



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, December 20, 2023

Agenda Item

Item 8. B. Watershed Management Plan

Prepared By

Linda Loomis, Administrator

Summary

Young Environmental Consulting Group, LLC, on behalf of the LMRWD, has conducted audits of all Municipal LGU Permits, over one year old, issued by the LMRWD. The audits were completed to assure all Cities with permits were complying with the rules and standards of the LMRWD.

In addition, LMRWD staff has met with all Cities within the boundaries of the LMRWD. Summaries of Municipal Coordination meetings have been prepared for the Board's information and will be shared with the Cities. The summaries have been combined with the findings of the Municipal LGU Permits audits for cities that have LGU Permits.

Cities with an LGU Permit:

- Bloomington
- Carver
- Eagan
- Mendota Heights
- Shakopee

Cities without an LGU permit or LGU permit held less than one year

- Burnsville
- Chanhassen
- Eden Prairie
- Lilydale
- Metropolitan Airport Commission
- Savage

The only city that did not respond to our invitation to meet was the City of Mendota.

Attachments

2023 Municipal LGU Permit Audits and Municipal Coordination Meeting

Recommended Action

No action recommended – for information only



LOWER MINNESOTA RIVER
WATERSHED DISTRICT

2023
Municipal LGU Permit Audits
and
Municipal Coordination meetings

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Technical Memorandum



To: City of Bloomington: Bryan Gruidl, Senior Water Resources Manager; Jack Distel, Water Resources Specialist; and Steve Gurney, Water Resources Engineer

From: Karina Weelborg, Water Resources Scientist
Della Schall Young, CPESC, PMP, CTF, Principal Scientist

Date: December 13, 2023

Re: LMRWD Municipal Local Governmental Unit (LGU), Permit Audit–City of Bloomington

The City was issued an LGU Permit in December 2020 granting it permission to perform actions as authorized by Permit Number 2020-M-01. Pursuant to Rule A, the LMRWD reserves the right to conduct audits of LGU programs as they pertain to conformance with the LGU Permit. Environmental Consulting Group (Young Environmental), LMRWD’s technical consultant and engineer, conducted an audit, and its process, assessment, and findings are presented below.

Process Overview

The LGU Permit audit consisted of the following four steps summarized below.

- 1. Audit Kickoff Meeting:** LMRWD and Young Environmental hosted a meeting with all LGU permit holders on October 2, 2023, to introduce the audit process, provide the audit schedule, and answer questions. The meeting summary is attached (Appendix A).
- 2. Program Survey:** A survey was developed and shared with permittees to collect program-specific information. Responses allowed us to understand elements of the City implementation process and to compile inconsistencies and misunderstandings in how the LMRWD rules are being interpreted for future rule amendment considerations.
- 3. Project Review:** LGU Permittees were asked to submit a project that triggers LMRWD Rule D–Stormwater Management and a second project granted a variance, if applicable. Young Environmental reviewed the submitted projects.
- 4. Field Inspection:** Young Environmental conducted a field inspection of the submitted project (if open or an open project) to understand how the Permittee implements and enforces the LMRWD rules during active construction and post-construction.

Assessment and Findings

Survey and Interviews

The City of Bloomington completed the survey on October 5, 2023, which is attached as Appendix B. Young Environmental reviewed the survey and generated a list of clarifying questions which were considered during the City’s annual municipal coordination meeting with the LMRWD. See the summary of the City’s coordination meeting for additional information (Appendix C).

Project Review

The City of Bloomington permitted nine projects within the LMRWD boundary in 2022 that triggered LMRWD rules, and no variances were granted. For assessment purposes, the City submitted the Risor Apartments project (Figure 1). The Risor Apartments project triggered Rules B–Erosion and Sediment Control, D–Stormwater Management, and F–Steep Slopes. Construction on the site has been completed. The project consisted of constructing an apartment building, associated parking, and underground infiltration vaults for stormwater management adjacent to the Steep Slopes Overlay District (SSOD). As part of the project, 2.48 acres were disturbed, and 1.42 acres of new impervious surface were created. The LMRWD received the following documents for review:

- Erosion Control Inspection log by the City of Bloomington; dated July 7, 2023.
- Staff Report and Conditions by the City of Bloomington dated February 8, 2023
- LMRWD LGU Permit Audit—Project List by the City of Bloomington.
- Development Application by applicant.
- Approved Stormwater Management Plan by Loucks; dated December 21, 2020; revised June 10, 2021.
- Construction Management Plan by CBS Construction Services; dated June 24, 2021.
- National Pollutant Discharge Elimination System (NPDES) Permit dated June 25, 2021.
- Approved Civil Plans by Loucks; dated December 12, 2020; revised June 22, 2021.
- Approved Landscaping plan by Lockus; dated March 26, 2021; revised June 22, 2021.
- Right of Way Vacation by the City of Bloomington; dated April 5, 2021.
- Email discussion of steep slopes by the City of Bloomington; dated May 27, 2021.

The City did not provide the project’s geotechnical analysis or executed maintenance agreement.

Rule B–Erosion and Sediment Control

The LGU Permit regulates land-disturbing activities that affect one or more acres under Rule B. The Risor apartments project disturbed approximately 2.48 acres within the LMRWD boundary. The City provided the project’s erosion and sediment control plan, stormwater management plan, and NPDES permit. The project complies with Rule B, as confirmed by Young Environmental.

Rule D–Stormwater Management

The LGU Permit regulates land-disturbing activities that create new or reconstructed impervious areas greater than one acre. The project proposed 1.42 acres of new impervious surface requiring 0.108 acre-foot of treatment. The project included the construction of underground infiltration vaults to meet stormwater management requirements.

The applicant submitted a HydroCAD analysis demonstrating that the proposed underground infiltration vaults will provide the required volume retention and decrease runoff rates. To demonstrate a no-net-increase in total phosphorus and total suspended solids to receiving waterbodies compared to existing conditions, the applicant submitted a Minimal Impact Design Standards (MIDS) model. The model shows a decrease in both contaminants.

As presented and confirmed by Young Environmental, the project generally complies with Rule D. Prior to issuing a permit, the LMRWD would require the following item:

- Executed maintenance agreement (Rule D 5.4.4)

Per a prior discussion with the City, an executed maintenance agreement is required by the City as a permit condition that must be satisfied prior to issuing a certificate of occupancy and/or release of the Erosion Control Bond.

Rule F–Steep Slopes

The LGU permit regulates land-disturbing activities within the SSOD and requires a permit for activities that involve the excavation of fifty cubic yards or more of earth or displacement or removal of 5,000 square feet or more of surface area or vegetation within the overlay area. Rule F requires projects to demonstrate no negative changes to existing drainage patterns, rates, and volumes.

All site runoff from the proposed impervious area is directed to the underground infiltration vaults. Runoff rates and runoff volumes to the steep slopes are decreased in the proposed conditions. Early in the City’s review, they requested a thorough evaluation of the steep slopes to confirm the slopes were suitable for use. However, following a conversation with the LMRWD, this was not required because of a concrete retaining wall bordering the site.

As presented and confirmed by Young Environmental, the project generally complies with Rule F. Similar to Rule D, the LMRWD would require the following item prior to issuing a permit:

- Executed maintenance agreement (Rule F 7.5.7)

Field Inspection

Young Environmental field inspected the Risor Apartments project on October 16, 2023. The construction on site has been completed. All temporary best management practices have been removed and the site has reached full vegetated stabilization. There is no evidence of erosion or sedimentation throughout the site or on the steep slopes. All impervious areas have been constructed as proposed and appear maintained. The completed inspection form, with pictures, is attached as Appendix D.

Based on the field inspection, the project is in compliance with LMRWD Rules.

Summary Recommendations

The City should be commended for maintaining a comprehensive permitting program beginning with the collection of all required materials per the LGU Permit and concluding with engagement from multiple reviewers. Overall, the results from the survey and interview audit show diligence in the City’s process for plan review, permitting, and enforcement.

The summary below presents Young Environmental’s findings as areas of excellence and opportunities to enhance either the District rules or the City permitting program.

Areas of excellence:

- City-permitted projects are inspected every two weeks with high priority sites inspected more frequently.
- Inspections are conducted by well-trained staff who have all taken the Construction Site Management and Design of Construction SWPPP courses from the University of Minnesota.
- Diligence in requesting guidance from the LMRWD on permitting questions related to Rule F

- Current development of a post-construction inspection schedule of private stormwater best management practices.

No areas of opportunity were identified.

Attachments

- Figure 1—Risor Apartments Project Location
- Appendix A—LMRWD Municipal (LGU) Permit Audit Kickoff Meeting Summary
- Appendix B—LMRWD Municipal (LGU) Permit Audit Survey—Bloomington
- Appendix C—LMRWD Municipal Coordination Meeting Summary—Bloomington
- Appendix D—LMRWD Field Inspection Report—Risor Apartments

Meeting Agenda / Summary



LOWER MINNESOTA RIVER
WATERSHED DISTRICT

Project Name: Lower Minnesota River Watershed District
(LMRWD) Municipal (LGU) Permit Audit
Date: October 2, 2023
Time: 11am–12pm [CST]
Location: Virtual via MS Teams

MEETING OBJECTIVES:

- To initiate the LMRWD audit process as expressed in Rule A.
- To provide information about the Municipal (LGU) Permit Audit Process.
- To address initial questions for municipal partners.

INVITEES: Steve Gurney, Bryan Gruidl, Jack Distel – City of Bloomington
Aaron Schmidt – City of Carver
John Gorder, Jenna Olson – City of Eagan
Krista Spreiter, Ryan Ruzek – City of Mendota Heights
Kirby Templin – City of Shakopee

HOSTS: Linda Loomis – Naiad Consulting and Lower Minnesota River Watershed District
Della Schall Young, Hannah LeClaire, Karina Weelborg – Young Environmental Consulting Group

ATTENDEES: Steve Gurney, Bryan Gruidl, Jack Distel – City of Bloomington
Aaron Schmidt, Bob Bean, Chad Shell – City of Carver
Jenna Olson, Brian Leyendecker – City of Eagan
Ryan Ruzek – City of Mendota Heights
Kirby Templin – City of Shakopee
Linda Loomis – Naiad Consulting and Lower Minnesota River Watershed District
Della Schall Young, Hannah LeClaire, Karina Weelborg – Young Environmental Consulting Group

AGENDA / SUMMARY:

1. Welcome (Linda Loomis)

- Linda welcomed everyone to the meeting and thanked city representatives for their ongoing cooperation and partnership.
- The LMRWD has also completed an inventory of gullies within the LMRWD Boundary which will be discussed at the future municipal coordination meetings.

2. Introductions (All)

- a. State your name and title, City, and role administering the City permitting program
 - Bloomington
 - Bryan Gruidl: Senior Water Resources Engineer, performs project reviews.
 - Steve Gurney: Water Resources Engineer, performs project reviews.
 - Jack Distel: Water Resources Specialist, helps with project reviews and also completes site inspections and WCA reviews.
 - Carver
 - Aaron Schmidt: Assistant City Engineer, performs project/plan reviews.

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- Bob Bean: Water Resources Manager, MS4 program administration and project/plan reviews.
- Chad Shell: Public Works Director
- Eagan
 - Jenna Olson: Water Resources Manager, supporting role for project/development reviews.
 - Brian Leyendecker: Stormwater Specialist, performs project/plan reviews for stormwater features and performs erosion and sediment control inspections.
- Mendota Heights
 - Ryan Ruzek: Public Works Director, performs project/plan reviews.
 - Krista Spreiter: Natural Resources Coordinator, performs erosion and sediment control/site inspections.
- Shakopee
 - Kirby Templin: Water Resources – Environmental Engineer, MS4 program administration, performs stormwater and WCA reviews for projects.
- LMRWD
 - Linda Loomis: LMRWD District Administrator.
- Young Environmental Consulting Group
 - Hannah LeClaire: Water Resources Engineer, LMRWD permitting program lead.
 - Karina Weelborg: Water Resources Scientist, LMRWD permitting program assistant.
 - Della Schall Young: CEO of Young Environmental, Technical Consultant for LMRWD.

3. LGU Permit (Hannah LeClaire)

- a. Rule A: Administrative and Procedural Requirements Section 2.1.5 Audit Process
 - LGU permit allows municipalities to issue permits and manage development within their city as the primary permitting authority.
 - The LGU audit should not be intimidating but is meant to ensure LMRWD rules are being upheld and to improve collective processes.

4. Overview of the LGU Permit Audit Process (Della Schall Young)

- Audit is meant to be a collaborative process where we can learn from each other's processes and improve our programs.
- a. Projects for review:
 - i. City will be asked to provide one [1] or two [2] projects for independent review.
 - One [1] active permitted project that triggers Rule D–Stormwater Management
 - One [1] project granted a variance, if any have been granted since approval of LMRWD LGU Permit
 - Specify the City person who will be responsible for providing the information.
- b. Program survey and interview of permitting personnel
 - i. City will be asked to complete a comprehensive survey on their permitting program.
 - Specify City personnel responsible for completing the survey and addressing potential follow-up questions, if different from the individual providing the projects for review.
 - Goal of survey is to provide a comprehensive overview of City permitting program.

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- Survey also asks what challenges City may have had and what about the LMRWD rules are clear. As an example, Della and Bryan Gruidl recently discussed what certification meant for Rule F.
 - We are giving Cities a couple of weeks to complete the survey, but please complete it as soon as possible.
- c. Field Inspection
- i. LMRWD will coordinate with City designated personnel to conduct a field inspection of the 1 active permitted project reviewed
 - Field inspection portion will be conducted to confirm compliance with the rules on site. We will inspect stormwater management facilities and erosion and sediment control measures.
- d. Audit Conclusion/Debrief
- i. Following completion of the program review, LMRWD will share our findings and recommendations with each city.
 - ii. Depending on findings, an optional or encouraged debrief meeting will be coordinated.
 - The LMRWD will send the City a debrief memo, and results will be discussed at the municipal coordination meetings. If necessary, the City and LMRWD can coordinate a separate meeting to discuss the results.
- e. Action items and tentative schedule

Task	Completion Date	Responsible Party
Send Survey and Request Projects for Review	After Kick-Off Meeting	LMRWD
Return 1–2 Projects with Materials for Review	10/6/2023	City
Field Inspections	10/16/2023	LMRWD
Return Completed Survey	10/17/2023	City
Municipal Coordination Meetings	11/8/2023–11/17/2023	City / LMRWD
Send Audit Debrief Memos	12/11/2023	LMRWD

- i. Are there any concerns with the dates proposed?
- f. LMRWD will send a follow up email with the following attachments:
- i. LMRWD Municipal (LGU) Permit Audit – Project List
 - [LMRWD LGU Audit Project List Spreadsheet Form 100223](#)
 - ii. LMRWD Municipal (LGU) Permit Audit – Survey Questions
 - [LMRWD LGU Audit Interview Questions PDF Form](#)
- g. Coordinate audit of Municipal Permits
- i. Audit contacts:
 - Karina Weelborg – Coordinate documents and survey review and conduct field inspections.
 - Karina Weelborg, Della Schall Young and Linda Loomis – Draft and communicate findings and recommendations.
 - Direct questions to karina@youngecg.com and copy LMRWD admin@lowermnriverwd.org

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- Karina will be the main point of contact, but Della and Linda are available for coordination as well, if necessary.

5. LMRWD Internal Audit Findings and Recommendations (Karina Weelborg)

- Attached PowerPoint slides 6-15 provide an overview of the LMRWD internal audit.
- The internal audit aimed to find improvements for the LMRWD permitting program and to improve the audit process.
- Two project reviews were chosen for audit to ensure all LMRWD rules were covered. Two additional projects were audited to review an expired permit and a variance.
 - The LMRWD has continually improved on the permitting program since 2020.
 - From the project review audit, redundancies were removed and the LMRWD is investigating variable length permits.
- Based on survey results, the LMRWD shortened the survey prior to LGU use. The LMRWD is also reviewing their O&M agreements and conducting inspections in accordance to construction schedule rather than just once a year in the summer.
- No changes were required based on the field inspection audit. The LMRWD uses a comprehensive survey in the Survey 123 application.
 - It was noted that while the survey provides many opportunities for photos, one can never take too many photos.

6. Next Steps (Karina Weelborg)

a. Questions and Clarifications

- **Q:** Does city staff need to attend the field inspection?
 - **A:** City staff are welcome to join but are not required. LMRWD will notify the City when they plan to be on-site.
- **Q:** Are cities only required to provide two projects if one is a variance?
 - **A:** Yes, only one project is required if no variances were issued.
- **Q:** Do you want to see all City variances?
 - **A:** No, we are only requesting variances on LMRWD rules. We don't need to see any zoning variances.
- **Q:** Do you need permit materials?
 - **A:** Yes, we will be requesting all materials used during the project review. We will be asking for contact information for the individual who will be uploading these items, and we will send them a OneDrive link to submit materials.
- **Q:** Can you share the PowerPoint?
 - **A:** Yes
- **Q:** Would you be willing to share the survey report from Survey123?
 - **A:** Yes. And please let us know if there is anything else you would like us to share with you during this process.



LMRWD Municipal (LGU) Permit Audit Survey Questions

City Name: _____	Contributing Staff Name: _____
Contact Name: _____	Contributing Staff Name: _____
Contact Email: _____	Contributing Staff Name: _____
Date: _____	Contributing Staff Name: _____
	Contributing Staff Name: _____

Instructions: The LMRWD Municipal (LGU) Permit Audit Survey Questions were developed to collect program-specific information from LGU permittees. This information will be used to inform the LGU permit audit process. Please fill out the following survey and answer all questions to the best of your ability. There may be more than one staff member needed to answer the questions sufficiently (please include their name/s above). If you have any questions during completion of the survey, please reach out to LMRWD staff.

Permit Review Process

- Please describe the overall project review process from receipt of an application to issuance of a permit for projects involving erosion control, stormwater, floodplain, and/or steep slope components. In addition to the review process, please include what staff/department(s) conduct reviews and how applications and permits are tracked.
- Approximately how many erosion control/stormwater/floodplain/steep slopes permits were issued in 2022? (Only include permits that trigger LMRWD rules.)
- Does the LGU have a permit review fee? Yes _____ No _____
- What items are commonly missing from permit applications?
- What parts of the permit application process seem to be most confusing to applicants?
- What parts of the permit review process seem to be most confusing for reviewers?
- Upon receipt of a permit application, how are permit reviews delegated to reviewers?
- What actions are taken if an application is incomplete?
- During review of a permit application, how is the review documented (e.g., standard checklist)? Describe the materials used to conduct a permit review.
- Regarding recordkeeping, how long are permit records kept on file? Are they archived at a certain point?

11. Describe the process for approving a variance request.
 - a. What information/exhibits are required as proof for need of a variance?
 - b. Who is notified of a variance request? Are they given the opportunity to provide comment?
 - c. How many variances did the LGU approved in 2022?
12. How are long-term stormwater BMP operation and maintenance agreements recorded and tracked? How often are private post-construction stormwater BMPs inspected by LGU staff?

Permit Amendments

13. When is a permit amendment required for project changes? What information must be submitted?

Field Inspections

14. What LGU staff/department(s) are responsible for conducting project inspections?
15. Are all permitted projects inspected by LGU staff? If not, how does the LGU determine what projects do not require inspections?
16. How do inspectors prepare for their first inspection? Outline the process in detail below, including what materials and information is compiled for the inspection. If a standard inspection checklist or standard operating procedure is used, provide a copy of it. How often is the checklist or procedure reviewed and revised?
17. Schedule/Frequency
 - a. How often are projects inspected?
 - b. Are some projects prioritized for more frequent inspections?
 - c. What conditions may warrant changes to the inspection frequency?
18. Training
 - a. What type of training do inspectors receive if they are responsible for field inspections (e.g., U of M Erosion and Stormwater Management Construction Site Manager)?
 - b. How often is training conducted?
19. Documentation
 - a. What kind of report is generated as a result of the inspection? Does it detail all problems found at the site or does it document only that the inspection occurred?
 - b. Are findings from the inspection tracked in a central location or data management system?

Enforcement

20. Describe the LGU overall approach to noncompliance and enforcement of the official controls, including enforcement mechanisms used to obtain compliance.

21. What are the most common construction and/or post-construction violations requiring enforcement actions?

22. Are verbal warnings documented?

23. Who follows up on enforcement actions?

Permit Close-Out

24. How is the LGU notified a project is complete?

25. What information/exhibits are required to close-out a permit?

26. Are field inspections completed by City staff before a permit is closed? Yes _____ No _____

27. What is the LGU process if required permit close-out information is not provided or if information is incorrect?

After-the-Fact Permits

28. How is the LGU informed of work without a permit?

29. Regarding after-the-fact permits for completed and incomplete work, is process same as regular permit review?
Yes _____ No _____

30. If the process is different, please answer the following questions.

a. What is the LGU process once informed about work completed without a permit?

b. What information/exhibits are required to perform an after-the-fact permit review?

31. What is the LGU process if the work completed does not meet LGU standards?

32. When are after-the-fact permitted projects inspected?

a. If the inspection process differs from normal project inspections, outline the inspection process.

33. Does the LGU utilize enforcement mechanisms for projects that start without a permit, and if so, what enforcement mechanism is used to obtain compliance?

Emergency Work

34. How is the LGU informed of emergency work and what activities qualify as emergency work?

35. What actions are taken once the LGU is informed about emergency work? If the review process differs from a regular permit review, briefly describe the process.

36. What is the LGU process if emergency work does not meet LGU standards?

37. Does the LGU inspect emergency work projects? If the inspection process differs from normal project inspections, outline the inspection process.

Regulations

38. Have any code/ordinances that implement and enforce LMRWD Rules been updated or changed since [application date/last audit date/other]? Yes _____ No _____

a. If yes, please describe what prompted the updates or changes.

b. If yes, please provide a copy of the revised code/ordinances for review.

39. Are any applicable LGU Rules more stringent than the LMRWD rules? If yes, please describe.

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PROJECT NAME: LMRWD Municipal Coordination – City of Bloomington

Date: Thursday, December 7, 2023
Start Time: 10:00 a.m.
End Time: 11:00 a.m.
Location: Virtual meeting using Teams

MEETING OBJECTIVES:

- To continue the established collaboration and information sharing framework
- Review recent and upcoming LMRWD and City projects and programs
- To assess resources and share costs on projects that protect or enhance natural resources

INVITEES: Steve Gurney and Bryan Gruidl – City of Bloomington

HOSTS: Linda Loomis – Naiad Consulting and Lower Minnesota River Watershed District
Della Young, Erica Bock, and Karina Weelborg – Young Environmental Consulting Group

AGENDA/SUMMARY:

1. Introduction and Agenda Overview

Della asked those who did not know everyone in attendance to introduce themselves.

Bryan Gruidl, Water Resources Manager, City of Bloomington

Steve Gurney, Water Resources Engineer, City of Bloomington

Erica Bock, Water Resources Scientist, Young Environmental Consulting Group

Karina Weelborg, Water Resources Scientist, Young Environmental Consulting Group

The LMRWD expressed thanks to the City for collaborating over the years and for maintaining open lines of communication. Annual check-ins are meant to provide an overview of areas in which we are currently collaborating and to identify or highlight future opportunities to connect on new projects.

2. Municipal Permit (Della and Karina)

a. Summary Findings and Recommendations

i. Areas of Excellence:

- City permitted projects are inspected every two weeks with high priority sites inspected more frequently.
- Inspections are conducted by well-trained staff who have all taken the Construction Site Management and Design of Construction

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SWPPP courses from the University of Minnesota.

- Diligence in requesting guidance from the LMRWD on permitting questions related to Rule F.
- Current development of a post-construction inspection schedule of private stormwater best management practices.

LMRWD staff presented the findings of the municipal permitting audit and noted the City is doing a great job; there were no areas in which the process needs amending. The City for running a well-maintained permitting program.

b. Municipal Permit Audit Follow-up Questions

- i. The survey notes that staff and applicants are sometimes confused on the applicability of Rule F. What are some of the questions that the City has on Rule F?

The City did not have any specific questions regarding Rule F. The City aims to uphold the intent of Rule F—to highlight the area’s sensitivity. Often, confusion arises between applicants and the reviewers. Because Rule F language offers flexibility, there are no concrete targets that applicants must meet, and approval is a matter of reviewer judgement.

The LMRWD asked whether the City could track the questions frequently asked by applicants regarding Rule F. There may be areas where Rule F language can be modified for clarity. Bryan said he or a member of his team will keep track of applicant questions in the future.

The LMRWD noted a previous conversation with the City indicated applicants were having issues with the steep slopes certification requirement and asked whether there were other recurring questions. The City has tried to implement the steep slopes certification but has had issues getting engineers to sign off on it because they are not the ones constructing the projects. Because of this, the City has been using signed engineering plans as certification. A similar process is being implemented by the Minnesota Department of Transportation.

The City stated it has decided to reduce the minimum lot size. With this change, the City would also like to increase the percent impervious limit on residential lots.

The City mentioned that, in a recent meeting with the Planning Department, steep slopes were brought up, and there is a desire to implement more environmentally conscious practices on the slopes. The City has previously maintained a 30-ft buffer from the steep slopes overlay district. Since the line was redefined, this buffer has disappeared. The idea of reinstating the buffer is circulating. The LMRWD mentioned a Hennepin County report on slope failures within the county and suggested it be shared with other City staff to inform them of the importance of protecting steep slope areas. The next project to affect steep slopes in the City will be Long Meadow Circle in the South Loop area.

- ii. The survey states that the City is currently in the process of developing a schedule for inspecting private stormwater BMPs. Please provide an update

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on the progress of the schedule's development and how often the City plans to conduct inspections.

The City aims to inspect 20% of the City's BMPs each year. This means inspections will be on a five-year rotating basis. Initially, the City had issues maintaining all BMP information in one place. These issues have been addressed, and now the City is working on developing GIS data and developing a systematic way to contact property owners. The City would also like to include an educational piece in the inspection process. The City envisions offering property owners a one-time consultation to walk them through their maintenance requirements and provide resources, such as a list of experienced contractors who could perform the required maintenance. The City asked whether the LMRWD had something like this. The LMRWD does not maintain such a list. Counties sometimes have lists like this, but they are not usually tailored for private property owners.

3. Individual Permits (Erica)

- a. Provide Verification of the Active and Conditionally Approved LMRWD Permits in Bloomington

LMRWD staff reviewed the active projects, project inspections, and upcoming projects.

- i. 2022-002 CenterPoint MBL Nicollet River Crossing
- ii. 2023-009 AT&T Bloomington to Eureka Fiber
- iii. 2022-041 35W SP 2782-352
- iv. 2022-019 I494 SP 2785-433
- v. 2023-015 City of Bloomington Storm Sewer Maintenance

- b. 2023 Inspections (Figure 1)

- i. Total number of projects inspected: 6
 - 2021-023 106th St Improvement
 - 2022-013 Normandale & 98th St
 - 2022-041 35W SP 2782-352
 - 2022-019 I494 SP 2785-433
 - 2020-132 77th Underpass
 - 2022-002 CenterPoint MBL Nicollet River Crossing
- ii. 1 site had follow-ups/maintenance issues:
 - 2022-041 35W SP 2782-352

The permittee provided photo confirmation of the resolved maintenance issues.

