



Please note the meeting will be held in person at the Carver County Government Center on the Wednesday, May 15, 2024. The meeting will also be available virtually using this [link](#).

LOWER MINNESOTA RIVER WATERSHED DISTRICT

Lower Minnesota River Watershed District

7:00 PM

Wednesday, May 15, 2024

Carver County Government Center

602 East Fourth Street, Chaska, MN 55318

Agenda Item	Discussion
1. Call to order	<p>A. Oath of Office Theresa Kuplic, term of office expires, 2/28/2027 (reappointment)</p> <p>B. Roll Call</p>
2. Citizen Forum	<p><i>Citizens may address the Board of Managers about any item not contained on the regular agenda. A maximum of 15 minutes is allowed for the Forum. If the full 15 So are not needed for the Forum, the Board will continue with the agenda. The Board will take no official action on items discussed at the Forum, with the exception of referral to staff or a Board Committee for a recommendation to be brought back to the Board for discussion or action at a future meeting.</i></p>
3. Approval of Agenda	<p>A. Additions, Corrections, and Deletions to Agenda</p>
4. Public Hearings & Presentations	<p>A. Presentation of report from Dakota County SWCD on 2023 monitoring, technical, education and other conservation services</p> <p>B. Recognition of Contribution to LMRWD by Manager Laura Amundson</p>
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> <p>A. Approve Minutes April 17, 2024 Regular Meeting</p> <p>B. Receive and file April 2024 Financial report</p> <p>C. Approval of Invoices for payment</p> <ul style="list-style-type: none"> i. Clifton Larson Allen (CLA) – Financial services through April 2024 ii. TimeSavers Off Site Secretarial – Preparation of March 26, 2024 personnel committee meeting minutes iii. Rinke Noonan, Attorneys at Law – April 2024 Legal Services iv. Daniel Hron – May 2024 office rent v. US Bank Equipment Finance – May 2024 copier lease payment vi. Young Environmental Consulting Group, LLC – April 2024 technical, and Education & Outreach services vii. Naiad Consulting, LLC – April 2024 administrative services, mileage & expenses viii. 106 Group – April 2024 services related to Area #3

	<ul style="list-style-type: none"> ix. Bolton & Menk – Engineering Services through April 19, 2024, related to Vernon Avenue x. Barr Engineering - March 2024 design services related to Area #3 xi. WSB – Area #3 land acquisition services xii. 4M Fund – February 2024 fund service charges xiii. 4M Fund – March 2024 fund service charges <p>D. Report from the Citizen Advisory Committee E. Request for Reimbursement for Prior Lake High School Educator Mini-grant</p>
6. Permits	<ul style="list-style-type: none"> A. LMRWD Permit Renewals B. Minnesota River Greenway Trail – Amendment (LMRWD No. 2023-007) C. Minnesota Department of Transportation (MnDOT) Stormwater Pond Maintenance Group A Project (LMRWD No. 2024-002) D. Safety and Security Center Phase 2 Project – Rule D Amendment (LMRWD No. 2023-022)
7. Action Items	<ul style="list-style-type: none"> A. Reset date for June 19, 2024, Regular meeting of the LMRWD Board of Managers B. Officer Appointments, Authorize removal of Manager Laura Amundson and addition of new Treasurer as signatory to LMRWD financial accounts C. Education and Outreach <ul style="list-style-type: none"> o Set date for LMRWD Education workshop D. Administrative Services Agreement Amendment #4 E. Biennial Solicitation of Letters of Interest for legal, technical & other professional services <ul style="list-style-type: none"> o Legal Counsel F. Study Area #3 <ul style="list-style-type: none"> o <u>The Board of Managers may close the meeting pursuant to statutes section 13D.05, subd. 3.c.3, to discuss the purchase of an easement or a fee ownership interest of a portion of property located in Eden Prairie, Hennepin County PID #3511622230013</u>
8. Board Discussion Items	<ul style="list-style-type: none"> A. Minnesota River Boat Tour
9. Information Only	<ul style="list-style-type: none"> A. Lower MN River East One Watershed One Plan B. 2024 Legislative Activities Update C. LMRWD Permit Program Summary
10. Communications	<ul style="list-style-type: none"> B. Administrator Report C. President D. Managers E. Committees F. Legal Counsel F. Engineer
11. Adjourn	Next meeting of the LMRWD Board of Managers is to be determined.

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 – May 15, 2024, 10:00 am to 1:00 pm, in-person, Scott SWCD office, 7151 W 190th St, Jordan, Minnesota 55352
- Lower MN River East 1W1P Steering Committee meeting – Wednesday, May 15, 2024, 10:00 pm to 3:00 pm – in-person, Scott SWCD office, 7151 W 190th St, Jordan, Minnesota 55352

- UMWA (Upper Mississippi Waterway Association) monthly meeting – Thursday, May 16, 2024, 12:00 noon to 1:30 pm, Lilydale Pool & Yacht Club, 1600 Lilydale Rd, St Paul
- Lower MN River East 1W1P Policy Committee meeting – Thursday, May 16, 2024, 3:00 pm to 5:00 pm, in-person at Le Sueur County SWCD office located at 181 W. Minnesota St. Le Center, MN 56056 and [virtual on MS Teams](#)
- Public Hearing for Lower Minnesota River East 1W1P – Thursday, May 30, 2024, at the Giesenbrau Bier Co. located at 1306 1st St NE, New Prague, MN 56071. At 4:30pm the public will be able to come in early and ask any questions about the Comprehensive Watershed Management Plan. At 5:00pm we will have a short presentation that summarizes this planning effort and next steps. The Public Hearing will start at 5:30pm
- [Agricultural Drainage and the Future of Water Quality – 2024 Spring Field Tour](#), Thursday, May 30, 2024, 11:00 am to 5:00 pm, Bus Tour from the Golden Bubble in Wells, MN, Registration is required
- LMRWD Citizen Advisory Committee meeting – Tuesday, June 4, 2024, 4:30pm, tour of LMRWD Cost Share Projects
- [16th Minnesota River Congress](#) – Thursday, June 13, 2024, 6:00pm, Kato Ballroom, 200 Chestnut Street, Mankato, MN
- [Minnesota Watershed Summer Tour](#) – June 25-26, hosted by Capitol Region Watershed District at the Essence Center, 1217 Bandana Boulevard, St. Paul

For Information Only

- **WCA Notices**
 - Hennepin County, City of Bloomington – After the fact Application
 - Scott County, City of Shakopee – Notice of Application, Xcel Blue Lake Generating Plant Replacement Plan
 - Hennepin County, MNDNR – Notice of Decision, MN Vallet State Trail – Segment 18
- **DNR Public Waters Work permits**
 - Carver County, City of Chaska – Amended permit issued – Sediment Removal, Erosion/Flood Prevention Chaska Creek
 - Carver County, City of Chaska - East Creek Bridge Replacement – Permit issued
- **DNR Water Appropriation permits**
 - Scott County, City of Shakopee – permit terminated for Biff’s, Inc, failure to submit 2023 annual report
 - Dakota County, City of Eagan – permit for temporary construction dewatering by MCES (Metropolitan Council Environmental Services)



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, May 15, 2024

Agenda Item

Item 4. A. - Presentation of report from Dakota County SWCD on 2023 monitoring, technical, education and other conservation services

Prepared By

Linda Loomis, Administrator

Summary

Lindsay Albright, Water Resource Specialist, Dakota Soil & Water Conservation District, will join the May 15, 2024 Board of Managers meeting to present findings from the 2023 monitoring work Dakota SWCD conducted on behalf of the LMRWD.

Ms. Albright has provided the 2023 report ahead of the meeting. You can access the 2023 Fen Well Monitoring Report using this link: https://lowermnriverwd.org/download_file/view/3744/228

In addition, Dakota SWCD provides education services to the LMRWD through its 'Landscaping for Clean Water' program. This is a program that is open to all residents of the LMRWD whether they live in Dakota County. The initial class is offered free of charge and if a resident chooses to ask for design assistance a fee is charged for the additional service. A report of 2023 activity under the 'Landscaping for Clean Water' program is attached, along with a schedule of 2024 planned activities.

Lastly, for the Board's information the agreement between the Dakota SWCD and the LMRWD for 2024 monitoring and education is attached. A report for the 2023 Landscaping for Clean Water Program is attached.

Attachments

2023 'Landscaping for Clean Water' Summary

Joint Powers Agreement Between the Dakota County Soil & Water Conservation District and the Lower Minnesota River Watershed District for 2024 Technical Assistance Services

Recommended Action

Motion to receive and file 2023 Fen Well Monitoring Report and 'Landscaping for Clean Water' Summary

2023 LCW Numbers

Introduction to Clean Water

- 252 people attended the Intro to Clean Water class:
 - 47 via (1) In-Person Class
 - 137 via (3) Zoom Classes
 - 69 via Pre-Recorded Video (available after last Intro Class held)

City of Residence	Total	In-Person	Via Zoom	Via Video
Anoka	1	-	1	-
Apple Valley	29	7	14	8
Bloomington	3	1	2	-
Burnsville	54	14	30	10
Castle Rock	2	-	2	-
Columbia Heights	1	-	1	-
Eagan	38	8	16	14
Farmington	7	1	2	4
Hastings	1	-	-	1
Inver Grove Heights	21	6	9	6
Lakeville	27	2	17	8
Mendota Heights	6	-	4	2
Minneapolis	1	-	1	-
Rochester	1	-	1	-
Rosemount	34	7	20	7
Saint Paul	3	-	1	2
Savage	2	1	1	-
Shakopee	1	-	1	-
South St Paul	12	-	8	4
Sunfish Lake	1	-	1	-
West St Paul	8	-	5	3
TOTAL	253	47	137	69

Note: 90 people registered but did not attend the Intro Class

Design Course

- 158 Registrations/Projects
- 64 Grant Applications Submitted / 61 Projects Installed and Grants Paid

Year DC Registrants Took Intro Class			
2023	95	2019	9
2022	29	2018	5
2021	11	2017	2
2020	7		

Year Grant Applicants Took Intro Class			
2023	34	2019	4
2022	13	2018	2
2021	4	2017	2
2020	5		

Design Course Participants / Applications by Municipality				
Municipality	Number Registered	Submitted Applications	Withdrawn Applications	Grants Paid
Anoka	1	-	-	-
Apple Valley	27	14	1	13
Bloomington	1	-	-	-
Burnsville	28	16	-	16
Castle Rock	2	-	-	-
Eagan	20	8	-	8
Farmington	2	-	-	-
Hastings	3	1	-	1
Inver Grove Heights	14	5	-	5
Lakeville	14	4	-	4
Northfield	1	1	-	1
Mendota Heights	10	3	1	2
Rosemount	20	5	-	5
Scott County (LMinn)	1	-	-	-
South St Paul	8	3	1	2
Sunfish Lake	1	1	-	1
West St Paul	5	3	-	3
TOTALS	158	64	3	61

Design Course Participants / Applications by Watershed				
Watershed	Number Registered	Submitted Applications	Withdrawn Applications	Grants Paid
Black Dog	36	19	-	19
Eagan-Inver Grove Heights	21	9	1	8
Lower Minnesota River	2	-	-	
Lower Mississippi River	37	14	2	12
North Cannon River	4	2	-	2
Vermillion River	57	20	-	20
Other: Lower Rum River	1	-	-	
TOTAL	158	64	3	61

Zoom One-on-One Appointments

- 20 people registered for a Zoom One-on-One appointment.
- 10 of those who had a zoom appointment submitted a grant application.

Municipality	# of Zoom Appointments	Grant App Submitted
Apple Valley	4	1
Bloomington	1	-
Burnsville	2	2
Eagan	3	3
Hastings	1	-
Inver Grove Heights	1	-
Lakeville	1	1
Mendota Heights	4	1
Rosemount	2	1
West St Paul	1	1
Totals	20	10

Maintenance Workshop

- 17 people attended one Maintenance Workshops via Zoom (26 people registered)

By Municipality	Attended
Apple Valley	5
Burnsville	3
Eagan	2
Farmington	1
Inver Grove Heights	1
Lakeville	1
Miesville	1
Northfield	1
Rochester	1
West St Paul	1
Total	17

NEW – Natural Shoreline Workshop

- 29 people attended one Natural Shoreline Workshop held in-person (35 people registered)

By Municipality	Attended
Apple Valley	3
Burnsville	3
Dundas	1
Eagan	4
Inver Grove Heights	3
Lakeville	1
Mendota Heights	11
Sunfish Lake	2
West St Paul	1
Total	29

2023 Landscaping for Clean Water Project Summary

2023 Landscaping for Clean Water Projects

Project ID	First	Last	City	Practice	Sq ft	Cost Est.
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Black Dog WMO

Total Available WS LCW Partner Funds	\$13,500
Landowner incentives	\$4,500
Technical Assistance	\$9,000

Grants Available **18**

Completed Projects **19**

	Round 1	Round 1					
1	23-BNV-042	Susan	Brown	Burnsville	Native Garden	110	266.00
2	23-APV-045	Christin	Congdon	Apple Valley	Shoreline	360	457.00
3	23-APV-051	Michelle	Grannes	Apple Valley	Native Garden	350	716.00
4	23-BNV-052	Tarry	Heckathorn	Burnsville	Raingarden	305	1,311.00
5	23-BNV-055	Jason	Jensen	Burnsville	Native Garden	400	1,209.00
6	23-LKV-059	Loren & Lili	Knutson & Yu	Lakeville	Native Garden	120	285.00
7	23-BNV-063	Lyubov	Rachuk	Burnsville	Raingarden	270	1,055.00
8	23-BNV-065	Lynne	Shenk	Burnsville	Raingarden	160	1,299.00
9	23-BNV-070	Jesse	Waller	Burnsville	Raingarden	300	1,247.00
Round 2							
10	23-BNV-087	Kelsey	Lee	Burnsville	Raingarden	140	525.00
11	23-BNV-088	Kelli	Montgomery	Burnsville	Raingarden	300	1,495.00
12	23-BNV-081	Danny	Bronson	Burnsville	Raingarden	150	635.00
Round 3							
13	23-BNV-120	Lisa	Jansa	Burnsville	Raingarden	128	456.00
14	23-BNV-121	Elizabeth	Richardson	Burnsville	Raingarden	144	515.00
15	23-BNV-123	Mary	Romig	Burnsville	Raingarden	200	520.00
16	23-BNV-113	Alicia	Christian-Larson	Burnsville	Native Garden	1,608	580.00
17	23-BNV-091	Sean	Quinn	Burnsville	Native Garden	3,500	4,564.00
18	23-BNV-093	Christopher	Zator	Burnsville	Native Garden	300	682.00
19	23-BNV-126	Valerie	Tonkin	Burnsville	Native Garden	840	1,144.00

9,845 \$18,961.00

Total Projects
19

Avg. sf of Proj.
518

Average Cost
\$998

Project Type	Number
Raingarden	10
Native Garden	8
Shoreline	1

City	Raingarden	Native Garden	Shoreline
Apple Valley	0	1	1
Burnsville	10	6	0
Lakeville	0	1	0

2023 Landscaping for Clean Water Project Summary

2023 Landscaping for Clean Water Projects

Project ID	First	Last	City	Practice	Sq ft	Cost Est.
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Eagan - Inver Grove Heights WMO

Total Available WS LCW Partner Funds	\$9,000
Landowner incentives	\$3,000
Technical Assistance	\$6,000

Grants Available	12
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Completed Projects	10
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Round 1						
1	23-EGN-050	Nicholas	Fruci	Eagan	Native Garden	528.00
2	23-EGN-053	Kendell	Hillis	Eagan	Native Garden	792.00
3	23-IGH-061	Joe	McMahon	Inver Grove Heights	Native Garden	1,059.00
4	23-IGH-067	Tia	Theisen	Inver Grove Heights	Native Garden	272.00
5	23-EGN-071	Hanna & Robert	Warmka	Eagan	Raingarden	665.00
Round 2						
6	23-EGN-083	Lynn	Fulford	Eagan	Raingarden	346.00
Round 3						
7	23-EGN-112	Ellie	Carter	Eagan	Raingarden	688.00
8	23-EGN-115	Melody	Dybedahl	Eagan	Raingarden	347.00
9	23-EGN-119	Michael	Hylandsson	Eagan	Raingarden	708.00
10	23-EGN-122	Kristen	Rodriguez	Eagan	Raingarden	277.00
					2,964	\$7,014.00

Total Projects
10
Avg. sf of Proj.
296
Average Cost
\$701

Project Type	Number
Raingarden	6
Native Garden	4

City	Raingarden	Native Garden
Eagan	6	2
Inver Grove Heights	0	2

2023 Landscaping for Clean Water Project Summary

2023 Landscaping for Clean Water Projects

Project ID	First	Last	City	Practice	Sq ft	Cost Est.
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Lower Mississippi River WMO

Total Available WS LCW Partner Funds	\$15,000
Landowner incentives	\$5,000
Technical Assistance	\$10,000

Grants Available	16
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Completed Projects	11
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Round 1

1	23-IGH-041	Stephanie	Boehmer	Inver Grove Heights	Raingarden	225	878.00
2	23-WSP-047	Liz	Deziel	West St Paul	Native Garden	100	314.00
3	23-SSP-048	Amanda	Dobbratz	South St Paul	Native Garden	310	714.00
4	23-MDH-060	Heidi	McEllistrem	Mendota Heights	Raingarden	150	444.00
5	23-IGH-062	Jeff	Parsons	Inver Grove Heights	Raingarden	270	587.00

Round 2

6	23-SUN-095	John	Oakman	Sunfish Lake	Shoreline	400	910.00
7	23-MDH-082	Sylvia & Stella	Cuellar	Mendota Heights	Native Garden	108	558.00
8	23-WSP-086	Amy	Kirchner	West St Paul	Native Garden	400	456.00
9	23-SSP-089	Leah	Peitso	South St Paul	Native Garden	100	470.00
10	23-IGH-090	Andrea	Poppinga	Inver Grove heights	Native Garden	120	466.00

Round 3

11	23-WSP-117	Sherry	Huang	West Saint Paul	Raingarden	260	1,136.00
						2,443	\$6,933.00

Total Projects
11

Avg. sf of Proj.
222

Average Cost
\$630

Project Type	Number
Raingarden	4
Native Garden	6
Shoreline	1

City	Raingarden	Native Garden	Shoreline
Inver Grove Heights	2	1	0
Mendota Heights	1	1	0
South St Paul	0	2	0
Sunfish Lake	0	0	1
West St Paul	1	2	0

2023 Landscaping for Clean Water Project Summary

2023 Landscaping for Clean Water Projects

Vermillion River JPO

Total Available WS LCW Partner Funds	\$18,750
Landowner incentives	\$6,250
Technical Assistance	\$12,500

Grants Available	25
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Completed Projects	19
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Project ID	First	Last	City	Practice	Sq ft	Cost Est.
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Round 1

1	23-APV-044	Daniel	Carlson	Apple Valley	Native Garden	1,500	619.00
2	23-ROS-049	Allyson	Dooley	Rosemount	Raingarden	200	912.00
3	23-APV-054	Nancy	Hlas	Apple Valley	Native Garden	178	742.00
4	23-APV-056	Beverly	Kile	Apple Valley	Native Garden	183	745.00
5	23-APV-058	Craig	Long	Apple Valley	Native Garden	300	779.00
6	23-APV-064	Stephanie	Rivery Guzman	Apple Valley	Raingarden	1,274	758.00
7	23-ROS-066	Chad & Katie	Swiggum	Rosemount	Raingarden	407	1,196.00
8	23-ROS-068	Brandon & Katie	Trent	Rosemount	Raingarden	300	1,395.00
9	23-APV-080	Susan	Wehrenberg	Apple Valley	Native Garden	300	1,500.00

Round 2

10	23-ROS-084	Brian & Christine	Golden & Grant	Rosemount	Raingarden	100	737.00
11	23-APV-085	Carol	Johnson	Apple valley	Raingarden	200	1,914.00
12	23-ROS-092	Amanda	Serie	Rosemount	Raingarden	140	421.00
13	23-LKV-094	Kerry	Zellmer	Lakeville	Native Garden	250	1,282.00

Round 3

14	23-LKV-114	Jessica	Dawson	Lakeville	Raingarden	450	943.00
15	23-APV-124	Emily	Stelzner	Apple Valley	Raingarden	190	1,421.00
16	23-APV-125	Jason	Tarpinian	Apple Valley	Raingarden	200	931.00
17	23-APV-111	Mirna	Berglund	Apple Valley	Native Garden	173	250.00
18	23-LKV-116	Betsey & Matt	Hoelt	Lakeville	Native Garden	1,000	1,510.00
19	23-APV-128	Heather G	Handley	Apple Valley	Shoreline	320	2,800.00

9,735 \$33,917.00

Total Projects
19

Avg. sf of Proj.
512

Average Cost
\$1,785

Project Type	Number
Raingarden	10
Native Garden	8
Shoreline	1

City	Raingarden	Native Garden	Shoreline
Apple Valley	4	6	1
Lakeville	1	2	0
Rosemount	5	0	0

2023 Landscaping for Clean Water Project Summary

2023 Landscaping for Clean Water Projects

Lower Minnesota River WMO

Total Available WS LCW Partner Funding	\$4,500
Landowner incentives	\$1,500
Technical Assistance	\$3,000

Grants Available	6
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Completed Projects	0
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Project ID	First	Last	City	Practice	Sq ft	Cost Est.
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Round 1						

Round 2						

Round 3						

Total Projects
0

Avg. sf of Proj.
0

Average Cost
\$0

2023 Landscaping for Clean Water Project Summary

2023 Landscaping for Clean Water Projects

North Cannon River WMO

Total Available WS LCW Partner Funding	\$2,250
Landowner incentives	\$750
Technical Assistance	\$1,500
Grants Available	3

Completed Projects 2

Project ID	First	Last	City	Practice	Sq ft	Cost Est.
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Round 1

23-NOR-043	Bill	Bruihler	Northfield	Native Garden	1,500	\$1,576.00
23-HAS-069	Laura	Vieths	Hastings	Raingarden	160	\$404.00

Round 2

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Round 3

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1,660 \$1,980.00

Total Projects
2

Avg. sf of Proj.
830

Average Cost
\$990

Project Type	Number
Raingarden	1
Native Garden	1

City	Raingarden	Native Garden
Hastings	1	0
Northfield	0	1

**JOINT POWERS AGREEMENT BETWEEN
THE DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT AND
THE LOWER MINNESOTA RIVER WATERSHED DISTRICT
FOR 2024 TECHNICAL ASSISTANCE SERVICES**

THE PARTIES TO THIS AGREEMENT are the Dakota County Soil and Water Conservation District (SWCD) and the Lower Minnesota River Watershed District (LMRWD), both political subdivisions of the State of Minnesota and “governmental units” as that term is defined in Minn. Stat. § 471.59. This Agreement is made pursuant to the authority conferred upon the parties by Minn. Stat. § 471.59.

NOW THEREFORE, the parties, in joint and mutual exercise of their powers, agree as follows:

1. **PURPOSE.** This Agreement will define the responsibilities and obligations of the SWCD and the LMRWD for technical assistance services to be provided by the SWCD to the LMRWD as more fully described herein.
2. **TERM.** Notwithstanding the dates of signatures of the parties, this Agreement shall be in effect as of January 1, 2024 and shall remain in effect until December 31, 2024, or until completion by the parties of their respective obligations under this Agreement, whichever occurs first, unless earlier terminated by law or according to the provisions of this Agreement.
3. **SCOPE OF SERVICES.** SWCD agrees to provide LMRWD with the following services: Fen well monitoring services from March 1, 2024, until December 31, 2024, as expressed in the *2024 Dakota County Soil and Water Conservation District Work Plan* attached and incorporated into this Agreement as Exhibit 1.

In the event of a conflict between the terms of this Agreement and Exhibit 1, the terms of this Agreement shall govern.

4. **TOTAL COST.** The total amount to be paid by the LMRWD for all services provided pursuant to this Agreement shall not exceed \$20,750. The LMRWD shall pay SWCD for purchased services at the rates set out in Exhibit 1.
5. **TIME OF PAYMENT.** The LMRWD shall make payment to the SWCD within 35 days of the date on which an itemized invoice is received. If an invoice is incorrect, defective, or otherwise improper, the LMRWD shall notify the SWCD within 10 days of receiving the incorrect invoice. Upon receiving the corrected invoice, the LMRWD shall make payment within 35 days.
6. **PAYMENT FOR UNAUTHORIZED CLAIMS.** The LMRWD may refuse to pay any claim that is not specifically authorized by this Agreement. Payment of a claim shall not preclude the LMRWD from questioning the propriety of the claim. The LMRWD reserves the right to offset any overpayment or disallowance of claim by reducing future payments.
7. **PAYMENT UPON EARLY TERMINATION.** In the event this Agreement is terminated before the completion of services, the LMRWD shall pay the SWCD for services provided in a satisfactory manner, in a pro-rated sum of the rates set forth in Exhibit 1 based upon actual time spent. In no case shall such payments exceed the LMRWD's total cost under this Agreement.
8. **COMPLIANCE WITH LAWS/STANDARDS.** SWCD shall abide by all federal, state or local statutes, ordinances, rules and regulations now in effect or hereafter adopted pertaining to this Agreement or to the facilities, programs and staff for which SWCD is responsible.
9. **INDEPENDENT CONTRACTOR STATUS.** Nothing in this Agreement is intended or should be construed as creating the relationship of a partnership, joint venture or employer-employee relationship between the parties. Officers, employees or agents of one party shall not be considered officers, employees or agents of the other party.

