



Please note the meeting will be held in person at the Carver County Government Center on the Wednesday, August 18, 2021

LOWER MINNESOTA RIVER WATERSHED DISTRICT

Lower Minnesota River Watershed District

7:00 PM

Wednesday August 18, 2021

Carver County Government Center

602 East Fourth Street, Chaska, MN 55318

Agenda Item	Discussion
1. Call to order	A. Oath of office Laura Amundson, Term expires 2/28/2024 B. Roll Call
2. Approval of agenda	
3. Citizen Forum	<i>Citizens may address the Board of Managers about any item not contained on the regular agenda. A maximum of 15 minutes is allowed for the Forum. If the full 15 So are not needed for the Forum, the Board will continue with the agenda. The Board will take no official action on items discussed at the Forum, with the exception of referral to staff or a Board Committee for a recommendation to be brought back to the Board for discussion or action at a future meeting.</i>
4. Consent Agenda	<p><i>All items listed under the consent agenda are considered to be routine by the Board of Managers and will be enacted by one motion and an affirmative vote of a majority of the members present. There will be no separate discussion of these items unless a Board Member or citizen request, in which event, the items will be removed from the consent agenda and considered as a separate item in its normal sequence on the agenda.</i></p> A. Approve Minutes July 21, 2021 Regular Meeting B. Receive and file July 2021 Financial reports C. Approval of Invoices for payment <ul style="list-style-type: none"> i. Blackstone Contractors LLC - final payment for East Chaska Creek project less retainage ii. Daniel Hron - July 2021 office rent iii. Inter-Fluve, Inc. - first payment on alternative review/validation project iv. Rinke Noonan Attorneys at Law - May 2021 legal services v. Coalition for a Clean Minnesota River– 2nd installment of payment for Water Storage Initiative vi. Frenette Legislative Advisors - June 2021 legislative services vii. TimeSaver Off-Site Secretarial – preparation of May 2021 meeting minutes viii. Young Environmental Consulting Group - May 2021 technical and Education & Outreach services ix. Carver County - Q2 2021 financial services D. Authorize payment of invoice #2 for Area #3 from Inter-Fluve

	<ul style="list-style-type: none"> E. Receive and file Citizen Advisory Committee June 2021 meeting minutes F. Authorize payment of invoice from Freshwater for LMRWD share of Nonyphenol investigation G. Approve and authorize letter to BWSR regarding Watershed Based Funding H. Authorize amendment to Intergovernmental Agreement Between the Metropolitan Council and the Lower Minnesota River Watershed District for water quality monitoring in Ike's Creek
5. Public Hearing	A. Proposed 2022 Budget and Preliminary Certification of Tax Levy Payable 2022
6. New Business/ Presentations	<ul style="list-style-type: none"> A. I-35W Frontage Trail Cost Share - Burnsville B. Burnsville ravine stabilization cost share C. Audit and Financial Services

7. Old Business	A. Cost Share Application - S. Mueller, 10745 Lyndale Bluffs Trail - no new information to report B. City of Carver Levee C. Remote meeting participation D. Dredge Management - no new information to report i. Vernon Avenue Dredge Material Management site ii. Private Dredge Material Placement E. Watershed Management Plan i. Rules update F. 2021 Legislative Action - no new information to report G. Education & Outreach i. Watershed Tour update H. LMRWD Projects - See Administrator Report for project updates <i>(only projects that require Board action will appear on the agenda. Informational updates will appear on the Administrator Report)</i> i. Eden Prairie Study Area #3 ii. MN River Gully Inventory & Condition Assessment I. Permits and Project Reviews - See Administrator Report for project updates <i>(only projects that require Board action will appear on the agenda. Informational updates will appear on the Administrator Report)</i> i. Caribou Coffee - Savage ii. Shakopee Flats J. MPCA Soil Reference Values - No new information since last update
8. Communications	A. Administrator Report B. President C. Managers D. Committees E. Legal Counsel F. Engineer
9. Adjourn	Next meeting of the LMRWD Board of Managers is 7:00pm Wednesday, September , 2021. The September 1, 2021 meeting has been cancelled.

Upcoming meetings/Events

- UMWA monthly meeting- Thursday, August 19, 2021, 1:00 pm; Virtual meeting – contact administrator to attend.
- 2021 USACE River Resource Forums -August 24, 2021, 8:00am to 3:00pm, Virtual meeting - contact administrator to attend
- Metro MAWD, Tuesday, October 19, 2021

For Information Only

- **WCA Notices**
 - City of Chaska - Notice of Application for TH 41 and CSAH 61 transportation improvements
 - City of Shakopee - Notice of Application for Hansen Ave & Maras Street Utility extension
 - City of Shakopee - Notice of Decision for TH 169 Pedestrian Bridge
 - Dakota County - Notice of Application for MN River Greenway
- **DNR Public Waters Work permits**
 - Dakota County - Xcel Energy - roadway/pathway fill, pilings/anchors/footings

- **DNR Water Appropriation permits**
 - City of Shakopee - Amended permit – Hansen Avenue watermain Lining
 - Hennepin County - CenterPoint Energy - Nicollet Crossing application and request for comments
 - Dakota County - CenterPoint Energy - Nicollet Crossing application and request for comments

Item 4.B.
LMRWD 8-18-21

BEGINNING BALANCE	30-Jun-21	\$ 1,580,252.37
ADD:		
General Fund Revenue:		
Tax settlement - Carver County 1st half		\$ 23,378.86
Tax settlement - Dakota County 1st half		\$ 39,196.42
Tax settlement - Hennepin County 1st half		\$ 158,180.81
Project Review fees		\$ 750.00
Dredge Management Grant		\$ 240,000.00
Miscellaneous Revenue (copier lease credit)		\$ 252.15
		\$ 461,758.24
Total Revenue and Transfers In		
DEDUCT:		
Warrants:		
430919 Blackstone Contractors, Inc. Final payment for East Chaska Creek		\$ 17,094.44
430929 Daniel Hron July 2021 Office Rent		\$ 650.00
430931 Inter-Fluve, Inc. Area #3 Alternative Review/Validation		\$ 26,177.46
430944 Rinke Noonan Attorneys at Law May 2021 Legal services		\$ 1,036.50
431167 Coalition for a Clean MN River 2nd payment for Water Storage Initiative		\$ 5,000.00
431174 Frenette Legislative Advisors June legislative services		\$ 1,666.67
100016936 TimeSaver Off-Site Secretarial Preparation of May meeting minutes		\$ 187.00
100017092 Young Environmental Consulting May 2021 Technical & Education services		\$ 34,694.49
JE Carver County Finance Q2 2021 Financial Services		\$ 1,345.50
		\$ 87,852.06
Total Warrants/Reductions		
ENDING BALANCE	31-Jul-21	\$ 1,954,158.55

EXPENDITURES	2021 Budget	July Actual	YTD 2021	Over (Under) Budget
Administrative expenses	\$ 250,000.00	\$ 11,292.02	\$ 103,556.09	\$ (146,443.91)
Cooperative Projects				
Eden Prairie Bank Stabilization Area #3	\$ 100,000.00	\$ 30,665.15	\$ 57,996.40	\$ (42,003.60)
Gully Erosion Contingency Fund	\$ -	\$ 4,395.65	\$ 4,395.65	\$ 4,395.65
USGS Sediment & Flow Monitoring	\$ -	\$ -	\$ -	\$ -
Ravine Stabilization at Seminary Fen in Chaska	\$ -	\$ -	\$ -	\$ -
Riley Creek Cooperative Project with RPBCWD	\$ -	\$ -	\$ 150,000.00	\$ 150,000.00
Seminary Fen Ravine Restoration site A	\$ 75,000.00	\$ -	\$ -	\$ (75,000.00)
Seminary Fen Ravine Restoration site C-2	\$ -	\$ -	\$ -	\$ -
509 Plan Budget				
<i>Resource Plan Implementation</i>				
Gully Inventory	\$ -	\$ -	\$ -	\$ -
MN River Corridor Management Project	\$ 75,000.00	\$ -	\$ 26,423.00	\$ (48,577.00)
TH 101 Shakopee Ravine	\$ -	\$ -	\$ -	\$ -
Assumption Creek Hydrology Restoration	\$ -	\$ -	\$ 2,125.50	\$ 2,125.50
Carver Creek Restoration	\$ -	\$ -	\$ -	\$ -
Groundwater Screening Tool Model	\$ -	\$ 408.00	\$ 408.00	\$ 408.00
MN River Floodplain Model Feasibility Study	\$ -	\$ -	\$ -	\$ -
Schroeder Acres Park SW Mgmt Project	\$ -	\$ -	\$ -	\$ -
PLOC Realignment/Wetland Restoration	\$ 70,000.00	\$ -	\$ -	\$ (70,000.00)
Spring Creek Project	\$ 75,000.00	\$ 432.00	\$ 432.00	\$ (74,568.00)
West Chaska Creek	\$ -	\$ -	\$ -	\$ -
Sustainable Lakes Mgmt. Plan (Trout Lakes)	\$ -	\$ -	\$ -	\$ -
Geomorphic Assessments (Trout Streams)	\$ -	\$ -	\$ -	\$ -
Fen Stewardship Program	\$ 25,000.00	\$ 1,233.65	\$ 6,876.29	\$ (18,123.71)
District Boundary Modification	\$ -	\$ -	\$ -	\$ -
E. Chaska Creek Bank Stabilization Project	\$ -	\$ 19,087.93	\$ 77,176.21	\$ 77,176.21
E. Chaska Creek Treatment Wetland Project	\$ -	\$ -	\$ -	\$ -
MN River Sediment Reduction Strategy	\$ -	\$ -	\$ -	\$ -
Local Water Management Plan reviews	\$ 15,000.00	\$ 390.00	\$ 1,285.50	\$ (13,714.50)
Project Reviews	\$ 50,000.00	\$ 14,458.66	\$ 57,272.02	\$ 7,272.02
<i>Monitoring</i>	\$ 75,000.00	\$ -	\$ 12,838.00	\$ (62,162.00)
<i>Watershed Management Plan</i>	\$ 10,000.00	\$ 489.00	\$ 1,526.54	\$ (8,473.46)
<i>Public Education/CAC/Outreach Program</i>	\$ 30,000.00	\$ 5,000.00	\$ 27,272.70	\$ (2,727.30)
<i>Cost Share Program</i>	\$ 50,000.00	\$ -	\$ 5,543.50	\$ (44,456.50)
Nine Foot Channel				
Transfer from General Fund	\$ -	\$ -	\$ -	\$ -
Dredge Site Improvements	\$ 240,000.00	\$ -	\$ 102.00	\$ (239,898.00)
Total:	\$ 1,140,000.00	\$ 87,852.06	\$ 535,229.40	\$ (604,770.60)



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, August 18, 2021

Agenda Item

Item 4. D. - Authorize payment of invoice #2 for Area #3 alternative review/validation

Prepared By

Linda Loomis, Administrator

Summary

LMRWD staff has reviewed the attached invoice from Inter-Fluve for the Area #3 alternative review/validation and recommends payment.

At the July 21, 2021, the Board was informed that staff recommends cancelling the contract with Inter-Fluve. The reason for cancellation is that further investigation of Area #3 demonstrated that stabilization of the river bank and toe of the slope would only be a temporary solution to the problem of erosion of the slope. Inter-Fluve showed that other factors are contributing to the erosion of the river bank and the slope above. The LMRWD will need to work with the City of Eden Prairie to address other contributing factors.

LMRWD staff plans to arrange a meeting with the City this fall to discuss next steps.

Attachments

Invoice #2 from Inter-Fluve

Recommended Action

Motion to authorize payment of invoice #21-04-07-02 from Inter-Fluve in the amount of \$23,044.92



Inter-Fluve, Inc.
 501 Portway Ave., Ste. 101
 Hood River, OR 97031
 Office: (541) 386-9003

Lower Minnesota River Watershed District
 112 E 5th St
 #102
 Chaska, MN 55318

Invoice number 21-04-07-02
 Date 07/26/2021

Project **21-04-07 Area 3 Minnesota Riverbank Stabilization**

Billing Period Through 06/30/2021

Invoice Summary

Description	Contract Amount	Prior Billed	Total Billed	Current Billed	Remaining
Task 1: Project Management	14,804.00	3,248.50	3,493.50	245.00	11,310.50
Task 2: Alternative Review and Validation	50,705.78	22,394.96	37,662.46	15,267.50	13,043.32
Task 3: Preliminary Design (60%)	30,411.00	534.00	534.00	0.00	29,877.00
Task 4: Final Design (90%)	31,595.00	0.00	0.00	0.00	31,595.00
Task 5: Bid Documentation (100% Design)	46,701.22	0.00	7,532.42	7,532.42	39,168.80
Total	174,217.00	26,177.46	49,222.38	23,044.92	124,994.62

Task 1: Project Management

Professional Fees:

	Hours	Rate	Billed Amount
Senior Staff	0.50	178.00	89.00
Administration/Clerical	2.00	78.00	156.00
Phase subtotal			245.00

Task 2: Alternative Review and Validation

Professional Fees:

	Hours	Rate	Billed Amount
Principal	7.50	247.00	1,852.50
Senior Staff	33.50	178.00	5,963.00
Staff	51.75	144.00	7,452.00
Phase subtotal			15,267.50

Task 5: Bid Documentation (100% Design)

Professional Fees:

	Hours	Rate	Billed Amount
Senior Staff	1.25	178.00	222.50
Staff	50.25	144.00	7,236.00

Task 5: Bid Documentation (100% Design)

Project Expenses:

	Units	Rate	Billed Amount
Miles	120.00	0.616	73.92
Phase subtotal			7,532.42
		Invoice total	23,044.92

Aging Summary

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
21-04-07-02	07/26/2021	23,044.92	23,044.92				
	Total	23,044.92	23,044.92	0.00	0.00	0.00	0.00



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Minutes

Citizen Advisory Committee

Tuesday, July 6, 2021

Videoconference via WebEx by Cisco

1. Call to Order and Roll Call

Meeting called to order at 9:03 a.m. by Chair Diederichs. Roll call was taken. The following members were present: Judy Berglund, Craig Diederichs, Theresa Kuplic, and Greg Genz. It should be noted that Judy Berglund's microphone was not working; however, she added to the discussion by holding written text up to the camera and raising her hand for votes.

2. Approval of the Agenda

Approval of the June Minutes

Kuplic moved to approve the June minutes, seconded by Diederichs. The following voted in favor of the motion: Diederichs, Kuplic, Genz, and Berglund. No one voted against.

3. Citizen Input on Non-Agenda Items

There was no input.

4. New Business

Tabling events

Jen Dullum introduced the idea of tabling at local events. Craig Diederichs asked if there was a calendar of events the CAC could look at. Linda Loomis said that there is not a calendar, but she mentioned that many times we partner with other watershed districts at local partner events. Jen Dullum noted that she was reaching out to partner cities to get an idea of events for next spring. Both Theresa Kuplic and Craig Diederichs were interested in volunteering.

Craig Diederichs asked about handouts. Jen Dullum thought information on cost-share grants would be of interest to residents. Craig Diederichs noted that informational items such as what goes into the storm sewer would be valuable. Theresa Kuplic felt that residents want to know what the issues are and want to be educated on how to minimize water pollution issues. She felt that starting with the basics, such as what a watershed is,

would be a good place to start. Teresa also mentioned sharing success stories by highlighting special areas within the District, such as Seminary Fen. Judy Berglund noted that rain gardens, native plantings, salt control, and rain barrels are good topics for citizens. Linda Loomis hopes for input on handout design from the CAC.

Linda Loomis noted that the salt symposium is slated for August and suggested a CAC member attend to report back to the committee. Theresa Kuplic volunteered.

5. Old Business

a) LMRWD Website Review

Jen Dullum thanked the CAC for comments on the District website. She noted that comments can be submitted anytime. Jen will present the compiled comments to Linda Loomis. Craig Diederichs stated that he will work on the website review. Theresa Kuplic asked if there was a way to link to the District's Facebook page from the website. Linda Loomis will investigate that. Linda also asked the CAC to report any wrong information or broken links that they find on the website to her.

b) Priority Discussion—Hold the Water Back

Jen Dullum mentioned that the CAC was going to bring back information on what types of resources they felt residents of the District would be interested in. She noted that this is a similar discussion to 5a above.

Judy Berglund inquired about speaking to city councils. Linda Loomis has given presentations to both city councils and county boards; however, this usually occurs by invitation. She has made presentations about the District and its role and function. She noted that the board of managers is appointed by county boards and that many times those appointees make presentations on the activities of the District to the boards that appointed them. Linda has also made presentations to the Minnesota River Congress. The Minnesota River Congress has not been meeting during the COVID-19 pandemic, and she does not know if or when it will reconvene. Craig Diederichs wondered if any of those presentations could go on the website. Linda Loomis will investigate what is appropriate for the website. Linda also mentioned that the 60-year anniversary video highlighting the District is on the District website.

