



# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, April 18, 2018

### Agenda Item

#### Item 7. H. - Project Reviews

#### Prepared By

Linda Loomis, Administrator

#### Summary

**i. City of Savage - 7369 Highway 13: Valley Oil**

This is a project in the City of Savage where the property owner is proposing to place fill in the flood plain. Staff has reviewed the project and comments are attached.

**ii. City of Chaska - MCES L-71 lift station project**

Staff received information from the Carver County WMO that MCES is planning some work at a lift station in Chaska. Staff will be meeting with the engineer for the project.

**iii. City of Chaska - Indoor Dog Park**

Staff was made aware of this project by the DNR because of the proximity of the project to Seminary Fen. The project proposes construction of an indoor dog park at the intersection of CSAH 61/Chaska Boulevard & Engler Boulevard. Staff is reviewing this project.

**iv. City of Bloomington - Jefferson High School**

Staff received plans for a project at Jefferson High School in Bloomington. The project proposes to distribute 3,100 square feet for a small addition to the high school to house and elevator. LMRWD reviewed the project and discussed the project with the city. That said that they work with the School District #271 quite often and will require mitigation on site in the form of rain garden and then require construction BMPs while the work is being done. Because the project would increase impervious surface less than one acre no standards for the LMRWD are triggered. The representative for the project was informed that the LMRWD requests that the project meet the requirements established by the City.

**v. Scott County - TH 169/41 Interchange**

Staff received plans from the Engineer for the TH 169/TH41 interchange in Scott County. Staff has reviewed the plans and comments are attached for Board review. Staff would like to note that projects such as this demonstrate the need for the changes to the Watershed Management Plan proposed in the Plan Amendment. The District received initial notification of this project and then was not included in any of the planning process. LMRWD staff followed up on the project to see what was going on and we were informed that the design was complete. There may be opportunities for more treatment of stormwater, if the LMRWD had been included in the process from the beginning. Once the Plan Amendment is complete and submitted for final review staff will begin to work on rules and a permitting program that will cover projects such as this.

- vi. City of Minneapolis - Comprehensive plan**  
Staff was notified that the City of Minneapolis has updated its Comprehensive and it is out for comment. The Metropolitan Council has required Minneapolis to submit its plan to the LMRWD for review. Staff is reviewing the Comp Plan to look at if the MSP Airport is addressed and if there are stormwater requirements specific to the airport. So far the only comment staff has is the City's Local Water Management Plan is dated 2006.
- vii. City of St. Paul - Comprehensive plan**  
Staff was notified that the City of St. Paul has updated its Comprehensive and it is out for comment. The Metropolitan Council has required St. Paul to submit its plan to the LMRWD for review. Staff has not yet begun the review of the St. Paul Plan, but will review it specifically for impacts to the LMRWD.
- viii. City of Bloomington - Local Surface Water Management Plan**  
In February 2018, the LMRWD received the Local Surface Water Management Plan (LSWMP) from the City of Bloomington. Staff has completed its review of the Bloomington LSWMP and forwarded comments to the city. Resolution 18-04 is attached which provides for conditional approval of the Bloomington LSWMP. The comment letter that was sent to the city is also attached.
- ix. City of Bloomington - Hyatt House; 2343-2373 Old Shakopee Road**  
There are two things going on with this property. The first is a proposed amendment to the Bloomington Comprehensive Plan. The LMRWD was notified the city intends to amend its comprehensive plan change the land use for this project from Innovation and Technology. to Office. Staff intends to respond to the city that the amendment to the Comprehensive Plan does not impact the LMRWD, however the LMRWD may comment on this project as it moves forward.  
  
The second is the project was recently submitted to the City of Bloomington for approval. The LMRWD has been working with the developer and its engineering consultant on this project, which would construct a hotel on a site that is adjacent to Ike's Creek. Staff has reviewed the plans submitted to the city and staff comments are attached and will be submitted to the city.
- x. City of Chaska - Local Surface Water Management Plan Amendment**  
In February 2018, the City of Chaska submitted an amended Local Surface Water Management Plan (LSWMP) to the LMRWD for review and comment. The Chaska LSWMP was updated in November 2015 and this amendment is merely a formality to meet the requirement of the revision to MN Rule 8410 that requires all municipalities to update Local Water Management Plans by the end of 2018. The 2015 Chaska LSWMP was reviewed by the LMRWD in 2015 and approved with conditions. The LMRWD's conditions were addressed in 2015 before the City adopted the LSWMP. Staff has reviewed this LSWMP amendment and recommends approval of the Chaska plan subject to the conditions noted in Resolution 18-02, which is attached.
- xi. City of Chanhassen - Comprehensive Plan/Local Water Management Plan**  
In February 2018, the City of Chanhassen submitted an update to its Local Water Management Plan (LWMP) to the LMRWD for review and comment. Staff has reviewed the updated LWMP and recommends conditional approval of the LWMP. Resolution 18-03 is attached, as well as the comment letter that was sent to the City.
- xii. City of Lilydale Local Water Management Plan Amendment**  
In February 2018, the City of Lilydale submitted its updated Surface Water Management Plan (SWMP) to the LMRWD for review and comment. Staff has reviewed the SWMP and recommends conditional approval of the SWMP. Resolution 18-05 is attached, as well as the comment letter that was sent to the city.
- xiii. City of Burnsville - Xcel Energy Black Dog Plant**  
Staff received an update from Xcel Energy regarding the seeps that were created by the directional boring attempts. The update is attached for Manager to review.

- xiv. **MNDOT - I35W Bridge replacement**  
No new information since last update.

**Attachments**

7369 Highway 13 - Valley Oil project review  
Trunk Highway 169/Trunk Highway 41/CSAH 78 Interchange/147th Street Overpass (Project Review)  
Resolution 18-04 APPROVING THE LOCAL SURFACE WATER MANAGEMENT PLAN FOR THE CITY OF BLOOMINGTON  
Staff comments provided to the City of Bloomington  
Hyatt House Hotel Project – Old Shakopee Road E & 86th Street E, Bloomington, MN  
Resolution 18-02 APPROVING THE LOCAL SURFACE WATER MANAGEMENT PLAN FOR THE CITY OF CHASKA  
Staff comments provided to the City of Chaska  
Resolution 18-03 APPROVING THE LOCAL WATER MANAGEMENT PLAN FOR THE CITY OF CHANHASSEN  
Staff comments provided to the City of Chanhassen  
Resolution 18-05 APPROVING THE SURFACE WATER MANAGEMENT PLAN FOR THE CITY OF LILYDALE  
Staff comments provided to the City of Lilydale  
Xcel Energy email from Jim Bodensteiner

**Recommended Action**

Motion to adopt Resolution 18-02 APPROVING THE LOCAL SURFACE WATER MANAGEMENT PLAN FOR THE CITY OF CHASKA  
Motion to adopt Resolution 18-03 APPROVING THE LOCAL WATER MANAGEMENT PLAN FOR THE CITY OF CHANHASSEN  
Motion to adopt Resolution 18-04 APPROVING THE LOCAL SURFACE WATER MANAGEMENT PLAN FOR THE CITY OF BLOOMINGTON  
Motion to adopt Resolution 18-05 APPROVING THE SURFACE WATER MANAGEMENT PLAN FOR THE CITY OF LILYDALE



# Technical Memorandum

To: Linda Loomis, Administrator

From: Lisa Buchli, PE  
Della Schall Young, CPESC, PMP

Date: April 13, 2018

Re: Valley Oil – Savage (Project Review)

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The memorandum, No-Rise Certification, and HEC-RAS (Hydrologic Engineering Center- River Analysis System) model results for the Valley Oil – Savage project (Project) were reviewed as requested by the Lower Minnesota River Watershed District (District).

The proposed Project is located at 7369 Highway 13 West in Savage, Minnesota. The City of Savage intends removed the site from the 100-year floodplain by elevating it. Because this requires placing fill in the 100-year floodplain, it triggers the District Floodplain and Drainage Alteration Standard.

## **FLOODPLAIN AND DRAINAGE ALTERATION STANDARD**

- A. No filling is allowed within the 100-year floodplain which causes a rise in the 100-year flood elevation without providing compensatory floodplain storage equal to or greater than the volume of fill.
- B. The lowest ground level of proposed structures must be a minimum of 2 feet above the 100-year high water level of nearby surface waters or 1 foot above the emergency overflow elevation, whichever is greater, unless they have protection through flood proofing or by another approved construction technique.
- C. No permanent structure, with the exception of drainage conveyance structures and monitoring equipment, may be constructed in the floodway.