- iii. Most common maintenance/non-compliant issues in the City:
 - Poor or missing inlet protection

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- Poor erosion control blanket
- c. Upcoming projects
 - i. MnDOT Projects
 - 494 Corridors of Commerce

The City said that because MnDOT was not required to follow City regulations, the City is not kept up to date on the project. However, MnDOT is getting ready to submit the western half of the project to the Nine Mile Creek Watershed District (NMCWD). NMCWD is working with the City to incorporate their comments on the project. MnDOT is working on getting the entire project to 100% design. They have submitted various funding applications in the hopes of completing the entire project. Bryan could provide the LMRWD with some general information on the different project pieces, but the LMRWD would need to ask MnDOT for project specifics.

- ii. Projects in the floodplain
 - 2023-029 Tarnhill Pond

4. Projects and Programs (Della)

- a. LMRWD Capital Improvement Projects
 - i. Trout Streams Geomorphic Assessments

The LMRWD provided some background and noted the last geomorphic assessment was completed in 2019. A second habitat assessment is planned for the summer of 2024.

- Ike's Creek

Work on Ike's creek is being led by the US Fish and Wildlife Service. The contract was won by Inter-Fluve.

- b. City Capital Improvement Projects
 - i. Nine Mile Creek

The Local Option Sales Tax Nine Mile Creek project will start in 2024 with outreach. The project should be designed in 2025, with construction starting in 2026. The project will run down to the Minnesota Department of Natural Resources (MnDNR) State Trail. LMRWD asked whether the City would be coordinating with the MnDNR State Trail project. The City is staying informed on the project, but the MnDNR is leading that project. The City will be coordinating with the NMCWD.

- ii. City SWMP/WPMP Project

The City noted it would be reviewing its SWMP and potentially making updates.

- iii. Are there any water resource related CIP projects within the LMRWD?
- iv. Are there any CIP projects planned within an HVRA?

Agenda/Summary

The City is focusing on targeted street sweeping for pollutant reductions associated with waste load allocation requirements. The City has found street sweeping provides the greatest reduction per unit cost. Street sweeping is done at least twice a year, but it typically happens more often. The City has submitted lab samples of swept material to maximize use of the MPCA calculator. The LMRWD was glad to hear the calculator was proving to be beneficial for the City. The City has two street sweeping crews. Each crew has two mechanical sweepers that are followed by a regenerative sweeper. This method nearly doubles the amount of material swept.

The City is also investigating the use of automated level control for stormwater ponds. The watershed downstream of Tarnhill Pond may be an area of opportunity for flow alterations and habitat restoration projects.

c. Gully Inventory

i. Overview of gully ranking in 2023

- [2023 Gully Inventory and Condition Assessment](#)

ii. Review priority sites (Figure 2)

The initial study was completed to evaluate the gullies within the LMRWD and to determine their condition. The 2023 study looked at the highest priority sites and laid out criteria for determining the highest priority sites. The LMRWD will share shapefiles for the highlighted gullies in the City. The LMRWD is looking to develop feasibility studies in partnership with municipalities.

iii. Other recommendations:

- Gully Accessibility Assessment

iv. Discuss opportunities for partnering on high priority sites

- Planned projects
- Funding opportunities

Water Resources Restoration Fund

The LMRWD is formalizing its Water Resources Restoration Fund cost-share program. Funds are available up to \$100,000, up to 25% of the project cost. More information will be provided soon, and applications are due at the end of February.

The LMRWD new round of Watershed Based Implementation funding is available. The convening process will start next year, and the money will be available in July.

5. Next Steps (Della)

- a. Generate and share meeting summary.

LMRWD Project Inspections

Submitted by: YoungBasic2

Submitted time: Oct 17, 2023, 11:00:39 AM

Permit Number

Bloomington LGU Audit

Project Name

Risor

Date and Time of Inspection

Oct 16, 2023, 1:45:00 PM

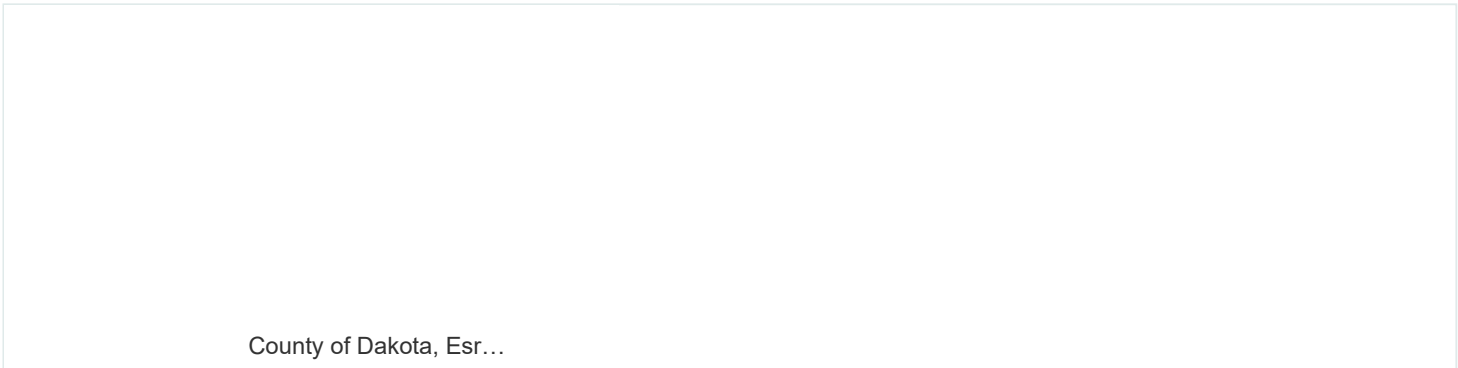
Inspection Type

Construction Complete/Expired Field Inspection

Field Inspection

Location

Lat: 44.85616 Lon: -93.22276



Current Weather

Sunny

Has it Rained in the last 48 hours?

No

Rule B

Is Rule B Applicable?

Yes

Is there any construction activity going on?

No

Are staging areas designated in plans?

No

Are disposal sites designated in plans?

No

Were any discharge locations identified?

No

Were any inlet locations identified?

Yes

Is there evidence of sediment/pollutant build up?

No

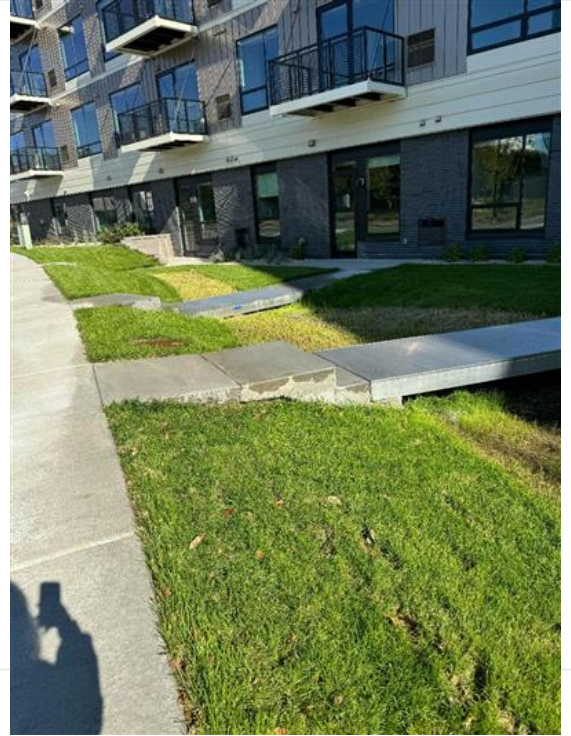
Are there any damaged trees or branches that may present hazardous conditions?

No

Are all disturbed areas restored and is there 70% vegetative cover?

Yes

Take photo



Are there any remaining temporary BMPs?

Yes

What temporary BMPs are in place?

- **Erosion Control Blanket**

Where are they located?

By the steep slopes, but it's not synthetic

Rule C

Is Rule C applicable?

No

Rule D

Is Rule D Applicable?

Yes

Do impervious areas in the construction plan match those seen in the field?

Yes

Do they look well maintained?

Yes

Do permanent stormwater management facilities look like what was proposed?

Yes

Do they look well maintained?

Yes

Are there any outlet control structures associated with stormwater management facilities that differ from those listed in the plans?

No

Do any outlet control structures exist that were not specified in the construction plans?

No

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

Yes

Do they look well maintained?

Yes

Is the site located by or discharge to designated trout waters?

No

Based on the maintenance agreement, are stormwater facilities accessible?

Yes

Does the site have wetlands, marshes, or floodplains?

No

Take photo



Rule F

Is Rule F applicable?

Yes

Were graded steep slopes identified and match what was in the proposed plans?

Yes

Has any erosion issues like rills or gullies occurred?

No

Are temporary stabilization BMPs in place?

Yes

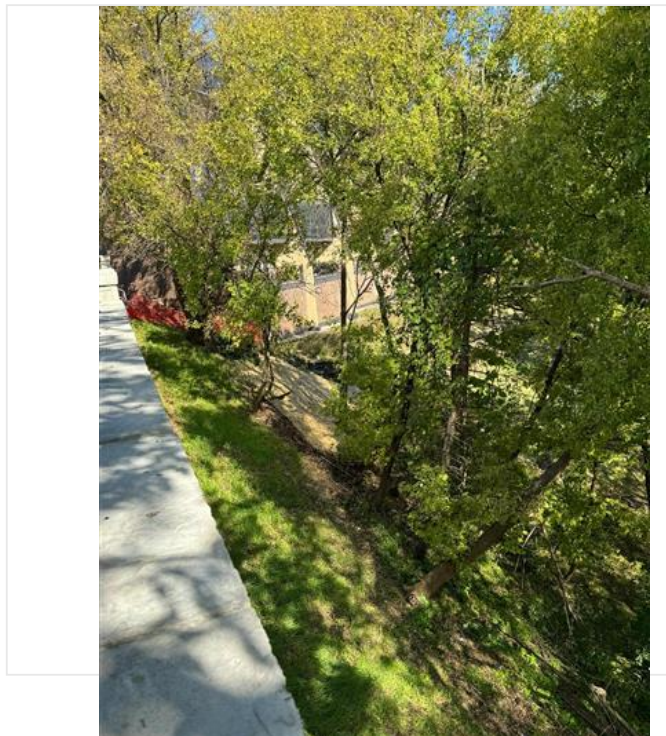
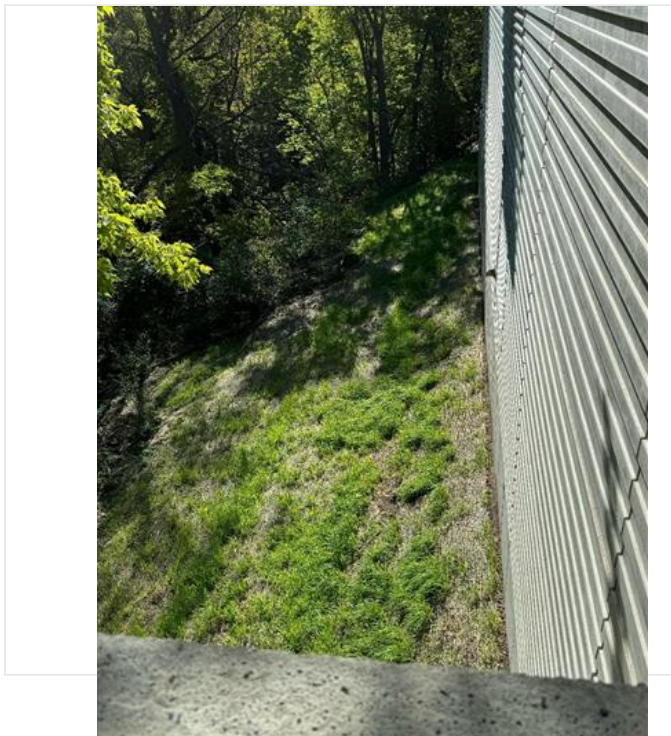
What temporary stabilization BMPs are still on site?

Blanket

Describe location

Along steep slopes

Take photo



Is there any grading in locations not described in construction plans?

No

Are final stabilization measures implemented as described in the construction plans?

Yes

Are there any damaged trees or other disturbed vegetation on the steep slopes that could present hazardous conditions?

No

Are there any water bodies on-site (i.e. ponds, lakes, rivers, wetlands, etc.)?

No

Are there any special stipulations identified in the active LMRWD permit?

No

Does the site require a follow-up reinspection?

No

Technical Memorandum



To: City of Carver: Aaron Schmidt, Assistant City Engineer; Bob Bean, Water Resources Manager; Chad Shell, Public Works Director

From: Karina Weelborg, Water Resources Scientist
Della Schall Young, CPESC, PMP, CTF, Principal Scientist

Date: December 13, 2023

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

Re: LMRWD Municipal Local Governmental Unit (LGU), Permit Audit—City of Carver

The City of Carver (the City) was issued an LGU Permit in February 2021 granting it permission to perform actions under Permit Number 2020-M-02. Pursuant to Rule A, the LMRWD reserves the right to conduct audits of LGU programs as they pertain to conformance with the LGU Permit. Young Environmental Consulting Group (Young Environmental), the LMRWD technical consultant and engineer, thus conducted an audit here. We present the processes, assessments, and findings below.

Process Overview

The LGU Permit audit consisted of the following four steps:

- 1. Audit Kickoff Meeting:** The LMRWD and Young Environmental hosted a meeting with all LGU Permit holders on October 2, 2023, to introduce the audit process, outline the audit schedule, and answer questions. The meeting summary is attached (Appendix A).
- 2. Program Survey:** We developed and shared a survey with the permittees to collect program-specific information. The responses allowed us to better understand elements of the City's implementation process and compile inconsistencies in and misunderstandings of how the permittees interpret LMRWD rules for future rule amendment considerations.
- 3. Project Review:** We asked LGU permittees to submit a project that triggers LMRWD Rule D—Stormwater Management and a second project granted a variance, if applicable. Young Environmental reviewed the submitted projects.
- 4. Field Inspection:** Young Environmental conducted a field inspection of the submitted project (if open or an open project) to better understand how the permittee implements and enforces the LMRWD rules during active construction and postconstruction.

Assessment and Findings

Survey and Interviews

The City completed the survey on October 19, 2023, attached as Appendix B. Young Environmental reviewed the survey and generated a list of clarifying questions that were considered during the City's annual municipal coordination meeting with the LMRWD. See the summary of this

meeting for additional information (Appendix C).

Project Review

For assessment purposes, the City submitted the Brookview project for review (**Figure 1**). This was the only City-permitted project within the LMRWD boundary in 2022 that triggered LMRWD rules and was not granted a variance. The Brookview project triggered LMRWD Rules B—Erosion and Sediment Control, D—Stormwater Management, and F—Steep Slopes. Construction on-site is active. The project consists of constructing a residential subdivision with 24 lots, associated roads, and a wet pond and filtration basin for stormwater management adjacent to the Steep Slopes Overlay District (SSOD). The total disturbed area for the project is 7.04 acres, with 2.34 acres of new impervious surface. The LMRWD received the following documents, consistent with all materials necessary to conduct a complete review, on October 6, 2023:

- Approved Civil Plans by Sambatek; dated November 17, 2021; revised June 9, 2023.
- Final Stormwater Management Plan by Sambatek; dated May 5, 2022.
- National Pollutant Discharge Elimination System (NPDES) Construction Permit Transfer Form; dated October 24, 2023.
- NPDES Erosion Control Inspection Forms by S.M. Hentges and Sons; dated August 15, 2022, through October 27, 2023.
- City of Carver Comments—Preliminary Plat Second Review; dated January 18, 2022.
- City of Carver Comments—Preliminary Plat Third Review; dated February 25, 2022.
- City of Carver Comments—Final Plat First Review; dated April 25, 2022.
- City of Carver Comments—Final Plat Second Review; dated May 18, 2022.

The City did not provide the executed maintenance agreement that the LMRWD requires following conditional approval.

Rule B—Erosion and Sediment Control

The LGU Permit regulates land-disturbing activities that affect one or more acres under Rule B. The Brookview project disturbed approximately 7.04 acres within the LMRWD boundary. The City provided the project's erosion and sediment control plan and stormwater management plan. The project complies with Rule B, which Young Environmental confirmed.

Rule D—Stormwater Management

The LGU Permit regulates land-disturbing activities that create new or reconstructed impervious areas greater than 1 acre. The project proposed 2.34 acres of new impervious surface requiring 0.195 acre-feet of treatment. The project included the construction of a wet pond and filtration bench to meet stormwater management requirements.

The applicant submitted a HydroCAD analysis demonstrating the proposed wet pond and filtration bench provide the required rate control and volume retention. To demonstrate a no-net-increase in total phosphorus and total suspended solids to receiving waterbodies compared with existing conditions, the applicant submitted a Minimal Impact Development Standards model that showed a decrease in both contaminants.

As presented and confirmed by Young Environmental, the project generally complies with Rule D. Prior to issuing a permit, the LMRWD would require an executed maintenance agreement

(Rule D 5.4.4).

Rule F—Steep Slopes

The LGU Permit 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 displacement or removal of 5,000 square feet or more of surface area or vegetation within the overlay area. Rule F requires that projects demonstrate no negative changes to existing drainage patterns, rates, and volumes.

The majority of runoff from the proposed impervious area is directed to the wet pond and filtration bench. Overflow is then directed to a small depression, which eventually drains to a ravine leading to Spring Creek. The City maintains a tiered setback system for steep slopes to prevent development from encroaching on the slopes.

As presented and confirmed by Young Environmental, the project generally complies with Rule F. Prior to issuing a permit, the LMRWD would require an executed maintenance agreement (Rule F 7.5.7).

Field Inspection

Young Environmental field-inspected the Brookview project on October 16, 2023. Construction on-site is active. All temporary best management practices are in place, where needed. Vegetation and a silt fence around the entire site protect the steep slopes. There appears to be slight erosion on the southeast side of the site. However, this area is a graded swale meant to direct water toward the wet pond. Because erosion is not leaving the site and the area will be seeded, the minimal erosion is not a point of concern. All impervious areas associated with project streets have been constructed as proposed. The stormwater management facilities have been graded as proposed and appear maintained. The completed inspection form, with pictures, is attached as Appendix D.

Based on the field inspection, Young Environmental found no LMRWD rule violations on-site. The City will continue to inspect the site until construction is complete.

Summary Recommendations

We commend the City for maintaining a comprehensive permitting program beginning with collecting all required materials per the LGU Permit and concluding with engagement from multiple reviewers. Overall, the results from the survey and interview audit show diligence in the City's process for plan review, permitting, and enforcement.

The summary below presents Young Environmental's findings of areas of excellence and opportunities to enhance either the LMRWD's rules or the City's permitting program.

Areas of Excellence

- Well-trained staff, who have taken the Construction Installer and Design of Construction Stormwater Pollution Prevention Plan courses from the University of Minnesota, inspect City-permitted projects every two weeks—and high-priority sites more frequently.
- The City maintains a tiered setback system for steep slopes to provide additional resource protection.

Areas of Opportunity

- We encourage the City to demand all LGU Permit-required materials, including those the LMRWD requires after conditional approval, prior to issuing a permit.
- We recommend the LMRWD review the City's tiered setback system for steep slopes for its own permitting program.

Attachments

- Figure 1—Brookview Project Location
- Appendix A—LMRWD LGU Permit Audit Kickoff Meeting Summary
- Appendix B—LMRWD LGU Permit Audit Survey—Carver
- Appendix C—LMRWD Municipal Coordination Meeting Summary—Carver
- Appendix D—LMRWD Field Inspection Report—Brookview

Meeting Agenda / Summary



LOWER MINNESOTA RIVER
WATERSHED DISTRICT

Project Name: Lower Minnesota River Watershed District
(LMRWD) Municipal (LGU) Permit Audit
Date: October 2, 2023
Time: 11am–12pm [CST]
Location: Virtual via MS Teams

MEETING OBJECTIVES:

- To initiate the LMRWD audit process as expressed in Rule A.
- To provide information about the Municipal (LGU) Permit Audit Process.
- To address initial questions for municipal partners.

INVITEES: Steve Gurney, Bryan Gruidl, Jack Distel – City of Bloomington
Aaron Schmidt – City of Carver
John Gorder, Jenna Olson – City of Eagan
Krista Spreiter, Ryan Ruzek – City of Mendota Heights
Kirby Templin – City of Shakopee

HOSTS: Linda Loomis – Naiad Consulting and Lower Minnesota River Watershed District
Della Schall Young, Hannah LeClaire, Karina Weelborg – Young Environmental Consulting Group

ATTENDEES: Steve Gurney, Bryan Gruidl, Jack Distel – City of Bloomington
Aaron Schmidt, Bob Bean, Chad Shell – City of Carver
Jenna Olson, Brian Leyendecker – City of Eagan
Ryan Ruzek – City of Mendota Heights
Kirby Templin – City of Shakopee
Linda Loomis – Naiad Consulting and Lower Minnesota River Watershed District
Della Schall Young, Hannah LeClaire, Karina Weelborg – Young Environmental Consulting Group

AGENDA / SUMMARY:

1. Welcome (Linda Loomis)

- Linda welcomed everyone to the meeting and thanked city representatives for their ongoing cooperation and partnership.
- The LMRWD has also completed an inventory of gullies within the LMRWD Boundary which will be discussed at the future municipal coordination meetings.

2. Introductions (All)

- a. State your name and title, City, and role administering the City permitting program
 - Bloomington
 - Bryan Gruidl: Senior Water Resources Engineer, performs project reviews.
 - Steve Gurney: Water Resources Engineer, performs project reviews.
 - Jack Distel: Water Resources Specialist, helps with project reviews and also completes site inspections and WCA reviews.
 - Carver
 - Aaron Schmidt: Assistant City Engineer, performs project/plan reviews.

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- Bob Bean: Water Resources Manager, MS4 program administration and project/plan reviews.
- Chad Shell: Public Works Director
- Eagan
 - Jenna Olson: Water Resources Manager, supporting role for project/development reviews.
 - Brian Leyendecker: Stormwater Specialist, performs project/plan reviews for stormwater features and performs erosion and sediment control inspections.
- Mendota Heights
 - Ryan Ruzek: Public Works Director, performs project/plan reviews.
 - Krista Spreiter: Natural Resources Coordinator, performs erosion and sediment control/site inspections.
- Shakopee
 - Kirby Templin: Water Resources – Environmental Engineer, MS4 program administration, performs stormwater and WCA reviews for projects.
- LMRWD
 - Linda Loomis: LMRWD District Administrator.
- Young Environmental Consulting Group
 - Hannah LeClaire: Water Resources Engineer, LMRWD permitting program lead.
 - Karina Weelborg: Water Resources Scientist, LMRWD permitting program assistant.
 - Della Schall Young: CEO of Young Environmental, Technical Consultant for LMRWD.

3. LGU Permit (Hannah LeClaire)

- a. Rule A: Administrative and Procedural Requirements Section 2.1.5 Audit Process
 - LGU permit allows municipalities to issue permits and manage development within their city as the primary permitting authority.
 - The LGU audit should not be intimidating but is meant to ensure LMRWD rules are being upheld and to improve collective processes.

4. Overview of the LGU Permit Audit Process (Della Schall Young)

- Audit is meant to be a collaborative process where we can learn from each other's processes and improve our programs.
- a. Projects for review:
 - i. City will be asked to provide one [1] or two [2] projects for independent review.
 - One [1] active permitted project that triggers Rule D–Stormwater Management
 - One [1] project granted a variance, if any have been granted since approval of LMRWD LGU Permit
 - Specify the City person who will be responsible for providing the information.
- b. Program survey and interview of permitting personnel
 - i. City will be asked to complete a comprehensive survey on their permitting program.
 - Specify City personnel responsible for completing the survey and addressing potential follow-up questions, if different from the individual providing the projects for review.
 - Goal of survey is to provide a comprehensive overview of City permitting program.

Meeting Agenda / Summary

- Survey also asks what challenges City may have had and what about the LMRWD rules are clear. As an example, Della and Bryan Gruidl recently discussed what certification meant for Rule F.
 - We are giving Cities a couple of weeks to complete the survey, but please complete it as soon as possible.
- c. Field Inspection
- i. LMRWD will coordinate with City designated personnel to conduct a field inspection of the 1 active permitted project reviewed
 - Field inspection portion will be conducted to confirm compliance with the rules on site. We will inspect stormwater management facilities and erosion and sediment control measures.
- d. Audit Conclusion/Debrief
- i. Following completion of the program review, LMRWD will share our findings and recommendations with each city.
 - ii. Depending on findings, an optional or encouraged debrief meeting will be coordinated.
 - The LMRWD will send the City a debrief memo, and results will be discussed at the municipal coordination meetings. If necessary, the City and LMRWD can coordinate a separate meeting to discuss the results.
- e. Action items and tentative schedule

Task	Completion Date	Responsible Party
Send Survey and Request Projects for Review	After Kick-Off Meeting	LMRWD
Return 1–2 Projects with Materials for Review	10/6/2023	City
Field Inspections	10/16/2023	LMRWD
Return Completed Survey	10/17/2023	City
Municipal Coordination Meetings	11/8/2023–11/17/2023	City / LMRWD
Send Audit Debrief Memos	12/11/2023	LMRWD

- i. Are there any concerns with the dates proposed?
- f. LMRWD will send a follow up email with the following attachments:
- i. LMRWD Municipal (LGU) Permit Audit – Project List
 - [LMRWD LGU Audit Project List Spreadsheet Form 100223](#)
 - ii. LMRWD Municipal (LGU) Permit Audit – Survey Questions
 - [LMRWD LGU Audit Interview Questions PDF Form](#)
- g. Coordinate audit of Municipal Permits
- i. Audit contacts:
 - Karina Weelborg – Coordinate documents and survey review and conduct field inspections.
 - Karina Weelborg, Della Schall Young and Linda Loomis – Draft and communicate findings and recommendations.
 - Direct questions to karina@youngecg.com and copy LMRWD admin@lowermnriverwd.org

Meeting Agenda / Summary

- Karina will be the main point of contact, but Della and Linda are available for coordination as well, if necessary.