- 10. SUBCONTRACTING/ASSIGNMENT. A party shall not enter into any subcontract for the performance of the services contemplated under this Agreement nor assign any interest in this Agreement without prior written consent of the other party and subject to such conditions and provisions as are deemed necessary. The subcontracting or assigning party shall be responsible for the performance of its subcontractors or assignees unless otherwise agreed.
- 11. LIABLE FOR OWN ACTS. Each party to this Agreement shall be liable for the acts of their own officers, employees and/or agents and the results thereof to the extent authorized by law and shall not be responsible for the acts of the other party, its officers, employees and/or agents. It is understood and agreed that the provisions of the Municipal Tort Claims Act, Minn. Stat. ch. 466, and other applicable laws govern liability arising from a party's acts or omissions. In the event of any claims or actions asserted or filed against either party, nothing in this Agreement shall be construed to allow a claimant to obtain separate judgments or separate liability caps from the individual parties. Each party warrants that it has an insurance or self-insurance program and that it has minimum coverage consistent with the liability limits contained in Minn. Stat. ch. 466.
- 12. AUTHORIZED REPRESENTATIVES. The following named persons are designated the authorized representatives of parties for purposes of this Agreement. These persons have authority to bind the party they represent and to consent to modifications and subcontracts, except that, the authorized representatives shall have only the authority specifically or generally granted by its respective Board. Notification required to be provided pursuant to this Agreement shall be provided to the following named persons and addresses unless otherwise stated in this Agreement, or in a modification of this Agreement.

<p><u>To SWCD:</u> Brian Watson, Director Dakota County SWCD 4100 220th Street West, Suite 102 Farmington, MN 55024 Telephone: (651) 480-7778</p>	<p><u>To LMRWD:</u> Linda Loomis, District Administrator Lower Minnesota River Watershed District 112 E. 5th St. Chaska, MN 55318 Telephone: (763) 545-4659</p>
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- 13. LIAISONS. To assist the parties in the day-to-day performance of this Agreement and to develop service, ensure compliance and provide ongoing consultation, a liaison shall be designated by SWCD and the LMRWD. The parties shall keep each other continually informed, in writing, of any change in the designated liaison. At the time of execution of this Agreement, the following persons are the designated liaisons:

<p>SWCD Liaison: Telephone: Email:</p>	<p>Lindsey Albright, Water Resource Specialist (651) 480-7783 lindsey.albright@co.dakota.mn.us</p>
<p>LMRWD Liaison: Telephone: Email:</p>	<p>Linda Loomis, District Administrator (763) 545-4659 niadconsulting@gmail.com</p>

- 14. DEFAULT: FORCE MAJEURE. Neither party shall be liable to the other party for any loss or damage resulting from a delay or failure to perform due to unforeseeable acts or events outside the defaulting party's reasonable control, providing the defaulting party gives notice to the other party as soon as possible. Acts and events may include acts of God, acts of terrorism, war, fire, flood, epidemic, acts of civil or military authority, and natural disasters.
- 15. DATA PRIVACY. All data created, collected, received, stored, used, maintained, or disseminated in the performance of this Agreement is subject to the requirements of the Minnesota Government Data Practices Act, Minn. Stat. ch. 13 and the Minnesota Rules implementing the Act now in force or hereafter adopted as well as the federal laws on data privacy.
- 16. OWNERSHIP OF WORK PRODUCT. If SWCD uses LMRWD's copyrighted material in performing work for this Agreement, SWCD will protect LMRWD's right, title and interest in the copyrighted material.

Before using a third party's copyrighted material SWCD will get permission from the third-party. Where applicable, work products created by SWCD under this Agreement are "works made for hire" as defined in the U.S. Copyright Act. LMRWD owns the copyright interests in the work product. LMRWD may use, copy and make derivative works of the same, with no duty for an accounting to SWCD. SWCD may use portions or excerpts from the materials prepared under this Agreement.


17. RECORDS DISCLOSURE/RETENTION. Bonds, records, documents, papers, accounting procedures and practices, and other evidences relevant to this Agreement are subject to the examination, duplication, transcription and audit by each party to this Agreement and either the Legislative or State Auditor, pursuant to Minn. Stat. § 16C.05, Subd. 5. Such evidences are also subject to review by the Comptroller General of the United States, or a duly authorized representative, if federal funds are used for any work under this Agreement. Each governmental unit agrees to maintain such evidences for a period of six years from the date services or payment were last provided or made or longer if any audit in progress requires a longer retention period.
18. TERMINATION. Either party may terminate this Agreement for cause by giving seven days' written notice or without cause by giving 30 days' written notice, of its intent to terminate, to the other party. Such notice to terminate for cause shall specify the circumstances warranting termination of this Agreement. Cause shall mean a material breach of this Agreement and any supplemental agreements or amendments thereto. Notice of Termination shall be made by certified mail or personal delivery to the authorized representative of the other party. Termination of this Agreement shall not discharge any liability, responsibility or other right of any party, which arises from the performance of or failure to adequately perform the terms of this Agreement prior to the effective date of termination.

Notwithstanding any provision of this Agreement to the contrary, either party may immediately terminate this Agreement if it does not obtain funding from the Minnesota Legislature, Minnesota Agencies, or other funding source, or if its funding cannot be continued at a level sufficient to allow payment of the amounts due under this Agreement.
19. MODIFICATIONS. Any alterations, variations, modifications, or waivers of the provisions of this Agreement shall only be valid when they have been reduced to writing and signed by the authorized representatives of the parties.
20. MINNESOTA LAW TO GOVERN. This Agreement shall be governed by and construed in accordance with the substantive and procedural laws of the State of Minnesota, without giving effect to the principles of conflict of laws. All proceedings related to this Agreement shall be venued in the County of Dakota, State of Minnesota.
21. SEVERABILITY. The provisions of this Agreement shall be deemed severable. If any part of this Agreement is rendered void, invalid, or unenforceable, such rendering shall not affect the validity and enforceability of the remainder of this Agreement unless the part or parts that are void, invalid or otherwise unenforceable shall substantially impair the value of the entire Agreement with respect to either party.
22. DISPOSITION OF PROPERTY. Any property purchased with LMRWD money to perform services under this Agreement is owned by LMRWD and will be returned by the SWCD to LMRWD at the termination of this Agreement.
23. FINAL AGREEMENT. This Agreement is the final expression of the agreement of the parties and the complete and exclusive statement of the terms agreed upon, and shall supersede all prior negotiations, understandings or agreements. There are no representations, warranties, or stipulations, either oral or written, not contained in this Agreement.
24. SURVIVORSHIP. The following provisions under this Agreement survive after the termination date of this Agreement: Sections 11 (Liable for Own Acts), 14 (Force Majeure), 15 (Data Privacy), 16

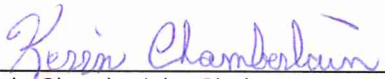
(Ownership of Work Product), 17 (Records Disclosure/Retention), 20 (Minnesota Law to Govern), and 22 (Disposition of Property).

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date(s) indicated below.

LOWER MINNESOTA RIVER WATERSHED DISTRICT

By 
Joseph Barisonzi, President, or successor
Date of Signature 02-14-2024

DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT

By 
Kevin Chamberlain, Chair, or successor
Date of Signature 3-14-24

Approved as to Form:

/s/ Dain Olson 2/16/24
Assistant Dakota County Attorney/Date
KS-24-105
SWCD Board Motion No.24.015

Jlb

2024 Work Plan and Budget
Lower Minnesota River Watershed District

Task	Calculation			Sub-total
	Hours	Rate	Fees	
Education and Community Engagement				
Landscaping for Clean Water	15	\$95.00		\$1,425.00
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				\$1,425.00
Technical Assistance				
Fen Well Monitoring	100	\$95.00	\$150.00	\$9,650.00
Staff time for groundwater monitoring in Fort Snelling, Nichols, and Quarry Island fens from March 1, 2024 through December 31, 2024 - 10 monitoring trips at 5 hours/trip. Also Includes data management, reporting and site maintenance as needed.			Fee is for monitoring supplies such as chalk, rags, batteries, tools, etc.	
Landscaping for Clean Water			\$1,800.00	\$1,800.00
SWCD staff time for technical assistance on Landscaping for Clean Water projects.		\$600 x 3 project		
Conservation Projects	75	\$95.00		\$7,125.00
Technical assistance for potential projects. <i>Only as requested by Lower Minnesota River WD.</i>				
Technical Assistance Total				\$18,575.00
Cost Share				
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				\$20,750.00



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, May 15, 2024

Agenda Item

Item 4. B. – Recognition of Manager Laura Amundson’s contributions to the LMRWD

Prepared By

Linda Loomis, Administrator

Summary

Manager Amundson did not seek reappointment to the Board of Managers when her term expired February 29, 2024. She agreed to continue on the Board until Hennepin County appointed a replacement. Hennepin County appointed a new manager, Vinatha Viswanathan, at its April 30, 2024, Board of Commissioners meeting.

Manager Amundson was appointed to the Lower Minnesota River Watershed District in July 2021. She was elected Treasurer in September 2021 and served in that capacity until her retirement. She has also represented the LMRWD on the Policy Committee for the Lower Minnesota River East One Watershed One Plan.

The District wishes to recognize Manager Amundson and her service to the District. The Board would like to present Manager Amundson with an award recognizing her service and Resolution 24-07 has been prepared recognizing Manager Amundson’s contributions to the LMRWD.

Attachments

RESOLUTION 24-07 A RESOLUTION OF APPRECIATION FOR SERVICE AND CONTRIBUTION OF LAURA AMUNDSON TO THE LOWER MINNESOTA RIVER WATERSHED DISTRICT

Recommended Action

Motion to adopt Resolution 24-07

Manager _____ introduced the following resolution and moved its adoption. The question on the adoption of the Resolution was seconded by Manager _____.

RESOLUTION 24-07

LOWER MINNESOTA RIVER WATERSHED DISTRICT
BOARD OF MANAGERS

A RESOLUTION OF APPRECIATION FOR SERVICE AND CONTRIBUTION OF LAURA
AMUNDSON TO THE LOWER MINNESOTA RIVER WATERSHED DISTRICT

WHEREAS, the Lower Minnesota River Watershed District (LMRWD) 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, protection of persons and property from flooding, protection and preservation of 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, Laura Amundson has served as a Manager, representing Hennepin County, on the Board of Managers for the LMRWD from July 20, 2021 to April 30, 2024, serving as Treasurer from November 2021 until her retirement from the Board; and

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

WHEREAS, Laura has provided her professional expertise, leadership and guidance to the LMRWD with vision, integrity, an open mind and a conscientious dedication to the mission of the LMRWD; and

WHEREAS, Laura has provided leadership to the LMRWD, representing the LMRWD on the Lower Minnesota River East One Watershed One Plan Policy Committee and has demonstrated an overarching concern for the Minnesota River; and

WHEREAS, Laura has always treated the public, staff and fellow commissioners with respect and courtesy, and offered advice and counsel to the LMRWD with fairness, and common sense. Her personal knowledge and expertise as a professional engineer have 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 Laura Amundson for her years of distinguished service to the Lower Minnesota River Watershed District and the public.

(signatures on following page)

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

	<u>Yea</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
BARISONZI	<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"/>
LAMMERS	<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 on this 15th day of May 2024.

Joseph Barisonzi, President

Attested:

Theresa Kuplic, Vice President



Item 5A
LMRWD 5-15-2024

LOWER MINNESOTA RIVER WATERSHED DISTRICT

Minutes of Regular Meeting

Board of Managers

Wednesday, April 17, 2024

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

Approved _____

1. CALL TO ORDER

A. ROLL CALL

On Wednesday, April 17, 2024, 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 Theresa Kuplic, Manager Apollo Lammers, 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; Karli Wittner, Forestry and Natural Resources Supervisor, and Jason Goblirsch, Parks Construction Supervisor, both from the City of Eden Prairie; and Sarah Harding, Senior Landscape Architect, Stantec (on behalf of Eden Prairie).

Andrew Edgcumbe, Water Resource Technician, Carver County Water Management Organization; Hannah LeClaire, Water Resource Engineer and Jess Norby, Senior Water Resources Scientist, both from Young Environmental Consulting Group, LLC; Scott County Commissioner Jody Brennan; and Manager Ben Burnett, Prior Lake Spring Lake Watershed District attended the meeting virtually. Lisa Frenette, Frenette Legislative Advisors, joined the meeting virtually at 8:05 pm.

2. CITIZEN FORUM

No one was present to address the Board of Managers.

3. APPROVAL OF THE AGENDA

A. Additions, Corrections and Deletions to the Agenda

President Barisonzi introduced this item. He requested to add the approval of the One Watershed One Plan comments [from the March meeting] to the Consent Agenda and to move Action Item 7D to after item 9 as the Board plans to go into closed session for that item.

Manager Amundson made a motion to approve the agenda with changes. Manager Salvato seconded the motion. Upon a vote being taken the motion was carried unanimously.

4. PUBLIC HEARINGS & PRESENTATION

A. Presentation of report from Carver County Water Management Organization on 2023 monitoring, technical, education and other conservation services

Administrator Loomis introduced Andrew Edgcumbe from the Carver County Water Management Organization.

Mr. Edgcumbe reviewed the data collected from the 2023 monitoring. He also walked the Board through technical, educational, and other conservation services that were provided to the LMRWD by the Carver County WMO.

Manager Salvato asked if the County manages geese in any areas. Mr. Edgcumbe said he does not know of any geese management. He is unsure if the City manages geese.

Mr. Edgcumbe explained future biological monitoring they plan to conduct. They monitored in 2023 to set a baseline mussel survey and found very few mussels. He noted that mussels must have a fish host during its life-cycle and the lack of mussels may be indicative of a lack of fish.

Administrator Loomis inquired about monitoring at Seminary Fen. Mr. Edgcumbe explained that they download the data from the DNR and then send it off for analysis. They also upload their measurement to the State database.

The Board expressed gratitude to Mr. Edgcumbe for his presentation and the work carried out by / the Carver County WMO.

B. LMRWD Work Plan Quarterly Report

Ms. Young reviewed the LMRWD Work Plan for the first quarter of 2024. She discussed permits, education and outreach, and the Water Resources Restoration Fund, as well as updates on the projects that are included in the plan.

President Barisonzi asked what percentage of local government units (LGUs) they will have after adding Savage, Chanhassen, Chaska, and the Metropolitan Airports Commission this year. Ms. Young said they will have 100%.

President Barisonzi asked if they have a KPI goal or if the goal is to just have an agreement with each LGU. Ms. Young said the goal is to have these agreements. She said they have been actively working with each entity.

Administrator Loomis added that when they give these LGUs a municipal permit, the LMRWD monitors the LGU's ordinances to ensure that they comply with the LMRWD standards.

Attorney Kolb shared that in the Metropolitan Surface Water Management Act; Minnesota Statutes Chapter 103b is the statute that governs a lot of the authority that the LMRWD has. He added that this chapter says that once the District has adopted its watershed management plan that every municipality is required to update their water plan accordingly and adopt official controls to make sure they are enforcing standards that the District has.

President Barisonzi asked if they are on track with education and outreach in all areas other than social media which they have put on hold for the time being. Ms. Young said they are on track and going beyond the goals. She explained that the new people they have on board are so enthusiastic about education and outreach.

Ms. Schall Young continued with the update of work being done.

Manager Amundson asked about the floodplain modeling and who will be making the changes to Corps' model? Ms. Young shared that Young Environmental will be making all the modifications; however, they will be coordinating the criteria and assumptions with the Corps and the DNR to ensure consensus around their development.

Manager Amundson inquired about the timeline for completion. Ms. Young said they hope to have it done by the end of the year.

Administrator Loomis explained that one driving factors for updating the model was the observation of projects resulting in incremental rises that were acceptable to FEMA and the DNR. She noted the current model is 20years old and that the total of all the rises in elevation that have been allowed exceed the DNR and FEMA allowances.

Manager Amundson asked about the eight trout streams. Ms. Young said there are a number of unnamed streams, along with Kenally's Creek, Ike's Creek, Eagle Creek, and Assumption Creek.

The Board expressed gratitude to Ms. Schall Young for her presentation on the quarterly report.

5. CONSENT AGENDA

President Barisonzi introduced the item.

President Barisonzi asked to remove Item 5.C. viii. From the consent agenda and consider it in its normal sequence on the agenda.

A. Approve Minutes March 20, 2024, Regular Meeting

B. Receive and file March 2024 Financial Report

C. Approval of Invoices for payment

- i. Clifton Larson Allen (CLA) - Financial services through March 2024
- ii. TimeSavers Off Site Secretarial – Preparation of February 2024 meeting minutes
- iii. Rinke Noonan, Attorneys at Law – February 2024 Legal Services
- iv. Rinke Noonan, Attorneys at Law – March 2024 Legal Services
- v. US Bank Equipment Finance – April 2024 copier lease payment
- vi. Young Environmental Consulting Group, LLC – March 2024 technical, and Education and Outreach services
- vii. Naiad Consulting, LLC – March 2024 administrative services, mileage, and expenses
- viii. 106 Group – March 2024 services related to Area #3
- ix. Bolton & Menk – Engineering Services through March 22, 2024, related to Vernon Avenue
- x. Dakota County Soil & Water Conservation District – Q1 2024 monitoring & educational services
- xi. WSB – Area #3 land acquisition services
- xii. 4M Fund – January 2024 financial service charges

D. Report from the Citizen Advisory Committee

E. Reimburse Pilot Knob STEM school for educator mini-grant

F. Authorize execution of River Watch Agreement between LMRWD and Friends of the MN Valley

Manager Salvato made a motion to approve the Consent Agenda with changes. Manager Kuplic seconded the motion. Upon a vote being taken the motion was carried unanimously.

6. PERMITS & REPORTS ON STANDING BUSINESS ITEMS

A. LMRWD Permit Renewals

President Barisonzi introduced this item.

Manager Salvato made a motion to renew permits as recommended in Table 1 of Technical Memorandum – April 2024 Permit Renewal Requests dated April 10, 2024. Manager Kuplic seconded the motion. Upon a vote being taken the motion carried unanimously.

B. Safety & Security Center Phase 2 (LMRWD No. 2023-022)

President Barisonzi introduced this item.

Manager Salvato questioned if the time sensitivity of this item is indicative of the quality of the application. Ms. Young clarified that they have encountered cases where the applicants prefer to proceed with mass grading first and referred the question to Hannah LeClaire, engineer with Young Environmental. In this instance, the application was received in October of 2023 but the applicant took considerable time to provide the requested materials. By the time the applicant submitted the necessary documents, the cut-off date for consideration at this meeting had already passed. The applicant wishes to start the mass grading of the project area prompting the project to be broken into phases to accommodate their request.

Regarding the stormwater management materials, Ms. LeClaire explained that they were unable to review them in time for this meeting due to the late submission.

President Barisonzi sought clarification on whether the Rule D work would be returned to the Board for review before being approved. Ms. LeClaire confirmed that Rule D would indeed be brought back to the Board as an amendment to this permit before granting permission for construction of any impervious areas.

Manager Amundson made a motion to approve a permit Safety & Security Center Phase 2 (LMRWD No. 2023-022) for site preparation and mass grading only (LMRWD Rule B). The applicant is required to amend the permit before construction of impervious surfaces and stormwater best management practices (BMPs) (LMRWD Rule D). Manager Kuplic seconded the motion. Upon a vote being taken the motion was carried unanimously.

C. Interstate 35W Early Release Project Permit (LMRWD No. 2024-004)

President Barisonzi introduced this item.

Manager Kuplic made a motion to approve a permit for Interstate 35W Early Release Project contingent upon receipt of a copy of the NPDES construction stormwater permit, contact information for the contractor(s) undertaking land-disturbing activities, contact information for the person(s) responsible for erosion control inspections and maintenance and final construction plans signed by a professional engineer. The motion was seconded by Manager Lammers. Upon a vote being taken the motion was carried unanimously.

7. ACTIONS ITEMS

A. 2023 Annual Report

President Barisonzi introduced this item.

Ms. Young shared that they did receive comments from Manager Salvato on suggested revisions to the report.

President Barisonzi shared that he also had some suggested revisions and would like the report to be accepted contingent upon the revisions suggested by himself and Manager Salvato.

The Board said the 2023 Annual Report was very well done and shared that they cannot wait to have this distributed on social media.

Manager Amundson made a motion to approve 2023 LMRWD Annual Report, authorize distribution and posting to LMRWD website, contingent upon revision as suggested by the Managers. Manager Kuplic seconded the motion. Upon a vote being taken, the motion carried unanimously.

B. LMWRD Water Resource Restoration Fund application

President Barisonzi introduced this item. Karli Wittner, Eden Prairie Forestry and Natural Resources Supervisor, Jason Goblirsch, Eden Prairie Parks Construction Supervisor, and Sarah Harding, Senior Landscape Architect, Stantec were in attendance to answer questions from the Managers.

Manager Kuplic made a motion to contribute 15% of the project cost which equates to \$45,154 of the estimated project cost. The final contributed dollar amount will be based on the awarded construction contract. Contribution is contingent upon receipt of documentation that the project meets the permitting requirements of the LMRWD and other regulatory agencies, final signed construction plans and specifications, awarded contract and bid information, executed grant and maintenance agreement, and agreements that payments from the LMRWD are reimbursement based and require receipts of paid invoices as well as a summary of the work completed as part of the receipt/invoice. Manager Salvato seconded the motion.

Manager Amundson suggested that the motion be amended to make it clear that the maximum amount to be contributed would be the lesser of 15% of the awarded contract, or \$45,154.

Managers Kuplic and Salvato accepted Manager Amundson's amendment as friendly, so the amended motion was to contribute a maximum amount of 15% of the awarded contract, not to exceed \$45,154, with the contingencies mentioned.

Upon a vote being taken, the motion carried unanimously.

C. Biennial Solicitation of Letters of Interest for legal, technical & other professional services

President Barisonzi introduced this item.

Manager Salvato shared that she believes that VeCoeur, Inc. would be a good subcontractor when they are thinking about the strategic lens of education and outreach. She would like this to be considered when they are thinking about their work in 2025.

President Barisonzi made a motion to accept the letter of interest from Young Environmental Consulting Group LLC for Education & Outreach Services and to develop a Professional Services Agreement. Manager Kuplic seconded the motion. Upon a vote being taken the motion carried.

President Barisonzi made a motion to accept submittal from Flaherty|Hood P.A. for Legal Counsel and develop a Professional Services Agreement between the LMRWD and Flannery & Hood P.A. Manager Salvato seconded the motion. Motion failed due to no vote being taken.

Manager Kuplic shared that she does not agree with this motion as she believes that Attorney Kolb has done a great job for the LMRWD and that his expertise and knowledge of the

watershed is hugely important to them. She said she does not see an advantage of switching legal counsel.

Manager Amundson agreed and stated that Attorney Kolb has served the LMRWD very well. She added that he and his firm have been very cost effective and efficient for the District and she worries about bringing someone else on board for legal counsel.

Manager Kuplic added that the cost to retain Attorney Kolb's services is less than what they are putting into the River Watch project. She explained that having good legal counsel that intimately knows the watershed is vitally important for what they do.

Manager Salvato shared that she is open to switching legal counsel for the lower hourly rate of Flannery & Hood. She added that Flannery & Hood also retains government relations within their firm which could increase the efficiency of spending for the Board in the future. She added that since LGUs can be a challenge for the Board, Flannery & Hood has this background working with LGUs and she sees this as potentially a good fit for the Board. She did agree that Attorney Kolb has history with the LMRWD and has served them well.

Manager Lammers said he would like to get more information on the two firms since he is new to the Board. He asked if they would be able to postpone this motion so he can get more information to be able to make this decision.

Manager Lammers made a motion to table this item to the next meeting so more information can be gathered on Flannery & Hood and Rinke Noonan. Manager Kuplic seconded. Upon a vote being taken, the motion carried with a 4-1 vote.