Conclusions:

1. The HEC-RAS model adequately shows that adding fill to the floodplain at the Valley Oil site will not cause an increase in the 100-year flood elevation.
2. Floodplain and Drainage Alteration Standard:
  - a. As proposed, the Project does not cause a rise in the 100-year flood elevation; therefore, compensatory floodplain storage is not required per Criteria A of the Standard.
  - b. The proposed Project neither includes construction of any new structure nor is it located in the floodway; therefore, Criteria B and C do not apply.
3. No Rise Certification: The Flood Insurance Study (FIS) date entered on the No-Rise certification form is 4/10/18, which is incorrect. According to the FEMA Flood Map Service Center website, the effective FIS for the city of Savage is December 1979. There is also a revised preliminary study available, dated January 15, 2015. MnDNR staff may be able to determine if this study has become effective since the revision date. Although it does not change the outcome of the No Rise certification results, the date of the FIS that was used to develop the HEC-RAS modeling should be corrected.

The information provided sufficiently satisfies the District's floodplain requirements. Before any land disturbing activity takes place, it may be necessary to provide information showing that the District Construction Erosion Control Standard will be met. Additionally, if significant changes are made to the Project, information must be provided to the District expressing how the Project will maintain compliance with applicable District standards.

CC: Jake Newhall, WSB  
Jeff Thuma, Burns & McDonnell

# Technical Memorandum

To: Linda Loomis, Administrator

From: Lisa Buchli, PE  
Della Schall Young, CPESC, PMP

Date: April 12, 2018

Re: Trunk Highway 169/Trunk Highway 41/CSAH 78 Interchange/147<sup>th</sup> Street Overpass (Project Review)

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The Final Drainage Design Report (Report) and the 90-percent construction drawings (site plan and profiles, utility and removal plans, drainage plans, erosion control plan, and site details) for the Trunk Highway 169 (TH 169)/Trunk Highway 41 (TH41)/County State Aid Highway 78 (CSAH 78) Interchange/147<sup>th</sup> Street Overpass Project (Project) was reviewed as requested by the Lower Minnesota River Watershed District (District).

The proposed Project extends from south of the TH 169/CSAH 41 intersection in Louisville Township to north of the TH 169/TH 41/CSAH 78 intersection in Jackson Township within Scott County. It consists of the following:

- A diverging diamond interchange at TH 169, TH41, and CSAH 78 and frontage roads
- 147<sup>th</sup> Street overpass (outside the District boundary)
- CSAH 78 improvements (outside the District boundary)

The Project impacts approximately 158 acres and adds approximately 24 acres of impervious area. There is a net increase of 1.1 acres of impervious area within the District boundary, per supplemental information provided by Earth Evans, Project Engineer with WSB & Associates, Inc. As a result, it triggers the following District Standards: Stormwater Management, Construction Erosion Control.

## **STORMWATER MANAGEMENT STANDARD**

### 1. Rate Control:

- a. The proposed [development] activity will not increase the peak stormwater runoff rate from the site, under pre-development conditions, for anything less than a 24-hour precipitation event with a return frequency of 1- or 2-, 10- and 100-years. Predevelopment is defined as land use on a site immediately prior to the proposed alteration/activity.
- b. The Project must comply with the requirements of Minnesota Pollution Control Agency's (MPCA) National Pollutant Discharge Elimination System (NPDES) General for Construction Activities

### 2. Volume Control:

- a. Stormwater runoff volume retention shall be achieved onsite in the amount equivalent to the runoff generated from one-half (0.5) inch of runoff over new impervious surfaces of the redevelopment or development.
- b. To achieve the volume control regulation, infiltration must be used where practicable. Filtration is an acceptable alternative for hydrologic soil group C and D type soils or when infiltration is infeasible.

### 3. Water Quality: Water quality stormwater management must comply with the requirements of NPDES General Permit for Construction Activities

## **APPLICABLE EROSION CONTROL STANDARD CRITERIA**

1. Erosion and sediment control measures shall meet the standard for the NPDES General Permit for Construction Activities, as amended, except where more specific requirements are provided.
2. All onsite stormwater conveyance channels shall be designed and constructed to withstand, after construction, the expected velocity of flow from a 10-year frequency storm without erosion.

## Conclusions:

1. The portion of the project that drains to the Minnesota River is made up of four sub-watersheds, each with at least one wet pond and infiltration basin:
  - a. The existing TH 41 wet pond and infiltration basin, owned and maintained by MnDOT. The Project results in a net reduction of impervious area in this sub-watershed, so no additional modeling was done.
  - b. The existing Dem-Con pond and infiltration basin, owned by Dem-Con. The net increase in impervious area due to the Project is nominal, so no additional modeling was done.
  - c. The proposed Ventura and Marine wet ponds and Marine (County) and Marine (MnDOT) infiltration basins. This system discharges to the northeast into a large depression, which eventually discharges into the Upper Valley Drainageway in the City of Shakopee, which discharges to the Minnesota River.
  - d. The proposed Louisville wet pond and infiltration basin, which discharges to existing ditch east of TH 169 that eventually flows west under TH 169 to an existing channel that discharges to the Minnesota River.
  
2. Stormwater Management Standard Compliance:
  - a. Rate Control:
    - i. According to Tables 4 and 5 of the Report, for the 2-, 10-, and 100-year storm events there is no increase in the peak runoff rate from the Marine infiltration basin or the outlet point into Shakopee as compared to the pre-development condition. The 1-year storm event peak runoff rate is not included in the Report, but there is no discharge from either location for the 2-year event, so it can be assumed that the 1-year event is also contained on-site.
    - ii. According to Table 9 of the report, for the 10- and 100-year storm events there is no increase in the peak runoff rate flowing under TH 169. However, there is an increase in the 2-year peak runoff rate, from 11.3 cfs to 13.6 cfs. This does not meet the District's rate control requirement.
  - b. Volume Control:
    - i. The stormwater runoff volume retained onsite by the two proposed Marine infiltration basins and the Louisville Infiltration Basin is equal to (or greater than) the runoff generated from one-inch of runoff over the area of the new impervious surfaces, per Scott County requirements. This is more stringent than the District requirement and thereby, retains more water than required by the District.
  - c. Water Quality: The infiltration basins described above are intended to perform the required water quality function. This satisfies the water quality



requirements of the MPCA NPDES General Permit for Construction Activities for most of the project, except for the Louisville infiltration basin. The stormwater runoff volume retained onsite by the proposed Louisville infiltration basin is not included in the Report.

3. Construction Erosion Control Standard:

- a. The proposed erosion and sediment control measures meet the requirements of the MPCA NPDES General Permit for Construction Activities.
- b. The proposed stormwater conveyance channels are designed to remain stable for the 10-year frequency storm.

The information provided on the Project does not satisfy the District's rate control requirement for the 2-year event. Earth Evan was contacted about the rate control concern and she provided the following: "The 2-year rate increase is due to the offsite runoff that is tributary to the existing TH169 ditch. Several ditch checks are provided, but it wasn't feasible to reduce the 2-year rate any further and still meet freeboard requirements to TH169. Under existing conditions there are maintenance issues with the 3 – large diameter arch pipes under 169 downstream of Louisville pond. This is due to the large upstream tributary area (1,320 acres) that results in debris and sediment collecting at the inlets. The proposed pond system will greatly reduce the maintenance needs for the TH169 culverts." The explanation appears justified and reasonable.

Staff recommends approval. However, if significant changes are made to the Project, calculations must be updated, and a narrative sent to the District expressing how the Project will maintain compliance with applicable District standards.

CC: Earth Evans, WSB & Associates  
Jeff Thuma, Burns & McDonnell

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

LOWER MINNESOTA RIVER WATERSHED DISTRICT

RESOLUTION 18-04

RESOLUTION APPROVING THE LOCAL SURFACE WATER MANAGEMENT PLAN FOR THE CITY OF  
BLOOMINGTON

**WHEREAS**, the Lower Minnesota River Watershed District ("LMRWD") is a special purpose unit of government, established in accordance with Minnesota Statute 1013D; and

**WHEREAS**, On December 14, 2011, the LMRWD adopted a Watershed Management Plan (LMRWD Plan) under Minnesota Statutes 103B.231 subdivision 10, which as amended, details the existing physical environment, land use and development in the watershed and establishes as plan to manage water resources and regulate water resource use to improve water quality, prevent flooding and otherwise achieve goals of Minnesota Statutes Chapters 103B and 103D; and

**WHEREAS**, Minnesota Statute 103B.235 Local Water Management Plans require that local government units having land use planning and regulatory responsibility for territory within the watershed shall prepare or cause to be prepared a local water management plan, capital improvement program and official controls as necessary to bring local water management into conformance with the LMRWD Plan. Local Plans must meet the requirements of the LMRWD Plan as well as the general requirement of Minnesota Statutes 103B.235 and Minnesota Rules Chapter 8410; and