Greg Genz reported that the Board of Water and Soil Resources received \$1 million in funding for water storage. This project will start in the Minnesota River Watershed. Greg has also met with Betty McCollum's staff to discuss legislation regarding the Mississippi River. In this legislation, Greg hopes to ensure that tributaries of the Mississippi River are addressed. Linda Loomis noted that this legislation includes more study on the Mississippi River. She is hoping more funds will be allocated for project implementation. Implementation includes wetland creation on private land to hold the water back so it can either infiltrate or gradually release. Those practices take acreages out of production, and funding is necessary to pay for that acreage to better manage water.

Jen Dullum will create a list of topics that the CAC can narrow down for better focus. Craig Diederichs hopes to have a robust list of water quality resources on the website for resident

education and information. Jen Dullum asked the CAC to share other websites that the CAC feels provide good information that could potentially be shared on the District website.

6. Communications

Linda Loomis shared the plans for the district bus tour. The CAC is invited to attend. The tour will take place in September. The sites include the District's East Chaska Creek project, a project in Shakopee that protects a Native American burial site, a cost-share project in Savage, and the dredge site. It is likely that the tour will start from the government center in Chaska.

The August 3, 2021, CAC meeting will take place at Judy Berglund's home at 9:00 a.m. The CAC will tour a cost-share project.

7. Adjournment

Kuplic moved to adjourn the meeting, seconded by Diederichs. The following voted in favor of the motion: Diederichs, Kuplic, Genz, and Berglund. No one voted against.

The next meeting will be August 3, 2021, at 9:00 a.m.



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, August 18, 2021

Agenda Item

Item 4. F. - Authorize payment of invoice from Freshwater for documenting Nonyphenol in the Twin Cities

Prepared By

Linda Loomis, Administrator

Summary

In 2019, the LMRWD agreed to fund an investigation to study nonyphenols and its ethoxylates in riverine sediments. The final report was to be completed and released in 2020. However, the COVID pandemic shut down the laboratories where the scientific analysis of the sediments cores was being done.

The report has now been completed and Freshwater has requested payment. I have reached out and invited Carrie Jennings and Rob MacManus to a LMRWD Board to present the report and answer any questions the Managers may have.

This item was funded through the education line of the LMRWD Budget.

Attachments

Invoice #1163 from Freshwater for documenting the contaminant history of Nonyphenol and its Ethoxylates in the Twin Cities urban watershed

Recommended Action

Motion to authorize payment of invoice #1163 to Freshwater

2550 University Ave W
Suite 212N
St. Paul, MN 55114

Invoice #: 1163
Invoice Date: 6/30/2021

P.O. Number:

Bill To:

Lower MN River Watershed District
Attn: Linda Loomis
6677 Olson Memorial Hwy
Golden Valley, MN 55427

Description	Amount
Documenting the Contaminant History of Nonylphenol and its Ethoxylates in the Twin Cities' Urban Watershed,	10,000.00
Total	\$10,000.00
Payments/Credits	\$0.00
Balance Due	\$10,000.00



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, August 18, 2021

Agenda Item

Item 4. G. - Approve and authorize letter to BWSR regarding Watershed Based Funding

Prepared By

Linda Loomis, Administrator

Summary

In the June 2021 Administrator's Report to the Board, letters were shared from Capitol Region and Ramsey Washington Watershed District written to the Executive Director of the MN Board of Water and Soil Resources (BWSR), John Jaschke, regarding the distribution of Watershed Based Implementation Funding (WBIF). The letters urged BWSR to follow the policy recommendation of the MN Association of Watershed Districts (MAWD) that funding allocations within the Metropolitan Area should be watershed based and that areas of the Metro that are covered by 1W1P should be excluded from WBIF and funded through 1W1P implementation funding.

In discussing the MAWD policy recommendations with others, some concerns surfaced, such as the need for consideration of the development of new 1W1P that cross into the Metro area and dividing watershed districts, such as the LMRWD, into different funding sources applied to different portions of the watershed.

A letter has been drafted to send to Mr. Jaschke and is ready for the Board to approve and authorize the President to sign and send the letter.

Attachments

Draft letter

Recommended Action

Authorize execution by President and sending to BWSR



LOWER MINNESOTA RIVER
WATERSHED DISTRICT

Carver

Lauren Salvato
Secretary

Dakota

Patricia Mraz
Vice President

Hennepin

David Raby
Treasurer

Laura Amundson

Scott

Jesse Hartmann
President

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

112 East 5th Street
Suite 102
Chaska, MN 55318

E-mail:
info@lowermnrivewd.org

August 18, 2021

Mr. John Jaschke, Executive Director
MN Board of Water & Soil Resources
520 Lafayette Road North
St. Paul, MN 55155

RE: Metro WBIF - MAWD Policy Analysis and Recommendations

Dear Mr. Jaschke:

The Lower Minnesota River Watershed District (LMRWD) has received implementation grants under both rounds of the Metropolitan-area Watershed Based Implementation Funding Programs (WBIF). The District understands the Minnesota Association of Watershed Districts (MAWD) has adopted policy recommendations for distribution of implementation funding.

The LMRWD has some concerns with the MAWD policy recommendations. The LMRWD as you may be aware is in a somewhat unique position. Not only because of the District obligations as the local sponsor for the US Army Corp of Engineers maintenance of the 9 foot navigation channel within the Minnesota River, but also because the LMRWD must manage what is essentially the bottom of a funnel at the end of a 332 mile long river, whose watershed covers approximately 17,000 square miles, draining nearly 20% of the State of Minnesota as well as portions of North and South Dakota and Iowa.

Our main concern is that the MAWD policy argues that WBIF should be allocated along watershed boundaries and then at the same time argues to exclude watershed based boundaries because they don't fit within the political boundaries of the Metropolitan-area. The LMRWD must manage water that may originate far beyond the boundaries of the LMRWD and therefore is subject to the results of water and land management practices and policies (or lack thereof) far beyond the boundaries of the District.

Watersheds of some of the upstream sources cross boundaries of the metro-area, such as Bevens Creek, Sand Creek and the Minnesota River itself. The MAWD policy as written is not clear as to whether or not those areas would be eligible for WBIF once 1WIPs are adopted in those areas (they are currently being developed).

If the intent of MAWD policy is to exclude areas covered by 1WIP once plans are developed and adopted, it should consider that no organization is required to adopt the 1WIP. As an example, the LMRWD is currently a partner with LeSueur County, Rice County and others to develop 1WIP for the Lower Minnesota East planning area. A significant portion of the LMRWD is within the planning area, but the LMRWD does not intend to adopt the 1WIP to replace its Comprehensive Watershed Management Plan. The MAWD policy seems to have conflicting language regarding this situation, as demonstrated below:

“Funding distributed to organizations with state approved comprehensive, multi-year 103B watershed management plans that deliver on multijurisdictional priorities at a watershed scale.”

Mr. John Jaschke

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August 18, 2021

vs.

"Policy Parameters

Portions of the metro that are within a One Watershed One Plan (1W1P) should be funded through the 1W1P program and NOT through the Metro WBIF."

While the MAWD policy does call out specific 1W1P planning areas for exclusion from the WBIF; North Fork Crow River, South Fork Crow River, Rum River, Lower St. Croix River and North Cannon River, those areas are the only ones within the metro-area that currently have adopted and approved 1W1Ps. How can this be considered equitable when subsequent 1W1Ps that cross into the metro-area, such as the Lower MN River West and East are developed, adopted and approved? Will these areas be excluded once there are 1W1Ps? This quandary should be clarified.

The MAWD policy recommendations attempt to make a clear division between areas with 1W1P and areas covered under the provisions of a comprehensive multiyear 103B watershed management plan. However, the LMRWD would like to point out that while the LMRWD would be eligible for WBIF under the current MAWD policy recommendation, a portion of it will be covered in part by the Lower Minnesota River East 1W1P once approved. The LMRWD is concerned that dividing watersheds in this way make it difficult to manage the watershed holistically. Previous rounds of WBIF constrained the eligibility of projects specifically for this reason and made it difficult for the LMRWD to fund its highest priority projects. Water resources should be the highest priority not where an arbitrary line is drawn. Please take this into consideration when considering future structure and delivery of funds.

Please contact LMRWD District Administrator, Linda Loomis, if you have any questions regarding the District's position.

Yours truly,

Jesse Hartmann
President
Lower Minnesota River Watershed District



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, August 18, 2021

Agenda Item

Item 4. H. - Authorize amendment to Intergovernmental Agreement Between the Metropolitan Council and the Lower Minnesota River Watershed District for water quality monitoring in Ike's Creek

Prepared By

Linda Loomis, Administrator

Summary

In February 2021, the Board authorized execution of the Intergovernmental Agreement Between the Metropolitan Council and the Lower Minnesota River Watershed District. The purpose of the agreement was to have the Metropolitan Council conduct water quality monitoring of Ike's Creek, a trout water located in Bloomington. The intent was to have the agreement in place so that Chloride levels in the Creek could be monitored during the winter months and continue through the summer. The Metropolitan Council could not begin monitoring until the agreement was signed, so very few samples were collected during the winter months.

The LMRWD and US Fish & Wildlife Service, the property owner of the parcel where Ike's Creek is located, would like to extend the agreement to collect additional warm weather samples and throughout the winter 2021/2022 season. The Metropolitan Council has agreed to continue collecting and testing samples, however, they would like the contract extended.

An amendment to the agreement is attached, along with the original agreement. LMRWD legal counsel has reviewed the amendment and it has been sent to the Metropolitan Council for approval.

Attachments

Amendment to Intergovernmental Agreement Between the Metropolitan Council and the Lower Minnesota River Watershed District

Intergovernmental Agreement Between the Metropolitan Council and the Lower Minnesota River Watershed District

Recommended Action

Motion to authorize execution of Amendment

**AMENDMENT TO INTERGOVERNMENTAL AGREEMENT BETWEEN
THE METROPOLITAN COUNCIL AND
THE LOWER MINNESOTA WATERSHED DISTRICT**

THIS AMENDMENT is made and entered into by and between the Metropolitan Council (“Council”) and the Lower Minnesota Watershed District (“District”), each acting by and through its duly authorized officers.

THE ABOVE NAMED PARTIES hereby agree to amend the agreement entered into by the Council and the District to undertake a professional water chemistry monitoring program to characterize chloride pollution in Ike's Creek. The Parties now wish to extend the agreement for a period of one year.

The following section of the agreement are hereby amended as follows:

Section II - 2.03 Council Responsibilities. The Council agrees that it will:

- a. provide all sampling equipment, collect all samples according to the sampling schedule, measure temperature and specific conductance of the sample and deliver all samples to Council Laboratory Services for analysis,
- b. analyze all samples for chloride, calcium, magnesium, hardness, sulfate, alkalinity,
- c. store, review and validate data and publish validated data on EIMS website,
- d. collect final sample on or about 6/29/2022, and
- e. provide reviewed and validated data on or about 9/30/2022.

Section IV. - 4.01 Period of Performance. - The services of the Council will commence on 01/19/2021 and will terminate on 9/30/2022, or following work completion and payment, whichever occurs first.

All other terms and conditions of the agreement will remain in force for the extension of the agreement.

IN WITNESS WHEREOF, the parties have caused this agreement to be executed by their duly authorized representatives on the dates set forth below. This agreement is effective upon final execution by, and delivery to, both parties.

METROPOLITAN COUNCIL

**LOWER MINNESOTA WATERSHED
DISTRICT**

Signed: _____

Signed: _____

Name: _____

Name: _____

Its: _____

Its: _____

Date: _____

Date: _____

**INTERGOVERNMENTAL AGREEMENT BETWEEN
THE METROPOLITAN COUNCIL AND
THE LOWER MINNESOTA WATERSHED DISTRICT**

THIS AGREEMENT is made and entered into by and between the Metropolitan Council (“Council”) and the Lower Minnesota Watershed District (“District”), each acting by and through its duly authorized officers.

THE ABOVE-NAMED PARTIES hereby agree as follows:

I. GENERAL SCOPE OF AGREEMENT

The Council and the District agree to undertake a professional water chemistry monitoring program to characterize chloride pollution in Ike’s Creek, including sample collection, laboratory analysis and data review and validation. The Council will collect water samples and analyze samples for chloride, temperature, specific conductance, calcium, magnesium, hardness, sulfate, and alkalinity. The Council will review the analytical data for validity and provide the reviewed data to the District.

II. SPECIFIC SCOPE OF SERVICES

2.01 Monitoring Program. The District and the Council agree to partner in a study to characterize chloride pollution in Ike’s Creek.

a. General Purposes of Program

The Council will collect water samples from two locations on Ike’s Creek and analyze samples for chloride, temperature, specific conductance, calcium, magnesium, hardness, sulfate, and alkalinity. The Council will review the analytical data for validity and provide the reviewed data to the District.

b. Specific Lake/Stream/River and Location Involved:

Lake/River/Stream	County	Monitoring Location
Ike’s Creek	Hennepin	Site A Upstream
Ike’s Creek	Hennepin	Site B Downstream

c. Monitoring Program Plan

The Council will collect approximately 42 samples between the commencement of this agreement through June 29, 2021, including bi-weekly (once every two weeks) routine grab samples and Thaw-Event Samples (“Thaw-Even Samples” are samples collected after two days with daily temperatures above 32 degrees Fahrenheit) as conditions permit. The parties understand that the actual number of Thaw-Event Samples is contingent on weather.

The Council will analyze samples for temperature and specific conductance in situ and chloride, calcium, magnesium, hardness, sulfate and alkalinity in the laboratory.

The Council will review and validate the data, publish the data on Environmental Information Management System (“EIMS”) website and provide a spreadsheet of final data to the District.

- d. Program Costs
 - i. Labor. Council Water Resources staff labor will be billed at Council’s cost for the services in this Section II with a not to exceed amount of \$5,040.00 for sample collection and delivery and not to exceed \$1,200.00 for data review and validation.
 - ii. Samples. All samples will be analyzed by Council Laboratory Services for \$55.00 per sample.

Analyte	Analysis Code	Cost per Analysis
Chloride	CL-AV	\$15.75
Ca, Mg, Hardness	HARD-OESV	\$12.00
Sulfate	SO4-ICV	\$13.50
Alkalinity	ALK-AV	\$13.50

Total program costs will not exceed \$8,460.00 for labor and sample analysis for services expressly stated this Section II. The parties by written amendment, signed by authorized representatives, may amend this agreement to add or change services.

2.02 District Responsibilities. The District agrees that it will:

- a. provide online orientation to Council Water Resources staff before sampling begins to address questions of creek access and monitoring locations,
- b. provide in-person orientation to Council Water Resources primary sampling crew to address questions of creek access and monitoring locations, and
- c. provide letters or other written agreement granting permission for site access from City of Bloomington, US Fish and Wildlife Service and additional parties as needed for the Council to perform its obligations under this Agreement.

2.03 Council Responsibilities. The Council agrees that it will:

- a. provide all sampling equipment, collect all samples according to the sampling schedule, measure temperature and specific conductance of the sample and deliver all samples to Council Laboratory Services for analysis,
- b. analyze all samples for chloride, calcium, magnesium, hardness, sulfate, alkalinity,
- c. store, review and validate data and publish validated data on EIMS website,
- d. collect final sample on or about 6/29/2021, and
- e. provide reviewed and validated data on or about 9/30/2021.

III. COMPENSATION; METHOD OF PAYMENT

3.01 Payment to Council. For all labor performed and reimbursable expenses incurred by the Council under this agreement during the Period of Performance, the District agrees to pay the Council for services provided at the rates listed in Section II., subsection 2.01.

3.02 Payment Schedule. Payment of the total amount owing to the Council by the District shall be made within 30 days of the date of the invoice. The District will be invoiced quarterly.

Invoices are to be sent to:

Attention: Linda Loomis
Department: Lower Minnesota River Watershed District Naiad Consulting, LLC
Email: naiadconsulting@gmail.com
Phone: 763-568-9522 Cell
763-545-4659 Home/Office

IV. GENERAL CONDITIONS

4.01 Period of Performance. The services of the Council will commence on 01/19/2021, and will terminate on 9/30/2021, or following work completion and payment, whichever occurs first.

4.02 Amendments. The terms of this agreement may be changed only by mutual agreement of the parties. Such changes will be effective only on the execution of written amendment(s) signed by duly authorized officers of the parties to this agreement.

4.03 District Personnel. Linda Loomis, or such other person as may be designated in writing by the District, will serve as the District's representative and will assume primary responsibility for coordinating all services with the Council.

Name: Linda Loomis
Title: Administrator, Lower Minnesota River Watershed District
Naiad Consulting, LLC
Party: Lower Minnesota Watershed District
Address: 6677 Olson Memorial Highway Golden Valley, MN 55427
Email: naiadconsulting@gmail.com
Phone: 763-568-9522 Cell
763-545-4659 Home/Office

4.04 Council's Contract Manager. The Council's Contract Manager for purposes of administration of this agreement is Casandra Champion, Program Manager, or such other person as may be designated in writing by the Council's Regional Administrator. The Council's Contract Manager will be responsible for coordinating services under this agreement. However, nothing in this agreement will be deemed to authorize the Contract Manager to execute amendments to this agreement on behalf of the Council.

