they requested funding for.

The Board discussed how to evaluate projects. Ms. Schall Young said that the LMRWD does have criteria to evaluate projects, but when they come in one at a time, projects can not be evaluated against each other to make sure the LMRWD is funding the best projects.

Discussion about the proportion of funding that is appropriate for the LMRWD to make. Attorney Kolb suggested language that could be used in cooperative agreement with cities so that the LMRWD does not end up paying a greater percentage of the cost of a project than the Board intends to.

She noted they are not being asked for any funding right now other than the grant and if the LMRWD would make up the difference between the available grant and the requested amounts.

**Manager Raby made a motion to that the Shakopee project be funded using all of the Watershed Based Implementation Funding available assuming they can come up with the rest of the money needed to complete the project. Funding. Manager Mraz seconded the motion. Upon a vote being taken the motion carried unanimously.**

**6. OLD BUSINESS**

**A. Audit and Financial Accounting Services Proposals**

Administrator Loomis stated the LMRWD hasn't received the 2021 financial audit yet. She noted there is a statutory deadline of June 30<sup>th</sup>, by which the financial audit must be filed with BWSR and the state auditor. She noted she has informed BWSR and asked if the LMRWD needs to be worried about ramifications if this is filed late.

Mr. Kolb stated there are no consequences if it is not turned in on time. He noted however, they do need to stay diligent and make sure the auditor keeps them informed about the status until they receive it.

**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**

Administrator Loomis that MnDOT has continued communication with the LMRWD regarding Vernon Avenue closure.

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

No new information to report since last update.

**ii. Private Dredge Material Placement**

No new information to report since last update.

**E. Watershed Management Plan**

**i. Revisions to LMRWD Rules**

Administrator Loomis introduced and provided an overview on this item.

**President Hartmann made a motion to approve draft rules revisions and authorize submission of draft revisions to the Board of Water and Soil Resources. Manager Salvato seconded the motion. Upon a vote being taken the motion carried unanimously.**

**ii. Update of LMRWD Comprehensive Watershed Management Plan Section 4 – Implementation**

Administrator Loomis introduced and provided an overview on this item.

**Manager Raby made a motion to approve draft implementation plan and authorize initiation of the Minor Plan Amendment process. President Hartmann seconded the motion. Upon a vote being taken the motion carried unanimously.**

**F. 2022 Legislative Action**

No new information to report since last update

**G. Education and Outreach Plan**

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

**H. LMRWD Projects**

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

**i. Minnesota River Corridor Management Project**

Administrator Loomis stated the LMRWD held a meeting recently to gather input regarding LMRWD management of the Corridor. The LMRWD plans to hold the next meeting at Fort Snelling State Park and do a guided canoe tour with Wilderness Inquiry. She noted the information and proposed budget is in the Board packets for their review. She stated the Board of Managers is invited to participate and will receive an invite.

**President Hartmann made a motion to authorize expenditure for next meeting of the MN River Corridor Management Project. Manager Raby seconded the motion. Upon a vote being taken the motion carried unanimously.**

**ii. 2021 Gully Inventory and Condition Assessment Volume 2**

Administrator Loomis introduced and provided an overview of this item.

**Manager Mraz made a motion to receive and file the 2021 Gully Inventory and Condition Assessment Report Volume 2. Manager Salvato seconded the motion. 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 Renewals**

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

**Manager Amundson made a motion to approve extension of permits listed in Table 1 of the Technical Memorandum – June 2022 Permit Renewals dated July 13, 2022. President Hartmann seconded the motion. Upon a vote being taken the motion carried unanimously.**

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

Administrator Loomis introduced and provided an overview of this item.

**Manager Mraz made a motion to grant a variance and approve a permit for Prior Lake Outlet Channel 2022 Bank Stabilization (LMRWD No. 2022-017). Manager Raby seconded the motion. Upon a vote being taken the motion carried unanimously**

**iii. Quarry Lake Park Restroom (LMRWD No. 2022-028)**

Administrator Loomis introduced and provided an overview of this item.

**President Hartmann made a to conditionally approve a permit for Quarry Lake Park Restroom (LMRWD No. 2022-028) contingent upon receipt of the contact information for the contractor and the contact information for the person(s) responsible for inspection and maintenance of erosion and sediment control features. Manager Raby seconded the motion. Upon a vote being taken the motion carried unanimously.**

**iv. TH 494 SP 2785-422 (LMRWD No. 2022-019)**

Manager Raby asked why the condition listed was only to notify Exel Energy. He wondered what Exel was to do if the predicted rise adversely impacts Exel.

Ms. LeClaire stated it was not their call as to what action to take so they only notified Exel.

**Manager Raby made a to conditionally approve a permit for TH 494 SP 2785-422 (LMRWD No. 2022-019) upon MnDOT notifying Excl Energy of the temporary flood-stage increase, and conforming with legal requirements of Excel Energy, receipt of a copy of the NPDES permit, contact information for the contractor and the person(s) responsible for inspection and maintenance of all erosion and sediment control features. Manager Salvato seconded the motion. Upon a vote being taken the motion carried unanimously.**

**v. 494 Corridors of Commerce Pre-permit Review (LMRWD No.2022-023)**

Administrator Loomis introduced and provided an overview on this item. She said no action was required of the Board at this time.

**vi. Permitted Projects Inspections 2020-2022**

Administrator Loomis introduced and provided an overview on this item. She noted the Interns would be present at the August meeting to present the findings of the inspections.

**vii. Burnsville Sanitary Landfill**

Administrator Loomis introduced and provided an overview on this item. She said no action was required of the Board at this time.

**viii. Permit Program Summary**

Administrator Loomis introduced and provided an overview on this item. She noted this report was usually part of the monthly Administrator's Report but she thought it is more appropriate to include it here.

**ix. 535 Lakota Lane, Chanhassen – work without a permit**

Mr. Kolb provided an overview of the status on this item. He noted no action was required of the Board at this time.



**x. 10521 Spyglass Drive**

Administrator Loomis had requested this item be added to the agenda. At the June meeting, the Board was informed of this project and that LMRWD staff had visited the property. Stormwater from the neighbor is flowing to 10521 Spyglass and is causing structural damage to the home. The LMRWD received an application for the project Tuesday, July 12<sup>th</sup>. This didn't give LMRWD staff enough time to properly review the application, so that it could be on the July meeting agenda. Staff recommends that the LMRWD allow the project to proceed and issue an after-the-fact permit at the August meeting of the Board of Managers. LMRWD staff explained that they were not concerned that commencement of work on the project would create any risk for the LMRWD. This would just allow the project to begin so that drainage could be managed sooner.

**Manager Mraz made a motion to allow the project to commence. President Hartmann seconded the motion. Upon a vote being taken the motion carried unanimously.**

**K. MPCA Soil Reference Values**

Administrator Loomis introduced and provided background on this item.

**Manager Raby made a motion to approve Professional Services Agreement between the Lower Minnesota River Watershed District and Barr Engineering Company and Work Order #2022-01 and authorize execution of both. Manager Amundson seconded the motion. Upon a vote being taken the motion carried unanimously**

**9. COMMUNICATIONS**

- A. **Administrator Report:** Administrator Loomis provided an overview of the Administrator Report which is included in the Board packets for their review.
- B. **President:** No report
- C. **Managers:** No report
- D. **Committees:** No report
- E. **Legal Counsel:** No report
- F. **Engineer:** No report

**10. ADJOURN**

**At 8:34 PM, President Hartmann made a motion to adjourn the meeting. Manager Salvato 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, August 17, 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 Salvato, Secretary

\_\_\_\_\_  
Linda Loomis, Administrator

Item 4.B.  
 LMRWD 8-17-2022

<b>BEGINNING BALANCE</b>	<b>30-Jun-22</b>	<b>\$ 1,539,853.45</b>
<b>ADD:</b>		
<b>General Fund Revenue:</b>		
July Dividend	\$ 1,899.75	
Permit Review Fee - Ivy Brook Parking	\$ 750.00	
Permit Review Fee - Hoekstra; 10521 Spyglass, Eden Prairie	\$ 750.00	
NB Valley Refuge Friends	\$ 2,824.08	
Tax Distribution - Carver County	\$ 23,064.12	
Tax Distribution - Dakota County	\$ 37,957.79	
Tax Distribution - Hennepin County County	\$ 158,373.02	
Payment in Lieu - Scott County	\$ 41.29	
		<b>\$ 225,660.05</b>
<b>Total Revenue and Transfers In</b>		
<b>DEDUCT:</b>		
<b>Debits/Reductions</b>		
Coalition for a Clean MN River Sponsor 14th Mn River Congress	\$ 100.00	
Young Environmental June 2022 Engineering, Technical & Education	\$ 60,045.37	
City of Carver payment of costshare for Levee Project	\$ 75,000.00	
Manager Amundson 1st half 2022 per diem & expenses	\$ 1,429.20	
City of Chaska payment of costshare for Seminary Fen C-2	\$ 20,000.00	
CliftonLarsonAllen LLP	\$ 7,622.70	
Manager Raby 1st half 2022 per diem & expenses	\$ 872.85	
Manager Hartmann 1st half 2022 per diem & expenses	\$ 788.61	
HDR Engineering, Inc. website maintenance & upkeep	\$ 482.19	
Daniel Hron July 2022 office rent	\$ 650.00	
Maggie Wiebe purchase of artwork copyright	\$ 2,875.00	
Manager Mraz 1st half 2022 per diem & expenses	\$ 932.52	
Naiad Consulting, LLC May 2022 Administrative services & expenses	\$ 11,293.42	
Naiad Consulting, LLC June 2022 Administrative services & expenses	\$ 11,497.47	
Manager Salvato 1st half 2022 per diem & expenses	\$ 625.00	
TimeSaver Secretarial Preparation of May meeting minutes	\$ 190.50	
US Bank Equipment Finance payment on copier lease	\$ 336.20	
		<b>\$ 194,741.03</b>
<b>Total Debits/Reductions</b>		
<b>ENDING BALANCE</b>	<b>30-Jun-22</b>	<b>\$ 1,570,772.47</b>

EXPENDITURES	2022 Budget	July Actual	YTD 2022	Over (Under) Budget
<b>Administrative expenses</b>	\$ 250,000.00	\$ 46,637.02	\$ 173,459.35	\$ (76,540.65)
<b>Cooperative Projects</b>				
Eden Prairie Bank Stabilization Area #3	\$ 100,000.00	\$ -	\$ 23,747.05	\$ (76,252.95)
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	\$ -	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00
<b>509 Plan Budget</b>				
<i>Resource Plan Implementation</i>				
Watershed Resource Restoration Fund	\$ 120,000.00	\$ 75,000.00	\$ 142,500.00	\$ 22,500.00
Gully Inventory	\$ -	\$ -	\$ 690.00	\$ 690.00
MN River Corridor Management Project	\$ -	\$ 3,820.00	\$ 11,441.97	\$ 11,441.97
TH 101 Shakopee Ravine	\$ -	\$ -	\$ -	\$ -
Assumption Creek Hydrology Restoration	\$ -	\$ 5,820.20	\$ 21,753.33	\$ 21,753.33
Carver Creek Restoration	\$ -	\$ -	\$ -	\$ -
Groundwater Screening Tool Model	\$ -	\$ -	\$ -	\$ -
MN River Floodplain Model Feasibility Study	\$ -	\$ 1,649.00	\$ 12,690.50	\$ 12,690.50
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	\$ -	\$ 133.30	\$ 8,446.56	\$ 8,446.56
West Chaska Creek	\$ -	\$ -	\$ 27,441.00	\$ 27,441.00
Sustainable Lakes Mgmt. Plan (Trout Lakes)	\$ 50,000.00	\$ -	\$ -	\$ (50,000.00)
Geomorphic Assessments (Trout Streams)	\$ -	\$ 1,104.00	\$ 6,217.85	\$ 6,217.85
Fen Stewardship Program	\$ 25,000.00	\$ 3,190.00	\$ 37,688.22	\$ 12,688.22
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	\$ -	\$ 1,014.00	\$ (3,986.00)
Project Reviews	\$ 75,000.00	\$ 26,555.05	\$ 97,237.05	\$ 22,237.05
<i>Monitoring</i>	\$ 75,000.00	\$ -	\$ 10,556.50	\$ (64,443.50)
<i>Watershed Management Plan</i>	\$ -	\$ 3,305.43	\$ 13,404.50	\$ 13,404.50
<i>Public Education/CAC/Outreach Program</i>	\$ 75,000.00	\$ 7,527.03	\$ 32,327.99	\$ (42,672.01)
<i>Cost Share Program</i>	\$ 20,000.00	\$ -	\$ -	\$ (20,000.00)
<b>Nine Foot Channel</b>				
Transfer from General Fund	\$ -	\$ -	\$ -	\$ -
Dredge Site Improvements	\$ 240,000.00	\$ -	\$ -	\$ (240,000.00)
<b>Total:</b>	<b>\$ 1,115,000.00</b>	<b>\$ 194,741.03</b>	<b>\$ 640,615.87</b>	<b>\$ (474,384.13)</b>



# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting  
Wednesday, August 17, 2022

### **Agenda Item**

**Item 4. D. – Receive and file June 2022 Citizens Advisory Committee meeting minutes**

### **Prepared By**

Linda Loomis, Administrator

### **Summary**

The Citizen Advisory Committee (CAC) met on August 2, 2022 at the offices of the Nine Mile Creek Watershed District. The CAC joined the annual Salt Symposium virtually from there.

The CAC meeting minutes from the June 2022 meeting are attached (the CAC did not meet in July).

### **Attachments**

CAC June 2022 meeting minutes

### **Recommended Action**

Motion to receive and file June 2022 CAC meeting minutes



# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Minutes

Citizen Advisory Committee (CAC)

Tuesday, June 7, 2022

Carver County Government Center – 600 East 4<sup>th</sup> Street, Chaska, MN 55318

### 1. Order and Roll Call

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

### 2. Consent Agenda

- a. Approval of the June Agenda
- b. Approval of the March Minutes (April and May minutes are unofficial and will not be formally approved due to the lack of a quorum.)

Diederichs moved to approve the consent agenda, and Kuplic seconded the motion. In a roll-call vote, the following individuals voted in favor of the motion: Kuplic, Genz, and Diederichs. No individuals voted against it.

### 3. Citizen Input on Non-agenda Items

There was no input.

### 4. New Business

- a. Review of CAC framework

The group felt it was meeting its mission while continuing to learn about the LMRWD and the issues facing the watershed.

- b. Review tabling criteria

The group hopes to become more visible and accessible by attending local events. Dullum will pare down the list of events shared at the meeting and check with partners so that as many events as possible can be attended without duplicating effort. Local farmers' markets were discussed and shared in one of the packet handouts. Staff will determine the possibility of attending. The group was interested in the trail maps and handouts showing access to the Minnesota River. At the next meeting, the group will discuss creating a poster and the

information it should focus on. Preliminary ideas included chloride, rain gardens, and rain barrels.

c. Calendar planning

The group responded to a couple of ideas for upcoming meetings, including a tour of the Nine Mile Creek Watershed District office, hearing from a speaker from the Army Corps of Engineers, and a tour of the recent Bass Ponds project.

5. Old Business

This was not discussed.

6. Communications

- a. Genz informed the group of the *Big River Magazine*, which focuses on Minnesota and could be handed out at events.
- b. The group discussed whether CAC presentations should be placed on the web page. Staff will look into feasibility.

7. Adjournment

The meeting adjourned at 11:05 a.m.



# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting  
Wednesday, August 17, 2022

### Agenda Item

**Item 4. E. - Accept report from 2021 Cost Share Application – Sarazine, 11451 Landing Road, Eden Prairie and authorize reimbursement**

### Prepared By

Linda Loomis, Administrator

### Summary

In April 2021, the Board of Managers approved a cost share application from the resident at 11451 Landing Road in Eden Prairie. The project submitted proposed to manage stormwater and restore habitat by removing invasive garlic mustard and buckthorn. The original date for completion was November 1, 2021. The contractor had supply issues obtaining live stakes to plant in areas cleared of buckthorn, so the applicant requested an extension to July 31, 2022. LMRWD staff allowed the extension.

The project is now complete. The applicant has submitted a final report, with receipts and photos. On July 15th, I visited the site. It looks much different than what it looked like when I visited the site before the project. The understory of buckthorn has been cleared and native forbs such as red twig dogwoods have been planted the area has been seeded with a native shade seed mix. This was the first summer after seeding. I plan to visit again next summer to see how the seed has taken. Reimbursement is recommended.

The resident has another area that she is interested in habitat restoration, upland of the house, is an area that is open and steep. It may be a good site to establish a tall grass prairie.

### Attachments

Report from 11451 Landing Road 2021 Cost Share

Excerpt from April 2021 LMRWD Board of Managers meeting minutes approving Cost Share application

Cost Share Agreement between Delina Sarazine and the LMRWD

April 2021 Agenda Item 5. B. - Authorize 2021 Cost Share Project for 11451 Landing Road, Eden Prairie

### Recommended Action

Motion to accept the final report for 2021 Cost Share Application – Sarazine, 11451 Landing Road, Eden Prairie and authorize reimbursement



LOWER MINNESOTA RIVER  
WATERSHED DISTRICT

## Lower Minnesota River Watershed District

112 East Fifth Street, Suite #102

Chaska, MN 55318

(763) 545-4659

[lowermnriverwd.org](http://lowermnriverwd.org)

## Cost Share Final Report

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### Overview

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The Final Report documents the entire grant period and must be within 30 days of project completion. The report should be no longer than six pages. Upon staff approval of the report, you will receive the final reimbursement for your grant. Please note, checks are only issued once per month by the District.

Email your report to Linda Loomis, District Administrator, at [naiadconsulting@gmail.com](mailto:naiadconsulting@gmail.com). Contact Linda with questions at 763-545-4659 or by email.

### Cost Share Grant Final Report

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Project title:

Year grant was awarded:

Project location:

Project manager's name:

Project manager's contact information:

Time period addressed in the final report:

How much is the reimbursement request?

Who should the reimbursement check be made out to?

Where should reimbursement check be mailed?



## **1. Summary of Major Activities**

Provide a short overview of Cost Share activities. Include dates and time periods during which activities were completed and who was involved.

## **2. Project Goals**

Describe how the project addressed one or more of the goals of the Cost Share Program:

- Improve water quality or increase the capacity of the watershed to store water
- Preserve, protect, and restore native plant and wildlife habitats
- Protect and preserve groundwater quality and quantity

### **3. Educational Value**

Describe how the project provided education value regarding the project's environmental benefits. What education and outreach was done about the project and what were the impacts? How were the results of the project shared and with whom?

### **4. Project Outcomes**

- Describe the outcomes of the project.
- Describe what makes you most proud about the project.

## **5. Project Challenges**

- Describe any changes that had to be made to original plans due to site conditions, regulatory processes, etc. and any challenges with implementing the project.
- Indicate any ways in which Nine Mile Creek staff could have better assisted you in addressing the challenges.

## **6. Project Longevity**

- What will the long-term impact of the project be?
- Describe any follow-up projects that will occur because of the Cost Share grant.

## 7. Photos

- Provide at least three high resolution photos of the project. If you include the pictures in the document file, **also** email the photos as separate jpg files.
- Include a photo of each phase of the project, if applicable (before, during, after).

## 8. Reimbursement

- How much is the reimbursement request?
  
- What is the total amount of match?

Submit receipts and/or paid invoices for the reimbursement request and match documentation. Project expenditures without receipts will not be eligible for reimbursement. Copies of paid checks may be asked for with reimbursement requests.

Labor Costs (Contractors, Consultants, In-Kind Labor)

Service Provider	Task	# Hours	Rate/Hour	Requested Funds from LMRWD	Matching/In-Kind Funds	Total
Ed's Buckthorn Control	Invoice #184 - weed removal			\$ 310.00	\$ 66.34	\$ 376.34
Ed's Buckthorn Control	Invoice #231 - buckthorn control			\$ -	\$ 2,258.03	\$ 2,258.03
Ed's Buckthorn Control	Invoice #260 - planting shrubs & trees			\$ 550.00	\$ 550.00	\$ 1,100.00
Ed's Buckthorn Control	Invoice #379 - Buckthorn maintenance			\$ -	\$ 374.39	\$ 374.39
Ed's Buckthorn Control	Invoice #408 - Seed mix planting			\$ 510.00	\$ -	\$ 510.00
Ed's Buckthorn Control	Invoice #428 - Labor for seeding			\$ 500.00	\$ -	\$ 500.00
Ed's Buckthorn Control	Invoice #445 - weed control				\$ 417.73	\$ 417.73
Ed's Buckthorn Control	Invoice #537 - plant plugs, labor & mulch			\$ 630.00		\$ 630.00
<b>Total:</b>				\$ 2,500.00	\$ 3,666.49	\$ 6,166.49

Project Materials

Material description	Unit Cost	Total # of Units	Requested funds from LMRWD	Matching/In-Kind Funds	Total
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
<b>Total:</b>			\$ -	\$ -	\$ -

Total Requested Funds from LMRWD*:	\$ 2,500.00 (A)
Total Matchin/In-Kind Funds:	\$ 3,666.49 (B)
Project Total:	\$ 6,166.49 (C)

\*Please note: total requested funds (A) cannot be more than 50% of the Project Total (C)



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

**RECIPIENT:**

**Delina Sarazine**

11451 Landing Road  
 Eden Prairie, Minnesota 55347

**SERVICE ADDRESS:**

11451 Landing Road  
 Eden Prairie, Minnesota 55347

**Invoice #184**

Issued	May 06, 2021
Due	May 21, 2021
Paid	May 06, 2021

**Total \$376.34**

Account Balance	\$0.00
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**For Services Rendered**

PRODUCT / SERVICE	DESCRIPTION	QTY.	UNIT PRICE	TOTAL
<b>May 06, 2021</b>				
Spot Spray Weeds	Spring 2021: Spot spray for garlic mustard, motherwort, burdock, and other invasive/pesky weeds. Backpack sprayer with wand for precise application. Wetland-approved herbicide included. Workers are experts at identifying our target species and licensed herbicide applicators.	1	\$350.00	\$350.00

Subtotal	\$350.00
Minnesota, 80004 District (0.5%)	\$1.75
Minnesota, Hennepin County (0.15%)	\$0.53
Minnesota State (6.875%)	\$24.06
<b>Total</b>	<b>\$376.34</b>
Paid	- \$376.34
<b>Invoice balance</b>	<b>\$0.00</b>



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PAID

Thank you for your business. Please contact us with any questions regarding this invoice.

Ed's Buckthorn Control, LLC 82-3448968

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Account balance

**\$0.00**



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**RECIPIENT:**

**Delina Sarazine**

11451 Landing Road  
 Eden Prairie, Minnesota 55347

**SERVICE ADDRESS:**

11451 Landing Road  
 Eden Prairie, Minnesota 55347

**Invoice #231**

Issued	Jun 23, 2021
Due	Jul 08, 2021
Paid	Jun 29, 2021

**Total \$2,258.03**

Account Balance \$0.00

**For Services Rendered**

PRODUCT / SERVICE	DESCRIPTION	QTY.	UNIT PRICE	TOTAL
<b>Jun 22, 2021</b>				
Buckthorn Control	Spring 2021: Cut and stump treat buckthorn greater than 3 feet tall. Use some to stabilize slopes. Haul rest of brush to curb for removal.	1	\$1,600.00	\$1,600.00
Brush Removal	Spring 2021: Haul away brush for responsible disposal, usually either burned by the power plant for electricity or burned by a local greenhouse for heat!	1	\$500.00	\$500.00

Subtotal	\$2,100.00
Minnesota, 80004 District (0.5%)	\$10.50
Minnesota, Hennepin County (0.15%)	\$3.15
Minnesota State (6.875%)	\$144.38
<b>Total</b>	<b>\$2,258.03</b>
Paid	- \$2,258.03
<b>Invoice balance</b>	<b>\$0.00</b>





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Account balance

**\$0.00**



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**RECIPIENT:**

**Delina Sarazine**

11451 Landing Road  
 Eden Prairie, Minnesota 55347

**SERVICE ADDRESS:**

11451 Landing Road  
 Eden Prairie, Minnesota 55347

Invoice #260	
Issued	Jul 29, 2021
Due	Aug 13, 2021
Paid	Jul 29, 2021
<b>Total</b>	<b>\$550.00</b>
Account Balance	\$0.00

**For Services Rendered**

PRODUCT / SERVICE	DESCRIPTION	QTY.	UNIT PRICE	TOTAL
<b>Jul 16, 2021</b>				
Planting Shrubs/Trees	Spring/Fall 2021: Labor cost for design, species selection, layout, installation, guarding, labeling, and watering. Price is calculated for 11 trees/shrubs that were planted.	1	\$275.00	\$275.00*
Shrubs/Trees #2 Pot Pot Size. Priced per 20.	Spring/Fall 2021: Native flowering shrubs/trees, #2 pot size. Price is calculated for 11 trees/shrubs that were planted.	1	\$275.00	\$275.00*

Subtotal	\$550.00
Minnesota, 80004 District (0.5%)	\$0.00
Minnesota, Hennepin County (0.15%)	\$0.00
Minnesota State (6.875%)	\$0.00
<b>Total</b>	<b>\$550.00</b>
Paid	- \$550.00
<b>Invoice balance</b>	<b>\$0.00</b>



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Account balance	<b>\$0.00</b>
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\* Non-taxable

Thank you for your business. Please contact us with any questions regarding this invoice.

Ed's Buckthorn Control, LLC 82-3448968



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**RECIPIENT:**

**Delina Sarazine**

11451 Landing Road  
 Eden Prairie, Minnesota 55347

**SERVICE ADDRESS:**

11451 Landing Road  
 Eden Prairie, Minnesota 55347

Invoice #379	
Issued	Dec 15, 2021
Due	Dec 30, 2021
Paid	Dec 31, 2021
<b>Total</b>	<b>\$374.39</b>
Account Balance	\$0.00

**Invoice for our services**

PRODUCT / SERVICE	DESCRIPTION	QTY.	UNIT PRICE	TOTAL
<b>Nov 04, 2021</b>				
Buckthorn Maintenance - Foliar Herbicide Application	Late Fall 2021: Once native plants are dormant, apply herbicide to control smallest buckthorn, and garlic mustard, along with other noxious invasive plants that are still susceptible to herbicide this time of year. Backpack sprayer with wand for precise application. Wetland-approved herbicide included. Workers are experts at identifying our target species and licensed herbicide applicators.	1	\$348.19	\$348.19

Subtotal	\$348.19
Minnesota, 80004 District (0.5%)	\$1.74
Minnesota, Hennepin County (0.15%)	\$0.52
Minnesota State (6.875%)	\$23.94
<b>Total</b>	<b>\$374.39</b>
Paid	- \$374.39
<b>Invoice balance</b>	<b>\$0.00</b>



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Account balance	<b>\$0.00</b>
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Hi Delina,

This work was completed back in early November, but the invoice got lost in our software so it didn't get sent out until now. Apologies for the delay.

Happy Holidays,

Ben  
Ed's Buckthorn Control

Thank you for your business. Please contact us with any questions regarding this invoice.

Ed's Buckthorn Control, LLC 82-3448968



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RECIPIENT:

**Delina Sarazine**

11451 Landing Road  
Eden Prairie, Minnesota 55347

SERVICE ADDRESS:

11451 Landing Road  
Eden Prairie, Minnesota 55347

**Invoice #408**

Issued	Jan 12, 2022
Due	Jan 27, 2022
Paid	Jan 20, 2022

**Total \$510.00**

Account Balance	\$0.00
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**Invoice for our services**

PRODUCT / SERVICE	DESCRIPTION	QTY.	UNIT PRICE	TOTAL
Seed - Native Pollinator Mix	Winter 2022: Native pollinator-friendly wildflower seed mix with grasses. near the hot tub and screened porch. Local genotype for best possible outcome. Price per 150 square feet.	1	\$50.00	\$50.00*
Seed - Woodland Mix	Winter 2022: Shady woodland native plant mix - about 20 wildflowers, plus grasses and sedges. price per 5,000 square feet.	1	\$460.00	\$460.00*

Subtotal	\$510.00
Minnesota, 80004 District (0.5%)	\$0.00
Minnesota, Hennepin County (0.15%)	\$0.00
Minnesota State (6.875%)	\$0.00
<b>Total</b>	<b>\$510.00</b>
Paid	- \$510.00
<b>Invoice balance</b>	<b>\$0.00</b>



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Account balance **\$0.00**

\* Non-taxable

Happy New Year!

It's a new year, and that means new beginnings - such as seeding!  
(paragraph deleted due to character limit. see customer communications if you need to read the original message)

We are currently collecting deposits for seed that we are going to sow this winter. Attached to this email is your quote that includes a seed material line item; we are only invoicing for the seed material right now, because we need to pay for it when we order. We will send another invoice for labor and design once the seeding work is completed. Once seed orders are placed, we will be in touch regarding scheduling. We plan to seed when the conditions are just right, so it will likely happen on short notice.

Looking forward to seeing what comes up in the seasons to come!

(paragraph deleted due to character limit. see customer communications if you



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**Notes Continued...**

need to read the original message)

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**RECIPIENT:**

**Delina Sarazine**

11451 Landing Road  
Eden Prairie, Minnesota 55347

**SERVICE ADDRESS:**

11451 Landing Road  
Eden Prairie, Minnesota 55347

**Invoice #428**

Issued	Mar 10, 2022
Due	Mar 25, 2022
Paid	Mar 31, 2022

**Total \$500.00**

Account Balance	\$0.00
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**Invoice for our services**

PRODUCT / SERVICE	DESCRIPTION	QTY.	UNIT PRICE	TOTAL
<b>Mar 09, 2022</b>				
Seeding Labor	Spring/Fall 2021: Labor for site prep to maximize seed to soil contact and germination, seed dispersal, and application of seed blankets. Price per ~5,000 square feet	1	\$500.00	\$500.00*

Subtotal	\$500.00
Minnesota, 80004 District (0.5%)	\$0.00
Minnesota, Hennepin County (0.15%)	\$0.00
Minnesota State (6.875%)	\$0.00
<b>Total</b>	<b>\$500.00</b>
Paid	- \$500.00
<b>Invoice balance</b>	<b>\$0.00</b>



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Account balance	<b>\$0.00</b>
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\* Non-taxable

Thank you for your business. Please contact us with any questions regarding this invoice.

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**RECIPIENT:**

**Delina Sarazine**

11451 Landing Road  
 Eden Prairie, Minnesota 55347

**SERVICE ADDRESS:**

11451 Landing Road  
 Eden Prairie, Minnesota 55347

**Invoice #445**

Issued	May 04, 2022
Due	May 19, 2022
Paid	May 19, 2022

**Total \$417.73**

Account Balance	\$0.00
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**Invoice for our services**

PRODUCT / SERVICE	DESCRIPTION	QTY.	UNIT PRICE	TOTAL
<b>May 03, 2022</b>				
Spot Spray Weeds	Spring 2021: Spot spray for garlic mustard, motherwort, burdock, and other invasive/pesky weeds. Backpack sprayer with wand for precise application. Wetland-approved herbicide included in estimate, but separate invoice line item. Workers are experts at identifying our target species and licensed herbicide applicators.	1	\$375.00	\$375.00
Herbicide	\$9/gallon	1.5	\$9.00	\$13.50

Subtotal	\$388.50
Minnesota, 80004 District (0.5%)	\$1.94
Minnesota, Hennepin County (0.15%)	\$0.58
Minnesota State (6.875%)	\$26.71
<b>Total</b>	<b>\$417.73</b>
Paid	- \$417.73
<b>Invoice balance</b>	<b>\$0.00</b>



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Thank you for your business. Please contact us with any questions regarding this invoice.

Ed's Buckthorn Control, LLC 82-3448968

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Account balance

**\$0.00**



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**RECIPIENT:**

**Delina Sarazine**

11451 Landing Road  
 Eden Prairie, Minnesota 55347

**SERVICE ADDRESS:**

11451 Landing Road  
 Eden Prairie, Minnesota 55347

**Invoice #537**

Issued	Jul 19, 2022
Due	Aug 03, 2022
Paid	Jul 20, 2022

**Total \$630.00**

Account Balance \$0.00

**Invoice for our services**

PRODUCT / SERVICE	DESCRIPTION	QTY.	UNIT PRICE	TOTAL
<b>Jun 29, 2022</b>				
Plugs	Spring/Fall 2021: Native plant plugs - per tray of 36. Delivery included.	6	\$60.00	\$360.00*
Plant plugs	Spring/Fall 2021: Layout and planting labor.	1	\$200.00	\$200.00*
Mulch	1.5 yard natural hardwood shredded mulch, delivery included.	1	\$70.00	\$70.00*

Subtotal	\$630.00
Minnesota, 80004 District (0.5%)	\$0.00
Minnesota, Hennepin County (0.15%)	\$0.00
Minnesota State (6.875%)	\$0.00
<b>Total</b>	<b>\$630.00</b>
Paid	- \$630.00
<b>Invoice balance</b>	<b>\$0.00</b>



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Account balance

**\$0.00**

\* Non-taxable

Thank you for your business. Please contact us with any questions regarding this invoice.

Ed's Buckthorn Control, LLC 82-3448968



























Attorney Kolb said that Manager Mraz might be willing to be the alternate, as it is the responsibilities of the alternate would not be direct and immediate. That way she could attend and be compensated according to the Board compensation policies and it is a good opportunity to learn about watershed planning processes. It would be a great benefit if she were so willing. Manager Mraz said she might be willing to be the alternate, but just can't commit right now to attending additional meetings as she is still working full time. President Hartmann he also has an issue of finding time.

**President Hartmann made a motion to appoint Manager Raby as the LMRWD representative to the Lower Minnesota One Watershed One Plan policy committee and to name an alternate at a later date. The motion was seconded by Manager Salvato. Upon a vote being taken the following voted in favor of the motion: Hartmann, Mraz, and Salvato; the following voted against: None. Manager Raby abstained**

Manager Mraz asked if it would be possible to appoint an alternate in a month or two. Administrator Loomis said that the Board can appoint someone at any time. She reported that the planning grant is due in June and she was not sure how long it takes for a grant to be approved. The process will not move forward until a grant is received, so it could take a while for any meetings to be scheduled.

**B. Authorize 2021 Cost Share project for 11451 Landing Road, Eden Prairie**

Administrator Loomis reported that this is an application for the District's Cost Share Program by a homeowner in Eden Prairie that plans to remove invasive species from a steep slope on her property and to address erosion that has been created by roof drains from the home.

Manager Raby said there were some inconsistencies in the application. The Board discussed the inconsistencies. Administrator Loomis noted the applicant has sent a corrected application and that she [Administrator Loomis] has spoken with the contractor. Manager Salvato asked about a previous application to remove buckthorn that the Board tabled. Administrator Loomis noted the District is still working with the other applicant and that some of the concern was that that property was within a home owners association. Manager Raby believed the previous application was only for removal of the buckthorn there were no plans for replacement with species to help mitigate the flow of water. Manager Salvato said she is okay with approving the application, but just wanted to note the application that was received last year.

**Manager Raby made a motion to approve the 2021 Cost Share application for 11452 Landing Road. The motion was seconded by Manager Mraz. Upon a vote being taken the following voted in favor of the motion: Hartmann, Mraz, Raby and Salvato; the following voted against: None.**

**C. Hennepin County Mailing**

Administrator Loomis said that the Board directed that a mailing be sent to LMRWD residents living in Hennepin County. She was able to get a list of addresses from Hennepin County and there are more than 7500 individual addresses. She wanted to bring the costs back to the Board for approval, since this mailing will be more costly than the Dakota County mailing.

Manager Raby said he didn't understand why the sizes of the postcard were different in the two proposals. Administrator Loomis said the difference in sizes was just included as options and the one from MPX was based on the Dakota County mailing. Manager Raby said that he supports moving forward with the mailing since the District has money for it in the budget. Manager Salvato agreed. Manager Mraz thought it was good advertising for the District and made people aware of the existence of the District.

LOWER MINNESOTA RIVER WATERSHED DISTRICT  
COST SHARE INCENTIVE AND WATER QUALITY  
RESTORATION PROGRAM

Cost Share Grant Agreement

The parties to this Agreement, made this 24<sup>th</sup> day of May, 2021 are the Lower Minnesota River Watershed District, a Minnesota Watershed District ("LMRWD") a public body with purposes and powers set forth in Minnesota Statutes Chapters 103B and 103D and Delina Sarazine ("APPLICANT"). The purpose of this Agreement is to provide for the installation and maintenance of a project designed to protect and improve natural resources within the District. by managing storm water and said project to be located at: 11451 Landing Road, Eden Prairie, MN 55437.

1. Scope of Work. APPLICANT will install the Project in accordance with the Application submitted to the LMRWD, attached as Exhibit A. A written final report must be presented to the LMRWD at the time a request is made for reimbursement of expenses as specified in Section 2 of this Agreement.
2. Reimbursement. When the installation of the project is complete in accordance with Exhibit A, the LMRWD, on receipt of adequate documentation, will reimburse the APPLICANT 50% of the project cost: including materials, equipment rental, delivery and labor, in an amount not to exceed \$2,500. APPLICANT will document all costs with receipts for all direct expenditures. At the time reimbursement is requested, APPLICANT will provide the LMRWD with a written final report and copies of all documents concerning the work.
3. Public Access. LMRWD may enter APPLICANT's property at reasonable times to inspect the work to ensure compliance with this Agreement and monitor or take samples for the purpose of assessing the performance of the Project. APPLICANT will permit the LMRWD, at its cost and discretion, to place reasonable signage on APPLICANT's property informing the general public about the Project and the LMRWD's Cost Share Incentive and Water Quality Restoration Program. Any signage proposed by the APPLICANT will acknowledge the LMRWD's contribution to the project. This may be in lieu of signage the LMRWD may wish to place.

APPLICANT will cooperate with the LMRWD in permitting members of the public periodically to enter APPLICANT's property to view the Project in the company of a LMRWD representative. This paragraph does not create any right of public entry onto APPLICANT's property except as coordinated with APPLICANT and accompanied by a LMRWD representative.

4. Maintenance. APPLICANT will maintain the Project for at least ten (10) years from the date installation is complete. If APPLICANT does not do so, the LMRWD will have a right to reimbursement of all amounts paid to APPLICANT, unless:
  - a) The LMRWD determines that the failure to maintain the Project was caused by reasons beyond the APPLICANT's control; or
  - b) APPLICANT has conveyed the underlying property, provided APPLICANT notifies the LMRWD at least 30 days before the property is conveyed and facilitates communication between the LMRWD and the prospective owner regarding continued maintenance of the project.
5. Agreement Void. This Agreement is void if the project installation is not complete by November 1, 2021. This Agreement may not be modified in any way except in writing and signed by both parties.
6. Indemnification. The LMRWD will be held harmless against any and all liability and loss in connection with the installation of the Project.
7. Compliance with Laws. APPLICANT is responsible to comply with any permits or other legal requirements applicable to the work.
8. Notices. Any notice or demand, authorized or required under this Agreement shall be in writing and shall be addressed to the other party as follows:

To LMRWD:

Administrator  
Lower Minnesota River Watershed District  
112 East Fifth Street, Suite 102  
Chaska, MN 55318


To Applicant:

Delina Sarazine  
11451 Landing Road  
Eden Prairie, MN 55347

The parties being in agreement to be signed as follows:

APPLICANT:  
River Watershed District

Lower Minnesota

By: Delina Sarafine  5/24/2021 By: Linda Loomis

Administrator

Linda Loomis,

Date:

Date: 6/3/2021



# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, April 21, 2021

### Agenda Item

#### Item 5. B. - Authorize 2021 Cost Share Project for 11451 Landing Road, Eden Prairie

#### Prepared By

Linda Loomis, Administrator

#### Summary

The LMRWD received an application for a cost share project at 11451 Landing Road in Eden Prairie. The homeowner plans to clear a large portion of the property of buckthorn, honeysuckle, garlic mustard and other invasive species and plant native understory trees. This property is steeply sloped and topography maps have been included.

The home has several roof drains that have caused erosion of the slope at the outfalls of the drains. In addition, much of the slope is vegetated with buckthorn and honeysuckle (also an invasive). The previous homeowner used wood mulch in these areas, which has been washing away down the slope. The areas where the roof drains outfall receives enough sunlight to allow for deep-rooted plants to be planted. The homeowner has worked with a landscaper, Ed's Buckthorn Control, to plan for these areas to be planted with native species that will attract pollinators. This property is adjacent to the Minnesota River floodplain.

This project will diffuse water coming from the roof drains by planting deep-rooted native species in the roof drain outfall areas. It will remove invasive species on the steep slope and establish native understory trees and shrubs to reduce erosion.

There is a wetland at the bottom of the steep slope and a city trail is adjacent to the property. The homeowner has approved placement of signage acknowledging the LMRWD.

#### Attachments

Proof of ownership/location map

2021 Cost Share Application

Quote from Ed's Buckthorn Control

2021 Cost Share worksheet

Wildflower planting plan

2 maps of property with 2' contour lines

Overhead of home with roof square footage

Overhead planting plan

City of Eden Prairie permit application (includes overhead showing project area and seed mix lists)

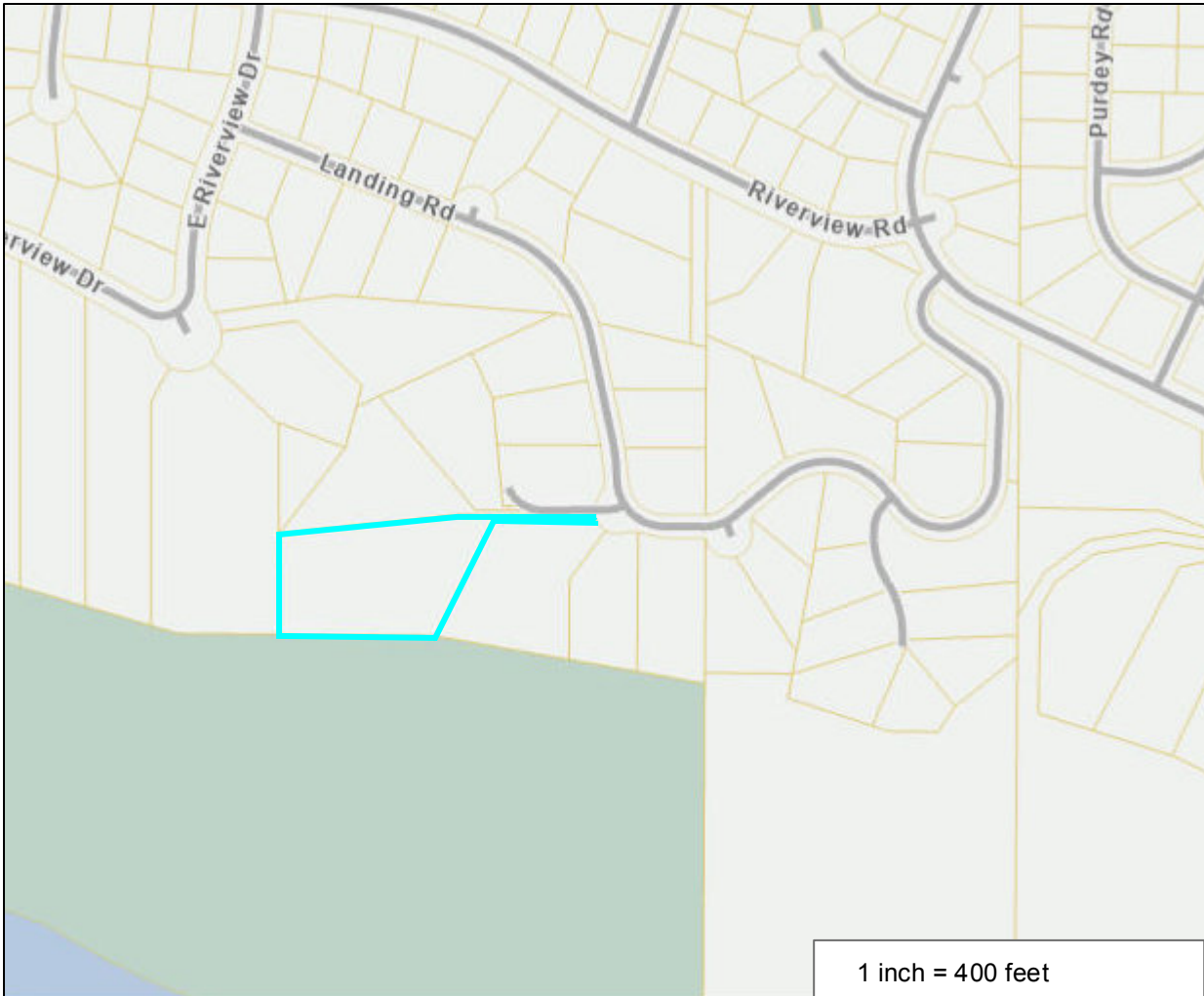
#### Recommended Action

Motion to authorize 2021 Cost Share Incentive and Water Quality Restoration Program application for 11451 Landing Road, Eden Prairie.



# Hennepin County Property Map

Date: 4/16/2021



PARCEL ID: 3511622410019

OWNER NAME: M R Sarazine & D Sarazine

PARCEL ADDRESS: 11451 Landing Rd, Eden Prairie MN 55347

PARCEL AREA: 2.23 acres, 97,096 sq ft

A-T-B: Torrens

SALE PRICE: \$920,000

SALE DATA: 03/2017

SALE CODE: Warranty Deed

ASSESSED 2020, PAYABLE 2021

PROPERTY TYPE: Residential

HOMESTEAD: Homestead

MARKET VALUE: \$968,400

TAX TOTAL: \$12,864.94

ASSESSED 2021, PAYABLE 2022

PROPERTY TYPE: Residential

HOMESTEAD: Homestead

MARKET VALUE: \$997,500

## Comments:

This data (i) is furnished 'AS IS' with no representation as to completeness or accuracy; (ii) is furnished with no warranty of any kind; and (iii) is not suitable for legal, engineering or surveying purposes. Hennepin County shall not be liable for any damage, injury or loss resulting from this data.

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## Cost share grant application 2021

Application type (check one)  Homeowner

Non-profit - 501(c)(3)

School

Business or corporation

Public agency or local government unit

Project type (check all that apply)  Raingarden

Vegetated Swale

Infiltration Basin

Wetland restoration

Lake/creek/wetland buffer

Conservation practice

Shoreline/bank stabilization       Pervious hard surface

Other: Terrestrial invasive plant removal both upland and wetland border, native habitat reconstruction

### Applicant Information

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

Delina Sarazine

Address (street, city and ZIP code):

11451 Landing Rd Eden Prairie, MN 55347

Phone: 651-295-4936

Email address: delina216@hotmail.com

### Primary Contact (if different from above)

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

Address (street, city and ZIP code):

Phone:      Email address:

### Project location

Address (street, city and ZIP code):

11451 Landing Rd Eden Prairie, MN 55347

Property Identification Number (PID)

3511622410019



Property Owners:

Delina & Michael Sarazine

## Project Summary

Title Sarazine Habitat Restoration Total Project Cost \$6,357.04 Grant amount requested \$2,500 (or higher if allowed) Estimated start date Spring 2021 (or ASAP) Estimated completion date Fall 2021 Is project tributary to a water body? No, water remains on site Yes, indirectly  Yes, directly adjacent

Project description:

Our land is directly adjacent to the Minnesota River's floodplain, and has several problems which contribute to low quality of the River: erosion on steep sandy slopes, invasive plant species (upland and wetland edge), and lack of native understory and groundcover plants due to buckthorn's bullying traits. We propose to improve the quality of the Minnesota River by: 1. stabilizing the slopes with "wind rows" of brush in order to cause water runoff to slow down, spread out, and sink in 2. removing invasive plants such as garlic mustard and common & glossy buckthorn, to allow a diverse native plant community (especially groundcover species) to reestablish where there is currently bare soil 3. Install native plant plugs, seeds, shrubs, and trees to provide habitat for our pollinators and promote a cohesive ecosystem. 4. Maintain plantings, manage new invasive species that come up from seed, replace plants that fail, and maintain slope stabilization.

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

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

## Project Details

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

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> location map                      | <input checked="" type="checkbox"/> project timeline  |
| <input checked="" type="checkbox"/> site plan & design schematic      | <input checked="" type="checkbox"/> proof of property ownership                             |
| <input checked="" type="checkbox"/> itemized budget or contractor bid | <input checked="" type="checkbox"/> plant list & planting plan (if project includes plants) |

## Description

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

Currently, the parcel consists of a pond, which flows to the proposed work area via a culvert. After leaving the culvert, water has eroded trenches on its way to the MN River. By viewing past maps, we can see that the area was previously a transition between prairie and Oak woodland/savannah. After nearby settlement and fire suppression, new species were able to establish and change the ecosystem. After development, invasive species moved in, and have been ousting the native plants and severely decreasing diversity, and runoff from impervious surfaces has been funneled, which erodes trenches of soil. Furthermore, buckthorn is known to create bare soil, which accelerated erosion. Last year, we removed invasive species and installed native seed around the pond, so this project is the logical next step, working downstream.

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

If the invasive plants are allowed to keep going unchecked, there will not be any new native trees to take the place of their parents when they eventually fall. Monocultures of buckthorn create bare soil, which causes erosion to

quicken. Runoff from the house travels down the steep slope full of buckthorn, and into the drainage wetland before flowing directly into the Minnesota River.

Our goals are to remove invasive species, introduce native species that will not only reduce erosion and improve habitat for pollinators and birds, but also fend off invasive seedlings and future invasions. Diversity is key to holding soil on slopes, so we will plant and seed diverse native species with diverse root system types to prevent future erosion. The slope along the drainage wetland edge will be planted with willows and dogwoods to further bolster the soil and provide habitat for pollinators and birds.

Roof runoff will be managed with a pseudo-rain garden. Most of the roof runoff is combined via French drain to one pipe, so there is a lot of water moving in a concentrated area. The slope is too steep for a rain garden basin unless a retaining wall is installed, so we will plant plugs on the slope in the same design arrangement as a rain garden with tiers like stairs to help make the water slow down, spread out, and sink in, rather than run off and cause erosion.

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

Ed's Buckthorn Control is hired for design, implementation, and some early maintenance.

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

improve watershed resources       Foster water resource stewardship

increase awareness of the vulnerability of watershed resources

increase familiarity with and acceptance of solutions to improve

waters How does the project support the goals you checked?

The project will improve water contributing to the Minnesota River by reducing erosion, sediment and filtering roof runoff. The project will also serve as an example to my community (there is a city owned path frequented by residents that cuts through our property to access the preserve area of Minnesota River and also is used by many within our association). Our direct neighbors are eager to promote healthier landscapes within their own yards and many others in our association that have property adjacent to the preserve area. I am part of a MN Gardener's group on Facebook and also a member of our associations' Facebook group, I already have discussed previous experiences in promoting other areas of our properties with these groups. I will be taking before and after photos of this project and plan to share its progress, our experiences with our community and what we have learned to continue to encourage residents to foster water resource stewardships as well.

### Project Details (continued)

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

Our roof is about 3900 square feet and the land to be restored in this project is around 7500 square feet where buckthorn will be removed and replaced with native plants. This project will provide a more natural landscape to collect rainwater, diffuse it and allow for infiltration where it falls. \*Per discussion with administrator it is

appropriate to leave fields in table below blank since statement above provides square footage and therefore should be sufficient.

Benefit	Amount
Water captures	gal/year
Water infiltrated	gal/year
Phosphorus removed	lbs/year
Sediment removed	lbs/year
Land restored	7,500 sq. ft.

How will you share the project results with your community?

As mentioned in the project goals section, I plan to share the project before and after results with my association and fellow gardener community via groups I am part of on Facebook. Our property is frequented by many within our city/association due to a public path that cuts through our property. The path will direct this 'traffic' right by our project area and I am very excited for these members of our community to see the results first hand over time as the native seeds/plants continue to outcompete the invasive plants that have bombarded this area prior to us living in our home.

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

Yes, The next area to remediate is the dry prairie uphill of the driveway. It has struggled because of the invasion of red cedar, and has invasive species. Ed's Buckthorn Control will be observing this year to determine impairment and goals.

### Evaluation

How will the project be monitored and evaluated?

Ed's Buckthorn Control will monitor the project for invasive species, success of plantings, plant cages, and slope stabilization, and water flow. I will also observe water movement from the pipes to make sure these interventions remain in place and maintain their functionality. If these interventions become compromised, I will report to Ed's buckthorn control to fix (or have them give me instruction on how to fix myself if applicable). I will also take photos monthly during the growing season from the same perspectives, to show progress of the project, and follow the reporting guidelines outlined by the LMRWD.

### Maintenance agreement

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

### Authorization

Name of landowner or responsible party\_

  
Signature\_

4/5/2021  
Date\_

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

(For questions, contact Linda Loomis at Naiad Consulting@gmail.com or call 763-545-4659.) Mail the completed application to: or Email to:

Administrator  
Administrator  
Chaska, MN 55318

c/o

Linda

Loomis,

[naiadconsulting@gmail.com](mailto:naiadconsulting@gmail.com) 112 E. Fifth St., Suite 102



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

**RECIPIENT:**

**Delina Sarazine**

11451 Landing Road  
 Eden Prairie, Minnesota 55347

**SERVICE ADDRESS:**

11451 Landing Road  
 Eden Prairie, Minnesota 55347

Quote #64	
Sent on	Aug 20, 2020
<b>Total</b>	<b>\$5,980.70</b>

PRODUCT / SERVICE	DESCRIPTION	QTY.	UNIT COST	TOTAL
Buckthorn Control	Spring 2021: Cut and stump treat buckthorn greater than 3 feet tall. Use some to stabilize slopes. Haul rest of brush to curb for removal.	1	\$1,600.00	\$1,600.00
Brush Removal	Spring 2021: Haul away brush for responsible disposal, usually either burned by the power plant for electricity or burned by a local greenhouse for heat!	1	\$500.00	\$500.00
Spot Spray Weeds	Spring 2021: Spot spray for garlic mustard, motherwort, burdock, and other invasive/pesky weeds. Backpack sprayer with wand for precise application. Wetland-approved herbicide included. Workers are experts at identifying our target species and licensed herbicide applicators.	1	\$350.00	\$350.00
Planting Shrubs/Trees	Spring/Fall 2021: Labor cost for design, species selection, layout, installation, guarding, labeling, and watering. Price per 20 shrubs/trees	1	\$500.00	\$500.00*
Shrubs/Trees #2 Pot Pot Size. Priced per 20.	Spring/Fall 2021: Native flowering shrubs/trees, #2 pot size. Price per 20 shrubs	1	\$500.00	\$500.00*
Wire Fencing	Spring/Fall 2021: 4 foot tall welded wire fencing to deter rodents and deer from destroying planted shrubs/trees. Shipping and stakes included. Price per 20 shrubs' worth = 200 feet.	1	\$300.00	\$300.00*
Bare root Shrub/Tree seedlings	Spring/Fall 2021: Bare root seedlings/live stakes per 20	1	\$100.00	\$100.00*
Seeding Labor	Spring/Fall 2021: Labor for site prep to maximize seed to soil contact and germination, seed dispersal, and application of seed blankets. Price per ~5,000 square feet	1	\$500.00	\$500.00*
Seed - Native Pollinator Mix	Spring/Fall 2021: Native pollinator-friendly wildflower seed mix with grasses. near the hot tub and screened porch. Local genotype for best possible outcome. Price per 150 square feet.	1	\$50.00	\$50.00*



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 6125645771 | info@edsbuckthorn.com | edsbuckthorncontrol.com

PRODUCT / SERVICE	DESCRIPTION	QTY.	UNIT COST	TOTAL
Seed - Woodland Mix	Spring/Fall 2021: Shady woodland native plant mix - about 20 wildflowers, plus grasses and sedges. price per 5,000 square feet.	1	\$460.00	\$460.00*
Plugs	Spring/Fall 2021: Native plant plugs - per tray of 36. Delivery included.	6	\$60.00	\$360.00*
Plant plugs	Spring/Fall 2021: Layout and planting labor.	1	\$200.00	\$200.00*
Buckthorn Maintenance - Foliar Herbicide Application	Late Fall 2021: Once native plants are dormant, apply herbicide to control smallest buckthorn, and garlic mustard, along with other noxious invasive plants that are still susceptible to herbicide this time of year. Backpack sprayer with wand for precise application. Wetland-approved herbicide included. Workers are experts at identifying our target species and licensed herbicide applicators.	1	\$350.00	\$350.00

\* Non-taxable

Delina,

We guarantee no buckthorn will re-sprout from the stumps we cut and treat with our wick dauber method, or we will treat them again for no additional cost.

Please share your thoughts and questions as they arise.

Thanks!  
Ed

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

<b>Subtotal</b>	\$5,770.00
<b>Minnesota, 80004 District (0.5%)</b>	\$14.00
<b>Minnesota, Hennepin County (0.15%)</b>	\$4.20
<b>Minnesota State (6.875%)</b>	\$192.50



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6125645771 | info@edsbuckthorn.com | edsbuckthorncontrol.com

**Total** **\$5,980.70**

2021 Cost Share Worksheet

Labor Costs (Contractors, Consultants, In-Kind Labor)

Service Provider	Task	# Hours	Rate/Hour	Requested Funds from LMRWD	Matching/In-Kind Funds	Total
Ed's Buckthorn Control	Buckthorn control			\$ 800.00	\$ 800.00	\$ 1,600.00
	Brush removal			\$ 250.00	\$ 250.00	\$ 500.00
	Spot spray weeds			\$ 175.00	\$ 175.00	\$ 350.00
	Planting shrubs/trees			\$ 250.00	\$ 250.00	\$ 500.00
	Seeding labor			\$ 250.00	\$ 250.00	\$ 500.00
	Buckthorn maintenance			\$ -	\$ 350.00	\$ 350.00
<b>Total:</b>				\$ 1,725.00	\$ 2,075.00	\$ 3,800.00

Project Materials

Material description	Unit Cost	Total # of Units	Requested funds from LMRWD	Matching/In-Kind Funds	Total
Shrubs/trees #2 pots			\$ 250.00	\$ 250.00	\$ 500.00
Wire fencing (to protect trees, shrubs and seedlings from deer)			\$ 40.00	\$ 260.00	\$ 300.00
Bare root shrub/tree seedlings			\$ 50.00	\$ 50.00	\$ 100.00
Seed - Native pollinator mix			\$ 25.00	\$ 25.00	\$ 50.00
Seed - Woodland mix			\$ 230.00	\$ 230.00	\$ 460.00
Plugs			\$ 180.00	\$ 180.00	\$ 360.00
Plant plugs			\$ -	\$ 200.00	\$ 200.00
Sales taxes				\$ 210.70	\$ 210.70
<b>Total:</b>			\$ 775.00	\$ 1,405.70	\$ 2,180.70

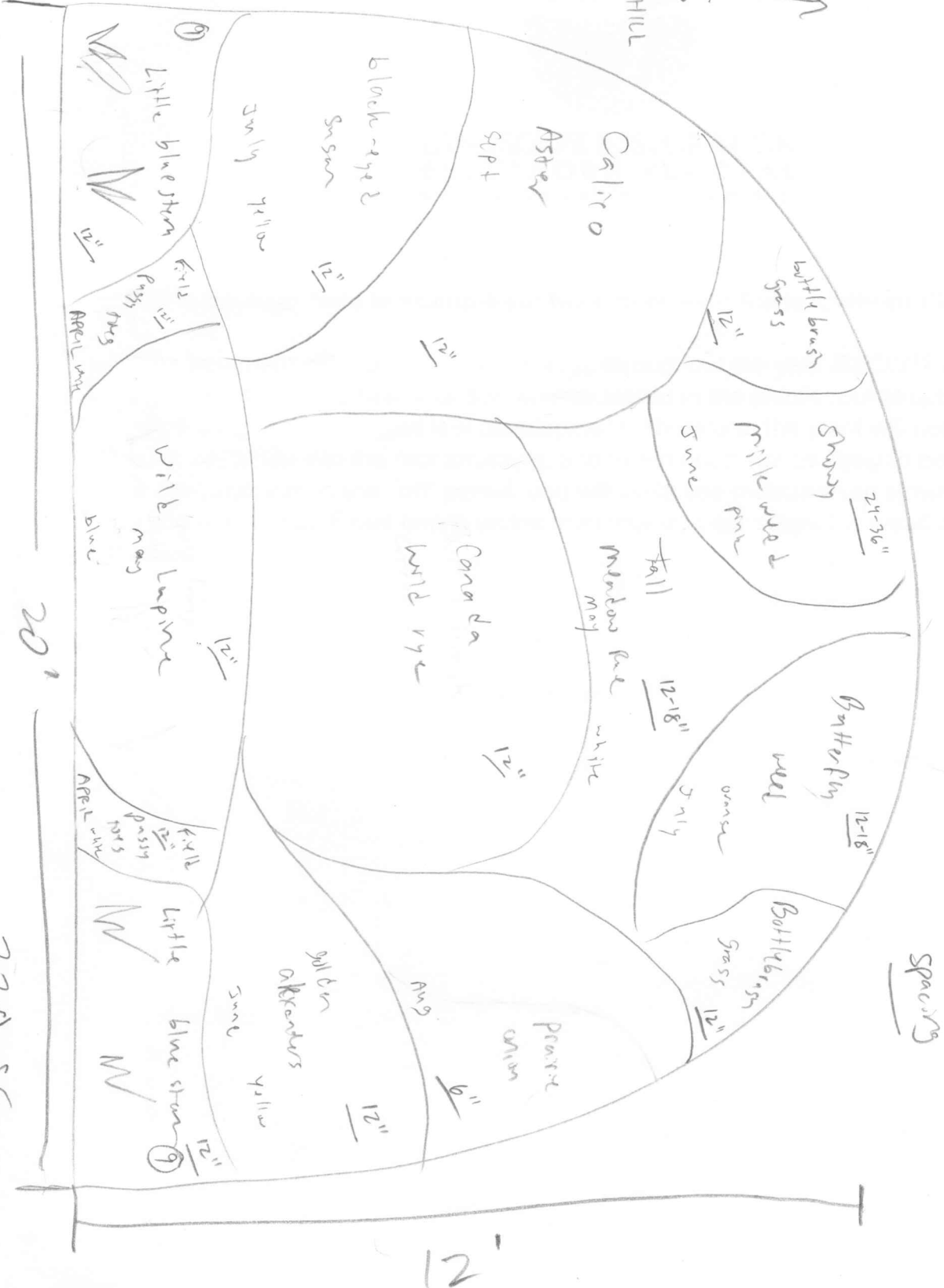
Total Requested Funds from LMRWD*:	\$ 2,500.00 (A)
Total Matchin/In-Kind Funds:	\$ 3,480.70 (B)
Project Total:	\$ 5,980.70 (C)

\*Please note: total requested funds (A) cannot be more than 50% of the Project Total (C)



SAPAZINE

DOWN HILL  
S



20'

220 SF

Spacing

12'





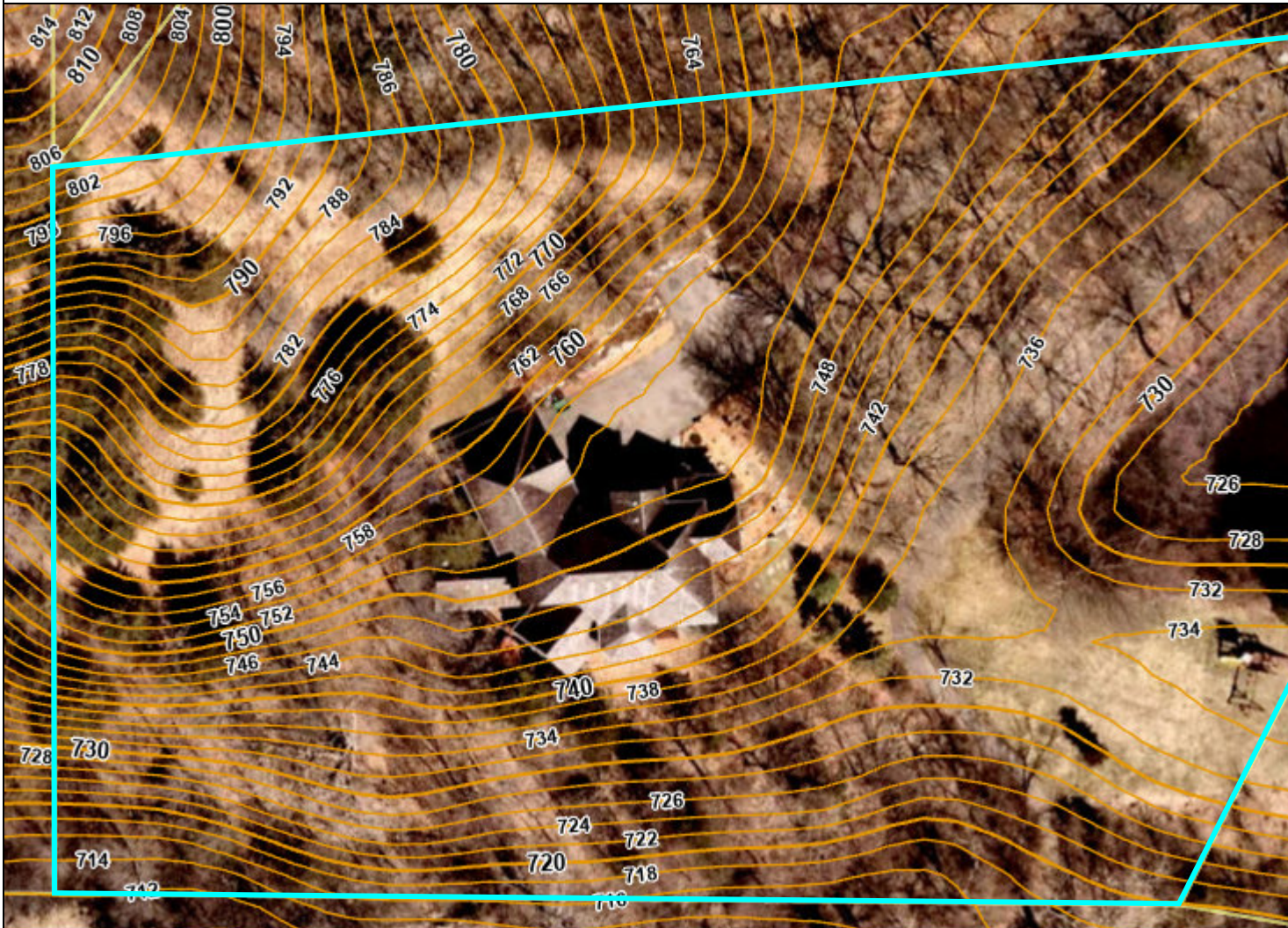
# Hennepin County Natural Resources Map

Date: 4/16/2021

## Legend

### 2 Foot Elevation Contours

-  Index
-  Intermediate



PID: 3511622410019  
 Address: 11451 LANDING RD,  
 EDEN PRAIRIE  
 Owner Name: M R SARAZINE  
 & D SARAZINE  
 Acres: 2.23

Comments:

1 inch = 50 feet



This data (i) is furnished 'AS IS' with no representation as to completeness or accuracy; (ii) is furnished with no warranty of any kind; and (iii) is not suitable for legal, engineering or surveying purposes. Hennepin County shall not be liable for any damage, injury or loss resulting from this data.

