



Please note the meeting will be held in person at the Carver County Government Center on the Wednesday, December 20, 2023. The meeting will also be available virtually using this [link](#).

LOWER MINNESOTA RIVER WATERSHED DISTRICT

Lower Minnesota River Watershed District

7:00 PM

Wednesday, December 20, 2023

Carver County Government Center

602 East Fourth Street, Chaska, MN 55318

Agenda Item	Discussion
1. Call to order	A. Roll Call
2. Citizen Forum	<i>Citizens may address the Board of Managers about any item not contained on the regular agenda. A maximum of 15 minutes is allowed for the Forum. If the full 15 So are not needed for the Forum, the Board will continue with the agenda. The Board will take no official action on items discussed at the Forum, with the exception of referral to staff or a Board Committee for a recommendation to be brought back to the Board for discussion or action at a future meeting.</i>
3. Approval of Agenda	A. Additions, Corrections, and Deletions to Agenda
4. Public Hearings & Presentations	A. Final Certification of Tax Levies Payable 2024 and Final Adoption of 2024 Budget B. Presentation by City of Carver – Levee improvement project C. Public Engagement Project D. Recognition of Contribution to LMRWD by Manager Jesse Hartmann
5. Consent Agenda	<p><i>All items listed under the consent agenda are routine by the Board of Managers and will be enacted by one motion and an affirmative vote of a majority of the members present. There will be no separate discussion of these items unless a Board Member or citizen request, in which event, the items will be removed from the consent agenda and considered as a separate item in its normal sequence on the agenda.</i></p> A. Approve Minutes November 15, 2023 Regular Meeting B. Receive and file November 2023 Financial report C. Approval of Invoices for payment <ul style="list-style-type: none"> i. Clifton Larson Allen (CLA) – Financial services through November 2023 ii. TimeSavers Off Site Secretarial – Preparation of Oct 2023 meeting minutes iii. Rinke Noonan, Attorneys at Law – November 2023 Legal Services iv. Daniel Hron – February 2024 office rent v. US Bank Equipment Finance – December 2023 copier lease payment vi. Young Environmental Consulting Group, LLC – November 2023 technical, and Education & Outreach services vii. Naiad Consulting, LLC – November 2023 administrative services, mileage & expenses viii. I & S Group – October 2023 services related to Spring Creek

	<ul style="list-style-type: none"> ix. Studio Lola – design, illustration & fabrication of signage for Quarry & Courthouse Lakes x. 106 Group – November 2023 services related to Area #3 xi. 106 Group – November 2023 services related to Vernon Avenue xii. Bolton & Menk – November 2023 services related to Vernon Avenue xiii. Frenette Legislative Advisors - November & December 2023 legislative services xiv. Redpath and Company – Preparation of FY 2021 Financial Audit xv. WSB – property acquisition services for Area #3 xvi. Barr Engineering Co. – November 2023 engineering services related to Area #3 xvii. Inter-Fluve – October 2023 design services related to Area #3 xviii. 4M Fund – October 2023 Bank service charges D. Report from Citizen Advisory Committee E. Authorize removal of Manager Hartmann and addition of President Barisonzi as signatory to LMRWD financial accounts F. Receive update to Legal Services Agreement G. Authorize preparation of 2023 Annual Report H. Accept final report from Scarborough Townhouses Association Cost Share and authorize reimbursement I. Receive and file FY 2021 Financial Audit and authorize distribution J. Receive and file correspondence from Len Kremer K. Approve Dakota County SWCD monitoring & Education services Workplan and Budget
6. Permits	<ul style="list-style-type: none"> A. Carmeuse Savage Marine Improvements (LMRWD No. 2023-024) B. Tarnhill Pond (LMRWD No. 2023-029) C. Authorize execution of Maintenance agreement between the LMRWD and the Metropolitan Airport Commission D. 535 Lakota Lane, Chanhassen – work without a permit E. LMRWD Permit Program Summary
7. Action Items	<ul style="list-style-type: none"> A. Area #3 <ul style="list-style-type: none"> - Accept Hennepin County Opportunity Grant award for Area#3 and authorize execution of Grant Agreement by Administrator - <u>The Board of Managers may close the meeting pursuant to statutes section 13D.05, subd. 3.c.3, to discuss the purchase an easement or fee ownership interest of a portion of property located in Eden Prairie, Hennepin County PID #3511622230013</u>
8. Reports on Standing Business Items	<ul style="list-style-type: none"> A. Dredge Management <ul style="list-style-type: none"> - Dredging at the mouth of the River - Private Dredge Material Placement - Vernon Avenue Rehabilitation and Culvert Replacement Project B. Watershed Management Plan <ul style="list-style-type: none"> - Report on Municipal Coordination meetings - Report on LMRWD audit of Municipal LGU permits C. Lower MN River East One Watershed One Plan <ul style="list-style-type: none"> - Review of draft Memorandum of Understanding - Review of Draft 1W1P
9. Old Business	<ul style="list-style-type: none"> A. 2021/2022 Financial Audit B. 2024 Legislative Action C. Education & Outreach

10. Board Discussion Items	A. Biennial Solicitation for Letters of Interest for Legal, Professional and Technical consultant services B. MPCA Lower Minnesota River Watershed Surface Water Monitoring Request Guidance
11. Communications	C. Administrator Report D. President E. Managers F. Committees G. Legal Counsel F. Engineer
12. Adjourn	Next meeting of the LMRWD Board of Managers is 7:00 pm Wednesday, January 17, 2023.

Upcoming meetings/Events

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

- Lower MN River East 1W1P Advisory Committee meeting – Wednesday, December 20, 2023, 10:00 am to 12:00 noon, [virtual only](#)
- Lower MN River East 1W1P Steering Committee meeting – Wednesday, December 20, 2023, 1:30 pm to 3:30 pm – [virtual only](#)
- UMWA (Upper Mississippi Waterway Association) monthly meeting – Thursday, December 21, 2023, 11:30 pm, Lilydale Pool & Yacht Club
- Lower MN River East 1W1P Policy Committee – Thursday, December 21, 2023, 3:00pm to 5:00pm, hybrid, in-person at LeSueur County SWCD offices, 181 W Minnesota Street, Le Center, MN, or [virtual \(MSTeams\)](#)
- LMRWD Citizen Advisory Committee meeting – Tuesday, January 2, 2023, 4:30pm, virtual
- Southwest Metro Water Supply Planning; Workshop 2 – Thursday, January 11, 2-24, 1:00 pm to 4:00 pm, McColl Pond Environmental Learning Center
- Lower Minnesota River Watershed Assessment – Wednesday, January 31, 2024, 2:00 to 4:00, [virtual \(MS Teams\)](#)
- [County Drainage Conference](#) – February 7 & 8, Arrowwood Resort, Alexandria, MN.

For Information Only

- **WCA Notices**
 - Hennepin County – City of Bloomington – Notice of Application – Tarnhill Pond
 - Hennepin County – City of Bloomington – Notice of Decision – Tarnhill Pond
 - Carver County – City of Carver – Notice of Decision – Spring Creek (LMRWD Project)
 - Scott County – MnDOT – Notice of Decision – Shakopee Marystown Road/TH 169
 - Carver County – City of Chaska – Notice of Decision – Creek Road Utility Improvements
 - Carver County – City of Chaska – Notice of Decision – Engler Trail Gap project
- **DNR Public Waters Work permits**
 - Hennepin County - Bloomington – request for comments, permit application for sediment removal and intake/outfall structure, Tarnhill Pond maintenance
- **DNR Water Appropriation permits**
 - None

Item 4. A. – **Final Certification of Tax Levies payable 2024 and Final Adoption of 2024 Budget**

Executive Summary

December 20, 2023

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Recommended Action

Open Public hearing and take public comment

Close Public Hearing and Motion to adopt Resolution 23-17 Final Certification of Property Tax Levies for Taxes Payable 2024 and Final Approval of 2024 Budget and authorize certification to Counties

Manager _____ introduced the following resolution and moved its adoption:

RESOLUTION 23-17

LOWER MINNESOTA RIVER WATERSHED DISTRICT

FINAL CERTIFICATION OF PROPERTY TAX LEVIES FOR TAXES PAYABLE 2024

AND FINAL APPROVAL OF 2024 BUDGET

WHEREAS Minnesota Statutes Sections 103D.911 and 103D.915 require that each year the Board of Managers of the Lower Minnesota River Watershed District (LMRWD) adopt a budget for the next year and determine the total amount necessary to be raised from ad valorem tax levies to meet the District budget, and that the District certify to the auditor of each county within the District the county's share of the tax levy; and

WHEREAS, pursuant to Minnesota Statutes Section 103D.911, the Board of Managers called a public hearing to be noticed and held on September 20, 2023, on the proposed 2024 LMRWD budget and Tax Levies Payable 2024, where all interested members of the public were afforded the opportunity to address the Board concerning the proposed budget and levy; and

WHEREAS, pursuant to Minnesota Statutes Section 103D.911, at their September 20, 2023, Regular Meeting the Board of Managers adopted Resolutions 23-10 through 23-13 approving Preliminary Certification of Tax Levies Payable 2024 and adoption of the 2024 Budget; and

WHEREAS, the Board of Managers of the Lower Minnesota River Watershed District ("LMRWD") proposed a total budget of Two Million One Hundred Ten Thousand Three Hundred Thirty-Eight and 00/100 Dollars (\$2,110,338.00) for the fiscal year commencing January 1, 2024; and

WHEREAS, the 2024 Budget requires One Million One Hundred Seventy-Five Thousand Dollars (\$1,175,000) to be raised from an ad valorem tax levy on all taxable property in the LMRWD, apportioned according to the attached Schedule A, the following amounts:

Administrative Tax Levy	\$250,000 (Minnesota Statutes § 103D.905 Subd. 3)
Planning & Implementation Levy	\$625,000 (Minnesota Statutes § 103B.241)
Bonded Debt Levy:	
Area #3 Bonds	<u>\$300,000</u> (Minnesota Statutes § 103D.905 Subd. 4)
TOTAL Tax Levy	<u>\$1,175,000</u>

NOW, THEREFORE, BE IT RESOLVED, by the Board of Managers of the LMRWD, that the Secretary, in accordance with Minnesota Statutes, shall certify an ad valorem tax of One Million One Hundred Seventy Five Thousand and 00/100 Dollars to the Auditors of the following counties: Carver, Dakota, Hennepin and Scott, apportioned according to the attached Schedule A, which sum to be raised by a levy on all taxable property in the Lower Minnesota River Watershed District payable in the year 2024 and for the purposes noted above; and

BE IT FURTHER RESOLVED, the Administrator shall certify to the County Auditors of Carver, Dakota, Hennepin and Scott Counties a copy of this Resolution approving the property tax levies for collection in 2024 for the Lower Minnesota River Watershed District

BE IT FURTHER RESOLVED by the Board of Managers of the Lower Minnesota River Watershed District that the 2024 Budget is hereby approved and adopted as the final budget for 2024.

The question on the adoption of the Resolution was seconded by Manager _____. Upon a vote being taken there were ___ yeas and ____ nays as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
AMUNDSON	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BARISONZI	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HARTMANN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
KUPLIC	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SALVATO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Adopted by the Board of Managers of the Lower Minnesota River Watershed District this 20th day of December 2023.

Jesse Hartmann, President

ATTEST:

Theresa Kuplic, Vice President

I, Theresa Kuplic, Vice President of the Lower Minnesota River Watershed District, do hereby certify that I have compared the above Resolution with the original thereof as the same appears of record and on file with the LMRWD and find the same to be a true and correct transcript thereof.

IN TESTIMONY WHEREOF, I hereunto set my hand this 20th day of December 2023.

Theresa Kuplic, Secretary

SCEHDULE A

District 060 - Lower MN River Watershed

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

Preliminary Certification of Apportioned Levies

Payable 2024

1)	General Fund (M.S. 103D.905, Subd. 3)	\$250,000.00	
2)	Planning and Implementation Fund (M.S. 103B.241)	\$625,000.00	
3)	Bonded Debt Levy (M.S. 103D.905 Subd. 4)	\$300,000.00	
4)	Payable 2024 Property Tax Levy	\$1,175,000.00	
	(4)	(5)	(6)
<u>County</u>	Payable 2024 Taxable Net Tax Capacity	Net Tax Capacity Percent Distribution	Apportioned Payable 2024 Levy Column (4) x (5)
Carver	\$9,950,849	6.5269%	\$76,691.08
Dakota	\$14,630,670	9.5964%	\$112,757.70
Hennepin	\$61,431,976	40.2938%	\$473,452.15
Scott	\$66,446,544	43.5829%	\$512,099.08
TOTAL	\$88,360,483	100.00%	\$1,175,000.00

Proposed Levy 2024

General Fund	250,000.00
Planning and Implementation Fund	625,000.00
Debt Service on Bond repayment	<u>300,000.00</u>
Apportioned Payable 2024 Levy	1,175,000.00

<u>County</u>	<u>Net Tax Capacity % Distribution</u>	<u>Apportioned Payable 2024 Levy</u>
Carver	6.5269%	76,691.08
Dakota	9.5964%	112,757.70
Hennepin	40.2938%	473,452.15
Scott	43.5829%	512,099.08
Watershed Total	100.0000%	1,175,000.00

2024 LMRWD Budget for Administration Operations
2022 Adopted Budget/2022 Actuals/2023 Adopted/ 2023 YTD/2023 Projected/2024 Adopted

	Account	Adopted 2022	2022 Actuals	2023 Adopted	2023 Actual YTD (Through 11/30/23)	Projected 2023	Adopted 2024
	Revenues:						
	General Property Tax						
1	Carver County	\$ 41,762.17	\$ 41,597.27	\$ 42,871.43	\$ 25,539.32	\$ 46,207.83	\$ 76,691.08
2	Dakota County	\$ 72,153.45	\$ 72,519.30	\$ 72,959.65	\$ 76,518.99	\$ 76,427.40	\$ 112,757.70
3	Hennepin County	\$ 306,964.28	\$ 303,846.27	\$ 318,293.13	\$ 160,301.31	\$ 314,054.03	\$ 473,452.15
4	Scott County	\$ 304,120.10	\$ 301,586.70	\$ 290,875.80	\$ 179,046.40	\$ 338,310.75	\$ 512,099.08
	Total Levy:	\$ 725,000.00	\$ 719,549.54	\$ 725,000.01	\$ 441,406.02	\$ 775,000.01	\$ 1,175,000.00
5	Interest Income	\$ -	\$ 20,117.41	\$ -	\$ 56,253.80	\$ -	\$ -
6	MCES WOMP Grant	\$ 5,000.00	\$ 1,000.00	\$ 5,000.00	\$ 4,500.00	\$ 4,500.00	\$ 4,500.00
7	State of MN Grant for Dredge Material Management	\$ 240,000.00	\$ 240,000.00	\$ 240,000.00	\$ 240,000.00	\$ 240,000.00	\$ 240,000.00
8	Metro-Area Watershed Based funding grants	\$ -	\$ -	\$ -	\$ 91,021.00	\$ 91,021.00	\$ -
9	License Revenue from placement of dredge	\$ 25,000.00	\$ 29,036.00	\$ 25,000.00	\$ 10,372.00	\$ 20,513.00	\$ 25,000.00
10	Revenues from sale of dredge material	\$ 5,000.00	\$ -	\$ 5,000.00	\$ -	\$ -	\$ 5,000.00
11	Permit Fees	\$ -	\$ 14,000.00	\$ -	\$ 6,650.00	\$ 6,650.00	\$ -
12	Miscellaneous Income	\$ -	\$ 2,829.08	\$ -	\$ 11,279.44	\$ 11,279.44	\$ -
	Total Revenues:	\$1,000,000.00	\$ 1,026,532.03	\$1,000,000.01	\$861,482.26	\$ 1,148,963.45	\$ 1,449,500.00
	Expenses:						
13	Administration (from Administrative Budget Page)	\$ 250,000.00	\$ 370,977.11	\$ 250,000.00	\$ 277,060.46	\$ 260,000.00	\$ 377,838.00
	Cooperative Projects						
14	Eden Prairie Bank Stabilization -Area #3	\$ 100,000.00	\$ 91,603.35	\$ -	\$ 133,830.22	\$ 133,830.22	\$ 100,000.00
16	Gully Erosion Contingency	\$ -	\$ 4,395.65	\$ -	\$ -	\$ -	\$ -
17	Riley Creek Cooperative Project with RPBCWD	\$ -	\$ 150,000.00	\$ -	\$ -	\$ -	\$ -
18	Seminary Fen Ravine Restoration site B	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
19	Seminary Fen Ravine C-2	\$ -	\$ 20,000.00	\$ 20,000.00	\$ -	\$ 20,000.00	\$ 90,000.00
20	Eagle Creek Bank Restoration Town & Country RV Park Study	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 30,000.00
21	Shakopee River bank Stabilization Project	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 50,000.00
	509 Plan Budget						
	Resource Plan Implementation						
22	Watershed Resource Restoration Fund	\$ 120,000.00	\$ 142,500.00	\$ 100,000.00	\$ -	\$ 100,000.00	\$ 82,500.00
23	Fen Private Land Acquisition Study	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 50,000.00
24	Gully Inventory	\$ -	\$ 5,830.50	\$ 90,500.00	\$ 81,264.54	\$ 90,500.00	\$ 150,000.00
25	Minnesota River Corridor Management Project	\$ -	\$ 38,902.28	\$ -	\$ -	\$ -	\$ -
26	Gun Clun Fen Intrusion Investigation	\$ -	\$ 34,542.73	\$ -	\$ -	\$ -	\$ -
27	Assumption Creek Hydrology Restoration Project	\$ -	\$ 2,125.50	\$ -	\$ -	\$ -	\$ -
28	Groundwater Screening Tool Model	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
29	Minnesota River Floodplain Model Feasibility Study	\$ -	\$ 13,301.32	\$ 75,000.00	\$ 9,547.85	\$ 75,000.00	\$ -
30	Schroeder's Acres Park/Savage Fen Stormwater Management	\$ -	\$ 53,768.61	\$ -	\$ -	\$ -	\$ -
31	Downtown Shakopee Stormwater BMPs	\$ 50,000.00	\$ 25,000.00	\$ 50,000.00	\$ -	\$ 50,000.00	\$ 50,000.00
32	PLOC Realignment/Wetland Restoration	\$ 30,000.00	\$ -	\$ -	\$ -	\$ -	\$ -
33	Spring Creek Project	\$ -	\$ 12,336.30	\$ 90,000.00	\$ 54,396.52	\$ 90,000.00	\$ 100,000.00
34	West Chaska Creek Project	\$ -	\$ 27,441.00	\$ -	\$ -	\$ -	\$ -
35	Sustainable Lakes Management Plan (Trout Lakes)	\$ 50,000.00	\$ -	\$ -	\$ -	\$ -	\$ 50,000.00
36	Geomorphpic Assessments (Trout Streams)	\$ -	\$ 9,913.85	\$ -	\$ -	\$ -	\$ 100,000.00
37	Fen Stewardship Program	\$ 25,000.00	\$ 47,671.03	\$ 75,000.00	\$ 51,540.00	\$ 75,000.00	\$ 75,000.00
38	District Boundary Modification Project	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
39	East Chaska Creek Bank Stabilization Project	\$ -	\$ 4,526.32	\$ -	\$ -	\$ -	\$ -
40	Minnesota River Sediment Reduction Strategy	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
41	Local Water Management Plan reviews	\$ 5,000.00	\$ 9,538.31	\$ 5,000.00	\$ 31.25	\$ 5,000.00	\$ 5,000.00
42	Project Reviews	\$ 75,000.00	\$ 239,647.69	\$ 50,000.00	\$ 108,379.50	\$ 50,000.00	\$ 50,000.00
43	Monitoring	\$ 75,000.00	\$ 43,965.84	\$ 75,000.00	\$ 48,750.94	\$ 75,000.00	\$ 75,000.00
44	Watershed Management Plan						
45	Next Generation Watershed Management Plan	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
46	Plan Clarification and proposed rules/Rule implementation	\$ -	\$ -	\$ -	\$ 73,282.86	\$ 73,282.86	\$ -
47	Plan Amendment	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
48	Vegetation Management Standard/Plan	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
49	Public Education/Citizen Advisory Committee/Outreach Program	\$ 75,000.00	\$ 69,142.44	\$ 85,000.00	\$ 78,753.95	\$ 85,000.00	\$ 115,000.00
50	Cost Share Program	\$ 20,000.00	\$ 20,606.43	\$ 20,000.00	\$ 20,586.50	\$ 20,000.00	\$ 20,000.00
	Nine Foot Channel						
51	Dredge site operations	\$ 240,000.00	\$ 16,132.25	\$ 240,000.00	\$ 305,473.35	\$ 240,000.00	\$ 240,000.00
52	Dredge Site Restoration	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	Bonded Debt Levy						
53	Area #3 Bonds						\$ 300,000.00
54	Total Non-administrative Expenses:	\$ 865,000.00	\$ 1,082,891.40	\$ 975,500.00	\$ 965,837.48	\$ 1,182,613.08	\$ 1,732,500.00
55	Total Administrative Expenses (from line 13)	\$ 250,000.00	\$ 370,977.11	\$ 250,000.00	\$ 277,060.46	\$ 260,000.00	\$ 377,838.00
56	Total Expenses	\$ 1,115,000.00	\$ 1,453,868.51	\$ 1,225,500.00	\$ 1,242,897.94	\$ 1,442,613.08	\$ 2,110,338.00
57	Revenue less Expenses	\$ (115,000.00)	\$ (427,336.48)	\$ (225,499.99)	\$ (381,415.68)	\$ (293,649.63)	\$ (660,838.00)
58	Beginning Fund Balance - January 1		\$ 1,953,659.65		\$ 1,376,420.36		\$ 995,004.68
59	Total Revenue		\$1,026,532.03		\$861,482.26		\$ 1,449,500.00
60	Total Expenses		\$ (1,453,868.51)		\$ (1,242,897.94)		\$ (2,110,338.00)
61	Ending Fund Balance - December 31 (bold figures are projected)	\$ 1,953,659.65	\$ 1,526,323.17	\$ 1,376,420.36	\$ 995,004.68		\$ 334,166.68

2024 proposed LMRWD Budget for Administration Operations
2022 Adopted Budget/2022 Actuals/2023 Adopted/ 2023 YTD/2023 Projected/2024 Proposed

Account	Adopted 2022	2022 Actual (unaudited)	Adopted 2023	YTD 2023 (Through 11/30/23)	Projected 2023	Adopted 2024
Expenses:						
62 Wages-General	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
63 Severance Allowance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
64 Benefits	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
65 PERA Expense	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
66 Payroll Tax (FICA/Medicare)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
67 Unemployment compensation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
68 Manager Per Diem	\$ 11,250.00	\$ 6,625.00	\$ 11,250.00	\$ 4,500.00	\$ 11,250.00	\$ 15,000.00
69 Manager Expense (mileage/food/registrations)	\$ 3,000.00	\$ 1,293.43	\$ 3,000.00	\$ 549.20	\$ 3,000.00	\$ 4,500.00
70 Telecommunications-Cell-Internet/Phone	\$ 1,000.00	\$ -	\$ 1,000.00	\$ -	\$ 1,000.00	\$ 1,000.00
71 Office Supplies	\$ 300.00	\$ 93.19	\$ 300.00	\$ 181.68	\$ 300.00	\$ 300.00
72 Meeting Supplies/Expense	\$ 100.00	\$ -	\$ 100.00	\$ 80.26	\$ 100.00	\$ 100.00
73 Rent	\$ 7,800.00	\$ 7,800.00	\$ 7,800.00	\$ 6,500.00	\$ 7,800.00	\$ 7,800.00
74 Dues	\$ 7,500.00	\$ -	\$ 7,500.00	\$ -	\$ -	\$ -
75 Miscellaneous-General	\$ 3,000.00	\$ 2,551.00	\$ 3,000.00	\$ 2,086.00	\$ 3,000.00	\$ 3,000.00
76 Training & Education	\$ 1,500.00	\$ 600.00	\$ 1,500.00	\$ 330.00	\$ 1,500.00	\$ 1,500.00
77 Insurance & Bonds	\$ 11,000.00	\$ 10,709.00	\$ 11,000.00	\$ 9,968.00	\$ 11,000.00	\$ 12,000.00
78 Postage	\$ 375.00	\$ 47.68	\$ 375.00	\$ 21.63	\$ 375.00	\$ 300.00
79 Photocopying	\$ 875.00	\$ 355.98	\$ 875.00	\$ 169.27	\$ 875.00	\$ 750.00
80 Legal Notices-General	\$ 1,500.00	\$ 2,700.20	\$ 1,500.00	\$ 800.40	\$ 1,500.00	\$ 2,000.00
81 Subscriptions & License Fees	\$ 250.00	\$ 355.42	\$ 250.00	\$ 580.99	\$ 250.00	\$ 400.00
82 Mileage	\$ 5,000.00	\$ 2,013.72	\$ 5,000.00	\$ 2,279.37	\$ 5,000.00	\$ 5,000.00
83 Taxable meal reimbursement	\$ 500.00	\$ -	\$ 500.00	\$ 40.00	\$ 500.00	\$ 500.00
84 Lodging/ Staff Travel	\$ 1,500.00	\$ -	\$ 1,500.00	\$ -	\$ 1,500.00	\$ 1,500.00
85 Accounting/Financial Services	\$ 5,382.00	\$ 29,523.84	\$ 5,580.00	\$ 26,436.71	\$ 5,580.00	\$ 25,438.00
86 Audit Fees	\$ 15,000.00	\$ 17,841.00	\$ 15,000.00	\$ 240.00	\$ 25,000.00	\$ 30,000.00
87 Professional Services-General	\$ 120,168.00	\$ 130,762.50	\$ 104,970.00	\$ 98,718.75	\$ 104,970.00	\$ 153,000.00
88 Legal Fees-General	\$ 10,000.00	\$ 13,162.98	\$ 10,000.00	\$ 10,384.00	\$ 10,000.00	\$ 15,000.00
89 Engineering-General	\$ 20,000.00	\$ 121,966.48	\$ 35,000.00	\$ 99,500.05	\$ 42,500.00	\$ 75,000.00
90 Equipment-Maintenance	\$ 500.00	\$ 508.02	\$ 500.00	\$ 288.34	\$ 500.00	\$ 500.00
91 Equipment-Lease	\$ 2,500.00	\$ 2,067.63	\$ 2,500.00	\$ 1,739.12	\$ 2,500.00	\$ 2,500.00
92 Lobbying	\$ 20,000.00	\$ 20,000.04	\$ 20,000.00	\$ 11,666.69	\$ 20,000.00	\$ 20,000.00
93 Bank fees and charges	\$ -	\$ -	\$ -	\$ 80.00	\$ -	\$ 750.00
94 Total Expense for Administration:	\$ 250,000.00	\$ 370,977.11	\$ 250,000.00	\$ 277,060.46	\$ 260,000.00	\$ 377,838.00



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 4. B. – Presentation by the City of Carver – Levee Improvement Project

Prepared By

Linda Loomis, Administrator

Summary

Representatives from the City of Carver will be present to update the Board of Managers on the City's Levee Improvement Project. The City has provided a power point presentation for the Board to review prior to the presentation.

The LMRWD entered into a cooperative agreement with the City to assist with the project. \$75,00 of the \$100,000 LMRWD contribution was used to develop a feasibility study for the project. The City received a \$150,000 Flood Hazard Mitigation Grant from the State of Minnesota, which required a 100% match. The LMRWD contribution was used to fund one-half of the match. A copy of the Cooperative Agreement is attached for the Board's information.

Attachments

- City of Carver Certified Levee Improvements Project Updates – PowerPoint
- Cooperative Agreement between the LMRWD and the City of Carver

Recommended Action

No action recommended

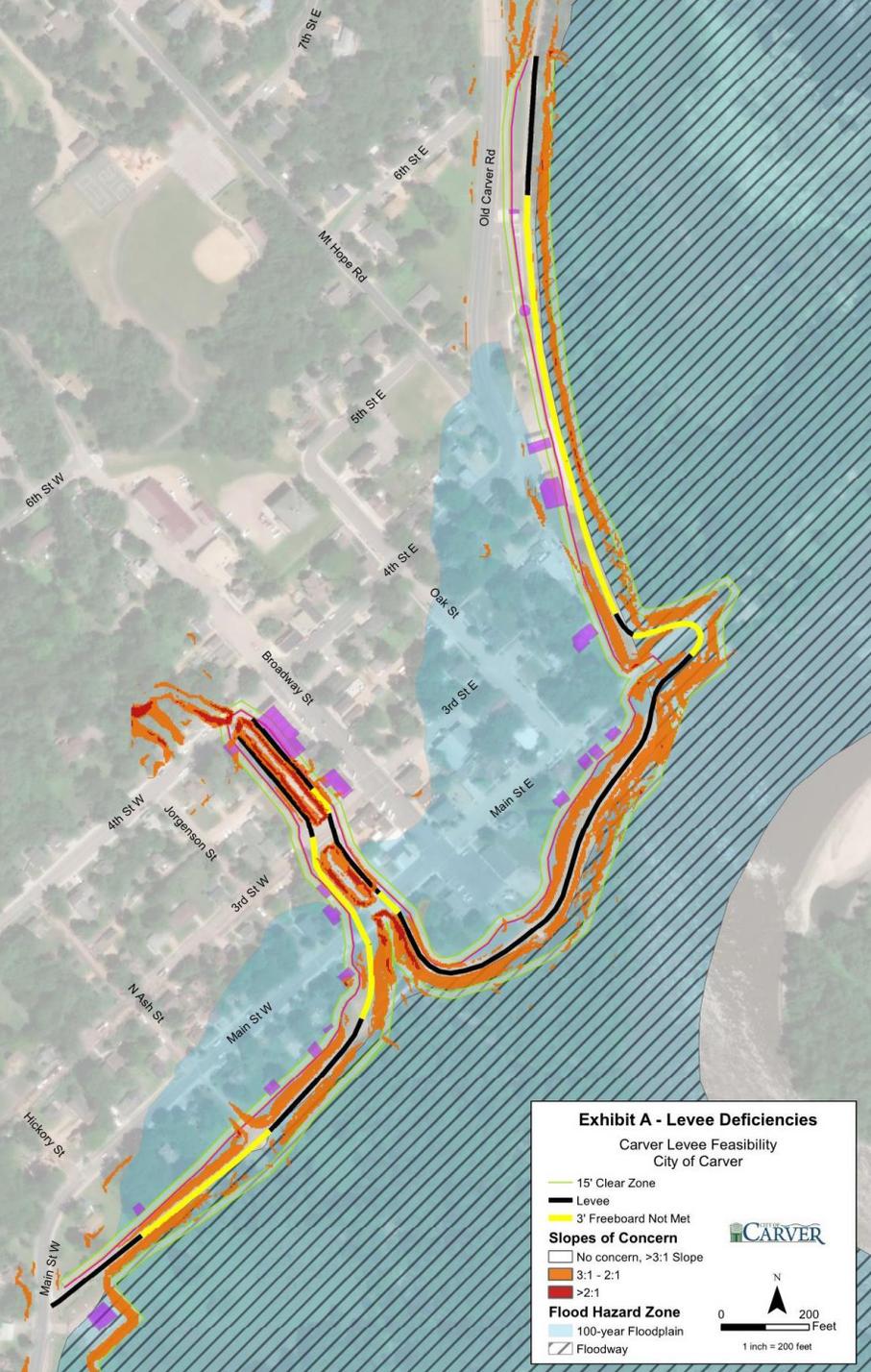
City of Carver Certified Levee Improvements Project Update

LMRWD Board Meeting
December 20, 2023

Presentation Contents

- Background & Status Update
- Funding Updates
- Project Delivery Schedule and Work Plan Updates
- Communications Plan Review
- Next Steps





Background

- Levee protecting the City of Carver's Historic Downtown doesn't meet current design standards for either USACE or FEMA. Deficiencies include:
 - Freeboard
 - Clear Zone
 - Steep Slopes
 - Seepage
- ~55 Properties and businesses behind the levee are limited to 50% of property value for reinvestment due to the floodplain restriction associated with the non-FEMA certified levee.

Project Video (Next Slide)



Status Update

- ✓ Before 2021 City begins journey of exploring feasibility of certifying levee
- ✓ Feb 1, 2021 Council reviews preliminary work plan for 2021
- ✓ **March 2021** **City receives \$250k in funding from MN DNR and LMRWD funding partners**
- ✓ April 19, 2021 Council reviews refined work plan for 2021
- ✓ Summer – Fall 2021 Public engagement, geotechnical, preliminary design, construction limits, costs
- ✓ January 18, 2022 2021 Council Work Session Findings Review & Next Steps
- ✓ **July 2022** **Received notification of \$2.5 Million in Federal Funding assistance**
- ✓ Winter 2022 - 2023 Work with HUD on federal grant award and environmental review
- ✓ **May 2023** **Received notification of \$6M in DNR Funding via State Bonding Bill**
- ✓ Summer 2023 Revising work plan and project delivery schedule based on new funding.
- ✓ Winter 2023-2024 Preliminary design, land appraisals.

Funding Updates

- **Total Funding Secured now Equals \$8.75 million!**
- Pursuit of Additional Funding:
 - \$4.0 million requested via 2024 Federal Community Project Fund grant program (Unsuccessful)
 - \$3.35 million requested via 2024 MN Capital Budget Request.



State DNR Grant - Local Funding Match Review

- Local Contribution went from \$2.2 million to \$3.5 million in 2022
 - Increase is due to 2020 Census Data
- Local Contribution (Any funding that doesn't come from the State) Includes:
 - \$2.5 million Federal Govt. Grant
 - ***\$100,000 Lower Minnesota River Watershed District***
 - ***\$75,000 Reimbursed to date, remaining \$25,000 to be requested.***
 - \$900,000 City of Carver in lift station improvements completed
- **No additional city contributions anticipated to fulfill DNR grant local match requirements!**

Current Cost Estimates

Item	2023 Estimates
Levee Improvements – West of Spring Creek	\$ 2,800,000
Levee Improvements – East of Spring Creek	\$ 3,000,000
Levee Improvements – Spring Creek	\$ 6,350,000
Previous City of Carver Stormwater Lift Station / Cash Contributions	\$850,000
Total	\$ 13,000,000

Current Funding Summary

Source	2023 Summary
2020 and 2023 Minnesota DNR Flood Damage Reduction Grants	\$6,150,000
Eligible Local Match Items:	
Lower Minnesota River Watershed District	\$100,000
2022 Federal Grant	\$2,500,000
Previous City of Carver Stormwater Lift Station Contributions	\$900,000
Gap Funding Needs Remaining	\$3,350,000
Total	\$13,000,000

Project Delivery Schedule Updates & Work Plan

Current secured funding will allow project to move forward to phased construction!

- ❑ Spring 2023 – Spring 2024: Completing environmental and architectural reviews for federal grant.
- ❑ Summer 2023: Resumed public engagement activities.
- ❑ Summer – Fall 2023: Refine design to establish construction limits and easement needs.
- ❑ Fall 2023 – Fall 2024: Appraisals, easement acquisition, & permits concurrent with final design.
- ❑ Winter – Spring 2025: Bid Phase 1 Improvements Project (or entire project based on new funding).
- ❑ Summer 2025 – 2026*: Begin Phase 1 Construction Timing (or entire project based on new funding).

*Overall construction duration will be dependent upon river levels.

Engagement Approach

- **City-wide communication**
 - Signs and sidewalk stickers
 - Sandwich boards
 - Updated website
 - Press releases and social media
 - Updated educational materials
- **Resident & Business Engagement**
 - One on one meetings
- **Stakeholder Engagement Meetings**
 - Inform agencies ahead of critical design decisions.
 - Coordinate with adjacent trail project limits.



Sidewalk Stickers and Signs – Fall 2023





Questions?

COOPERATIVE AGREEMENT
BETWEEN THE CITY OF CARVER AND
THE LOWER MINNESOTA RIVER WATERSHED DISTRICT

CARVER FLOOD LEEVE IMPROVEMENT PROJECT

This cooperative agreement is made by and between the City of Carver, a Minnesota municipal corporation (the City), and the Lower Minnesota River Watershed District, a watershed district pursuant to Minnesota Statutes chapters 103B and 103D (the LMRWD), to implement preliminary design and easement determination for the City's flood levee improvement project (the Project). The purpose of the Project is to improve the flood levee in order to qualify for the US Army Corps of Engineers Levee Safety Program and secure FEMA certification.