E. Area #3

At this point the Board of Managers closed the meeting pursuant to MN Statutes section 13D.05, subd. 3.c.3, to discuss the purchase of an easement or fee ownership interest of a portion of property located in Eden Prairie, Hennepin County PID #3511622230013 related to the Study Area #3 project.

The Board came out of closed session and offered a summary of directions the Board gave to staff provided during the closed session.

For the record, the Board of Managers of the Lower Minnesota River Watershed District directed staff to inform the current owner of the property under consideration for acquisition that the LMRWD will decline the first condition of the offer from the property owner, which would deny the City of Eden Prairie any access to the property and would accept the second condition which would provide a right of first refusal to the current owner in the event the LMRWD ever decide to dispose of the ownership of the property.

8. BOARD DISCUSSION ITEMS

A. Lower MN River East One Watershed One Plan

o Review of Joint Powers Organization

President Barisonzi introduced this item.

Attorney Kolb reviewed the JPO with the Board. He noted that the JPO was very vague on what authorities were being delegated and it was not clear as to why the joint powers entity was being

formed rather than a collaboration. He said there is not enough clear information in this JPO and he has a lot of questions that he was not able to get answered. He said he cannot in good conscience advise the Board to enter into this agreement at this time.

President Barisonzi asked if Attorney Kolb sensed that there was any opening to this agreement becoming a negotiation or if they would accept feedback and comments. Attorney Kolb said that based on his conversations with them he would say no and that his contact did not seem to want to be bothered with any kind of changes.

Administrator Loomis shared that the Steering Committee discussed this and it was their consensus that they did not want to revisit this. She noted that this agreement is likely going to be signed unless one of the County attorneys or the Minnesota Counties Insurance Trust takes a closer look at this.

President Barisonzi asked if they would want to propose a memorandum of understanding on what the LMRWD's role would be in this. Administrator Loomis said she would recommend waiting to see how this shakes out first.

President Barisonzi asked the Board if they were in agreement that this is not a plan they would like to sign on to but will rather be looking at how they can work with this plan. Manager Amundson said the Board never wanted to sign on to this and that they wanted to be a part of developing this plan, which they have done to the best of their abilities. She added that timing has been an issue with this plan.

Manager Kuplic made a motion to provide comments to the Lower Minnesota River East One Watershed One Plan Steering Committee and Policy Committee. Manager Amundson seconded the motion. Upon a vote being taken, the motion carried unanimously.

9. FOR INFORMATION ONLY

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

This item was for information only, there was no discussion of this item.

B. Dredge Management

o Vernon Avenue Improvement Project

President Barisonzi introduced the item.

Manager Amundson asked about the previous engineer's estimate for this project. Ms. Young said she did not recall a preliminary estimate being done. Ms. LeClaire said this is the first cost estimate that Bolton and Menk provided so they did not have a preliminary estimate going into this project and the cost came back higher than they anticipated.

President Barisonzi asked how they will come up with a funding strategy and who will approve it. Administrator Loomis shared that the Board will be approving the funding strategy. She noted they will be seeing this item again. She shared that they were hoping that they would be able to get this project constructed with what they have remaining from the current allocation and the new allocations they are expecting from the State. She said the cost came in higher than they hoped and they did not have the money to fund it. She added that they are looking at bonding options for funding.

Manager Salvato made a motion to conditionally approve to advertise for bids with modifications to the dates in the attachments once the funding strategy is approved. President Barisonzi seconded the motion. Upon a vote being taken, the motion carried unanimously.

Manager Salvato withdrew her motion pending action next month. President Barisonzi seconded.

C. 2024 Legislative Activities Update

Lisa Frenette, legislative liaison to the LMRWD, gave an update regarding activities at the legislature.

Attorney Kolb asked if the Senate file that contains River Watch funding has a House companion. Ms. Frenette said there is not a House companion at this time. She plans to speak with Representative Rick Hansen about including funding for River Watch.

D. LMRWD Permit Program Summary

This item was for information only, there was no discussion of this item.

10. COMMUNICATIONS

A. **Administrator Report:** Administrator Loomis shared that they were notified that they likely will have another after-the-fact permit coming forward from Hennepin County. She noted that they received communication from Shakopee High School students asking about Seminary Fen and Eagle Creek. Ms. Young was able to provide them with some great information. She stated that the Metro Watersheds had their membership meeting last night which contained some reports from State agencies; BWSR is conducting a soil modeling program; MPCA is updating its Nutrient Reduction Strategy; the Metropolitan Council has a comprehensive stream update that can be found at MetCouncil.org/streams; Metropolitan Council has scheduled a meeting on May 7th in Chanhassen to get feedback on the its new water policy plan; Met Council is studying wild rice lake in the metro area; MN Stormwater Research Council is conducting research on the effectiveness of Stormwater BMP and is planning to hold a conference for home owners association about stormwater management. She noted the Minnesota Watersheds Summer Tour is coming up in June and will be held in the metro area. The Minnesota Watersheds Annual Conference will be held at Grandview Lodge this year.

She added that she is working to schedule the Fen meeting as soon as possible.

B. **President:** President Barisonzi shared that they did not push forward on the Administrator evaluation as they needed to take more time to get this done properly.

C. **Managers:** No report

D. **Committees:** No report

E. **Legal Counsel:** No report

F. **Engineer:** No report.

11. ADJOURN

Hearing no further business, President Barisonzi adjourned the meeting at 8:51pm.

The next meeting of the LMRWD Board of Managers meeting will be 7:00, Wednesday, May 15, 2024, 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

DRAFT

Item 5.B.
LMRWD 5-15-2024

BEGINNING BALANCE	31-Mar-24		\$ 880,776.28
ADD:			
General Fund Revenue:			
April 2024 Interest		\$ 3,722.56	
2023 payment from MCES for Eagle Creek WOMP station monitoring		\$ 4,500.00	
Total Revenue and Transfers In			\$ 8,222.56
DEDUCT:			
Debits/Reductions			
Liberty Mutual Insurance Company	2024/2025 Fidelity Bond insurance	\$ 180.00	
Bolton & Menk, Inc.	Engineering for Vernon Avenue through March 18, 2024	\$ 1,657.50	
106 Group	March 2024 services related to Area #3	\$ 1,130.00	
Clifton Larson Allen, LLP (CLA)	March 2024 financial services	\$ 1,759.65	
Dakota County SWCD	Q1 2024 monitoring services	\$ 2,375.00	
Frenette Legislative Advisors	March & April 2024 legislative services	\$ 3,333.34	
Naiad Consultitng	March 2024 administrative services & expenses	\$ 14,569.18	
Rinke Noonan, Attorneys at Law	February 2024 legal services	\$ 2,478.00	
Rinke Noonan, Attorneys at Law	March 2024 legal services	\$ 2,190.50	
TimeSaver Off Site Secretarial, Inc.	Preparation of February 2024 meeting minutes	\$ 285.50	
US Bank Equipment Finance	April 2024 copier lease payment	\$ 206.75	
WSB	Property acquisition services for Area #3	\$ 157.25	
Young Environmental Consulting	March 2024 technical, & E & O services	\$ 64,612.71	
4M Fund	March 2024 bank service fee	\$ 40.00	
Total Debits/Reductions			\$ 94,975.38
ENDING BALANCE	30-Apr-24		\$ 794,023.46

	2024 Budget	April Actuals	YTD 2024	Over (Under) Budget
Administrative expenses	\$ 377,838.00	\$ 36,859.17	\$ 110,729.36	\$ (267,108.64)
Cooperative Projects				
Eden Prairie Bank Stabilization Area #3	\$ 100,000.00	\$ 6,098.25	\$ 13,643.75	\$ (86,356.25)
Gully Erosion Contingency Fund	\$ -	\$ -	\$ -	\$ -
Seminary Fen Ravine Restoration site A	\$ -	\$ -	\$ -	\$ -
Seminary Fen Ravine Restoration site C-2	\$ 90,000.00	\$ -	\$ -	\$ (90,000.00)
Eagle Creek Bank Restoration: Town & Country R	\$ 30,000.00	\$ -	\$ -	\$ (30,000.00)
Shakopee River Bank Stabilization	\$ 50,000.00	\$ -	\$ -	\$ (50,000.00)
509 Plan Budget				
<i>Resource Plan Implementation</i>				
Watershed Resource Restoration Fund	\$ 82,500.00	\$ -	\$ -	\$ (82,500.00)
Fen Private Land acquisition study	\$ 50,000.00	\$ -	\$ -	\$ (50,000.00)
Gully Inventory	\$ 150,000.00	\$ 5,900.75	\$ 6,383.75	\$ (143,616.25)
MN River Floodplain Model Feasibility Study	\$ -	\$ -	\$ 3,073.00	\$ 3,073.00
Downtown Shakopee Stormwater BMPs	\$ 50,000.00	\$ -	\$ -	\$ (50,000.00)
Spring Creek stabilization project	\$ 100,000.00	\$ -	\$ 656.25	\$ (99,343.75)
Sustainable Lakes Mgmt. Plan (Trout Lakes)	\$ 50,000.00	\$ -	\$ -	\$ (50,000.00)
Geomorphic Assessments (Trout Streams)	\$ 100,000.00	\$ 6,848.50	\$ 8,252.50	\$ (91,747.50)
Fen Stewardship Program	\$ 75,000.00	\$ 13,632.75	\$ 23,994.22	\$ (51,005.78)
District Boundary Modification	\$ -	\$ -	\$ -	\$ -
Local Water Management Plan reviews	\$ 5,000.00	\$ -	\$ -	\$ (5,000.00)
Project Reviews	\$ 50,000.00	\$ 12,988.75	\$ -	\$ (50,000.00)
Project inspections	\$ -	\$ -	\$ -	\$ -
<i>Monitoring</i>	\$ 75,000.00	\$ 2,375.00	\$ 2,375.00	\$ (72,625.00)
<i>Watershed Management Plan</i>	\$ -	\$ 1,869.00	\$ 4,813.50	\$ 4,813.50
<i>Public Education/CAC/Outreach Program</i>	\$ 115,000.00	\$ 5,900.73	\$ 16,554.35	\$ (98,445.65)
<i>Cost Share Program</i>	\$ 20,000.00	\$ -	\$ -	\$ (20,000.00)
Nine Foot Channel				
Return of unused state funds	\$ -	\$ -	\$ -	\$ -
Dredge Site Improvements	\$ 240,000.00	\$ 2,502.48	\$ 17,277.48	\$ (222,722.52)
Bonded Debt Levy				
Scheduled Area #3 Bond payments	\$ 300,000.00	\$ -	\$ -	\$ (300,000.00)
Total:	\$ 2,110,338.00	\$ 94,975.38	\$ 207,753.16	\$ (1,902,584.84)



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, May 15, 2024

Agenda Item

Item 5. E. - Reimburse Prior Lake High School for 2024 educator mini-grant

Prepared By

Linda Loomis, Administrator

Summary

At the March 20, 2024, meeting of the LMRWD Board of Managers, the Board approved an educator mini grant of \$500 for the Prior Lake High School.

The Grant was to educate students on stream ecology, erosion, dynamics, by firsthand observation of the Credit River, a tributary to the Minnesota River. Teacher Margaret Ekrem has provided the LMRWD with a report project, that includes receipts and pictures. The Board should authorize reimbursement to Prior Lake High School as requested in the final report.

Attachments

Educator mini-grant application
March 20, 2024 meeting minutes excerpt
Educator Mini-grant agreement
Prior Lake High School final report with receipts and pictures

Recommended Action

Motion to authorize reimbursement of Educator Mini Grant for Prior Lake High School



Educator Mini-Grant Program Application

Name of School/Organization: Prior Lake High School

First Name: Maggie

Last Name: Ekrem

Email: mekrem@plsas.org

Phone: 763-213-9224

Describe your current role? Environmental Science and Biology teacher

If you are a student, please provide the name and email of your supervising educator.

Address of School/Organization

Street Address: 7575 150th St. W

Address line 2:

City: Savage

State: MN

Zip Code: 55378

Name and Address Where Activity Will Take Place (if Different from Above)

Street Address: Multiple spots along the Credit River (about 0.5 miles from the high school) and on the Prior Lake High School property

What age(s) are the participants?

K–5th grade

6–12th grade

18+ years

Senior

Estimated number of participants: 110 students

Describe your proposed activity or project and how it relates to water resources and wildlife habitat education. Include project goals and learning objectives for participants.

Our activity will be composed of multiple parts. We'd like to first educate students on stream ecology, erosion, stream dynamics, and the importance of streams in the ecosystem (stream tables). We'll also discuss the pollutants that can impact the stream and how we can measure them. After students have gained an understanding of these concepts, we'll head out into the field. Prior Lake High School is located close enough to the Credit River to allow for frequent visits. Students will determine the stream health of this river by catching and identifying macroinvertebrates (dip nets and macroinvertebrate identification guides). In addition, we will measure stream velocity, measure pH, and assess the quality of the sediment and surrounding plant life.

Minnesota State Standards Addressed:

- 9-12 Earth and Space Sciences: 9E.1.2.1.1 Plan and conduct an investigation of the properties of water and its effects on Earth materials and surface processes. (P: 3, CC: 6, CI: ESS2)
- 9-12 Earth and Space Sciences: 9E.1.2.1.2 Plan and conduct an investigation of the properties of soils to model the effects of human activity on soil resources. (P: 3, CC: 2, CI: ESS3, ETS2)
- 9C.2.1.1.1 Analyze patterns in air or water quality data to make claims about the causes and severity of a problem and the necessity to remediate or to recommend a treatment process. (P: 4, CC :2, CI: PS1)
- 9C.2.1.1.1 Analyze patterns in air or water quality data to make claims about the causes and severity of a problem and the necessity to remediate or to recommend a treatment process. (P: 4, CC :2, CI: PS1)

When is this activity/project scheduled to take place? This activity takes place in August, September, and October as well as in April and May of the school year.

Total requested amount (maximum \$500): \$ 500.00

Specify how funds will be allocated (e.g. supplies, materials, and transportation):

-2 stream tables (\$118.50 each) >>> \$237.00

-Smithsonian Institution Land and Water Use Student Investigations Book >>> \$10.95

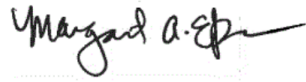
-3 Stream Dip Nets with Net Guard (\$66.85 each) >>> \$200.55

-6 Dichotomous Macroinvertebrate Identification Books >>> \$49.00

Total: \$498.00

I understand that if my funding request is approved, I must complete and submit the Program Project Reporting and Reimbursement form to receive payment. Any photos submitted may be used by the LMRWD in future communications.

Signature:

A handwritten signature in black ink, appearing to read "Margaret A. Spivey", written over a dotted line.

Date: 2/20/2024

Please submit your application to
info@lowermnriverwd.org.

President Barisonzi made a motion to authorize the personnel committee, with the support of the Administrator to conduct interviews for the applicants for Legal Counsel including the following steps; review applicants and proposed rubric, revise rubric as necessary, evaluate the existing candidates and choose those to be interviewed, draft question for candidates (same questions for all candidates) send questions and request interview for all candidates interview candidates and make recommendations to the Board. Manager Kuplic seconded the motion [the audio does not indicate this motion was seconded; President Barisonzi responded that Manager Kuplic seconded the motion when asked by the Administrator]

Manager Kuplic thought it would be beneficial to include Ms. Schall Young when considering which legal counsel to choose.

Ms. Schall Young said that the relationship between the District Engineer and Legal Counsel is a critical relationship, especially when it comes to implementation of the permitting program. It is key that the relationship has confidence and trust. President Barisonzi asked if Manager Kuplic would like to add “with the support of the District Engineer” to the motion. Manager Kuplic said that she would like to add that to the motion. President Barisonzi said he would accent that as a friendly amendment.

Upon a vote being taken the motion carried.

C. Education & Outreach

President Barisonzi introduced this item.

Manager Kuplic made a motion to table item 7.C. -LMRWD Social Media Content and Strategy. Manager Salvato seconded the motion. Upon a vote being taken, the motion carried unanimously.

Manager Salvato made a motion to approve the recommendations of the Citizen Advisory Committee and award educator min-grant as follows: Integrated Arts Academy - \$475; Friends of the Mississippi – Environmental Stewardship Institute - \$500; Shakopee Area Catholic Schools - \$500; Prior Lake High School - \$500; and Minnesota Valley Refuge Friends - \$500. Manager Amundson seconded the motion. Upon a vote being taken, the motion carried unanimously.

D. Proposed Partnering with the MN River Collaborative on the Water Storage Study

President Barisonzi introduced this item.

The Board discussed the project overall and the proposed recommendation by staff. President Barisonzi noted there were no financial commitments in the motion being considered.

Manager Salvato made a motion to adopt Resolution 24-05 – Developing a Scope of Study to Identify Areas of the Minnesota River Basin Suitable for Upland Storage. Manager Kuplic seconded the motion. Upon a vote being taken, the motion carried unanimously.

~~**E. LMRWD Communication Policy**~~ – This item was removed from the agenda.

E. Evaluation of Administrative Services

President Barisonzi introduced this item. He explained that he and Manager Salvato prepared a memo that has been shared with the Board. He noted that this is not an evaluation of the performance of the current administrator but is looking to the future to make sure the LMRWD has the capacity to accomplish the goals of the LMRWD.

LOWER MINNESOTA RIVER WATERSHED DISTRICT
2024 Educator Mini-Grant Program
Cost Share Grant Agreement

This grant agreement made this 20th day of March 2024 is between 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 Maggie Ekrem, ("GRANTEE"), a teacher at Prior Lake High School. The GRANTEE's address is Prior Lake High School, 7575 150th St. W, Savage MN 55378.

1. Scope of Work. GRANTEE will use funds for the purposes identified in the Educator Mini-Grant Program Application, attached to this Agreement as Exhibit 1.
2. Grant Agreement Period. The GRANTEE will have until the end of the current calendar year to complete the project.
3. Reimbursement. The GRANTEE may request reimbursement in an amount not to exceed \$500. At the time reimbursement is requested, GRANTEE will provide the LMRWD a reimbursement and reporting request form, receipts for all direct purchases, and project photos.
4. Indemnification. The LMRWD will be held harmless against all liability and loss in connection with the Project.
5. 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 GRANTEE:

Maggie Ekrem
Prior Lake High School
7575 150th St. W
Savage MN 55378

The parties agreeing to be signed as follows:

GRANTEE:

By: Maggie G. Ekrem

Its: Teacher Grant Recipient

Date: 3/25/24

LOWER MINNESOTA RIVER WATERSHED DISTRICT:

By: [Signature]

Its: President

Date: 4-17-24



LOWER MINNESOTA RIVER
WATERSHED DISTRICT

Educator Mini-Grant Program Reimbursement and Reporting Request Form

Name of School/Organization: Prior Lake High School

First Name: Maggie Last Name: Ekrem

Email: mekrem@plsas.org Phone: 952-226-9723

Address of School/Organization

Street Address: 7575 157th St. W

Address line 2:

City: Savage State: MN Zip Code: 55378

When and where did the activity/project take place? Credit River in Savage, MN
on Thurs, April 18th

Describe how your activity or project engaged participants?

Participants were in charge of catching macro-invertebrates with the nets and using magnifying glasses and the Macroinvertebrate Identification Guide to determine which macroinvertebrates were caught. The different species function as indicators to determine how healthy or polluted the stream was. Other tests were used to pinpoint the specifics of the stream and determine its health.

Total number of participants: 27

List your relevant expenses:

see attached.

Refund amount (cannot be more than the original award amount):

\$

Please provide information for the check recipient:

First Name: ~~Prior Lake High School~~ c/o Becky Last Name: Pint

Street Address: 7575 157th St. W

Address line 2:

City: Savage State: MN Zip Code: 55378

To complete the reimbursement process, please submit the following items via email to admin@lowermnriverwd.org:

- 1) Completed reimbursement form.
- 2) Receipts for your purchases matching the refund amount requested.
- 3) Photos of your activity or project in action. Please include the photographer's name for photo credit.

INVOICE



World-Class Support for Science & Math

Please Remit Payment To:

Carolina Biological Supply Company
PO Box 60232
Charlotte, NC 28260-0232

Invoice Number	52537724 RI	P O Number	31132901
Invoice Date	04/12/24	Shipping Terms	FOB: SHIPPING POINT
Sales Order Number	31132901 WB	IMPORTANT <i>Please Refer to the Invoice Number on All Payments</i>	
Sales Order Date	04/11/24	Please Pay This Amount:	\$ 0.00
Payment Terms	CREDIT CARD PAYMENT		

Bill To: 116019
BECKY PINT
4540 TOWER ST SE
PRIOR LAKE MN 55372
UNITED STATES

Ship To: 2891559
MAGGIE EKREM
MAGGIE EKREM
PRIOR LAKE HIGH SCHOOL
7575 150TH ST W
SAVAGE MN 55378-2131

Line #	Catalog #	Description	Shipped	Backordered	U / M	Unit Price	Extended Price
1	GEO9888	STREAM TABLE KIT, INDIVIDUAL	2		EA	118.50	237.00
2	972303C	STC-SI, LAND & WATER, 3RD	1		EA	10.95	10.95
3	651344A	16 X 19IN AQUATIC NET W/GUARD	3		EA	66.85	200.55
4	652007	DICHOTOMOUS IDENTIFICATION KEY	1		EA	49.00	49.00
6	PROMO DIS	PROMOTIONAL DISCOUNT	1		EA	48.65-	48.65-

CREDIT CARD
ORDER

Please send all other correspondence to:

Carolina Biological Supply Company
2700 York Road, Burlington, NC 27215-3398
Phone: (800) 334-5551 • Fax: (800) 222-7112

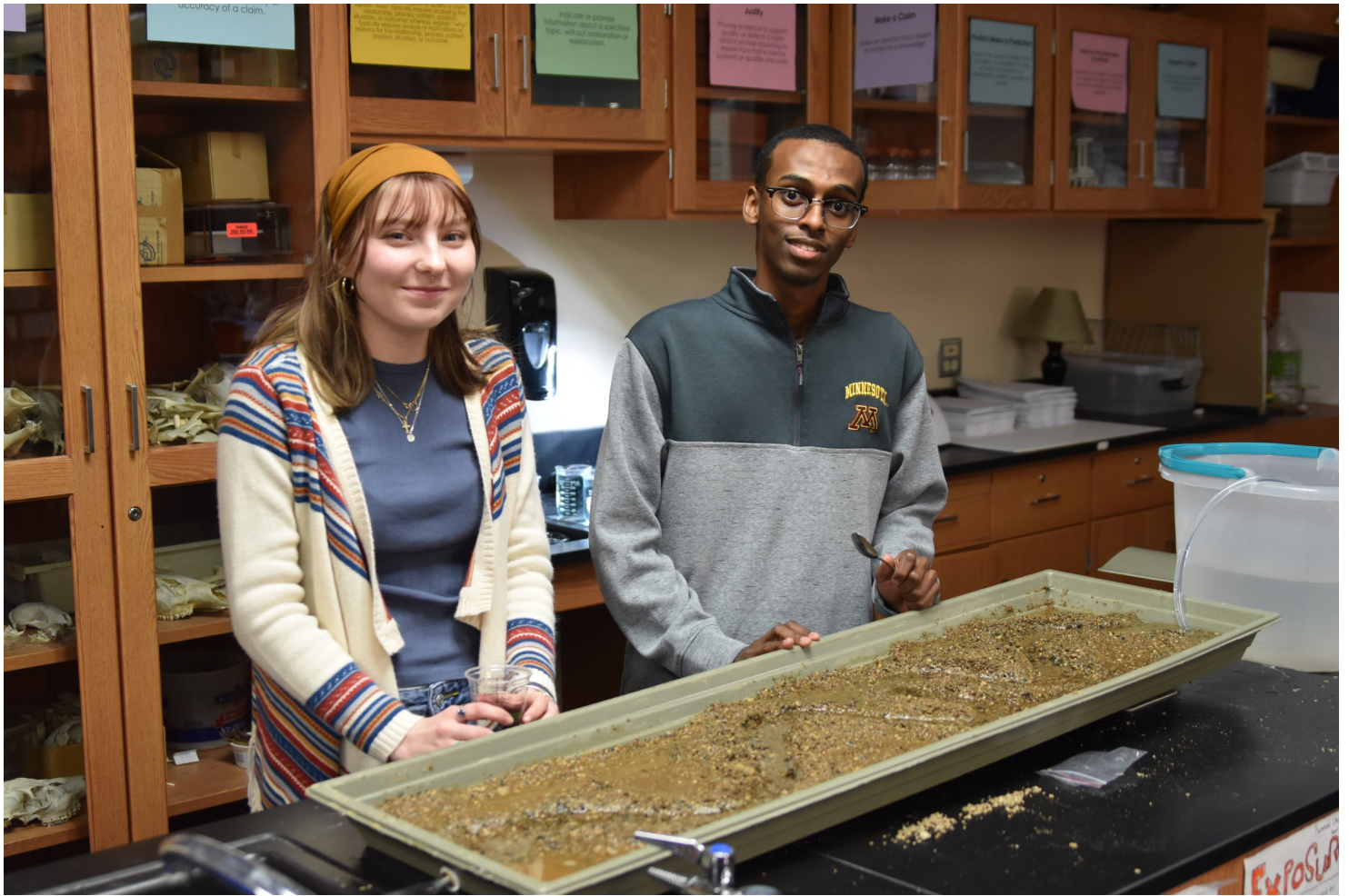
If you have a concern regarding your invoice,
please contact a Customer Service Representative
at (800) 334-5551 within 3 days of receipt.