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# Hennepin County Natural Resources Map

Date: 4/16/2021

## Legend

2 Foot Elevation Contours

-  Index
-  Intermediate



PID: 3511622410019  
 Address: 11451 LANDING RD,  
 EDEN PRAIRIE  
 Owner Name: M R SARAZINE  
 & D SARAZINE  
 Acres: 2.23

Comments:

1 inch = 200 feet



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## Measure



Sq Feet ▾

### Measurement Result

3,910.9 Sq Feet

Disclaimer: Results not survey-grade

Select a year None ▾

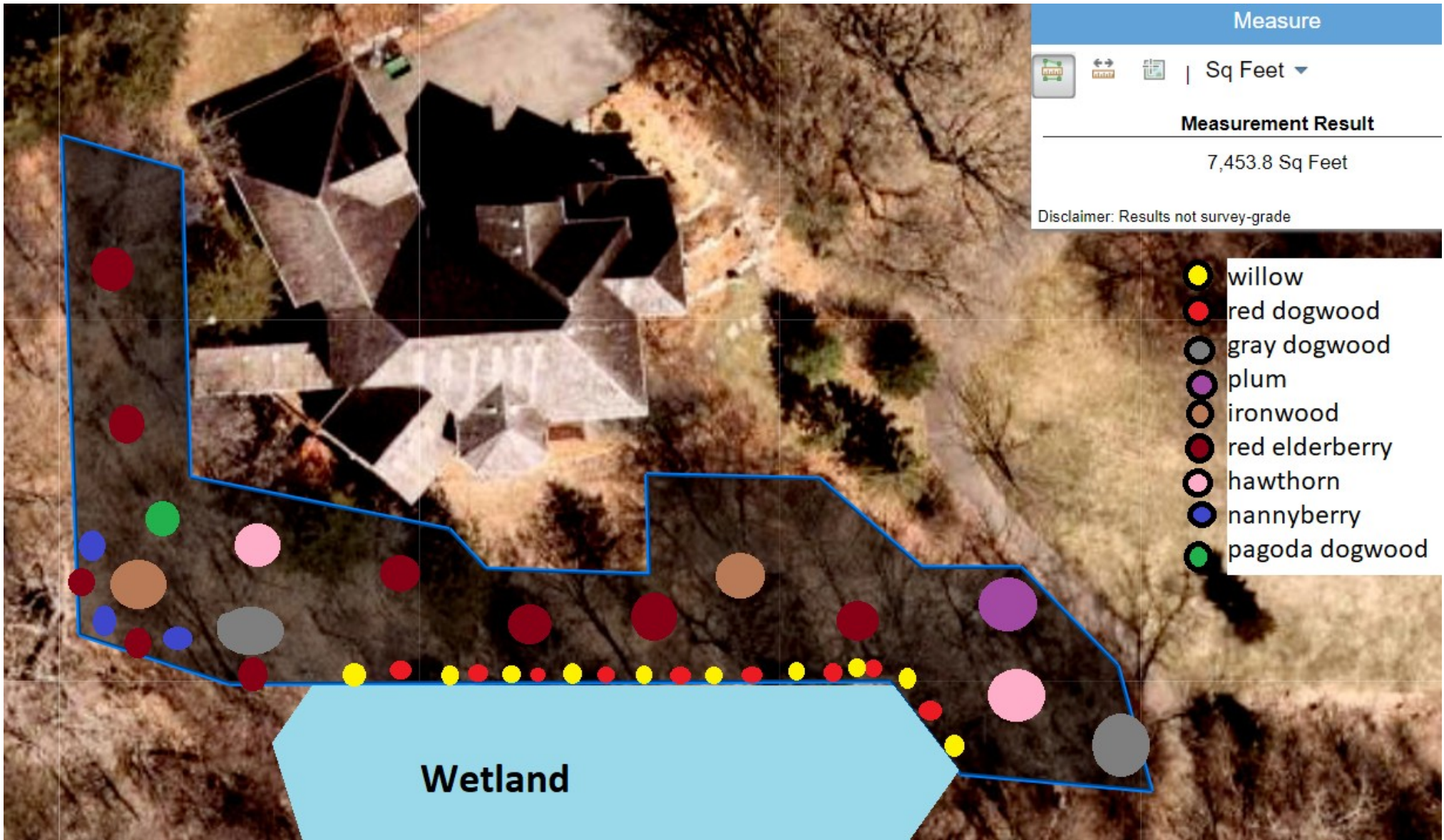


Hybrid  
Basemap

Imagery

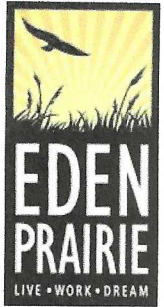
### Map layers ?

- House Number
- Parcel Annotation
- Survey Monuments
- Survey Grid
- Abstract/Torrens/Both
- Market Value Asmt Yr 2020
- Market Value Asmt Yr 2021
- Recently Sold
- Surveyed Properties



# APPLICATION FOR PERMIT

## Vegetation Management Plan Application



<b>Send Completed Application To:</b> Leslie Stovring, Water Resources Coordinator 8080 Mitchell Road Eden Prairie, MN 55344 Phone: 952-949-8327 / Fax: 952-949-8326 Email: lstovring@edenprairie.org	<b>FOR OFFICE USE ONLY</b> Approval: <u>LAS</u> Date: <u>March 3, 2021</u> <span style="background-color: yellow;">Revised 4/2/2021</span> Expiration Date: <u>December 31, 2021</u>
--	---

<b>Project Location / Address:</b> 11451 Landing Road Eden Prairie MN 55347		
<b>Property Owner:</b> Michael & Delina Sarazine	<b>Tel. No. / Email Address</b> 651-295-4936 delina216@hotmail.com	<b>Address</b> 11451 Landing Road Eden Prairie MN 55347
<b>Applicant (if not the same):</b> Delina Sarazine	<b>Tel. No. / Email Address</b> "	<b>Address</b> "
<b>Association Contact (if applicable):</b>	<b>Tel. No. / Email Address</b>	<b>Address</b>
<b>Contractor / Person Performing Work:</b> Ed's Buckthorn Control	<b>Tel. No. / Email Address</b> (612) 564-5771	<b>Address</b> 14702 Excelsior Blvd #1245 Minnetonka MN 55345
<b>Project Description (include a map of proposed project area):</b> Cut & Stump treat all Buckthorn & other Invasive Species (see Below) within Project Area (see attached Project Area Diagram outlined in Blue)		
<b>Species to be Removed (including approx. number of each):</b> Common Buckthorn (30) Tatarian Honeysuckle (30), Glossy Buckthorn (30), garlic Mustard (100+)		
Due to proximity to water, a water-safe approved herbicide is required, such as Rodeo		
<b>Type of Herbicide(s) proposed (if applicable) including Application Methods, Rates and Locations:</b> Stump Treatment with Wick dawber 22.2% Triclopyr 3a Workers are Licensed Herbicide Applicators		
<b>Vegetation Marking Plan (Please provide details on your plan to mark vegetation proposed for removal):</b> All Employees are Highly Trained to Identify & Remove Only Target Species while Being Gentle to Native Species *Ribbon Flags Used*		
<b>Species to be Seeded and/or Planted:</b> Expecting extensive Natural Regeneration with Native plant Seeding distributed throughout the Project area (see attached seed mix lists)		
<b>Property Restrictions Present (conservation easement, drainage easement, shoreland zone, steep slopes, etc.):</b> N/A <span style="background-color: yellow;">City Property / Steep Slopes - Okay to cross onto city property for buckthorn removal</span>		
<b>Proposed Start Date:</b> Late March Early April 2021 Exact Date dependant on Cost Share Grant with LM RWD	<b>Proposed Completion Date:</b> May/June 2021 Removal of Invasive Species (Phase 1) Seeding Distribution (Phase 2) again exact Dates are Dependent on LM RWD	

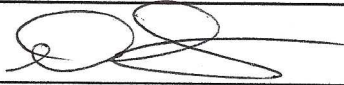
**Before work commences, call 952-949-8327 to arrange appointments for inspections before, during and after work.**

**PERMIT REQUIREMENTS**

- Evaluate City Codes Sections 9.01 (Storage, Deposit and Collection of Refuse, Yard Waste, Recyclable Waste and Solid Waste) and 9.71 (Maintenance of Vegetation), prior to authorization of the proposed activities.
- Submit a Vegetation Management Plan (Plan) for review and approval with this Application. The Plan must include a property survey or diagram showing the location of vegetation to be removed, vegetation to be planted, and temporary storage areas. Conservation easements, city property or shoreland protection areas must be included on the diagram. Photographs of the project area must be provided with the Plan. Projects that go beyond one year in length must include a Plan prepared by a professional landscape firm that provides all required information.
- **Include** planting and/or seeding methods; schedule; types and sizes of replacement plants; seed mix proposed for disturbed areas; watering plan; types and methods of application for herbicide; marking plan for indicating unwanted plants to be removed; method of disposal for vegetation removed; and any other information required by the City to determine that all project needs are met.
- Contact the city after the marking is complete and before work begins to ensure all marking is accurate and meets the requirements of work in protected areas.
- **Schedule an onsite evaluation with the City Forester prior to starting work.** A qualified arborist or native plant specialist must identify and mark vegetation proposed for removal prior to the final City inspection.
- Keep a copy of the approved Plan on the job site at all times. The approved permit must be exhibited upon request.
- Protect all existing utility installations.
- Notify the City that the work is completed and ready for final inspection within 24 hours of completion of the work authorized in this permit.
- Keep public streets, trails or sidewalks free of mud, dirt, dust, yard waste, debris, etc.
- **No power equipment use allowed on City property, including chain saws, string trimmers, lawn mowers, etc. without prior written approval from the City. A "Volunteer Waiver" will also be required.**
- The information on this Application may be distributed to neighboring property owners by the City for comment prior to approval of the Application.

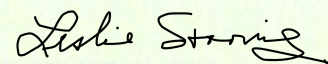
As owner(s) and/or applicant(s) at the above address we hereby request to alter the plant composition at the location listed above. As owner(s) and/or applicant(s) with a shoreland protection area, conservation easement, wetland and/or public water we understand the area abutting a natural area may be regulated by City Code and/or a conservation easement. Vegetation cutting, removal or addition is limited. It is expressly understood that this permit is conditioned on replacement or restoration of the work site to its original or better conditions. The Application must be approved by the City prior to commencing work.

*I, We, the undersigned hereby accept the terms and conditions and regulations as set forth and agree to fully comply therewith to the City of Eden Prairie, Minnesota. Furthermore, the applicant or his agents or contractor shall assume all liability for, and save the City, its agents and employees, harmless from any and all claims for damages, actions or causes of action arising out of the work to be done herein and the continuing usage, constructing, reconstructing, maintaining and using of said obstruction under this application and/or permit.*

Date: 3/2/2021 Owner/Applicant Name: Delina Sarazine  
Owner/Applicant Signature: 

**AUTHORIZATION OF PERMIT**

In consideration of the agreement to comply in all respects with regulations of the City of Eden Prairie, MN covering such work, permission is hereby granted for the work to be done as described in the above application, said work to be done in accordance with special precautions as stated in City Code, including Sections 9.01, 9.06, 11.50 and 11.51.

Date: March 3, 2021 City (Signature):   
Title: Water Resources Coordinator







## MNL Buckthorn Replacement Mix

8740 77th Street NE Otsego, MN 55362

*Plant after buckthorn removal to restore native grasses and provide fuel for a prescribed burn. Height 2-4'*

	<b>Scientific Name</b>	<b>Common Name</b>	<b>% of Mix</b>	<b>Seeds/Sq Ft</b>	<b>PLS lbs/ac</b>	<b>Bloom Season</b>
<b>Grasses:</b>	<i>Bouteloua curtipendula</i>	Side-Oats Grama	7.50	2.47	0.68	
	<i>Bromus pubescens</i>	Hairy Wood Chess	8.00	2.01	0.72	
	<i>Elymus canadensis</i>	Canada Wild Rye	6.00	1.03	0.54	
	<i>Elymus hystrix</i>	Bottlebrush Grass	15.00	3.77	1.35	
	<i>Elymus villosus</i>	Silky Wild Rye	20.00	3.64	1.80	
	<i>Elymus virginicus</i>	Virginia Wild Rye	25.00	3.47	2.25	
	<i>Panicum virgatum</i>	Switchgrass	4.00	1.85	0.36	
	<i>Schizachyrium scoparium</i>	Little Bluestem	7.50	3.72	0.68	
<b>Sedges:</b>	<i>Carex spengelii</i>	Long-Beaked Sedge	7.00	2.31	0.63	
			100.00	24.27	9.00	
Seeds/sq ft:	24.00					
Grass Species:	8					
Sedge Species:	1					



## MNL Savanna Mix Shortgrass

8740 77th Street NE Otsego, MN 55362

Great mix for part-sun oak savanna and woodland edge sites  
with 25-50% tree cover. Grass height 2-3'

	Scientific Name	Common Name	% of Mix	Seeds/ Sq Ft	PLS lbs/ac	Bloom Season
<b>Grasses:</b>	<i>Bouteloua curtipendula</i>	Side-Oats Grama	18.00	7.89	2.16	
	<i>Bromus kalmii</i>	Prairie Brome	4.00	1.41	0.48	
	<i>Elymus villosus</i>	Silky Wild Rye	9.00	2.18	1.08	
	<i>Elymus virginicus</i>	Virginia Wild Rye	15.00	2.78	1.80	
	<i>Koeleria macrantha</i>	Junegrass	0.25	1.93	0.03	
	<i>Schizachyrium scoparium</i>	Little Bluestem	17.00	11.24	2.04	
<b>Sedges/Rushes:</b>	<i>Carex bicknellii</i>	Bicknell's Sedge	2.75	2.06	0.33	
	<i>Carex normalis</i>	Greater Straw Sedge	5.00	5.51	0.60	
	<i>Carex radiata</i>	Eastern Star Sedge	3.00	5.42	0.36	
	<i>Carex sprengelii</i>	Long-Beaked Sedge	6.00	2.64	0.72	
<b>Forbs:</b>	<i>Achillea millefolium</i>	Yarrow	0.15	1.16	0.02	Summer
	<i>Agastache foeniculum</i>	Fragrant Giant Hyssop	0.35	1.39	0.04	Summer
	<i>Amorpha canescens</i>	Leadplant	0.50	0.35	0.06	Summer
	<i>Anemone canadensis</i>	Canada Anemone	0.25	0.09	0.03	Spring
	<i>Antennaria neglecta</i>	Field Pussytoes	0.15	2.73	0.02	Spring
	<i>Aquilegia canadensis</i>	Columbine	0.20	0.33	0.02	Spring
	<i>Asclepias syriaca</i>	Common Milkweed	1.25	0.22	0.15	Summer
	<i>Ceanothus americanus</i>	New Jersey Tea	0.50	0.17	0.06	Summer
	<i>Chamerion angustifolium</i>	Fireweed	0.10	2.20	0.01	Summer
	<i>Dalea purpurea</i>	Purple Prairie Clover	5.00	3.31	0.60	Summer
	<i>Desmodium canadense</i>	Canada Tick Trefoil	2.75	0.67	0.33	Summer
	<i>Lespedeza capitata</i>	Round-headed Bushclover	1.00	0.35	0.12	Summer
	<i>Liatris aspera</i>	Rough Blazing Star	0.20	0.14	0.02	Summer
	<i>Lupinus perennis</i>	Wild Lupine	0.50	0.02	0.06	Spring
	<i>Monarda fistulosa</i>	Wild Bergamot	0.60	1.85	0.07	Summer
	<i>Oenothera biennis</i>	Common Evening Primrose	0.70	2.78	0.08	Fall
	<i>Rosa arkansana</i>	Prairie Rose	0.25	0.01	0.03	Summer
	<i>Rudbeckia hirta</i>	Black Eyed Susan	1.25	5.07	0.15	Summer
	<i>Rudbeckia triloba</i>	Brown-Eyed Susan	1.00	1.50	0.12	Summer
	<i>Solidago nemoralis</i>	Gray Goldenrod	0.25	3.31	0.03	Fall
	<i>Solidago rigida</i>	Stiff Goldenrod	1.00	1.81	0.12	Fall
	<i>Symphotrichum lateriflorum</i>	Calico Aster	0.30	3.31	0.04	Fall
	<i>Symphotrichum oolentangiense</i>	Sky Blue Aster	0.35	1.23	0.04	Fall
	<i>Verbena stricta</i>	Hoary Vervain	0.75	0.93	0.09	Summer
	<i>Veronicastrum virginicum</i>	Culver's Root	0.15	5.29	0.02	Summer
	<i>Zizia aurea</i>	Golden Alexanders	0.50	0.24	0.06	Spring
			100.00	83.51	12.00	
Seeds/sq ft:	84.00					
Grass Species:	6					
Sedge/Rush Species:	4					
Forb Species:	26					

Seed mixes are subject to change based on availability



## MNL Pollinator Mix Dry to Mesic Soils

8740 77th Street NE Otsego, MN 55362

Mix approved by the Xerces Society for Pollinator habitat enhancement and restoration.  
For dry and well-drained to mesic soils. Height 2-3'

	Scientific Name	Common Name	% of Mix	Seeds/ Sq Ft	PLS lbs/ac	Bloom Season
<b>Grasses:</b>	<i>Bouteloua curtipendula</i>	Side-Oats Grama	16.75	6.12	1.68	
	<i>Bouteloua gracilis</i>	Blue Grama	4.00	5.88	0.40	
	<i>Bromus kalmii</i>	Prairie Brome	3.00	0.88	0.30	
	<i>Elymus trachycaulus</i>	Slender Wheat Grass	2.00	0.51	0.20	
	<i>Koeleria macrantha</i>	Junegrass	0.25	1.61	0.03	
	<i>Schizachyrium scoparium</i>	Little Bluestem	16.00	8.82	1.60	
	<i>Sporobolus heterolepis</i>	Prairie Dropseed	2.00	1.18	0.20	
<b>Sedges/Rushes:</b>	<i>Carex bicknellii</i>	Bicknell's Sedge	1.00	0.62	0.10	
<b>Forbs:</b>	<i>Achillea millefolium</i>	Yarrow	0.20	1.29	0.02	Summer
	<i>Agastache foeniculum</i>	Fragrant Giant Hyssop	0.60	1.98	0.06	Summer
	<i>Allium stellatum</i>	Prairie Onion	0.60	0.24	0.06	Summer
	<i>Amorpha canescens</i>	Leadplant	3.00	1.76	0.30	Summer
	<i>Anemone canadensis</i>	Canada Anemone	0.75	0.22	0.08	Spring
	<i>Asclepias speciosa</i>	Showy Milkweed	0.50	0.08	0.05	Summer
	<i>Asclepias syriaca</i>	Common Milkweed	1.75	0.26	0.18	Summer
	<i>Asclepias tuberosa</i>	Butterfly Milkweed	1.50	0.24	0.15	Summer
	<i>Astragalus canadensis</i>	Canada Milk Vetch	2.00	1.25	0.20	Summer
	<i>Chamaecrista fasciculata</i>	Partridge Pea	7.00	0.69	0.70	Fall
	<i>Coreopsis palmata</i>	Prairie Coreopsis	0.25	0.09	0.03	Summer
	<i>Dalea candida</i>	White Prairie Clover	5.00	3.49	0.50	Summer
	<i>Dalea purpurea</i>	Purple Prairie Clover	7.50	4.13	0.75	Summer
	<i>Desmodium canadense</i>	Canada Tick Trefoil	4.25	0.86	0.43	Summer
	<i>Echinacea angustifolia</i>	Narrow-leaved Coneflower	1.50	0.39	0.15	Summer
	<i>Heliopsis helianthoides</i>	Common Ox-Eye	4.00	0.93	0.40	Summer
	<i>Helianthus pauciflorus</i>	Stiff Sunflower	0.25	0.04	0.03	Fall
	<i>Lespedeza capitata</i>	Round-headed Bushclover	1.25	0.37	0.13	Summer
	<i>Liatris aspera</i>	Rough Blazing Star	0.50	0.29	0.05	Summer
	<i>Liatris punctata</i>	Dotted Blazing Star	1.00	0.26	0.10	Summer
	<i>Lupinus perennis</i>	Wild Lupine	0.75	0.03	0.08	Spring
	<i>Monarda fistulosa</i>	Wild Bergamot	0.60	1.54	0.06	Summer
	<i>Monarda punctata</i>	Spotted Bee Balm	0.15	0.50	0.02	Summer
	<i>Penstemon gracilis</i>	Slender Beardtongue	0.15	3.31	0.02	Spring
	<i>Penstemon grandiflorus</i>	Showy Penstemon	0.75	0.39	0.08	Spring
	<i>Phlox pilosa</i>	Prairie Phlox	0.10	0.07	0.01	Spring
	<i>Pycnanthemum virginianum</i>	Mountain Mint	0.20	1.62	0.02	Summer
	<i>Ratibida columnifera</i>	Long-Headed Coneflower	1.25	1.93	0.13	Summer
	<i>Rudbeckia hirta</i>	Black Eyed Susan	1.80	6.08	0.18	Summer
	<i>Solidago nemoralis</i>	Gray Goldenrod	0.15	1.65	0.02	Fall
	<i>Solidago speciosa</i>	Showy Goldenrod	0.25	0.87	0.03	Fall
	<i>Symphotrichum laeve</i>	Smooth Blue Aster	1.00	2.02	0.10	Fall
	<i>Symphotrichum oolentangiense</i>	Sky Blue Aster	1.55	4.55	0.16	Fall
	<i>Tradescantia bracteata</i>	Prairie Spiderwort	0.50	0.18	0.05	Spring
	<i>Verbena stricta</i>	Hoary Vervain	1.50	1.54	0.15	Summer
	<i>Zizia aptera</i>	Heart-leaf Golden Alexanders	0.20	0.09	0.02	Spring
	<i>Zizia aurea</i>	Golden Alexanders	0.70	0.28	0.07	Spring
			100.00	71.12	10.00	

Seeds/sq ft: 71.00  
 Grass Species: 7  
 Sedges/Rush Sp: 1  
 Forb Species: 37

Seed mixes are subject to change based on availability



# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting  
Wednesday, August 17, 2022

### Agenda Item

#### Item 4. F. – Authorize Payment to Coalition for a Clean Minnesota River Water Storage Initiative

#### Prepared By

Linda Loomis, Administrator

#### Summary

In 2019 and 2020, the LMRWD supported efforts by the Coalition for a Clean Minnesota River to lobby the Minnesota Legislature to support efforts to manage the flow of stormwater in the Minnesota River by establishing a program aimed at storing more water on the landscape. The LMRWD supported this effort financially by providing up to \$5,000 in matching funds each year for two years.

At the September 15, 2021 Board of Managers meeting, the Board of Managers approved a request to provide a matching grant again for \$5,000 over two years. The focus this time will be to seek a federal program with funding to establish water storage initiative. Mr. Sparlin is requesting distribution of the first half of the grant. He has provided information regarding expenses and matching funds received. He has also provided testimony given before the MN Senate Environment and Natural Resources Finance Committee in March 2022.

A report from the 14<sup>th</sup> Minnesota River Congress held June 15, 2022 is attached for the Board's information.

#### Attachments

Excerpt from September 2021 LMRWD Board of Manager meeting approving grant

Statement for Match Funding to The Lower Minnesota River Watershed District From The Coalition for a Clean Minnesota River (CCMR)

Testimony to State Senate 3-8-2022

14<sup>th</sup> Minnesota River Congress Summary

#### Recommended Action

Motion to accept report from Mr. Scott Sparlin and authorize distribution of grant funds in the amount of \$5,000.

**B. Request from Coalition for a Clean Minnesota River**

Administrator Loomis reminded the Board that Scott Sparlin requested \$10,000 over the course of two years to help get legislation passed at the State level for funding of water storage projects in the Upper Minnesota River Basin. Mr. Sparlin was successful this legislative session, but the legislature diluted it as it is not just specific to the Minnesota River and the amount of funding allocated was not what had been hoped for. Now Mr. Sparlin would like to ask the federal government for assistance with the same task because much of the sediment and nutrients from the erosion in the Minnesota River are contributing to the anoxic zone in the Gulf of Mexico.

Manager Raby would like to know what the overall effort over the next two years will be and the funding effort for that.

Mr. Sparlin clarified they got the program established, it is for the Minnesota River basin and the Upper Mississippi River. The legislature did not include the kinds of funds needed to bring this to scale which is what they will be working on over the next couple of years. The money he is asking the LMRWD for is to continue down the path of seeking a federal partnership. The overall budget is dependent upon the work that other organizations are doing so he cannot give a good answer to the question at this time. They are looking at a \$30,000 per year (total of \$60,000) overall budget and will seek a match for the funds.

**President Hartmann made a motion to approve the fund request as a match per the previous time. The motion was seconded by Manager Mraz. Upon a vote being taken the motion carried unanimously.**

**C. Appletree Condominium Cost Share Application**

Administrator Loomis stated this is a condominium building in Bloomington; they are in a steep slope overlay zone and have been having issues with erosion behind the building. They have done quite a bit of work to put in drain tile and drain water away from the building to the City storm water system and are looking at landscaping to further ameliorate the erosion issues. They sent in an application for a cost-share project and Young Environmental reviewed the application and made some recommendations.

Ms. Schall-Young noted it is a good application and they are recommending approval. The Board should keep in mind that the project will need a permit so perhaps a portion of the money should go towards that permit application to ensure that they come back and do due diligence.

Administrator Loomis noted \$7,500 is the maximum amount for a condominium-type of request.

**Manager Raby made a motion to approve the cost-share application subject to the applicant applying for and obtaining a permit from the LMRWD. The motion was seconded by Manager Mraz. Upon a vote being taken the motion carried unanimously.**

**D. Modification to LMRWD Board of Managers meeting schedule**

Administrator Loomis noted in April, Staff asked that the Board consider adding a second meeting every month to the schedule to make it a regular meeting and eliminate emergency meeting notices, and now that Ms. Schall-Young's team has a better handle on applications they no longer feel they need the second meeting. They are asking to modify that meeting schedule and eliminate the first Wednesday meeting.

Statement for Match Funding to The Lower Minnesota River Watershed District  
 From The Coalition for a Clean Minnesota River (CCMR)  
 By Scott Sparlin Coordinator/Facilitator Minnesota River Congress/ Ex. Dir. CCMR

Hours specific to **Water Storage Initiative** for Minnesota River Congress @ \$45 hr.

**2021**

October	38 hrs.	<b>2022</b> January	50 hrs.
November	40 hrs.	February	45 hrs.
December	32 hrs.	March	30 hrs.
		April	48 hrs.
		May	16 hrs.
		June	24 hrs.

**Total Hours 323 = \$14,535**

**In person meetings**

Mileage @ \$.54 (Mankato 4) 280, (St. Paul 2) 440, (Nicollet 2) 140, (Henderson 2) 180

**Total Mileage 1040 miles = \$562**

Ballroom Rental \$1200

Coffee, soft drinks, brownies, cookies, \$200

**Total event cost \$1400**

**Total WSI expenses from 10-1-21 to 7-1-22 \$16,497**

Money secured and designated for **Water Storage Initiative** to date

Nicollet Conservation Club	\$6000
Izaak Walton League MN	\$750
Darby and Geri Nelson	\$500
New Ulm Area Sport Fishermen	\$750
Friends of Pool 2	\$100
Lake Pepin Legacy Alliance	\$100
Crystal Waters Project	\$100
CCMR	\$1500
Rahr Malting Co.	\$1000
Jim Sheman	\$1000
Lac qui Parle Lake Assn.	\$100
Pioneer Public TV	\$250
Earth day fund raiser	\$160
Individual donor appeal total	\$1055

**Total Matching dollars raised \$13,365**

Minnesota State Senate 3-8-22  
Environment and Natural Resources Finance Committee  
Testimony on behalf of **S.F. 3044**

Chair Senator Ingebrigtsen and Committee Members,

My name is Scott Sparlin, I am the Coordinator/Facilitator for the Minnesota River Congress and the Executive Director of the Coalition for a Clean Minnesota River. This is my 33<sup>rd</sup> year working on Minnesota River Watershed issues.

We have reached a water management crisis in Minnesota, certainly not limited to anywhere in the state, but especially evident in the Minnesota River Watershed. Due to land use practices both urban and rural we have now reached the point that if we do not begin to both temporarily and permanently store more water, we will continue to experience increased collective, infrastructural, societal, and business losses at an unacceptable rate putting many Minnesotans at risk. Exacerbating this condition is the climatic trend and future prediction of increased rainfalls in short periods of time. The combination of all these factors leads first to small and medium sized tributary streambank erosion. Then the dislodged sediments combined with the increased rate flows enable even more sediments and nutrients to be delivered to our lakes, major tributaries, and main stems where they then flow downstream to the Mississippi River, Lake Pepin and ultimately the Gulf of Mexico.

We are a water blessed state and the time to invest in a major water storage initiative is upon us. The compelling data concerning the need, especially in the Minnesota River Basin, has been thoroughly studied and is well documented. The fact is, most of society has observed and intuitively known this for a long time. We have engineered ourselves into this condition and we also have the technical knowhow to mitigate it. We now need the commitment, and the significant financial resources, to accomplish the goal. In many cases our government (all of us) paid to create the challenges we are faced with. The time is now for all of us to come together for the greater good of future generations of Minnesotans and those downstream. This is not an investment we can ignore, or we will pay much higher prices in short years to come.

It is our belief that we need specifically targeted temporary and permanent water storage funds to be directed to the implementors such as Soil and Water Conservation Districts, Watershed Districts and participating willing landowners.

### **Scientific Background**

Extensive scientific data collected over decades shows clearly that we need to put more water storage on the landscape. Additional water storage will protect infrastructure and improve water quality. Diverse water storage practices, such as replacing historically drained lakes and

wetlands and increasing soil health, will all help to achieve this goal. The climatic trend and future prediction of increased rainfalls in short periods of time will only exacerbate the issue.

The Minnesota River Congress is using the Collaborative for Sediment Source Reduction (CSSR) and Management Options Simulation Model (MOSM) study recommendations in conjunction with the rich datasets available through state agency monitoring, assessment and conservation targeting (WRAPS, TMDLS, 1W1P) to support the case for the need for more water storage. We have enlisted researchers at state agencies and elsewhere who have completed studies to help provide data and documentation (e.g. Patrick Belmont, Karen Gran, Chris Lenhart, Peter Wilcock and numerous others).

After over 3 years and 25 basin-wide meetings attended by a diverse cross section of the population, it has become very apparent that any way water storage in any form can be accomplished is of the utmost priority. Over and over from every part of the basin we heard water storage has to be addressed if we are going to be serious about protecting our infrastructure and improving our surface water. The good news is it can be achieved without adversely affecting agri-business or community development. We simply need it to be realistically funded to the degree it needs to be effective. It already has been prioritized by the implementers. We have written support from numerous entities supporting our efforts to see this come to fruition. Here is a daily growing list of support.

City of Henderson (signed endorsement and resolution)  
City of Granite Falls (signed endorsement and resolution)  
City of Eden Prairie (signed resolution)  
City of Arlington (signed endorsement)  
City of Amboy (signed endorsement)  
City of New Ulm (signed resolution)  
City of Mankato (signed resolution)  
City of Olivia (signed endorsement)  
City of Nicollet (signed endorsement and resolution)  
City of Redwood Falls (signed resolution)  
City of Springfield (signed resolution and indorsement)  
City of St. Peter (signed endorsement)  
City of Winthrop (signed resolution and endorsement)  
City of LeSueur (signed resolution and endorsement)  
Minnesota Association of Watershed Districts (resolution passed and signed)  
Lower Minnesota River Watershed District (resolution passed and signed)  
Izaak Walton League MN State Chapter (resolution passed)  
Lake Pepin Legacy Alliance (signed endorsement and resolution)  
Brown County SWCD (signed endorsement)  
Blue Earth County SWCD (signed endorsement)  
Martin County SWCD (signed endorsement)  
Faribault County SWCD (signed resolution)  
Cottonwood County SWCD (signed endorsement)  
McCloud County SWCD (verbal endorsement)



Nicollet Conservation Club (signed endorsement)  
MASWCD (relative resolution)  
Area 6 SWCD (11 Counties) (in principle)  
Area 5 SWCD (10 Counties) (in principle)  
Friends of Pool 2 (signed endorsement)  
Crystal Waters Project (signed endorsement)  
Minnesota River Congress (signed endorsement)  
New Ulm Area Sport Fishermen (signed endorsement)  
Rural Advantage (signed endorsement)  
Clean Up the River Environment-CURE (signed endorsement)  
The Coalition for a Clean Minnesota River (signed endorsement and resolution)  
Redwood Country Farmers Union (resolution passed and signed) (State Pending)  
Friends of the Minnesota Valley (signed endorsement)  
Izaak Walton League MN Valley Chapter (signed resolution)  
Minnesota Center for Environmental Advocacy (signed endorsement)  
Anglers for Habitat (signed endorsement)  
Minnesota Conservation Federation (signed endorsement)  
Fish and Wildlife Legislative Alliance (signed endorsement)  
Blue Earth Project (signed endorsement)  
Save the Kasota Prairie (signed endorsement)

Thank you for this opportunity and I will gladly answer any questions you may have.

**For More Information**

Contact Scott Sparlin, Coordinator/Facilitator, Minnesota River Congress  
[sesparlin@gmail.com](mailto:sesparlin@gmail.com) (507 276 2280)  
<https://www.mnrivercongress.org/>

## **14<sup>th</sup> Minnesota River Congress Summary**

157 participants signed in at the 14<sup>th</sup> Minnesota River Congress session held in Mankato at the Kato Ballroom on Wednesday, June 15<sup>th</sup>, 2022 .

**The event was co-hosted by the Izaak Walton League Upper Mississippi River Initiative.**

Opening remarks were offered by the Minnesota River Congress Coordinator/Facilitator Scott Sparllin. He provided a brief history on the congress and reviewed how the Water Storage Initiative was voted on as the current primary focus of our efforts. He shared that now that we have been successful at establishing the Water Storage Program in state statute, our collective work on it is only in the beginning demonstration phase. He stated that in order for the program to have a significant impact on the watershed it would need to be brought to scale with a considerable increase in funding for the program. He continued that accomplishing that goal would be the primary focus of the Minnesota River Congress until the sufficient funding for program success was in place. A list of all entities that have passed resolutions and signed letters of support for the Minnesota River Congress Water Storage Initiative was read aloud. It includes 14 basin cities along with 30 groups and entities. He went on to state that the Board of Water and Soil Resources had a pending Natural Resources Conservation Service RCPP grant of 8 million dollars for the new Water Storage Program. He then reported that he testified at the legislature this year and that two other bills were introduced to fund the Water Storage Program. One was a new state-wide bill and was for \$100 million with half going to urban storm water issues and the other was specific for appropriation of 5 million to the Minnesota River/Upper Mississippi program. He also stated that the Governor had \$15 million in his supplemental budget targeted for the basin.

**Izaak Walton League past National and State President Dave Zentner**, followed with additional opening remarks. He spoke to the importance of collaboration of groups and on a large inclusive scale. He also talked about how important and effective individual activism was. Mr. Zentner pointed out that the sediment coming from the Minnesota River was filling in Lake Pepin. He said it was also the primary source of other pollutants such a nitrogen, phosphorus, and e-coli

bacteria for the Upper Mississippi River. He then shared that a consortium of regional groups and individuals has been meeting regularly to monitor drainage projects currently being proposed in the Minnesota Basin. This was being done as an on-going effort to eliminate or mitigate negative impacts the projects may have on tributaries and the main stem. He highlighted the affect that cumulative impacts of more water coming from upstream has on the basin. One point he said was critical is that healthy food production, clean water, and healthy soil should be in harmony with our communities. Lastly, he emphasized that we need to support the good works of the state agencies, SWCD's and reach out to those we sometimes view as adversaries.

**Former U.S. Congressman and Judge David Minge** gave remarks next. He is currently the Minnesota River team leader of the Izaak Walton League's Upper Mississippi River Initiative. Mr. Minge alluded to the fact that we are all from different parts of the river system, but we are all working towards the collective goal of clean water. He mentioned that he was living and working in Montevideo back in the 1990's and became acutely aware of the flooding and water quality conditions which the river was experiencing. He then brought up that in 2015 he began looking into drainage improvement projects as a setting in which he and others could make a difference in conditions of the river. He explained that the IWLA Upper Mississippi River Initiative welcomed and encouraged this activity. So, with the blessing and support they assembled a diverse and talented team made up of professional water quality experts, lawyers, and other advocates to obtain, review and submit comment on preliminary and final engineer reports on proposed drainage improvement projects within the basin. Subsequently several projects were and are in the process of being challenged on the basis of design and potential increased outflow.

**Next, Governor Tim Walz** gave pre-recorded introductory remarks and mentioned that he included 15 Million dollars in his supplemental budget for the Water Storage Program. He stated further that he was in full support of our efforts and understood the need for more water storage capabilities on the land and that he would work with the 2 houses to see more funding and an environment bill be passed. He also said he was disappointed that the legislature did not pass a spending bill which would have advanced water storage along with a multitude of other critical environmental needs.

**Minnesota Pollution Control Agency Commissioner Katrina Kessler** gave remarks following the previous speakers. Congratulating all the attendees and positive remarks on the venue for our congress session opened her initial statements. She emphasized that the Walz administration was committed to increasing water storage for all its benefits. She explained the primary role of the MPCA was to assure that everyone has healthy air, soil, and water to live in the State of Minnesota. In fulfilling that role, they monitor, review, and enforce rules, laws, and activities that affect those conditions. They also take pro-active steps to assure clean water goals are met. She spoke of adaptation such as more water storage and need for it in accomplishing goals for clean water. She pointed to the added runoff coming from weather and landscape changes which need to be addressed more pro-actively. She spoke about the complexities surrounding water storage and the need to address them as we pick the best opportunities for that increase. She also spoke about what might be right for the Red River might not be right for the Minnesota River and that we have very diversified landscape. She mentioned that by 2030 the goal of a 50% reduction in sediment has been set by the MPCA. She also stated that we don't have all the answers, but we do have all the science to assist us. We need to recognize that this is an investment that will result in multiple positive by-products such as carbon sequestration, water quality improvements and less flooding just to name a few.

The next speaker to talk about water storage was **the Commissioner of the Minnesota Department of Natural Resources Sarah Strommen**. She stated that the Walz administration was in concurrence that water storage was and is a priority and that we were on the same wave link with our initiative. Multiple benefits of water storage were emphasized like wildlife, natural diversity, reducing flooding, lessening the risks of infrastructure damages and more. She also emphasized how we need to look at the entire watershed approach to water storage and how we need to think long term when implementing projects. She offered that the upper reaches of the watershed need to be included in storage, not just the lower ends where the water ends up. The need to put back and enhance wetlands was also an area she and the MNDNR staff felt were critical to focus on. Ms. Strommen also said soil health had a big role to play in storing water in the soil profile that had multiple benefits. She pointed out that drainage projects should have a water storage component included before

construction begins. Having everyone at the table expressing their goals she felt was critical in moving forward and that DNR staff wants to make sure that happens.

**John Jaschke, the Executive Director for the Board of Water and Soil Resources** was the next speaker to talk about the new Water Storage Program and water storage in general. He stated that they were in the process of considering where and how to maximize the results of project dollars and demonstrate the many benefits of various types and sizes of projects. Other state agencies have provided analysis to them to help assist project selection. What we do for water storage needs to co-exist with what we have on the landscape. He said we are not going back to the days of Bison roaming the wild landscape. Agriculture is here and will always be here and we need to work with that to accomplish our goals. He brought up that the CREP program took those lands that were not desirable for agriculture and took them out of production accomplishing a benefit to society which affected ag production little. He talked about how we need to design projects that hold water and have a timed release. He also talked about lengthening the time water is delivered to an outlet by lengthening the distance it needs to go before arriving there. Another way he said water could be held back is through infiltration and that takes increased organic matter in soils. Cover crops can also slow water intake by evaporation and intake at the roots he said. John also mentioned a treatment train for clean water where different connected systems do complimentary improvements to the water before moving down stream. He closed by thanking all the participants of the Minnesota River Congress for not just pointing out the problems but offering solutions.

The next presentation from **Rita Weaver, Chief Engineer for the Board of Water and Soil Resources**. She gave an overview of the new Water Storage Program and how selection of projects would be done for now. In order to meet the requirements of state statute, flow reductions would have to be the cornerstone of the program. She said there are many and complex conditions to consider when scoring a project such as site history and topography. She displayed a talked about a number of scenarios where water storage can happen. However, for now, picking those which will demonstrate a significant reduction in outflow and have multiple resource and economic benefits would be the most eligible. BWSR held listening sessions to assist in development the components for the

program and incorporated much of the input into the program. Her presentation was detailed, comprehensive and thorough.

The next speaker of the evening was **Mark Dittrich Ag Marketing and Development Specialist with the Minnesota Department of Agriculture**. He opened saying it was an honor to be with the Minnesota River Congress. He stated that after the 1997 flood he helped put together a group to address flooding and learned of the complexities of the drainage system in the Minnesota River Watershed. He spoke about early projects from the 1990's involving ditch design meant to impede water but still drain it in a timely manner for the producer. Wetlands were also designed at the Lamberton station to hold water and purify it as well. Mr. Dittrich also spoke about how the climate has changed and how we need to adapt. He said one of those ways was with additional water storage. He stated that moving forward was going to have to include improving the trust among all of us especially towards the farmers and care takers of this earth. Then we can truly work together for a more sustainable set of communities. We will be able then to respect our differences and live with our compromises, because we need each other to accomplish what we need to continue producing food. And at the same time have a healthy environment that we can all live in and be proud of.

The last speaker was **Mark Schnobrich, Area 6 SWCD President**. He pointed out that SWCD's are the front-line implementers of conservation throughout Minnesota. He identified that water storage is a top priority of Area 6 and as well as at the state level and especially in the greater Minnesota River Watershed. He said that SWCD's work directly with landowners on a number of practices that benefit water quality that also address water quantity issues such as wetland creation and enhancement of existing ones. They also have soil health identified as a priority and can get landowners assistance to implement practices that ultimately lead to better soils. He stated that SWCD's need to start with smaller projects and work their way up to the bigger ones. The one watershed one plan is a good starting point he said. Some plans have been approved and are in the implementation process. Mark stated that finding willing landowners to participate will be a challenge, but one that they are able to meet. SWCD's are also working with private business to spread the word on practices and available funding assistance for landowners. Mark cited a 1943 Soil Conservation Service

publication that emphasized how important it was to work on the watershed scale and not just on single farms. It stated that if everyone adopted a practice in the entire watershed goals could be easily met compared to if only some participated. He stated that SWCD's are communicating about water storage among each other and highlighting success stories. He also said that upcoming meetings planned have water storage as the primary topic of information sharing.



# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, August 17, 2022

### **Agenda Item**

**Item 4. G. - Grant Agreement Terms & Conditions for Monitoring Ike's Creek between Minnesota Valley Refuge Friends and the LMRWD**

### **Prepared By**

Linda Loomis, Administrator

### **Summary**

The LMRWD and the US Fish and Wildlife Service (USFWS) wished to establish a baseline for chloride pollution in Ike's Creek located within the MN Valley Wildlife Refuge. The Metropolitan Council Environmental Services (MCES) was contacted to conduct monitoring and a monitoring program was established, with an agreement between MCES and the LMRWD. USFWS wished to assist financially and contacted it's Friend of the Refuge. Minnesota Valley Refuge Friends (Friends) received a grant from Cargill and wished to use the grant to fund the monitoring. The attached agreement between the Friends and the LMRWD acknowledges the arrangement whereby, MCES will invoice the LMRWD for monitoring services and the LMRWD will invoice the Friends. The LMRWD is responsible for payment to MCES, and the Friends reimburses the LMRWD.

This agreement replaces an agreement which expired on December 31, 2021.

### **Attachments**

Grant Agreement Terms & Conditions for Monitoring Ike's Creek between Minnesota Valley Refuge Friends and the LMRWD

Intergovernmental Agreement Between the Metropolitan Council and the Lower Minnesota River Watershed District Amendment Number One to Contract for Services (Metropolitan Council Contract No. 20R030)

### **Recommended Action**

Motion to approve Grant Agreement Terms & Conditions for Monitoring Ike's Creek between Minnesota Valley Refuge Friends and the LMRWD and authorize execution



## **GRANT AGREEMENT TERMS & CONDITIONS FOR MONITORING IKE'S CREEK**

This agreement, made and entered into this 01 day of August 2022, 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 Minnesota Valley Refuge Friends, a 501(c)(3) nonprofit corporation, organized under Minnesota statutes Ch. 317A, hereinafter referred to as the "Friends."

**1. Purpose.** The Friends and the LMRWD desire to undertake regular professional water chemistry monitoring program to characterize chloride pollution in Ike's Creek, including sample collection, laboratory analysis and data review and validation. The Metropolitan Council has agreed to provide monitoring program services as described in an Intergovernmental Agreement between the Metropolitan Council and the LMRWD (Attachment 1). This grant ("Agreement") provides financial support for these program services as described below (hereinafter "Program").

**2. Total Award.** The total amount of grant funds awarded is \$16,465.00

**3. Term.** The period of performance is from January 19, 2021 through July 31, 2023, unless terminated earlier.

### **4. Workplan.**

a. The Program as described in the Intergovernmental Agreement Between the Metropolitan Council and the LMRWD (Attachment 1) and as it relates to this Agreement consists of collecting water samples and analyzing samples for chloride, temperature, specific conductance, calcium, magnesium, hardness, sulfate and alkalinity in Ike's Creek; and,

b. The Program will be completed by the Metropolitan Council; and

c. The LMRWD will comply with all of the terms and conditions of the Intergovernmental Agreement Between the Metropolitan Council and the LMRWD (Attachment 1).

**5. Payment & Use of Funds.** The Friends shall reimburse the LMRWD actual allowed costs related to the Program, not to exceed \$16,465.00. Reimbursements shall be made within thirty (30) days after receipt of invoices documenting incurred expenses. Grant funds will be used exclusively to support the project as described in the approved Workplan.

## **6. Liability & Indemnification.**

a. 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 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.

b. 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 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 section 466.04. It is further understood and agreed that the Parties' total liability shall be limited by Minnesota Statutes Chapter 471.59, Subdivision 1a, as a single governmental unit.

**7. No Agency.** 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.

**8. Civil Rights & Discrimination.** The provisions of Minnesota Statute Chapter 181.59 and of any applicable local ordinance relating to Civil Rights and discrimination shall be considered a part of this Agreement as though fully set forth herein, including Exhibit B, which is attached and hereby incorporated.

**9. Records Retention.** 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.

**10. Choice of Law, Jurisdiction & Venue.** 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.

**11. Severability.** 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.

**12. Notices.** 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:

Lower Minnesota River Watershed District Linda Loomis, Administrator, their successors or assigns 112 East Fifth Street, Suite #102 Chaska, MN 55318

To the Friends: Minnesota Valley Refuge Friends, Alison Schaub, Executive Director, their successors or assigns 3815 American Boulevard East Bloomington, MN 55425

**13. No Pledge.** This Agreement does not create any pledge or any commitment by the Friends to make any other grants or additional grants or contributions to LMRWD or to any other person or entity for this or any other project.

**14. Publicity & Acknowledgments.** LMRWD will notify Friends of any publications or other media coverage resulting from the grant at least 5 days in advance of distribution or publication. LMRWD agrees to acknowledge Friends' support in the publication (including film and electronic publications) referring to or resulting from this grant, as follows: "Supported (in part] by a grant from Minnesota Valley Refuge Friends," LMRWD also agrees that the Friends may include information about LMRWD and these activities in reports and may distribute information to others.

**15. Entirety & Amendment.** This document contains the complete agreement between the parties and supersedes any prior oral or written agreements or warranties between the Parties. No other agreement, amendment, representation or understanding will be binding on the parties unless made in writing by mutual consent of both parties.

**16. Assignability.** This Agreement may not be assigned without the express written consent of the Friends. If the Agreement is assigned, all provisions of the Agreement will be binding on the successors or assigns.

**17. Termination.** Either party may terminate this agreement with 60 days written notice. If this Agreement is terminated then Friends agrees to reimburse LMRWD for any allowable, eligible expenses incurred through the date of termination.

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 Watershed District	Minnesota Valley Refuge Friends
President:	President:
Date:	Date:

Approved as to form and execution:	Executive Director:
District Counsel:	Date:



**METROPOLITAN COUNCIL**  
**390 North Robert Street, St. Paul, MN 55101-1805**  
**(651) 602-1000**

**AMENDMENT NUMBER ONE**  
to  
**CONTRACT FOR SERVICES**  
**Metropolitan Council Contract No. 20R030**

**Lower Minnesota Watershed District (“DISTRICT”)** and the **Metropolitan Council (“COUNCIL”)** agree that the contract referenced above, with a commencement date of January 19, 2021 and entered into on March 19, 2021, relating to water chemistry monitoring in the contract titled Intergovernmental Agreement Between The Metropolitan Council and The Lower Minnesota Watershed District is amended in the following particulars:

**1. Section II, Subsection 2.01 Monitoring Program**

Delete and replace subpoint “c” with the following:

c. **Monitoring Program Plan**

The Council will collect approximately 96 samples between the commencement of this agreement through July 31, 2023, including bi-weekly routine grab samples and thaw/event samples (samples collected after two days with daily temperatures above 32 degrees Fahrenheit) as conditions permit. The parties understand that the actual number of thaw/event samples is contingent on weather.

The Council will analyze samples for temperature and specific conductance in situ and chloride, calcium, magnesium, hardness, sulfate and alkalinity in the laboratory.

The Council will review and validate the data, publish the data on Environmental Information Management System (EIMS) website and provide a spreadsheet of final data to the District.

**2. Section II, Subsection 2.01 Monitoring Program**

Delete and replace subpoint “d” with the following:

d. **Program Costs**

i. **Labor.** Council Water Resources staff labor will be billed at Council's cost for the services in this Section II with a not to exceed amount of \$11,185.00 for sample collection and delivery and not to exceed \$1,200.00 for data review and validation.

ii. **Samples.** All samples will be analyzed by Council Laboratory Services for \$55.00 per sample.

<b>Analyte</b>	<b>Analysis Code</b>	<b>Cost per Analysis</b>
Chloride	CL-AV	<b>\$15.75</b>
Ca, Mg, Hardness	HARD-OESV	<b>\$12.00</b>
Sulfate	SO4-ICV	<b>\$13.50</b>
Alkalinity	ALK-AV	<b>\$13.50</b>

Total program costs will not exceed \$16,465.00 for labor and sample analysis for services expressly stated this Section II. The parties by written amendment, signed by authorized representatives, may amend this agreement to add or change services.

**3. Section II, Subsection 2.03 Council Responsibilities**

Delete and replace subpoint "d" with the following:

- d. collect final sample on or about 04/30/2023, and

**4. Section II, Subsection 2.03 Council Responsibilities**

Delete and replace subpoint "e" with the following:

- e. provide reviewed and validated data on or about 07/21/2023.

**5. Section IV, Subsection 4.01 Period of Performance**

Delete and replace Subsection 4.01 with the following:

**4.01 Period of Performance.** The services of the Council will commence on 01/19/2021, and will terminate on 07/31/2023, or following work completion and payment, whichever occurs first.

**6. Attachment**

**After Attachment U.S. Fish and Wildlife Service Permit #: 32590-21-01, ADD the following:**


"Attachment: U.S. Fish and Wildlife Service Permit #: 32590-21-01 expires December 30, 2021. A new permit for post December 30, 2021 access ("New Permit") is anticipated to be issued by the U.S. Fish and Wildlife Service in December 2021. Once issued, New Permit is hereby incorporated by reference and made a part of this Agreement. The parties understand and agree that New Permit is required for performance of part or all of the services.

Except as amended hereby, the provisions of the above-referenced contract shall remain in force and effect without change.

**IN WITNESS WHEREOF**, the parties have caused this amendment to be executed by their duly authorized officers on the dates set forth below.

**LOWER MINNESOTA WATERSHED DISTRICT**

**METROPOLITAN COUNCIL**

By:   
Signer

By: *Sam Paske*  
Sam Paske (Dec 7, 2021 10:39 CST)  
Signer

Jesse J. Hartmann  
(Please print name legibly)

Sam Paske  
(Please print name legibly)

Its: President

Its: Assistant General Manager, Env Services

Date: October 20, 2021

Date: Dec 7, 2021



**METROPOLITAN COUNCIL**  
**390 North Robert Street, St. Paul, MN 55101-1805**  
**(651) 602-1000**

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to  
**CONTRACT FOR SERVICES**  
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**LOWER MINNESOTA WATERSHED DISTRICT**

**METROPOLITAN COUNCIL**

By:

  
\_\_\_\_\_  
Signer

By:

Sam Paske  
Sam Paske (Dec 7, 2021 10:39 CST)  
\_\_\_\_\_  
Signer

Jesse J. Hartmann  
\_\_\_\_\_  
(Please print name legibly)

Sam Paske  
\_\_\_\_\_  
(Please print name legibly)

Its:

\_\_\_\_\_  
President

Its:

\_\_\_\_\_  
Assistant General Manager, Env Services

Date:

\_\_\_\_\_  
October 20, 2021

Date:

\_\_\_\_\_  
Dec 7, 2021



# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting  
Wednesday, August 17, 2022

### Agenda Item

#### Item 4. H. – Approve Cost Share Application for 11533 Palmer Circle, Bloomington

#### Prepared By

Linda Loomis, Administrator

#### Summary

The LMRWD received a Cost Share application from a Bloomington resident living at 11522 Palmer Circle. On August 3, 2022, I visited the site. The resident purchased a foreclosed home, which had been declared uninhabitable by the City of Bloomington. A map from Hennepin County GIS is attached showing 2-foot contours of the property. The map shows the very steep backyard, which is within the steep slope overlay zone.

The applicant has retained the services of a landscape designer to help with the project. The homeowner plans to have a second project to remove buckthorn and revegetate the slope with natives. There is a electric power line down the west property line and across the backyard. Xcel Energy is planning to trim trees along the power lines, so the Applicant would like to see what Excel does, before planning the project on the slope.

This year the Applicant would like to redirect downspouts to the front yard and to the street. (There are no storm drains in the street). She is planning to remove turf grass and plant natives that will attract pollinators. The downspout on the northwest corner of the house collects rainwater from a significant portion of the house. I did not take pictures while I was at the house, but I will see that we get pictures before any work has begun.

The Applicant's parents live downhill from her and may decide to become part of the backyard project. The backyard drains to a row of homes, across Palmer Road and into Coleman Lake.

#### Attachments

2022 Cost Share Application from 11533 Palmer Circle, Bloomington

Hennepin Property Information Map showing 2-foot contours

2022 Cost Share Grant Agreement between LMRWD and Margaret Thomsen

#### Recommended Action

Motion to approve grant application for 50% of the cost of the project up to \$2,500 and authorize execution of a Cost Share Grant Agreement.



LOWER MINNESOTA RIVER  
WATERSHED DISTRICT

# Cost Share Grant Application 2022

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

**Project type (check all that apply)**  Raingarden  Vegetated Swale  Infiltration Basin  
 Wetland restoration  Buffer/shoreline restoration  Conservation practice  Habitat restoration  
 Pervious hard surface  Other Grading to capture/direct water to raingard  
from impervious surface

### Applicant Information

Name of organization or individual applying for grant (to be named as grantee):

Margaret Thomsen (Peggy)

Address (street, city and ZIP code):

11533 Palmer Circle, Bloomington, MN 55437

Phone: 651-333-0160 Email address: peggythomsen@hotmail.com

### Primary Contact (if different from above)

Name of organization or individual applying for grant (to be named as grantee):

Address (street, city and ZIP code): Same as above

Phone: \_\_\_\_\_ Email address: \_\_\_\_\_

### Project location

Address (street, city and ZIP code):

11533 Palmer Circle

Property Identification Number (PID)

3002724310057

Property owners:

JR Graves & M A Thomsen

### Project Summary

Title Palmer Circle Watershed Awareness

Total project cost \$10,000 approx. Grant amount requested \$2,500.00

Estimated start date Sept 1, 2022 Estimated completion date June 30, 2023\*

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

project requires fall seeding.  
\* depending on plant availability  
should be okay!! 😊

Is this work required as part of a permit?  No  Yes  
(If yes; describe how the project provides water quality treatment beyond permit requirement on a separate page.)

### Project Details

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

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> location map (A)                 | <input checked="" type="checkbox"/> project timeline (D)  |
| <input checked="" type="checkbox"/> site plan & design schematic (B) | <input checked="" type="checkbox"/> proof of property ownership (E)                             |
| <input checked="" type="checkbox"/> contracted items (C)             | <input checked="" type="checkbox"/> plant list & planting plan (if project includes plants) (F) |

**Project description** Describe the project, current site conditions, as well as site history, and past management. Note any potential impacts to neighboring properties.

We are new owners of this property as of January 2021. In 1960 a home was built on this lot tucked into the river bluff as part of the Southwood Terrace 6th Addition. Owner of the property from the mid-1980s through 2020 made "improvement" which included the addition of fill and created increased runoff and to the south (towards Coleman Lake) and accelerated erosion. Evidence of erosion includes retaining walls failing and fencing that is partially buried along the southern portion of the property. Significant neglect was evident including unchecked growth of invasive plants: buckthorn, garlic mustard, Japanese Knotweed and possibly others yet to be identified.

Erosion has created problems for the property owner directly to the south. Unchecked invasive species are found on adjacent properties.

What are the project objectives and expected outcomes? Give any additional project details.  
Project goal is to protect the bluff, reduce runoff and erosion, and to be a source of inspiration to area property owners who are also stewards of this bluff area and the watershed district.

- Reduce runoff
- Restore native plants
- Eliminate invasive plants
- Soil stabilization
- Restore habitat for area wildlife (birds, insects, etc.)

For greater detail refer to attached (I).

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

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

How does the project support the goals you checked?

- grading to reduce runoff
- rain gardens

Refer to attached (G) project details.

I

## Project Details

The "Palmer Circle Watershed Awareness" project will be implemented to capture and filter runoff and will bring awareness of the vulnerability of our watershed resources to the neighbors and homeowners of the south-most area of Bloomington who own property directly and indirectly draining into the Minnesota River. The project will employ grading and planting solutions that protect watershed resources by water capture and filtration. The project will be attractive and well-maintained to capture attention and educate in hopes that neighbors in this bluff area will consider making improvements on their properties to protect our water resources.

### Property Overview & Past Management

We purchased this condemned property in January 2020. This property has compacted lawn. There is evidence of erosion and runoff. In 2021 we installed a rain garden in the backyard area within 40 feet or so at the rear of the house. This significantly reduced runoff to the steepest area of the south slope. This 2021 project was completed at 100% homeowner expense with reclaimed materials and with homeowner labor.

Runoff from 11533 Palmer Circle spills into Palmer Circle and runs west to Palmer Road where the street slopes to the south. The water enters storm drains at the lower section of Palmer Road. When there is increased rainfall the runoff crosses Palmer Road where Palmer Road turns to the left at the bottom of the hill. All of these storm drains deliver runoff directly into the swamp area leading straight to Coleman Lake and ultimately to the Minnesota River. Sadly, the grade of Palmer Road is so steep that street maintenance crews use a significant amount of road salt or other treatments that are ultimately washed into the river by runoff each spring thaw. Water also sheds from the west onto neighboring properties and ultimately follows downhill to the same storm drains.

Front Yard (North) - *the focus of this grant application.*

East Side Yard - *2021 removed buckthorn, regraded to capture rainwater and installed native plants including bee lawn. Work completed by us with no grant funding.*

West Side Yard - *Presently has erosion problems caused by downspout from the roof sending water to the side and south towards the bluff line. This proposed plan redirects runoff away from the bluff to be filtered and absorbed by the front yard water management features.*

Back Yard (South) - *This portion of the property is the more complex area including steep grade, significant erosion concerns, unstable soil, drainage towards Coleman Lake and Minnesota River, invasive species, power lines that are overgrown (Xcel Energy has scheduled line maintenance along the south line of our property for August 2022). Back yard will be the focus of restoration in 2023 after we have learned from this Phase 1 project in 2022.*

### Justification for Completion of Front Yard First

We will complete front yard restoration and water management next because:

- it is important to capture sediment and reduce runoff that drains to Coleman Lake and the MN River,
- improvements will reduce runoff that contributes to accelerated runoff and erosion,
- learning from the front yard phase will be an educational step to help as we plan for the more complex problems on the steep slope to the south,
- South slope will be restored *after* Xcel has completed maintenance that will disrupt soil and plant material on the steep slope,
- the front yard water management plan is more visible and educational for the neighborhood, and
- because my husband needs to see improvements in the front yard soon or he will buckle and simply install sod without regard for water protection. (Insert sad face!)

G

## Project Details

### When the Palmer Circle Watershed Awareness Project is Complete

- A dry creek bed will carry roof/gutter runoff into a rain garden redirecting water that presently runs south and over the bluff.
- Front yard will be regraded to absorb and filter driveway runoff into the yard and a second rain garden instead of allowing driveway runoff to spill into the street
- Native plants will improve soil quality to increase absorption rather shedding water into the storm drains.
- No yard chemicals will be used that would be carried towards Coleman Lake and the Minnesota River.
- Runoff that currently sheds into neighboring properties to the west will be captured and directed to dry creek bed and rain garden.
- Native plants will require significantly less water than the present turf grass.
- Neighbors will be attracted by the innovative landscaping installation and potentially be inspired to learn how to install water-protective features on their property.
- Native plants will improve the eco-system for beneficial pollinators and wild life.

H

### Current Runoff - Homeowner Calculations

<u>Impervious Surfaces</u>	<u>Square Feet</u>	<u>Gallons/Year</u>
North-facing Roof	700	13,090
Driveway	1165	21,785
Garage	682	12,753
Front Steps and Sidewalk	120	2,244
Compacted Lawn	2992	41,403

**TOTAL estimated runoff/year in gallons** **91,275**

The calculation above is only for the front yard and west side yard that are the target of this grant application for 2022.

Formulas used are based on Dakota County Landscaping for Clean Water Intro Course. Assumptions are 30" annual precipitation, 100% runoff for impervious surfaces, 74% runoff rate for compacted lawn

1000 square feet x 30/12 feet rain/year = 2500 cubic feet of water  
 2500 cubic feet x 7.48 gallons per cubic foot = 18,700 gallons/year

Example - According to this formula:

- each 1000 square feet of impervious surface results in 18,700 gallons of runoff per year.
- each 1000 square feet of compacted lawn results in 13,838 gallons of runoff per year.

D

### Project TimeLine

As soon as we have a signed grant agreement work will begin in the following order:

- Remove turf lawn and weeds
- Grading yard for rain gardens, capture of driveway runoff, and dry creek bed
- Install mulch path and edging
- Seed cover crop to hold soil
- power rake and sow native seed mixes after cover crop is mowed
- Source and pick up plant material from nurseries
- Install plants, mulch and temporary protective fencing
- plan for and produce materials for QR code, social media education, and 2023 National Night Out
- Expected completion by June 30, 2023 . . . although maintenance will continue and we will need to be patient to give plants time to become established.