**WHEREAS**, the city of Bloomington ("City") lies partially within the LMRWD and therefore must meet the requirements of the LMRWD Plan; and

**WHEREAS**, the City prepared and submitted a draft Local Surface Water Management Plan (LSWMP) to the LMRWD on February 13, 2018; and

**WHEREAS**, the LMRWD has reviewed the LSWMP and hereby determines that the plan has been prepared in accordance with the requirements of Minnesota Statutes, Section 103B.235 and Minnesota Rules 840.0160 and 8410.0170, and contains the requirements for local plans; and

**WHEREAS**, Minnesota Statutes, Section 103B.235, Subdivision 3 authorizes the watershed district to review and approve local water management plans and to take other actions necessary to assure that the local plan is in conformance with the LMRWD's plan and standards set forth therein.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Managers of the LMRWD hereby approves the Local Water Management Plan for the City of Bloomington, dated February 2018 with the conditional understanding that:

- A. This approval is conditional upon the following:
  1. Updates Section 2.3 Cooperative Partners. The web address for the Lower Minnesota River Watershed District (District) has changed to [www.lowermnriverwd.org](http://www.lowermnriverwd.org).
  2. Plan Goal 1, Strategies 1.3.3 and 1.3.4. The LSWMP should include information about the City's policy for regular assessment and review of its programs and progress. As part of the

effort to regularly assess and review the City's programs, the LSWMP should also provide some metrics to help evaluate the City's short- and long-term progress.

3. Plan Goal 2, Surface Water Management. These criteria should be included in the LSWMP or specifically referenced:
    - a. Strategy 2.2.2: Promote Disconnected Stormwater Management. Include information regarding the City's incorporation of disconnected stormwater management practices into its future stormwater management plans.
    - b. Strategies 2.2.3 and 2.2.4: Cost Share Incentive Program and Water Quality Restoration Program. Implementation of these programs is the District's responsibility. However, the City should reference them in its LSWMP.
    - c. Strategy 2.3.3: Complete Detailed Assessments of Data. Include information in the LSWMP about how the City assesses data and uses it to develop goals, policies, or strategies.
  4. Plan Goal 4, Unique Natural Resources Management. These criteria should be included in the LSWMP or specifically referenced:
    - a. Strategy 4.2.1: Data Acquisition and Management. Include information about the City's strategy for acquiring and managing data related to the protection, education, and monitoring of unique natural resources (like Ike's Creek).
    - b. Strategy 4.2.2: Provide Technical Assistance. Provide information about how the City assists non-government organizations and landowners interested in preserving unique natural resources.
  5. Plan Goal 7, Strategy 7.2.1: Develop Vegetation Management Standard/Plan. Over the past few months, the District has had the opportunity to hear from Bloomington residents about the invasion of buckthorn in steep-slope areas. Although removal of these invasive species is necessary, improper removal leaves steep slopes vulnerable to erosion and other instabilities. As a result, collaboration with the District on the development of a vegetation management plan for unique natural resources in the City should be included in the LSWMP as a policy.
  6. Plan Goal 8, Strategy 8.1.1: Promote Safety Education. Implementation of this effort is the District's responsibility. However, the City should reference them in its LSWMP.
  7. Policy 2.2 – Strategy 2.2.1:
    - a. Shoreline and Streambank Alteration Standard. The District's Shoreline and Streambank Alteration Standard is not addressed in the LSWMP. The LSWMP should include or reference this standard.
    - b. Stream and Lake Crossing Standard. The District's Stream and Lake Crossing Standard is not addressed in the LSWMP. The LSWMP should include or reference this standard.
    - c. Floodplain and Drainage Alteration Standard. The District's Floodplain and Drainage Alteration Standard is not fully addressed in the LSWMP. Regulations A and C and Criterion B of the District standard should be discussed in relation to the City's floodplain management efforts.
    - d. Water Appropriations Standard. The District's Water Appropriations Standard is not addressed in the LSWMP. The LSWMP should include or reference this standard.
    - e. Bluff Standard. The District's Bluff Standard is not fully addressed in the LSWMP, nor is the City's Bluff Protection Standard. There are areas outside of the City's Bluff Protection Overlay District that require protection under the District's Bluff Standard.
- B. The City's LSWMP does not acknowledge The LMRWD or other water management organization's water management plan amendments underway, nor does it provide a strategy for addressing changes in the future. After the LMRWD plan amendment is approved and adopted or otherwise

amended pursuant to Minnesota Statute 103B.231 the City shall bring its' LSWMP into conformance with the LMRWD Plan within the time period prescribed in the implementation program of the LMRWD Plan.

- C. The City's LSWMP does not acknowledge the Lower Minnesota River WRAPS and the TMDLS underway as part of the WRAPS. The LMRWD recommends the LSWMP be updated to reflect the finding of the WRAPS once it is finalized.
- D. In accordance with Minnesota Statutes, Section 103B.235, Subdivision 4, the Bloomington plan shall be adopted and implemented by the City within 120 days of this action, and the City shall amend its official controls in accordingly within 180 days.
- E. Pursuant to Minnesota Statutes, Section 103B.235, Subdivision 5 and consistent with the Lower Minnesota River Watershed Management Plan, the City shall submit amendments to the local water management plan to the LMRWD for review and approval in accordance with State Statutes and Minnesota Rules.
- F. The LMRWD Managers believe that regulation is most properly performed by the local governmental unit (LGU), provided that regulation by the LGU is consistent with the goals and policies of the LMRWD Plan. The city of Bloomington shall implement water management policies, standards and criteria as least as strict as those in the LMRWD Plan, as amended, on all projects within the boundaries of the LMRWD in the City of Bloomington.
- G. For properties that are split between the LMRWD and any other watershed management organization, the most restrictive water management policies, standards and criteria will be implemented.

The Motion was seconded by \_\_\_\_\_ and adopted by the Board of Managers of the Lower Minnesota River Watershed District this 18th day of April, 2018.

\_\_\_\_\_  
Yvonne Shirk, President

ATTEST:

\_\_\_\_\_  
David Raby, Secretary

# Technical Memorandum

To: Linda Loomis, Administrator  
Lower Minnesota River Watershed District

From: Lisa Buchli, PE  
Della Schall Young, PMP, CPESC

Date: April 3, 2018

Re: City of Bloomington—Local Surface Water Management Plan Review

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We have reviewed the City of Bloomington's draft Local Surface Water Management Plan (LSWMP), received February 13, 2018, for consistency with the District's Approved 2011 Watershed Management Plan (Plan) using the local water plan review document. We recommend approval of the LSWMP, contingent on satisfactory responses to the following comments:

1. Updates Section 2.3 Cooperative Partners. The web address for the Lower Minnesota River Watershed District (District) has changed to [www.lowermnriverwd.org](http://www.lowermnriverwd.org).
2. Plan Goal 1, Strategies 1.3.3 and 1.3.4. The LSWMP should include information about the City's policy for regular assessment and review of its programs and progress. As part of the effort to regularly assess and review the City's programs, the LSWMP should also provide some metrics to help evaluate the City's short- and long-term progress.
3. Plan Goal 2, Surface Water Management. These criteria should be included in the LSWMP or specifically referenced:
  - a. Strategy 2.2.2: Promote Disconnected Stormwater Management. Include information regarding the City's incorporation of disconnected stormwater management practices into its future stormwater management plans.
  - b. Strategies 2.2.3 and 2.2.4: Cost Share Incentive Program and Water Quality Restoration Program. Implementation of these programs is the District's responsibility. However, the City should reference them in its LSWMP.
  - c. Strategy 2.3.3: Complete Detailed Assessments of Data. Include information in the LSWMP about how the City assesses data and uses it to develop goals, policies, or strategies.
4. Plan Goal 4, Unique Natural Resources Management. These criteria should be included in the LSWMP or specifically referenced:

- a. Strategy 4.2.1: Data Acquisition and Management. Include information about the City's strategy for acquiring and managing data related to the protection, education, and monitoring of unique natural resources (like Ike's Creek).
  - b. Strategy 4.2.2: Provide Technical Assistance. Provide information about how the City assists non-government organizations and landowners interested in preserving unique natural resources.
5. Plan Goal 7, Strategy 7.2.1: Develop Vegetation Management Standard/Plan. Over the past few months, the District has had the opportunity to hear from Bloomington residents about the invasion of buckthorn in steep-slope areas. Although removal of these invasive species is necessary, improper removal leaves steep slopes vulnerable to erosion and other instabilities. As a result, collaboration with the District on the development of a vegetation management plan for unique natural resources in the City should be included in the LSWMP as a policy.
  6. Plan Goal 8, Strategy 8.1.1: Promote Safety Education. Implementation of this effort is the District's responsibility. However, the City should reference them in its LSWMP.
  7. Policy 2.2 – Strategy 2.2.1:
    - a. Shoreline and Streambank Alteration Standard. The District's Shoreline and Streambank Alteration Standard is not addressed in the LSWMP. The LSWMP should include or reference this standard.
    - b. Stream and Lake Crossing Standard. The District's Stream and Lake Crossing Standard is not addressed in the LSWMP. The LSWMP should include or reference this standard.
    - c. Floodplain and Drainage Alteration Standard. The District's Floodplain and Drainage Alteration Standard is not fully addressed in the LSWMP. Regulations A and C and Criterion B of the District standard should be discussed in relation to the City's floodplain management efforts.
    - d. Water Appropriations Standard. The District's Water Appropriations Standard is not addressed in the LSWMP. The LSWMP should include or reference this standard.
    - e. Bluff Standard. The District's Bluff Standard is not fully addressed in the LSWMP, nor is the City's Bluff Protection Standard. There are areas outside of the City's Bluff Protection Overlay District that require protection under the District's Bluff Standard.