Name: Casandra Champion
Title: Principal Environmental Scientist
Party: Metropolitan Council Environmental Services

Address: 2400 Childs Rd Saint Paul, MN 55106
Email: Casandra.champion@metc.state.mn.us
Phone: 651-602-8745

4.05 Equal Employment Opportunity; Affirmative Action. The Council and the District agree to comply with all applicable laws relating to nondiscrimination and affirmative action. In particular, the Council and the District agree not to discriminate against any employee, applicant for employment, or participant in this study because of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local commission, disability, sexual orientation, or age; and further agree to take action to assure that applicants and employees are treated equally with respect to all aspects of employment, including rates of pay, selection for training, and other forms of compensation.

4.06 Liability. Each party to this agreement shall be liable for the acts and omissions of itself and its officers, employees, and agents, to the extent authorized by law. Neither party shall be liable for the acts or omissions of the other party or the other party's officers, employees or agents. Nothing in this agreement shall be deemed to be a waiver by either party of any applicable immunities or limits of liability including, without limitation, Minnesota Statutes, sections 3.736 (State Tort Claims) and chapter 466 (Municipal Tort Claims).

4.07 Copyright. No reports or documents produced in whole or in part under this agreement will be the subject of an application for copyright by or on behalf of the Council or District.

4.08 Termination of Agreement. The Council and the District will both have the right to terminate this agreement at any time and for any reason by submitting written notice of the intention to do so to the other party at least thirty (30) days prior to the specified effective date of such termination. In the event of such termination, the Council will invoice and be paid for products and/or services rendered and/or in process before the effective date of termination.

4.09 Force Majeure. The Council and the District agree that the District shall not be liable for any delay or inability to perform this agreement, directly or indirectly caused by, or resulting from, strikes, labor troubles, accidents, fire, flood, breakdowns, war, riot, civil commotion, lack of material, delays of transportation, acts of God or other cause beyond reasonable control of Council and the District.

4.10 Audits. Pursuant to Minn. Stat. Section 16C.05, Subd. 5, the books, records, documents, and accounting procedures and practices relative to this agreement shall be subject to examination, including by the parties, legislative auditor and/or state auditor. Complete and accurate records of the work performed pursuant to this agreement shall be kept for a minimum of six (6) years following termination of this agreement for such auditing purposes. The retention period shall be automatically extended during the course of any administrative or judicial action regarding matters to which the records are relevant. The retention period shall be automatically extended until the administrative or judicial action is finally completed or until the authorized agent of the District notifies Provider in writing that the records need no longer be kept.

4.11 Relationship of Parties and Their Employees. Nothing contained in this agreement is intended, or should be construed, to create the relationship of co-partners or a joint venture between the Council and the District. No tenure or any employment rights including worker's compensation, unemployment insurance, medical care, sick leave, vacation leave, severance pay, retirement, or other benefits available to the employees of one of the parties, including indemnification for third party personal injury/property damage claims, shall accrue to employees of the other party solely by the fact that an employee performs services under this agreement.

4.12 Applicable Law; Compliance with Law. The laws of the state of Minnesota shall govern this agreement. In the performance of its obligations pursuant to this agreement, the parties agree to comply with all applicable provisions of federal, state, and local laws, regulations, and directives, and agrees that the most recent of such provisions will govern this contract at any particular time, including but not limited to Minnesota Statutes Chapter 13.

4.13 Severability. If any part of this agreement is rendered void, invalid or unenforceable such rendering shall not affect the remainder of this agreement unless it shall substantially impair the value of the entire agreement with respect to either party. The parties agree to substitute for the invalid provision a valid provision that most closely approximates the intent of the invalid provision.

IN WITNESS WHEREOF, the parties have caused this agreement to be executed by their duly authorized representatives on the dates set forth below. This agreement is effective upon final execution by, and delivery to, both parties.

METROPOLITAN COUNCIL

LOWER MINNESOTA WATERSHED DISTRICT

Signed: *Daniel Henely*
Daniel Henely (Mar 19, 2021 16:24 CDT)
Name: Daniel Henely
Its: Assistant Manager Water Resources
Date: Mar 19, 2021

Signed: *Jesse J Hartmann*
Name: JESSE J HARTMANN
Its: President
Date: 3-15-21



Permit #: 32590-21-01

(Refuge Name)
General Activity
Special Use Permit
(For Official Use Only)

Permit Term:

From: 1/21/2021 To: 12/30/2021

Permittee Name/Business: Metropolitan Council
Permit Activity Type: General - Access
Permit Activity Type (Other/Not Listed): [Activity Type - Other]
Permit Status: Approved

If approved, provide special conditions (if any) in the text box below.
If denied, provide justification below.

Permit is for Metropolitan Council to access the Bass Ponds and Ike's Creek on Minnesota Valley National Wildlife Refuge to conduct water quality sampling. 1. Permittee to provide their own insurance. 2. Parking to be in parking lots only. 3. Gate access code should be requested thru Refuge Biologist. 4. Report shall be provided to Refuge Biologist at the conclusion of the project. 5. Sampling may occur following orientation with the Refuge Biologist.

- 1. Are there additional special conditions attached to the permit? Yes No N/A
- 2. Are other licenses/permits required, and have they been verified? Yes No N/A
- 3. Are insurance and/or certification(s) required, and have they been verified? Yes No N/A
- 4. Record of Payments: Full Partial Exempt
- 5. Is a surely bond or security deposit required? Yes No N/A

This permit is issued by the U.S. Fish and Wildlife Service and accepted by the applicant signed below, subject to the terms, covenants, obligations, and reservations, expressed or implied therein, and to the notice, conditions, and requirements included or attached. A copy of this permit should be kept on-hand so that it may be shown at any time to any refuge staff.

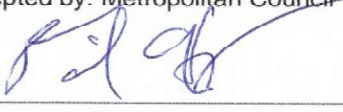
Permit approved/issued by:

Signature: SARENA SELBO
Digitally signed by SARENA SELBO
Date: 2021.02.02 17:53:28 -06'00'

Title: _____

Date: _____

Permit accepted by: Metropolitan Council

Signature:  _____

Title: Asst. Manager Water Resources

Date: 1/28/2021



January 21, 2021

Cassandra Champion, Principal Environmental Scientist
Metropolitan Council
2400 Childs Road
St. Paul, MN 55106
Sent via email to <cassandra.champion@metc.state.mn.us>

Dear Ms. Champion:

The City of Bloomington understands the US Fish and Wildlife Service (USFWS) desires to conduct water quality sampling for chloride on an unnamed stream, commonly referred to as Ike's Creek, within City of Bloomington property located at 2401 East Old Shakopee Road, Bloomington, Minnesota and as depicted on the attached Exhibit A.

The USFWS intends to obtain assistance in collecting water quality samples for chloride from the Metropolitan Council and the Lower Minnesota River Watershed District. This letter serves as the City of Bloomington's acknowledgement of the proposed water quality sampling activity and therefore grants access to the USFWS, Metropolitan Council and the Lower Minnesota River Watershed District to the above mentioned city owned property for the purposes of collecting water quality samples on Ike's Creek.

For any questions please feel free to contact me at 952.563.4557 or bgruidl@bloomingtonmn.gov.

Sincerely,

Bryan Gruidl

Bryan Gruidl
Water Resources Manager

CC:

Via email to: Vicki Sherry, US Fish and Wildlife Services <vicki_sherry@fws.gov>

Via email to: Linda Loomis, Lower Minnesota River Watershed District <naiadconsulting@gmail.com>





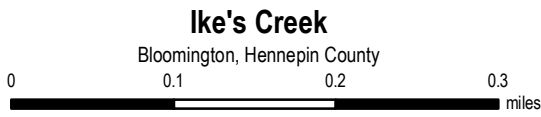
U.S. Fish & Wildlife Service

Minnesota Valley National Wildlife Refuge

Long Meadow Lake Unit



-  Refuge Boundary
-  City of Bloomington Property
2401 E. Old Shakopee Rd.



MATT MILLETT • 10/23/2020 • SOURCES: FWS, MNGEO, HENNEPIN COUNTY
HENNEPIN COUNTY COORDINATE SYSTEM (NAD 83)

Boundaries shown are approximate





LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, August 18, 2021

Agenda Item

Item 5. A. - Public Hearing on the Proposed 2022 Budget and Preliminary Certification of Tax Levy Payable 2022

Prepared By

Linda Loomis, Administrator

Summary

At the July meeting of the Board of Managers, staff presented the proposed 2022 Budget and requested that the Board call a public hearing for August 18, 2021.

In accordance with MN Statutes 103D.911 Subd. 2, "on or before September 15 of each year, the managers shall adopt a budget for the next year and decide on the total amount necessary to be raised from ad valorem tax levies to meet the watershed district's budget." Further, the Statute requires in Subd. 1(a) that "Before adopting a budget, the managers shall hold a public hearing on the proposed budget".

Notice was published as required in Subd. 1(b) in the Star Tribune on Thursday, August 12, 2021 and again on Sunday, August 15, 2021. The notice that was published is attached.

The total budget proposed for the year 2022 is \$1,035,000.00. This is below the 2021 adopted budget. The proposed 2022 budget proposes total levies of \$725,000; an administrative levy of \$250,000 and a planning and implementation levy of \$475,000 (which is the same as 2021). The remainder of expenses proposed will be paid for using the District's fund balance. The levies will be allocated to the counties as follows:

Carver County	\$41,762.18
Dakota County	\$72,153.45
Hennepin County	\$306,964.28
Scott County	\$304,120.10
TOTAL	\$725,000.00

The Proposed 2022 Budget is attached. Resolutions for each county are attached reflecting levies from the table above. In addition there are several other documents for the Board's information. The Proposed Budget has not changed since the July 21, 2021 Board meeting other than the levies have been apportioned and YTD expenditures have been updated.

Attachments

2022 Proposed Budget and Preliminary Certification of Levy Payable 2022

Explanation of Budget Line items

Notice of Public Hearing

RESOLUTION 21-08 - PRELIMINARY CERTIFICATION OF PROPERTY TAX LEVIES FOR CARVER COUNTY FOR TAXES PAYABLE 2022 AND APPROVAL OF 2022 PROPOSED BUDGET

Item 5. A. - Preliminary approval of proposed 2022 budget and certification of levy payable 2022

Executive Summary

August 18, 2021

Page 2

RESOLUTION 21-09 - PRELIMINARY CERTIFICATION OF PROPERTY TAX LEVIES FOR DAKOTA COUNTY FOR TAXES PAYABLE 2022 AND APPROVAL OF 2022 PROPOSED BUDGET

RESOLUTION 21-10 - PRELIMINARY CERTIFICATION OF PROPERTY TAX LEVIES FOR HENNEPIN COUNTY FOR TAXES PAYABLE 2022 AND APPROVAL OF 2022 PROPOSED BUDGET

RESOLUTION 21-11 - PRELIMINARY CERTIFICATION OF PROPERTY TAX LEVIES FOR SCOTT COUNTY FOR TAXES PAYABLE 2022 AND APPROVAL OF 2022 PROPOSED BUDGET

[CIP Spreadsheet](#)

Recommended Action

Motion to adopt Resolutions 21-08 through 21-11 Preliminary Certification of Property Tax Levies Payable 2022 and Approval of 2022 Proposed Budget

Proposed Levy 2022

General Fund	250,000.00
Planning and Implementation Fund	475,000.00
One time levy to balance channel fund	-

Apportioned Payable 2022 Levy 725,000.00

<u>County</u>	<u>Net Tax Capacity % Distribution</u>	<u>Apportioned Payable 2022 Levy</u>
Carver	5.7603%	41,762.18
Dakota	9.9522%	72,153.45
Hennepin	42.3399%	306,964.28
Scott	41.9476%	304,120.10
Watershed Total	100.0000%	725,000.00

2022 Proposed Total Budget
2020 Adopted Budget/Actuals - 2021 Adopted Budget/YTD/Projected - 2022 Proposed

	Account	2020 Adopted	2020 Actual	2021 Adopted	2021 YTD	Projected 2021	Proposed 2022
	Revenues:						
	General Property Tax						
1	Carver County	\$ 42,833.00	\$ 47,147.51	\$ 42,871.42	\$ 23,378.86	\$ 42,871.42	\$ 41,762.18
2	Dakota County	\$ 70,735.35	\$ 67,616.35	\$ 72,959.65	\$ 39,196.42	\$ 72,959.65	\$ 72,153.45
3	Hennepin County	\$ 321,491.83	\$ 315,715.12	\$ 318,293.13	\$ 158,180.81	\$ 318,293.13	\$ 306,964.28
4	Scott County	\$ 289,939.83	\$ 72,725.74	\$ 290,875.80	\$ 112,935.73	\$ 290,875.80	\$ 304,120.10
	Total Levy:	\$ 725,000.01	\$ 503,204.72	\$ 725,000.00	\$ 333,691.82	\$ 725,000.00	\$ 725,000.00
5	Interest Income	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
6	MCES WOMP Grant	\$ 5,500.00	\$ 5,500.00	\$ 5,000.00	\$ 4,500.00	\$ 5,000.00	\$ 5,000.00
7	State of MN Grant for Dredge Material Management	\$ 240,000.00	\$ 240,000.00	\$ 240,000.00	\$ 240,000.00	\$ 240,000.00	\$ 240,000.00
8	Metro-Area Watershed Based funding grants	\$ 91,021.00	\$ -	\$ -	\$ 63,866.00	\$ -	\$ -
9	License Revenue from placement of dredge	\$ 25,000.00	\$ -	\$ 25,000.00	\$ -	\$ 25,000.00	\$ 25,000.00
10	Revenues from sale of dredge material	\$ 5,000.00	\$ -	\$ 5,000.00	\$ 11,406.00	\$ 5,000.00	\$ 5,000.00
11	Permit Fees	\$ -	\$ 5,500.00	\$ -	\$ 13,844.25	\$ 1,000.00	\$ -
12	Miscellaneous Income	\$ -	\$ 5.00	\$ -	\$ 252.15	\$ -	\$ -
	Total Revenues:	\$ 1,091,521.01	\$ 754,209.72	\$ 1,000,000.00	\$ 667,560.22	\$ 1,001,000.00	\$ 1,000,000.00
	Expenses:						
13	Administration (from Administrative Budget Page)	\$ 250,000.00	\$ 233,781.73	\$ 250,000.00	\$ 103,556.09	\$ 250,000.00	\$ 250,000.00
	Cooperative Projects						
14	Eden Prairie Bank Stabilization -Area #3	\$ 35,000.00	\$ 27,045.65	\$ 100,000.00	\$ 57,996.40	\$ 100,000.00	\$ 100,000.00
15	Eagle Creek	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
16	Gully Erosion Contingency	\$ -	\$ 78,657.38	\$ -	\$ 4,395.65	\$ 4,395.65	\$ -
17	USGS	\$ 19,700.00	\$ 10,091.50	\$ -	\$ -	\$ -	\$ -
18	Ravine Stabilization at Seminary Fen in Chaska	\$ 55,200.00	\$ -	\$ -	\$ -	\$ -	\$ -
19	Riley Creek Cooperative Project with RPBCWD	\$ 74,565.67	\$ -	\$ -	\$ 150,000.00	\$ 150,000.00	\$ -
20	Seminary Fen Ravine Restoration site A	\$ -	\$ 97.50	\$ 75,000.00	\$ -	\$ 75,000.00	\$ -
21	Seminary Fen Ravine C-2	\$ 20,000.00	\$ -	\$ -	\$ -	\$ 20,000.00	\$ -
	509 Plan Budget						
	Resource Plan Implementation						
22	Watershed Resource Restoration Fund						\$ 120,000.00
23	Gully Inventory	\$ 80,000.00	\$ 51,714.34	\$ -	\$ -	\$ -	\$ -
24	Minnesota River Corridor Management Project	\$ -	\$ -	\$ 75,000.00	\$ 26,423.00	\$ 75,000.00	\$ -
25	TH 101 Ravine/Shakopee	\$ 35,000.00	\$ -	\$ -	\$ -	\$ 350.00	\$ -
26	Assumption Creek Hydrology Restoration Project	\$ -	\$ -	\$ -	\$ 2,125.50	\$ 2,125.50	\$ -
27	Carver Creek restoration Project	\$ 15,000.00	\$ -	\$ -	\$ -	\$ -	\$ -
28	Groundwater Screening Tool Model	\$ 50,000.00	\$ -	\$ -	\$ 408.00	\$ 408.00	\$ -
29	Eagle Creek (East Branch) Project	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
30	Minnesota River Floodplain Model Feasibility Study	\$ -	\$ 260.00	\$ -	\$ -	\$ -	\$ -
31	Schroeder's Acres Park/Savage Fen Stormwater Management P	\$ 181,055.00	\$ -	\$ -	\$ -	\$ -	\$ -
32	Downtown Shakopee Stormwater BMPs		\$ -	\$ -	\$ -		\$ 50,000.00
33	PLOC Realignment/Wetland Restoration	\$ -	\$ 162.50	\$ 70,000.00	\$ -	\$ 70,000.00	\$ 30,000.00
34	Spring Creek Project	\$ -	\$ 1,223.62	\$ 75,000.00	\$ 432.00	\$ 75,000.00	\$ -
35	West Chaska Creek Project	\$ -	\$ 34,490.96	\$ -	\$ -	\$ -	\$ -
36	Sustainable Lakes Management Plan (Trout Lakes)	\$ 50,000.00	\$ 78,714.21	\$ -	\$ -	\$ -	\$ 50,000.00
37	Geomorphc Assessments (Trout Streams)	\$ 50,000.00	\$ -	\$ -	\$ -	\$ -	\$ -
38	Fen Stewardship Program	\$ 25,000.00	\$ 40,960.90	\$ 25,000.00	\$ 6,876.29	\$ 25,000.00	\$ 25,000.00
39	District Boundary Modification Project	\$ -	\$ -		\$ -	\$ -	\$ -
40	East Chaska Creek Bank Stabilization Project	\$ -	\$ -	\$ -	\$ 77,176.21	\$ 60,000.00	\$ -
41	East Chaska Creek Water Quality Treatment Project	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
42	Minnesota River Sediment Reduction Strategy	\$ -	\$ 16,289.96	\$ -	\$ -	\$ -	\$ -
43	Riley Creek Bank Stabilization below CSAH 61	\$ -	\$ 118,581.68	\$ -	\$ -	\$ -	\$ -
44	Local Water Management Plan reviews	\$ 8,000.00	\$ 16,279.80	\$ 15,000.00	\$ 1,285.50	\$ 15,000.00	
45	Project Reviews	\$ 20,000.00	\$ -	\$ 50,000.00	\$ 42,813.36	\$ 50,000.00	
46	Monitoring	\$ 65,000.00	\$ 16,279.80	\$ 75,000.00	\$ 12,838.00	\$ 75,000.00	\$ 75,000.00
47	Watershed Management Plan		\$ -				
48	Next Generation Watershed Management Plan	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
49	Plan Clarification and proposed rules/Rule implementation	\$ 56,000.00	\$ -	\$ -	\$ -	\$ -	\$ -
50	Plan Amendment	\$ -	\$ -	\$ 10,000.00	\$ 1,526.54	\$ 10,000.00	
51	Vegetation Management Standard/Plan	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
52	Public Education/Citizen Advisory Committee/Outreach Program	\$ 30,000.00	\$ 50,187.10	\$ 30,000.00	\$ 27,272.70	\$ 30,000.00	\$ 75,000.00
53	Cost Share Program	\$ 20,000.00	\$ 9,043.64	\$ 50,000.00	\$ 5,543.50	\$ 50,000.00	\$ 20,000.00
	Nine Foot Channel						
54	Transfer from General Fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
55	Dredge site operations	\$ -		\$ -	\$ 102.00	\$ 102.00	\$ 240,000.00
56	Dredge Site Restoration	\$ 315,000.00	\$ 459,845.30	\$ 240,000.00	\$ -	\$ 240,000.00	\$ -
57	Total Non-administrative Expenses:	\$ 1,204,520.67	\$ 1,009,925.84	\$ 890,000.00	\$ 417,214.65	\$ 1,127,381.15	\$ 785,000.00
58	Total Administrative Expenses (from line 13)	\$ 250,000.00	\$ 233,781.73	\$ 250,000.00	\$ 103,556.09	\$ 250,000.00	\$ 250,000.00
59	Total Expenses	\$ 1,454,520.67	\$ 1,243,707.57	\$ 1,140,000.00	\$ 520,770.74	\$ 1,377,381.15	\$ 1,035,000.00
60	Revenue less Expenses	\$ (362,999.66)	\$ (489,497.85)	\$ (140,000.00)	\$ 146,789.48	\$ (376,381.15)	\$ (35,000.00)
61	Beginning Fund Balance - January 1						
62	Total Revenue						
63	Total Expenses						
64	Ending Fund Balance - December 31 (bold figures are projected)						