C 1 of 2

### Labor Costs

Service provider	Task	# hours	Rate/hour	Requested funds from LMRWD	Matching /in kind funds	Total cost
Homeowner	Install mulch path	8	\$18.00		\$144.00	\$144.00
Homeowner	Remove existing juniper					
Organic Bob	Grade garden to direct runoff from driveway and roof to raingardens, dig raingarden and dry creek, install dry creek					\$3,200.00
Organic Bob	Sow cover crop, after it grows and is mowed, power rake and sow native seed mixes					\$300.00
Organic Bob	Power rake and dormant sow prairie grass after cover crop is mowed					\$500.00
Organic Bob	Install stone edging					\$400.00
Homeowner	Source and pick up plants from nurseries	4	\$18.00		\$72.00	\$72.00
Homeowner	Shop for oak trees and plant oak trees	2	\$18.00		\$36.00	\$36.00
Homeowner	Mow cover crop very short when it's a few inches tall	1	\$18.00		\$18.00	\$18.00
Homeowner	Install plants, mulch, fence	30	\$18.00		\$540.00	\$540.00
Homeowner	Spray Liquid Fence on Forbs 3x, 1 week apart	1.5	\$18.00		\$27.00	\$27.00
Pasque Ecological Design	Design front yard, cost estimate	16	\$90.00		\$1,440.00	\$1,440.00
Pasque Ecological Design	Lay out plants, spray paint location of raingarden, assist with sourcing plants and materials	4	\$90.00		\$360.00	\$360.00
<b>Total</b>				<b>\$0.00</b>	<b>\$2,637.00</b>	<b>\$7,037.00</b>

*already completed.*

### Material Costs

Project Materials	Unit cost	Units	Total # units	Requested Funds	Matching Funds	Total cost
Mycorrhizae and compost tea application		125	1	\$125.00		\$125.00
<del>hoses and sprinkler</del>		<del>50</del>	<del>4</del>	<del>\$200.00</del>		<del>\$200.00</del>

① 2 of 2

Plugs	2	each	986	\$1,972.00		\$1,972.00
4" native plants	5	each	30	\$150.00		\$150.00
2 GAL Oak Tree	30	each	1	\$100.00		\$100.00
Serviceberry Shrubs	25	each	3	\$75.00		\$75.00
Serviceberry Tree	25	each	1	\$25.00		\$25.00
Chokeberry Shrubs		each	3	\$0.00		\$0.00
Black Currant shrubs	20	each	3	\$60.00		\$60.00
Stone edging	16	lf	50	\$800.00		\$800.00
Dry Creek materials and bridge stone	1	lump sum	50	\$50.00		\$50.00
2" Cedar mulch for plug groups and oak tree, 4" mulch for path	65	cy	7	\$455.00		\$455.00
Cover crop seed plus shipping cost		sf		\$25.00		\$25.00
MNL shortgrass prairie seed		sf	1000	\$60.00		\$60.00
Blue gramma/buffalo grass seed plus shipping cost		sf	325	\$75.00		\$75.00
Mulch delivery	150		1	\$150.00		\$150.00
Temporary Plant Protection Fence around serviceberries and oak trees	100	per 50 lf	1.5	\$100.00		\$100.00
Temporary Plant Protection Fence Stakes	6	each	20	\$120.00		\$120.00
Herbicide for lawn	125	lump sum	1	\$125.00		\$125.00
Plant identification signs	40	each	3	\$30.00		\$30.00
Brochure box and pole	50		1	\$50.00		\$50.00
<b>Total</b>				<b>\$4,747.00</b>	<b>\$0.00</b>	<b>\$4,747.00</b>

TOTAL

~~\$4,747.00~~ \$2,637.00

~~\$11,784.00~~

\$4,467.00

\$11,504.00



Prepared for:

**Peggy Thomsen and John Graves**

11533 Palmer Circle, Bloomington, MN 55437  
Bloomington, MN 55437

Prepared by:

**Pasque Ecological Design**

office: 612.868.8033

# PLANT LIST

8/6/2022

Code	Scientific Name	Common Name	Blooming Months	Blossom Color	Maximum Ht/Size	Notes	Spacing	Quantity	Recommended Min. Size to buy
Ar	<i>Amelanchier alnifolia</i> 'Regent'	Regent Serviceberry			4-6'	Fragrant flowers, orange red fall color, very high wildlife value; edible fruit. These taste AMAZING straight off the shrub! They lose a lot of flavor after they have been in the fridge.	4'	3	GAL
Arl	<i>Amelanchier laevis</i>	Allegheny Serviceberry	spring	wht	20 x20'	Fragrant flowers, orange red fall color, very high wildlife value; edible fruit, these taste AMAZING straight off the tree! They lose a lot of flavor after they have been in the fridge.	NA	1	GAL
At	<i>Anemone patens</i>	Pasque Flower	AM	pur	0.5'		NA	6	Plugs
An	<i>Antennaria neglecta</i>	Pussytoes	AMJ----	wht	0.5'	Larvae host for the American Painted Lady	12"	20	Plugs
Am	<i>Aronia melanocarpa</i>	Black Chokeberry	-MJ---	wht	4-6'	This would be a good spot for them if you still have 1 or more from the plant sale; or you can plant other fruit bearing shrubs here (eg other currants or honeyberries); supports Pollinators, Birds, Edible. Bitter, but can be eaten raw. Good for preserves and pies. High antioxidants - even higher than elderberry.	4'	3	GAL or bare root
Ab	<i>Asclepias tuberosa</i>	Butterfly Weed	--JJA--	org	2-3'	Butterfly magnet	12"	6	Plugs
Ao	<i>Aster oblongifolius</i>	Aromatic Aster	----ASO	vit	2'	Attractive to pollinators	12"	18	Plugs
Acr	<i>Astragalus crassicaarpus</i>	Ground Plum	-MJ----	pur	1'		12"	3	Plugs
Ba	<i>Baptisia australis or alba</i>	Wild Blue or White Indigo	-MJJ--	blu	2-4'		NA	3	GAL or 4"
Bg	<i>Bouteloua gracilis</i>	Blue Grama			0.5-1'	This could be seed instead	12"	127	Plugs and seed
Bd	<i>Buchloe dactyloides</i>	Buffalo Grass			3"-8"		NA		seed
Dm	<i>Dodecatheon meadia</i>	Midland Shooting Star	AMJ----	wh/la	1'		NA	10	Plugs
Ei	<i>Echinacea angustifolia</i>	Narrow Purple Coneflower	--JJ--	pnk	3-5'	*threatened Ottoe Skipper's life cycle depends greatly on this plant	12"	18	Plugs
Ey	<i>Eryngium yuccifolium</i>	Rattle Snake Master	---JAS-	wht	3'	Pollinators, Butterflies, Dee: Resistant, Host Plant	NA	7	Plugs
Gt	<i>Geum triflorum</i>	Prairie Smoke	AMJ----	red	0.5'		8"	24	Plugs
Jt	<i>Juncus tenuis</i>	Path Rush			0.5-1'		12"	84	Plugs
La	<i>Liatris aspera</i>	Rough Blazingstar	---JASO	pur	2-3'		12"	18	Plugs
Lr	<i>Lupinus perennis</i>	Wild Lupine	-MJJ--	blu	2'	Host plant for endangered Karner Blue Butterfly	12"	15	Plugs
Pp	<i>Phlox pilosa</i>	Prairie Phlox	-MJJ--	pnk	0.5-1.5'		12"	15	Plugs
Qm	<i>Quercus macrocarpa</i>	Bur Oak			75-100 x60-100'	very majestic tree form, very high wildlife value	NA	1	GAL
Ri	<i>Ribes species</i>	Currant			4-6'x3-4'	<i>Ribes americanum</i> is native in MN, some equally tasty cultivars include 'Gloire de Sablons' and 'Crandall's Clove currants	3'	3	GAL or bare root
Sa	<i>Sisyrinchium angustifolium</i>	Stout Blue Eyed Grass	MJ	blue	1'		12"	36	Plugs
Sz	<i>Solidago nemoralis</i>	Gray Goldenrod	----ASO	yel	0.5-2'		12"	9	Plugs
Sh	<i>Sporobolus heterolepis</i>	Prairie Dropseed			2-4'		24"	30	GAL or 4"
Vpe	<i>Viola pedata</i>	Bird's Foot Violet	AMJAS-	vit	0.5		NA	8	Plugs

F 2 of 2

Prepared for:

**Peggy Thomsen and John Graves**

11533 Palmer Circle, Bloomington, MN 55437  
Bloomington, MN 55437

Prepared by:

**Pasque Ecological Design**

office: 612.868.8033

## PLANT LIST

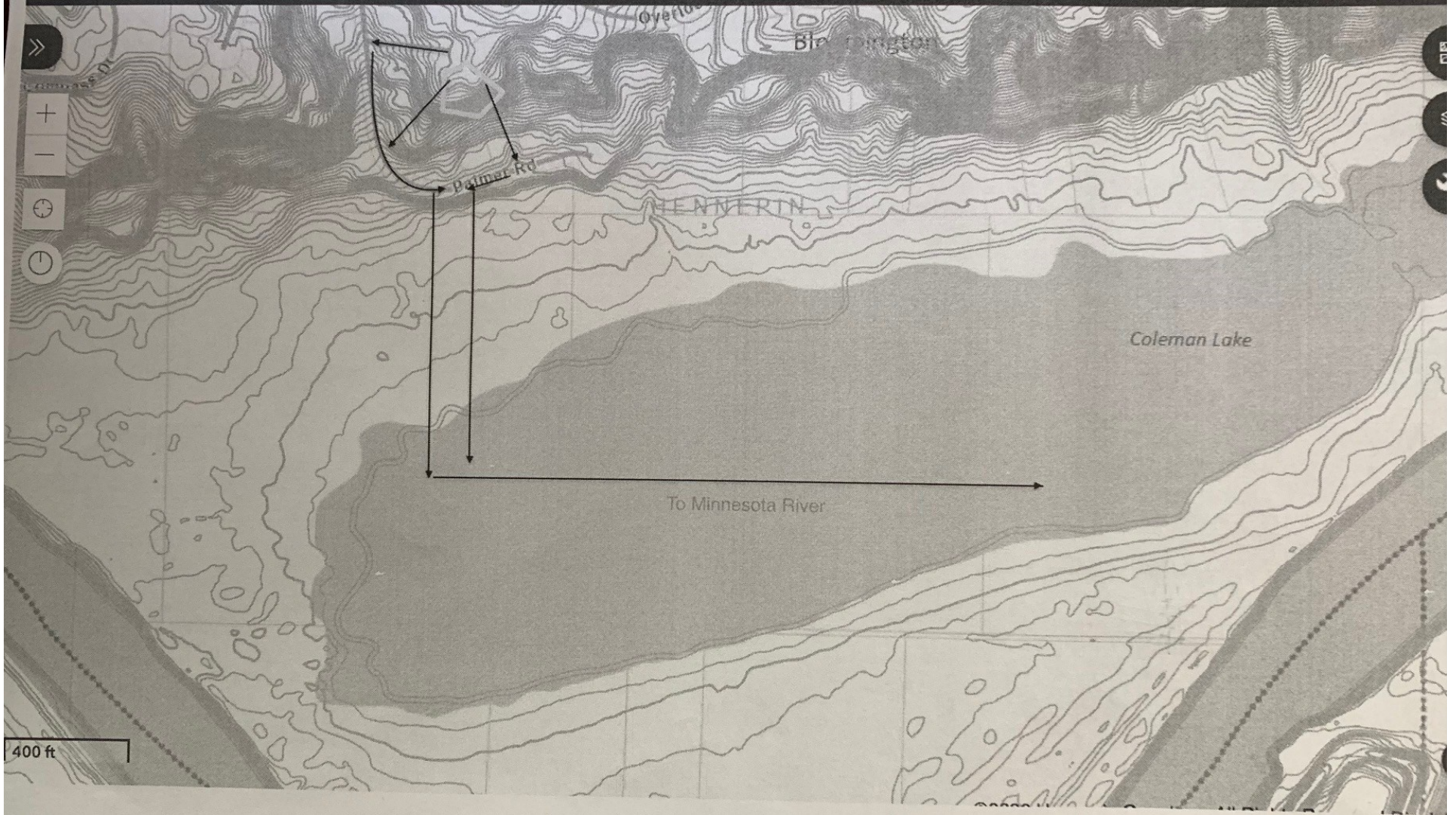
8/6/2022

Code	Scientific Name	Common Name	Blooming Months	Blossom Color	Maximum H/Size	Notes	Spacing	Quantity	Recommended Min. Size to buy
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### Plant Group A

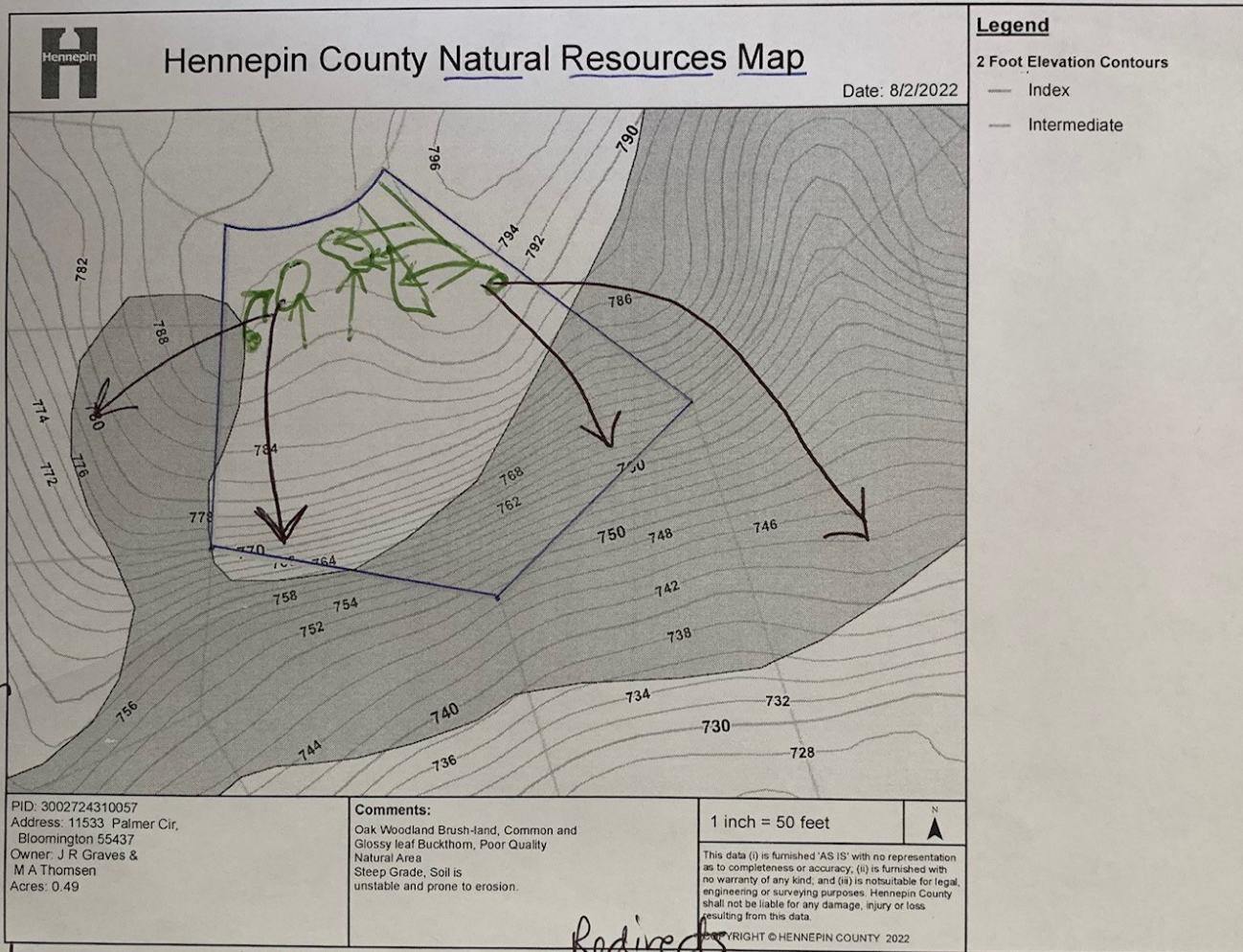
Code	Scientific Name	Common Name	Blooming Months	Blossom Color	Maximum H/Size	Notes	Percent	Spacing	Quantity	Recommended Min. Size to buy
Ad	<i>Aquilegia canadensis</i>	Columbine	AMJ---	rd/or	1-3'	early nectar source; attracts bees, butterflies, and hummingbirds	5%	12"	28	Plugs
Ay	<i>Aster macrophyllus</i>	Big-Leaved Aster	---ASO	wht	3'		5%	12"	28	Plugs
Cp	<i>Carex pensylvanica</i>	Pennsylvania Sedge			0.5-1'	Tolerates foot traffic; semi-evergreen	75%	12"	417	Plugs
Fv	<i>Fragaria virginiana</i>	Wild Strawberry	AMJ---	wht	0.5'	Spreads by runners and can quickly colonize an area	3%	12"	17	Plugs
Gm	<i>Geranium maculatum</i>	Wild Geranium	AMJJ---	lav	2-3'	beautiful fall color	7%	12"	39	Plugs
Sf	<i>Solidago flexicaulis</i>	Zig Zag Goldenrod	---ASO	yel	1-3'		5%	12"	28	Plugs
<b>Total</b>									<b>556</b>	

A 1 of 3



(A) 2 of 3

with contours that show grading



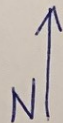
□ New flow

□ OLD flow from front

Redirects

\* Landscape plans captures water and filters through front yard and dry creek bed and rain gardens.

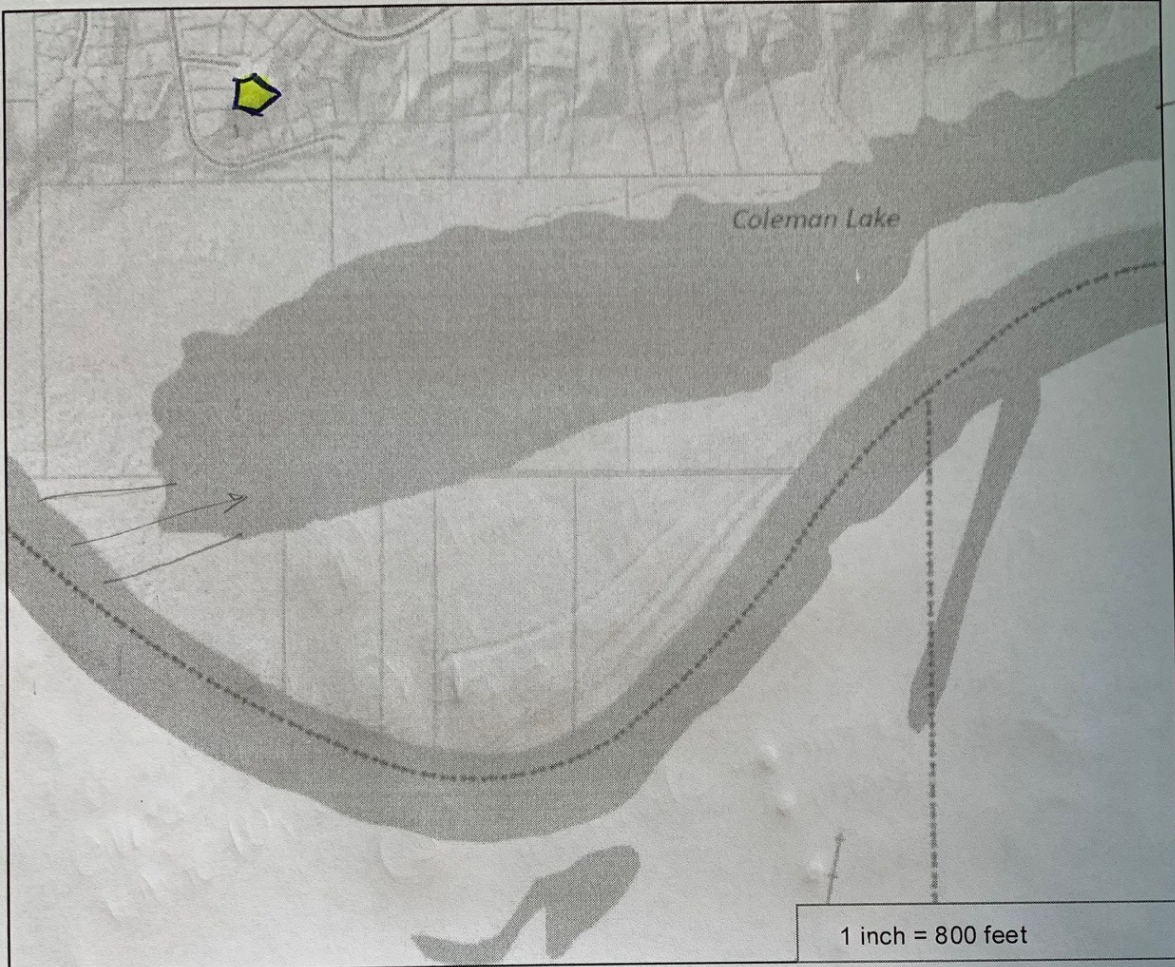
A 3 of 3





# Hennepin County Property Map

Date: 8/5/2022



PARCEL ID: 3002724310057

OWNER NAME: J R Graves & M A Thomsen

PARCEL ADDRESS: 11533 Palmer Cir, Bloomington MN 55437

PARCEL AREA: 0.49 acres, 21,548 sq ft

A-T-B: Torrens

SALE PRICE: \$263,500

SALE DATA: 01/2021

SALE CODE: Excluded From Ratio Studies

ASSESSED 2021, PAYABLE 2022  
PROPERTY TYPE: Residential  
HOMESTEAD: Homestead  
MARKET VALUE: \$339,000  
TAX TOTAL: \$4,267.24

ASSESSED 2022, PAYABLE 2023  
PROPERTY TYPE: Residential  
HOMESTEAD: Homestead  
MARKET VALUE: \$393,700

### Comments:

Location is on river bluffs above Coleman Lake. All runoff drains to the Minnesota River.

This data (i) is furnished 'AS IS' with no representation as to completeness or accuracy; (ii) is furnished with no warranty of any kind; and (iii) is not suitable for legal, engineering or surveying purposes. Hennepin County shall not be liable for any damage, injury or loss resulting from this data.

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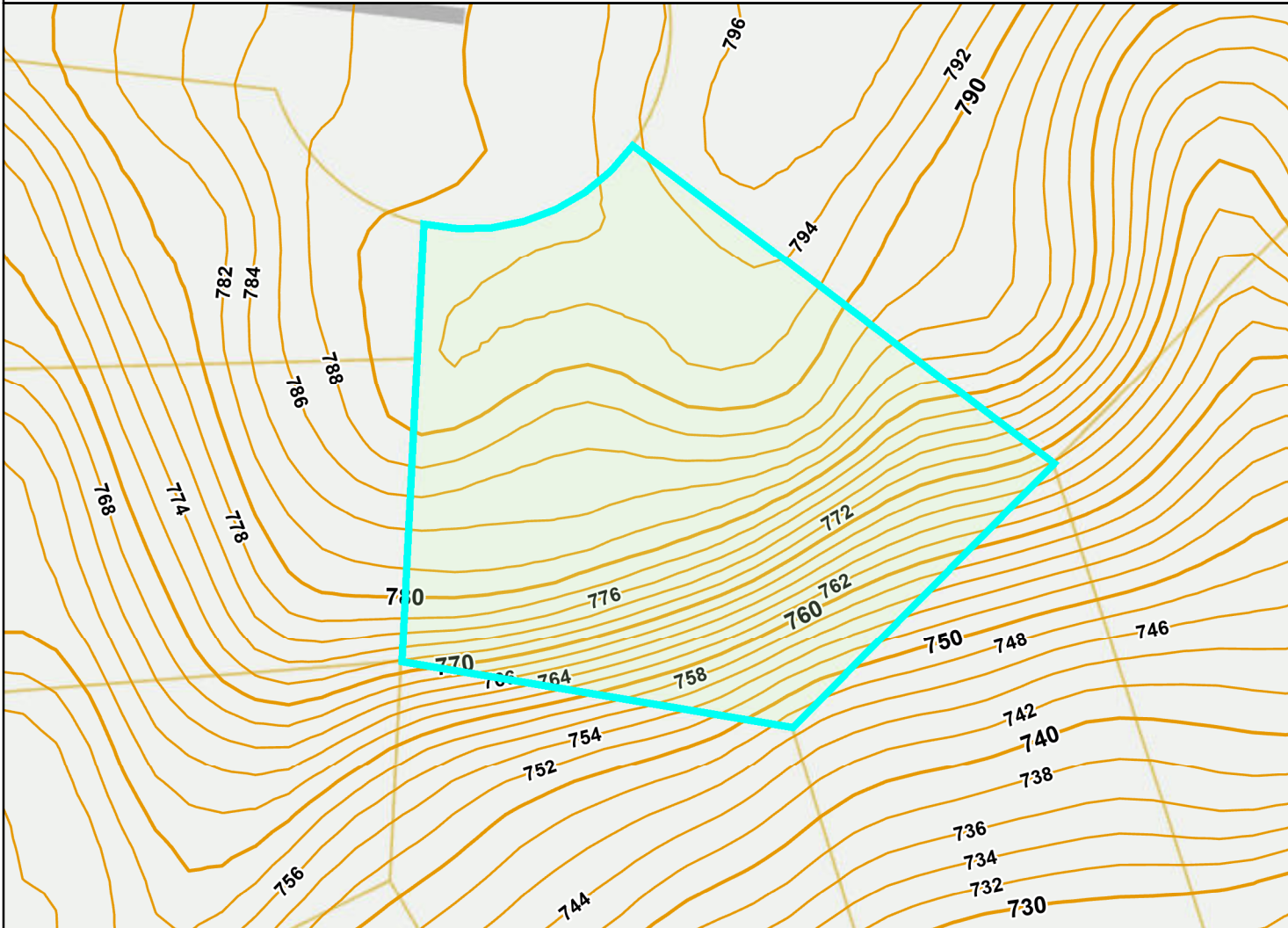
# Hennepin County Natural Resources Map

Date: 8/11/2022

## Legend

### 2 Foot Elevation Contours

- Index
- Intermediate



PID: 3002724310057  
Address: 11533 Palmer Cir,  
Bloomington 55437  
Owner: J R Graves &  
M A Thomsen  
Acres: 0.49

Comments:

1 inch = 50 feet



This data (i) is furnished 'AS IS' with no representation as to completeness or accuracy; (ii) is furnished with no warranty of any kind; and (iii) is not suitable for legal, engineering or surveying purposes. Hennepin County shall not be liable for any damage, injury or loss resulting from this data.

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LOWER MINNESOTA RIVER WATERSHED DISTRICT  
2022 COST SHARE INCENTIVE AND WATER QUALITY RESTORATION PROGRAM  
Cost Share Grant Agreement

The parties to this Agreement, made this 17th day of August 2022, are the Lower Minnesota River Watershed District, a Minnesota Watershed District ("LMRWD") a public body with purposes and powers set forth in Minnesota Statutes Chapters 103B and 103D and Margaret Thomsen ("APPLICANT"). The purpose of this Agreement is to provide for the installation and maintenance of a project designed to protect and improve natural resources within the District. by managing storm water and said project to be located at: 11533 Palmer Circle, Bloomington, MN 55437.

1. Scope of Work. APPLICANT will install the Project in accordance with the Application submitted to the LMRWD, attached as Exhibit A. A final report must be presented to the LMRWD at the time a request is made for reimbursement of expenses as specified in Section 2 of this Agreement.
2. Reimbursement. When the installation of the project is complete in accordance with Exhibit A, the LMRWD, on receipt of adequate documentation, will reimburse the APPLICANT up to 50% of the APPLICANT's cost to install the Project, including materials, equipment rental, delivery of materials and labor, in an amount not to exceed \$2,500.00. APPLICANT will document with receipts all direct expenditures. At the time reimbursement is requested, APPLICANT will provide the LMRWD a final report and copies of all documents concerning the work.
3. Public Access. LMRWD may enter APPLICANT's property at reasonable times to inspect the work to ensure compliance with this Agreement and monitor or take samples for the purpose of assessing the performance of the Project. APPLICANT will permit the LMRWD, at its cost and discretion, to place reasonable signage on APPLICANT's property informing the general public about the Project and the LMRWD's Cost Share Incentive and Water Quality Restoration Program. The LMRWD may request APPLICANT's permission to allow members of the public periodically to enter APPLICANT's property to view the Project in the company of a LMRWD representative. This paragraph does not create any right of public entry onto APPLICANT's property except as coordinated with APPLICANT and accompanied by a LMRWD representative.
4. Maintenance. APPLICANT will maintain the Project for at least ten (5) years from the date installation is complete. If APPLICANT does not do so, the LMRWD will have a right to reimbursement of all amounts paid to APPLICANT, unless:
  - a. The LMRWD determines that the failure to maintain the Project was caused by reasons beyond the APPLICANT's control; or
  - b. APPLICANT has conveyed the underlying property, provided APPLICANT notifies the LMRWD at least 30 days before the property is conveyed and facilitates communication between the LMRWD and the prospective owner regarding continued maintenance of the project.
5. Agreement Void. This Agreement is void if the project installation is not complete by July 31, 2023. This Agreement may not be modified in any way except in writing and signed by both parties.



- 6. Indemnification. The LMRWD will be held harmless against any and all liability and loss in connection with the installation of the Project.
- 7. Compliance with Laws. APPLICANT is responsible to comply with any permits or other legal requirements applicable to the work.
- 8. Notices. Any notice or demand, authorized or required under this Agreement shall be in writing and shall be addressed to the other party as follows:

To LMRWD:

Administrator  
Lower Minnesota River Watershed District  
112 East Fifth Street, Suite 102 Chaska, MN  
55318

To APPLICANT:

Margaret Thomsen  
11533 Palmer Circle  
Bloomington, MN 55437

The parties being in agreement to be signed as follows:

APPLICANT:

LOWER MINNESOTA RIVER WATERSHED DISTRICT:

By: \_\_\_\_\_

By: \_\_\_\_\_

Its: President \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_



# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting  
Wednesday, August 17, 2022

### Agenda Item

#### Item 4. I. – Approve Cost Share Application for 1033 Sunny Ridge Drive, Carver

#### Prepared By

Linda Loomis, Administrator

#### Summary

The LMRWD received a Cost Share Application to turn an area of turf lawn to pollinator habitat in the City of Carver. The applicant received a grant in 2020 to install a rain garden in the front yard to accept stormwater from the front of the home and the driveway. The Applicant has also applied for a grant from the Carver County SWCD through its Lawns to Legumes Program. The Applicant has not yet received notification from the SWCD that her grant application has been approved. The Applicant has completed the application to the LMRWD including the grant from the Lawns to Legumes grant from the Carver SWCD. If the Lawns to Legumes grant is not received, the LMRWD Cost Share grant will be adjusted to reflect the additional expenses incurred by the Applicant.

One question is how the LMRWD Board would like to address Cost Share Grants when Applicants have additional grants. In this case the Lawns to Legumes Grant from the County will pay based on square footage of the proposed project. This Applicant has then requested LMRWD Cost Share for one half of the remaining costs. The LMRWD could look at the Cost Share, that the Applicant should pay one-half of the total costs and then the LMRWD would pay for whatever costs remain after other grants are applied. In this case, that work out so the Applicant will pay one-half of the \$3,802.73 or \$1,901.36 and then the Lawns to Legume Grant would pay \$520 and the LMRWD Cost Share Grant will pay the remaining costs or \$1,381.37.

Staff would like direction, so the Cost Share Guidelines for 2023 will be revised to reflect that direction.

#### Attachments

2022 Cost Share Application from 1033 Sunny Ridge Drive, Carver

2022 Cost Share Grant Agreement between LMRWD and Renae Larson

#### Recommended Action

Motion to approve grant application for 50% of the cost of the project up to \$1,641 and authorize execution of a Cost Share Grant Agreement



# Cost Share Grant Application 2022

## Application type (check one)

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

## Project type (check all that apply)

Raingarden      Vegetated Swale      Infiltration Basin  
Wetland restoration      Buffer/shoreline restoration      Conservation practice      Habitat restoration  
Pervious hard surface      Other \_\_\_\_\_

## Applicant Information

Name of organization or individual applying for grant (to be named as grantee):

Address (street, city and ZIP code):

Phone:

Email address:

## Primary Contact (if different from above)

Name of organization or individual applying for grant (to be named as grantee):

Address (street, city and ZIP code):

Phone:

Email address:

## Project location

Address (street, city and ZIP code):

Property Identification Number (PID)

Property owners:

## Project Summary

Title

Total project cost

Grant amount requested

Estimated start date

Estimated completion date

Is project tributary to a water body?

No, water remains on site

Yes, indirectly

Yes, directly adjacent

Is this work required as part of a permit?            No            Yes  
(If yes; describe how the project provides water quality treatment beyond permit requirement on a separate page.)

## Project Details

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

- |                              |   |
|------------------------------|---|
| location map                 | project timeline  |
| site plan & design schematic | proof of property ownership                             |
| contracted items             | plant list & planting plan (if project includes plants) |

**Project description** Describe the project, current site conditions, as well as site history, and past management. Note any potential impacts to neighboring properties.

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

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

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

How does the project support the goals you checked?

## Project Details (continued)

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

Benefit	Amount
Water captures	gal/year
Water infiltrated	gal/year
Phosphorus removed	lbs/year
Sediment removed	lbs/year
Land restored	sq. ft.

How will you share the project results with your community and work to inform others about your projects environmental benefit?

Please note that by obtaining cost share funding from the Lower Minnesota River Watershed District, your project may be shared with the community through our website, social media, or other media. Your project may also be highlighted on a tour or training event, with prior notice and agreement.

**Maintenance** Describe the anticipated maintenance and maintenance schedule for your project.

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

### Authorization

Name of landowner or responsible party

Signature

Date

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

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

Mail the completed application to

or email to:

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

**Linda Loomis, Administrator  
[naiadconsulting@gmail.com](mailto:naiadconsulting@gmail.com)**

# 2022 Cost Share Worksheet

## Labor Costs (contractors, consultants, in-kind labor)

Service Provider	Task	# Hours	Rate/Hour	Requested Funds from LMRWD	Matching/In-Kind Funds	Total Cost
<b>Total:</b>				\$	\$	\$

## Project Materials

Material Description	Unit Cost	Total # of Units	Requested Funds from LMRWD	Matching/In-Kind Funds	Total Cost
<b>Total:</b>			\$	\$	\$

Total Requested Funds from LMRWD*:	\$	(A)
Total Matchin/In-Kind Funds:	\$	(B)
Project Total:	\$	(C)

\*Please note: total requested funds (A) cannot be more than 50% of the Project Total (C)



# PIERSON GARDEN <sup>2</sup>AND LANDSCAPE

Since 2007

## LANDSCAPE INVITATION <sup>2</sup>AND PROPOSAL

**Renaë Larson**

1033 Sunny Ridge Drive, Carver, MN 55318

Version 5

### Industry Accreditations, Education, and Affiliations:



MINNESOTA  
DEPARTMENT  
OF  
AGRICULTURE  
Pesticide  
Applicator's  
License  
20221968



NORTHERN GREEN  
WHERE OUTDOOR PROS CONNECT + GROW

2004



A note for our customers,

Thank you for reviewing our Landscape Proposal. Our mission continues to be 'to nurture long-lasting relationships through extraordinary service'. We do it by creating magic by being Professional, Attentive, Timely, and Honest; our magic P.A.T.H.

We use natural fertilizers, plant-based herbicides, and pledge to buy 100% Minnesota-grown plant materials and at least 80% North American-made tools and equipment. These choices support our economy, reduce pollution and movement of invasive species, drive local innovation and supports local jobs. Our next generation is counting on us.

This season we enriched our training and certification program. You'll notice even more richly educated and experienced employees performing at higher levels.

We hope to earn your business and I look forward to growing a long-lasting relationship,



David Pierson



## PROPOSAL AND AGREEMENT

**Pierson Garden And Landscape, LLC., herein known as "PG&L", will notify the customer prior to proceeding with additional work.**

### **I. General Specifications for all projects:**

1. Customer shall remove or secure all fragile or irreplaceable items in the yard that could be disturbed or damaged during the project.
2. Material(s) may need to be delivered and dumped from large and heavy equipment which can damage or destroy driveway(s), surfaces as well as personal and public property. The customer understands these risks and agrees to allow PG&L's use of the property for storage of these heavy materials.
3. Use all products according to industry standards and manufacturer's printed guidelines.
4. At the end of each day, the working area will be orderly, protected, raked/or swept as applicable.
5. Tools and Equipment will be gathered and stored at the end of each day.
6. PG&L will contact local utility companies prior to beginning a large project, if applicable. Underground and hidden residential utilities may be damaged or destroyed during a remodeling project. These items must be marked by Client prior to the commencement of the Scope of Work at the property, and client agrees to assume responsibility for destruction of these items which are not clearly identified.





## II. Scope of Work:

**Landscape Preparation:** PG&L will cover surfaces with property protection such as plywood or tarping to mitigate damage to work area. Temporary Work-Day protection covering lawns will be removed at the end of the work day to reduce risk of long-term damage to grass/lawn.

### **PREPARATION PLAN:**

Remove existing turf abutting the street and driveway only. This is performed with hand-shovels as needed to prepare a proper depth to accommodate future wood mulch, approximately one-inch in depth. **Haul-away and offsite disposal is NOT included. PG&L plans to dump this soil/turf material onsite at the homeowners direction.**

Turf treatment option: Treat existing turf grass in the boulevard planting to the west of the driveway with no less than (2) TWO herbicidal treatments, spaced at least two-to-three weeks apart to allow for regrowth and germination. Soil and turf bordering the road, driveway, and rubber border will be cut down to allow for at least 1" of mulch.

**Premium Poly-Vinyl Edging Installation:** No edging included.

**Included Total-Soil Assessment:** Your soil structure and composition will receive multi-step testing. A custom plan will be created and implemented to improve you soil. By addressing deficiencies customers typically see quicker growth, larger plants and more robust foliage/bloom cycle.

**Custom-Designed Garden Plan:** Specifically designed for this location, all perennial plant material is proven hardy to the Minnesota Cold-hardiness zone of 4 or less as designated by the USDA. These plants are proven most-likely to be able to survive our harsh climate. All plants are chosen for the location based on three critical factors: Light Conditions, Environment, and soil conditions. Perennial/shrub gardens will not be installed with landscape fabrics in areas to receive organic mulch.

**PG&L guarantees that all plant material, as detailed in this proposal, will be delivered and installed in the size and quantity described or with most similar cultivars. Should PG&L be unable to locate a satisfactory plant as detailed, PG&L may choose a smaller option and will refund the price difference.**

Placement of plant materials often vary as site conditions in the field call for changes. For example, hidden irrigation may force the installer to shift plant(s). Planting includes fronting, three-step installation, and initial watering with root-stimulator if necessary.

**PLANT MATERIALS:** Same plant materials as detailed in previous four versions.

## Our Service Guarantee:

1. Provide skilled, trained, certified workers for a full shift until the job is done (except for inclement weather or pre-approved days off).
2. Provide proof of Liability Insurance and Workers Comp Insurance, upon request.
3. Offer multiple references near your neighborhood and community.
4. Communicate with you as long as you need on a daily basis.
5. Perform work according to the manufacturer's instructions and industry standards.
6. Manage all project aspects in a courteous, professional manner
7. Respect your home, your family, your neighbors and your visiting friends
8. Provide an open line of communication to address any customer concerns.
9. Address all concerns within 24 hours.
10. Welcome a final walk-around with you to ensure your 100% satisfaction.

**Our mission is to nurture long-lasting relationships through extraordinary service.**

**We work a magic path by being Professional, Attentive, Timely, Honest.**

### **BEST**

- **Organic-listed Herbicide treatments of existing turf**
- On-site disposal of selective-removed turf
- Clay/Mesic, full-sun, short, native design and installation

\$3,737.73 including state and local taxes

(120.00) for not including haul away

\$185.00 for redesign

\$3802.73 total for prairie restoration project

### III. Payment Terms

STANDARD ORDER TERMS		
<b>20% DEPOSIT DUE UPON ACCEPTANCE FOR MATERIAL DOWNPAYMENT</b>		<b>\$723.46 CHECK</b>
<b>½ OF TOTAL PRICE DUE THE FIRST DAY OF WORK</b>		
<b>REMAINING BALANCE DUE UPON COMPLETION</b>		

<b>YOU, THE OWNER, MAY CANCEL THIS TRANSACTION AT ANY TIME PRIOR TO MIDNIGHT OF THE THIRD BUSINESS DAY AFTER THE DATE OF THIS TRANSACTION. Applicable state and local sales taxes are NOT included in pricing. Pricing based on check or cash payments. Credit Card payments are accepted with an additional charge of 3%.</b>		

Pierson Garden and Landscape, LLC., ("PG&L"), submits this proposal to the undersigned client (the "Client"). Once signed, this document constitutes an agreement to undertake the landscaping work described within this document. By signing below, PG&L agrees to undertake the landscaping scope of work described in Section I "General Specifications and Job Site Preparation", Section II "Scope of Work" and Section III "Payment Terms". In exchange, Client agrees to remit payment to Pierson Garden and Landscape in accordance with Section III. Both parties agree to the terms and conditions stated herein.

**Project:** \_\_\_\_\_ **Price:** \_\_\_\_\_

**ACCEPTED AND AGREED:** The prices, specifications and conditions contained herein this Agreement are satisfactory and hereby accepted. You are authorized to perform the work as specified.

\_\_\_\_\_  
Customer

\_\_\_\_\_  
DATE

**PIERSON GARDEN AND LANDSCAPE, LLC**

\_\_\_\_\_  
By: David Pierson,  
Its: Owner

\_\_\_\_\_  
DATE

## IV. Misc. Terms and Conditions

1. **Access to Property.** Client agrees to provide access to the property during reasonable business hours to PG&L during the agreed upon work schedule dates.
2. **Additional Work.** Pierson Garden And Landscape, LLC., herein known as "PG&L", will notify the customer prior to proceeding with additional work beyond the scope outlined in this proposal and agreement. Additional Garden Maintenance work (such as splitting and transplanting perennials) will be billed at a rate of \$54.40 per labor hour. Other additional work to be bid on an individual basis.
3. **Returned check, Non-Sufficient Funds, "NSF".** Payments made and returned by our bank as "NSF" or Non-sufficient Funds will be charged all related bank fees plus \$25.00 each month until payment is made.
4. **Termination.** Client may cancel this contract within (3) THREE Business days of the signing of this contract. Any deposits will be issued in check form from Pierson Garden and Landscape, LLC within (5) FIVE BUSINESS DAYS via the US Postal Service. PG&L may terminate this Agreement. In addition to termination, PG&L may also elect to stop work, or seek any other remedies afforded in law or equity to recover unpaid amounts due and owing, including a lien against real property.
5. **Construction.** This Agreement shall be subject to and construed in accordance with the laws of the State of Minnesota.
6. **Entire Agreement and Severability.** This Agreement is the entire agreement between the parties with respect to its subject matter. The Agreement may not be modified except in writing signed by both parties. If any provision(s) of this Agreement shall be held to be invalid, illegal, unenforceable or in conflict with the law of any jurisdiction, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.
7. **Deadline for acceptance of proposal.** This proposal is based upon current material and labor cost. This proposal may be withdrawn if not accepted within ten (10) days.
8. **Authority.** The undersigned represents and agrees that they have the authority to enter into this binding agreement on behalf of Client.
9. **Subcontractors.** Pierson Garden and Landscape, LLC may utilize sub-contractor(s) workers during the project.
10. **Use of Photography.** Images and accounts of your project may be used for advertising purposes.
11. **Product Maintenance.** Live product will be watered up to the last day of work. Customer is responsible for maintaining all plant materials after the last full day of work.
12. **Scheduling.** Statements of scheduling of services are estimates only. Start dates, length of work, and finish dates are never guaranteed and may change drastically.
13. **Product Warranty Information.** Because of their perishable nature, live plants come with a limited 30-DAY WARRANTY.
14. **Use of Dyed Mulch.** Dyed mulch, if included in your project, may permanently stain surfaces including but not limited to driveways, walk-paths, patios, foundations, and other surfaces.
15. **Differing Site Conditions.** Unknown, unusual, and hidden, concealed or latent physical conditions, which the contractor encounters at the site that differs materially from the conditions that an ordinary contractor in the general vicinity of the project would expect to encounter, and hinders work, are NOT included in this proposal unless itemized within this proposal. Differing site conditions may be billed at an additional labor rate of \$54.40 per laborer per labor hour per person plus equipment, material, and/or other direct costs required to mitigate differing site conditions. Additional work is done on a Change Order form.
16. **Bystander safety agreement.** Employees are instructed to stop using tools and equipment when domestic animals and bystanders, including the client, are within 50-feet. Client agrees to maintain a 50-foot distance from active workers unless protected within structures or vehicles.

17. **Product Warranty Information.** Because of their perishable nature, live plants come with a 30-day warranty. Client may elect to purchase a plant warranty covering new plant material for a period of two years. Transplanted materials and annual plants (not-winter hardy plants) are NOT included in the Warranty.



During the Warranty period, should new perennial covered under the Warranty not survive, PG&L shall replace plants at no additional charge with appropriate materials of similar size. Should an issue arise with product or installation within a period of TWO YEARS, Client shall immediately notify PG&L and permit a representative of PG&L to see the plant(s) Monday through Friday between 9AM and 5PM, during the growing season. Plants which show signs of neglect, intentional acts of damage or damage from pests and animals are excluded from this Warranty. Client will incur a \$35.00 charge for PG&L's site visit if the subject plant material has been harmed or damaged by neglect, intentional acts of damage or damage from pests and animals.

**Price of TWO-YEAR WARRANTY is:** \$ xxx for Best, \$xx for Better, \$xxx for Good

Client Initial below

**Client hereby elects to purchase the Two-Year Warranty:** \_\_\_\_\_

**Client hereby elects NOT to purchase the Two-Year Warranty:** \_\_\_\_\_

**ACCEPTED AND AGREED:** The prices, specifications and conditions contained herein this Agreement are satisfactory and hereby accepted. You are authorized to perform the work as specified.

\_\_\_\_\_  
Customer

\_\_\_\_\_  
DATE

**PIERSON GARDEN AND LANDSCAPE, LLC**

\_\_\_\_\_  
By: David Pierson,  
Its: Owner

\_\_\_\_\_  
DATE

## **Additional Work Orders options:**

Enhancements and changes listed below are in addition to the Scope of Work.

A. **Add this XXX**. Description and price listed here.

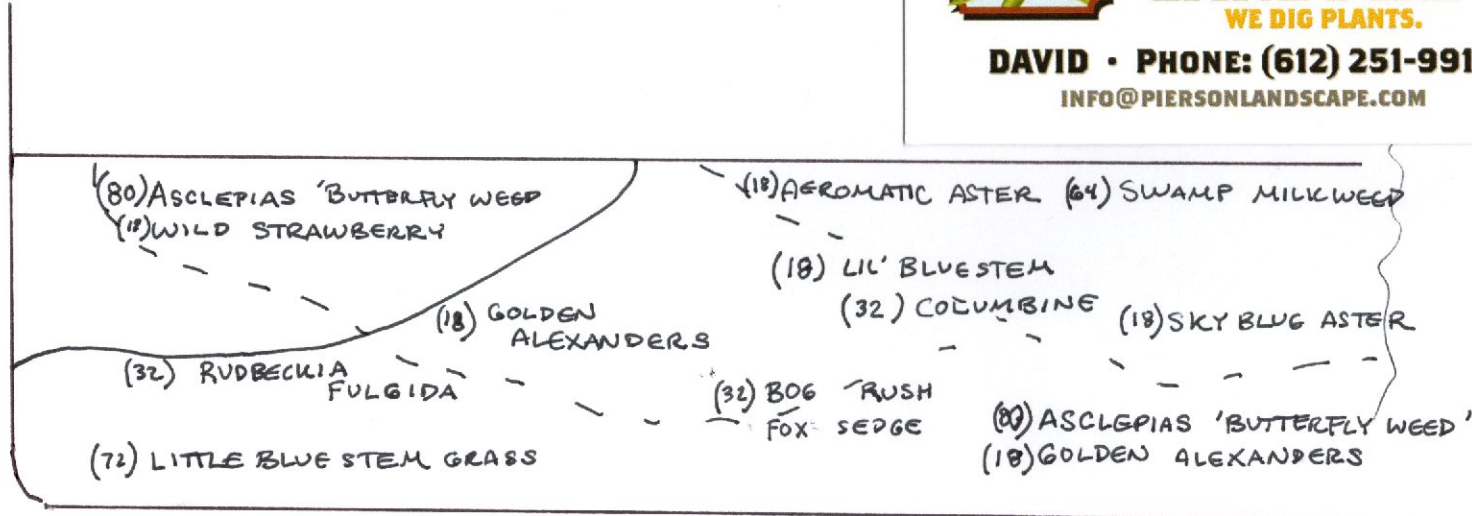


# PIERSON GARDEN AND LANDSCAPE

WE DIG PLANTS.

DAVID • PHONE: (612) 251-9910

INFO@PIERSONLANDSCAPE.COM



ALL PLANTS SUBJECT TO  
AVAILABILITY.



This map was created using Carver County's Geographic Information Systems (GIS), it is a compilation of information and data from various City, County, State, and Federal offices. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Carver County is not responsible for any inaccuracies contained herein.

Map Date: 8/13/2022



LOWER MINNESOTA RIVER WATERSHED DISTRICT  
2022 COST SHARE INCENTIVE AND WATER QUALITY RESTORATION PROGRAM  
Cost Share Grant Agreement

The parties to this Agreement, made this 17th day of August 2022, are the Lower Minnesota River Watershed District, a Minnesota Watershed District ("LMRWD") a public body with purposes and powers set forth in Minnesota Statutes Chapters 103B and 103D and Renae Larson ("APPLICANT"). The purpose of this Agreement is to provide for the installation and maintenance of a Project designed to protect and improve natural resources within the District. by managing storm water and said Project to be located at: 1033 Sunny Ridge Drive, Carver, MN 55315.

1. Scope of Work. APPLICANT will install the Project in accordance with the Application submitted to the LMRWD, attached as Exhibit A. A final report must be presented to the LMRWD at the time a request is made for reimbursement of expenses as specified in Section 2 of this Agreement.
2. Reimbursement. APPLICANT has applied for a Lawns to Legumes Grant from the Carver Soil & Water Conservation District. When the installation of the Project is complete in accordance with Exhibit A, the LMRWD will reimburse up to 50% of the remaining cost of the APPLICANT to install the Project, after receipt of the Lawns to Legumes Grant, including materials, equipment rental, delivery of materials and labor, in an amount not to exceed \$1,641.00. APPLICANT will document with receipts all direct expenditures. At the time reimbursement is requested, APPLICANT will provide the LMRWD a final report and copies of all documents concerning the work.
3. Public Access. LMRWD may enter APPLICANT's property at reasonable times to inspect the work to ensure compliance with this Agreement and monitor or take samples for the purpose of assessing the performance of the Project. APPLICANT will permit the LMRWD, at its cost and discretion, to place reasonable signage on APPLICANT's property informing the general public about the Project and the LMRWD's Cost Share Incentive and Water Quality Restoration Program. The LMRWD may request APPLICANT's permission to allow members of the public periodically to enter APPLICANT's property to view the Project in the company of a LMRWD representative. This paragraph does not create any right of public entry onto APPLICANT's property except as coordinated with APPLICANT and accompanied by a LMRWD representative.
4. Maintenance. APPLICANT will maintain the Project for at least ten (5) years from the date installation is complete. If APPLICANT does not do so, the LMRWD will have a right to reimbursement of all amounts paid to APPLICANT, unless:
  - a. The LMRWD determines that the failure to maintain the Project was caused by reasons beyond the APPLICANT's control; or
  - b. APPLICANT has conveyed the underlying property, provided APPLICANT notifies the LMRWD at least 30 days before the property is conveyed and facilitates communication between the LMRWD and the prospective owner regarding continued maintenance of the Project.
5. Agreement Void. This Agreement is void if the Project installation is not complete by July 31, 2023. This Agreement may not be modified in any way except in writing and signed by both parties.

- 6. Indemnification. The LMRWD will be held harmless against any and all liability and loss in connection with the installation of the Project.
- 7. Compliance with Laws. APPLICANT is responsible to comply with any permits or other legal requirements applicable to the work.
- 8. Notices. Any notice or demand, authorized or required under this Agreement shall be in writing and shall be addressed to the other party as follows:

To LMRWD:

Administrator  
Lower Minnesota River Watershed District  
112 East Fifth Street, Suite 102 Chaska, MN  
55318

To APPLICANT:

Renaë Larson  
1033 Sunny Ridge Drive  
Carver, MN 55315

The parties being in agreement to be signed as follows:

APPLICANT:

LOWER MINNESOTA RIVER WATERSHED DISTRICT:

By: \_\_\_\_\_

By: \_\_\_\_\_

Its: President \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_



# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting  
Wednesday, August 18, 2021

### Agenda Item

#### Item 5. A. – Public Hearing – Presentation of 2023 Proposed Budget and Preliminary Certification of Tax Levies Payable 2023

### Prepared By

Linda Loomis, Administrator

### Summary

At the July 2022 meeting of the Board of Managers, staff presented the proposed 2023 Budget and requested that the Board call a public hearing for August 17, 2022.

In accordance with MN Statutes 103D.911 Subd. 2, "on or before September 15 of each year, the managers shall adopt a budget for the next year and decide on the total amount necessary to be raised from ad valorem tax levies to meet the watershed district's budget." Further, the Statute requires in Subd. 1(a) that "Before adopting a budget, the managers shall hold a public hearing on the proposed budget".

The LMRWD published notice of a public hearing as required in Subd. 1(b) in the Star Tribune on Thursday, August 7, 2022, and again on Sunday, August 14, 2022. The notice of public hearing published is attached.

The total budget proposed for the year 2023 is \$1,225,500.00. This is an increase of \$110,500 over the 2022 budget. The proposed 2023 budget proposes total levies of \$775,000 (an increase of \$50,000 more than in 2022); an administrative levy of \$250,000 and a planning and implementation levy of \$525,000. The LMRWD will use fund balance, from closing out balances of completed projects and unrealized projects, for the remainder of expenses proposed.

The levies will be allocated to the counties as follows:

Carver County	\$46,207.83
Dakota County	\$76,427.40
Hennepin County	\$314,054.03
Scott County	\$339,310.75
<b>TOTAL</b>	<b>\$775,000.00</b>

The Proposed 2023 Budget is attached. Resolutions reflecting levies from above Table have been prepared for each county and are attached.

### Attachments

Apportioned Levies Table

2023 Proposed Budget and Preliminary Certification of Levy Payable 2023

2023 Proposed Administrative Budget

Item 5. A. - Preliminary approval of proposed 2023 budget and certification of levy payable 2023

Executive Summary

August 17, 2022

Page 2

Explanation of Budget Line items

Notice of Public Hearing

RESOLUTION 22-06 - Preliminary Certification of Property Tax Levies for Carver County for Taxes Payable 2023 and Approval of 2023 Proposed Budget

RESOLUTION 22-07 - Preliminary Certification of Property Tax Levies for Dakota County for Taxes Payable 2023 and Approval of 2023 Proposed Budget

RESOLUTION 22-08 - Preliminary Certification of Property Tax Levies for Hennepin County for Taxes Payable 2023 and Approval of 2023 Proposed Budget

RESOLUTION 22-09 - Preliminary Certification of Property Tax Levies for ver County for Taxes Payable 2023 and Approval of 2023 Proposed Budget

Schedule A – Preliminary Certification of Apportioned Levies

Draft Table 4-1: LMRWD – Implementation Program Budget 2023-2027

LMRWD Capital Improvement Project Spreadsheet dated August 17, 2022

[CIP Spreadsheet](#)

**Recommended Action**

Motion to adopt Resolutions 22-06 through 22-09 Preliminary Certification of Property Tax Levies Payable 2023 and Approval of 2023 Proposed Budget

**Proposed Levy 2022**

General Fund	250,000.00
Planning and Implementation Fund	525,000.00
One time levy to balance channel fund	<u>-</u>
<b>Apportioned Payable 2022 Levy</b>	<b>775,000.00</b>

<u>County</u>	<u>Net Tax Capacity % Distribution</u>	<u>Apportioned Payable 2022 Levy</u>
Carver	5.9623%	46,207.83
Dakota	9.8616%	76,427.40
Hennepin	40.5231%	314,054.03
Scott	43.6530%	338,310.75
<b>Watershed Total</b>	<b>100.0000%</b>	<b>775,000.00</b>

2023 Proposed Total Budget  
2021 Adopted Budget/Actuals - 2022 Adopted Budget/YTD/Projected - 2023 Proposed

	Account	2021 Adopted	2021 Actual	2022 Adopted	2022 YTD	Projected 2022	Proposed 2023
	<b>Revenues:</b>						
	General Property Tax						
1	Carver County	\$ 42,871.42	\$ 43,099.02	\$ 41,762.17	\$ 23,064.12	\$ 41,762.17	\$ 46,207.83
2	Dakota County	\$ 72,959.65	\$ 71,141.02	\$ 72,153.45	\$ 37,957.79	\$ 72,153.45	\$ 76,427.40
3	Hennepin County	\$ 318,293.13	\$ 313,086.32	\$ 306,964.28	\$ 158,373.02	\$ 306,964.28	\$ 314,054.03
4	Scott County	\$ 290,875.80	\$ 207,976.91	\$ 304,120.10	\$ 160,388.63	\$ 304,120.10	\$ 338,310.75
	<b>Total Levy:</b>	<b>\$ 725,000.00</b>	<b>\$ 635,303.27</b>	<b>\$ 725,000.00</b>	<b>\$ 379,783.56</b>	<b>\$ 725,000.00</b>	<b>\$ 775,000.00</b>
5	Interest Income	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
6	MCES WOMP Grant	\$ 5,000.00	\$ 4,500.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00
7	State of MN Grant for Dredge Material Management	\$ 240,000.00	\$ 240,000.00	\$ 240,000.00	\$ 240,000.00	\$ 240,000.00	\$ 240,000.00
8	Metro-Area Watershed Based funding grants	\$ -	\$ 63,866.00	\$ -	\$ -	\$ -	\$ -
9	License Revenue from placement of dredge	\$ 25,000.00	\$ -	\$ 25,000.00	\$ 11,406.00	\$ 29,036.00	\$ 25,000.00
10	Revenues from sale of dredge material	\$ 5,000.00	\$ -	\$ 5,000.00	\$ -	\$ 5,000.00	\$ 5,000.00
11	Permit Fees	\$ -	\$ 5,500.00	\$ -	\$ 19,094.25	\$ 1,000.00	\$ -
12	Miscellaneous Income	\$ -	\$ 252.15	\$ -	\$ -	\$ -	\$ -
	<b>Total Revenues:</b>	<b>\$ 1,000,000.00</b>	<b>\$ 949,421.42</b>	<b>\$ 1,000,000.00</b>	<b>\$ 655,283.81</b>	<b>\$ 1,005,036.00</b>	<b>\$ 1,050,000.00</b>
	<b>Expenses:</b>						
13	<b>Administration (from Administrative Budget Page)</b>	\$ 250,000.00	\$ 332,328.05	\$ 250,000.00	\$ 173,459.35	\$ 250,000.00	\$ 250,000.00
	<b>Cooperative Projects</b>						
14	Eden Prairie Bank Stabilization -Area #3	\$ 100,000.00	\$ 57,996.40	\$ 100,000.00	\$ 57,996.40	\$ 100,000.00	\$ -
16	Gully Erosion Contingency	\$ -	\$ 4,395.65	\$ -	\$ 4,395.65	\$ 4,395.65	\$ -
17	USGS	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
18	Ravine Stabilization at Seminary Fen in Chaska	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
19	Riley Creek Cooperative Project with RPBWD	\$ -	\$ 150,000.00	\$ -	\$ 150,000.00	\$ 150,000.00	\$ -
20	Seminary Fen Ravine Restoration site A	\$ 75,000.00	\$ -	\$ -	\$ -	\$ 75,000.00	\$ -
21	Seminary Fen Ravine C-2	\$ -	\$ -	\$ -	\$ -	\$ 20,000.00	\$ 20,000.00
	<b>509 Plan Budget</b>						
	Resource Plan Implementation						
22	Watershed Resource Restoration Fund	\$ -	\$ -	\$ 120,000.00	\$ -	\$ -	\$ 100,000.00
23	Gully Inventory	\$ -	\$ 48,977.93	\$ -	\$ -	\$ -	\$ 90,500.00
24	Minnesota River Corridor Management Project	\$ 75,000.00	\$ 52,786.97	\$ -	\$ 26,423.00	\$ 75,000.00	\$ -
25	TH 101 Ravine/Shakopee	\$ -	\$ 297.50	\$ -	\$ -	\$ 350.00	\$ -
26	Assumption Creek Hydrology Restoration Project	\$ -	\$ 2,125.50	\$ -	\$ 2,125.50	\$ 2,125.50	\$ -
27	Carver Creek restoration Project	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
28	Groundwater Screening Tool Model	\$ -	\$ 952.00	\$ -	\$ 408.00	\$ 408.00	\$ -
30	Minnesota River Floodplain Model Feasibility Study	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 75,000.00
31	Schroeder's Acres Park/Savage Fen Stormwater Management	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
32	Downtown Shakopee Stormwater BMPs	\$ -	\$ -	\$ 50,000.00	\$ -	\$ -	\$ 50,000.00
33	PLOC Realignment/Wetland Restoration	\$ 70,000.00	\$ 171,570.00	\$ 30,000.00	\$ -	\$ 70,000.00	\$ -
34	Spring Creek Project	\$ 75,000.00	\$ 8,742.36	\$ -	\$ 432.00	\$ 75,000.00	\$ 90,000.00
35	West Chaska Creek Project	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
36	Sustainable Lakes Management Plan (Trout Lakes)	\$ -	\$ -	\$ 50,000.00	\$ -	\$ -	\$ -
37	Geomorphic Assessments (Trout Streams)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
38	Fen Stewardship Program	\$ 25,000.00	\$ 41,305.24	\$ 25,000.00	\$ 6,876.29	\$ 25,000.00	\$ 75,000.00
39	District Boundary Modification Project	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
40	East Chaska Creek Bank Stabilization Project	\$ -	\$ -	\$ -	\$ 77,176.21	\$ 60,000.00	\$ -
41	East Chaska Creek Water Quality Treatment Project	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
42	Minnesota River Sediment Reduction Strategy	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
44	Local Water Management Plan reviews	\$ 15,000.00	\$ 1,285.50	\$ 5,000.00	\$ 1,285.50	\$ 15,000.00	\$ 5,000.00
45	Project Reviews	\$ 50,000.00	\$ 141,798.08	\$ 75,000.00	\$ 42,813.36	\$ 50,000.00	\$ 50,000.00
46	Monitoring and detailed data assessments	\$ 75,000.00	\$ 43,826.92	\$ 75,000.00	\$ 12,838.00	\$ 75,000.00	\$ 75,000.00
47	Watershed Management Plan						
48	Next Generation Watershed Management Plan	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
49	Plan Clarification and proposed rules/Rule implementation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
50	Plan Amendment	\$ 10,000.00	\$ 8,457.39	\$ -	\$ 1,526.54	\$ 10,000.00	\$ -
51	Vegetation Management Standard/Plan	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
52	Public Education/Citizen Advisory Committee/Outreach Program	\$ 30,000.00	\$ 62,895.19	\$ 75,000.00	\$ 27,272.70	\$ 75,000.00	\$ 85,000.00
53	Cost Share Program	\$ 50,000.00	\$ 7,149.00	\$ 20,000.00	\$ 5,543.50	\$ 20,000.00	\$ 20,000.00
	<b>Nine Foot Channel</b>						
54	Transfer from General Fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
55	Dredge site operations	\$ -	\$ -	\$ -	\$ 102.00	\$ 102.00	\$ 240,000.00
56	Dredge Site Restoration	\$ 240,000.00	\$ 459,845.30	\$ 240,000.00	\$ -	\$ 240,000.00	\$ -
57	<b>Total Non-administrative Expenses:</b>	<b>\$ 890,000.00</b>	<b>\$ 1,264,406.93</b>	<b>\$ 865,000.00</b>	<b>\$ 417,214.65</b>	<b>\$ 1,142,381.15</b>	<b>\$ 975,500.00</b>
58	<b>Total Administrative Expenses (from line 13)</b>	<b>\$ 250,000.00</b>	<b>\$ 332,328.05</b>	<b>\$ 250,000.00</b>	<b>\$ 173,459.35</b>	<b>\$ 250,000.00</b>	<b>\$ 250,000.00</b>
59	<b>Total Expenses</b>	<b>\$ 1,140,000.00</b>	<b>\$ 1,596,734.98</b>	<b>\$ 1,115,000.00</b>	<b>\$ 590,674.00</b>	<b>\$ 1,392,381.15</b>	<b>\$ 1,225,500.00</b>
60	Revenue less Expenses	\$ (140,000.00)	\$ (647,313.56)	\$ (115,000.00)	\$ 64,609.81	\$ (387,345.15)	\$ (175,500.00)
61	Beginning Fund Balance - January 1			\$ (1,596,734.98)	\$ (1,596,734.98)		\$ (1,711,734.98)
62	Total Revenue			\$ 1,000,000.00	\$ 655,283.81		\$ 1,050,000.00
63	Total Expenses		\$ (1,596,734.98)	\$ (1,115,000.00)	\$ (590,674.00)		\$ (1,225,500.00)
64	Ending Fund Balance - December 31 (bold figures are projected)		\$ (1,596,734.98)	\$ (1,711,734.98)	\$ (1,532,125.17)		\$ (1,887,234.98)

2023 proposed LMRWD Budget for Administration Operations  
2021 Adopted Budget/Actuals - 2022 Adopted Budget/YTD/Projected - 2023 Proposed