5. LMRWD Internal Audit Findings and Recommendations (Karina Weelborg)

- Attached PowerPoint slides 6-15 provide an overview of the LMRWD internal audit.
- The internal audit aimed to find improvements for the LMRWD permitting program and to improve the audit process.
- Two project reviews were chosen for audit to ensure all LMRWD rules were covered. Two additional projects were audited to review an expired permit and a variance.
 - The LMRWD has continually improved on the permitting program since 2020.
 - From the project review audit, redundancies were removed and the LMRWD is investigating variable length permits.
- Based on survey results, the LMRWD shortened the survey prior to LGU use. The LMRWD is also reviewing their O&M agreements and conducting inspections in accordance to construction schedule rather than just once a year in the summer.
- No changes were required based on the field inspection audit. The LMRWD uses a comprehensive survey in the Survey 123 application.
 - It was noted that while the survey provides many opportunities for photos, one can never take too many photos.

6. Next Steps (Karina Weelborg)

a. Questions and Clarifications

- **Q:** Does city staff need to attend the field inspection?
 - **A:** City staff are welcome to join but are not required. LMRWD will notify the City when they plan to be on-site.
- **Q:** Are cities only required to provide two projects if one is a variance?
 - **A:** Yes, only one project is required if no variances were issued.
- **Q:** Do you want to see all City variances?
 - **A:** No, we are only requesting variances on LMRWD rules. We don't need to see any zoning variances.
- **Q:** Do you need permit materials?
 - **A:** Yes, we will be requesting all materials used during the project review. We will be asking for contact information for the individual who will be uploading these items, and we will send them a OneDrive link to submit materials.
- **Q:** Can you share the PowerPoint?
 - **A:** Yes
- **Q:** Would you be willing to share the survey report from Survey123?
 - **A:** Yes. And please let us know if there is anything else you would like us to share with you during this process.



LMRWD Municipal (LGU) Permit Audit Survey Questions



City Name: Carver, MN Contributing Staff Name: _____
 Contact Name: Aaron Schmidt Contributing Staff Name: _____
 Contact Email: Aaron.Schmidt@bolton-menk Contributing Staff Name: _____
 Date: 10/19/23 Contributing Staff Name: _____
 Contributing Staff Name: _____

Instructions: The LMRWD Municipal (LGU) Permit Audit Survey Questions were developed to collect program-specific information from LGU permittees. This information will be used to inform the LGU permit audit process. Please fill out the following survey and answer all questions to the best of your ability. There may be more than one staff member needed to answer the questions sufficiently (please include their name/s above). If you have any questions during completion of the survey, please reach out to LMRWD staff.

Permit Review Process

1. Please describe the overall project review process from receipt of an application to issuance of a permit for projects involving erosion control, stormwater, floodplain, and/or steep slope components. In addition to the review process, please include what staff/department(s) conduct reviews and how applications and permits are tracked.

Upon receipt of an application for a project involving erosion control, stormwater, floodplain, and/or steep slopes (e.g., Building Permit, Grading Permit, Planning Review), submitted information is routed to

2. Approximately how many erosion control/stormwater/floodplain/steep slopes permits were issued in 2022? (Only include permits that trigger LMRWD rules.)

1

3. Does the LGU have a permit review fee? Yes No

4. What items are commonly missing from permit applications?

n/a

5. What parts of the permit application process seem to be most confusing to applicants?

n/a

6. What parts of the permit review process seem to be most confusing for reviewers?

No part of the permit review process seems to be confusing for City staff.

7. Upon receipt of a permit application, how are permit reviews delegated to reviewers?

Application materials are routed to city departments for review and comment.

8. What actions are taken if an application is incomplete?

Applicant is informed that additional materials are needed for a complete application in the form of a comment letter.

9. During review of a permit application, how is the review documented (e.g., standard checklist)? Describe the materials used to conduct a permit review.

If an NPDES permit is required, a SWPPP review checklist is utilized. See attached checklist.

10. Regarding recordkeeping, how long are permit records kept on file? Are they archived at a certain point?

They are stored electronically indefinitely.

11. Describe the process for approving a variance request.
 - a. What information/exhibits are required as proof for need of a variance?
n/a
 - b. Who is notified of a variance request? Are they given the opportunity to provide comment?
n/a
 - c. How many variances did the LGU approved in 2022?
0
12. How are long-term stormwater BMP operation and maintenance agreements recorded and tracked? How often are private post-construction stormwater BMPs inspected by LGU staff?
Maintenance agreements must be recorded with the County and are tracked per the City's MS4 Program. The current requirements are outlined in the City's Stormwater Pollution Prevention Program and

Permit Amendments

13. When is a permit amendment required for project changes? What information must be submitted?
Plan revisions during construction must be routed to the city for review and approval.

Field Inspections

14. What LGU staff/department(s) are responsible for conducting project inspections?
Inspections for compliance with NPDES and LMRWD requirements are performed by Bolton & Menk.
15. Are all permitted projects inspected by LGU staff? If not, how does the LGU determine what projects do not require inspections?
All projects requiring a permit are inspected.
16. How do inspectors prepare for their first inspection? Outline the process in detail below, including what materials and information is compiled for the inspection. If a standard inspection checklist or standard operating procedure is used, provide a copy of it. How often is the checklist or procedure reviewed and revised?
Inspection procedures are outlined in the City's SWPPP. A copy of the approved Construction Plans and Construction Site Checklist are utilized. See attached.
17. Schedule/Frequency
 - a. How often are projects inspected?
Inspection frequency is outlined in the City's SWPPP. High priority sites (in sensitive area or history
 - b. Are some projects prioritized for more frequent inspections?
See above response.
 - c. What conditions may warrant changes to the inspection frequency?
Frequent erosion issues without correction would likely warrant identifying an active site as a high
18. Training
 - a. What type of training do inspectors receive if they are responsible for field inspections (e.g., U of M Erosion and Stormwater Management Construction Site Manager)?
Inspectors are trained in Construction Installer and Design of Construction Stormwater Pollution
 - b. How often is training conducted?
Training is conducted every three years.
19. Documentation
 - a. What kind of report is generated as a result of the inspection? Does it detail all problems found at the site or does it document only that the inspection occurred?
A completed checklist (and marked up plan sheets if necessary) documenting site conditions and
 - b. Are findings from the inspection tracked in a central location or data management system?
Inspections are maintained by Bolton & Menk.

Enforcement

20. Describe the LGU overall approach to noncompliance and enforcement of the official controls, including enforcement mechanisms used to obtain compliance.

If a site is found to be non-compliant, a warning letter with the completed checklist is issued to the applicant. The warning letter outlines the issues and a timeline for corrective action. If appropriate action

21. What are the most common construction and/or post-construction violations requiring enforcement actions?

Maintenance of silt fence and rock entrances are typically the most common violations.

22. Are verbal warnings documented?

No.

23. Who follows up on enforcement actions?

The designated Bolton & Menk inspector follows up on initial enforcement actions. If sites exhibit excessive or unnecessarily frequent issues, City staff is coordinated with to determine if additional

Permit Close-Out

24. How is the LGU notified a project is complete?

Release of Financial Security.

25. What information/exhibits are required to close-out a permit?

Record drawings and SWPPP inspection notes.

26. Are field inspections completed by City staff before a permit is closed? Yes No

27. What is the LGU process if required permit close-out information is not provided or if information is incorrect?

The project cannot be closed out until the Record Plans have been provided and the City has accepted all utilities and street construction

After-the-Fact Permits

28. How is the LGU informed of work without a permit?

n/a - have not had an after the fact permit project.

29. Regarding after-the-fact permits for completed and incomplete work, is process same as regular permit review?

Yes No

30. If the process is different, please answer the following questions.

- a. What is the LGU process once informed about work completed without a permit?

- b. What information/exhibits are required to perform an after-the-fact permit review?

31. What is the LGU process if the work completed does not meet LGU standards?

32. When are after-the-fact permitted projects inspected?

- a. If the inspection process differs from normal project inspections, outline the inspection process.

33. Does the LGU utilize enforcement mechanisms for projects that start without a permit, and if so, what enforcement mechanism is used to obtain compliance?

Emergency Work

34. How is the LGU informed of emergency work and what activities qualify as emergency work?

n/a - have not had any emergency work.

35. What actions are taken once the LGU is informed about emergency work? If the review process differs from a regular permit review, briefly describe the process.

36. What is the LGU process if emergency work does not meet LGU standards?

37. Does the LGU inspect emergency work projects? If the inspection process differs from normal project inspections, outline the inspection process.

Regulations

38. Have any code/ordinances that implement and enforce LMRWD Rules been updated or changed since [application date/last audit date/other]? Yes No

a. If yes, please describe what prompted the updates or changes.

b. If yes, please provide a copy of the revised code/ordinances for review.

39. Are any applicable LGU Rules more stringent than the LMRWD rules? If yes, please describe.

Agenda/Summary



PROJECT NAME: LMRWD Municipal Coordination— City of Carver

Date: Monday, November 27, 2023
Start Time: 2:00 p.m.
End Time: 3:00 p.m.
Location: Virtual meeting using Teams

MEETING OBJECTIVES:

- To continue the established collaboration and information sharing framework
- To review recent and upcoming LMRWD and city projects and programs
- To assess resources and share costs on projects that protect or enhance natural resources

INVITEES: Aaron Schmidt, Bob Bean, and Chad Shell— City of Carver

HOSTS: Linda Loomis, Naiad Consulting and Lower Minnesota River Watershed District; Della Young, Erica Bock, and Karina Weelborg, Young Environmental Consulting Group

AGENDA/Summary:

1. Agenda Overview

LMRWD thanked everyone for their time and stated the goal of the meeting was to continue the collaborative spirit.

2. Municipal Permit (Della and Karina)

a. Summary Findings and Recommendations

i. Areas of Excellence

- Permitted projects are inspected every two weeks with high priority sites inspected more frequently.
- Inspections are conducted by well-trained staff who have taken the Construction Installer and Design of Construction SWPP courses from the University of Minnesota.
- A tiered setback system from steep slopes is maintained to provide additional resource protection.

ii. Areas of Opportunity

- Require all LGU Permit required materials, including those the LMRWD requires after conditional approval, prior to issuing a permit.

Agenda/Summary

LMRWD noted that the majority of required materials were sent to the LMRWD on Friday, November 24, 2023. The developer's agreement was not attached to the email. The City will send the LMRWD the developer's agreement.

b. Municipal Permit Audit Follow-Up Questions

i. Survey

- Are applications received via email or an online application?

Most projects within the LMRWD are development projects that go through a highly procedural permitting process. Applications are submitted to the community development director via email.

- The survey notes that a SWPPP checklist is used on projects that require NPDES permits. Does staff use a different checklist for projects that do not require an NPDES permit? If so, please provide us with a copy of both checklists.

The majority of the projects are development projects. They are larger than an acre and require an NPDES permit. Very few projects do not require an NPDES permit. There is not a checklist for projects smaller than an acre.

LMRWD inquired what is required for projects smaller than an acre if there is not a review checklist. The City still reviews all materials and provides a document with comments.

- The survey indicates the projects in sensitive areas are inspected more frequently. What qualifies as a sensitive area?

Areas near bluffs and wetlands would qualify as sensitive areas.

ii. Project review

- The following items are typically required by the LMRWD as conditional approval items. Were these items submitted by the applicant prior to the City issuing a permit?
 - Construction Stormwater NPDES permit
 - Stormwater BMP maintenance agreements
 - Contact information for the contractor
 - Individual responsible for ESC measures
 - Individual to remain liable to the site until final vegetation is established

All items except the stormwater BMP maintenance agreement were received on Friday November 24, 2023. The maintenance agreement is covered under the developer's agreement that will be provided to the LMRWD. The City noted that the process was easy and efficient.

c. Rule C – Floodplain and Drainage Alterations

Agenda/Summary

LMRWD asked if the City would be interested in adding Rule C to its LGU Permit. The City contains multiple watershed management organizations, and it may be easier to have the LMRWD remain as the permitting authority for Rule C. However, the City will not pursue a Rule C permit at this time.

3. Individual Permits (Erica)

- a. Provide Verification of the Active and Conditionally Approved LMRWD Permits in Carver

LMRWD presented the active projects, project inspections, and upcoming projects.

- i. 2022-042 3rd Street Culvert Replacement

Conditional approval for the 3rd Street Culvert Replacement project expires in February. LMRWD will review the need for a potential extension closer to the expiration date. A

- b. 2023 Inspections (Figure 1)
 - i. Total number of projects inspected: 1
 - 2020-110 CSAH 11 Reconstruction
 - ii. 0 sites had follow-ups/maintenance issues:

- c. Upcoming projects

- i. Carver Levee Project

The board would appreciate preliminary information prior to the meeting if possible. The board meets on December 20, 2023 at 7:00 p.m. at the Carver County Government Center. The City will be present at the board meeting to provide a project update.

- ii. 2023-013 Merriam Junction Trail Project

The City and the project team meet once a month. The project is currently going through the environmental review process. The project aims to break ground in 2024. The project has received federal funding and it is believed to be going through the NEPA process.

- iii. MnDOT projects
- iv. Projects in the floodplain

The City has received a grant for restoration and streambank stabilization work at Riverside Park, located within the floodplain. LMRWD had not yet heard about the project, but LMRWD would not be opposed to being a partner on the project. The LMRWD has formalized the Water Resources Restoration Fund cost-sharing program. Cities will have to submit projects for cost-share funds up to \$100,000. The application will be sent to municipalities soon. The city would be interested in seeing if the Riverside Park project would make sense for this program.

4. Projects and Programs (Della)

- a. LMRWD Capital Improvement Projects
 - i. Spring Creek Sites 1 & 2 Bank Stabilization

The project wetland delineation has been complete, and the City has provided notice of

Agenda/Summary

determination. The project is currently on hold as the team navigates potential wetland impacts.

b. City Capital Improvement Projects (CIP)

- i. Are there any water resources related CIP projects within the LMRWD?

Besides the Carver Levee project, there are no other planned projects in the LMRWD at this time. The LMRWD committed to providing \$100,000 for the project, and the City has only used \$75,000 for its flood hazard mitigation assessment. To receive the remaining funds, the City could provide an invoice and documentation of completed work to request the funds prior to construction.

- ii. Are there any CIP projects planned within an HVRA?

c. Gully Inventory

- i. Overview of gully ranking in 2023

- [2023 Gully Inventory and Condition Assessment](#)

- ii. Review the Priority Sites (Figure 2)

An initial study was completed in 2008 to evaluate gullies within the LMRWD. The 2023 assessment reviewed all sites designated as high priority in previous assessments and laid out criteria for the highest priority sites for a feasibility study recommendation.

One of the high priority sites within Carver was recommended for a feasibility study. The City and the LMRWD will continue to collaborate on potential actions in the new year.

- iii. Other recommendations:

- Gully Accessibility Assessment

- iv. Discuss opportunities for partnering on high priority site(s)

- Planned projects
- Funding opportunities

5. Next Steps (Della)

- a. Generate and share meeting summary

LMRWD Project Inspections

Submitted by: YoungBasic2

Submitted time: Oct 17, 2023, 12:32:58 PM

Permit Number

Carver LGU Permit Audit

Project Name

Brookeview

Date and Time of Inspection

Oct 16, 2023, 5:15:00 PM

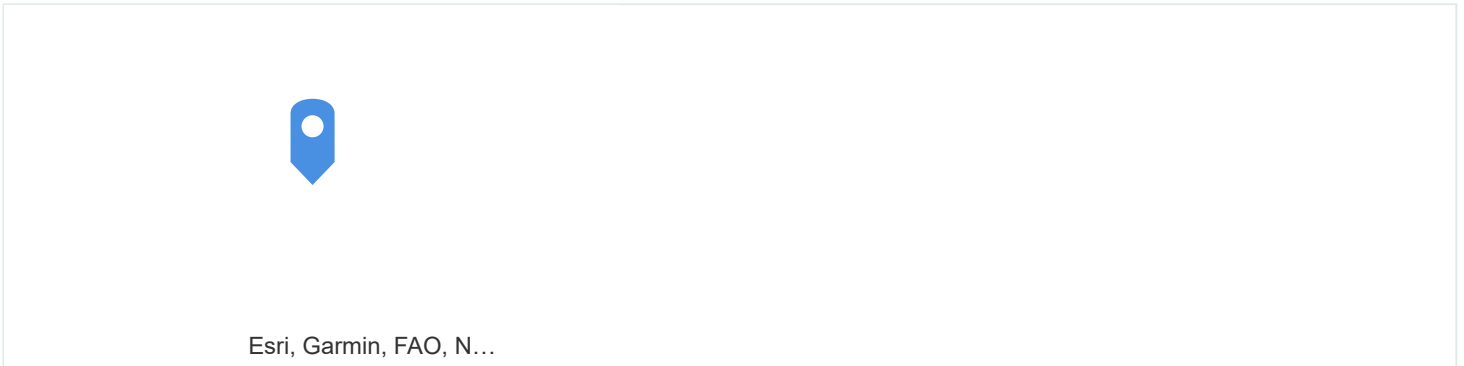
Inspection Type

Active Field Inspection

Field Inspection

Location

Lat: 44.771922 Lon: -93.635049



Current Weather

Sunny

Has it Rained in the last 48 hours?

No

Rule B

Is Rule B Applicable?

Yes

Are there any areas where there is no construction is taking place?

No

Are temporary erosion control BMPs in place as described or shown in the Erosion Control Plan or the Stormwater Management Plan?

Yes

Take photo



RuleB_Image2-20231017-122305.jpg



RuleB_Image2-20231017-122243.jpg



RuleB_Image2-20231017-122228.jpg

Perimeter sediment control BMPs installed as described/shown in the plans?

Yes

Are the BMPs well maintained?

Yes

Are all inlets adjacent to construction protected from sediment as shown on the ESC plans?

Yes

Are there any inlets not on the ESC plan that need inlet protection?

No

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

No

Is there need for additional vehicle tracking BMPS?

No

Are all interior and adjacent roads cleaned, swept, and clear of construction material?

Yes

Is there any evidence of spills?

No

Are there stockpiles of sand, soil additives/amendments on site?

No

Are staging areas identifiable?

No

Are disposal sites identifiable?

No

Were any discharge locations identified?

Yes

Is there evidence of sediment build up?

No

Are energy dispersion BMPs in place?

Yes

Take photo



RuleB_image12-20231017-122822.jpg



RuleB_image12-20231017-122801.jpg



RuleB_image12-20231017-122753.jpg



RuleB_image12-20231017-122728.jpg



RuleB_image12-20231017-122708.jpg

Is there evidence of erosion like rills or gullies?

No

Were any inlet locations identified?

Yes

Is there evidence of sediment/pollutant build up?

No

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

No

Is there anywhere else on site that has erosion or sedimentation?

No

Take photo



RuleB_additionalimage-20231017-123244.jpg



RuleB_additionalimage-20231017-123235.jpg



RuleB_additionalimage-20231017-123226.jpg



RuleB_additionalimage-20231017-123217.jpg



RuleB_additionalimage-20231017-123210.jpg



RuleB_additionalimage-20231017-123204.jpg



RuleB_additionalimage-20231017-123200.jpg

Rule C

Is Rule C applicable?

No

Rule D

Is Rule D Applicable?

Yes

Are any impervious areas constructed?

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 or under construction?

Yes

Do they match what was proposed in the plans?

Yes

Do they appear properly maintained?

Yes

Are stormwater facilities accessible for maintenance?

Yes

Do any visible inlet 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 outlet control structures exist that were not listed in the plans?

No

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

Yes

Take photo



RuleD_overflow2-20231017-123015.jpg

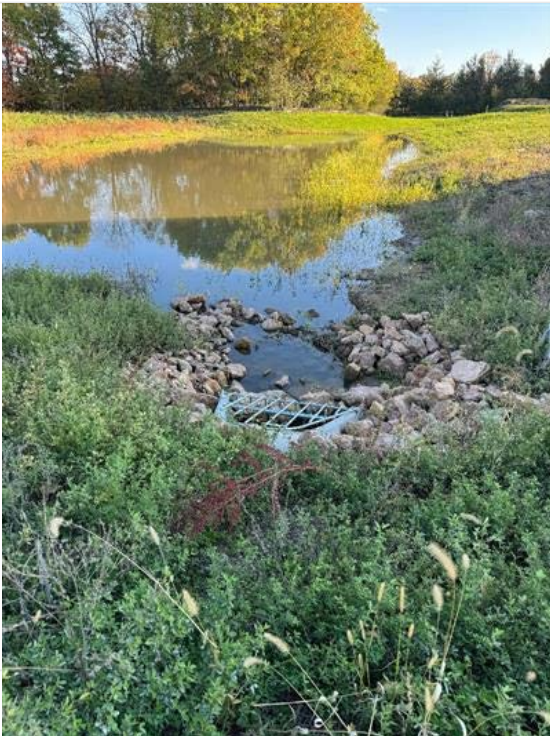


RuleD_overflow2-20231017-123005.jpg

Is the site located by or discharge to designated trout waters?

No

Take photo



Rule F

Is Rule F applicable?

Yes

Were graded steep slopes identified and match what was in the proposed plans?

Yes

Has sedimentation occurred toward the bottom?

No

Has any erosion issues like rills or gullies occurred?

No

Are temporary stabilization BMPs in place?

Yes

Take photo



RuleFa7c-20231017-123118.jpg



RuleFa7c-20231017-123110.jpg



RuleFa7c-20231017-123042.jpg

Is there any grading in locations not described in construction plans?

No

Are there any steep slopes that were not identified in the construction plans?

No

Are there any damaged trees or other disturbed vegetation on the steep slopes that could present hazardous conditions?

No

Are there any water bodies on-site (i.e. ponds, lakes, rivers, wetlands, etc.)?

No

Are there any special stipulations identified in the active LMRWD permit?

No

Does the site require a follow-up reinspection?

No

Technical Memorandum



To: City of Eagan: Jenna Olson, Water Resources Manager; Brian Leyendecker,
Stormwater Specialist

From: Karina Weelborg, Water Resources Scientist
Della Schall Young, CPESC, PMP, CTF, Principal Scientist

Date: December 13, 2023

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

Re: LMRWD Municipal Local Governmental Unit (LGU), Permit Audit—City of Eagan

The City was issued an LGU Permit in December 2020 granting it permission to perform actions as authorized by Permit Number 2020-M-04. Pursuant to Rule A, the LMRWD reserves the right to conduct audits of LGU programs as they pertain to conformance with the LGU Permit. Young Environmental Consulting Group (Young Environmental), the LMRWD’s technical consultant and engineer, conducted an audit, and its process, assessment, and findings are presented below.

Process Overview

The LGU Permit audit consisted of the four steps summarized below:

- 1. Audit Kickoff Meeting:** LMRWD and Young Environmental hosted a meeting with all LGU permit holders on October 2, 2023, to introduce the audit process, provide the audit schedule, and answer questions. The meeting summary is attached (Appendix A).
- 2. Program Survey:** A survey was developed and shared with permittees to collect program-specific information. Responses allowed us to understand elements of the City implementation process and to compile inconsistencies and misunderstandings in how the LMRWD rules are being interpreted for future rule amendment considerations.
- 3. Project Review:** LGU Permittees were asked to submit a project that triggers LMRWD Rule D—Stormwater Management and a second project granted a variance, if applicable. Young Environmental reviewed the submitted projects.
- 4. Field Inspection:** Young Environmental conducted a field inspection of the submitted project (if open or an open project) to understand how the Permittee implements and enforces the LMRWD rules during active construction and post-construction.

Assessment and Findings

Survey and Interviews

The City completed the survey on October 16, 2023, which is attached as Appendix B. Young Environmental reviewed the survey and generated a list of clarifying questions that were considered during the City’s annual municipal coordination meeting with the LMRWD. See the summary of the City’s coordination meeting for additional information (Appendix C).

Project Review

The City permitted two projects within the LMRWD boundary in 2022 that triggered LMRWD rules, and no variances were granted. For assessment purposes, the City submitted the Metropolitan Council Environmental Services Regional Maintenance Facility (MCES RMF) project for review (Figure 1). The MCES RMF project triggered LMRWD Rule B—Erosion and Sediment Control and Rule D—Stormwater Management. Construction on-site is active. The project consists of constructing a building addition, additional parking, and an infiltration basin as well as expanding an existing pond. The total disturbed area for the project is 4.95 acres with 1.3 acres of new impervious surface. The LMRWD received the following documents, consistent with all materials necessary to conduct a complete review:

- Approved Civil Plans by SEH; dated December 30, 2021.
- Stormwater Design Summary by SEH; dated July 15, 2021.
- Grading/Excavation Permit by Eagan; dated August 31, 2023.
- Executed Stormwater Management System Maintenance Agreement; dated December 5, 2022.
- National Pollutant Discharge Elimination System (NPDES) Permit.
- Eagan SWPPP Inspection Report for MCES Building Expansion by Brian Leyendecker; dated February 14, 2023.
- Eagan Water Quality Plan Review Checklist.

Rule B—Erosion and Sediment Control

The LGU Permit regulates land-disturbing activities that affect one or more acres under Rule B. The MCES RMF project disturbs approximately 4.95 acres within the LMRWD boundary. The City provided the project's erosion and sediment control plan, stormwater management plan, and NPDES Construction Stormwater Permit. The project complies with Rule B, as confirmed by Young Environmental.

Rule D—Stormwater Management

The LGU Permit regulates land-disturbing activities that create new or reconstructed impervious areas greater than one acre. The project proposed 1.3 acres of new impervious surface requiring 0.108 ac-ft of treatment. The project included the construction of an infiltration basin and expansion of an existing pond to meet stormwater management requirements.

The applicant submitted a HydroCAD analysis demonstrating that the proposed basin and expanded pond will provide the required rate control and volume retention. The applicant did not submit water quality modeling to demonstrate a no-net increase in total phosphorus and total suspended solids. The City did not require water quality modeling because volume retention was met by the infiltration basin, thereby meeting all water quality requirements.

As presented and confirmed by Young Environmental, the project complies with Rule D.

Field Inspection

Young Environmental field inspected the MCES RMF project on October 16, 2023. Construction on-site is active. Temporary best management practices are in place where needed. There is no evidence of sedimentation or erosion on-site. Additionally, impervious areas are being constructed as proposed and appear maintained. The stormwater management facilities have been graded as

proposed and appear maintained. The completed inspection report with pictures, is attached as Appendix D.

Based on the field inspection, no LMRWD rule violations were found on-site. The City will continue to inspect the site until construction is complete and the project can be closed.

Summary Recommendations

The City should be commended for maintaining a comprehensive permitting program beginning with collecting all required materials per the LGU Permit and concluding with engagement from multiple departments. Overall, the results from the survey and interview audit show diligence in the City's process for plan review, permitting, and enforcement.

The summary below presents Young Environmental's findings as areas of excellence and opportunities to enhance either the District's rules or the City's permitting program.

Areas of excellence

- City-permitted projects are inspected every two weeks, with high-priority sites inspected more frequently.
- Inspections are conducted by well-trained staff who have taken the Construction Site Management course at the University of Minnesota.

Areas of opportunity

- It is recommended that the LMRWD review the benefits and limitations of not requiring water quality modeling when volume retention requirements are met via infiltration.