The City should be commended for actively participating in the district's plan-amendment process as a member of the Technical Advisory Commission. However, the LSWMP does not acknowledge this or other water management organization's water management plan amendments underway, nor does it provide a strategy for addressing changes in the future.

cc: Bryan Gruidl, City of Bloomington  
 Jeff Thuma, Burns & McDonnell

# Technical Memorandum

To: Linda Loomis, Administrator

From: Lisa Buchli, PE  
Della Schall Young, CPESC, PMP

Date: April 13, 2018

Re: Hyatt House Hotel – Bloomington (Project Review)

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The Preliminary Stormwater Management Plan (Plan) and preliminary civil and landscape plan drawings for the Hyatt House Hotel – Bloomington Project (Project) were reviewed as requested by the Lower Minnesota River Watershed District (District).

The proposed Project is located northeast of the Old Shakopee Road East and 86th Street East intersection in Bloomington, Minnesota. The Project proposes to develop a 4.79-acre property into a Hyatt House Hotel with an adjacent parking lot and public and private sidewalks.

The existing site is undeveloped except for the southern end, which is used as a parking lot for a nearby business. The proposed Project will add 1.41 acres of new impervious area to the site. As a result, it triggers the following District Standards: Stormwater Management, Construction Erosion Control, and Bluff.

## **STORMWATER MANAGEMENT STANDARD**

### 1. Rate Control:

- a. The proposed development activity will not increase the peak stormwater runoff rate from the site under predevelopment conditions for anything less than a 24-hour precipitation event with a return frequency of 1 or 2, 10, and 100 years. Predevelopment is defined as land use on a site immediately prior to the proposed alteration/activity.
- b. The Project must comply with the requirements of the Minnesota Pollution Control Agency's (MPCA) National Pollutant Discharge

Elimination System (NPDES) General Permit for Construction Activities.

2. Volume Control:
  - a. Stormwater runoff volume retention shall be achieved onsite in the amount equivalent to the runoff generated from one-half (0.5) inch of runoff over new impervious surfaces of the redevelopment or development.
  - b. To achieve the volume control regulation, infiltration must be used where practicable. Filtration is an acceptable alternative for hydrologic soil group C and D types soils or when infiltration is infeasible.
3. Water Quality: Water quality stormwater management must comply with the requirements of the NPDES General Permit for Construction Activities.

**CONSTRUCTION EROSION CONTROL STANDARD**

1. Erosion and sediment control measures shall meet the standard for the NPDES General Permit for Construction Activities as amended, except where more specific requirements are provided.
2. All onsite stormwater conveyance channels shall be designed and constructed to withstand, after construction, the expected velocity of flow from a 10-year frequency storm without erosion.

**BLUFF STANDARD**

1. All grading, clear cutting, removal of vegetation, and/or other land disturbing activities are prohibited in the Bluff Impact Zone and/or Bluff Face.
2. All new structures shall be set back a minimum 30 feet from the top of bluff.
3. All Subsurface sewage treatment systems (SSTS) or community sewage treatment systems (CSTS) shall be set back a minimum of 50 feet from the top of bluff.
4. All stormwater ponds, swales, infiltration basins, or other soil saturation-type features shall be set back a minimum of 50 feet from the top of bluff.

Conclusions:

1. Runoff from the proposed site will drain to three areas:
  - a. Most of the proposed building and parking lot runoff will be collected by storm sewer inlets and routed to an infiltration basin at the north end of the site. This pond will outlet to the south to oversized, perforated storage pipes under the parking lot. The runoff will continue south and east under



the parking lot through storm sewer pipes until it exits the southeast corner of the site and connects to the existing City of Bloomington storm sewer under 86th Street East, which flows east to Skywater Pond at the bottom of the hill.

- b. A small portion of the right-of way area along the northwest edge of the site drains directly to Old Shakopee Road East in both the existing and proposed scenarios.
  - c. The undeveloped areas of the existing site drain east over a bluff, eventually reaching Ike's Creek and the Minnesota River. In the proposed plan, greenspace areas behind (east) of the proposed building and along the east edge of the proposed parking surface will flow east in the same way, although the proposed runoff amount is between 40 and 57 percent less than the existing amount, depending on the design storm event.
2. Stormwater Management Standard Compliance:
- a. Rate Control:
    - i. According to the Report, there is no increase in the peak runoff rates to the Skywater Pond or offsite over the bluff for the 2-, 10-, and 100-year storm events.
    - ii. The proposed peak runoff rate to Old Shakopee Road is somewhat greater than the existing peak runoff rate for the 2-, 10-, and 100-year storm events because the proposed condition includes a new public sidewalk constructed in the right-of-way, which increases the sub-watershed's impervious surface. However, the total site runoff rate for the proposed condition does not exceed the existing rate for any of the storm events.
  - b. Volume Control: The stormwater runoff volume retained onsite by the infiltration basin and the oversized perforated pipes is equal to the runoff generated from one inch of runoff over the area of the new impervious surfaces, per City of Bloomington requirements. This is more stringent than the District requirement because it retains more water than the District requires.
  - c. Water Quality: The infiltration basin and oversized perforated pipes previously described are intended to perform the required water quality

function. This satisfies the water quality requirements of the MPCA NPDES General Permit for Construction Activities.

3. Construction Erosion Control Standard:

- a. The proposed erosion and sediment control measures meet the requirements of the MPCA NPDES General Permit for Construction Activities.
- b. The proposed onsite storm sewer is designed for a 10-year frequency design storm, per the City of Bloomington's requirements.

4. Bluff Standard: A field survey was completed to confirm the site bluff limits. The surveyed information was provided to the District for consideration (see the March 2018 Board packet and meeting minutes). The Project plan includes the bluff zone and lines representing the 30-foot structure and the 50-foot stormwater setbacks. The site plan avoids bluff areas as defined by the District.

The Project Summary states that the "Stormwater management facilities are anticipated to include a surface infiltration basin and possibly an underground chamber system, depending upon results of an upcoming geotechnical investigation." According to the volume control analysis described in the Plan, the oversized perforated pipes provide the infiltration volume required to meet the District's standard.

The information provided, which includes construction of oversized storage pipes, sufficiently satisfies the District's requirements. If significant changes are made to the Project, calculations must be updated, and a narrative must be sent to the District expressing how the Project will maintain compliance with applicable District standards.

CC: Ben Lucas, Sambatek  
Jeff Thuma, Burns & McDonnell

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

LOWER MINNESOTA RIVER WATERSHED DISTRICT

RESOLUTION 18-02

RESOLUTION APPROVING THE LOCAL SURFACE WATER MANAGEMENT PLAN FOR THE CITY OF CHASKA

**WHEREAS**, the Lower Minnesota River Watershed District ("LMRWD") is a special purpose unit of government, established in accordance with Minnesota Statute 1013D; and

**WHEREAS**, On December 14, 2011, the LMRWD adopted a Watershed Management Plan (LMRWD Plan) under Minnesota Statutes 103B.231 subdivision 10, which as amended, details the existing physical environment, land use and development in the watershed and establishes as plan to manage water resources and regulate water resource use to improve water quality, prevent flooding and otherwise achieve goals of Minnesota Statutes Chapters 103B and 103D; and

**WHEREAS**, Minnesota Statute 103B.235 Local Water Management Plans require that local government units having land use planning and regulatory responsibility for territory within the watershed shall prepare or cause to be prepared a local water management plan, capital improvement program and official controls as necessary to bring local water management into conformance with the LMRWD Plan. Local Plans must meet the requirements of the LMRWD Plan as well as the general requirement of Minnesota Statutes 103B.235 and Minnesota Rules Chapter 8410; and

**WHEREAS**, the city of Chaska ("City") lies partially within the LMRWD and therefore must meet the requirements of the LMRWD Plan; and