2022 proposed LMRWD Budget for Administration Operations
2020 Adopted Budget/Actuals - 2021 Adopted Budget/YTD/Projected - 2022 Proposed

Account	Adopted 2020	2020 Actual	Adopted 2021	YTD 2021 (Through 6/30/21)	Projected 2021	Adopted 2022
Expenses:						
65 Wages-General	\$ -		\$ -	\$ -	\$ -	\$ -
66 Severance Allowance	\$ -					
67 Benefits	\$ -		\$ -	\$ -	\$ -	\$ -
68 PERA Expense	\$ -		\$ -			
69 Payroll Tax (FICA/Medicare)	\$ -		\$ -	\$ -	\$ -	\$ -
70 Unemployment compensation	\$ -		\$ -			
71 Manager Per Diem	\$ 11,250.00	\$ 4,875.00	\$ 11,250.00	\$ -	\$ 11,250.00	\$ 11,250.00
72 Manager Expense (mileage/food/registrations)	\$ 3,000.00	\$ 256.83	\$ 3,000.00	\$ -	\$ 3,000.00	\$ 3,000.00
73 Telecommunications-Cell-Internet/Phone	\$ 1,000.00	\$ -	\$ 1,000.00	\$ -	\$ 1,000.00	\$ 1,000.00
74 Office Supplies	\$ 300.00	\$ 76.54	\$ 300.00	\$ 86.75	\$ 300.00	\$ 300.00
75 Meeting Supplies/Expense	\$ 100.00	\$ -	\$ 100.00	\$ -	\$ 100.00	\$ 100.00
76 Rent	\$ 7,800.00	\$ 8,450.00	\$ 7,800.00	\$ 3,900.00	\$ 7,800.00	\$ 7,800.00
77 Dues	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ -	\$ 7,500.00	\$ 7,500.00
78 Miscellaneous-General	\$ 3,000.00	\$ 1,870.50	\$ 3,000.00	\$ 748.00	\$ 3,000.00	\$ 3,000.00
79 Training & Education	\$ 1,500.00	\$ 285.00	\$ 1,500.00	\$ -	\$ 1,500.00	\$ 1,500.00
80 Insurance & Bonds	\$ 10,000.00	\$ 9,399.00	\$ 11,000.00	\$ 180.00	\$ 11,000.00	\$ 11,000.00
81 Postage	\$ 500.00	\$ 96.86	\$ 375.00	\$ 18.00	\$ 375.00	\$ 375.00
82 Photocopying	\$ 1,000.00	\$ 34.41	\$ 875.00	\$ 2.43	\$ 875.00	\$ 875.00
83 Legal Notices-General	\$ 1,500.00	\$ 2,707.20	\$ 1,500.00	\$ 42.00	\$ 1,500.00	\$ 1,500.00
84 Subscriptions & License Fees	\$ -	\$ 475.42	\$ 250.00	\$ 162.00	\$ 250.00	\$ 250.00
85 Mileage	\$ 5,000.00	\$ 1,696.12	\$ 5,000.00	\$ 368.99	\$ 5,000.00	\$ 5,000.00
86 Taxable meal reimbursement	\$ 500.00	\$ 52.86	\$ 500.00	\$ -	\$ 500.00	\$ 500.00
87 Lodging/ Staff Travel	\$ 1,500.00	\$ -	\$ 1,500.00	\$ -	\$ 1,500.00	\$ 1,500.00
88 Accounting/Financial Services	\$ 5,500.00	\$ 5,215.70	\$ 5,382.00	\$ 2,719.00	\$ 5,382.00	\$ 5,580.00
89 Audit Fees	\$ 15,000.00	\$ 14,525.00	\$ 15,000.00	\$ -	\$ 15,000.00	\$ 15,000.00
90 Professional Services-General	\$ 121,050.00	\$ 97,931.25	\$ 120,168.00	\$ 33,750.00	\$ 120,168.00	\$ 104,970.00
91 Legal Fees-General	\$ 10,000.00	\$ 6,878.50	\$ 10,000.00	\$ 3,796.00	\$ 10,000.00	\$ 10,000.00
92 Engineering-General	\$ 20,000.00	\$ 49,930.10	\$ 20,000.00	\$ 41,511.16	\$ 20,000.00	\$ 35,000.00
93 Equipment-General	\$ -	\$ -	\$ -	\$ -	\$ -	
94 Equipment-Maintenance	\$ 500.00	\$ 334.37	\$ 500.00	\$ 157.24	\$ 500.00	\$ 500.00
95 Equipment-Lease	\$ 2,500.00	\$ 2,857.70	\$ 2,500.00	\$ 840.50	\$ 2,500.00	\$ 2,500.00
96 Newsletter Expense(Web Articles)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
97 Lobbying	\$ 20,000.00	\$ 18,333.37	\$ 20,000.00	\$ 10,000.02	\$ 20,000.00	\$ 20,000.00
98 Total Expense for Administration:	\$ 250,000.00	\$ 233,781.73	\$ 250,000.00	\$ 98,282.09	\$ 250,000.00	\$ 250,000.00

2022 Budget Explanation of line items

<p>Project funding proposed in the 2022 Budget is taken from Table 4-1 Implementation Program Budget found in Section 4 of the LMRWD Watershed Management Plan. Explanations for certain lines follow.</p>	
Line #	Cooperative Projects
	<i>Cooperative Projects are those projects that are intended to be completed by the LMRWD with other partners</i>
14	<p>Eden Prairie Bank Stabilization - Area #3 The LMRWD received a Clean Water grant for this project under BWSR's Watershed Based Funding Program. The LMRWD has allocated \$100,000 in 2022 for this project.</p>
	509 Plan Budget
22	<p>Watershed Resource Restoration Fund This fund implements Goals 2 and 3, which are to protect, improve and restore surface water and ground water quality within the District. This program will fund projects sponsored by LGUs and were not identified at the time the Plan was adopted.</p>
32	<p>Downtown Shakopee Stormwater BMPs This project received a Watershed Based Funding Grant. The project is to study the stormwater of downtown Shakopee, which currently drains untreated to the Minnesota River. The purpose of the study is to identify BMPs to treat storm water before it reaches the River.</p>
33	<p>Prior Lake Outlet Channel re-alignment This project also received a Watershed Based Funding Grant. The project will create meanders in the Prior Lake Outlet Channel (PLOC) in an attempt to reduce the amount of sediment carried to the Minnesota River.</p>
36	<p>Sustainable Lakes Management Plan (Trout Lakes) This project will study the trout lakes within the LMRWD and develop a management plan for the lakes.</p>
38	<p>Fen Stewardship Program This project is a partnership between the LMRWD, the MN DNR and the Metropolitan Council. The effort will develop a management plan to protect, preserve and possibly restore calcareous fens within the LMRWD.</p>
44	<p>Local Water Management Plan Reviews The LMRWD has not yet approved the Local Water Management Plans for Savage and Mendota. Some Cities' Plans are in the process of being updated due to LMRWD rules, which required cities to amend their official controls to conform to the rules.</p>
45	<p>Project Reviews This item includes costs incurred by the LMRWD to review non-LMRWD projects in cities that have either opted to have the LMRWD review projects or have not yet received a Municipal permit.</p> <p>Eden Prairie and Chaska have opted to have the LMRWD review projects within the boundaries of the LMRWD. The LMRWD is also responsible for reviewing MNDOT, and MAC (Metropolitan Airport Commission) projects and for the unincorporated areas of the District. Burnsville, Savage and Shakopee intend to apply for a municipal permit, but permits have not been approved for these cities yet.</p>
46	<p>Monitoring The LMRWD intends to conduct a comprehensive review of its monitoring program to evaluate whether monitoring is providing the information needed to manage resources within the District.</p>

2022 Budget Explanation of line items

47-51	Watershed Management Plan Amendment Staff is planning an update to the Watershed Management Plan; primarily to update Table 4-1 Implementation Program Budget for 2018 - 2027. \$10,000 was included in the budget 2021 for amending the Plan. This amount should be enough to cover any Plan Amendment.
52	Public Education/CAC/Outreach Program More detail for this line will be provided with the August meeting packet. TOTAL:.....\$75,000.00
Line #	Nine Foot Channel
54-56	Transfer from General Fund The deficit that was built up in the Channel Fund was eliminated in 2019. All expenses incurred for managing dredge and maintenance of the dredge site are covered by the grant from the state of Minnesota. The transfer that was budgeted in 2020 was not necessary and a mid-year budget adjustment was done in August 2020 to reassign the money allocated for a transfer to the Channel Fund. \$80,000 was reassigned to the Gully Inventory.
Line #	Administrative Budget
71	Manager Per Diem This figure is calculated for 5 Managers, using a per diem of \$125/meeting and 1.5 meetings per month per manager.
77	Dues MAWD dues were included at \$7,500. Staff is recommending that the MAWD dues be included in the budget.
88	Accounting /Financial Services The agreement for financial services with Carver County will expire at the end of 2021. A new agreement is being prepared. This line includes an increase in fees to Carver County of 3.7%.
92	Engineering This line has been increased to better reflect the actual cost of general engineering expenses. Costs incurred by the District that are charged to this line include preparation for monthly board meeting, Board meeting attendance of technical consultant. To offset the increase to this line, line 86 was reduced. Line 86 is the line that administrative services (Naiad Consulting) are charged to. More administrative service fees can be charged to directly to project budgets than has been done in the past.

**PUBLIC NOTICE
(Official Publication)
NOTICE OF PUBLIC HEARING
ON THE PROPOSED 2022 BUDGET
AND PRELIMINARY CERTIFICATION OF TAX LEVY PAYABLE IN 2022
FOR THE LOWER MINNESOTA RIVER WATERSHED DISTRICT**

Notice is hereby given that the Board of Managers of the Lower Minnesota River Watershed District will hold a public hearing pursuant to Section 103D.911 of Minnesota Statutes on Wednesday on August 18, 2021, at 7:00 p.m., in the County Board Room of the Carver County Government Center, 602 East Fourth Street, Chaska, Minnesota 55318 to receive comments on the District's proposed 2022 budget and preliminary tax levy payable in the year 2022.

The total proposed expenditures for 2022 are \$1,035,000. This represents a decrease of \$30,000 from 2021. A levy of \$725,000 is proposed on real property in Carver, Dakota, Hennepin and Scott Counties within the boundaries of the District, of which \$250,000 will be levied pursuant to Minnesota Statutes Section 103D.905, Subd. 3, to be used for administrative purposes, including permit review, permit inspection, cooperative projects, engineering, legal services, and costs and other expenses of the District's operations and \$475,000 will be levied pursuant to Minnesota Statutes Section 103B.241, Subd.1 to pay for projects identified in the District's approved and adopted plan necessary to implement the purposes of Section 103B.201. This preliminary levy represents no change from the levy payable in 2021.

Members of the public who wish to attend or provide comments regarding this matter are asked to visit the District's website <http://lowermnriverwd.org/meetings/events/august-18-2021-board-meeting> for meeting information. Question may be referred to District Administrator Linda Loomis by email at info@lowermnriverwd.org.

Dated: August 8, 2021

BY ORDER OF THE BOARD OF MANAGERS

s/ Lauren Salvato, Secretary
Lower Minnesota River Watershed District

Manager _____ introduced the following resolution and moved its adoption:

RESOLUTION 21-08

LOWER MINNESOTA RIVER WATERSHED DISTRICT

PRELIMINARY CERTIFICATION OF PROPERTY TAX LEVIES FOR CARVER COUNTY

FOR TAXES PAYABLE 2022

AND APPROVAL OF 2022 PROPOSED BUDGET

WHEREAS, the Board of Managers of the Lower Minnesota River Watershed District ("LMRWD") has proposed a total budget of One Million Thirty Five Thousand and 00/100 Dollars (\$1,035,000.00) for the fiscal year commencing January 1, 2022; and

WHEREAS, the proposed budget requires Seven Hundred Twenty Five Thousand Dollars (\$725,000) to be raised from an ad valorem tax levy on taxable property in the LMRWD, apportioned according to the attached Schedule A, for the purpose of paying administrative expenses (Minnesota Statutes § 103D.905 Subd. 3) of Two Hundred Fifty Thousand Dollars (\$250,000) and providing for a planning and implementation fund (Minnesota Statutes § 103B.241) of Four Hundred Seventy Five Thousand Dollars (\$475,000).

NOW, THEREFORE, BE IT RESOLVED, that the Secretary, in accordance with Minnesota Statutes, shall certify to the Auditors of Carver County, the following sum to be raised by levy on all taxable property in the Lower Minnesota River Watershed District payable in the year 2022 for the purposes noted above: Forty One Thousand Seven Hundred Sixty Two and 18/100 Dollars (\$41,762.18), as provided in Minnesota Statutes, Sections 103D.911 and 103D.915; and

BE IT FURTHER RESOLVED by the Board of Managers of the LMRWD that the 2022 Preliminary Budget as proposed is hereby approved.

Adopted by the Board of Managers of the Lower Minnesota River Watershed District this 18th day of August, 2021.

Jesse Hartmann, President

ATTEST:

Lauren Salvato, Secretary/Treasurer

The motion for the adoption of the foregoing resolution was seconded by Manager _____ and upon a vote being taken thereon, the following voted in favor thereof: Hartmann, Mraz, Raby and Salvato; and the following voted against the same: None. Whereupon said resolution was declared passed and adopted, this 18th day of August, 2021, signed by the President and his signature attested by the Secretary/Treasurer.