Recitals

WHEREAS, LMRWD adopted Resolution 20-10, expressing support for the City's levee improvement project and committed \$100,000 toward the project; and

WHEREAS, the City received \$150,000 in funding through the Minnesota Flood Hazard Mitigation Grant Assistance Program (the Grant) to begin the next phase of the Project to further develop the levee conceptual plans to a more detailed level of design; and

WHEREAS, the City must provide a match of \$150,000, for a total of \$300,000 for this phase of the Project; and

WHEREAS, the City requests that the City and the LMRWD share 50/50 in providing the match to the Grant; and

WHEREAS, in January 2021 Bolton & Menk, Inc. provided the City with a scope of services (the Scope), attached hereto and incorporated herein as Exhibit A, which details the scope of services to include Public engagement, stakeholder coordination, funding administration, geotechnical analysis, preliminary design, and survey/easement determination; and

WHEREAS, the LMRWD and the City are authorized by Minnesota Statutes Section 471.59 to enter into this cooperative agreement for this phase of the Project.

Agreement

NOW, THEREFORE, THE LMRWD AND THE CITY enter into this agreement to document their understanding as to the Scope, reaffirm both parties commitment as to the general responsibilities for and tasks to be undertaken by the parties and facilitate communication and cooperation to successfully complete the Scope.

1. **Scope.** The Scope elements are described in detail in and supported by the Scope (Exhibit A), which serves as the basis for this cooperative agreement.

2. **Costs.** The estimated cost to complete the Scope will be \$300,000.

2.1 The City will be responsible for oversight and management of the Scope.

2.2 The LMRWD will be responsible for \$75,000 of the Scope's costs (to be paid to the City) and technical assistance and information to the City's consultant as requested. The foregoing financial assistance shall reduce the total amount of financial assistance to the City's levee improvement project authorized by or contemplated in Resolution 20-10.

2.3 Upon completion and final acceptance of the Scope and receipt of the accompanying documents, the LMRWD will reimburse the City within thirty (30) days.

2.4 Each party will bear the internal, administrative and incidental costs of fulfilling its responsibilities and obligations under this agreement.

3. **The City's Specific Rights and Duties**

3.1 The City has contracted with Bolton & Menk, Inc. provide the services detailed in Exhibit A. Notwithstanding the foregoing, the City makes no warranty to the LMRWD regarding Bolton & Menk's or a third party's performance.

3.2 The City will contract for Bolton & Menk's services and oversee the Scope. The City may adjust the scope of service in consultation with the LMRWD, as long as the adjustments do not exceed the scope of rights granted under this agreement or create obligations not anticipated hereunder. If the City, in its judgment, should decide that the Scope is infeasible prior to the obligations of any funds for the Scope, the City may at its option declare this agreement rescinded and annulled. If the City so declares, all obligations herein, performed or not, will be voided.

4. **LMRWD Specific Rights and Duties.** On receipt of documentation of costs incurred and paid, LMRWD will reimburse the City as described in Section 2 of this agreement.

5. **General Terms**

5.1 **INDEPENDENT RELATIONSHIP; LIABILITY.** This agreement does not create a joint powers board or organization within the meaning of Minnesota Statutes section 471.59, and no party agrees to be responsible for the acts or omission of another pursuant to subdivision 1(a) of the statute. Only contractual remedies are available for the failure of a party to fulfill the terms of this agreement. The City and LMRWD enter this agreement solely for the purposes of improving the ecological health and condition of the Carver Levee. Accordingly, with respect to any and all activity undertaken pursuant to this agreement, the City and LMRWD (each party as an Indemnitor Party) agree to hold each other harmless, and defend and indemnify each other, their officers, employees and agents (individually, an Indemnified Party) from and against any and all liability, loss, claim, damage or expense (including reasonable attorney fees, costs and disbursements) that an Indemnified Party may incur as a

result of the Scope due to any negligent or willful act or omission by the Indemnitor Party or the Indemnitor Party's breach of any specific contractual duty. Notwithstanding the foregoing or any other provision of this agreement, the City's and LMRWD obligations under this paragraph will survive the termination of the agreement.

This agreement creates no right in and waives no immunity, defense or liability limitation with respect to any third party. As between the parties, only contract remedies are available for a breach of this agreement.

- 5.2 PUBLICITY AND ENDORSEMENT. Any publicity regarding the Scope must identify the City and LMRWD as the sponsoring entities. For purposes of this provision, publicity includes notices, information pamphlets, press releases, research, reports, signs and similar public notices prepared by or for the City or LMRWD individually or jointly with others. Each party at its own cost, may develop, produce and after approval of the other party, distribute educational, outreach and publicity materials related to the Scope.
- 5.3 DATA MANAGEMENT. All designs, written materials, technical data, research or any other work-in-progress will be shared between the parties to this agreement on request, except as prohibited by law. As soon as is practicable, the party preparing plans, specifications, contractual documents, materials for public communication or education will provide them to the other party for recordkeeping and other necessary purposes.
- 5.4 DATA PRACTICES. All data created, collected, received, maintained or disseminated for any purpose in the course of this agreement is governed by the Data Practices Act, Minnesota Statutes chapter 13, any other applicable state statute, or any state rules adopted to implement the act, as well as federal regulations on data privacy.
- 5.5 ENTIRE AGREEMENT. This agreement contains the complete and entire agreement between the parties relating to the subject matter hereof and supersedes all prior negotiations, agreements, representations and understandings, if any, between the parties respecting such matters. The recitals stated at the outset are incorporated into and a part of the agreement.
- 5.6 AMENDMENT. This agreement, as it may be amended in writing, constitutes the entire agreement between the City and LMRWD. Any amendment to this agreement will not be effective until it has been executed and approved by the same parties executing and approving the original agreement or their successors in office.
- 5.7 WAIVERS. The Waiver by the City and LMRWD of any breach or failure to comply with any provision of this agreement by the other party will not be construed as nor will it constitute a continuing waiver of such provision or a waiver of any other breach of or failure to comply with any other provision of this agreement.

5.8 NOTICES, COORDINATION. The City and LMRWD designate the following authorized representatives, each to serve as liaison to the other party for purposes of communication regarding the Scope as provided in this agreement. Any written communication required under this agreement will be addressed to the other party as follows, except that any party may change its address for notice by so notifying the other party in writing:

City of Carver

Brent Mareck
City Manager
316 Broadway Street
Carver, MN 55315
Phone: (952)448-8737
Email: bmareck@cityofcarver.com

Lower Minnesota River Watershed District

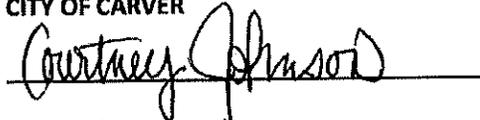
Linda Loomis
Administrator
112 East 5th Street, Suite 102
Chaska, MN 55318
Phone: (763)545-4659
Email: admin@lowermnrivewd.org

5.9 TERM; TERMINATION. This agreement is effective on execution by both parties and will terminate once the final report is received or on the written agreement of the City and LMRWD.

5.10 EXECUTION IN COUNTERPARTS. The agreement may be executed in any number of counterparts, which together shall form the entire agreement.

IN WITNESS WHEREOF, the parties have caused the agreement to be duly executed intending to be bounded thereby.

CITY OF CARVER



By: Courtney Johnson

Its: Mayor

Date: April 5, 2021



By: Vicky Sons-Eiden

Its: City Clerk

Date: 4-5-21

LOWER MINNESOTA RIVER
WATERSHED DISTRICT



By: Jesse Hartmann

Its: President

Date: 6-28-21

EXHIBIT A
Carver Levee Preliminary Design and Easement Determination



Real People. Real Solutions.

2638 Shadow Lane
Suite 200
Chaska, MN 55318-1172

Ph: (952) 448-8838
Fax: (952) 448-8805
Bolton-Menk.com

January 27, 2020

Mr. Brent Mareck
City Manager
City of Carver

RE: Carver Levee Preliminary Design and Easement Determination

Dear Mr. Mareck,

In accordance with your request, below is a budget summary for the preliminary design costs associated with the Carver Levee Improvements. This scope has been developed to stay within the available budget of \$300,000 for 2021. The \$300,000 budget limit reflects the funds currently made available by the funding partners. This includes: State of Minnesota DNR (\$150,000), LMRWD (\$75,000) and City of Carver (\$75,000).

Project Purpose

The intent of this preliminary design phase is to further develop the previous levee concept plans to a more detailed level of design. The efforts in this phase will generate necessary information that will further position the project for funding, permits, and move the project closer to bid documents. This phase will complete the following tasks:

Task 1 – Communications/Administration

Communications and administration will be required throughout the levee improvement project. Nicole Schmidt will be the lead on the development of communication effort. This effort is anticipated to include three key areas:

Public Engagement – The public will be kept up to date on the progress of the levee improvements. This will be done through presentations to the Council, informational meetings, publications and media releases. We will work with City staff and Council to determine the frequency and content of each public engagement effort. This will assure to the Council and Residents that issues are being heard and responses being provided.

The public engagement effort will include face-to-face meetings on site with property owners who will be directly affected by the levee project. We will walk the site, discuss the construction and easement impacts, and listen to concerns and requests of the property owners. Our team will be available to answer their questions and to listen to

Name: Mr. Brent Mareck

Date: January 27, 2021

Page: 2

their concerns through the entire process. We will begin this effort in the spring of 2021 once the snow has melted, so we can understand areas of sensitivity and look for solutions during the development of the preliminary design.

Stakeholder Coordination – During the preliminary design we will engage the project stakeholders to coordinate design requirements to meet certification, environmental review considerations, coordination with regulatory agencies, and partners that may be affected by the levee improvements. We anticipate the initial stakeholder list to include:

1. City of Carver
2. Minnesota Department of Natural Resource (MNDNR)
3. U.S. Army Corp. of Engineers (USACE)
4. Federal Emergency Management Agency (FEMA)
5. Lower Minnesota River Watershed District (LMRWD)
6. Carver County
7. Scott County
8. Others as identified

The goal will be to keep stakeholders informed of progress, identify regulatory changes that are occurring, and to receive over the shoulder review of design elements.

Funding Administration – The project has received funding from the LMRWD and the MNDNR to date. We will track the matching and reporting requirements for the grant programs and funding partners, prepare the documentation and follow up as necessary to keep the project current with the City's partners.

We also will work with City Council and Staff as necessary to seek additional funds. This may include updating the requested amounts, preparing communications and attending meetings.

Task 2 – Geotechnical/Seepage Analysis

This task will include the geotechnical investigation of the levee. Soil borings will be taken along the levee at regular intervals and in key locations. The purpose will be to provide reasonable understanding of the fill material used to construct the levee and the materials below the levee that may alter stability and drainage.

The geotechnical investigation will include a seepage analysis of the levee and underlying materials along with a recommendation for toe drain design. Levees are not impermeable and do allow water to pass through them and under them at flood stage. This analysis will evaluate the stability of the levee at flood stage and aid in determining

Name: Mr. Brent Mareck
Date: January 27, 2021
Page: 3

the quantity of water that will flow through the levee and how that water will be collected and pumped back over the levee.

This task will be completed by a subconsultant and we will solicit quotes from firms who perform these activities.

Task 3 – Preliminary Design

The concept design previously developed will be updated and refined into the preliminary design. This will include incorporating the findings and recommendations of the geotechnical investigations, structural analysis for sheet pile and retaining walls, toe drain design and stable grading slopes for the levee. Dan Lonnes, the City Engineer, will manage the civil design for the levee.

The preliminary design will identify the construction and grading limits of the levee improvements. Impacts to the Floodway of the Minnesota River and Spring Creek will be evaluated and discussed with the State floodplain coordinator at the MNDNR, if necessary, permits will be prepared and submitted to initiate review for conformance with State rules. This will assist in reducing schedule impacts to final design and construction.

Preliminary design will include updating the project cost estimates and communication of these needs to the City's Council, stakeholders, and funding partners.

Task 4 – Survey/Easements

We will review the available survey data of the levee and provide field survey of missing areas and critical features. This will require meeting individually with property owners near the levee that may be affected by improvements and or the requirement for levee easements. Understanding landowner concerns and issues at this phase of the project will assist in securing acquisition and completing final design.

We will identify parcels needing temporary and permanent easements and put together the necessary descriptions and exhibits to facilitate easement acquisition. Acquisition of easements are not intended to occur until the next round of funding is made available to the City. Easement acquisition is part of the critical timeline for the levee construction and this will expedite the appraisal and acquisition process.

Easement costs based on the preliminary design will be estimated and used in the updated project cost.

Name: Mr. Brent Mareck
Date: January 27, 2021
Page: 4

Project Costs

Costs are broken into the major work tasks that are anticipated. The estimated fees for professional services to complete preliminary design and update project costs by the end of 2021:

Task 1 – Communications/Administration	\$40,000.00
Task 2 – Geotechnical/Seepage Analysis	\$80,000.00
Task 3 – Preliminary Design	\$130,000.00
Task 4 – Survey/Easements	\$50,000.00
Estimated Levee Phase 1 Engineering Budget	\$300,00.00*

**Work efforts beyond the budget established for this initial design phase will be by approval only.*

Schedule

The project will proceed on the following general schedule and in accordance with these timeline goals.

➤ Geotechnical	Feb-May, 21
➤ Preliminary design	Mar-Aug, 21
➤ Survey	Mar-May, 21
➤ Easements	Aug-Oct, 21

This phase of work is expected to be completed by the end of 21. Communications, agency coordination, and funding activities will occur throughout the next year and will tie to legislative activities and agency coordination needs.

Additional information is outlined below for the major activities of each task. If you have any questions or comments regarding the above, or if you would like to discuss this information in more detail, please do not hesitate to contact me.

Respectfully Submitted,
Bolton & Menk, Inc.



Todd Hubmer, P.E.
Senior Project Manager

Cc: Dan Lonnes
Nicole Schmidt



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 4. C. – Public Engagement Project

Prepared By

Linda Loomis, Administrator

Summary

Manager Salvato arranged for the LMRWD to work with a group of graduate students at the Department of Agricultural Leadership, Education and Communications at Texas A & M University. The students under the guidance of Associate Professor, Dr. Dara Wald, developed a public engagement strategy for the LMRWD. Students interviewed Manager Salvato, Della Young and me to learn about the LMRWD. The students then developed a public relations campaign, which they presented to us November 28th and it is being shared with the Board.

The campaign developed by the students can be used to inform the communication discussion that is scheduled for January 2024.

Attachments

PR Pitch Campaign – *Flowing with Responsibility, Minnesota’s Pledge to Protect and Preserve Our Water Resource*

Recommended Action

Motion to Receive and File PR Pitch Campaign and to lay discussion over to Communication and Messaging Workshop.



Flowing with Responsibility

Minnesota's pledge to protect and preserve our water resources

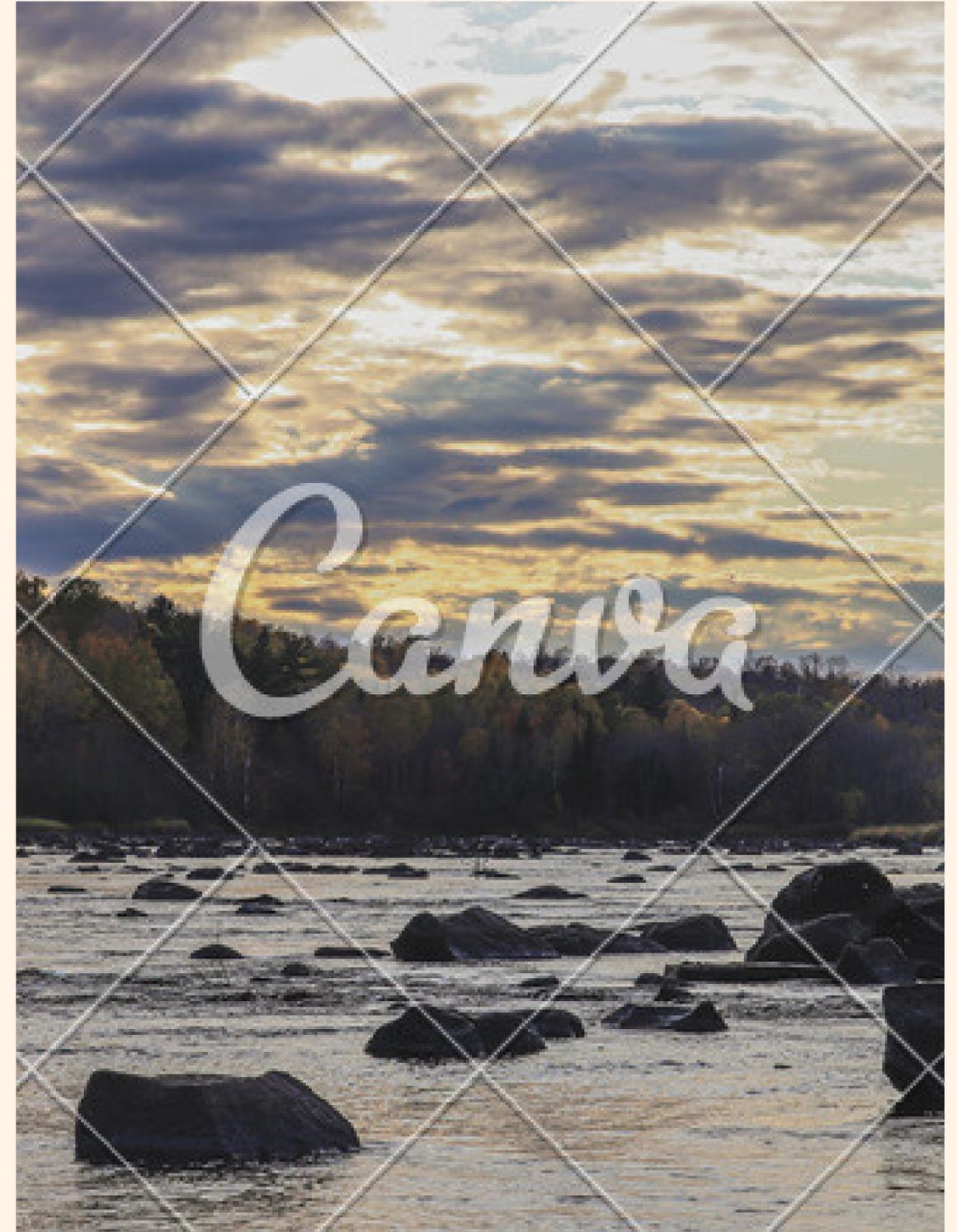


Problem:

Low amounts of engagement in-person and digitally with the Lower Minnesota River Watershed District

Audience:

Minnesota Residents, specifically ones who engage and recreationally use the Minnesota River





Watershed District Community Cleanup

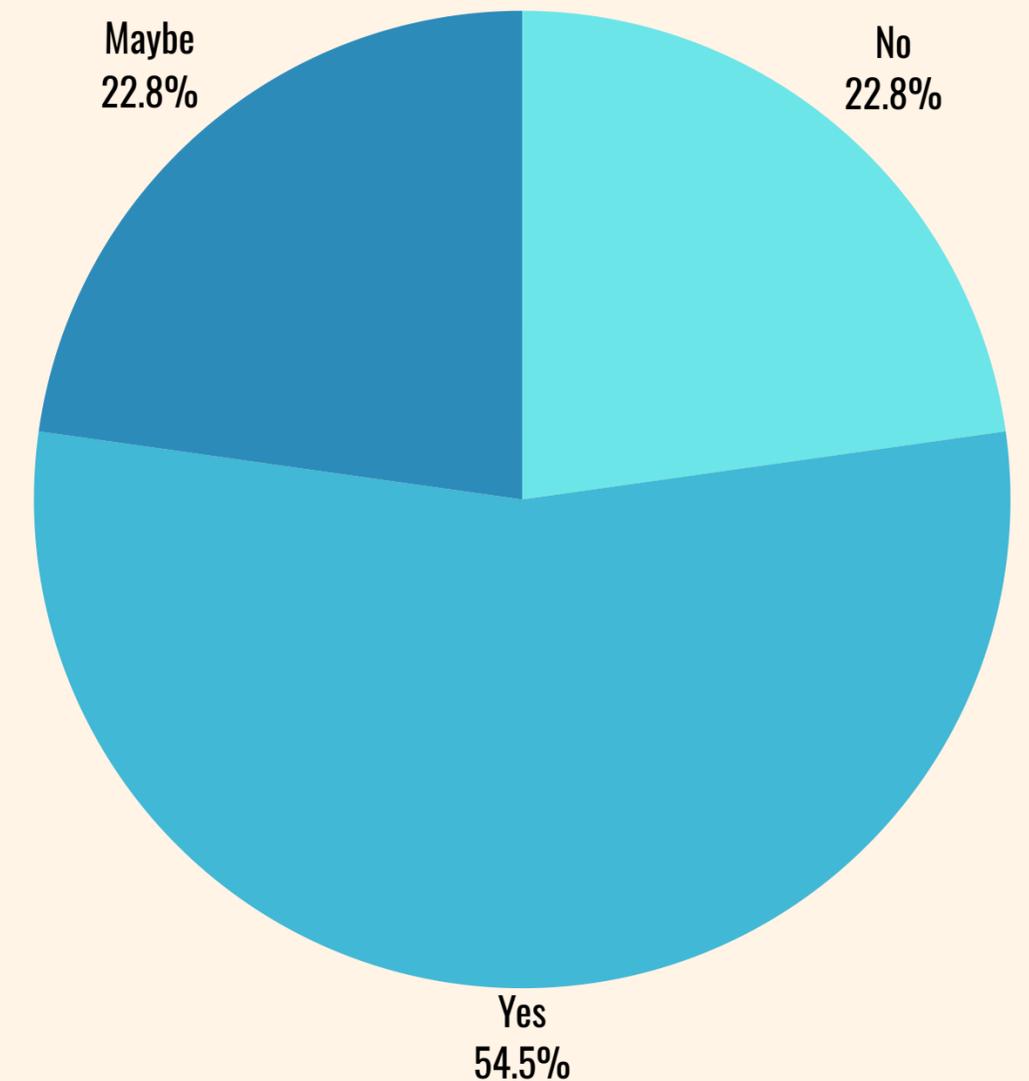


Community cleanups are the most direct way for individuals to interact with the Lower Minnesota River Watershed District.



Watershed community cleanups will help residents become educated about the LMRWD and to keep the watershed free of harmful pollutants that run off of roads, parking lots, rooftops, and other hard surfaces into storm drains, where they flow untreated into the Minnesota River.

WOULD YOU LIKE TO LEARN MORE ABOUT WHAT THE WATERSHED DISTRICT HAS TO OFFER?



note: data from primary research



Target Behaviors

Minnesota Residents

Minnesota residents will be the most useful tool to the Lower Minnesota River Watershed District. It is essential to target these individuals to gain momentum for the campaign.

Minnesota Tourist

The Minnesota River is crawling with rich history. Target the tourist to grow the efforts. These clean ups will allow them to tour rich American history.

Legislative Body

The Minnesota government should be targeted to help enforce laws regarding runoff water and ground water pollution. Minnesota has laws in place, but they need strengthening.



Barriers Limiting the Success

PEOPLE ARE
UNINTERESTED

LITTLE
RECOGNITION
OF
IMPORTANCE

LACK OF
EDUCATION



Targeting Strategy

Lower Minnesota River
Watershed District

News Outlets

Campaign Introduction
Feature Cleanup Stories
Resident Competition*

Marketing

Website
Digital Marketing

Resources

Print Material
Material Assist



1 **INTRODUCE THE CAMPAIGN**

Minnesotans have the right to clean water. We want to reach those who are passionate about where their water comes from. These individuals will be the main vessel for this campaign.

2 **CREATE A PASSIONATE FORCE**

Passion = Change. It is important to curate a group of passionate individuals to help grow this campaign. It is important to gather individuals who will communicate the passion to all Minnesota Residents.

3 **CREATE CHANGE**

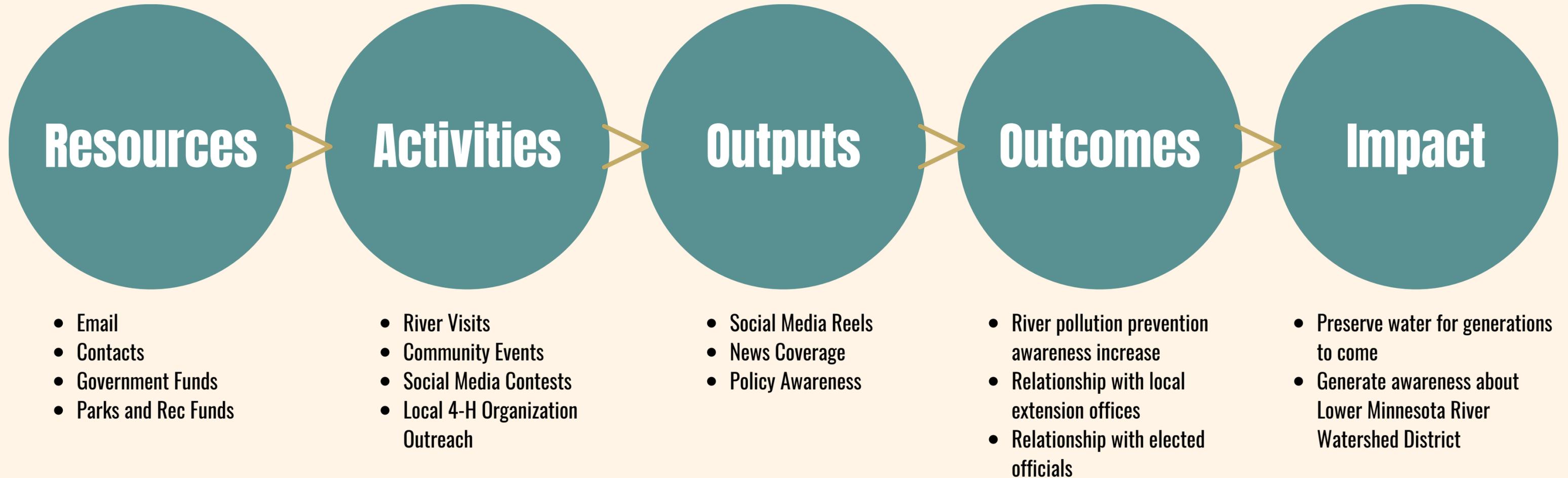
The goal here is to clean up the Lower Minnesota River Watershed District for residents to use it for recreation. This can be done through social media campaigns, community outreach, and other board appearances.



note: canva image



Logic Model





News Outlet Press Releases

- The Minnesota River filled to the brim with history and should be protected.
- Over the years, due to runoff and pesticide use, the Minnesota River has become un-usable for many great activities.
- Through a new advertising campaign we hope to educate and incentivize the cleaning and maintenance of our river.
- What starts in Minnesota helps change the world. The Minnesota River feeds directly into the Mississippi River. Helping Minnesota helps the country.



Lower Minnesota Watershed District Announces New Campaign

NEWS RELEASE

Nov.28, 2023

FOR IMMEDIATE RELEASE

Contact:

Cole Palmer, Outreach Manager

Phone: (515) 555-5555

Email: colepalmer@tamu.edu

New Campaign for the Lower Minnesota Watershed District

MINNESOTA—The Lower Minnesota Watershed District is happy to announce our new campaign. Farmers who can prove they have lowered their runoff the most win a cash prize and get to be featured in the town paper.

the Lower Minnesota River Watershed District has seen little engagement with its current social media outlets. In order for these outlets to be successful, it is imperative that research is done to analyze the potential that the Lower Minnesota River Watershed District social media outlets host. This report is aimed at understanding the outlets, whom to target with these outlets, and the evolution that is possible.

The Lower Minnesota River Watershed District (LMRWD) is unlike any other state water management organization. It was formed in 1960 as a legal entity to provide local participation to the US Army Corps of Engineers (USACE) in the construction and maintenance of a nine-foot navigation channel in the Minnesota River.

This research conducted aims to report and explore the strategic decisions to focus on for the Lower Minnesota River Watershed District. By investigating the demographics, engagement behavior, and potential impact that these platforms could have allows for strategic directions the aligns with the Lower Minnesota River Watershed District's mission and long-term goals.

The preliminary research report allows for foundation to be laid for a deeper understanding of Lower Minnesota River Watershed District audience. Through this preliminary stage, we aim to identify the scope and direction of the forthcoming efforts.

###



Feature Cleanup Stories

- This will get newswire attention. It shows the campaign is working.
- Allow the press releases to tell when the next LMRWD-sponsored cleanup is happening for news reporters to join the campaign.
- Round out the press release with a statement about what the Lower Minnesota River Watershed District

Cole Palmer

11-28-2023

Minnesota River Cleanup an Overwhelming Success

Minnesota-- The Lower Minnesota Watershed District is happy to announce our new campaign. Farmers who can prove they have lowered their runoff the most win a cash prize and get to be featured in the town paper.

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Resident Competition

- Competitions are a great incentive for farmers to use less pesticide
- The farmer that can prove he lowered his pesticide use the most will win a cash prize and get his picture taken for the local newspaper
- We realize that farmers use pesticide to help secure their profit. This is why we chose cash as our big prize
- These competitions can be held anywhere between monthly to annually



Lower Minnesota Watershed District Competition

NEWS RELEASE
Nov.28, 2023
FOR IMMEDIATE RELEASE

Contact:
Cole Palmer, Outreach Manager
Phone: (515) 555-5555
Email: colepalmer@tamu.edu

New Competition for Minnesota Farmers

MINNESOTA—The Lower Minnesota Watershed District is happy to announce our new competition. Farmers who can prove they have lowered their runoff the most win a cash prize and get to be featured in the town paper.

It really is a great campaign. The Minnesota River has been through some really rough year. The runoff caused by farmers has greatly impacted the reliability of our favorite river. What was once full of fisherman and swimmers is now empty. Hopefully this competition will be a good incentive for farmers to cut down on pesticide use.

Minnesota's new advertising campaign is set to have Tommy Lee Jones recreating some of his most iconic movie scenes except with, you guessed it, Minnesota. The first advertisement will debut on Friday.

"It really is a dream come true for us. We've been looking for a long time for a spokesperson who is both prestigious and virtuous. We now have that in Tommy Lee Jones. He exemplifies what it means to be a good Texan," said Founder.

For more information about The Lower Minnesota Water Shed District or to sign up for our newsletter, merchandise can also only be found on our official website.

Minnesota is all about serving high-quality milk. Each glass of milk can be traced back to our luscious grass fields. We also try our hardest to be animal and environmentally conscious. This means all of our cows get plenty of shade, food and even pedicures, and we reduce plastic use one glass bottle at a time.

The Lower Minnesota River Watershed District (LMRWD) is unlike any other state water management organization. It was formed in 1960 as a legal entity to provide local participation to the US Army Corps of Engineers (USACE) in the construction and maintenance of a nine-foot navigation channel in the Minnesota River.

###



Website Page for Cleanup Efforts



Projects ▾

Regulatory ▾

Reports ▾

Water & Natural Resources ▾

Recreation ▾



HOW YOU CAN HELP



ORGANIZE A CLEANUP



QUICK FACTS



FARMERS/ RANCHERS



PRESS RELEASES



Website - Minnesota River Key Points

Lower Minnesota River Watershed District

 Kristen Perez



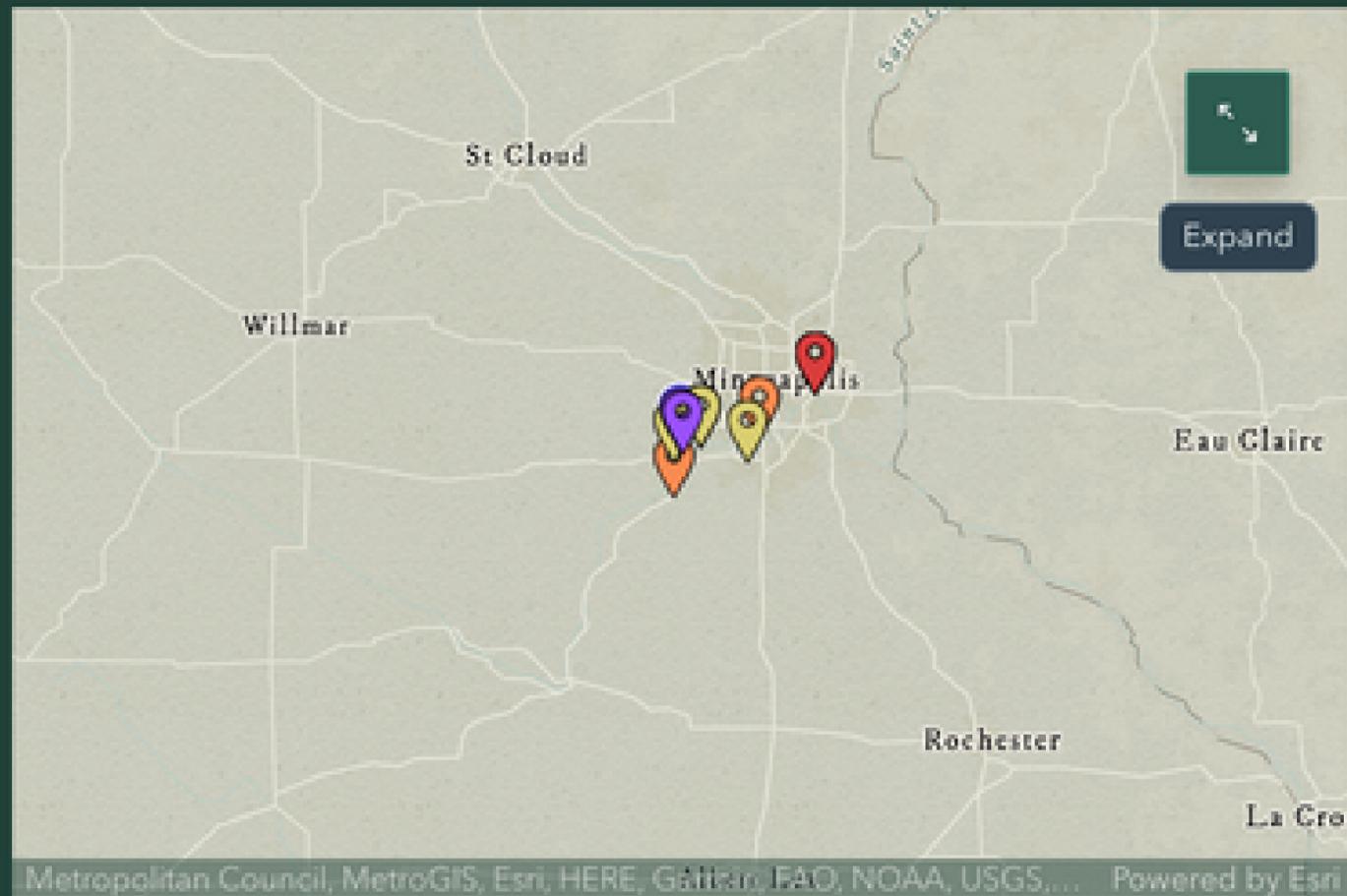
LOWER MINNESOTA RIVER
WATERSHED DISTRICT

The Lower Minnesota River Watershed District, or LMRWD, is a local, special-purpose unit of government that works to solve and prevent issues related to water. The LMRWD works to protect, improve, and provide education on valuable water resources that offer habitat for native species, recreational opportunities, and commercial barge navigation.





Website - Minnesota River Key Points



Want to see what the Minnesota River offers? Check out our map for our different activities to do, whether it be on land or water!

For the key, check below!