Attachments

- Figure 1—MCES RMF Project Area
- Appendix A—LMRWD Municipal (LGU) Permit Audit Kickoff Meeting Summary
- Appendix B—LMRWD Municipal (LGU) Permit Audit Survey—Eagan
- Appendix C—LMRWD Municipal Coordination Meeting Summary—Eagan
- Appendix D—LMRWD Field Inspection Report—MCES RMF

Meeting Agenda / Summary



LOWER MINNESOTA RIVER
WATERSHED DISTRICT

Project Name: Lower Minnesota River Watershed District
(LMRWD) Municipal (LGU) Permit Audit
Date: October 2, 2023
Time: 11am–12pm [CST]
Location: Virtual via MS Teams

MEETING OBJECTIVES:

- To initiate the LMRWD audit process as expressed in Rule A.
- To provide information about the Municipal (LGU) Permit Audit Process.
- To address initial questions for municipal partners.

INVITEES: Steve Gurney, Bryan Gruidl, Jack Distel – City of Bloomington
Aaron Schmidt – City of Carver
John Gorder, Jenna Olson – City of Eagan
Krista Spreiter, Ryan Ruzek – City of Mendota Heights
Kirby Templin – City of Shakopee

HOSTS: Linda Loomis – Naiad Consulting and Lower Minnesota River Watershed District
Della Schall Young, Hannah LeClaire, Karina Weelborg – Young Environmental Consulting Group

ATTENDEES: Steve Gurney, Bryan Gruidl, Jack Distel – City of Bloomington
Aaron Schmidt, Bob Bean, Chad Shell – City of Carver
Jenna Olson, Brian Leyendecker – City of Eagan
Ryan Ruzek – City of Mendota Heights
Kirby Templin – City of Shakopee
Linda Loomis – Naiad Consulting and Lower Minnesota River Watershed District
Della Schall Young, Hannah LeClaire, Karina Weelborg – Young Environmental Consulting Group

AGENDA / SUMMARY:

1. Welcome (Linda Loomis)

- Linda welcomed everyone to the meeting and thanked city representatives for their ongoing cooperation and partnership.
- The LMRWD has also completed an inventory of gullies within the LMRWD Boundary which will be discussed at the future municipal coordination meetings.

2. Introductions (All)

- a. State your name and title, City, and role administering the City permitting program
 - Bloomington
 - Bryan Gruidl: Senior Water Resources Engineer, performs project reviews.
 - Steve Gurney: Water Resources Engineer, performs project reviews.
 - Jack Distel: Water Resources Specialist, helps with project reviews and also completes site inspections and WCA reviews.
 - Carver
 - Aaron Schmidt: Assistant City Engineer, performs project/plan reviews.

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- Bob Bean: Water Resources Manager, MS4 program administration and project/plan reviews.
- Chad Shell: Public Works Director
- Eagan
 - Jenna Olson: Water Resources Manager, supporting role for project/development reviews.
 - Brian Leyendecker: Stormwater Specialist, performs project/plan reviews for stormwater features and performs erosion and sediment control inspections.
- Mendota Heights
 - Ryan Ruzek: Public Works Director, performs project/plan reviews.
 - Krista Spreiter: Natural Resources Coordinator, performs erosion and sediment control/site inspections.
- Shakopee
 - Kirby Templin: Water Resources – Environmental Engineer, MS4 program administration, performs stormwater and WCA reviews for projects.
- LMRWD
 - Linda Loomis: LMRWD District Administrator.
- Young Environmental Consulting Group
 - Hannah LeClaire: Water Resources Engineer, LMRWD permitting program lead.
 - Karina Weelborg: Water Resources Scientist, LMRWD permitting program assistant.
 - Della Schall Young: CEO of Young Environmental, Technical Consultant for LMRWD.

3. LGU Permit (Hannah LeClaire)

- a. Rule A: Administrative and Procedural Requirements Section 2.1.5 Audit Process
 - LGU permit allows municipalities to issue permits and manage development within their city as the primary permitting authority.
 - The LGU audit should not be intimidating but is meant to ensure LMRWD rules are being upheld and to improve collective processes.

4. Overview of the LGU Permit Audit Process (Della Schall Young)

- Audit is meant to be a collaborative process where we can learn from each other's processes and improve our programs.
- a. Projects for review:
 - i. City will be asked to provide one [1] or two [2] projects for independent review.
 - One [1] active permitted project that triggers Rule D–Stormwater Management
 - One [1] project granted a variance, if any have been granted since approval of LMRWD LGU Permit
 - Specify the City person who will be responsible for providing the information.
- b. Program survey and interview of permitting personnel
 - i. City will be asked to complete a comprehensive survey on their permitting program.
 - Specify City personnel responsible for completing the survey and addressing potential follow-up questions, if different from the individual providing the projects for review.
 - Goal of survey is to provide a comprehensive overview of City permitting program.

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- Survey also asks what challenges City may have had and what about the LMRWD rules are clear. As an example, Della and Bryan Gruidl recently discussed what certification meant for Rule F.
 - We are giving Cities a couple of weeks to complete the survey, but please complete it as soon as possible.
- c. Field Inspection
- i. LMRWD will coordinate with City designated personnel to conduct a field inspection of the 1 active permitted project reviewed
 - Field inspection portion will be conducted to confirm compliance with the rules on site. We will inspect stormwater management facilities and erosion and sediment control measures.
- d. Audit Conclusion/Debrief
- i. Following completion of the program review, LMRWD will share our findings and recommendations with each city.
 - ii. Depending on findings, an optional or encouraged debrief meeting will be coordinated.
 - The LMRWD will send the City a debrief memo, and results will be discussed at the municipal coordination meetings. If necessary, the City and LMRWD can coordinate a separate meeting to discuss the results.
- e. Action items and tentative schedule

Task	Completion Date	Responsible Party
Send Survey and Request Projects for Review	After Kick-Off Meeting	LMRWD
Return 1–2 Projects with Materials for Review	10/6/2023	City
Field Inspections	10/16/2023	LMRWD
Return Completed Survey	10/17/2023	City
Municipal Coordination Meetings	11/8/2023–11/17/2023	City / LMRWD
Send Audit Debrief Memos	12/11/2023	LMRWD

- i. Are there any concerns with the dates proposed?
- f. LMRWD will send a follow up email with the following attachments:
- i. LMRWD Municipal (LGU) Permit Audit – Project List
 - [LMRWD LGU Audit Project List Spreadsheet Form 100223](#)
 - ii. LMRWD Municipal (LGU) Permit Audit – Survey Questions
 - [LMRWD LGU Audit Interview Questions PDF Form](#)
- g. Coordinate audit of Municipal Permits
- i. Audit contacts:
 - Karina Weelborg – Coordinate documents and survey review and conduct field inspections.
 - Karina Weelborg, Della Schall Young and Linda Loomis – Draft and communicate findings and recommendations.
 - Direct questions to karina@youngecg.com and copy LMRWD admin@lowermnriverwd.org

Meeting Agenda / Summary

- Karina will be the main point of contact, but Della and Linda are available for coordination as well, if necessary.

5. LMRWD Internal Audit Findings and Recommendations (Karina Weelborg)

- Attached PowerPoint slides 6-15 provide an overview of the LMRWD internal audit.
- The internal audit aimed to find improvements for the LMRWD permitting program and to improve the audit process.
- Two project reviews were chosen for audit to ensure all LMRWD rules were covered. Two additional projects were audited to review an expired permit and a variance.
 - The LMRWD has continually improved on the permitting program since 2020.
 - From the project review audit, redundancies were removed and the LMRWD is investigating variable length permits.
- Based on survey results, the LMRWD shortened the survey prior to LGU use. The LMRWD is also reviewing their O&M agreements and conducting inspections in accordance to construction schedule rather than just once a year in the summer.
- No changes were required based on the field inspection audit. The LMRWD uses a comprehensive survey in the Survey 123 application.
 - It was noted that while the survey provides many opportunities for photos, one can never take too many photos.

6. Next Steps (Karina Weelborg)

a. Questions and Clarifications

- **Q:** Does city staff need to attend the field inspection?
 - **A:** City staff are welcome to join but are not required. LMRWD will notify the City when they plan to be on-site.
- **Q:** Are cities only required to provide two projects if one is a variance?
 - **A:** Yes, only one project is required if no variances were issued.
- **Q:** Do you want to see all City variances?
 - **A:** No, we are only requesting variances on LMRWD rules. We don't need to see any zoning variances.
- **Q:** Do you need permit materials?
 - **A:** Yes, we will be requesting all materials used during the project review. We will be asking for contact information for the individual who will be uploading these items, and we will send them a OneDrive link to submit materials.
- **Q:** Can you share the PowerPoint?
 - **A:** Yes
- **Q:** Would you be willing to share the survey report from Survey123?
 - **A:** Yes. And please let us know if there is anything else you would like us to share with you during this process.



LMRWD Municipal (LGU) Permit Audit Survey Questions



City Name: Eagan Contributing Staff Name: Brian Leyendecker
 Contact Name: Gregg Thompson Contributing Staff Name: _____
 Contact Email: gthompson@cityofeagan.com Contributing Staff Name: _____
 Date: 10/16/2023 Contributing Staff Name: _____
 Contributing Staff Name: _____

Instructions: The LMRWD Municipal (LGU) Permit Audit Survey Questions were developed to collect program-specific information from LGU permittees. This information will be used to inform the LGU permit audit process. Please fill out the following survey and answer all questions to the best of your ability. There may be more than one staff member needed to answer the questions sufficiently (please include their name/s above). If you have any questions during completion of the survey, please reach out to LMRWD staff.

Permit Review Process

1. Please describe the overall project review process from receipt of an application to issuance of a permit for projects involving erosion control, stormwater, floodplain, and/or steep slope components. In addition to the review process, please include what staff/department(s) conduct reviews and how applications and permits are tracked.

Upon receipt of an application, checked for "completeness" against application checklists. Once the appli

2. Approximately how many erosion control/stormwater/floodplain/steep slopes permits were issued in 2022? (Only include permits that trigger LMRWD rules.)

2

3. Does the LGU have a permit review fee? Yes No

4. What items are commonly missing from permit applications?

SWPPP Phase 1 Erosion & Sediment Control Plan (applications often only initially include a Phase 2 ESC

5. What parts of the permit application process seem to be most confusing to applicants?

Why review process (including revision requests) can take so long.

6. What parts of the permit review process seem to be most confusing for reviewers?

Providing a comprehensive SWPPP plan set.

7. Upon receipt of a permit application, how are permit reviews delegated to reviewers?

There are specific staff people that act as primary points of contact for specific permits. These specific sta

8. What actions are taken if an application is incomplete?

Applicant is notified that application is incomplete and given a detailed list of what is missing. A timeline i

9. During review of a permit application, how is the review documented (e.g., standard checklist)? Describe the materials used to conduct a permit review.

The City uses various permit application checklists, specific to those permits, for checking for completen

10. Regarding recordkeeping, how long are permit records kept on file? Are they archived at a certain point?

Dependent on the type of permit, record retention can range from 2 years to permanent. Permanent reco

11. Describe the process for approving a variance request.
 - a. What information/exhibits are required as proof for need of a variance?

For a variance to stormwater requirements, would need to follow documentation steps and alternative
 - b. Who is notified of a variance request? Are they given the opportunity to provide comment?

Only variance allowed would be use of alternative stormwater management (e.g. filtration vs. infiltration)
 - c. How many variances did the LGU approved in 2022?

zero
12. How are long-term stormwater BMP operation and maintenance agreements recorded and tracked? How often are private post-construction stormwater BMPs inspected by LGU staff?

Long-term stormwater BMP operation and maintenance agreements are recorded at Dakota County and t

Permit Amendments

13. When is a permit amendment required for project changes? What information must be submitted?

The City has not amended permits, but has required new permit applications if scope changes and a differ

Field Inspections

14. What LGU staff/department(s) are responsible for conducting project inspections?

For Stormwater and Erosion-Control, project inspections are conducted by City Water Resources staff (B
15. Are all permitted projects inspected by LGU staff? If not, how does the LGU determine what projects do not require inspections?

Yes, all permitted projects are inspected by LGU staff.
16. How do inspectors prepare for their first inspection? Outline the process in detail below, including what materials and information is compiled for the inspection. If a standard inspection checklist or standard operating procedure is used, provide a copy of it. How often is the checklist or procedure reviewed and revised?

Inspectors prepare with review of plan sets and additional documentation (stormwater management repor
17. Schedule/Frequency
 - a. How often are projects inspected?

Monthly and after every rain event 0.5" or greater.
 - b. Are some projects prioritized for more frequent inspections?

Yes
 - c. What conditions may warrant changes to the inspection frequency?

Past issues, slopes, nearby critical resources, etc.
18. Training
 - a. What type of training do inspectors receive if they are responsible for field inspections (e.g., U of M Erosion and Stormwater Management Construction Site Manager)?

Yes - U of M Construction Site Management
 - b. How often is training conducted?

every 2 years
19. Documentation
 - a. What kind of report is generated as a result of the inspection? Does it detail all problems found at the site or does it document only that the inspection occurred?

A pdf is generated of the inspection report. This report details problems at site needing correction.
 - b. Are findings from the inspection tracked in a central location or data management system?

Yes - currently in OneNote, soon moving into a specialized application that can provide wider internal

Enforcement

20. Describe the LGU overall approach to noncompliance and enforcement of the official controls, including enforcement mechanisms used to obtain compliance.

In the case of a non-compliance construction site, notice of correction is provided along with the corrective

21. What are the most common construction and/or post-construction violations requiring enforcement actions?

Sediment tracking off of a construction site not being effectively prevented and not being cleaned up quickly

22. Are verbal warnings documented?

No

23. Who follows up on enforcement actions?

Stormwater Specialist, Engineering Technicians, Assistant City Engineering, Chief Building Inspector, City

Permit Close-Out

24. How is the LGU notified a project is complete?

Typically from contact (email/phone call) by General Contractor requesting final inspection.

25. What information/exhibits are required to close-out a permit?

For Stormwater/Erosion-Control, following checklist of MPCA Construction Stormwater Permit.

26. Are field inspections completed by City staff before a permit is closed? Yes No

27. What is the LGU process if required permit close-out information is not provided or if information is incorrect?

If required information is not provided (or incorrect), City will issue Project Punch List to applicant and hold

After-the-Fact Permits

28. How is the LGU informed of work without a permit?

Complaint by public, Contact by other City staff, etc.

29. Regarding after-the-fact permits for completed and incomplete work, is process same as regular permit review?

Yes No

30. If the process is different, please answer the following questions.

- a. What is the LGU process once informed about work completed without a permit?

Pursue enforcement action if justified and also expedited review process to get project into compliance

- b. What information/exhibits are required to perform an after-the-fact permit review?

Complying plans

31. What is the LGU process if the work completed does not meet LGU standards?

With proper communication documentation and correction timeline, City can use Stormwater Management

32. When are after-the-fact permitted projects inspected?

Initially at least weekly inspection frequency if still active site, but with proof of compliance, then to monthly

- a. If the inspection process differs from normal project inspections, outline the inspection process.

Initially the inspections would be more frequent to ensure compliance.

33. Does the LGU utilize enforcement mechanisms for projects that start without a permit, and if so, what enforcement mechanism is used to obtain compliance?

Yes - Illicit Discharge enforcement with City Attorney's office.

Emergency Work

34. How is the LGU informed of emergency work and what activities qualify as emergency work?

Typically notified by other agencies or utility contractors - typically "emergency work" pertains to unexpect

35. What actions are taken once the LGU is informed about emergency work? If the review process differs from a regular permit review, briefly describe the process.

Site inspection(s) arranged with responsible party to discuss immediate steps needed and determine permit

36. What is the LGU process if emergency work does not meet LGU standards?

City would not return any performance security escrows until emergency work was able to meet LGU stan

37. Does the LGU inspect emergency work projects? If the inspection process differs from normal project inspections, outline the inspection process.

If the emergency work has a City permit or should have a City permit.

Regulations

38. Have any code/ordinances that implement and enforce LMRWD Rules been updated or changed since [application date/last audit date/other]? Yes No

a. If yes, please describe what prompted the updates or changes.

Increased phosphorus removal requirement, added Stormwater Management Permit requirements for

b. If yes, please provide a copy of the revised code/ordinances for review.

https://library.municode.com/mn/eagan/codes/code_of_ordinances?nodeId=CICO_CH4COLIPEH

39. Are any applicable LGU Rules more stringent than the LMRWD rules? If yes, please describe.

Yes - City has Soil Management requirements (pertaining to volume and rate control calculations) and out

Agenda/ Summary



PROJECT NAME: LMRWD Municipal Coordination – City of Eagan

Date: Wednesday, November 29, 2023
Start Time: 10:00 a.m.
End Time: 11:00 a.m.
Location: Virtual meeting using Teams

MEETING OBJECTIVES:

- To continue the established collaboration and information sharing framework
- To review recent and upcoming LMRWD and City projects and programs
- To assess resources and share costs on projects that protect or enhance natural resources

INVITEES: Jenna Olson, Water Resources Manager, Gregg Thompson, and Brian Leyendecker – City of Eagan

HOSTS: Linda Loomis – Naiad Consulting and Lower Minnesota River Watershed District
Della Young, Erica Bock, and Karina Weelborg – Young Environmental Consulting Group

AGENDA/Summary:

1. Introduction and Agenda Overview

Introductions

Jenna Olson—Water Resources Manager, City of Eagan

Gregg Thompson—Water Resource Specialist, City of Eagan

Brian Leyendecker—Stormwater Specialist, City of Eagan

Linda Loomis—District Administrator, LMRWD

Erica Bock—Water Resources Scientist, Young Environmental

Karina Weelborg—Water Resources Scientist, Young Environmental

Della Young—Owner of Young Environmental Consulting Group, District Technical Advisor

The LMRWD noted that the municipal coordination meetings are held once a year to see how the LMRWD and the City can collaborate. The LMRWD thanked the City for its time and continued partnership.

2. Municipal Permit (Della and Karina)

- a. Summary Findings and Recommendations

Agenda/ Summary

i. Areas of Excellence

- Permitted projects are inspected every two weeks with high priority sites inspected more frequently.
- Inspections are conducted by well-trained staff who have taken the Construction Site Management course from the University of Minnesota.

LMRWD staff presented the findings of the municipal permitting audit and noted the staff is doing a great job. There were no areas in which the process needed amending. The City was commended for running a well-maintained permitting program.

b. Municipal Permit Audit Follow-Up Questions

i. Survey

The City provided comprehensive answers for all follow-up questions.

- Are applications received via email or an online application? If both formats are utilized, which format is used more often by applicants. If an online application is used, are applicants able to save and come back to the application later?

Applications are currently emailed to Community Development and sent to other departments as needed. In 2024, the City will roll out a new comprehensive permitting program, Land Management (LAMA), developed by the Davenport Group. The program should be fully in place by 2025. The program will assist with communication between departments.

- What is the software used for reviewing plan sets?

Currently, the City uses PDFs in BlueBeam. Several PDFs are marked up by various departments. The City is hoping to move to a more collaborative process with LAMA and send applicants one set of marked-up plans.

- How does the City determine the retention time of permits (survey lists 2 – 10 years)?

The City follows the MS4 permit retention requirement of three years but aims to maintain records for a minimum of 10 years. Documents are retained indefinitely online through their Laserfiche program.

- It was noted in the survey that project sites with previous noncompliance or project sites located in sensitive areas are inspected more frequently. What is the increased inspection frequency for these sites?

Agenda/ Summary

The latest MS4 update required cities to develop a method for determining inspection frequency. The City has created a matrix with risk factors to inform inspection staff of how frequently a site should be inspected. Scores correlate to weekly, biweekly, and monthly inspections.

Karina requested a copy of the matrix (provided on November 29, 2023).

3. Individual Permits (Erica)

- a. Provide Verification of the Active and Conditionally Approved LMRWD Permits in Egan

LMRWD Staff provided an overview of the active projects, project inspections, and upcoming projects.

- i. 2022-019 I494 SP2785-433
- ii. 2023-007 MN River Greenway Trail

- b. 2023 Inspections (Figure 1)

- i. Total number of projects inspected: 2
 - 2021-042 Hwy 13 and Lone Oak
 - 2022-019 I494 SP2785-433
- ii. 0 sites had follow-ups/maintenance issues

- c. Upcoming projects

- i. 2023-010 MN River Greenway Railroad Bridge

The LMRWD has not heard from the project team in a while but expects an application in early 2024. The City does not have any updates related to this project because it is not highly involved in county projects.

the LMRWD rules are written to provide oversight of MnDOT and other agencies the City does not. She stated that if the City has any concerns with these types of projects, it should not hesitate to let the LMRWD know.

Jenna said that the City has more boots on the ground and would let the LMRWD know if it saw any issues. She asked if the City should contact Linda directly. Linda said that she could be contacted directly, and the LMRWD maintains a permits email that gets sent to the entire review team.

The LMRWD stated it could proactively ask the City if it has any questions or concerns throughout the year.

4. Projects and Programs (Della)

- a. LMRWD Capital Improvement Projects

- i. Nicols Fen and Gun Club Lake Fen Stewardship Plans and Private Land Acquisition Studies

Agenda/ Summary

Fens are under the purview of the DNR, and it has asked the LMRWD to assist. The LMRWD has developed Fen Stewardship Plans, which are akin to management plans. A gaps analysis was previously completed and identified lands for acquisition. The next phase of the project is to conduct a feasibility study and determine what the land acquisition would look like.

ii. [Trout Streams Geomorphic Assessments](#)

- Several trout streams located in Nicols Fen HVRA
- Unnamed 1 (Harnack)

The initial assessment was completed in 2019. A second assessment will be done on the current stability of the streams.

b. City Capital Improvement Projects

i. Are there any water resource related CIP projects within the LMRWD?

The City stated it just contracted MN Dirt Works for the RVA Gully Stabilization and Pond Sedimentation project. Stantec is the project engineer. The project schedule has not yet been developed.

The City will also be performing stormwater basin maintenance to remove sediment in 2024.

Linda said that she would send the City a cost-share agreement for the project.

ii. Are there any CIP projects planned within an HVRA?

c. Gully Inventory

i. Overview of gully ranking in 2023

- [2023 Gully Inventory and Condition Assessment](#)

ii. Review the Priority Sites (Figure 2)

An initial study was completed to evaluate gullies in the LMRWD. The 2023 assessment reviewed all sites designated as high-priority in previous assessments and laid out criteria for the highest-priority sites.

The LMRWD said it would provide the City with a shapefile of the gully sites presented and asked whether they matched what the City is aware of.

Gregg said that he was unaware of one of the gullies near Metropolitan Council property and a residential backyard.

If the City wants to partner on repairing a gully after further review of the data, it should reach out because the LMRWD wants to work with willing partners.

Agenda/ Summary

The LMRWD is formalizing its cost-share program. Information will be sent to the relevant cities soon. The program provides funds up to \$100,000 dollars, and the application deadline is February 29, 2024.

- iii. Other recommendations:
 - Gully Accessibility Assessment
- iv. Discuss opportunities for partnering on high priority site(s)
 - Planned projects
 - Funding opportunities

5. Next Steps (Della)

- a. Generate and share meeting summary

LMRWD Project Inspections

Submitted by: YoungBasic2

Submitted time: Oct 17, 2023, 10:32:01 AM

Permit Number

Eagan LGU Permit Audit

Project Name

MCES RMF

Date and Time of Inspection

Oct 16, 2023, 2:31:00 PM

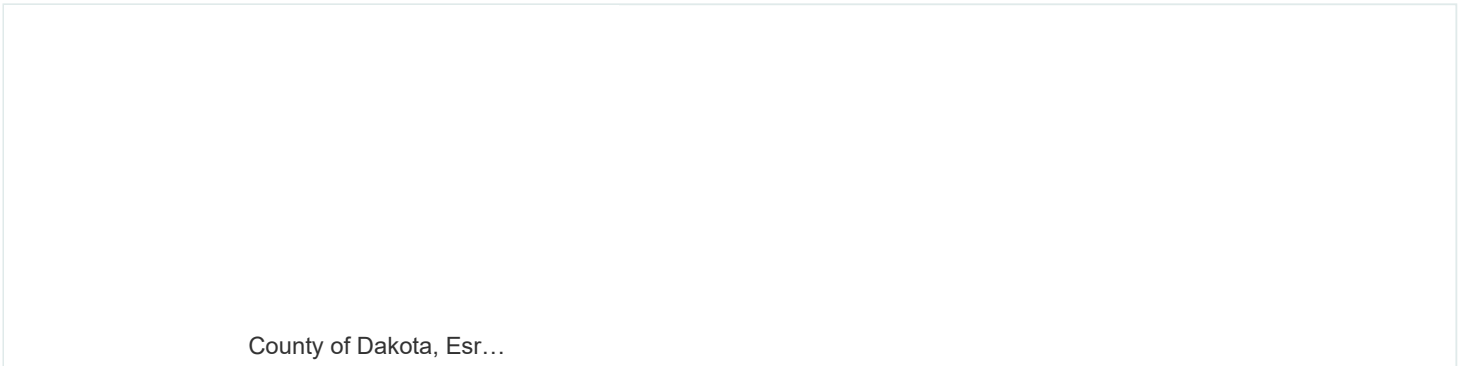
Inspection Type

Active Field Inspection

Field Inspection

Location

Lat: 44.830806 Lon: -93.201894



Current Weather

Sunny

Has it Rained in the last 48 hours?

No

Rule B

Is Rule B Applicable?

Yes

Are there any areas where there is no construction is taking place?

No

Are temporary erosion control BMPs in place as described or shown in the Erosion Control Plan or the Stormwater Management Plan?

Yes

Take photo



RuleB_Image2-20231017-102803.jpg





Perimeter sediment control BMPs installed as described/shown in the plans?

Yes

Are the BMPs well maintained?

Yes

Are all inlets adjacent to construction protected from sediment as shown on the ESC plans?

Yes

Are there any inlets not on the ESC plan that need inlet protection?

No

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

No

Is there need for additional vehicle tracking BMPS?

No

Are all interior and adjacent roads cleaned, swept, and clear of construction material?

Yes

Is there any evidence of spills?

