



Minutes of Regular Meeting
Board of Managers
Wednesday January 4, 2017
Bluff Conference, Chaska City Hall, 7:00 p.m.
Approved February 15, 2017

1. CALL TO ORDER AND ROLL CALL

On Wednesday, January 4, 2017, at 7:00 PM in the Council Chambers of the Chaska City Hall, Chaska, Minnesota, President Shirk called to order the meeting of the Board of Managers of the Lower Minnesota River Watershed District (LMRWD) and asked for roll call to be taken. The following Managers were present: Managers Jesse Hartmann, David Raby, and Yvonne Shirk. In addition, the following were also present: Lindsey Albright, Dakota SWCD; Della Young, Young Environmental, LLC; Taylor Luke, LS Marine; Marianne Breitbach, PLSLWD and Linda Loomis, Naiad Consulting, LLC, LMRWD Administrator.

2. APPROVAL OF THE AGENDA

Manager Shirk added an item under New Business - Letter to MPCA.

Manager Shirk made a motion to approve the agenda of January 4, 2017, as amended. The motion was seconded by Manager Raby. The motion carried unanimously.

3. CITIZEN FORUM

There were no citizens who wished to address the board.

4. CONSENT AGENDA

The Consent Agenda included the following items:

A. Approval of Minutes for December 14, 2016 Regular Meeting

B. Approval of Financial Reports

C. Approval of Payment of Invoices

- i. NEMO - for LMRWD share of 2016 MN River Tour expense
- ii. Burns & McDonnell - for October engineering services
- iii. City of Chaska - LMRWD portion of Seminary Fen Ravine restoration & stabilization project
- iv. Greg Zeck - for October & November webmaster services
- v. Rinke Noonan - for November Legal and Plan Amendment services
- vi. Barr Engineering - for October services for Riley Creek feasibility study
- vii. Naiad Consulting - for October Administrative services & expenses
- viii. Culligan - water in Chaska office
- ix. Time Savers Off Site Secretarial Service - for preparation of November meeting minutes
- x. US Bank Equipment Finance - January 2017 copier lease payment

- D. Designate Official newspaper**
- E. Designate Data Practice Compliance Official**
- F. Designate Official Depository**
- G. Order Preparation of 2016 Annual Report**

Manager Raby made a motion to approve the consent agenda. The motion was seconded by Manager Hartmann. The motion carried unanimously.

5. NEW BUSINESS/PRESENTATIONS

A. Letter to MPCA

Administrator Loomis related how this item came to the Board. She explained the MPCA's Sediment Reduction Strategy calls for a 90% reduction by the year 2040 but doesn't have any mechanism on how to achieve that reduction. The letter is an effort to determine if a model or methodology exists that can be used to set flow reduction targets for Major Watersheds within the MN River Basin. Thus, the letter before the Managers this evening. The idea is to use whatever model was used by the MPCA to set the targets in the Strategy, to set flow reduction goals for each major watershed in the MN River Basin.

Manager Raby questioned the required commitment of resources implied in the letter.

Administrator Loomis explained that she and Della Young have discussed the direction the LMRWD should take and pointed out that the MPCA offered to meet with the Board in its response to the District's comments on the Chippewa River WRAPS/TMDL. Managers discussed their availability to meet with the MPCA and directed staff to arrange a meeting.

6. OLD BUSINESS

A. Chippewa River WRAPS and TMDL contested case hearing request

Administrator Loomis reminded Managers that a letter was provided to them at the December meeting and was sent to Carrie Jennings for her thought. While reworking the letter taking into account the comments received, staff thought it would be more appropriate to take up the MPCA's offer to meet. The Managers committed to meeting with the MPCA so a meeting to discuss the Chippewa WRAPS/TMDL will be arranged.

B. Dredge Management

i. Review Process for funding of maintenance of Navigation Channel

Administrator Loomis said the report of the probable cost of future operations of dredge management is still being revised after conferring with former Manager Kremer and Ron Harnack. Managers were reminded that they had approved the report at the November meeting subject to review by Mr. Kremer and Mr. Harnack and consideration of their comments. The target date for the revised report is January 13th and Managers will have an opportunity to review the report at that time.

Della Young noted there were a lot of comments and a number of them were addressed. She said many of the comments were related to responsibilities that are not responsibilities of the District.

President Shirk asked whether this report is necessary to the District's legislative request. Administrator Loomis said it will be helpful, but that the cost of the operations is what is most important and that was identified in the report and is not in question.

ii. Vernon Avenue Dredge Material Management site

Administrator Loomis said Rachel Contracting provided a survey of the remaining material and an accounting of what was removed in 2016. Rachel said payment for the material has been sent.

iii. Private Dredge Material Placement

Administrator Loomis said the payment has been received for all material placed on site in 2016.