Manager _____ introduced the following resolution and moved its adoption:

RESOLUTION 21-09

LOWER MINNESOTA RIVER WATERSHED DISTRICT

PRELIMINARY CERTIFICATION OF PROPERTY TAX LEVIES FOR DAKOTA COUNTY

FOR TAXES PAYABLE 2022

AND APPROVAL OF 2022 PROPOSED BUDGET

WHEREAS, the Board of Managers of the Lower Minnesota River Watershed District ("LMRWD") has proposed a total budget of One Million Thirty Five Thousand and 00/100 Dollars (\$1,035,000.00) for the fiscal year commencing January 1, 2022; and

WHEREAS, the proposed budget requires Seven Hundred Twenty Five Thousand Dollars (\$725,000) to be raised from an ad valorem tax levy on taxable property in the LMRWD, apportioned according to the attached Schedule A, for the purpose of paying administrative expenses (Minnesota Statutes § 103D.905 Subd. 3) of Two Hundred Fifty Thousand Dollars (\$250,000) and providing for a planning and implementation fund (Minnesota Statutes § 103B.241) of Four Hundred Seventy Five Thousand Dollars (\$475,000).

NOW, THEREFORE, BE IT RESOLVED, that the Secretary, in accordance with Minnesota Statutes, shall certify to the Auditors of Dakota County, the following sum to be raised by levy on all taxable property in the Lower Minnesota River Watershed District payable in the year 2022 for the purposes noted above: Seventy Two Thousand One Hundred Fifty Three and 45/100 Dollars (\$72,153.45), as provided in Minnesota Statutes, Sections 103D.911 and 103D.915; and

BE IT FURTHER RESOLVED by the Board of Managers of the LMRWD that the 2022 Preliminary Budget as proposed is hereby approved.

Adopted by the Board of Managers of the Lower Minnesota River Watershed District this 18th day of August, 2021.

Jesse Hartmann, President

ATTEST:

David L. Raby, Secretary/Treasurer

The motion for the adoption of the foregoing resolution was seconded by Manager _____ and upon a vote being taken thereon, the following voted in favor thereof: Hartmann, Mraz, Raby and Salvato; and the following voted against the same: None. Whereupon said resolution was declared passed and adopted, this 18th day of August, 2021, signed by the President and his signature attested by the Secretary/Treasurer.

Manager _____ introduced the following resolution and moved its adoption:

RESOLUTION 21-10

LOWER MINNESOTA RIVER WATERSHED DISTRICT

PRELIMINARY CERTIFICATION OF PROPERTY TAX LEVIES FOR HENNEPIN COUNTY

FOR TAXES PAYABLE 2022

AND APPROVAL OF 2022 PROPOSED BUDGET

WHEREAS, the Board of Managers of the Lower Minnesota River Watershed District ("LMRWD") has proposed a total budget of One Million Thirty Five Thousand and 00/100 Dollars (\$1,035,000.00) for the fiscal year commencing January 1, 2022; and

WHEREAS, the proposed budget requires Seven Hundred Twenty Five Thousand Dollars (\$725,000) to be raised from an ad valorem tax levy on taxable property in the LMRWD, apportioned according to the attached Schedule A, for the purpose of paying administrative expenses (Minnesota Statutes § 103D.905 Subd. 3) of Two Hundred Fifty Thousand Dollars (\$250,000) and providing for a planning and implementation fund (Minnesota Statutes § 103B.241) of Four Hundred Seventy Five Thousand Dollars (\$475,000).

NOW, THEREFORE, BE IT RESOLVED, that the Secretary, in accordance with Minnesota Statutes, shall certify to the Auditors of Hennepin County, the following sum to be raised by levy on all taxable property in the Lower Minnesota River Watershed District payable in the year 2022 for the purposes noted above: Three Hundred Six Thousand Nine Hundred Sixty Four and 28/100 Dollars (\$306,964.28), as provided in Minnesota Statutes, Sections 103D.911 and 103D.915; and

BE IT FURTHER RESOLVED by the Board of Managers of the LMRWD that the 2022 Preliminary Budget as proposed is hereby approved.

Adopted by the Board of Managers of the Lower Minnesota River Watershed District this 18th day of August, 2021.

Jesse Hartmann, President

ATTEST:

David L. Raby, Secretary/Treasurer

The motion for the adoption of the foregoing resolution was seconded by Manager _____ and upon a vote being taken thereon, the following voted in favor thereof: Hartmann, Mraz, Raby and Salvato; and the following voted against the same: None. Whereupon said resolution was declared passed and adopted, this 18th day of August, 2021, signed by the President and his signature attested by the Secretary/Treasurer.

Manager _____ introduced the following resolution and moved its adoption:

RESOLUTION 21-11

LOWER MINNESOTA RIVER WATERSHED DISTRICT

PRELIMINARY CERTIFICATION OF PROPERTY TAX LEVIES FOR SCOTT COUNTY

FOR TAXES PAYABLE 2022

AND APPROVAL OF 2022 PROPOSED BUDGET

WHEREAS, the Board of Managers of the Lower Minnesota River Watershed District ("LMRWD") has proposed a total budget of One Million Thirty Five Thousand and 00/100 Dollars (\$1,035,000.00) for the fiscal year commencing January 1, 2022; and

WHEREAS, the proposed budget requires Seven Hundred Twenty Five Thousand Dollars (\$725,000) to be raised from an ad valorem tax levy on taxable property in the LMRWD, apportioned according to the attached Schedule A, for the purpose of paying administrative expenses (Minnesota Statutes § 103D.905 Subd. 3) of Two Hundred Fifty Thousand Dollars (\$250,000) and providing for a planning and implementation fund (Minnesota Statutes § 103B.241) of Four Hundred Seventy Five Thousand Dollars (\$475,000).

NOW, THEREFORE, BE IT RESOLVED, that the Secretary, in accordance with Minnesota Statutes, shall certify to the Auditors of Scott County, the following sum to be raised by levy on all taxable property in the Lower Minnesota River Watershed District payable in the year 2022 for the purposes noted above: Three Hundred Four Thousand One Hundred Twenty and 10/100 Dollars (\$304,120.10), as provided in Minnesota Statutes, Sections 103D.911 and 103D.915; and

BE IT FURTHER RESOLVED by the Board of Managers of the LMRWD that the 2022 Preliminary Budget as proposed is hereby approved.

Adopted by the Board of Managers of the Lower Minnesota River Watershed District this 18th day of August, 2021.

Jesse Hartmann, President

ATTEST:

David L. Raby, Secretary/Treasurer

The motion for the adoption of the foregoing resolution was seconded by Manager _____ and upon a vote being taken thereon, the following voted in favor thereof: Hartmann, Mraz, Raby and Salvato; and the following voted against the same: None. Whereupon said resolution was declared passed and adopted, this 19th day of August, 2020, signed by the President and his signature attested by the Secretary/Treasurer.

SCHEDULE A

District 060 - Lower MN River Watershed

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

Preliminary Certification of Apportioned Levies

Payable 2022

1)	General Fund (M.S. 103D.905, Subd.3)		\$250,000.00	
2)	Planning and Implementation Fund (M.S. 103B.241)		\$475,000.00	
3)	Payable 2022 Property Tax Levy		\$725,000.00	
	<u>County</u>	(4) Payable 2021 Taxable Net Tax Capacity	(5) Net Tax Capacity Percent Distribution	(6) Apportioned Payable 2022 Levy \$725,000 x column (5)
	Carver	\$7,450,063	5.7603%	\$41,762.18
	Dakota	\$12,872,721	9.9522%	\$72,153.45
	Hennepin	\$54,760,464	42.3399%	\$306,964.28
	Scott	\$54,253,089	41.9476%	\$304,120.10
	TOTAL	\$129,335,337	100.00%	\$725,000.00



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, August 18, 2021

Agenda Item

Item 6. A. - I-35W Frontage Trail Cost Share - Burnsville

Prepared By

Linda Loomis, Administrator

Summary

The City of Burnsville has received federal funding to construct a trail to connect the north and south bank of the Minnesota River across the new I-35W Bridge. The federal funding will only cover a portion of the cost and the City has asked the LMRWD to consider a contribution to the project.

LMRWD staff has evaluated the projects conformance with its goals. A summary of the evaluation is attached. The City of Burnsville has provided a letter with some details of the project. Jen Desrude, Burnsville's City Engineer, will attend the Board meeting to answer any questions the Board may have.

Attachments

City of Burnsville request for I-35W Frontage Trail Cost Share

Technical memorandum dated August 13, 2021 Burnsville I-25W Trail Project

Recommended Action

Provide Direction to staff

Date: July 8, 2021

To: Linda Loomis, Administrator, Lower Minnesota River Watershed District

From: Jen Desrude, City Engineer

CC: Dave Hutton, SEH

RE: I-35W Frontage Trail Cost Share

When MnDOT completed the new I-35W Minnesota River Bridge, a multi-use trail crossing was included on the new bridge. During the spring, summer, and fall of 2019, the Minnesota River was flooded much of the time and the existing trail (I-35W Frontage Trail) that leads to the bridge was under water during most of 2019. The bicycle community requested that MnDOT raise the I-35W Frontage Trail out of the floodplain to allow for safe access to the bridge. However, MnDOT was too far along in the project to add this to the scope of work. The City of Burnsville applied for a federal grant in the 2020 regional solicitation and on February 17, 2021, the City of Burnsville was awarded a federal grant for the I-35W Frontage Trail project. A complete project description is attached.

The estimated construction cost for the project is approximately \$485,000, of which the federal funding will pay 80%. The remaining 20% and all design, environmental review, and project administration costs are covered with local funding. Due to the environmental sensitivity of this project, it is anticipated that these associated project costs are approximately \$250,000. The table below shows the project cost and funding breakdown:

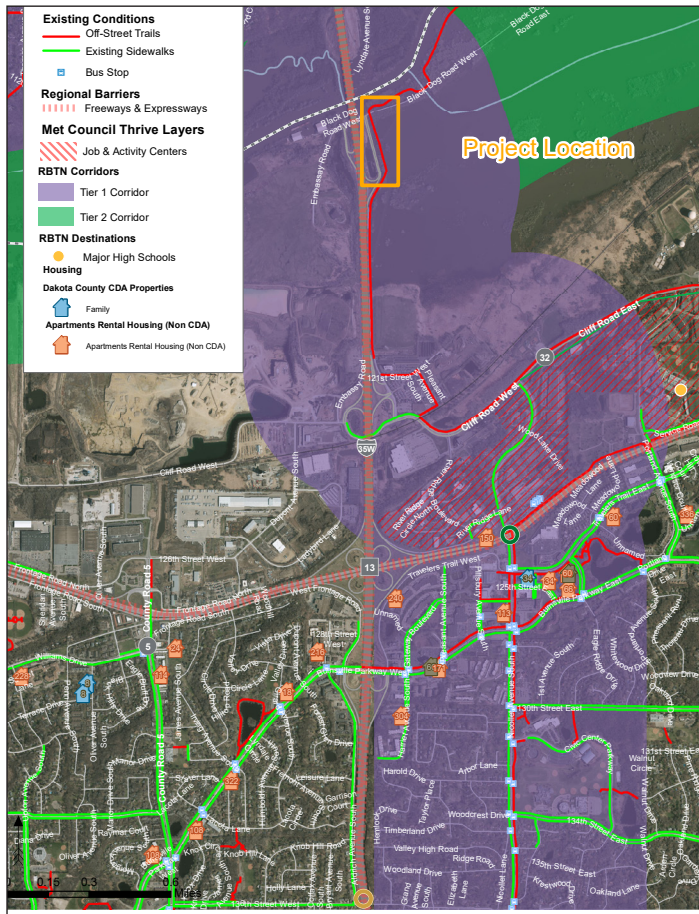
	<i>Federal Grant</i>	<i>Local Funding</i>	<i>Total</i>
<i>Construction</i>	\$388,000	\$97,000	\$485,000
<i>Associated Project Costs</i>		\$250,000	\$250,000
Totals	\$388,000	\$347,000	\$735,000

Initially, the regional solicitation was for projects to be constructed in 2024, however, the City requested the funding be moved up for this project, since it is a high priority for the City. The current schedule is to complete pre-design, plans and specifications, environmental work, and the project memorandum before the end 2021 and to have the plans and specifications ready for bid in early 2022 for a spring 2022 construction start.

At the November 18, 2020 Lower Minnesota River Watershed District Board of Managers Meeting, Agenda Item 5.B. provided the feasibility study for the project and requested potential partnering on this project with the Lower Minnesota River Watershed District. At this time, the City of Burnsville is seeking additional information on how the District might want to partner on this project. We are requesting an initial meeting with you to discuss the merits of this project for the LMRWD and determine the next steps towards any cost sharing participation.

I-35W Frontage Trail/I-35W Minnesota River Crossing

CITY OF BURNSVILLE



Project Location:	Burnsville
Requested Award Amount:	\$388,000
Total Project Cost:	\$485,000

PROJECT DESCRIPTION

The project will realign a segment of the I-35W Frontage Trail (a Tier 1 RBTN alignment), which connects to the Minnesota River Greenway. The improvements include the raising of the trail from the current profile to an elevation, which would lower the frequency and magnitude of trail closures due to flooding. Alternatives for raising the trail were evaluated and documented in a Feasibility Study (March 2020). The City has determined the preferred alternative is to construct a conventional earth embankment with a trail width of 10 feet and 2 foot shoulders on either side. This alternative provides the City with the lowest cost/highest benefit solution when compared to other alternatives.

PROJECT BENEFITS

- » MnDOT is currently reconstructing the I-35W Bridge over the Minnesota River. As part of these improvements, the bridge will now provide a pedestrian/bicycle facility that will link to regional trails on both sides of the river. This connection is critical in helping overcome a major pedestrian/bicycle barrier (Minnesota River) that has limited north-south travel between Burnsville and Bloomington. A pedestrian and bicycle facility along I-35W over the Minnesota River has never existed before.
- » Flooding occurs during the spring months (March – May) and can take several weeks to subside. During those times, this segment acts as a pedestrian and bicycle barrier rather than a regional amenity. Pedestrian and bicycle investments to the I-35W Bridge may not be fully realized if the flooding issues are not addressed along this trail segment. This project will limit closure due to river flooding from many weeks down to 3-6 days per year
- » The I-35W Frontage Trail is heavily relied on by bicycle commuters and will become a more prominent commuting route between Bloomington and Burnsville once the I-35W Bridge is open.



Proposed Realignment

Technical Memorandum

To: Linda Loomis, Administrator
Lower Minnesota River Watershed District

From: Katy Thompson, PE, CFM
Della Schall Young, CPESC, PMP

Date: August 13, 2021

Re: Burnsville I-35W Trail Project—Funding Request Review

The City of Burnsville (City) contacted the Lower Minnesota River Watershed District (LMRWD) to request funding to elevate an existing pedestrian trail out of the Minnesota River floodplain at the I-35W Minnesota River Bridge (Figure 1). The City has received \$485,000 in federal funding for construction and anticipates contributing \$250,000 for the design, permitting, and management of the project. The City is specifically requesting support in any amount to offset their \$250,000 commitment to the project.

In response to the City's request, Young Environmental Consulting Group (Young Environmental) has completed an initial funding evaluation documented herein with the corresponding recommendation.

Funding Request Evaluation

LMRWD continues to receive inquiries from municipalities and other partners for project funding support. Historically, because the requests were infrequent and appeared to compete with other requests or priorities, the decision to provide financial assistance was not supported by documented criteria nor scoring. Recently, with the request from the City of Carver for the levee project, Young Environmental developed the following scoring system which was applied to this request.

The goal of the scoring system is to establish impartial and fair evaluations for all District funding requests based on the project's alignment with the goals, policies, and strategies of the LMRWD Watershed Management Plan. Projects are scored on nine different metrics, detailed below, for a possible 82 points.

- 1. Project Type (Maximum 24 points):** The Project Type Score considers whether a proposed project is tributary to an impaired waterway, if it solves an issue previously identified by the community or LMRWD plans, and whether the project is explicitly included in the community or LMRWD plans. Points are awarded

based on how well the project aligns with the community or LMRWD plans.

- 2. Plan Goals (Maximum 9 points):** The Plan Goals Score gives credit depending on how well-aligned a proposed project is with the goals of the LMRWD Watershed Plan. Projects are assigned a score of 0 through 9 based on how many of the District's goals are addressed.
- 3. Water Capture (Maximum 7 points):** The Water Capture Score gives credit to projects that meet or exceed the standards for stormwater runoff volume management. Projects are assigned a score of 0 to 7 based on the amount of volume reduction that the proposed project provides.
- 4. Pollutant Management (Maximum 7 points):** The Pollutant Management Score gives credit to projects that meet or exceed the amount of water quality treatment provided beyond what is required for regulatory purposes. Projects without a pollutant reduction component will receive a score of 0, whereas those that reduce pollutant loading to downstream resources can receive a score of up to 7.
- 5. Habitat Restoration (Maximum 7 points):** The Habitat Restoration Score gives credit to projects that provide habitat benefits. Projects with no habitat benefit receive a score of 0. Projects likely to achieve habitat benefits as a secondary project benefit receive a score of 3. Projects that include a replacement of the existing habitat with an improved habitat receive a score of 5. Projects that include habitat creation or enhancement as the primary purpose of the project receive a score of 7.
- 6. Bank Stabilization (Maximum 7 points):** The Bank Stabilization Score gives credit to projects that restore or stabilize degraded stream banks or shorelines. A project is assigned a bank stabilization score based on the length of the stream bank or shoreline restored or stabilized and the level of existing degradation. This metric is only applied to projects with a designed restoration component (versus indirect benefits). Projects without a designed stream bank or shoreline restoration component are assigned a score of 0.
- 7. Watershed Benefits (Maximum 7 points):** The Watershed Benefits Score gives credit to projects that provide benefits beyond the immediate site location. Scores are based on where the proposed project is located within the watershed, giving greater weight to those near headwaters.
- 8. Partnership Opportunities (Maximum 7 points):** The Partnership Opportunity Score gives credit to projects that allow the District to partner with other organizations. The District is interested in being a project partner with its member communities. A project receives the maximum score of 7 if one or more of the partners is a financial contributor to the project.
- 9. Public Education (Maximum 7 points):** The Public Education Score gives

credit to projects that spread awareness of the District’s projects and their benefits to the public. The score is based on the accessibility of the final project, giving the greatest weight to those on public lands with public access.

