



# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, September 20, 2023

### Agenda Item

#### Item 7. H. – LMRWD Projects

#### Prepared By

Linda Loomis, Administrator

#### Summary

##### i. Area #3

In July 2023, the LMRWD applied for an Opportunity Grant from Hennepin County for this project. On September 13, 2023, the LMRWD was informed that the Grant was approved. The amount of the Grant applied for was \$50,000. Hennepin County will provide more information about additional requirements to receive the Grant; grant agreement, etc.

On September 11, 2023, the City of Eden Prairie held a TEP (Technical Evaluation Panel) meeting at Area #3 to concur with the findings of the wetland delineation. On September 15, 2023, the LMRWD received the Notice of Decision from the City approving the application.

It appears that 106 Group has issues with access to Area #3, which the LMRWD will need to work out.

A meeting was held with Lisa Beckman and Brent Rolf from WSB regarding the LMRWD's acquisition of right of way. On August 30, 2023, a letter was sent to the property owner's agent, officially informing the owner of the LMRWD's intent to acquire property. WSB will follow up with the owner's agent.

#### Attachments

LMRWD\_AH markup access

#### Recommended Action

No action recommended

##### ii. Spring Creek

The LMRWD has further evaluated Site 3. Technical Memorandum – Spring Creek Site 3 Project Update dated September 13, 2023, is attached, and recommends that the LMRWD not pursue this site any further.

The project to stabilize sites 1 & 2 is at the 60% design stage. An update for Spring Creek Sites 1 & 2 is detailed in Technical Memorandum – Spring Creek Sites 1 & 2 Bank Stabilization Project – Project Update dated September 14, 2023. After preliminary conversation with the USACE, it was determined that a wetland delineation will be required for the project. ISG has provided a proposal to provide wetland delineation services, and a Work Order has been offered.

Item 7. H. – LMRWD Projects

Executive Summary

September 20, 2023

Page 2

**Attachments**

[Technical Memorandum – Spring Creek Site 3 Project Update dated September 13, 2023](#)

Technical Memorandum – Spring Creek Sites 1 & 2 Bank Stabilization Project – Project Update dated September 14, 2023







Professional Services Proposal for Spring Creek Stabilization Wetland Delineation

Work Order 2023-03 for Spring Creek Stabilization Wetland Delineation

**Recommended Action**

Motion to accept Professional Services Proposal for Spring Creek Wetland Delineation and Authorize execution of Work Order 2023-03

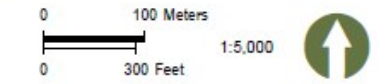
**Lower Minnesota River Watershed District (LMRWD)  
Area 3 Slope Stabilization  
Architectural History Review**  
Eden Prairie, Hennepin County, Minnesota

-  Project Area
-  Recommended Architectural History APE
-  45 years of age or older and not previously inventoried
-  45 years of age or older and previously inventoried
-  Inventoried
-  Recommended Individually Eligible



Service Layer Credits: MinGeo Composite Imagery

Map Produced by 106 Group 6/21/2023



Project Location, Recommended APE,  
and Literature Review Results

Figure 1

# Technical Memorandum

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

**From:** Hannah LeClaire, PE, Project Manager  
Erica Bock, Water Resources Scientist

**Date:** September 14, 2023

**Re:** Spring Creek Sites 1 & 2 Bank Stabilization Project—Project Update

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At the Lower Minnesota River Watershed District (LMRWD) Board Meeting in June 2023, the LMRWD selected ISG to design the Spring Creek Sites 1 & 2 Bank Stabilization Project. ISG is responsible for the engineering design and construction administration and Young Environmental Consulting Group (Young Environmental) is responsible for overseeing the project and coordinating project permitting requirements. A permitting update was provided at the August 16, 2023, Board Meeting describing the potential need for a wetland delineation and cultural resources review. Since that time, ISG has completed the 60% design and Young Environmental has continued coordination with the US Army Corps of Engineers (USACE) to confirm what permits are required.

ISG collected topographic survey of the sites, completed a vegetation assessment, and updated hydraulic modeling to develop the 60% designs for Spring Creek Sites 1 & 2. Young Environmental, ISG, and the LMRWD Administrator met on August 30, 2023, to review the 60% design plans. The proposed stabilization measures include vegetated riprap, Bio-D blocks, and planting of native grasses and shrubs. Because project permitting is currently in flux, the project team decided to pause continuation to 90% plans at this time.

Young Environmental met with the USACE for a pre-application meeting on September 7, 2023. The USACE confirmed that the project is located within the City of Carver Historic District, which requires a Section 404 permit and submittal of a joint application. Part of the joint application requires identification of impacts to aquatic resources, including wetland impacts. Therefore, a wetland delineation will be required to determine whether potential wetland impacts comply with the City of Carver and USACE permit requirements. The USACE recommended submitting a draft joint application for review to determine whether Section 106 of the National Historic

Preservation Act applies to this project. If Section 106 applies, further cultural resources review and coordination will be required. A draft joint application was submitted to the USACE on September 8, 2023, and our team is currently waiting for a response.

### **Recommendations**

Young Environmental coordinated with ISG to obtain a scope of work and fee estimate to complete a wetland delineation. ISG is prepared to complete the wetland delineation for the project before the end of this year's growing season. They provided a fee estimate of **\$3,500** and scope of work for the wetland delineation. To keep the project moving forward, we recommend Board approval of the attached Work Order for Spring Creek Stabilization Wetland Delineation Services (Attachment 1).