No

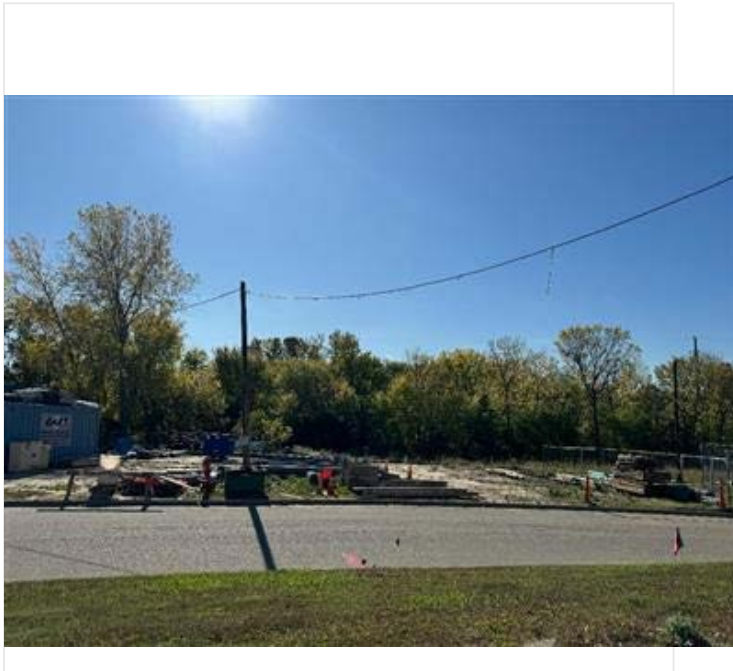
Are there stockpiles of sand, soil additives/amendments on site?

Yes

Are temporary BMPs in place to prevent erosion?

Yes

Take photo



RuleB_Image9-20231017-102932.jpg

Are staging areas identifiable?

Yes

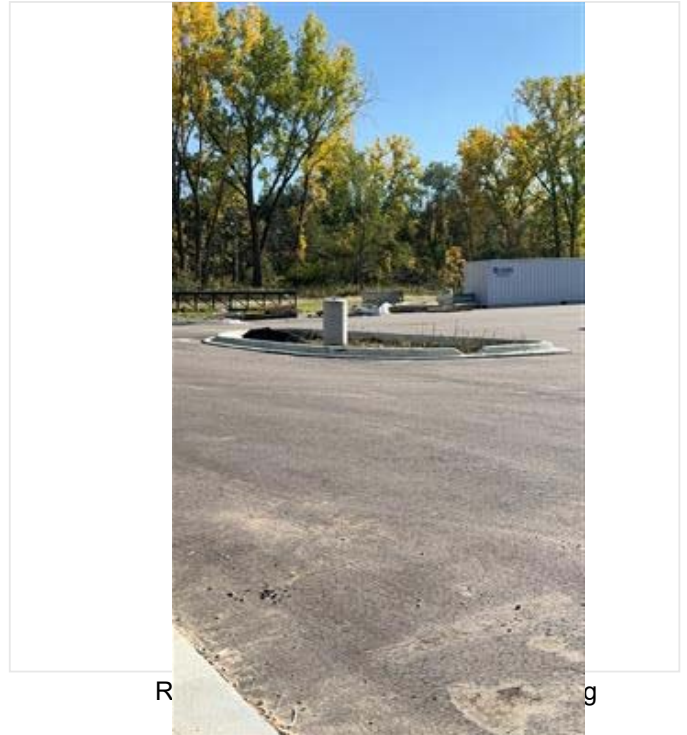
Are temporary BMPs in place to prevent erosion?

Yes

Take photo



RuleB_Image10-20231016-191831.jpg



R g

Are disposal sites identifiable?

No

Were any discharge locations identified?

Yes

Is there evidence of sediment build up?

No

Are energy dispersion BMPs in place?

Yes

Is there evidence of erosion like rills or gullies?

No

Were any inlet locations identified?

Yes

Is there evidence of sediment/pollutant build up?

No

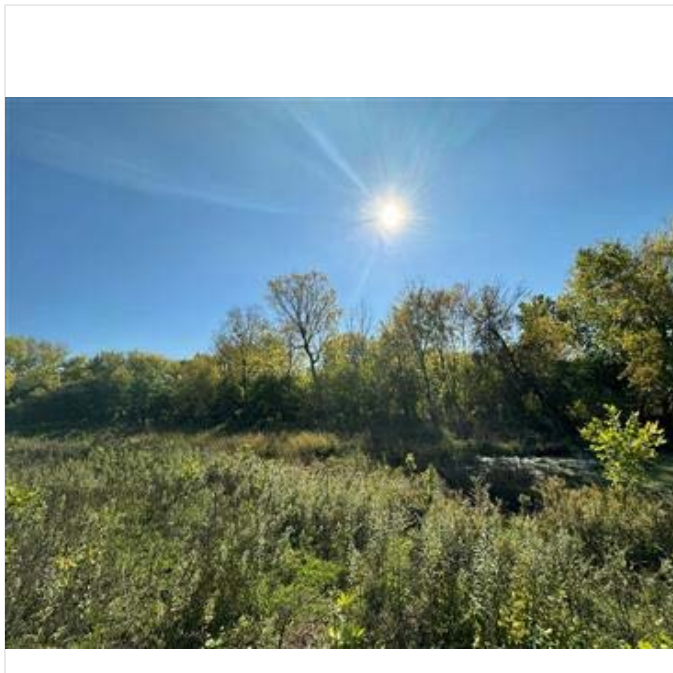
Are there any damaged trees or branches that may present hazardous conditions?

No

Is there anywhere else on site that has erosion or sedimentation?

No

Take photo



RuleB_additionalimage-20231017-103106.jpg



RuleB_additionalimage-20231017-103106.jpg

Rule C

Is Rule C applicable?

No

Rule D

Is Rule D Applicable?

Yes

Are any impervious areas constructed?

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 or under construction?

Yes

Do they match what was proposed in the plans?

Yes

Do they appear properly maintained?

Yes

Are stormwater facilities accessible for maintenance?

Yes

Do any visible inlet 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 outlet control structures exist that were not listed in the plans?

No

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

Yes

Is the site located by or discharge to designated trout waters?

No

Take photo



Rule F

Is Rule F applicable?

No

Are there any water bodies on-site (i.e. ponds, lakes, rivers, wetlands, etc.)?

No

Are there any special stipulations identified in the active LMRWD permit?

No

Does the site require a follow-up reinspection?

No

Technical Memorandum



To: City of Mendota Heights: Ryan Ruzek, Public Works Director; Krista Spreiter,
Natural Resources Coordinator

From: Karina Weelborg, Water Resources Scientist
Della Schall Young, CPESC, PMP, CTF, Principal Scientist

Date: December 13, 2023

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

Re: LMRWD Municipal Local Governmental Unit (LGU), Permit Audit—City of
Mendota Heights

The City was issued an LGU Permit in December 2020 granting it permission to perform actions as authorized by Permit Number 2020-M-04. Pursuant to Rule A, the LMRWD reserves the right to conduct audits of LGU programs as they pertain to conformance with the LGU Permit. Young Environmental Consulting Group (Young Environmental), the LMRWD’s technical consultant and engineer, conducted an audit, and its process, assessment, and findings are presented below.

Process Overview

The LGU Permit audit consisted of the four steps summarized below:

- 1. Audit Kick-off Meeting:** LMRWD and Young Environmental hosted a meeting with all LGU permit holders on October 2, 2023, to introduce the audit process, provide the audit schedule, and answer questions. The meeting summary is attached (Appendix A).
- 2. Program Survey:** A survey was developed and shared with permittees to collect program-specific information. Responses allowed us to understand elements of the City implementation process and to compile inconsistencies and misunderstandings in how the LMRWD rules are being interpreted for future rule amendment considerations.
- 3. Project Review:** LGU Permittees were asked to submit a project that triggers LMRWD Rule D—Stormwater Management and a second project granted a variance, if applicable. Young Environmental reviewed the submitted projects.
- 4. Field Inspection:** Young Environmental conducted a field inspection of the submitted project (if open or an open project) to understand how the Permittee implements and enforces the LMRWD rules during active construction and post-construction.

Assessment and Findings

Survey and Interviews

The City completed the survey on October 3, 2023, which is attached as Appendix B. Young Environmental reviewed the survey and generated a list of clarifying questions that were considered during the City’s annual municipal coordination meeting with the LMRWD. See the summary of the City’s coordination meeting for additional information (Appendix C).

Project Review

The City has not permitted any projects within the LMRWD since the approval of its LGU Permit. Because developable property within the LMRWD boundary is limited in the City, the City does not anticipate any future projects. In lieu of the project review audit, the City provided their Standard Operating Procedures for Site Plan Review (Appendix D). This document reviews all materials required by the LGU Permit, as confirmed by Young Environmental.

Field Inspection

Because the City has not permitted any projects within the LMRWD, no field inspection was conducted. In lieu of the field inspection audit, the City provided their Construction Stormwater Permit Program Inspection checklist (Appendix E). The checklist reviews all items required during field inspection, as confirmed by Young Environmental.

Summary Recommendations

The City should be commended for maintaining a comprehensive permitting program beginning with collecting all required materials per the LGU Permit and concluding with engagement from multiple departments. Overall, the results from the survey and interview audit show diligence in the City's process for plan review, permitting, and enforcement.

The summary below presents Young Environmental's findings as areas of excellence and opportunities to enhance either the District's rules or the City's permitting program.

Areas of excellence:

- City-permitted projects are inspected every two weeks, with high-priority sites inspected more frequently.
- Inspections are conducted by well-trained staff who have taken the Construction Site Management and Design of Construction SWPPP courses at the University of Minnesota.

No areas of opportunity were identified.

Attachments

- Appendix A—LMRWD Municipal (LGU) Permit Audit Kickoff Meeting Summary
- Appendix B—LMRWD Municipal (LGU) Permit Audit Survey—Mendota Heights
- Appendix C—LMRWD Municipal Coordination Meeting Summary—Mendota Heights
- Appendix D—Standard Operating Procedures for Site Plan Review
- Appendix E—Construction Stormwater Permit Program Inspection Checklist

Meeting Agenda / Summary



LOWER MINNESOTA RIVER
WATERSHED DISTRICT

Project Name: Lower Minnesota River Watershed District
(LMRWD) Municipal (LGU) Permit Audit
Date: October 2, 2023
Time: 11am–12pm [CST]
Location: Virtual via MS Teams

MEETING OBJECTIVES:

- To initiate the LMRWD audit process as expressed in Rule A.
- To provide information about the Municipal (LGU) Permit Audit Process.
- To address initial questions for municipal partners.

INVITEES: Steve Gurney, Bryan Gruidl, Jack Distel – City of Bloomington
Aaron Schmidt – City of Carver
John Gorder, Jenna Olson – City of Eagan
Krista Spreiter, Ryan Ruzek – City of Mendota Heights
Kirby Templin – City of Shakopee

HOSTS: Linda Loomis – Naiad Consulting and Lower Minnesota River Watershed District
Della Schall Young, Hannah LeClaire, Karina Weelborg – Young Environmental Consulting Group

ATTENDEES: Steve Gurney, Bryan Gruidl, Jack Distel – City of Bloomington
Aaron Schmidt, Bob Bean, Chad Shell – City of Carver
Jenna Olson, Brian Leyendecker – City of Eagan
Ryan Ruzek – City of Mendota Heights
Kirby Templin – City of Shakopee
Linda Loomis – Naiad Consulting and Lower Minnesota River Watershed District
Della Schall Young, Hannah LeClaire, Karina Weelborg – Young Environmental Consulting Group

AGENDA / SUMMARY:

1. Welcome (Linda Loomis)

- Linda welcomed everyone to the meeting and thanked city representatives for their ongoing cooperation and partnership.
- The LMRWD has also completed an inventory of gullies within the LMRWD Boundary which will be discussed at the future municipal coordination meetings.

2. Introductions (All)

- a. State your name and title, City, and role administering the City permitting program
 - Bloomington
 - Bryan Gruidl: Senior Water Resources Engineer, performs project reviews.
 - Steve Gurney: Water Resources Engineer, performs project reviews.
 - Jack Distel: Water Resources Specialist, helps with project reviews and also completes site inspections and WCA reviews.
 - Carver
 - Aaron Schmidt: Assistant City Engineer, performs project/plan reviews.

Meeting Agenda / Summary

- Bob Bean: Water Resources Manager, MS4 program administration and project/plan reviews.
- Chad Shell: Public Works Director
- Eagan
 - Jenna Olson: Water Resources Manager, supporting role for project/development reviews.
 - Brian Leyendecker: Stormwater Specialist, performs project/plan reviews for stormwater features and performs erosion and sediment control inspections.
- Mendota Heights
 - Ryan Ruzek: Public Works Director, performs project/plan reviews.
 - Krista Spreiter: Natural Resources Coordinator, performs erosion and sediment control/site inspections.
- Shakopee
 - Kirby Templin: Water Resources – Environmental Engineer, MS4 program administration, performs stormwater and WCA reviews for projects.
- LMRWD
 - Linda Loomis: LMRWD District Administrator.
- Young Environmental Consulting Group
 - Hannah LeClaire: Water Resources Engineer, LMRWD permitting program lead.
 - Karina Weelborg: Water Resources Scientist, LMRWD permitting program assistant.
 - Della Schall Young: CEO of Young Environmental, Technical Consultant for LMRWD.

3. LGU Permit (Hannah LeClaire)

- a. Rule A: Administrative and Procedural Requirements Section 2.1.5 Audit Process
 - LGU permit allows municipalities to issue permits and manage development within their city as the primary permitting authority.
 - The LGU audit should not be intimidating but is meant to ensure LMRWD rules are being upheld and to improve collective processes.

4. Overview of the LGU Permit Audit Process (Della Schall Young)

- Audit is meant to be a collaborative process where we can learn from each other's processes and improve our programs.
- a. Projects for review:
 - i. City will be asked to provide one [1] or two [2] projects for independent review.
 - One [1] active permitted project that triggers Rule D–Stormwater Management
 - One [1] project granted a variance, if any have been granted since approval of LMRWD LGU Permit
 - Specify the City person who will be responsible for providing the information.
- b. Program survey and interview of permitting personnel
 - i. City will be asked to complete a comprehensive survey on their permitting program.
 - Specify City personnel responsible for completing the survey and addressing potential follow-up questions, if different from the individual providing the projects for review.
 - Goal of survey is to provide a comprehensive overview of City permitting program.

Meeting Agenda / Summary

- Survey also asks what challenges City may have had and what about the LMRWD rules are clear. As an example, Della and Bryan Gruidl recently discussed what certification meant for Rule F.
 - We are giving Cities a couple of weeks to complete the survey, but please complete it as soon as possible.
- c. Field Inspection
- i. LMRWD will coordinate with City designated personnel to conduct a field inspection of the 1 active permitted project reviewed
 - Field inspection portion will be conducted to confirm compliance with the rules on site. We will inspect stormwater management facilities and erosion and sediment control measures.
- d. Audit Conclusion/Debrief
- i. Following completion of the program review, LMRWD will share our findings and recommendations with each city.
 - ii. Depending on findings, an optional or encouraged debrief meeting will be coordinated.
 - The LMRWD will send the City a debrief memo, and results will be discussed at the municipal coordination meetings. If necessary, the City and LMRWD can coordinate a separate meeting to discuss the results.
- e. Action items and tentative schedule

Task	Completion Date	Responsible Party
Send Survey and Request Projects for Review	After Kick-Off Meeting	LMRWD
Return 1–2 Projects with Materials for Review	10/6/2023	City
Field Inspections	10/16/2023	LMRWD
Return Completed Survey	10/17/2023	City
Municipal Coordination Meetings	11/8/2023–11/17/2023	City / LMRWD
Send Audit Debrief Memos	12/11/2023	LMRWD

- i. Are there any concerns with the dates proposed?
- f. LMRWD will send a follow up email with the following attachments:
- i. LMRWD Municipal (LGU) Permit Audit – Project List
 - [LMRWD LGU Audit Project List Spreadsheet Form 100223](#)
 - ii. LMRWD Municipal (LGU) Permit Audit – Survey Questions
 - [LMRWD LGU Audit Interview Questions PDF Form](#)
- g. Coordinate audit of Municipal Permits
- i. Audit contacts:
 - Karina Weelborg – Coordinate documents and survey review and conduct field inspections.
 - Karina Weelborg, Della Schall Young and Linda Loomis – Draft and communicate findings and recommendations.
 - Direct questions to karina@youngecg.com and copy LMRWD admin@lowermnriverwd.org

Meeting Agenda / Summary

- Karina will be the main point of contact, but Della and Linda are available for coordination as well, if necessary.

5. LMRWD Internal Audit Findings and Recommendations (Karina Weelborg)

- Attached PowerPoint slides 6-15 provide an overview of the LMRWD internal audit.
- The internal audit aimed to find improvements for the LMRWD permitting program and to improve the audit process.
- Two project reviews were chosen for audit to ensure all LMRWD rules were covered. Two additional projects were audited to review an expired permit and a variance.
 - The LMRWD has continually improved on the permitting program since 2020.
 - From the project review audit, redundancies were removed and the LMRWD is investigating variable length permits.
- Based on survey results, the LMRWD shortened the survey prior to LGU use. The LMRWD is also reviewing their O&M agreements and conducting inspections in accordance to construction schedule rather than just once a year in the summer.
- No changes were required based on the field inspection audit. The LMRWD uses a comprehensive survey in the Survey 123 application.
 - It was noted that while the survey provides many opportunities for photos, one can never take too many photos.

6. Next Steps (Karina Weelborg)

a. Questions and Clarifications

- **Q:** Does city staff need to attend the field inspection?
 - **A:** City staff are welcome to join but are not required. LMRWD will notify the City when they plan to be on-site.
- **Q:** Are cities only required to provide two projects if one is a variance?
 - **A:** Yes, only one project is required if no variances were issued.
- **Q:** Do you want to see all City variances?
 - **A:** No, we are only requesting variances on LMRWD rules. We don't need to see any zoning variances.
- **Q:** Do you need permit materials?
 - **A:** Yes, we will be requesting all materials used during the project review. We will be asking for contact information for the individual who will be uploading these items, and we will send them a OneDrive link to submit materials.
- **Q:** Can you share the PowerPoint?
 - **A:** Yes
- **Q:** Would you be willing to share the survey report from Survey123?
 - **A:** Yes. And please let us know if there is anything else you would like us to share with you during this process.



LMRWD Municipal (LGU) Permit Audit Survey Questions



City Name: Mendota Heights Contributing Staff Name: Krista Spreiter
 Contact Name: Ryan Ruzek Contributing Staff Name: _____
 Contact Email: rruzek@mendotaheightsmn.gov Contributing Staff Name: _____
 Date: 10/03/2023 Contributing Staff Name: _____
 Contributing Staff Name: _____

Instructions: The LMRWD Municipal (LGU) Permit Audit Survey Questions were developed to collect program-specific information from LGU permittees. This information will be used to inform the LGU permit audit process. Please fill out the following survey and answer all questions to the best of your ability. There may be more than one staff member needed to answer the questions sufficiently (please include their name/s above). If you have any questions during completion of the survey, please reach out to LMRWD staff.

Permit Review Process

1. Please describe the overall project review process from receipt of an application to issuance of a permit for projects involving erosion control, stormwater, floodplain, and/or steep slope components. In addition to the review process, please include what staff/department(s) conduct reviews and how applications and permits are tracked.

Each application is routed through every department to ensure compliance with City Code, including stormwater.

2. Approximately how many erosion control/stormwater/floodplain/steep slopes permits were issued in 2022? (Only include permits that trigger LMRWD rules.)

0. None within the LMRWD.

3. Does the LGU have a permit review fee? Yes No

4. What items are commonly missing from permit applications?

N/A

5. What parts of the permit application process seem to be most confusing to applicants?

N/A

6. What parts of the permit review process seem to be most confusing for reviewers?

N/A

7. Upon receipt of a permit application, how are permit reviews delegated to reviewers?

Krista and myself would both review stormwater applications, as well as all other departments.

8. What actions are taken if an application is incomplete?

Staff would contact applicant requesting missing information. An application is not considered until all required information is provided.

9. During review of a permit application, how is the review documented (e.g., standard checklist)? Describe the materials used to conduct a permit review.

A checklist is maintained, as well as a site visit conducted.

10. Regarding recordkeeping, how long are permit records kept on file? Are they archived at a certain point?

Stormwater permit records are kept for three years beyond the date of permit expiration before archiving.

11. Describe the process for approving a variance request.
 - a. What information/exhibits are required as proof for need of a variance?

Any property over an acre would need approval from the MPCA. Variances are not granted for storm
 - b. Who is notified of a variance request? Are they given the opportunity to provide comment?

Property owners within 350'. Yes, at a public meeting, Planning Commission and/or City Council mee
 - c. How many variances did the LGU approved in 2022?

0
12. How are long-term stormwater BMP operation and maintenance agreements recorded and tracked? How often are private post-construction stormwater BMPs inspected by LGU staff?

Applicant would record at Dakota County. Tracked internally in Excel. BMP inspections are required an

Permit Amendments

13. When is a permit amendment required for project changes? What information must be submitted?

Any time there is a change in the SWPPP. All changes must be documented in writing.

Field Inspections

14. What LGU staff/department(s) are responsible for conducting project inspections?

Krista Spreiter
15. Are all permitted projects inspected by LGU staff? If not, how does the LGU determine what projects do not require inspections?

The city requires the applicant to maintain inspection records, the city also does bi-weekly and after rain ev
16. How do inspectors prepare for their first inspection? Outline the process in detail below, including what materials and information is compiled for the inspection. If a standard inspection checklist or standard operating procedure is used, provide a copy of it. How often is the checklist or procedure reviewed and revised?

The applicant or developer may be notified, or may not be. A standard checklist is used on each inspection
17. Schedule/Frequency
 - a. How often are projects inspected?

2 weeks or after half inch rain event.
 - b. Are some projects prioritized for more frequent inspections?

Projects with previous non-compliant inspections, projects in sensitive locations (i.e. in close proximity
 - c. What conditions may warrant changes to the inspection frequency?

Frequency of rain events, multiple violations
18. Training
 - a. What type of training do inspectors receive if they are responsible for field inspections (e.g., U of M Erosion and Stormwater Management Construction Site Manager)?

UMN Erosion and Sediment Control Site Manager, SWPPP Design Certification
 - b. How often is training conducted?

Annually or before certificate expiration.
19. Documentation
 - a. What kind of report is generated as a result of the inspection? Does it detail all problems found at the site or does it document only that the inspection occurred?

Report details all violations and gives a deadline for completion/compliance.
 - b. Are findings from the inspection tracked in a central location or data management system?

Yes, electronically and paper form.

Enforcement

20. Describe the LGU overall approach to noncompliance and enforcement of the official controls, including enforcement mechanisms used to obtain compliance.

After first notice of violation sent, if compliance is not reached by deadline given, a second notice is sent.

21. What are the most common construction and/or post-construction violations requiring enforcement actions?

Sediment tracking, failure to submit BMP inspection records.

22. Are verbal warnings documented?

Yes.

23. Who follows up on enforcement actions?

Natural Resources Coordinator

Permit Close-Out

24. How is the LGU notified a project is complete?

The applicant must notify.

25. What information/exhibits are required to close-out a permit?

Demonstration of permanent stabilization throughout site, BMP as-builts and maintenance plan/document

26. Are field inspections completed by City staff before a permit is closed? Yes No

27. What is the LGU process if required permit close-out information is not provided or if information is incorrect?

Escrows are not returned, applicant is notified.

After-the-Fact Permits

28. How is the LGU informed of work without a permit?

Through internal inspections, reports by citizens.

29. Regarding after-the-fact permits for completed and incomplete work, is process same as regular permit review?

Yes No

30. If the process is different, please answer the following questions.

- a. What is the LGU process once informed about work completed without a permit?

It depends on the situation and severity of the violation. A stop work order is always issued.

- b. What information/exhibits are required to perform an after-the-fact permit review?

Follows same procedures.

31. What is the LGU process if the work completed does not meet LGU standards?

The applicant is notified. Escrows are not returned or forfeited in order to rectify incomplete work.

32. When are after-the-fact permitted projects inspected?

At regular intervals similar to other projects. Frequency may increase due to the violation.

- a. If the inspection process differs from normal project inspections, outline the inspection process.

33. Does the LGU utilize enforcement mechanisms for projects that start without a permit, and if so, what enforcement mechanism is used to obtain compliance?

Yes, Stop Work Orders are issued until compliance is met.

Emergency Work

34. How is the LGU informed of emergency work and what activities qualify as emergency work?

Reported by the contractor or applicant. Per City Code: 2-3-6: EMERGENCY REGULATIONS: A. Cou

35. What actions are taken once the LGU is informed about emergency work? If the review process differs from a regular permit review, briefly describe the process.

Per City Code 8-7-20: A. Emergency Situations: Each registrant shall immediately notify the Director of

36. What is the LGU process if emergency work does not meet LGU standards?

See above.

37. Does the LGU inspect emergency work projects? If the inspection process differs from normal project inspections, outline the inspection process.

Yes, it does not differ from the process of that of a permitted project unless it is posing an immediate thre

Regulations

38. Have any code/ordinances that implement and enforce LMRWD Rules been updated or changed since [application date/last audit date/other]? Yes No

a. If yes, please describe what prompted the updates or changes.

Land Disturbance Guidance Document amended to reflect LMRWD Rule 3.4.3 B and D.

b. If yes, please provide a copy of the revised code/ordinances for review.

Copy of Land Disturbance Guidance Document attached.

39. Are any applicable LGU Rules more stringent than the LMRWD rules? If yes, please describe.

Yes, compliance with our Land Disturbance Guidance Document and sediment and erosion control rules,

Agenda/Summary



PROJECT NAME: LMRWD Municipal Coordination – City of Mendota Heights

Date: Thursday, December 7, 2023
Start Time: 2:30 p.m.
End Time: 3:00 p.m.
Location: Virtual meeting using Teams

MEETING OBJECTIVES:

- To continue the established collaboration and information sharing framework
- To review recent and upcoming LMRWD and City projects and programs
- To assess resources and share costs on projects that protect or enhance natural resources

INVITEES: Ryan Ruzek and Krista Spreiter – City of Mendota Heights

HOSTS: Linda Loomis – Naiad Consulting and Lower Minnesota River Watershed District
Della Young, Erica Bock and Karina Weelborg – Young Environmental Consulting Group

AGENDA/Summary:

1. Agenda Overview

LMRWD thanked the City for their time and for being so amenable.

2. Municipal Permit (Della and Karina)

a. Summary and Recommendations

i. Areas of Excellence

- City permitted projects are inspected every two weeks with high priority sites inspected more frequently.
- Inspections are conducted by well-trained staff who have taken the Construction Site Management and Design of Construction SWPPP courses from the University of Minnesota.

The LMRWD noted that there were no areas of opportunity found and commended the City for having a well-maintained permitting program.

b. Municipal Permit Audit Survey Follow-Up Questions

- i. Are applications received via email or an online application? If both formats are utilized, which format is used more often by applicants? If an online application is used, are applicants able to save and come back to the application later?

The City's applications are typically submitted via email. There are some building permit

Agenda/Summary

applications submitted online with Inspectron Inc, and plans are uploaded to Citizenserve.

- ii. The submitted inspection checklist does not mention taking any pictures. Are pictures taken by inspectors while on site?