Account	Adopted 2021	2021 Actual	Adopted 2022	YTD 2022 (Through 6/30/22)	Projected 2022	Proposed 2023
Expenses:						
65 Wages-General	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
66 Severance Allowance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
67 Benefits	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
68 PERA Expense	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
69 Payroll Tax (FICA/Medicare)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
70 Unemployment compensation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
71 Manager Per Diem	\$ 11,250.00	\$ 7,375.00	\$ 11,250.00	\$ -	\$ 11,250.00	\$ 11,250.00
72 Manager Expense (mileage/food/registrations)	\$ 3,000.00	\$ 434.56	\$ 3,000.00	\$ -	\$ 3,000.00	\$ 3,000.00
Data Management project (DRB Consulting)	\$ -	\$ 5,274.00	\$ -	\$ -	\$ -	\$ -
73 Telecommunications-Cell-Internet/Phone	\$ 1,000.00	\$ -	\$ 1,000.00	\$ -	\$ 1,000.00	\$ 1,000.00
74 Office Supplies	\$ 300.00	\$ 352.38	\$ 300.00	\$ 86.75	\$ 300.00	\$ 3,000.00
75 Meeting Supplies/Expense	\$ 100.00	\$ 842.12	\$ 100.00	\$ -	\$ 100.00	\$ 100.00
76 Rent	\$ 7,800.00	\$ 8,450.00	\$ 7,800.00	\$ 3,900.00	\$ 7,800.00	\$ 7,800.00
77 Dues	\$ 7,500.00	\$ -	\$ 7,500.00	\$ -	\$ 7,500.00	\$ 7,500.00
78 Miscellaneous-General	\$ 3,000.00	\$ 1,683.00	\$ 3,000.00	\$ 748.00	\$ 3,000.00	\$ 3,000.00
79 Training & Education	\$ 1,500.00	\$ 376.85	\$ 1,500.00	\$ -	\$ 1,500.00	\$ 1,500.00
80 Insurance & Bonds	\$ 11,000.00	\$ 9,762.00	\$ 11,000.00	\$ 180.00	\$ 11,000.00	\$ 11,000.00
81 Postage	\$ 375.00	\$ 2,171.00	\$ 375.00	\$ 18.00	\$ 375.00	\$ 375.00
82 Photocopying	\$ 875.00	\$ 1,564.38	\$ 875.00	\$ 2.43	\$ 875.00	\$ 875.00
83 Legal Notices-General	\$ 1,500.00	\$ 1,934.00	\$ 1,500.00	\$ 42.00	\$ 1,500.00	\$ 1,500.00
84 Subscriptions & License Fees	\$ 250.00	\$ 1,593.31	\$ 250.00	\$ 368.99	\$ 250.00	\$ 250.00
85 Mileage	\$ 5,000.00	\$ 516.48	\$ 5,000.00	\$ 162.00	\$ 5,000.00	\$ 5,000.00
86 Taxable meal reimbursement	\$ 500.00	\$ 20.00	\$ 500.00	\$ -	\$ 500.00	\$ 500.00
87 Lodging/ Staff Travel	\$ 1,500.00	\$ -	\$ 1,500.00	\$ -	\$ 1,500.00	\$ 1,500.00
88 Accounting/Financial Services	\$ 5,382.00	\$ 5,410.00	\$ 5,580.00	\$ 2,719.00	\$ 5,382.00	\$ 25,438.00
89 Audit Fees	\$ 15,000.00	\$ 15,265.00	\$ 15,000.00	\$ -	\$ 15,000.00	\$ 27,548.00
90 Professional Services-General	\$ 120,168.00	\$ 133,275.00	\$ 104,970.00	\$ 33,750.00	\$ 120,168.00	\$ 59,864.00
91 Legal Fees-General	\$ 10,000.00	\$ 11,710.00	\$ 10,000.00	\$ 3,796.00	\$ 10,000.00	\$ 10,000.00
92 Engineering-General	\$ 20,000.00	\$ 101,969.42	\$ 35,000.00	\$ 41,511.16	\$ 20,000.00	\$ 45,000.00
94 Equipment-Maintenance	\$ 500.00	\$ 332.31	\$ 500.00	\$ 157.24	\$ 500.00	\$ 500.00
95 Equipment-Lease	\$ 2,500.00	\$ 2,017.20	\$ 2,500.00	\$ 840.50	\$ 2,500.00	\$ 2,500.00
97 Lobbying	\$ 20,000.00	\$ 20,000.04	\$ 20,000.00	\$ 10,000.02	\$ 20,000.00	\$ 20,000.00
98 Total Expense for Administration:	\$ 250,000.00	\$ 332,328.05	\$ 250,000.00	\$ 98,282.09	\$ 250,000.00	\$ 250,000.00

2023 Budget Explanation of line items

<p>Project funding proposed in the 2023 Budget is taken from Table 4-1 Implementation Program Budget found in Section 4 of the LMRWD Watershed Management Plan (as proposed to be revised).                      Explanations for certain lines follow.</p>	
<b>Line #</b>	<b>Cooperative Projects</b>
	<i>Cooperative Projects are those projects that are intended to be completed by the LMRWD with other partners</i>
14	<p><b>Eden Prairie Bank Stabilization - Area #3</b>                      The LMRWD received a Clean Water grant under BWSR's Watershed Based Funding Program of \$127,732 for this project. The LMRWD allocated \$100,000 in 2022 for this project. In 2022, Table 4-1 – Implementation Program Budget in Section 4 of the LMRWD Plan allocated \$250,000 for this project. The draft Table 4-1 proposed in the Plan update currently in progress, does not have any allocation in 2023 for this project. The draft Table 4-1 has \$100,000 in 2024 and \$100,000 in 2025 budgeted for this project.</p>
21	<p><b>Seminary Fen Ravine C-2</b>                      The City of Chaska developed a study of ravine C-2 that contributes sediment to Seminary Fen. The LMRWD partnered with the City in the development of the study by contributing \$20,000 to the cost of the study. The LMRWD paid the City in 2022 and \$20,000 levied in 2023 will cover the LMRWD contribution to the project. The reason for the odd timing is that when the City asked for investigation of the ravines contributing sediment to Seminary Fen, the order the City conducted the studies did not match the order in the LMRWD Plan.</p>
<b>509 Plan Budget</b>	
22	<p><b>Watershed Resource Restoration Fund</b>                      This fund implements Goals 2 and 3, which are to protect, improve and restore surface water and ground water quality within the District. This program will fund projects sponsored by LGUs and were not identified at the time the Plan was adopted.                      In 2022, the LMRWD Board of Managers accepted a request from the City of Burnsville to partner on the stabilization of a ravine along Willow Creek. \$75,000 of this line was used for that project. Table 4-1 in the current Plan has allocated \$125,000 to this fund. This amount has been revised in the draft Table 4-1 to \$100,000.</p>
23	<p><b>Gully Inventory</b>                      The gully inventory and condition assessment has been completed. The LMRWD will be periodically inspecting high priority gullies and ravines to assess threats posed. In addition, the LMRWD will develop a plan to stabilize the highest priority gullies. The LMRWD has asked BWSR to consider supporting use of dredge management funds to stabilize high priority gullies and ravines.</p>
30	<p><b>Minnesota River Floodplain Model Feasibility Study</b>                      The hydrologic statistical analysis, based on the USGS stream gage at Jordan, has not been updated in 20 years, missed four of the top ten recorded flood flows within the LMRWD reach. Development that has occurred within this time frame must also be evaluated for collective impacts to the MN River flood flows.</p>
32	<p><b>Downtown Shakopee Stormwater BMPs</b>                      The City of Shakopee conducted a study of Downtown Shakopee stormwater and recommended several projects to treat stormwater that currently reaches the MN River untreated. One project, the Lewis Street West/2<sup>nd</sup> Avenue West Parking Lot was recently chosen to receive funding in the amount of \$77,068, through BWSR's Watershed Based Implementation Funding program. The 2022 LMRWD budget included \$50,000 for the feasibility report, which came in under budget and the \$50,000 from the LMRWD was not needed to complete the feasibility study. The City of Shakopee they can scale the effectiveness of the BMP to the funding available. The total cost of the project is estimated at over \$2,000,000. \$50,000 included in the 2023 budget would make \$100,000 eligible to the City to complete the project.</p>



2023 Budget Explanation of line items

38	<p><b>Fen Stewardship Program</b></p> <p>This project continues a partnership between the LMRWD, the MN DNR and the Metropolitan Council. The goal is to develop a management plan to protect, preserve and possibly restore calcareous fens within the LMRWD.</p>
44	<p><b>Local Water Management Plan Reviews</b></p> <p>The LMRWD has not yet approved the Local Water Management Plans for Savage and Mendota. Mendota Heights is working on an update to its Plan. Some Cities' (Burnsville and Savage) Plans are in the process of being updated due to LMRWD rules, which required cities to amend their official controls to conform to the rules.</p>
45	<p><b>Project Reviews</b></p> <p>This item includes costs incurred by the LMRWD to review non-LMRWD projects in cities that have either opted to have the LMRWD review projects or have not yet received a Municipal permit.</p> <p>Eden Prairie and Chaska have opted to have the LMRWD review projects within the boundaries of the LMRWD. The LMRWD is also responsible for reviewing MNDOT, and MAC (Metropolitan Airport Commission) projects and for the unincorporated areas of the District. Burnsville and Savage intend to apply for a municipal permit, but permits have not been approved for these cities yet. In Shakopee and Bloomington, the LMRWD will continue to review project in the floodplain and High Value Resource areas. The LMRWD collects permit fees on private projects, but fees do not entirely offset the cost of reviews.</p>
46	<p><b>Monitoring</b></p> <p>The LMRWD continues to review of its monitoring program to evaluate whether monitoring is providing the information needed to manage resources within the District. The LMRWD will look at how data collected is being utilized. The MN DNR informed the LMRWD that it really is not assessing the data.</p>
52	<p><b>Public Education/CAC/Outreach Program</b></p> <p>The 2023 projected costs the LMRWD plans to spend on public education include</p> <ul style="list-style-type: none"> <li>• Citizen Advisory Committee (CAC).....\$13,248.00</li> <li>• Master Water Steward Program.....\$2,500.00</li> <li>• Continue School &amp; NGO Engagement.....\$13,248.00</li> <li>• Community Outreach &amp; Engagement.....\$15,456.00</li> <li>• Cost Share Program and Training.....\$4,896.00</li> <li>• LMRWD website update/maintenance.....\$15,812.00</li> <li>• Freshwater Society "Ice Out/Loon In".....\$800.00</li> <li>• MN River Boat Tour/engagement activity.....\$7,500.00</li> <li>• Sponsorship of Salt Symposium and Water Summit.....\$500.00</li> <li>• Social Media.....\$11,040.00</li> </ul> <p><b>TOTAL:.....\$85,000.00</b></p>
	<p><b>Nine Foot Channel</b></p>
55	<p><b>Dredge Operations/Restoration</b></p> <p>Staff is evaluating projects at the Dredge Site.</p>
Line #	<p><b>Administrative Budget</b></p>
71	<p><b>Manager Per Diem</b></p> <p>This amount is calculated for 5 Managers, using a per diem of \$125/meeting and 1.5 meetings per month per manager.</p>
77	<p><b>Dues</b></p> <p>MAWD dues were included at \$7,500. Staff is recommending that the MAWD dues be included in the budget.</p>
88	<p><b>Accounting /Financial Services</b></p> <p>The agreement for financial services with Carver County will expired at the end of 2021. Carver County no longer had the capability to provide financial services to the LMRWD. In</p>

2023 Budget Explanation of line items

	2022, the LMRWD retained the services of CLA (Clifton Larson Allen LLP). The amount in this line item reflects the amount in the Professional Services Agreement between the LMRWD and CLA.
89	<p><b>Audit Fees</b></p> <p>In 2021, Redpath and Company informed the LMRWD that it could not longer provide audit services for the LMRWD. The LMRWD retained the services of Global Portfolio Consulting to provide audit services. The amount shown in this line reflect the amount contained in the Engagement Letter</p>
92	<p><b>Engineering</b></p> <p>This line has been increased to better reflect the actual cost of general engineering expenses. Costs incurred by the District that are charged to this line include preparation for monthly board meeting, Board meeting attendance by technical and engineering staff. To offset the increase to this line, line 86 was reduced. Line 86 is the line that administrative services (Naiad Consulting) are charged to. More administrative service fees can be charged to directly to project budgets than has been done in the past. In addition, the LMRWD's accounting services provider will be providing guidance to better reflect allocation of expenses and budgets.</p>

**PUBLIC NOTICE  
(Official Publication)  
NOTICE OF PUBLIC HEARING  
ON THE PROPOSED 2023 BUDGET  
AND PRELIMINARY CERTIFICATION OF TAX LEVY PAYABLE IN 2023  
FOR THE LOWER MINNESOTA RIVER WATERSHED DISTRICT**

Notice is hereby given that the Board of Managers of the Lower Minnesota River Watershed District will hold a public hearing pursuant to Section 103D.911 of Minnesota Statutes on Wednesday on August 17, 2022, at 7:00 p.m., in the County Board Room of the Carver County Government Center, 602 East Fourth Street, Chaska, Minnesota 55318 to receive comments on the District's proposed 2023 budget and preliminary tax levies payable in the year 2023.

The total proposed expenditures for 2023 are \$1,210,500. This represents an increase of \$175,500 from 2022. A levy of \$775,000 is proposed on real property in Carver, Dakota, Hennepin and Scott Counties within the boundaries of the District, of which \$250,000 will be levied pursuant to Minnesota Statutes Section 103D.905, Subd. 3, to be used for administrative purposes, including permit review, permit inspection, cooperative projects, engineering, legal services, and costs and other expenses of the District's operations and \$525,000 will be levied pursuant to Minnesota Statutes Section 103B.241, Subd.1 to pay for projects identified in the District's approved and adopted plan, necessary to implement the purposes of Section 103B.201. This preliminary levy represents an increase of \$50,000 from the levies payable in 2022.

Members of the public who wish to attend or provide comments regarding this matter are asked to visit the District's website at <https://lowermnriverwd.org/meetings/events/august-17-2022-board-meeting> for meeting information. Question may be referred to District Administrator Linda Loomis by email at [info@lowermnriverwd.org](mailto:info@lowermnriverwd.org).

Dated: August 7, 2022

**BY ORDER OF THE BOARD OF MANAGERS**

s/ Lauren Salvato, Secretary  
Lower Minnesota River Watershed District

Manager \_\_\_\_\_ introduced the following resolution and moved its adoption:

RESOLUTION 22-06

LOWER MINNESOTA RIVER WATERSHED DISTRICT

PRELIMINARY CERTIFICATION OF PROPERTY TAX LEVIES FOR CARVER COUNTY

FOR TAXES PAYABLE 2023

AND APPROVAL OF 2023 PROPOSED BUDGET

WHEREAS, the Board of Managers of the Lower Minnesota River Watershed District ("LMRWD") has proposed a total budget of One Million Two Hundred Twenty-Five Thousand Five Hundred and 00/100 Dollars (\$1,225,500.00) for the fiscal year commencing January 1, 2023; and

WHEREAS, the proposed budget requires Seven Hundred Seventy-Five Thousand Dollars (\$775,000) to be raised from an ad valorem tax levy on taxable property in the LMRWD, apportioned according to the attached Schedule A, for the purpose of paying administrative expenses (Minnesota Statutes § 103D.905 Subd. 3) of Two Hundred Fifty Thousand Dollars (\$250,000) and providing for a planning and implementation fund (Minnesota Statutes § 103B.241) of Five Hundred Twenty-Five Thousand Dollars (\$525,000).

NOW, THEREFORE, BE IT RESOLVED, that the Secretary, in accordance with Minnesota Statutes, shall certify to the Auditors of Carver County, the following sum to be raised by levy on all taxable property in the Lower Minnesota River Watershed District payable in the year 2023 for the purposes noted above: Forty Six Thousand Two Hundred Seven and 83/100 Dollars (\$46,207.83), as provided in Minnesota Statutes, Sections 103D.911 and 103D.915; and

BE IT FURTHER RESOLVED by the Board of Managers of the LMRWD that the 2023 Preliminary Budget as proposed is hereby approved.

Adopted by the Board of Managers of the Lower Minnesota River Watershed District this 17th day of August 2022.

\_\_\_\_\_  
Jesse Hartmann, President

ATTEST:

\_\_\_\_\_  
Lauren Salvato, Secretary/Treasurer

The motion for the adoption of the foregoing resolution was seconded by Manager \_\_\_\_\_ and upon a vote being taken thereon, the following voted in favor thereof: Amundson, Hartmann, Mraz, Raby and Salvato; and the following voted against the same: None. Whereupon said resolution was declared passed and adopted, this 17th day of August 2022, signed by the President and his signature attested by the Secretary/Treasurer.

Manager \_\_\_\_\_ introduced the following resolution and moved its adoption:

RESOLUTION 22-07

LOWER MINNESOTA RIVER WATERSHED DISTRICT

PRELIMINARY CERTIFICATION OF PROPERTY TAX LEVIES FOR DAKOTA COUNTY

FOR TAXES PAYABLE 2023

AND APPROVAL OF 2023 PROPOSED BUDGET

WHEREAS, the Board of Managers of the Lower Minnesota River Watershed District ("LMRWD") has proposed a total budget of One Million Two Hundred Twenty-Five Thousand Five Hundred and 00/100 Dollars (\$1,225,500.00) for the fiscal year commencing January 1, 2023; and

WHEREAS, the proposed budget requires Seven Hundred Seventy-Five Thousand Dollars (\$775,000) to be raised from an ad valorem tax levy on taxable property in the LMRWD, apportioned according to the attached Schedule A, for the purpose of paying administrative expenses (Minnesota Statutes § 103D.905 Subd. 3) of Two Hundred Fifty Thousand Dollars (\$250,000) and providing for a planning and implementation fund (Minnesota Statutes § 103B.241) of Five Hundred Twenty-Five Thousand Dollars (\$525,000).

NOW, THEREFORE, BE IT RESOLVED, that the Secretary, in accordance with Minnesota Statutes, shall certify to the Auditors of Dakota County, the following sum to be raised by levy on all taxable property in the Lower Minnesota River Watershed District payable in the year 2023 for the purposes noted above: Seventy Six Thousand Four Hundred Twenty Seven and 40/100 Dollars (\$76,427.40), as provided in Minnesota Statutes, Sections 103D.911 and 103D.915; and

BE IT FURTHER RESOLVED by the Board of Managers of the LMRWD that the 2023 Preliminary Budget as proposed is hereby approved.

Adopted by the Board of Managers of the Lower Minnesota River Watershed District this 17th day of August 2022.

\_\_\_\_\_  
Jesse Hartmann, President

ATTEST:

\_\_\_\_\_  
Lauren Salvato, Secretary/Treasurer

The motion for the adoption of the foregoing resolution was seconded by Manager \_\_\_\_\_ and upon a vote being taken thereon, the following voted in favor thereof: Amundson, Hartmann, Mraz, Raby and Salvato; and the following voted against the same: None. Whereupon said resolution was declared passed and adopted, this 17th day of August 2022, signed by the President and his signature attested by the Secretary/Treasurer.

Manager \_\_\_\_\_ introduced the following resolution and moved its adoption:

RESOLUTION 22-08

LOWER MINNESOTA RIVER WATERSHED DISTRICT

PRELIMINARY CERTIFICATION OF PROPERTY TAX LEVIES FOR HENNEPIN COUNTY

FOR TAXES PAYABLE 2023

AND APPROVAL OF 2023 PROPOSED BUDGET

WHEREAS, the Board of Managers of the Lower Minnesota River Watershed District ("LMRWD") has proposed a total budget of One Million Two Hundred Twenty-Five Thousand Five Hundred and 00/100 Dollars (\$1,225,500.00) for the fiscal year commencing January 1, 2023; and

WHEREAS, the proposed budget requires Seven Hundred Seventy-Five Thousand Dollars (\$775,000) to be raised from an ad valorem tax levy on taxable property in the LMRWD, apportioned according to the attached Schedule A, for the purpose of paying administrative expenses (Minnesota Statutes § 103D.905 Subd. 3) of Two Hundred Fifty Thousand Dollars (\$250,000) and providing for a planning and implementation fund (Minnesota Statutes § 103B.241) of Five Hundred Twenty-Five Thousand Dollars (\$525,000).

NOW, THEREFORE, BE IT RESOLVED, that the Secretary, in accordance with Minnesota Statutes, shall certify to the Auditors of Hennepin County, the following sum to be raised by levy on all taxable property in the Lower Minnesota River Watershed District payable in the year 2023 for the purposes noted above: Three Hundred Fourteen Thousand Fifty Four and 03/100 Dollars (\$314,054.03), as provided in Minnesota Statutes, Sections 103D.911 and 103D.915; and

BE IT FURTHER RESOLVED by the Board of Managers of the LMRWD that the 2023 Preliminary Budget as proposed is hereby approved.

Adopted by the Board of Managers of the Lower Minnesota River Watershed District this 17th day of August 2022.

\_\_\_\_\_  
Jesse Hartmann, President

ATTEST:

\_\_\_\_\_  
Lauren Salvato, Secretary/Treasurer

The motion for the adoption of the foregoing resolution was seconded by Manager \_\_\_\_\_ and upon a vote being taken thereon, the following voted in favor thereof: Amundson, Hartmann, Mraz, Raby and Salvato; and the following voted against the same: None. Whereupon said resolution was declared passed and adopted, this 17th day of August 2022, signed by the President and his signature attested by the Secretary/Treasurer.

Manager \_\_\_\_\_ introduced the following resolution and moved its adoption:

RESOLUTION 22-09

LOWER MINNESOTA RIVER WATERSHED DISTRICT

PRELIMINARY CERTIFICATION OF PROPERTY TAX LEVIES FOR SCOTT COUNTY

FOR TAXES PAYABLE 2023

AND APPROVAL OF 2023 PROPOSED BUDGET

WHEREAS, the Board of Managers of the Lower Minnesota River Watershed District ("LMRWD") has proposed a total budget of One Million Two Hundred Twenty-Five Thousand Five Hundred and 00/100 Dollars (\$1,225,500.00) for the fiscal year commencing January 1, 2023; and

WHEREAS, the proposed budget requires Seven Hundred Seventy-Five Thousand Dollars (\$775,000) to be raised from an ad valorem tax levy on taxable property in the LMRWD, apportioned according to the attached Schedule A, for the purpose of paying administrative expenses (Minnesota Statutes § 103D.905 Subd. 3) of Two Hundred Fifty Thousand Dollars (\$250,000) and providing for a planning and implementation fund (Minnesota Statutes § 103B.241) of Five Hundred Twenty-Five Thousand Dollars (\$525,000).

NOW, THEREFORE, BE IT RESOLVED, that the Secretary, in accordance with Minnesota Statutes, shall certify to the Auditors of Scott County, the following sum to be raised by levy on all taxable property in the Lower Minnesota River Watershed District payable in the year 2023 for the purposes noted above: Three Hundred Thirty Eight Thousand Three Hundred Ten and 75/100 Dollars (\$338,310.75), as provided in Minnesota Statutes, Sections 103D.911 and 103D.915; and

BE IT FURTHER RESOLVED by the Board of Managers of the LMRWD that the 2023 Preliminary Budget as proposed is hereby approved.

Adopted by the Board of Managers of the Lower Minnesota River Watershed District this 17th day of August 2022.

\_\_\_\_\_  
Jesse Hartmann, President

ATTEST:

\_\_\_\_\_  
Lauren Salvato, Secretary/Treasurer

The motion for the adoption of the foregoing resolution was seconded by Manager \_\_\_\_\_ and upon a vote being taken thereon, the following voted in favor thereof: Amundson, Hartmann, Mraz, Raby and Salvato; and the following voted against the same: None. Whereupon said resolution was declared passed and adopted, this 17th day of August 2022, signed by the President and his signature attested by the Secretary/Treasurer.

**SCHEDULE A**

District 060 - Lower MN River Watershed

The following table was presented for the Managers' consideration with regard to the proposed amounts to be levied in each separate county, based upon the net tax capacities available:

**Preliminary Certification of Apportioned Levies**

**Payable 2023**

1)	General Fund (M.S. 103D.905, Subd.3)		\$250,000.00
2)	Planning and Implementation Fund (M.S. 103B.241)		\$525,000.00
3)	Payable 2023 Property Tax Levy		\$775,000.00
	(4)	(5)	(6)
<u>County</u>	Payable 2022 Taxable Net Tax Capacity	Net Tax Capacity Percent Distribution	Apportioned Payable 2023 Levy \$725,000 x column (5)
Carver	\$7,450,063	5.9623%	\$46,207.83
Dakota	\$12,872,721	9.8616%	\$76,427.40
Hennepin	\$54,760,464	40.5231%	\$314,054.03
Scott	\$54,253,089	43.6530%	\$338,310.75
<b>TOTAL</b>	<b>\$129,335,337</b>	<b>100.00%</b>	<b>\$775,000.00</b>



Table 4-1: Lower Minnesota River Watershed District—Implementation Program Budget for 2023–2027

ACTION	Year				
	2023	2024	2025	2026	2027
<b>EXPENDITURE</b>					
<b>Administrative and Managerial</b>					
General administrative services, conferences, coordination with LGUs, stakeholders, and other project partners, LGU program reviews, 9-Foot Channel, and advisory committees (Technical and Citizen)	\$250,000	\$250,000	\$250,000	\$250,000	\$250,000
<b>Administrative/Managerial Budget Total</b>	<b>\$250,000</b>	<b>\$250,000</b>	<b>\$250,000</b>	<b>\$250,000</b>	<b>\$250,000</b>
<b>Studies and Programs</b>					
Cost-Share Incentive and Water Quality Restoration Program	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000
Dredge management	\$240,000	\$240,000	\$240,000	\$126,000	\$240,000
Eagle Creek Bank Restoration at Town & Country RV Park Feasibility Study		\$30,000			
Education and Outreach Program	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000
Fen Private Land Acquisition Study		\$50,000	\$25,000		
Fen Stewardship and Management Program	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000
Gully Inventory and Assessment Program	\$90,500	\$150,000	\$150,000	\$150,000	\$150,000
Implementation of the Sustainable Lake Management Plans		\$50,000	\$50,000		\$50,000
Monitoring Program and detailed data assessments	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000
Project and permit reviews	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
Seminary Fen Restoration Site C-2 Study	\$20,000	\$40,000			
Spring Creek Site 3 Design Feasibility Study	\$50,000				
Trout streams geomorphic assessments		\$100,000			\$100,000
Watershed Management Plan				\$50,000	\$100,000
Water Resources Restoration Fund	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000
<b>Studies and Programs Budget Total</b>	<b>\$795,500</b>	<b>\$1,055,000</b>	<b>\$860,000</b>	<b>\$721,000</b>	<b>\$1,035,000</b>
<b>Capital Improvements</b>					
Dredge site culvert replacement				\$51,500	
Eagle Creek Bank Restoration at Town & Country RV Park Project			\$69,800	\$90,200	
Eagle Creek Brown Trout Habitat Improvements Project					\$70,000
Minnesota River floodplain modeling	\$75,000				
Minnesota River Study Area 3—Bluff Stabilization Project		\$100,000	\$100,000		
Seminary Fen Restoration Site B		\$50,000	\$25,000		
Seminary Fen Restoration Site C-2 and C-3 design and construction			\$55,000	\$50,000	\$65,000
Shakopee Riverbank Stabilization Project		\$50,000	\$50,000		
Spring Creek Sites 1 and 2 Design and Construction Stabilization Project		\$100,000	\$100,000	\$70,000	
Spring Creek Vegetation Management Project	\$40,000				
Stormwater BMP at parking lot near Lewis Street West and Second Avenue West Project	\$50,000	\$50,000			
Vernon Avenue upgrade at the dredge site				\$62,500	
<b>Capital Improvements Budget Total</b>	<b>\$165,000</b>	<b>\$350,000</b>	<b>\$399,800</b>	<b>\$324,200</b>	<b>\$135,000</b>
<b>TOTAL EXPENDITURES</b>	<b>\$1,210,500</b>	<b>\$1,655,000</b>	<b>\$1,509,800</b>	<b>\$1,295,200</b>	<b>\$1,420,000</b>

REVENUE					
General Levy	\$250,000	\$250,000	\$250,000	\$250,000	\$250,000
Planning and Implementation Levy	\$525,000	\$625,000	\$650,000	\$675,000	\$700,000
Metropolitan Council Grant	\$5,500	\$5,500	\$5,500	\$5,500	\$5,500
Dredge Material Management Grant	\$240,000	\$240,000	\$240,000	\$240,000	\$240,000
Grants	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000
Fund balance and closed or unrealized projects	\$90,000	\$434,500	\$264,300	\$24,700	\$124,500
<b>TOTAL REVENUE</b>	<b>\$1,210,500</b>	<b>\$1,655,000</b>	<b>\$1,509,800</b>	<b>\$1,295,200</b>	<b>\$1,420,000</b>

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Project Name/account number		Fiscal Year	Revenues	Expenses	Balance/(Shortfall)
Gully Erosion Contingency Fund 77-701-000-0101  <b>THIS PROJECT WILL BE CLOSED OUT</b>	This fund was set up after the LMRWD retained the services of the MN Conservation Corps to conduct a Gully Inventory. The District set aside a contingency fund to finance projects which consist of constructing bluff stabilization projects with cooperating partners (primarily municipalities) in those areas identified in the District's gully inventory as having severe erosion that have yet to be stabilized or identified specifically in the CIP for the Plan. No City has ever requested funding. This funding was used to update the Gully Inventory by assessing the conditions of the inventoried gullies and by documenting additional gullies.	2012	\$ 25,000.00	\$ -	
		2013	\$ 5,000.00	\$ -	
		2014	\$ -	\$ 67,681.00	
		2015	\$ 40,000.00	\$ 875.00	
		2016	\$ 40,000.00	\$ -	
		2018	\$ 40,000.00	\$ -	
		2019	\$ -	\$ -	
		2020	\$ -	\$ 81,255.59	
		2021	\$ -	\$ 3,776.50	
				<b>\$ 150,000.00</b>	
Credit River 77-701-000-0102  <b>THIS PROJECT WILL BE CLOSED OUT remaining funds will be allocated to unrestricted fund balance</b>	This money was to be used for a project constructed in cooperation with Scott County. It aimed to restore five reaches of the Credit River within the LMRWD as outlined in the 2008 Credit River Geomorphic Assessment Report. One of the projects would restore the natural channel and involve rebuilding a portion of stream channel in Savage north of Highway 13 in the Minnesota River floodplain. Two projects consist of riparian vegetative restoration in Savage south of Highway 13. The final two projects would replace and repair the culvert crossing which spans Highway 13 in Savage. Scott County did not proceed with this project.	2013	\$ 1,000.00	\$ -	\$ 1,000.00
			<b>\$ 1,000.00</b>	<b>\$ -</b>	
Dakota Ravine Project Savage Scott/WMO 77-701-000-0116  <b>THIS PROJECT WILL BE CLOSED OUT</b>	This project was to stabilize a ravine in the City of Savage. The City and Scott County were partners with the LMRWD. The ravine was located north of Savage City Hall on Dakota Avenue. The project was completed several years ago. The project was completed and paid for. The LMRWD never recieved a request for the contribution. When Scott County was contacted about the project, it was paid for by the	2013	\$ 5,000.00	\$ -	\$ 5,000.00
			<b>\$ 5,000.00</b>	<b>\$ -</b>	
Seminary Fen Restoration 77-701-000-0118  <b>THIS PROJECT WILL BE CLOSED OUT remaining funds will be allocated to unrestricted fund balance</b>	This project proposed to restore a 6 acre portion of Seminary Fen that was formerly ditched and tiled. This project proposed to restore the natural hydrologic regime by rendering the tile and ditch ineffective in draining the wetland by partial removal and blocking of the tile and ditch modifications to eliminate the man made hydrologic scope and affect on the wetland. The project will restore the native plant community by controlling reed canary grass and re-introducing native plant species. Collection of seed for this project will be from City owned land adjacent to the project site to insure local ecotype seed is utilized. Restoring native vegetation will offer further vegetative buffering protection to the Seminary Fen, protecting the Fen's native plant diversity. This project was completed by the City without participation by the LMRWD.	2012	\$ 36,000.00	\$ -	\$ 33,911.50
		2013	\$ -	\$ -	
		2014	\$ -	\$ 471.50	
		2015	\$ -	\$ 1,617.00	
			<b>\$ 36,000.00</b>	<b>\$ 2,088.50</b>	
Ravine Stabilization @ Seminary Fen* 77-701-000-0103  <b>THIS PROJECT WILL BE CLOSED OUT remaining funds will be allocated to unrestricted fund balance</b>	Ravine erosion was causing a large area of sedimentation along the north half of Seminary Fen. This project is phase 2 of a project that was completed in 2009. Phase I, completed by the City of Chaska, invovled restoration of a wetland outlet for rate control to the ravine. Stabilization of the ravine is still necessary to reduce the transport of sediment to the Fen complex. Annualized sediment transport was modeled using 1-D bedload sediment transport model by Meyer-Peter and Muller (1948). Under existing conditions, sediment transport to the Fen is estimated at 1.85 million tons per year. The goal of this project is to complete ravine stabilization improvements that are estimated to reduce the transport rate of sediment to 0.68 million tons per year. This represents a 63% reduction in sediment load to Seminary Fen. The LMRWD received a CWF Grant for this project. Difficulties completeing the project and reporting	2012	\$ 50,000.00	\$ -	
		2013	\$ 100,000.00	\$ -	
		2014	\$ 100,000.00	\$ 90.00	
		2015	\$ 100,000.00	\$ -	
		2016	\$ -	\$ 100,000.00	
		2017	\$ -	\$ 147,856.39	
		2018	\$ -	\$ -	
		2019	\$ -	\$ 110,400.00	

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Ravine Stabilization @ Seminary Fen* (continued)	to BWSR extended well beyond the grant expiration date. The LMRWD lost the second half of grant funding because of the late filing of the final reporting. The Legislature allowed the LMRWD to allocate money it receives from the state of MN for dredge material management to replace the grant.	2020 2022	\$ 55,200.00 \$ 110,400.00 <b>\$ 515,600.00</b>	\$ - \$ - <b>\$ 358,346.39</b>	<b>\$ 157,253.61</b>
Long Meadow Outfall* 77-701-000-0117  <b>THIS PROJECT WILL BE CLOSED OUT remaining funds will be allocated to unrestricted fund balance</b>	This project implemented, in cooperation with the City of Bloomington, water quality improvements downstream of Long Meadow Lake. The existing storm sewer to Long Meadow Lake from Bloomington Central Station area was reconstructed and water quality best management practices were incorporated to provide additional treatment.	2013 2014 2015	\$ 100,000.00 \$ 100,000.00 \$ 100,000.00 <b>\$ 300,000.00</b>	\$ - \$ - \$ 100,000.00 <b>\$ 100,000.00</b>	<b>\$ 200,000.00</b>
Dean Lake Feasibility Study 77-701-000-0104  <b>THIS PROJECT WILL BE CLOSED OUT remaining funds will be allocated to unrestricted fund balance</b>	The LMRWD prepared a feasibility study of Dean Lake. This project was to implement the results of the study. The project consisted of financing adjacent septic systems connection to city sanitary sewer, construction of sedimentation basins, water quality treatment BMPs in the upstream watershed, improvements to the inlet and outlet, shoreline restoration and/or in-lake management such as dredging to and chemical treatment. This work was in preparation for a TMDL Study. Dean Lake was listed as impaired for nutrients on the 303(d) list. In the course of the study it was determined that Dean Lake functions more like an open water wetland than a shallow lake. The LMRWD requested that the MPCA consider changing the classification of Dean Lake from a shallow lake. The MPCA agreed. Dean Lake was removed from the 303(d) list in 2018.	2013 2014 2015	\$ 15,000.00 \$ 100,000.00 \$ 30,000.00 <b>\$ 145,000.00</b>	\$ 13,761.81 \$ 25,719.00 \$ 1,634.75 <b>\$ 41,115.56</b>	<b>\$ 103,884.44</b>
Vegetation Management Standard 77-702-000-0104	This project addresses Policy 7.2.1 in the LMRWD Watershed Management Plan; Develop a Vegetation Management Standard/Plan. The strategy consists of the District undertaking an effort in partnership with the DNR, USFWS, BWSR, NRCS, and NGOs (e.g. Great River Greening), to develop a vegetation management standard/plan for unique natural resources within the District. This plan would be functional for all who live, work, and invest in the District. While many of the cities and counties within the District have vegetation management standards, the standards are inconsistent. In addition, the District has not established vegetation management standards addressing practices such as vegetative cutting, and clearing on bluffs, and steep slopes.	2013 2014 2015 2016 2018 2019	\$ 10,000.00 \$ 15,000.00 \$ 15,000.00 \$ 15,000.00 \$ - \$ 50,000.00 <b>\$ 105,000.00</b>	\$ - \$ - \$ - \$ - \$ 3,304.75 \$ 9,927.90 <b>\$ 13,232.65</b>	<b>\$ 91,767.35</b>
<b>Data Assessments &amp; Program Review</b> 77-702-000-0123	This item has the same activity code as the Fen project. It was in the 2011 Plan without an explanation as to what the funds would be used for. The costs shown here are expenses that have been incurred by the District for Technical Assistance provided by the SWCD's.	2012 2014 2016 2017 2018 2019	\$ 40,000.00 \$ 40,000.00 \$ 40,000.00 <b>\$ 120,000.00</b>	\$ 491.00 \$ 2,223.58 \$ 2,410.50 \$ 676.00 <b>\$ 5,801.08</b>	<b>\$ 114,198.92</b>
USGS 77-701-000-0115	This project is a partnerships between USGS, the US Army Corps of Engineers and the LMRWD to monitor suspended sediment concentration and bedload sediment accumulation in the Minnesota River. The USGS is wrapping up the project this year (2020) because the location of monitoring equipment was washed away by the 2019 flooding. The pier that supported the equipment was owned by the Metropolitan Council and it was decided that it is too expensive to replace. No more cost will be incurred for this	2013 2014 2015 2016 2017	\$ - \$ 8,000.00 \$ 18,000.00 \$ 10,000.00 \$ 18,500.00	\$ 12,800.00 \$ 19,692.00 \$ 15,088.00 \$ 18,188.00 \$ 18,631.00	

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USGS (continued)	program, unless USGS finds additional partners that are willing to share in the cost associated with monitoring sediment loads in the Minnesota River. Staff recommends keeping this open to see if partners are found.	2018 2019 2020	\$ 18,500.00 \$ 19,700.00 \$ 19,700.00 <b>\$ 112,400.00</b>	\$ 19,400.00 \$ 19,788.00 \$ 10,091.50 <b>\$ 133,678.50</b>	<b>\$ (21,278.50)</b>
Study Area #3 77-701-000-0105	To address river bank erosion, the LMRWD will analyze the design and construction a project to stabilize the Minnesota River bank at Study Area #3 in Eden Prairie. A study was completed in 2008 for the City of Eden Prairie in cooperation with the District. The District is currently undertaking a project that will update and expand the 2008 study by collecting and analysing additional data that will extend to the final design, permitting and construction. In 2021, the LMRWD retained Inter-Fluve to validate the previous studies and evaluate the stabilization recommendations. In July 2021, the District concluded that the area will require more that bank stabilization to address the eroding steep slope. It was also determined that the City must become a partner, because of the impacts its stormwater ponds in having on the erosion.	2016 2017 2018 2019 2020 2021 2022	\$ - \$ 75,000.00 \$ - \$ - \$ 35,000.00 \$ 100,000.00 \$ 100,000.00 <b>\$ 310,000.00</b>	\$ 1,081.00 \$ 5,144.66 \$ 1,371.00 \$ 4,026.80 \$ 32,674.59 \$ 121,119.83 \$ 23,747.05 <b>\$ 189,164.93</b>	<b>\$ 120,835.07</b>
Overlook Outfall <b>THIS PROJECT WILL BE CLOSED OUT remaining funds will be allocated to unrestricted fund balance</b>	The City of Bloomington proposed to replace a failing storm sewer outfall between Overlook Lake and Coleman Lake. This project came from the City of Bloomington when the previous generation of the LMRWD Plan was developed. The project was completed using FEMA money the City received after heavy rains in 2014.	2015	\$ 100,000.00 <b>\$ 100,000.00</b>	\$ - \$ -	<b>\$ 100,000.00</b>
Seminary Fen Draintile 77-701-000-0120 <b>THIS PROJECT WILL BE CLOSED OUT remaining funds will be allocated to unrestricted fund balance</b>	This project was brought to the District by the City of Chaska in 2015. MNDOT was looking for alternatives for TH 41 to cross the MN River. One option was to bridge Seminary Fen. An in-depth study was done. The study identified an area of the peat dome within the fen that was tiled many years ago. The City of Chaska proposed that the tile be removed or the lines be broken to end the ability of the tile to convey water. Working with the DNR it was decided that a project such as this may have a detrimental affect on the fen, so the project did not ever move forward.	2015	\$ 25,000.00 <b>\$ 25,000.00</b>	\$ - # \$ -	<b>\$ 25,000.00</b>
Bluff Creek Cooperative Project 77-701-000-0121	This was a project of the Riley Prugatory Bluff Creek Watershed District. The project would have stabilized banks of Bluff Creek below the MN River Bluffs Trail and created a fish passage through the reach of stabilized creek and continue into the tunnel under the trail. RPBCWD received a CWF grant for this project, however, was never able to obtain easements necessary to construct the project and lost the grant. The project was never completed. Riley Purgatory Bluff Creek Watershed District recently reached out to the LMRWD to revisit this project, as the property in question has changed ownership.	2015	\$ 50,000.00 <b>\$ 50,000.00</b>	\$ - \$ -	<b>\$ 50,000.00</b>
Eagle Creek 77-702-000-0108	This project proposes to restore approximately 2,400 feet of stream and repair erosion under the 128th Street Bridge. The goals of the project are to reduce erosion and improve fish habitat. Due to beaver dams, the stream cuts into three valley walls, contributing to significant deposits of sediment. This project will be a partnership with the DNR and possibly Trout Unlimited. The Eagle Creek Study completed by the City of Savage in 2022 identified this area as an area of concern and the City submitted this as a project for consideration under the FY 2022/23 WBIF.	2017 2019	\$ 12,000.00 \$ 10,000.00 <b>\$ 22,000.00</b>	\$ - \$ - \$ -	<b>\$ 22,000.00</b>
East Chaska Creek 77-702-000-0124	Identified in the East Chaska Creek Restoration feasibility study, the scour hole downstream of Crosstown Boulevard Bridge was repaired, bank amoring installed, toe protection and grade control structures added behind Cuzzy's Brickhouse Restaurant, and bank amoring	2015 2016 2018	\$ - \$ 200,000.00 \$ -	\$ 19,369.65 \$ 2,006.35 \$ 3,510.74	

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East Chaska Creek (continued)	and protection installed on the right bank of East Oak Street. The LMRWD received a grant of \$25,472 under the Metro-area Watershed Based Funding Pilot Program. This project was completed in the winter of 2021. The contractor was paid a portion of the project. The LMRWD conducted a final inspection of the project and will be recommending final payment to the contractor at the August 2022 meeting of the Board of Managers.	2019 2020 2021 2022	\$ 50,000.00 \$ - \$ - \$ - <b>\$ 250,000.00</b>	\$ 27,700.38 \$ 42,246.90 \$ 80,310.94 \$ - <b>\$ 175,144.96</b>	<b>\$ 74,855.04</b>
East Chaska Creek Treatment Wetland  <b>THIS PROJECT WILL BE CLOSED OUT remaining funds will be allocated unrestricted fund balance</b>	The East Chaska Creek feasibility study reported that an ideal location to construct a treatment wetland was south of the creek in two vacant lots along Chaska Boulevard. Vacant lots consisted of asphalt paving right up to the edge of the creek bank. The project proposed diversion of creek flow in the channel into a stormwater treatment system to provide for sediment removal, flood storage and bacteria treatment. East Chaska Creek is impaired for Aquatic macroinvertebrate bioassessments, fishes bioassessments, turbidity and fecal coliform. This project planned to address the impairments. The vacant lots were owned by the Chaska Economic Development Authority and since the feasibility study, the city has developed some of the area making it unlikely that this project will be completed.	2018 2019	\$ 10,000.00 \$ 50,000.00 <b>\$ 60,000.00</b>	\$ - \$ - <b>\$ -</b>	<b>\$ 60,000.00</b>
Bloomington Non-degradation Volume Reduction Project 77-702-000-0106 (This account number has been reassigned) <b>THIS PROJECT WILL BE CLOSED OUT remaining funds will be allocated unrestricted fund balance</b>	The City of Bloomington was one of 30 Minnesota municipalities required to meet non-degradation requirements as part of the NPDES MS4 Permit. The non-degradation report evaluated changes in runoff quantity and quality since 1988, and projected changes to the year 2020. Where significant increases in stormwater runoff occurred or were projected to occur, options to keep pollutant loading from receiving waters at the 1988 levels were discussed. This project would involve a volume reduction to meet the non-degradation requirement and return pollutant loading to 1988 levels. The City has addressed this issue by other means in its most recent Surface Water Management Plan and the project is no longer anticipated.	2016	\$ 125,000.00 <b>\$ 125,000.00</b>	\$ - <b>\$ -</b>	<b>\$ 125,000.00</b>
Riley Creek Cooperative Project 77-701-000-0107  <b>THIS PROJECT WILL BE CLOSED OUT</b>	This project is a joint project between RPBCWD, the City of Eden Prairie and the LMRWD. RPBCWD restored a portion of Riley Creek to stabilize the banks and reconnect the creek with its floodplain. The LMRWD restored and stabilized bankson the reach of Riley Creek in the LMRWD. The LMRWD reach was completed by Ames Construction as part of the Flying Cloud Drive transportation improvement project. The project in the RPBCWD will reduce the amount of sediment in Riley Creek significantly. The LMRWD contributed \$150,000 to RPBCWD project. The City of Eden Prairie is responsible for maintenance of the portion of the project within RPBCWD now that it is complete.	2016 2017 2018 2019 2020 2021	\$ 45,000.00 \$ 100,000.00 \$ 50,000.00 \$ - \$ 74,565.67 \$ - <b>\$ 269,565.67</b>	\$ 39,052.63 \$ 6,315.55 \$ 75,075.49 \$ - \$ - \$ 150,000.00 <b>\$ 270,443.67</b>	<b>\$ (878.00)</b>
Fen Assessment & Analysis  <b>Fen Stewardship Project</b> 77-702-000-0123	This project consists of completing a floristic quality assesment that provides a replicable, descriptive picture in time of the fens. Used as a baseline indicator of fen condition to be compared against conditions in the future (i.e., track degradation or functional lift). The project will update the MLCCS and MnRAM to: provide a complete, accurate baseline dataset of wetland plant communities found in the marshes. It will include for quality control of existing data and addition of new information. The ultimate goal of the project is to develop a strategy, along with the DNR and Metropolitan Council to protect preserve and manage the calcareous fens. these two categories (listed to the left) have been dedicated to the LMRWD's work on calcareous fens, even though the name of the line in the budget has changed from year to year. This is the same activity code as the Data Assessment and Program Reviews. The revenues reflect the year and title listed in LMRWD budget. The LMRWD received a \$47,673.07 grant under the Metro-area	2015 2016 2017 2020 2021  2018 2019 2020 2021	\$ - \$ - \$ 75,000.00 \$ - \$ 47,637.07  \$ 75,000.00 \$ 25,000.00 \$ 25,000.00 \$ 25,000.00	\$ 11,911.75 \$ 2,818.25 \$ 7,000.01 \$ 762.20 \$ -  \$ 383.26 \$ 68,183.20 \$ 78,962.21 \$ 41,305.24	WBIF Grant payment

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Fen Stewardship Project (continued)	Watershed Based Funding Pilot Program for studies of the fens in Dakota County. This grant was administered by the Dakota County Soil & Water Conservation District. The LMRWD received final payment of this grant in 2021.	2022	\$ 25,000.00	\$ 34,498.22	\$ 51,812.73
			\$ 297,637.07	\$ 245,824.34	
Sustainable Lakes Management Plan (trout waters) 77-702-000-0104	This project will develop a plan for management of trout lakes within the LMRWD. The Sustainable Lakes Management Plan (SLMP) will assess aquatic plant coverage, exotic species issues, shoreline conditions, nutrients and temperature dynamics, stormwater and groundwater contributions, and roles and responsibilities. A management plan will be developed, as well as an implementation plan and schedule. Recreational opportunities will be assessed.	2018 2019 2020 2021 2022	\$ 50,000.00 \$ - \$ 50,000.00 \$ - \$ 50,000.00	\$ - \$ 17,554.65 \$ 4,225.33 \$ - \$ -	\$ 128,220.02
			\$ 150,000.00	\$ 21,779.98	
Geomorphic Assessment of Trout Streams 77-702-000-0106  <b>THIS PROJECT WILL BE CLOSED OUT</b>	The geomorphic assessment of trout streams will consider changes in trout stream alignment, confluence point(s), or geometry, and stream reaches upstream and downstream of the confluence point(s). Stream width-to-depth ratios, stream bed slope, meander pattern, and other bed features shall be modeled according to a stable reference reach. Reference reaches are nearby, hydrologically, and geomorphically-stable stream segments. A reference reach could be upstream or downstream, or in a nearby watershed. Assessment of the current and future discharge and sediment regimes shall be based on watershed conditions that are above stream or as close as possible to the stream.	2018 2019 2020 2021 2022	\$ 50,000.00 \$ - \$ 50,000.00 \$ - \$ -	\$ 2,729.75 \$ 91,175.37 \$ 34,590.96 \$ - \$ 5,113.85	\$ (33,609.93)
			\$ 100,000.00	\$ 133,609.93	
Paleolimnology Study 77-702-000-0111  <b>THIS PROJECT WILL BE CLOSED OUT</b>	This project was completed in partnership with Freshwater and LaCore at the University of Minnesota. Cores were taken from floodplain lakes in the Minnesota River Valley and analyzed to determine if sedimentation rates could be correlated with changes to upstream land uses.	2018	\$ 50,000.00	\$ 37,200.00	\$ 12,800.00
			\$ 50,000.00	\$ 37,200.00	
District Boundary adjustments 77-702-000-0128	This project will work with adjacent water management organizations to better align LMRWD boundaries with the flow of surface water. MAC has begun work on a survey to identify boundary changes needed. Carver WMO has expressed willingness to look at boundaries.	2018	\$ 10,000.00	\$ -	\$ 10,000.00
			\$ 10,000.00	\$ -	
MN River Sediment reduction strategy 77-702-000-0130	This project will collaborate with the MPCA to develop strategies for evaluating and mitigating sediment loads coming into the Minnesota River.	2018 2019	\$ 25,000.00 \$ 25,000.00	\$ - \$ -	\$ 50,000.00
			\$ 50,000.00	\$ -	
Assumption Creek Hydrology Restoration	Assumption Creek is a trout stream, so it is important to maintain the temperature of the groundwater discharge. According to the City of Chaska, portions of the creek dry out periodically. It is unknown exactly what has reduced the hydrology of the creek. It may have been the U.S. Army Corps of Engineers' diversion project, historic creek rerouting for the brick factory, road construction, or other development effects. This project will evaluate opportunities available to resupply the groundwater hydrology to the creek. Assumption Creek is impaired for Aquatic macroinvertebrates bioassessments.	2019 2021 2022	\$ 30,000.00 \$ - \$ -	\$ - \$ 2,125.50 \$ 15,933.13	\$ 11,941.37
			\$ 30,000.00	\$ 18,058.63	
Carver Creek	This project includes stabilizing the outer bends of Carver Creek with toe protection, grading banks to a more stable slope and stabilizing the gully. Carver Creek is impaired for Nutrients, Turbidity, Fecal Coliform, Fishes bioassessment and Aquatic macroinvertebrates bioassessments.	2019 2020	\$ 80,000.00 \$ 15,000.00	\$ - \$ -	\$ 95,000.00
			\$ 95,000.00	\$ -	

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MN River Floodplain Model feasibility study 77-702-000-0110	This project will review the existing Minnesota River floodplain model to determine if updates are required. The current model was a partnership between the LMRWD, DNR and the U.S. Army Corps of Engineers' and was developed in 2004.	2019 2022	\$ 30,000.00 \$ - <b>\$ 30,000.00</b>	\$ - \$ 11,041.50 <b>\$ 11,041.50</b>	<b>\$ 18,958.50</b>
Schroeder's Acres Park 77-702-000-	Schroeder Acres Park is located in the city of Savage within the LMRWD. The goal is to improve the overall health of Eagle Creek, a designated trout stream, by reducing bacteria, and nutrients, managing temperature, reducing volume, evaluate impacts of chlorides. The LMRWD has received a \$60,000 grant through the Metro-area Watershed Based Funding Pilot Program for this project.	2019 2020	\$ 39,555.00 \$ 181,055.00 <b>\$ 220,610.00</b>	\$ - \$ 260.00 \$ 260.00	<b>\$ 220,350.00</b>
Prior Lake Outlet Channel Realignment 77-702-000- <b>THIS PROJECT WILL BE CLOSED OUT remaining funds will be allocated unrestricted fund balance</b>	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. The LMRWD has received a \$71,570 grant through the Metro-area Watershed Based Funding Pilot Program for this project.	2019 2020 2021 2022	\$ 71,727.00 \$ - \$ 70,000.00 \$ 30,000.00 <b>\$ 171,727.00</b>	\$ - \$ - \$ 171,570.00 \$ - <b>\$ 171,570.00</b>	<b>\$ 157.00</b>
Spring Creek restoration project	This project is to study Spring Creek hydrology and hydraulics to validate the proposed 2019 stabilization designs for 112 5th Street West and 404 Broadway Street in Carver, MN. Spring Creek is impaired for Fecal Coliform. (Although it is not on the public waters inventory)	2019 2020 2021 2022	\$ 45,000.00 \$ - \$ 75,000.00 \$ - <b>\$ 120,000.00</b>	\$ 4,543.78 \$ - \$ 8,742.36 \$ 8,313.26 <b>\$ 21,599.40</b>	<b>\$ 98,400.60</b>
West Chaska Creek Cooperative Project/CCWMO	The project will re-meander approximately 1,100 linear feet of a ditched segment of West Chaska Creek. Lengthening the channel will reduce water velocity, lower shear stress on the banks, reconnect the creek to its floodplain and reduce the amount of sediment transported downstream to the Minnesota River, Based on upstream reference reaches and changes observed since the creek was straightened, the project will reduce TSS by an estimated 4,400 pounds per year for 30 years. This project is a partnership with Carver County WMO, who is responsible for development and execution of the project. The LMRWD agreed to contribute \$50,000 to the project. West Chaska Creek is impaired for Fecal Coliform.	2019 2020 2022	\$ 50,000.00 \$ - \$ - <b>\$ 50,000.00</b>	\$ - \$ 162.50 \$ 27,441.00 <b>\$ 27,603.50</b>	<b>\$ 22,396.50</b>
TH101 Ravine/Shakopee  <b>THIS PROJECT WILL BE CLOSED OUT</b>	This project addresses a storm water issue at the site of the Amazon Fulfillment Center in Shakopee that was flowing across a burial site located within the boundaries of Murphy's Landing. Funding for this project was allocated from the Water Resource Fund.	2019 2020	\$ - \$ 35,000.00 <b>\$ 35,000.00</b>	\$ 402.97 \$ - \$ 35,000.00 <b>\$ 35,402.97</b>	<b>\$ (402.97)</b>
Gully Inventory	This work will build upon the 2020 Gully Inventory and Condition Assessment report by identifying potential gullies that were not inspected or assessed in the original 2007 Gully Inventory. Using GIS software and supplemental fieldwork, this work will identify potential gullies that are contributing to the flow and sediment accumulation of the Minnesota River from the cities of Burnsville, Eagan, Savage, and Shakopee as well as develop recommendations for future field work to assess the condition of these gullies. Funding for this projects is the re-allocation of funds that were being used to address the deficit in the 9 foot Channel Fund.	2020 2021 2022	\$ 80,000.00 \$ - \$ - <b>\$ 80,000.00</b>	\$ 51,714.34 \$ 48,977.93 \$ 690.00 <b>\$ 101,382.27</b>	<b>\$ (21,382.27)</b>



Lower Minnesota River Watershed District Capital Improvement Project Spreadsheet  
as of August 17, 2022

Minnesota River Corridor Management Project	Using the Minnesota River as a focal point, this project will examine issues facing the river's complex natural system, a shared resource and a place where varied interests and other systems converge. The LMRWD seeks to (1) create a greater understanding of the Lower Minnesota River Corridor and its landscape, (2) demonstrate a desired future for the river and how change in the surrounding landscape can help attain this future, (3) suggest a structure or framework by which the vision can be implemented and (4) identify shared community and public values that form the basis of the project. (this design is modeled after the Vermillion River Corridor Plan.)	2021 2022	\$ 75,000.00 \$ - <b>\$ 75,000.00</b>	\$ 52,786.97 \$ 7,621.97 <b>\$ 60,408.94</b>	<b>\$ 14,591.06</b>
Seminary Fen Ravine A	At the intersection of Engler & Audubon in Chaska, 3.61 acres of wetland will be purchased and restored. The site is next to a 6 acre wetland that was restored by the City in partnership with the MN DNR.	2021	\$ 75,000.00 <b>\$ 75,000.00</b>	\$ - \$ -	<b>\$ 75,000.00</b>
Seminary Fen Ravine C-2	This ravine is actively discharging sediment into the Seminary Fen Wetland Complex. This project will conduct a study of the Ravine to estimate sediment contribution and provide approaches and cost estimates for correcting the erosion problem.	2020 2022	\$ 20,000.00 \$ - <b>\$ 20,000.00</b>	\$ 97.50 \$ 20,000.00 <b>\$ 20,097.50</b>	<b>\$ (97.50)</b>
Groundwater Screening Tool Model	The District plans to develop a district specific groundwater model that can be used as a preliminary screening tool for the evaluation of groundwater appropriation requests related to fens within the District. The goal of the model is to define the approximate extent of the recharge zones for the fens and provide a method for evaluating whether proposed groundwater withdrawals may cause significant decline in the head at one or more of the fens.	2017 2019 2020 2021	\$ 35,000.00 \$ 50,000.00 \$ 50,000.00 \$ - <b>\$ 135,000.00</b>	\$ - \$ - \$ 952.00 \$ 952.00	<b>\$ 134,048.00</b>
Watershed Resource Restoration Fund	This Fund was started in 2022 in order to participate in projects that were not anticipated in when the implementation plan, contained in Section 4 of the LMRWD Comprehensive Watershed Management Plan, was developed.	2022	\$ 120,000.00 \$ 100,000.00 <b>\$ 220,000.00</b>	\$ 67,500.00 \$ 67,500.00	<b>\$ 152,500.00</b>
Downtown Shakopee BMP Study	Funding for this project was based on the receipt of a grant under 2019 Metro-area Watershed Based Funding Pilot Program. The project looked at stormwater from downtown Shakopee, which entered the MN River untreated. The goal of the study was to identify and evaluate potential BMPs to treat stormwater before it reached the River. Estimated costs of project was included in the study. The LMRWD received the Study in 2022. The amount of the grant received was \$25,000. The LMRWD anticipated the cost of the project would exceed the grant and offered to contribute up to \$50,000 to the project. The City requested reimbursement of the grant and did not need to request additional funds. The \$50,000 could be allocated to implementation of the Study.	2022	\$ 50,000.00 <b>\$ 50,000.00</b> \$ 25,000.00 <b>\$ 75,000.00</b>	\$ 25,000.00 <b>\$ 25,000.00</b> \$ - <b>\$ 25,000.00</b>	WBIF Grant payment <b>\$ 50,000.00</b>

Items highlighted in blue are projects that are did not occur or are complete and have funds remaining.

**TOTAL CIP Funds \$ 2,349,644.45**



# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting  
Wednesday, August 17, 2022

### **Agenda Item**

#### **Item 6. A. – Presentation of Findings of Permitted Projects Inspections**

### **Prepared By**

Linda Loomis, Administrator

### **Summary**

Young Environmental Consulting Group has conducted inspections of projects permitted by the LMRWD since the beginning of the LMRWD permitting program.

Interns Karina Weelborg and Anthony Crosby will attend the meeting to present the findings of the inspections conducted.

### **Attachments**

Technical Memorandum – Lower Minnesota River Watershed District 2020-2022 Permitted Projects Inspections dated August 12, 2022

### **Recommended Action**

No action recommended – for information only



# Technical Memorandum

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

**From:** Anthony Crosby, Water Resources Science Intern  
Karina Weelborg, Water Resources Science Intern  
Hannah LeClaire, PE

**Date:** August 12, 2022

**Re:** Lower Minnesota River Watershed District (LMRWD) 2020–2022  
Permitted Projects Inspections

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In February 2020, the LMRWD adopted rules to govern soil erosion and sediment control, floodplain and drainage alteration, stormwater management, and development on steep slopes within the boundaries of the LMRWD. Since May 1, 2020, the LMRWD, through its technical consultant and district engineering team at Young Environmental Consulting Group LLC (Young Environmental), has been reviewing construction projects and issuing permits to ensure compliance with its rules.

As the LMRWD enters its third year of permit reviews, Young Environmental has hired two interns (Karina Weelborg and Anthony Crosby) to conduct permitted project inspections. These inspections are in accordance with the LMRWD's Administrative and Procedural Requirements Rule (Rule A) under which it reserves the right to conduct periodic audits, inspections, or both. The project review and permit approval process are thorough; however, in-field inspections confirm compliance with the LMRWD's rules during and after the construction of permitted projects.

The project inspection work plan included the following three primary tasks:

Table 1. Work Plan Tasks

Task	Deliverables
1. In-Office Inspection	Project spreadsheet; inspection notice, as-built request or inspection and maintenance records request email; inspection forms in Word documents; inspection forms in Survey 123; project inspection folder with all necessary documents and notes from in-office inspection for each project; GIS map of project locations; and preliminary schedule of field inspections
2. Field Inspection	Survey 123 and Word document forms completed; list of special attention items for each project, if applicable; list of triggered rules for each project; pictures and videos of field inspection; list of identified violations categorized as <i>major, minor, or urgent</i>
3. Post-Inspection	Spreadsheet for each project identifying and categorizing violations and providing resolution for the violation; brief email sent to applicant summarizing inspection outcomes; technical memorandums to the LMRWD board summarizing the findings of each project

The work began at the end of May and included most of Task 1. Tasks 2 and 3 were completed between July 1, 2022, and August 8, 2022. The purpose of this memorandum is to summarize the completed work.

### Task 1: In-Office Inspection

To ensure that interns were well-equipped and prepared to safely conduct their inspections, they completed the 10-hour Occupational Safety and Health Administration (OSHA) General Industry Outreach training. This training provided interns with insight into what safe fieldwork looks like. In addition to the OSHA training, interns conducted background research on construction best-management practices. This included in-depth reviews of the LMRWD rules and the Minnesota Stormwater Manual sections on construction.

After they were comfortable with the safety requirements for fieldwork, the interns reviewed permitted projects from 2020 to 2022. Throughout the permit review process, Young Environmental saved all relevant project information in their respective folders. Interns collected important information from each of these project folders to develop a master spreadsheet that separated the projects by approval years—2020, 2021, and 2022 (Attachment 1). The spreadsheet contains the following information:

- Permit number
- Project name

- Contact information of both the agent and owner
- Permit status (active [under construction] or closed [construction completed])
- Applicable rules for each project

The interns reviewed projects for general comprehension and flagged projects with any issues or concerns for review by Young Environmental supervisors Hannah LeClaire and Della Young. By the end of the process, 85 projects had been reviewed. However, only 48 of those projects resulted in an LMRWD permit.

Young Environmental developed Field Inspection forms with questions that capture whether a project was built in compliance with the LMRWD Rules B (Erosion and Sediment Control), C (Floodplain and Drainage Alteration), D (Stormwater Management), and F (Steep Slopes). The forms include general project information, such as the permit number, project location, and inspection date, along with questions that can be answered during a site's field inspection. The questions had been developed by reviewing the LMRWD rules criteria. These forms ensured all projects were inspected thoroughly and consistently and a record of each inspection was documented. The forms are included as Attachment 2.

To make filling out the inspection forms easier to complete in the field, interns entered the inspection form questions into a program called Survey 123 that is easily accessible on an iPad. They developed several drafts to ensure the surveys used for inspections were as concise and relevant as possible. The first draft was a single survey containing short-answer, free-response questions. Upon receiving feedback, interns decided the survey would be split into four sub-surveys: in-office active sites, field inspection active sites, in-office closed sites, and field inspection closed sites.

The in-office surveys included a mix of free-response questions based on erosion- and sediment-control plans, site plans, and other relevant documents. The in-office surveys were aimed to provide interns with the necessary background information to conduct field inspections and included questions about the grading limits, discharge locations, and best management practices (BMPs).

Field inspection surveys were made up of multiple-choice toggle questions that could easily be answered in the field and focused on confirming compliance of items identified during the in-office survey. The field survey also included the option to upload images. Once the rough drafts were finished, Young Environmental supervisors reviewed and finalized them for field use.

After developing the surveys, interns drafted emails requesting the additional information required to complete the field inspections. They sent the emails to the owner and agent for each of the 48 projects. Example emails are included in Attachment 3.

On June 23, the interns began sending emails to applicants, requesting the relevant

information by Friday, July 1, at 4:30 p.m. The initial response rate was approximately 75 percent.

As permittees responded to the information requests, we learned that seven projects had not begun construction. Because of unknown or tentative construction start dates, we decided that projects that had not begun construction by June 15, 2022, would be inspected in 2023. The project inspections listed in Table 2 were postponed based on this criterion, which brought the total number sites inspected down to 41. A map of all the project sites inspected is included as Attachment 4.

*Table 2. Projects removed from the inspection list*

Permit No.	Project Name	City	Permit Issued	Construction Start Date (or Anticipated Start Date)
2021-002	CSAH 61 Drainage Ditch	Chanhassen	10/21/2021	August 2022
2021-030	Building Renovation Park Jeep	Burnsville	6/21/2022	July 2022
2022-002	2022 MBL Nicolet River Crossing	Bloomington, Burnsville	4/25/2022	June 27, 2022
2022-003	Ivy Brook Parking East	Burnsville	5/16/2022	June 20, 2022
2022-007	Engineered Hillside	Eden Prairie	4/22/2022	July 11, 2022
2022-008	Ivy Brook Parking West	Burnsville	5/31/2022	July 18, 2022
2021-042	HWY 13 & Lone Oak Signal	Eagan	10/22/2021	August 2022

For each of the 41 projects, Anthony and Karina completed the in-office inspection forms by reviewing the stormwater management plans, erosion and sediment control plans, and construction site plans. They also created maps to help them navigate the site in the field. An example of the in-office inspection form and map is included as Attachment 5.