Digital Campaign Materials

INTRODUCTION TO MINNESOTA RIVER CLEANUP EFFORTS

Unite for a Cleaner Minnesota River! 🌊🌟 Join the movement to make waves of positive change. 🌱❤️ Our cleanup efforts aren't just about removing trash – they're a promise to protect our environment, wildlife, and communities. Together, let's turn the tide for a cleaner, healthier Minnesota River. 🧑‍🌾🌍 Click here to dive into action [\[link Minnesota River Cleanup Page\]](#)! #MinnesotaRiverCleanup #Sustainability #CleanerWaters



note: canva image



Digital Campaign Materials

TARGETING RESIDENTS: FARMERS/ RANCHERS

Calling all stewards of the land! 🌿🚜 Join the Lower Minnesota River Watershed District to preserve our waterways and elevate your farm's sustainability. Discover how you can reduce runoff and champion the health of the Minnesota River. 🌱💚 Let's cultivate a future where farming and clean water thrive together. 🌿💧 Dive into practical solutions now! [link to page]
#FarmersForCleanWater #SustainableAgriculture
#MinnesotaRiverCleanup #CleanerWaters



note: canva image



Digital Campaign Materials

TARGETING RESIDENTS: RECREATIONAL USERS

Paddle, play, and protect! 🛶 Embrace the adventure on the Minnesota River while championing its preservation. Discover how your passion for recreation can be a force for positive change. 🌊❤️ Dive into tips for responsible enjoyment, ensuring the river remains a vibrant playground for all. Let's make every splash count! [link to community cleanup page] 💧🌿
#Sustainable #MinnesotaRiverCleanup
#CleanerWaters



note: canva image

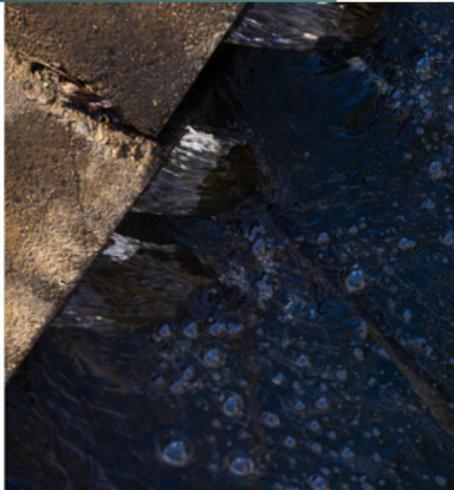


Print Materials - Cleanup Flyer



 LOWER MINNESOTA RIVER
WATERSHED DISTRICT

LMRWD Clean Up Efforts



Save the Minnesota River!

Hey Neighbors!
Join us for this event to clean up trash and debris that potentially could enter the Minnesota River!

Doing a Community Cleanup helps keep harmful pollutants like trash, leaves, and dirt from washing down storm drains and into Minnesota River.

Plus it keeps your neighborhood looking great!

What to Bring: (If you have)

- Gloves
- Shoes
- Bottled Water
- Rakes/ Trash Grabbers

RSVP with [Lower Minnesota River Watershed District Cleanup Organizer] if you can make it!

<https://lowermnriverwd.org/> | #MinnesotaRiverCleanup



Material Assist - Volunteer Checklist

The thumbnail shows a document titled "LMRWD CLEANUP CHECKLIST" from the "LOWER MINNESOTA RIVER WATERSHED DISTRICT". The document is divided into two main sections: "CLEANUP DAY CHECKLIST" and "POST CLEANUP CHECKLIST".

LOWER MINNESOTA RIVER WATERSHED DISTRICT

LMRWD CLEANUP CHECKLIST

CLEANUP DAY CHECKLIST

- Have fun!**
- Trash Pickup Plan:** Ensure each participant knows where trash needs to be gathered to begin and end your cleanup efforts
- Equipment:** Be sure all equipment needed is there: rake, brooms, gloves, trash grabbers, garbage bags, hanging scale, and safety vest. Contact the LMRWD for additional equipment.
- Get Started:** Assign volunteers to areas of responsibility. Inform each volunteer with procedures and safety protocols. Provide emergency contacts with each of the volunteers.
- Count/ Weigh/ Record:** Help measure your impact! Count the number of volunteers, number of bags collected, and use the hanging scale to produce a measurement of the total weight in bags.
- Conclude:** Gather all volunteers and thank them for their service and time for cleaning the Minnesota River. Remind them how to keep trash out of the river and have them fill out the brief survey that will be sent to their emails.

POST CLEANUP CHECKLIST

- Contact the LMRWD:** Share with them the amount of trash collected and the number of volunteers.
- Return all Borrowed Materials:** Bring back any borrowed materials to the LMRWD for future community cleanups.
- Stay involved:** Keep an eye out for other ways to get involved with the Lower Minnesota River Watershed District.

<https://lowermriverwd.org/ | #MinnesotaRiverCleanup>



Material Assist - Reporting Form

 LOWER MINNESOTA RIVER
WATERSHED DISTRICT

LMRWD Community Cleanup

Reporting Form

Name: _____
Email: _____
Date of Cleanup: _____
Location of Cleanup: _____
How Many Volunteers: _____
How many Bags of Trash Collected: _____
Total Weight in Pounds of Trash Collected: _____

Feel free to leave a brief reflection/ suggestions about the cleanup and what you would like to see for the future!

<https://lowermnriverwd.org/> | #MinnesotaRiverCleanup



Retention Suggestions

- Attract motivated volunteers
- Empower volunteers with training
- Offer direct lines of communication with the LMRWD Board Members
- Use Social Media to Build Relationships
- Predict and Listen to Stakeholders' Wants and Needs



note: canva image

THANKS!



THANK YOU!

QUESTIONS?

CITATION



From *Canva* [Photograph], by Aleksandarnakic, Getty Images Signature

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From *Canva* [Photograph], by Maridav, n.a.

From *Pexels.com* [Photograph]

From *Pexels.com* [Photograph]

Lang, Z., & Rabotyagov, S. (2022). *Socio-psychological factors influencing intent to adopt conservation practices in the Minnesota River Basin*. *Journal of Environmental Management*, 307, 114466.

<https://doi.org/10.1016/j.jenvman.2022.114466>

Wang, J., Zhang, Z., & Johnson, B. (2019). *Low flows and downstream decline in phytoplankton contribute to impaired water quality in the lower Minnesota River*. *Water Research*, 161, 262–273.

<https://doi.org/10.1016/j.watres.2019.05.090>



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 4. C. – Recognition of Manager Hartmann

Prepared By

Linda Loomis, Administrator

Summary

Manager Hartmann informed the Board that he has resigned his position as the Scott County Manager and that the December Board meeting will be his last.

Manager Hartmann was appointed to the Lower Minnesota River Watershed District in May of 2016. He was appointed Vice-President upon joining the Board of Managers. In June 2018, Manager Hartmann stepped up to be President and was elected President in September 2018.

The District wishes to recognize Manager Hartmann and his service to the District. The Board would like to present Manager Hartmann with an award recognizing his service and Resolution 23-16 has been prepared recognizing Manager Hartmann's contributions to the LMRWD.

Attachments

RESOLUTION 23-16 A RESOLUTION OF APPRECIATION FOR SERVICE AND CONTRIBUTION OF JESSE HARTMANN TO THE LOWER MINNESOTA RIVER WATERSHED DISTRICT

Recommended Action

Motion to adopt Resolution 23-16 and present Manager Hartmann the award

Manager _____ introduced the following resolution and moved its adoption,

RESOLUTION 23-16

LOWER MINNESOTA RIVER WATERSHED DISTRICT
BOARD OF MANAGERS

A RESOLUTION OF APPRECIATION FOR SERVICE AND CONTRIBUTION OF JESSE
HARTMANN TO THE LOWER MINNESOTA RIVER WATERSHED DISTRICT

WHEREAS, the Lower Minnesota River Watershed District (the "District") is a special purpose unit of government established in accordance with Minnesota State Statute 103D; and

WHEREAS, under said Statute, the District is charged with the responsibility for the management of storm water, to protect persons and property from flooding, to protect and preserve the water quality of lakes, streams, rivers and wetlands within the boundaries of the District and downstream receiving waters. In addition to the duties, for which the District was created, of Local Sponsor for the IJS Army Corps of Engineers maintenance of the Nine Foot Navigation Channel; and

WHEREAS, Jesse Hartmann has served as a Manager, representing Scott County, on the Board of Managers for the District from May, 17, 2023 to December 31, 2023, serving as Vice President from May 2016 to September 2018, and President from September 2018 to September 2023; and

WHEREAS, Jesse has freely and generously given his time and knowledge, expertise and talent to serve the public and protect the environment; and

WHEREAS, Jesse has provided his professional expertise, leadership and guidance to the District with vision, integrity, an open mind and a conscientious dedication to the mission of the District; and

WHEREAS, Jesse provided leadership to the District, during the development of the District's dredge management operations; the Plan clarification in 2016 and the most recent Plan Amendment/Update; development of rules; and many other activities and projects, including the 60th Anniversary video and has demonstrated an overarching concern for the Minnesota River; and

WHEREAS, Jesse has always treated the public, staff and fellow commissioners with respect and courtesy, and offered advice and counsel to the District with fairness and common sense and always acted with a sense of humor. His personal knowledge of the Minnesota River has been greatly appreciated.

NOW THEREFORE BE IT RESOLVED that the Lower Minnesota River Watershed District Board of Managers hereby expresses its sincere and grateful appreciation to Jesse Hartmann

for his many years of distinguished service to the Lower Minnesota River Watershed District and the public.

Adopted by the Board of Managers of the Lower Minnesota River Watershed District this 20th day of December 2023.

Joseph Barisonzi, President

Attested:

Lauren Salvato, Secretary



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Minutes of Regular Meeting

Board of Managers

Wednesday, November 15, 2023

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

Approved _____

1. CALL TO ORDER

A. ROLL CALL AND ELECTION OF OFFICERS

On Wednesday, November 15, 2023, at 7:00 PM CST, in the Board Room of the Carver County Government Center, 602 East 4th Street, Chaska, Minnesota, President Barisonzi called to order the meeting of the Board of Managers of the Lower Minnesota River Watershed District (LMRWD).

President Barisonzi asked for the roll call to be taken. The following Managers were present: Manager Laura Amundson, President Joseph Barisonzi, Manager Jesse Hartmann, Manager Theresa Kuplic and Manager Lauren Salvato. In addition, the following attended the meeting in-person: Linda Loomis, Naiad Consulting, LLC, LMRWD Administrator; Della Schall Young, Young Environmental Consulting Group, LLC, LMRWD Technical Consultant; John Kolb, Rinke Noonan Attorneys at Law, LMRWD Legal Counsel, and Eric Evenson, resident.

Manager Ben Burnett, Prior Lake Spring Lake Watershed District, and Scott County Commissioner Jody Brennan, attended the meeting virtually.

2. APPROVAL OF THE AGENDA

President Barisonzi introduced this item.

Manager Kuplic made a motion to approve the agenda with the deletion from the Consent Agenda of the invoice from TimerSaver Off Site Secretarial for preparation of the October 18, 2023, meeting minutes and Item 4. J. Authorize removal of Manager Hartmann and addition of President Barisonzi as signatory to LMRWD financial accounts. Manager Salvato seconded the motion. Upon a vote being taken the motion carried unanimously.

3. CITIZEN FORUM

Eric Evenson, 223 Carver Creek Place, Carver, came forward and shared that he is in attendance this evening to listen and hear about what is going on with the proposed levee, as well as the One Watershed One Plan for the Lower Minnesota River East. He encouraged the Board to take on a leadership role in the One Watershed One Plan. He noted that he has not seen the issues with sedimentation downstream or recreational use of the river being addressed in the plan. He stated that this is an opportunity that does not come around often. He recommended that the Plan should address the many issues identified in other studies, such as the MN River TMDL and WRAPS.

4. CONSENT AGENDA

President Barisonzi introduced the item.

- A. Approve Minutes October 18, 2023, Regular Meeting minutes**
- B. Receive and file October 2023 Financial Report**
- C. Approval of Invoices for payment**
 - i. Clifton Larson Allen (CLA) - Financial services through October 2023**
 - ~~**ii. TimeSaver Off-Site Secretarial – Preparation of October 2023 meeting minutes**~~
 - iii. Rinke Noonan, Attorneys at Law – October 2023 Legal Services**
 - iv. Daniel Hron – December 2023 office rent**
 - v. US Bank Equipment Finance – November 2023 payment on copier lease**
 - vi. Young Environmental Consulting Group, LLC – October 2023 technical, and Education and Outreach services**
 - vii. Naiad Consulting, LLC – October 2023 administrative services, mileage, and expenses**
 - viii. 106 Group – October 2023 services related to Area #3**
 - ix. 106 Group – October 2023 services related to Vernon Avenue**
 - x. Bolton & Menk – September 2023 services related to Vernon Avenue**
 - xi. WSB – Property acquisition services for Area #3**
 - xii. Scott County SWCD – Q3 2023 monitoring, TACS & Education Services**
 - xiii. Metropolitan Council Environmental Services – 2023 Ike’s Creek monitoring services**
 - xiv. HDR Engineering – website updates and maintenance**
 - xv. Newman Sign, Inc. – Fabrication of Riley Creek Signs**
 - xvi. Barr Engineering Co. – October 2023 engineering services related to Area #3**
 - xvii. Inter-Fluve – October 2023 Design services related to Area #3**
 - xviii. 4M Fund – September 2023 financial service charges**
- D. Report on Citizen Advisory Committee**
- E. LMRWD Permit Renewals**
- F. LMRWD Permit Program Summary**
- G. Authorize execution of Addendum to Recording Secretary Agreement**
- H. Authorize reimbursement request for Appletree Condominiums Cost Share**
- I. Approve Cost Share Application for 1880 Christy Drive, Carver**
- ~~**J. Authorize removal of Manager Hartmann and addition of President Barisonzi as signatory to LMRWD financial accounts**~~

Manager Hartmann made a motion to approve the Consent Agenda as amended. Manager Salvato seconded the motion. Upon a vote being taken the motion carried unanimously.

5. NEW BUSINESS/PRESENTATIONS

- A. Boundary Adjustment at MSP airport between LMRWD and Minnehaha Creek Watershed Districts**

President Barisonzi introduced this item and asked Administrator to provided background on this item. She noted that the airport has been working on a stormwater management plan for the entire airport. She stated that the airport and Minnehaha Creek are on board with this boundary adjustment. She added that Manager Kuplic had asked her about the cost of additional property coming to the watershed district and the tax base. She explained that because this is a unit of government there is no impact to the tax base in either of the watershed districts and there is not an expense to the watershed district to manage this additional property. She noted that this is more of a housekeeping issue so that boundaries between watershed districts follow actual hydrologic boundaries.

Manager Salvato made a motion to approve Lower Minnesota River Watershed District Petition for Boundary Change and adopt Resolution 23-14 - Resolution Supporting Change of Boundary Between Minnehaha Creek Watershed District and Lower Minnesota River Watershed District. Manager Kuplic seconded the motion. Upon a vote being taken the motion carried unanimously.

B. Water Resource Restoration Fund Program

President Barisonzi introduced and asked Administrator Loomis to provided background on this item. She reviewed the history of the Water Restoration Resource Fund and that the Board expressed concern that the use of the Fund did not seem equitable. In response to the Board's concern, the team at Young Environmental Consulting Group, LLC developed an application and a process associated with the application to ensure that all LMRWD partners were aware funding was available and partners had opportunities to apply for funds.

Manager Salvato asked what date they would like to have all of the applications in by. Ms. Della Schall Young explained how the process would work and the timing. She stated that they are looking at distributing this information as soon as possible with an evaluation period that would close in February and have the applications prepared for the March meeting.

Manager Amundson asked if this is giving people enough time to apply or if it will be a longer time frame in the future. Ms. Young stated that if this is approved this evening it would give organizations two and a half months to apply. She shared that they have municipal coordination meetings scheduled where the LMRWD will be sharing this information with its partners if the Board approves the application process.

Manager Kuplic made a motion to approve Water Resource Restoration Fund Grant Application Process and authorize implementation. Manager Amundson seconded the motion. Upon a vote being taken the motion carried unanimously.

C. Set 2024 Meeting Schedule

President Barisonzi introduced this item and shared the recommended 2024 meeting schedule with changes to bring the November meeting a week forward due to Thanksgiving.

Manager Kuplic made a motion to set the 2024 meeting calendar, changing the date of the November meeting to Wednesday, November 13, 2024. Manager Salvato suggested that the

December meeting be moved up a week to Wednesday, December 11, 2024, as well. Manager Kuplic accepted the suggestion as a friendly amendment to her motion. Manager Salvato seconded the motion. Upon a vote being taken, the motion carried unanimously.

President Barisonzi asked that a meeting poll be distributed to managers to set the date of the workshop that is part of the Education and Outreach workplan. The Board agreed. Manager Salvato noted that she will be on maternity leave for a few meetings in 2024.

6. OLD BUSINESS

A. 2021/2022 Financial Audit

President Barisonzi introduced this item and asked if the Administrator had any more to add. She shared that the 2021 audit is complete and they should have it by the end of the week. She stated that she can invite the auditor to the December meeting if the Board of Managers would like or the audit can just be distributed to the managers for review. Manager Barisonzi suggested inviting the auditor to the December meeting if there are any red flags found in the audit. The Board was in agreement.

B. Lower Minnesota River East One Watershed One Plan Governance

President Barisonzi introduced this item and asked if Administrator Loomis had anything specific to share. She shared that the One Watershed One Plan is currently in draft form and has gone out to the State agencies and committee members for review. She reiterated some of the concerns of Mr. Evenson who spoke earlier in the meeting.

President Barisonzi asked about the process of the Board giving formal feedback as a stakeholder in this. Administrator Loomis shared that she and Manager Kuplic have provided comments. She added that there will be other opportunities for comments as this is just the first look at the plan. She noted that it must go out for a 60-day review at which time they can offer additional comments.

President Barisonzi stated that he would like to plan on having a formal letter that has been prepared by Staff based on the comments and feedback of the managers. The Board was in agreement.

Administrator Loomis added that Young Environmental Consulting Group, LLC could review the plan and prepare comments on behalf of the LMRWD.

Manager Amundson thought that Young Environmental has done 1W1P plans and is able to review the plan. She noted that these documents are very formulaic; however, it was public driven and the public was not concerned about recreation on the river as the public never commented on this.

Manager Salvato asked if there have been any recreational surveys done on the Minnesota River. Administrator Loomis stated she is not aware of any.

Manager Salvato stated that there were a number of people at the County Fairs who told them how they recreate on the river.

President Barisonzi noted sometimes the public that provides feedback may not be the public that uses the river, such as those that are fishing for sustenance. He said the LMRWD should address barriers to participation in planning. He suggested that the LMRWD make sure that when they are looking at their work plan at the workshop next year that this becomes one of the issues that they want to talk about. He added that they should also discuss the coordination of the feedback letter to make sure it solicits the feedback from the different managers with technical support as needed.

Manager Salvato added that in the recreation survey for the Upper Mississippi River they included fishing for sustenance as an environmental justice tie-in. President Barisonzi reiterated his desire to have this addressed in LMRWD workplans.

C. City of Carver Levee

President Barisonzi introduced this item and shared that the City of Carver will be at the December Board Meeting and asked if there was additional information that needed to be brought to the attention of the Board.

D. Dredge Management

President Barisonzi introduced this item and said that the Board received good information in the meeting materials. Administrator Loomis noted that there are a lot of project going on in this corridor. She stated that the Corp. of Engineers is having to re-bid the Continental Grain Marsh Repair project. She added that if the Corp. of Engineers couldn't get into the site when they were conducting reconnaissance for the Continental Marsh project. They contacted the LMRWD about accessing the site, to deliver material for the Continental Marsh Project. It was not clear why access to the site was closed. Administrator Loomis coordinated contacts for all the projects planned in this corridor; MnDOT, USACE and Eureka Fiber Optic and the LMRWD.

i. Dredging at mouth of MN River

No update on this item.

ii. Sale of Dredge Material

No update on this item.

iii. Private Dredge Material Placement

No update on this item.

iv. Vernon Avenue reconstruction and culvert replacement project

No update on this item.

E. Watershed Management Plan

No new information to report since the last update.

F. 2023 Legislative Action

No new information to report since the last update.

G. Education and Outreach Plan

President Barisonzi introduced this item. He noted that the \$500 for Redtail Ridge Elementary School was for water testing equipment which Friends of the Minnesota Valley has and is part of what the Board paid for their program. He added that the school could use this equipment for free.

Manager Hartmann made a motion to approve the recommendations of the CAC and awards educator mini-grants as follows: Nicollet Middle School Green Team - \$500; Pilot Knob STEM Magnet School - \$300; Chaska High School - \$500; and Redtail Ridge Elementary School - \$500. Manager Salvato seconded the motion. Upon a vote being taken, the motion carried unanimously.

H. LMRWD Projects

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

i. Area #3

President Barisonzi introduced and asked Administrator Loomis to walk them through the information. She noted that the LMRWD received an appraisal for the property at Area #3 necessary to construct the project. The LMRWD is interested in securing a portion of the property, either by easement or property ownership. She noted that the Board was provided with hard copies of the information received.

Attorney Kolb noted that the information was just received the day of the meeting. He stated that there are options and prices associated with a partial fee purchase in the package. He added that there is also the price associated with just an acquisition of an easement over this property. He noted that they are in the process of posturing the LMRWD for a voluntary acquisition. He noted that he had not seen the information yet. He added that he is not sure if there will be additional costs with land use or governance restrictions on subdividing this parcel to facilitate the partial acquisition. He shared that this is a pre-decisional, information document and is not yet public information. He said the LMRWD will need the City to determine if there are additional costs to be considered to comply with the Cities land use requirements. He added that when they revisit this they will need to discuss if an easement or a fee acquisition makes more sense then decide how they want to approach this landowner. He noted that it was the landowner's suggestion that they consider an easement as opposed to a fee purchase.

Manager Amundson asked why they would buy this land. Attorney Kolb shared that he had this discussion with the acquisition consultant and Young Environmental. He stated that it comes down to the level of control and the risk to the project if the LMRWD only has an easement versus ownership, as ownership would give them much greater control of the property. He stated that they should be able to get everything done that they need to under an easement, but future access for maintenance must be considered.

i. Spring Creek

No update on this item.

I. Permits and Project Reviews

i. ACE Rent a Car (LMRWD No. 2022-022) – After the Fact Permit

President Barisonzi introduced and asked for a motion before discussion. He then asked Administrator Loomis to provide background on this item. She stated that Manager Salvato had asked why a stop work order was not placed on this project by the LMRWD. She explained that the intent of the owner was not to circumvent the rules, ACE Rent a Car just did not understand and were very cooperative once they were notified. She added that they also notified the airport as they owned the land that this was being built on.

Manager Salvato stated that she was trying to understand the coordination that led to this permit. Ms. Young explained that they have been in contact with ACE quite a bit and they

provided most of the information necessary and then assumed that they had approval since they had been in constant contact. She stated that it was a misunderstanding. She explained that his occurrence is very different from other circumstances of work without a permit.

Manager Amundson asked if this occurrence would influence the decision as to whether the MAC should be granted a Municipal LGU permit. Ms. Young believes that this was an innocent mistake and that it should not be considered as a reason to deny a permit to MAC. She noted that they will be making sure that there are clear lines of responsibility for permits moving forward.

Manager Amundson made a motion to approve an After-the Fact permit for ACE Rent a Car. Manager Kuplic seconded the motion. Upon a vote being taken, the motion carried unanimously.

ii. Vernon Avenue Improvements and Access Road Culvert Replacement Project (LMRWD 2023-023)

President Barisonzi introduced and asked for a motion before discussion. He asked for additional information. Administrator Loomis wanted to make clear to the Board that the LMRWD is the applicant on this project and that because of Young Environmental Consulting Group's activity preparing the application, Barr Engineering was asked to conduct the application review and provide a recommendation to the Board.

Manager Hartmann made a motion to conditionally approve a permit for Vernon Avenue Improvements and Access Road Culvert Replacement (LMRWD 2023-023) subject to receipt of the contact information for the contractor and the person(s) responsible for inspection and maintenance of erosion and sediment control features, and a copy of all other required permits including the NPDES Construction Stormwater Permit and the City of Savage Right of Way permit. Manager Amundson seconded the motion. Upon a vote being taken, the motion carried unanimously.

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

President Barisonzi introduced this item and asked legal counsel to update the Board. Attorney Kolb stated that the property owner has provided them with a detailed survey of the site; however, it is not certified. He noted that because it is not certified the consultants are hesitant to evaluate this in the light of the after the fact permit application received. He added that there are also issues with the permit application as it may not contain sufficient detail on what the restoration activities are that are being proposed. He explained that this process could move forward pretty quickly. He discussed what this process will look like moving forward, including showing up to court with the restoration plan to have the court confirm it and give the LMRWD the authority to make the landowner do what needs to be done by a certain date, or if it is not done by that date, the LMRWD would go in and do it and assess the cost to the landowner as a lien on the property.

Ms. Young explained that this is on a steep slope and the property owner has a retaining wall on the property. She noted that the LMRWD rules require that a professional engineer certifies that the slope can withstand the situation, which is what they are missing.

President Barisonzi asked if they had to act quickly on this if they have the authority and budget provided to get a third party assessment to go in with the restoration plan. Attorney Kolb stated that the Board's resolution authorizing the enforcement action included that the enforcement would be funded by the district so no further authorization would be required.

6. COMMUNICATIONS

- A. **Administrator Report:** Administrator Loomis shared that the MPCA released its draft 2024 Impaired Waters list and added that they are taking comments through January 12. She added that there is a new impairment for PFOs in fish tissues, as well as, a new impairment for sulfites in wild rice lakes. She noted that the LMRWD has quite a few lakes that are on the list for wild rice lakes. She shared that the Upper Mississippi River Waterway Association has a meeting tomorrow. She added that they just received notice that the Minnesota Aquatic Invasive Species Research Center is celebrating its 10th anniversary on December 7th.

Manager Salvato requested a copy of the Carver County WMO chloride fact sheet.

President Barisonzi asked if Administrator Loomis could send out information that the Board should be reading in preparation for Carver County's levee presentation next month.

- B. **President:** No report
- C. **Managers:** Manager Hartmann shared that the December meeting will be his last meeting with the LMRWD. He stated that this was a bittersweet decision. Manager Amundson and Manager Salvato shared that they will both be attending the next meeting remotely.
- D. **Committees:** No report
- E. **Legal Counsel:** Attorney Kolb shared that Minnesota Watersheds has reached out again to say that they would like to become a member. He noted that the end of their conference is this month and they will typically review a series of resolutions that have been vetted by a committee within their organization. He stated that there is nothing in this that is of consequence to the LMRWD in terms of the priorities that are in the LMRWD plan. He added that Minnesota Watersheds is working on some substantial changes to enabling legislation for watershed districts 103D. He noted that these revisions are intended to streamline the project development, establishment, and implementation process. He added that there are also proposed changes to the BWSR planning rules to try to make the planning process more watershed and public driven rather than agency driven. He shared that the Board should take time to prioritize the resource concerns that they want to comment on for the One Watershed One Plan as the money will follow priorities.

Manager Amundson asked if Attorney Kolb has reviewed the MOU recently. Administrator Loomis noted that she had not given it to him yet. Attorney Kolb added that he has not seen the governance document.

Manager Amundson asked if they are to a point that Attorney Kolb should take a look at this. Administrator Loomis stated that a part of the reason that she has not given it to him is that she has not been confident that it will not be changed substantially. She stated that she can have Attorney Kolb take a look at it and he can offer guidance as to how they may want to move forward.

Attorney Kolb stated he would be happy to take a look at this.

Manager Salvato requested a copy of the current draft.

Manager Amundson asked if Ms. Young should also do a technical review of this.

Attorney Kolb shared that the value of having Ms. Young look at this with a technical eye is to see if there are any red flags or direct conflict between how this Board has its own planning organized and its own objectives and what is being pushed outside. He feels that Ms. Young would have a better idea of any conflict between the planning priorities of the 1W1P and the LMRWD plan and how to reconcile those conflicts.

F. **Engineer:** No report

7. ADJOURN

At 8:10 pm, Manager Kuplic made a motion to adjourn the meeting. Manager Salvato seconded the motion. Upon a vote being taken, the motion carried unanimously.

The next meeting of the LMRWD Board of Managers meeting will be 7:00, Wednesday, December 20, 2023, and will be held at the Carver County Government Center, 602 East 4th Street, Chaska, MN. Electronic access will also be available.

Attest:

Lauren Salvato, Secretary

Linda Loomis, Administrator

Item 4.B.
LMRWD 12-20-2023

BEGINNING BALANCE	31-Oct-23		\$ 863,904.88
ADD:			
General Fund Revenue:			
November 2023 Interest		\$ 3,792.46	
Permit Review fee - RSI Marine Storage LMRWD No. 2022-031		\$ 1,000.00	
Reimbursement from Friends of the MN Valley Refuge		\$ 10,566.36	
Dakota County - 2nd half 2023 tax Settlement		\$ 33,220.70	
Total Revenue and Transfers In			\$ 48,579.52
DEDUCT:			
Debits/Reductions			
Daniel Hron	December 2023 office rent	\$ 650.00	
Frenette Legislative Advisors		\$ 5,000.01	
4M Fund	September 2023 bank service fees	\$ 41.04	
Total Debits/Reductions			\$ 5,691.05
ENDING BALANCE	30-Nov-23		\$ 906,793.35

	2023 Budget	November Actuals	YTD 2023	Over (Under) Budget
Administrative expenses	\$ 250,000.00	\$ 5,691.05	\$ 283,926.51	\$ 33,926.51
Cooperative Projects				
Eden Prairie Bank Stabilization Area #3	\$ -	\$ -	\$ 133,830.22	\$ 133,830.22
Gully Erosion Contingency Fund	\$ -	\$ -	\$ -	\$ -
Seminary Fen Ravine Restoration site A	\$ -	\$ -	\$ -	\$ -
Seminary Fen Ravine Restoration site C-2	\$ 20,000.00	\$ -	\$ -	\$ (20,000.00)
509 Plan Budget				
<i>Resource Plan Implementation</i>				
Watershed Resource Restoration Fund	\$ 100,000.00	\$ -	\$ -	\$ (100,000.00)
Gully Inventory	\$ 90,500.00	\$ -	\$ 81,264.54	\$ (9,235.46)
MN River Corridor Management Project	\$ -	\$ -	\$ -	\$ -
Gun Club Fen Intrusion investigation	\$ -	\$ -	\$ -	\$ -
Assumption Creek Hydrology Restoration	\$ -	\$ -	\$ -	\$ -
Groundwater Screening Tool Model	\$ -	\$ -	\$ -	\$ -
MN River Floodplain Model Feasibility Study	\$ 75,000.00	\$ -	\$ 9,547.85	\$ (65,452.15)
Schroder Acres Park	\$ -	\$ -	\$ -	\$ -
Downtown Shakopee Stormwater BMPs	\$ 50,000.00	\$ -	\$ -	\$ (50,000.00)
PLOC Realignment/Wetland Restoration	\$ -	\$ -	\$ -	\$ -
Spring Creek Project	\$ 90,000.00	\$ -	\$ 54,396.52	\$ (35,603.48)
West Chaska Creek	\$ -	\$ -	\$ -	\$ -
Sustainable Lakes Mgmt. Plan (Trout Lakes)	\$ -	\$ -	\$ -	\$ -
Geomorphic Assessments (Trout Streams)	\$ -	\$ -	\$ -	\$ -
Fen Stewardship Program	\$ 75,000.00	\$ -	\$ 51,540.00	\$ (23,460.00)
District Boundary Modification	\$ -	\$ -	\$ -	\$ -
MN River Sediment Reduction Strategy	\$ -	\$ -	\$ -	\$ -
Local Water Management Plan reviews	\$ 5,000.00	\$ -	\$ 31.25	\$ (4,968.75)
Project Reviews	\$ 50,000.00	\$ -	\$ 108,379.50	\$ 58,379.50
<i>Monitoring</i>	\$ 75,000.00	\$ -	\$ 48,750.94	\$ (26,249.06)
<i>Watershed Management Plan</i>	\$ -	\$ -	\$ 73,282.86	\$ 73,282.86
<i>Public Education/CAC/Outreach Program</i>	\$ 85,000.00	\$ -	\$ 78,753.95	\$ (6,246.05)
<i>Cost Share Program</i>	\$ 20,000.00	\$ -	\$ 20,586.50	\$ 586.50
Nine Foot Channel				
Return of unused state funds	\$ -	\$ -	\$ 182,742.77	\$ 182,742.77
Dredge Site Improvements	\$ 240,000.00	\$ -	\$ 305,473.35	\$ 65,473.35
Total:	\$ 1,225,500.00	\$ 5,691.05	\$ 1,432,506.76	\$ 207,006.76



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 5.D. – Report from Citizens Advisory Committee (CAC)

Prepared By

Linda Loomis, Administrator

Summary

The Citizen Advisory Committee (CAC) held its December 5, 2023, meeting virtually. The CAC has plans to shoot short videos to share with the public. The first video was taken during the CAC's river boat excursion on the MN River. The CAC wanted to share this video with the Board and ask the Board to consider creating a YouTube channel for the LMRWD or some other media platform to share this and future videos. Discussion of this can be added to the Workshop Planned for early 2024.

The next item they wanted to share with the Board was a trifold handout, attached, developed by Young Environmental. The CAC would like to have this document to hand out when representing the LMRWD at tabling activities.

The minutes from the October CAC meeting were approved by the CAC at the December meeting and are attached for the Board to receive and file.

Attachments

December CAC meeting materials (including draft trifold handout)

Recommended Action

Motion to receive and file October CAC meeting minutes

Motion to approve trifold handout and authorize printing and distribution



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Agenda

Citizen Advisory Committee

Tuesday, December 5, 2023 | 4:30 p.m.

Virtual via WebEx

1. Call to Order and Roll Call
2. Consent Agenda
 - a. Approval of the December Agenda
 - b. Approval of the October Minutes
3. Citizen Input on Non-agenda Items
4. New Business
 - a. 2024 calendar planning for CAC meetings
 - b. Identify 2024 outreach events
5. Old Business
 - a. Approve the fall newsletter
 - b. Winter salt use video review
 - c. Update on MN River Journey video
6. Communications
 - a. Update on watershed activities
 - b. Update on Texas A&M audience engagement
7. Adjournment

****Please RSVP to confirm a quorum****



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Minutes

Citizen Advisory Committee (CAC)

Tuesday, October 3, 2023

Dred Scott Playfield

1. Call to Order and Roll Call

Chair Berglund called the meeting to order. The following CAC members were present: Judy Berglund, Tom Hartle, and Patty Thomsen. The following individuals also attended the meeting: Theresa Kuplic (Lower Minnesota River Watershed District [LMRWD] Board Manager), Linda Loomis (Naiad Consulting, LLC, and the LMRWD Administrator) and Jen Dullum (representing Young Environmental Consulting Group, LLC).

2. Consent Agenda

a. Approval of the October Agenda and September Minutes

Thomsen moved to approve the consent agenda, and Berglund seconded the motion. Upon a vote being taken, the motion carried unanimously.

3. Citizen Input on Non-Agenda Items

There was no input.

4. New Business

a. LMRWD budget review

Loomis gave a brief overview of the LMRWD budget. This is the largest budget in LMRWD history due to the amount of projects. This year, for the first time, the LMRWD is raising matching funds for Project Area #3. The LMRWD levy is \$1,175,000 and proposed expenses for 2024 are \$2,110, 338. The LMRWD Board is considering more projects in the future especially after the recent gully inventories. A question was asked about the size of the LMRWD in comparison to other watersheds in the metro. The LMRWD is an average size watershed. Information about watershed sizes can be found in the packet.

b. Review summer tabling events. Plan for 2024.

Overall, CAC members enjoyed the tabling events. They found it a positive experience with meaningful conversations with residents. They feel like they should attend the same or similar events going forward into 2024. They are interested in hearing more about the County Fair program and the outcomes from that project. Going forward the CAC would like to have a watershed map showcasing the different watershed boundaries. Loomis and Dullum will bring back a list of events for the group to decide their 2024 events at a future meeting.

5. Old Business

a. Bi-annual newsletter

A draft newsletter from CAC member Kevin Kedrowski was reviewed.

Suggestions include:

- Designing the handout as a trifold pamphlet with no dates so it can be handed out at any time,
- Making the back page about the cost share and mini grant programs,
- Including more photos,
- Rewording the salt paragraph to be less positive towards salt, and
- Revising the storm drain section so that flooding is mentioned before polluting the river. This may catch more attention.

Jen will create a shared document so the CAC members can edit online for all to see. This will then be mocked up in a trifold and brought back to the group.

b. Video storyboard update

Hartle shared his video storyboard mock-up on salt application. It is suggested that the video be no longer than two minutes. Thomsen volunteered to create the do-it-yourself salt spreader. The next step will be to gather images and video clips with a similar look to stitch together for the video. CAC members should send Tom any images and video clips of salt application or salt on sidewalks and roads they may have. Then Tom will film the video and send it out to the group. The hope is that this video will have a link on the LMRWD website and be posted to the LMRWD Instagram account.

c. Minnesota River journey video update

Thomsen looked for more suggestions on the Minnesota River Journey video. She will come back to the group with the video after suggestions are taken into consideration.