Using the total points scored, projects fit in one of four priority categories (e.g., low, low-to-moderate, moderate-to-high, high), as shown in **Table 1**.

Table 1. LMRWD Funding Request Scoring Priority

Project Score	Priority	Recommended Action
0–19	Low	Do not recommend funding requests at this time; additional information may be needed to evaluate the potential project more fully.
20–40	Low-to-Moderate	Work with project sponsors to incorporate more District goals, policies, or strategies.
41–61	Moderate-to-High	Consider partial funding requests, with funding amount and design components that align with District priorities.
62–82	High	Recommend full funding request as presented.

The detailed scoring of the Burnsville I-35W Trail Project is provided below in **Table 2**.

Table 2. City of Burnsville I-35W Trail Project Funding Request Scoring

Scoring Metric	Project Comments	Project Score	Max Points
1. Project Type	While the Burnsville I-35W Trail Project is included in the City’s 2040 Comprehensive Plan to address connectivity concerns in the regional bike trail system, the project is not part of their 2017 Water Resources Management Plan. As such, it has been awarded 15 points in this category.	15	24
2. Plan Goals Addressed	The project does not appear to address any of the District’s goals; however, the opportunity exists for collaboration with the LMRWD to meet Goal 9—Public Education and Outreach by providing signage or other features along the trail. A provisional point for Goal 9 has been awarded for meeting the LMRWD plan goals.	1	9
3. Water Capture	The project does not provide any stormwater runoff volume management, and no points were awarded in this category.	0	7

Scoring Metric	Project Comments	Project Score	Max Points
4. Pollutant Management	The project does not provide any pollutant management, and no points were awarded in this category.	0	7
5. Habitat Restoration	The project does not provide any habitat restoration, and no points were awarded in this category.	0	7
6. Bank Stabilization	The project does not provide any bank stabilization, and no points were awarded in this category.	0	7
7. Watershed Benefits	The project does not appear to provide any watershed benefits, and no points were awarded in this category.	0	7
8. Partnership Opportunities	The City of Burnsville is invested in this project and has applied for and received federal funding for the construction of the project. The full 7 points have been awarded in this category.	7	7
9. Public Education	The I-35W Trail Project is located on public land that is highly visible and accessible to the public; opportunities may exist to incorporate public education and signage to increase awareness of the Minnesota River and its unique natural resources. The project was awarded 7 points in this category.	7	7
Total Score		30	82

Project Scoring

Based on the presented information, the Burnsville I-35W Trail Project received a score of 30 points out of a maximum 82 points, placing it in the moderate-to-low priority category for the LMRWD.

Funding Recommendation

Given the moderate-to-low priority score, before providing a funding recommendation, we propose coordinating with the City of Burnsville to review Young Environmental's funding evaluation to determine whether the project provides additional benefits that better align with LMRWD's goals, policies, and strategies.

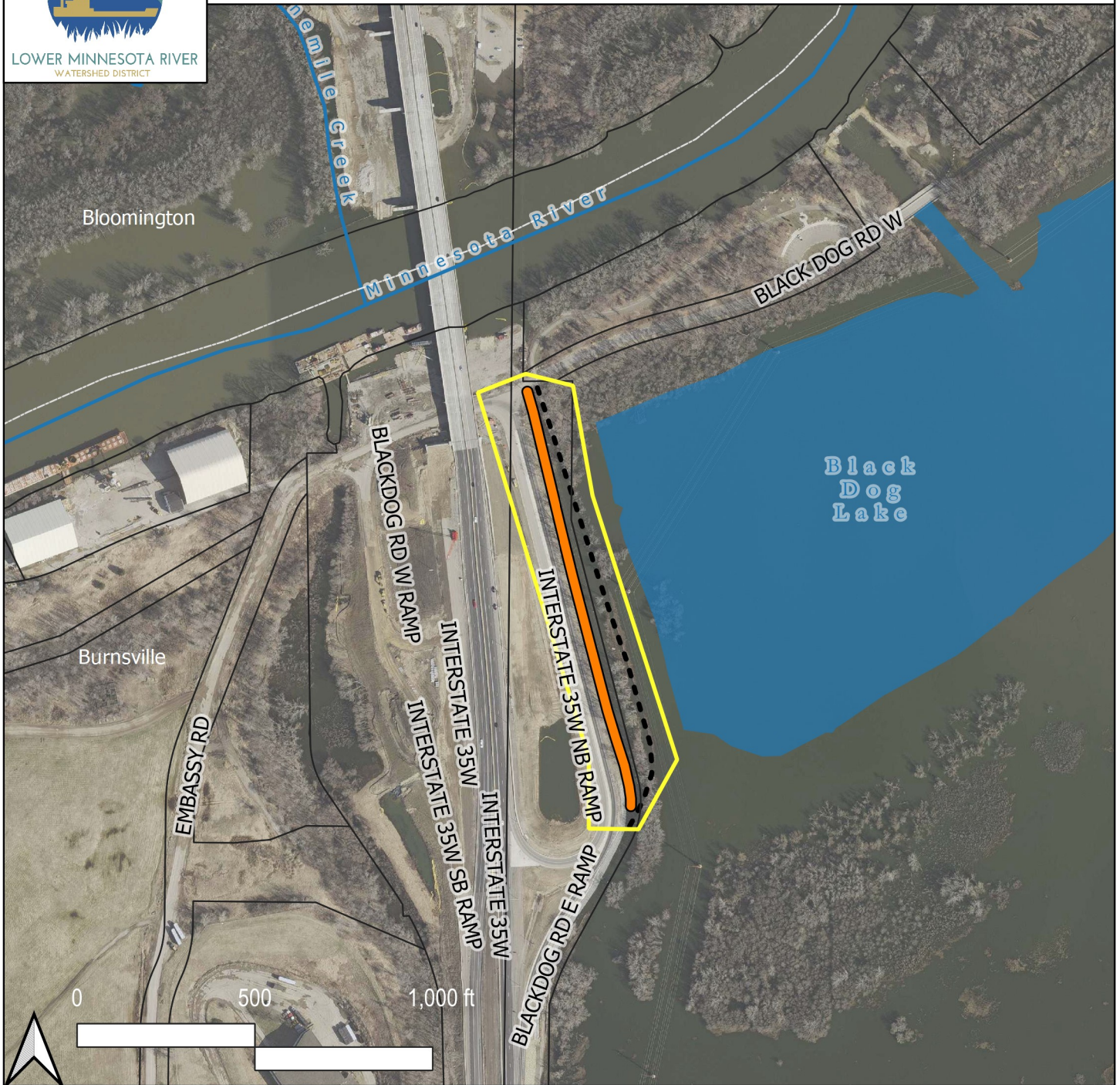
Attachments

Figure 1. Project Location Map












LOWER MINNESOTA RIVER
WATERSHED DISTRICT

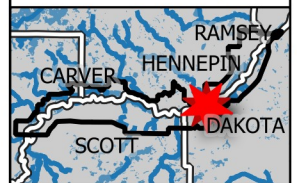
Figure 1: I-35W Frontage Trail Realignment Project Location



LEGEND

-  Project Location
-  I35W Frontage Trail
-  Existing Trail
-  Proposed Trail
-  LMRWD_Boundary
-  Dakota Co. Parcels
-  Municipal Boundaries
-  Public Waterbodies
-  Public Waterways

LMRWD Watershed Location Map





LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, August 18, 2021

Agenda Item

Item 6. B. - Burnsville Ravine Stabilization Cost Share

Prepared By

Linda Loomis, Administrator

Summary

At the July Board meeting, the Board was informed that the City of Burnsville has asked the LMRWD to consider financial contribution to the cost of a ravine stabilization project. The project is located in the Black Dog WMO near Glenview Drive and is approximately 300 feet upstream of the LMRWD.

The City has not requested a specific dollar amount for a contribution. Staff reviewed the project to determine the value this project might have for the LMRWD. Young Environmental prepared a technical memorandum, which is attached, for the Board to consider. Funds for this project could come from the CIP fund. Funds were collected on several projects that either were not done or had excess funds once the project was complete. Once a dollars amount has been determined, the Board will have the opportunity to approve the recommended contribution and a cooperative agreement between the LMRWD and the City will need to be prepared and executed. Jen Desrude, City Engineer, will be at the meeting to answer any questions the Board may have.

Attachments

Technical Memorandum dated August 13, 2021 - Burnsville 2021 Slope Project - Funding Request Review

[Current pictures of site](#)

Recommended Action

Motion to authorize LMRWD staff to continue to coordinate with the City to better understands the financial needs associated with the project.

Technical Memorandum

To: Linda Loomis, Administrator
Lower Minnesota River Watershed District

From: Katy Thompson, PE, CFM
Della Schall Young, CPESC, PMP

Date: August 13, 2021

Re: Burnsville 2021 Slope Project—Funding Request Review

In 2018, the City of Burnsville (City) performed a slope stability analysis as part of its asset management program. This analysis identified and estimated the risk of unstable slopes on public and private properties within the City's political boundaries. In its first phase, the analysis involved the development of a slope vulnerability model, followed by a second phase of field verifications to develop recommendations for slope mitigation, further study, or no further action. The City's analysis was similar to the Lower Minnesota River Watershed District (LMRWD) *2021 Gully Inventory and Condition Assessment*, which also relied on desktop methods to identify potential gullies and conduct field surveys to verify their condition. The City has many steep ravines in various states of erosion and the slope stability analysis was used to target which ravines are most in need of maintenance. The City funds its repairs through a biannual Ravine Restoration and Slope Stabilization project included in its annual budget. In 2019, four slopes were stabilized. For 2021, one site, located in a large gully behind 3104 Glenview Drive (see attached memo from WSB and Figure 1), has been selected for repair in the fall of 2021. The severity of the erosion is threatening the home at 3104 Glenview Drive and a 72-inch storm sewer parallel to the ravine. The ravine itself flows under County Road 34 (Williams Drive) and enters the LMRWD, where it eventually discharges into the Minnesota River.

The project location is within the Black Dog Watershed Management Organization (WMO) boundary; however, it is approximately 300 feet upstream of the boundary with the LMRWD and is tributary to the Minnesota River. While not located within the LMRWD, the LMRWD managers have established precedent in funding projects outside of the District boundaries to leverage resources to protect, preserve, and manage water and natural resources within the District. Most recently, the LMRWD partnered with the Riley Purgatory Bluff Creek Watershed District to provide funding for a feasibility study

in 2016 that identified opportunities to improve Riley Creek's water quality and reduce annual sediment transport to the Minnesota River, as well as \$150,000 in funding for the construction of the Lower Riley Creek Ecological Restoration Project in 2019.

As part of the *2021 Gully Inventory and Condition Assessment*, on July 21, 2021, Young Environmental Consulting Group (Young Environmental) staff visited the ravine behind 3104 Glenview Drive and confirmed the instability of the site (see attached survey report. In response to the City's request, Young Environmental completed an initial funding review. Additionally, the City found the homeowners in this area to be receptive to the project and is therefore considering expanding the original scope of the project to stabilize additional failing banks within the same ravine system to maximize the benefits of the project.

Funding Request Evaluation

LMRWD continues to receive requests from municipalities and other partners for project funding support. Historically, because these requests were infrequent and appeared to compete with other requests and priorities, decisions to provide financial assistance were not supported by documented criteria or scoring. Recently, in response to the request from the City of Carver for the levee project, Young Environmental developed the following scoring system, which was applied to the Burnsville 2021 Slope request.

The goal of the scoring system is to establish an impartial and fair evaluation of all District funding requests based on the project's alignment with the goals, policies, and strategies of the LMRWD Watershed Management Plan. Projects are scored on nine different metrics, detailed below, for a possible 82 points.

- 1. Project Type (Maximum 24 points):** The Project Type Score considers whether a proposed project is tributary to an impaired waterway, if it solves an issue previously identified by the community or LMRWD plans, and whether the project is explicitly included in the community or LMRWD plans. Points are awarded based on how well the project aligns with the community or LMRWD plans.
- 2. Plan Goals (Maximum 9 points):** The Plan Goals Score gives credit depending on how well-aligned a proposed project is with the goals of the LMRWD Watershed Plan. Projects are assigned a score of 0 through 9 based on how many of the District's goals are addressed.
- 3. Water Capture (Maximum 7 points):** The Water Capture Score gives credit to projects that meet or exceed the standards for stormwater runoff volume management. Projects are assigned a score of 0 to 7 based on the amount of volume reduction that the proposed project provides.
- 4. Pollutant Management (Maximum 7 points):** The Pollutant Management Score gives credit to projects that meet or exceed the amount of water quality treatment provided beyond what is required for regulatory purposes. Projects without a

pollutant reduction component will receive a score of 0, whereas those that reduce pollutant loading to downstream resources can receive a score of up to 7.

5. **Habitat Restoration (Maximum 7 points):** The Habitat Restoration Score gives credit to projects that provide habitat benefits. Projects with no habitat benefit receive a score of 0. Projects likely to achieve habitat benefits as a secondary project benefit receive a score of 3. Projects that include a replacement of the existing habitat with an improved habitat receive a score of 5. Projects that include habitat creation or enhancement as the primary purpose of the project receive a score of 7.
6. **Bank Stabilization (Maximum 7 points):** The Bank Stabilization Score gives credit to projects that restore or stabilize degraded stream banks or shorelines. A project is assigned a bank stabilization score based on the length of the stream bank or shoreline restored or stabilized and the level of existing degradation. This metric is only applied to projects with a designed restoration component (versus indirect benefits). Projects without a designed stream bank or shoreline restoration component are assigned a score of 0.
7. **Watershed Benefits (Maximum 7 points):** The Watershed Benefits Score gives credit to projects that provide benefits beyond the immediate site location. Scores are based on where the proposed project is located within the watershed, giving greater weight to those near headwaters.
8. **Partnership Opportunities (Maximum 7 points):** The Partnership Opportunity Score gives credit to projects that allow the District to partner with other organizations. The District is interested in being a project partner with its member communities. A project receives the maximum score of 7 if one or more of the partners is a financial contributor to the project.
9. **Public Education (Maximum 7 points):** The Public Education Score gives credit to projects that spread awareness of the District’s projects and their benefits to the public. The score is based on the accessibility of the final project, giving the greatest weight to those on public lands with public access.

Using the total points scored, projects fit into one of four priority categories (low, low-to-moderate, moderate-to-high, and high), as shown in Table 1.

Table 1. LMRWD Funding Request Scoring Priority

Project Score	Priority	Recommended Action
0–19	Low	Do not recommend funding requests at this time; additional information may be needed to evaluate the potential project more fully.

20–40	Low-to-Moderate	Work with project sponsors to incorporate more District goals, policies, or strategies.
41–61	Moderate-to-High	Consider partial funding requests with funding amount and design components that align with District priorities.
62–82	High	Recommend full funding request as presented.

The detailed scoring of the Burnsville 2021 Slope Project is provided in Table 2, below.