*We Truly Appreciate Your Business.
Thank you!*

Sub Total	448.85
Freight & Handling	77.25
Sales Tax	
Invoice Total	526.10
Less Payments	(526.10)
Amount Due	\$ 0.00











LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, May 15, 2024

Agenda Item

Item 5. D. – Report from Citizen Advisory Committee

Prepared By

Linda Loomis, Administrator

Summary

The Citizen Advisory Committee has hosted tables at several events in the past month. On April 27, 2024, CAC members hosted a table at the Eden Prairie Arbor Day and Green Fair. Weather was windy and cool, but the intrepid LMRWD CAC members spoke with many people. On May 4th, the CAC co-hosted a table, with the Carver County WMO, at the Chaska Earth Day Celebration. The next event is the Burnsville Native Plant Market on May 18th.

On May 7th, the CAC toured the CHS, Inc. grain terminal in Savage. The tour was very informative and gave the CAC an idea of the importance of the navigation channel to the economy of the State of Minnesota. The next meeting of the CAC is June 4th, when they plan to tour some of the LMRWD Cost Share Projects.

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, May 15, 2024

Agenda Item

Item 6. A. – LMRWD Permit Renewals

Prepared By

Linda Loomis, Administrator

Summary

There is only one permit that requires renewing this month. Table 1 of the Technical Memorandum – May 2024 Permit Renewal Requests, dated May 8, 2024, is attached listing the Permit that has requested renewal.

Attachments

Technical Memorandum – May 2024 Permit Renewal Requests dated May 8, 2024

Recommended Action

Motion to approve renewal requests listed in Table 1. Summary of May 2024 permit renewal requests detailed in Technical Memorandum – May 2024 Permit Renewal Requests dated May 8, 2024

Technical Memorandum



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

From: Hannah LeClaire, PE, Project Manager
Rachel Kapsch, Water Resources Scientist

Date: May 8, 2024

Re: May 2024 Permit Renewal Requests

Per Lower Minnesota River Watershed District (LMRWD) Rule A, it is the permittee's responsibility to request permit renewals when necessary. However, LMRWD staff has taken a proactive approach by sending out a reminder two months prior to permit expiration to current permit holders with upcoming permit expirations.

Table 1 summarizes the permittees who have received permit expiration reminder emails. If a project is not complete, the LMRWD will renew the permit to maintain permitting authority throughout all close out procedures. Requests for information regarding changes to project scope since the original permit issuance and project close out materials are also included on permit expiration reminder emails.

SUMMARY

Table 1. Summary of May 2024 LMRWD Permit Renewal Requests

LMRWD No.	Project Name	City	Previous Expiration Date	Recommended Expiration Date
2022-016	ORF Relocation	Shakopee	July 20, 2024	July 20, 2025
Reason for Extension: Construction is not complete				

Recommendations

Based on review of the permit expirations, we recommend approval of permit renewals.



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, May 15, 2024

Agenda Item

Item 6. B. – Minnesota River Greenway Trail – Amendment (LMRWD No. 2023-007)

Prepared By

Linda Loomis, Administrator

Summary

The LMRWD conditionally approved a permit for this project April 19, 2023. Since then, the applicant satisfied the conditions for approval and began construction of the project. After the start of construction, the application collected additional information that requires elevation adjustments to two of the proposed boardwalks. The adjustments to the elevation require an amendment to the LMRWD permit. Young Environmental Consulting Group reviewed the additional data on behalf of the LMRWD and recommends that the permit be amended for the changes to two boardwalks with the stipulation that the permit does not include the temporary crossing over Kennaley's Creek.

Attachments

Technical Memorandum – Minnesota River Greenway Trail – Amendment (LMRWD No. 2023-007) dated May 8, 2024

Recommended Action

Motion to an amendment to permit 2023-007 for changes to the two boardwalks (R0894 and R095) with the stipulation that the approved permit does not include temporary construction crossing over Kennaley's Creek

Technical Memorandum



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

From: Erica Bock, Water Resources Scientist
Hannah LeClaire, PE, Water Resources Engineer

Date: May 8, 2024

Re: Minnesota River Greenway Trail—Amendment (LMRWD No. 2023-007)

Dakota County received an individual project permit from the LMRWD for the Minnesota (MN) River Greenway Trail within the Fort Snelling State Park (see Attachment 1 for the previous rules review memo) on November 6, 2023, after the conditional approval items for the project were received. Construction started at the end of 2023. The contractor collected additional survey data to verify elevations of the proposed trail. Two of the proposed boardwalks (R0894 and R0895) require elevation adjustments because the new existing ground survey differs from the design survey (Figure 1). Young Environmental reviewed the boardwalk elevation changes with regards to Rule C to ensure that the no-rise condition of the permit remains in compliance.

SUMMARY

Project Name: Minnesota River Greenway Trail

Purpose: Bituminous trail construction. Grading, culvert, and boardwalk installation.

Project Size:

Area Disturbed	Existing Impervious Area	Proposed Impervious Area	Net Increase Impervious Area
11.9 acres	0 acres	3.7 acres	3.7 acres

Location: 3.3 miles from the existing trailhead near the Trunk Highway (TH) 77 Bridge to the existing trailhead at County State Aid Highway (CSAH) 26 in Eagan, Minnesota

LMRWD Rules: Rule B – Erosion and Sediment Control
Rule C – Floodplain and Drainage Alteration

Recommended Board Action: Approval

DISCUSSION

The LMRWD received the following documents for review to support the permit amendment request:

- MN River Greenway HEC-RAS Model; received April 9, 2024.
- Construction plans for updated boardwalks by SEH; received April 9, 2024.
- MN River Greenway HEC-RAS Model update memo by SEH; received April 16, 2024.

The documents provided are sufficient for the completion of our review.

Rule B – Erosion and Sediment Control

The LMRWD regulates land-disturbing activities that affect one acre or more under Rule B. The project is not making any changes in relation to the disturbed area. The project meets the requirements of Rule B.

Rule C – Floodplain and Drainage Alteration

The LMRWD requires applicants to provide documentation that the proposed floodplain fill will not cause an increase in the Minnesota River's 100-year water surface elevation. The project is within the Minnesota River floodplain, shown on the Dakota County Flood Insurance Rate Map (FIRM) Panel 27037C0080E (effective December 2, 2011). The effective FIRM from 2011 shows the project in a FEMA Zone AE (or 100-year floodplain). The 100-year water surface elevations range throughout the project from 714.2 to 714.4 feet NGVD29. SEH provided a no-rise certificate and updated hydraulic model based on the FEMA effective model to support the no-rise certificate. The project proposes a 2-foot vertical increase for one of the boardwalk elevations (R0894). An additional cross-section was added at river station 7.6 to represent the revised construction plans. The model shows no change in the 100-year water surface elevation between existing and proposed conditions, meeting the minimum requirements of Rule C.

Additional Considerations

During the initial project review, the Project proposed using an existing crossing over Kennaley's Creek rather than constructing a new bridge or culvert. However, on January 5, 2024, the Minnesota Department of Natural Resources (MnDNR) provided information to the LMRWD that the contractor for the MN River Greenway Project (LMRWD No. 2023-007) installed a temporary bridge to use during construction to cross Kennaley's Creek. This temporary bridge crossing was not permitted by the MnDNR Public Waters Permit or the LMRWD; however, the contractor will now apply for necessary permits to ensure compliance.

A meeting with Dakota County (Permittee), S.M. Henteges (Project Contractor), Taylor Huinker (MnDNR), Young Environmental Staff, and Linda Loomis was held on January 17, 2024. Attendees discussed the temporary bridge over Kennaley's Creek and determined that the temporary bridge would require modeling and additional review by the LMRWD and the MnDNR.

Once the modeling and additional information for the Kennaley's Creek temporary bridge crossing have been provided, a review and recommendation will be provided to the LMRWD Board of Managers for decision. **The amended project permit for the MN River Greenway Trail (2023-007) will not include the temporary construction crossing over Kennaley's Creek and this stipulation will be added to the amended permit.**

Recommendations

Based on the project review, we recommend approval of the permit amendment for the changes to two boardwalks (R0894 and R0895) with the following stipulation included in the approved permit:

- This permit does not include the temporary construction crossing over Kennaley's Creek.

Attachments

- Figure 1—Proposed Boardwalk Changes
- Attachment 1—MN River Greenway Project Review Memo

R0891

Boardwalk R0891

- Benchmark 1
- Blue Cross Blue Shield Soccer Fields
- Design Annotation
- Feature 1
- Feature 2
- Great Northern Builders
- Measure
- Yankee Tavern

AGTEK
Google Earth

R0892-R0894

Boardwalk R0895

Boardwalk R0894

raise top of deck 2-feet
on Boardwalk R0894

Boardwalk R0892

Boardwalk R0893

shifting boardwalk
R0895 slightly south
along existing trail
alignment

- Benchmark 1
- Blue Cross Blue Shield Soccer Fields
- Design Annotation
- Feature 1
- Feature 2
- Great Northern Builders
- Measure
- Yankee Tavern

AGTEK
Google Earth

700 ft



Technical Memorandum

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

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

Date: April 12, 2023

Re: Minnesota River Greenway Trail | LMRWD No. 2023-007 (previously LMRWD No. 2021-027)

Dakota County (Applicant) has applied for an individual project permit from the Lower Minnesota River Watershed District for the proposed Minnesota River Greenway Trail Project (Project) within Fort Snelling State Park, as shown in Figure 1. The applicant's engineer, Short Elliott Hendrickson, Inc., (SEH) has provided site plans for the Project along with the permit application. The project was conditionally approved in November of 2021, but conditional approval has expired and reapplication was required.

The proposed Project consists of constructing a 3.3-mile trail that will connect two existing trailheads: Trunk Highway (TH) 77 (Cedar Avenue) Bridge in the City of Burnsville and County Highway 26 (Lone Oak Road) in the City of Eagan. The Greenway Project is divided into two separate projects: (1) the trail and boardwalk and (2) the pedestrian bridge connection over the railroad to the Lone Oak trailhead in Eagan. The trail will consist of a 9.5-foot-wide paved surface with vegetation buffers on either side. Because the trail is less than 10 feet wide with vegetative buffers on each side, the trail portion of the project is exempt from Rule D. The pedestrian bridge project will be permitted separately.

The trail and boardwalk project will disturb approximately 11.9 acres and create 3.7 acres of new impervious surfaces (3.6 acres are exempt from Rule D). The Project is located within the Gun Club Lake and Nicols Meadow High Value Resource Area (HVRA) and Minnesota River floodplain, and crosses Kennaley's creek, a state designated trout stream. The applicant proposes to commence construction in April 2023.

Although the City of Eagan has its approved LMRWD Municipal Permit, this Project has received federal funding, and the LMRWD is requiring an individual permit subject to a permitting review because of the sensitive calcareous fens and trout streams in the area.

Summary

Project Name: Minnesota River Greenway Trail

Purpose: Bituminous trail construction. Grading, culvert, and boardwalk installation.

Project Size:

Area Disturbed	Existing Impervious Area	Proposed Impervious Area	Net Increase Impervious Area
11.9 acres	0 acres	3.7 acres	3.7 acres

Location: 3.3 miles from existing trail head near the TH 77 Bridge to existing trail head at CSAH 26 in Eagan, Minnesota

LMRWD Rules: Rule B – Erosion and Sediment Control
Rule C – Floodplain and Drainage Alteration
Rule D – Stormwater Management

Recommended Board Action: Conditional approval

Discussion

The LMRWD received the following documents for review:

- LMRWD permit application, received March 2, 2023
- Authorization of Agent form, received March 2, 2023
- Stormwater Management Summary by SEH, revised October 19, 2021; received March 2, 2023
- Preliminary plan sheets by SEH, with no date; received March 2, 2023
- Culvert Analysis Report by SEH, with no date; received March 2, 2023
- No-Rise Certificate by SEH, dated July 7, 2021; received March 2, 2023
- HEC-RAS model; received March 3, 2023
- Construction schedule narrative, dated September 22, 2022; received March 15, 2023
- Wetland Conservation Act (WCA) Notice of Decision, dated October 21, 2021; received March 14, 2023

- Wetland Bank Credit Withdrawal Verification, dated December 14, 2021; received March 14, 2023

The application was deemed complete on March 15, 2023, and the documents received provide the minimum information necessary for permit review.

Rule B – Erosion and Sediment Control

The LMRWD regulates land-disturbing activities that affect one or more acres in general areas or 10,000 square feet or more within the HVRA under Rule B. The proposed Project would disturb approximately 11.9 acres within the LMRWD boundary. The applicant has provided an erosion and sediment control plan and a Stormwater Pollution Prevention Plan (SWPPP). The Project generally complies with Rule B, but a copy of the National Pollutant Discharge Elimination System (NPDES) permit and contact information for the contractor and person(s) responsible for inspection and maintenance of all sediment and erosion control features will be required before the final LMRWD permit can be issued.

Rule C – Floodplain and Drainage Alteration

As discussed, the project is in the Minnesota River floodplain, shown on the Dakota County Flood Insurance Rate Map (FIRM) Panel 27037C0080E (effective December 2, 2011). The effective FIRM from 2011 shows the project in a FEMA Zone AE (or 100-year floodplain). The 100-year water surface elevations range throughout the project from 714.2 to 714.4. The project proposes 50,000 cubic yards of cut and fill below the 100 year-flood elevation and no compensatory storage. SEH provided a No-Rise Certificate and updated hydraulic modeling based on the FEMA effective model to support the No-Rise Certificate. The model shows no change in the 100-year water surface elevation between existing and proposed conditions, meeting the requirements of Rule C.

The proposed trail will also cross Kennaley's Creek (a state-designated trout water) and pass near the Nicols Meadow and Gun Club Lake South calcareous fen complexes. The alignment of the trail has been adjusted to avoid the fen boundaries and to minimize wetland impacts; it will also use the existing crossing over Kennaley's Creek rather than constructing a new bridge or culvert. To preserve the hydraulic connection on both sides of the proposed trail and the Minnesota River, boardwalks and culverts will be constructed at low points to maintain the natural drainage patterns of the area.

Rule D – Stormwater Management

The project creates 3.7 acres of impervious surfaces including 3.6 acres of 9.5-foot-wide paved surface with vegetated buffers on either side. Because this portion of the trail is less than 10 feet wide with vegetative buffers on each side, it is exempt from Rule D. Turnaround areas and a future pavilion make up the additional 0.1 acres, which is

less than one acre of impervious surface, and therefore does not trigger Rule D. Lastly, the project proposes 0.46 acres of proposed boardwalk. Boardwalks are incorporated into the design to span areas where there is open water or existing wetland. Boardwalks avoid excessive fill in wetlands and allow for better conveyance of water through the floodplain. The boardwalks consist of 6-inch concrete planks separated by ¼-inch gaps to allow water to pass through to the underlying pervious ground, and therefore the boardwalks are not considered impervious surface. The impervious surfaces proposed in this project do not trigger Rule D, and therefore no stormwater management has been proposed on-site.

Recommendations

Based on our 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
- Copy of permit approval from the MnDNR
- Copy of the NPDES permit

Attachments

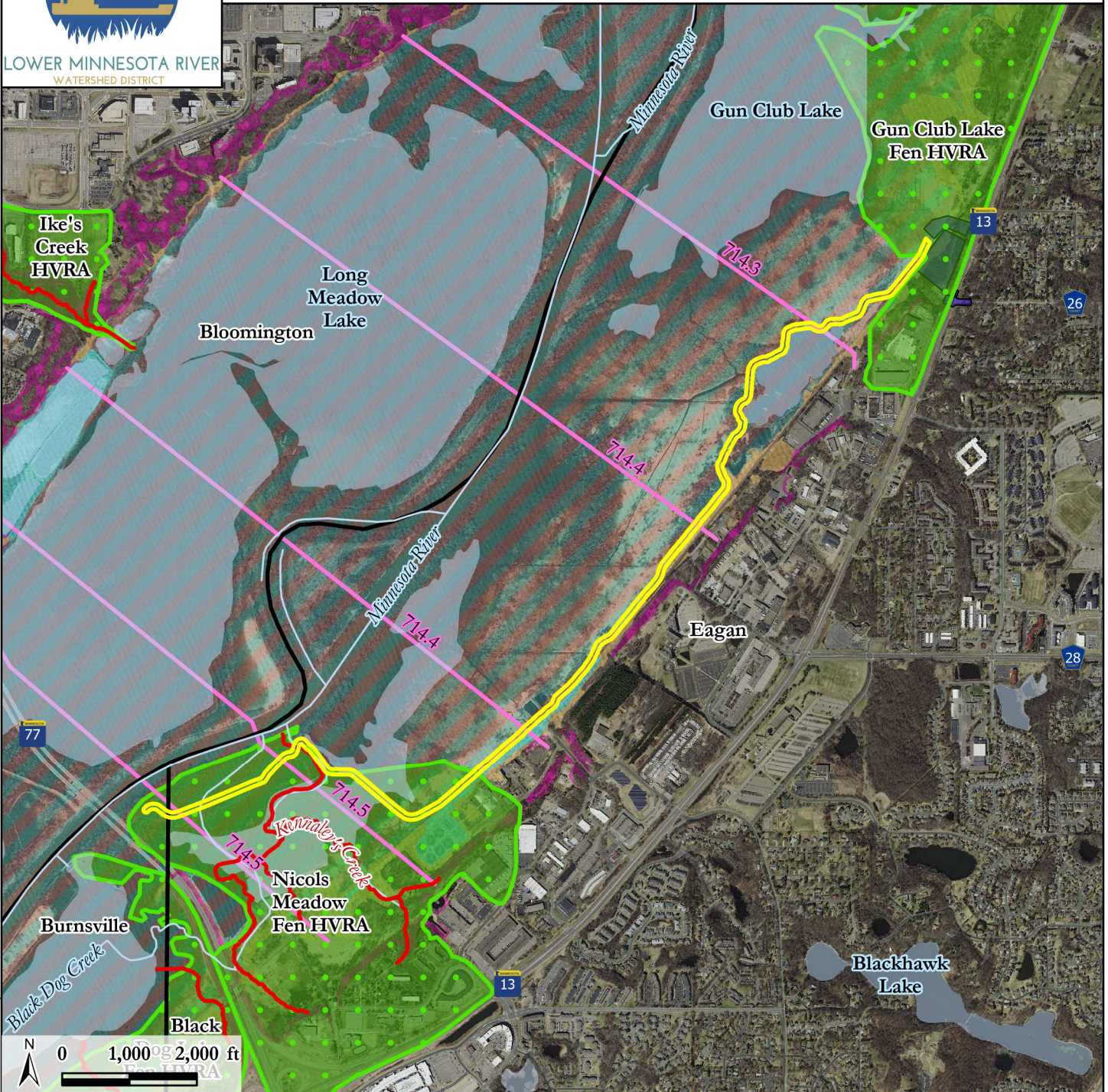
- Figure 1 – MN River Greenway Trail Project Location



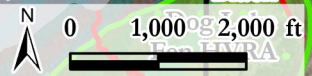
LOWER MINNESOTA RIVER
WATERSHED DISTRICT

Figure I: MN River Greenway Trail Project Location

LMRWD No. 2023-007



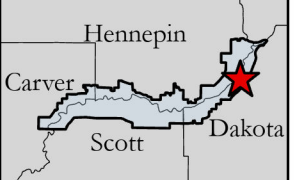
Projects \LMRWD \Project Reviews \02 In Process \2023-007 MN River Greenway Trail \04 GIS



Legend

- Project Location
- Trout Streams
- Public Waters
- Public Waterbodies
- High Value Resource Area
- Steep Slope Overlay District
- Past LMRWD Permits
- 100-yr Floodplain
- 500-yr Floodplain
- Floodway
- City Boundary
- FEMA Cross Sections

LMRWD Watershed Location Map



Young Environmental
Consulting Group, LLC



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, May 15, 2024

Agenda Item

Item 6. C. - Minnesota Department of Transportation (MnDOT) Stormwater Pond Maintenance Group A Project (LMRWD No. 2024-002)

Prepared By

Linda Loomis, Administrator

Summary

The Minnesota Department of Transportation (MnDOT) is required to periodically repair and maintain stormwater ponds. Two locations slated for repair and maintenance in 2024 fall within the boundaries of the LMRWD. MnDOT has made application for a permit from the LMRWD for both of these projects. Young Environmental Consulting Group has reviewed the application and supporting documentation on behalf of the LMRWD. Based on the review of the application, conditional approval is recommendation subject of receipt of a copy of the NPDES construction stormwater permit, Contact information for the contractor(s) undertaking land-disturbing activities, contact information for the person(s) responsible for erosion control inspections and maintenance, and designation of an individual liable to the LMRWD for performance under Rule B.

Attachments

Technical Memorandum – Minnesota Department of Transportation (MnDOT) Stormwater Pond Maintenance Group A Project (LMRWD No. 2024-002)

Recommended Action

Motion to conditionally approve a permit for MnDOT Stormwater Pond Maintenance Group A Project (LMRWD No. 2024-002) subject to receipt of a copy of the NPDES construction stormwater permit, Contact information for the contractor(s) undertaking land-disturbing activities, contact information for the person(s) responsible for erosion control inspections and maintenance, and designation of an individual liable to the LMRWD for performance under Rule B

Technical Memorandum



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

From: Rachel Kapsch, Water Resources Scientist
Hannah LeClaire, PE, Project Manager

Date: May 8, 2024

Re: Minnesota Department of Transportation (MnDOT) Stormwater Pond Maintenance Group A Project (LMRWD No. 2024-002)

MnDOT has applied for an individual project permit from the LMRWD to conduct repairs and maintenance on MnDOT stormwater ponds in 2024. There are two locations slated for pond maintenance in the LMRWD:

1. **Site 4** is located north of Cliff Road and west of 35W within the Cliff Road on-ramp loop to 35W southbound (SB) in Burnsville, MN (Figure 1 and 2). The associated MnDOT pond number is 2318851.
2. **Site 6** is located on Metropolitan Airports Commission (MAC) property to the west of Trunk Highway 5 and to the south of Post Road (within Minneapolis city limits) (Figure 1 and 3). The associated MnDOT pond number is 2319300.

The applicant's engineer, TKDA, submitted the permit application, associated application exhibits, and site plans for the Stormwater Pond Maintenance Group A project.

The project will disturb 1.59 acres and 1.75 acres at Sites 4 and 6, respectively. General pond maintenance activities include pond dewatering, clearing and grubbing of cattails and vegetation, and excavation of accumulated sediment and muck. There will be no new or reconstructed impervious area and no new permanent stormwater best management practices (BMPs). Site 4 pond maintenance activities include cleaning and videotaping 164 linear feet of storm sewer pipe and installation of geotextile filter type 3 and Class III riprap to stabilize erosion at storm sewer pipe inlets to the pond. Site 6 pond maintenance activities include cleaning and videotaping 200 linear feet of storm sewer pipe, and installation of Class IV riprap to restore the pond forebay dam. Cleaning and videotaping of storm sewer pipe will take place before or during pond excavation activities.

The project is not located within a High-Value Resource Area, Steep Slopes Overlay District, or the Minnesota River Floodplain. The applicant proposes to begin maintenance activities in June 2024. The project triggers LMRWD Rule B – Erosion and Sediment Control. An individual permit is required for the project elements proposed by MnDOT within the LMRWD and is subject to a LMRWD permitting review.

SUMMARY

Project Name:

MnDOT Stormwater Pond Maintenance Group A

Purpose:

Perform pond maintenance activities such as sediment and muck excavation, vegetation removal, and repair to storm sewer infrastructure.