### **Attachments**

Attachment 1—Spring Creek Stabilization Wetland Delineation Work Order



SEPTEMBER 6, 2023

**Linda Loomis**

*District Administrator*

Lower Minnesota River  
Watershed District  
112 East 5th Street, Suite 102  
Chaska, MN 55318

763.545.4659

admin@lowermnriverwd.org

**RE: Professional Services Proposal for  
Spring Creek Stabilization Wetland Delineation  
Carver, Minnesota**



Linda,

As Lower Minnesota River Watershed District (LMRWD) looks to design and construct stabilization measures along Spring Creek in Carver, Minnesota, ISG understands that wetland delineations are needed for two residential parcels impacted by the project.

The following scope of work details the services necessary to investigate the current wetland status of the project area and to submit appropriate paperwork to the Local Government Unit (LGU), Soil & Water Conservation District (SWCD), Minnesota Board of Water and Soil Resources (BWSR), the Minnesota Department of Natural Resources (MnDNR), other member(s) of the Technical Evaluation Panel (TEP), and the U.S. Army Corps of Engineers (USACE). The tasks associated with this scope of work include the following:

## SCOPE OF SERVICES

### Task I - Wetland Delineation

#### TASK IA - WETLAND DELINEATION

The delineation will consist of identifying, classifying, and delineating all wetlands within the project area during the growing season. Delineation methodologies will conform to the Midwest Regional Supplement of the Corps of Engineers Wetland Delineation Manual (USACE, 2010). Wetland boundaries will be flagged in the field and surveyed with a GPS unit.

The investigation will be conducted by Minnesota Certified Wetland Delineators (MCWD) and will entail the following actions:

- Review available desktop information including: Historical Aerial Photograph Review, National Wetland Inventory, DNR Public Water Inventory, USGS Topography, LiDAR Elevation Data, and Soil Survey Maps
- Antecedent precipitation analysis
- Field work including: soil analysis, vegetative survey, hydrology sampling, and wetland boundary delineation
- Report preparation: Submit a copy of the report to you, LGU, SWCD, BWSR, MnDNR, TEP, and USACE
- To expedite the report preparation, ISG will survey the wetland boundary utilizing a sub-meter GPS unit to accurately depict the size and location
- Submit a wetland boundary and type application

The information gathered from the field delineation will be combined and incorporated into a wetland delineation report authored by a MCWD. This report will be prepared in accordance with the "Guidance for Submittal of Delineation Reports to the St. Paul District Army Corps of Engineers and Wetland Conservation Act Local Governmental

Units in Minnesota”. This draft report will be submitted to you for review and comment prior to submittal to the appropriate agencies for approval. Once the LGU has field reviewed and accepted the wetland delineation, the final wetland boundaries and types will be overlaid onto a final wetland delineation map. The report will then become final for your records.

**TASK 1B - AGENCY COORDINATION**

This task includes one (1) meeting with agency staff to review the application and the delineations in the field. Any additional meetings that are requested by the reviewing agencies, if necessary, will be billed on an hourly basis after receiving prior authorization from you for the additional work. Any payments of necessary fees associated with the application will be the responsibility of the applicant.

**SCHEDULE**

As the LMRWD Board of Directors meets on September 20, it is imperative to complete this work order as soon as possible to ensure that we have enough time to complete the field work this year. Once the contract has been signed and ISG is authorized to proceed, we will complete and submit the wetland delineation reports prior to the end of the 2023 growing season.

**COMPENSATION**

ISG proposes to provide the scope of work described within this proposal for compensation in accordance with the following schedule:

SERVICE	COMPENSATION
Wetland Delineation	\$3,500
<b>Total</b>	<b>\$3,500</b>

**Reimbursable Expenses**

Anticipated reimbursable expenses such as travel, mileage, and printing are included within the compensation listed above.

**ADDITIONAL SERVICES**

ISG's goal for this proposal, like its services, is to be flexible with accommodating the requirements of this project. Upon request, ISG is able to provide a subsequent proposal to assist with any additional professional design and construction phase services that will be necessary to facilitate this project as it moves forward.

ISG appreciates the opportunity to provide a solution tailored to the needs of LMRWD. Upon acceptance of this proposal, please sign the acknowledgment box and return a copy of the proposal to our office. We look forward to providing you with responsive service, a collaborative approach, and timely delivery.

Sincerely,



**Nick McCabe**

*Senior Environmental Scientist*

### ACKNOWLEDGMENT OF ACCEPTANCE

Accepted this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Company: \_\_\_\_\_  
*Print*

Name: \_\_\_\_\_  
*Print*

Title: \_\_\_\_\_  
*Print*

Signature: \_\_\_\_\_

*This proposal is valid for 30 days.*



**WORK ORDER FORM FOR  
CONSULTANT AGREEMENT  
WORK ORDER 2023-03**

This Work Order is entered into and authorized this 20th day of September 2023, by and between **Lower Minnesota River Watershed District** (hereinafter called LMRWD) and **I & S Group, Inc.** (hereinafter called ISG).

The parties agree that ISG shall perform the attached services for Spring Creek Stabilization Wetland Delineation in accordance with the terms of the Agreement dated March 22, 2023.

**1. Compensation:**

The basis of compensation for the attached Spring Creek Stabilization Wetland Delineation Services shall be the hourly rate per ISG's rate sheet, plus other expenses, as needed, subject to a not-to-exceed cap of \$3,500 without further authorization.

**2. Other Terms:**

No additional terms.

IN WITNESS WHEREOF, the parties have made and executed this Task Order as of the day and year first above written.

**Owner: Lower Minnesota River Watershed District**

**Consultant: I & S Group, Inc.**

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

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

Name: Linda Loomis

Name: Julie Blackburn

Title: Administrator

Title: Environmental Practice Leader