6. Communications

a. Update on watershed activities

Loomis mentioned that watershed project updates are listed in the projects notes in the budget document in the packet. She also noted that Manager Salvato, who works for the Upper Mississippi Basin Alliance, is working with a professor from Texas A & M on water quality messaging. This messaging may be able to be used for the LMRWD since the LMRWD is a tributary to the Upper Mississippi River. Loomis will keep us informed on this work. The CAC is interested in this and how it could be utilized for tabling events.

b. Dullum gave a quick update on the Educator Mini-Grant Program and the application scoring sheets. Grant applications are due October 20. This this quick turnaround time for the CAC to complete scoring, Loomis will create a fillable form to make the scoring easier. Once scoring is complete, applications will go to the Board of Managers in November for consideration.

7. Adjournment

Thomsen moved to adjourn the meeting, and Hartle seconded the motion. Upon a vote being taken, the motion carried unanimously.

Next meeting: November 7, 2023, at 1:00 p.m. Black Dog Power Plant, 1410 E Black Dog Rd, Burnsville, MN 55337.

City	Event_1	Event_2	Event_3	Event_4
Bloomington	Public Works Open House	Farmers Market		
Burnsville	Native Plant Market	Farmers Market		
Carver	Public Works Open House	Farmers Market		
Chanhassen	Farmers Market			
Chaska	Native Plant Workshop/Walk (fall) with Carver SWCD	Farmers Market		
Eagan	Eagan Garden Club Plant Sale	Arbor Day Celebration	LakeFest	Farmers Market
Eden Prairie	Chamber of Commerce Spring Expo	Eco Expo - Rotary (2024)	Arbor Day Walk and Green Fair	
Mendota Heights	Tree Sale	Resident Tree Pickup & Rain Barrel/Compost Bin Pickup		
Savage	Arbor Day Celebration	Farmers Market		
Shakopee	Tree Sale			
Carver County	Carver County Fair			
Dakota County	Dakota County Fair			
Hennepin County	Hennepin County Fair			
Scott County	Scott County Fair			
Scott SWCD	Outdoor Education Days			
Carver County WMO	Metro Children's Water Festival			

FALL

WATERSHED NEWS



THREE EASY STEPS TO A CLEANER MINNESOTA RIVER

1

Keep Storm Drains Clear

Keep Storm Drains Clear

As less rain and more snow accumulates, it may be easy to forget the importance of keeping storm drains clear. Storm drains help divert rainwater and melting snow from the streets in the Minnesota River. However, if they are clogged with leaves or debris, it can lead to spring flooding if the snow melt has no place to go! It can also cause excess nutrients and pollutants to enter the river, polluting the water.

Avoid Using Salt for Deicing Sidewalks and Driveways

Salt is a permanent pollutant that builds up in concentrations in soils near where it's used. Salty soil kills plants, leading to soil erosion and sediment in our waterways. It only takes one teaspoon of salt to permanently pollute 5 gallons of water with chloride, which is harmful to local fish and other aquatic life. To avoid oversalting:

- Shovel and scrape more often to prevent ice
- Consider wearing shoe traction devices
- Sprinkle sand on icy areas instead
- Install hand rails
- Remember that salt only works effectively when it's warmer than 15 degrees

2

Avoid Using Salt for Deicing

Clean Up After Your Pets

Pet waste is not only unsightly when left on the side of a trail, it's also harmful to local rivers and lakes. As snow and rain wash the pet waste into local bodies of water, it decays in the water, depleting the oxygen and raising ammonium levels, harming fish and other organisms. These conditions also contribute to an environment for algae and weeds to grow and thrive. **Try biodegradable pet waste bags to avoid using plastic!**

3

Clean Up After Your Pets



LOWER MINNESOTA RIVER
WATERSHED DISTRICT



EDUCATOR MINI GRANTS



Promoting Environmental Education

The Lower Minnesota River Watershed District offers an Educator Mini Grant Program, allowing up to 10 grants per school year to help cover the cost of materials and programming that focus on water resources. Past projects have provided learning equipment like microscopes and waders for science projects and field trips along the Minnesota River.

To learn more about the program and see when to apply, visit:

<https://lowermnriverwd.org/makeadifference/educator-mini-grants>

Connect with us!



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COST-SHARE GRANTS



Protecting Water Resources Close to Home

The Lower Minnesota River Watershed District offers Cost-Share Grants for small residential projects to larger commercial/government projects ranging from rain gardens to shoreline restoration to invasive species removal.

Visit our website to see if your project applies and how much funding you may be eligible to receive!

<https://lowermnriverwd.org/makeadifference/cost-share-grants>



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 5. E. – Authorize removal of Manager Jesse Hartmann and addition of President Barisonzi as signatory to LMRWD financial accounts

Prepared By

Linda Loomis, Administrator

Summary

Manager Hartmann has been authorized as a signatory on LMRWD financial accounts in his role as President. With the election of Manager Barisonzi to the office of President and the resignation of Manager Hartmann signatories with both the Minnesota Municipal Money Market Fund (the 4M Fund) and US Bank need to be updated.

Both the 4M Fund, which is the primary depository for LMRWD funds and US Bank, which is used as a sweeps account to pay expenses incurred by the LMRWD. (A sweeps account has a zero balance at the end of every day).

Additionally, the only authorized person with the 4M Fund is the Administrator. It is suggested that one of the Managers be authorized with full privileges with the account held by the 4M Fund. It is recommended that the President be so authorized.

Forms have been provided to make the required updates. Resolution 23-18 is attached for the Board to adopt authorizing the changes recommended.

Attachments

- Resolution 23-18 Resolution Modifying Authorized Signers on Depositories for Lower Minnesota River Watershed District Funds
- 4M Fund Authorized Personnel Information
- US Bank Master Service Agreement 1 Contract Signer(s) Change
- US Bank Appendix A-1: New Account/Change in Authorized Account Signer(s)

Recommended Action

Motion to adopt Resolution 23-18 Modifying Authorized Signers on Depositories for the Lower Minnesota River Watershed District and authorize execution of documentation required by 4M Fund and US Bank

Manager _____ introduced the following resolution and moved its adoption:

RESOLUTION 23-17

LOWER MINNESOTA RIVER WATERSHED DISTRICT

FINAL CERTIFICATION OF PROPERTY TAX LEVIES FOR TAXES PAYABLE 2024

AND FINAL APPROVAL OF 2024 BUDGET

WHEREAS Minnesota Statutes Sections 103D.911 and 103D.915 require that each year the Board of Managers of the Lower Minnesota River Watershed District (LMRWD) adopt a budget for the next year and determine the total amount necessary to be raised from ad valorem tax levies to meet the District budget, and that the District certify to the auditor of each county within the District the county's share of the tax levy; and

WHEREAS, pursuant to Minnesota Statutes Section 103D.911, the Board of Managers called a public hearing to be noticed and held on September 20, 2023, on the proposed 2024 LMRWD budget and Tax Levies Payable 2024, where all interested members of the public were afforded the opportunity to address the Board concerning the proposed budget and levy; and

WHEREAS, pursuant to Minnesota Statutes Section 103D.911, at their September 20, 2023, Regular Meeting the Board of Managers adopted Resolutions 23-10 through 23-13 approving Preliminary Certification of Tax Levies Payable 2024 and adoption of the 2024 Budget; and

WHEREAS, the Board of Managers of the Lower Minnesota River Watershed District ("LMRWD") proposed a total budget of Two Million One Hundred Ten Thousand Three Hundred Thirty-Eight and 00/100 Dollars (\$2,110,338.00) for the fiscal year commencing January 1, 2024; and

WHEREAS, the 2024 Budget requires One Million One Hundred Seventy-Five Thousand Dollars (\$1,175,000) to be raised from an ad valorem tax levy on all taxable property in the LMRWD, apportioned according to the attached Schedule A, the following amounts:

Administrative Tax Levy	\$250,000 (Minnesota Statutes § 103D.905 Subd. 3)
Planning & Implementation Levy	\$625,000 (Minnesota Statutes § 103B.241)
Bonded Debt Levy:	
Area #3 Bonds	<u>\$300,000</u> (Minnesota Statutes § 103D.905 Subd. 4)
TOTAL Tax Levy	<u>\$1,175,000</u>

NOW, THEREFORE, BE IT RESOLVED, by the Board of Managers of the LMRWD, that the Secretary, in accordance with Minnesota Statutes, shall certify an ad valorem tax of One Million One Hundred Seventy Five Thousand and 00/100 Dollars to the Auditors of the following counties: Carver, Dakota, Hennepin and Scott, apportioned according to the attached Schedule A, which sum to be raised by a levy on all taxable property in the Lower Minnesota River Watershed District payable in the year 2024 and for the purposes noted above; and

BE IT FURTHER RESOLVED, the Administrator shall certify to the County Auditors of Carver, Dakota, Hennepin and Scott Counties a copy of this Resolution approving the property tax levies for collection in 2024 for the Lower Minnesota River Watershed District

BE IT FURTHER RESOLVED by the Board of Managers of the Lower Minnesota River Watershed District that the 2024 Budget is hereby approved and adopted as the final budget for 2024.

The question on the adoption of the Resolution was seconded by Manager _____. Upon a vote being taken there were ___ yeas and ____ nays as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
AMUNDSON	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BARISONZI	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HARTMANN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
KUPLIC	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SALVATO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Adopted by the Board of Managers of the Lower Minnesota River Watershed District this 20th day of December 2023.

Jesse Hartmann, President

ATTEST:

Theresa Kuplic, Vice President

I, Theresa Kuplic, Vice President of the Lower Minnesota River Watershed District, do hereby certify that I have compared the above Resolution with the original thereof as the same appears of record and on file with the LMRWD and find the same to be a true and correct transcript thereof.

IN TESTIMONY WHEREOF, I hereunto set my hand this 20th day of December 2023.

Theresa Kuplic, Secretary

SCEHDULE A

District 060 - Lower MN River Watershed

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

Preliminary Certification of Apportioned Levies

Payable 2024

1)	General Fund (M.S. 103D.905, Subd. 3)	\$250,000.00	
2)	Planning and Implementation Fund (M.S. 103B.241)	\$625,000.00	
3)	Bonded Debt Levy (M.S. 103D.905 Subd. 4)	\$300,000.00	
4)	Payable 2024 Property Tax Levy	\$1,175,000.00	
	(4)	(5)	(6)
<u>County</u>	Payable 2024 Taxable Net Tax Capacity	Net Tax Capacity Percent Distribution	Apportioned Payable 2024 Levy Column (4) x (5)
Carver	\$9,950,849	6.5269%	\$76,691.08
Dakota	\$14,630,670	9.5964%	\$112,757.70
Hennepin	\$61,431,976	40.2938%	\$473,452.15
Scott	\$66,446,544	43.5829%	\$512,099.08
TOTAL	\$88,360,483	100.00%	\$1,175,000.00

Proposed Levy 2024

General Fund	250,000.00
Planning and Implementation Fund	625,000.00
Debt Service on Bond repayment	<u>300,000.00</u>
Apportioned Payable 2024 Levy	1,175,000.00

<u>County</u>	<u>Net Tax Capacity % Distribution</u>	<u>Apportioned Payable 2024 Levy</u>
Carver	6.5269%	76,691.08
Dakota	9.5964%	112,757.70
Hennepin	40.2938%	473,452.15
Scott	43.5829%	512,099.08
Watershed Total	100.0000%	1,175,000.00

2024 LMRWD Budget for Administration Operations
2022 Adopted Budget/2022 Actuals/2023 Adopted/ 2023 YTD/2023 Projected/2024 Adopted

	Account	Adopted 2022	2022 Actuals	2023 Adopted	2023 Actual YTD (Through 11/30/23)	Projected 2023	Adopted 2024
	Revenues:						
	General Property Tax						
1	Carver County	\$ 41,762.17	\$ 41,597.27	\$ 42,871.43	\$ 25,539.32	\$ 46,207.83	\$ 76,691.08
2	Dakota County	\$ 72,153.45	\$ 72,519.30	\$ 72,959.65	\$ 76,518.99	\$ 76,427.40	\$ 112,757.70
3	Hennepin County	\$ 306,964.28	\$ 303,846.27	\$ 318,293.13	\$ 160,301.31	\$ 314,054.03	\$ 473,452.15
4	Scott County	\$ 304,120.10	\$ 301,586.70	\$ 290,875.80	\$ 179,046.40	\$ 338,310.75	\$ 512,099.08
	Total Levy:	\$ 725,000.00	\$ 719,549.54	\$ 725,000.01	\$ 441,406.02	\$ 775,000.01	\$ 1,175,000.00
5	Interest Income	\$ -	\$ 20,117.41	\$ -	\$ 56,253.80	\$ -	\$ -
6	MCES WOMP Grant	\$ 5,000.00	\$ 1,000.00	\$ 5,000.00	\$ 4,500.00	\$ 4,500.00	\$ 4,500.00
7	State of MN Grant for Dredge Material Management	\$ 240,000.00	\$ 240,000.00	\$ 240,000.00	\$ 240,000.00	\$ 240,000.00	\$ 240,000.00
8	Metro-Area Watershed Based funding grants	\$ -	\$ -	\$ -	\$ 91,021.00	\$ 91,021.00	\$ -
9	License Revenue from placement of dredge	\$ 25,000.00	\$ 29,036.00	\$ 25,000.00	\$ 10,372.00	\$ 20,513.00	\$ 25,000.00
10	Revenues from sale of dredge material	\$ 5,000.00	\$ -	\$ 5,000.00	\$ -	\$ -	\$ 5,000.00
11	Permit Fees	\$ -	\$ 14,000.00	\$ -	\$ 6,650.00	\$ 6,650.00	\$ -
12	Miscellaneous Income	\$ -	\$ 2,829.08	\$ -	\$ 11,279.44	\$ 11,279.44	\$ -
	Total Revenues:	\$1,000,000.00	\$ 1,026,532.03	\$1,000,000.01	\$861,482.26	\$ 1,148,963.45	\$ 1,449,500.00
	Expenses:						
13	Administration (from Administrative Budget Page)	\$ 250,000.00	\$ 370,977.11	\$ 250,000.00	\$ 277,060.46	\$ 260,000.00	\$ 377,838.00
	Cooperative Projects						
14	Eden Prairie Bank Stabilization -Area #3	\$ 100,000.00	\$ 91,603.35	\$ -	\$ 133,830.22	\$ 133,830.22	\$ 100,000.00
16	Gully Erosion Contingency	\$ -	\$ 4,395.65	\$ -	\$ -	\$ -	\$ -
17	Riley Creek Cooperative Project with RPBCWD	\$ -	\$ 150,000.00	\$ -	\$ -	\$ -	\$ -
18	Seminary Fen Ravine Restoration site B	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
19	Seminary Fen Ravine C-2	\$ -	\$ 20,000.00	\$ 20,000.00	\$ -	\$ 20,000.00	\$ 90,000.00
20	Eagle Creek Bank Restoration Town & Country RV Park Study	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 30,000.00
21	Shakopee River bank Stabilization Project	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 50,000.00
	509 Plan Budget						
	Resource Plan Implementation						
22	Watershed Resource Restoration Fund	\$ 120,000.00	\$ 142,500.00	\$ 100,000.00	\$ -	\$ 100,000.00	\$ 82,500.00
23	Fen Private Land Acquisition Study	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 50,000.00
24	Gully Inventory	\$ -	\$ 5,830.50	\$ 90,500.00	\$ 81,264.54	\$ 90,500.00	\$ 150,000.00
25	Minnesota River Corridor Management Project	\$ -	\$ 38,902.28	\$ -	\$ -	\$ -	\$ -
26	Gun Clun Fen Intrusion Investigation	\$ -	\$ 34,542.73	\$ -	\$ -	\$ -	\$ -
27	Assumption Creek Hydrology Restoration Project	\$ -	\$ 2,125.50	\$ -	\$ -	\$ -	\$ -
28	Groundwater Screening Tool Model	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
29	Minnesota River Floodplain Model Feasibility Study	\$ -	\$ 13,301.32	\$ 75,000.00	\$ 9,547.85	\$ 75,000.00	\$ -
30	Schroeder's Acres Park/Savage Fen Stormwater Management	\$ -	\$ 53,768.61	\$ -	\$ -	\$ -	\$ -
31	Downtown Shakopee Stormwater BMPs	\$ 50,000.00	\$ 25,000.00	\$ 50,000.00	\$ -	\$ 50,000.00	\$ 50,000.00
32	PLOC Realignment/Wetland Restoration	\$ 30,000.00	\$ -	\$ -	\$ -	\$ -	\$ -
33	Spring Creek Project	\$ -	\$ 12,336.30	\$ 90,000.00	\$ 54,396.52	\$ 90,000.00	\$ 100,000.00
34	West Chaska Creek Project	\$ -	\$ 27,441.00	\$ -	\$ -	\$ -	\$ -
35	Sustainable Lakes Management Plan (Trout Lakes)	\$ 50,000.00	\$ -	\$ -	\$ -	\$ -	\$ 50,000.00
36	Geomorphpic Assessments (Trout Streams)	\$ -	\$ 9,913.85	\$ -	\$ -	\$ -	\$ 100,000.00
37	Fen Stewardship Program	\$ 25,000.00	\$ 47,671.03	\$ 75,000.00	\$ 51,540.00	\$ 75,000.00	\$ 75,000.00
38	District Boundary Modification Project	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
39	East Chaska Creek Bank Stabilization Project	\$ -	\$ 4,526.32	\$ -	\$ -	\$ -	\$ -
40	Minnesota River Sediment Reduction Strategy	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
41	Local Water Management Plan reviews	\$ 5,000.00	\$ 9,538.31	\$ 5,000.00	\$ 31.25	\$ 5,000.00	\$ 5,000.00
42	Project Reviews	\$ 75,000.00	\$ 239,647.69	\$ 50,000.00	\$ 108,379.50	\$ 50,000.00	\$ 50,000.00
43	Monitoring	\$ 75,000.00	\$ 43,965.84	\$ 75,000.00	\$ 48,750.94	\$ 75,000.00	\$ 75,000.00
44	Watershed Management Plan						
45	Next Generation Watershed Management Plan	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
46	Plan Clarification and proposed rules/Rule implementation	\$ -	\$ -	\$ -	\$ 73,282.86	\$ 73,282.86	\$ -
47	Plan Amendment	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
48	Vegetation Management Standard/Plan	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
49	Public Education/Citizen Advisory Committee/Outreach Program	\$ 75,000.00	\$ 69,142.44	\$ 85,000.00	\$ 78,753.95	\$ 85,000.00	\$ 115,000.00
50	Cost Share Program	\$ 20,000.00	\$ 20,606.43	\$ 20,000.00	\$ 20,586.50	\$ 20,000.00	\$ 20,000.00
	Nine Foot Channel						
51	Dredge site operations	\$ 240,000.00	\$ 16,132.25	\$ 240,000.00	\$ 305,473.35	\$ 240,000.00	\$ 240,000.00
52	Dredge Site Restoration	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	Bonded Debt Levy						
53	Area #3 Bonds						\$ 300,000.00
54	Total Non-administrative Expenses:	\$ 865,000.00	\$ 1,082,891.40	\$ 975,500.00	\$ 965,837.48	\$ 1,182,613.08	\$ 1,732,500.00
55	Total Administrative Expenses (from line 13)	\$ 250,000.00	\$ 370,977.11	\$ 250,000.00	\$ 277,060.46	\$ 260,000.00	\$ 377,838.00
56	Total Expenses	\$ 1,115,000.00	\$ 1,453,868.51	\$ 1,225,500.00	\$ 1,242,897.94	\$ 1,442,613.08	\$ 2,110,338.00
57	Revenue less Expenses	\$ (115,000.00)	\$ (427,336.48)	\$ (225,499.99)	\$ (381,415.68)	\$ (293,649.63)	\$ (660,838.00)
58	Beginning Fund Balance - January 1		\$ 1,953,659.65		\$ 1,376,420.36		\$ 995,004.68
59	Total Revenue		\$1,026,532.03		\$861,482.26		\$ 1,449,500.00
60	Total Expenses		\$ (1,453,868.51)		\$ (1,242,897.94)		\$ (2,110,338.00)
61	Ending Fund Balance - December 31 (bold figures are projected)	\$ 1,953,659.65	\$ 1,526,323.17	\$ 1,376,420.36	\$ 995,004.68		\$ 334,166.68

2024 proposed LMRWD Budget for Administration Operations
2022 Adopted Budget/2022 Actuals/2023 Adopted/ 2023 YTD/2023 Projected/2024 Proposed

Account	Adopted 2022	2022 Actual (unaudited)	Adopted 2023	YTD 2023 (Through 11/30/23)	Projected 2023	Adopted 2024
Expenses:						
62 Wages-General	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
63 Severance Allowance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
64 Benefits	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
65 PERA Expense	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
66 Payroll Tax (FICA/Medicare)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
67 Unemployment compensation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
68 Manager Per Diem	\$ 11,250.00	\$ 6,625.00	\$ 11,250.00	\$ 4,500.00	\$ 11,250.00	\$ 15,000.00
69 Manager Expense (mileage/food/registrations)	\$ 3,000.00	\$ 1,293.43	\$ 3,000.00	\$ 549.20	\$ 3,000.00	\$ 4,500.00
70 Telecommunications-Cell-Internet/Phone	\$ 1,000.00	\$ -	\$ 1,000.00	\$ -	\$ 1,000.00	\$ 1,000.00
71 Office Supplies	\$ 300.00	\$ 93.19	\$ 300.00	\$ 181.68	\$ 300.00	\$ 300.00
72 Meeting Supplies/Expense	\$ 100.00	\$ -	\$ 100.00	\$ 80.26	\$ 100.00	\$ 100.00
73 Rent	\$ 7,800.00	\$ 7,800.00	\$ 7,800.00	\$ 6,500.00	\$ 7,800.00	\$ 7,800.00
74 Dues	\$ 7,500.00	\$ -	\$ 7,500.00	\$ -	\$ -	\$ -
75 Miscellaneous-General	\$ 3,000.00	\$ 2,551.00	\$ 3,000.00	\$ 2,086.00	\$ 3,000.00	\$ 3,000.00
76 Training & Education	\$ 1,500.00	\$ 600.00	\$ 1,500.00	\$ 330.00	\$ 1,500.00	\$ 1,500.00
77 Insurance & Bonds	\$ 11,000.00	\$ 10,709.00	\$ 11,000.00	\$ 9,968.00	\$ 11,000.00	\$ 12,000.00
78 Postage	\$ 375.00	\$ 47.68	\$ 375.00	\$ 21.63	\$ 375.00	\$ 300.00
79 Photocopying	\$ 875.00	\$ 355.98	\$ 875.00	\$ 169.27	\$ 875.00	\$ 750.00
80 Legal Notices-General	\$ 1,500.00	\$ 2,700.20	\$ 1,500.00	\$ 800.40	\$ 1,500.00	\$ 2,000.00
81 Subscriptions & License Fees	\$ 250.00	\$ 355.42	\$ 250.00	\$ 580.99	\$ 250.00	\$ 400.00
82 Mileage	\$ 5,000.00	\$ 2,013.72	\$ 5,000.00	\$ 2,279.37	\$ 5,000.00	\$ 5,000.00
83 Taxable meal reimbursement	\$ 500.00	\$ -	\$ 500.00	\$ 40.00	\$ 500.00	\$ 500.00
84 Lodging/ Staff Travel	\$ 1,500.00	\$ -	\$ 1,500.00	\$ -	\$ 1,500.00	\$ 1,500.00
85 Accounting/Financial Services	\$ 5,382.00	\$ 29,523.84	\$ 5,580.00	\$ 26,436.71	\$ 5,580.00	\$ 25,438.00
86 Audit Fees	\$ 15,000.00	\$ 17,841.00	\$ 15,000.00	\$ 240.00	\$ 25,000.00	\$ 30,000.00
87 Professional Services-General	\$ 120,168.00	\$ 130,762.50	\$ 104,970.00	\$ 98,718.75	\$ 104,970.00	\$ 153,000.00
88 Legal Fees-General	\$ 10,000.00	\$ 13,162.98	\$ 10,000.00	\$ 10,384.00	\$ 10,000.00	\$ 15,000.00
89 Engineering-General	\$ 20,000.00	\$ 121,966.48	\$ 35,000.00	\$ 99,500.05	\$ 42,500.00	\$ 75,000.00
90 Equipment-Maintenance	\$ 500.00	\$ 508.02	\$ 500.00	\$ 288.34	\$ 500.00	\$ 500.00
91 Equipment-Lease	\$ 2,500.00	\$ 2,067.63	\$ 2,500.00	\$ 1,739.12	\$ 2,500.00	\$ 2,500.00
92 Lobbying	\$ 20,000.00	\$ 20,000.04	\$ 20,000.00	\$ 11,666.69	\$ 20,000.00	\$ 20,000.00
93 Bank fees and charges	\$ -	\$ -	\$ -	\$ 80.00	\$ -	\$ 750.00
94 Total Expense for Administration:	\$ 250,000.00	\$ 370,977.11	\$ 250,000.00	\$ 277,060.46	\$ 260,000.00	\$ 377,838.00

Manager _____ offered the following Resolution and moved its adoption:

RESOLUTION 23-18

**RESOLUTION MODIFYING AUTHORIZED SIGNERS ON DEPOSITORIES FOR
LOWER MINNESOTA RIVER WATERSHED DISTRICT FUNDS**

WHEREAS, pursuant to Minnesota Statute Chapter 469.052, all governmental entities are required to designate depositories and a governmental entity's deposits and investments must comply with Minnesota Statutes Chapter 118A; and

WHEREAS, the Minnesota Municipal Money Market Fund (the 4M Fund) and US Bank have been designated as official Lower Minnesota River Watershed District (LMRWD) depositories; and

WHEREAS, it may be necessary from time to time to change authorized signers on these accounts; and

WHEREAS, Manager Joseph Barisonzi was elected President of the Board of Managers at the October 18, 2023 Board of Managers meeting; and

WHEREAS, Manager Jesse Hartmann tendered his resignation from the Board of Manager November 15, 2023.

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Board of Managers of the Lower Minnesota River Watershed that Manager Joseph Barisonzi is authorized to be a signatory on checks drawn on funds deposited; and

BE IT FURTHER RESOLVED that Manager Joseph Barisonzi shall be authorized to make investments of the LMRWD and shall be authorized to deposit the principal of said investments in the above depositories as necessary and beneficial to the LMRWD; and

BE T FURTHER RESOLVED that Manager Jesse Hartmann shall be removed as an authorized representative from the above depositories effective from the date of this Resolution; and

BE IT FURTHER RESOLVED, that the President or his/her designee, is hereby authorized and directed to execute all documents necessary to modify the authorized signers on accounts at the above depositories; and

BE IT FINALLY RESOLVED that the LMRWD Treasurer or Administrator will supply each of the depositories with certified copies of this resolution with such signature documentation as is required by the depository and the authorizations set forth above.

The question on the adoption of the Resolution was seconded by Manager _____ .

Upon a vote being taken there were ___ yeas and ___ nays as follows:

(signatures on following page)

	<u>Yea</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
AMUNDSON	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BARISONZI	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HARTMANN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
KUPLIC	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SALVATO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Upon vote, the President declared the Resolution adopted.

ATTEST:

Jesse Hartmann, President

Theresa Kuplic, Vice President

I, Theresa Kuplic, Vice President of the Lower Minnesota River Watershed District, do hereby certify that I have compared the above Resolution with the original thereof as the same appears of record and on file with the LMRWD and find the same to be a true and correct transcript thereof.

IN TESTIMONY WHEREOF, I hereunto set my hand this 20th day of December 2023.

Theresa Kuplic, Vice President

AUTHORIZED PERSONNEL INFORMATION

Participant/Entity Name: Lower Minnesota River Watershed District

Select one of the following:

- Activate New Authorized Individual for **Full** Rights (Complete Sections A, B, and D)
- Activate New Authorized Individual for **Limited** Rights (Complete Sections A, C, and D)
- De-Activate Existing Authorized Individual _____ (Insert Name and Complete Section D below.)

SECTION A: AUTHORIZED PERSONNEL INFORMATION

2. Please designate the 4M Authorized Individual for your Entity:

Name: _____ Phone: _____
Fax: _____ Email: _____
Title: _____ Address: _____

SECTION B: ACCOUNT SECURITY/AUTHORITY - FULL RIGHTS

3. The above-named authorized person will have the authority to:

- Certify the Authorized Personnel at the Entity, and Specify the PMA GPS® Access Capabilities;
- Add, Change, Delete the Bank Information (ACH/Wire) 4M has on File for the Entity;
- Open, Close, Change and Reactivate 4M Account Information; and
- Move money (make purchases, redemptions, transfers and fixed rate investments.)

4. Account Authority:

- This authorization applies to all 4M sub-accounts for my entity.
- This authorization only applies to the following accounts:

5. System Access:

- Yes, access to PMA GPS® is necessary; a username and password will be sent via email.
- No, access to PMA GPS® is not necessary at this time.

6. Email Notification:

- Yes, send an email when online statements and confirmations are available. To receive these emails, access to PMA GPS® must have been selected in the section above.
- No, do not send an email when online statements and confirmations are available.

SECTION C: ACCOUNT SECURITY / AUTHORITY - LIMITED RIGHTS (TRANSACTION OR VIEW ONLY)

7. Security:
- Yes, the authorized person is authorized to move money (SELECT ALL THAT APPLY)
- Purchases Redemptions Transfers
- No, the authorized person is not authorized to move money; VIEW ONLY access is requested.
8. Account Authority:
- This authorization applies to all 4M sub-accounts for my entity.
- This authorization only applies to the following accounts:
- _____
9. System Access:
- Yes, access to PMA GPS® is necessary; a username and password will be sent via email and U.S. mail, respectively.
- No, access to PMA GPS® is not necessary at this time.
10. Email notification:
- Yes, send an email when online statements and confirmations are available. To receive these emails, access to PMA GPS® must have been selected in the section above.
- No, do not send an email when online statements and confirmations are available.

SECTION D: AUTHORIZATION

This section must be signed by either an authorized person as designated in the New Account Application, or a Primary Contact or Authorized Personnel Information form, OR the new incumbent in an authorized position, accompanied by a copy of the board minutes covering the appointment/election of a new incumbent. (Please mark the appropriate section and black out salary and other confidential information.) The authorizations set forth on this form shall remain in full force and effect until the Fund receives written notification of a change.

Signature: _____
Printed Name: Linda Loomis
Title: Administrator

Date: _____
Phone: 763-545-4659
Email: naiadconsulting@gmail.com

Send completed forms to your PMA representative or to gps@pmanetwork.com



Master Services Agreement 1 Contract Signer(s) Change

Customer information

Lower Minnesota River Watershed
Customer name: District
Tax ID number on current MSA: 411476295 **Contract signer changes related to the most recent MSA dated:** 02.16.2022

The undersigned Contract Signer certifies that, based on his or her review of Customer's books and records, Customer has full power and lawful authority to make this change to the Contract Signer(s) and to confer the powers herein granted to the persons named, and that the undersigned Contract Signer has full power and authority to exercise the same.

The undersigned Contract Signer further certifies that the newly appointed Contract Signers have been duly elected to and now hold the offices of Customer set opposite their respective names, and the signatures appearing opposite their names are the authentic, official signatures of the said Contract Signer.

Add contract signer(s)

Print contract signer name	Print contract signer title	Contract signer email address	Contract signer signature
<u>Joseph Barisonzi</u>	<u>President</u>	<u>jbarisonzi@iwlamnvalley.org</u>	<u></u>
<u></u>	<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>	<u></u>

Delete contract signer(s)

Delete contract signer name:
Jesse Hartmann

Existing contract signer(s) other than those new contract signers listed above

List name(s) and email addresses, no specimen signatures are needed.

Contract signer	Email address	Contract signer	Email address
<u>Laura Amundson</u>	<u>jlamu107@gmail.com</u>	<u>Linda Loomis</u>	<u>naiadconsulting@gmail.com</u>
<u></u>	<u></u>	<u></u>	<u></u>

Signature: Email address: naiadconsulting@gmail.com
 Print name: Linda Loomis Date: December 20, 2023
 Print title: Administrator

For Internal Use Only:

Review Validation Method TL Review Imaged





Appendix A-1: New Account/Change in Authorized Account Signer(s)

Customer information

Customer name: Lower Minnesota River Watershed District
Tax identification number: 411476295
 New account
 Change in authorized account signers

Account information

Account name	Account number	Tax identification number
Lower Minnesota River Watershed District Controlled Disbursement	146899182852	411476295

Authorized account signers

Add authorized account signer(s)

Name	Title	Email address	Specimen signature
Joseph Barisonzi	President	jbarisonzi@iwlamnvalley.org	

Delete authorized account signer(s)

List names only.

Jesse Hartmann

Existing authorized account signer(s)

Provide the names and email addresses of existing authorized signer(s), other than those new authorized signers listed above. No specimen signatures are needed.

Authorized signer	Email address	Authorized signer	Email address
Laura Amundson	jlamu107@gmail.com	Linda Loomis	naiadconsulting@gmail.com



Appendix A-1

New Account/Change in Authorized Account Signer(s)

The Signer listed below represents and warrants to the Bank that: (i) the signatures listed above are the true and authentic signatures of the additional Authorized Account Signer(s); (ii) that each Customer listed above has taken all action required by its respective organizational documents to appoint the additional Authorized Account Signer(s) and to delete any Existing Authorized Account Signer(s); and (iii) he/she is authorized to complete this Appendix A-1 for each Customer listed above. Customer is responsible for the validity and authenticity of email addresses provided above.

Account Signer may execute this Appendix A-1 to add an account(s) for Customer if the Existing Authorized Signers remain the same. Otherwise, this Appendix A-1 must be executed by a Contract signer. This Appendix A 1 becomes effective only after U.S. Bank receives and has time to modify its records to reflect the changes noted herein.

Signature: _____ Email address: naiadconsulting@gmail.com
Print name: Linda Loomis Date: December 20, 2023
Print title: Administrator

For Internal Use Only:

Authorized signers are related to the Master Services Agreement dated: _____

Review _____ Validation method _____ TL review _____ Imaged _____



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 5. F. – Update to Legal Services Agreement

Prepared By

Linda Loomis, Administrator

Summary

From time to time the LMRWD receives notices from vendors and service providers of increases in fees it is charged for services in between agreements for services. Agreements for services are executed every two years as part of the biennial solicitation for letters of interest. The LMRWD received notice from its legal counsel November 21, 2023, that fees will be increased beginning in 2024.

The notification which includes a fee schedule is attached for the Board's information.

Attachments

November 21, 2023, notification from Rinke Noonan re: Hourly Rates

Recommended Action

Motion to receive and file notification



November 21, 2023

Lower Minnesota River Watershed District
c/o Ms. Linda Loomis, District Administrator
112 – 5th Street East, Suite 102
Chaska, MN 55318

SENT VIA U.S. MAIL & EMAIL TO:
NAIADCONSULTING@GMAIL.COM

Re: 2024 Hourly Rates
Our File No. 25226-0001

Dear Linda:

Thank you for placing your continued confidence in Rinke Noonan Law Firm to provide legal counsel to Lower Minnesota River Watershed District (the “District”) for the purpose of advising it on matters related to its governance duties, authorities, and responsibilities as a Watershed District and unit of local government pursuant to Minnesota Statutes Chapter 103D. Rinke Noonan’s terms of representation for the District are detailed in our 2022 Legal Services Agreement (“Agreement”).

As noted in our 2022 Legal Services Agreement, from time to time, it is necessary to adjust our hourly rates to compensate for increased experience factors or for inflationary cost increases in our economy. Our Agreement with the District notes that we will notify the District of such adjustments which are reviewed on a yearly basis. In order to meet the unique needs of our public-sector, government clients, Rinke Noonan continues to provide a reasonable discount in billing rates when compared to representation of our private clients. For 2024, we have endeavored to keep our rate increase below the composite inflation rate for our government clients. Our rates for our government clients for 2024 are as follows:

Senior Attorneys (7+ Years Experience):	\$415/hour
Associate Attorneys (4-7 Years Experience):	\$330/hour
Associate Attorneys (0-3 Years Experience):	\$290/hour
Paralegals & Legal Technicians:	\$145-\$255/hour
Clerical Staff:	No Charge

The remaining terms of our representation can be found in the Agreement approved by the District

Suite 300 US Bank Plaza
1015 W. St. Germain St.
P.O. Box 1497
St. Cloud, MN 56302
320.251.6700

www.rinkenoonan.com

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Lower Minnesota River Watershed District

November 21, 2023

Page 2

in 2022. If you have any questions regarding these rates or the terms of our representation, do not hesitate to contact me. On behalf of Rinke Noonan Law Firm, we appreciate the opportunity to continue representing the District and to work with it and its staff.