Project Size:

	Proposed Area of Disturbance
Area Disturbed (Site 4)	1.59 acres
Area Disturbed (Site 6)	1.75 acres

Locations:

Site 4: Cliff Road and 35W SB, Burnsville, MN

Site 6: West of Trunk Highway No. 5 and south of Post Road, Minneapolis, MN

LMRWD Rules:

Rule B – Erosion and Sediment Control

Recommended Board Action:

Conditional approval

DISCUSSION

The LMRWD received the following documents for review:

- LMRWD online permit application; received March 20, 2024.
- LMRWD application exhibits for MnDOT Multiple Stormwater Pond Maintenance Group A by TKDA; received March 20, 2024.
- Authorization of agent form, signed easement agreement between MnDOT and MAC, and updated plan set; received April 9, 2024.
- Anticipated construction implementation schedule and final construction plans signed by a professional engineer; received April 26, 2024.

The application was deemed complete on April 26, 2024, and the documents received provide the minimum information necessary for permit review.

Rule B – Erosion and Sediment Control

The LMRWD regulates land-disturbing activities that affect one acre or more under Rule B. The proposed project would disturb approximately 3.34 acres, cumulatively, within the LMRWD boundary. The applicant has provided construction, drainage, erosion, and turf establishment plans and a Stormwater Pollution Prevention Plan (SWPPP). Proposed erosion and sediment control measures include riprap, category 25 rolled erosion prevention (with seed mix 35-241 and type 4 fertilizer), category 25 rolled erosion prevention (with seed mix 33-261 and type 4 fertilizer), storm drain inlet protection, culvert end controls, sediment control logs (compost), and silt fences.

The project generally complies with Rule B; however, before a permit can be issued the LMRWD will need a copy of the National Pollutant Discharge Elimination System (NPDES) construction stormwater permit, contact information for the contractor(s) performing land-disturbing activities, contact information for the person(s) responsible for erosion control inspections and maintenance, and designation of an individual liable to the LMRWD for performance under Rule B.

Recommendations

Based on review of the project, we recommend conditional approval of the MnDOT Stormwater Pond Maintenance Group A Project contingent on the receipt of the following:

- Copy of the NPDES construction stormwater permit.
- Contact information for the contractor(s) undertaking land-disturbing activities.
- Contact information for the person(s) responsible for erosion control inspections and maintenance.
- Designation of an individual liable to the LMRWD for performance under Rule B.

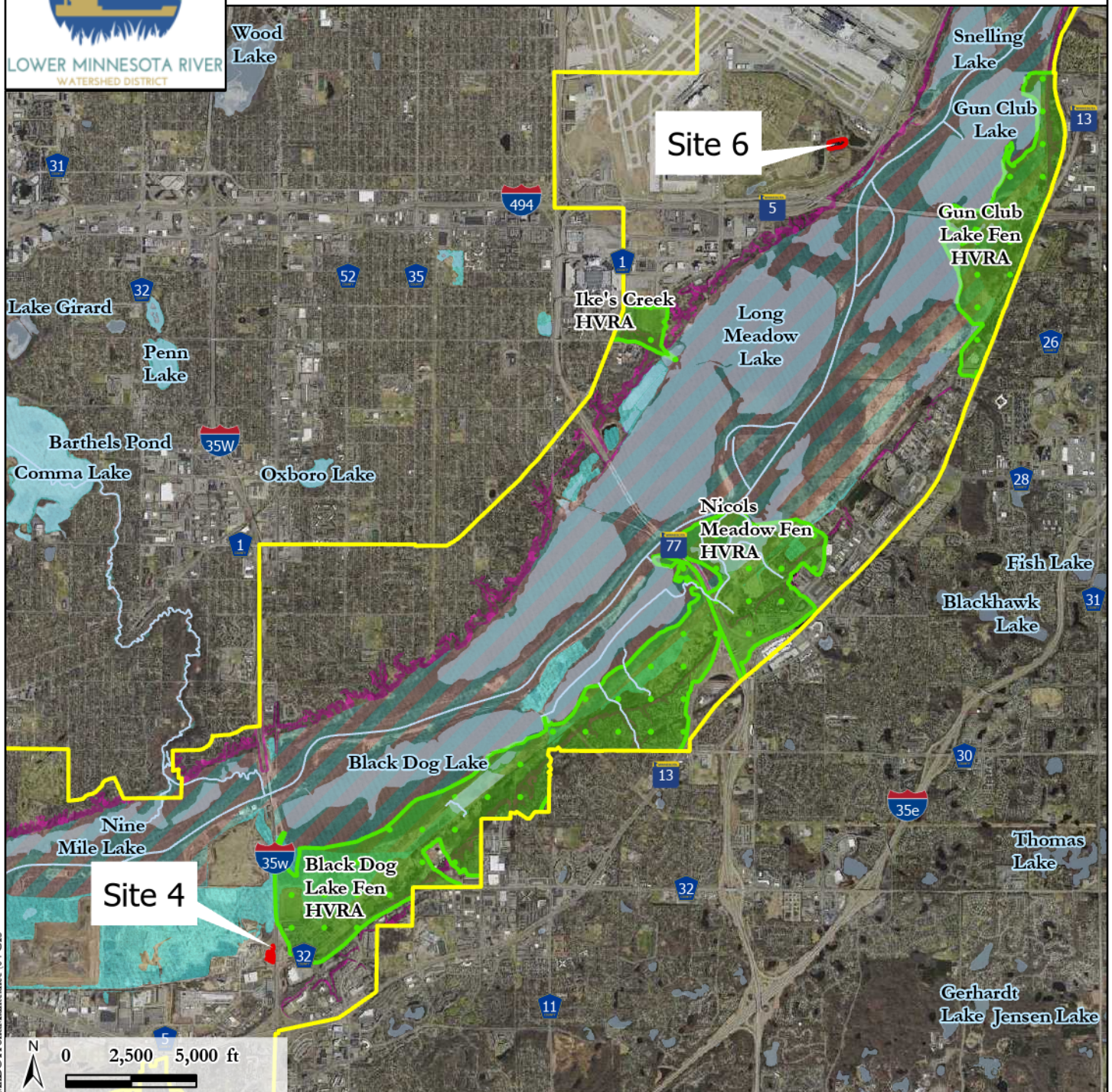
Attachments

- Figure 1—Site 4 and Site 6 Project Location Map
- Figure 2—Site 4 Map
- Figure 3—Site 6 Map



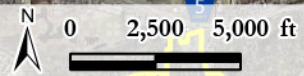
MnDOT Pond Maintenance Project Locations

LMRWD No. 2024-002



Site 4

Site 6



Legend

- Construction Limits
- LMRWD Boundary
- Public Waters
- Public Waterbodies
- High Value Resource Area
- Steep Slope Overlay District
- 100-yr Floodplain
- Floodway

LMRWD Watershed Location Map

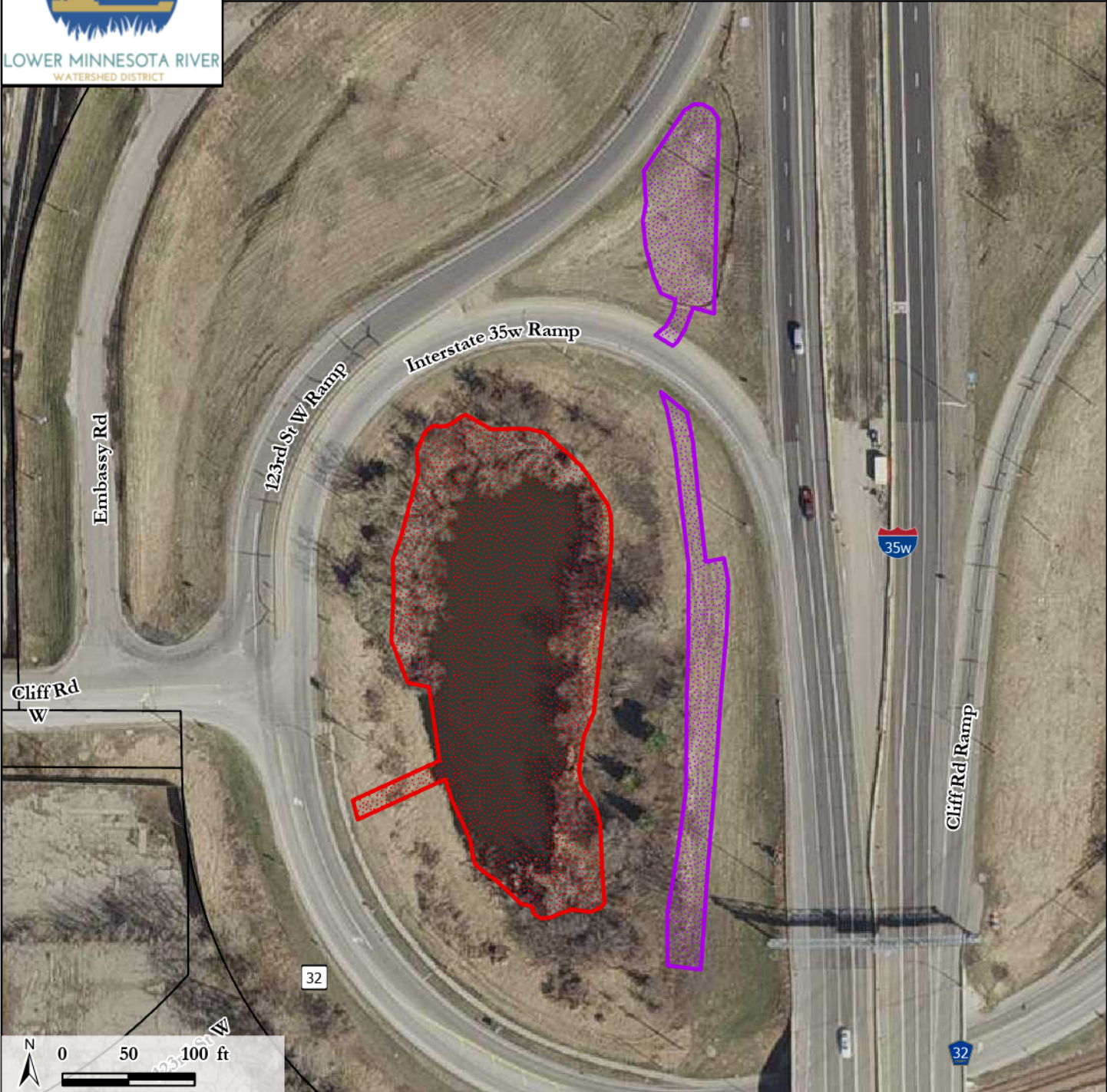


Project: LMRWD Project Review 02 In Process 2024-002 MnDOT Pond Maintenance 04 GIS



MnDOT Pond Maintenance Site 4 Project Location

LMRWD No. 2024-002



Legend

- Construction Limits
- Disposal Locations
- Parcels

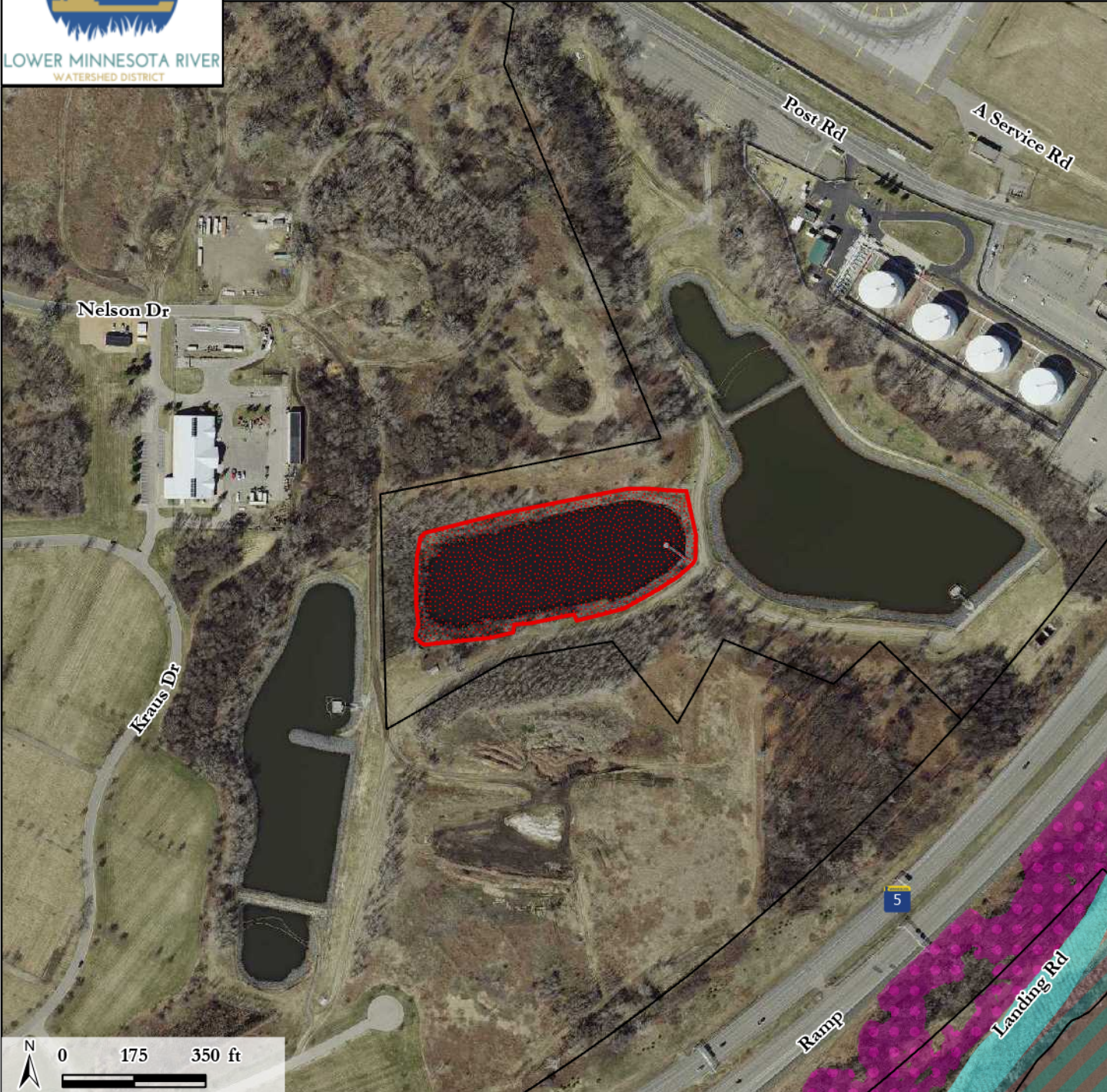
LMRWD Watershed Location Map





MnDOT Pond Maintenance Site 6 Project Location

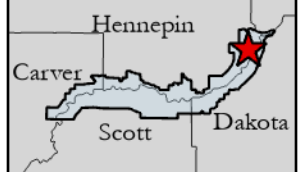
LMRWD No. 2024-002



Legend

-  Construction Limits
-  Parcels
-  Steep Slope Overlay District
-  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, May 15, 2024

Agenda Item

Item 6. D. - Safety and Security Center Phase 2 Project – Rule D Amendment (LMRWD No. 2023-022)

Prepared By

Linda Loomis, Administrator

Summary

At the April 17, 2024, Board of Managers meeting a permit was approved for the Metropolitan Airport Commission's (MAC) Safety and Security Center Phase 2 Project for LMRWD Rule B only to allow for site preparation to begin. MAC is ready to begin construction of stormwater management facility and impervious surfaces. Young Environmental Consulting Group has reviewed the application and documentation submitted by the applicant on behalf of the LMRWD. Conditional approval of the permit amendment is recommended upon review of the application, contingent upon receipt of an executed maintenance agreement.

Attachments

Technical Memorandum – Safety and Security Center Phase 2 Project – Rule D Amendment (LMRWD No. 2023-022)

Recommended Action

Motion to conditionally approve an amendment to the SSC Phase 2 Project permit to authorize construction of impervious surfaces and stormwater management facilities in compliance with LMRWD Rule D, contingent on the receipt of an executed maintenance agreement

Technical Memorandum



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

From: Erica Bock, Water Resources Scientist
Hannah LeClaire, PE, Water Resources Engineer

Date: May 8, 2024

Re: Safety and Security Center Phase 2 Project—Rule D Amendment (LMRWD
No. 2023-022)

The Metropolitan Airports Commission (MAC or applicant) is seeking an amendment to the individual project permit (Permit) for the Safety and Security Center (SSC) Phase 2 Project (SSC Phase 2 Project or Project), approved by the LMRWD Board of Managers at the April 17, 2024, board meeting. The Permit allowed site preparation and mass grading activities under Rule B – Erosion and Sediment Control. The Applicant’s engineer, Kimley-Horn and Associates, Inc. (Kimley-Horn), submitted the original Permit application, associated application exhibits, and construction plans for the Project. Kimley-Horn submitted additional stormwater management information to allow a complete review of the Project under Rule D – Stormwater Management. The Permit amendment will authorize impervious surface and stormwater management facility construction proposed to begin in late May 2024. Because MAC does not have a municipal permit, the project requires an LMRWD individual project permit.

The Project site is located on the north end of the Minneapolis-Saint Paul International Airport (Figure 1). An earlier phase of the project began in 2022 and was permitted under a separate LMRWD individual project permit (LMRWD Permit No. 2021-022). The SSC Phase 2 Project includes building demolition and construction, roadway realignment, utility construction, parking lot construction, and construction of an infiltration basin for on-site stormwater management. The Project proposes 9 acres of new and fully reconstructed impervious surfaces. The Project is not located within a High-Value Resource Area, Steep Slopes Overlay District, or the 100-year floodplain of the Minnesota River.

SUMMARY

Project Name:

SSC Phase 2 Project

Purpose:

Building, roadway, utility, parking lot, and stormwater management facility construction

Project Size:

Area Disturbed	Existing Impervious Area	New and Reconstructed Impervious Area
14.3 acres	4.7 acres	9 acres

Location:

6320 34th Avenue South
Saint Paul, MN 55111

LMRWD Rules:

Rule B – Erosion and Sediment Control
Rule D – Stormwater Management

Recommended Board Action:

Conditional approval of Permit amendment for Rule D

DISCUSSION

The LMRWD received the following documents for review:

- LMRWD online permit application; received October 2, 2023.
- LMRWD application narrative and exhibits for SSC Phase 2 by Kimley-Horn, dated September 15, 2023; received October 2, 2023.
- SSC Phase 2 drainage plans and exhibits by Kimley-Horn, revised November 13, 2023; received April 3, 2024.
- Draft maintenance agreement; received March 7, 2024.
- XPSWMM model by Kimley-Horn; received November 20, 2023; revised and received February 1, 2024.
- Stormwater management narrative by Kimley-Horn, revised April 3, 2024; received April 3, 2024.
- Existing and proposed conditions MIDS model, by Kimley-Horn; received April 26, 2024.
- SSC Phase 2 construction plans by Kimley-Horn, dated November 13, 2023; received March 7, 2024.
- Drainage area maps and drainage calculation summary by TKDA; received April 24, 2024.
- SSC Phase 2 HydroCAD model by TKDA; received April 24, 2024.
- Revised Stormwater Pollution Prevention Plan (SWPPP) by Kimley-Horn; received March 25, 2024.

The application was deemed complete on April 26, 2024, and the documents received provide the minimum information necessary for Rule D – Stormwater Management permit review.

Rule D – Stormwater Management

The project proposes a total of 9 acres of new and fully reconstructed impervious surfaces. A new infiltration basin will be used for stormwater management of the SSC Phase 2 Project site.

Stormwater in the project area drains to the infiltration basin, which is designed for a 0.8 inch/hour infiltration rate and 48-hour drawdown time. When the basin reaches a depth of 3.2 feet, stormwater will overflow from the infiltration basin into the existing MAC storm sewer system, through MAC's Pond 2, and ultimately discharge to the Minnesota River. The applicant submitted a HydroCAD model of the existing and proposed site conditions.

Section 5.4.1 of Rule D requires applicants to demonstrate no increase in a project's proposed runoff rates compared to existing conditions. The applicant proposes to meet the rate control requirement by routing stormwater from the site through the proposed infiltration basin. The existing and proposed runoff rates are provided in Table 1.

Table 1. SSC Phase 2 Project Runoff Rate Summary

Rainfall Event (24-hour depth)	Existing (Cubic Feet per Second [CFS])	Proposed (CFS)	Difference (CFS)
2-year – 2.83"	55.7	31.6	-24.1
10-year – 4.24"	102.9	56.0	-46.9
100-year – 7.50"	217.4	127.1	-90.3

The modeled runoff rates show a decrease from existing conditions for the 2-, 10-, and 100-year rainfall events, meeting the rate control requirements of Rule D.

Section 5.4.2 of Rule D requires projects to retain 1 inch of runoff from the new and fully reconstructed impervious areas. The Project proposes 9 acres of new and fully reconstructed impervious area. Therefore, the project must provide 32,670 cubic feet of volume retention to meet Rule D requirements. The applicant provided soil borings showing silty sand at the proposed infiltration basin location. The applicant also provided a specification describing excavation to increase or decrease the infiltration rate as directed by the engineer to achieve the 0.8 inch/hour infiltration rate. With a drawdown requirement of 48 hours, a storage depth of 3.2 feet is required for the infiltration basin.

Table 2. SSC Phase 2 Project Volume Control Summary

BMP	Volume (Cubic Feet [CF])
Required treatment	32,670
Infiltration Basin Storage	72,220

The Project's volume control requirement has been achieved through storage in the proposed infiltration basin. The Project complies with Rule D volume requirements.

Section 5.4.3 of Rule D requires no net increase in total phosphorus (TP) or total suspended solids (TSS) to receiving waterbodies when compared to existing conditions. The applicant proposes to use the infiltration basin to meet the Rule D water quality requirements. The applicant submitted a MIDS model and supporting documentation to demonstrate compliance with LMRWD water quality requirements.

Table 3. SSC Phase 2 Project Water Quality Summary

	TP (Pound per year [lb/yr])	TSS (lb/yr)
Existing	39.6	11,492
Proposed	27.5	7,973
Difference	-12.1	-3,519
% Reduction	31%	31%

As presented, the pollutant load would be reduced for both TP and TSS, meeting the water quality requirements of Rule D.

Recommendations

Based on review of the Project, we recommend conditional approval of an amendment to the SSC Phase 2 Project permit to authorize construction of impervious surfaces and stormwater management facilities in compliance with LMRWD Rule D, contingent on the receipt of the following:

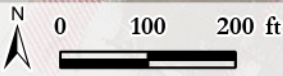
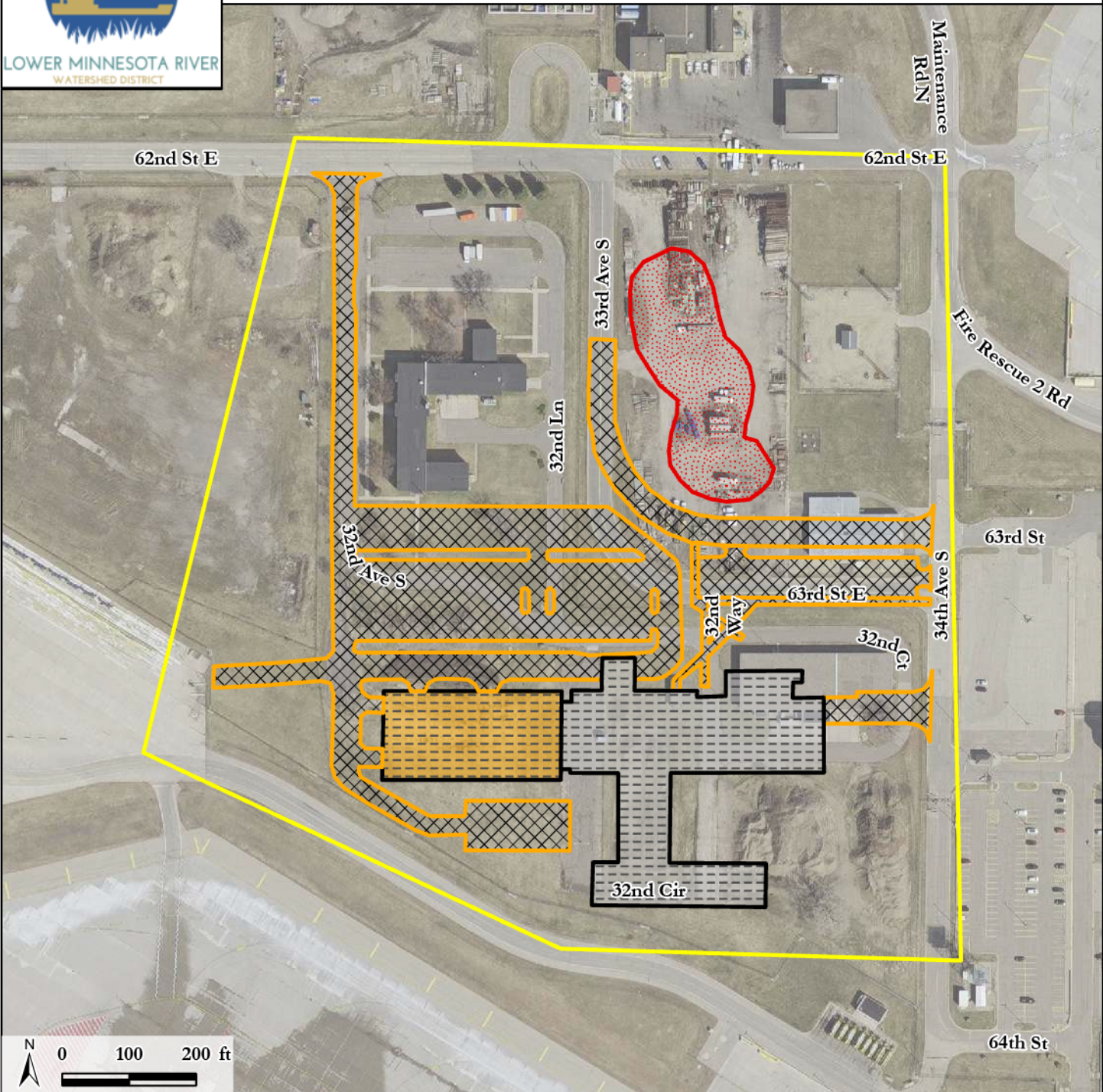
- Executed maintenance agreement.