## **Task 2: Field Inspection**

To become more familiar with the field inspection process, Anthony and Karina completed a trial field inspection with Hannah on June 20, 2022. Hannah, Anthony, and Karina visited Summerland Place first. According to information available, the permit was closed. However, upon arrival, it was clear the site was active. This trial field inspection provided valuable experience because the interns had not yet been to an active site and were required to adapt their inspection plan. Hannah provided critical insight into what to look for, such as erosion under the control blankets, unknown

filtration systems, and stockpiles that were well-maintained. After returning to the office, the interns learned that the second phase of the Summerland Place project had begun, and it was covered by a municipal permit from the City of Shakopee.

The second site visited included a group of related projects: the Gaughan Removal Plan, Shakopee Mix Use, Shakopee Flats, Shakopee Streets and Utility Reconstruction, and Shakopee River Bluffs Improvements. The site was chosen for the trial day because of the complexity of the connected sites. In general, the interns found the site to be in compliance; however, some of the catch basins did not have inlet protection.

After the trial inspections were complete, Karina and Anthony were prepared to begin the remaining field inspections. They continued to correspond with permittees to clarify the required information and schedule inspection dates. The final inspection schedule is included as Attachment 6.

Karina and Anthony began their field inspections on July 1, 2022, and averaged 10 field inspections per week during July. Two of the weekdays were dedicated to being in the field for the inspections, and the rest of the days were for preparation and post-inspection work. An example of a completed field inspection form is included as Attachment 7.

### **Task 3: Post-Inspection**

Anthony and Karina developed a post-inspection spreadsheet that had the following sections for each District rule:

- Violation description
- Violation category (major or minor)
- Potential solutions
- Date permittee was notified
- Resolution

Photos were also included in the spreadsheets. Anthony and Karina used the spreadsheets to draft the post-inspection emails they sent to each permittee. Projects with and without violations were notified. The emails indicated one of the following:

- No LMRWD rule violations were found on-site, and no further action is required.
- The following violations were found on-site. Please refer to the NPDES permit compliance time frame for action deadlines. The LMRWD will perform a follow-up inspection in two to three weeks to confirm compliance.

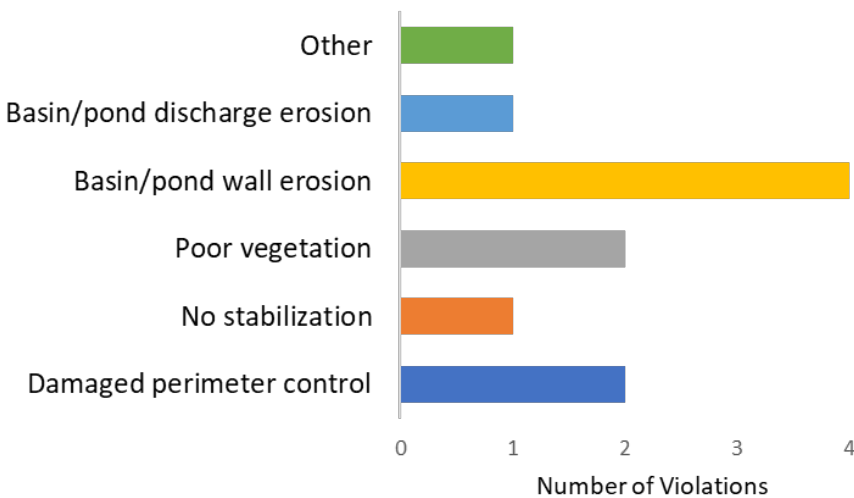
In addition to the post-inspection notification emails, Anthony and Karina prepared technical memorandums to summarize the findings of each inspection. The technical memorandums will be shared individually with the LMRWD board after the violations are

resolved.

## Summary

Between July 1, 2022, and July 28, 2022, 41 project sites were inspected to confirm compliance with LMRWD rules. Of the 41 project sites inspected, 24 were closed and 17 were active. Attachment 8 is a map of the project locations showing where site violations occurred. Chart 1 shows the various violations found at closed sites.

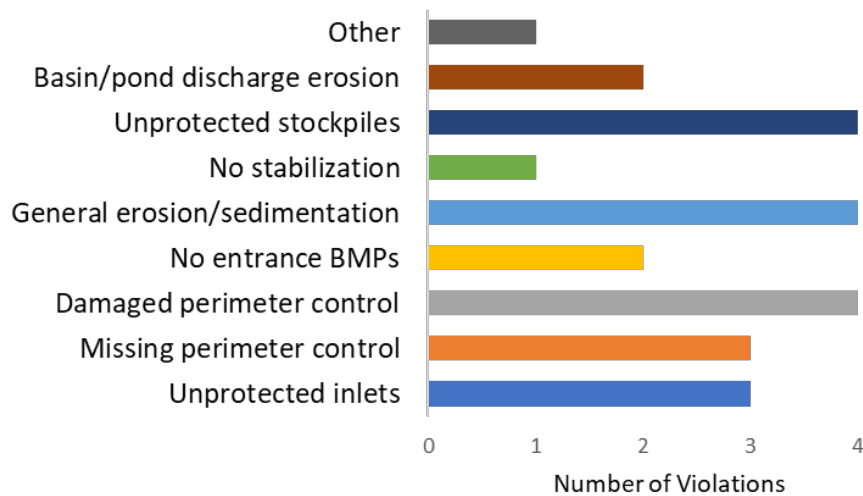
*Chart 1. Closed Site Violations*



Of the 24 closed sites, only 6 sites contained violations. The 11 violations are approximately evenly distributed between Rule B – Erosion and Sediment Control and Rule D – Stormwater Management. The most common closed site violation was the development of rills on the walls of stormwater management facilities. The Other category in Chart 1 accounts for construction material left behind. Chart 2 shows the different violations found at active sites.



Chart 2. Active Site Violations



Of the 17 active sites, 11 sites contained violations. The majority of active site violations, 88 percent, are Rule B – Erosion and Sediment Control. The most common violations were general site erosion and sedimentation, damaged perimeter control, and lack of sediment control on stockpiles. The Other category in Chart 2 accounts for a gap in the temporary bridge at the 77<sup>th</sup> Underpass site that led to ponding stormwater below the bridge.

Attachment 9 summarizes the post-inspection comments for all the projects inspected and provides the date that the permittee and/or contractor was notified about any violations on-site.

### Next Steps

This is the first time that the LMRWD has completed project inspections for their permit program. Anthony and Karina executed the inspection process well and were able to determine if projects were in compliance and required no additional action, or, if not, they identified the specific violations and worked to address them with the permittee. The permittee was notified of permit violations in writing and provided resolution actions that must be implemented within a specified timeline to avoid formal hearings and judicial enforcements.

Permit violations will be considered resolved when the permittee sends a photo verifying that the issue has been corrected. If no response is received from the permittee within two to three weeks, Young Environmental will visit the site again to confirm if the violation had been voluntarily corrected. The 17 active sites that were visited this year will be added to next year’s inspection schedule along with any new permits that are issued before May 1, 2023. The inspection process is an important component of the LMRWD Permit Program and helps to ensure that developments within the LMRWD are

held accountable for following the LMRWD rules and issued permit terms, which will ultimately ensure the protection and improvement of natural resources within the watershed.

### **Attachments**

- Attachment 1 – Master Project Spreadsheet
- Attachment 2 – Inspection Forms
- Attachment 3 – Example Emails
- Attachment 4 – Project Site Location Map
- Attachment 5 – Completed In-Office Inspection Survey123 Form
- Attachment 6 – Field Inspection Schedule
- Attachment 7 – Completed Field Inspection Survey123 Form
- Attachment 8 – Project Site Violation Map
- Attachment 9 – Post-Inspection Comments

**Attachment I – Master Project Spreadsheet**







## **Attachment 2 – Inspection Forms**



**Permit Number**  
202X-XXX

**Permit Name**  
XXX

**Rule B – Field Inspection (Completed Project)**

Inspection Date	Inspector Name	Project Location
6/1/2022	Jane Doe	5555 Minnesota St, MN 55427
Notes From In-Office Inspection		
<ul style="list-style-type: none"> <li>•</li> <li>•</li> <li>•</li> </ul>		

Field Inspection	
Is all the earthwork completed? Describe location and state of any uncompleted earthwork. Take photos.	
Do any of the following have less than 70% vegetative cover? Take photos of all vegetated cover.	<input type="checkbox"/> Slopes <input type="checkbox"/> Pond/Basin/BMP Slopes <input type="checkbox"/> Culvert Ends <input type="checkbox"/> Overflow Areas <input type="checkbox"/> Bridge/Structure Abutments <input type="checkbox"/> Conveyance channels or ditches <input type="checkbox"/> Other: <input type="checkbox"/> Other:
Describe locations with lack of correct vegetative cover. Take photos.	
Are final erosion and sediment control measures correctly installed? (i.e. Erosion control blanket, mulch) Describe locations with incorrect installation. Take photos.	
If sod was used, is all sod rooted into the soil? Describe locations that lack correct sod cover. Take photos.	





<p>Are weeds under control? Describe locations with excessive weed growth. Take photos.</p>	
<p>Are the staging areas thoroughly cleaned up? Are there any excess materials lying around? Describe locations with excess material. Take photos.</p>	
<p>Are any of the temporary BMPs still present on sites? Describe location and take photos.</p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Silt Fence</li> <li><input type="checkbox"/> Inlet Protection</li> <li><input type="checkbox"/> Culvert end protection</li> <li><input type="checkbox"/> Sediment control barriers</li> <li><input type="checkbox"/> Large hay bales</li> <li><input type="checkbox"/> Sediment control logs</li> <li><input type="checkbox"/> Silt curtain</li> <li><input type="checkbox"/> Temporary rock/ditch checks</li> <li><input type="checkbox"/> Other:</li> <li><input type="checkbox"/> Other:</li> </ul>
<p>Look for discharge locations noted on the plan set. Are there signs of excessive sedimentation or other pollutants? Note the location and take photos.</p>	
<p>Look for disposal sites on the plan set. Have the disposal sites used during construction been restored to their original conditions or to landowners requirements? Describe which disposal sites have not been adequately corrected. Take photos.</p>	
<p>Are there any soil rills/gullies? Describe location and state of soil rills. Take photos.</p>	
<p>Are there any damaged trees or branches that may present hazardous conditions? Describe the location and state of damage. Take photos.</p>	



<p>Is there evidence of any spills? Describe the location of the spill and take photos.</p>	
<p>Have any major washouts occurred? Describe location and extent of washout. Take photos.</p>	
<p>Are all interior and adjacent roads cleaned of debris and construction materials? Describe the location and extent of any dirty roads. Take Photos.</p>	
<p>Additional issues or concerns that were seen on-site or nearby. Take photos.</p>	

**Summary of Issues:**

No issues were found



**Rule C – Field Inspection (Completed Project)**

Inspection Date	Inspector Name	Project Location
6/1/2022	Jane Doe	5555 Minnesota St, MN 55427
Notes From In-Office Inspection		
<ul style="list-style-type: none"> <li></li> </ul>		

Field Inspection	
Locate floodplain work. Do the extents of work match the construction plans? Describe any issues. Take photos. (This may include rivers, lakes, wetlands, ponds, marshes, or ditches)	
Was compensatory storage proposed? If yes, locate and describe extents or issues. Take photos.	
Locate the structures on site. What are the lowest floor elevations for those structures according to the as-built plans? Are there any structures on-site that are not identified in the construction plan? Take photos.	
Locate proposed/existing culverts and waterways on-site. Verify type, size, and location. Take photos.	
Are there any culverts or waterways on-site that were not part of the proposed construction plan? Describe them and their location. Take photos.	



Additional issues or concerns that were seen on-site or nearby. Take photos.

**Summary of Issues:**

No issues were found



### Rule D – Field Inspection (Completed Project)

Inspection Date	Inspector Name	Project Location
6/1/2022	Jane Doe	5555 Minnesota St, MN 55427
Notes From In-Office Inspection		
<ul style="list-style-type: none"><li>•</li><li>•</li><li>•</li></ul>		

Field Inspection	
Compare the impervious areas to those proposed in the construction plans. Do they match? Describe any locations that do not match. Take photos. (Differentiate between HVRA's)	
Locate all stormwater management facilities (infiltration/filtration basins, stormwater ponds, regional stormwater ponds, etc.)  Do the facilities generally look like what was proposed in the plans? Describe and take photos.	
Locate visible inlet culverts associated with the stormwater facilities. Describe size, type, and location. Take photos	



<p>Locate outlet control structures associated with the stormwater facilities. Describe size, type, and location.</p>	
<p>Locate emergency overflow areas. Describe size, type, and location. Take photos.</p>	
<p>If applicable, locate temperature control areas. Describe size, type, and location. Take photos.</p>	
<p>Based on the maintenance agreement, are the stormwater facilities accessible? Describe and take photos.</p>	
<p>Are there any wetlands, marshes, shoreland, or floodplain on-site? Are there impacts that are not identified in the construction plans? Describe and take photos.</p>	
<p>Additional issues or concerns that were seen on-site or nearby. Take photos.</p>	



**Summary of Issues:**

No issues were found



**Permit Number**  
202X-XXX

**Permit Name**  
XXX

### Rule F – Field Inspection (Completed Project)

Inspection Date	Inspector Name	Project Location
6/1/2022	Jane Doe	5555 Minnesota St, MN 55427

**Notes From In-Office Inspection**

- 

Field Inspection	
<p>Locate grading that has occurred on the steep slope(s). Describe the location and identify any issues (rills, gullies, erosion, sedimentation) Is there any grading that has happened that was not in the construction plans? Take photos.</p>	
<p>What type of stabilization measures were used to complete the final stabilization of the steep slopes? Take photos.</p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Degradable erosion control blanket</li> <li><input type="checkbox"/> Mulch/Hydromulch</li> <li><input type="checkbox"/> Seeding</li> <li><input type="checkbox"/> Sod</li> <li><input type="checkbox"/> Riprap</li> <li><input type="checkbox"/> Willow/dogwood stakes</li> <li><input type="checkbox"/> Benching</li> <li><input type="checkbox"/> Geotextile</li> <li><input type="checkbox"/> Other bioengineering</li> <li><input type="checkbox"/> Other:</li> <li><input type="checkbox"/> Other:</li> </ul>





<p>Describe any issues with final stabilization techniques identified above (lack of vegetation, excessive weeds, exposed geotextile, failed riprap, mulch washed away). Take photos.</p>	
<p>Look for any steep slopes on-site that were not identified in the construction plans. Describe the state they are in, their location, and take photos.</p>	
<p>Look for waterways and discharge points on-site. Are there any new waterways or discharge points? Describe their location and any issues associated with them (erosion, sedimentation). Take photos.</p>	
<p>Look at the base of the steep slope for accumulation of sediment. Describe any issues. Take photos.</p>	
<p>Are there any stormwater management BMPs located on the steep slopes? Describe their location and take photos.</p>	
<p>Are there any waterbodies onsite? (ponds, lakes, rivers, wetlands, etc.) Is there evidence of sedimentation within the waterbodies? Describe any issues and take photos.</p>	



<p>Are there any damaged trees or other vegetation disturbed on-site (specifically the steep slopes) that may present hazardous conditions? Describe the location and state of damage. Take photos.</p>	
<p>Additional issues or concerns that were seen on-site or nearby. Take photos.</p>	

**Summary of Issues:**

No issues were found

## **Attachment 3 – Example Emails**

**Closed Projects:**

Dear *Permittee*,

I am an intern with Young Environmental Consulting Group, and we are contacting you on behalf of the Lower Minnesota River Watershed District. We wish to inform you that we will be conducting post-construction inspections on your Project site in the coming months to close out the project. These inspections are in accordance with the District's Administrative and Procedural Requirements Rule, or Rule A, under which it reserves the right to conduct periodic audits and/or inspections. In preparation for the inspection of Project, please email the relevant as-builts or record drawings for the project and the erosion and sediment control inspection and maintenance records, if applicable to xxx@umn.edu, with a copy to permit@lowermnrriverwd.org, by 4:30 p.m. on July 1, 2022.

Please contact us with any questions at xxxx@umn.edu and copy permit@lowermnrriverwd.org.

Sincerely,  
Intern

**Active Construction Projects:**

Dear *Permittee*,

I am an intern with Young Environmental Consulting Group LLC, and we are contacting you on behalf of the Lower Minnesota River Watershed District. We wish to inform you that we will be conducting inspections on the Project site in the coming months. These inspections are in accordance with the District's Administrative and Procedural Requirements Rule, or Rule A, under which the District reserves the right to conduct periodic audits and/or inspections. In preparation for the inspection of Project, if applicable, please email the relevant erosion and sediment control inspection and maintenance records, stormwater management plan updates, and any changes and updates to construction site plans to xxxx@umn.edu, with a copy to permit@lowermnrriverwd.org, by 4:30 p.m. on July 1, 2022. Also, please confirm that XXXX is the correct person to contact for scheduling a site visit.

Please contact us with any questions at xxxx@umn.edu and copy permit@lowermnrriverwd.org.

Sincerely,  
Intern

## **Attachment 4 – Project Site Location Map**

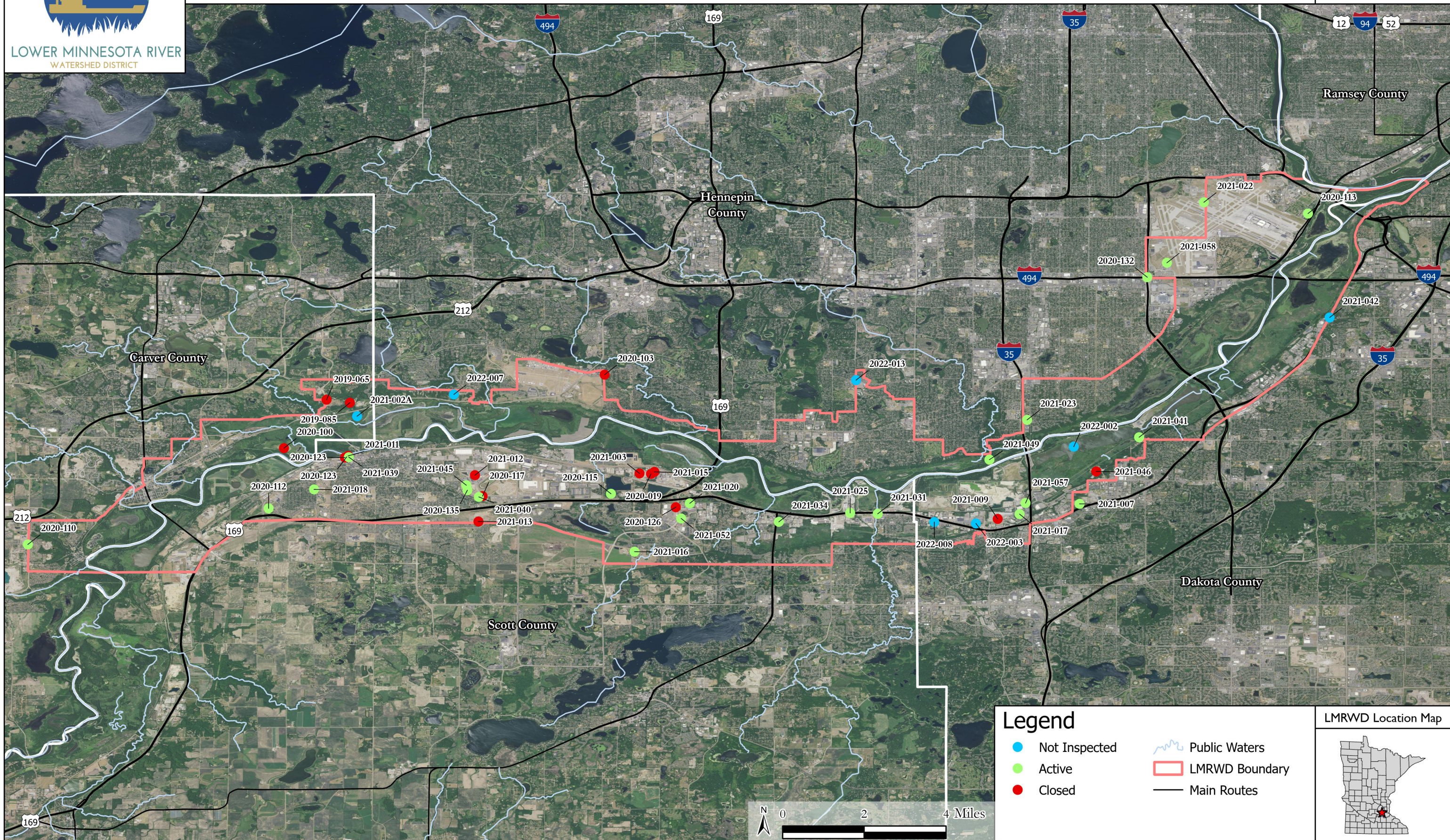


LOWER MINNESOTA RIVER  
WATERSHED DISTRICT

# Attachment 4: Project Site Location



Young Environmental  
Consulting Group, LLC



**Attachment 5 – Completed In-Office Inspection Survey I 23  
Form**

# In-Office Survey for Active Projects

Submitted by: Deyoung03

Submitted time: Jul 25, 2022, 3:12:47 AM

What is the permit number?

**2021-045**

What is the project name?

**Triple Crown Residences Phase II**

What is the project address?

**850 Shenandoah Drive, Shakopee, MN**

Where is the nearest hospital to the site?

**St. Francis Regional Medical Center, 1455 St Francis Ave, Shakopee, MN 55379**

What is the purpose of the permit?

**Construction of 321-unit apartment building and appurtenances**

What are the proposed activities?

**Site grading, utility and site improvements**

7. Is this site in/near Overlay Districts, special lands, or impaired waters?

**No**

Is Rule B applicable?

**Yes**

Is the erosion and sediment control plan available?

**Yes**



If "Yes," identify the temporary erosion and sediment control practices listed. Describe type and location:

**Phase 1**

- silt fence along whole site

- inlet protection

**Phase 2**

- silt fence along sides

-sed logs to N

-inlet protection

Identify graded or disturbed areas that require restoration:

**whole project area w/o pervious area (see map)**

Identify impervious areas:

**see map- building, parking lots, sidewalks, roads**

Are staging areas identifiable?

**Yes**

If "Yes," where are the staging areas located?

South

**Middle**

Are disposal sites identifiable?

**No**

Identify vehicle entrances and exits. Describe their location:

**NW entrance**

What BMPs are in place to prevent vehicle tracking?

**rock exite**

Is Rule C applicable?

**No**

Is Rule D applicable?

**Yes**

Is the stormwater management plan available?

**Yes**

If "Yes," what are the stormwater management facilities proposed and where are they located?

**runoff routed to regional stormwater basin N off site**

Does the project take place near trout waters?

**No**

Is Rule F applicable?

**No**

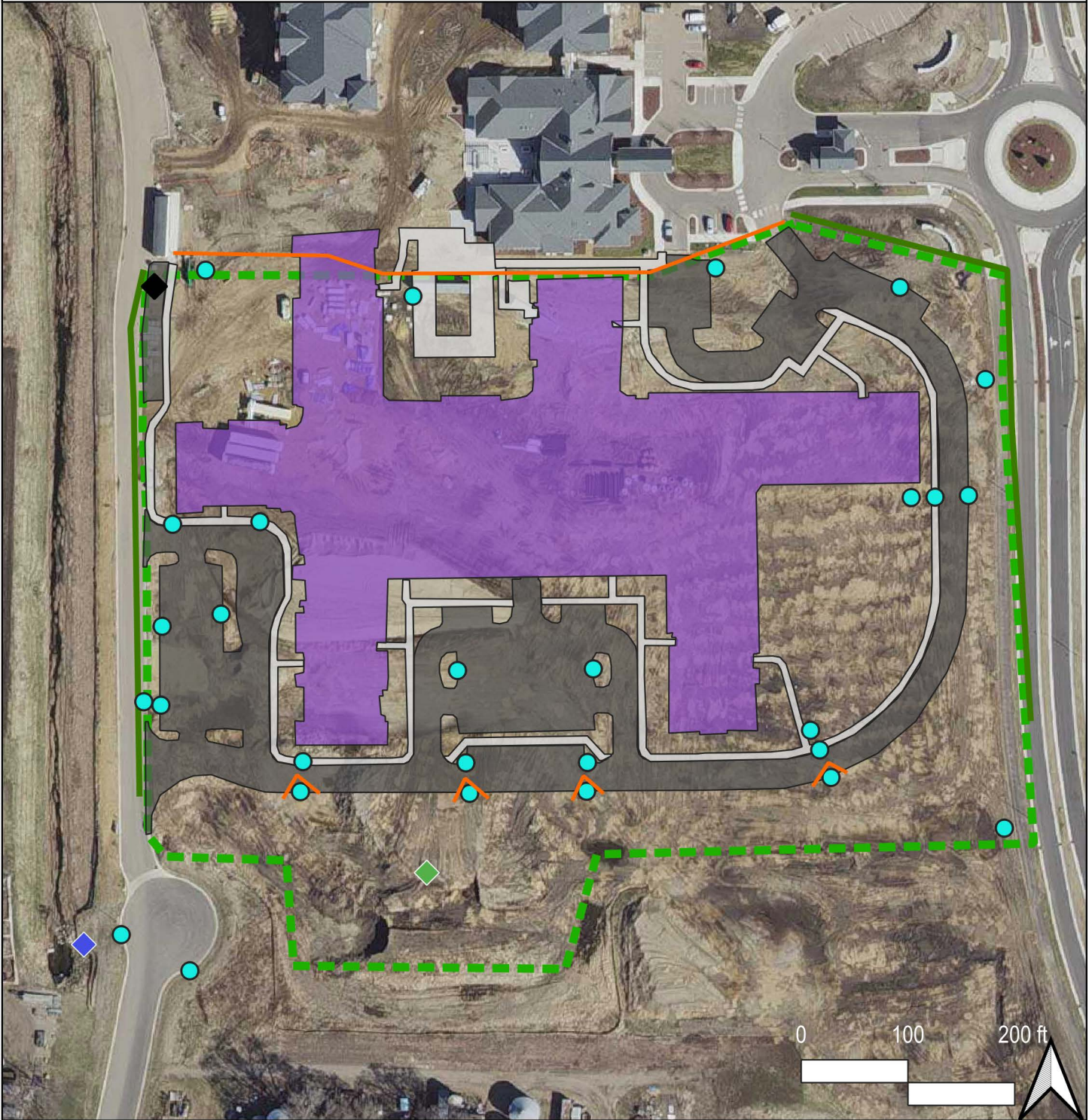
Does the project permit have special stipulations?

**No**

Are there any waterbodies located on-site?

**No**

Figure I: Triple Crown with Erosion Control



**LEGEND**

- |                         |                   |                          |
|-------------------------|-------------------|--------------------------|
| ◆ Construction Entrance | Triple Crown      | ◆ Rip Rap                |
| — Sed Logs Phase 2      | ■ Asphalt Paving  | ◆ Stockpile              |
| ● Inlet Protection      | ■ Building        | — Silt Fence Phase 2     |
|                         | ■ Concrete Paving | - - - Silt Fence Phase 1 |
|                         | ■                 |                          |

## **Attachment 6 – Field Inspection Schedule**

Attachment 6. LMRWD Field Inspection Schedule - Summer 2022

Permit #	Project Name	Address	Status	Inspection Date
2021-015	Stagecoach Road Improvements	7632 County Rd 101, Shakopee, MN 55379	Closed	Friday, July 1, 2022
2020-019	Cretex Site	Stagecoach Rd and County Rd 101, Shakopee, MN 55379	Closed	Friday, July 1, 2022
2020-126	Texas Roadhouse	8160 Old Carriage Court North, Shakopee, MN, 55739	Closed	Friday, July 1, 2022
2021-003	Southwest Logistic Center	SW Corner of 70th and Old Cretex Ave, Shakopee, MN, 55379	Closed	Friday, July 1, 2022
2019-085	MN Bluffs Landslide Repair	MN Bluffs LRT Regional Trail in Chanhassen, MN	Closed	Wednesday, July 6, 2022
2020-103	Prairie Heights	12701 Pioneer Tr, Eden Prairie, MN 55347	Closed	Wednesday, July 6, 2022
2019-065	TH 101 Improvements	North of Flying Cloud Drive in Chanhassen, MN	Closed	Wednesday, July 6, 2022
2020-123	Shakopee Flats	339 1st Ave W, Shakopee, MN, 55379	Closed	Wednesday, July 6, 2022
2020-123	Gaughan Removal Plan	339 1st Ave W, Shakopee, MN, 55379	Closed	Wednesday, July 6, 2022
2021-011	Shakopee Streets and Utility Reconstruction	Levee Drive, Shakopee, MN 55379	Closed	Wednesday, July 6, 2022
2021-039	Shakopee River Bluffs Improvements	Levee Drive, Scott Street, and Atwood Street, Shakopee, MN	Active	Wednesday, July 6, 2022
2021-018	Jefferson Court	1053 Jefferson St. S., Shakopee, MN 55379	Active	Wednesday, July 6, 2022
2020-116	Memorail Park Pedestrian Bridge	Memorial Park, Shakopee, MN, 55379	Closed	Wednesday, July 6, 2022
2021-013	Summerland Place	1600 Phillips Drive, Shakopee, MN 55379	Closed	Wednesday, July 6, 2022
2021-016	Whispering Waters	7556 Eagle Creek Blvd, Shakopee, MN 55379	Active	Wednesday, July 13, 2022
2021-052	Shakopee Dental	8350 Hansen Avenue	Active	Wednesday, July 13, 2022
2021-034	Circle K/Holiday	7800 126th Street	Active	Wednesday, July 13, 2022
2021-025	TH 13 Dakota Ave Improvments	TH13 in Savage between Louisiana Ave and Quentin Ave	Active	Wednesday, July 13, 2022
2021-031	Caribou Coffee	4905 Highway 13 W, Savage, MN 55378	Active	Wednesday, July 13, 2022
2021-017	Capstone 35	12501 Dupont Ave., Burnsville, MN 55337	Active	Wednesday, July 13, 2022
2021-057	Cliff Road Ramps	1-35W and Cliff Road	Active	Wednesday, July 13, 2022
2021-012	Canterbury Parking Lot	1100 Canterbury Road S., Shakopee, MN 55379	Closed	Tuesday, July 19, 2022
2020-117	Greystone HQ	1100 Canterbury Road, Shakopee, MN 55379	Closed	Tuesday, July 19, 2022
2020-100	Peterson Farms Road Maintenance	Co. Rd 61, Chanhassen, MN	Closed	Tuesday, July 19, 2022
2020-112	Vierling Industrial	Parcel ID 274730040	Active	Tuesday, July 19, 2022
2021-058	Perimeter Gate Security Improvements	SW quadrant of Minneapolis/St. Paul Airport	Active	Wednesday, July 20, 2022
2020-113	Fort Snelling Redevelopment	6409 Taylor Avenue, St. Paul, MN 55111	Active	Wednesday, July 20, 2022
2021-045	Triple Crown Residences PHase II	850 Shenandoah Drive	Active	Tuesday, July 26, 2022
2020-135	Canterbury Crossing	Shenandoah Drive, Shakopee, MN, 55379	Active	Tuesday, July 26, 2022
2021-040	Omry Independent Living	2900 Winners Circle Drive	Active	Tuesday, July 26, 2022
2020-110	CSAH 11 Reconstruction Project	CSAH 11 from 4th St. to CSAH 61, Carver, MN, 55315	Active	Tuesday, July 26, 2022
2021-009	Burnsville Industrial Phase IV	12400 Dupont Ave South, Burnsville, MN 55337	Closed	Thursday, July 28, 2022
2021-022	2021 Saftey and Security Center Phase 1	6320 34th Ave, Minneapolis, MN 55450	Active	Thursday, July 28, 2022
2020-132	77th underpass	Northeast quadrant of the TH 77 and I-494 quadrant in Bloomington, MN	Active	Thursday, July 28, 2022
2021-046	CenterPoint Dakota	11500 12th Ave S, Burnsville, MN 55337	Closed	Thursday, July 28, 2022
2021-041	Xcel Energy Line 0832	1400 Black Dog Road East, Burnsville, MN 55337	Active	Thursday, July 28, 2022
2020-115	Quarry Lake Mountain Bike Area	201 Innovation Blvd, Shakopee, MN 55379	Active	Thursday, July 28, 2022
2021-020	Core Crossing Apartments	1360 Stagecoach Road, Shakopee MN	Active	Thursday, July 28, 2022
2021-049	Stump road maintenance	11200 Humboldt Ave S	Active	Thursday, July 28, 2022
2021-007	Burnsville cemetery expansion	400 State Highway 13 East	Closed	Thursday, July 28, 2022
2021-023	106th St Improvement Project	W. 106th Street and I-35W, Bloomington, MN 55431	Active	Thursday, July 28, 2022

**Attachment 7 – Completed Field Inspection Survey I 23 Form**

# Active Site Field Inspection Survey

Submitted by: Deyoung03

Submitted time: Jul 26, 2022, 4:05:10 PM

What is the permit number?

**Triple crown 2021-045**

Date and time of the inspection

**Jul 26, 2022, 8:15:00 AM**

What is the weather?

**Overcast**

Has it rained in the past 48 hours?

**No**

Is Rule B applicable?

**Yes**

Are there any areas where construction is not taking place?

**Yes**

Are temporary erosion control BMPs in place as described in the erosion and sediment control plan or stormwater management plan?

**No**

If "No," upload images of the temporary erosion control BMPs differing from the sediment control plan or stormwater management plan:



Are all inlets protected from sediment?

**Yes**

Are vehicle tracking BMPs in place as described in the plans?

**Yes**

Are all interior and adjacent roads cleaned and clear of construction materials:

**No**

If "No," describe the location of interior and adjacent roads not cleaned and clear of construction materials:

Middle

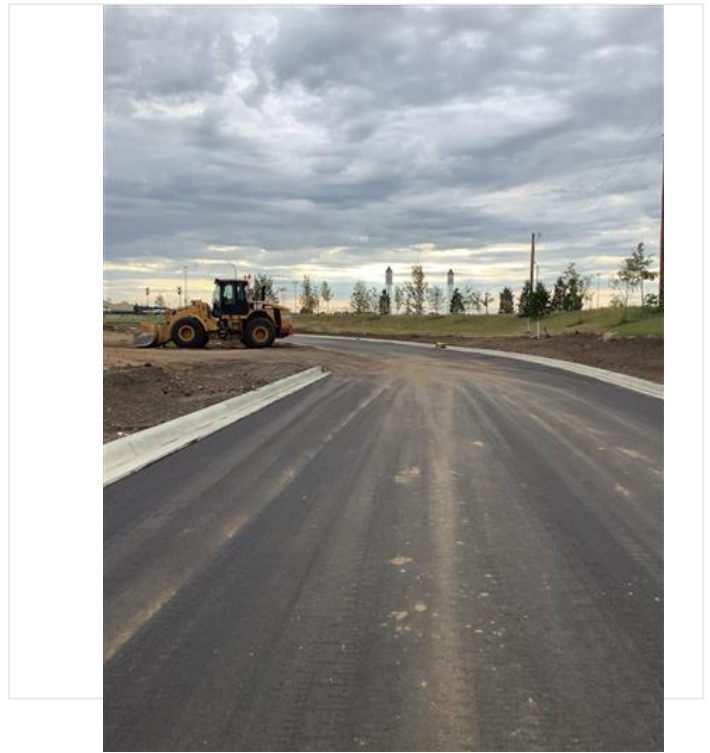
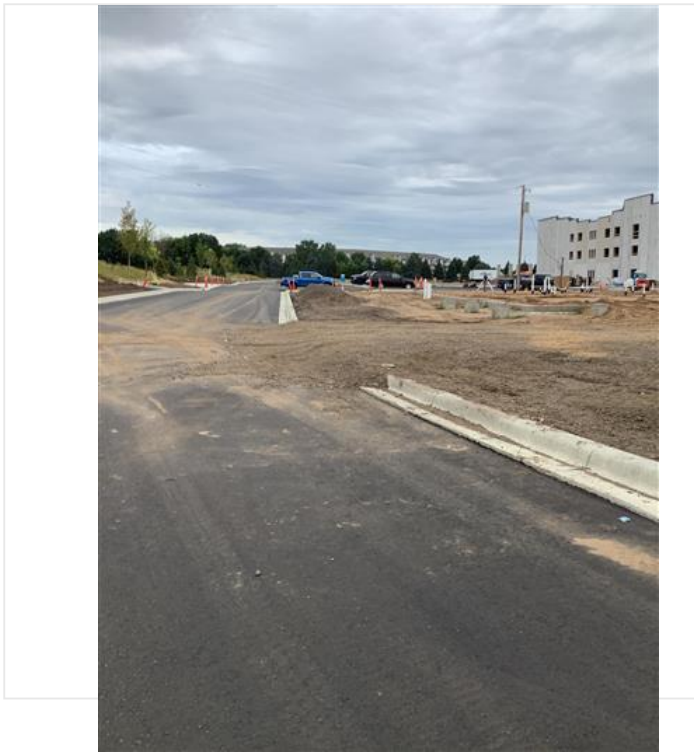
**West**

South

**East**



If "No," upload images of the interior and adjacent roads not cleaned and clear of construction materials:



Is there evidence of any spills?

**No**

Are there stockpiles of materials on-site?

**Yes**

If "Yes," are there temporary BMPs in place to prevent erosion?

**Yes**

If "No," describe the location of the stockpile without a temporary BMP to prevent erosion:

Middle

**West**

Are staging areas identifiable?

**Yes**

If "Yes," are there any temporary BMPs in the staging area?

**Yes**

Were any discharge or inlet locations identified?

**No**

Are there any damaged trees or branches that may present hazardous conditions?

**No**

Images of any additional Rule B concerns or issues:

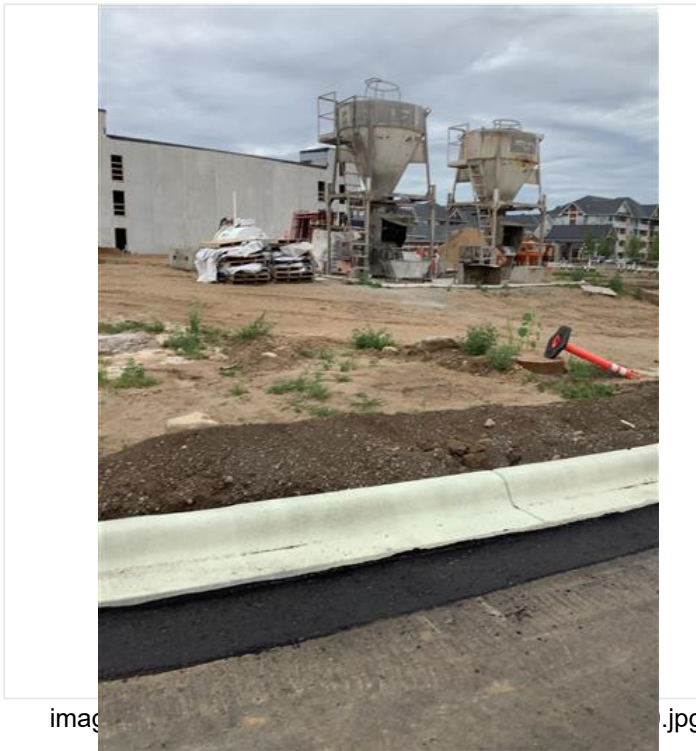


image.jpg

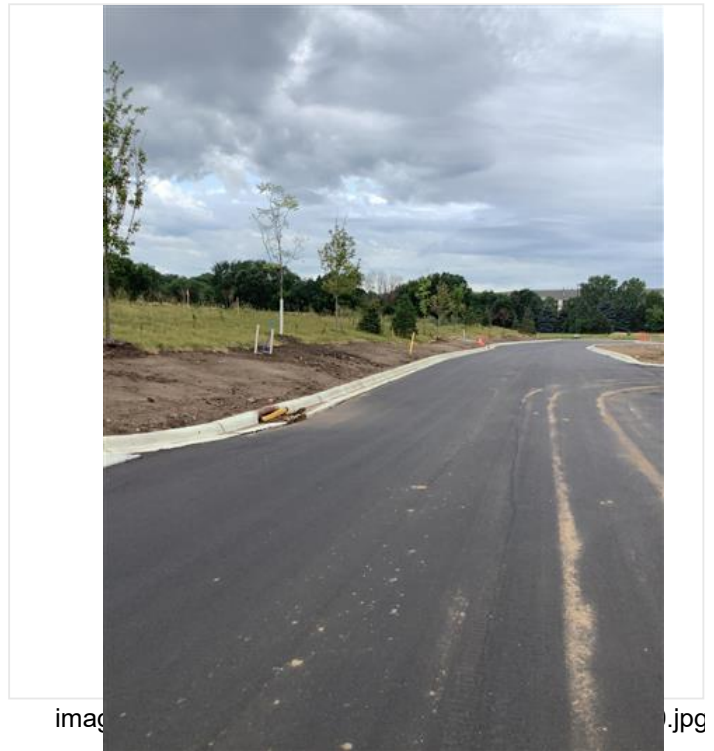


image.jpg



image.jpg



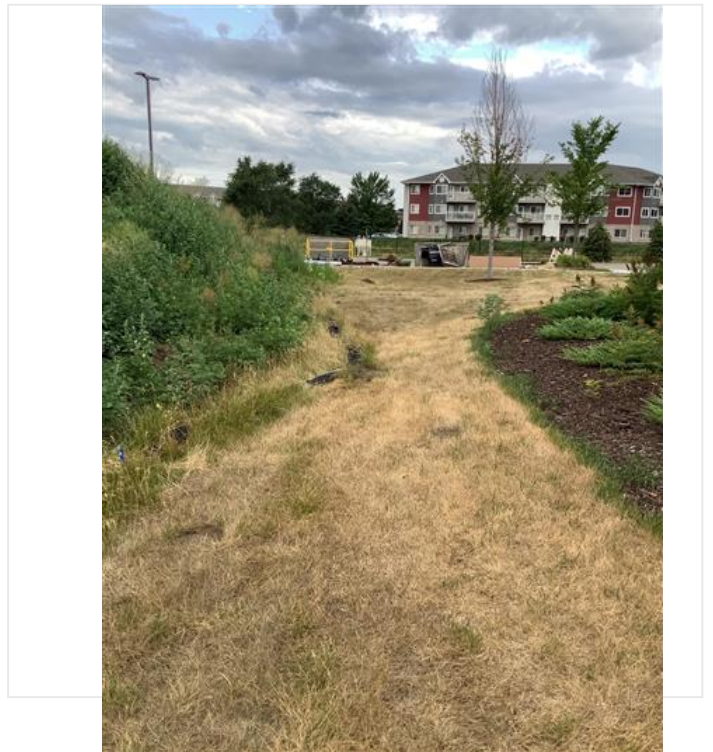
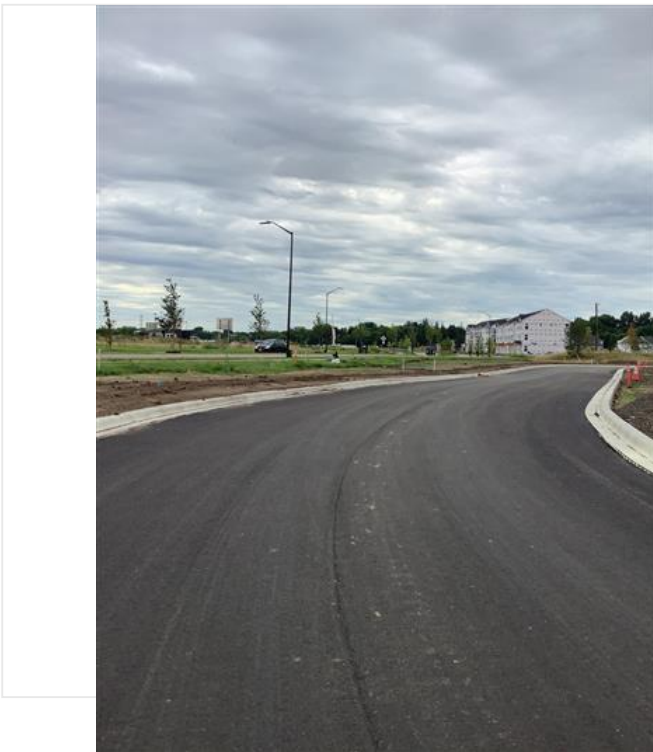
images\_of\_any\_additional\_rule\_b-20220726-132536.jpg



E side of Site.jpg



Putting in sprinkler system.jpg



Is Rule C applicable:

**No**

Is Rule D applicable?

**Yes**

Are any impervious areas constructed?

**Yes**

If "Yes," do impervious areas proposed match those seen in the field?

**Yes**

Are temporary sedimentation basins, or other approved infiltration BMPs properly maintained?

**Yes**

Are permanent stormwater management facilities constructed yet

**No**

Do any visible culverts exist that were not listed in the plans?

**No**

Do outlet control structures associated with stormwater facilities differ from those listed in the plan

**No**

Do stormwater facilities have emergency overflow areas as described in the construction plans?

**Yes**

Is the site by designated trout waters?

**No**

Is Rule F applicable?

**No**

Are there any water bodies on-site?

**No**

Were there any special stipulations for this site?

**No**

## **Attachment 8 – Project Site Violation Map**

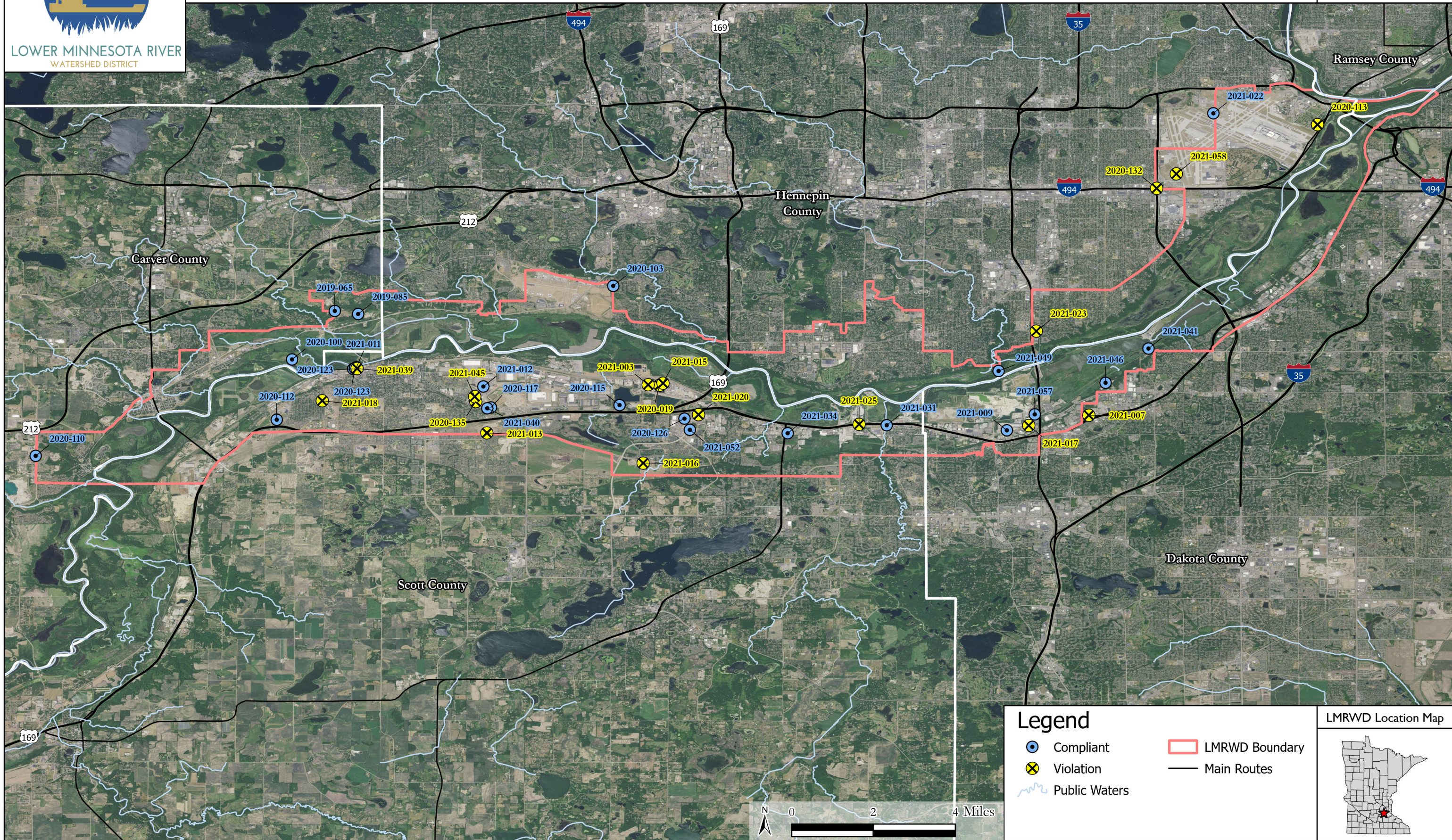


LOWER MINNESOTA RIVER  
WATERSHED DISTRICT

# Attachment 8: Project Site Violations



Young Environmental  
Consulting Group, LLC



## **Attachment 9 – Post-Inspection Comments**



## Attachment 9. Post-Inspection Comments



Project Name (LMRWD Permit No.)	Rules Triggered	Post-Inspection Comments	Permittee/Contractor Notified Date
Summerland Place (2021-013)	B – Erosion and Sediment Control, D – Stormwater Management	<ul style="list-style-type: none"> <li>• Active construction on Phase 2 of the residential development</li> <li>• Rills forming under the erosion control blanket within the stormwater BMPs</li> <li>• Less than 70% vegetation establishment</li> <li>• Some silt fence maintenance needed</li> </ul>	7/25/2022
Stagecoach Road Improvements (2021-015)	B – Erosion and Sediment Control, D – Stormwater Management	<ul style="list-style-type: none"> <li>• Rills going down the side of pond</li> </ul>	7/25/2022
Cretex Site (2020-019)	B – Erosion and Sediment Control	<ul style="list-style-type: none"> <li>• Silt fence maintenance needed</li> <li>• Rill in stormwater BMP side</li> </ul>	8/5/2022
Texas Roadhouse (2020-126)	B – Erosion and Sediment Control, D – Stormwater Management	<ul style="list-style-type: none"> <li>• No issues, site ready to be closed</li> </ul>	7/20/2022
Southwest Logistics Center (2021-003)	B – Erosion and Sediment Control	<ul style="list-style-type: none"> <li>• Lack of vegetation around the site</li> <li>• South BMP poor riprap, and erosion and sedimentation issues</li> <li>• Leftover construction material</li> </ul>	7/20/2022

<p>MN Bluffs LRT Regional Trail Landslide Repairs (2019-085)</p>	<p>B – Erosion and Sediment Control, Rule F – Steep Slopes</p>	<ul style="list-style-type: none"> <li>• No issues, site ready to be closed</li> </ul>	<p>7/22/2022</p>
<p>Prairie Heights (2020-103)</p>	<p>B – Erosion and Sediment Control, D – Stormwater Management</p>	<ul style="list-style-type: none"> <li>• Several small rills and one large rill along the northern filtration basin</li> </ul>	<p>7/20/2022</p>
<p>TH 101 Improvements (2019-065)</p>	<p>B – Erosion and Sediment Control, D – Stormwater Management, Rule F – Steep Slopes</p>	<ul style="list-style-type: none"> <li>• Sediment logs left by riprap from bridge removal</li> <li>• Areas with less than 70% vegetation, but BMPs were in place</li> </ul>	<p>7/22/2022</p>
<p>Shakopee Gaughan Removal Plan (2020-123)</p>	<p>B – Erosion and Sediment Control</p>	<ul style="list-style-type: none"> <li>• No issues, site ready to be closed</li> </ul>	<p>7/25/2022</p>
<p>Shakopee Flats (2020-123)</p>	<p>B – Erosion and Sediment Control, D – Stormwater Management</p>	<ul style="list-style-type: none"> <li>• No issues, site ready to be closed</li> </ul>	<p>7/25/2022</p>
<p>2021 Street and Utility Reconstruction (2021-011)</p>	<p>B – Erosion and Sediment Control</p>	<ul style="list-style-type: none"> <li>• No issues, site ready to be closed</li> </ul>	<p>7/25/2022</p>

<p>River Bluffs Improvement (2021-039)</p>	<p>B – Erosion and Sediment Control, D – Stormwater Management</p>	<ul style="list-style-type: none"> <li>• Missing Sections of sediment control log</li> <li>• Lack of vehicle tracking BMPs</li> <li>• Stockpiles with no erosion prevention</li> <li>• Drop off</li> </ul>	<p>7/25/2022</p>
<p>Jefferson Court (2021-018)</p>	<p>B – Erosion and Sediment Control</p>	<ul style="list-style-type: none"> <li>• Large gap in silt fence</li> <li>• Silt fence maintenance needed</li> <li>• Unprotected inlets</li> </ul>	<p>7/20/2022</p>
<p>Memorial Park Pedestrian Bridge and Trail (2020-116)</p>	<p>B – Erosion and Sediment Control, C – Floodplain and Drainage</p>	<ul style="list-style-type: none"> <li>• Broken and fallen branches</li> </ul>	<p>7/20/2022</p>
<p>Whispering Waters (2021-016)</p>	<p>B – Erosion and Sediment Control, C – Floodplain and Drainage, D – Stormwater Management</p>	<ul style="list-style-type: none"> <li>• Missing vehicle entrance BMP</li> <li>• Lacking perimeter control around pond</li> <li>• Stockpiles lacking sediment control</li> <li>• Gully forming at pond outlet</li> </ul>	<p>7/22/2022</p>
<p>Shakopee Dental (2021-052)</p>	<p>B – Erosion and Sediment Control</p>	<ul style="list-style-type: none"> <li>• No issues</li> </ul>	<p>7/21/2022</p>
<p>Circle K / Holiday (2021-034)</p>	<p>B – Erosion and Sediment Control</p>	<ul style="list-style-type: none"> <li>• Riprap no sufficient</li> </ul>	<p>8/4/2022</p>

TH 13 Dakota Ave Improvements (2021-025)	B – Erosion and Sediment Control, C – Floodplain and Drainage, D – Stormwater Management	<ul style="list-style-type: none"> <li>• Stockpiles without perimeter control</li> <li>• Sediment buildup with washout</li> </ul>	7/25/2022
Caribou Coffee – Savage (2021-031)	C – Floodplain and Drainage	<ul style="list-style-type: none"> <li>• No issues, site ready to be closed</li> </ul>	7/20/2022
Capstone 35 (2021-017)	B – Erosion and Sediment Control, D – Stormwater Management	<ul style="list-style-type: none"> <li>• Silt fence maintenance needed</li> <li>• Stockpiles without perimeter control</li> </ul>	7/25/2022
Cliff Road Ramps (2021-057)	B – Erosion and Sediment Control	<ul style="list-style-type: none"> <li>• No issues</li> </ul>	7/22/2022
Peterson Farms Road Maintenance (2020-100)	C – Floodplain and Drainage	<ul style="list-style-type: none"> <li>• No Issues, ready to be closed</li> </ul>	8/4/2022
Greystone HQ (2020-117)	B – Erosion and Sediment Control, D – Stormwater Management	<ul style="list-style-type: none"> <li>• No issues, ready to be closed</li> </ul>	7/20/2022
Vierling Industrial (2020-112)	B – Erosion and Sediment Control, D – Stormwater	<ul style="list-style-type: none"> <li>• No issues, ready to be closed</li> </ul>	7/25/2022
Canterbury Park Parking Lot (2021-012)	B – Erosion and Sediment Control	<ul style="list-style-type: none"> <li>• No issues, ready to be closed</li> </ul>	7/25/2022

2021 Safety and Security Phase 1 (2021-022)	B – Erosion and Sediment Control, D – Stormwater	<ul style="list-style-type: none"> <li>• No issues</li> </ul>	7/22/2022
Fort Snelling Redevelopment (2020-113)	B – Erosion and Sediment Control, D – Stormwater	<ul style="list-style-type: none"> <li>• No issues</li> </ul>	7/25/2022
Triple Crown Residences Phase 2 (2021-045)	B – Erosion and Sediment Control, D – Stormwater	<ul style="list-style-type: none"> <li>• One inlet unprotected</li> </ul>	7/27/2022
Canterbury Crossings (2020-135)	B – Erosion and Sediment Control, D – Stormwater	<ul style="list-style-type: none"> <li>• Silt fence maintenance needed</li> <li>• Pond 2 erosion between riprap</li> </ul>	7/27/2022
Omry Independent Living (2021-040)	B – Erosion and Sediment Control, D – Stormwater	<ul style="list-style-type: none"> <li>• No issues</li> </ul>	8/4/2022
Quarry Lake Mountain Bike Area (2020-115)	B – Erosion and Sediment Control	<ul style="list-style-type: none"> <li>• No issues, ready to be closed</li> </ul>	7/27/2022
Core Crossings Apartments (2021-020)	B – Erosion and Sediment Control, D – Stormwater	<ul style="list-style-type: none"> <li>• Silt fence broken or collapsed</li> </ul>	7/27/2022
CSAH 11 Reconstruction Project (2020-110)	Rule F – Steep Slopes	<ul style="list-style-type: none"> <li>• No issues</li> </ul>	7/27/2022

Stump Road Maintenance (2021-049)	C – Floodplain and Drainage	<ul style="list-style-type: none"> <li>No issues, ready to be closed</li> </ul>	8/4/2022
Burnsville Cemetery Expansion (2021-007)	B – Erosion and Sediment Control	<ul style="list-style-type: none"> <li>Lack of stabilization</li> <li>Rills on site entrances</li> <li>Gully forming in SW corner</li> </ul>	8/4/2022
106 <sup>th</sup> Street Improvement Project (2021-023)	B – Erosion and Sediment Control	<ul style="list-style-type: none"> <li>Lack of inlet protection</li> </ul>	8/4/2022
CenterPoint Dakota Station Facility (2021-046)	B – Erosion and Sediment Control, Rule F – Steep Slopes	<ul style="list-style-type: none"> <li>No issues</li> </ul>	8/4/2022
Xcel Energy Line 0832 (2021-041)	C – Floodplain and Drainage	<ul style="list-style-type: none"> <li>No issues, ready to be closed</li> </ul>	8/4/2022
77 <sup>th</sup> Underpass (2020-132)	B – Erosion and Sediment Control, D – Stormwater	<ul style="list-style-type: none"> <li>Stormwater pooling under bridge from opening in temporary bridge</li> </ul>	8/4/2022
Perimeter Gate and Security Improvements (2021-058)	B – Erosion and Sediment Control, D – Stormwater	<ul style="list-style-type: none"> <li>Sedimentation by parking lot inlet from stockpile area</li> <li>Lack of stabilization</li> </ul>	8/4/2022
Burnsville Industrial – Phase IV (2021-009)	B – Erosion and Sediment Control, D – Stormwater	<ul style="list-style-type: none"> <li>No issues</li> </ul>	8/4/2022



# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting  
Wednesday, August 17, 2022

### Agenda Item

**Item 6. B. – Refund of Unused 2020 – Lower MN River Dredge Management Grant (Grant ID P20-7873)**

### Prepared By

Linda Loomis, Administrator

### Summary

The LMRWD and BWSR are preparing to close out the second dredge management grant P20-7873. After completing reporting in BWSR's on-line reporting system elink, there is an unused balance of \$182,741.77.

A Financial Report and All Detail Report are attached that shows the expenses that were eligible to be covered with grant funds, which includes the replacement of the Seminary Fen Ravine Grant.

Links to the Grant Agreement and the Amendment to the Grant Agreement are below under Attachments. The Board will need to authorize re-payment of grant funds to BWSR in the amount of \$182,742.77

### Attachments

Financial Report – Lower MN River Dredge Management 2020

Grant All-Detail Report – Lower MN River Dredge Management 2020

[Lower Minnesota River Dredge Management Grant Agreement](#)

[2020 Lower MN River Dredge Management – Lower Minnesota River WD Grant Amendment](#)

### Recommended Action

Motion to authorize refund of Grant to the Board of Water and Soil Resource in the amount of \$182,743.77



# Financial Report

Lower MN River Dredge Management 2020

**Grant Title:** 2020 - Lower MN River Dredge Management (Lower Minnesota River WD)

**Grant ID:** P20-7873

**Organization:** Lower Minnesota River WD

Grant Revenue	Amount
Total Awarded	\$480,000.00

## Grant Expenditures

Grant Activity Category	Amount
Streambank or Shoreline Protection	\$111,000.00
Administration/Coordination	\$87,387.00
Special Projects	\$98,871.23
Total Spent	\$297,258.23
Returned Amount	\$0.00
Balance Remaining	\$182,741.77
Percent Spent	62%

*This is to certify that the information is a true and accurate representation of the grant program accounts for the 2020 - Lower MN River Dredge Management (Lower Minnesota River WD)- Lower Minnesota River WD. We believe our records are complete and subject to an audit.*

\_\_\_\_\_  
SIGNATURE OF AUTHORIZED REPRESENTATIVE

\_\_\_\_\_  
DATE

***Please complete and upload this form to the grant attachments tab in eLINK.***

***If returning program funds, please use the Returned Check form.***

***Make checks payable and mail to:  
Board of Water and Soil Resources  
520 Lafayette Road N.  
St. Paul, MN 55155***





# Grant All-Detail Report

## Lower MN River Dredge Management 2020

**Grant Title** - 2020 - Lower MN River Dredge Management (Lower Minnesota River WD)

**Grant ID** - P20-7873

**Organization** - Lower Minnesota River WD

<b>Original Awarded Amount</b>	<b>\$240,000.00</b>	<b>Grant Execution Date</b>	<b>1/24/2020</b>
<b>Required Match Amount</b>	\$0.00	<b>Original Grant End Date</b>	12/31/2021
<b>Required Match %</b>	0%	<b>Grant Day To Day Contact</b>	Linda Loomis
<b>Current Awarded Amount</b>	\$480,000.00	<b>Current End Date</b>	12/31/2022

### Budget Summary

	Budgeted	Spent	Balance Remaining*
Total Grant Amount	\$297,825.23	\$297,258.23	\$182,741.77
Total Match Amount	\$0.00	\$0.00	\$0.00
Total Other Funds	\$0.00	\$0.00	\$0.00
<b>Total</b>	<b>\$297,825.23</b>	<b>\$297,258.23</b>	<b>\$182,741.77</b>

\*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
2020 LMRWD Dredge Management Administrative Expenses	Administration /Coordination	Current State Grant	2020 - Lower MN River Dredge Management (Lower Minnesota Riv..	\$37,500.00	\$36,933.00	12/31/2020	N
2021 LMRWD Dredge Management Administration Expense	Administration /Coordination	Current State Grant	2020 - Lower MN River Dredge Management (Lower Minnesota Riv..	\$50,454.00	\$50,454.00	12/31/2021	N

Activity Name	Activity Category	Source Type	Source Description	Budgeted	Spent	Last Transaction Date	Matching Fund
Seminary Fen Ravine Stabilization	Streambank or Shoreline Protection	Current State Grant	2020 - Lower MN River Dredge Management (Lower Minnesota Riv..	\$111,000.00	\$111,000.00	12/31/2021	N
Site Improvements	Special Projects	Current State Grant	2020 - Lower MN River Dredge Management (Lower Minnesota Riv..	\$98,871.23	\$98,871.23	12/31/2020	N

### Activity Details Summary

Activity Details	Total Action Count	Total Activity Mapped	Proposed Size / Unit	Actual Size / Unit
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### Proposed Activity Indicators

Activity Name	Indicator Name	Value & Units	Waterbody	Calculation Tool	Comments
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### Final Indicators Summary

Indicator Name	Total Value	Unit
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## Grant Activity

Grant Activity - 2020 LMRWD Dredge Management Administrative Expenses			
Description	2020 Annual general administrative expenses related to management of dredge material to maintain Minnesota River Navigation Channel		
Category	ADMINISTRATION/COORDINATION		
Start Date	1-Jan-20	End Date	31-Dec-20
Has Rates and Hours?	No		
Actual Results	The LMRWD worked with the US Army Corps of Engineers' to maintain the 9' Channel in the MN River by annually removing approximately 19,000 cubic yards of sediment from the MN River and 64,371 cubic yards of material from barge terminals		

Grant Activity - 2021 LMRWD Dredge Management Administration Expense			
Description	2021 Annual general administrative expenses related to management of dredge material to maintain Minnesota River Navigation Channel		
Category	ADMINISTRATION/COORDINATION		
Start Date	1-Jan-21	End Date	31-Dec-21
Has Rates and Hours?	No		
Actual Results	The LMRWD worked with the US Army Corps of Engineers' to maintain the 9' Channel in the MN River by annually removing approximately 19,000 cubic yards of sediment from the MN River and 29,306 cubic yards of material from barge terminals		

Grant Activity - Seminary Fen Ravine Stabilization			
Description	This project stabilized a ravine/gully that was contributing sediment to Seminary Fen. A 2014 grant was not available at the time the project was completed, because of the length of time it took to complete the project and make the request for final payment. In 2020, the legislature authorized the LMRWD to redirect funds appropriated to the LMRWD for dredge management to replace the grant for the Seminary Fen Ravine Stabilization project.		
Category	STREAMBANK OR SHORELINE PROTECTION		
Start Date	13-Dec-13	End Date	31-Aug-17
Has Rates and Hours?	No		
Actual Results	This project reduced an estimated 1,680 tons of sediment per year from finding its way to Seminary Fen.		

Grant Activity - Site Improvements			
Description	Construction to bring dredge site up to industry standards for storage and containment of dredge material		
Category	SPECIAL PROJECTS		
Start Date	28-Sep-20	End Date	30-Oct-20
Has Rates and Hours?	No		
Actual Results	Project was completed as intended by the plans. Side slopes of containment area now meet industry standards.		