Table 2. City of Burnsville 2021 Slope Project Funding Request Scoring

Scoring Metric	Project Comment	Project Score	Max Points
1. Project Type	Although the Burnsville 2021 Slope Project is located within the Black Dog WMO, it is a tributary of the Minnesota River. In addition, the need to address steep slopes and ravine restoration is included in the City’s five-year Capital Improvement Plan, 2040 Comprehensive Plan, and 2017 Water Resources Management Plan.	24	24
2. Plan Goals Addressed	<p>The project addresses three of the District’s goals:</p> <ul style="list-style-type: none"> • Goal 2—Surface Water Management: The project proposes to stabilize an actively eroding slope that is contributing sediment and phosphorus to the Minnesota River, meeting the intent of the goal, which is to protect, improve, and restore surface water quality. • Goal 4—Unique Natural Resources Management: The project proposes to stabilize an eroding ravine, characteristic of the unique bluff and steep slopes landscape within the LRMWD, meeting the intent of the goal. • Goal 7—Erosion and Sediment Control: The project proposes to prevent further erosion of the slope and restore failed banks, addressing this goal. 	3	9
3. Water Capture	The project does not provide any stormwater runoff volume management, so no points were awarded in	0	7

Scoring Metric	Project Comment	Project Score	Max Points
	this category.		
4. Pollutant Management	In its funding request, the City of Burnsville provided water quality calculations demonstrating that the project would remove large-scale erosion areas and stabilize the banks of the ravine, and would provide an annual reduction in the LMRWD of 22.25 pounds of total phosphorus and 44,500 pounds of total suspended solids.	7	7
5. Habitat Restoration	Although the planting plans have not been provided for the site, by stabilizing and revegetating the ravine, there is opportunity to improve the quality of the area's existing habitat.	5	7
6. Bank Stabilization	The primary purpose of the 2021 Burnsville Slope Project is to stabilize an existing eroded bank and ravine. The site has been evaluated by both the City and its consultants, as well as by LMRWD staff members, all of whom concur that the site is unstable and in need of restoration.	7	7
7. Watershed Benefits	The 2021 Burnsville Slope Project is located slightly above the midpoint of the subwatershed, with approximately 70 percent of the subwatershed located downstream.	5	7
8. Partnership Opportunities	The City of Burnsville has a recurring line item in its annual budget for ravine restoration projects and is a committed partner to the construction of the 2021 Slope project. The City also has a \$500,000 biannual budget item to fund these projects.	7	7
9. Public Education	The 2021 Burnsville Slope Project is located almost entirely on private lands, with a small portion of the project on public lands adjacent to County Road 34 (Williams Drive). There do not appear to be any trails or other public access to the site, which presents limited visibility of the project for the public and therefore limited opportunities for public education as part of this project.	1	7

Scoring Metric	Project Comment	Project Score	Max Points
Total Score		59	82

Project Scoring

Based on the presented information, the 2021 Burnsville Slope Project received a score of 59 points out of a maximum of 82, placing it at the top of the moderate-to-high priority category, three points short of high priority status.

Funding Recommendation

Based on the observations made on July 21, 2021, if the project were located within the LMRWD boundaries, it would be ranked as having moderate erosion probability and the recommendation to monitor the site for future study and collaboration opportunities would be put forward. Because the City has requested a potential partnership with the LMRWD and is looking to maximize the restoration opportunities in the area, we recommend providing funding assistance for the development of the preliminary engineering designs for the expanded footprint and/or contributing to the cost of the construction for the overall project. Because the City has not requested a specific monetary amount from the LMRWD, staff members will continue to coordinate with the City to better understand the financial needs associated with the unfunded portion of the project to provide a funding recommendation.

Attachments

Figure 1. Project Location Map

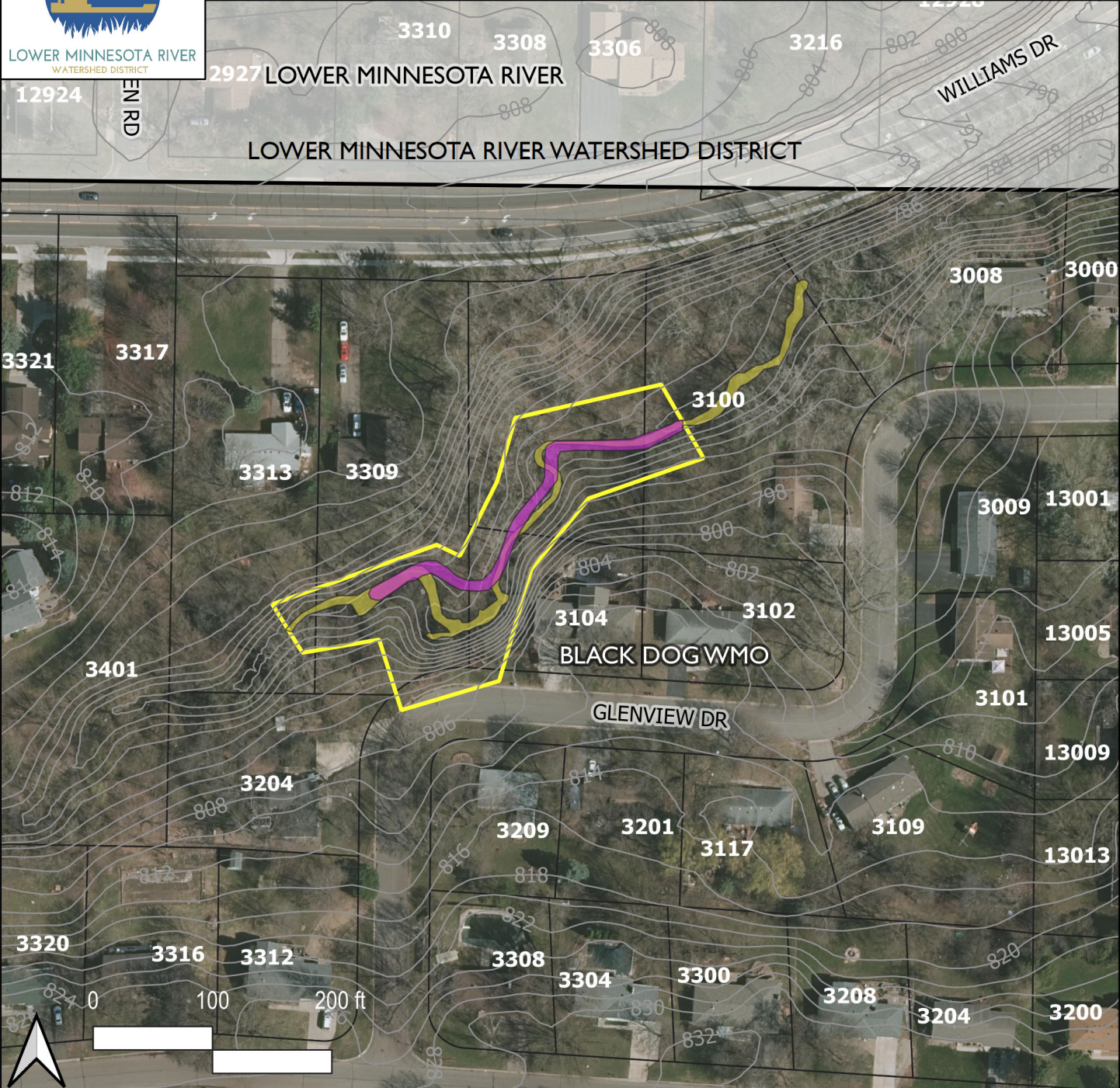
2021 Ravine Stabilization Project Memo from WSB

LMRWD 2021 Gully 07:21–01:33 Survey Report










LOWER MINNESOTA RIVER
WATERSHED DISTRICT

Figure I: 2021 Bursville Slope Project Location



LEGEND

-  Approximate Project Extents
-  Project Location
-  Existing Stream Alignment
-  Proposed Stream Alignment
-  LMRWD Boundary
-  Parcel Boundaries
-  LiDAR Contours

LMRWD Watershed Location Map



Young Environmental Consulting
Group, LLC

Attachment 2 -- 2021 Ravine Stabilization Project Memo from WSB

Memorandum

To: Ms. Linda Loomis, Administrator, LMRWD

From: Jen Desrude, PE, City Engineer, City of Burnsville
 Jacob Newhall, PE, WSB
 Laura Cummings, PE, WSB

Date: June 30, 2021

Re: 2021 Ravine Stabilization Project
 WSB Project No. 016830-000

BACKGROUND

In 2018, WSB performed a geohazards evaluation throughout the City of Burnsville to determine the risk of slope failure as part of their asset management program. Several failure types were evaluated including gullying, slides, river migration, and springs. 131 slopes were then ranked using the Slope Risk Matrix previously developed in collaboration with the City. Initial risk ranking results identified 12 of the 131 as mitigation recommended. In further collaboration with the City, two of these 12 slopes were removed from the list and one was added, for a new total of 11 slopes.

In 2019, four of the slopes identified as mitigation recommended were addressed. The City has since identified two additional slopes for review during the 2021 slope project.

A site visit was conducted in September 2020 to review eight slope areas. Of these eight slopes one was selected to be repaired in the fall of 2021. WSB and the City of Burnsville continue to work together to minimize the effects of slope failures including property damage, costly maintenance repairs, and threats to public infrastructure and safety.

2021 SITE

The proposed site is located north and west of 3104 Glenview Drive in the rear yard along a City drainageway. Severe erosion has occurred resulting in very steep slopes adjacent to an existing home and Glenview Drive. The drainageway is not a DNR water. See attached photos for existing conditions. There is an existing 72-inch trunk storm sewer that runs parallel to the stream. The stream drains to City storm sewer and crosses through Williams drive and continues north, ultimately discharging to the Minnesota River. While the boundaries show the project is within Black Dog Watershed Management Commission, the Lower Minnesota River Watershed District is ultimately receiving the drainage from the stream.

OBJECTIVE AND PROJECT DESIGN

The objectives of the project are as follows:

- Reduce the risk of erosion to city road, existing utilities, and adjacent home.
- Increase stability of the channel.
- Erosion reduction and ultimate downstream loading reduction in TSS and TP.

The proposed project will change the alignment to remove large scale erosion areas, and the banks will be stabilized with hard armoring and bioengineering. Gabion retaining walls will also be used along the southern side adjacent to the roadway and home to result in more gradual slopes. Grading and turf reinforcement mats will be installed along the banks to reduce erosion and stabilize the bank slopes. Removal of sloughed material will be done with the location of the new alignment. See **Figure 1** for project location and proposed improvements.

The Board of Water and Soil Resources Pollution Reduction Estimator was used to quantify the TP and TSS reduction from the project. See **Table 1** for water quality reductions made with the proposed improvements.

Table 1: Water Quality Summary

Water Quality	Reduction (pounds/year)
Total Phosphorus	22.25
Total Suspended Solids	44,500

SUMMARY

The proposed improvements will help reduce erosion, benefit downstream water quality, and increase the stability of the creek and streambanks. The City of Burnsville is planning on construction in the fall of 2021. The 60% construction cost estimate is approximately \$400,000. The proposed project will alter the channel alignment, include bioengineering and rock armoring, install gabion walls, grading side slopes, and installation of geofabrics.

Attachments

- Site Photos
- Figure 1
- BWSR Water Quality Calculations

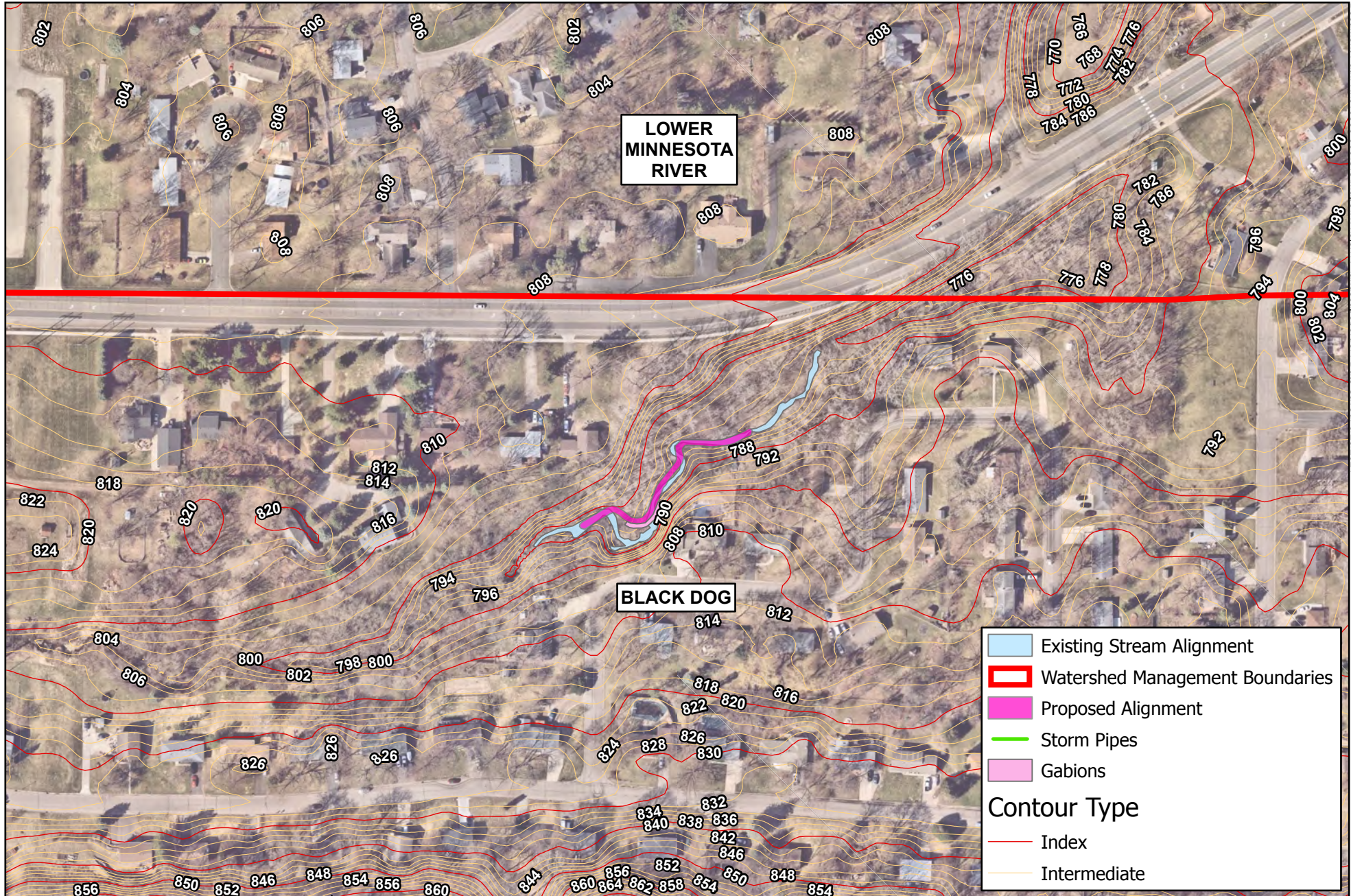
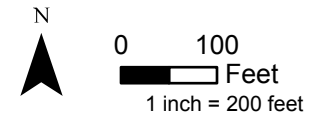


Figure 1 - Streambank Alignments
 Burnsville 2021 Slope Stability Project
 City of Burnsville



Stream & Ditch Bank Stabilization

SOIL =									
sand (1), silt (2)	<input type="text" value="2"/>	SD SOIL density	1	110	CF	<input type="text" value="1"/>	1	0.85	
clay(3), peat(4)		lbs/ft ³	2	85	P Correction Factor		2	1.00	
		tons/ft ³	3 X				3 X		
			4 X				4 X		

VOLV
volume voided (ft3)

YR
number of years to erode bank to current position

SLB = SD*VOLV/YR
Soil Loss Before (Tons/yr)
=
SLR Soil Loss Reduction
Tons/yr

22.25

SEDR =
SLB*SDR =SLB * 1
(= SLR)
Sediment Reduction
(Tons/yr)

22.25

PR =
SEDR *(1.0 Lb/Ton)*CF
P reduction (Lbs/yr)

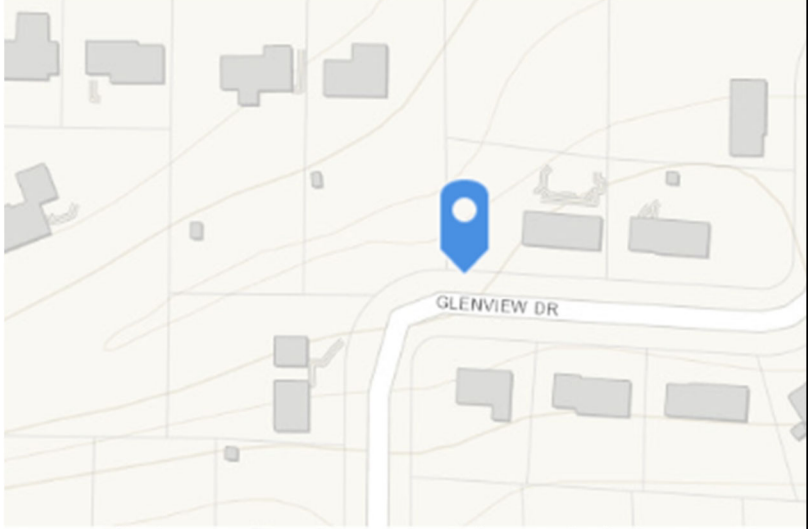
22.25

D = 0 → **SDR = 1**

= input
 = calculated value
 = result

ENTER THIS DATA ON eLINK INDICATORS TAB	
SEDIMENT (TSS) T/yr:	22.25
SOIL (estimated savings) T/yr:	22.25
PHOSPHORUS (est. reduction) lbs/yr:	22.25

Attachment 3 -- Gully 07:21--01:33 Survey Report

Gully ID: 07:21-01:33	MAP	
Date & Time: July 21, 2021 1:33 PM		
Location: Burnsville		
Weather: Cloudy Storm/Rainfall Event in the Past 24 Hours? No		
GULLY INFORMATION		
Calculated Erosion Potential:	High	
Approximate Depth:	5-Deep (>15')	
Approximate Bottom Width:	3-Medium (1'-5')	
Approximate Gully Length:	5-Long (>100')	
Condition of Gully Bottom:	5-Bare Soil	
Condition of Gully Banks:	1-Heavy Vegetation	
Gully Bank Angles:	3-Mid-Range (45 to 90 degrees)	
Gully Shape:	5-V-Shaped	
Gully Material:	Silt/Clay	
Seep:	0-No	
Stormwater Runoff:	0-No	
Stormwater Inputs:		
Fallen Trees:	1-Yes	
Degradation:	3-Moderate	

Aggradation:	1-Low
Slumping:	1-Yes
Additional Notes:	<p>Classification? High</p> <p>Presence of Water? Yes</p> <p>Quantity of Water? Puddles/Stagnant</p> <p>Notes/Comments: Large gully outside district, bottom has puddles of water that look like they may be slowly flowing, many fallen trees in gully, could not get down right bank due to safety so pictures may be rough</p>

Photo 1 Image



Photo 1 View Direction

Downstream

Photo 1 Caption

Gully

Photo 2 Image



Photo 2 View Direction

Upstream

Photo 2 Caption

Gully



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, August 18, 2021

Agenda Item

Item 6. C. - Audit and Financial Services

Prepared By

Linda Loomis, Administrator

Summary

The agreement between the LMRWD and Carver County to provide financial services will expire at the end of 2021. I have spoken to the Finance Department at the County and we have agreed to present a new contract to the Board. There are several changes to the services that the County wanted to make sure the Board was aware of.