Attachments






- Figure 1—SSC Phase 2 Project Location Map



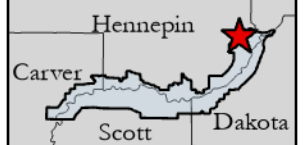
Figure I: Safety and Security Center Phase II Project Location
LMRWD No. 2023-022



Legend

-  Project Location
-  Proposed Covered Parking
-  Proposed Impervious
-  Proposed Infiltration Basin
-  Proposed Safety and Security Center

LMRWD Watershed
Location Map





LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, May 15, 2024

Agenda Item

Item 7. A. – Reset date for June 19, 2024, Regular meeting of the LMRWD Board of Managers

Prepared By

Linda Loomis, Administrator

Summary

The June 19, 2024, regular meeting of the LMRWD Board of Managers falls on a federal holiday - Juneteenth. Legal Counsel has advised that the Board should reset the date of the meeting. Managers should bring their calendars to find a date to hold a rescheduled meeting. It is recommended that the date be rescheduled to the day after the regular meeting date – June 20, 2024.

Legal Counsel advised as follows:

Statutes section 645.44 defines the following holidays for government bodies:

"Holiday" includes New Year's Day, January 1; Martin Luther King's Birthday, the third Monday in January; Washington's and Lincoln's Birthday, the third Monday in February; Memorial Day, the last Monday in May; Juneteenth, June 19; Independence Day, July 4; Labor Day, the first Monday in September; Indigenous Peoples Day, the second Monday in October; Veterans Day, November 11; Thanksgiving Day, the fourth Thursday in November; and Christmas Day, December 25; provided, when New Year's Day, January 1; or Juneteenth, June 19; or Independence Day, July 4; or Veterans Day, November 11; or Christmas Day, December 25; falls on Sunday, the following day shall be a holiday and, provided, when New Year's Day, January 1; or Juneteenth, June 19; or Independence Day, July 4; or Veterans Day, November 11; or Christmas Day, December 25; falls on Saturday, the preceding day shall be a holiday.

The statute goes on further to say:

No public business shall be transacted on any holiday, except in cases of necessity and except in cases of public business transacted by the legislature, nor shall any civil process be served thereon. However, for the executive branch of the state of Minnesota, "holiday" also includes the Friday after Thanksgiving but does not include Indigenous Peoples Day. Other branches of state government and political subdivisions shall have the option of determining whether Indigenous Peoples Day and the Friday after Thanksgiving shall be holidays. Where it is determined that Indigenous Peoples Day or the Friday after Thanksgiving is not a holiday, public business may be conducted thereon.

The meeting date will have to be changed. The Board should consider adopting a revised meeting schedule at the next meeting to make the change. If the revised schedule is adopted at a regular meeting, there will be no need to provide any special notice of the change in meeting date for June.

Item 7. A. – Reset date for June 19, 2024, Regular meeting of the LMRWD Board of Managers
Executive Summary
Wednesday, May 15, 2023
Page 2

Attachments

No attachments

Recommended Action

Motion to reset date of June 19, 2024, Board of Managers meeting



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, May 15, 2024

Agenda Item

Item 7. B. – Officer Appointments and Authorize removal of Manager Laura Amundson and addition of new Treasurer as signatory to LMRWD financial accounts

Prepared By

Linda Loomis, Administrator

Summary

Manager Amundson was authorized as a signatory to LMRWD financial accounts in her role as Treasurer. With the retirement of Manager Amundson, President Barisonzi may appoint a Treasurer to fill that role until the Board of Managers elections of officers are scheduled in September. The Board should then authorize updating signatories with both the Minnesota Municipal Money Market Fund (the 4M Fund) and US Bank.

The LMRWD has two depositories; 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).

Resolution 24-08 is attached for the Board to adopt authorizing the changes recommended. Once a new Treasurer has been appointed, the following forms will be prepared and submitted:

- 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)

The LMRWD payment platform Bill.com will also be updated to add the new Treasurer as necessary to approve invoices.

Attachments

Resolution 24-08 Resolution Modifying Authorized Signers on Depositories for Lower Minnesota River Watershed District Funds

Recommended Action

Appoint new Treasurer; and

Motion to adopt Resolution 24-08 Modifying Authorized Signers on Depositories for the Lower Minnesota River Watershed District and authorize preparation and execution of documentation required by 4M Fund and US Bank to update signatories

Manager _____ offered the following Resolution and moved its adoption:

RESOLUTION 24-08

**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 Laura Amundson, who has acted as Treasurer of the LMRWD since November of 2021, has retired from the LMRWD Board of Manager; and

WHEREAS, on May 15, 2024, President Barisonzi has appointed Manager _____, as Treasurer of the LMRWD.

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

BE IT FURTHER RESOLVED that Manager _____ 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 Laura Amundson 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>
BARISONZI	<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"/>
LAMMERS	<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"/>
VISWANATHAN	<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 on this 15th day of May 2024.

ATTEST:

Joseph Barisonzi, 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 15th day of May 2024.

Theresa Kuplic, Vice President



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, May 15, 2024

Agenda Item

Item 7. C. – Education and Outreach

Prepared By

Linda Loomis, Administrator

Summary

At the April 17, 2024, Board of Managers meeting, the Board selected Young Environmental Consulting Group (YECG) to provide Education and Outreach (E & O) Services to the LMRWD. YECG would like to sit down with the Board of Managers to reassess the 2024 E & O workplan, within the confines of the 2024 budget and develop a workplan for 2025, which will be used to inform the 2025 LMRWD budget.

YECG has used information collected at the January 11, 2024, workshop and prepared a Technical Memorandum for the Board to review with recommendations for board consideration. Staff recommends that the Board consider a workshop preceding the June Board of Managers meeting.

Attachments

Technical Memorandum – Education and Outreach (E & O) Program – 2024 Action Plan dated May 7, 2024

Recommended Action

Motion to set date for Board E & O Workshop

Technical Memorandum

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

From: Della Schall Young, PMP, CPESC, CTF, Principal Scientist
Jess Norby, Project Manager, Senior Water Resources Scientist

Date: May 7, 2024

Re: Education and Outreach (E&O) Program —2024 Action Plan

After being re-selected as the Education and Outreach (E&O) Consultant, Young Environmental will continue to execute the 2024 work plan that was approved by the Board of Managers while offering recommendations for future restructuring to incorporate continuous feedback on LMRWD's education and outreach goals. The goal of this technical memo is to clearly define the scope of our current 2024 work plan, outline additional needs as summarized from Board and Citizen Advisory Committee (CAC) feedback, and offer suggestions for future work plan considerations. We presented an update on 2024 E&O Program progress in April's Board of Managers Quarterly Progress Report. The Draft Action Plan includes a summary of feedback gained from the January E&O workshop and the accompanying Roles and Responsibilities charts outlining the items in the 2024 work plan followed by *additional needs outside of the scope of the current work plan (italicized)*. Young Environmental is open to restructuring the E&O Program as recommended by the Board of Managers and incorporating feedback into future work plans.

Next Steps

Immediate efforts will be made to increase LMRWD Citizen Advisory Committee (CAC) membership to fill two open positions and increase public awareness of the CAC and associated events. Young Environmental will create and distribute promotional postcards to residents and past cost share recipients advertising for CAC members, pursue additional outreach through local government websites or other local environmental groups, revamping the CAC website landing page, and utilizing the existing LMRWD network for recruitment (i.e. current CAC members, Board members,

and educators). Recruitment efforts will also be made while hosting educational outreach tables at local events to promote the CAC and share information on how to pursue membership. In addition to ongoing recruitment and retention efforts, we will work to increase the involvement and visibility of the CAC and ensure they are given meaningful work to advance the LMRWD's mission.

We will move forward with reframing social media outreach, which was summarized in the attached Technical Memorandum from February's Board packet (see Attachment 1). In short, we plan on reducing duplicative content creation like general water quality awareness and increasing content specific to LMRWD, including species in bloom, recreation and volunteer opportunities, important project updates, and picturesque views that highlight LMRWD resources in a unique way. We will increase collaboration and cross-sharing of partner information and applicable resources so that water quality information continues to be shared and the purpose of LMRWD is not lost.

Young Environmental will offer additional support (as part of the General Engineering - On Call Services) toward the immediate planning of the LMRWD summer barge tour, which has been noted as an important activity for E&O outreach. We will also continue to make progress in the other areas of the current work plan as we aim to achieve the Key Performance Indicators (KPIs) outlined in the charts below.

Suggestions for Consideration

We understand there are additional needs for increased public relations and communications content in addition to traditional E&O services. Young Environmental has supported these priorities, which are requested as additional services (*billed toward General Engineering - On Call Services*) and can be requested by the Board (website updates, press releases, presentations, annual reporting, etc.). When the 2025 work plan is established, we can clarify whether these deliverables should be defined and included in future work plans.

While some additional outreach goals can partially be addressed with current social media objectives, we may want to explore other outreach methods to successfully target audiences like private contractors, local businesses, policy-makers, homeowner associations (HOAs), and other audiences. We suggest reviewing and creating targeted mailing lists, brainstorming the best outreach strategies, and developing specific action items to include in future work plans to successfully educate the desired audience group if work exists outside of the current community outreach approach.

Managing the cost-share grant program is currently outside of the scope of work for the E&O Program; however, we recognize the important role it plays in E&O goals. The roles and responsibilities for this program could be reevaluated to incorporate CAC review of applications, an approach used in neighboring organizations, and to provide more community awareness of cost-share projects. We recognize the lasting E&O

benefits of water quality improvement projects on private property and suggest a KPI goal of maximizing the amount of cost-share dollars distributed in the community through approved projects.

We look forward to continuing our consulting role for leading LMRWD's E&O Program and welcome any feedback from you have, as the Board of Managers, in reaching your vision of a successful program!

Background for the Draft Action Plan

On January 11, 2024, Young Environmental facilitated a joint workshop for the LMRWD Board of Managers and Citizen Advisory Committee (CAC) to discuss the 2024 priorities for the ongoing E&O Program, connected to the work plan approved at the October 2023 Board meeting.

The workshop was designed to inform program goals, which include:


- Continuing a successful program that connects the goals and objectives of the Board, CAC, and staff with the intended audience, driving engagement and action.
- Creating and delivering key messaging through education and outreach campaigns, high-priority materials, and memorable events.



The 3-hour workshop was held at the Chaska Community Center to provide educational background information on the program, foster a facilitated conversation, and provide a space for the Board, CAC, and staff to collaborate with each other. The meeting was designed to identify priorities for the E&O Program, establish consensus on shared goals, and create a targeted wish list for ongoing watershed district education and community outreach. Additional goals included establishing benchmarks and metrics to assess the success of the E&O Program and a process to adjust the strategy as needed.



At this point, the group acknowledged that there were 15 individual audiences that could not be grouped together any further and it was that participants voted on their top audiences in the hopes of narrowing in further. The draft action plan was established to focus on these targeted audiences and align not only the Young Environmental work plan, but all LMRWD programs and partnerships, with this outreach.




Lower Minnesota River Watershed District Draft Action Plan


Education and outreach priority audiences and messaging needs.

 Workshop Target Audience: YOUTH			
Audience Need	LMRWD Offerings (see Roles and Responsibilities charts)	Partner Organizations	Action Items
Hands-on experiences, excursions, and classroom programs.	Work Plan Objective 5: School Engagement	<p>Nine Mile Creek Watershed District: Classroom Presentations</p> <p>City of Burnsville and Dakota County Soil and Water Conservation District (SWCD): Classroom Curriculum</p> <p>Metro Children's Water Festival sponsorship</p> <p>Scott County SWCD's Outdoor Education Days sponsorship</p> <p>River Watch sponsorship</p>	<ul style="list-style-type: none"> • Continue to explore partnerships to engage youth in the LMRWD through city, SWCD, and county partners in classroom and excursion settings. • Expand ideas for youth activities at CAC tabling events. • Continue to explore sponsorship of existing partner events targeted at youth to create visibility without the added cost of organizing.
Enhancing mini-grant program	Work Plan Objective 5: School Engagement		<ul style="list-style-type: none"> • Continue to grow network of teachers and educators to share educator mini-grant promotions.
<i>Determine what to incorporate from Texas A&M student project</i>	<i>Special Project: Texas A&M Student Research</i>	<i>Texas A&M students</i>	<ul style="list-style-type: none"> • <i>Reach out to relevant 4H clubs for outreach/collaboration opportunities.</i> • <i>Coordinate and promote clean-ups of the Minnesota River.</i> • <i>Create PR materials as outlined in student campaign.</i>

 Workshop Target Audience: HOMEOWNERS ASSOCIATIONS (HOAs)/URBAN RESIDENTS			
Audience Need	LMRWD Offerings	Partner Organizations	Action Items
<p><i>Providing technical assistance or contractor recommendations (sustainable practices)</i></p>	<p>Work Plan Objective 3: Social Media</p> <p><i>Cost-Share Grant Program</i></p>	<p><i>Minnesota Pollution Control Agency: Smart Salting Training, Turf Grass Maintenance Training, Guidance for Construction Stormwater, Sustainable Building Group Process</i></p> <p><i>Explore partner MS4 cities to determine overlap of education and outreach.</i></p>	<ul style="list-style-type: none"> • <i>Review existing materials and identify gaps. Consider developing materials as part of the permit customer audience need.</i> • Continue to promote partner resources on LMRWD digital platforms.
<p><i>Increasing outreach surrounding property management training (grass/turf management, low-salt no-salt MN, smart salting practices)</i></p>	<p>Work Plan Objective 3: Social Media</p> <p><i>Public Relations/ Communication Services (Internal, External)</i></p>	<p><i>Nine Mile Creek Watershed District: Turf Grass Management</i></p> <p><i>Hennepin County: Chloride Initiative (Low-Salt, No Salt)</i></p> <p><i>Minnesota Pollution Control Agency: Smart Salting Training</i></p> <p><i>Explore partner MS4 cities to determine overlap of education and outreach.</i></p>	<ul style="list-style-type: none"> • <i>Create a direct mailing (physical and/or email) list for better distribution of technical training announcements.</i> • Continue to promote partner resources on LMRWD digital platforms.
 Workshop Target Audience: PRIVATE CONTRACTORS/COMMERCIAL BUSINESSES AND INDUSTRY/DREDGE CUSTOMERS			
Audience Need	LMRWD Offerings	Partner Organizations	Action Items
<p><i>Raised awareness on best management practices (BMPs)/general awareness</i></p>	<p>Work Plan Objective 3: Social Media</p> <p><i>Public Relations/ Communication Services (Internal, External)</i></p>	<p><i>Minnesota Pollution Control Agency: Smart Salting Training, Turf Grass Maintenance Training, Guidance for Construction Stormwater, Sustainable Building Group Process</i></p>	<ul style="list-style-type: none"> • <i>Review existing materials and identify gaps. Consider developing materials as part of the permit customer audience need.</i> • <i>Focus on the need of industry/dredge customers to further identify gaps and opportunities for education and outreach.</i> • Continue to promote partner resources on LMRWD digital platforms.

 Workshop Target Audience: ONE WATERSHED, ONE PLAN (1W1P) EAST PLANNING GROUP			
Audience Need	LMRWD Offerings	Partner Organizations	Action Items
<i>Define what partnership looks like</i>		<i>Partners in 1W1P East Planning Group Process</i>	<ul style="list-style-type: none"> • <i>Work with this group to engage with upstream partners that can affect agriculture/conservation practices with an impact to the health of the Minnesota River.</i> • <i>Develop an understanding of relationship network and how it can be employed on mutually beneficial projects.</i>
 Workshop Target Audience: RECREATIONISTS			
Audience Need	LMRWD Offerings	Partner Organizations	Action Items
<i>Connect the audience with reliable information (ex: what fish can be eaten safely?)</i>	<i>Website Content Updates</i>	<i>Minnesota Department of Natural Resources</i> <i>Minnesota River Congress – Recreation Team</i>	<ul style="list-style-type: none"> • <i>Identify additional information needed and how to disseminate it in addition to the website and social media (i.e. newsletter or flyer at tabling events or proactive connection to local recreation groups).</i>
Increased signage to convey information to this audience	Work Plan Objective 4: LMRWD Signage		<ul style="list-style-type: none"> • Consider recreational signs as part of interpretive sign placement and development.

 Workshop Target Audience: PERMIT CUSTOMERS (END CLIENTS)			
Audience Need	LMRWD Offerings	Partner Organizations	Action Items
Establish cover letter with permit approval (potentially BMP-specific/giving maintenance advice)	Public Relations/ Communication Services (Internal, External)		<ul style="list-style-type: none"> Consider investment in promotional piece to be included to permit customers and end clients (i.e. a cover letter from LMRWD): Additional communications services.
 Workshop Target Audience: LMRWD BOARD, CAC, STAFF			
Audience Need	LMRWD Offerings	Partner Organizations	Action Items
Create a standard presentation for staff, Board of Managers, and the CAC to use as a resource to inform meetings	Public Relations/ Communication Services (Internal, External)		<ul style="list-style-type: none"> Consider investment in promotional presentation to be used regularly by Board of Managers, LMRWD staff, and CAC if relevant: Additional communications services. Identify list of targeted partnership groups and key influencers to schedule Board of Managers outreach presentations. Populate in "Partner Organizations" for future use. Coordinating a Watershed 101 presentation for educating on watershed district roles in local government organization
More active involvement in E&O program	Communication Services (Internal, External)		<ul style="list-style-type: none"> Continue communicative feedback between all members identified in the Roles and Responsibilities matrices to ensure progress.
 Workshop Target Audience: POLICY-MAKERS			
Audience Need	LMRWD Offerings	Partner Organizations	Action Items
Create a standard presentation to give when the opportunity allows (ex: "Who we are", "what we regulate")	Internal, External Communications		<ul style="list-style-type: none"> Consider investment in promotional presentation to be used regularly by Board of Managers, LMRWD staff, and CAC if relevant: Additional communications services. Identify list of targeted partnership groups and key influencers to schedule Board of Managers outreach presentations. Populate in "Partner Organizations" for future use.

<p><i>Establish annual meeting procedure and targeted briefing with different contracts</i></p>	<p><i>Internal, External Communications</i></p>		<ul style="list-style-type: none"> • <i>Consider investment in promotional materials and event planning: Additional communications services.</i>
<p> Workshop Target Audience: PUBLIC DURING EMERGENCY</p>			
<p>Audience Need</p>	<p>LMRWD Offerings</p>	<p>Partner Organizations</p>	<p>Action Items</p>
<p><i>Promote the District's work to manage and prevent future emergencies.</i></p>	<p><i>Work Plan Objective 3: Social Media</i></p> <p><i>Public Relations/ Communication Services (Internal, External)</i></p> <p><i>Website Content Updates</i></p>	<p><i>Media Contact Relationships</i></p>	<ul style="list-style-type: none"> • <i>Develop process for PR and external communications: Additional communications services.</i> • <i>Continuously evaluate social media and website's effectiveness at rolling out information to the public in a time-sensitive manner to prepare for urgent events.</i>

Roles and Responsibilities Chart

Internal tool to highlight chain of communication and responsibility



	Program Pillars and Tasks	Associated KPIs	BOARD OF MANAGERS	STAFF	CITIZEN ADVISORY COMMITTEE	YOUNG ENVIRONMENTAL
Task #	Work Plan Objective 1: Project Management and Board of Managers Coordination					
1.1	Project plan development and project management	Work plan and progress	Informed	Accountable	Informed	Responsible
1.2	Board Workshop	Workshop outcomes	Consulted	Informed	Consulted	Responsible
1.3	Quarterly Updates	Quarterly updates	Informed	Authority	Informed	Responsible
	Work Plan Objective 2: Citizen Advisory Committee					
2.1	Maintain a CAC of five members or more and focus on retaining existing members	Number of CAC members and involvement	Accountable	Consulted	Informed	Responsible
2.2	Plan and facilitate CAC meetings	Monthly meetings/activities	Informed	Accountable	Informed	Responsible
2.3	Monitor and assist the CAC	Monthly meetings/activities	Accountable	Consulted	Informed	Responsible
2.4	Develop educational materials as directed by the CAC (up to 4 items throughout 2024)	Materials created	Accountable	Consulted	Informed	Responsible
	Work Plan Objective 3: Social Media					
3.1	Maintain social media sites with approved content calendars	Social media metrics	Consulted	Accountable	Informed	Responsible
3.2	Enhance social media messaging by adjusting content towards highlighting the uniqueness of LMRWD	Social media metrics	Consulted	Accountable	Informed	Responsible
3.3	Grow social media following by increasing visibility of accounts	Social media metrics	Consulted	Accountable	Informed	Responsible
	Work Plan Objective 4: LMRWD Signage					
4.1	Identify sites for interpretive signage while working with local partners on locations and messaging (up to 5 signs completed in 2024)	Number of signs	Accountable	Consulted	Consulted	Responsible
4.2	Resource identification and protection signs	Number of signs	Accountable	Consulted	Consulted	Responsible
	Work Plan Objective 5: School Engagement					
5.1	Explore education opportunities in schools and build on partnerships to increase awareness of existing youth programs, hands-on experiences, and other classroom programs relevant to LMRWD (i.e. CCWMO internships, Evening with the Bugs program)	Youth participation numbers, creating classroom material	Informed	Accountable	Consulted	Responsible
5.2	Mini-grant program for educators	Maximizing grant dollars distributed	Accountable	Consulted	Consulted	Responsible
	Work Plan Objective 6: Community Outreach and Engagement					
6.1	Maintain and build partnerships that promote community outreach	Maintaining partnerships with other entities	Accountable	Consulted	Consulted	Responsible
6.2	Coordinating involvement of CAC members and staff for local events	Number of events and estimating outreach metrics	Accountable	Consulted	Consulted	Responsible
6.3	Creating relevant tabling materials for outreach events	Maintaining breadth of hand-outs/talking points	Accountable	Consulted	Consulted	Responsible

Roles and Responsibilities Chart

Internal tool to highlight chain of communication and responsibility



LOWER MINNESOTA RIVER
WATERSHED DISTRICT

Program Pillars and Tasks	Associated KPI	BOARD OF MANAGERS	STAFF	CITIZEN ADVISORY COMMITTEE	YOUNG ENVIRONMENTAL
Additional Education and Outreach Needs					
Public Relations/Communication Services (Internal, External)					
7.1 Create branded materials for internal and external use (i.e. press releases, presentations, process documents)	To be determined	Accountable	Responsible /Consulted	Informed	Responsible /Consulted
7.2 Create a standard presentation for staff, Board of Managers, and the CAC to use as a resource to inform meetings	Standard presentation				
7.3 Increase communications to recreationists (i.e. create Recreation Landing page on website, safe fish consumption guidance or signage)	content	Accountable	Consulted	Consulted/Informed	Responsible
7.4 Increase LMRWD visibility with permit holders (i.e. LMRWD cover letter materials/informational page or BMP specific information page)	Related permit materials	Accountable	Consulted	Informed	Responsible
7.5 Increase outreach to HOAs/private contractors by improving awareness of technical events hosted by partners (grass/turf management, low-salt no-salt MN, smart salt training)	Targeted campaigns	Accountable	Consulted	Informed	Responsible
7.6 Raised awareness on best management practices/general awareness directed towards private contractors, commercial businesses, and industry/dredge customers	Targeted campaigns	Accountable	Consulted	Informed	Responsible
7.7 Create public emergency response plan	Public emergency response plan	Accountable	Consulted	Consulted/Informed	Responsible
7.8 Planning and outreach surrounding the LMRWD barge tour	Successful barge tour	Accountable	Responsible	Informed	Consulted
Website Content Updates					
8.1 Maintain website with up-to-date content, news, and events	Website content	Accountable	Responsible /Consulted	Informed	Responsible /Consulted
Update/revise the CAC landing page on the website and maintain with up-to-date announcements, events, and volunteer opportunities	CAC webpage updates	Accountable	Responsible /Consulted	Consulted/Informed	Responsible/Consulted
Annual Reporting					
9.1 Develop annual report as part of BWSR requirement and communication with LMRWD community	Annual report and related PR	Accountable	Responsible /Consulted	Informed	Responsible /Consulted
Hennepin County Monitoring Program (in effect, on-going) and general chloride outreach					
10.1 Continue chloride monitoring efforts (sampling and analyses)		Informed	Consulted	Informed	Accountable/Responsible
10.2 Informational report of YE chloride work for the CAC and Board	Report/presentation	Accountable	Informed	Informed	Responsible
Developing targeted chloride awareness/reduction initiatives	Targeted campaigns	Accountable	Consulted	Consulted/Informed	Responsible
10.3 Salt Watch partnership (IWLA) exploration	Number of residents to sign up for the program	Accountable	Consulted	Consulted/Informed	Responsible
Cost-Share Grant Program					
11.1 Manage cost share grant applications	Usage of cost share grant budget	Accountable	Responsible /Consulted	Informed	Responsible /Consulted
11.2 Create cost share promotional items	Promo items	Accountable	Consulted	Consulted/Informed	Responsible /Consulted
11.3 Outreach initiatives to commercial property owners in LMRWD	Successful projects	Accountable	Responsible /Consulted	Informed	Responsible /Consulted
11.4 Providing technical assistance or contractor recommendations (sustainable practices)	Ability to offer technical assistance and/or list of approved contractors				
Increase CAC Involvement/Awareness					
12.1 Find gaps in CAC outreach and visibility, determine expectations of members, and revise CAC meetings to increase attendance and involvement	CAC members and involvement	Accountable	Responsible /Consulted	Consulted/Informed	Responsible/Consulted
Presentations to Council Members					
13.1 Board of Managers provide regular presentations to targeted partner audiences	Presentations	Responsible	Consulted	Informed	Consulted
Special Project: Texas A&M Student Research					
14.1 Work with students to develop strategy for education and outreach for basin-wide approach	Incorporated feedback	Responsible	Consulted	Informed	Informed

Technical Memorandum

To: Lower Minnesota River Watershed District Board of Managers

From: Suzy Lindberg, Communications Manager
Della Schall Young, CPESC, PMP, CTF, Principal Scientist

CC: Linda Loomis, Administrator
Lower Minnesota River Watershed District

Date: February 14, 2024

Re: Lower Minnesota River Watershed District Social Media Content and Strategy

As part of the 2024 Education and Outreach Program Work Plan, Young Environmental is reconfiguring its strategy and content related to the Lower Minnesota River Watershed District's (LMRWD) social media presence. The following memo highlights the details of this ongoing effort.