Sincerely,

/s/ John C. Kolb

John C. Kolb

JCK/cmt



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 5. G. – Authorize Preparation of 2023 Annual Report

Prepared By

Linda Loomis, Administrator

Summary

Minnesota Statute 103D.351 and rule 8410.0150 requires the preparation of a yearly report, transmitted to the Board of Water and Soil Resources within 120 days of the end of the District's fiscal year. Managers should direct preparation of the 2023 Annual report.

Attachments

None

Recommended Action

Motion to authorize preparation of the 2023 Annual Report



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 5. H. – Accept Final Report from Scarborough Townhouses Cost Share and authorize reimbursement

Prepared By

Linda Loomis, Administrator

Summary

At the June 21, 2023, meeting of the LMRWD Board of Managers, five Cost Share Applications were approved for funding. Scarborough Townhouse Association was one of the Applications that was approved. The project proposed to improve the habitat around two stormwater retention ponds to improve the water quality.

The project is complete, and the townhouse association is requesting reimbursement. A final report has been prepared and submitted to the LMRWD, with receipts and pictures.

Attachments

2023 Cost Share Application from Scarborough Townhouses Association
Excerpt from June 20, 2023, meeting minutes approving the Application
Cost Share Agreement between LMRWD and Scarborough Townhouse Association
Scarborough Townhouses final report including receipt and pictures

Recommended Action

Motion to receive and file Final Cost Share report from Scarborough Association and authorize reimbursement of \$7,500.



LOWER MINNESOTA RIVER
WATERSHED DISTRICT

Cost Share Grant Application 2023

Application type (check one) Homeowner Non-profit - 501(c)(3) School

Business or corporation Public agency or local government unit

Project type (check all that apply) Raingarden Vegetated Swale Infiltration Basin

Wetland restoration Buffer/shoreline restoration Conservation practice Habitat restoration

Pervious hard surface Other _____

Applicant Information

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

Scarborough Townhouses Association

Address (street, city and ZIP code):

Scarborough Road, Rich Road, Bloomington, MN 55437

Phone: _____ Email address: _____

Primary Contact (if different from above)

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

Lawrence Polyner, Board Secretary

Address (street, city and ZIP code):

10337 Scarborough Road, Bloomington, MN 55437

Phone: (616) 536-0727 Email address: lawrencepolyner@gmail.com

Project location

Address (street, city and ZIP code):

Scarborough Road & Rich Road, Bloomington, MN 55437

Property Identification Number (PID)

1902724220051, 1902724220113, & 1902724220078

Property owners:

Scarborough Townhouses Association

Project Summary

Title North & South Pond restoration and rehabilitation for Scarborough Townhouses Property

Total project cost \$28,646.54 Grant amount requested \$7,500.00

Estimated start date Summer 2023 Estimated completion date Fall 2024

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

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

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

Project Details

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

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

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

Both ponds will be excavated and re-lined as well as inlets/outlets cleaned and restored of any blockage to ensure proper flow and maintenance in the future. Shorelines will be restored and re-built as needed to prevent future erosion or premature collapse and refill of the restored ponds. Surrounding landscape will be revised and improved to remove overgrowth and replace with native vegetation that will inhibit regrowth of brush and invasive vegetation.

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

Clean and healthy restoration of the aquatic refuge on the property as well as restoring the perimeter vegetation and plantings to a natural, native, non-invasive species that will result in lower perpetual maintenance.

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

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

How does the project support the goals you checked?

Excavating and restoring the pond walls and depth to what they were previously will result in a cleaner, more stable and temperamental environment as the repository for the ambient flow, ground water and adjacent run-off in these areas. Revitalizing and restoring the shorelines as well as the adjacent landscaping will also help better control the amount of run-off as well as the residual material that might run into these two ponds. One primary objective is to obtain a short term and long term maintenance schedule for these two ponds to ensure that regular maintenance prevents future deterioration of the ponds and their surrounding landscaping.

Project Details (continued)

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

Benefit	Amount	
Water captures	1,498,543	gal/year
Water infiltrated		gal/year
Phosphorus removed		lbs/year
Sediment removed		lbs/year
Land restored	36,050	sq. ft.

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

A Pond Rehabilitation and Restoration Committee has been formed within our Association. The primary goal for this committee after the ponds have been restored would be to focus on perpetual maintenance as well as regular meetings to establish any necessary focus for the ponds or adjacent work with the Grounds Improvement Committee.

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

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

Specifics will be determined after project completion for both ponds to layout a plan for each based on what each specific needs will be. Generally speaking at this stage, the following items will be addressed:

1. Monitoring of water height to ensure that erosion or collapsing of pond walls is not occurring.
2. Establish water flow to determine what type of algae mitigation is required to maintain a natural, healthy repository of water in each location.
3. Plant and maintain surrounding vegetation to minimize any invasive growth and enable success of plantings.

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

Authorization

Name of landowner or responsible party

Scarborough Townhouses Association

Signature  Date 4/21/2023 | 8:13 AM CDT

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

For questions, contact Linda Loomis at NaiadConsulting@gmail.com or call 763-545-4659.

Mail the completed application to

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

or email to:

Linda Loomis, Administrator
naiadconsulting@gmail.com

2023 Cost Share Worksheet

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

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

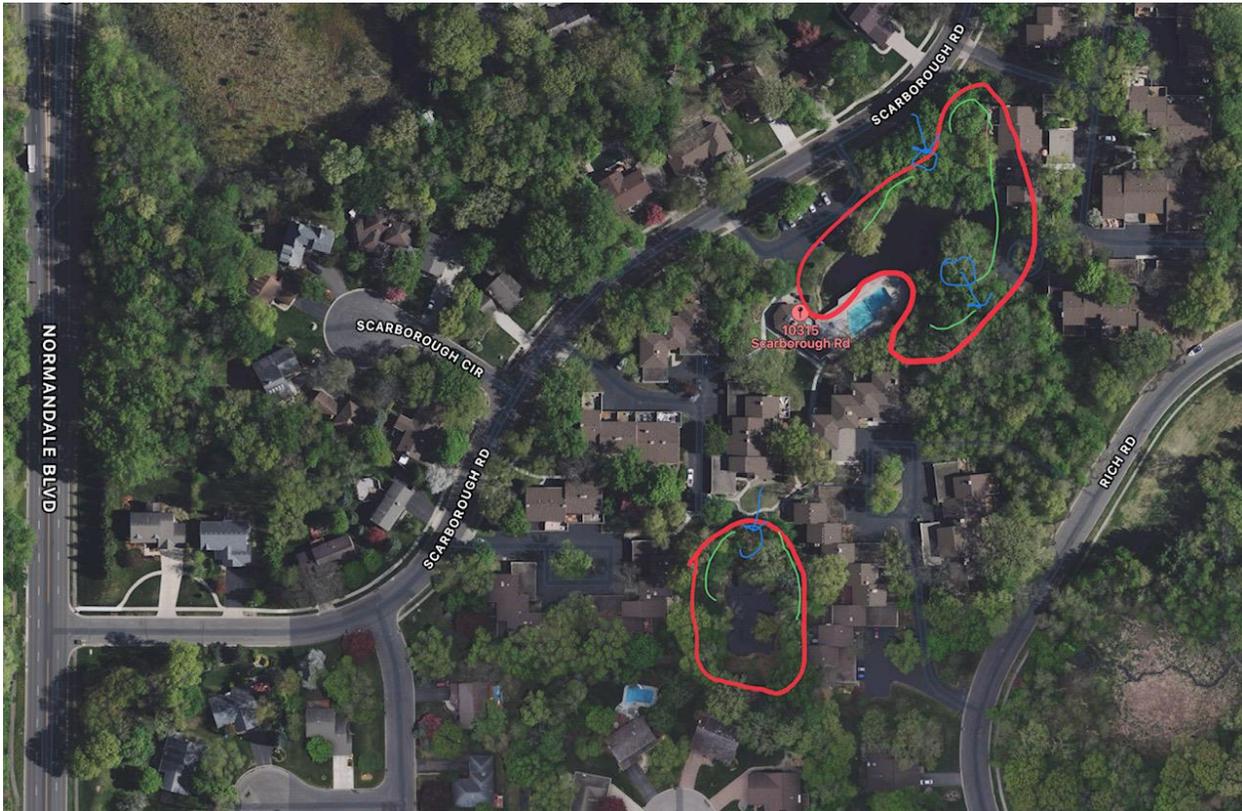
Project Materials

Material Description	Unit Cost	Total # of Units	Requested Funds from LMRWD	Matching/In-Kind Funds	Total Cost
Inlet/Outlet, North Pond	\$13.94	339	\$4,723.34		\$4,723.34
Inlet/Outlet, South Pond	\$13.66	308	\$2,776.66	\$1,428.45	\$4,205.11
Shoreline Clean-up, North Pond	\$1,926.55	2		\$3,853.09	\$3,853.09
Shoreline Clean-up, South Pond	\$2,850.23	2		\$5,700.46	\$5,700.46
Planting and Seeding for Shoreline Stabilization, North Pond	\$1.16	5826		\$6,743.63	\$6,743.63
Planting and Stabilization for Shoreline Stabilization, South Pond	\$1.26	2713		\$3,420.91	\$3,420.91
Total:			\$ 7,500.00	\$ 21,146.54	\$ 28,646.54

Total Requested Funds from LMRWD*:	\$ 7,500.00	(A)
Total Matching/In-Kind Funds:	\$ 21,146.54	(B)
Project Total:	\$ 28,646.54	(C)

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

OVERALL SITE PLAN



Red Circles – Pond Locations – perimeter to be cleared out selectively

Blue Circles – Inlet/Outlet – to be cleaned and cleared of debris to allow for proper flow. Sides next to existing concrete culvert pipes to receive approximately 6' wide boulder rip rap to help stabilize areas and protect culverts.

Green – locations of plantings. Shrubs to be field located to help stabilize shoreline where best needed. All areas to be seeded with native shoreline mix.

Plant List –

North Pond

- (14) #5 Red Sprite Winterberry
- (5) #5 Jim Dandy Winterberry
- (6) #5 Gray Dogwood

South Pond

- (7) #5 Red Sprite Winterberry
- (2) #5 Jim Dandy Winterberry
- (3) #5 Gray Dogwood

Seed Mix

Native Shoreline and Wildflower Mix

Purple Prairie Clover – 30%

Black Eyed Susan – 20%

Yellow Coneflower – 16%

Golden Alexanders – 8%

Swamp Milkweed – 5%

New England Aster – 4%

Prairie Blazing Star – 4%

Showy Tick Trefoil – 4%

Blue Vervain – 3%

Common Ironweed – 2%

Great St. John's Wart – 1%

Project Timeline

Shoreline Clean up – North Pond – 1.5 days

Shoreline Clean up – South Pond – 1.5 days

Inlet/Outlet work – North Pond – 1 day

Inlet/Outlet work – South Pond – 1 day

Planting and seeding – North Pond – 1 day

Planting and seeding – South Pond – 1 day

TOTAL PROJECT - 7 days

Attorney Kolb reviewed his presentation on the One Watershed One Plan operational arrangements. He discussed joint power entities, determining an appropriate structure, and the decisions that need to be made prior to entering one of these agreements. He also discussed the key elements of implementation for a One Watershed One Plan. He stated that they do not have to decide tonight on whether or not they participate in this, but they will need to make the decision soon.

Administrator Loomis discussed that part of this has to do with the amount of sediment and nutrients that are coming from upstream, in areas that are outside of a certain district. She gave the example of Scott County and how the upper part of Sand Creek is outside of their county, and they are not able to do projects in that area. She added that it is possible that this plan may impact the LMRWD's ability to get watershed-based implementation funding as funding may be split.

The Board discussed the values and the drawbacks of this plan.

Attorney Kolb reviewed the difference between a joint powers collaboration or a joint powers entity.

Administrator Loomis shared that the LMRWD has given funding to projects that were outside of the district and stated that there is nothing prohibiting them from giving these funds as long as they see it as beneficial to the district.

The Board gave feedback on the information that was presented at this meeting. No action required.

6. OLD BUSINESS

A. 2021 Financial Audit

Administrator Loomis introduced this item and shared that Redpath and Company has agreed to doing a two year audit which will cost \$25,000 per year. She shared the recommendation from legal counsel to get the legislature to give resources to the Office of the State Auditor so that they can provide audit services to some of the smaller, local governmental units, such as watershed districts. Legal counsel noted that the LMRWD is not alone in its difficulty finding auditors and getting audits prepared. She stated that they will be sending a letter to the former audit firm. Attorney Kolb stated that this letter should go out within the next week.

President Hartmann made a motion to authorize a request for proposals to provide audit services for FY 2023. Manager Amundson seconded the motion. Upon a vote being taken, the motion carried unanimously.

B. 2027 World EXPO – “Healthy People, Healthy Planet – Wellness and Well Being for All”

Administrator Loomis introduced and provided background on this item. Bloomington was not chosen as the site of the 2027 World Expo.

C. 2023 Cost Share Applications

Administrator Loomis reviewed the five applications for cost share projects. She stated that the total of all five projects would come to over \$21,000 and funding could come from the Water Resource Restoration fund.

The Board asked if they would not accept any other applications for the rest of the year.

Administrator Loomis explained that decision is up to the Board. She noted that there is an applicant that is interested in submitting an application, but that is for a project for 2024.

The Board discussed potentially limiting funding to the same groups to every other year and not back to back years.

Administrator Loomis shared that she has looked into cost share programs for other watershed districts and stated that the LMRWD is the most conservative. She added that there will be a draft budget at the July meeting.

The Board discussed the May deadline being a little late in the year for these applications to be submitted.

Manager Amundson made a motion to approve all cost share applications as presented and the amounts requested. Manager Kuplic seconded the motion. Manager Salvato offered a friendly amendment to the motion, asking that LMRWD staff evaluate cost share programs offered by other watershed districts and recommend changes to the LMRWD. Managers Amundson and Kuplic accepted Manager Salvato's amendment. Upon a vote being taken, the motion carried unanimously.

D. City of Carver Levee

No new information to report since the last update.

E. Dredge Management

i. Vernon Avenue Dredge Material Management site

Administrator Loomis introduced this item and provided an update on the project to improve Vernon Avenue.

ii. Private Dredge Material Placement

No new information to report since last update.

F. Watershed Management Plan

No new information to report since the last update.

G. 2023 Legislative Action

Administrator Loomis introduced and provided background on this item. She discussed the projects that received funding.

The Board asked about the funding provided for water storage. Administrator Loomis explained that BWSR is going to try to identify larger projects and how they can make more of a difference with water storage.

H. Education and Outreach Plan

No new information to report since the last update.

I. LMRWD Projects

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

i. Area #3

Administrator Loomis introduced and provided background on this item. She shared that she met with the property owners on site at the property and she asked them to consider selling the portion of their property or allowing an easement for the property in the City's right-of-way for Riverview Road and the river. She noted that State funds can be used for this purchase. She stated that they will need to determine how they can raise their match from the State. She added that she contacted a consulting firm who may be able to assist and

LOWER MINNESOTA RIVER WATERSHED DISTRICT
2023 COST SHARE INCENTIVE AND WATER QUALITY RESTORATION PROGRAM
Cost Share Grant Agreement

The parties to this Agreement, made this 21st day of June 2023, are the Lower Minnesota River Watershed District, a Minnesota Watershed District ("LMRWD") a public body with purposes and powers set forth in Minnesota Statutes Chapters 103B and 103D and Scarborough Townhouses Association ("APPLICANT"). The purpose of this Agreement is to provide for the installation and maintenance of a project designed to protect and improve natural resources within the District, by managing storm water and said project to be located at: Scarborough Road, Bloomington, MN 55437 (PID 1902724220051, 1902724220113 & 1902724220078).

1. Scope of Work. APPLICANT will install the Project in accordance with the Application submitted to the LMRWD, attached as Exhibit A. A final report must be presented to the LMRWD at the time a request is made for reimbursement of expenses as specified in Section 2 of this Agreement.
2. Reimbursement. When the installation of the project is complete in accordance with Exhibit A, the LMRWD, on receipt of adequate documentation, will reimburse the APPLICANT up to 50% of the APPLICANT's cost to install the Project, including materials, equipment rental, delivery of materials and labor, in an amount not to exceed \$7,500. APPLICANT will document with receipts all direct expenditures. At the time reimbursement is requested, APPLICANT will provide the LMRWD with copies of all documents concerning the work. Volunteer time and labor will be considered an in-kind contribution and may be used as a match, but APPLICANT will not receive reimbursement for in-kind contributions. Labor may be credited at \$20.00 per hour.
3. Public Access. LMRWD may enter APPLICANT's property at reasonable times to inspect the work to ensure compliance with this Agreement and monitor or take samples for the purpose of assessing the performance of the Project. APPLICANT will permit the LMRWD, at its cost and discretion, to place reasonable signage on APPLICANT's property informing the general public about the Project and the LMRWD's Cost Share Incentive and Water Quality Restoration Program. The LMRWD may request APPLICANT's permission to allow members of the public periodically to enter APPLICANT's property to view the Project in the company of a LMRWD representative. This paragraph does not create any right of public entry onto APPLICANT's property except as coordinated with APPLICANT and accompanied by a LMRWD representative.
4. Maintenance. APPLICANT will maintain the Project for at least five (5) years from the date installation is complete. If APPLICANT does not do so, the LMRWD will have a right to reimbursement of all amounts paid to APPLICANT, unless:
 - a. The LMRWD determines that the failure to maintain the Project was caused by reasons beyond the APPLICANT's control; or
 - b. APPLICANT has conveyed the underlying property, provided APPLICANT notifies the LMRWD at least 30 days before the property is conveyed and facilitates communication between the LMRWD and the prospective owner regarding continued maintenance of the project.

5. Agreement Void. This Agreement is void if the project installation is not complete by November 30, 2023. This Agreement may not be modified in any way except in writing and signed by both parties.
6. Indemnification. The LMRWD will be held harmless against all liability and loss in connection with the installation of the Project.
7. Compliance with Laws. APPLICANT is responsible to comply with any permits or other legal requirements applicable to the work.
8. Notices. Any notice or demand, authorized or required under this Agreement shall be in writing and shall be addressed to the other party as follows:

To LMRWD:

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

To APPLICANT:

Lawrence Polymer, Board Secretary; Primary Contact
Scarborough Townhouses Association
10337 Scarborough Road
Bloomington, MN 55437

The parties being in agreement to be signed as follows:

APPLICANT:

LOWER MINNESOTA RIVER WATERSHED DISTRICT:

By: Lawrence John Polymer V
Lawrence John Polymer V (Jun 26, 2023 10:37 CDT)

By: 

Its: Scarborough Townhome Board Secretary

Its: President

Date: Jun 26, 2023

Date: 6-21-23



LOWER MINNESOTA RIVER
WATERSHED DISTRICT

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

(763) 545-4659

lowermnriverwd.org

Cost Share Final Report

Overview

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

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

Cost Share Grant Final Report

Project title:

Year grant was awarded:

Project location:

Project manager's name:

Project manager's contact information:

Time period addressed in the final report:

How much is the reimbursement request?

Who should the reimbursement check be made out to?

Where should reimbursement check be mailed?

1. Summary of Major Activities

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

2. Project Goals

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

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

3. Educational Value

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

4. Project Outcomes

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

5. Project Challenges

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

6. Project Longevity

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









2383 Pilot Knob Road
 Mendota Heights, MN 55120
 651-203-3000
 www.southviewdesign.com

INVOICE

Date	Invoice No.
08/03/23	38617
Terms	Due Date
Due on Receipt	08/03/23

BILL TO
AP Gassen Gassen Company 6438 City West Parkway Eden Prairie, MN 55344

PROPERTY
Scarborough Townhouses 10337 Scarborough Rd Bloomington, MN 55437

A 2.75% convenience fee
 will be applied to all payments made via credit card

Amount Due	Enclosed
\$28,646.54	

Please detach top portion and return with your payment.

QTY	ITEM	EXT PRICE	SALES TAX	LINE TOTAL
	#40870 - Scarborough Townhomes_pond project_2023 complete	\$28,646.54	\$0.00	\$28,646.54
-		\$0.00	\$0.00	\$0.00
Total		\$28,646.54	\$0.00	\$28,646.54



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 5. I. – Receive and file FY 2021 Financial Audit and authorize distribution

Prepared By

Linda Loomis, Administrator

Summary

The FY 2021 Financial Audit is complete. The exit interview was held with Auditors, Redpath and Company, November 22, 2023. The Audit report was received later that day.

The Auditors issued a clean audit report and the Board determined that it was not necessary for the Auditors to present the report, unless there were issues that needed to be brought to the attention of the Board. There were not any such issues.

Attachments

Communication with Those Charged with Governance

[FY 2021 Annual Financial Audit](#) (A link has been provided rather than attach the document)

Recommended Action

Motion to receive and file FY 2021 Annual Financial Audit and authorize distribution



COMMUNICATION WITH THOSE CHARGED WITH GOVERNANCE

To the Board of Managers
Lower Minnesota River Watershed District
Chaska, Minnesota

We have audited the financial statements of the governmental activities and each major fund of Lower Minnesota River Watershed District (the District) for the year ended December 31, 2021. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated August 2, 2023. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Matters

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the District are described in Note 1 to the financial statements. Effective January 1, 2021, the District adopted new accounting guidance, Governmental Accounting Standards Board (GASB) Statement No. 87, Leases. However, the District currently has no material leases that fall within the scope of GASB Statement No. 87 and therefore, implementation of the standard had no effect on the financial statements. We noted no transactions entered into by the District during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The District does not have any significant sensitive estimates affecting the financial statements.

The financial statement disclosures are neutral, consistent, and clear.

Difficulties Encountered in Performing the Audit

We encountered no difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. There were no uncorrected misstatements that have an effect on our opinion on the financial statements. The uncorrected misstatements or the matters underlying them could potentially cause future period financial statements to be materially misstated, even though, in our judgment, such uncorrected misstatements are immaterial to the financial statements under audit. Material misstatements detected as a result of audit procedures are summarized in the Schedule of Findings and Responses as item 2021-1.

Disagreements with Management

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated November 22, 2023.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the District's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the District's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

Other Matters

We applied certain limited procedures to the Budgetary Comparison Schedule which is required supplementary information (RSI) that supplements the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the RSI and do not express an opinion or provide any assurance on the RSI.

We were engaged to report on the individual fund financial statements, which accompany the financial statements but are not RSI. With respect to this supplementary information, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

We were not engaged to report on the introductory section, which accompanies the financial statements but is not RSI. Such information has not been subjected to the auditing procedures applied in the audit of the basic financial statements, and accordingly, we do not express an opinion or provide any assurance on it.

Other Reports

Various reports on compliance and internal controls are contained in the Other Required Reports section of the audited financial statement document.

Restriction on Use

This information is intended solely for the information and use of management and Lower Minnesota River Watershed District's Board of Managers, and is not intended to be, and should not be, used by anyone other than these specified parties.

Redpath and Company, LLC

REDPATH AND COMPANY, LLC
St. Paul, Minnesota

November 22, 2023



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 5. J. _ Receive and file correspondence from Len Kremer

Prepared By

Linda Loomis, Administrator

Summary

Len Kremer, a former Manager of the LMRWD, requested time to make a presentation to the Board of Managers. Unless there is an objection from any member of the Board, Mr. Kremer will be invited to the January 17, 2024, meeting of the Board of Managers.

Attachments

Letter from Len Kremer

Recommended Action

Motion to receive and file letter from Len Kremer and invite Mr. Kremer to the January 17, 2024, Board of Managers meeting

10531 Morgan Avenue South

November 20, 2023

Linda Loomis, Administrator
Lower Minnesota River Watershed District
112 East 5th Street #102
Chaska, MN 55318

Dear Ms. Loomis

I would like to make a presentation to the LMRWD Board regarding the continuing changes in the hydrology of the Minnesota River Watershed, the impact of those changes on the water quality of the river and the work of the Minnesota River Coalition at the LMRWD January meeting. The presentation would take about 20 minutes.

Thanks

Len Kremer

A handwritten signature in black ink that reads "Len Kremer". The signature is written in a cursive style with a long horizontal flourish at the end.

c: Joseph Barisonzi



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 5. K. – Approve Dakota County SWCD Monitoring & Education Services Workplan & Budget

Prepared By

Linda Loomis, Administrator

Summary

Since 2011, the LMRWD has retained the services of the Dakota County Soil & Water Conservation District to monitor well levels in the Calcareous fens in Dakota County and to provide education services as well as technical and cost share assistance.

Young Environmental and I have spoken about the scope of work and recommend approval of the scope of work and budget. Once the Work Plan is approved an agreement will be provided to the LMRWD for execution.

The LMRWD was recently informed that the Met Council has retained the services of Barr Engineering to develop a fen management plan for Nichols Fen, which is impacted by the Seneca Wastewater Treatment Plan. The MnDNR, Met Council and LMRWD have spoken about the redundancy of monitoring certain wells and have discussed that the LMRWD discontinue monitoring those wells that are being monitored by Met Council as part of its water appropriation permit. It is possible that the LMRWD will discontinue monitoring if it is determined that the LMRWD is not necessary. Dakota SWCD is aware of the discussion, and we have agreed that it will be easier to drop services in the work plan than it is to add services after the fact.

Attachments

2024 Work Plan and Budget

Recommended Action

Motion to approve 2024 Work Plan and Budget

2024 Work Plan and Budget
Lower Minnesota River Watershed District

Task	Calculation			Sub-total
Education and Community Engagement				
	Hours	Rate	Fees	
Landscaping for Clean Water	15	\$90.00		\$1,350.00
Create promotional materials for classes in partnership with Dakota County cities and watershed organizations, organize course materials, and coordinate with partners.				
Education and Outreach Total				\$1,350.00
Technical Assistance				
	Hours	Rate	Fees	
Fen Well Monitoring	100	\$90.00	\$150.00	\$9,150.00
Staff time for groundwater monitoring in Fort Snelling, Nichols, and Quarry Island fens from March 1, 2023 through December 31, 2023 - 10 monitoring trips at 5 hours/trip. Also includes data management, reporting and site maintenance as needed.				
Landscaping for Clean Water			\$1,500.00	\$1,500.00
SWCD staff time for technical assistance on Landscaping for Clean Water projects.				
		\$500 x 3 projects		
Conservation Projects	75	\$90.00		\$6,750.00
Technical assistance for potential projects. <i>Only as requested by Lower Minnesota River WD.</i>				
Technical Assistance Total				\$17,400.00
Cost Share				
	Hours	Rate	Fees	
Landscaping for Clean Water			\$750.00	\$750.00
Provide cost share to landowners for projects including raingardens, native plantings and shoreline stabilization projects consistent with Dakota SWCD cost share policies.				
		\$250 X 3 projects		
Cost Share Total				\$750.00
Total Agreement Not-to Exceed				\$19,500.00



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 6. A. – Carmeuse Savage Marine Improvements

Prepared By

Linda Loomis, Administrator

Summary

The LMRWD received a permit application for improvements at the Superior Minerals property in Savage. Young Environmental Consulting Group, LLC, has reviewed the application and supporting documents on behalf of the LMRWD. Conditional approval is recommended contingent upon the receipt of the name and contact information for all contractors undertaking land-disturbing activities, name and contact information for the person(s) responsible for erosion control inspections and maintenance, final construction plans signed by a professional engineer, documentation of full approval of the project by the City of Savage and documentation of the Minnesota Department of Natural Resources Permit decision and supporting information.

Attachments

Technical Memorandum – Carmeuse Savage Marine Improvements (LMRWD No. 2023-024) dated December 13, 2023

Recommended Action

Motion to conditionally approve a permit for Carmeuse Savage Marine Improvements (LMRWD No. 2023-024) contingent upon receipt of the following: the name and contact information for all contractors undertaking land-disturbing activities, name and contact information for the person(s) responsible for erosion control inspections and maintenance, final construction plans signed by a professional engineer, documentation of full approval of the project by the City of Savage and documentation of the Minnesota Department of Natural Resources Permit decision and supporting information



Technical Memorandum

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

From: Erica Bock, Water Resources Scientist
Della Schall Young, PMP, CPESC, CTF, Principal Scientist

Date: December 13, 2023

Re: Carmeuse Savage Marine Improvements (LMRWD No. 2023-024)

Superior Minerals Company has applied for an individual project permit from the Lower Minnesota River Watershed District (LMRWD) to install four 10x10-foot concrete pads and construct an access road. One of the concrete pads will have a 12-inch-high winch and steel column tower to serve as the primary barge retention system while the other will serve as anchor points to secure the tower. The project is located at 12051 Yosemite Avenue in Savage, MN (Figure 1). The applicant's engineer, Krech Ojard and Associates, submitted the permit application, associated application exhibits, and site plans for the Carmeuse Savage Marine Improvements project (Project).

The concrete pads will create a primary barge retention system to ensure that barges are secured near the shoreline while loading. Currently, without the anchor points, the barges have limited ways of being secured. This creates a safety concern as the rear of the barges may be affected by the Minnesota River current while loading. The Project disturbs approximately 0.28 acres and constructs 0.08 acres of new impervious surfaces. The Project proposes to begin in the spring of 2024. The Project is not located within the High Value Resources Area or Steep Slopes Overlay District but is located within the Minnesota River floodway, triggering Rule C—Floodplain and Drainage Alteration.

The City of Savage does not have its municipal permit and therefore the Project requires a LMRWD individual permit and is subject to a LMRWD permitting review.

Summary

Project Name: Carmeuse Savage Marine Improvements

Purpose: Installation of concrete pads and access road

Project Size:

Area Disturbed	Existing Impervious Area	Proposed Impervious Area	Net Increase Impervious Area
0.28 acres	0 acres	0.08 acres	0.08 acres

Location: 12051 Yosemite Avenue
Savage, MN 55378

LMRWD Rules: Rule C – Floodplain and Drainage Alteration

Recommended Board Action: Conditional approval

Discussion

The LMRWD received the following documents for review:

- LMRWD individual permit application; received October 10, 2023.
- Preliminary construction plans by Krech Ojard and Associates; dated August 28, 2023; received October 10, 2023.
- No-rise calculations by Krech Ojard and Associates; dated November 8, 2023; revised November 22, 2023; received November 22, 2023.
- Signed Authorization of Agent form; dated November 30, 2023; received December 1, 2023.
- Permit application fee of \$750; received December 6, 2022.

The application was deemed complete on December 1, 2023, and the documents received provide the minimum information necessary for permit review.

Rule C – Floodplain and Drainage Alteration

The LMRWD requires the applicant to provide documentation that the proposed floodplain fill will not cause an increase in the 100-year water surface elevations. The project is located within the Minnesota River floodway, as seen on the Flood Insurance Rate Map (FIRM) Panel 27139C0061E (effective February 12, 2021) with a 100-year flood elevation of 718.7 feet National Geodetic Vertical Datum of 1929 (NGVD 29) at

cross-section H. The project proposes 132 cubic yards of fill and 146 cubic yards of cut, resulting in 14 cubic yards of net cut. The applicant submitted cut and fill calculations in addition to a map showing the locations of the cut and fill within the project area. The no-rise calculations show no rise in the 100-year water surface elevation.

Rule C, Section 4.4.C states that no permanent structure, except for Federal Emergency Management Agency (FEMA)- and National Flood Insurance Program (NFIP)-approved structures and uses may be constructed in the floodway. The definition of “structure” according to FEMA and NFIP is “a walled and roofed building”. The winch system is a small pole that is 12-inches above grade and the access road is at grade. The proposed construction does not meet the definition of the structure, and therefore can be placed within the floodway.

An erosion and sediment control plan is required to comply with Rule C. The applicant has submitted an acceptable erosion and sediment control plan for the project. The project generally complies with Rule C; however, contact information for the contractors and person responsible for the inspection and maintenance of all erosion and sediment control features is required before the LMRWD can issue a permit.

Recommendations

Based on review of the project, we recommend conditional approval contingent on the receipt of the following:

- Name and contact information for all contractors undertaking land-disturbing activities as part of the proposed project.
- Name and contact information for the person(s) responsible for erosion control inspections and maintenance.
- Final construction plans signed by a professional engineer.
- City of Savage full project approval documentation.
- Documentation of the Minnesota Department of Natural Resources Permit decision and supporting information.

Attachments

- Figure 1—Carmeuse Savage Marine Improvements



Figure I: Carmeuse Savage Marine Improvements Project Location
LMRWD No. 2023-024



Legend

- Project Location
- Proposed Access Road
- Proposed Concrete Pads
- Parcels
- Public Waters
- 100-yr Floodplain
- Floodway

LMRWD Watershed Location Map





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 6. B. Tarnhill Pond (LMRWD No. 2023-029)

Prepared By

Linda Loomis, Administrator

Summary

This project is for maintenance of a stormwater pond in the City of Bloomington. A LMRWD permit is required for this project because it requires a floodplain and drainage alteration permit, even though Bloomington has its Municipal LGU Permit from the LMRWD.

Young Environmental Consulting Group reviewed the application and supporting documentation on behalf of the LMRWD and recommends conditional approval of the permit, contingent upon the receipt of a copy of the Minnesota Department of Natural Resources public waters work permit, name and contact information for all contractors undertaking land-disturbing activities, and the name and contact information for the person(s) responsible for the inspection and maintenance of all erosion and sediment control features.

Attachments

Technical Memorandum – Tarnhill Pond (LMRWD No. 2023-029) dated December 13, 2023

Recommended Action

Motion to conditionally approve a permit for Tarnhill Pond (LMRWD No. 2023-029) contingent upon receipt of the following: a copy of the Minnesota Department of Natural Resources public waters work permit, name and contact information for all contractors undertaking land-disturbing activities, and the name and contact information for the person(s) responsible for the inspection and maintenance of all erosion and sediment control features



Technical Memorandum

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

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

Date: December 13, 2023

Re: Tarnhill Pond (LMRWD No. 2023-029)

The City of Bloomington has applied for an individual project permit from the LMRWD to remove sediment from Tarnhill Pond, replace storm sewer pipes, and mitigate pond bank erosion at Tarnhill Pond, a stormwater pond located at 5200 West 102nd Street, Bloomington, MN (Figure 1). The City of Bloomington has provided site plans for the Tarnhill Pond project along with the permit application.

The proposed project consists of removing more than 1,000 cubic yards of sediment from Tarnhill Pond, replacing three storm sewer pipes, and filling eroded areas (Figure 2). The Tarnhill Pond project did not initially include storm sewer pipe replacement or address site erosion. However, after site visits and a petition from the neighboring apartments stating the severity of erosion, the project scope was expanded. Despite efforts to minimize erosion, the areas of concern continue to erode with each rainfall and are close to threatening the integrity of the apartment complex parking lot.

The project would disturb approximately 0.75 acres. The current impervious area on site is 0.04 acres, and the project will not create any new impervious surface. The project is not located within a High Value Resource Area or Steep Slopes Overlay District. Tarnhill Pond is, however, a public water, and LMRWD Rule C – Floodplain and Drainage Alterations requires an Individual Project Permit for any alteration to or filling of land below the 100-year flood elevation of any public water. Therefore, the grading, fill, and pipe replacement at Tarnhill Pond requires a permit review for Rule C. The City of Bloomington proposes to begin work as soon as all permits are received due to the severity of pond erosion.