**WHEREAS**, the City amended it's Local Surface Water Management Plan (LSWMP) in 2015, which was approved by LMRWD Resolution 15-04, and has now submitted an amended plan to the LMRWD for review on February 15, 2018. It appears the LSWMP has not changed since the 2015 update. The LMRWD considered the Metropolitan Council's March 15, 2018 comments in completing its review; and

**WHEREAS**, the LMRWD has reviewed the plan and hereby determines that the plan has been prepared in accordance with the requirements of Minnesota Statutes, Section 103B.235 and Minnesota Rules 840.0160 and 8410.0170, and contains the requirements for local plans; and

**WHEREAS**, Minnesota Statutes, Section 103B.235, Subdivision 3 authorizes the watershed district to review and approve local water management plans and to take other actions necessary to assure that the local plan is in conformance with the LMRWD's plan and standards set forth therein.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Managers of the Lower Minnesota River Watershed District that the Chaska Local Surface Water Management Plan dated November 20, 2015 is hereby approved subject to the following:

- 1) This approval is conditional upon the following:
  - a. The City's LSWMP does not acknowledge the Lower Minnesota River WRAPS and the TMDLS underway as part of the WRAPS. The LMRWD recommends the LSWMP be updated to reflect the finding of the WRAPS once it is finalized.

- b. The City's LSWMP does not acknowledge the LMRWD or other water management organization's watershed management plan amendment currently underway, nor does it provide a strategy for addressing changes in the future. The LMRWD requires the City update its plan and official controls to conform to the LMRWD plan within the time frame specified in the LMRWD plan.
- 2) In accordance with Minnesota Statute 103B.235, Subdivision 4, the City shall adopt and implement its LSWMP within 120 of approval and shall amend its official controls in accordance with the LSWMP within 180 days.
- 3) Pursuant to Minnesota Statutes, Section 103B.235, Subdivision 5 and consistent with the Lower Minnesota River Watershed Management Plan, the City shall submit amendments to the local water management plan to the LMRWD for review and approval in accordance with State Statutes and Minnesota Rules.
- 4) The LMRWD Managers believe that regulation is most properly performed by the local governmental unit (LGU), provided that regulation by the LGU is consistent with the goals and policies of the LMRWD Plan. The city of Chaska shall implement water management policies, standards and criteria as least as strict as those in the LMRWD Plan, as amended, on all projects within the boundaries of the LMRWD in the City of Chaska.
- 5) For properties that are split between the LMRWD and any other watershed management organization, the most restrictive water management policies, standards and criteria will be implemented.

The Motion was seconded by \_\_\_\_\_ and adopted by the Board of Managers of the Lower Minnesota River Watershed District this 18th day of April, 2018.

\_\_\_\_\_  
Yvonne Shirk, President

ATTEST:

\_\_\_\_\_  
David Raby, Secretary



LOWER MINNESOTA RIVER  
WATERSHED DISTRICT

Carver

Vacant

Dakota

Yvonne Shirk  
President

Hennepin

David Raby  
Secretary/Treasurer

Vacant

Scott

Jesse Hartmann  
Vice President

Linda Loomis, Administrator  
Home/Office: (763) 545-4659  
Cell: (763) 568-9522

112 East 5th Street  
Suite 102  
Chaska, MN 55318

E-mail: [lowermnriverwd.org](mailto:lowermnriverwd.org)

April 5, 2018

Matt Clark  
City of Chaska  
One City Hall Plaza  
Chaska, MN 55318

Dear Mr. Clark,

The Lower Minnesota River Watershed District (LMRWD) has completed its review of the City of Chaska's (City) Local Surface Water Management Plan (LSWMP) submitted in February 2018. The LMRWD received and considered the Metropolitan Council's March 15, 2018 comments in completing its review. The City updated its LWMP in 2015 and it appears the plan has not changed since the 2015 LSWMP was approved. LMRWD comments were incorporated into the LSWMP at that time.

LMRWD's review was conducted pursuant to Minnesota Statutes chapter 103B.235, subdivision 3. Staff will recommend Board approval of the LSWMP at its April 18, 2018 meeting, contingent upon the City updating the capital improvement program to extend, by year, through the life of the plan (2028).

The LSWMP does not acknowledge the Lower Minnesota River WRAPS and the TMDLS underway as part of the WRAPS. The LMRWD recommends that the plan be updated to reflect the findings from the WRAPS once it is finalized.

The City should be commended for actively participating in the LMRWD plan amendment process as a member of the Technical Advisory Committee. However, the LSWMP does not acknowledge this or other water management organization's water management plan amendment underway, nor does it provide a strategy for addressing changes in the future.

The LMRWD Board Resolution approving the LSWMP will be sent to you once it has been adopted by the Board.

Sincerely,

Linda Loomis, Administrator  
Lower Minnesota River Watershed District

CC: LMRWD Board of Managers  
Della Young, Young Environmental Consulting Group, LLC  
Claire Bleser, Riley/Purgatory/Bluff Creek Watershed District  
Paul Moline, Carver County WMO  
Dan Edgerton, Stantec Consulting Services, Inc.

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

LOWER MINNESOTA RIVER WATERSHED DISTRICT

RESOLUTION 18-03

RESOLUTION APPROVING THE LOCAL WATER MANAGEMENT PLAN FOR THE CITY OF CHANHASSEN

**WHEREAS**, the Lower Minnesota River Watershed District ("LMRWD") is a special purpose unit of government, established in accordance with Minnesota Statute 1013D; and

**WHEREAS**, On December 14, 2011, the LMRWD adopted a Watershed Management Plan (LMRWD Plan) under Minnesota Statutes 103B.231 subdivision 10, which as amended, details the existing physical environment, land use and development in the watershed and establishes as plan to manage water resources and regulate water resource use to improve water quality, prevent flooding and otherwise achieve goals of Minnesota Statutes Chapters 103B and 103D; and

**WHEREAS**, Minnesota Statute 103B.235 Local Water Management Plans (LWMPs) require that local government units having land use planning and regulatory responsibility for territory within the watershed shall prepare or cause to be prepared a local water management plan, capital improvement program and official controls as necessary to bring local water management into conformance with the LMRWD Plan. Local Plans must meet the requirements of the LMRWD Plan as well as the general requirement of Minnesota Statutes 103B.235 and Minnesota Rules Chapter 8410; and

**WHEREAS**, the city of Chanhassen ("City") lies partially within the LMRWD and therefore must meet the requirements of the LMRWD Plan; and

**WHEREAS**, the City prepared and submitted a draft LWMP to the LMRWD on February 1, 2018; and

**WHEREAS**, the LMRWD has reviewed the plan and hereby determines that the plan has been prepared in accordance with the requirements of Minnesota Statutes, Section 103B.235 and Minnesota Rules 840.0160 and 8410.0170, and contains the requirements for local plans; and

**WHEREAS**, Minnesota Statutes, Section 103B.235, Subdivision 3 authorizes the watershed district to review and approve local water management plans and to take other actions necessary to assure that the local plan is in conformance with the LMRWD's plan and standards set forth therein.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Managers of the Lower Minnesota River Watershed District that the Chanhassen draft Local Water Management Plan dated January 2018 is hereby approved subject to the following:

- A. This approval is conditional upon the following:
  1. Flooding Problem Areas (District Plan Table 2-1), Old 212 near Moon Valley Gravel Pit. This issue is not identified or addressed in the LWMP. If this location is not in the City of Chanhassen (City), include a statement in the LWMP saying the City does not have any flooding problem areas that were addressed in the District Plan
  2. Plan Goal 2, Surface Water Management. These criteria should be included in the LWMP or specifically referenced:

- a. Strategy 2.2.2: Promote disconnected stormwater management. Include information about how the City will incorporate disconnected stormwater management practices into its future stormwater-management plans.
  - b. Strategies 2.2.3 and 2.2.4: Cost Share Incentive Program and Water Quality Restoration Program. Implementation of these programs is the District's responsibility. However, the City should reference them in its LWMP.
  - c. Strategy 2.3.3: Complete detailed assessments of data. Include information in the LWMP about how the City assesses data and uses it to develop goals, policies, or strategies.
- 3. Plan Goal 4, Unique Natural Resources Management. These criteria should be included in the LWMP or specifically referenced:
  - a. Strategy 4.2.1: Data acquisition and management. Include information about the City's strategy for acquiring and managing data related to the protection, education, and monitoring of unique natural resources.
  - b. Strategy 4.2.2: Provide technical assistance. Provide information about how the City assists nongovernment organizations and landowners interested in preserving unique natural resources.
  - c. Strategy 4.4.1: Encourage wildlife connectivity projects. Provide information about how the City will encourage wildlife connectivity projects that will achieve multiple goals, such as water quality improvements and fen and bluff protection.
- 4. Plan Goal 7, Erosion and Sediment Control. These criteria should be included in the LWMP or specifically referenced:
  - a. Strategy 7.2.1: Develop a vegetation management standard/plan. The City will be developing a Vegetation Management Plan as part of its Stormwater Inventory Inspection and Maintenance Plan. Development of the vegetation management plan should be included in the LWMP as a policy.
  - b. Strategy 7.3.1: Continue work of addressing gully erosion. The LWMP should be modified to include language referring to gully restoration in the City. Two projects are mentioned in Table 5.2 of the LWMP.
  - c. Strategy 7.4.1: Promote and encourage shoreland protection. The LWMP states that City Code includes shoreland management district ordinances. This information should be included in the LWMP as policies or goals
- 5. Plan Goal 8, Strategy 8.1.1: Promote safety education. Include information in the LWMP about how the City promotes safety education in its effort to promote the co-existence of commercial and recreational navigation on the Lower Minnesota River.
- 6. Plan Goal 9, Strategy 9.1.2: Develop an outreach program. The LWMP states that an education and outreach plan will be developed to achieve the City's long-term public education goals. This should be included as a goal or policy in the LWMP.
- 7. Policy 2.2, Strategy 2.2.1:
  - a. Shoreline and Streambank Alteration Standard. The District's Shoreline and Streambank Alteration Standard is not addressed in the LWMP. The LWMP should include or reference this standard.
  - b. Stream and Lake Crossing Standard. The District's Stream and Lake Crossing Standard is not addressed in the LWMP. The LWMP should include or reference this standard.
  - c. Floodplain and Drainage Alteration Standard. The District's Floodplain Alteration Standard is not addressed in the LWMP. The LWMP should include or reference this standard.

- d. Water Appropriations Standard. The District's Water Appropriations Standard is not addressed in the LWMP. The LWMP should include or reference this standard.
  - e. The District's Bluff Standard is not fully addressed in the LWMP. The Bluff Standard Regulation and Criteria A, A-a, A-c, A-d, B, B-a.i.1, B-a.i.2, and C of the District standard should be discussed in relation to the City's bluff protection efforts.
8. Cost Share Incentive Program (District Plan Table 4-3), Bluff Creek Erosion Repair. The Lower Bluff Creek TMDL (total maximum daily load) Implementation Project is listed in the City's Capital Improvement Project (CIP) table. Does it encompass the District's Bluff Creek Erosion Repair Project? If not, the project should be identified and addressed in the LWMP
  9. Capital Improvement Projects (District Plan Table 4-4), Bluff Creek Restoration. The Lower Bluff Creek TMDL Implementation Project is listed in the City's CIP table. Does it encompass the District's Bluff Creek Restoration Project? If not, the project should be identified and addressed in the LWMP.
- B. The City's LWMP does not acknowledge the LMRWD or other water management organization's water management plan amendments underway, nor does it provide a strategy for addressing changes in the future. After the LMRWD plan amendment is approved and adopted or otherwise amended pursuant to Minnesota Statute 103B.231 the City shall bring its' LWMP into conformance with the LMRWD Plan within the time period prescribed in the implementation program of the LMRWD Plan.
  - C. The City's LWMP does not acknowledge the Lower Minnesota River WRAPS and the TMDLS underway as part of the WRAPS. The LMRWD recommends the LWMP be updated to reflect the finding of the WRAPS once it is finalized.
  - D. In accordance with Minnesota Statutes, Section 103B.235, Subdivision 4, the Chanhassen plan shall be adopted and implemented by the City within 120 days of this action, and the City shall amend its official controls in accordingly within 180 days.
  - E. Pursuant to Minnesota Statutes, Section 103B.235, Subdivision 5 and consistent with the Lower Minnesota River Watershed Management Plan, the City shall submit amendments to the local water management plan to the LMRWD for review and approval in accordance with State Statutes and Minnesota Rules.
  - F. The LMRWD Managers believe that regulation is most properly performed by the local governmental unit (LGU), provided that regulation by the LGU is consistent with the goals and policies of the LMRWD Plan. The city of Chanhassen shall implement water management policies, standards and criteria, as stated in the LWMP, as least as strict as those in the LMRWD Plan, as amended, on all projects within the boundaries of the LMRWD in the City of Chanhassen.
  - G. For properties within the City that are split between the LMRWD and any other watershed management organization, the most restrictive water management policies, standards and criteria will be implemented.

The Motion was seconded by \_\_\_\_\_ and adopted by the Board of Managers of the Lower Minnesota River Watershed District this 18th day of April, 2018.

\_\_\_\_\_  
Yvonne Shirk, President

ATTEST:

\_\_\_\_\_  
David Raby, Secretary



# Technical Memorandum

To: Linda Loomis, Administrator  
Lower Minnesota River Watershed District

From: Lisa Buchli, PE  
Della Schall Young, PMP, CPESC

Date: April 3, 2018

Re: City of Chanhassen—Local Water Management Plan Review

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We have reviewed the City of Chanhassen’s draft Local Water Management Plan (LWMP), received February 1, 2018, for consistency with the District’s Approved 2011 Watershed Management Plan (Plan) using the LWMP review document. We recommend approval of the LWMP, contingent on satisfactory responses to the following comments:

1. Flooding Problem Areas (District Plan Table 2-1), Old 212 near Moon Valley Gravel Pit. This issue is not identified or addressed in the LWMP. If this location is not in the City of Chanhassen (City), include a statement in the LWMP saying the City does not have any flooding problem areas that were addressed in the District Plan.
2. Plan Goal 2, Surface Water Management. These criteria should be included in the LWMP or specifically referenced:
  - a. Strategy 2.2.2: Promote disconnected stormwater management. Include information about how the City will incorporate disconnected stormwater-management practices into its future stormwater-management plans.
  - b. Strategies 2.2.3 and 2.2.4: Cost Share Incentive Program and Water Quality Restoration Program. Implementation of these programs is the District’s responsibility. However, the City should reference them in its LWMP.
  - c. Strategy 2.3.3: Complete detailed assessments of data. Include information in the LWMP about how the City assesses data and uses it to develop goals, policies, or strategies.
3. Plan Goal 4, Unique Natural Resources Management. These criteria should be included in the LWMP or specifically referenced:

- a. Strategy 4.2.1: Data acquisition and management. Include information about the City's strategy for acquiring and managing data related to the protection, education, and monitoring of unique natural resources.
  - b. Strategy 4.2.2: Provide technical assistance. Provide information about how the City assists nongovernment organizations and landowners interested in preserving unique natural resources.
  - c. Strategy 4.4.1: Encourage wildlife connectivity projects. Provide information about how the City will encourage wildlife connectivity projects that will achieve multiple goals, such as water quality improvements and fen and bluff protection.
4. Plan Goal 7, Erosion and Sediment Control. These criteria should be included in the LWMP or specifically referenced:
- a. Strategy 7.2.1: Develop a vegetation management standard/plan. The City will be developing a Vegetation Management Plan as part of its Stormwater Inventory Inspection and Maintenance Plan. Development of the vegetation management plan should be included in the LWMP as a policy.
  - b. Strategy 7.3.1: Continue work of addressing gully erosion. The LWMP should be modified to include language referring to gully restoration in the City. Two projects are mentioned in Table 5.2 of the LWMP.
  - c. Strategy 7.4.1: Promote and encourage shoreland protection. The LWMP states that City Code includes shoreland management district ordinances. This information should be included in the LWMP as policies or goals.
5. Plan Goal 8, Strategy 8.1.1: Promote safety education. Include information in the LWMP about how the City promotes safety education in its effort to promote the co-existence of commercial and recreational navigation on the Lower Minnesota River.
6. Plan Goal 9, Strategy 9.1.2: Develop an outreach program. The LWMP states that an education and outreach plan will be developed to achieve the City's long-term public education goals. This should be included as a goal or policy in the LWMP.
7. Policy 2.2, Strategy 2.2.1:
- a. Shoreline and Streambank Alteration Standard. The District's Shoreline and Streambank Alteration Standard is not addressed in the LWMP. The LWMP should include or reference this standard.
  - b. Stream and Lake Crossing Standard. The District's Stream and Lake Crossing Standard is not addressed in the LWMP. The LWMP should include or reference this standard.