SUMMARY

Project Name: LMRWD Education and Outreach—Social Media

Purpose: Reconfigure the LMRWD's social media content and strategy to enhance social media messaging and grow social media following.

BACKGROUND

Young Environmental reviewed previous LMRWD social media content (Facebook, Instagram, and X) from 2023 to adjust its 2024 strategy. Based on this review by our new staff members, we conceptualized the following improvements to establish a clearer identity unique to the LMRWD on social media.

We present the suggested shifts in social media strategy below:

- **Reduce Redundant Content.**
 - Reduce the amount of redundant water quality information already being represented by other watershed districts and watershed management organizations, such as the following:
 - National water quality/world awareness days
 - Salt/chloride awareness
 - Reduce posting frequency to one to three times per week depending on news and events.

- Discontinue posting on the X platform (focus on Facebook and Instagram).
- **Increased Unique Content.**
 - Increase the spotlight of unique features of the LMRWD.
 - More placeholders in the content calendars for highlighting weather-dependent or seasonal facets such as native plants in bloom.
 - General picturesque views unique to the LMRWD captured by our team.
 - Timely LMRWD or partner project updates.
 - Engage citizens.
 - Increased awareness of the cost-share program and highlighting of previous cost-share projects.
 - Photo contest, calendar, or photographer-in-residence campaign.
 - Boost partnership awareness and collaboration.
 - Highlighting of partnership events and local outreach opportunities.
 - Increased awareness through youth outreach activities and internships hosted by partners.
 - Increased awareness of statewide grant initiatives like Lawns to Legumes.
 - Reposting other organization's evergreen content.

The overarching goals of the proposed changes are to enhance social media messaging through more unique and creative content, enhance partnership awareness, and grow LMRWD's social media following (Young Environmental Work Plan Tasks 3.2 and 3.3). Analytics will be collected to verify traction gained or additional improvement items needed. Additionally, Young Environmental has noted an underutilization of the cost-share program. Our staff can use social media as a means of integrating and promoting the cost-share program as an active component of the Education and Outreach Program.

JUSTIFICATION AND COMPARISON ANALYSIS

Upon review, the two local watersheds with the greatest social media success (measured in average number of likes for the five most recent posts, number of followers across platforms, etc.) are Capitol Region Watershed District (CRWD) and Ramsey-Washington Metro Watershed District (RWMWD).

To increase the engagement on LMRWD posts across social media platforms and expand the audience beyond other government agencies and units, we propose adjusting content and post frequency to mirror the success of the CRWD and RWMWD. Across platforms, the CRWD and RWMWD averaged roughly one post per week.

Topics presented in their recent posts included the following:

- Local projects and features within their district (e.g. the Trout Brook Storm Sewer Interceptor, and ice tracking on Como Lake).
- Reposts from other organizations.
- Seasonal posts: salting, and winter native seeding.
- Lawns to Legumes grant announcement.

Young Environmental noted these watershed districts found success in posting less frequently and focusing the content of their posts around unique projects and features of their district, presenting different seasonal ideas (e.g. winter native seeding), and reposting content from other organizations. These ideas guided Young Environmental's changes to social media content and strategy, beginning with the winter content calendar draft.

RECOMMENDATIONS

To accomplish this overall shift in strategy, Young Environmental recommends the LMRWD Board of Managers solidify goal(s) and desired target social media audience(s) to refocus attention on the LMRWD's unique identity. This solidification will improve Young Environmental's ability to curate social media content around targeted groups and overarching Board goals.

Young Environmental recommends the LMRWD Board of Managers approve the suggested shift in social media content upon reviewing the winter content calendar. We believe it more fully encompasses elements of the shift while maintaining the organization's current identity. Following Board approval and feedback, Young Environmental recommends curating future content calendars to reflect the continued shift envisioned by our staff.

In addition, Young Environmental recommends a more intricate look at the cost-share program to understand how to best apply social media to increase awareness of the program. This primarily includes understanding the roles of all parties involved (e.g. LMRWD Board of Managers, Administrator, Citizen Advisory Committee, Young Environmental) as well as how we can increase involvement in the program to maximize use of the cost-share funds.



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, May 15, 2024

Agenda Item

Item 7. D. – Administrator Agreement Amendment #4

Prepared By

Linda Loomis, Administrator

Summary

At the March 20, 2024, Board of Manager meeting, the Board requested an amendment to the administrator agreement that reflects how administrative hours are managed when 150 hours per month is exceeded. It has been accepted practice of the LMRWD to allow excess hours to be carried over to the following month, without prior approval of the Board, or its authorized officers, as stipulated in the Administrator Agreement.

When hours over 150 hours per month are necessary, it is not always practical to get approval from the Board. The Board authorized previous Presidents to approve hours, however, past Presidents, authorized the Administrator to carry over hours more than 150 hours to the next month. The current Board asked that the Administrator Agreement be amended to reflect that practice.

Attachments

Administrator Agreement dated November 25, 2013, as amended

Administrator Agreement Amendment #4_redlined

Administrator Agreement Amendment #4_clean copy

Recommended Action

Motion to approve Amendment #4 to the Administrator Agreement

AMENDMENT #3 TO

ADMINISTRATOR AGREEMENT

THIS AMENDMENT is made as of this 17th day of January, 2024 by and between the Lower Minnesota River Watershed District, a Minnesota Watershed District established in accordance with the Minnesota Watershed Act ("LMRWD") and Naiad Consulting, LLC, a Minnesota limited liability company (the "Contractor")

RECITALS

WHEREAS, LMRWD and Contractor entered into that certain Administrator Agreement dated November 25, 2013, amended October 21, 2015 and January 7, 2019 and attached as Exhibit 1 ("Agreement"); and

WHEREAS, LMRWD and Contractor wish to continue the Agreement with the amendments specified below:

NOW, THEREFORE, the parties agree as follows:

1. Section 2, Compensation of the agreement shall be replaced with the following:

"COMPENSATION: Contractor will be paid for Services at the rate of \$90 per hour. Contractor will be reimbursed for actual, reasonable and necessary out-of-pocket expenses including postage, photocopies, audiotapes, and printing. Mileage and time will be reimbursed for travel with the Minneapolis/ St. Paul seven-county metropolitan area. Travel outside the seven-county metropolitan area including mileage (State of Minnesota rate), meals and overnight accommodations must have the prior approval of the Board or its designee. The Board may specify vendors to be used by Contractor for reimbursable expenses, which vendors may include existing LMRWD consultants, member cities or other entities.

Contractor's billable hours will not exceed 150 hours per month, without the prior written approval of the Board or its authorized officers."

2. In all other respects, the provisions set forth in the Agreement, as amended, shall remain unchanged.

WHEREUPON, the undersigned hereunder set their hands to this Amendment as of the day first above written.

NAIAD CONSULTING, LLC

BY: Linda R. Loomis

Its: Owner/Principal

LOWER MINNESOTA RIVER WATERSHED DISTRICT

BY: [Signature]

Its: President

AMENDMENT #2 TO
ADMINISTRATOR AGREEMENT

THIS AMENDMENT is made as of this 7th day of January, 2019 by and between the Lower Minnesota River Watershed District, a Minnesota Watershed District established in accordance with the Minnesota Watershed Act ("LMRWD") and Naiad Consulting, LLC, a Minnesota limited liability company (the "Contractor")

RECITALS

WHEREAS, LMRWD and Contractor entered into that certain Administrator Agreement dated November 25, 2013, amended October 21, 2015 and attached as Exhibit 1 ("Agreement"); and

WHEREAS, LMRWD and Contractor wish to continue the Agreement with the amendments specified below:

NOW, THEREFORE, the parties agree as follows:

1. Section 2, Compensation of the agreement shall be replaced with the following:

"COMPENSATION: Contractor will be paid for Services at the rate of \$75 per hour. Contractor will be reimbursed for actual, reasonable and necessary out-of-pocket expenses including postage, photocopies, audiotapes, and printing. Mileage and time will be reimbursed for travel with the Minneapolis/ St. Paul seven-county metropolitan area. Travel outside the seven-county metropolitan area including mileage (State of Minnesota rate), meals and overnight accommodations must have the prior approval of the Board or its designee. The Board may specify vendors to be used by Contractor for reimbursable expenses, which vendors may include existing LMRWD consultants, member cities or other entities.

Contractor's billable hours will not exceed 150 hours per month, without the prior written approval of the Board or its authorized officers."

2. In all other respects, the provisions set forth in the Agreement, as amended, shall remain unchanged.

WHEREUPON, the undersigned hereunder set their hands to this Amendment as of the day first above written.

NAIAD CONSULTING, LLC

By: Linda R. Loomis

Its: Owner/Principal

LOWER MINNESOTA RIVER
WATERSHED DISTRICT

By: [Signature]

Its: President

**AMENDMENT TO
ADMINISTRATOR AGREEMENT**

THIS AMENDMENT is made as of this 21st day of October, 2015, by and between the Lower Minnesota River Watershed District, a Minnesota Watershed District established in accordance with the Minnesota Watershed Act ("LMRWD") and Naiad Consulting, LLC, a Minnesota limited liability company (the "Contractor").

RECITALS

WHEREAS, LMRWD and Contractor entered into that certain Administrator Agreement dated November 25, 2013, and attached as **Exhibit 1** ("Agreement"); and

WHEREAS, LMRWD and Contractor wish to continue the Agreement with the amendments specified below:

NOW, THEREFORE, the parties agree as follows:

1. Section 11, Insurance, of the Agreement shall be replaced with the following:

"INSURANCE: Contractor shall, at all times during the Agreement and at its sole cost and expense, carry and maintain Commercial General Liability insurance covering claims for bodily injury, death, personal injury or property damage occurring or arising out of the performance of this Agreement, including coverage for independent contractor's protection (required if any work will be subcontracted), premises-operations, and contractual liability with respect to the liability assumed by Contractor hereunder. The limits of insurance shall not be less than:

Each Occurrence	\$ 1,000,000
General Aggregate Limit	\$ 1,000,000
Broad Form Property Damage	\$ 1,000,000

LMRWD shall be listed as an additional insured on each insurance policy required hereunder. Each insurance policy shall provide that it will not be canceled or amended except after thirty (30) days advance written notice to the additional insured parties. Contractor shall provide evidence of such insurance policies (certificates of insurance) to LMRWD upon execution of this Agreement and when requested by LMRWD in the future.

2. Section 14, Notices, of the Agreement shall be replaced with the following:

"NOTICES: Any notice or demand, authorized or required under this Agreement shall be in writing and shall be sent by certified mail to the other party as follows:

ADMINISTRATOR AGREEMENT

THIS AGREEMENT is made as of this 25th day of November, 2013, by and between the Lower Minnesota River Watershed District, a Minnesota Watershed District established in accordance with the Minnesota Watershed Act ("LMRWD") and, Naiad Consulting, LLC, a Minnesota limited liability company (the "Contractor").

1. SCOPE OF SERVICES: Contractor will perform the following services as prioritized and assigned by the LMRWD Board of Managers ("Board") under this Agreement, together with such other administrative services as may be assigned from time to time:
 - Facilitate the implementation of the updated LMRWD's Watershed Management Plan that sets strategic direction, goals, policies and work plans for the next 10 years.
 - Establish processes to increase the organization's efficiency and to reduce duplication of effort.
 - Serve as the primary point of contact for LMRWD's business and coordinate activities among consultants.
 - Provide coordination with representatives of City, County, State and Federal agencies and other stakeholder groups.
 - Coordinate consultants' projects and activities; review invoices and recommend payment.
 - Identify opportunities to secure grant funding and develop partnerships to accomplish the LMRWD's Watershed Management Plan.
 - Track implementation of watershed-funded annual water quality projects and activities to ensure that established objectives, project budgets, and schedules are met.
 - Develop an operation and capital budget on an annual basis for consideration by the Board.
 - Develop an annual work plan and reporting system in consultation with the Board.
 - Develop agendas for meetings; attend the monthly Board meetings, special TAC meetings and others as necessary.
 - Maintain a list of items that need to be completed by the Consultant, Managers and other consultants and the expected completion date for each item.
 - Prepare a monthly summary of work completed and time expended by work task and budget item.
 - Perform other duties or activities as may be directed by the Board.

(hereinafter "Services").

For the remainder of 2013 the LMRWD sets aside \$8,500 for time and expenses related to the Contractor's position. Contractor will prepare and maintain a work plan and schedule of priorities, in consultation with the Board or its authorized

representatives, to facilitate determining and achieving the LMRWD's highest priority goals within its budget.

2. **COMPENSATION:** Contractor will be paid for the Services at the rate of \$ 65⁰⁰ per hour. Contractor will be reimbursed for actual, reasonable and necessary out-of-pocket expenses including postage, photocopies, audiotapes, and printing. Mileage and time will be reimbursed for travel within the Minneapolis/St. Paul seven-county metropolitan area. Travel outside of the seven-county metropolitan area including mileage (State of Minnesota rate), meals and overnight accommodations must have the prior approval of the Board or its designee. The Board may specify vendors to be used by Contractor for reimbursable expenses, which vendors may include existing LMRWD consultants, member cities, or other entities

Contractor's billable hours will not exceed 125 hours per month, without, the prior written approval of the Board or its authorized officers.

3. **PAYMENT:** Contractor may not incur reimbursable expenses prior to the date of this Agreement without permission from the Board. The Contractor will submit monthly invoices for services providing detailed time records of services provided and time spent and receipts for reimbursable expenses.

Invoices and records, together with supporting information, shall be submitted in a form acceptable to the LMRWD. The LMRWD will pay invoices within 45 days of receipt thereof. Invoices received by the first Wednesday of the month will ordinarily be authorized for payment at that month's regular Board meeting.

4. **TERM AND TERMINATION:** This Agreement shall continue in effect indefinitely unless terminated in accordance with this Agreement. Notwithstanding any language in this Agreement to the contrary, this Agreement may be terminated by either party at any time, and for any reason, on 30 days' written notice. Within 90 days of the date of this Agreement and annually thereafter, the LMRWD will review this Agreement. Contractor reserves the right to renegotiate the Agreement at the time of the review.
5. **SUBSTITUTION AND ASSIGNMENT:** Services provided by Contractor will generally be performed by Linda Loomis, who is an employee of Contractor. Upon approval by the LMRWD, the Contractor may substitute other persons to perform the services set forth in this Agreement. No assignment of this Agreement shall be permitted without a prior written amendment signed by the LMRWD and the Contractor.
6. **AMENDMENTS:** No amendments to this Agreement may be made except in writing signed by both parties.
7. **INDEPENDENT CONTRACTOR:** The Contractor (including the Contractor's employees, if any) is not an employee of the LMRWD. Contractor (and any person working for or employed by Contractor) will act as independent contractor and acquire no rights to tenure, workers' compensation benefits, unemployment compensation

benefits, medical and hospital benefits, sick and vacation leave, severance pay, pension benefits or other rights or benefits offered to employees of the LMRWD. Contractor (and any person working for or employed by Contractor) shall not be considered an employee of the LMRWD for any purpose including, but not limited to income tax withholding; workers' compensation; unemployment compensation; FICA taxes; liability for torts; and eligibility for benefits.

Contractor will not be provided with a place of business and will retain control over the manner and means of the services provided by Contractor as an independent contractor. Contractor will provide, at Contractor's expense, necessary office space, transportation, computer capability, an internet email address and incidental office supplies needed to provide the Services.

This Agreement is non-exclusive. Contractor may take other employment or contracts that do not interfere with Contractor's duties hereunder.

8. **DATA PRACTICES AND RECORDS:** All records, information, materials and other work product, in written, electronic, or any other form, developed in connection with providing services under this Agreement shall be the exclusive property of the LMRWD. All such records shall be maintained with the records of the LMRWD and in accordance with the instructions of the Board. When operating under standard business practices, the Contractor will not be held liable for the loss of LMRWD's records which may be held by Contractor outside of the LMRWD's offices. The Contractor will comply with the Minnesota Government Data Practices Act and all other applicable state and federal laws relating to data privacy or confidentiality. If Contractor receives a request for data pursuant to the Data Practices Act, Minnesota Statutes Chapter 13 (DPA), that may encompass data (as that term is defined in the DPA) Contractor possesses or has created as a result of this Agreement, it will inform the LMRWD immediately and transmit a copy of the request to the Board. If the request is addressed to the LMRWD, Contractor will not provide any information or documents, but will direct the inquiry to the Board. If the request is addressed to Contractor, Contractor will notify and consult with the Board and its legal counsel before replying. Nothing in the preceding sentence supersedes Contractor's obligations under this Agreement with respect to protection of LMRWD's data, property rights in data or confidentiality. Nothing in this section constitutes a determination that Contractor is performing a governmental function within the meaning of Minnesota Statutes Section 13.05, subdivision 11, or otherwise expands the applicability of the DPA beyond its scope under governing law.
9. **COMPLIANCE WITH LAWS:** Contractor shall comply with all applicable federal, state and local laws, regulations or ordinances in performance of Contractor's duties hereunder, such laws including but not limited to those relating to non-discrimination in hiring or labor practices.
10. **AUDIT:** The Contractor agrees that the LMRWD, the State Auditor, or any of their duly authorized representatives, at any time during normal business hours and as often as they may reasonably deem necessary shall have access to and the right to examine, audit, except

and transcribe any books, documents, papers, and records that are relevant to and involve transactions relating to this Agreement.

11. **INSURANCE:** Contractor shall maintain insurance providing coverage for general and professional liability in the amounts and providing the coverage generally described in Exhibit A attached to this Agreement. Contractor can rely on work provided by the LMRWD's other contractors. *Exhibit A not attached -*
12. **APPLICABLE LAW:** The laws of the State of Minnesota shall govern all interpretations of this Agreement, and the appropriate venue and jurisdiction for any litigation that may arise under this Agreement will be in and under those courts located within the County of Carver, State of Minnesota, regardless of the place of business, residence, or incorporation of Contractor.
13. **NO AGENCY:** Contractor is an independent contractor and shall not be considered to be the agent or servant of the LMRWD for any purpose and shall have no authority to enter into any contracts, create any obligations, or make any warranties or representations on behalf of the LMRWD unless specifically given such authority in writing or by motion of the Board.
14. **NOTICES:** Any notice or demand, authorized or required under this Agreement, shall be in writing and shall be sent by certified mail to the other party as follows:

To the Contractor: Naiad Consulting, LLC
c/o Linda Loomis
6677 Olson Highway
Golden Valley, MN 55427

To the LMRWD: President
Lower Minnesota River Watershed District
112 East Fifth Street, Suite 102
Chaska, MN 55318

With a copy to: Whoever is the President of the LMRWD.
Kent Francis currently is the President and
his address is:

Kent Francis
623 Griffin Street
Carver, MN 55315

And to: Whoever is the attorney for the LMRWD.
Bruce Malkerson currently is the attorney
and his address is:

Bruce D. Malkerson
Malkerson Gunn Martin LLP
220 South Sixth Street, Suite 1900
Minneapolis, MN 55402

WHEREUPON, the undersigned hereunder set their hands to this Agreement as of the day first above written.

NAIAD CONSULTING, LLC

By: Linda Loomis
Its: President

LOWER MINNESOTA RIVER WATERSHED
DISTRICT

By: Kent Francis
Its: President

AMENDMENT #4 TO
ADMINISTRATOR AGREEMENT

THIS AMENDMENT is made as of this 15th day of May, 2024 by and between the Lower Minnesota River Watershed District, a Minnesota Watershed District established in accordance with the Minnesota Watershed Act ("LMRWD") and Naiad Consulting, LLC, a Minnesota limited liability company (the "Contractor")

RECITALS

WHEREAS, LMRWD and Contractor entered into that certain Administrator Agreement dated November 25, 2013, amended October 21, 2015, January 7, 2019, and January 17, 2024, and attached as Exhibit 1 ("Agreement"); and

WHEREAS, LMRWD and Contractor wish to continue the Agreement with the amendments specified below:

NOW, THEREFORE, the parties agree as follows:

1. Section 2, Compensation of the agreement shall be replaced with the following:

"COMPENSATION: Contractor will be paid for Services at the rate of \$90 per hour. Contractor will be reimbursed for actual, reasonable and necessary out-of-pocket expenses including postage, photocopies, audiotapes, and printing. Mileage and time will be reimbursed for travel with the Minneapolis/ St. Paul seven-county metropolitan area. Travel outside the seven-county metropolitan area including mileage (State of Minnesota rate), meals and overnight accommodations must have the prior approval of the Board or its designee. The Board may specify vendors to be used by Contractor for reimbursable expenses, which vendors may include existing LMRWD consultants, member cities or other entities.

Contractor's billable hours will not exceed 150 hours per month, ~~without the prior written approval of the Board or its authorized officers.~~ Hours over and above 150 hours per month that may be required to complete the work of the LMRWD may be carried over to the next month. If at the end of the fiscal year carried over hours have not been fully paid, the Contractor may bill for the supplemental hours, so excess hours are not carried over to the next fiscal year.

2. In all other respects, the provisions set forth in the Agreement, as amended, shall remain unchanged.

WHEREUPON, the undersigned hereunder set their hands to this Amendment as of the day first above written.