The City inspections are not completed electronically, and pictures are taken whenever possible. Pictures and scanned inspection forms are saved together electronically.

3. Individual Permits (Erica)

- a. Upcoming projects

The LMRWD is not aware of any projects within Mendota Heights.

The City is aware that MnDOT is looking to transfer Old Sibley Memorial Highway back to the City. MnDOT is currently looking at different design aspects, given that the City will not take ownership of the road in its current condition. Some of the LMRWD identified gullies may be near the roadway corridor. If they are, the City may ask MnDOT to work on the gullies as well.

4. Projects and Programs (Della)

- a. LMRWD Capital Improvement Projects

- i. Gun Club Lake Fen Stewardship Plan and Private Land Acquisition Study

The LMRWD is finishing up the Gun Club Lake Fen Stewardship Plan. The plan provides management strategies through 2027. The LMRWD will be updating their Watershed Plan in 2027, and any management strategies at that point will be incorporated into the plan.

- b. City Capital Improvement Projects

The City's only developed property within the LMRWD is the Dakota County Park. Because this park was improved three to four years ago, no work is anticipated soon. However, water is entering the LMRWD from outside of the current boundary.

The LMRWD has looked at boundary conditions in other locations and may need to coordinate to determine where the water is coming from.

The City left the Gun Club Lake Watershed District and transferred to the Lower Mississippi Watershed Management Commission. The LMRWD is aware that the Gun Club Lake Watershed District is now a different watershed management organization. The LMRWD will need to investigate where water in this area is flowing and who the regulatory agencies are.

- i. Are there any water resource related CIP projects within the LMRWD?

The City doesn't have any CIPs within the LMRWD. However, there is a private development on the LMRWD border. Because of karst features in the area, the project's stormwater management focuses on rate control.

- ii. Are there any CIP projects planned within an HVRA?

- c. Gully Inventory

- i. Overview of gully ranking in 2023

Agenda/Summary

- [2023 Gully Inventory and Condition Assessment](#)

ii. Review the Priority Sites (Figure 1)

The LMRWD completed its initial study to evaluate the gullies within the LMRWD and determine their condition. The 2023 study examined the highest-priority sites and laid out the criteria for determining the highest-priority sites. The LMRWD will share shapefiles for the highlighted gullies in the City. The LMRWD is looking to develop feasibility studies in partnership with municipalities.

The City noted that most of the highlighted gullies are located in the State Park. The LMRWD may need to coordinate with the MnDNR and others to determine what and how work may be done. The LMRWD will ensure the City remains informed.

iii. Discuss opportunities for partnering on high priority sites

- Planned projects
- Funding opportunities

Water Resources Restoration Fund

The LMRWD is formalizing its cost-share program as the Water Resources Restoration Fund. Funds are available up to \$100,000 (up to 25% of the project cost). More information will be available soon with applications due at the end of February.

The City asked if the money could be used as local match funds. The LMRWD explained that funds have been used in this manner before.

The LMRWD stated that a new round of Watershed Based Implementation funding is out and will convene next year.

5. Next Steps (Della)

- a. Generate and share meeting summary

Standard Operating Procedures (SOPs) for Site Plan Review

SOP

- Applicant submits plans and Permit to Building Official.
- Building Official sends notification to Engineering staff.
- Engineering staff reviews plans with Drainage and Stormwater Plan Review Checklist.
 - If the site is equal to or greater than 1 acre the applicant is notified that an MPCA Construction Stormwater Permit is required.
 - Applicant is sent comments of changes needed to the plans.
- Once plans are approved.
 - Permit is issued.
- Record Retention
 - Drainage and Stormwater plan review checklist, plans and SWPPP are filed with the permit.

Site Plan Review

The purpose of this checklist is to provide for uniform, consistent review of plans submitted to the Engineering Department for approval. In order to expedite review; owners, consultants, and/or contractors are encouraged to use the Land Disturbance Guidance Document as a guide in preparing plans. Incomplete plans will be returned for revision.

The City reviews, comments upon, and approves plans for the limited administrative purpose of determining whether there is reasonable assurance that site drainage is directed to appropriate stormwater facilities and does not adversely impact these facilities. This approval does not in any way relieve owners of responsibility, nor shall it make the City responsible, for any technical inadequacy in the proposed plan or improvements made. Although City staff attempts to ensure that site drainage does not adversely impact the proposed development site and/or adjacent sites, approval of a drainage plan does not guarantee that negative impacts will not occur.

I. Site Description

A. Project Name:							
B. Location (address):							
C. Project Contact:							
Check one:		Owner:		Consultant:		Contractor:	
Phone:	Fax:	E-mail:					

II. Stormwater Permits

Total site area:	Acres	Existing impervious area:	Acres
MPCA permit required (check one):		Yes	No
Applicant notified they need an MPCA Permit.		Yes	
A. City of Mendota Heights Permit		Permit #	No
B. MPCA Construction Stormwater Permit		Permit #	C000 Date:

III. Drainage Plan Requirements - All Sites

Site elevations, as indicated below, must be provided. Elevations may be relative to an existing datum or may be relative to an arbitrary datum (e.g. low point in the system set to zero elevation). Elevations of existing stormwater system components (e.g. CBs) can be obtained from the Engineering Department. Site drainage shall not be directed onto adjacent property without written consent of the owner and/or an agreement between property owners. Sufficient information must be provided to demonstrate no adverse impact to adjacent property.

Drainage Plan Requirement:	Approved	Provide Additional Information
A. North arrow		
B. Street names		
C. Scale		
D. Location of nearest existing stormwater facility (e.g. CB, ditch, etc.) to accept drainage		
E. Elevation of nearest existing stormwater facility to accept drainage		
F. Top of curb (TOC) elevations		
G. Top of foundation (TOF) or finished floor (FF) elevations for all structures		
H. Top of foundation (TOF) or finished floor (FF) elevations for buildings on adjacent lots (indicate if adjacent lot is vacant)		
I. Finished site general drainage patterns with arrows showing direction of flow		
J. On-site stormwater facilities if present or proposed (e.g. pipe size/slope/capacity, CB rim/invert elevations, etc.)		

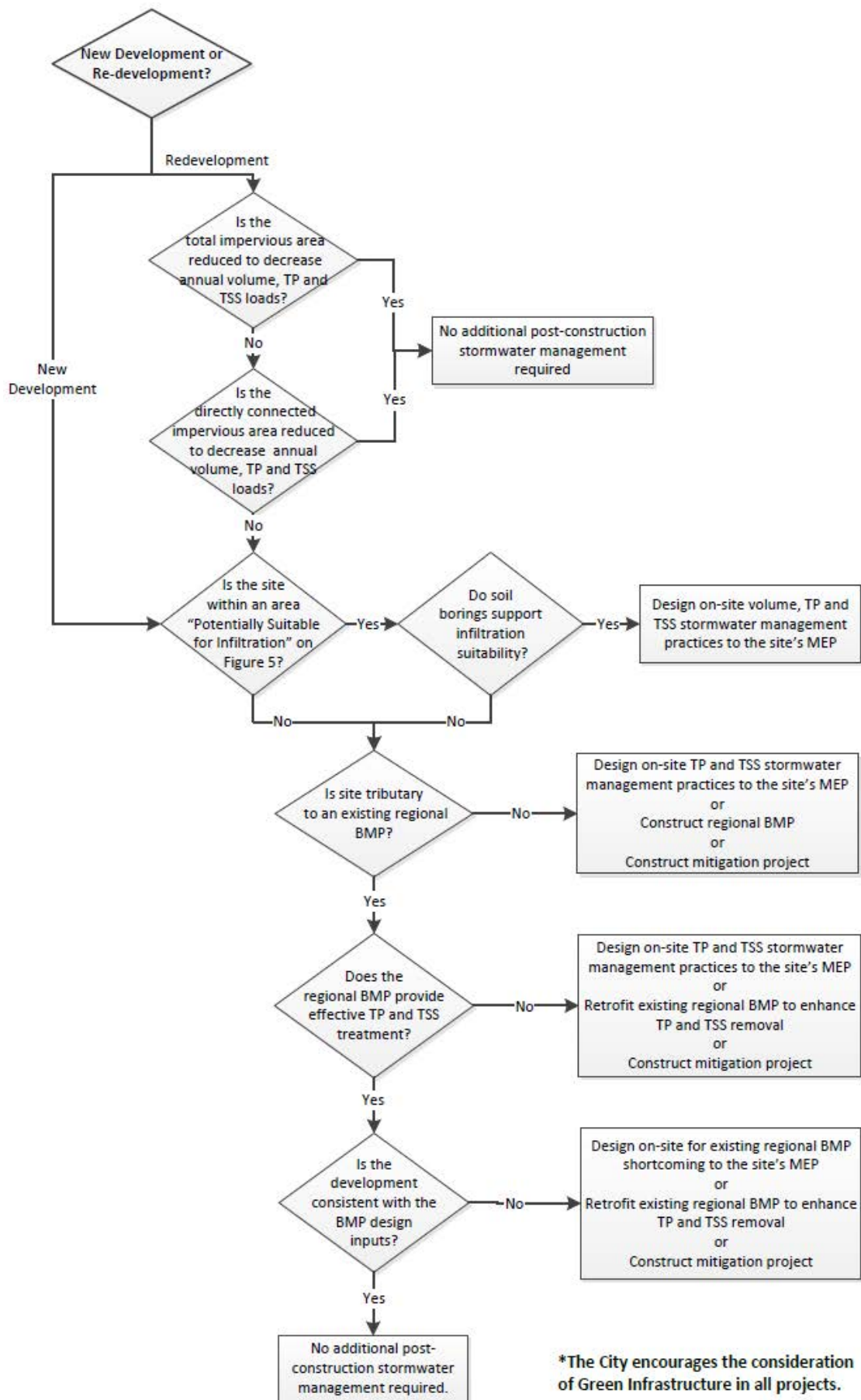
Erosion/Sediment Control Plan Review:	Approved	Provide Additional Information
A. BMPs to minimize erosion		
• Mulch Seeding/Sod		
• Riprap		
• Other		
B. BMPs to minimize the discharge of sediment and other pollutants		
• Construction Entrance		
• Sediment Logs		
• Silt Fence		
• Inlet Protection		
• Grass buffer		
• Sediment basin		
• Other		
C. BMPs for dewatering activities		
D. Site inspections and records of rainfall events (Note of plans)		
E. BMP maintenance		
F. Management of solid and hazardous wastes		
• Leakproof washout containment system		
• Material/Chemical storage		
G. Final stabilization		
H. Temporary sediment basin		

IV. Sites with land disturbance of greater than or equal to one (1) acre, including projects less than one (1) acre that are part of a larger common plan of development or sale:

New Development: NO NET INCREASE FROM PRE-PROJECT CONDITIONS				Approved	Provide Additional Information
A. Stormwater discharge Volume, unless precluded by limitations of the MS4 permit Part III.D.5.a(3)(a)					
B. Stormwater discharge of Total Suspended Solids (TSS)					
C. Stormwater discharges for Total Phosphorus (TP)					
D. Design calculations for <u>pre-development</u> runoff (peak flows for 2-yr, 5-yr, 10-yr, 50-yr, and 100-yr events)					
E. Design calculations for <u>post-development</u> runoff (peak flows for 2-yr, 5-yr, 10-yr, 50-yr, and 100-yr events)					
F. Site drains to existing stormwater treatment facility?					
Yes		If yes, skip G & H	No		
G. On-site treatment system location, dimensions, etc.					
H. Design calculations for proposed on-site treatment system					
Redevelopment Projects: A NET REDUCTION FROM PRE-PROJECT CONDITIONS				Approved	Provide Additional Information
A. Stormwater discharge Volume, unless precluded by limitations of the MS4 Permit Part III.D.5.a(3)(a)					
B. Stormwater discharges of TSS					
C. Stormwater discharges of TP					
D. Design calculations for pre-development runoff (peak flows for 2-yr, 5-yr, 10-yr, 50-yr, and 100-yr events)					
E. Design calculations for post-development runoff (peak flows for 2-yr, 5-yr, 10-yr, 50-yr, and 100-yr events)					
F. Site drains to existing stormwater treatment facility?					
Yes		If yes, skip G & H	No		
G. On-site treatment system location, dimensions, etc.					
H. Design calculations for proposed on-site treatment system					

Comments:

Approved By:	Date:
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***The City encourages the consideration of Green Infrastructure in all projects.**



Construction Stormwater Permit Program Inspection

Site name: _____ Inspector: _____

Address/Location: _____ NPDES Permit # (if applicable): _____

Owner/operator: _____ Date and time: _____

Site contact name: _____ Weather Conditions: _____

Site contact info: _____ Amount and date of last rainfall: _____

Other person(s) interviewed or onsite: _____

Name of special or impaired waters or public waters within 1 mile, if any: _____

Item	Yes	No	N/A	Items to be evaluated at all inspections	Type
1				Effective best management practices (BMPs) used to minimize erosion, areas of work are delineated, and steep slope disturbance minimized?	BMPs to minimize erosion
2				Soils stabilized where work has stopped for 14 days?	
3				Conveyance channels route water around unstabilized areas?	
4				Wetted perimeter of drainage ditch/swale stabilized in 24 hrs for areas within 200 ft of the property edge or discharge point, and 14 days for the rest of the ditch/swale?	
5				Pipe outlets have energy dissipation if connected to surface water?	
6				BMPs discharge to vegetated areas?	
7				Effective sediment control practices used?	
8				Perimeter control BMPs used on downgradient perimeters and upgradient of buffer zones?	BMPs to minimize sediment discharge
9				Sediment control devices reinstalled if they've been adjusted for short-term work	
10				All storm drain inlets protected?	
11				Soil stockpiles have sediment controls and are not in conveyances or natural buffer zones?	
12				Effective vehicle tracking BMPs used?	
13				Minimizing soil compaction and preserving top soil?	
14				A 50 ft buffer preserved if site is within 50 ft of, and drains to, surface water, or redundant sediment controls used?	BMP maintenance/Site Inspections
15				Are flocculants or other sedimentation treatment chemicals being used appropriately?	
16				All perimeter control BMPs maintained, functioning, and properly installed? If no to the previous, will the BMPs be replaced by the end of the next business day?	
17				Sediment in sediment control BMPs is less than 1/2 the device height? If no to the previous, will the BMP be replaced by the end of the next business day?	
18				Surface waters and discharge points free of erosion and sediment? If no to the previous, will deltas and sediment be removed within 7 days?	
19				Paved surfaces on and next to the site free of tracked sediment? If no to the previous, will streets be swept/cleaned within 24 hrs?	
20				All infiltration areas protected from compaction and sediment deposition?	
21				Inspections performed as needed (every 7 days or within 24 hours of a half inch rainfall) and records available?	Solid and hazardous waste
22				Building products & chemicals (pesticides, herbicides, fertilizers, etc.) covered?	
23				Solid & hazardous waste stored and disposed of properly?	
24				Portable toilets positioned so they are secure?	
25				Vehicle fueling in a contained area?	
26				Vehicle & equipment washing wastes don't contact the ground & engine degreasing prohibited?	
27				Concrete and other washout wastes contained and properly identified?	
28				Stormwater Pollution Prevention Plan (SWPPP) present and implemented onsite?	Other
29				Permanent stormwater management system onsite to retain 1 inch or more of runoff if new impervious surfaces are one acre or more?	

Notes, corrective actions & dates corrective actions completed: _____

Item	Yes	No	N/A	For projects with temporary sediment basins	Temporary sediment basin
30				Temporary sediment basin used if 10 or more acres disturbed?	
31				Basin outlet withdraws water from the surface and has energy dissipation?	
32				Basin has an emergency overflow?	
33				Sediment in basin less than 1/2 the storage volume?	

Notes, corrective actions & dates corrective actions completed:

Item	Yes	No	N/A	For projects with dewatering	BMPs for dewatering
34				Turbid or sediment-laden water discharging to a dewatering or sedimentation basin?	
35				Dewatering BMPs prevent sediment discharge, erosion, and wetland inundation?	
36				Backwash water is disposed of offsite, retreated, reused without causing erosion, or discharged to sanitary sewer, if applicable?	

Notes, corrective actions & dates corrective actions completed:

Item	Yes	No	N/A	If project is near a special or impaired waters	Special or impaired waters
37				Soils stabilized where work has stopped for 7 days if within 1 mile of special/impaired water, or 24 hours (hrs) if within 200 feet (ft) of fish spawning?	
38				If adjacent to a special water, 100 ft natural buffer preserved?	
39				Temporary sediment basin used if 5 or more acres within 1 mile of special/impaired water disturbed?	

Notes, corrective actions & dates corrective actions completed:

Item	Yes	No	N/A	If construction is complete	Final stabilization
40				Soils stabilized with 70% density perennial vegetative cover?	
41				Permanent stormwater management system is operating as designed?	
42				All sediment removed from stormwater basin and conveyances (i.e. pipes)?	
43				All temporary erosion prevention and sediment control BMPs removed?	
44				For residential lots & the house is sold, are erosion practices at the downgradient perimeter?	
45				For agriculture projects, has the land been returned it its preconstruction use?	

Notes, corrective actions & dates corrective actions completed:

Additional notes:

Contact Information:



Krista Spreiter
 Natural Resources Coordinator, CWD
 City of Mendota Heights
 D: [651-255-1123](tel:651-255-1123)
KSpreiter@Mendotaheightsmn.gov

Technical Memorandum



To: City of Shakopee: Kirby Templin, PE, Water Resources-Environmental Engineer

From: Karina Weelborg, Water Resources Scientist
Della Schall Young, CPESC, PMP, CTF, Principal Scientist

Date: December 13, 2023

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

Re: LMRWD Municipal Local Governmental Unit (LGU), Permit Audit—City of Shakopee

The City was issued an LGU Permit in November 2021 granting it permission to perform actions as authorized by Permit Number 2021-M01. Pursuant to Rule A, the LMRWD reserves the right to conduct audits of LGU programs as they pertain to conformance with the LGU Permit. Young Environmental Consulting Group (Young Environmental), the LMRWD's technical consultant and engineer, conducted an audit, and its process, assessment, and findings are presented below.

Process Overview

The LGU Permit audit consisted of the following four steps summarized below:

- 1. Audit Kick-off Meeting:** LMRWD and Young Environmental hosted a meeting with all LGU permit holders on October 2, 2023, to introduce the audit process, provide the audit schedule, and answer questions. The meeting summary is attached (Appendix A).
- 2. Program Survey:** A survey was developed and shared with permittees to collect program-specific information. Responses allowed us to understand elements of the City implementation process and to compile inconsistencies and misunderstandings in how the LMRWD rules are being interpreted for future rule amendment considerations.
- 3. Project Review:** LGU Permittees were asked to submit a project that triggers LMRWD Rule D—Stormwater Management and a second project granted a variance, if applicable. Young Environmental reviewed the submitted projects.
- 4. Field Inspection:** Young Environmental conducted a field inspection of the submitted project (if open or an open project) to understand how the Permittee implements and enforces the LMRWD rules during active construction and post-construction.

Assessment and Findings

Survey and Interviews

The City completed the survey on October 20, 2023, and it is attached as Appendix B. Young Environmental reviewed the survey and generated a list of clarifying questions that were considered during the City's annual municipal coordination meeting with the LMRWD. See the summary of the City's coordination meeting for additional information (Appendix C).

Project Review

The City of Shakopee permitted 14 projects within the LMRWD boundary in 2022 that triggered LMRWD rules, and no variances were granted. For assessment purposes, the City submitted the Dean Lake Lot 1 Block 1 project (Figure 1). The project triggered LMRWD Rules B–Erosion and Sediment Control and D–Stormwater Management. Construction on site is complete. The project consisted of constructing a warehouse, associated parking, and an infiltration basin and expanding an existing infiltration bench. The total disturbed area for the project is 26.75 acres with 18.93 acres of new impervious surface. The LMRWD received the following documents, consistent with all materials necessary to conduct a complete review, on October 5, 2023:

- Approved Civil Plans by Alliant Engineering; dated June 10, 2022.
- Stormwater Management Hydrologic and Hydraulic Study by Alliant Engineering; dated April 25, 2023.
- Stormwater Report for Dean Lakes by RLK; dated December 24, 2023.
- Owner Acknowledgement form; dated June 10, 2022.
- Utility Facilities Easement Agreement by City of Shakopee; dated June 28, 2022.
- National Pollutant Discharge Elimination System (NPDES) permit; dated May 18, 2022.
- Stormwater Review Memo by City of Shakopee; dated April 1, 2022.
- Stormwater Review Memo by City of Shakopee; dated May 10, 2022.
- Final Stormwater Review Memo by Shakopee; dated June 10, 2022.
- LMRWD Permit Checklist Table by Shakopee; dated January 31, 2022.
- Drinking Water Supply Management Areas (DWSMA) Wellhead Protection Infiltration Review Flowchart.
- Stormwater Review Tracking Spreadsheet by City of Shakopee; dated April 1, 2022.
- 2023 NPDES Municipal Separate Storm Sewer System (MS4) compliance inspections by City of Shakopee.
- 2022 and 2023 NPDES CSG permit inspections by the City of Shakopee.

Rule B–Erosion and Sediment Control

The LGU Permit regulates land-disturbing activities that affect one or more acres under Rule B. The Dean Lake Lot 1 Block 1 project disturbed approximately 26.75 acres within the LMRWD boundary. The City provided the project’s erosion and sediment control plan, stormwater management plan, and NPDES construction stormwater permit. The project complies with Rule B, as confirmed by Young Environmental.

Rule D–Stormwater Management

The LGU Permit regulates land-disturbing activities that create new or reconstructed impervious areas greater than one acre. The project proposed 18.93 acres of new impervious surface requiring 1.578 acre-feet of treatment. The project included the construction of an infiltration basin and expansion of an existing infiltration bench to meet stormwater management requirements.

The applicant submitted a HydroCAD analysis demonstrating that the proposed basin and expanded bench provide the required rate control and volume retention. The applicant did not submit water quality modeling to demonstrate a no-net increase in total phosphorus and total suspended solids. The City did not require the water quality modeling because volume retention was met by the

infiltration basin, thereby meeting all water quality requirements.

As presented and confirmed by Young Environmental, the project complies with Rule D.

Field Inspection

Young Environmental field staff inspected the Dean Lake Lot 1 Block 1 project on October 16, 2023, with City engineering staff Kirby Templin and Josiah Ferguson. Construction on site is complete, but temporary best management practices are still in place. All proposed impervious areas have been constructed as proposed and appear to be maintained. The infiltration basin has been constructed as proposed and does not appear to have any erosion or sedimentation issues. The proposed infiltration bench expansion has experienced significant erosion around the proposed riprap. The City has been in contact with the applicant and will continue to work with them to rectify the issue. The completed inspection form, with pictures, is attached as Appendix D.

Based on the field inspection, the project is currently in violation of Rule D. The City is aware of the issue, is actively communicating with the applicant, and plans to continue site inspections until the project is brought into compliance with the permit and can be closed.

Summary Recommendations

The City should be commended for maintaining a comprehensive permitting program beginning with collecting all required materials per the LGU permit and concluding with engagement from multiple reviewers. Overall, the results from the survey and interview audit show diligence in the City's process for plan review, permitting, and enforcement.

The summary below presents the Young Environmental findings as areas of excellence and opportunities to enhance either the District Rules or the City's permitting program.

Areas of excellence:

- City-permitted projects are inspected monthly with high-priority sites inspected more frequently.
- Inspections are conducted by well-trained staff who have all taken the Construction Site Management and Design of Construction Stormwater Pollution Prevention Plan courses from the University of Minnesota.
- Consistent communication is maintained with the applicant to correct stormwater management violations.

Areas of opportunity

- It is recommended the LMRWD review the benefits and limitations of not requiring water quality modeling when volume retention requirements are met via infiltration.

Attachments

- Figure 1—Dean Lake Lot 1 Block 1 Project Location
- Appendix A—LMRWD Municipal (LGU) Permit Audit Kick-off Meeting Summary
- Appendix B—LMRWD Municipal (LGU) Permit Audit Survey—Shakopee
- Appendix C—LMRWD Municipal Coordination Meeting Summary—Shakopee
- Appendix D—LMRWD Field Inspection Report—Dean Lake Lot 1 Block 1

Meeting Agenda / Summary



LOWER MINNESOTA RIVER
WATERSHED DISTRICT

Project Name: Lower Minnesota River Watershed District
(LMRWD) Municipal (LGU) Permit Audit
Date: October 2, 2023
Time: 11am–12pm [CST]
Location: Virtual via MS Teams

MEETING OBJECTIVES:

- To initiate the LMRWD audit process as expressed in Rule A.
- To provide information about the Municipal (LGU) Permit Audit Process.
- To address initial questions for municipal partners.

INVITEES: Steve Gurney, Bryan Gruidl, Jack Distel – City of Bloomington
Aaron Schmidt – City of Carver
John Gorder, Jenna Olson – City of Eagan
Krista Spreiter, Ryan Ruzek – City of Mendota Heights
Kirby Templin – City of Shakopee

HOSTS: Linda Loomis – Naiad Consulting and Lower Minnesota River Watershed District
Della Schall Young, Hannah LeClaire, Karina Weelborg – Young Environmental Consulting Group

ATTENDEES: Steve Gurney, Bryan Gruidl, Jack Distel – City of Bloomington
Aaron Schmidt, Bob Bean, Chad Shell – City of Carver
Jenna Olson, Brian Leyendecker – City of Eagan
Ryan Ruzek – City of Mendota Heights
Kirby Templin – City of Shakopee
Linda Loomis – Naiad Consulting and Lower Minnesota River Watershed District
Della Schall Young, Hannah LeClaire, Karina Weelborg – Young Environmental Consulting Group

AGENDA / SUMMARY:

1. Welcome (Linda Loomis)

- Linda welcomed everyone to the meeting and thanked city representatives for their ongoing cooperation and partnership.
- The LMRWD has also completed an inventory of gullies within the LMRWD Boundary which will be discussed at the future municipal coordination meetings.

2. Introductions (All)

- a. State your name and title, City, and role administering the City permitting program
 - Bloomington
 - Bryan Gruidl: Senior Water Resources Engineer, performs project reviews.
 - Steve Gurney: Water Resources Engineer, performs project reviews.
 - Jack Distel: Water Resources Specialist, helps with project reviews and also completes site inspections and WCA reviews.
 - Carver
 - Aaron Schmidt: Assistant City Engineer, performs project/plan reviews.