### Grant Attachments

Document Name	Document Type	Description
<b>2020 LMRWD Dredge grant agreement amendment</b>	Grant	2020 - Lower MN River Dredge Management (Lower Minnesota River WD)
<b>2020 Lower MN River Dredge Management</b>	Grant Agreement	2020 Lower MN River Dredge Management - Lower Minnesota River WD
<b>2020 Lower MN River Dredge Management Agreement_Executed</b>	Grant	2020 - Lower MN River Dredge Management (Lower Minnesota River WD)
<b>2020 Lower MN River Dredge Management EXECUTED</b>	Grant Agreement	2020 Lower MN River Dredge Management - Lower Minnesota River WD
<b>2020 Lower MN River Dredge amendment EXECUTED</b>	Grant Agreement Amendment	
<b>All Details Report</b>	Workflow Generated	Workflow Generated - All Details Report - 03/04/2021
<b>All Details Report</b>	Workflow Generated	Workflow Generated - All Details Report - 07/21/2022
<b>All Details Report</b>	Workflow Generated	Workflow Generated - All Details Report - 04/16/2020
<b>All Details Report</b>	Workflow Generated	Workflow Generated - All Details Report - 02/04/2020
<b>All Details Report</b>	Workflow Generated	Workflow Generated - All Details Report - 01/27/2021
<b>All Details Report</b>	Workflow Generated	Workflow Generated - All Details Report - 04/03/2022
<b>All Details Report</b>	Workflow Generated	Workflow Generated - All Details Report - 05/06/2022
<b>Lower MN Dredge Amendment</b>	Grant Agreement Amendment	





# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting  
Wednesday, August 17, 2022

### **Agenda Item**

#### **Item 6. C. - MAWD**

### **Prepared By**

Linda Loomis, Administrator

### **Summary**

MAWD has contacted the LMRWD to inform the District that it has been working to address concerns of members and former members. They have a draft strategic plan that they have shared with all watershed districts and watershed management organizations. They have requested comments for anyone who would like to comment.

They have looked at the dues structure and a memo regarding the new MAWD dues structure is part of the information they provided.

### **Attachments**

2023 MAWD Annual Dues memo dated August 1, 2022

Draft Strategic Plan date August 2022

MAWD Strategic Plan memo dated August 1, 2022

### **Recommended Action**

No action recommended – provide comments if desired



Land and Water Shall be Preserved

Minnesota Association of Watershed Districts, Inc.  
www.mnwatershed.org | 651-440-9407

MEMORANDUM

DATE: August 1, 2022  
TO: Watershed District Administrators  
FROM: Sherry Davis White, Treasurer

RE: 2023 MAWD ANNUAL MEMBERSHIP DUES

President

Mary Texer (Region 3)  
Capitol Region WD  
metexer@gmail.com  
651-224-2919 | Term 2023

Vice President

Linda Vavra (Region 1)  
Bois de Sioux WD  
lvavra@fedtel.net  
320-760-1774 | Term 2023

Secretary

Ruth Schaefer (Region 2)  
Middle Fork Crow River WD  
ruths56288@gmail.com  
320-212-5973 | Term 2022

Treasurer

Sherry Davis White (Region 3)  
Minnehaha Creek WD  
sherrywhite@mediacombb.net  
952-215-6963 | Term 2022

Directors

Gene Tiedemann (Region 1)  
Red Lake WD  
gtiedemann@rrv.net  
218-289-3511 | Term 2024

Peter Fjestad (Region 1)  
Buffalo Red River WD  
pfjestad@prtcl.com  
218-731-4630 | Term 2022

Wanda Holker (Region 2)  
Upper Minnesota WD  
ewholker@fedtel.net  
320-760-6093 | Term 2024  
Appointed until Dec 2022

Jeff Gertgen (Region 2)  
Middle Fork Crow River WD  
jlgliason@gmail.com  
(608) 370-3934 | Term 2023  
Appointed until Dec 2022

Jackie Anderson (Region 3)  
Comfort Lake – Forest Lake WD  
clfwjdjapa@gmail.com  
612-819-6906 | Term 2024

Executive Director

Emily Javens, PE  
emily@mnwatershed.org  
951-440-9407

The MAWD Finance Committee met twice to review a potentially new dues structure. On April 27, they met to define key parameters that would make a dues formula be as fair and equitable as possible. Several ideas were analyzed and thrown out for being too complex, too unpredictable, or simply not being any more fair or equitable than the existing formula. The committee asked staff to run scenarios with the ideas that remained. The committee reviewed the following three scenarios on June 1, 2022.

- Keep the same formula but raise the cap each year by an inflation factor.
- Keep the same formula but set different tiered caps based on type of watershed.
- Run scenarios that illustrate the approximate increase in dues if staffing was increased or if a new strategic plan called for increased services.

Following consideration of all scenarios, the committee unanimously recommended to the MAWD Board a four-tiered dues structure for 2023. On June 20, 2022, the MAWD Board unanimously adopted those recommendations. **Dues will be calculated using the same formula, but with new caps in place.**

**On July 25, 2022, the MAWD Board voted to freeze WMO dues for 2023 at the 2022 level. The Board will further examine the WMO dues in the future.**

2023 MEMBERSHIP DUES

Dues Calculation = Estimated Market Value (EMV) x 0.00048 x 0.005, not to exceed cap

103D rural member without additional tax revenue options	Cap = \$5,000
103D rural member with additional tax revenue options	Cap = \$7,500
103B metro WD member (EMV ≤ \$10B)	Cap = \$7,500
103B metro WD member (EMV ≥ \$10B)	Cap = \$12,500

As a result of this change, some metro watershed districts will see an increase in their dues and some rural watershed districts will see a decrease in dues. As always, dues fluctuate as your EMV fluctuates.

If you would like to read more about how the committee and board arrived at their decision, the meeting notes have been included for your review.

Emily Javens, who is on leave of absence, had prepared all but the finishing touches on these documents before going on leave. If there are mistakes or oversights, they are mine.

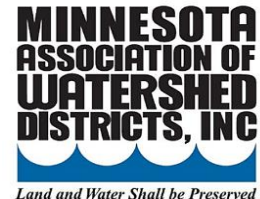
Don't hesitate to contact me if you have any question at 952-215-6963 or [sherrywhite@mediacombb.net](mailto:sherrywhite@mediacombb.net).

Attachments: Finance Committee meeting notes, April 27, 2022  
Finance Committee meeting notes, June 1, 2022  
2022 Estimated Market Values  
MAWD dues worksheet

# Minnesota Association of Watershed Districts (MAWD) Finance Committee Meeting

April 27, 2022

Via Zoom



Meeting participants: Chair Sherry Davis White, MAWD Board (Minnehaha Creek WD); Region 1 Manager Dennis Kral, (Pelican River WD) and Region 1 Manager Linda Vavra (Bois de Sioux WD); Region 3 Manager Jill Crafton; Region 1 Administrator Tera Guetter, (Pelican River WD); Region 2 Administrator Amber Doschadis (Upper Minnesota River WD); Region 3 Administrator Matt Moore (South Washington WD); and Emily Javens and Jan Voit, MAWD

Absent: Region 2 Manager Wayne Rasche (Heron Lake WD)

## WELCOME AND INTRODUCTIONS

The meeting began at 3:03 p.m.

The purpose of the Finance Committee is to manage the finances of MAWD. While a smaller Executive Finance Committee will handle the day-to-day financial decisions, this committee will deal with the larger big picture issues, like preparing an annual budget and making recommendations on the annual dues structure.

The Finance Committee will: analyze past expenditures and financial projections to make a recommendation to the MAWD board for annual dues; prepare an annual budget for submittal to the MAWD Board; and engage the services of a certified accounting firm to process and maintain the financial records of the organization. Later this year, the committee will solicit request for proposals for auditor and lobbyist services.

Dues are payable in January of each year. The MAWD Board can defer, suspend, or reduce dues for a hardship or funding problem.

## TASK ONE. Identify the key parameters of a solid dues' formula.

*The current dues formula charges watersheds 0.5% of the maximum percent general fund tax levy allowed in MN Statute 103D.905 Subd. 3, not to exceed \$7,500. The maximum general fund levy is calculated to be .048% of the Estimated Market Value (EMV) of the watershed, not to exceed \$250,000, whichever is less. This formula only applies to rural watershed districts (WDs) because metro WDs can base their maximum levy on the needs identified in their respective Watershed Management Plans rather than the formula identified in statute. Further complicating the matter of finding a fair formula is that metro watershed management organizations (WMOs) do not have levy authority at all. A report was written in 2017 that analyzed different formulas and is provided in this packet. Dues have not been changed since 2018 and during that time, the following concerns have been identified.*

- *The current method uses a formula that is not applicable to the metro watersheds.*
  - *The dues' structure doesn't recognize there is a second limiting factor in the general fund levy (not to exceed \$250,000, whichever is less.)*
  - *It is challenging to obtain the EMV for WMOs because it is not automatically generated for us by the state. Data requests are submitted to each county to determine the EMV.*
  - *The cap hasn't been increased for four years which results in only the smaller WDs contributing increased revenue for MAWD through dues.*
  - *Some watersheds were not formed to protect and restore waterbodies through large-scale projects and their budgets reflect that. Others vary in how much they budget based on political views about taxing and spending.*
-



**DISCUSSION:** Are there other concerns about the current framework being used for calculating dues? If we put this simply, what do we wish to accomplish? “We want to find a dues structure that is \_\_\_\_\_.”

Discussion was held regarding the following.

- In the metro, there are larger watersheds that don’t have to pay more than the smaller ones. Some have a conservative viewpoint when it comes to taxation.
- All watersheds get the same service, just because some are larger, should they pay more?
- In reviewing the strategic plan survey and members needs and wants, it appears there will be a need to increase staffing. It is not possible to determine exactly what funding is needed right now to meet those needs.
- The budget and dues are two separate decisions, but one affects the other. The dues’ structure needs to be adaptable and fair without having to change it every year.

In answer to the discussion question, the consensus was to develop a dues structure that is as fair as possible, fairly simple, flexible, and won’t be overly volatile from year to year.

**TASK TWO. Analyze new ideas against parameters identified in task one.**

MAWD members have recently shared some ideas for restructuring dues. Those ideas with examples are shown below.

- Set a flat rate for all watershed districts. *Dues = \$7500 per member.*
- Set tiered caps depending on different variables. *Dues = \$7500 metro, \$5,000 rural*  
*some interest in this having merit (keep formula the same, two caps, some smaller metro WDs increase cap to others to 9,000)*
- Base dues on actual tax levied revenue. *Dues = 2% of annual tax levied revenue*
- Base dues on the total annual revenue of a watershed. *Dues = 2% of annual revenue*
- Base dues on the watershed’s annual budget. *Dues = 1% of total budget*
- Use a base amount plus a % value. *Dues = \$2,500 + 1% of tax levy revenue*
- Adjust the cap annually to consider inflation. *Dues will increase with cost of living*
- Keep the same formula. *Dues = 0.5 x (0.048% of EMV), NTE \$7500*
- Rather than having a cap, implement discounts. *Dues = \$7500, NTE 2% of annual revenue*

The committee discussed ideas and examples. It was determined that:

- None of the options meet absolute fairness for every watershed. Fairness will have to be sacrificed somewhere.
  - A set flat rate for all watershed districts makes the dues situation worse.
  - Setting tiered caps seems to be fairer than the current system.
  - Basing the dues on the actual tax levied or annual revenue would be problematic.
    - Special assessments for stormwater utility or drainage systems or grant funds are for specific purposes and cannot be used to pay dues.
    - While the BWSR calculator for overhead is used by some watersheds, not every one receives BWSR grant funds. Tracking overhead, even if the cost of dues can be factored in, would be cumbersome.
    - WDs in the Red River Valley have access to funds through the Red River Watershed Management Board to implement large-scale projects. Those funds cannot be used to pay dues.
-

- Many WDs that are at the \$250,000 cap use those funds for administration and project implementation. Their ability to pay dues is restricted by the cap
- Basing dues on the watershed’s annual budget and implementing discounts would require each watershed to provide MAWD with a copy of their budget. MAWD would then have to review and determine whether a discount is warranted. This would not be simple.
- Using a base dues amount plus a percentage value would be difficult for small WDs and WMOS.
- Keeping the same formula has fairness concerns.
  - Over the past five years, the average annual change was approximately \$100 per year. Pelican River WD saw the largest increase at \$1,500. There were six watersheds that had an increase over \$1,000.
  - At the current dues rate, Pelican River WD pays 2% of their annual budget. If Minnehaha Creek with an annual budget of \$12M paid 2% of their budget, their dues would be \$240,000.
  - Adding an inflation factor would allow for flexibility.
- Using a flat rate not to exceed .5 x .0048 of EMV.
  - The not to exceed clause would flip. As years pass, the discount decreases as the EMV increases. Although it is the same formula we use now, it may be more palatable when viewed in a different way.
- Using a weighted formula based on size or other factors seemed difficult to understand or to determine how it would work.
- The metro watersheds represented on the committee believed that their organizations would not object to increased dues.
- Red Lake and Shell Rock River WDs have multi-million budgets, but are still restricted by the \$250,000 general operating levy cap. Sauk River and Buffalo-Red River WDs have special legislation that allows them to generate more than the \$250,000 limit. Those are outliers that need to be considered.

The chart was completed based on committee discussion to help identify the pros and cons of each option.

**ANALYSIS**

	Fair?	Simple?	Flexible?	Not Volatile	
Flat rate	No – flat rates make it worse	Yes	Yes (raise rate as needed)	Yes	
Tiered caps	Seems to be fairer	Yes	Yes (raise caps as needed)	Yes	
% of tax levies		No			
% of revenue		No			
% of budget		No			
Base + %	No – hard for very small WDs/WMOS				
Keep existing formula	Has concerns with fairness	Fairly simple	More flexible with inflation factor	Varies	Needs inflation factor
Use weighted formulas based on factors (size?)		No			

**TASK THREE. Discuss next steps**

*Do we have enough information to make a recommendation to the MAWD Board? If not, what additional information is needed? How will the strategic plan impact our recommendation? The final numbers in the formula will need to be determined once a budget is recommended for FY 2023.*

MAWD staff will run scenarios that:

- Keep the same formula with a raised cap and inflation factor
- Keep the same formula and setting multiple tiers
- Run scenarios that would illustrate the approximate increase in dues would be if staffing was increased.
- Evaluate outliers (budgetary needs, potential lobbying costs, strategic plan goals)

The committee will meet again in a couple weeks. The goal is to have a recommendation for the MAWD Board so that a new structure can be in place for 2023.

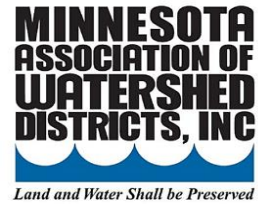
The meeting adjourned at 4:32 p.m.

Meeting notes submitted by  
Jan Voit

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**Minnesota Association of Watershed Districts (MAWD)  
Finance Committee Meeting**

June 1, 2022  
Via Zoom



Meeting participants: Chair Sherry Davis White, MAWD Board (Minnehaha Creek WD); Region 1 Manager Dennis Kral, (Pelican River WD) and Region 1 Manager Linda Vavra (Bois de Sioux WD); Region 1 Administrator Tera Guetter, (Pelican River WD); Region 2 Administrator Amber Doschadis (Upper Minnesota River WD); and Emily Javens and Jan Voit, MAWD

Absent: Region 3 Manager Jill Crafton (Riley-Purgatory-Bluff Creek WD); Region 3 Administrator Matt Moore (South Washington WD); and Region 2 Manager Wayne Rasche (Heron Lake WD)

**The items in Task One and Task Two were provided to committee members for review before the meeting. Discussion was held on this information as noted below.**

**WELCOME AND INTRODUCTIONS**

The meeting began at 3:02 p.m. Emily Javens gave an overview of the meeting packet.

**TASK ONE. Review and discuss dues scenarios**

*At the last meeting we narrowed down possible ideas for a revised dues’ structure that would be simple, flexible, non-volatile, and fair. Staff was asked to run scenarios for the committee to review in greater detail. Those scenarios are shown below. The objective of this portion of the meeting is to review the new information and submit a recommendation to the MAWD Board of Directors.*

**Scenario 1. Keep the same formula but raise the cap each year by an inflation factor.**

Notes:

- The values shown in the chart only include revenue from watersheds that have been members from 2018-2022.
- The Consumer Price Index (CPI) was used to calculate the value of \$7,500 in September 2017 to September of each year.
- 2018: Membership voted in July 2017 to increase dues cap to \$7,500 for 2018.
- 2019 – 2022: if inflation had been considered, the new annual caps would have been:

Year	Dues Cap	Dues Revenue – using existing formula	Dues Revenue – when applying the CPI inflation factor	Increased revenue when comparing formulas	# of WDs impacted
2018 - base line year	\$7,500	\$192,700	\$192,700	N/A	N/A
2019	\$7,671	\$192,169	\$194,392	\$1,692	13
2020	\$7,825	\$197,450	\$201,675	\$4,225	13
2021	\$7,909	\$202,173	\$207,490	\$5,317	13
2022	\$8,335	\$202,342	\$213,302	\$10,960	14
2023 Projected	\$8,785	\$202,342	\$219,152	\$16,810	14

The watershed districts impacted by this change during all years include nine metro watershed districts, three Red River Watershed Management Board members, and one Region 1, non-RRWMB member.

*(METRO: Capitol Region, Coon Creek, Minnehaha Creek, Nine Mile, Ramsey Washington Metro, Rice Creek, Riley Purgatory Bluff Creek, South Washington, Valley Branch. RRWMB: Bois de Sioux, Red Lake, Wild Rice. OTHER: Buffalo Red. Note: In 2022, Cedar River would have seen an increase of \$105 beyond the current cap of \$7,500.)*

**Scenario 2. Keep the same formula but set different caps based on type of watershed.**

Different thresholds were set for metro versus rural and whether the rural watersheds had additional taxing authorities beyond the \$250,000 general operating revenue. This holds true for members of the Red River Watershed Management Board (RRWMB) and two watersheds: Sauk River and Shell Rock.

Two options are shown below and summarized in the following table. Countless scenarios can be quickly run by adjusting the values in each cap.

<b>Option A.</b>	103B metro watershed member	Cap = \$12,500
	Rural member with additional tax revenue options	Cap = \$10,000
	Rural member without additional tax revenue options	Cap = \$7,500
<b>Option B.</b>	103B metro watershed member (EMV > \$10B)	Cap = \$12,500
	103B metro watershed member (EMV < \$10B)	Cap = \$10,000
	Rural member with additional tax revenue options	Cap = \$7,500
	Rural member without additional tax revenue options	Cap = \$5,000

Note: There was no inflation factor applied to these scenarios.

Annual Dues Revenue	Existing Formula	Option A	Option B
2018	\$192,700	\$241,061	\$225,438
2019	\$192,169	\$240,814	\$226,678
2020	\$198,982	\$247,663	\$232,169
2021	\$202,173	\$253,696	\$234,023
2022	\$203,870	\$254,147	\$236,060

**Scenario 3. Run scenarios that illustrate the approximate increase in dues if staffing was increased or if a new strategic plan called for increased services.**

Since we don't know what the next strategic plan will include, a scenario was run with a cap equal to \$12,500 without separate tiers. \$12,500 was selected because it was the originally recommended level for the cap when the membership voted in 2017 to adopt a new strategic plan and increase the cap.

**2022 Revenue with \$12,500 cap = \$262,807** (longstanding MAWD members only)

Current staffing includes a full-time executive director, and three part-time contract workers that include a lobbyist (approximately 500 hours), event planner (approximately 600 hours), and temporary support staff (approximately 1,200 hours). This level of staffing needs an investment of about \$250,000. Overhead costs are budgeted for \$60,000. Special projects, such as legal research or updating the watershed handbook, are not included in overhead. To maintain our current levels of service (with support staff), we will need \$310,000 per year. The sources of MAWD revenue include dues and event profit. Our last in-person conference saw a profit of about \$83,000. If that profit level is repeated, we will need \$227,000 from dues. If more staff is desired, more revenue would be needed. To help estimate those costs, values have been provided for what we could expect to pay for different types of positions in the Minneapolis – St. Paul area using the 2022 Government Pay Scale. Note: salaries in this area of the nation have been adjusted by 25.49 percent of more typical areas in the U.S. A preliminary budget is included to get a feel for Fiscal Year 2023.

<u>Staffing Options</u>	<u>Salary (Mpls/St. Paul)</u>	<u>Benefits/Payroll Taxes (30% estimated)</u>
Executive Director (G-13)	\$101,918 - \$132,491	\$30,575 - \$39,882
Assistant Director (G-11/12)	\$71,508 - \$111,425	\$21,452 - \$33,427
Program Director (G-9/10)	\$59,102 - \$84,612	\$17,731 - \$25,384
General Staff Position (G-7/8)	\$48,317 - \$69,559	\$14,495 - \$20,868

## **DISCUSSION**

Comprehension. Spreadsheets containing the dues revenue from the MAWD dues history from 2018-2022 were reviewed. An example for one district was followed through each scenario.

MAWD financial needs. MAWD receives revenue from events and dues. The past two years, events have been held online and just broke even. When the annual meeting is in person, the revenue is approximately \$75,000. A few years ago, sponsorship was redefined and tiers were added, which provided different levels of benefits. That change brought increased revenue to the event. A budget of \$220,000 provides funding to keep the existing staff.

The biggest reason for considering a new dues' structure is fairness, as well as keeping the existing staffing. It is not about a need for a huge increase in revenue for MAWD.

Scenario 1. Using inflation as the indicator for changing dues would seem problematic in terms of long-term sustainability. Because interest rates vary, the dues raised each year would not be consistent. MAWD has built a 12-month budgetary reserve, so there is some ability to weather consistency changes.

Inflation would only be applied to the cap. The cap only affects a certain number of entities.

Dues' structure. The committee's task is to determine which option is the most fair, flexible, and simple. When doing this, we need to consider that, if we use the inflation factor, what rate would we apply. Locking into the Consumer Price Index would require changes to be made every year. This seems like a mistake.

We need to be able to explain why we believe the option we recommend and how the membership will benefit. The goal is to keep current members, regain those that have left, and maybe offer membership to newly formed One Watershed, One Plan entities.

Consideration was given to the dues history and projections using different caps, the need for simplicity, and making the structure as fair as possible. Using the term "cap" sends a message that the dues will not increase. If that is the case, any future increases will be borne by the smaller WDs, which is what is happening now.

Scenarios 2A and 2B. In Scenario 2A, all metro WDs are in the same category. In Scenario 2B, the metro WDs are separated into categories with an EMV above or below \$10B. This was done in consideration of metro WDs who believe it is unfair for the very large metro WDs to have the same annual dues as smaller metro WDs. A distinction was also made for rural WDs that are affected by the general operating levy limit and those that have special legislation for an increased general operating levy.

Discussion was held regarding the dues amount for each tier. This included whether the maximum should be \$12,500 or \$10,000; whether the bottom tier for the metro WDs should be equal to the top tier of the rural; and which WDs would be affected by these amounts. In initial discussions with four of the eight metro WDs that would be affected by the biggest increase, there was no objection.

In Scenario 2B, there are four tiers. Nine WDs would have increased dues. Eight would have decreased dues. The majority of WDs dues would remain the same.

How watershed management organizations (WMOs) fit into the dues' structure was discussed. MAWD has the ability to calculate EMVs for WMOs. Some WMOs are quite small. The three current members have an EMV over \$10B.

#### **TASK TWO. Formulate recommendations to the MAWD Board of Directors**

*After discussing the scenarios presented:*

- *Formulate recommendations to the MAWD Board about whether the dues' structure should change and how.*
- *Include other points of consideration such as how to handle the uncertainty of a new strategic plan.*
- *Discuss other factors that may warrant additional guidance for how to handle dues given the uncertainty of a new strategic plan.*

#### **DISCUSSION AND ACTION**

Discussion was held regarding how the process works once a recommendation is made. The MAWD Board would act on the recommendation at their next meeting. If adopted, notice would be sent to the membership regarding the structure that would be in place for 2023.

Dennis Kral made a motion to recommend a four-tiered dues structure for 2023: 103B metro watershed member (EMV > \$10B), dues = \$12,500; 103B metro watershed member (EMV < \$10B), dues = \$7,500; rural member with additional tax revenue options, dues = \$7,500; and rural member without additional tax revenue options, dues = \$5,000; and that the MAWD Board directs the Finance Committee to review the dues' structure on an annual basis. Linda Vavra seconded the motion. The motion passed unanimously.

The meeting adjourned at 4:23 p.m.

Meeting notes submitted by  
Jan Voit

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## 2023 MAWD Membership Dues - Watershed Districts

WATERSHED DISTRICT	2022 Estimated Market Values (EMV)	.048% EMV	x 0.005	2022 MAWD Dues	2023 MAWD Dues
BEAR VALLEY	231,310,700	111,029	555	540	<b>555</b>
BELLE CREEK	428,426,200	205,645	1,028	1,018	<b>1,028</b>
BOIS DE SIOUX	4,450,140,100	2,136,067	10,680	7,500	<b>7,500</b>
BROWN'S CREEK	2,274,652,800	1,091,833	5,459	5,130	<b>5,459</b>
BUFFALO CREEK	2,498,874,700	1,199,460	5,997	5,867	<b>5,000</b>
BUFFALO-RED RIVER	9,451,561,500	4,536,750	22,684	7,500	<b>7,500</b>
CAPITOL REGION	26,471,138,600	12,706,147	63,531	7,500	<b>12,500</b>
CARNELIAN MARINE ST. CROIX	1,964,538,200	942,978	4,715	4,621	<b>4,715</b>
CEDAR RIVER	3,306,836,500	1,587,282	7,936	7,500	<b>5,000</b>
CLEARWATER RIVER	1,913,231,000	918,351	4,592	4,351	<b>4,592</b>
COMFORT LAKE - FOREST LAKE	2,406,482,200	1,155,111	5,776	5,506	<b>5,776</b>
COON CREEK	19,485,735,600	9,353,153	46,766	7,500	<b>12,500</b>
CORMORANT LAKES	685,904,600	329,234	1,646	1,516	<b>1,646</b>
CROOKED CREEK	405,961,900	194,862	974	975	<b>974</b>
HERON LAKE	2,504,746,600	1,202,278	6,011	5,988	<b>5,000</b>
HIGH ISLAND	1,228,087,900	589,482	2,947	2,906	<b>2,947</b>
JOE RIVER	240,778,900	115,574	578	563	<b>578</b>
KANARANZI-LITTLE ROCK	1,792,559,900	860,429	4,302	4,248	<b>4,302</b>
LAC QUI PARLE-YELLOW BANK	3,090,449,300	1,483,416	7,417	6,762	<b>5,000</b>
LOWER MINNESOTA RIVER	12,391,396,500	5,947,870	29,739	7,500	<b>12,500</b>
MIDDLE FORK CROW RIVER	2,023,156,000	971,115	4,856	4,605	<b>4,856</b>
MIDDLE SNAKE TAMARAC RIVERS	2,718,434,800	1,304,849	6,524	6,492	<b>6,524</b>
MINNEHAHA CREEK	62,893,144,900	30,188,710	150,944	7,500	<b>12,500</b>
NINE MILE CREEK	23,565,087,200	11,311,242	56,556	7,500	<b>12,500</b>
NORTH FORK CROW RIVER	1,602,276,400	769,093	3,845	3,713	<b>3,845</b>
OKABENA-UCHEDA	1,034,278,400	496,454	2,482	2,424	<b>2,482</b>
PELICAN RIVER	2,555,454,100	1,226,618	6,133	5,845	<b>5,000</b>
PRIOR LAKE-SPRING LAKE	5,097,661,100	2,446,877	12,234	7,500	<b>7,500</b>
RAMSEY-WASHINGTON METRO	19,793,800,800	9,501,024	47,505	7,500	<b>12,500</b>
RED LAKE	8,798,392,000	4,223,228	21,116	7,500	<b>7,500</b>
RICE CREEK	27,228,152,900	13,069,513	65,348	7,500	<b>12,500</b>
RILEY-PURGATORY-BLUFF CREEK	16,945,426,600	8,133,805	40,669	7,500	<b>12,500</b>
ROSEAU RIVER	820,826,300	393,997	1,970	1,945	<b>1,970</b>
SAND HILL RIVER	1,244,986,200	597,593	2,988	2,907	<b>2,988</b>
SAUK RIVER	9,885,010,200	4,744,805	23,724	7,500	<b>7,500</b>
SHELL ROCK RIVER	2,228,222,000	1,069,547	5,348	5,216	<b>5,348</b>
SOUTH WASHINGTON	15,504,858,600	7,442,332	37,212	7,500	<b>12,500</b>
STOCKTON-ROLLINGSTONE WS	571,324,900	274,236	1,371	1,319	<b>1,371</b>
THE TWO RIVERS	1,574,610,400	755,813	3,779	3,785	<b>3,779</b>
TURTLE CREEK	1,353,930,900	649,887	3,249	3,109	<b>3,249</b>
UPPER MINNESOTA RIVER	1,451,984,700	696,953	3,485	3,422	<b>3,485</b>
VALLEY BRANCH	5,763,753,200	2,766,602	13,833	7,500	<b>7,500</b>
WARROAD	439,782,300	211,096	1,055	1,027	<b>1,055</b>
WILD RICE	3,940,718,900	1,891,545	9,458	7,500	<b>7,500</b>
YELLOW MEDICINE RIVER	2,557,913,600	1,227,799	6,139	5,946	<b>5,000</b>
<b>TOTALS</b>	<b>318,816,001,100</b>	<b>153,031,681</b>	<b>765,158</b>	<b>229,246</b>	<b>268,526</b>

**Notes:**

Dues Calculation = Estimated Market Values x 0.00048 x 0.005

103D rural member without additional tax revenue options Cap = \$5,000

103D rural member with additional tax revenue options Cap = \$7,500

103B metro WD member (EMV<\$10B) Cap = \$7,500

103B metro WD member (EMV≥\$10B) Cap = \$12,500

Source of 2022 WD Estimated Market Values: See included BWSR Memorandum, June 30, 2022

For more information, contact Executive Director Emily Javens at (320) 979-0084 or [emily@mnwatershed.org](mailto:emily@mnwatershed.org).





## 2023 MAWD Membership Dues - Watershed Districts

WATERSHED DISTRICT	2022 Estimated Market Values (EMV)	.048% EMV	x 0.005	2022 MAWD Dues	2023 MAWD Dues
BEAR VALLEY	231,310,700	111,029	555	540	<b>555</b>
CROOKED CREEK	405,961,900	194,862	974	975	<b>974</b>
BELLE CREEK	428,426,200	205,645	1,028	1,018	<b>1,028</b>
WARROAD	439,782,300	211,096	1,055	1,027	<b>1,055</b>
STOCKTON-ROLLINGSTONE WS	571,324,900	274,236	1,371	1,319	<b>1,371</b>
CORMORANT LAKES	685,904,600	329,234	1,646	1,516	<b>1,646</b>
OKABENA-OCHEDA	1,034,278,400	496,454	2,482	2,424	<b>2,482</b>
HIGH ISLAND	1,228,087,900	589,482	2,947	2,906	<b>2,947</b>
SAND HILL RIVER	1,244,986,200	597,593	2,988	2,907	<b>2,988</b>
TURTLE CREEK	1,353,930,900	649,887	3,249	3,109	<b>3,249</b>
UPPER MINNESOTA RIVER	1,451,984,700	696,953	3,485	3,422	<b>3,485</b>
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WILD RICE	3,940,718,900	1,891,545	9,458	7,500	<b>7,500</b>
BOIS DE SIOUX	4,450,140,100	2,136,067	10,680	7,500	<b>7,500</b>
CARNELIAN MARINE ST. CROIX	1,964,538,200	942,978	4,715	4,621	<b>4,715</b>
BROWN'S CREEK	2,274,652,800	1,091,833	5,459	5,130	<b>5,459</b>
COMFORT LAKE - FOREST LAKE	2,406,482,200	1,155,111	5,776	5,506	<b>5,776</b>
PRIOR LAKE-SPRING LAKE	5,097,661,100	2,446,877	12,234	7,500	<b>7,500</b>
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MINNEHAHA CREEK	62,893,144,900	30,188,710	150,944	7,500	<b>12,500</b>
<b>Metro Watershed Management Organizations (WMOs)</b>					
Bassett Creek WMC - 4th year	14,681,551,100	7,047,145	35,236	<b>7,500</b>	<b>7,500</b>
Mississippi WMO - 4th year	35,435,169,900	17,008,882	85,044	<b>7,500</b>	<b>7,500</b>
Lower Rum River WMO - 3rd year	3,408,635,200	1,636,145	8,181	<b>3,750</b>	<b>3,750</b>
Vadnais Lakes Area Lakes WMO - 4th year	4,875,538,300	2,340,258	11,701	<b>7,500</b>	<b>7,500</b>
New MWO members - 1st year				<b>500</b>	<b>500</b>
<b>TOTALS</b>	<b>377,216,895,600</b>	<b>181,064,110</b>	<b>905,321</b>	<b>255,496</b>	<b>294,776</b>

### Notes:

Dues Calculation = Estimated Market Values x 0.00048 x 0.005, not to exceed cap

103D rural member without additional tax revenue options: Cap = \$5,000

103D rural member with additional tax revenue options: Cap = \$7,500

103B metro WD member (EMV≤\$10B): Cap = \$7,500

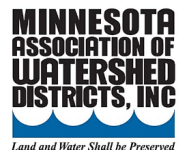
103B metro WD member (EMV≥\$10B): Cap = \$12,500

WMO dues remain unchanged from the 2022 rate

Source of 2022 WD Estimated Market Values: See included BWSR Memorandum, June 30, 2022

Source of 2022 WMO Estimated Market Values - same values used for 2021 dues calculation

For more information, contact Sherry Davis White at 952-215-6963 or sherrywhite@mediacombb.net





Minnesota Association of Watershed Districts  
For more information, contact Jan Voit at 507-822-0921 or  
jrvoit@outlook.com

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## Memorandum

DATE: August 1, 2022  
TO: MAWD Non-Members  
FROM: Jan Voit, MAWD Support Services  
**RE: MAWD Strategic Plan**

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### MAWD Strategic Plan

Over the last several months, the MAWD Strategic Plan Committee has met to develop a new Strategic Plan (Plan). This is a bold, member-driven plan. The Plan content reflects feedback from the member survey, the Minnesota Association of Watershed Administrators, and direction from the Strategic Plan Committee.

The committee recommended that the Plan:

- Contains a mission and vision that are ambitious and aspirational.
- Includes defined values.
- Ensures strong leadership from an open and transparent board.
- Develops concentrated communication efforts.
- Modernizes the organization by changing its name and focuses on inclusivity of its members, MAWA, and the board.
- Reduces the number of board and committee meetings and changes committee structures for efficient and effective management.
- Supports members' efforts in watershed management.
- Acknowledges the importance of partnerships and building relationships.
- Develops long-standing legislative policies and revises the legislative platform and resolutions development processes and focuses lobbying efforts.

The following components were included:

- Mission: the roadmap of strategic planning to work toward the vision.
- Vision: describes what the organization is building toward in the future.
- Values: form the foundation on which we will perform our work in both relationships and processes.
- Goal: a broad statement of what we hope to achieve.
- Objective: defines the improvement that needs to happen.
- Strategy: how we accomplish the objective.
- Tactics: specific activities to undertake.

Following are a few examples to compare the current and draft Plan.

**Mission**

- Current: MAWD provides relevant educational opportunities information, training, and advocacy for WDs and WMOs.
- Proposed: to support and advocate for leaders in watershed management.

**Vision**

- Current: Establish MAWD as the leading resource and advocate regarding water and watershed management.
- Proposed: to establish excellence and innovation in all watershed-based organizations.

**Values**

- Current:
  - Integrity
  - Communication
  - Collaboration
  - Relevance
  - Science-based
- Proposed:
  - Collaborate: work with partners to enhance members' watershed management skills and initiatives.
  - Efficient: provide services to maximize effective science-based principles for watershed management.
  - Support: promote and assist members' efforts in watershed management.
  - Member-driven: seek and consider input to ensure the organization's decisions reflect members' voices.
  - Transparent: communicate information about the performance, financial position, and governance of the organization in an open honest manner

**Goals**

- Current: 1) Education and Training; 2) Communication and Collaboration; and 3) Lobbying and Advocacy
- Proposed (including a proposed name change): 1) Fortify the infrastructure of Minnesota Watersheds to ensure reliable delivery of services; 2) Build a watershed community that supports one another; 3) Serve as a liaison to collaborate with statewide agencies and associations; 4) Ensure strong legislative policies are in place for watershed management; and 5) Enhance the skills of watershed officials.

The Strategic Plan Committee would like your input on this draft Plan, as well as thoughts on what your organization needs from us to become a member. Please review this draft Plan at your August board meeting(s) and send responses on behalf of your entire board by **August 31**. Responses should be sent to Jan Voit at [jrvoit@outlook.com](mailto:jrvoit@outlook.com).



DRAFT

# MINNESOTA WATERSHEDS

Strategic Plan

August 2022 Draft

## Abstract

This document defines Minnesota Watersheds' mission and vision for the future and identifies goals, objectives, strategies, and tactics.

# MINNESOTA WATERSHEDS

## STRATEGIC PLAN GOALS AND OBJECTIVES

**MISSION:** To support and advocate for leaders in watershed management.

**VISION:** To establish excellence and innovation in all watershed-based organizations.

### GOALS AND OBJECTIVES:



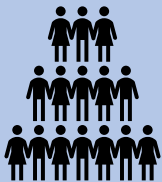
Fortify the infrastructure of MW to ensure reliable delivery of services.

- Ensure MW governance and management are aligned with the Strategic Plan.
- Provide focused leadership training for the MW Board.
- Develop concentrated communication efforts.
- Empower MW to accomplish its goals and objectives.
- Invest in technological resources to accommodate access to information.
- Reduce the number of board and committee meetings without sacrificing quality of input.



Build a watershed community that supports one another.

- Enhance member engagement through inclusivity.
- Increase membership.
- Increase attendance at MW events.
- Increase member involvement on committees and the MW board of directors.



Serve as a liaison to collaborate with statewide agencies and associations.

- Increase collaborative efforts between the Board of Water and Soil Resources (BWSR) and MW.
- Increase partnership activities with statewide entities.



Ensure strong legislative policies are in place for watershed management.

- Streamline the resolutions and legislative platform processes.
- Articulate clearly defined legislative policies so members and MW representatives can accurately state our positions.
- Focus and prioritize lobbying efforts
- Increase member engagement in the legislative process.



Enhance the skills of watershed officials.

- Provide guidance and direction for efficient and effective member operations.

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# Strategic Plan

## Mission

To support and advocate for leaders in watershed management.

## Vision

To establish excellence and innovation in all watershed-based organizations.

## Values

**Collaborate:** work with partners to enhance members' watershed management skills and initiatives.

**Efficient:** provide services to maximize effective science-based principles for watershed management.

**Support:** promote and assist members' efforts in watershed management.

**Member-driven:** seek and consider input to ensure the organization's decisions reflect members' voices.

**Transparent:** communicate information about the performance, financial position, and governance of the organization in an open honest manner.

## Goals, Objectives, Strategies, and Tactics

Goal 1: Fortify the infrastructure of MW to ensure reliable delivery of services.

### Background

*With only one staff person, it has been challenging to get consistent communication out to members. MW has consistently heard that more communication was needed. Upon further review, the most valued method of receiving information has been through newsletters. Social media does not seem to hit our target audience and may not be worth the investment. It is recommended that a communications plan be developed that brings structure and consistency to this activity. The organization would also benefit from streamlining its operations to ensure staff are spending their time on the most important tasks.*

### Objectives, Strategies, and Tactics to Achieve Goal 1

1. Ensure MW governance and management are aligned with the Strategic Plan.
  - Focus the organization's efforts on defined goals, strategies, objectives, and tactics.
    - i. Confirm, each month, that board actions are done in accordance with the Strategic Plan.
    - ii. If new issues arise that require significant resources, seek member support before pursuing.
    - iii. Do not adopt major policies or expenditures without staff review and recommendations that consider pros and cons, alternatives, costs, and member perspectives.
2. Provide focused leadership training for the MW Board.
  - Roles and responsibilities for the MW Board.
    - i. Adopt roles and responsibilities for the MW Board within six months of Strategic Plan approval.
  - Orientation document for the MW Board.
    - i. Develop an orientation document that covers MW Board roles and responsibilities, governance documents, committee scopes of work, and communication that is presented to the MW Board in an annual workshop.
  - Leadership training for the MW Board.
    - i. Work with Board of Water and Soil Resources (BWSR), League of MN Cities (LMC), Pryor Learning, and other entities to develop leadership training.



3. Develop concentrated communication efforts.
  - Newsletters.
    - i. Adhere to a consistent process for newsletter development and distribution, as well as a process for posting newsletters on the website.
    - ii. Ensure newsletters are distributed to members and non-members.
  - MW Board agendas and meeting packets.
    - i. Distribute agendas and meeting packets directly to each member organization ahead of each meeting and post on the website.
4. Empower MW to accomplish its goals and objectives.
  - Sufficient staffing.
    - i. Invest in sufficient staff to complete identified strategies and tactics.
  - Suitable policies.
    - i. Set policies that ensure adequate funding for staffing and technological resources.
    - ii. Develop an annual work plan for the MW Board.
5. Invest in technological resources to accommodate access to information.
  - Robust website.
    - i. Update the website to be an up to date and complete resource for boards and administrators.
  - Efficient internal communication tool.
    - i. Work with MAWA to launch a platform for data sharing.
    - ii. Transition electronic files to the cloud for reliable backup and document sharing among staff.
6. Reduce the number of board and committee meetings without sacrificing quality of input.
  - Reduced MW Board meeting schedules.
    - i. Adopt a schedule and cancel meetings if no time-sensitive decisions are needed.
  - Member committees.
    - i. Maintain four member committees: Awards, Events/Education, Legislative, and Resolutions/Policy.
    - ii. Adjust committee leadership to one manager and one administrator who serve as co-chairs. Continue to populate the committee with one manager and one administrator from each region.
    - iii. Refine committee scopes of work annually.
    - iv. Develop annual work plans for committees.
  - Executive committees.
    - i. Form three executive committees: Governance, Personnel, and Finance.
    - ii. Governance Committee: Members include one MW Board member from each region and the Executive Director.
      1. Combine the bylaws, MOPP, and Strategic Plan committee into one executive governance committee. This committee would handle minor issues and make recommendations to the board. When major reviews or revisions are warranted, form a member committee, as defined above, to perform the assigned work.

- iii. Personnel Committee: Members include the President, Vice President, an appointed director from each region not represented by the President and Vice President, and the Executive Director.
- iv. Finance Committee: Members include the President, Vice President, Treasurer, and Executive Director.
  - 1. The executive finance committee will prepare a budget and make the annual recommendation to the board on dues. Form a member committee, as defined above, when major projects are warranted, such as proposing a new dues structure.
- v. Refine committee scopes of work annually.
- vi. Develop annual work plans for committees.

Goal 2: Build a watershed community that supports one another.

**Background**

*Some members have voiced they do not find value in the services of MW and some have left the association. It has also been a struggle to find enough volunteers to serve on the board of directors and committees. This leads to a less unified voice, a weaker understanding of what issues are most important to members, and difficulties associated with an unstable revenue stream.*

Objectives, Strategies, and Tactics to Achieve Goal 2

- 1. Enhance member engagement through inclusivity.
  - Change the name of the organization to accurately represent membership.
    - i. Review work done by the MAWD Board in 2020.
    - ii. Recommend a new name.
- 2. Increase membership.
  - Meet individually with watershed organizations that are not members to address concerns.
    - i. Start discussions with non-member watershed organizations on the benefits of membership.
    - ii. Use MW Regional Directors and/or Administrators to advocate for MW around the state.
- 3. Increase attendance at MW events.
  - Increase the percentage of organizations that attend MW events.
    - i. Be inclusive of members and non-members for MW events and meetings to maintain a sense of fairness, apply discounts to members.
    - ii. Hold regional caucuses in conjunction with all MW events.
- 4. Increase member involvement on committees and the MW Board.
  - Promote the importance of member involvement in the MW board and on the committees that provide direction and guidance to the organization.
    - i. Ensure members have opportunities to voice concerns and provide input at board and committee meetings.
    - ii. Advocate for MW activities through newsletters and the website.

Goal 3: Serve as a liaison to collaborate with statewide agencies and associations.

**Background**

*Some members have expressed a desire for BWSR to balance their focus more equitably between SWCDs, WDs/WMOs, and counties, especially in areas of advocacy, policymaking, funding, and training. MAWA has expressed interest in taking a more active role within MW but has met resistance by the MAWD*

*Board. Maximizing these relationships ranked as a high priority by members as the best way to advance initiatives, especially with the legislature.*

#### Objectives, Strategies, and Tactics to Achieve Goal 3

1. Increase collaborative efforts between BWSR and MW.
  - Work with BWSR leadership to address member concerns.
    - i. Identify points of contention, develop a work plan to address issues, and develop opportunities for reducing concerns.
2. Increase partnership activities with statewide entities.
  - Identify opportunities to work with MN Association of Watershed Administrators (MAWA), MN Association of Soil and Water Conservation Districts (MASWCD), the Association of MN Counties (AMC), the League of MN Cities (LMC), Local Government Water Roundtable (LGWRT), Drainage Work Group (DWG), Clean Water Council (CWC), and others as deemed appropriate to promote watershed management.
    - i. Attend BWSR, CWC, and DWG meetings and provide updates for members.
    - ii. Develop a plan that articulates the opportunities to partner and track collaboration with entities like MAWA, MASWCD, AMC, LMC, LGWRT, and AMC.
    - iii. Pursue collaborative education and training opportunities with MAWA, MASWCD, AMC, LMC, LGWRT, DWG, and others.
    - iv. Advocate for the appointment of effective watershed board members with BWSR and AMC.

Goal 4: Ensure strong legislative policies are in place for watershed management.

#### **Background**

*Members have expressed disappointment that more resolutions have not passed at the Capitol. Others feel the setting of the legislative platform does not consider enough input from members. There has been interest in improving the resolutions process to be less chaotic.*

#### Objectives, Strategies, and Tactics to Achieve Goal 4

1. Streamline the resolutions and legislative platform processes.
  - Evaluate the current resolutions and legislative platform process.
    - i. Identify alternative methods to achieve concurrence on resolutions, adopt a revised process, or reaffirm the current process.
2. Articulate clearly defined legislative policies so members and MW representatives can accurately state our positions.
  - Develop a comprehensive platform of clearly defined policies.
    - i. Work with MAWA and the Resolutions Committee to develop a full legislative policy document that is inclusive of policies that can remain on the books indefinitely or until members approve changes to those positions.
    - ii. Draft expectations for support and advocacy for MW representatives that serve on the BWSR Board, CWC, and LGWRT.
3. Focus and prioritize lobbying efforts.
  - Identify legislative issues impacting the most members.
    - i. Support legislation that promotes watershed management.
    - ii. Fend off legislation that limits member abilities to protect and restore water resources.
    - iii. Ensure the MW lobbyist(s) have clear direction on MW legislative priorities.

- iv. Align workload with the resources set aside for lobbying and manage member expectations.
4. Increase member engagement in the legislative process.
    - Encourage member involvement on the resolutions and legislative committees.
      - i. Solicit more direct input from members when setting legislative priorities by surveying members or provide another avenue for members to get feedback to the committee before they make a recommendation to the board.
      - ii. Promote committee membership to ensure members' voices are reflected in the legislative platform.
    - Increase communication with members about legislative activity.
      - i. Host an annual event for members to learn about MW's legislative platform and receive guidance on how to discuss and interact with legislators on issues.
      - ii. Personally call and invite legislators to attend MW events.
      - iii. Set up appointments with members and legislators.

Goal 5: Enhance the skills of watershed officials.

### **Background**

*The MW Board has approved updating the watershed handbook. There seems to be consensus that MW should focus its education efforts on the board managers and allow MAWA to coordinate efforts for staff.*

Objectives, Strategies, and Tactics to Achieve Goal 5

1. Provide guidance and direction for efficient and effective member board operations.
  - Offer comprehensive watershed officials training.
    - i. Provide training sessions at all MW events.
    - ii. Enhance the sharing of knowledge between members at MW events.
    - iii. Maintain an up-to-date watershed handbook by reviewing the handbook annually and revising it as warranted.
    - iv. Work collaboratively with BWSR to provide regional training opportunities.
    - v. Utilize the expertise, knowledge, and experience of MW staff and MAWA in the development of education and training for watershed officials.

## Supporting Resources

In addition to the Strategic Plan, MW has developed supporting resources for its governance and management. The documents listed below will be reviewed annually and updated as warranted. The MW Board of Directors can update all documents except the bylaws which requires adoption by the membership. For the most up-to-date versions of these documents, visit [www.mnwatershed.org](http://www.mnwatershed.org).

### Bylaws

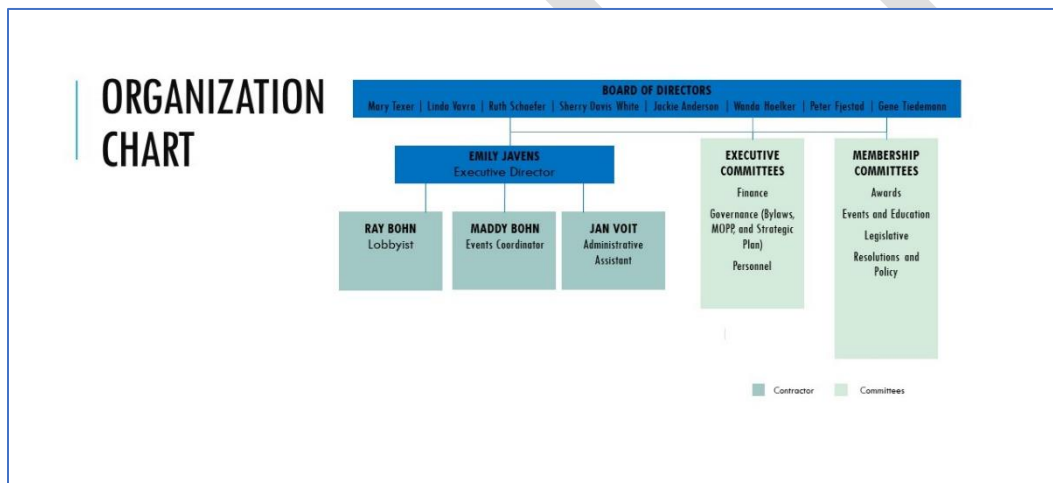
Bylaws are the written rules for conduct of the organization. The Bylaws can be found [here](#).

### Manual of Policy and Procedures (MOPP)

The MOPP is designed to regulate all major decisions, actions, and principles of MW. The MOPP can be found [here](#).

### Organizational Chart

An organizational chart shows the chain of command within an organization and can be found on the next page.



### Position Descriptions

#### MW Board of Directors

The position description for the Board of Directors guides roles and responsibilities of serving on the MAWD Board.

#### Executive Director

The position description for the Executive Director specifies the work to be completed by this person.

### Executive Committees – Scopes of Work

#### Finance

The Executive Finance Committee handles day-to-day financial decisions, prepares a budget, and makes recommendations to the board on membership dues. Members include the President, Vice President, Treasurer, and Executive Director.

### Governance (Bylaws, MOPP, and Strategic Plan)

The Executive Governance Committee ensures the Bylaws, MOPP, and Strategic Plan are kept up to date and adequately guide the organization. Members include one MW Board member from each region and the Executive Director.

### Personnel

The Personnel Committee provides guidance, oversight, and support to the MW Board as it reviews and recommends performance management and compensation systems. Members include the President, Vice President, an appointed director from each region not represented by the President and Vice President, and the Executive Director.

## Membership Committees – Scopes of Work

Member committees have six voting members, are co-chaired by one manager and one administrator, and supported by one staff or contract worker. At least one manager should be a MAWD Board Director. The MAWD Board appoints the managers and MAWA appoints the administrators.

### Awards

The Awards Committee promotes, manages, and presents the annual MW Project and Program of the Year Awards. This committee has an extra administrator from each region making for nine committee members and is supported by the event manager.

### Education/Events

The Education/Events Committee ensures that MW events provide high quality educational and networking opportunities for members and non-members. The committee annually reviews the education work plan, provides input before and after events, and sets the convention presentation schedule. This committee is supported by the assigned education program manager.

### Legislative

The Legislative Committee provides focus and direction to the MW lobbyist(s) and Executive Director who also support the committee. They annually review the legislative program work plan and make recommendations on a legislative platform.

### Resolutions/Policy

The Resolutions/Policy Committee oversees the resolutions process and is supported by staff assigned to the committee.

## Program and Project Work Plans

Work plans describe a project or program from beginning to end, providing detail on what needs to be done, when it needs to be done, and when appropriate how much should be spent. Developing annual work plans for the MW Board and its committees is important. To date, the following have been approved.

### Education Program

The education program work plan can be found here.

### Legislative Program

The legislative program work plan can be found here.

**Note:**

*The program work plans will eventually be uploaded to the website and will have links included. For now, they are in the development process.*

## Tactics Timeline

Goal 1. Fortify the infrastructure to ensure reliable delivery of services	Start Date	Complete by	Process	2023 Staff Hours	2024 Staff Hours	2025 Staff Hours	2026 Staff Hours	2027 Staff Hours
<b>Tactics</b>								
<i>Governance and Management</i>								
Confirm that board actions are done in accordance with the Strategic Plan								
Seek member support if new issues arise that require significant resources								
Staff review and recommendations for major policies or expenditures								
<i>Board Leadership</i>								
Adopt roles and responsibilities within six months of Strategic Plan adoption								
Develop an orientation document for the Board and hold annual workshop								
Work with entities to develop leadership training								
<i>Communication</i>								
Adhere to a consistent process for newsletter development and distribution								
Post newsletters on website								
Distribute newsletters to members and non-members								
Distribute agendas and meeting packets directly to member organizations								
Post agendas and meeting packets on website								
<i>Empower Accomplishing Goals and Objectives</i>								
Invest in sufficient staff to complete identified strategies and tactics								
Set policies that ensure adequate funding for staffing and technology								
Develop an annual work plan for the Board								

**Note:**

*The Tactics Timeline is a work in progress. Its purpose is to show that time and resources will be required to achieve the goals. Once the Plan is approved, the strategies and tactics will be prioritized.*

Goal 1. Fortify the infrastructure to ensure reliable delivery of services	Start Date	Complete by	Process	2023 Staff Hours	2024 Staff Hours	2025 Staff Hours	2026 Staff Hours	2027 Staff Hours
<b>Tactics</b>								
<i>Technological Resources</i>								
Update website								
Work with MAWA to launch a platform for data sharing								
Transition electronic files to the cloud for reliable backup and document sharing among staff								
<i>Reduce the Number of Board and Committee Meetings</i>								
Adopt a schedule and cancel meetings if no time-sensitive decisions are needed								
<i>Maintain member committees: Awards, Events/Education, Legislative, Resolutions/Policy</i>								
Adjust committee leadership to one manager and one administrator who serve as co-chairs. Continue to populate the committee with one manager and one administrator from each region								
Refine committee scopes of work annually								
Develop annual work plans for committees								
<i>Form executive committees: Governance, Personnel, and Finance</i>								
Governance: one Board member from each region and executive director								
Personnel Committee: Board president, vice president, an appointed director from each region not represented by the president and vice president, and executive director								
Finance: Board president, vice president, treasurer, and executive director								
Develop scopes of work for all committees								
Develop annual work plans for committees								
<b>Goal 2. Build a watershed community that supports one another</b>								
<b>Tactics</b>								
<i>Change Organization Name</i>								
Review work done by MAWD Board in 2020								
Recommend a new name								
<i>Meet with Non-Members</i>								
Start discussions on benefits of membership								
Use directors or administrators to advocate								
<i>Increase Attendance Percentage</i>								
Include members and non-members in events								
Hold regional caucuses in conjunction with events								
<i>Promote Member Involvement</i>								
Ensure members have opportunities to voice concerns and provide input at board and committee meetings								
Advocate for activities through newsletters and the website								



Goal 3. Serve as a liaison to collaborate with statewide agencies and associations	Start Date	Complete by	Process	2023 Staff Hours	2024 Staff Hours	2025 Staff Hours	2026 Staff Hours	2027 Staff Hours
<b>Tactics</b>								
<i>Work with BWSR to Address Member Concerns</i>								
Identify points of contention and develop opportunities for reducing concerns								
<i>Identify Opportunities to Partner to Promote Watershed Management</i>								
Attend BWSR, CWC, and DWG meetings and provide updates								
Develop a plan that articulates opportunities to partner and track collaboration								
Pursue collaborative education and training opportunities								
Advocate for the appointment of effective watershed board members with BWSR and AMC								

Goal 4. Ensure strong legislative policies are in place for watershed management	Start Date	Complete by	Process	2023 Staff Hours	2024 Staff Hours	2025 Staff Hours	2026 Staff Hours	2027 Staff Hours
<b>Tactics</b>								
<i>Evaluate Current Resolutions and Legislative Platform Process</i>								
Identify alternative methods, adopt revised process, or reaffirm current process								
<i>Develop Comprehensive Platform of Policies</i>								
Work with MAWA and the Resolutions Committee to develop a full legislative policy position document								
Draft expectations for support and advocacy for representatives on the BWSR Board, CWC, LGWRT								
<i>Identify Legislative Issue Impacting Members</i>								
Support legislation that promotes watershed management								
Fend off legislation that limits abilities to protect and restore water resources								
Ensure lobbyist(s) have clear direction on legislative priorities								
Align workload with the resources set aside for lobbying and manage member expectations								
<i>Member Engagement in Resolutions and Legislative Committees</i>								
Solicit more direct input from members when setting legislative priorities								
Promote committee membership to ensure members' voices are reflected in the legislative platform								
Increase Communication about Legislative Activity								
Host an annual event for members to learn about the legislative platform and receive guidance on legislator interaction								
Personally call and invite legislators to attend MW events								
Set up appointments with members and legislators								

Goal 5. Enhance the skills of watershed officials	Start Date	Complete by	Process	2023 Staff Hours	2024 Staff Hours	2025 Staff Hours	2026 Staff Hours	2027 Staff Hours
<b>Tactics</b>								
<i>Offer comprehensive watershed officials training</i>								
Provide training sessions at all MW events								
Enhance the sharing of knowledge between members at events								
Maintain an up-to-date watershed handbook by reviewing it annually and revising it as warranted								
Work collaboratively with BWSR to provide regional training								
Utilize the expertise of staff and MAWA in the development of education and training for watershed officials								



# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting  
Wednesday, August 17, 2022

### **Agenda Item**

#### **Item 6. D. – Lower Minnesota River Watershed District Bylaws**

### **Prepared By**

Linda Loomis, Administrator

### **Summary**

The Lower Minnesota River Watershed District Bylaws require that the Board of Managers review the Bylaws every five years and revised as needed. The Board of Managers last reviewed the Bylaws in 2017. The last time revisions were made to the Bylaws was 2016. Bylaws are customarily revised at the meeting of the Board of Managers where officers are elected in September.

If upon review the Board of Managers determine revisions are necessary, the Board of Managers must provide thirty days written notice of the proposed change in its entirety during a meeting of the Board, unless said notice is waived by all of the Managers.

It has been five years since the bylaws have been reviewed by the Board of Managers. Bylaws are attached for the Managers review.

### **Attachments**

Lower Minnesota River Watershed District Bylaws

### **Recommended Action**

Motion to recommend revisions to LMRWD bylaws or if no revisions are necessary, no action is recommended.

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

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

**ARTICLE I.**

**NAME**

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

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

**ARTICLE II.**

**PURPOSE**

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

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

## ARTICLE III

### LMRWD OFFICE and WATERSHED DISTRICT'S BOUNDARIES

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

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

## ARTICLE IV

### BOARD OF MANAGERS

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

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

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

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

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

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

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

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

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

**Section 8. DUTIES OF MANAGERS IN STATUTE:** Minn. Stat. § 103D.315  
"Managers" defines additional duties of the District's Managers.  
In addition to statutory duties, Managers shall abide by the following principles:

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

## **ARTICLE V OFFICERS**

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

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

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

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

**Section 4. DUTIES OF OFFICERS:**

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

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

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

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

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

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

#### **ARTICLE VI. MEETINGS OF LMRWD BOARD OF MANAGERS**

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

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

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

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

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

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

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

**Section 7. MEETING FORMAT:**

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



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

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

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

#### **ARTICLE VII. PARLIMENTARY AUTHORITY**

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

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

#### **ARTICLE VIII. ANNUAL REPORT**

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

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

**ARTICLE IX.  
ANNUAL AUDIT**

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

**ARTICLE X.  
WATERSHED MANAGEMENT PLAN**

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

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

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

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


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

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


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

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

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

  
\_\_\_\_\_  
By: Yvonne Shirk  
President

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
By: Len Kramer  
Secretary

  
\_\_\_\_\_  
Date

## LOWER MINNESOTA RIVER WATERSHED DISTRICT OUT-OF-STATE TRAVEL POLICY

Purpose: The Lower Minnesota River Watershed District (LMRWD) recognizes that its Managers and Administrator (herein after "Individual"), may at times receive value from traveling out of the state for workshops, conferences, events and other assignments. This policy sets forth the conditions under which out-of-state travel will be reimbursed by the LMRWD.

### General Guidelines:

1. The event, workshop, conference or assignment must be approved in advance by the Board of Managers at an open meeting and must include an estimate of the cost of the travel. (Note: the use of a resolution or a detailed motion outlining what exactly is being approved, is recommended.) In evaluating the out-of-state travel request, the Board will consider the following:
  - Whether the Individual/s will be receiving training on issues relevant to the LMRWD or to his/her position with the LMRWD;
  - Whether the Individual/s will be meeting and networking with others from around the country to exchange ideas on topics of relevance to the LMRWD or the role of Manager/Administrator;
  - Whether the Individual/s will be viewing a Watershed facility or function that is similar in nature to one that is currently operating at, or under consideration by the LMRWD where the purpose for the trip is to study the facility or function to bring back ideas for the consideration of the full Board;
  - Whether the Individual/s has been specifically assigned by the Board to testify on behalf of the LMRWD at the United States Congress or to otherwise meet with federal officials on behalf of the LMRWD;
  - Whether the LMRWD has sufficient funding available in the budget to pay the cost of the trip.
2. No reimbursements will be made for attendance at events sponsored by or affiliated with political parties.
3. The LMRWD may make payments in advance for airfare, lodging and registration if specifically approved by the Board. Otherwise all payments will be made as reimbursements to the Individual/s.
4. Airfare will be reimbursed at the coach rate.
5. Mileage will be reimbursed at the IRS rate. If two or more Individuals travel together by car, only the driver will receive reimbursement. The LMRWD will reimburse for the cost of renting an automobile if necessary to conduct LMRWD business.
6. Lodging costs are limited to those which are reasonable and necessary.
7. Receipts are required for lodging, airfare, and meals and must accompany an expense report form. It is not necessary to have receipts for cabs and tips. The expense report form shall be submitted to the LMRWD Administrator for payment.

8. The LMRWD will not reimburse for alcoholic beverages, personal telephone calls, costs associated with the attendance of a family member, rental of luxury vehicles, meal expenses included in the cost of registration, or recreational expenses such as golf or tennis.
9. Individuals who have announced their intention to resign will not be eligible for out of state travel

The Board of Manager may make exceptions to this policy depending upon circumstances unique to the trip and/or Individual/s.

THE FOLLOWING PROVISIONS WILL BE CONSIDERED ON A CASE BY CASE BASIS:

- The Board may choose to limit the number persons who can attend the same event;
- Requirements for Managers/Administrator to give an oral or written reports on the results of the trip at the next Manager meeting;
- Requirements for the Manager(s)/Administrator to turn over materials received to the LMRWD;
- The requirement for all frequent flyer miles to accrue to the LMRWD; or
- Requirements to use the most cost-efficient mode of travel available taking into consideration reasonable time constraints.



# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting  
Wednesday, August 17, 2022

### **Agenda Item**

**Item 7. A. – FY 2022-23 Watershed Based Implementation Funding Lower MN River WPA**

### **Prepared By**

Linda Loomis, Administrator

### **Summary**

Convene meeting #4 was held on July 27, 2022, to discuss which project would be funded using the FY 2022-23 Watershed Based Implementation Funding (WBIF) allocation to the Lower Minnesota River Watershed Planning Area (WPA). There was not a quorum of voting membership in attendance so an additional was convened on August 9, 2022.

The total allocation of funds available to the WPA was \$127,068.00. Two projects were considered for funding; 1) stream bank stabilization on Eagle Creek under the 128<sup>th</sup> Street Bridge, and 2) Lewis Street Stormwater BMP. The Convene Group voted to fund both projects. The Eagle Creek Project was allocated \$50,000 and the Lewis Street Stormwater BMO is to receive the remainder of the allocation, \$77,068.

BWSR has been notified of the decision of the Convene group and the Cities will submit a budget request to BWSR. Workplans for the projects are due March 2023.

### **Attachments**

No attachments

### **Recommended Action**

No recommended action



# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting  
Wednesday, August 17, 2022

### **Agenda Item**

#### **Item 7. B. – Audit and Financial Accounting Services**

#### **Prepared By**

Linda Loomis, Administrator

#### **Summary**

The LMRWD has not received its financial audit as of August 12, 2022. I have tried to contact the auditor but have not been able to connect with them and have not received any response to email messages.

I spoke with Chris Knopik, CLA, LMRWD accounting services provider, who suggested that the LMRWD consider advertising for a new auditor. Mr. Knopik suggested that the reason the LMRWD may have only received one proposal in 2021 when it went out for audit services was that audit firms may have been concerned that the LMRWD was changing auditors and accounting services at the same time. He said more audit firms may respond now that the LMRWD has an accounting service provider and has a year of stable financial accounting.

Mr. Knopik said he would contact some firms on behalf of the LMRWD, if the Board decides to seek a new auditor.

Things are running more smoothly every month with the new accounting service provider.

#### **Attachments**

Agreement with Global Portfolio, LLC

#### **Recommended Action**

The Board should consider whether it wants to seek a new auditor



CPA Global Portfolio Consulting C.A., LLC.