- c. Floodplain and Drainage Alteration Standard. The District's Floodplain Alteration Standard is not addressed in the LWMP. The LWMP should include or reference this standard.
  - d. Water Appropriations Standard. The District's Water Appropriations Standard is not addressed in the LWMP. The LWMP should include or reference this standard.
  - e. The District's Bluff Standard is not fully addressed in the LWMP. The Bluff Standard Regulation and Criteria A, A-a, A-c, A-d, B, B-a.i.1, B-a.i.2, and C of the District standard should be discussed in relation to the City's bluff protection efforts.
8. Cost Share Incentive Program (District Plan Table 4-3), Bluff Creek Erosion Repair. The Lower Bluff Creek TMDL (total maximum daily load) Implementation Project is listed in the City's Capital Improvement Project (CIP) table. Does it encompass the District's Bluff Creek Erosion Repair Project? If not, the project should be identified and addressed in the LWMP.
9. Capital Improvement Projects (District Plan Table 4-4), Bluff Creek Restoration. The Lower Bluff Creek TMDL Implementation Project is listed in the City's CIP table. Does it encompass the District's Bluff Creek Restoration Project? If not, the project should be identified and addressed in the LWMP.

The City should be commended for actively participating in the District's Plan amendment process as a member of the Technical Advisory Commission, acknowledging regulatory changes underway and providing a strategy for addressing those changes in the future. As stated in the LWMP: *The City will undertake these ordinance revisions within six months after adoption of this Plan. It is expected that where the requirements of the individual watershed districts differ, the City will adopt the most stringent of the requirements for application citywide. The most stringent requirements the City will adopt are highlighted in Table 5.1.*

cc: Vanessa Strong, City of Chanhassen  
Jeff Thuma, Burns & McDonnell

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

LOWER MINNESOTA RIVER WATERSHED DISTRICT

RESOLUTION 18-05

RESOLUTION APPROVING THE SURFACE WATER MANAGEMENT PLAN FOR THE CITY OF LILYDALE

**WHEREAS**, the Lower Minnesota River Watershed District ("LMRWD") is a special purpose unit of government, established in accordance with Minnesota Statute 1013D; and

**WHEREAS**, On December 14, 2011, the LMRWD adopted a Watershed Management Plan (LMRWD Plan) under Minnesota Statutes 103B.231 subdivision 10, which as amended, details the existing physical environment, land use and development in the watershed and establishes as plan to manage water resources and regulate water resource use to improve water quality, prevent flooding and otherwise achieve goals of Minnesota Statutes Chapters 103B and 103D; and

**WHEREAS**, Minnesota Statute 103B.235 Local Water Management Plans require that local government units having land use planning and regulatory responsibility for territory within the watershed shall prepare or cause to be prepared a local water management plan, capital improvement program and official controls as necessary to bring local water management into conformance with the LMRWD Plan. Local Plans must meet the requirements of the LMRWD Plan as well as the general requirement of Minnesota Statutes 103B.235 and Minnesota Rules Chapter 8410; and

**WHEREAS**, the city of Lilydale ("City") lies partially within the LMRWD and therefore must meet the requirements of the LMRWD Plan; and

**WHEREAS**, the City prepared and submitted a draft Surface Water Management Plan (SWMP) to the LMRWD on February 5, 2018; and

**WHEREAS**, the LMRWD has reviewed the SWMP and hereby determines that the plan has been prepared in accordance with the requirements of Minnesota Statutes, Section 103B.235 and Minnesota Rules 840.0160 and 8410.0170, and contains the requirements for local plans; and

**WHEREAS**, Minnesota Statutes, Section 103B.235, Subdivision 3 authorizes the watershed district to review and approve local water management plans and to take other actions necessary to assure that the local plan is in conformance with the LMRWD's plan and standards set forth therein.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Managers of the LMRWD hereby approves the Surface Water Management Plan for the City of Lilydale, dated February 2018 with the conditional understanding that:

A. This approval is conditional upon the following:

1. Plan Goal 1, Strategies 1.3.3 and 1.3.4. The SWMP should include information about the City's policy for regular assessment and review of its programs and progress. As part of the effort to regularly assess and review the City's programs, the SWMP should also provide metrics to help evaluate the City's short- and long-term progress.
2. 2. Plan Goal 2, Surface Water Management. These criteria should be included in the SWMP or specifically referenced:

- a. Strategy 2.2.2: Promote Disconnected Stormwater Management. Include information about how the City will incorporate disconnected stormwater management practices into its future stormwater management plans.
  - b. Strategies 2.2.3 and 2.2.4: Cost Share Incentive Program and Water Quality Restoration Program. Implementation of these programs is the District's responsibility; however, the City should reference these programs in its SWMP.
  - c. Strategy 2.3.1: Modify and Continue the Monitoring Program. Include information about any monitoring programs the City has been a part of or potential monitoring programs that could occur in the future.
  - d. Strategy 2.3.3: Complete Detailed Assessments of Data. Include information in the SWMP about how the City assesses data and uses it to develop goals, policies, or strategies
3. Plan Goal 3, Groundwater Management. It is assumed that Lilydale does not have any public drinking water supply wells that require wellhead protection. If this is true, this should be included in the SWMP. Similarly, if there is no groundwater modeling taking place in the City, provide reasons groundwater monitoring is not necessary.
  4. Plan Goal 4, Unique Natural Resources Management. These criteria should be included in the SWMP or specifically referenced:
    - a. Strategy for acquiring and managing data related to the protection, education, and monitoring of unique natural resources (such as the bluffs and steep slopes).
    - b. Strategy 4.2.2: Provide Technical Assistance. Provide information about how the City assists nongovernment organizations and landowners interested in preserving unique natural resources.
    - c. Strategy 4.2.3: Provide Educational Opportunities. Provide information about any educational opportunities the City has related to unique natural resources management.
  5. Plan Goal 7, Erosion and Sediment Control. These criteria should be included in the SWMP or specifically referenced:
    - a. Strategy 7.2.1: Develop Vegetation Management Standard/Plan. Development of (or partnership with the District to develop) a vegetation management plan should be included in the SWMP as a policy.
    - b. Strategy 7.3.1: Continue Work of Addressing Gully Erosion. The SWMP should include language referring to gully restoration in the City. If there are no gully restoration projects in the City, include that information in the SWMP.
  6. Plan Goal 8 – Strategy 8.1.1: Promote Safety Education. Include information in the SWMP about how the City promotes safety education in its effort to promote the coexistence of commercial and recreational navigation on the Minnesota and the Mississippi Rivers.
  7. Plan Goal 9 – Public Education and Outreach Program:
    - a. Strategy 9.1.3: Engage and Utilize Volunteers. The SWMP should include information about ways the City engages with and utilizes volunteers to help with water quality monitoring.
    - b. Strategy 9.2.1: Produce Scientific Studies and Work Products. The SWMP should address ways the City can encourage and collaborate on scientific studies and produce outreach materials written specifically for the public.
  8. Policy 2.2 – Strategy 2.2.1:
    - a. Shoreline and Streambank Alteration Standard. Criterion 2 of the District's Shoreline and Streambank Alteration Standard is not addressed in the SWMP. The SWMP should include or reference this standard.

- b. Stream and Lake Crossing Standard. The District's Stream and Lake Crossing Standard is not addressed in the SWMP. The SWMP should include or reference this standard.
  - c. Floodplain and Drainage Alteration Standard. The District's Floodplain and Drainage Alteration Standard is not addressed in the SWMP. The SWMP should include or reference this standard.
  - d. Water Appropriations Standard. The District's Water Appropriations Standard is not addressed in the SWMP. The SWMP should include or reference this standard.
  - e. Bluff Standard. Neither the district's Bluff Standard nor the city's implementation of the Mississippi River Critical Corridor Area Rule is fully addressed in the SWMP. The SWMP should include or reference this standard.
- B. The City's SWMP does not acknowledge The LMRWD or other water management organization's water management plan amendments underway, nor does it provide a strategy for addressing changes in the future. After the LMRWD plan amendment is approved and adopted or otherwise amended pursuant to Minnesota Statute 103B.231 the City shall bring its' SWMP into conformance with the LMRWD Plan within the time period prescribed in the implementation program of the LMRWD Plan.
  - C. The City's SWMP does not acknowledge the Lower Minnesota River WRAPS and the TMDLS underway as part of the WRAPS. The LMRWD recommends the SWMP be updated to reflect the finding of the WRAPS once it is finalized.
  - D. In accordance with Minnesota Statutes, Section 103B.235, Subdivision 4, the Lilydale plan shall be adopted and implemented by the City within 120 days of this action, and the City shall amend its official controls in accordingly within 180 days.
  - E. After the LMRWD plan amendment is approved and adopted or otherwise amended pursuant to Minnesota Statute 103B.231 the City shall bring it's LWMP into conformance with the LMRWD Plan within the time period prescribed in the implementation program of the LMRWD Plan.
  - F. Pursuant to Minnesota Statutes, Section 103B.235, Subdivision 5 and consistent with the Lower Minnesota River Watershed Management Plan, the City shall submit amendments to the local water management plan to the LMRWD for review and approval in accordance with State Statutes and Minnesota Rules.
  - G. The LMRWD Managers believe that regulation is most properly performed by the local governmental unit (LGU), provided that regulation by the LGU is consistent with the goals and policies of the LMRWD Plan. The city of Lilydale shall implement water management policies, standards and criteria as least as strict as those in the LMRWD Plan, as amended, on all projects within the boundaries of the LMRWD in the City of Lilydale.
  - H. For properties that are split between the LMRWD and any other watershed management organization, the most restrictive water management policies, standards and criteria will be implemented.