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- Bob Bean: Water Resources Manager, MS4 program administration and project/plan reviews.
- Chad Shell: Public Works Director
- Eagan
 - Jenna Olson: Water Resources Manager, supporting role for project/development reviews.
 - Brian Leyendecker: Stormwater Specialist, performs project/plan reviews for stormwater features and performs erosion and sediment control inspections.
- Mendota Heights
 - Ryan Ruzek: Public Works Director, performs project/plan reviews.
 - Krista Spreiter: Natural Resources Coordinator, performs erosion and sediment control/site inspections.
- Shakopee
 - Kirby Templin: Water Resources – Environmental Engineer, MS4 program administration, performs stormwater and WCA reviews for projects.
- LMRWD
 - Linda Loomis: LMRWD District Administrator.
- Young Environmental Consulting Group
 - Hannah LeClaire: Water Resources Engineer, LMRWD permitting program lead.
 - Karina Weelborg: Water Resources Scientist, LMRWD permitting program assistant.
 - Della Schall Young: CEO of Young Environmental, Technical Consultant for LMRWD.

3. LGU Permit (Hannah LeClaire)

- a. Rule A: Administrative and Procedural Requirements Section 2.1.5 Audit Process
 - LGU permit allows municipalities to issue permits and manage development within their city as the primary permitting authority.
 - The LGU audit should not be intimidating but is meant to ensure LMRWD rules are being upheld and to improve collective processes.

4. Overview of the LGU Permit Audit Process (Della Schall Young)

- Audit is meant to be a collaborative process where we can learn from each other's processes and improve our programs.
- a. Projects for review:
 - i. City will be asked to provide one [1] or two [2] projects for independent review.
 - One [1] active permitted project that triggers Rule D–Stormwater Management
 - One [1] project granted a variance, if any have been granted since approval of LMRWD LGU Permit
 - Specify the City person who will be responsible for providing the information.
- b. Program survey and interview of permitting personnel
 - i. City will be asked to complete a comprehensive survey on their permitting program.
 - Specify City personnel responsible for completing the survey and addressing potential follow-up questions, if different from the individual providing the projects for review.
 - Goal of survey is to provide a comprehensive overview of City permitting program.

Meeting Agenda / Summary

- Survey also asks what challenges City may have had and what about the LMRWD rules are clear. As an example, Della and Bryan Gruidl recently discussed what certification meant for Rule F.
 - We are giving Cities a couple of weeks to complete the survey, but please complete it as soon as possible.
- c. Field Inspection
- i. LMRWD will coordinate with City designated personnel to conduct a field inspection of the 1 active permitted project reviewed
 - Field inspection portion will be conducted to confirm compliance with the rules on site. We will inspect stormwater management facilities and erosion and sediment control measures.
- d. Audit Conclusion/Debrief
- i. Following completion of the program review, LMRWD will share our findings and recommendations with each city.
 - ii. Depending on findings, an optional or encouraged debrief meeting will be coordinated.
 - The LMRWD will send the City a debrief memo, and results will be discussed at the municipal coordination meetings. If necessary, the City and LMRWD can coordinate a separate meeting to discuss the results.
- e. Action items and tentative schedule

Task	Completion Date	Responsible Party
Send Survey and Request Projects for Review	After Kick-Off Meeting	LMRWD
Return 1–2 Projects with Materials for Review	10/6/2023	City
Field Inspections	10/16/2023	LMRWD
Return Completed Survey	10/17/2023	City
Municipal Coordination Meetings	11/8/2023–11/17/2023	City / LMRWD
Send Audit Debrief Memos	12/11/2023	LMRWD

- i. Are there any concerns with the dates proposed?
- f. LMRWD will send a follow up email with the following attachments:
- i. LMRWD Municipal (LGU) Permit Audit – Project List
 - [LMRWD LGU Audit Project List Spreadsheet Form 100223](#)
 - ii. LMRWD Municipal (LGU) Permit Audit – Survey Questions
 - [LMRWD LGU Audit Interview Questions PDF Form](#)
- g. Coordinate audit of Municipal Permits
- i. Audit contacts:
 - Karina Weelborg – Coordinate documents and survey review and conduct field inspections.
 - Karina Weelborg, Della Schall Young and Linda Loomis – Draft and communicate findings and recommendations.
 - Direct questions to karina@youngecg.com and copy LMRWD admin@lowermnriverwd.org

Meeting Agenda / Summary

- Karina will be the main point of contact, but Della and Linda are available for coordination as well, if necessary.

5. LMRWD Internal Audit Findings and Recommendations (Karina Weelborg)

- Attached PowerPoint slides 6-15 provide an overview of the LMRWD internal audit.
- The internal audit aimed to find improvements for the LMRWD permitting program and to improve the audit process.
- Two project reviews were chosen for audit to ensure all LMRWD rules were covered. Two additional projects were audited to review an expired permit and a variance.
 - The LMRWD has continually improved on the permitting program since 2020.
 - From the project review audit, redundancies were removed and the LMRWD is investigating variable length permits.
- Based on survey results, the LMRWD shortened the survey prior to LGU use. The LMRWD is also reviewing their O&M agreements and conducting inspections in accordance to construction schedule rather than just once a year in the summer.
- No changes were required based on the field inspection audit. The LMRWD uses a comprehensive survey in the Survey 123 application.
 - It was noted that while the survey provides many opportunities for photos, one can never take too many photos.

6. Next Steps (Karina Weelborg)

a. Questions and Clarifications

- **Q:** Does city staff need to attend the field inspection?
 - **A:** City staff are welcome to join but are not required. LMRWD will notify the City when they plan to be on-site.
- **Q:** Are cities only required to provide two projects if one is a variance?
 - **A:** Yes, only one project is required if no variances were issued.
- **Q:** Do you want to see all City variances?
 - **A:** No, we are only requesting variances on LMRWD rules. We don't need to see any zoning variances.
- **Q:** Do you need permit materials?
 - **A:** Yes, we will be requesting all materials used during the project review. We will be asking for contact information for the individual who will be uploading these items, and we will send them a OneDrive link to submit materials.
- **Q:** Can you share the PowerPoint
 - **A:** Yes
- **Q:** Would you be willing to share the survey report from Survey123?
 - **A:** Yes. And please let us know if there is anything else you would like us to share with you during this process.



LMRWD Municipal (LGU) Permit Audit Survey Questions

City Name: <u>City of Shakopee</u>	Contributing Staff Name: <u>Alex Jordan</u>
Contact Name: <u>Kirby Templin</u>	Contributing Staff Name: _____
Contact Email: <u>ktemplin@shakopeemn.gov</u>	Contributing Staff Name: _____
Date: <u>10-17-2023</u>	Contributing Staff Name: _____
	Contributing Staff Name: _____

Instructions: The LMRWD Municipal (LGU) Permit Audit Survey Questions were developed to collect program-specific information from LGU permittees. This information will be used to inform the LGU permit audit process. Please fill out the following survey and answer all questions to the best of your ability. There may be more than one staff member needed to answer the questions sufficiently (please include their name/s above). If you have any questions during completion of the survey, please reach out to LMRWD staff.

Permit Review Process

1. Please describe the overall project review process from receipt of an application to issuance of a permit for projects involving erosion control, stormwater, floodplain, and/or steep slope components. In addition to the review process, please include what staff/department(s) conduct reviews and how applications and permits are tracked.

There are several steps for permitting/project approval. Example, a project may need to start with platting if the area is not platted. Ultimately, a project will either need to eventually get a building permit

2. Approximately how many erosion control/stormwater/floodplain/steep slopes permits were issued in 2022? (Only include permits that trigger LMRWD rules.)

There were 14 projects permitted by the city in the LMRWD boundary that would have triggered/required erosion control/stormwater permits. There were 11 projects that were related to

3. Does the LGU have a permit review fee? Yes No

4. What items are commonly missing from permit applications?

Each project submittal has missing information. It isn't a particular item, generally, more information is needed to document design assumptions, or more detail is needed to verify compliance with a design

5. What parts of the permit application process seem to be most confusing to applicants?

I am not aware of any issues that are most confusing as part of the permitting process.

6. What parts of the permit review process seem to be most confusing for reviewers?

Some projects can be split into phases that can create confusion when reviewing. Otherwise, the review process itself does not seem to be confusing for reviewers.

7. Upon receipt of a permit application, how are permit reviews delegated to reviewers?

Applicants submit a permit application through the city online/digital permitting software. The permit coordinator reviews the application and assigns it to reviewers.

8. What actions are taken if an application is incomplete?

The permit coordinator screens applications for required submittals. If they notice items missing, they request the information. Once the items have been reviewed by the reviewer, comments will be

9. During review of a permit application, how is the review documented (e.g., standard checklist)? Describe the materials used to conduct a permit review.

There are a couple checklists to document the review. One checklist is to check if the applicant also needs a LMRWD permit. Another checklist checks DWSMA and if filtration is acceptable. Another

10. Regarding recordkeeping, how long are permit records kept on file? Are they archived at a certain point?

At a minimum, permit records are kept for the minimum retention of 7 years. Outside the permitting software, current practice is that each development has a folder where files are logged and kept for

11. Describe the process for approving a variance request.
 - a. What information/exhibits are required as proof for need of a variance?

The information/exhibits required for a variance would depend on what the variance is for. The
 - b. Who is notified of a variance request? Are they given the opportunity to provide comment?

Notice follows City Code Section 151.018. The variance process is defined in City Code Section
 - c. How many variances did the LGU approved in 2022?

0 regarding stormwater requirements.
12. How are long-term stormwater BMP operation and maintenance agreements recorded and tracked? How often are private post-construction stormwater BMPs inspected by LGU staff?

The city has an agreement called the Utility Facilities Easement Agreement. This is a document that gets recorded at the county. There is also city code 54.16 F that says permanent stormwater BMPs must be

Permit Amendments

13. When is a permit amendment required for project changes? What information must be submitted?

If there is a change to the approved plan, then the applicant needs to update plans/stormwater management plan as needed to reflect the changes. What is required to be updated varies depending on

Field Inspections

14. What LGU staff/department(s) are responsible for conducting project inspections?

The building department and engineering department are responsible for project inspections.
15. Are all permitted projects inspected by LGU staff? If not, how does the LGU determine what projects do not require inspections?

All projects within the city MS4 are inspected by LGU staff. The county is an MS4, so they are responsible for inspecting county projects. The level of tracking/documentation of inspections depends
16. How do inspectors prepare for their first inspection? Outline the process in detail below, including what materials and information is compiled for the inspection. If a standard inspection checklist or standard operating procedure is used, provide a copy of it. How often is the checklist or procedure reviewed and revised?

The inspector will review the erosion control plan/SWPPP prior to inspecting. There is a SWPPP inspection form that is used to do the inspection. The set of plans and specifications for the project are
17. Schedule/Frequency
 - a. How often are projects inspected?

Owner completes NPDES CSG inspections (weekly/0.5-inch rainfall). City completes MS4
 - b. Are some projects prioritized for more frequent inspections?

Yes. NPDES CSG permitted sites versus non permit sites. Also, high priority sites and low priority
 - c. What conditions may warrant changes to the inspection frequency?

Changes to frequency could be based on new information about a site, compliance issues with the
18. Training
 - a. What type of training do inspectors receive if they are responsible for field inspections (e.g., U of M Erosion and Stormwater Management Construction Site Manager)?

The erosion control training includes the U of M Erosion and Stormwater Management Construction
 - b. How often is training conducted?

These training certifications are valid for three years.
19. Documentation
 - a. What kind of report is generated as a result of the inspection? Does it detail all problems found at the site or does it document only that the inspection occurred?

The inspection will specify the deficiencies that need to be addressed. Typically, a photo is taken of
 - b. Are findings from the inspection tracked in a central location or data management system?

Findings are tracked in each project/development folder.

Enforcement

20. Describe the LGU overall approach to noncompliance and enforcement of the official controls, including enforcement mechanisms used to obtain compliance.

The city's primary goal is to work with the applicant for voluntary compliance. Typically, the deficiencies are minor. The city has had overall good response from contractors to address deficiencies. The level of

21. What are the most common construction and/or post-construction violations requiring enforcement actions?

Tracking onto paved surfaces and also maintenance of erosion control BMPs are the most common violations. No common post-construction violations. They are typically unique and items that weren't

22. Are verbal warnings documented?

The city no longer does verbal warnings since verbal warnings are required to be documented (essentially written down anyway). Instead of a verbal warning, a SWPPP inspection form has been developed and is

23. Who follows up on enforcement actions?

Each inspector is responsible for following up and tracking compliance/deficiencies have been addressed.

Permit Close-Out

24. How is the LGU notified a project is complete?

The city holds an escrow for the project. The applicant notifies the city when the project is complete to release the escrow.

25. What information/exhibits are required to close-out a permit?

The project is inspected to verify compliance with the permit. As-built information is required.

26. Are field inspections completed by City staff before a permit is closed? Yes No

27. What is the LGU process if required permit close-out information is not provided or if information is incorrect?

The escrow would not be released for the project until the information is provided/corrected.

After-the-Fact Permits

28. How is the LGU informed of work without a permit?

Typically, the city will be notified about a project/disturbance/potential violation that may not have a permit. When this occurs, the city looks into the issue and will determine next steps based on what

29. Regarding after-the-fact permits for completed and incomplete work, is process same as regular permit review?

Yes No

30. If the process is different, please answer the following questions.

- a. What is the LGU process once informed about work completed without a permit?

The city will inspect the site to get more information about the work/potential violation and then

- b. What information/exhibits are required to perform an after-the-fact permit review?

The information/exhibits that are required largely depends on what stage of construction the project

31. What is the LGU process if the work completed does not meet LGU standards?

Depending on what the project is, the issue may need to be removed, adjusted, etc, to be in compliance. There are some projects/improvements that may require an abatement agreement.

32. When are after-the-fact permitted projects inspected?

Yes.

- a. If the inspection process differs from normal project inspections, outline the inspection process.

If the project just started, it would get inspected like a regularly permitted project. If the project is

33. Does the LGU utilize enforcement mechanisms for projects that start without a permit, and if so, what enforcement mechanism is used to obtain compliance?

There is city code that outlines enforcement mechanisms that are used for violations. If a violation is identified, the appropriate code is referenced and enforcement action is taken according to the code.

Emergency Work

34. How is the LGU informed of emergency work and what activities qualify as emergency work?

We have not had any emergency work projects since 2018 when Kirby Templin has been with the city. The city would likely hear about these through emergency notification paths (Police, Fire, etc) or the city.

35. What actions are taken once the LGU is informed about emergency work? If the review process differs from a regular permit review, briefly describe the process.

Similar to after-the-fact permit work.

36. What is the LGU process if emergency work does not meet LGU standards?

Similar to after-the-fact permit work.

37. Does the LGU inspect emergency work projects? If the inspection process differs from normal project inspections, outline the inspection process.

Similar to after-the-fact permit work.

Regulations

38. Have any code/ordinances that implement and enforce LMRWD Rules been updated or changed since [application date/last audit date/other]? Yes No

a. If yes, please describe what prompted the updates or changes.

Updates to official control were completed in 2022 to be in compliance with the NPDES MS4

b. If yes, please provide a copy of the revised code/ordinances for review.

Updated code and design criteria provided.

39. Are any applicable LGU Rules more stringent than the LMRWD rules? If yes, please describe.

For rate control, the City of Shakopee has a max allowable 100-year discharge rate that also needs to be met. This is typically significantly less than existing rates. For volume management, for projects that

Agenda/Summary



PROJECT NAME: LMRWD Municipal Coordination – City of Shakopee

Date: Wednesday, November 29, 2023
Start Time: 11:00 a.m.
End Time: 12:00 p.m.
Location: Virtual meeting using Teams

MEETING OBJECTIVES:

- To continue the established collaboration and information sharing framework
- To review recent and upcoming LMRWD and City projects and programs
- To assess resources and share costs on projects that protect or enhance natural resources

INVITEES: Alex Jordan and Kirby Templin – City of Shakopee

HOSTS: Linda Loomis – Naiad Consulting and Lower Minnesota River Watershed District
Della Young, Erica Bock, and Karina Weelborg – Young Environmental Consulting Group

AGENDA/Summary:

1. Introduction /Agenda Overview

Kirby Templin—Water Resources, Environmental Engineer for the City

Alex Jordan—City Engineer (since July 2023)

Linda Loomis—District Administrator for the LMRWD

Erica Bock—Water Resources Scientist, Young Environmental

Karina Weelborg—Water Resources Scientist, Young Environmental

Della Young—Owner of Young Environmental Consulting Group, District Technical Consultant

The LMRWD thanked the City for its time and continued partnership. The LMRWD also walked through the agenda noting that gully GIS files will be shared. Additionally, the LMRWD is formalizing its cost-share program. Information on the Water Resources Restoration Fund will be available soon with funds available up to \$100,000.

2. Municipal Permit (Della and Karina)

a. Summary Findings and Recommendations

i. Areas of Excellence

- City permitted projects are inspected monthly with high priority sites inspected more frequently.

Agenda/Summary

- Inspections are conducted by well-trained staff who have all taken the Construction Site Management and Design of Construction SWPPP courses from the University of Minnesota.
- Consistent communication with the applicant to correct stormwater management violations.

There were no areas of opportunity found, and the LMRWD commended the City for its permitting program.

b. Municipal Permit Audit Survey Follow-Up

- i. What is the digital permitting software used by the City? Can applicants save and come back to the application later?

The City uses EnerGov, a comprehensive permitting software through Tyler Technologies. Applicants can begin, pause, and complete their application at their leisure. The City uses this software to track all project progress and requirements.

- ii. Please clarify the role of the Permit Coordinator.

The Permit Coordinator is the front-end person that deals directly with applicants. They coordinate applications and questions and distribute reviews. The permit coordinator does not complete the permit reviews.

- iii. Kirby and Josiah met with LMRWD inspection staff for the site inspection. Kirby noted that the City has been in contact with the permittee on erosion and riprap issues seen in the infiltration bench. How is coordination going between the City and permittee progressing, and what is the anticipated timeline for corrective action?

The permittee has addressed all City comments. The poorly installed riprap has been reinstalled at a lower elevation, erosion has been addressed, and the infiltration area has been seeded. The City will inspect the site in the spring.

3. Individual Permits (Erica)

- a. Please provide Verification of the Active and Conditionally Approved LMRWD Permits in Shakopee

The LMRWD presented active projects, project inspections, and upcoming projects. Several of these projects should be phasing out, given that they are large developments that were permitted prior to the City obtaining its LGU Perming.

- i. 2020-135 Canterbury Crossings
- ii. 2021-016 Whispering Waters
- iii. 2021-040 Canterbury (OMRY) Independent Senior Living
- iv. 2021-045 Triple Crown Residences Phase II
- v. 2022-010 Quarry Lake Trail and Ped Bridge
- vi. 2022-015 Xcel Driveway
- vii. 2022-016 ORF Relocation

Agenda/Summary

- viii. 2022-028 Quarry Lake Park Restroom
- ix. 2023-011 Quarry Lake Playground
- x. 2023-019 Dean Lake After-the-fact
- b. 2023 Inspections (Figure 1)
 - i. Total number of projects inspected: 13
 - 2020-135 Canterbury Crossings
 - 2021-003 Southwest Logistics Center
 - 2021-011 2021 Shakopee Street Reconstruction
 - 2021-016 Whispering Waters
 - 2021-018 Jefferson Court
 - 2021-020 Core Crossing Apartments
 - 2021-040 Canterbury (OMRY) Independent Senior Living
 - 2021-045 Triple Crown Residences Phase II
 - 2021-052 Shakopee Dental
 - 2022-010 Quarry Lake Trail and Ped Bridge
 - 2022-017 PLOC 2022 Bank Stabilization
 - 2022-028 Quarry Lake Park Restroom
 - 2023-011 Quarry Lake Playground
 - ii. 2 sites had follow-ups/maintenance issues:
 - 2020-135 Canterbury Crossings
 - 2021-016 Whispering Waters

The LMRWD has not heard back from the permittee regarding rills on their ponds or the project timeline for seeding. The City will have someone follow up.

- iii. Most common maintenance/non-compliant issues in the City:
 - Missing/poor inlet protection
 - Missing/poor perimeter control BMPs
- c. Upcoming projects
 - i. MnDOT Projects
 - ii. Projects in the Floodplain

The City is working on a riverbank stabilization project, and the project is in the early design phase with construction slated to begin in 2026.
 - iii. Projects in HVRA's

Xcel Energy may have a project near or within the Quarry Lake HVRA. Boiling Springs

Agenda/Summary

may have some projects coming up, but these projects are likely to be outside of the HVRA.

4. Projects and Programs (Della)

a. City Capital Improvement Projects

- i. Are there any water resource related CIP projects within the LMRWD?

The Lewis Street and Second Avenue parking lot BMP is slated for 2024. The project has received some watershed-based implementation funding.

A new round of funding is coming out for \$217,000, with funds available in July 2024. The LMRWD also contributed \$50,000 to the project and will send an agreement to the City. The LMRWD set aside \$100,000 for the project and will determine whether any additional funds will be available to the City.

Additional CIPs include the riverbank stabilization project in 2026 and drainage improvements in the Boiling Springs area.

- ii. Are there any CIP projects planned within an HVRA?

b. Gully Inventory

- i. Overview of gully ranking in 2023

- [2023 Gully Inventory and Condition Assessment](#)

- ii. Review the Priority Sites (Figure 2)

The LMRWD will send the City shapefiles for the highlighted gullies. The initial assessment evaluated all gullies within the LMRWD. The 2023 assessment reviewed all sites designated as high priority and laid out criteria for the highest priority sites for feasibility study recommendation. The LMRWD wants to partner with the City for these gullies.

The City has two of the gullies identified as a priority; they are located near Huber Park and are in the project area for the riverbank stabilization project. Alex stated that the riverbank stabilization project will run east from the 101 bridge to the marina near Market Street. A feasibility study has been conducted to identify the scope of improvements and mitigation strategies. They are currently refining the feasibility study and working on preliminary engineering. The LMRWD requested the feasibility study to determine how the project connects to the Gully Inventory and how it can support the project. The City will send over the study and will also hold a meeting to present the project to stakeholders, including the LMRWD.

The third priority location on the west side of town is not included in the current riverbank stabilization project. It may be possible to include it in a future phase of the project. The DNR may also conduct a project in this area.

- iii. Other recommendations:

- Gully Accessibility Assessment

Agenda/Summary

- iv. Discuss opportunities for partnering on high priority sites
 - Planned projects
 - Funding opportunities

5. Next Steps (Della)

- a. Generate and share meeting summary

LMRWD Project Inspections

Submitted by: YoungBasic2

Submitted time: Oct 17, 2023, 12:09:40 PM

Permit Number

Shakopee LGU Permit Audit

Project Name

Deans Lake

Date and Time of Inspection

Oct 16, 2023, 4:00:00 PM

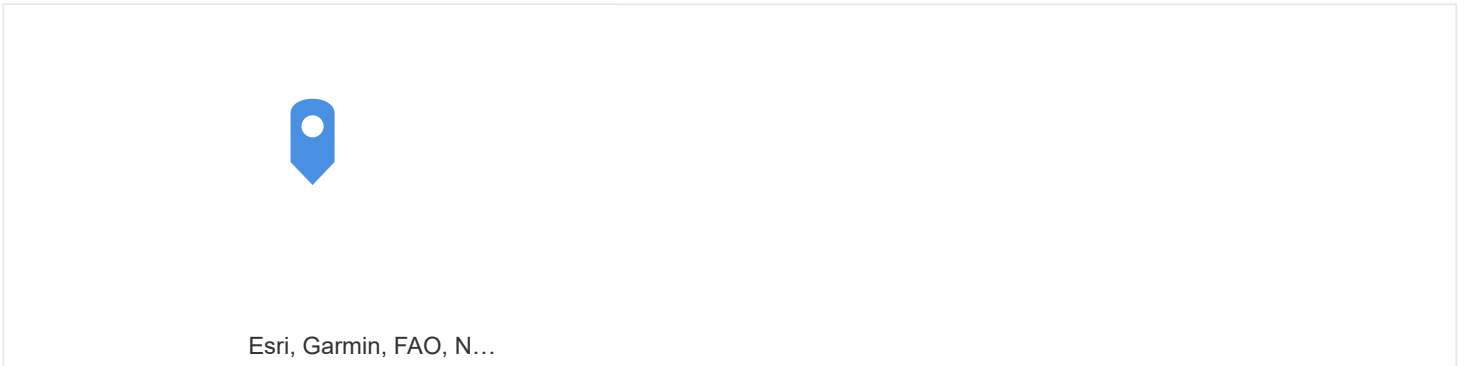
Inspection Type

Construction Complete/Expired Field Inspection

Field Inspection

Location

Lat: 44.781608 Lon: -93.45213



Current Weather

Sunny

Has it Rained in the last 48 hours?

No

Rule B

Is Rule B Applicable?

Yes

Is there any construction activity going on?

No

Are staging areas designated in plans?

No

Are disposal sites designated in plans?

No

Were any discharge locations identified?

Yes

Is there evidence of sediment build up?

No

Are energy dispersion BMPs in place?

Yes

Take photo



RuleB_image12-20231017-120502.jpg



RuleB_image12-20231017-120452.jpg

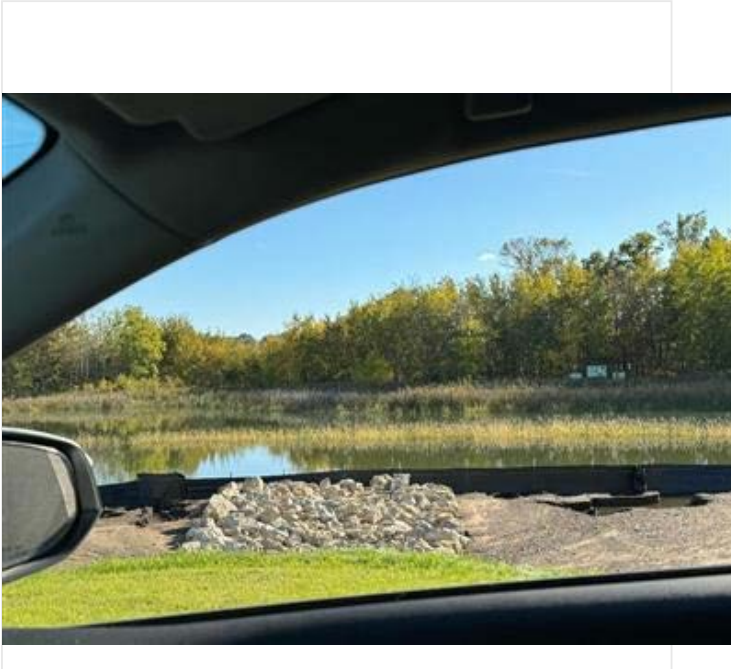
Is there evidence of erosion like rills or gullies?

Yes

Describe location

Infiltration bench

Take photo



RuleB_image13-20231017-120527.jpg

Were any inlet locations identified?

Yes

Is there evidence of sediment/pollutant build up?

No

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

No

Are all disturbed areas restored and is there 70% vegetative cover?

Yes

Take photo



RuleB_h3-20231017-120616.jpg



RuleB_h3-20231017-120609.jpg



Are there any remaining temporary BMPs?