She reported that she received a request from Riverland AG for the District's acceptance of a comparable form of financial assurance, other than a letter of credit. She has consulted with legal counsel and there are other forms of financial assurance that are acceptable. Riverland was informed that we will accept another form of assurance and the issue will be addressed when the license agreements with area industry are renewed.

C. Watershed Management Plan

i. Plan clarification/review

No change since last update

ii. Plan update/ Major Amendment

Administrator Loomis said the District will notify BWSR of the District's intent to amend the Watershed Management Plan. Once the District gets the okay from BWSR, staff will notify stakeholders.

She reminded Managers of the workshop scheduled for January 18th. She provided details of the workshop and noted provisions will be made for Manager Raby to participate by phone.

She said stakeholder meetings have been scheduled and are planned for 2/8, 2/22 & 3/8.

D. Legislative Action

i. 2017 Legislative Session

Administrator Loomis referred to the draft legislation that had been provided to the Managers. Initiative the District will be looking for this session are assistance with the cost of managing dredge material and consolidation of regulatory authority of the MN River Basin with BWSR and acceleration of the One Watershed One Plan within the Basin.

ii. Freshwater Society

Administrator Loomis said she put together a comment log of all the comments received at the MAWD workshop. She reported that Freshwater committed to a second meeting with stakeholders that will be held in the upper reaches of the Basin. Manager Raby asked if any of the comments received make any difference in the legislation. Administrator Loomis said no.

E. Website Redesign

Administrator Loomis had nothing to report.

F. Education and Outreach Plan

i. Citizen Advisory Committee

Administrator Loomis said she will work on a mailing that can be sent out to residents within the District living in Carver County, as the Managers had suggested at a prior meeting.

G. LMRWD Projects

i. Riley Creek Cooperative Project

Administrator Loomis said everything was on the executive summary regarding the projects.

ii. Seminary Fen ravine stabilization project

Administrator Loomis said she is still trying to finalize the seminary fen project.

iii. Analysis of Dakota County Project

Refer to the executive summary.

iv. Bluff Creek Cooperative Project

Refer to the executive summary.

v. East Chaska Creek

Manager Raby said at the December meeting it appeared that the project wasn't listed on the site. Administrator Loomis said she tried to find the information at the BWSR site and was not able to find the information.

vi. Savage Fen Ravine Project - No change since last update.

H. Project Reviews

i. MMPA (Minnesota Municipal Power Agency) Electric Generation Plant

Discussed in Executive Summary provide to Managers in meeting packet.

ii. Fort Snelling Upper Post/Hennepin County Road Project

Discussed in Executive Summary provide to Managers in meeting packet.

iii. Hennepin County Flying Cloud Drive/CSAH 61 reconstruction project

Discussed in Executive Summary provide to Managers in meeting packet.

iv. 2014-03152-RMM - Port Richards

Administrator Loomis said Managers had requested information about this property at the November meeting and that she will assemble that information for the board.

v. CSAH 61 & TH 41 Transportation Improvement Project

Discussed in Executive Summary provide to Managers in meeting packet.

vi. Xcel Energy Black Dog Plant

Discussed in Executive Summary provide to Managers in meeting packet.

vii. Eagle Creek Ridge - Shakopee

Discussed in Executive Summary provide to Managers in meeting packet.

viii. 12300 Riverview Road - Eden Prairie

Discussed in Executive Summary provide to Managers in meeting packet.

I. Dean Lake - no change since last update

No change since last update. President Shirk if the District is still waiting for confirmation from the MPCA about the decision to reclassify the lake. Administrator Loomis reported the District still has not received official notification from the MPCA. Managers discussed whether or not to continue monitoring of Dean Lake. Administrator Loomis said she will work with Scott SWCD who monitors resource for the LMRWD that are located in Scott County.

J. MPCA Soil Reference Values

No change since last update.

7. COMMUNICATIONS

A. Administrator Report

Administrator Loomis commented she has spoken with MNDNR fisheries to check on the progress of Ike's Creek being designated as a trout stream. She reported that designation would likely be ten years off. The DNR informed her that they are planning to electro-fish in Ike's Creek and Eagle Creek this summer and would invite the District. She informed the Managers that the DNR is planning to re-establish a population of native trout in Eagle Creek. Manager Hartmann expressed interest in attending.

LOWER MINNESOTA RIVER WATERSHED DISTRICT

BOARD OF MANAGERS

Wednesday January 4, 2017

MEETING MINUTES

B. President - No report

C. Managers - Manager Hartmann asked about the watershed district map. Administrator Loomis said she will make a note to get the map out.

D. Committees - No report

E. Legal Counsel - No report

F. Engineer – No report

8. ADJOURN

Manager Raby made a motion to adjourn. Manager Hartmann seconded the motion. Motion carried unanimously. President Shirk adjourned the meeting at 7:29pm.

Jesse Hartmann, Vice President

Attest:

Linda Loomis, Administrator