Summary

Project Name: Tarnhill Pond

Purpose: Sediment removal, pipe replacement, and erosion mitigation

Project Size:

Area Disturbed	Existing Impervious Area	Proposed Impervious Area	Net Increase Impervious Area
0.75 acres	0.04 acres	0.04 acres	0.0 acres

Location: 5200 West 102nd Street
Bloomington, MN 55437

LMRWD Rules: Rule C – Floodplain and Drainage Alteration

Recommended Board Action: Conditional approval

Discussion

The LMRWD received the following documents for review:

- Tarnhill Pond Construction Plans by City of Bloomington; dated November 2, 2023; received November 14, 2023.
- Tarnhill Ponds MNDNR Permitting and Reporting System (MPARS) application by City of Bloomington; dated November 6, 2023; received November 15, 2023.
- LMRWD Individual Permit Application; received November 16, 2023.
- Deeded Drainage Easement by Tarnhill Apartments Company; received November 16, 2023.
- Petition and Waiver for Installation of Public Improvements and Assessment of the Costs Thereof by Tarnhill Associates, LLP; dated November 3, 2023; received November 16, 2023.
- Project Cut and Fill; received November 20, 2023.
- Standard Specifications for Construction by City of Bloomington; dated March 15, 2023; received November 20, 2023.
- Specifications and Special Provisions by City of Bloomington; dated October 30, 2023; received November 20, 2023.
- Tarnhill Ponds Erosion and Sediment Control Plan by City of Bloomington; dated October 30, 2023; received November 21, 2023.

The application was deemed complete on November 21, 2023, and the documents

received provide the minimum information necessary for permit review.

Rule C – Floodplain and Drainage Alteration

Because Tarnhill Pond is a public water, the project requires a LMRWD Rule C permit even though the project area is not located within a FEMA floodplain. The City submitted detailed cut and fill calculations. The project proposes to remove 1,439 cubic yards of sediment and fill eroded areas with 106 cubic yards of material for a net cut of 1,323 cubic yards. Ground alterations are intended to restore eroded areas to match the surrounding grade. Hydrology and hydraulic modeling and a no-rise certificate were not required because the project will grade to pre-erosion conditions and the project's sediment removal will provide additional storage within the pond.

An erosion and sediment control plan is required for the project to comply with Rule C. The applicant has submitted an acceptable erosion and sediment control plan. Therefore, the project generally complies with Rule C, but contact information for the contractor and person responsible for the inspection and maintenance of all erosion and sediment control features is required before the LMRWD issues a permit.

Recommendations

Based on review of the project, we recommend conditional approval contingent on receipt of the following:

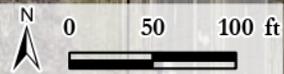
- Copy of approved Minnesota Department of Natural Resources permit.
- Name and contact information for all contractors undertaking land-disturbing activities as part of the proposed project.
- Name and contact information for the person(s) responsible for the inspection and maintenance of all erosion and sediment control features.

Attachments

- Figure 1—Tarnhill Pond Project Location
- Figure 2— Photo of Tarnhill Pond Erosion provided by the City of Bloomington



Figure I: Tarnhill Pond Project Location
LMRWD No. 2023-029



- Legend**
- Project Location
 - Proposed Pipe Replacements
 - Eroded Areas
 - Parcels
 - Public Waterbodies

LMRWD Watershed Location Map



Location: Projects \LMRWD\Project Reviews\02 In Process\2023-029 Tarnhill Pond\04 GIS

Figure 2. Photo of Tarnhill Pond Erosion provided by the City of Bloomington





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 6. C. – Authorize Execution of Maintenance Agreement between the LMRWD and the Metropolitan Airport Commission

Prepared By

Linda Loomis, Administrator

Summary

The LMRWD issued a permit for the Perimeter Gate Security Improvements (LMRWD No. 2021-058) at the January 2022 Board of Managers meeting. The project included construction of a stormwater pond. In conversations between the Metropolitan Airport Commission and to LMRWD to close out permits, the LMRWD determined that an agreement for maintenance of the stormwater pond was necessary. The agreement is attached for the Board review and authorization to execute the agreement. This agreement is like other agreements that the LMRWD has entered into for maintenance of stormwater management features.

Attachments

- Technical Memorandum – 2022 Perimeter Gate Security Improvements (LMRWD No. 2021-058) dated January 12, 2022
- Maintenance Agreement – Stormwater Management Facilities Between the Lower Minnesota River Watershed District and the Metropolitan Airport Commission

Recommended Action

Motion to approve the Maintenance Agreement – Stormwater Management Facilities Between the Lower Minnesota River Watershed District and the Metropolitan Airport Commission and authorize execution

Technical Memorandum

To: Linda Loomis, Administrator
Lower Minnesota River Watershed District

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

Date: January 12, 2022

Re: 2022 Perimeter Gate Security Improvements (LMRWD No. 2021-058)

Metropolitan Airports Commission (MAC, the applicant) has applied for an individual project permit from the Lower Minnesota River Watershed District (LMRWD) for an improvement project within the Minneapolis–Saint Paul Airport, as shown in Figure 1. The applicant’s engineer, TKDA, has provided site plans for the 2022 Perimeter Gate Security Improvements Project (Project) along with the permit application.

The proposed Project consists of constructing paved parking, a paved access roadway, utilities, a security gate building, and a stormwater basin. The Project would disturb approximately 4.89 acres and create 2.55 acres of new paved impervious surfaces while removing 2.68 acres of existing impervious and compacted surfaces. The Project is not located within the High Value Resource Area, Steep Slopes Overlay District, or 100-year floodplain.

Because it is located in an unincorporated area, this Project requires an LMRWD individual permit and, as such, is subject to an LMRWD permitting review.

Summary

<u>Project Name:</u>	2022 Perimeter Gate Security Improvements
<u>Purpose:</u>	Security gate building, parking, road, and utility improvements
<u>Project Size:</u>	4.89 acres disturbed; 2.68 acres existing impervious; 2.55 acres proposed impervious

<u>Location:</u>	Southwest quadrant of Minneapolis–Saint Paul Airport
<u>LMRWD Rules:</u>	Rule B—Erosion and Sediment Control Rule D—Stormwater Management
<u>Recommended Board Action:</u>	Conditional approval

Discussion

The District received the following documents for review:

- LMRWD individual project permit application; dated December 2, 2021; received December 15, 2021
- Memorandum by TKDA; dated December 3, 2021; received December 15, 2021
- Location map; received December 15, 2021
- Proposed and existing drainage areas by TKDA; dated November 1, 2021; received December 15, 2021
- Hydrologic soil group map; dated November 23, 2021; received December 15, 2021
- Geotechnical Exploration Services by Element Materials Technology St. Paul Inc.; dated August 23, 2021; received December 15, 2021
- HydroCAD; dated December 2, 2021; received December 15, 2021
- MIDS; dated December 2, 2021; received December 15, 2021
- Ninety percent design plans by TKDA; dated November 1, 2021; received December 15, 2021

The application was deemed complete on January 10, 2022, and the documents received provide the minimum information necessary for permit review.

Rule B—Erosion and Sediment Control

The District regulates land-disturbing activities that affect one acre or more under Rule B. The proposed project would disturb approximately 4.89 acres within the LMRWD boundary. The applicant has provided an erosion and sediment control plan and generally complies with Rule B. However, before a final permit can be issued, a copy of the NPDES permit (either stormwater construction or individual) and contact information for the contractor and person(s) responsible for all erosion and sediment control are needed.

Rule D—Stormwater Management

The District regulates land-disturbing activities that create new impervious areas greater

than one acre. The Project proposes 2.55 acres of new impervious surfaces. The existing site consists of a paved parking lot; a paved access roadway; and a contractor laydown area for construction staging, which consists of compacted gravel, bare soil, pavement, and vegetation. Most of the contractor laydown area and existing access road will be removed, as will a portion of the existing parking lot. A screening facility/security gate building and a new access road will be constructed, and the existing parking lot will be expanded to the west. A filtration basin is also proposed to treat the stormwater.

Section 4.4.1. of Rule D requires that applicants demonstrate no increase in proposed runoff rates. The applicant submitted a HydroCAD analysis demonstrating the proposed infiltration basin will provide rate control for the new impervious surfaces. Pretreatment for the infiltration basin will include a rock weeper at the storm sewer inlet, and the basin will also include an underdrain system to prevent water from ponding in case the soils become clogged. The infiltration basin has a one-foot ponded depth with an overflow structure and orifice plate for rate control. The existing and proposed rates are provided in Table 1 and meet the District’s rate control requirements.

Table 1. Rate Control Summary

Design Event	Existing Rates (cfs)	Proposed Rates (cfs)	Change (cfs)
2-year/24-hour	10.3	7.2	3.1
10-year/24-hour	22.7	12.9	9.8
100-year/24-hour	46.0	24.7	21.3

Section 4.4.2. of Rule D requires stormwater runoff volume retention on-site to be equivalent to one inch of runoff from impervious surfaces. For this Project, the required volume retention is 9,276 cubic feet, and the applicant is proposing 12,200 cubic feet of volume retention. The Project meets the volume reduction requirement.

Section 4.4.3. of Rule D requires a no net increase from existing conditions in total phosphorus (TP) and total suspended solids (TSS) to receiving water bodies. The applicant provided MIDS calculations, which are summarized in Table 2. The Project meets the water quality requirements.

Table 2. Water Quality MIDS Summary

Parameter	Existing Load (lb/yr)	Proposed Load (lb/yr)	Change (lb/yr)
TP	10.3	5.8	4.5
TSS	1,869	1,056	813

The Project meets all of Rule D’s requirements.

Recommendations

Staff recommends conditional approval of the Project, conditioned on the receipt of the following:

- A copy of the NPDES permit
- Contact information for the contractor
- Contact information for the person(s) responsible for erosion and sediment control

Attachments

- Figure 1—2022 Perimeter Gate Security Improvements Location Map



Figure I: 2022 Perimeter Gate Security Improvements Location



LEGEND

- | | | | | | |
|--|--------------------|--|-------------------------------|--|-------------------|
| | Project Location | | Stormwater Basin | | Floodway |
| | Perimeter Gate | | Public Waterways | | 100-yr Floodplain |
| | Access Road | | Public Waterbodies | | 500-yr Floodplain |
| | Paved Parking | | High Value Resource Area | | Parcel Boundaries |
| | Screening Facility | | Calcareous Fens | | County Boundaries |
| | | | Trout Streams | | LMRWD Boundary |
| | | | Steep Slopes Overlay District | | |

LMRWD Watershed Location Map



MAINTENANCE AGREEMENT
Stormwater Management Facilities

Between the Lower Minnesota River Watershed District
and the Metropolitan Airports Commission

This Maintenance Agreement (Agreement) is made by and between the Lower Minnesota River Watershed District (LMRWD), a watershed district with purposes and powers set forth at Minnesota Statutes chapters 103B and 103D, and the Metropolitan Airports Commission (MAC), a Minnesota public corporation.

Recitals and Statement of Purpose

WHEREAS pursuant to Minnesota Statutes section 103D.345, the LMRWD has adopted and implements standards, including a Stormwater Management Standard;

WHEREAS under the Stormwater Management Standard, certain land development activity triggers the requirement to implement stormwater management structures and/or facilities that require ongoing maintenance;

WHEREAS in each case, a public landowner, as an alternative to a recorded instrument, may meet the maintenance requirement by documenting its obligations in an unrecorded written agreement with the LMRWD;

WHEREAS in accordance with the LMRWD rules and as a condition of Permit 2021-058 (MSP Airport Security Gate 269), the MAC's obligation to maintain stormwater facilities must be memorialized by a recorded maintenance declaration or, alternatively, a maintenance agreement establishing the MAC's perpetual maintenance obligation;

WHEREAS MAC and the LMRWD execute this Agreement to fulfill the condition of Permit 2021-058 and concur that it is binding and rests on mutual valuable consideration;

THEREFORE MAC and LMRWD agree as follows:

1. MAC, at its cost, will inspect and maintain the stormwater facilities as shown in the site plan attached to and incorporated into this Agreement as Exhibit A in perpetuity as follows:

1. **STORMWATER FACILITIES**

- i. **Raingardens, infiltration basins and filtration basins.** Raingardens, infiltration basins and filtration basins will be inspected annually to ensure continued live storage capacity at or above the design volume. Invasive vegetation, excess sediment and debris will be removed as needed and healthy plant growth will be maintained to ensure that the facilities continue to perform per design.
- ii. **Vegetated swales.** Vegetated swales may mowed for public safety, but otherwise must remain free from vegetative disturbance, fertilizer application, yard or other waste disposal, the placement of structures unless approved within the permit, or any other alteration that impedes function.

iii. **Reporting.** The MAC will submit to the LMRWD annually a brief written report that describes stormwater facility maintenance activities performed under this agreement, including dates, locations of inspections and the maintenance activities performed.

2. If MAC conveys into private ownership a fee interest in the property that is the subject of this Agreement, it shall require as a condition of sale, and enforce: (a) that the purchaser record a declaration on the property incorporating the maintenance requirements of this Agreement; and (b) that recordation occur either before any other encumbrance is recorded on the property or, if after, only as accompanied by a subordination and consent executed by the encumbrance holder ensuring that the declaration will run with the land in perpetuity. If MAC conveys into public ownership a fee interest in any property that has become subject to this Agreement, it shall require as a condition of the purchase and sale agreement that the purchaser accept an assignment of all obligations vested under this Agreement.

3. This Agreement may be amended only in a writing signed by the parties.

4. The recitals are incorporated as a part of this Agreement.

(SIGNATURE PAGE FOLLOWS)

IN WITNESS WHEREOF, the parties hereto have executed this Agreement.

LOWER MINNESOTA RIVER WATERSHED DISTRICT

By _____
President, Board of Managers

Date: _____

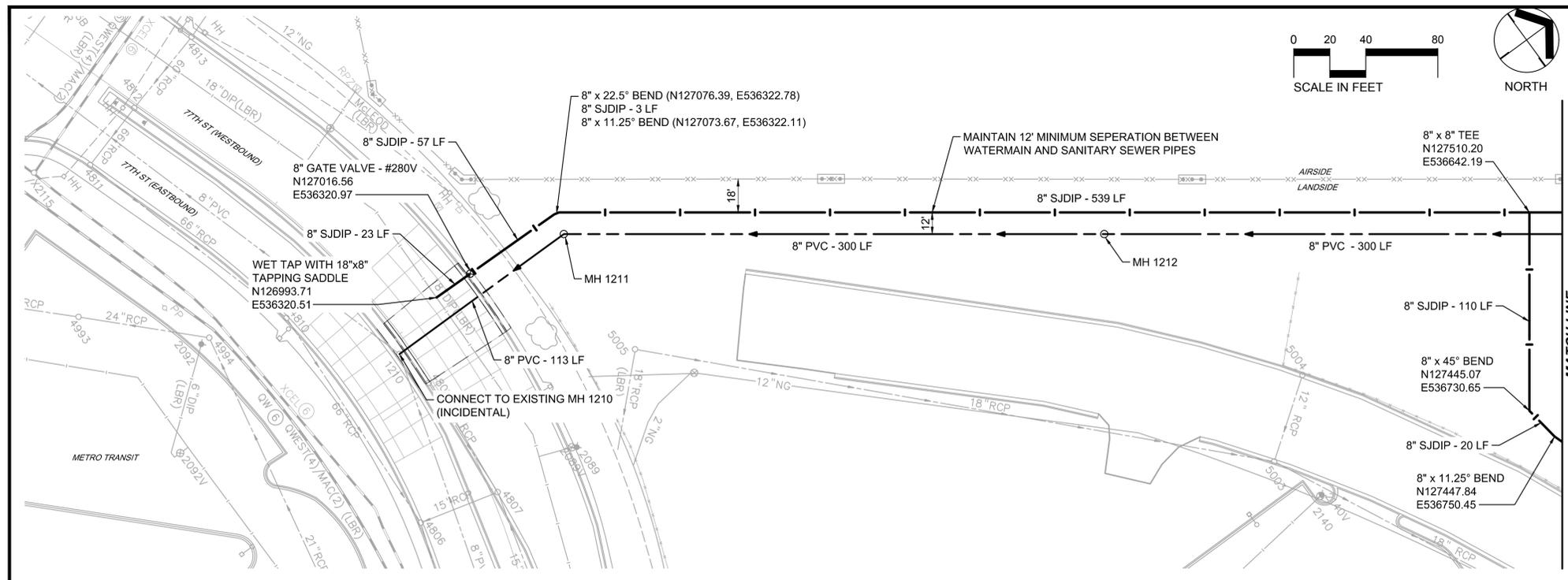
METROPOLITAN AIRPORTS COMMISSION

By: *Bridget Rief*

Date: 11/30/2023

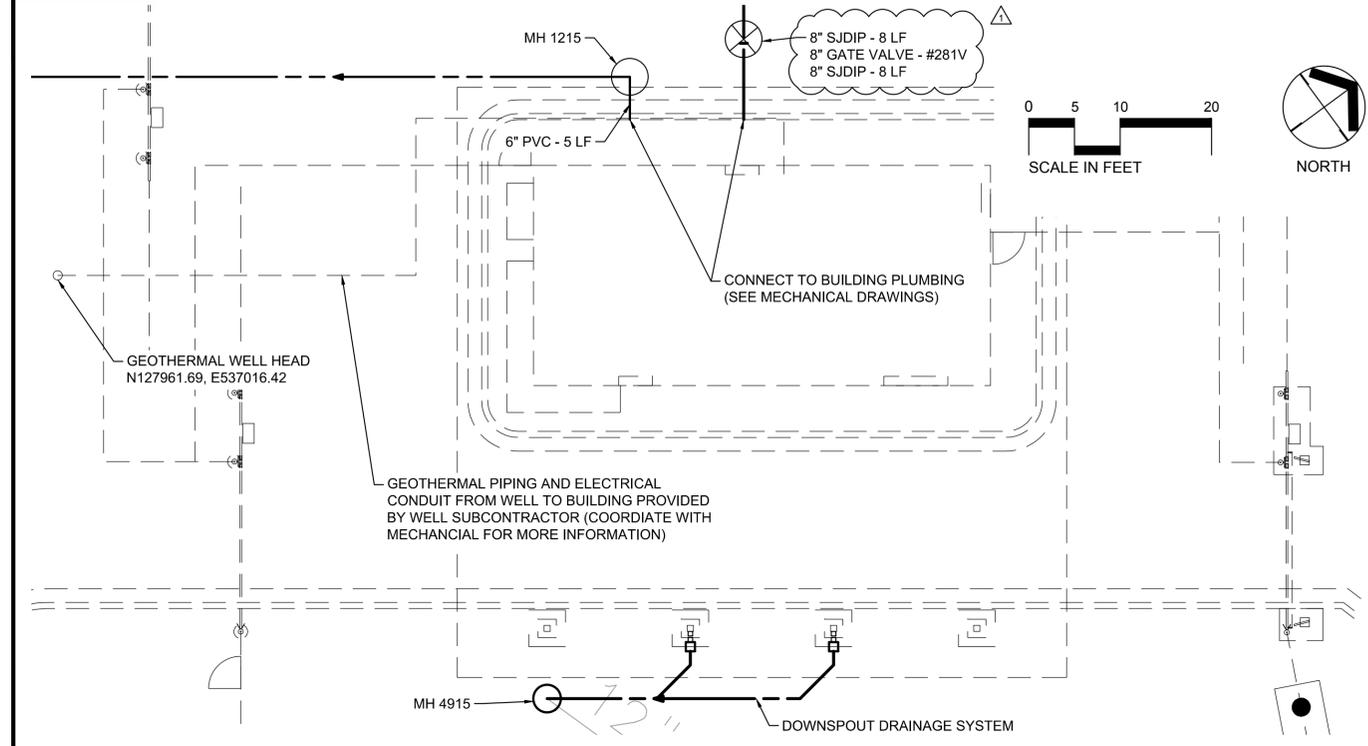
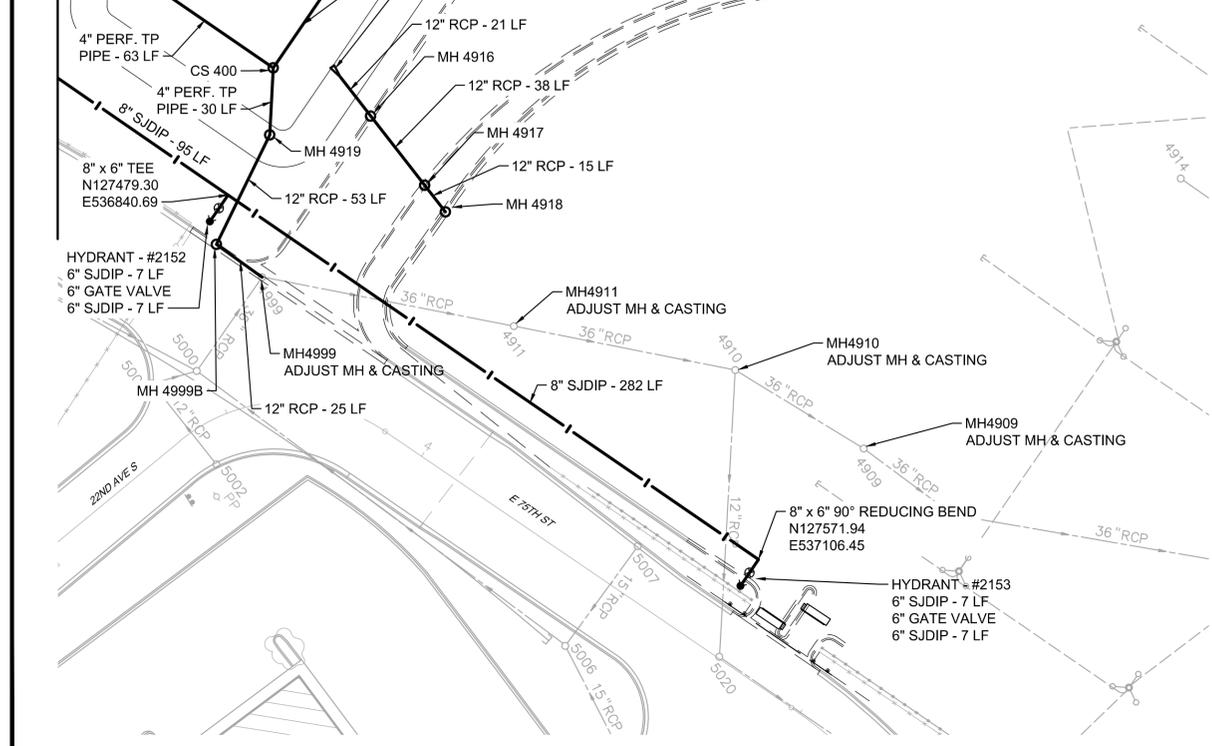
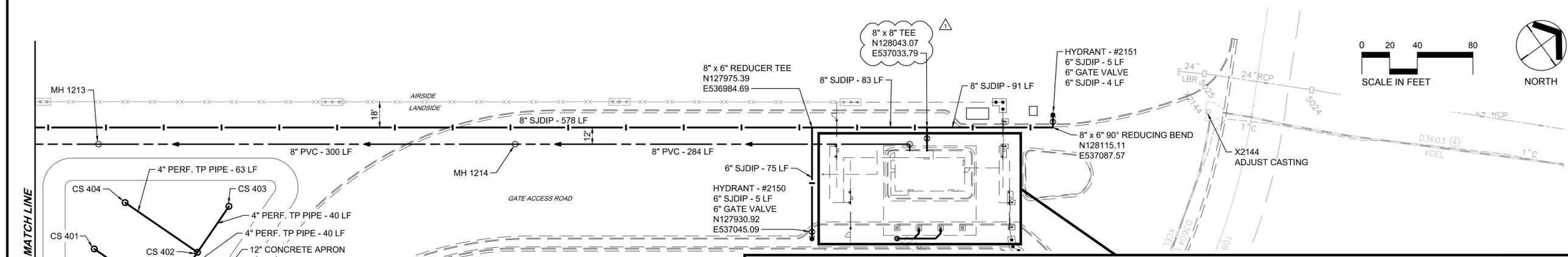
Title: Vice President - Planning and Development

EXHIBIT A



UTILITY PLAN NOTES:

1. WATERMAIN SHALL BE CLASS 52 SJDIP.
2. ALL FITTINGS, HYDRANTS AND VALVES SHALL BE MECHANICAL JOINT ON ALL ENDS.
3. SANITARY SEWER SHALL BE PVC SDR 26.
4. STORM SEWER SHALL BE CLASS 5 REINFORCED CONCRETE PIPE.
5. VERIFY EXISTING INVERT ELEVATIONS WHERE NEW UTILITY CONNECTS TO EXISTING UTILITY PRIOR TO CONSTRUCTION.
6. VERIFY LOCATION AND ELEVATION OF UTILITY CROSSINGS PRIOR TO CONSTRUCTION.
7. CONNECTIONS TO EXISTING MANHOLES SHALL BE CONSIDERED INCIDENTAL.





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 7. A. – Action Items – Area #3

Prepared By

Linda Loomis, Administrator

Summary

The LMRWD received an Opportunity Grant of \$50,000 from Hennepin County for the Area #3 Minnesota Riverbank Stabilization project. Hennepin County provided a grant agreement, which was reviewed by legal counsel and signed by the Administrator.

The Board should authorize execution of the Grant Agreement by the LMRWD Administrator after the fact.

In addition, the Board of Managers received information regarding acquisition of a portion of the platted property for the purpose of constructing and maintaining the project. LMRWD staff has met with Eden Prairie City officials about acquisition of a portion of the property. The Board may wish to close the Board meeting to discuss next steps in the acquisition of the property. Legal Counsel will advise the Board if a decision is made to close the meeting.

Attachments

[Grant Agreement between Hennepin County and the Lower MN River Watershed District – Contract No. PR00005653](#)

Recommended Action

Motion to authorize execution of the Grant Agreement after the fact.



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. A. Dredge Management

Prepared By

Linda Loomis, Administrator

Summary

Dredging at the mouth of the River – Dredging at the mouth of the river was completed in October. An estimated 18,059 CY was removed and placed on the LMRWD Vernon Avenue Dredge Placement site. The LMRWD has not received an invoice for the transporting of the materials from the mouth of the river to the placement site.

According to the information provided to the LMRWD in August, the cost to transport materials to the LMRWD Vernon Avenue Dredge Placement site would be as follows:

- Costs to transport material between 0 and 4 miles: No additional charge
- Costs to transport material between 4 and 8 miles is \$1.33/CY-mile.
- Over 8 miles is \$0.42/CY-mile.

The estimated amount of material to be moved in August was 15,008 CY. The cost for the estimated amount of material dredged in October would equal; cost to transport material 13.7 miles = (4mi x \$0) + (4 mi x \$1.33) + (5.7 mi x \$0.42) or \$7.71/CY-mile, therefore 18,059 CY * \$7.71 = \$139,234.89 is the approximate total that would be the responsibility of the LMRWD

The total amount of all material placed on the LMRWD dredge site from the navigation channel (including the materials from the mouth of the river), is a total of 41,225 CY.

Private Dredge Material Placement – The MPCA has released the permit renewals for dredging of the private terminals for public comment. Three permits are out for comment [CHS, Inc. \(Savage Port\)](#), [Savage Riverport, LLC](#), and [Cargill AgHorizons \(West Elevator Dredge\)](#). You can view the permits by using the above links. Comments are due January 4, 2024.

The MPCA tried to inspect the placement area for the private materials but was not able to access the site due to TH 13 construction. The MPCA was informed in early December that the site was accessible.

Once the LMRWD receives the totals dredged from private terminals in 2023, invoices will be sent to the private terminal operators.

Vernon Avenue Rehabilitation and Culvert Replacement Project – This project is on track to be bid in February 2024.

Attachments

No attachments

Recommended Action

No action recommended



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, 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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Summaries of LGU Audits and Municipal Coordination meetings

Bloomington	3
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Shakopee	100

Summaries of Municipal Coordination meetings without LGU Audits

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Chanhassen.....	127
Eden Prairie.....	130
Lilydale	133
Metropolitan Airport Commission.....	135
Savage	138

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.

Agenda/Summary



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?

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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

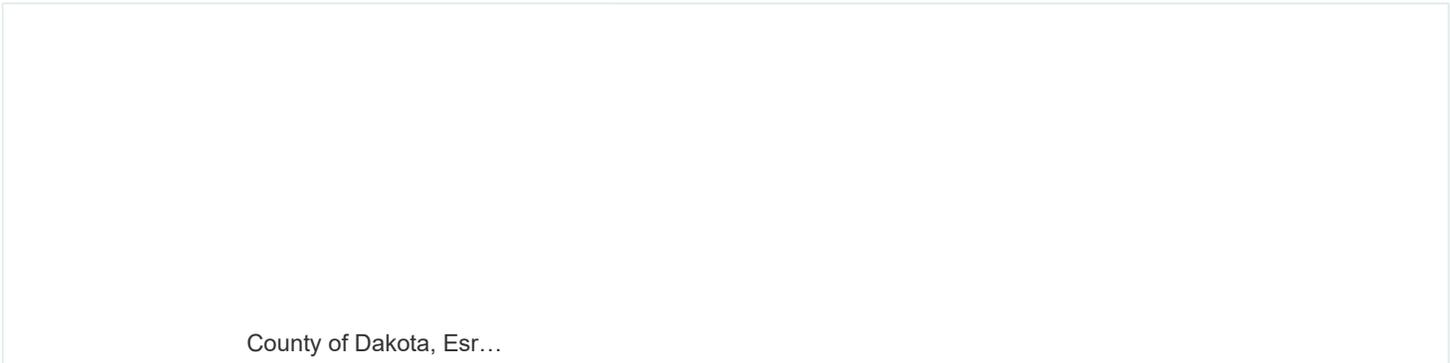
Inspection Type

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

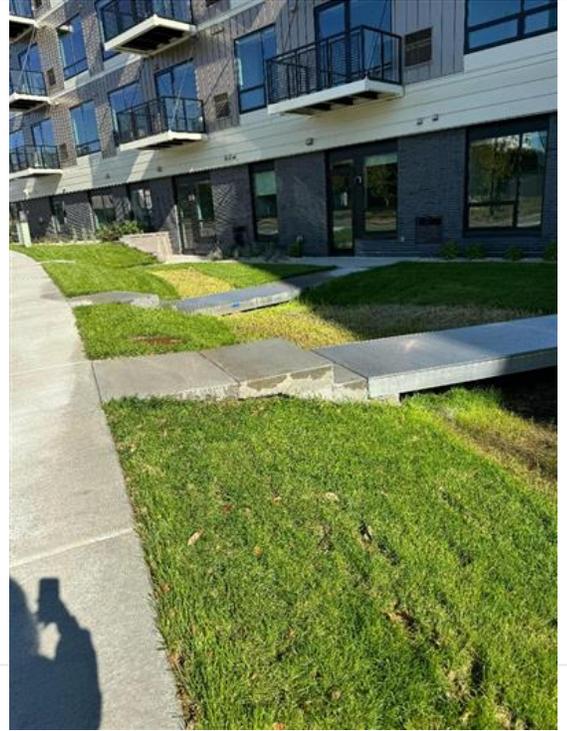
Are there any damaged trees or branches that may present hazardous conditions?

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

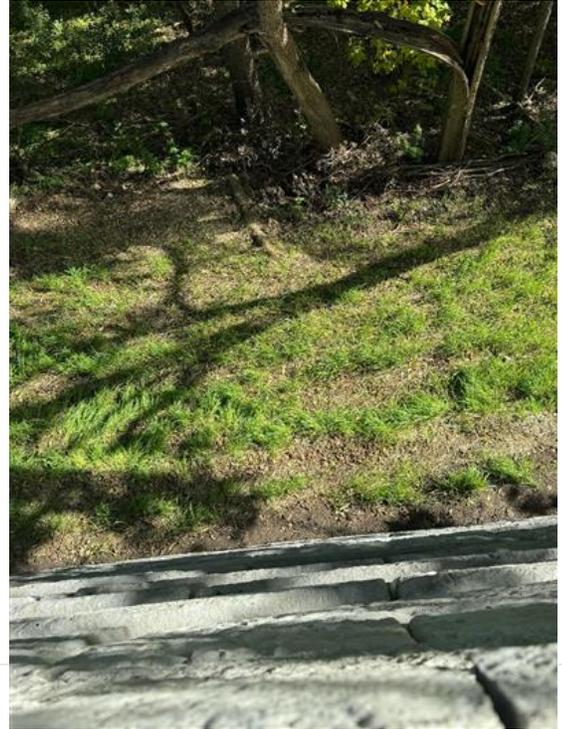
Based on the maintenance agreement, are stormwater facilities accessible?

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

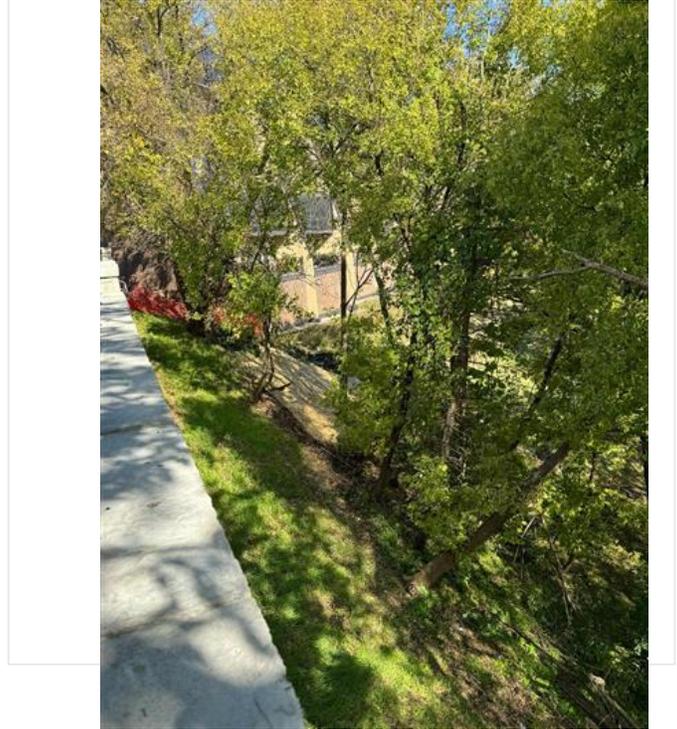
What temporary stabilization BMPs are still on site?

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

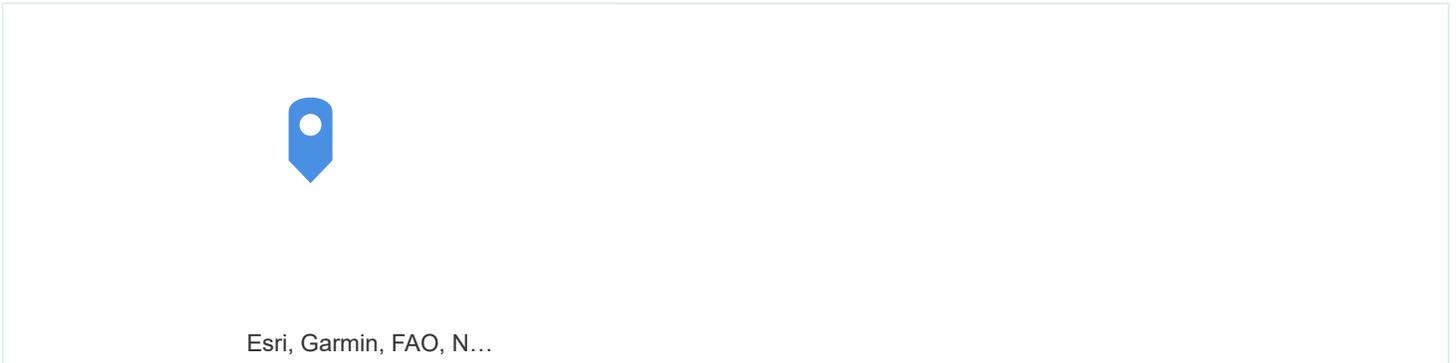
Inspection Type

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

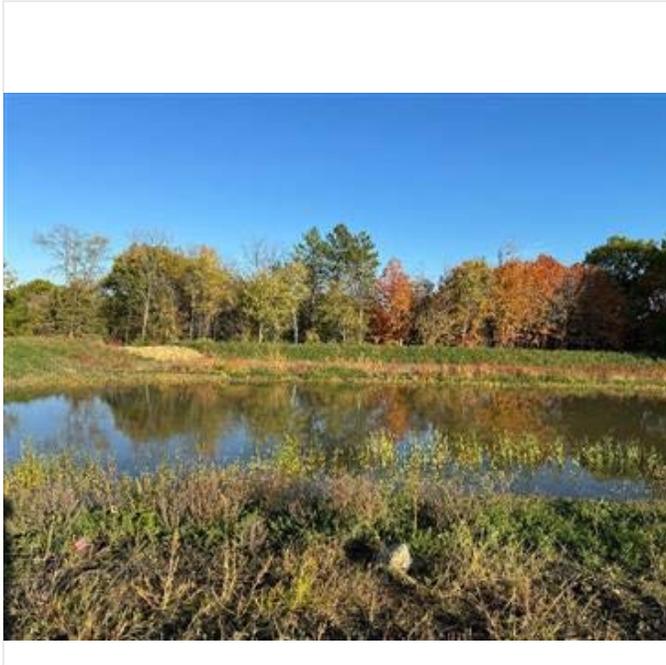
Do outlet control structures exist that were not listed in the plans?