Yes

What temporary BMPs are in place?

- **Silt Fence**
- **Erosion Control Blanket**
- **Inlet Protection**

Where are they located?

All over the site

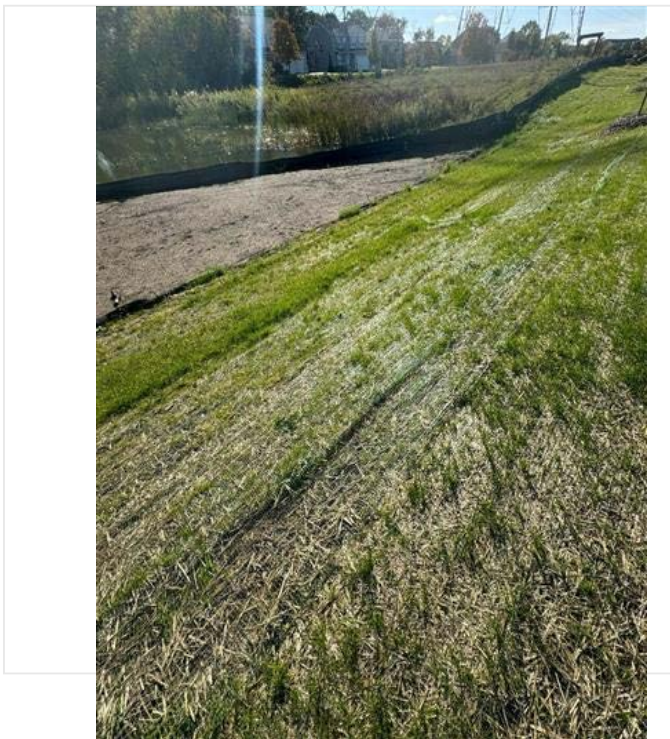
Take photo



RuleB_i4-20231017-120714.jpg



RuleB_i4-20231017-120705.jpg



Rule C

Is Rule C applicable?

No

Rule D

Is Rule D Applicable?

Yes

Do impervious areas in the construction plan match those seen in the field?

Yes

Do they look well maintained?

Yes

Do permanent stormwater management facilities look like what was proposed?

Yes

Do they look well maintained?

No

Take photo



RuleD_b4-20231017-120843.jpg



RuleD_b4-20231017-120832.jpg

Do visible inlet culverts associated with stormwater management facilities differ from those listed in the plans?

No

Are there any inlet culverts that were not specified in the construction plans?

No

Are there any outlet control structures associated with stormwater management facilities that differ from those listed in the plans?

No

Do any outlet control structures exist that were not specified in the construction plans?

No

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

Yes

Do they look well maintained?

No

Is the site located by or discharge to designated trout waters?

No

Based on the maintenance agreement, are stormwater facilities accessible?

Yes

Does the site have wetlands, marshes, or floodplains?

No

Rule F

Is Rule F applicable?

No

Are there any water bodies on-site (i.e. ponds, lakes, rivers, wetlands, etc.)?

No

Are there any special stipulations identified in the active LMRWD permit?

No

Does the site require a follow-up reinspection?

No

Agenda/ Summary



PROJECT NAME: LMRWD Municipal Coordination – City of Burnsville

Date: Friday, December 8, 2023
Start Time: 10:00 a.m.
End Time: 11:00 a.m.
Location: Virtual meeting using Teams

MEETING OBJECTIVES:

- To continue the established collaboration and information sharing framework
- To review recent and upcoming LMRWD and City projects and programs
- To assess resources and share costs on projects that protect or enhance natural resources

INVITEES: Logan Vlasaty and Daryl Jacobson– City of Burnsville

HOSTS: Linda Loomis – Naiad Consulting and Lower Minnesota River Watershed District
Erica Bock – Young Environmental Consulting Group

AGENDA/SUMMARY:

1. Agenda Overview

Erica thanked everyone for joining and taking time out of their day for the meeting.

Linda thanked the City for the partnership and open communication between the City and the LMRWD.

2. Municipal Permit (Della)

a. City Questions or Concerns

Erica asked if the City had any questions or concerns since the issue of their municipal permit in May 2023.

Logan said that he wasn't aware of any issues.

3. Individual Permits (Erica)

a. Provide Verification of the Active and Conditionally Approved LMRWD Permits in Burnsville

Erica provided an overview of the active projects and inspected projects.

- 2022-002 CenterPoint MBL Nicollet River Crossing
- 2022-027 Ivy Brook Northeast
- 2022-039 Former Knox Site
- 2022-040 Burnsville Sanitary Landfill
- 2021-057 Cliff Road Ramps

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- vi. 2021-025 I35W Frontage Trail
- vii. 2021-030 Building Renovation Park Jeep
- b. 2023 Inspections (Figure 1)
 - i. Total number of projects inspected: 10
 - 2021-007 Burnsville Cemetery Expansion
 - 2021-017 Capstone 35
 - 2021-025 I35W Frontage Trail
 - 2021-030 Building Renovation Park Jeep
 - 2021-057 Cliff Road Ramps
 - 2022-002 CenterPoint MBL Nicollet River Crossing
 - 2022-003 Ivy Brook East
 - 2022-008 Ivy Brook West
 - 2022-027 Ivy Brook Northeast
 - 2022-039 Former Knox Site
 - ii. 5 sites had follow-ups/maintenance issues:
 - 2022-039 Former Knox Site
 - 2021-030 Building Renovation Park Jeep
 - 2021-025 I35W Frontage Trail
 - 2022-003 Ivy Brook East
 - 2022-027 Ivy Brook Northeast
 - iii. Most common maintenance/non-compliant issues: in the City
 - Insufficient construction exit/entrance BMP

Erica said that all projects with maintenance issues sent timely photos of the resolved issues, and the LRMWD will plan on inspecting again next summer.

- c. Upcoming projects
 - i. 2023-026 CenterPoint Pipeline Abandonment

Daryl said the City had a meeting with the CenterPoint team last week and had not additional updates.

- ii. MnDOT projects
- iii. Projects in the floodplain

Logan said that there is a 2025-2026 MnDOT bridge replacement planned for over Cliff Road.

Agenda/ Summary

4. Projects and Programs (Della)

a. LMRWD Capital Improvement Projects

i. Trout Streams Geomorphic Assessments

- Several Trout Streams within the Black Dog Lake Fen

The previous assessment was in 2019. This upcoming project plans to take cross-sections, profiles, and habitat assessments of the streams to see if there are any new issues or if issues are progressing.

b. City Capital Improvement Projects

i. Are there any water resource related CIP projects planned within the LMRWD?

Logan said there are no 2024 projects planned within the LMRWD.

ii. Are there any CIP projects planned within the Black Dog Lake Fen HVRA?

c. Gully Inventory

i. Overview of gully ranking in 2023

Staff went out and assessed the high priority sites to determine the severity of erosion and determine the highest priority among the high priority. In 2024 the LMRWD is looking to partner with municipalities on these high priority sites for feasibility studies and knowledge sharing.

The LMRWD will send GIS shapefiles so the City can see where the gullies are located.

Daryl said that he thinks some of these sites have previously been assessed by the City.

Erica asked the City to reach out after reviewing the report with the shapefiles to let the LMRWD know if the City is aware of these gullies or has any interest in partnering on a feasibility study.

Daryl said that the CIP usually has money set aside for ravine restoration.

Logan asked what partnership with these might look like. Linda said that these feasibility studies could be solely an LMRWD project or in partnership with the City.

ii. Review the Priority Sites (Figure 2)

- [2023 Gully Inventory and Condition Assessment](#)

iii. Discuss opportunities for partnering on high priority sites

- Planned projects
- Funding opportunities

The LMRWD formalized the Water Resources Restoration Fund. The LMRWD sets aside \$100,000 annually for funding up to 25% of projects costs. The application is

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being sent out shortly and due February 29.

Daryl asked about Watershed Based Implementation Funds. Linda said that the funds are not available till July and anticipates convene meetings starting in January 2024.

5. Next Steps (Della)

- a. Generate and share meeting summary

Summary



PROJECT NAME: LMRWD Municipal Coordination – City of Chanhassen

Date: Monday, November 27, 2023
Start Time: 3:00 p.m.
End Time: 4:00 p.m.
Location: Virtual meeting using Teams

MEETING OBJECTIVES:

- To continue the established collaboration and information sharing framework
- To review recent and upcoming LMRWD and City projects and programs
- To assess resources and share costs on projects that protect or enhance natural resources.

INVITEES: Joe Seidl and Charles Howley—City of Chanhassen

HOSTS: Linda Loomis – Naiad Consulting and Lower Minnesota River Watershed District
Della Young and Erica Bock – Young Environmental Consulting Group

AGENDA/SUMMARY:

1. Agenda Overview

2. Municipal Permit (Della)

- a. Progress on obtaining a Municipal Permit

The City provided an update stating that it is currently in the process of completing a large code reorganization, which delays any significant code updates in the Water Resources Department. The City is six months away from completing that process, after which the department can rewrite the City code to work on obtaining the municipal permit. Currently, the City is not seeing much development within the LMRWD, so the municipal permit is not a priority.

The LMRWD will ask for a progress and interest update at next year's municipal coordination meeting.

3. Individual Permits (Erica)

- a. 2023 Inspections (Figure 1)

LMRWD staff reviewed the projects inspection, and there was no discussion.

- i. Total number of projects inspected: 2
 - 2022-024 Gedney Pickles Holding Pond Restoration
 - 2021-002 CSAH 61 Drainage Ditch
- ii. Total number of inspections completed: 2

Summary

Zero sites required follow-ups or had any maintenance issues.

b. Upcoming projects

i. 2023-001 Lakota Lane After-the-Fact (**Linda**)

LMRWD provided an update on the project.

Currently, the LMRWD has requested that the property owner fix the LMRWD rule violations on-site and submit a permit application. The property owner has been noncompliant, and the LMRWD has accordingly filed for action in District Court to compel the property owner to fix the violations. The LMRWD is awaiting a summary judgment and a court date.

The LMRWD asked if the City had any additional updates. The City mentioned that the site is currently in violation of zoning requirements and that the City has pulled its certificate of occupancy. The City Zoning Department has more information if the LMRWD is interested.

The LMRWD will continue to keep the City in the loop, and if the LMRWD needs to take any action, the City would be notified well in advance.

ii. 2022-031 RSI Marine

The LMRWD provided a project review status update and stated that the application was currently incomplete. The City noted that it met with the applicant the previous week to discuss the incomplete application items for the City and will inform the applicant on their next submittal to submit to the LMRWD.

4. Projects and Programs (**Della**)

a. LMRWD Capital Improvement Projects

i. Seminary Fen Stewardship Plan and Private Land Acquisition Study

The LMRWD presented the goal of the project: to put together a management plan for Seminary Fen and complete a study to either purchase the private properties within the fen or partner with other entities (i.e., MnDNR) so that the fen can be observed and managed rather than developed.

ii. Trout Stream Geomorphic Assessment

- Assumption Creek

The LMRWD provided background and noted that the last geomorphic assessment was completed in 2019 and that the project aims to complete an additional geomorphic assessment to see if there is any progress regarding previously identified issues or new issues with the creek.

b. City Capital Improvement Projects

- #### i. Are there any water resource related CIP projects within the LMRWD?

Summary

- ii. Are there any CIP projects planned within an HVRA?

The City has nothing planned within the LMRWD area for CIPs.

The LMRWD informed the City that it has allocated up to \$100,000 a year to partially support CIP projects through the Water Resources Restoration Fund. The LMRWD will fund up to 25 percent of applicable projects. The application will be sent to the cities if they are interested in filling it out within the next week or so.

- c. Gully Inventory

- i. Overview of gully ranking in 2023

- [2023 Gully Inventory and Condition Assessment](#)

- ii. Review the Priority Sites (Figure 2)

The initial study was completed in 2008 to evaluate the gullies within the LMRWD and determine their condition. The 2023 study looked at the highest-priority sites and then outlined criteria for the highest priority sites to potentially complete feasibility studies in partnership with the cities within the LMRWD.

The City asked about the feasibility study process. The LMRWD will coordinate with the cities, and either entity will create the feasibility report. After the feasibility report, mitigation strategy options will be developed and the City and LMRWD can move forward with funding options. The project is recommended to be completed in partnership with the cities.

5. Next Steps (Della)

- a. Generate and share meeting summary

Agenda/ Summary



PROJECT NAME: LMRWD Municipal Coordination – City of Eden Prairie

Date: Wednesday November 29, 2023
Start Time: 3:30 p.m.
End Time: 4:00 p.m.
Location: Virtual meeting using Teams

MEETING OBJECTIVES:

- To continue the established collaboration and information sharing framework
- To review recent and upcoming LMRWD and City projects and programs
- To assess resources and share costs on projects that protect or enhance natural resources

INVITEES: Patrick Sejkora and Lori Haak – City of Eden Prairie

HOSTS: Linda Loomis – Naiad Consulting and Lower Minnesota River Watershed District
Della Young and Erica Bock – Young Environmental Consulting Group

AGENDA/SUMMARY:

1. Agenda Overview

The LMRWD thanked the City for its partnership and expressed excitement for continuing the collaboration process.

The LMRWD asked whether the City had any additional thoughts about obtaining a municipal permit. The City noted that it had not been discussed at the staff level recently because there are not many projects within the LMRWD. The LMRWD will let the City know how many permits per year the LMRWD receives in Eden Prairie.

2. Individual Permits (Erica)

- a. Provide Verification of the Active and Conditionally Approved LMRWD Permits in Eden Prairie

The LMRWD presented the active projects, inspected projects, and upcoming projects.

- i. 2022-007 Engineered Hillside
 - ii. 2022-037 Peterson Wetland Bank
- b. 2023 Inspections (Figure 1)
 - i. Total number of projects inspected: 2
 - 2022-007 Engineered Hillside
 - 2022-026 10521 Spyglass Dr
 - ii. 1 site had follow-ups/maintenance issues

Agenda/ Summary

- 2022-007 Engineered Hillside

The City thanked the LMRWD for the continued collaboration on this project and for making the City aware of the vegetation issue in the Steep Slopes Overlay District.

c. Upcoming projects

Area 3 is an upcoming LMRWD construction project. The Area 3 project permit (LMRWD) will be reviewed by Barr Engineering, and Eden Prairie will be provided with the tech memo once complete.

3. Projects and Programs (Della)

a. LMRWD Capital Improvement Projects

i. Area 3 Bluff Stabilization Project

The LMRWD provided an update on the Area 3 project. The project is currently at 60% design. This week, the LMRWD discussed with the Eden Prairie Planning department the potential land acquisition by the Area 3 project area. WSB has coordinated with the landowner to assess and survey the property. The project is anticipated to begin working on 90% plans in January of 2024. The cultural resources evaluations have been completed and can be shared with Eden Prairie.

The City asked how the project will be funded. The LMRWD highlights that the project has received a grant from Hennepin County and received cost-share dollars from the Minnesota Legislature. The City has dollars set aside for the project from Eden Prairie for 2024–2025.

b. City Capital Improvement Projects

i. Are there any water resource related CIP projects within the LMRWD?

The City has no planned CIPs within the LMRWD.

ii. Are there any CIP projects planned within an HVRA?

c. Gully Inventory

i. Overview of gully ranking in 2023

- [2023 Gully Inventory and Condition Assessment](#)

ii. Review the Priority Sites (Figure 2)

iii. Discuss opportunities for partnering on high priority sites

- Planned projects
- Funding opportunities

The gullies in Eden Prairie were first reviewed in 2020. The 2023 project focuses on high-priority sites to see how erosion is progressing and if feasibility studies are

Agenda/ Summary

needed. The LMRWD will share shapefiles of the gullies so that the City can see exactly where the points are as well as consider how they can be incorporated into future projects.

The City said that the Parks Department will complete work within Richard T. Anderson Park. There have been multiple slope failures and washouts, and the park has historically tried to prevent washout of the trails and protect sensitive plant species.

From an ecological perspective and considering the gully inventory, a meeting between the LMRWD and Parks Department may provide opportunities for partnership.

The LMRWD will send a Water Resources Restoration Fund application to the City soon. The fund is a cost share of up to 25% of a project costs up to \$100,000. Applications will be due at the end of February 2024.

The City noted that there is a project planned for Dell Road in Eden Prairie, but based on previous permitting conversations, Riley Purgatory Bluff Creek Watershed will be handling the permitting.

4. Next Steps (Della)

- a. Generate and share meeting summary

Agenda



PROJECT NAME: LMRWD Municipal Coordination – City of Lilydale

Date: Thursday, December 7, 2023
Start Time: 2:00 p.m.
End Time: 2:30 p.m.
Location: Virtual meeting using Teams

MEETING OBJECTIVES:

- To continue the established collaboration and information sharing framework
- To review recent and upcoming LMRWD and City projects and programs
- To assess resources and share costs on projects that protect or enhance natural resources

INVITEES: Mary Schultz and Jen Koehler – City of Lilydale

HOSTS: Linda Loomis – Naiad Consulting and Lower Minnesota River Watershed District
Della Young and Erica Bock – Young Environmental Consulting Group

AGENDA:

1. Agenda Overview

The LMRWD thanked the City for their time, attendance, and partnership.

2. Municipal Permit (Della)

- a. Progress on obtaining a Municipal Permit

The City code updates and SWMP were approved at the City Council in August, and the final ordinances and SWMP were sent over to the LMRWD.

The LMRWD staff will review the information to ensure the conditions have been met and send the permit out shortly thereafter, before executing the resolution for the municipal permit.

The City has updated its code to include a new rule that prohibits any new discharge over the bluffs. In addition, by 2045, all the private property owners must redirect their discharge or identify safe conveyances to the bottom of the bluffs. MNDOT owns the property at the bottom of the bluff and ideally would like to see drop shaft systems; however, this is a costly option. The City is developing a feasibility study and planning tool for the private outfalls and is working on educating the public on these updates.

3. Individual Permits (Erica)

- a. Upcoming projects

The LMRWD noted that there were no upcoming projects in Lilydale.

4. Projects and Programs (Della)

Agenda

a. City Capital Improvement Projects

i. Are there any water resource related CIP projects within the LMRWD?

The City was working on an updated hydrology and hydraulics (H&H) model for the entire City. The LMRWD does not have a district-wide H&H model at this time but is interested in checking in with cities on their current procedures regarding H&H models with recent software changes in the H&H field.

b. Generate and share meeting summary

Agenda



PROJECT NAME: LMRWD Municipal Coordination – Metropolitan Airports Commission

Date: Wednesday, November 29, 2023
Start Time: 4:00 p.m.
End Time: 5:00 p.m.
Location: Virtual meeting using Teams

MEETING OBJECTIVES:

- To continue the established collaboration and information sharing framework
- To review recent and upcoming LMRWD and MAC projects and programs
- To assess resources and share costs on projects that protect or enhance natural resources

INVITEES: Marisa Trapp and Puneet Vedi– Metropolitan Airports Commission
Mat Knutson – Terracon Consultants
Greg Robinson – Kimley-Horn
Allen Dye – TKDA

HOSTS: Linda Loomis – Naiad Consulting and Lower Minnesota River Watershed District
Della Young and Erica Bock – Young Environmental Consulting Group

AGENDA:

1. Agenda Overview

LMRWD thanked everyone for taking the time to meet and to have this annual call to maintain collaboration.

2. Municipal Permit (Della)

- a. Progress on obtaining a Municipal Permit

LMRWD asked about the MAC's progress or interest in obtaining a municipal permit.

The MAC said that the team is working on updating the design standards to get started on obtaining a municipal permit. Ideally, the MAC would like a municipal permit for Rule B and Rule D. Rule B is close to being completely updated. Rule D is being discussed internally on how it is applied at the MAC now and moving forward. It could be beneficial to set up a meeting with MAC and the LMRWD in the future. LMRWD considers the MAC is a unique site.

LMRWD's municipal permit application [online](#) and supporting information can submit via the permit@lowermnrivewd.org. The municipal permit application for Rule B and Rule D don't have to be completed at the same time. It is advised that once the standards and design have been updated for Rule B that it be submitted to allow time to review. Once approved, the Rule B municipal permit can be administered and amended with Rule D later.

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3. Individual Permits (Erica)

- a. Provide Verification of the Active and Conditionally Approved LMRWD Permits in the MAC

LMRWD presented the active projects, inspected projects, and upcoming projects at MAC.

- i. 2021-022 2021 Security and Safety Center Phase 1
 - ii. 2022-022 Ace Rent a Car
 - iii. 2023-012 Concourse G Infill Pods 2-3
- b. 2023 Inspections (Figure 1)
 - i. Total number of projects inspected: 4
 - 2020-113 Fort Snelling Redevelopment
 - 2021-022 2021 Security and Safety Center
 - 2021-058 Perimeter Gates Improvements
 - 2022-022 Ace Rent a Car
 - 2023-012 Concourse G Infill Pods 2-3
 - ii. 0 sites had follow-ups/maintenance issues
 - c. Upcoming projects
 - i. MAC Project (Meeting on 9/27/2023)

MAC Storage Building

2023-022 Safety and Security Center Phase 2.

The MAC team said that there is a large Terminal 2 expansion planned for 2024 on the airside and landside. The MAC will be scheduling a pre-permit meeting with the LMRWD soon.

4. Projects and Programs (Della)

- a. City Capital Improvement Projects
 - i. Are there any water resource related CIP projects within the LMRWD?

There is a large Terminal 2 expansion in addition to a parking lot expansion that will happen within the LMRWD.

5. Boundary Change (Erica)

- a. LMRWD approved boundary changes
- b. Petition sent to MAC and MCWD
- c. Waiting on resolutions and letters of concurrence from MAC and MCWD

The MAC concurrence letter has been drafted. It is going through legal review as well as the processes to obtain all the signatures needed.

The LMRWD gave an update that MCWD is currently reviewing the petition and plans to

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bring it to their board on December 28. Their concurrence letter and resolution should follow.

- d. Compile petition and send to BWSR for approval.

LMRWD petition has been approved by the board. Once all the materials are received from MAC and MCWD, it can be signed and sent to BWSR.

The MAC asked if the LMRWD would need the maintenance agreements that were previously with MCWD transferred to the LMRWD once the boundary change has been approved. LMRWD will check in with LMRWD legal on the process.

6. Next Steps (Della)

- a. Generate and share meeting summary

Agenda/Summary



PROJECT NAME: LMRWD Municipal Coordination – City of Savage

Date: Monday, December 4, 2023
Start Time: 2:00 p.m.
End Time: 3:00 p.m.
Location: Virtual meeting using Teams

MEETING OBJECTIVES

- To continue the established collaboration and information sharing framework
- To review recent and upcoming Lower Minnesota River Watershed District (LMRWD) and City of Savage (City) projects and programs
- To assess resources and share costs on projects that protect or enhance natural resources

INVITEES: Jesse Carlson and Seng Thongvanh – City of Savage

HOSTS: Linda Loomis – Naiad Consulting and the LMRWD
Della Young and Erica Bock – Young Environmental Consulting Group

AGENDA/SUMMARY

1. Agenda Overview

The LMRWD thanked everyone for attending and continuing the collaboration and partnership between the City and the LMRWD.

2. Municipal Permit (Della)

- a. Progress on obtaining a Municipal Permit

The City started working with a consultant this fall to update the zoning code. Updates aim to include watershed requirements (LMRWD, PLOC, and Scott WMO). The City plans to have the code updates completed in 2024.

The LMRWD asked to be updated and said it will check in during the first quarter of the new year.

3. Individual Permits (Erica)

- a. Provide Verification of the Active and Conditionally Approved LMRWD Permits in the City

The LMRWD presented an overview of the active and inspected projects within the LMRWD.

- i. 2021-003 MN MASH
- ii. 2021-025 TH13/Dakota Ave Improvements
- iii. 2023-009 AT&T Bloomington to Eureka Fiber

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- iv. 2023-002 Eagle Creek Bridge
- v. 2023-014 KTI Fencing
- vi. 2023-020 Tramore Heights Addition (Rule B Only)
- vii. 2023-023 Vernon Avenue Improvements
- b. 2023 Inspections (Figure 1)
 - i. Total number of projects inspected: 2
 - 2021-003 MN MASH
 - 2021-025 TH13/Dakota Ave Improvements
 - ii. 0 sites had follow-ups/maintenance issues
- c. Upcoming projects
 - i. 2023-020 Tramore Heights Addition (Rule F)
 - ii. 2023-024 Carmeuse Savage Marine Improvements

4. Projects and Programs (Della)

- a. LMRWD Capital Improvement Projects
 - i. Vernon Avenue Road Improvements Project

The LMRWD noted that the City should have received information on this project from Bolton & Menk. The project recently received approval from the railroad. The remaining item is to finalize the plan. The project should be out for bidding in early February.

- ii. Savage Fen Stewardship Plan and Private Land Acquisition Study

The Savage Fen Stewardship Plan is underway, and the project works closely with the Minnesota Department of Natural Resources. The 2024 project is looking at land in proximity to the fen under private ownership to mitigate the risk associated with development.

- iii. Eagle Creek Bank Restoration at Town & Country RV Park Feasibility Study
- iv. Trout Streams Geomorphic Assessments
 - Eagle Creek

The 2024 project aims to complete profiles, cross-sections, and habitat assessments again. The City will be notified closer to the beginning of the project. The goal of the project is to determine whether new issues exist or if issues are progressing.

- b. City Capital Improvement Projects
 - i. Are there any water resource related CIP projects within the LMRWD?

The City noted that work is anticipated on Quentin Avenue. The City was allocated bonding for the design of the project, and it is in the very early stages.

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MNDOT received \$96 million for the corridors of commerce roadway improvements all the way through Burnsville. The MNDOT is expecting the timing for that project to be in 2026–2027.

The Pomp's is evaluating the floodplain in Savage with Bolton & Menk, and the LMRWD should be expecting a CLOMR.

ii. Are there any CIP projects planned within an HVRA?

c. Gully Inventory

i. Overview of the [2023 Gully Inventory and Condition Assessment](#)

ii. Review the Priority Sites (Figure 2)

The LMRWD will send shapefiles of the gully locations within the City. LMRWD staff have reviewed the highest-priority sites to determine the severity of erosion concerns.

If the City is interested in partnering after reviewing the shapefiles and the report, they should contact the LMRWD.

The City has heard from homeowners and townhome associations for gullies and asked what can be done on private property.

The LMRWD offers up to \$2,500 for property owner projects but is worried about not covering the cost of a project. The City is working to compile some funding sources for private property owners.

iii. Discuss opportunities for partnering on high priority sites

- Planned projects
- Funding opportunities

The LMRWD has formalized its Water Resources Restoration Fund. The LMRWD sets aside up to \$100,000 annually for cost sharing on projects municipalities are completing. A formalized application will be sent out shortly.

5. Next Steps (Della)

a. Generate and share meeting summary