The Motion was seconded by \_\_\_\_\_ and adopted by the Board of Managers of the Lower Minnesota River Watershed District this 18th day of April, 2018.

\_\_\_\_\_  
Yvonne Shirk, President

ATTEST:

\_\_\_\_\_  
David Raby, Secretary

# Technical Memorandum

To: Linda Loomis, Administrator  
Lower Minnesota River Watershed District

From: Lisa Buchli, PE  
Della Schall Young, PMP, CPESC

Date: April 3, 2018

Re: City of Lilydale—Surface Water Management Plan Review

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We have reviewed the City of Lilydale’s draft Surface Water Management Plan (SWMP), received February 5, 2018, for consistency with the District’s Approved 2011 Watershed Management Plan (Plan) using the local water plan review document. We recommend approval of the SWMP, contingent on satisfactory response to the following comments:

1. Plan Goal 1, Strategies 1.3.3 and 1.3.4. The SWMP should include information about the City’s policy for regular assessment and review of its programs and progress. As part of the effort to regularly assess and review the City’s programs, the SWMP should also provide metrics to help evaluate the City’s short- and long-term progress.
2. Plan Goal 2, Surface Water Management. These criteria should be included in the SWMP or specifically referenced:
  - a. Strategy 2.2.2: Promote Disconnected Stormwater Management. Include information about how the City will incorporate disconnected stormwater management practices into its future stormwater management plans.
  - b. Strategies 2.2.3 and 2.2.4: Cost Share Incentive Program and Water Quality Restoration Program. Implementation of these programs is the District’s responsibility; however, the City should reference these programs in its SWMP.
  - c. Strategy 2.3.1: Modify and Continue the Monitoring Program. Include information about any monitoring programs the City has been a part of or potential monitoring programs that could occur in the future.
  - d. Strategy 2.3.3: Complete Detailed Assessments of Data. Include information in the SWMP about how the City assesses data and uses it to develop goals, policies, or strategies.

3. Plan Goal 3, Groundwater Management. It is assumed that Lilydale does not have any public drinking water supply wells that require wellhead protection. If this is true, this should be included in the SWMP. Similarly, if there is no groundwater modeling taking place in the City, provide reasons groundwater monitoring is not necessary.
4. Plan Goal 4, Unique Natural Resources Management. These criteria should be included in the SWMP or specifically referenced:
  - a. Strategy 4.2.1: Data Acquisition and Management. Include information about the City's strategy for acquiring and managing data related to the protection, education, and monitoring of unique natural resources (such as the bluffs and steep slopes).
  - b. Strategy 4.2.2: Provide Technical Assistance. Provide information about how the City assists nongovernment organizations and landowners interested in preserving unique natural resources.
  - c. Strategy 4.2.3: Provide Educational Opportunities. Provide information about any educational opportunities the City has related to unique natural resources management.
5. Plan Goal 7, Erosion and Sediment Control. These criteria should be included in the SWMP or specifically referenced:
  - a. Strategy 7.2.1: Develop Vegetation Management Standard/Plan. Development of (or partnership with the District to develop) a vegetation management plan should be included in the SWMP as a policy.
  - b. Strategy 7.3.1: Continue Work of Addressing Gully Erosion. The SWMP should include language referring to gully restoration in the City. If there are no gully restoration projects in the City, include that information in the SWMP.
6. Plan Goal 8 – Strategy 8.1.1: Promote Safety Education. Include information in the SWMP about how the City promotes safety education in its effort to promote the coexistence of commercial and recreational navigation on the Minnesota and the Mississippi Rivers.
7. Plan Goal 9 – Public Education and Outreach Program.
  - a. Strategy 9.1.3: Engage and Utilize Volunteers. The SWMP should include information about ways the City engages with and utilizes volunteers to help with water quality monitoring.
  - b. Strategy 9.2.1: Produce Scientific Studies and Work Products. The SWMP should address ways the City can encourage and collaborate on scientific studies and produce outreach materials written specifically for the public.
8. Policy 2.2 – Strategy 2.2.1:
  - a. Shoreline and Streambank Alteration Standard. Criterion 2 of the District's Shoreline and Streambank Alteration Standard is not addressed in the SWMP. The SWMP should include or reference this standard.



- b. Stream and Lake Crossing Standard. The District's Stream and Lake Crossing Standard is not addressed in the SWMP. The SWMP should include or reference this standard.
- c. Floodplain and Drainage Alteration Standard. The District's Floodplain and Drainage Alteration Standard is not addressed in the SWMP. The SWMP should include or reference this standard.
- d. Water Appropriations Standard. The District's Water Appropriations Standard is not addressed in the SWMP. The SWMP should include or reference this standard.
- e. Bluff Standard. Neither the district's Bluff Standard nor the city's implementation of the Mississippi River Critical Corridor Area Rule is fully addressed in the SWMP. The SWMP should include or reference this standard.

The SWMP does not acknowledge this or other water management organizations' water management plan amendments underway or provide a strategy for addressing changes in the future.

cc: Mary Schultz, City of Lilydale  
Jeff Weiss, Barr Engineering Co.

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## Black Dog Gas Pipeline HDD Restoration Work - Seep Closure Plan Outline

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**Bodensteiner, James J** <james.j.bodensteiner@xcelenergy.com>

Wed, Apr 4, 2018 at 3:45 PM

To: "Richter, Joe G (DNR)" <joe.richter@state.mn.us>, "Jennie.Skancke@state.mn.us" <Jennie.Skancke@state.mn.us>, "Brandon.E.Smith@state.mn.us" <Brandon.E.Smith@state.mn.us>, "Wright, Cara (MPCA)" <Cara.Wright@state.mn.us>, Deb Garross <Deb.Garross@burnsvillemn.gov>, "Kara.dennis@state.mn.us" <Kara.dennis@state.mn.us>, Daryl Jacobson <Daryl.Jacobson@burnsvillemn.gov>, "Malterud, Ryan M CIV USARMY CEMVP (US)" <Ryan.M.Malterud@usace.army.mil>

Cc: Linda Loomis <naiadconsulting@gmail.com>, "Jeremy J. Gacnik" <JGacnik@barr.com>, "Butler, David W" <David.W.Butler@xcelenergy.com>, "Miller, Conrad A" <conrad.a.miller@xcelenergy.com>, "Gundry, Jacob R" <jacob.r.gundry@xcelenergy.com>, "Kusilek, Luke I" <Luke.I.Kusilek@xcelenergy.com>, "Heine, Ellen L" <Ellen.L.Heine@xcelenergy.com>, "Rogers, Timothy G" <RGRT07@xcelenergy.com>

As an update, as of this week, our contractor (Veit) with oversight by Xcel Energy and our consultant Barr Engineering has primarily completed implementation of the Seep Closure Plan as outlined in January. With completion of plan work, the active seepage/upwelling of lower regional aquifer to the ground surface was discontinued as of last Monday, March 26. With rising river and lake levels, the project is demobilizing with any follow up work (e.g. seeding) to be done later this summer after river and lake levels recede.

The basic steps in closure were as follows: 1. installation of the sheetpile wall in late January/early February which did eliminate the seepage up and out of the plant's flood berm; 2. Grouting starting mid-February on the curtain wall and on some of the borepath intercepts (Boring to intercept borepath 4 provided relief from seepage into the plant yard at the end of February); 3. Grouting the borepath 1 through 3 intercepts was targeted (with two rigs) in early March for completion mid-March while lake ice was still good; 4. Grouting the curtain wall resumed later in March to completion with secondaries at the end of March; 5. While grouting the curtain wall and seep 2 area, remaining seepage/upwelling (which at the time was in the vicinity of the sheetpile wall) stopped on March 26; 6. Grouting the few remaining borepath 4 intercepts was completed at the end of March; and 7. Clean-up and demobilization was conducted this week.

We will begin monitoring per the plan after river/lake levels recede. After consultant review of work to date and of initial inspections, if any further follow-up items are identified, they will be completed later this summer or fall.

A construction report is being prepared for filing with the DNR.

If there are any questions in the meantime, please let me know.

THANKS. Also, thanks again for the earlier reviews and discussions (e-mail, phone, and otherwise) with a few of you.

Jim

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