No

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

Yes

Take photo



RuleD_overflow2-20231017-123015.jpg

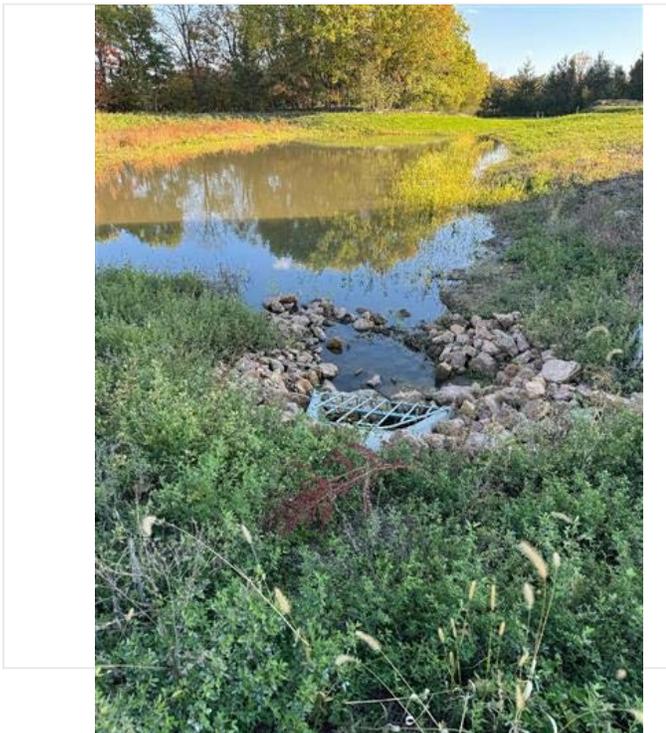


RuleD_overflow2-20231017-123005.jpg

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

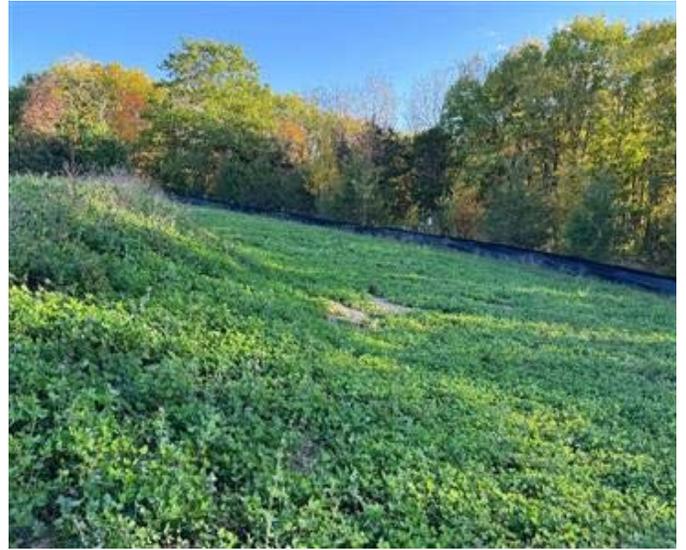
Are temporary stabilization BMPs in place?

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.

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: 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 completenes

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?
 - 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.

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 h

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

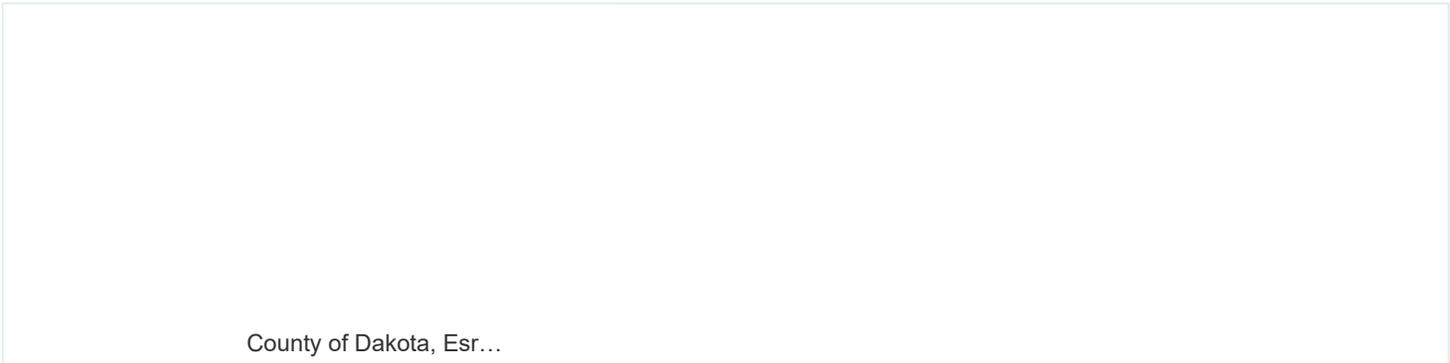
Inspection Type

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

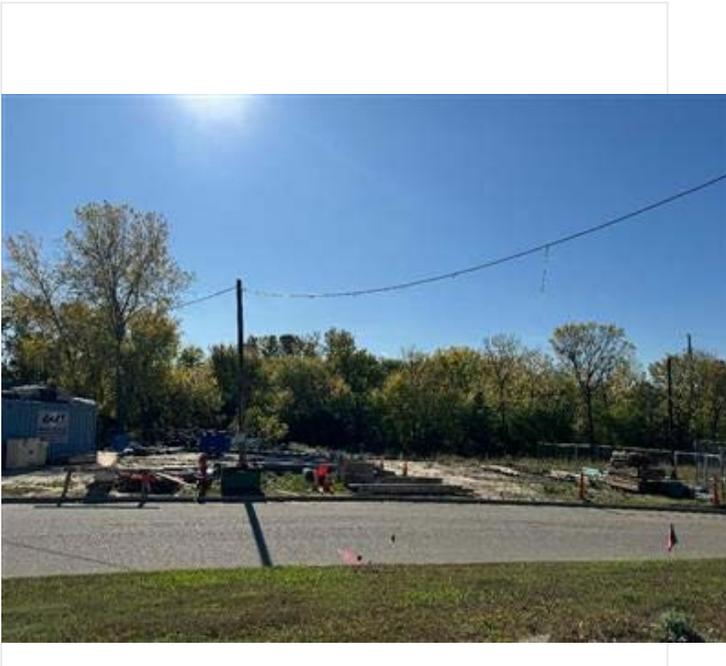
Are there stockpiles of sand, soil additives/amendments on site?

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

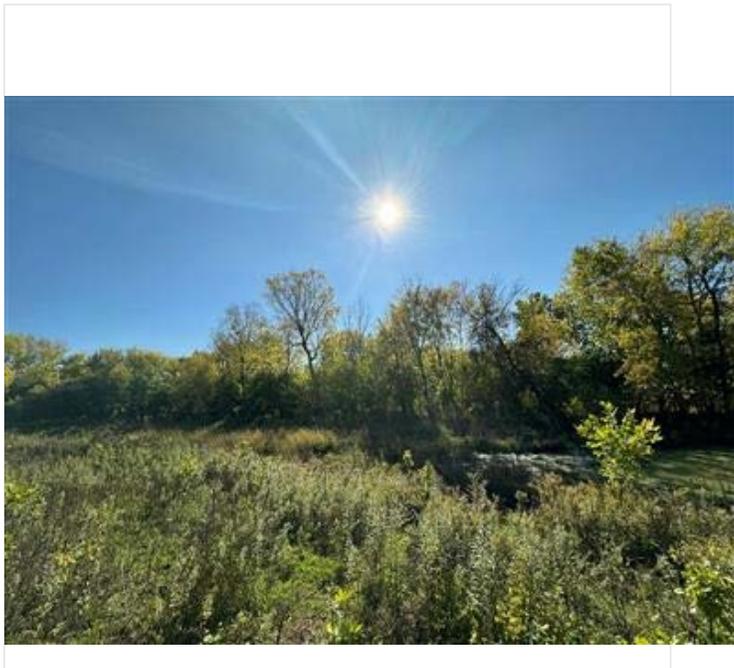
Are there any damaged trees or branches that may present hazardous conditions?

No

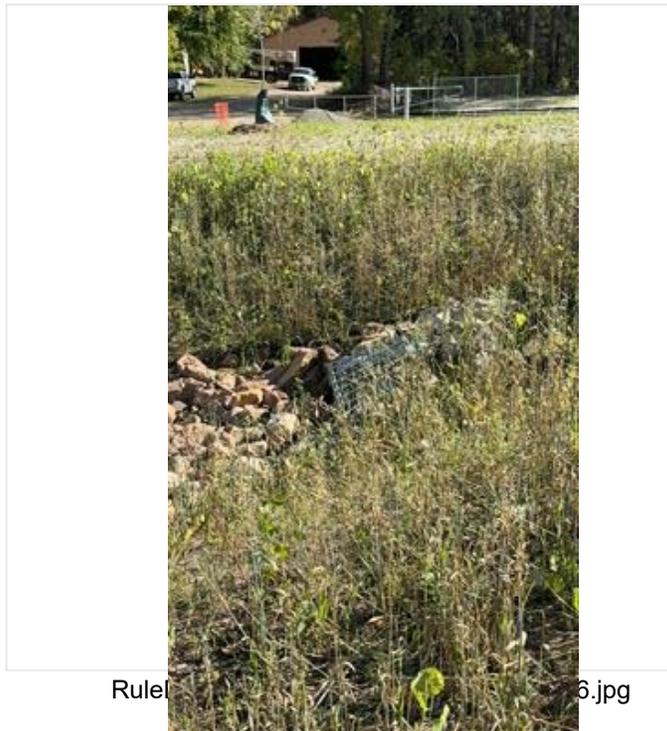
Is there anywhere else on site that has erosion or sedimentation?

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.

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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: 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?
 - 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.

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.)		

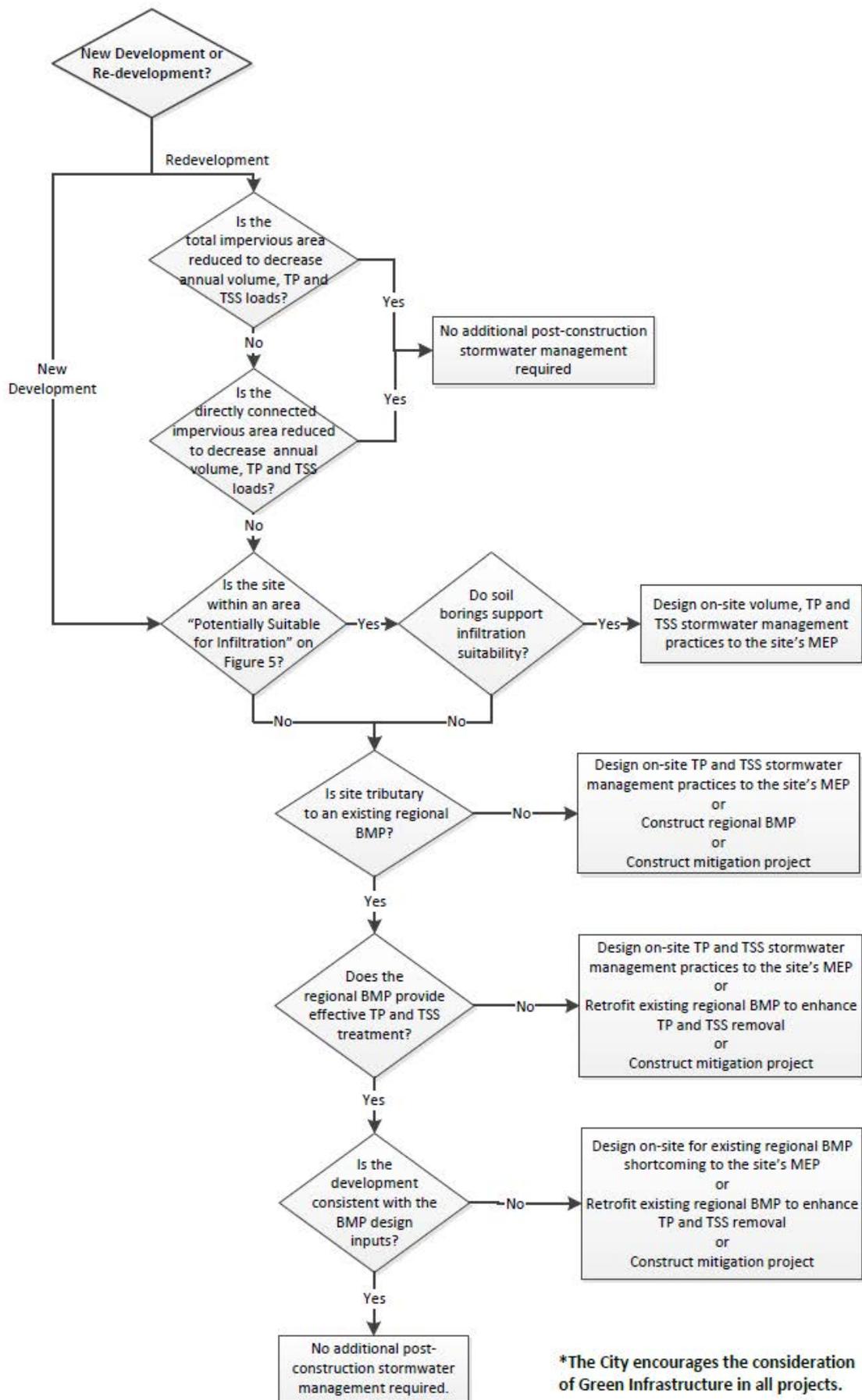
Erosion/Sediment Control Plan Review:	Approved	Provide Additional Information
A. BMPs to minimize erosion		
• Mulch Seeding/Sod		
• Riprap		
• Other		
B. BMPs to minimize the discharge of sediment and other pollutants		
• Construction Entrance		
• Sediment Logs		
• Silt Fence		
• Inlet Protection		
• 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?	BMPs to minimize sediment discharge
8				Perimeter control BMPs used on downgradient perimeters and upgradient of buffer zones?	
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?	BMP maintenance/Site Inspections
14				A 50 ft buffer preserved if site is within 50 ft of, and drains to, surface water, or redundant sediment controls used?	
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?	Solid and hazardous waste
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?	
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?	Other
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 to 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 agreement 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

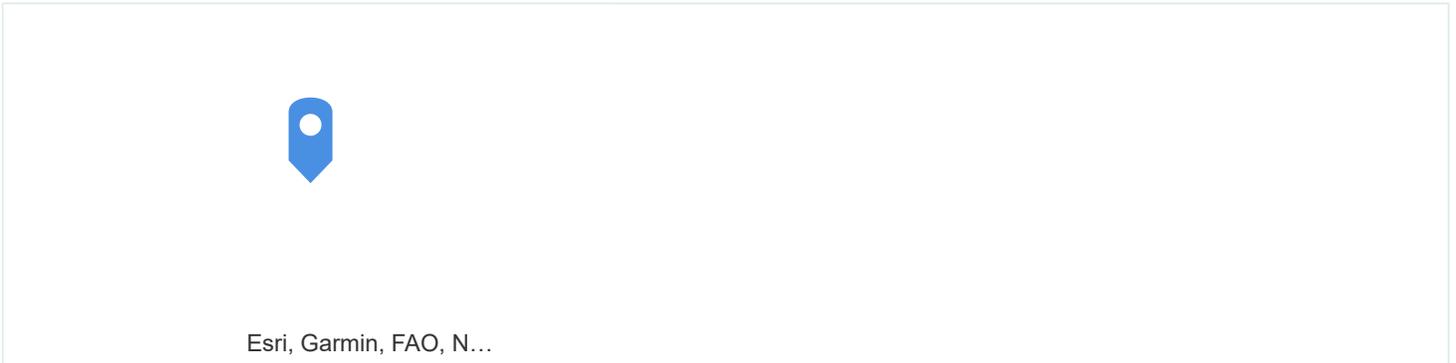
Inspection Type

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

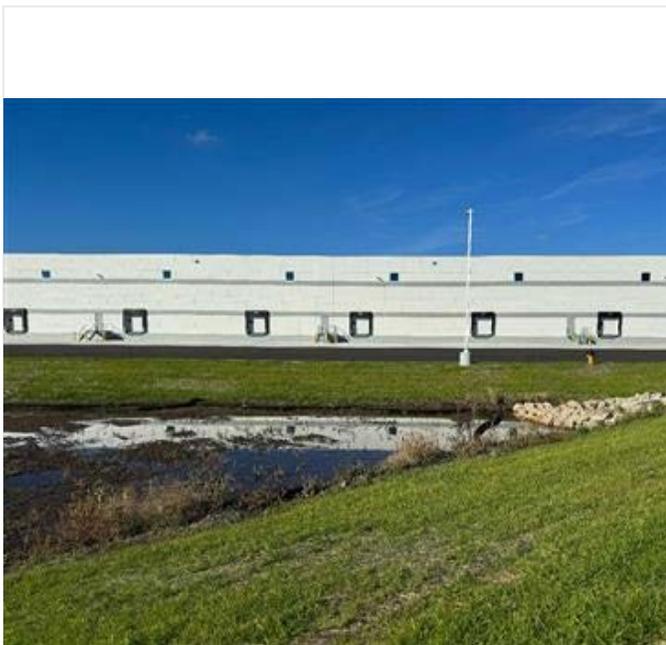
Is there evidence of sediment build up?

No

Are energy dispersion BMPs in place?

Yes

Take photo



RuleB_image12-20231017-120502.jpg



RuleB_image12-20231017-120452.jpg

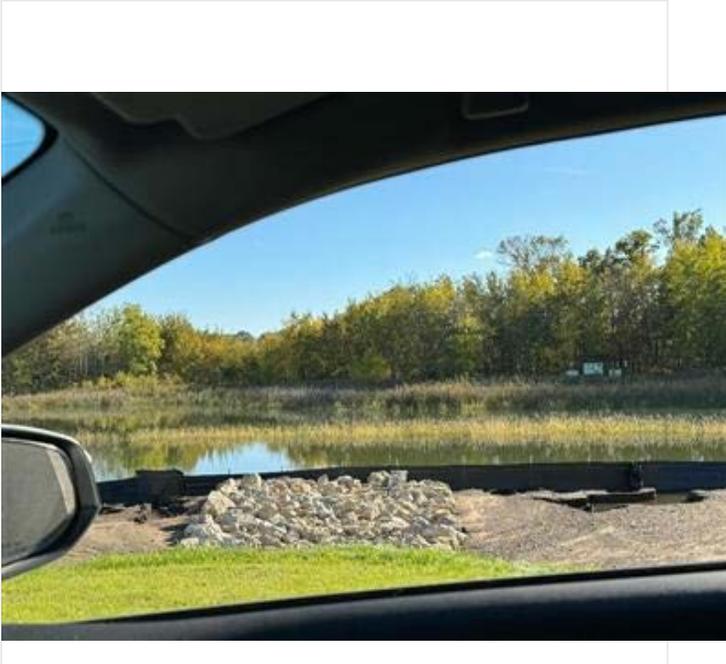
Is there evidence of erosion like rills or gullies?

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

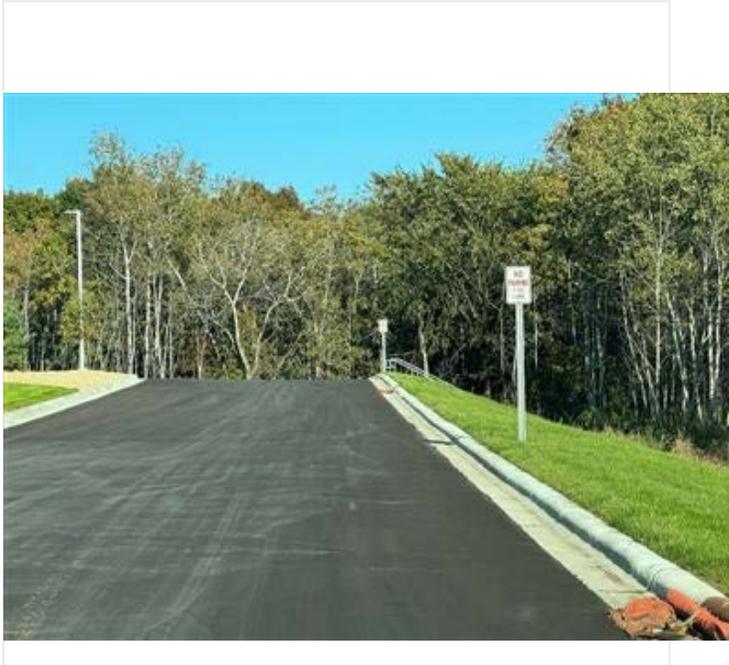
Are there any damaged trees or branches that may present hazardous conditions?

No

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

Yes

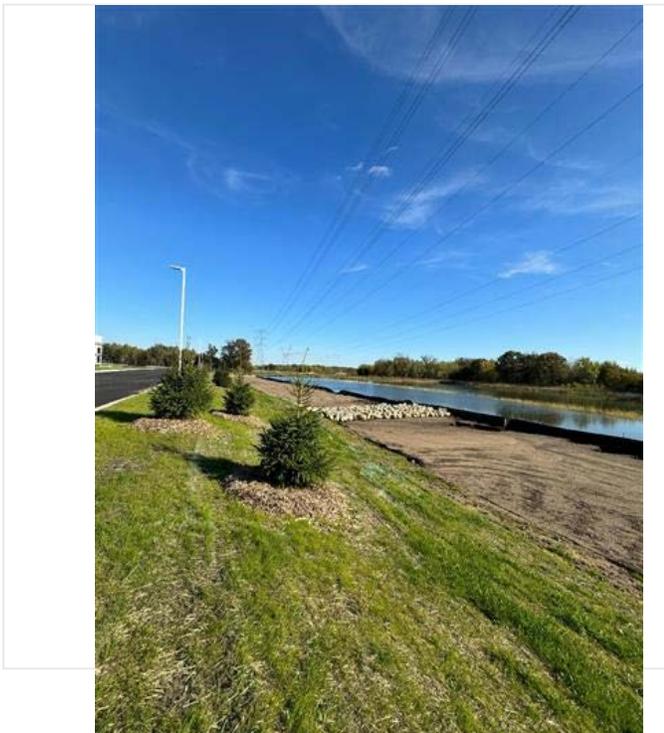
Take photo



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

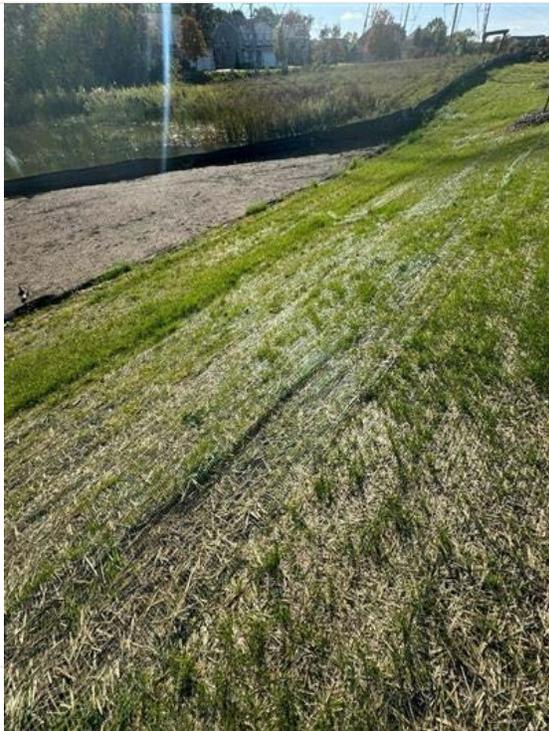
Take photo



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

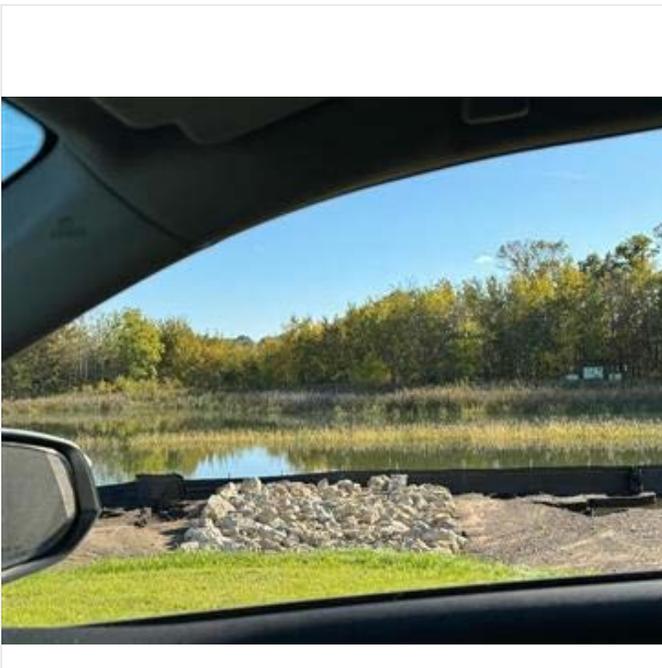
Do permanent stormwater management facilities look like what was proposed?

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

Agenda/ Summary

- 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

Agenda/ Summary

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@lowermnriverwd.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.

Agenda

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

Agenda

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

Agenda/Summary

- 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.

Agenda/Summary

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



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. C. – Lower MN River East One Watershed One Plan

Prepared By

Linda Loomis, Administrator

Summary

At the November 15, 2023, meeting of the LMRWD Board of Managers, the Board asked that staff review the draft 1W1P for the Lower Minnesota River East and the Joint Power Agreement.

The Joint Powers Agreement has been sent to LMRWD legal Counsel for review. The review of that JPA should be ready for the Board's information at the January 17, 2024, meeting. Della Young and I have discussed when it is appropriate for the LMRWD to conduct a formal review of the draft plan. It was decided that it would be most cost effective for the LMRWD to have Young Environmental to review the next draft of the Plan.

Attachments

No attachments

Recommended Action

No action recommended



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, December 20, 2023

Agenda Item

Item 9. A. – 2022 Financial Audit

Prepared By

Linda Loomis, Administrator

Summary

Now that FY 2021 Financial Audit has been completed work has begun on the 2022 audit. Documentation necessary for the audit is being assembled by the Administrator and the Financial Services provider.

Attachments

No attachments

Recommended Action

No action recommended



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, December 20, 2023

Agenda Item

Item 9. B. – 2024 Legislative Agenda

Prepared By

Linda Loomis, Administrator

Summary

MN Watershed distributed its legislative agenda at the Minnesota Association of Watershed Administrators meeting (and Annual Conference). A copy of the document is attached for the Board's information. The LMRWD could develop a similar document for its legislative priorities.

LMRWD legislative liaison, Lisa Frenette and I will develop a document for the Board to review and discuss at the January Board of Managers meeting. The 2023 Legislative Session does not begin until February 12, 2024.

Attachments

MN Watershed Draft Legislative Platform

Recommended Action

Provide Direction to Staff



Memorandum

DATE: October 27, 2023
TO: Minnesota Watersheds Members
FROM: Linda Vavra, Minnesota Watersheds President
RE: **Proposed Legislative Platform**

In accordance with our Strategic Plan, the Minnesota Association of Watershed Administrators (MAWA) Legislative Platform Committee developed a draft Legislative Platform. The Strategic Plan also states that this work should be done in conjunction with the Resolutions Committee. The purpose of the Legislative Platform is to provide a document that clearly articulates legislative policies so our members and our representatives on the Board of Water and Soil Resources board, Clean Water Council, and the Local Government Water Roundtable can accurately state our positions.

The draft document was presented to the Resolutions Committee on October 10 and the Minnesota Watersheds Board of Directors (Board) on October 23. The committee and the Board recommend adoption of the Legislative Platform with the understanding that this is a living document. Each year, the sunset resolutions will be removed and newly adopted resolutions will be added. The document will be reviewed annually by the MAWA Legislative Platform Committee and the Resolutions Committee. Any recommended additions or corrections will be brought to the membership for consideration. The Legislative Platform will be updated and voted on by the membership each year at the annual business meeting.

Questions regarding these proposed changes should be directed to Linda Vavra at 320-760-1774 or lvavra@fedtel.net or Jan Voit jvoit@mnwatersheds.com or 507-822-0921.

PRESIDENT

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

VICE PRESIDENT

Peter Fjestad (Region 1)
Buffalo Red River WD
pfjestad@prtcl.com
218-731-4630 | Term 2025

SECRETARY

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

TREASURER

David Ziegler (Region 3)
Riley-Purgatory-Bluff Creek WD
david_ziegler@outlook.com
952-905-1889 | Term 2025

DIRECTORS

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

Jeff Gertgen (Region 2)
Middle Fork Crow River WD
jgertgen@gmail.com
608-370-3934 | Term 2023

Brad Kramer (Region 2)
Shell Rock River WD
brad@provenloconsulting.com
507-369-6050 | Term 2025

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

Don Pereira (Region 3)
Valley Branch WD
dpereira@vbw.org
651-968-9788 | Term 2023

Jan Voit
Executive Director
jvoit@mnwatersheds.com
507-822-0921





MINNESOTA WATERSHEDS

Connecting People. Protecting Water.

DRAFT LEGISLATIVE PLATFORM

Abstract

This document articulates clearly defined legislative policies so members and Minnesota Watersheds representatives on the Board of Water and Soil Resources Board, Clean Water Council, and Local Government Water Roundtable can accurately state our positions.

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Purpose

Minnesota Watersheds represents both watershed districts and watershed management organizations (collectively referred to as Watersheds). That representation underscores the necessity of protecting Watershed powers, duties, and planning responsibilities on a watershed basis.

This legislative platform outlines Minnesota Watersheds positions on legislative matters and serves as the foundation for our organization to support or oppose various local, state, and federal legislation. It also articulates clearly defined legislative policies so members and Minnesota Watersheds representatives on the Board of Water and Soil Resources Board, Clean Water Council, and Local Government Water Roundtable can accurately state our positions.

Finance

Watershed organizations are tasked with many responsibilities by Minnesota statute and the local priorities set by their boards. To effectively perform those duties, adequate funding is necessary. Although some Watersheds have levy authority, there are many other avenues of funding that are important for achieving local water management, as well as water quality and quantity goals.

1. Capacity

- a. Support Clean Water Funds for implementation, not capacity (Resolution 2021-01B)
- b. Support capacity funding for watershed districts (Resolution 2021-02)
- c. Support General Fund repayment of Soil and Water Conservation District capacity funds to the Clean Water Fund (Legislative Platform Committee recommendation)

2. Grant Funding

- a. Support metro watershed-based implementation funding for approved 103B plans only (Resolution 2021-07)
- b. Support a more equitable formula for watershed-based implementation funding in the metro (Legislative Platform Committee recommendation)
- c. Lobby for watershed-specific grant funding (Legislative Platform Committee recommendation)

Urban Stormwater

Watersheds and land use management partners work to reduce polluted stormwater runoff and/or increase infiltration from urbanization and hard surfaces. Many Watersheds in the state have adopted regulatory standards and/or official controls to successfully manage urban stormwater when land alterations occur. Watersheds also implement a variety of urban stormwater management practices to treat runoff before it enters our lakes, streams, and wetlands.

1. Stormwater Quality Treatment

- a. Support limited liability for certified commercial salt applicators (Resolution 2022-02)
- b. Support, partner/collaborate with MS4s (if/where appropriate) in permit compliance activities (Legislative Platform Committee recommendation)
- c. Support the use of green infrastructure and minimizing impervious surfaces, where practical, in urban development and planning (Legislative Platform Committee recommendation)

- d. Where it may exist, support removing duplication of urban stormwater regulatory standards and controls (Legislative Platform Committee recommendation)
- e. Support the rescission of the Department of Labor and Industry/Plumbing Board Final Interpretation of Inquiry PB0159, storm drainage surcharge to return to common engineering practice for stormwater pond design (Legislative Platform Committee recommendation)

2. Water Reuse

- a. Support creation of a Stormwater Reuse Task Force and for the Minnesota Department of Health to complete a review process (Resolution 2022-01)
- b. Support efforts to clarify and simplify State Plumbing Board rulings and requirements to facilitate more reuse of rainwater/stormwater (Legislative Platform Committee recommendation)

Water Quantity

Watersheds are directed by statute to conserve the natural resources of the state by land use planning, flood control, and other conservation projects. Specific purposes refer to flood damage reduction, stream flows, water supply, drainage ditches, to identify and plan for effective protection and improvement of surface water and groundwater, and to protect and enhance fish and wildlife habitat and water recreational facilities. Numerous past, present, and future legislative initiatives have affected how water quantity issues are managed at the local level. This very broad-based topic includes management of the volume of water (drought, flooding, water supply), the flow of water (drainage, channel restoration, habitat), and recreation (lakes, rivers, wetlands) activities like fishing, boating, and hunting.

1. Drainage

- a. Support the current statutory requirements for notification and coordination in the development of petitioned repairs, drainage improvement projects, and new drainage systems (Legislative Platform Committee recommendation)
- b. Support the addition of a classification for public drainage systems that are artificial watercourses (Resolution 2019-02)
- c. Reinforce existing rights to maintain/repair 103E drainage systems (Resolution 2018-08)
- d. Seek increased support for and participation in the Drainage Work Group (Resolution 2022-03)
- e. Oppose the drainage registry information portal (Legislation to defeat)
- f. Oppose incorporating increased environmental, land use, and multipurpose water management criteria (M.S. 103E.015 requirements (Legislation to defeat)
- g. Comply with the legislative mandate to review outlet adequacy and notification requirements in the Drainage Work Group

2. Funding

- a. Obtain stable funding for flood damage reduction and natural resources enhancement projects (Resolution 2022-05)
- b. Clarify county financing obligations and/or authorize watershed district general obligation bonding for public drainage projects (Resolution 2019-04)

3. Flood Control

- a. Support crop insurance to include crop losses within impoundment areas (Resolution 2021-05)

4. Regulation

- a. Support temporary water storage on Department of Natural Resources wetlands during major flood events (Resolution 2020-04)
- b. Support managing water flows in Minnesota River Basin (statewide) through increased water storage and other strategies and practices (Resolution 2019-03)
- c. Work with Minnesota Department of Transportation to support flood control and how to handle increased water volume issues along state and federal highway systems (example from Bemidji district of MnDOT) (Legislative Platform Committee recommendation)

5. Policy

- a. Support funding for watershed-based climate resiliency projects and studies (Legislative Platform Committee recommendation)
- b. Support funding for best management practices that protect and enhance groundwater supply (Legislative Platform Committee recommendation)

Water Quality

Protecting and improving the quality of surface and ground water in our Watersheds is an essential component of managing water resources on a watershed basis

1. Lakes

- a. Support limiting wake boat activities (Resolution 2022-06)
- b. Support designation change and research needs for the Chinese Mystery Snail (Resolution 2019-07)
- c. Support temporary lake quarantine authorization to control the spread of aquatic invasive species (Resolution 2017-02)
- d. Support streamlining permit applications for rough fish management (Legislative Platform Committee recommendation)
- e. Support dredging as a best management practice to manage internal phosphorus loads in lakes (Legislative Platform Committee recommendation)

2. Wetlands

- a. Support a statutory requirement for water level control structures in wetland restorations and wetland banks (Legislative Platform Committee recommendation)
- b. Support federal, state, and local funding for wetland restoration and protection activities (Legislative Platform Committee recommendation)

3. Rivers and Streams

- a. Support a statutory deadline for Department of Natural Resources Public Waters Work Permit (45-60 days) (Legislative Platform Committee recommendation)
- b. Support automatic transfer of public waters work permits to Watersheds (M.S. Chapter 103G.245 Subd.5 (Legislative Platform Committee recommendation)

4. Policy

- a. Support funding for watershed-based climate resiliency projects and studies (Legislative Platform Committee recommendation)
- b. Support funding for best management practices that protect groundwater quality (Legislative Platform Committee recommendation)

Watershed Management and Operations

Protecting, enhancing, defending, and supporting existing Watershed statutory powers, duties, and planning responsibilities is necessary for effective and efficient watershed management and operations. Specific Watershed powers, duties, and planning responsibilities are contained in Minnesota Statutes [Chapter 103B](#) and [Chapter 103D](#).