To the appropriate representative of those charged with governance of

**LOWER MINNESOTA RIVER WATERSHED DISTRICT (LMRWD)**

\*\*\*\*\*

**The objective and scope of the audit**

You have requested that we audit the financial statements of the governmental activities and each major fund of **LOWER MINNESOTA RIVER WATERSHED DISTRICT (LMRWD)** for the fiscal years ending on December 31, 2021, and 2022, and the related notes to the financial statements pursuant to Minnesota Statutes Section 103B.227, Subd.5. We are pleased to confirm our acceptance and our understanding of this audit engagement by means of this letter.

The objectives of our audit are to obtain reasonable assurance about whether the financial statements, as a whole, are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with auditing standards generally accepted in the United States of America (GAAS) will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

**The responsibilities of the auditor**

We will conduct our audit in accordance with GAAS as set forth by the American Institute of Certified Public Accountants and the standards of financial audits set forth in the U.S. General Accounting Office's Government Auditing Standards. As part of an audit in accordance with GAAS, we exercise professional judgment and maintain professional skepticism throughout the audit. We also identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.

Because of the inherent limitations of an audit, together with the inherent limitations of internal control, an unavoidable risk that some material misstatements may not be detected exists, even though the audit is properly planned and performed in accordance with GAAS.

**The responsibilities of management and identification of the applicable financial reporting framework**

Our audit will be conducted on the basis that management and, when appropriate, those charged with governance acknowledge and understand that they have responsibility:

- for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America.



- for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error; and
- to provide us with
  - access to all information of which management is aware that is relevant to the preparation and fair presentation of the financial statements such as records, documentation, and other matters,
  - additional information that we may request from management for the purpose of the audit; and
  - unrestricted access to persons within the entity from whom we determine it necessary to obtain audit evidence.

As part of our audit process, we will request from management and, when appropriate, those charged with governance, written confirmation concerning representations made to us in connection with the audit.

**Other relevant information (Fees and Payment)**

Our fee for this engagement will be Thirty-Five Thousand Six Hundred and Eighty-two dollars (\$35,682) and Twenty-Seven Thousand Five Hundred Forty-Eight dollars (\$27,548) for the fiscal year 2021 and 2022 audit respectively. Our fees are payable in two equal payments; the first payment at the beginning of the engagement for the year and the second payment when the final report is submitted.

**Reporting**

We will issue a written report upon completion of our audit of **LOWER MINNESOTA RIVER WATERSHED DISTRICT (LMRWD)** financial statements. Our report will be addressed to the Board of Managers of **LOWER MINNESOTA RIVER WATERSHED DISTRICT (LMRWD)**. Circumstances may arise in which our report may differ from its expected form and content based on the results of our audit. Depending on the nature of these circumstances, it may be necessary for us to modify our opinion, add an emphasis-of-matter paragraph or other-matter paragraph to our auditor's report, or if necessary, withdraw from the engagement.

Please sign and return the attached copy of this letter to indicate your acknowledgment of, and agreement with, the arrangements for our audit of the financial statements including our respective responsibilities.

**LOWER MINNESOTA RIVER WATERSHED DISTRICT (LMRWD)**

Acknowledged and agreed on behalf of **LOWER MINNESOTA RIVER WATERSHED DISTRICT (LMRWD)** by:

Signed:

Name and Title: \_\_\_\_\_

Date: \_\_\_\_\_



# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting  
Wednesday, August 17, 2022

### Agenda Item

#### Item 7. F. – Watershed Management Plan

#### Prepared By

Linda Loomis, Administrator

#### Summary

i. **Revisions to LMRWD Rules**

The petition to amend the rules was submitted to BWSR on August 9<sup>th</sup>. Public transportation agencies were notified on August 11<sup>th</sup> per Minnesota Statutes 103D.341 Subd.2. Agencies have 45 days to review the proposed Rule amendment, which is September 26, 2022. Public hearing to adopt Rule revisions will be scheduled for the October 2022 LMRWD Board of Managers meeting.

ii. **Update of LMRWD Comprehensive Watershed Management Plan Section 4 – Implementation Plan**

A public hearing to adopt the proposed plan amendment will be scheduled for the October 2022 LMRWD Board of Managers meeting.

#### Attachments

No attachments

#### Recommended Action

No action recommended



# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting  
Wednesday, August 17, 2022

### Agenda Item

#### Item 7. H. – Education and Outreach

#### Prepared By

Linda Loomis, Administrator

#### Summary

Three reports have been posted to the LMRWD website, for [Carver Creek](#), [Fisher Lake Outlet](#) and [Chaska Creek](#).

In addition, staff is working on a grant program to schools to provide funds for education opportunities. The program details will be shared with the Board of Managers at the September Board meeting for approval.

We are looking for locations to display the “Salt Dilemma” (see attached) traveling display and the “[We are Water](#)” traveling exhibit. Jen Dullum is reaching out to cities and counties within the LMRWD. If we are not successful, we will try public libraries and schools.

The CAC was invited to volunteer at the “Water Bar” at the Dakota County Fair and to assist Carver WMO tabling at the Carver County Fair. They have also been invited to volunteer and the Metro Children’s Water Festival and the Scott County Outdoor Education Day.

Nine Mile Creek was gracious enough to allow the LMRWD CAC to meet at its Discovery Point in Eden Prairie, where we joined the Salt Symposium virtually from the Board Room. It was a very educational program.

LMRWD staff has also discussed sponsoring water education programs with other agencies. (in addition to the ones that we already sponsor with our partners)

#### Attachments

The (Road) Salt Dilemma – Assembly Manual

#### Recommended Action

No action recommended

# The (Road) Salt Dilemma

## Assembly Manual

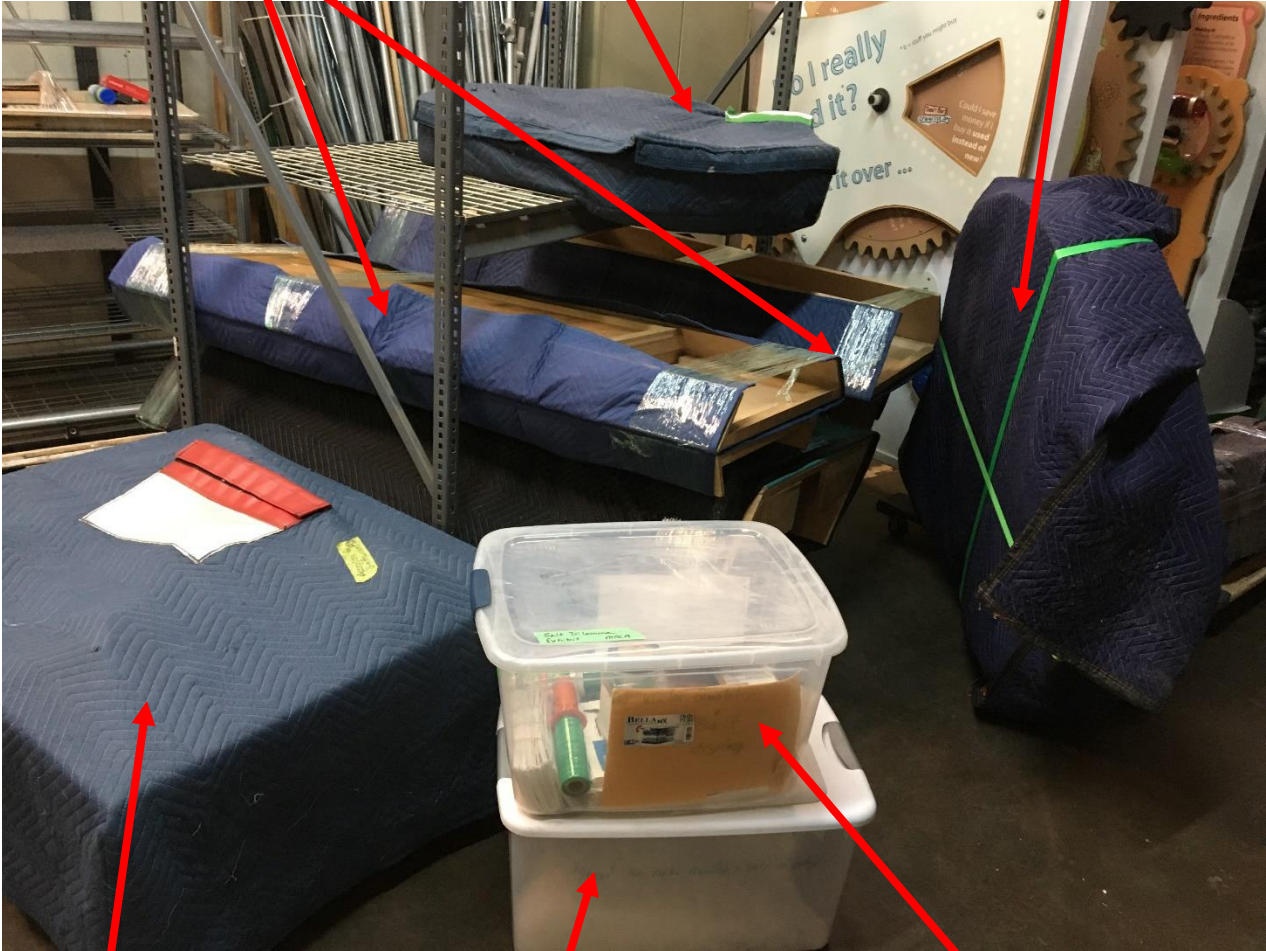


# Wrapped exhibit components

Panels (5 - 6ft tall x 5 ft)

Base (6ft wide)

Header



Kid's Table (46" x 46" optional)

Tub of snow for Kid's Table (optional)

Supplies bin

# Fall 2020 exhibit revisions

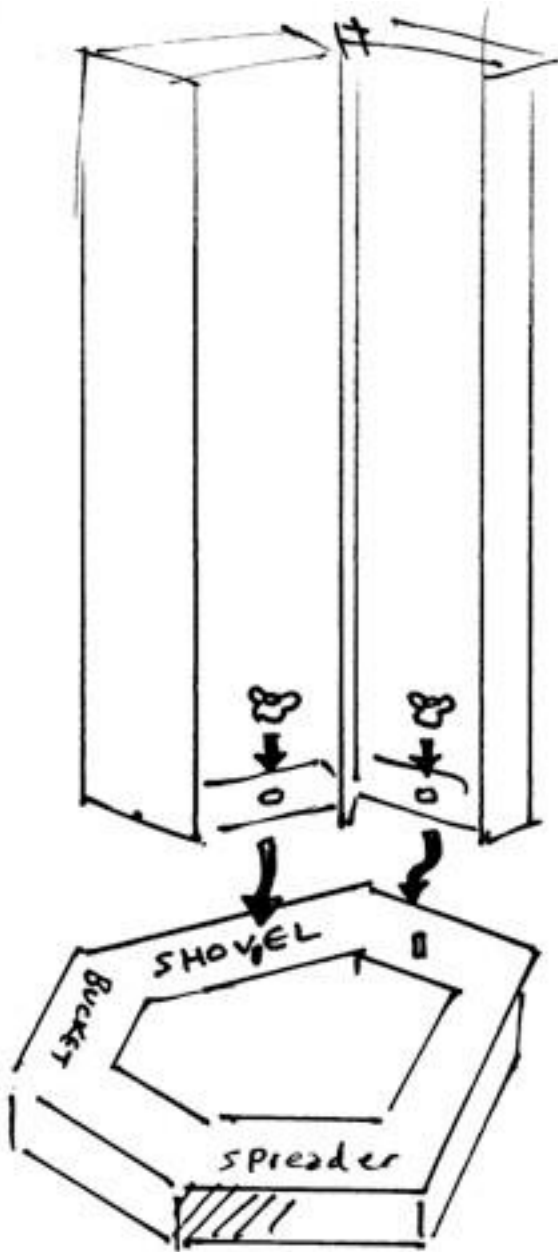


Subsequent drawings and photos in this manual may show older feature but this is what the updated display looks like. No changes were made to the kids table.

- Two people are needed to assemble and take down this exhibit.
- Two Phillips screwdrivers are needed to assemble and take down this exhibit.

Remove the Base from it's case and place it where you want the exhibit to be displayed. Avoid moving the exhibit very much once it is assembled. The numbered sections of the base match specific exhibit panels.

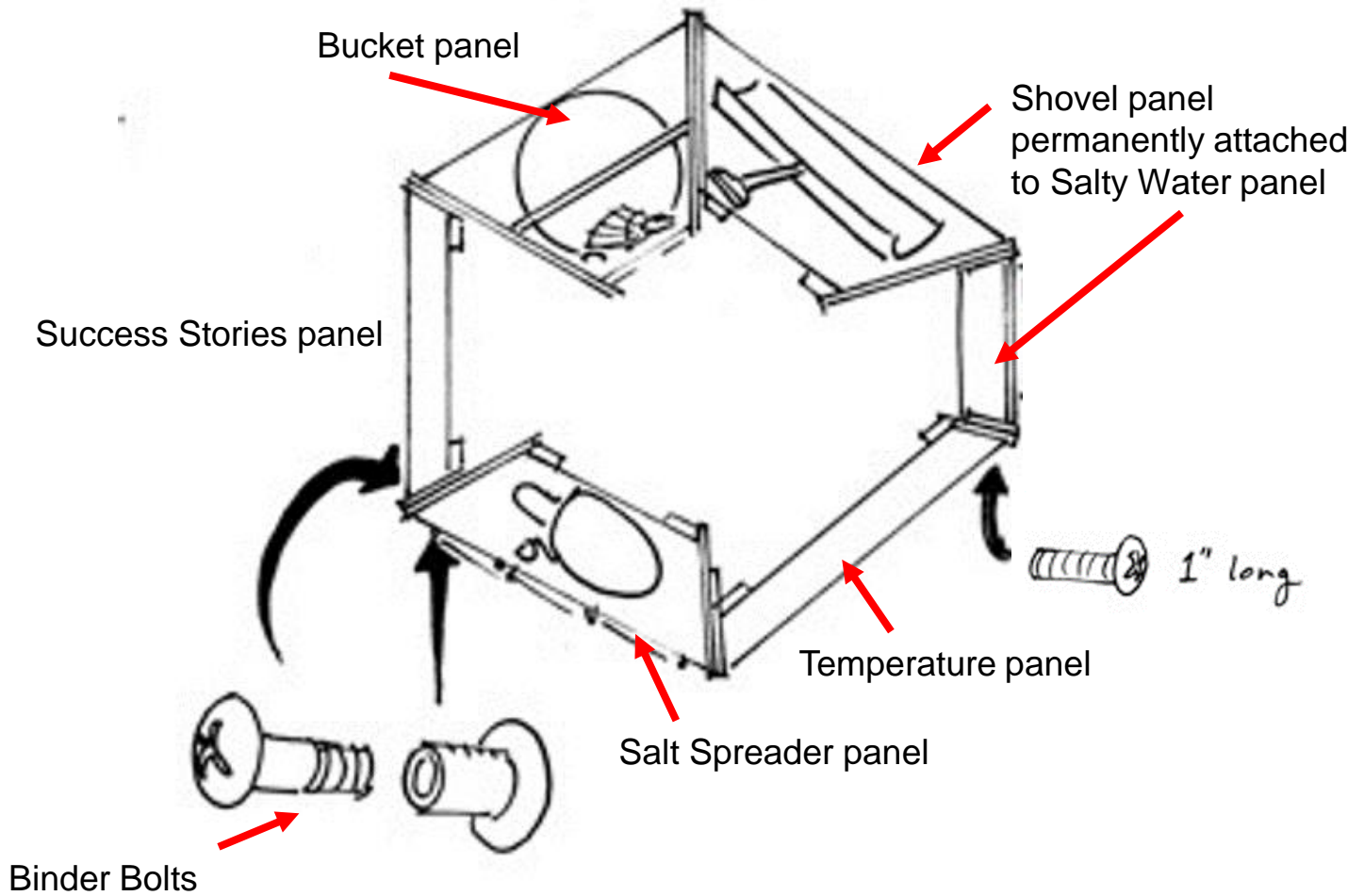




Start with the permanently joined Salty Water panel/shovel section (the largest piece). Set the section on the base at its designated location and tighten the wing nuts on top to secure the panels.

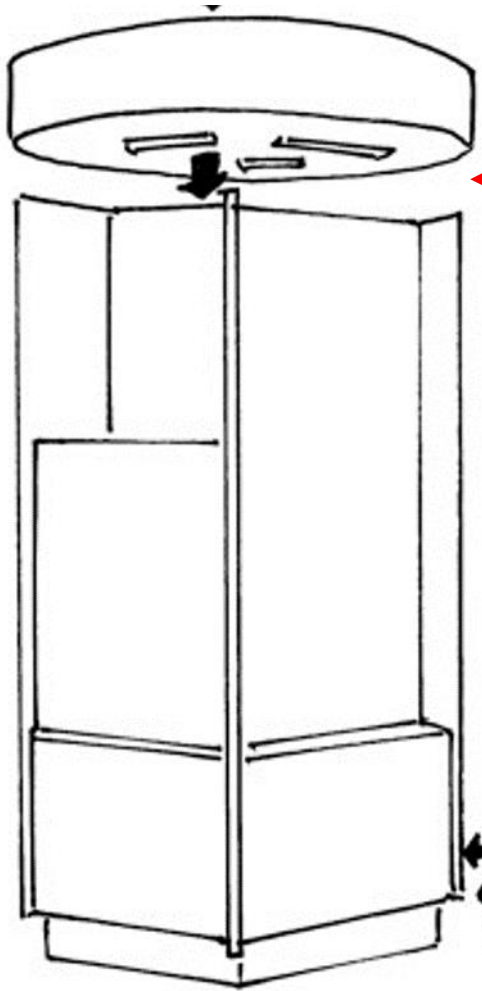


Diagram from above showing the layout of the panels on the base.



The remaining panels may be added to the base in any order.

All the panels join with binder bolts, except the Temperature Panel to the Salty Water panel. These attach with 1/4" machine screws that tighten into threaded inserts in the Salty Water panel.



Set the header circle on top of the hexagon panels aligning it with the correct marking. (It should only fit one way).



The table with toy trucks and houses (Kid's Table) is free standing and can be placed near the exhibit.

If the trucks need to be replaced, loosen the set screw and pull out the chain. Thread the new truck chain through the same hole and re-tighten the set screw.



## Exhibit Dismantling

**Follow the Assembly instructions in reverse to dismantle exhibit. Save all bolts/hardware in the container provided.**

### **Wrap the exhibit pieces for safe transport**

The hexigon Base and the Kid's Table have custom sewn cases to protect them



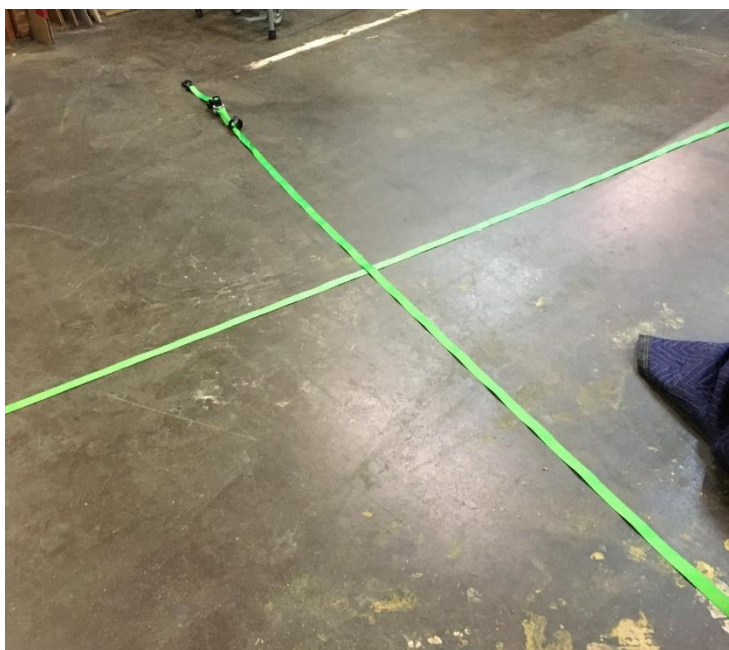
hexigon Base in case

Kid's Table in case



## Wrapping the Header Circle

1. Lay the green straps on the floor crossing each other at right angles.
2. Lay the large navy/orange moving blanket over the straps.
3. Place the Header on the blanket over the straps.
4. Fold the blanket up around the header.
5. Bring each strap over the header and tighten it to hold the blanket in place.



## Wrapping remaining exhibit panels

Moving blankets cover the exhibit panels. A black/navy moving blanket is for the salty water/shovel panel (large blanket for largest panel).

Work with another person to help hold each moving blanket in place and tightly wrap the shrink wrap around each end of the moving blanket. You must use tension (stretch) the shrink wrap as you wrap it around the exhibit so it clings to the exhibit.



**Make sure all of the hardware is packed in the supply bin and all components are safely wrapped.**

Panels (5)

Base

Header



Kid's Table  
(optional)

Tub of snow for  
Kid's Table  
(optional)

Supplies  
bin



# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting  
Wednesday, August 17, 2022

### Agenda Item

#### Item 7. I. – LMRWD Projects

#### Prepared By

Linda Loomis, Administrator

#### Summary

##### i. MN River Corridor Project

At the July Board meeting, staff asked for Board authorization to retain Wilderness Inquiry to conduct a river tour for the MN River Corridor Management partners. The LMRWD engaged the services of Wilderness Inquiry and the contract is attached for the Board's information. The date of the event has been scheduled for Wednesday, September 7<sup>th</sup> from 2:00 to 6:00. The plan is to meet with the partners to review past discussions, take a river tour of the area around Fort Snelling State Park and then meet for more discussion and dinner.

##### ii. Spring Creek

On July 27, 2022, the LMRWD held an Open House for residents living along Spring Creek in the City of Carver. Residents from 4 properties attended the meeting. A summary of the meeting is attached. The owners of two of the properties the LMRWD is concerned with did not attend. The LMRWD will send direct letters to those owners.

Carver City Staff has been kept informed of the LMRWD activities regarding Spring Creek.

#### Attachments

[Wilderness Inquiry Agreement](#)

Spring Creek Streambank Neighborhood Meeting Summary

#### Recommended Action

No action recommended



# Agenda / Summary



## PROJECT NAME: Spring Creek Streambank Neighborhood Meeting

Date: July 27, 2022  
Start Time: 6:00 p.m.  
End Time: 7:00 p.m.  
Location: 112 5th Street, Carver, MN

## MEETING OBJECTIVES

- Provide background information about the Spring Creek streambank stabilization project and summarize work completed by the Lower Minnesota River Watershed District (LMRWD) to assess the problem.
- Present recommended solutions from Sites 1, 2, and 3.
- Gauge residents' interest in the solutions and willingness to contribute financially.

## INVITEES:

Deborah Hartley	112 5th St W
Gregg & Meg Witt	420 Broadway St N
Tracy Carlson	416 Broadway St N
Bridget Thomas	404 Broadway St N
James Jacobs	402 Broadway St N
Cheryl Yorek	108 4th St W
Lisa McMahan-Mosley	112 4th St W
Courtney Schmalz	116 4th St W
Todd Elbert & Jennifer Hansen	200 4th St W

## ATTENDEES:

- Deborah Hartley | 112 5th Street | [dhartley02@aol.com](mailto:dhartley02@aol.com)
- Leslie Reinartz | 112 5th Street | [jance6306@aol.com](mailto:jance6306@aol.com)
- Gregg Witt | 420 Broadway Street | [gcwitt@comcast.net](mailto:gcwitt@comcast.net)
- Cheryl Yorek | 108 4th Street | [cherylyorek54@gmail.com](mailto:cherylyorek54@gmail.com)

## HOSTS:

- Linda Loomis | Naiad Consulting | [naiadconsulting@gmail.com](mailto:naiadconsulting@gmail.com)
- Della Schall Young | Young Environmental Consulting Group | [della@youngecg.com](mailto:della@youngecg.com)
- Meghan Litsey | Young Environmental Consulting Group | [Meghan@youngecg.com](mailto:Meghan@youngecg.com)
- Jen Dillum | Young Environmental Consulting Group | [Jen@youngecg.com](mailto:Jen@youngecg.com)

## AGENDA/SUMMARY

1. Introductions
2. Spring Creek (Linda Loomis and Della Young)
  - a. Debbie Hartley (Site 1) contacted the Soil and Water Conservation District (SWCD), City of Carver, and the LMRWD approximately eight years ago about losing her



backyard to erosion. Two additional properties (Sites 2 and 3) were also identified as affected by the creek.

- b. LMRWD completed its hydraulic analysis, and the recommendations below were included in the technical memo.

No.	Recommendation	Type	Year	Estimated Cost
1	Landowner outreach	Data collection	2022	\$3,000
2	Spring Creek monitoring and surveys	Data collection	2022–2025	\$5,000–\$10,000 annually
3	Site 3 (116 4th Street West) feasibility study	Study	2022–2023	\$30,000
4	Site 2 (404 Broadway Street) stabilization	Construction	2022–2023	\$100,000–\$150,000
5	Vegetation management	Study	2024	\$40,000
6	Reevaluate Site 1 (112 5th Street) stabilization needs	Potential construction	2026	\$75,000–\$120,000
7	Coordination with city	Data collection	Ongoing	\$2,000 annually

- c. Open discussion / Question and Answer session

- Hartley and Reinartz would like to see the project work at Site 1 begin as soon as possible.
- Hartley and Reinartz are interested in discussing financial contributions with staff.
- Action at Sites 2 and 3 is paused unless the LMRWD makes contact with the property owners.
- Witt and Yorek are not interested in contributing financially to the project (at this time) because the sites are not on their property.

- d. Next steps

- Linda will share the technical report with attendees, acknowledging the neighborhood meeting.
- Linda will bring recommendations to the Board in August (altering CIP timeline and actions).
- Determine Hartley and Reinartz’s financial contribution by September 1, 2022, at the latest.
- LMRWD to send a letter to property owners of Sites 2 and 3.



# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, August 17, 2022

### Agenda Item

#### Item 7. J. – Permits and Project Reviews

#### Prepared By

Linda Loomis, Administrator

#### Summary

##### i. LMRWD Permit Renewals

There are no permit renewals this month

##### ii. Ivy Brook Parking Northeast (LMRWD No.2022-027)

This project is another permit for outdoor storage in the City of Burnsville. Young Environmental Consulting Group has reviewed the application on behalf of the LMRWD. Their findings and recommendations are detailed in the attached Technical Memorandum – Ivy Brook Parking Northeast (LMRWD No. 2022-027) dated August 10, 2022.

#### Attachments

Technical Memorandum – Ivy Brook Parking Northeast (LMRWD No. 2022-027) dated August 10, 2022

#### Recommended Action

Motion to conditionally approve Ivy Brook Parking Northeast (LMRWD No. 2022-027) dated August 10, 2022, contingent on receipt of the contact information for the contractor and the contact information for the person(s) responsible for the inspection and maintenance of all erosion and sediment control features.

##### iii. Reliakor (LMRWD No. 2022-029)

This is a project for construction of a new building in the City of Shakopee, that requires a LMRWD permit because it proposes fill in a wetland below the 100-year flood elevation. Young Environmental Consulting Group has reviewed the application on behalf of the LMRWD. Their findings and recommendations are detailed in the attached Technical Memorandum – Reliakor (LMRWD No. 2022-029) dated August 10, 2022.

#### Attachments

Technical Memorandum – Reliakor (LMRWD No. 2022-029) dated August 10, 2022

#### Recommended Action (LMRWD No. 2022-031)

Motion to conditionally approve Reliakor (LMRWD No. 2022-029) dated August 10, 2022, contingent on receipt of the contact information for the contractor and the contact information for the person(s) responsible for the inspection and maintenance of all erosion and sediment control features. (a check was received on behalf of Reliakor August 12, 2022)

**iv. RSI Marine**

This project proposes to redevelop a site at the intersection of CSAH 61/Flying Cloud Drive and Great Plains Blvd./CSAH 101. The City requested comments from the LMRWD. Young Environmental Consulting Group has reviewed the application on behalf of the LMRWD. Their comments are detailed in the attached Technical Memorandum – RSI Marine (LMRWD No. 2022-031) dated August 4, 2022.

**Attachments**

Technical Memorandum – RSI Marine (LMRWD No. 2022-031) dated August 4, 2022

**Recommended Action**

No Board action is required at this time

**v. 10521 Spyglass Drive/Hoekstra (LMRWD No.2022-026)**

The Board approved an after-the-fact permit for this project at the July 20, 2022 meeting. Since the July 20<sup>th</sup> meeting the LMRWD received information needed to conduct a review of the proposed project. Young Environmental Consulting Group reviewed the application on behalf of the LMRWD and found the project to be in order and issued the permit. Findings are detailed in the attached Technical Memorandum – 10521 Spyglass Drive Property/Hoekstra Residence (LMRWD No. 2022-026).

**Attachments**

Technical Memorandum – 10521 Spyglass Drive Property/Hoekstra Residence (LMRWD No. 2022-026)

**Recommended Action**

No action recommended – permit was approved at July 20, 2022 LMRWD Board of Managers meeting

**vi. Permit Program Summary**

Summary of all LMRWD permit applications is attached

**Attachments**

LMRWD Permit Program Summary dated August 10, 2022

**Recommended Action**

No action recommended

**vii. Burnsville Future Quarry Lake Study**

The City of Burnsville held a meeting March 3, 2022, to discuss the City’s vision for the Kraemer Quarry after mining operations cease. Young Environmental provided comments to the City regarding the proposal. Those comments are detailed in the attached Technical Memorandum – Kraemer Quarry Lake Modeling Technical Memorandum Review dated April 8, 2022.

**Attachments**

Technical Memorandum – Kraemer Quarry Lake Modeling Technical Memorandum Review dated April 8, 2022

**Recommended Action**

No action recommended

**viii. 535 Lakota Lane, Chanhassen – work without a permit**

The LMRWD has kept in touch with the City regarding actions to correct the non-conformities at this property. The City of Chanhassen has revoked the Certificate of Occupancy for the property. The City Council was planning to discuss legal recourse against the property. The LMRWD plans to record the Board’s order against the property. Legal recourse on behalf of the LMRWD will take longer to initiate.

**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:** August 10, 2022

**Re:** Ivy Brook Parking Northeast (LMRWD No. 2022-027)

---

Ivy Brook Parking LLC (the applicant) has applied for an individual project permit from the Lower Minnesota River Watershed District (LMRWD) to develop an outdoor storage lot located at 12020 Highway 35W in the City of Burnsville (City), as shown in Figure 1. The applicant's engineering firm, Larson Engineering, Inc. (Larson), has provided site plans for the Ivy Brook Parking Lot Northeast project (Project), along with the permit application.

The proposed project consists of redeveloping an existing paved parking lot that will be used as an outdoor storage yard for commercial vehicles, recreational vehicles, equipment, and materials. The project would disturb 0.82 acres and is not located within the High Value Resource Area (HVRA) or Steep Slopes Overlay District. However, the project is located in the Minnesota River floodplain, triggering LMRWD Rule C. Although the Project is located near the Black Dog Lake Fen HVRA, the Project does not encroach upon it and is not expected to impact the fen. The applicant proposes to commence construction in October or November 2022.

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

## Summary

Project Name: Ivy Brook Parking Northeast

Purpose: Outdoor storage yard for commercial vehicles,

recreational vehicles, equipment, and materials

Project Size:

Disturbed Area	Existing Impervious Area	Proposed Impervious Area	Net Change in Impervious Area
0.82 acres	2.8 acres	2.5 acres	-0.3 acres

Location:

12020 Highway 35W, Burnsville, MN 55337  
(Parcel No. 037-028600101020)

LMRWD Rules:

Rule C – Floodplain and Drainage Alteration

Recommended Board Action:

Conditional approval

## Discussion

The LMRWD received the following documents for review:

- LMRWD online permit application received July 5, 2022
- LMRWD permit fee of \$750 received July 5, 2022
- Project Narrative by Ivy Brook Parking LLC; no date; received July 5, 2022
- Construction Plans by Larson Engineering, Inc.; dated June 29, 2022; received July 5, 2022; revised July 28, 2022
- Stormwater Pollution Prevention Plan by Larson Engineering, Inc.; no date; received July 5, 2022
- Authorization of Agent Form by Ivy Brook Parking LLC; dated June 29, 2022; received July 5, 2022
- No-Rise Certificate by Larson Engineering; dated July 22, 2022; received July 22, 2022
- Hydraulic model by Larson Engineering; dated August 8, 2022; received August 8, 2022

The application was deemed complete on August 8, 2022, and the documents received provide the minimum information necessary for permit review.

### Rule C – Floodplain and Drainage Alteration

The Project is located in the Minnesota River floodplain, shown on the FEMA Flood Insurance Rate Map (FIRM) for Dakota County, Panel 27037C0070E (effective March 16, 2016). The effective FIRM shows the Project in the FEMA Zone AE (or 100-year floodplain) with a 100-year elevation of 715.4 NAVD88 at cross section Y.

To rehabilitate the existing parking lot, 2.5 inches of bituminous overlay will be added, resulting in approximately 22,440 cubic feet of floodplain fill. To mitigate the effects of the fill on the 100-year flood elevation, the applicant is proposing to provide 24,475 cubic feet of compensatory storage by excavating a basin on the west side of the property, which would result in an overall increase of approximately 2,035 cubic feet of floodplain storage.

Larson provided updated hydraulic modeling based on the FEMA effective model. The update determined the 100-year flood elevation at the project site is 715.22 and the proposed bituminous overlay is not expected to raise the 100-year flood elevation.

Although the Project does not trigger LMRWD Rule B (Erosion and Sediment Control), an erosion control plan is required to comply with Rule C. The applicant provided an Erosion Control Plan and a Stormwater Pollution Prevention Plan, but contact information for the contractor(s) and person(s) responsible for the inspection and maintenance of all erosion and sediment control features is required before the LMRWD can issue a permit.

### **Recommendations**

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

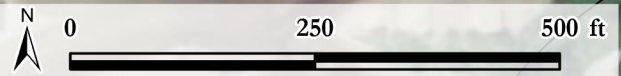
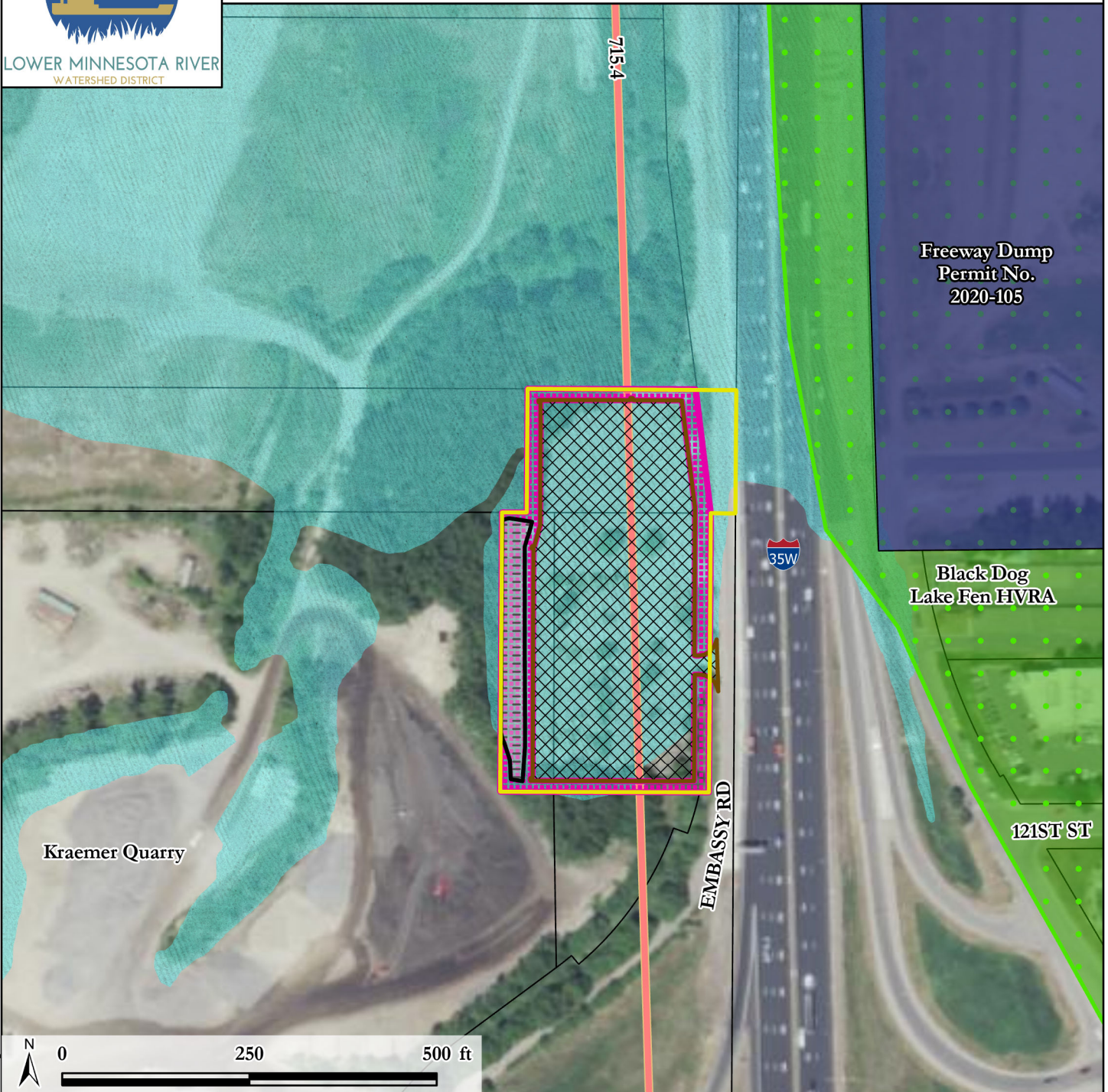
- Contact information for the contractor(s)
- Contact information for the person(s) responsible for the inspection and maintenance of all erosion and sediment control features

### **Attachments**

- Figure 1 – Ivy Brook Parking Northeast Project Location Map



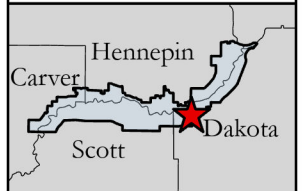
Figure I: Ivy Brook Northeast Project Location



**Legend**

- Ivy Brook Northeast Project Site
- High Value Resource Area
- Previous LMRWD Permits
- Parcels
- 100-yr Floodplain
- FEMA Cross Section Y
- Compensatory Storage
- Proposed Pavement
- Pervious Area

LMRWD Watershed Location Map



Projects\LMRWD\Project Reviews\02 In Process\Ivy Brook Parking Northeast\04 GIS





# Technical Memorandum

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

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

**Date:** August 10, 2022

**Re:** Reliakor (LMRWD No. 2022-029)

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Reliakor Services, Inc. (the applicant) has applied for an individual project permit from the Lower Minnesota River Watershed District (LMRWD) to construct a new building at their existing property in the City of Shakopee (City), as shown in Figure 1. The applicant's engineer, Rehder & Associates, Inc. (Rehder), has provided site plans for the Reliakor project (Project), along with the permit application.

The Project comprises the construction a 11,745 square-foot building with an associated parking lot, driveway, and on-site stormwater management provided by a pretreatment and infiltration basin. The project would disturb 3.75 acres and create 0.52 acres of new, impervious surfaces. The project is not located in the High Value Resource Area or Steep Slopes Overlay District. However, there is a wetland delineated on site that will be affected by the Project. The applicant proposes to commence construction on August 22, 2022.

The City has obtained a Municipal Permit from the LMRWD and is therefore considered the primary permitting authority for projects within the LMRWD. However, the LMRWD has retained permitting authority for Rule C – Floodplain and Drainage Alteration, which regulates any alteration to or filling of land below the 100-year flood elevation of any wetlands subject to the Minnesota Wetland Conservation Act (WCA). The Project requires an LMRWD permit and is subject to an LMRWD permitting review.

## Summary

Project Name: Reliakor

Purpose: New building construction with associated parking lot, driveway, and on-site stormwater management BMP

Project Size:

Disturbed Area	Existing Impervious Area	Proposed Impervious Area	Net Change of Impervious Area
3.75 acres	5.76 acres	6.28 acres	+0.52 acres

Location: 8600 Hansen Ave. Shakopee, MN 55379  
(Parcel No. 279120220)

LMRWD Rules: Rule C – Floodplain and Drainage Alteration

Recommended Board Action: Conditional approval

## Discussion

The District received the following documents for review:

- LMRWD online permit application, received July 20, 2022
- Construction Plans by Rehder; dated July 20, 2022; received July 20, 2022
- Authorization of agent form by Eugene Hansen; dated July 20, 2022; received July 20, 2022; revised August 1, 2022
- Stormwater Management Report by Rehder; dated August 1, 2022; received August 1, 2022

The applicant indicated in an email that the permit fee was sent by mail on August 2, 2022. A permit will not be issued until receipt of the permit fee is confirmed.

### Rule C – Floodplain and Drainage Alteration

The LMRWD regulates the placement of fill below the 100-year flood elevation and alterations within drainage ways within the watershed in accordance with Minnesota Statute 103F and LMRWD Rule C; that authority includes wetlands and other waters not always mapped by FEMA.

An existing wetland is located on the east side of the site, adjacent to the proposed pretreatment and infiltration basins shown in Figure 1. Because the wetland is not delineated in the 2021 FEMA flood insurance rate maps for Scott County, the applicant

has provided a HydroCAD model, which defines the existing normal water elevation at 736.0 and the existing 100-year flood elevation at 736.7 feet.

As part of the construction of the infiltration and pretreatment basins, there will be 90 cubic yards of cut and 150 cubic yards of fill within the 100-year floodplain of the wetland. The applicant is also proposing to lower the outlet elevation of the wetland from 736.0 to 735.5. The provided HydroCAD model estimates the proposed 100-year flood elevation in the wetland will be lowered to 736.4, a reduction of 0.3 feet, despite the placement of floodplain fill, satisfying the no-rise requirement under Rule C.

The low floor elevation of the proposed building is 741.5, which is greater than the minimum two feet of separation from the proposed 100-year flood elevation required under Rule C. The applicant provided an erosion control plan. However, contact information for the contractor(s) and person(s) responsible for the inspection and maintenance of all erosion and sediment control features is required before the LMRWD can issue a permit.

#### *Additional Considerations*

The LMRWD is not the permitting authority for WCA, and this memo should not be construed as making a determination of the proposed impacts on the type, quality, or functionality of the existing wetland pursuant to WCA requirements. The applicant is encouraged to coordinate with the City, and all other applicable agencies, to determine if the proposed project fulfills its other regulatory obligations.

#### **Recommendations**

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

- Permit fee for \$750
- Contact information for the contractor(s)
- Contact information for the person(s) responsible for the inspection and maintenance of all erosion and sediment control features

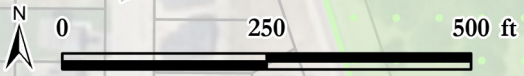
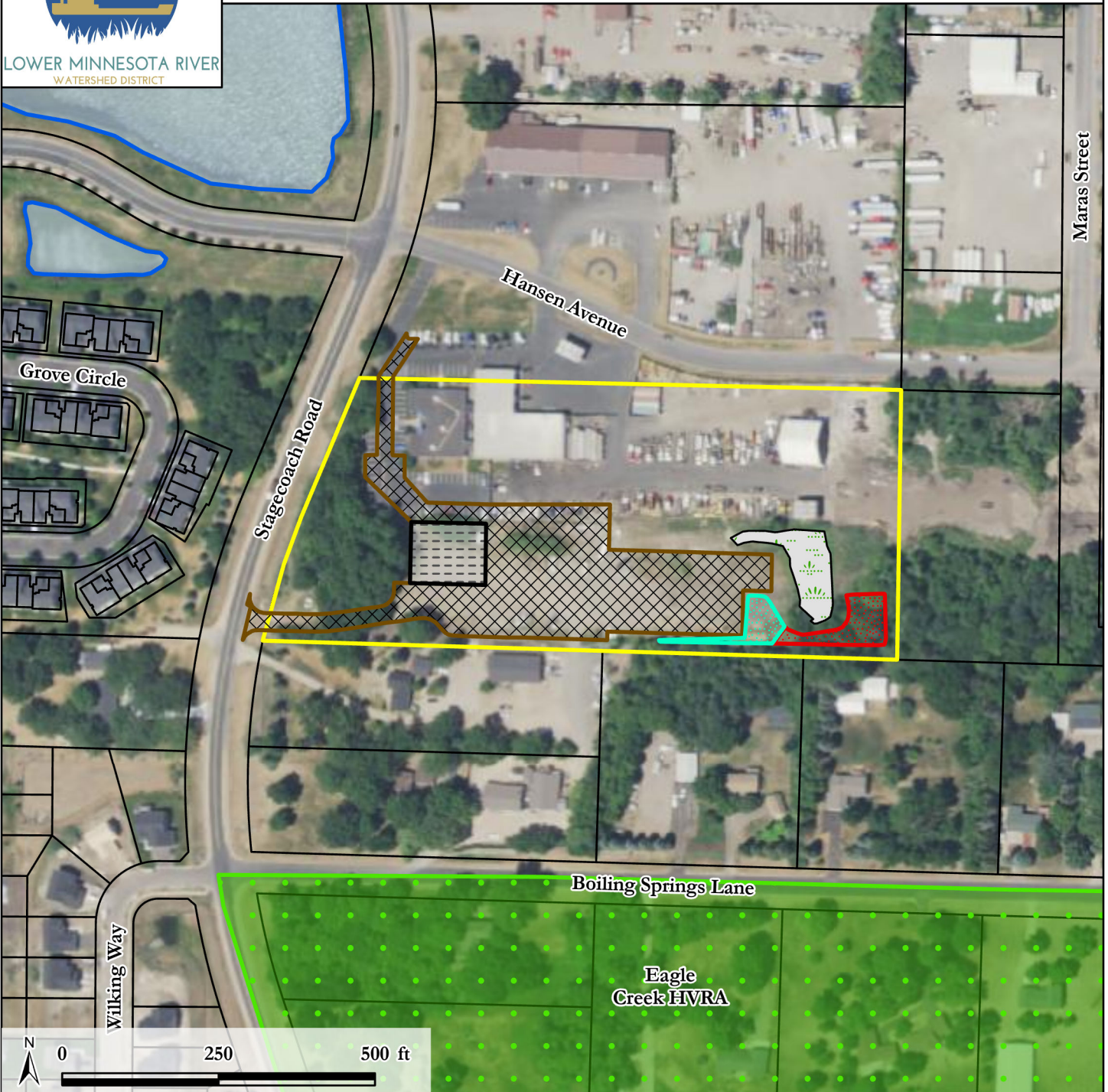
#### **Attachments**

- Figure 1 – Reliakor Location Map



LOWER MINNESOTA RIVER  
WATERSHED DISTRICT

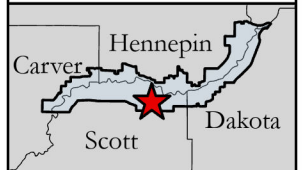
# Figure I: Reliakor Project Location



## Legend

- Reliakor Project Site
- Existing Wetland
- Proposed Building
- Proposed Infiltration Basin
- Proposed Pavement
- Proposed Pre-Treatment Basin
- High Value Resource Area
- Parks
- Parcels
- Open Water

## LMRWD Watershed Location Map



Young Environmental  
Consulting Group, LLC

# Technical Memorandum

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

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

**Cc:** Mackenzie Young-Walters  
City of Chanhassen

**Date:** August 4, 2022

**Re:** RSI Marine (LMRWD No. 2022-031)

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On July 18, 2022, the City of Chanhassen (City) submitted an Agency Review Request to the Lower Minnesota River Watershed District (LMRWD) and requested comments on the proposed RSI Marine mixed-use Planned Unit Development (PUD) rezoning permit. James R. Hill Inc. (James R. Hill), the engineer for RSI Marine, prepared the site plans and stormwater management calculations for the RSI Marine Storage project (Project), located in the northeast corner of the intersection of Great Plains Boulevard (County State Aid Highway [CSAH] 101) and Flying Cloud Drive in Chanhassen, Minnesota, as shown in Figure 1.

The existing site has a building and parking lot for an animal daycare. The Project proposes to fully remove the existing facilities and construct a total of 2.99 acres (130,220 square feet) of new impervious area. In addition, the proposed Project will construct four 20,000-square-foot storage buildings, driveway, and stormwater management facilities and will disturb approximately 6.55 acres. The Project is not located within the High Value Resource Area, Steep Slopes Overlay District, or 100-year floodplain.

Because the City does not have its LMRWD municipal LGU permit, this Project will likely require an LMRWD Individual Project permit under Rules B and D. The purpose of this memo is to summarize the preliminary review that Young Environmental Consulting

Group LLC (Young Environmental) has completed in response to the City's request for comments on the PUD rezoning permit application and to provide preliminary recommendations to the prospective applicant.

## Summary

<u>Project Name:</u>	RSI Marine Storage		
<u>Purpose:</u>	Boat and watercraft storage facilities		
<u>Project Size:</u>	Disturbed <u>Area</u>	Existing <u>Impervious Area</u>	Total New <u>Impervious Area</u>
	6.55 acres	0.41 acres	2.99 acres
<u>Location:</u>	10520 Great Plains Boulevard, Chanhassen, MN 55317 (Parcel 256010020 & 256010010)		
<u>LMRWD Rules:</u>	Rule B—Erosion and Sediment Control Rule D—Stormwater Management		
<u>Recommended Board Action:</u>	Information Only		

## Discussion

The LMRWD received the following documents for review:

- Agency Review Request Land Development Proposal by City of Chanhassen; dated July 18, 2022; received July 18, 2022
- Storm Drainage Area by James R. Hill; no date; received July 18, 2022
- Project Narrative by Gries Architectural Group Inc.; no date; received July 18, 2022
- RSI Marine Storage Site Plan by James R. Hill; dated May 6, 2022; received July 18, 2022
- RSI Marine Storage Stormwater Management Narrative by James R. Hill; dated June 1, 2022; received July 18, 2022
- Storm Sewer Sizing Computation Sheet by James R. Hill; dated May 31, 2022; received July 18, 2022

### Rule B—Erosion and Sediment Control

The LMRWD regulates land-disturbing activities that affect one acre or more under Rule B. The proposed Project would disturb approximately 6.55 acres within the LMRWD boundary. As part of the site plan, James R. Hill prepared a preliminary erosion and

control plan and a Stormwater Pollution Prevention Plan. The Project generally complies with Rule B; however, the following steps would be required before the LMRWD could issue a permit:

- Add the following notes to the Erosion Control Plan (Sheet C3.1).
  - Vehicle tracking on paved surfaces shall be removed within 24 hours of discovery.
  - All disturbed areas that are to be vegetated shall be decompacted through soil amendment or ripping to a depth of 18 inches. All decompaction measures should be completed before final stabilization.
- Add silt fence perimeter control around the proposed Nationwide Urban Runoff Program (NURP) pond and filtration bench.

The following items are conditional approval items that would be required for the issuance of an LMRWD permit:

- A copy of the NPDES permit
- Contact information for the contractor and person(s) responsible for the inspection and maintenance of the erosion and sediment control features

**Rule D—Stormwater Management**

The LMRWD regulates projects that create more than one acre of new impervious area. The Project proposes to construct a total of 2.99 acres (130,220 square feet) of new impervious surface. The development will drain to a proposed NURP pond with a filtration bench that outlets to a drainage ditch on the north side of Flying Cloud Drive (Figure 1).

Section 4.4.1 of Rule D requires proposed stormwater runoff rates to not exceed existing runoff rates. The existing and proposed runoff rates from the site are summarized in Table 1. The Project anticipates a reduction in runoff rates for 2-, 10-, and 100-year, 24-hour rainfall events.

*Table 1. Runoff Rate Summary*

Rainfall Event (24-hour)	Existing Conditions (cfs)	Proposed Conditions (cfs)	Change (cfs)
2-year	8.37	6.60	1.77
10-year	23.65	9.75	13.9

100-year	45.21	16.53	28.68
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Section 4.4.2 of rule D requires proposed projects to retain one inch of runoff from new impervious surface on-site. The site is predominantly hydrologic soil groups B and C. The applicant is proposing to provide volume control through a filtration bench but has not specified a reason that infiltration is not feasible on site. The required on-site volume control is 10,852 cubic feet, and the filtration bench will provide 16,921 cubic feet of volume control.

Section 4.4.3 of Rule D requires no net increase in total phosphorus (TP) or total suspended solids (TSS) loads from existing conditions. The applicant modeled the site using P8 to determine the existing and proposed pollutant loadings. A summary of the P8 results for TP and TSS loads leaving the Project site in pounds per year (lb/yr) for the Project is provided in Table 2.

*Table 2. Water Quality Summary*

Contaminant	Existing Conditions (lb/yr)	Proposed Conditions (lb/yr)	Difference	Percent Reduction
TP	1.8	0.4	1.4	78%
TSS	429.2	20.7	408.5	95%

As presented, the proposed Project would result in a decrease in the TP and TSS loads from the site, meeting the requirements of Rule D. However, the applicant did not provide the modeling results to go along with the modeling inputs; therefore, the loads presented in Table 2 could not be verified. The applicant must submit the P8 results from the model with their permit application.

Section 4.4.4 of Rule D requires the applicant to develop and adhere to a maintenance agreement for the permitted Project. The maintenance agreement shall identify and protect the design, capacity, and functionality of the on-site filtration bench and NURP pond. The LMRWD has sample maintenance agreements available on the LMRWD website. Additionally, the maintenance agreement shall be recorded with Carver County. The applicant is required to submit a draft maintenance agreement with their application. If the City requires a separate stormwater maintenance agreement, please submit it in lieu of a separate maintenance agreement with LMRWD because it may meet the LMRWD standards and can help avoid redundancies.

## Recommendations



No board action is required at this time. As presented, RSI Marine must obtain an LMRWD Individual Project permit before the start of construction activities for the applicable LMRWD rules. We offer the following summarized comments to the applicant to help facilitate the permit review process:

- Add the following notes to the Erosion Control Plan.
  - Vehicle tracking on paved surfaces shall be removed within 24 hours of discovery.
  - All disturbed areas that are to be vegetated shall be decompacted through soil amendment and/or ripping to a depth of 18 inches. All decompaction measures should be completed before final stabilization.
- Add silt fence perimeter control around the proposed NURP pond and filtration bench.
- Provide justification for why infiltration is not feasible on site.
- Provide the P8 model results.
- Provide a draft maintenance agreement.

The following items are conditional approval items that may be submitted at a later date:

- Copy of the NPDES permit
- Contact information for the contractor and person(s) responsible for the inspection and maintenance of the erosion and sediment control features
- Executed maintenance agreement

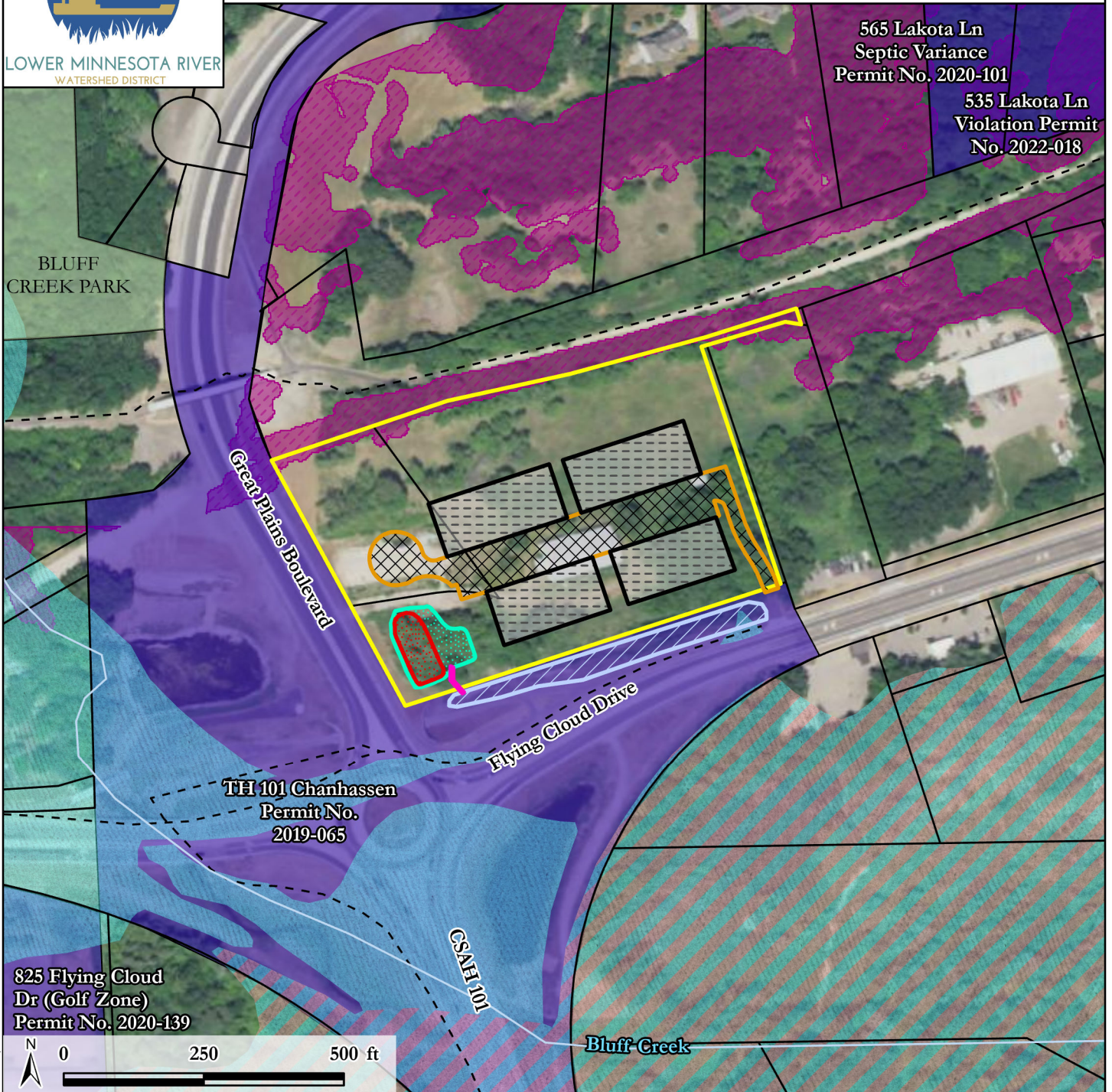
### **Attachments**

- Figure 1—RSI Marine Storage Project Location Map



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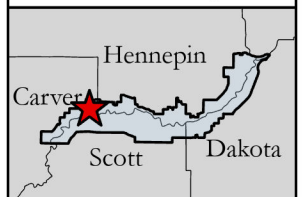
# Figure I: RSI Marine Storage Project Location



## Legend

- |                               |                           |                   |
|-------------------------------|---------------------------|-------------------|
| Project Location              | Proposed Building         | Ditch             |
| Steep Slopes Overlay District | Proposed Filtration Bench | 100-yr Floodplain |
| Previous LMRWD Permits        | Proposed NURP Pond        | Floodway          |
| Parks                         | Proposed Pavement         | Public Waters     |
| Parcels                       | Proposed Outlet           | Trails            |

## LMRWD Watershed Location Map



Young Environmental  
Consulting Group, LLC



# Technical Memorandum

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

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

**Date:** August 10, 2022

**Re:** 10521 Spyglass Drive Property/Hoekstra Residence (LMRWD No. 2022-026)

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On May 20, 2022, John Hulbert, a landscape designer with The Mustard Seed Landscaping, contacted the Lower Minnesota River Watershed District (LMRWD) to share plans for a landscape project at 10521 Spyglass Drive, Eden Prairie, Minnesota (Project site: Hoekstra residence). The Hoekstra residence is owned by Jay and Deb Hoekstra.

Water from the adjacent property (10515 Spyglass Drive) located east of the project site drains into the Hoekstra residence backyard and cannot drain out because of a natural berm located on the property (Figure 1). The natural berm causes water to collect in the backyard and infiltrate, which has caused foundation settling and structural damage to the deck stairs and deck supports. The berm is located at the edge of the property and can be seen in Figure 2. Mr. Hulbert proposes to construct a riprap channel that would allow the backyard to drain. This riprap channel follows the natural drainage pattern that ultimately drains toward parkland on the west side of the property. The channel will discharge onto a fan-shaped riprap apron designed to disperse the water and prevent development of a gully at the outlet of the channel (Figure 3).

A small portion of the outlet channel and the entire riprap apron are located within the City of Eden Prairie's James A. Brown Conservation Area as well as the LMRWD's Steep Slopes Overlay District (SSOD). Mr. Hulbert has been in contact with the City of Eden Prairie since the beginning of the project. Matt Bourne, City of Eden Prairie engineer, and Randy Slick, park director, have both been notified of the project and have agreed with the assessment of the project site and the design of the riprap

channel and apron.

The City of Eden Prairie does not have its LMRWD municipal LGU permit. Therefore, this project requires an LMRWD individual permit and, as such, is subject to an LMRWD permitting review.

## Summary

<u>Project Name:</u>	10521 Spyglass Drive (Hoekstra Residence)
<u>Purpose:</u>	Construction of a riprap channel and disbursement area to resolve private property drainage issues
<u>Project Size:</u>	400 square feet disturbed; 0 acres existing impervious; 208 square feet proposed impervious; net increase of 208 square feet new impervious
<u>Location:</u>	10521 Spyglass Drive, Eden Prairie, MN 55437 (Parcel ID Nos. 35-116-22-24-0021 and 35-116-22-24-0062)
<u>LMRWD Rules:</u>	Rule F—Steep Slopes
<u>Recommended Board Action:</u>	Information Only

## Discussion

The LMRWD received the following documents for review:

- LMRWD online permit application; received July 13, 2022
- Permit fee of \$750; received July 13, 2022
- Site Plans by The Mustard Seed Landscaping; dated July 13, 2022; received July 13, 2022; revised August 8, 2022

The application was deemed complete on August 8, 2022. The documents received provide the minimum information necessary for permit review.

## Background

On June 2, 2022, Linda Loomis, LMRWD administrator, and Young Environmental Consulting Group LLC (Young Environmental) met with Mr. Hulbert and the City of Eden Prairie staff at the project site to discuss the project and to evaluate the existing site. Photos taken during the site visit are shown in Attachment 1. The following summarizes the observations that were made during the site visit:

- The backyard elevation where water pools is lower than the street and its associated storm sewer elevations. As such, LMRWD and the City of Eden Prairie agreed that water from the backyard should be allowed to maintain its current drainage pattern down the steep slope in a diffuse manner to minimize channelization and potential erosion.
- Water that collects in the backyard is causing foundation settling and structural damage to the deck stairs and deck supports (Figure 4).

On June 5, 2022, Young Environmental sent an email to Mr. Hulbert summarizing the items required for an LMRWD permit review (Attachment 2). Given the apparent structural and safety concerns at the property, Young Environmental stipulated that if items were received in a timely manner, the project may be considered at the June 15, 2022, board meeting. However, the requested items were not received until July 13, 2022.

On July 20, 2022, Ms. Loomis presented the project to the LMRWD board at its monthly meeting and requested approval of an after-the-fact permit so as not to delay construction, which the board approved. On July 25, 2022, Young Environmental coordinated via email with the landowner and Mr. Hulbert to discuss preliminary erosion concerns due to the proposed slope of the riprap channel. On July 26, 2022, Young Environmental met with Mr. Hulbert to discuss the design, recommending the following revisions to allow for LMRWD approval:

- Reduce the slope of the channel on the upstream side to less than 3 percent to reduce the potential formation of erosive velocities.
- Line the riprap channel with geotextile fabric to ensure underlying soils do not erode

On August 8, 2022, Mr. Hulbert sent an updated site plan with revised riprap cross section and longitudinal profile for review. The following discusses the project's applicability to Rule F.

#### Rule F—Steep Slopes

The LMRWD regulates land-disturbing activities within the SSOD and requires a permit for activities that involve the excavation of 50 cubic yards or more of earth or the displacement or removal of 5,000 square feet or more of surface area or vegetation within the overlay area. The applicant proposes a fan-shaped riprap apron within the SSOD and on the City of Eden Prairie's land, disturbing 400 square feet and approximately 50 cubic yards. As discussed, the city engineer and park director have both been notified of the project and have agreed with the assessment of the project site's drainage concerns and the proposed design.

Young Environmental analyzed the hydrology of the area to determine approximately how much flow currently drains to the existing low point and to the proposed outlet channel. The drainage area to the project site is approximately 8,447 square feet (0.19 acres). Table 1 summarizes the makeup of the drainage area based on an aerial image analysis.

*Table 1. Existing Land Use Summary for Project Site Drainage Area*

Land Use Description	Area (square feet)	Percent of Total Area
Roof	3,175	38%
Pavement	226	3%
Lawn (50%–75% Grass Cover, Hydrologic Soil Group A)	5,046	59%

The proposed riprap increases the impervious area of the site by 416 square feet. Table 2 summarizes the estimated existing and proposed discharges and volumes that would result from 2-, 10-, and 100-year rainfall events.