NAIAD CONSULTING, LLC

BY: _____

Its: Owner/Principal _____

LOWER MINNESOTA RIVER WATERSHED DISTRICT

BY: _____

Its: _____ President _____

AMENDMENT #4 TO

ADMINISTRATOR AGREEMENT

THIS AMENDMENT is made as of this 15th day of May 2024 by and between the Lower Minnesota River Watershed District, a Minnesota Watershed District established in accordance with the Minnesota Watershed Act ("LMRWD") and Naiad Consulting, LLC, a Minnesota limited liability company (the "Contractor")

RECITALS

WHEREAS, LMRWD and Contractor entered into that certain Administrator Agreement dated November 25, 2013, amended October 21, 2015, January 7, 2019, and January 17, 2024, and attached as Exhibit 1 ("Agreement"); and

WHEREAS, LMRWD and Contractor wish to continue the Agreement with the amendments specified below:

NOW, THEREFORE, the parties agree as follows:

- 1. Section 2, Compensation of the agreement shall be replaced with the following:

"COMPENSATION: Contractor will be paid for Services at the rate of \$90 per hour. Contractor will be reimbursed for actual, reasonable and necessary out-of-pocket expenses including postage, photocopies, audiotapes, and printing. Mileage and time will be reimbursed for travel with the Minneapolis/ St. Paul seven-county metropolitan area. Travel outside the seven-county metropolitan area including mileage (State of Minnesota rate), meals and overnight accommodations must have the prior approval of the Board or its designee. The Board may specify vendors to be used by Contractor for reimbursable expenses, which vendors may include existing LMRWD consultants, member cities or other entities.

Contractor's billable hours will not exceed 150 hours per month. Hours over and above 150 hours per month that may be required to complete the work of the LMRWD may be carried over to the next month. If at the end of the fiscal year carried over hours have not been fully paid, the Contractor may bill for the supplemental hours, so excess hours are not carried over to the next fiscal year.

- 2. In all other respects, the provisions set forth in the Agreement, as amended, shall remain unchanged.

WHEREUPON, the undersigned hereunder set their hands to this Amendment as of the day first above written.

NAIAD CONSULTING, LLC

BY: _____

Its: Owner/Principal

LOWER MINNESOTA RIVER WATERSHED DISTRICT

BY: _____

Its: President



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, May 15, 2024

Agenda Item

Item 7. F. - Biennial Solicitation of Letters of Interest for legal, technical & other professional services

Prepared By

Linda Loomis, Administrator

Summary

Legal Counsel

Selection of Legal Counsel was tabled at the April 17, 2024, Board of Managers meeting. Managers must decide how to proceed. Manager Salvato is on parental leave and will likely not be back until the July or August meeting. Vinatha Viswanathan was appointed to fill the second Hennepin County position, however she is not able to attend a meeting until the July meeting. The Board should decide how to proceed with selection of legal counsel.

Attachments

No attachments

Recommended Action

Motion to table to a date certain and provide direction to staff regarding additional information wanted by the Board



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, May 15, 2024

Agenda Item

Item 7. F. – Study Area #3

Prepared By

Linda Loomis, Administrator

Summary

An update will be provided at the Board meeting. A Cooperative Agreement between the City of Eden Prairie and the LMRWD has been prepared and is attached for the Board's consideration. Legal Counsel for both the parties have reviewed the Agreement.

Attachments

Cost Share and Maintenance Agreement between the Lower Minnesota River Watershed District and the City of Eden Prairie

Recommended Action

Motion to approve Cost Share and Maintenance Agreement between the Lower Minnesota River Watershed District and the City of Eden Prairie and authorize execution.

**Cost Share and Maintenance Agreement between the Lower Minnesota River
Watershed District and the City of Eden Prairie**

Project Lead:

(Name, address,
telephone and
email)

Lower Minnesota River Watershed
District Linda Loomis, Administrator
112 East 5th Street, #102
Chaska, MN 55318
763-545-4659
naiadconsulting@gmail.com

Project

Cooperator:

(Name, address,
telephone and
email)

Lower Minnesota River Watershed
District Patrick Sejkora, Water Resources
Engineer
8080 Mitchell Road
Eden Prairie, MN 55344
952-949-8360
psejkora@edenprairie.org

Hennepin

Location

(County):

This Cost Share and Maintenance Agreement (“Agreement”) is made by and among the City of Eden Prairie, a Minnesota municipal corporation (“Eden Prairie” or “City”) and the Lower Minnesota River Watershed District, a watershed district established and operating pursuant to Minnesota Statutes chapters 103B and 103D (“LMRWD”) to implement the Study Area 3 Project (“Project”) in Eden Prairie, Hennepin County, Minnesota, to stabilize a reach of approximately 1,200 linear feet of the Lower Minnesota River to reduce streambank erosion. (Eden Prairie and LMRWD are referred to collectively herein as the “Partners”).

Recitals

WHEREAS LMRWD has an approved water resources management plan pursuant to Minnesota Statutes section 103B.231 (the “Plan”) that has as a primary goal addressing all impairments in water resources in LMRWD’s jurisdiction and removing all LMRWD waterbodies from the State of Minnesota impaired waters list;

WHEREAS the Lower Minnesota River is listed on the Minnesota Pollution Control Agency’s 303(d) list of impaired waters for nutrients/eutrophication and turbidity;

WHEREAS the LMRWD incorporated the project in the LMRWD’s Capital Improvement Project List (2018-2027 Watershed Management Plan) in 2018;

WHEREAS the City received authorization from the MPCA to decommission Pond 35-23-A in 2022, given the pond was damaged by floods and was identified by the LMRWD as a contributing factor in the upstream bank failure;

WHEREAS the Partners find that implementing the Project will provide better bank stability connectivity the Minnesota River, which will enhance surrounding riparian habitat and, by establishing a stable river corridor, will also address the identified turbidity impairment within the Minnesota River;

WHEREAS Eden Prairie operates its stormwater-management system under the state Municipal Separate Storm Sewer System (MS4) general permit, and construction and maintenance of the Project is intended to accrue to the benefit of Eden Prairie’s fulfillment of its obligations under the permit; and

WHEREAS Eden Prairie and LMRWD are authorized by Minnesota Statutes section 471.59 to enter into this cooperative agreement for the Project.

I. Project Summary:

- A) The Project will stabilize approximately 1,200 feet of actively eroding bluff toe on the outside bend of the Minnesota River and stabilize the meander bend to prevent further migration and erosion downstream.
- B) The Project will decommission Pond 35-23-A and install a permanent armored floodplain barrier trench for the City storm sewer outfall.
- C) LMRWD will undertake the Project and the City will reimburse LMRWD \$400,000 of documented Project costs.

II. LMRWD RESPONSIBILITIES

- A) LMRWD is responsible for the design, construction and implementation, as well as construction oversight and management, of the Project, and is responsible for all costs of the Project except as reimbursed by Eden Prairie in accordance with this Agreement;
- B) The LMRWD is responsible for maintaining the Project from Station 14+50 to 23+50 in perpetuity to ensure that the stabilization objective of this Project is met. This includes the launchable toe and the riprap filled floodplain trench from Station (21+50 to 23+50). Minimum maintenance includes watering when needed during the first two years and removing all invasive and exotic species that encroach on the Project as discovered.
- C) LMRWD agrees to the terms of installation, maintenance and monitoring outlined in the approved Project proposal. Construction of the Project will be in accordance with good engineering practices and generally accepted guidelines for Best Management Practices. Acceptable guidelines include Local Water Plan Standards, Rules and Regulations, and the MPCA guidelines within its "Minnesota Stormwater Manual".
- D) LMRWD will allow City access to the Project area at all times for construction, maintenance, evaluation and monitoring of the Project during installation and after completion.
- E) LMRWD is responsible to bid, construct, and maintain the Project. The District shall secure all necessary permits for the project.
- F) LMRWD will submit to City Staff proof of Project expenditures and proof of Project completion.
- G) LMRWD Staff will monitor the Project periodically to evaluate short- and long-term performance. Data collected as a result of this monitoring effort will be made available to both the City and to the general public.

III. CITY RESPONSIBILITIES

- A) The City is responsible for maintaining its storm sewer outfall and the Project from Station 11+00 to 14+50 in perpetuity to ensure that the stabilization objective of this Project is met. This includes the riprap-filled floodplain trench from Station 11+00 to 14+50 and any storm sewer improvements related to the Project. Minimum maintenance includes watering when needed during the first two years and removing all invasive and exotic species that encroach on the Project as discovered.
- B) The City is responsible for inspecting its storm sewer outfall in accordance with

its MS4 Inspection program.

- C) City assumes no liability for injury or damage, other than that caused by its own negligence, in the Project area.
- D) The City is financially responsible to provide to LMRWD a cost share in the amount of \$400,000.
- E) Upon LMRWD and City acceptance of the Project's completion or after Final Inspection, whichever is later, City will release 100 per cent of its cost share amount to LMRWD as described previously. Final inspection will include verification of specified items and connections.

IV. MISCELLANEOUS:

- A) This Agreement may only be amended by mutual consent of City and LMRWD.
- B) Nothing contained in this Agreement is intended or shall be construed in any manner as creating or establishing a partnership, joint venture, or agency relationship between parties.
- C) City and LMRWD enter this Agreement solely for the purposes of improving the ecological health and condition of the Minnesota River in Eden Prairie and downstream receiving waters. Accordingly, with respect to any and all activity undertaken pursuant to this Agreement, Eden Prairie and LMRWD each agree to hold each other harmless, and defend and indemnify the other, its officers, employees and agents 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 Project due to any negligent or willful act or omission by the indemnifying party or the indemnifying party's breach of any specific contractual duty. Notwithstanding the foregoing or any other provision of this Agreement, Eden Prairie's and LMRWD's obligations under this paragraph will survive the termination of the Agreement. Under no circumstances will the City's indemnification obligation exceed the statutory municipal limits on liability established in Minnesota Statutes Chapter 466.
- D) This Agreement shall be binding upon and inure to the benefit of City and LMRWD, and their respective successors and assigns: provided, however, that neither party may assign this Agreement without the prior written consent of the other. Any modification, alteration, amendments, deletions, or waivers of the provisions of this Agreement will be valid only when mutually agreed upon in writing by both parties.

- E) This Agreement will be effective as of the date of all signatures required below have been provided. The date of the last signature will be the date of this Agreement and will be inserted in the first paragraph on page 1.
- F) It is understood and agreed that the City's and LMRWD's liability shall be limited by the provisions of Minn. Stat. Chap. 466 and/or other applicable law.
- G) Subject to the requirements of Minnesota Statutes Section 16C.05, Subd. 5 (as may be amended), the parties agree that the County of Hennepin; the State Auditor, the Legislative Auditor or any of their duly authorized representatives at any time during normal business hours, and as often as they may reasonably deem necessary, shall have access to and the right to examine, audit, excerpt and transcribe any books, documents, papers, records, etc. which are pertinent to the accounting practices and procedures of the parties and involve transactions relating to this Agreement. Such materials shall be maintained and such access and rights shall be in force and effect during the period of the contract and for six (6) years after its termination or cancellation.
- H) The City and LMRWD each are subject to and must comply with the Minnesota Data Practices Act, Minnesota Statutes chapter 13, as it applies to data exchanged under this Agreement and all data created, collected, received, stored, used, maintained, or disseminated by the Parties under this Agreement. If a party receives a request for disclosure of non-public information of the other party, it will notify the other party and permit the other party to take the lead role in determining an appropriate response to the request.

CITY OF EDEN PRAIRIE

**LOWER MINNESOTA RIVER
WATERSHED DISTRICT**

By: Ronald A. Case, Mayor

By: _____, President

Date: _____

Date: _____

By: Rick Getschow, City Manager

Approved as to form & execution:

Date: _____

District counsel



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, May 15, 2024

Agenda Item

Item 8 B. – Minnesota River Boat Tour

Prepared By

Linda Loomis, Administrator

Summary

The 2024 budget included money for the LMRWD to host a boat tour. Staff asked barge operators, Upper River Services and LS Marine, about the possibility of using a barge to host the event. If we are not able to secure a barge, there are two other companies that have been used for tours, Magnolia Blossom, and Jonathan Packet Boat Company. Which company we choose will depend on how many people we would like to attend.

It would be great if we could arrange the tour so that we can see Area #3. If that is not possible then we would likely begin the tour from CHS and head downstream. Tours usually last 3 hours and then buses will take passengers back to their cars.

The list for invitations includes City Officials from cities within the LMRWD, County Commissioners from Carver, Dakota, Hennepin and Scott Counties, Supervisors from Carver, Dakota, and Scott County Soil & Water Conservation Districts, State Representatives and Senators from the entire Minnesota River Basin, Officials from the Board of Water and Soil Resources (BWSR), MN Department of Natural Resources, MN Pollution Control Agency, MN Department of Agriculture, US Congressmen and Senators, Chambers of Commerce, trade associations, such as the Soybean Growers, Farmers Union, MN Corn Growers MN Farm Bureau, Association of Minnesota Counties, MN Association of SWCDs, Friends of the Minnesota Valley, US Fish & Wildlife Service, Friends of the Refuge, MN Valley Land Trust, Freshwater Society, Shakopee Mdewakanton Sioux Community, St. Croix Research Station, Lake Pepin Legacy Alliance, Friends of Pool 2, US Army Corps of Engineers, adjacent watershed districts, Metropolitan Council, USGS, University of Minnesota Extension Services, MN Water Resource Center and a few other groups/agencies. The Board should determine other people/groups they would like to see invited.

The Board should also decide the program that will be presented. Speakers have been invited in the past and have come from; Friends of the MN Valley, MN Soybean Growers, MPCA, USGS, Freshwater, St. Croix Research Station, Upper River Services, CHS, US Fish & Wildlife Service, Chart, Inc., Lake Pepin Legacy Alliance, and others.

Attachments

No attachments

Recommended Action

Provide direction to staff



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, May 15, 2024

Agenda Item

Item 9. A. – Lower MN River East One Watershed One Plan

Prepared By

Linda Loomis, Administrator

Summary

The comment period for the Lower MN River East One Watershed One Plan has closed. ISG and the Steering Committee has been responding to the comments and revising the plan as appropriate. The Advisory Committee and the Steering Committee are scheduled to meet on Wednesday, May 15, to finalize the comment log. It will then go to the Policy Committee on Thursday, May 16th for approval and authorization to release the responses to comments. The Policy Committee will then hold a public hearing on May 30th at Giesenbräu Bier Co. in New Prague beginning at 4:30 pm. A presentation is scheduled for 5:00 pm and the public hearing will begin at 5:30 pm.

After the close of the public hearing the Policy Committee may choose to revise the plan based on public testimony received. The Policy Committee must then submit the plan to the Board of Water and Soil Resources (BWSR) for final review and approval. All parties to the Joint Powers Organization must adopt the plan once it is approved by the BWSR Board within 120 days of BWSR Board approval.

If any Manager would like to view the comments, please request the comments from Administrator Loomis

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, May 15, 2024

Agenda Item

Item 9. B. – 2024 Legislative Activities Update

Prepared By

Linda Loomis, Administrator

Summary

This last week of the session will be spent in conference committees. We will have to wait and see what survives the conference committee process.

The list of priorities for the LMRWD this session follow:

- **Voluntary Certification with Limited Liability for Commercial Winter Maintenance Applicators and other legislation to reduce salt entering the natural environment**
The limited liability provisions did not make it through this session. The State will be studying state agency salt purchases. The goal will be to reduce the amount of salt purchased in 2025 by 25% by 2030. This provision was in both the House and Senate version of the Omnibus Environment Finance Bill
- **Invasive Carp Species**
The Senate Omnibus Environment Finance Bill includes funding for preventing and managing invasive carp, including a grant to the University of Minnesota to how to optimize management to reduce invasive carp. \$12,000,000 from the Lessard Sams Outdoor Heritage Fund to protect the Mississippi River from invasive carp by evaluating and construction a structural deterrent at Lock and Dam No. 5.
- **Support funding for statewide River Watch Programs**
\$50,000 to Friends of the Minnesota Valley is included in the Senate version of Legacy Finance Bill. The house has agreed to leave this provision in the bill during conference committee.
- **Support Native Fish Protection**
Legislation defining native rough fish was introduced and includes provisions to deny licenses for native rough fish for commercial harvesting in a natural environment but would allow aquaculture.
- **Support Water Storage Initiatives**
No new legislation was introduced this year for water storage.
- **Support legislative requests of partners of the LMRWD**
 - **Carver Levee Improvement Project**
 - **Shakopee Riverbank stabilization**
 - **Merriam Junction Regional Trail**Legislation was introduced for each of the above activities, but most never had hearings at the committee level.

- **Lower Minnesota River Landfill Remediation Projects**

No new legislation was introduced this year that impacted any of the landfills in the LMRWD.

Attachments

No attachments

Recommended Action

No action recommended

LMRWD Permit Program Summary



Permit Number	Project Name	Status	Pre-Permit Meeting	Date Received	Date Considered Complete	Board Actions			Permit Issued	Permit Expiration Date
						Information Only	Conditional Approval	Approval		
2020-113	Fort Snelling Redevelopment (2019-057)	Construction Complete		7/20/2020	8/12/2020		8/19/2020		9/11/2020	8/19/2024
2020-132	77th Underpass	Expired	10/18/2020	10/21/2020	11/12/2020	11/18/2020	12/16/2020		7/27/2021	7/27/2023
2020-135	Canterbury Crossings	Active		11/19/2020	12/3/2020		12/16/2020		5/11/2021	4/20/2025
2021-016	Whispering Waters	Active		4/14/2021	6/4/2021		6/16/2021		7/13/2021	7/13/2024
2021-025	TH13/Dakota Ave Improvement	Active		6/11/2021	6/15/2021		2/16/2022		5/20/2022	5/20/2025
2021-030	Building Renovation Park Jeep	Construction Complete		7/9/2021	7/16/2021		9/15/2021		6/21/2022	8/15/2024
2021-033	MN MASH	Active	6/23/2021	9/17/2021				6/15/2022	6/17/2022	11/30/2024
2021-035	I35W Frontage Trail	Construction Complete		12/15/2021	12/22/2021		1/19/2022		11/3/2022	11/3/2024
2021-040	Omry Independent Living	Construction Complete		8/11/2021	8/19/2021		9/15/2021	9/15/2022	8/19/2022	10/1/2024
2021-045	Triple Crown Residences Phase II	Active		9/22/2021	10/27/2021		11/17/2021		11/19/2021	11/17/2024
2021-057	Cliff Road Ramps	Active		12/14/2021	1/4/2022		1/19/2022		6/8/2022	12/1/2024
2022-002	CenterPoint MBL Nicollet River Crossing	Construction Complete		1/18/2022			3/16/2022		4/25/2022	10/31/2024
2022-005	Chaska West Creek Apt	Active		2/8/2022	3/29/2023		4/19/2023		6/6/2023	6/6/2025
2022-007	Engineered Hillside	Active		2/15/2022	3/14/2022			4/20/2022	4/21/2022	9/20/2024
2022-010	Quarry Lake Trail and Ped Bridge	Active		2/24/2022			4/20/2022		3/1/2023	3/1/2025
2022-014	TH41 & CSAH61 Improvements	Active	1/6/2022	3/23/2022	5/11/2022		5/18/2022		12/13/2022	12/13/2024
2022-015	Xcel Driveway	Active	5/25/2023	6/21/2023	7/31/2023		8/16/2023		9/21/2023	9/21/2024
2022-016*	ORF Relocation	Active		4/20/2022	6/30/2023		7/19/2023		7/20/2023	7/20/2025
2022-019	I494 SP 2785-433	Active		4/21/2022	6/24/2022		7/20/2022		4/10/2023	4/10/2025
2022-022	Ace Rent A Car	Active		5/10/2022	11/3/2023			11/15/2023	11/16/2023	11/16/2024
2022-027	Ivy Brook Northeast	Construction Complete		7/5/2022			8/17/2022		8/31/2022	10/18/2024
2022-031	RSI Marine	Conditional Approval		9/20/2023	1/24/2024	8/17/2022	2/21/2024			
2022-037	Peterson Wetland Bank	Construction Complete		5/23/2023	6/30/2023	11/16/2022	7/19/2023		1/9/2024	1/9/2025
2022-039	Former Knox Site	Construction Complete		11/3/2022	12/19/2022		1/18/2023		6/6/2023	6/6/2025

Permit Number	Project Name	Status	Pre-Permit Meeting	Date Received	Date Considered Complete	Board Actions			Permit Issued	Permit Expiration Date
						Information Only	Conditional Approval	Approval		
2022-040	Burnsville Sanitary Landfill	Active		11/21/2022	2/15/2023		3/15/2023	8/16/2023	8/17/2023	8/17/2024
2022-041	35W SP 2782-352	Active		12/15/2022	2/10/2023		2/15/2023		4/10/2023	4/10/2025
2022-042	3rd Street Bridge Replacement	Conditional Approval		12/16/2022	2/2/2023		2/15/2023			
2023-001	Lakota Lane After-the-Fact	Under Review		1/10/2023						
2023-002*	Eagle Creek Bridge	Active		1/13/2023	4/19/2023		5/9/2023		7/14/2023	7/14/2025
2023-007*	MN River Greenway Trail	Active		3/1/2023	3/15/2023		4/19/2023		11/6/2023	11/6/2024
2023-008	Chaska Tech Center Amendment	Active		3/4/2023	4/11/2023		4/19/2023	7/19/2023	5/15/2023	5/15/2025
2023-009	AT&T Bloomington to Eureka Fiber	Active		3/31/2023	5/19/2023		6/21/2023		6/26/2023	6/26/2025
2023-011	Quarry Lake Playground	Construction Complete		4/19/2023	4/24/2023	5/9/2023		4/24/2023	4/24/2023	4/24/2025
2023-012	Concourse G Infill Pods 2-3	Active		5/4/2023	5/30/2023	6/21/2023		5/31/2023	5/31/2023	5/31/2025
2023-013	Merriam Junction Trail	Under Review	4/5/2023	5/8/2023						
2023-014	KTI Fencing Property	Construction Complete		5/16/2023	7/6/2023		7/19/2023		9/1/2023	9/1/2024
2023-015	City of Bloomington Storm Sewer Maintenance	Construction Complete		5/24/2023	6/15/2023		7/19/2023		8/23/2023	8/23/2024
2023-016	MAC Pond Maintenance Activities	Upcoming	6/15/2023	6/9/2023						
2023-017	MN Bluffs Regional Trail	Conditional Approval	6/14/2023	12/28/2023	2/26/2024		3/20/2024			
2023-018	Sibley Memorial Hwy (1901-195-TH13A)	Upcoming	7/17/2023	6/6/2023						
2023-019	Dean Lake Wetland Fill	Active		8/27/2023	9/10/2023		9/20/2023		10/4/2023	10/4/2024
2023-020	Tramore Heights Addition	Active	9/1/2023	8/21/2023	1/24/2024		2/21/2024	10/18/2023	10/20/2023	10/20/2023
2023-022*	Safety and Security Center Phase II	Active		10/2/2023				4/17/2024		
2023-023	Vernon Avenue Road Improvements	Conditional Approval		10/6/2023			11/15/2023			
2023-024	Carmeuse Savage Marine Improvements	Conditional Approval		10/11/2023	12/1/2023		12/20/2023			
2023-025	35W SP1987-140	Under Review	10/31/2023	8/23/2023						
2023-026	CenterPoint Pipeline Abandonment	Conditional Approval		1/5/2024	1/24/2024	1/20/2024	2/21/2024			
2023-027	TH 41 ORF	Under Review	11/6/2023	12/12/2023		1/17/2024				
2023-029	Tarnhill Pond	Active		11/15/2023	11/22/2023		12/20/2023		12/27/2023	12/27/2024
2024-002*	MnDOT Pond Maintenance	Conditional Approval		3/20/2024			5/15/2024			

Permit Number	Project Name	Status	Pre-Permit Meeting	Date Received	Date Considered Complete	Board Actions			Permit Issued	Permit Expiration Date
						Information Only	Conditional Approval	Approval		
2024-003	Port Cargill Savage	Upcoming	2/18/2024							
2024-004	35W Early Release	Conditional Approval		2/20/2024			4/17/2024			
2024-005	Fort Snelling Cemetary	Upcoming	2/27/2024							
2024-006	T2 North Expansion	Under Review		2/28/2024						
2024-008	CD Terminal Storage Pad	Upcoming	3/26/2024	3/22/2024						
2024-009	FWTEC	Under Review		3/28/2024						
2024-010	Lyndale Road	Under Review		3/29/2024						
2024-011	Opus March	Under Review		4/30/2024						

**Staff recommendation only, has not yet been presented to the Board for action*

STATUS DEFINITIONS:

Active Permit: Applicant has a valid permit issued by LMRWD

Conditional Approval: LMRWD managers conditionally approved the permit application, pending receipt of additional information from applicant

Expired: Applicant either obtained conditional approval, approval, and/or was issued a permit and the expiration date has passed

Under Review: Permit application is complete and under review by LMRWD staff

Construction Complete: project construction is complete but permit is not closed

Upcoming: Applicant has requested pre-permit application reviews or meetings, but has not yet applied for a permit from LMRWD