1. Watershed Powers

- a. Support and defend eminent domain powers for watershed districts (Legislation to defeat)
- b. Support Watershed powers to levy property taxes and collect special assessments (Legislative Platform Committee recommendation)
- c. Support a watershed district's power to accept the transfer of drainage systems in the watershed; to repair improve, and maintain the transferred drainage systems; and to construct all new drainage systems and improvements of existing drainage systems in the watershed (Legislative Platform Committee recommendation)
- d. Support a Watershed's power to regulate the use and development of land within its boundaries (Legislative Platform Committee recommendation)

2. Watershed Duties

- a. Support a Watershed's duty to initiate projects (Legislative Platform Committee recommendation)
- b. Support a Watershed's duty to maintain and operate existing projects (Legislative Platform Committee recommendation)
- c. Support increased flexibility in the open meeting law (Resolution 2021-03)

3. Watershed Planning

- a. Support a Watershed's ability to jointly or cooperatively manage and/or plan for the management of surface and ground water (Legislative Platform Committee recommendation)
- b. Support watershed autonomy during and following a One Watershed, One Plan development process (Legislative Platform Committee recommendation)
- c. Support the connection between watershed-based implementation and funding (Legislative Platform Committee recommendation)
- d. Support development of a soil health goal for metropolitan watershed management plans (Resolution 2020-03)

Agency Relations

Watershed organizations work with many federal and state agencies to accomplish their mission. While relationships vary from administrative to funding and regulatory, agency policies and procedures can have a major impact on Watershed operations and projects. Maintaining strong, positive relations and

ensuring Watersheds have a role in policy making is key to successful watershed management and operations.

1. Advocacy

- a. Require a 60-day review periods when state agencies adopt new policies related to water and watershed management (Resolution 2021-06)
- b. Increase collaborative efforts between Minnesota Watersheds and all state agencies involved in water management (Legislative Platform Committee recommendation)

2. Representation

- a. Support timely appointments of qualified individuals to represent Watersheds on the Board of Water and Soil Resources Board (Resolution 2018-03)
- b. Support representatives of Watersheds on the Clean Water Council being an administrator, manager, or commissioner of an active Minnesota Watersheds member (Resolution 2018-09)
- c. Support watershed district managers being appointed, not allowing county commissioners to serve as managers (Legislative Platform Committee recommendation)

3. Regulation

- a. Streamline the Department of Natural Resources permitting process (Resolution 2019-01)
- b. Require watershed district permits for the Department of Natural Resources (Resolution 2018-04)

Regulations

Watershed representation on state and local panels and committees and the ability for Watersheds to regulate development and use of land within the organization's boundaries without prohibitive regulatory restrictions is necessary.

- a. Oppose legislation that forces spending on political boundaries (Legislation to defeat)
- b. Support the ability to appeal public water designations (Resolution 2020-01)
- c. Seek Watershed membership on Wetland Technical Evaluation Panels (Resolution 2019-05)

Natural Resources

Minnesota Statutes direct Watersheds to conserve the natural resources of the state. Some of the purposes listed in statute are to conserve water in streams and water supply, alleviate soil erosion and siltation of water courses or water basins, regulate improvements by riparian property owners of the beds, banks, and shores of lakes, streams, and wetlands for preservation and beneficial public use; protect or enhance the water quality in water courses or water basins; and protect and preserve groundwater resources.

1. Planning

- a. Ensure timely updates to Wildlife Management Area plans (Resolution 2018-06)
- b. Support Watershed inclusion in development of state plans (i.e., Prairie Plan, State Water Plan, etc.) related to water and watershed management (Legislative Platform Committee recommendation)

2. Policy

- a. Support funding for climate resiliency (Legislative Platform Committee recommendation)

3. Habitat

- a. Clarify buffer rule issues (Legislative Platform Committee recommendation)
- b. Support funding to reduce erosion and sedimentation (Legislative Platform Committee recommendation)
- c. Support funding for the enhancement, establishment, and protection of stream corridors and riparian areas (Legislative Platform Committee recommendation)
- d. Support funding for the enhancement and protection of habitats (Legislative Platform Committee recommendation)



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 9. C. – Education & Outreach

Prepared By

Linda Loomis, Administrator

Summary

President Barisonzi and Manager Salvato requested that the LMRWD consider featuring Manager's Hartmann's service to the LMRWD on its website, in social media posts and news media serving the communities of the LMRWD. In light of the request, Young Environmental Consulting Group LLC, in its role as Education and Outreach Director for the LMRWD developed a strategy to accomplish the request.

The Board should also consider if this will be part of the communications plan moving forward.

Attachments

Technical Memorandum – Public Relations Recommendation for Manager Jesse Hartmann's Service Recognition and Departure dated December 15, 2023

Recommended Action

Motion to authorize staff to implement recommendations in Technical Memorandum – Public Relations Recommendation for Manager Jesse Hartmann's Service Recognition and Departure dated December 15, 2023

Technical Memorandum

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

From: Suzy Lindberg, Communications Manager

Date: December 15, 2023

Re: Public Relations Recommendations for Manager Jesse Hartmann's
Service Recognition and Departure

To recognize Manager Jesse Hartmann's many years of service to the Board of Managers, while promoting the broader work of the LMRWD to the community, Young Environmental has established the following public relations recommendations to be completed in the next 45-60 days per the request of Board Managers Joseph Barisonzi and Lauren Salvato.

Managers Barisonzi and Salvato have identified the following goals for the media campaign:

1. **Raising Community Awareness and Driving Engagement:** educating the public about the LMRWD's overall work by recognizing Jesse's individual contributions as part of the larger organization.
2. **Showcasing Organizational Success:** sharing Jesse's success as it relates to impactful initiatives, projects, and milestones reached during his tenure.
3. **Inspiring Stakeholder Involvement:** by inspiring existing and potential stakeholders to further engage with the LMRWD as Jesse has done. This could encourage volunteers, donations, or increased support from local businesses or individuals.
4. **Attracting New Talent:** by sharing the opening for the Scott County position and additional volunteer opportunities, such as the Citizen Advisory Committee.
5. **Enhancing Public Perception and Trust:** through transparent communication about Jesse's departure and accomplishments of his role. This will showcase the LMRWD's willingness to communicate openly about changes and transitions.
6. **Creating a Legacy Narrative:** by sharing Jesse's story within the context of the organization's legacy, preserving institutional knowledge and honoring the efforts of individuals who contribute to larger District goals.

The following materials have been requested to achieve these goals and successfully communicate with the public about the LMRWD Board transition:

1. **Press Advisory:** a media release that will inform local news outlets about the LMRWD's recognition of Jesse, while working to amplify this message through press coverage. A draft press advisory is available in Attachment 1.
2. **Long-Form Website Article:** a detailed story for the website that shares the specifics of Jesse's contributions and their broad significance to LMRWD's mission. Photos and graphics will be included as identified in Attachment 2.
3. **Short-Form Social Media Post:** a short, social media post summarizing the story and announcement to be posted across various platforms. Interactive content will appeal to a wide audience and promote LMRWD's work and volunteer opportunities.

Recommendation

We recommend the following timeline to develop and release the materials listed above:

- **December 20** – Capture additional content as needed to enhance web story and social media release. Depending on preference for level of time investment, this could include:

Low Level of Effort	Medium Level of Effort	High Level of Effort
Thank-you videos submitted by remaining Board members, recorded on their own to be compiled into a short video for dual use on website and social media.	A group photo centered on Jesse Hartmann with Board members present, captured by Young Environmental staff on-site before or after the Dec. 20 th meeting.	Thank-you videos from Board members, captured individually by Young Environmental staff on-site before or after the Dec. 20 th meeting.

- **December 31** – Press Advisory finalized and released to local news outlets. See media contacts for release on the next page.
- **January 3** – Finalize long-format web story for release.
- **January 10** – Finalize social media story for release.

Media Contacts For Release:

- *Jordan Independent*
 - **Mathias Baden, Editor:** editor@jordannews.com
 - **Brandon Otte, Staff Writer:** botte@swpub.com
- *Savage Pacer*
 - **Greg Aamot, Community Editor:** gaamot@swpub.com
- *Shakopee Valley News*
 - **Greg Aamot, Community Editor:** gaamot@swpub.com
- *Star Tribune*
 - **Faiza Mahamud, Staff Writer:** faiza.mahamud@startribune.com
 - **General Email:** releases@startribune.com

Attachment 1: Draft Press Advisory



LOWER MINNESOTA RIVER
WATERSHED DISTRICT

For Immediate Release

December 31, 2023

For More Information Contact:

Linda Loomis, District Administrator

Office Phone: 763-545-4659

Cell Phone: 763-568-9522

Email: naiadconsulting@gmail.com

RECOGNIZING EXCELLENCE: THE LOWER MINNESOTA RIVER WATERSHED DISTRICT SHARES ITS APPRECIATION FOR THE CONTRIBUTIONS OF BOARD MANAGER JESSE HARTMANN AS HE ENDS HIS SERVICE TO THE ORGANIZATION AFTER NEARLY 8 YEARS. UNDER HIS BOARD LEADERSHIP, THE ORGANIZATION CONTINUED TO PROTECT VALUABLE NATURAL RESOURCES SUCH AS THE LOWER MINNESOTA RIVER, RARE CALCAREOUS FENS, URBAN LAKES, AND TROUT STREAMS.

As Board Manager President Jesse Hartmann ends his service to the Lower Minnesota River Watershed District, the organization shares appreciation for his leadership during critical times of infrastructure development and strategic direction.

CHASKA, MN—At its December 20th Board Meeting, the Lower Minnesota River Watershed District (LMRWD) recognized the service of Manager Jesse Hartmann of Shakopee, MN. Hartmann has served the LMRWD

since 2016 in a variety of roles, most recently as President, and ends his term today.

As an avid angler and recreationist, Hartmann volunteered his time to the Board to make a positive impact on local water and natural resources. The Minnesota River, at the center of the watershed district, has always been an important part of Hartmann's life: "All of my life I've been on this river", he has stated. Through his role, he provided thoughtful leadership through decision-making for projects, programs, and budgets critical to implementing the LMRWD's vision to protect priceless resources. "It's been a great opportunity – I'm glad I'm a part of this organization," Hartmann recalls, "the people we work with are great people and it's a lot of fun."

The LMRWD is charged with managing stormwater, protecting its communities and properties from flooding, and protecting and preserving water quality of its many waterways. A unique component of the Twin Cities watershed district is the maintenance of a nine-foot navigation channel on the Lower Minnesota River, which provides essential services to keep the river navigable by barges, a critical passage for Minnesota commerce. Under Hartmann's leadership, the LMRWD established a dredge management site, which ensures sediment is removed from the river to keep the channel passable. He oversaw the development of key strategic documents, including the updates to the Watershed Management Plan in 2016, 2018 and 2022 and the adoption of the District's first rules in 2020, which are used during permit review to ensure development in the area will not disrupt natural systems. Hartmann regularly provides guidance on large-scale capital improvement projects, such as the stabilization of Area 3 in Eden Prairie, MN, and ongoing programs for education and outreach. He was also instrumental during the LMRWD's 60th anniversary celebration, held in 2020.

At the December 20 Board Meeting, Hartmann's fellow Board Managers and LMRWD staff recognized his many years of service and accomplishments in this role. His colleagues will share their thanks for the time he has invested, the professional expertise he has shared, and the vision, integrity, and respectful nature in which he has collaborated. The

Board of Managers will also share next steps to transition Hartmann's position by finding a representative from Scott County to serve on the Board of Managers.

What: LMRWD December Board Meeting

Who: The LMRWD Board of Managers will conduct its monthly meeting to not only conduct watershed district business but recognize the service of former President Jesse Hartmann.

When: December 20, 2023 (7:00-9:00 CST)

Where: County Board Room, Carver County Government Center, 600 4th Street East, Chaska, MN 55318

For more information, please contact Linda Loomis, District Administrator.

###

Formed in 1960, the Lower Minnesota River Watershed District (LMRWD) is a local, special-purpose unit of government that works to solve and prevent issues related to water. The LMRWD works to protect, improve, and provide education on valuable water resources that offer habitat for native species, recreational opportunities, and commercial barge navigation. The LMRWD was established for, and is tasked with, assisting with the maintenance of a nine-foot navigation channel in the Minnesota River for goods and services to be transported. The LMRWD is governed by five managers that are appointed by Twin Cities counties that make up the LMRWD. Learn more at: lowermnriverwd.org.

Attachment 2: Sample Content for Website and Social Media

To create the website and social media content, we will build off of the press advisory to include additional details of Manager Hartmann's background and accomplishments as a member of the Board of Managers. Content will include a variety of graphics thanking Jesse and showing him at work in the community. Both digital releases may share thoughts from District staff and fellow Board members as it is feasible to acquire them. The interactive content can include brief video clips highlighting Manager Hartmann's scenes from the 60th Anniversary video, photos of the resources protected during his service, and any additional content from the Board meeting.

We will share photos of Jesse that highlight his professionalism and participation in important LMRWD events from the last 8 years, introduced below.







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 10. A. – Biennial Solicitation for Letters of Interest for Legal, Professional and Technical Consultant Services

Prepared By

Linda Loomis, Administrator

Summary

President Barisonzi asked that the Board be provided with information regarding the Biennial Solicitation for Letters of Interest for Legal, Profession and Technical Consultant Services ahead of being asked to authorize said solicitation. He requested that the following information be addressed in the December Administrator's Report with discussion to follow at the January 17, 2024 Board meeting:

- **Legal Obligations:** Discuss the legal requirements mandating the procurement and bidding process for our vendor contracts to ensure our compliance and commitment to fairness.
- **Request for Proposals (RFPs):** Review and discuss the RFPs for each of the upcoming contract renewals, ensuring clarity, inclusivity, and alignment with our agency's needs and objectives.
- **Evaluation Criteria:** Delve into the evaluation rubric for each position, emphasizing the criteria that will guide our assessment of proposals to ensure a transparent and fair decision-making process.
- **Process and Timeline:** Outline the proposed process for the evaluation and consideration of proposals, including specific milestones, deadlines, and communication protocols to maintain transparency and equal opportunities for all potential vendors.

Additionally, President Barisonzi encourages a robust discussion on the following aspects:

- **Conflict of Interest:** Emphasize the importance of full disclosure regarding any potential conflicts of interest among involved parties, promoting transparency and ethical conduct throughout the process.
- **Budgetary Considerations:** Consider any financial implications or constraints that might influence our decisions, ensuring fiscal responsibility while selecting the best-suited vendors.

Traditionally, the LMRWD has requested letters of interest for Legal Counsel and Technical/Engineering services. Additional services may be requested as the Board of Managers determines. In 2022, the LMRWD requested letters of interest from Technical Consultants interested in being included in a pool of firms. Staff recommend requesting a Technical Consulting Pool again.

LMRWD staff requests the Board of Managers to authorize solicitation in January of even numbered years. Advertisements are posted in the State Register for two consecutive weeks. Notice is also posted on the LMRWD website on the "[Bids & RFPs](#)" page. Interested parties are given 30 days to provide letters of interest. Letters are assembled and included in meeting materials for the Board of Managers meeting following the 30-day deadline. This is usually the March meeting.

Preliminary information is included here in preparation for discussion in January. This biennial solicitation is required by MN Statute § 103B.227, Subdivision 5. Uniform Municipal Contracting Law, Minn. Stat. § 471.345, subd. 3 and 412.311 do not apply to this solicitation as 471.345, defines as follows: A "contract" means an agreement entered into by a municipality (as defined in Subdivision 1 of said statute) for the sale or purchase of supplies, materials, equipment or the rental thereof, or the construction, alteration, repair or maintenance of real or personal property. This solicitation is for ongoing services and not for the sale or purchase of supplies, materials, equipment, or the rental thereof, or the construction, alteration, repair or maintenance of real or personal property. Construction projects bids of the LMRWD do follow the Uniform Municipal Contracting Law.

The scope of work for Legal, Professional and Technical Consultant services to be provided does not vary much across watershed districts. Language that was used in the 2022 LMRWD solicitations is attached. Few water management organizations are as detailed with the solicitation as the LMRWD.

In 2018, the LMRWD solicited proposals for an Education and Outreach coordinator without success. In 2020, the Education and Outreach coordinator was included in the solicitation for Technical Consultants. Young Environmental Consulting Group, LLC, (YECG) included Education and Outreach services to the LMRWD in 2020 when Jen Dullum joined the YECG team. The Request for Proposals for Education & Outreach Services is also attached for the Board's Information.

A matrix for evaluating proposals has not been developed, as there were never many proposals received. It has been my experience that few firms respond to the biennial solicitations unless a watershed district makes it known that they are looking for change. It is timely and costly to prepare proposals without some indication that change is being considered by a watershed management organization.

Additional information will be provided with the January 17, 2024.

Attachments

MN Statute § 103B.227

Language published in State Register for Legal Services in 2022

Language published in State Register for Technical Consultant Services in 2022

Language published in State Register for Engineering Pool

Language for Education & Outreach Coordinator from 2018

Recommended Action

No action recommended

103B.227 WATERSHED MANAGEMENT ORGANIZATIONS.

Subdivision 1. **Appointing members.** Watershed management organizations shall notify the Board of Water and Soil Resources of member appointments and vacancies in member positions within 30 days. Appointing authorities shall fill vacant positions by 90 days after the vacancy occurs.

Subd. 2. **Notice of board vacancies.** Appointing authorities for watershed management organization board members shall publish a notice of vacancies resulting from expiration of members' terms and other reasons. The notices must be published at least once in a newspaper of general circulation in the watershed management organization area. The notices must state that persons interested in being appointed to serve on the watershed management organization board may submit their names to the appointing authority for consideration. After December 31, 1999, staff of local units of government that are members of the watershed management organization are not eligible to be appointed to the board. Published notice of the vacancy must be given at least 15 days before an appointment or reappointment is made.

Subd. 3. **Removal.** Appointing authorities may remove members of watershed management organization boards for just cause. The Board of Water and Soil Resources shall adopt rules prescribing standards and procedures for removing members of watershed management organization boards for just cause.

Subd. 4. **Newsletter.** A watershed management organization shall publish and distribute at least one newsletter or other appropriate written communication each year to residents. The newsletter or other communication must explain the organization's water management programs and list the officers and telephone numbers.

Subd. 5. **Requests for proposals for services.** A watershed management organization shall at least every two years solicit interest proposals for legal, professional, or technical consultant services before retaining the services of an attorney or consultant or extending an annual services agreement.

Subd. 6. [Repealed, 1995 c 184 s 32]

Subd. 7. **Drainage systems.** Watershed management organizations may accept transfer of drainage systems under sections 103B.205 to 103B.255.

History: 1990 c 601 s 9; 1999 c 231 s 126

**Pursuant to MSA 103B.227, Subdivision 5, Lower Minnesota River
Watershed District hereby solicits proposals for a Legal Consultant,
and an Engineering Consultant.**

PUBLIC NOTICE
OF
LOWER MINNESOTA RIVER WATERSHED DISTRICT
REQUEST FOR PROPOSALS:

FOR LEGAL SERVICES

Pursuant to MSA 103B.227, Subdivision 5, the Lower Minnesota River Watershed District hereby solicits proposals for a legal consultant for the 2022 through 2024.

Electronic proposals setting forth the experience of the company/individual(s) who would be interested in providing legal services for the Lower Minnesota River Watershed District should be sent to:

Lower Minnesota River Watershed District
Attention: Linda Loomis, District Administrator at
naiadconsulting@gmail.com

Proposals shall be submitted on or before the close of business Wednesday, March 16, 2022.

Please set forth in your written proposal company experience and the experience of the individual(s) who proposes to perform services for the District and the resumes of staff who would assist in providing the contractual services. Rates of individuals should be provided. The Board will review all proposals received and reserves the right to request additional information from any and all proposers, to conduct interviews of the proposers, specifically lead staff proposed to provide services, to reject any and all proposals, and to otherwise take such action as it deems in the best interest of Lower Minnesota River Watershed District.

For answers to questions regarding this request contact Linda Loomis at 763-545-4659 or naiadconsulting@gmail.com. Additional information may be found on the District's website <http://lowermnriverwd.org/>

The Board of Managers will review all proposals received, and reserves the right to request additional information from any and all proposers, to conduct interviews of the proposers, specifically lead staff proposed to provide services, to reject any and all proposals, and to otherwise take such action as it deems in the best interest of Lower Minnesota River Watershed District.

FOR LMRWD DISTRICT ENGINEER

Pursuant to MSA 103B.227, Subdivision 5, the Lower Minnesota River Watershed District hereby solicits proposals for consulting engineering services for 2022 through 2024.

Lower Minnesota River Watershed District (LMRWD) is looking for an engineering and technical service provider to assist in an ongoing process of setting and implementing the water management parameters within which the District will operate by:

- Identifying the technical consequences of choices;
- Discuss alternative solutions;
- Educate the Board and staff about the technical and regulatory issues involved; and
- Inform the District Administrator or project managers of the consequences of decisions that may affect natural resources within the District.

In this function, District Engineer shall routinely review and assess District water management plans, studies, capital programs and procedures to consider, among other things, whether they are 1) consistent with acceptable engineering practices, 2) achieve District goals, and 3) likely to produce positive, cost effective outcomes.

Electronic proposals setting forth the experience of the company/individual(s) who would be interested in providing legal services for the Lower Minnesota River Watershed District should be sent to:

Lower Minnesota River Watershed District
Attention: Linda Loomis, District Administrator at
naiadconsulting@gmail.com

Proposals shall be submitted on or before the close of business Wednesday, March 16, 2022.

Proposals should provide general information about the company and include a list of related work/projects/clients, a list of key personnel who propose to perform services for the District and their qualifications, qualifications of other staff who would assist in providing contractual services and a current fee schedule. Please include other services or specialties that may be pertinent.

Proposals should also include a summary of qualifications and unique expertise in the following areas:

- 1) Watershed, Subwatershed and Water Resource Management and Planning
- 2) Lake, Wetland and Stream Restoration and Management
- 3) Hydrologic, Hydraulic, and Water Quality Modeling and Analysis
- 4) Urban Stormwater BMO Design and Construction Management
- 5) Water Resource Permitting

For answers to questions regarding this request contact Linda Loomis at 763-545-4659 or naiadconsulting@gmail.com. Additional information may be found on the District's website <http://lowermnriverwd.org/>

The Board of Managers will review all proposals received and reserves the right to request additional information from any and all proposers, to conduct interviews of the proposers, specifically lead staff proposed to provide services, to reject any and all proposals, and to otherwise take such action as it deems in the best interest of Lower Minnesota River Watershed District.

PUBLIC NOTICE
OF
LOWER MINNESOTA RIVER WATERSHED DISTRICT
STATEMENT OF QUALIFICATIONS:

FROM ENGINEERING FIRMS INTERESTED IN BEING INCLUDED IN A POOL

Pursuant to MSA 103B.227, Subdivision 5, the Lower Minnesota River Watershed District (LMRWD) is soliciting Statements of Qualifications (SOQ) from firms interested in in being included in a pool of firms that will be called on to provide services for specific types of projects.

Submitted SOQs must have two sections as follows:

Section 1. General Firm Information and Qualifications

This section will include a letter of interest, general information about the company, a list of related work, projects, clients, a fee schedule for 2022-2023, and a list of key personnel who would perform services for the LMRWD and their qualifications. Please include other services or specialties that may be pertinent.

Section 2. Service Area Qualifications

This section should provide a summary of your qualifications and unique expertise in each of the following service areas you wish to be considered for future work. Each service area qualification may not exceed two (2) pages.

- 1) Watershed, Sub-watershed and Water Resource Management and Planning
- 2) Lake, Wetland and Stream Restoration and Management
- 3) Hydrologic, Hydraulic and Water Quality Modeling Analysis
- 4) Groundwater and Hydrogeological Modeling, Monitoring and Analysis
- 5) Natural Resources Management (e.g., wetlands, fens)
- 6) Slope Stability and Geotechnical Services
- 7) Urban Stormwater BMP Design and Construction Management
- 8) Water Resource Permitting
- 9) Land Surveying
- 10) Geographic Information Systems

The SOQ should be no longer than 10 pages, including the letter of interest and any other content the firm desires to the SOQ. The cover, table of content and resumes are not included in the page limit.

Review Process

The LMRWD Board of Managers will review all submittals and determine which firms are qualified in each of the areas listed above. Those firms qualified in each respective service area will be placed in a pool of professional service firms for calendar years 2022-2023. The LMRWD will request proposals or quotations for projects from the pool within a service area, as needed.

LMRWD Policy Relating to Member Communities and Other Governmental Jurisdictions

From time to time, it is possible that LMRWD Consultants may represent governmental jurisdiction fully or partially located with the LMRWD. This may provide a conflict of interest for that consultant. Please layout how your firm would address possible conflicts of interest that may arise.

Submittals

Please provide SOQs in electronic (.pdf) format on or before the close of business Wednesday, March 30, 2022 to:

Lower Minnesota River Watershed District
Linda Loomis, District Administrator
naiadconsulting@gmail.com

The Board of Managers will review all SOQs received and reserves the right to request additional information from any and all proposers, to conduct interviews with select proposers, to reject any and all SOQs, and to otherwise take such action as it deems in the best interest LMRWD.

For answers to questions regarding this request contact Linda Loomis at 763-545-4659 or naiadconsulting@gmail.com. Additional information may be found on the District's website <http://lowermnriverwd.org/>

DRAFT 12-20-2017

Job Title: Education and Outreach Coordinator
Organization: Lower Minnesota River Watershed District
Job Location:
Duration: Part-Time - Permanent
Application Deadline: 2018

Hiring Statement

The Lower Minnesota River Watershed District (LMRWD) invites applications for a consulting Outreach & Education Coordinator who will lead education and community outreach efforts in accordance with the LMRWD Watershed Management Plan, as amended. The LMRWD is a special purpose unit of government, organized under MN Statutes Chapters 103B and 103D, with an office located in Chaska, MN. The LMRWD is responsible for managing water resource within the District and is the local sponsor for the US Army Corps of Engineers maintenance of the Minnesota River 9 foot navigation channel. This is a contracted position and is anticipated to be part-time. *All qualified applicants will receive consideration without regard to race, color, national origin, sex, religion, age, disability, political belief, sexual orientation, gender identity, veteran or military status, genetic information and marital or familial status.*

Qualifications

A degree in communication, environmental science or education, or a related field is preferred. A Bachelor's or equivalent experience in any of the above disciplines is the minimum requirement. Three to five years of experience in community outreach, environmental education, or public relations/communications; experience with an environmental or conservation organization is preferred. Experience managing grant awards, contractors, and/or volunteers. Possess a general knowledge of watershed resources. Demonstrated ability to develop and manage programs. Demonstrated experience in the development and production of communication tools and products. The candidate must possess strong interpersonal skills and demonstrated proficiencies in community engagement and the communication of technical information to the general public.

Description of the Position

The Outreach & Education Coordinator (O&EC) works under the direction of the District Administrator to coordinate, with the LMRWD's partners, implementation of the education and outreach goals articulated in the LMRWD's Watershed Management Plan. This individual will be primarily responsible for organizing a Citizen Advisory Committee (CAC) for the LMRWD and developing a program for Citizen Engagement. Additionally, this individual will be responsible for developing and distributing educational information across all media types and tracking the effectiveness of targeted education and outreach campaigns. The O&EC is a strong communicator who is knowledgeable about watershed activities.

The O&EC builds an expanding network of diverse individuals and organizations that understand the importance of the Minnesota River and advocate for its restoration. They inspire the public and decision makers to make choices that improve the Minnesota River; to instill in stakeholders, teachers, students, and decision makers an environmental awareness; to promote watershed education; to produce all forms of educational media, programs, and seminars in cooperation with state agencies, communities, and. The O&EC creates a vibrant and creative media presence through the LMRWD's own print and electronic media, and by providing regular content to and maintaining positive relationships with local and regional media outlets.

Duties and Responsibilities (not listed in order of priority)

- Works with a high degree of independence, while communicating and strategizing regularly with the District Administrator and the Board of Managers.
- Collaborates closely with staff to integrate education and outreach efforts with research, restoration, watershed planning, and fundraising programs.

DRAFT 12-20-2017

- Manages direct reports, and volunteers across multiple functions while building a positive, collaborative and results-driven culture.
- Develops grant proposals to fund programs and projects; manages grants awarded.
- Develop partner-based watershed education plans to support the LMRWD.
- Represents the LMRWD to decision makers, at meetings of governmental agencies, non-profits, and community groups to cultivate participation in the LMRWD.
- Educates decision makers on watershed restoration practices and policies.
- Conduct targeted education campaigns to achieve and document increased understanding of the Lower Minnesota River and the behavior changes in support of its restoration (i.e. reducing fertilizers, managing flows).
- Maintains working relationships with K-12 and university education sectors
- Responsible for the production and distribution of periodic press releases, displays and exhibits, interpretative signage and project reports.
- Oversee the LMRWD's web and social media content.
- Serve as the LMRWD's liaison to its Citizens Advisory Committee.
- Develops detailed annual workplans and budgets.
- Responsible for tracking and reporting on outreach actions and program success.
- Perform other duties as assigned by the District Administrator.

Knowledge, Skills, and Abilities

- Knowledge of leadership techniques and the ability to build and effectively motivate groups to achieve common objectives.
- Ability to establish and maintain relationships with other stakeholders to accomplish goals.
- Ability to learn and translate the technical aspects of watershed science to diverse audiences through expert verbal and written communications.
- Familiarity with educational science standards and outdoor education initiatives.
- Skill in editing the writing of others.
- Skill in project and grant management including budgets.
- Demonstrated experience in the development of communication tools and products
- Strong presentation skills including the ability to persuade and inspire an audience.
- Strong capacity to continue to learn and train in professional proficiencies from management to learning new workplace technologies.

Physical Demands and Work Environment

The LMRWD has an office located in Chaska, MN. Successful applicants will need to provide their own office space. Evening or weekend work to host and attend meetings and events is often required. A flexible schedule is permitted.

Application

Please submit, **as a single PDF document**, a cover letter, curriculum vitae, three references with contact information, and an example of a successful grant application to:

Linda Loomis, Administrator, Lower Minnesota River Watershed District 112 East 4th Street, Suite 102, Chaska MN 55318 naiadconsulting@gmail.com ATTN: Outreach & Education Coordinator Position



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 10. B. – MPCA Lower Minnesota River Watershed Surface Water Monitoring Request Guidance

Prepared By

Linda Loomis, Administrator

Summary

Planning has started for the MPCA's next round of Intensive Watershed Monitoring (IWM) for the Lower Minnesota River Watershed that will be used to inform the Total Maximum Daily Load (TMDL) Studies and Watershed Restoration and Protection Strategy (WRAPS) Updates at a future date. The Lower Minnesota River Watershed will start IWM in approximately May 2025 and continue through approximately October 2026.

As part of the planning process the MPCA will be gathering information on local monitoring needs through a Surface Water Monitoring Request (SWMR) process. The MPCA will also be developing a Project Charter for the watershed to guide the TMDL and WRAPS Update reports. This is where local needs for planning and implementation will be important.

The MPCA plans to hold a meeting to describe the Surface Water Monitoring Request process, demonstrate how to use the ArcGIS Online tool for site requests, and to discuss preliminary site selection for IWM.

October 31, 2023, at the kick-off meeting for this project, the MPCA stated that funding for surface water quality monitoring would be available to local government units. Subcontracting to conduct monitoring is acceptable. President Barisonzi has suggested that the LMRWD apply for a grant. MPCA's Surface Water Quality Grant fact sheet is attached for the Board's discussion.

Attachments

Cycle II Condition Monitoring through SWAG fact sheet

Recommended Action

No action recommended

Cycle II Condition Monitoring through SWAG

Surface Water Assessment Grants

The SWAG program provides funding for surface water quality monitoring for two years at designated lakes and streams. Monitoring tasks and objectives fall under Cycle II of the Intensive Watershed Monitoring (IWM) approach. Joint Powers Agreements are executed non-competitively and are typically awarded to a local government unit. Subcontracting is encouraged if multiple groups are interested or where local capacity is a concern and collaboration with a nonprofit, for profit, or educational institution is an option. Minnesota Pollution Control Agency (MPCA) will monitor core locations not selected by local partners. If State and Local Need (SLN) locations are not contracted through SWAG the MPCA may monitor if resources are available.

What will the agreement fund?

Eligible expenses include:

- Staff (including allowable indirect expenses)
- Per diem (if traveling further than 35 miles from home office)
- Monitoring equipment and supplies – this includes repairs or replacement of probes on existing equipment, if necessary for sampling. MPCA has a limited supply of meters for loan.
- Laboratory analysis
 - Minnesota Department of Health accreditation required
 - Electronic data submission through LAB_MN format is required
 - [MPCA Sampling and Laboratory Analysis Services](#) rates are applicable
- Shipping/courier costs
- Vehicle mileage (IRS rate)
- Boat rental reimbursement (lakes only).

Additional information on eligible/ineligible expenses are available online. Visit the MPCA at <https://www.pca.state.mn.us/swag/supported-activities-and-expenses>.

What work is required?

Tasks and objectives include preparing for and sampling lake and/or stream sites, data management (lab/field data, stream photos, calibration logs, and data review), and project management (interim and final reports, budget management and invoicing). In person training is offered for both sampling and administrative tasks. Standard Operating procedures are available at <https://www.pca.state.mn.us/swag/guidance>.

How is the contract executed?

The SWAG Program Coordinator will work with you to develop your work plan and cost proposals. A draft work plan, budget template, complete monitoring and parameter schedule will be provided. March 1 is the targeted contract start date.

What does the schedule look like?

Final schedules vary based on sites selected and MPCA/Local needs.

Example Stream sampling schedule

Core Year One	May		June			July			August			September	
	Early	Late	Early	Mid	Late	Early	Mid	Late	Early	Mid	Late	Early	Late
TSS	X		X			X			X			X	
TP	X		X			X			X			X	
Chloride	X												
Hardness as CaCO3	X												
E coli			X	X	X	X	X	X	X	X	X		
Secchi tube	X		X	X	X	X	X	X	X	X	X	X	
Specific Conductance	X		X	X	X	X	X	X	X	X	X	X	
Temperature	X		X	X	X	X	X	X	X	X	X	X	
pH	X		X	X	X	X	X	X	X	X	X	X	
DO	X		X	X	X	X	X	X	X	X	X	X	
Upstream Photo	X		X	X	X	X	X	X	X	X	X	X	
Rec Suitability, appearance, stage	X		X	X	X	X	X	X	X	X	X	X	

Core Year Two	May		June			July			August			September	
	Early	Late	Early	Mid	Late	Early	Mid	Late	Early	Mid	Late	Early	Late
TSS	X		X			X			X			X	
TP	X		X			X			X			X	
Chloride	X												
Hardness as CaCO3	X												
E coli			X		X	X		X	X		X		
Secchi tube	X		X		X	X		X	X		X	X	
Specific Conductance	X		X		X	X		X	X		X	X	
Temperature	X		X		X	X		X	X		X	X	
pH	X		X		X	X		X	X		X	X	
DO	X		X		X	X		X	X		X	X	
Upstream Photo	X		X		X	X		X	X		X	X	
Rec Suitability, appearance, stage	X		X		X	X		X	X		X	X	

Example Lake sampling schedule

Lakes Year One	May	June	July	August	September
TP	X	X	X	X	X
Chl-A	X	X	X	X	X
Chloride				X	
Hardness as CaCO3				X	
Secchi Disk	X	X	X	X	X
Specific Conductance	X	X	X	X	X
Temperature	X	X	X	X	X
pH	X	X	X	X	X
DO	X	X	X	X	X
Rec Suitability, Appearance	X	X	X	X	X

Lakes Year Two	May	June	July	August	September
TP	X	X	X	X	X
Chl-A	X	X	X	X	X
Secchi Disk	X	X	X	X	X
Specific Conductance	X	X	X	X	X
Temperature	X	X	X	X	X
pH	X	X	X	X	X
DO	X	X	X	X	X
Rec Suitability, Appearance	X	X	X	X	X

Where can I find additional information?

Program information is available at <https://www.pca.state.mn.us/water/surface-water-assessment-grants>.

Program Coordinator, Kelly O'Hara, can be reached at 651-757-2226 or 1-800-657-3864 or via email at kelly.ohara@state.mn.us.