*Table 2. Existing and Proposed Discharge and Volume Summary*

Rainfall Event	Existing Discharge (cfs)	Proposed Discharge (cfs)	Existing Volume (acre-feet)	Proposed Volume (acre-feet)
2-Year	0.2	0.3	0.01	0.01
10-Year	0.6	0.6	0.02	0.03
100-Year	1.5	1.6	0.06	0.07

Based on these discharges, Young Environmental estimated the stability of the proposed channel, riprap apron, and riprap size. The average width of the proposed channel is 4 feet with a depth of 1.3 feet to 3.5 feet and an average slope of 2.33 percent. The channel has sufficient capacity to contain the 100-year rainfall event. The proposed riprap size of the channel and apron is 2- to 6-inch stone. Using a roughness coefficient of 0.035, the calculated maximum velocity of the 100-year discharge is 2.0 feet per second. The permissible velocity for riprap channels that consist of 2-inch diameter stones is 3 to 6 feet per second. For riprap channels that consist of 6-inch diameter stones, the permissible velocity is 4 to 7.5 feet per second.<sup>1</sup> As runoff approaches the fan-shaped riprap apron, the channelized flow will spread out, reducing the velocity of the runoff even further and preventing adverse effects to downstream

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<sup>1</sup> Craig Fischenich, *Stability Thresholds for Stream Restoration Materials*, Table 2. Permissible Shear and Velocity for Selected Lining Materials, 2001

properties.

The water currently pooling in the backyard infiltrates and seeps (as subsurface flow) toward the steep slope at the western corner of the property. Infiltration through a steep slope can cause unstable soil conditions. The proposed riprap channel will cut through the berm, carrying runoff to the discharge point as surface water flows to its current overflow location, therefore maintaining the overall drainage pattern of the site. Ground-hug chokeberry woody ground cover plantings will surround the edge of the riprap apron to aid with soil stability on the steep slope as runoff exits the riprap apron. The plantings will further prevent channelized flow at the exit of the riprap apron. The applicant proposes final site stabilization by planting several species of shrubs and bushes.

### **Recommendations**

No board action is required. The after-the-fact permit was approved on July 20, 2022, and issued on August 8, 2022. The applicant was informed that they must notify the LMRWD if any project changes or modifications occur that may warrant a permit amendment. The issued permit is attached as Attachment 3.

### **Figures**

- Figure 1—10521 Spyglass Drive (Hoekstra residence) Project Location Map
- Figure 2—Natural berm observed at the edge of the property on June 2, 2022
- Figure 3—10521 Spyglass Drive (Hoekstra residence) Project Features
- Figure 4—Settlement observed at deck stairs on June 2, 2022

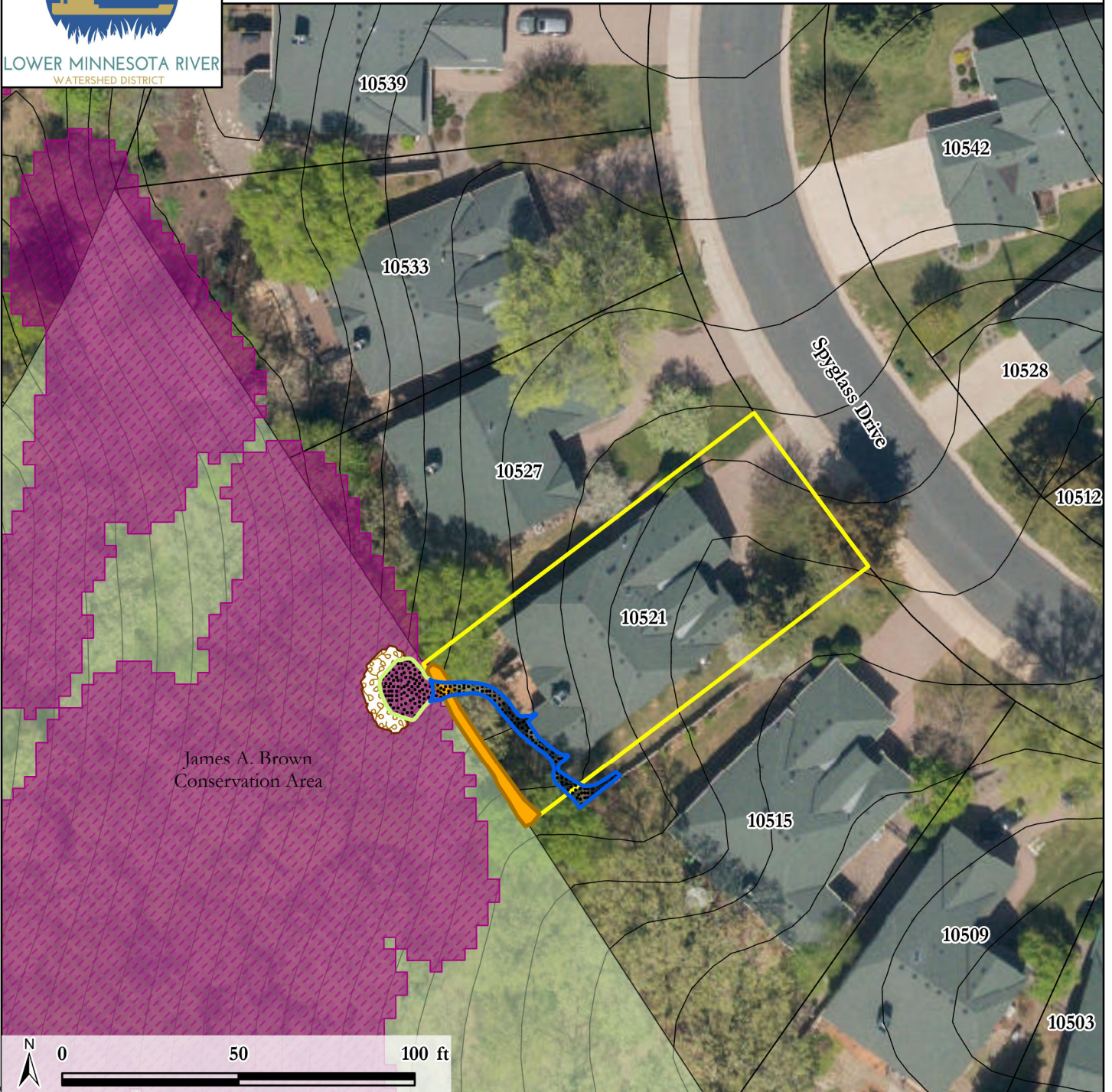
### **Attachments**

- Attachment 1—Photos taken during site visit on June 2, 2022
- Attachment 2—Email sent to applicant detailing permit requirements
- Attachment 3—10521 Spyglass Drive (Hoekstra residence) After-The-Fact Permit



LOWER MINNESOTA RIVER  
WATERSHED DISTRICT

Figure I: 10521 Spyglass Drive (Hoekstra Residence) Project Location



### Legend

- Hoekstra Residence Project Location
- Steep Slopes Overlay District
- Proposed Riprap Channel
- Proposed Riprap Apron
- Proposed Chokeberry Woody Groundcover
- Natural Berm
- Parcels
- Parks
- 2 foot contours

### LMRWD Watershed Location Map

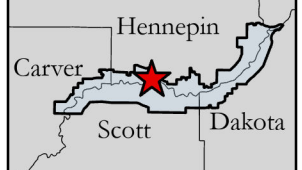




Figure 2. Natural berm observed at the edge of the property on June 2, 2022

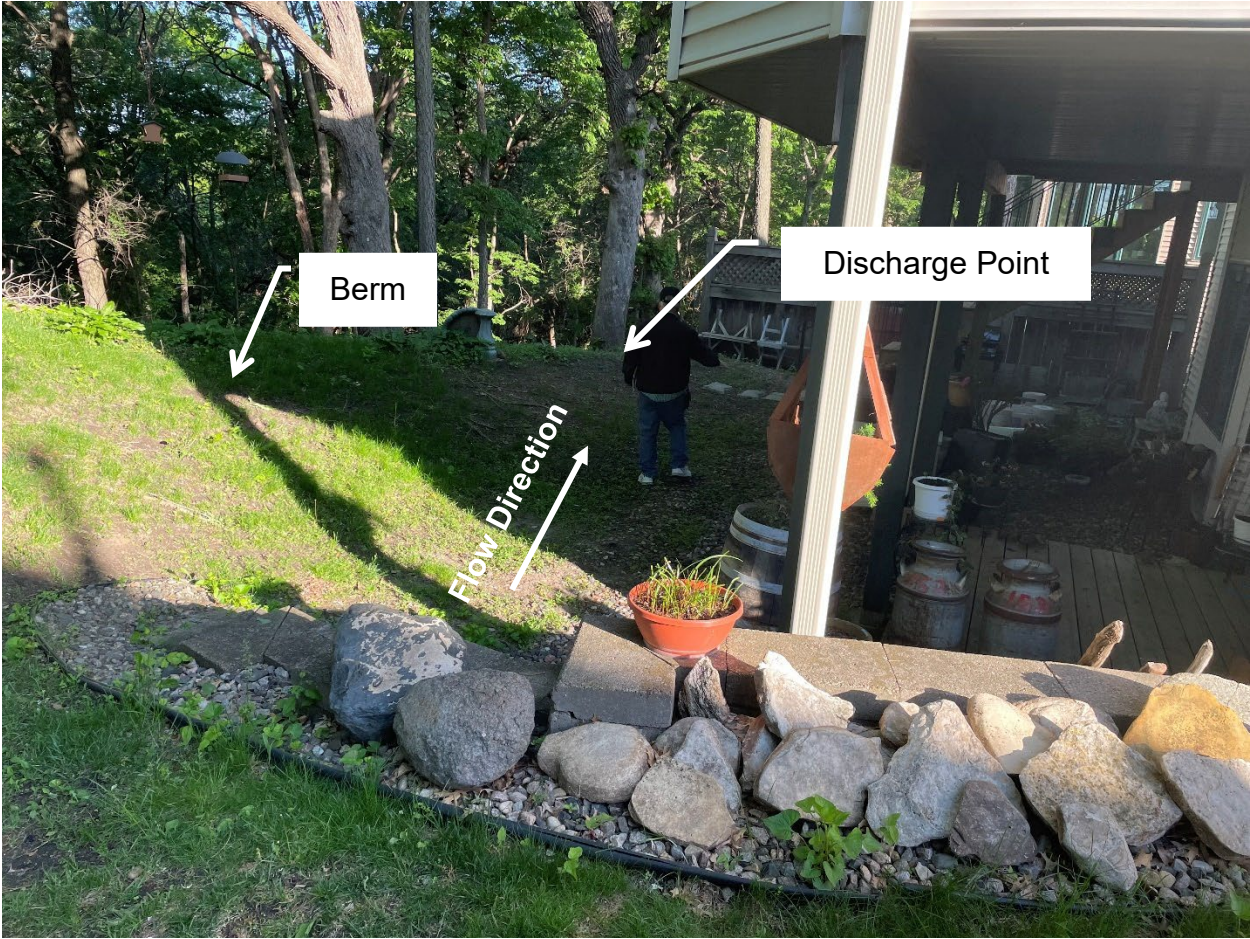
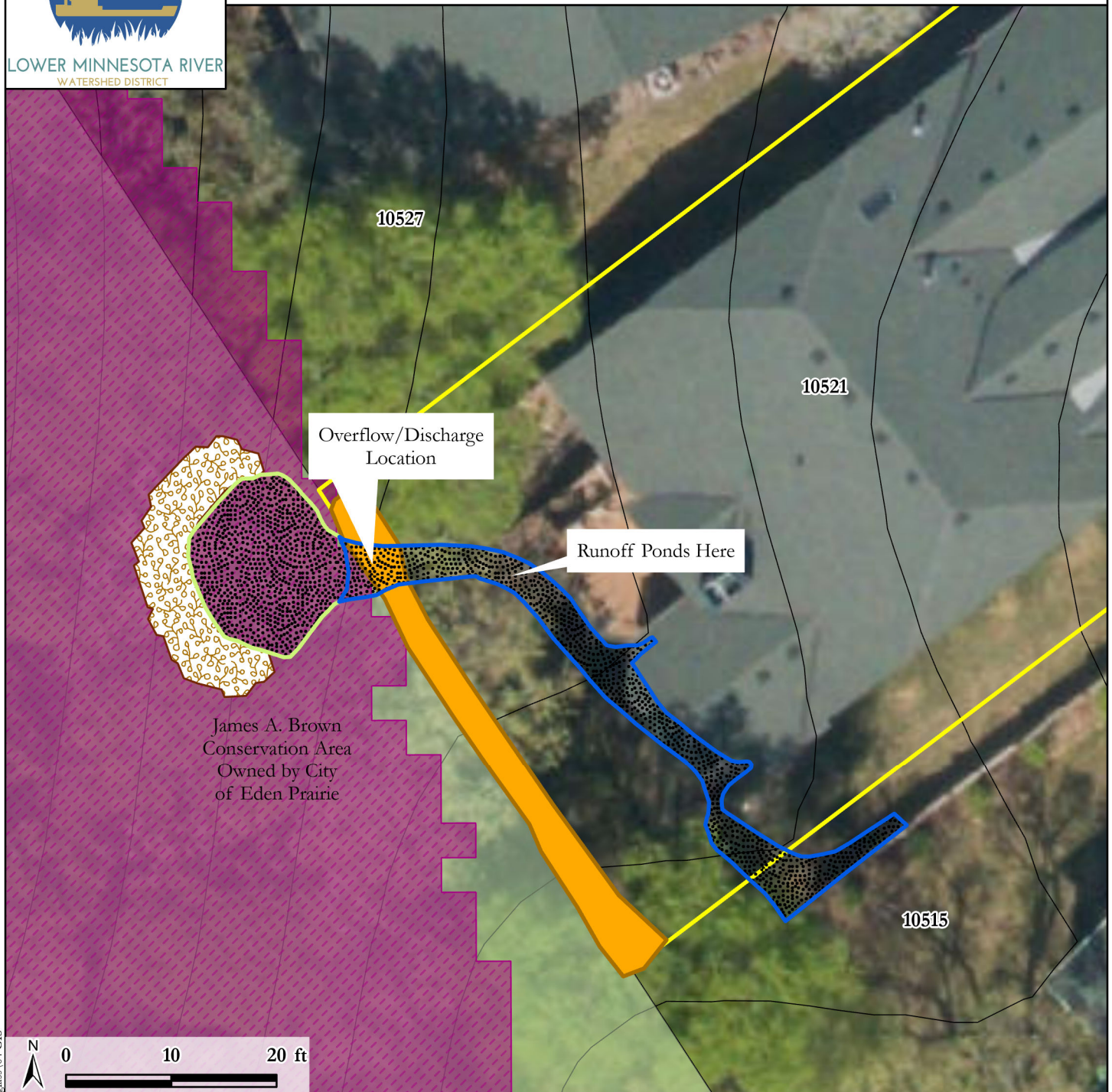




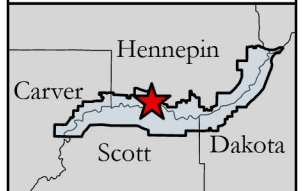
Figure 3: 10521 Spyglass Drive (Hoekstra Residence) Project Features



**Legend**

- Hoekstra Residence Project Location
- Steep Slopes Overlay District
- Proposed Riprap Channel
- Proposed Riprap Apron
- Proposed Chokeberry Woody Groundcover
- Natural Berm
- Parcels
- Parks
- 2 foot contours

**LMRWD Watershed Location Map**



Projects\LMRWD\Project Reviews\02 In Process\10521\_Spyglass\04 GIS

Figure 4. Settlement observed at deck stairs on June 2, 2022



**Attachment 1 – Photos from June 2, 2022, Site Visit**

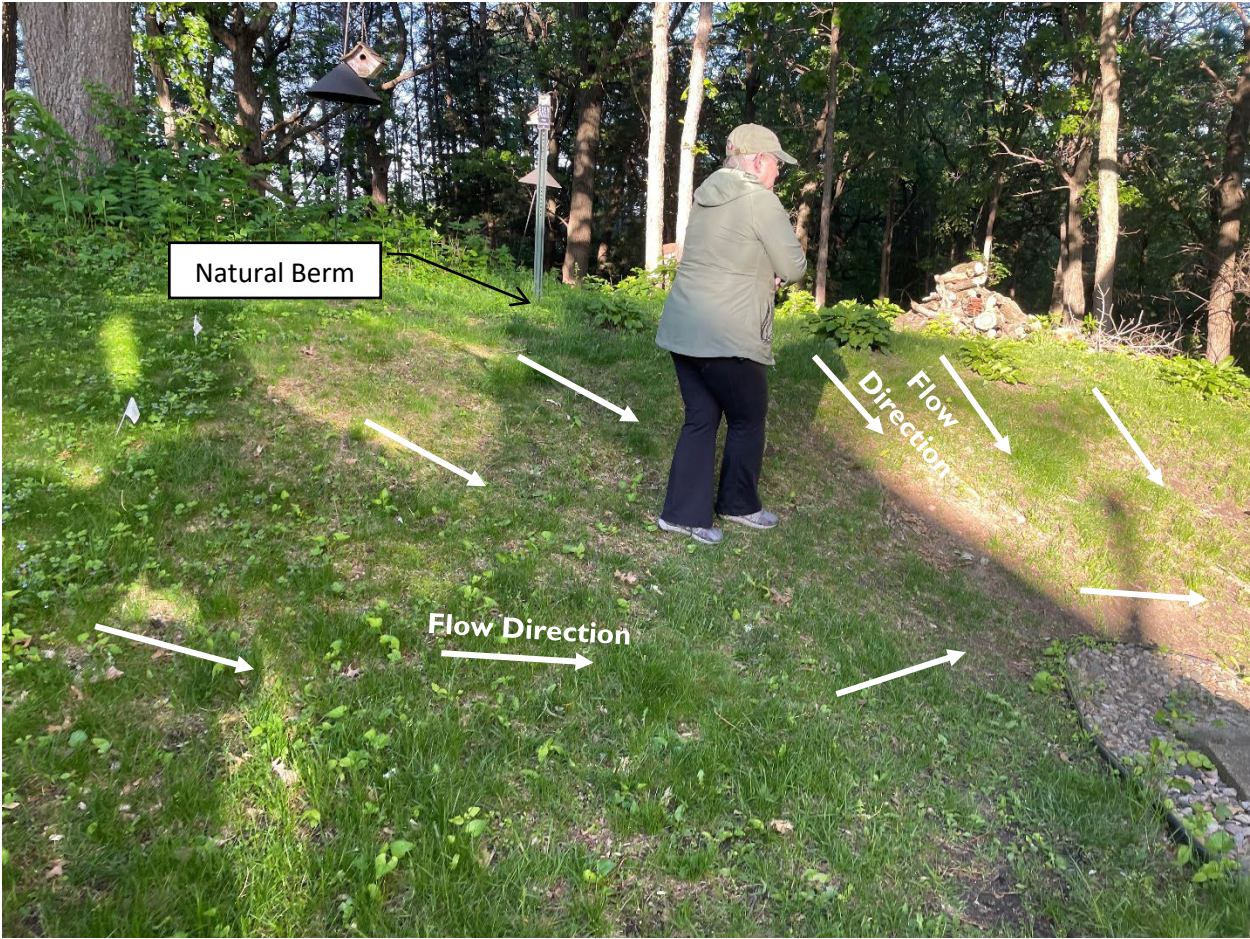
1. Slope on eastern side of Hoekstra Residence



2. Proposed location of the beginning of the riprap channel



3. Natural berm prevents runoff from exiting the property. Flow pattern directs runoff to the western corner of the property.



4. Location of ponding near the deck stairs and the foundation of the house (currently dry)





**Attachment 2 – Email Sent to Applicant Detailing Permit Requirements**

**From:** [Della Young](#)  
**To:** [John Hulburt](#)  
**Cc:** [Linda Loomis](#); [Patrick Sejkora](#); [Lower Minnesota River Watershed District](#)  
**Subject:** 10521 Spyglass Drive Landscape Project - Lower MN River Watershed District  
**Date:** Sunday, June 5, 2022 5:51:03 PM

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Hello John,

Below, I have summarized the proposed project and outlined the submittal schedule for the project to potentially be recommended for approval during the Lower Minnesota River Watershed District (LMRWD) board meeting on July 20, 2022.

Project Name: 10521 Spyglass Drive Landscape Project

**Purpose:** Enhance landscape and correct backyard drainage issues causing structural damage to the referenced property. It appears the project areas receive drainage from the front yard and the property adjacent to it from the east. Unfortunately, the areas where water collects in the backyard do not drain offsite because the outlet elevation appears higher. This appears to allow the pooled water to slowly infiltrate, thereby causing foundation settling and structural damage to the deck stairs and deck supports.

**Project Size:** Specific quantities are unknown. The project is within the Steep Slope Overlay District and is expected to consist of land-disturbing activities that involve the excavation of 50 cubic yards or more of earth or displacement or removal of 5,000 square feet or more of surface area or vegetation.

**Location:** 10521 Spyglass Drive, Eden Prairie, Minnesota 55347

The project as presented triggers LMRWD Rule F—Steep Slope, meaning an Individual Project Permit from the LMRWD is required. The permit application, fee schedule highlighting the required \$750 fee, and other requirements can be found on the LMRWD website [Individual Project Permit: Lower Minnesota River Watershed District \(lowermnriverwd.org\)](http://www.lowermnriverwd.org).

The following were required items discussed during the June 2, 2022, site visit:

- The backyard elevation where water pools seems significantly lower than the street and its associated storm sewer elevations. As such, LMRWD and the city of Eden Prairie agreed that water from the backyard should be allowed to maintain its current drainage pattern down the steep slope in a diffuse manner to minimize channelization and potential erosion. To properly assess the proposed design, elevations *and dimensions* are required on the drawings, especially along the route of the “Drainage Dispersement Rip-Rap” shown on the drawing.
- You should review and complete the LMRWD Individual Project Permit application and provide all required items, including the \$750 permit fee.
- According to our permitting schedule, the application is not eligible to be considered during the June 15, 2022, meeting. However, my team is willing to work with you and

the property owner, given the apparent structural and safety concerns at the property.  
To expedite the permitting process, LMRWD will need Mustard Seeds's proposed construction schedule.

Thank you, and please feel free to contact me if you have any questions.

Della Schall Young, PMP, CPESC  
Principal  
Young Environmental Consulting Group, LLC  
a S/W/MBE

6040 Earle Brown Dr., Suite 306  
Brooklyn Center, MN 55430  
Phone:(651) 249-6974  
Email: [della@youngecg.com](mailto:della@youngecg.com)  
Website: [www.youngecg.com](http://www.youngecg.com)

**Attachment 3 – 10521 Spyglass Drive (Hoekstra Residence) After-The-Fact Permit**



**Permit Number**  
**2022-026**

## Individual Project Permit (After-the-Fact)

Pursuant to Minnesota Statutes, Chapter 103B, 103D, and 103F consistent with the rules of the Lower Minnesota River Watershed District (LMRWD), and on the basis of statements and information contained in the permit application, plans and supporting information provided by the applicant, all of which are made part hereof by reference, **permission is hereby granted** to the applicant to perform actions as authorized below.

By granting this permit, the LMRWD does not direct the activity authorized herein or warrant the soundness of the applicant's design or methods in any respect. The LMRWD waives no immunity or protection applicable to itself, an officer, an agent or an employee pursuant to this approval.

Project Name		Project Location	
10521 Spyglass Drive (Hoekstra Residence)		10521 Spyglass Drive, Eden Prairie, MN 55347	
Type of Development		City	County
Landscaping		Eden Prairie	Hennepin
Permittee/Property Owner's Name		Permittee Mailing Address	
Jay and Deb Hoekstra		10521 Spyglass Drive, Eden Prairie, MN 55347	
Authorized Agent Name		Agent Email Address	Agent Phone Number
John Hulbert		johnh@themustardseedinc.com	(952)-445-6555
Purpose of Permit		Authorized Action(s)	
Construction of riprap channel and dispersion area to fix drainage issues		Construction of riprap dispersion area in the Steep Slopes Overlay District	
<b>Affected Rule(s):</b> Rule F—Steep Slopes			
Board Approval		Expiration Date	Issued Date
July 20, 2022		<b>August 8, 2023</b>	August 8, 2022
Authorized Issuer Name and Title		Email Address	Phone Number
Linda Loomis, LMRWD Administrator		<a href="mailto:permit@lowermnriverwd.org">permit@lowermnriverwd.org</a>	(763) 545-4659

This permit is granted **subject to** the following **general conditions**:

**NPDES Permit:** Submit a copy of the NPDES construction stormwater general permit to the LMRWD before construction begins. All erosion and sediment control measures must be effectively installed and maintained according to LMRWD guidelines and MPCA NPDES Permit guidelines as laid out by current District Rules and Policies until all disturbed soils have been permanently stabilized.

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

**Applicable federal, state, or local regulations:** The permittee is responsible for the action(s) of their representative, contractor and employees and compliance with all rules, regulations, requirements, or standards of any applicable federal, state, or local agencies; including, but not limited to, the U.S. Army Corps of Engineers, Board of Water and Soil Resources, MN Pollution Control Agency, watershed districts, water management organizations, county, city and township zoning.

**Site access:** In accepting this permit, the owner recognizes and agrees that LMRWD representatives may enter the site at reasonable times to inspect the activities authorized hereunder and compliance with the requirements of this permit, the LMRWD Rules and applicable statutes. This includes routine site inspections as well as inspections during or immediately following installation of best management practices, following storms/critical events, prior to seeding deadlines, for the purpose of permit closeout, or on report of issue or complaint. This right of access is in addition to the access authority of the LMRWD under existing law.

**Completion date:** Construction work authorized under this permit shall be completed on or before the date specified above. No construction is authorized beyond the expiration date. The permittee may request an extension of the time to complete the project by submitting a written request, stating the reason thereof, to the LMRWD, no later than two weeks before this permit expiration.

**Written consent:** In all cases where the permittee by performing the work authorized by this permit shall involve the taking, using, or damaging of any property rights or interests of any other person or persons, or of any publicly owned lands or improvements thereon or interests therein, the permittee, before proceeding, shall obtain the written consent of all persons, agencies, or authorities concerned, and shall acquire all property, rights, and interests needed for the work.

**Not assignable:** This permit is not assignable nor transferable by the permittee except with the written consent of the LMRWD.

**No changes:** The permittee shall make no changes, without written permission or amendment previously obtained from the LMRWD, in the dimensions, capacity or location of any items of work authorized hereunder.

**Permission only/no liability:** This permit is permissive only. No liability shall be imposed by the LMRWD or any of its officers, agents or employees, officially or personally, on account of the granting hereof or on account of any damage to any person or property resulting from any act or omission of the permittee or any of its agents, employees, or contractors. This permit shall not be construed as estopping or limiting any legal claims or right of action of any person other than the state against the permittee, its agents, employees, or contractors, for any damage or injury resulting from any such act or omission, or as estopping or limiting any legal claim or right of action of the state against the permittee, its agents, employees, or contractors for violation of or failure to comply with the permit or applicable conditions.

**Contractor responsibility:** The permittee shall ensure the contractor has received and thoroughly understands all conditions of this permit.

**Termination:** This permit may be terminated by the LMRWD at any time deemed necessary for the conservation of water resources, or in the interest of public health and welfare, or for violation of any of the conditions or applicable laws, unless otherwise provided in the permit.



Permit No.	Project Name	City	Status	Pre-Permit Meeting	Date Received	Date Application Considered Complete	Board Actions			On Hold / Cancelled	Permit Issued	Permit Expiration Date	Renewed	Inspection Date	Date Permit Closed
							Information Only	Conditional Approval	Approval						
2019-085	Minnesota Bluffs LRT Regional Trail Repair	Chanhassen	Active Permit	-	12/12/2019		-			-	5/20/2020	June 2023	-	7/6/2022	-
2019-065	Trunk Highway 101 Improvements	Chanhassen	Active Permit		11/8/2019									7/6/2022	
2020-100	Peterson Farms Road Maintenance	Chanhassen	Expired	-	5/6/2020	5/6/2020	-	-	5/20/2020	-	5/21/2020	5/21/2021	-	7/19/2022	-
2020-102	Structures, Inc.	Chaska	Cancelled by Applicant	-	5/4/2020	-	5/20/2020	6/17/2020	-	6/30/2020	-	-	-	-	-
2020-103	Prairie Heights Development	Eden Prairie	Expired	-	5/27/2020	6/5/2020	-	6/17/2020	-	-	10/23/2020	10/23/2021	-	7/6/2022	-
2020-108	Hawthorne Ridge (2019-066)	Carver	Incomplete	-	6/23/2020	-	7/15/2020	-	-	-	-	-	-	-	-
2020-110	CSAH 11 Reconstruction	Carver	Active Permit	-	9/28/2020	11/3/2020	-	12/16/2020	-	-	4/13/2021	4/13/2022	4/20/2022	7/26/2022	-
2020-112	Vierling Industrial Project	Shakopee	Expired	-	6/25/2020	6/29/2020	-	7/15/2020	-	-	7/17/2020	7/15/2021	-	7/19/2022	-
2020-113	Fort Snelling Redevelopment (2019-057)	Fort Snelling	Active Permit	-	7/20/2020	8/12/2020	-	8/19/2020	-	-	9/11/2020	8/19/2022	7/20/2022	7/20/2022	-
2020-115	Quarry Lake Park Improvements and Mountain Bike Trail	Shakopee	Closed	-	7/23/2020	9/8/2020	-	9/16/2020	-	-	Not issued	-	-	7/26/2022	3/17/2022
2020-116	Shakopee Memorial Park Pedestrian Bridge	Shakopee	Closed	-	8/24/2020	10/5/2020	-	10/21/2020	-	-	10/23/2020	10/23/2021	-	7/6/2022	10/5/2021
2020-117	Greystone Headquarters	Shakopee	Expired	-	7/24/2020	9/10/2020	-	-	9/16/2020	-	9/16/2020	9/16/2021	-	7/19/2022	-
2020-118	10117 1st Ave Demolition	Bloomington	No Permit Required	-	8/18/2020	-	-	-	-	-	-	-	-	-	-
2020-122	Cargo Van-Go	Shakopee	No Permit Required	-	8/20/2020	-	-	-	-	-	-	-	-	-	-
2020-123	Gaughan Companies Demolition	Shakopee	Closed	-	8/27/2020	8/27/2020	-	-	9/16/2020	-	9/17/2020	9/17/2021	-	7/6/2022	10/15/2021
2020-124	Southbridge Crossings 6th Addition	Shakopee	Cancelled by Applicant	-	8/24/2020	-	-	-	-	3/5/2021	-	-	-	-	-
2020-126	Texas Roadhouse	Shakopee	Closed	-	9/17/2020	11/5/2020	-	-	11/18/2020	-	11/19/2020	11/18/2021	-	7/1/2022	10/14/2021
2020-131	Watermark at Savage	Savage	Cancelled by Applicant	10/7/2020	9/25/2020	-	-	-	-	-	-	-	-	-	-
2020-132	77th Street Underpass	Bloomington	Active Permit	10/18/2020	10/21/2020	11/12/2020	11/18/2020	12/16/2020	-	-	7/27/2021	7/27/2022	7/20/2022	7/28/2022	-
2020-133	Shakopee Mix Use	Shakopee	Active Permit	10/29/2020	11/2/2020	11/2/2020	-	-	11/18/2020	-	11/19/2020	11/18/2022	10/15/2021	7/6/2022	-
2020-135	Canterbury Crossings	Shakopee	Active Permit	-	11/19/2020	12/3/2020	-	12/16/2020	-	-	5/11/2021	5/11/2022	4/20/2022	7/26/2022	-
2020-137	5501 Warehouse South Improvements	Bloomington	No Permit Required	-	12/9/2020	-	-	-	-	-	-	-	-	-	-



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							Information Only	Conditional Approval	Approval						
2020-140	10029 Trails End Rd	Chanhassen	No Permit Required	-	12/29/2020	-	-	-	-	-	-	-	-	-	-
2021-001	Mallard Farms	Eden Prairie	No Permit Required	-	1/30/2021	-	-	-	-	-	-	-	-	-	-
2021-002	CSAH 61 Drainage Ditch	Chanhassen	Active Permit	-	2/1/2021	10/11/2021	-	-	10/20/2021	-	10/21/2021	5/31/2022	5/18/2022	-	-
2021-003	Southwest Logistics Center	Shakopee	Active Permit	-	2/11/2021	3/12/2021	-	3/17/2021	-	-	4/21/2021	4/21/2022	4/20/2022	7/1/2022	-
2021-005	Jefferson Chiller Project	Bloomington	No Permit Required	-	3/2/2021	-	-	-	-	-	-	-	-	-	-
2021-007	Burnsville Cemetery Expansion	Burnsville	Active Permit	3/5/2021	9/2/2021	9/17/2021	-	10/20/2021	-	-	11/17/2021	10/20/2022	-	7/28/2022	-
2021-009	Burnsville Industrial IV	Burnsville	Closed	4/2/2021	3/22/2021	3/31/2021	-	4/21/2021	-	-	4/23/2021	4/21/2022	-	7/28/2022	3/9/2022
2021-011	2021 Street & Utility Reconstruction	Shakopee	Closed	3/30/2021	3/30/2021	4/16/2021	-	4/21/2021	-	-	4/28/2021	4/28/2022	-	7/6/2022	3/28/2022
2021-012	Canterbury Park Parking Lots Phase 2	Shakopee	Closed	4/1/2021	4/2/2021	4/10/2021	-	4/21/2021	-	-	5/11/2021	5/11/2022	-	7/19/2022	5/11/2022
2021-013	Summerland Place	Shakopee	Closed	-	4/8/2021	5/27/2021	-	4/21/2021	-	-	4/26/2021	4/22/2022	-	6/20/2022	3/22/2022
2021-014	Quarry Lake Outlet	Shakopee	Cancelled by Applicant	6/7/2021	4/9/2021	9/29/2021	-	10/22/2021	-	11/19/2021	-	-	-	-	-
2021-015	Stagecoach Rd Improvements	Shakopee	Closed	4/16/2021	4/12/2021	4/30/2021	-	5/5/2021	-	-	5/7/2021	5/5/2022	-	7/1/2022	3/23/2022
2021-016	Whispering Waters	Shakopee	Active Permit	-	4/14/2021	6/4/2021	-	6/16/2021	-	-	7/13/2021	7/13/2022	7/20/2022	7/13/2022	-
2021-017	Capstone 35	Burnsville	Active Permit	-	4/20/2021	5/12/2021	-	5/19/2021	-	-	8/19/2021	8/17/2022	7/20/2022	7/13/2022	-
2021-018	Jefferson Court	Shakopee	Active Permit	-	4/22/2021	5/17/2021	-	6/2/2021	-	-	6/3/2021	6/2/2023	7/20/2022	7/6/2022	-
2021-019	Cretex Site	Shakopee	Expired	4/23/2021	4/26/2021	4/30/2021	-	5/5/2021	-	-	5/7/2021	5/5/2022	-	7/1/2022	5/5/2022
2021-020	Core Crossings Apartments (Prev. Southbridge)	Shakopee	Active Permit	-	6/14/2021	7/13/2021	-	7/21/2021	-	-	8/5/2021	6/15/2023	6/17/2022	7/26/2022	-
2021-021	Spirit of Truth Church	Burnsville	Cancelled by Applicant	5/13/2021	6/16/2021	-	-	-	-	7/16/2021	-	-	-	-	-
2021-022	2021 Safety and Security Center	Fort Snelling	Active Permit	-	5/18/2021	10/29/2021	-	11/17/2021	-	-	3/18/2022	3/18/2023	-	7/20/2022	-
2021-023	106th St Improvements	Bloomington	Active Permit	-	5/25/2021	5/28/2021	-	6/2/2021	-	-	6/17/2022	6/17/2022	4/20/2022	7/28/2022	-
2021-025	TH 13	Savage	Active Permit	-	6/11/2021	6/15/2021	-	2/16/2022	-	-	5/20/2022	5/20/2023	-	7/13/2022	-
2021-026	TH 55	Ft Snelling, Mendota, Mendota Heights	No Permit Required	-	6/30/2021	-	-	-	-	-	-	-	-	-	-





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							Information Only	Conditional Approval	Approval						
2021-027	Minnesota River Greenway Trail	Eagan	Conditional Approval	-	8/17/2021	11/2/2021	-	11/17/2021	-	-	-	-	-	-	-
2021-029	Northland Paving	Burnsville	No Permit Required	6/29/2021	7/6/2021	-	-	-	-	-	-	-	-	-	-
2021-030	Building Renovation Park Jeep	Burnsville	Active Permit	-	7/9/2021	7/16/2021	-	9/15/2021	-	-	6/21/2022	6/21/2023	-	-	-
2021-031	Caribou Coffee	Savage	Closed	6/1/2021	7/9/2021	8/10/2021	-	8/18/2021	-	-	8/19/2021	-	-	7/13/2022	6/11/2022
2021-032	I-35W Auxiliary Lane	Bloomington	Pre-Permit	5/24/2021; 8/31/21	-	-	-	-	-	-	-	-	-	-	-
2021-033	Minnesota MASH & 130th St Extension	Savage	Active Permit	6/23/2021	9/17/2021	-	-	-	6/15/2022	-	6/17/2022	6/17/2023	-	-	-
2021-034	Circle K Holiday Station Stores	Savage	Closed	8/25/2021	7/26/2021	9/10/2021	-	9/15/2021	-	-	10/19/2021	9/15/2022	-	7/13/2022	7/12/2022
2021-035	I35W Frontage Trail	Burnsville	Conditional Approval	-	12/15/2021	12/22/2021	-	1/19/2022	-	-	-	-	-	-	-
2021-039	River Bluffs Improvements	Shakopee	Active Permit	-	7/23/2021	8/12/2021	-	8/18/2021	-	-	10/1/2021	8/18/2022	-	7/6/2022	-
2021-040	Canterbury Independent Senior Living	Shakopee	Active Permit	-	8/11/2021	8/19/2021	-	9/15/2021	-	-	1/7/2022	1/7/2023	-	7/26/2022	-
2021-041	Line 0832	Burnsville	Closed	-	9/7/2021	9/7/2021	-	9/15/2021	-	-	9/17/2021	9/15/2022	-	7/28/2022	6/27/2022
2021-042	Hwy 13 & Lone Oak	Eagan	Active Permit	-	8/27/2021	9/16/2021	-	10/20/2021	-	-	10/22/2021	10/20/2022	-	-	-
2021-043	Junction 35W & 13, LLC	Burnsville	No Permit Required	-	9/2/2021	-	-	-	-	-	-	-	-	-	-
2021-044	Storage Mart Phase 4 (1900 Stoughton Ave)	Chanhassen	No Permit Required	-	9/7/2021	-	-	-	-	-	-	-	-	-	-
2021-045	Triple Crown Residences Phase II	Shakopee	Active Permit	-	9/22/2021	10/27/2021	-	11/17/2021	-	-	11/19/2021	11/17/2022	-	7/26/2022	-
2021-046	CenterPoint Dakota Station Facility	Burnsville	Closed	-	9/21/2021	10/15/2021	-	10/20/2021	-	-	10/22/2021	10/22/2022	-	7/28/2022	6/24/2022
2021-047	River Valley Industrial Center	Chanhassen	On Hold	-	9/21/2021	-	-	-	-	10/1/2021	-	-	-	-	-
2021-048	Minnesota River Greenway Railroad Bridge	Eagan	Pre-Permit	9/28/2021	-	-	-	-	-	-	-	-	-	-	-
2021-049	Stump Road Maintenance	Bloomington	Active Permit	10/20/2021	10/22/2021	10/29/2021	-	11/17/2021	-	-	11/19/2021	11/17/2022	-	7/28/2022	-
2021-050	Spring Valley Cir & Wentworth Ave S	Bloomington	No Permit Required	10/27/2021	-	-	-	-	-	-	-	-	-	-	-
2021-051	Blue Lake Siphon Landscape Restoration	Eden Prairie	No Permit Required	10/5/2021	10/28/2021	-	-	-	-	-	-	-	-	-	-
2021-052	Shakopee Dental Office	Shakopee	Active Permit	-	11/3/2021	12/14/2021	-	12/15/2021	-	-	12/17/2021	12/15/2022	-	7/13/2022	-





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							Information Only	Conditional Approval	Approval						
2021-056	Twin Overlook	Bloomington	No Permit Required	-	12/7/2021	-	-	-	-	-	-	-	-	-	-
2021-057	Cliff Road Ramp	Burnsville	Active Permit	-	12/14/2021	1/4/2022	-	1/19/2022	-	-	6/8/2022	6/8/2023	-	7/13/2022	-
2021-058	MAC Gate Security Improvements	Fort Snelling	Active Permit	-	12/15/2021	12/16/2021	-	1/19/2022	-	-	4/27/2022	4/27/2023	-	7/28/2022	-
2021-061	Merriam Junction Trail	Burnsville	Pre-Permit	1/31/2022	-	-	-	-	-	-	-	-	-	-	-
2022-001	Centerpoint Shakopee Pigging	Shakopee	No Permit Required	-	1/12/2022	-	-	-	-	-	-	-	-	-	-
2022-002	2022 MBL Nicollet River Crossing	Bloomington, Burnsville	Active Permit	-	1/18/2022	-	-	3/16/2022	-	-	4/25/2022	4/25/2023	-	-	-
2022-003	Ivy Brook Parking East	Burnsville	Active Permit	-	1/19/2022	2/25/2022	-	3/16/2022	-	-	5/16/2022	5/16/2023	-	-	-
2022-004	CHS Savage Terminal	Savage	Incomplete	-	1/27/2022	-	-	-	-	-	-	-	-	-	-
2022-005	Chaska West Creek Apartments	Chaska	Incomplete	-	2/8/2022	-	-	-	-	-	-	-	-	-	-
2022-006	Quality Forklift	Shakopee	No Permit Required	-	2/10/2022	-	-	-	-	-	-	-	-	-	-
2022-007	Engineered Hillside	Eden Prairie	Active Permit	-	2/15/2022	3/14/2022	-	-	4/20/2022	-	4/21/2022	4/21/2023	-	-	-
2022-008	Ivy Brook Parking West	Burnsville	Active Permit	-	2/16/2022	2/25/2022	-	3/16/2022	-	-	5/31/2022	5/31/2023	-	-	-
2022-010	Quarry Lake Pedestrian Bridge and Trail	Shakopee	Conditional Approval	-	2/24/2022	-	-	4/20/2022	-	-	-	-	-	-	-
2022-011	Biffs Inc.	Burnsville	Conditional Approval	-	2/28/2022	3/29/2022	-	4/20/2022	-	-	-	-	-	-	-
2022-012	Quarry Lake Park Improvements - Roadway and Boat Launch	Shakopee	Cancelled by Applicant	-	3/17/2022	-	-	-	-	5/24/2022	-	-	-	-	-
2022-013	Normandale & 98th Intersection Improvements	Bloomington	Active Permit	-	3/22/2022	4/1/2022	-	4/20/2022	-	-	4/22/2022	4/22/2023	-	-	-
2022-014	TH 41/CSAH 61 Improvements	Chaska	Conditional Approval	2/16/2021; 1/6/2022	3/23/2022	5/11/2022	-	5/18/2022	-	-	-	-	-	-	-
2022-015	Xcel Driveway	Shakopee	Incomplete	-	4/20/2022	-	-	-	-	-	-	-	-	-	-
2022-016	Organice Recycling Facility Relocation	Louisville Township	Incomplete	-	4/20/2022	-	-	-	-	-	-	-	-	-	-
2022-017	PLOC Channel Stabilization	Shakopee	Active Permit	-	6/30/2022	7/5/2022	-	-	7/20/2022	-	7/21/2022	7/21/2023	-	-	-
2022-018	Lakota Lane	Chanhassen	Under Review	-	4/19/2022	-	5/18/2022	-	-	-	-	-	-	-	-
2022-019	TH 494 SP 2785-433	Eagan and Bloomington	Conditional Approval	-	4/21/2022	6/24/2022	-	7/20/2022	-	-	-	-	-	-	-



Permit No.	Project Name	City	Status	Pre-Permit Meeting	Date Received	Date Application Considered Complete	Board Actions			On Hold / Cancelled	Permit Issued	Permit Expiration Date	Renewed	Inspection Date	Date Permit Closed
							Information Only	Conditional Approval	Approval						
2022-020	New Century School	Bloomington	No Permit Required		4/28/2022	-	-	-	-	-	-	-	-	-	-
2022-021	Oak St N (CenterPoint Energy)	Chaska	Active Permit		4/29/2022	-	-	6/15/2022	-	6/17/2022	6/17/2023	-	-	-	-
2022-022	Ace Rent A Car	Fort Snelling	Incomplete		5/10/2022	-	-	-	-	-	-	-	-	-	-
2022-023	494 Corridors of Commerce	Fort Snelling	Pre-Permit	5/3/2022	5/19/2022		7/20/2022			-	-	-	-	-	-
2022-024	Gedney Pickles Holding Pond Restoration	Chanhassen	Pre-Permit	6/16/2022	-					-	-	-	-	-	-
2022-025	10561 E Riverview Drive	Eden Prairie	No Permit Required		6/22/2022					-	-	-	-	-	-
2022-026	10521 Spyglass Drive	Eden Prairie	Active Permit	5/31/2022	7/13/2022	8/8/2022			7/20/2022	-	8/8/2022	8/8/2023	-	-	-
2022-027	Ivy Brook Parking Northeast	Burnsville	<i>Conditional Approval*</i>		7/5/2022			8/17/2022*		-	-	-	-	-	-
2022-028	Quarry Lake Park Restroom	Fort Snelling	Active Permit		7/6/2022	7/8/2022	-	7/20/2022	-	-	7/22/2022	7/22/2023	-	-	-
2022-029	Reliakor	Shakopee	<i>Conditional Approval*</i>					8/17/2022*							
2022-030	Frenchies Metals	Chaska	Incomplete		7/22/2022										
2022-031	RSI Marine (Great Plains Blvd)	Chanhassen	Pre-Permit		7/18/2022		8/17/2022				-	-	-	-	-

**STATUS DEFINITIONS:**

**Active Permit:** Applicant has a valid permit issued by LMRWD

**Cancelled by Applicant:** Applicant withdrew their application for a LMRWD permit

**Closed:** Applicant has indicated the project has completed construction and that the permit file may be closed

**Conditional Approval:** LMRWD managers conditionally approved the permit application, pending receipt of additional information from applicant

**Expired:** Applicant either obtained conditional approval, approval, and/or was issued a permit and the expiration date has passed

**Incomplete:** Applicant applied for a permit, but the application is incomplete

**No Permit Required:** Applicant applied for a permit, but during the completeness review, it was determined that the project did not trigger the regulatory thresholds

**On Hold:** Applicant requested their application be placed on hold

**Pre-Permit:** Applicant has requested pre-permit application reviews or meetings, but has not yet applied for a permit from LMRWD

**Under Review:** Permit application is complete and under review by LMRWD staff

*\* Staff recommendation only, has not yet been presented to the Board for action*

# Technical Memorandum

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

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

**Date:** April 8, 2022

**Re:** Kraemer Quarry Lake Modeling Technical Memorandum Review

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The City of Burnsville held an informational meeting on March 3, 2022, to discuss the future of Kraemer Quarry. A Technical Memorandum by Young Environmental dated March 11, 2022 contains additional background information on the project and provides an update to the Board regarding the informational meeting (Attachment 1).

The City of Burnsville, in cooperation with Black & Veatch and Barr Engineering, has completed a draft Technical Memorandum titled Burnsville-Savage Area Water Study (Tech Memo, Attachment 2) to document the hydrogeological modeling of Kraemer Quarry Lake. The City of Burnsville has requested feedback from several stakeholders and is interested in collecting answers to the following questions:

1. Do you have any concerns with the modeling that was done or the results?
2. Is 690 feet the “right” normal water elevation for the future lake? If not, why?
3. Do you believe your agency has direct say in what the future lake’s normal water elevation will be? If yes, what is the basis for being part of the decision-making group?
4. Rising groundwater elevations will likely be a challenge for area infrastructure owners. Do you have any ideas for mitigations to rising groundwater elevations?
5. Do you have any other comments or questions?

## Background

Kraemer Mining & Materials expects to continue mining operations for another 20 to 40 years, depending on the market demand for limestone and construction aggregate

materials. A groundwater flow model based on Metro Model 3 was updated for this study to analyze groundwater flow and water table elevations in the vicinity of the final quarry pit. The model was updated to represent the future extent of the quarry and allow lake levels to rise and fall due to interaction with groundwater.

The study evaluated two future groundwater conditions:

1. End of mining—immediately after the aggregate deposits are exhausted but with the quarry pumps still active (water elevation 600 feet)
2. Full lake—the pumps decommissioned and the quarry allowed to fill with groundwater (water elevation 690 feet)

Particle tracking was also modeled to evaluate the groundwater flow paths from areas of interest such as the Freeway Landfill, Freeway Dump, and Burnsville Sanitary Landfill (BSL). The concentrations of groundwater constituents were not evaluated as part of this modeling effort.

The City of Burnsville recommended a final quarry pit water level of 690 feet with the assumption that it is likely the lowest elevation that can be maintained in the lake and still have a gravity outlet to the Minnesota River, reducing the need for significant pumping. The Minnesota Pollution Control Agency has indicated that designs of the remediation effort at the Freeway Landfill are also based on a future lake elevation of 690 feet.

### **Implications for the Lower Minnesota River Watershed District**

The following outlines the potential implications for the natural resources within the LMRWD:

#### **Calcareous Fens and Springs**

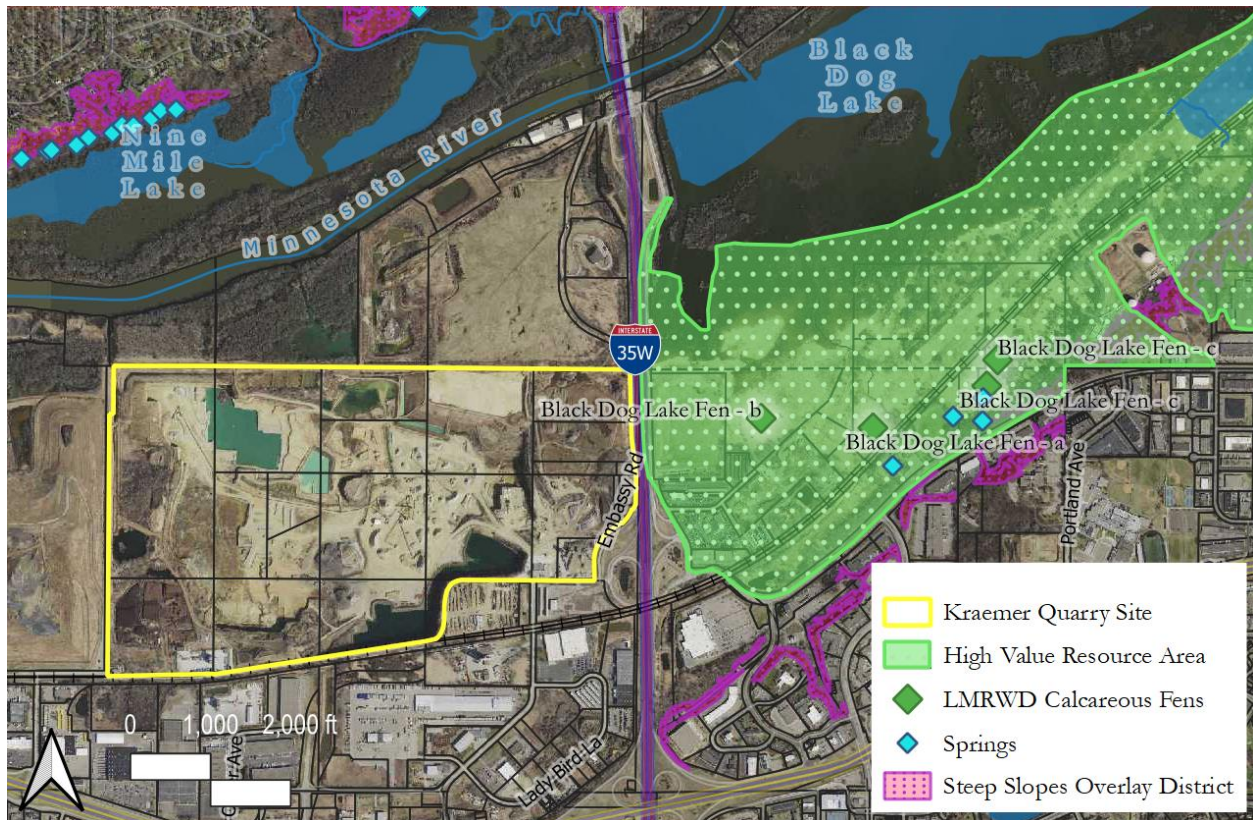
The Lower Minnesota River Watershed District (LMRWD) is home to many groundwater-dependent natural resources, including Black Dog Fen Complex, which is located east of Kraemer Quarry across Interstate 35W (Figure 1) and has been identified as a calcareous fen, a high-value resource within the LMRWD that requires special protections specified in the 2018 LMRWD Watershed Plan.

Black Dog Fen has experienced severe degradation due to high groundwater withdrawal and industrial pumping activities in the area. The cessation of dewatering for mining activities and groundwater levels returning to their previous conditions may be beneficial to restoring Black Dog Fen.

In addition to Black Dog Fen, there are several natural springs in the area (Figure 1); however, the Tech Memo does not address how the higher groundwater levels may affect the number and flow of springs. The LMRWD is concerned because of the

proximity of many of these springs to steep and easily erodible slopes; especially because the Tech Memo does not document how the future quarry lake will affect the neighboring springs and groundwater-dependent resources.

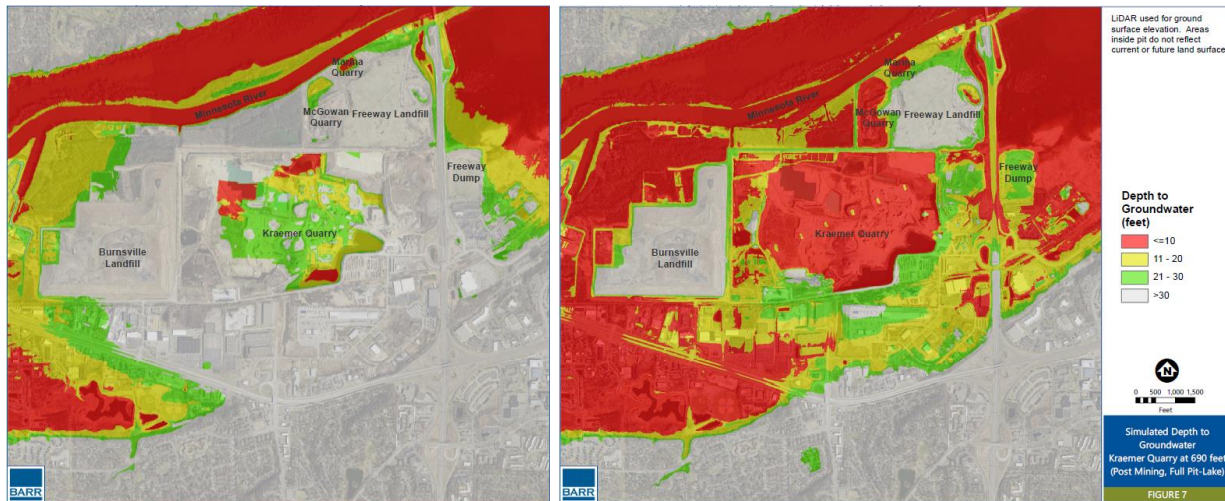
Figure 1. Location of Black Dog Fen Complex and springs relative to Kraemer Quarry.



### Existing Infrastructure

Unfortunately, higher groundwater may have serious detrimental impacts on nearby infrastructure, some of which has been previously identified, including sanitary and storm sewers, foundations, and basements in the areas where the groundwater will rebound (Figure 2). However, the report does not appear to have considered the impacts of higher groundwater levels on existing stormwater management systems, such as infiltration basins, rain gardens, and stormwater ponds, which have been developed based on the current groundwater levels, with Kraemer Quarry dewatering pumps operational. The City of Burnsville has invested in developing regional BMPs for the Minnesota River Quadrant located south of the Quarry; how will higher groundwater levels affect the effectiveness and treatment capacity of these BMPs? This should be reevaluated based on projected groundwater levels.

Figure 2. Depth to groundwater at end of mining operations with dewatering pumps on El. 600 (left) and dewatering pumps decommissioned and a full lake at El. 690 (right).



Higher levels of groundwater could cause flood-control infrastructure to fail or overtop in the future. Of particular concern are the earthen levees at the BSL. Higher groundwater elevations could saturate the soil and foundation, reducing their ability to withstand flood flows and protect the landfill from erosion.

It is not clear from the memo how far the impacts of the future lake and higher groundwater levels will be felt.

### Water Quality

According to the modeling, when mining operations end and the Kraemer Quarry water level is at 600 feet, groundwater from the BSL, Freeway Landfill, and Freeway Dump will flow into the pit, helping fill the future quarry lake. Contaminants from these areas could enter the lake and may negatively affect its water quality. Although the groundwater discharge into the quarry lake will be reduced when it reaches an elevation of 690 feet, there is still evidence that groundwater may flow into Kraemer Quarry from these three areas of interest. Additionally, higher groundwater levels combined with flood elevations on the Minnesota River may be more likely to transport any contamination from these sites downstream. Therefore, contaminant concentrations and impacts on the water quality of the future lake and Minnesota River must be investigated, particularly if the lake and surrounding area will be used for recreation.

### Minnesota River

Kraemer Quarry is proposed to outlet to the Minnesota River at an elevation of 690 feet; however, the exact path and method have not been determined. It should be noted that the City has expressed a desire for a gravity outlet for the future lake to avoid the need for frequent pumping; however, the Minnesota River is at an elevation of approximately 688 feet in this reach, which may make a gravity outlet challenging. Regardless of the

outlet method selected, erosion protection for the outlet and emergency overflows will be necessary to prevent sediment from discharging into the river and exacerbating the existing turbidity impairment of the river.

Additionally, Kraemer Quarry is located within the Minnesota River floodplain (Figure 3). In the Tech Memo the future groundwater levels were modeled during a 100-year flood event to determine the impacts at the end of mining and under the full lake scenario (Figure 4). Because high ground currently surrounds the quarry, floodwaters from the Minnesota River are not expected to affect the water levels within the lake. However, higher groundwater levels may affect the normal and flood elevations on the river.

Figure 3. FEMA 100-year flood elevations at Kraemer Quarry (Dakota County Flood Insurance Study).

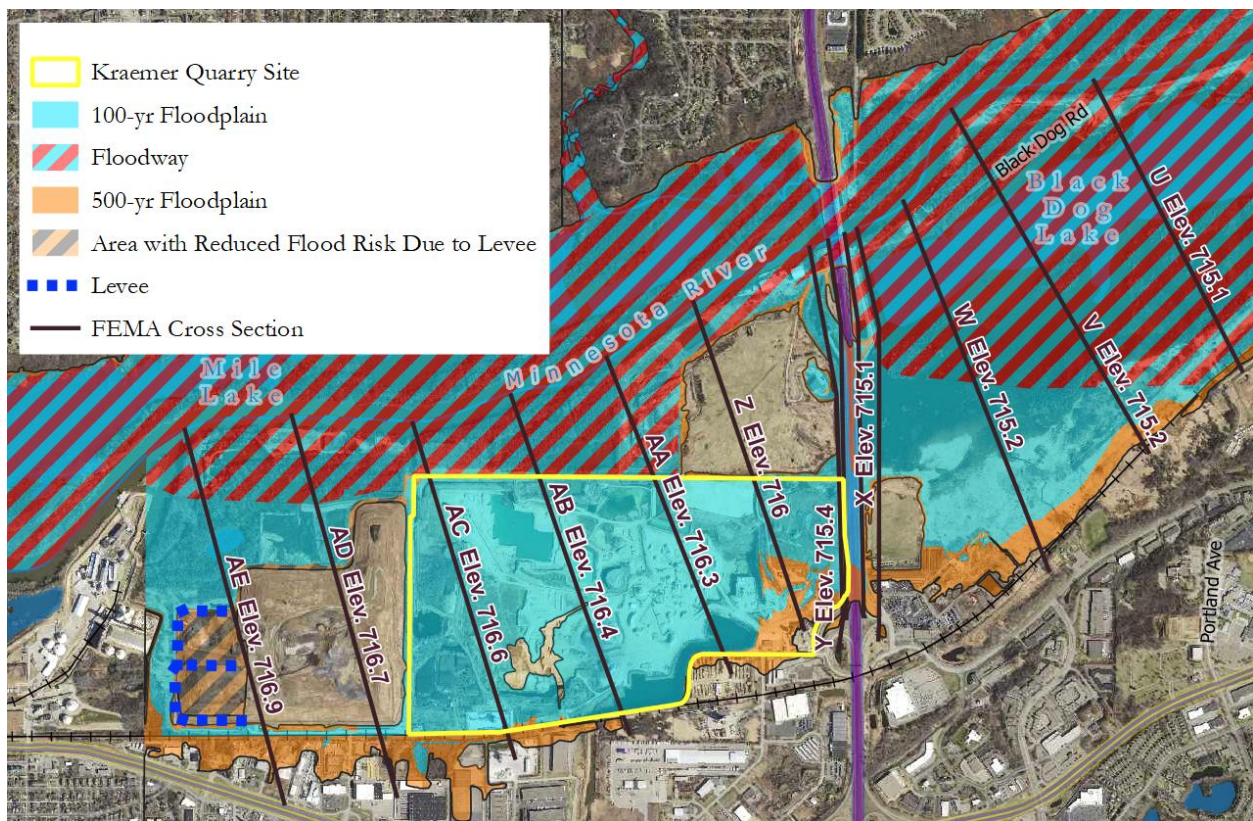
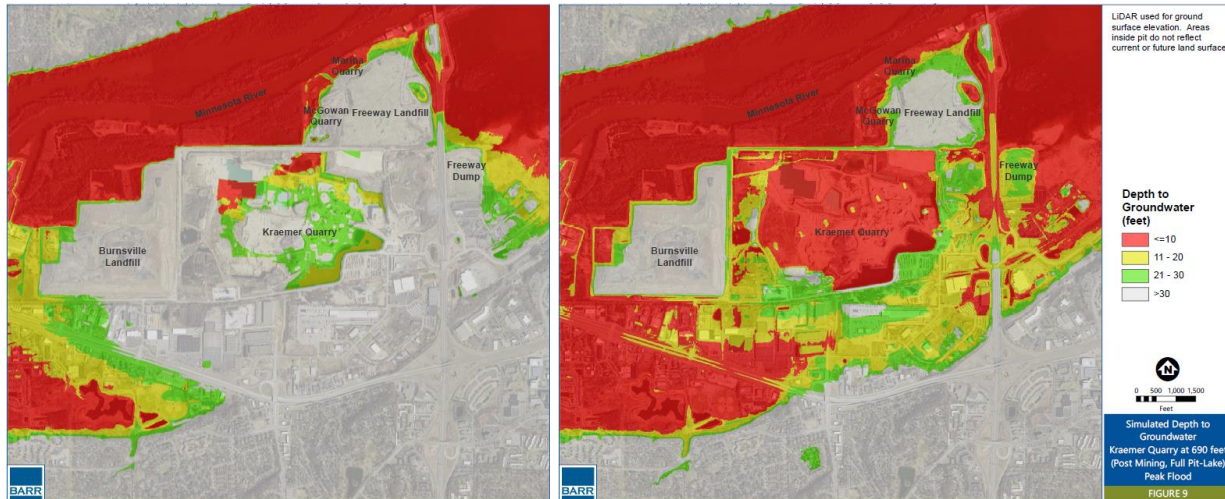




Figure 4. Modeled depth to groundwater during peak flood event at end of mining activities with pumps on (left) and full lake scenario (right).



### Future Development and Climate Change

The report does not appear to have considered how future development and demand for groundwater in the area, as well as future climate projections, may affect groundwater levels and the final lake elevation. This should be considered in future studies.

### Findings

Given the quarry operations are expected to continue for another 20 years, we acknowledge that there are many unknowns at this time that will require additional discussion and outreach by the City, including the following:

- Establishing the interconnections between Kraemer Quarry, Black Dog Fen Complex, and the Minnesota River normal and flood elevations, particularly in light of future climate predictions
- Determining the final lake elevation and extents, as well as future land use around the lake, to balance recreation desires with safety concerns
- Determining if the cities of Burnsville and Savage can continue to use the lake as a drinking water source, particularly if the lake will be used for recreation and if the Freeway Landfill waste is inundated
- Determining impacts on nearby utilities, structures and foundations, stormwater management facilities and BMPs, and flood-control protection

## Recommendations

The City requested input on the modeling completed, the ideal lake elevation, who should set the lake level, and mitigation strategies for the rising groundwater elevations. Given the broad scale of the potential impacts, we appreciate the City asking these questions early.

Based on our review, we recommend the following regarding the City's questions:

1. The modeling appears to be adequate at this early stage of the project process. However, we recommend further modeling be completed to address water quality impacts and the effects of climate change.
2. There is not enough information to determine if 690 feet is the ideal water level of the future lake. We recommend delineating the approximate extent of groundwater change, especially if there are impacts within Hennepin or Scott counties. Additionally, we recommend carefully investigating the implications on surrounding infrastructure and natural resources, including, but not limited to, stormwater management systems, calcareous fens, the Minnesota River, and nearby springs.
3. It is LMRWD's policy to protect and improve natural resources within the watershed to prevent further degradation. Additionally, as a regional permit authority, LMRWD is responsible for the management of drainage alterations and impacts on surface and groundwater. Therefore, LMRWD would like to be part of the future decision-making group and process.
4. The extent of groundwater impacts will be crucial in determining mitigation strategies. Depending on the final elevation of the lake, mitigation strategies may include increasing pump capacity, raising critical infrastructure, flood-proofing, modifying existing stormwater management facilities, and implementing new water quality BMPs to protect the future lake and existing downstream resources.
5. We recommend the City consider the process the Minneapolis Park & Recreation Board used to evaluate the Hiawatha Golf Course pumping operations in 2017.

No action is required at this time. The LMRWD staff will continue to participate in future discussions and will submit these comments to the City as part of their public comment period.

## Attachments

- Attachment 1—Kraemer Quarry Future Lake Level Informational Meeting Technical Memorandum
- Attachment 2—Burnsville—Savage Area Water Study—Task F—Quarry Lake Modeling