First, the county has a new system for processing the LMRWD invoices. This system will allow for the Board to approve invoices as they are presented to the County for payment. The way this new system would work is that the LMRWD administrator can enter invoices for payment electronically. The system can then be set up for the Board to approve the invoices at that time. This would allow for a level of oversight that the District does have currently. This option is totally up to the Board and the County and I would recommend that the Treasurer of the Board be designated to review the invoices and approve for payment. The entire Board would still see invoices at the Board meeting as is done currently. This would just allow a second set of eyes by the District on invoices as payment is requested.

The next issue is in regards to financial reporting. GASB 84 (Government Accounting Standards Board) has new requirements for reporting finances of the governmental units. This may involve additional tracking of contracts and agreements of the District and may increase the cost to the District. The County asked that the Board be made aware of this change and how it may impact the expense for financial services. The County also recommended that the LMRWD and the County meet with the Auditor to discuss how the GASB changes will impact the LMRWD.

If the Board has requests for additional services and would like to meet with the County, the County can be invited to a future meeting of the Board.

The contract for audit services between Redpath and the LMRWD for audit services expires this year. The Board should decide if the District should solicit bids for audit services or request a new contract from Redpath. The County and I are recommending that the LMRWD solicit proposals and also request that firms submitting proposals also submit proposals for bookkeeping services. This would give the District an idea of what the County's services are worth.

Attachments

Draft Request for proposals

Recommended Action

Motion to authorize staff to prepare and publish advertisement for audit and accounting/financial services



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, August 18, 2021

Agenda Item

Item 7. B. - City of Carver Levee

Prepared By

Linda Loomis, Administrator

Summary

The City of Carver held the second stakeholder for this project on Thursday, August 12, 2021. The majority of the meeting was spent talking about the trail crossing the river and how and where that will tie into the Levee. Scott County is leading this project and has not yet been able to pull Carver County into the conversation about the trail. Wetland delineation for the trail project is complete and the design of the bridge has been settled. The County will form a Technical Evaluation Panel (TEP) to evaluate the wetland delineation. The LMRWD requested that the County make sure the LMRWD is invited to the TEP. The County will need to undertake a Phase 1 archeological evaluation. There are indications of culturally sensitive areas in two locations. The County does not have a funding package for the trail yet and is looking to construction the project in two phases. Phase 1 would be done in 2026 and phase 2 in anticipated for 2030/2031. The County is looking to get federal funding and wants to request funding from Carver County. If funding sources are found the project would be accelerated.

For the Levee project: The wetland delineation has been complete and a TEP will be asked to evaluate the delineation. The existing levee has been surveyed and deficiencies have been noted. The City will next be looking at stormwater management with respect to the levee and seepage rates. The City has met with Congressman Tom Emmer to discuss federal funding for the levee. The LMRWD requested to be included in the TEP.

The LMRWD reminded both the County and the City that the LMRWD will want to no-rise evaluation, even if they DNR is okay with the project. The LMRWD also suggested that both project consider whether or not an Environmental Assessment Worksheet or an Environmental Impact Statement will be needed.

The next meeting of the stakeholder group will be sometime in October.

Attachments

[Levee Survey Results](#)

Recommended Action

No action recommended



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, August 18, 2021

Agenda Item

Item 7. C. - Remote meeting participation

Prepared By

Linda Loomis, Administrator

Summary

Carver County contacted the LMRWD to discuss the District's needs regarding remote participation. They are ready to begin updating all the County's audio and video equipment. In the meantime, the LMRWD has purchased equipment to use for bringing Managers to meetings from remote locations.

I hope to be able to test it out at the meeting Wednesday. Once we are sure the equipment will work as intended, Managers will be able to attend meetings remotely, when out of town. I will ask legal counsel to update the Board on the statutory requirements for remote participation.

Attachments

No attachments

Recommended Action

Information only - no action recommended



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, August 18, 2021

Agenda Item

Item 7. D. - Dredge Management

Prepared By

Linda Loomis, Administrator

Summary

i. Dredge Vernon Avenue Management site

The Corps of Engineers dredged Peterson's Bar in July. Plans to dredge the main channel upstream of the Savage Railroad Bridge were scheduled to begin on August 13th. A visit to the dredge sit is scheduled for the tour in September.

ii. Private Dredge Material Placement

Dredging of the private has been completed.

Attachments

No attachments

Recommended Action

For information only - no action recommended



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, August 18, 2021

Agenda Item

Item 7. E. - Watershed Management Plan

Prepared By

Linda Loomis, Administrator

Summary

i. Rules Update

The LMRWD has been reviewing projects for cities that have not received a municipal permit from the District. It has been over a year since the District adopted its rules and it has become apparent that the rules need to be updated to address certain types of projects such as semi impervious surfaces and more. Staff would like the Board to authorize staff to begin work updating the rules for the Board to consider approving at a future meeting.

Attachments

No attachments

Recommended Action

Motion to authorize staff to begin updating rules



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, August 18, 2021

Agenda Item

Item 7. G. - Education & Outreach

Prepared By

Linda Loomis, Administrator

Summary

i. Watershed Tour Update

Staff continues to make arrangements for a tour on September 24, 2021. Once details are finalized the Managers will be given the itinerary.

Attachments

No attachments

Recommended Action

For information only - no action recommended



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, August 18, 2021

Agenda Item

Item 7. H. - LMRWD Projects

Prepared By

Linda Loomis, Administrator

Summary

i. **Eden Prairie Study Area #3**

Staff is preparing to present the findings of the work performed by Inter-Fluve to the City of Eden Prairie.

ii. **MN River Gully Inventory**

The interns conducting the inventory and condition assessment of the gullies on the south side of the Minnesota River will attend the meeting to make a presentation to the Board. Technical Memorandum - 2021 Gully Inventory and Condition Assessment dated August 13, 2021 is attached for the Board's information

Attachments

Technical Memorandum - 2021 Gully Inventory and Condition Assessment Update dated August 13, 2021

Recommended Action

No action recommended

Technical Memorandum

To: Linda Loomis, Administrator
Lower Minnesota River Watershed District

From: Rebecca Even
Anthony Crosby
Katy Thompson, PE, CFM

Date: August 13, 2021

Re: 2021 Gully Inventory and Condition Assessment Update

The Lower Minnesota River Watershed District (LMRWD or District) managers authorized the second phase of the Gully Inventory and Condition Assessment at the August 19, 2020, board meeting. The first phase of the Gully Inventory and Condition Assessment was completed during summer 2020 and consisted of revisiting sites that had been originally surveyed in 2008. The interns assigned an erosion potential category to each gully (low, moderate, or high) to assess their overall conditions and establish priorities for future restoration opportunities. The 2020 assessment was limited to the sites that were identified in 2008 and did not include any coverage of the southern half of the District located in Dakota and Scott Counties.

The second phase of the project begins where the 2020 Gully Inventory ended by identifying potential gully locations in Dakota and Scott Counties and prioritizing the discovered gullies for future action. Interns from Young Environmental, Anthony Crosby and Rebecca Even, have been using topographical maps to determine the areas where gullies may have developed and collecting field data and observations at these sites. After they completed the fieldwork data collection, the interns used the data to determine the severity of the gully erosion, developed recommended actions for each gully, and worked on creating a comprehensive report, going over every site and the state of gullies in each partner city within the southern portion of the LRMWD.

Anthony and Rebecca will be presenting the results of their work to date, and the final report will be completed and presented to the LMRWD managers at the October 20, 2021, board meeting.



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, August 18, 2021

Agenda Item

Item 7. I. - Permits & Project Reviews

Prepared By

Linda Loomis, Administrator

Summary

i. Caribou Coffee - Savage

Caribou Coffee is proposing to rehabilitate the building located 4905 Highway 13 West in Savage in order to open a new store. Staff has reviewed the project and its report is attached.

Staff is recommending conditional approval subject to receipt of the NPDES (National Pollution Discharge Elimination System) permit and contact information for the contractor and the person (s) responsible for the inspection and maintenance of erosion and sediment control features.

Attachments

Technical Memorandum - Caribou Coffee - Savage (LMRWD Permit No. 2021-031)

Recommended action

Motion to conditionally approve LMRWD Permit No. 2021-031 Caribou Coffee - Savage subject to receipt of the NPDES permit and contact information for the contractor and the person (s) responsible for the inspection and maintenance of erosion and sediment control features.

ii. Shakopee Flats

The Board has seen this project previously. First was for a permit to remove the existing buildings, then to begin construction of the building, which is a multi-family apartment building. At the time construction of the building was permitted, stormwater management was going to be managed through a project constructed by the City of Shakopee. The City now has its stormwater management designed and has submitted a request to amend the permit.

Staff has reviewed the City's design and recommends approval of an amendment to the existing permit to include site development and construction of the proposed improvements outlined in the stormwater management plan.

Attachments

Technical Memorandum - River Bluffs Improvements (LMRWD permit No. 2021-040)

Recommended Action

Motion to approve an amendment to LMRWD permit No. 2020-040 to include site development and construction of the proposed improvements outlined in the stormwater management plan.

Technical Memorandum

To: Linda Loomis, Administrator
Lower Minnesota River Watershed District

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

Date: August 11, 2021

Re: Caribou Coffee–Savage (LMRWD No. 2021-031)

Java Companies (the applicant) has applied for an individual project permit from the Lower Minnesota River Watershed District (LMRWD) to reconstruct a commercial site in the City of Savage (City), as shown in Figure 1. The applicant's engineer, Design Tree Engineering & Land Surveying (Design Tree), has provided site plans for the Caribou Coffee project (Project) along with the LMRWD permit application.

The proposed Project includes demolition of a portion of an existing building and parking lot, renovation of the remaining building, and construction of a new parking lot and drive-through (Figure 2). The Project would disturb approximately 0.57 acres and create 0.35 acres of new impervious surfaces, and is under the one-acre thresholds for both Rule B—Erosion and Sediment Control and Rule D—Stormwater Management. The Project is not located within the High Value Resource Area or Steep Slopes Overlay District; however, most of the site is within the Credit River's 100-year floodplain, as shown in Figure 1. Thus, the Project will need a permit under Rule C—Floodplain and Drainage Alteration.

Because the City does not have its LMRWD municipal LGU permit, the Project requires an LMRWD individual permit and, as such, is subject to the LMRWD permit review process.

Summary

Project Name: Caribou Coffee–Savage

<u>Purpose:</u>	Redevelopment of an existing commercial site
<u>Project Size:</u>	0.57 acres disturbed; 0.44 acres existing impervious surfaces; net increase of 0.35 acres new impervious surfaces
<u>Location:</u>	4905 Highway 13 West, Savage, MN 55378 (Property ID 260100150)
<u>LMRWD Rules:</u>	Rule C—Floodplain and Drainage Alteration
<u>Recommended Board Action:</u>	Conditional approval

Discussion

The District received the following documents for review:

- LMRWD PDF permit application, received July 9, 2021
- Plan sheets by Design Tree, dated June 25, 2021, revised July 27, 2021, received July 27, 2021
- Permit fee of \$750, received August 4, 2021

The application was deemed complete on August 4, 2021, and the documents received provide the minimum information necessary for permit review.

Rule C—Floodplain and Drainage Alteration

As discussed, the Project is located within the Credit River's 100-year floodplain, shown on the Scott County Flood Insurance Rate Map Panel 27139C0064E (effective February 12, 2021). The Project proposes 150.74 cubic yards of cut and 147.97 cubic yards of fill within the floodplain for a net cut of 2.77 cubic yards. The net cut for the site means there will be no loss of floodplain storage, and a no-rise certification is not required. The Project meets the minimum requirements of Rule C.

Recommendations

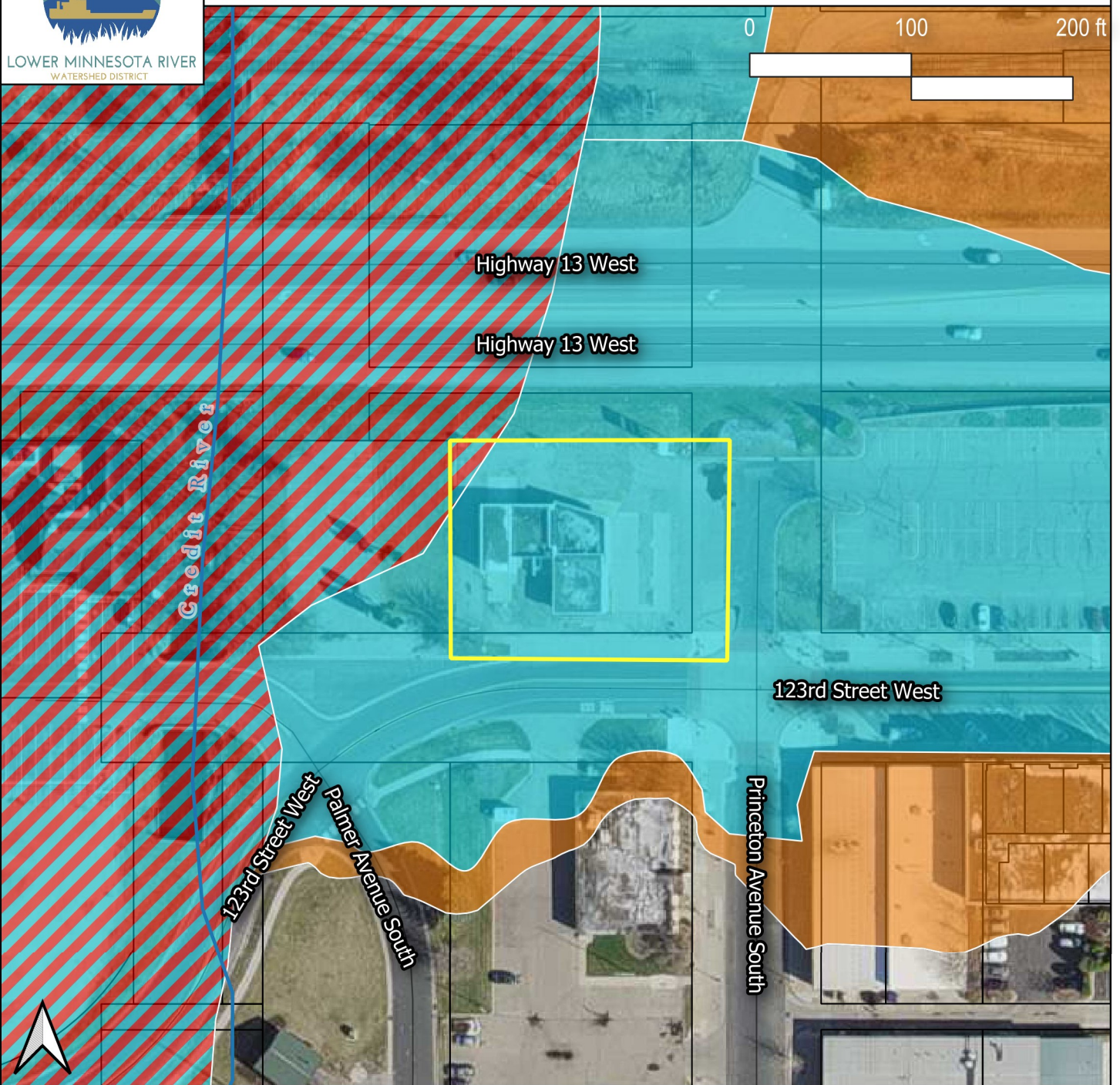
Staff recommends the conditional approval of the Project, pending receipt of the NPDES permit copy and contact information for the contractor(s) and person(s) responsible for the inspection and maintenance of erosion and sediment control features.

Attachments











- Figure 1: Caribou Coffee Project Location Map
- Figure 2: Caribou Coffee Grading Plan



Figure 1: Caribou Coffee Project Location



LEGEND

-  Project Location
-  Caribou Coffee
-  Parcel Boundary
-  Public Waterways
-  Public Waters
-  High Value Resource Area
-  Steep Slopes Overlay District
-  Floodway
-  100-yr Floodplain
-  500-yr Floodplain

**LMRWD Watershed
Location Map**

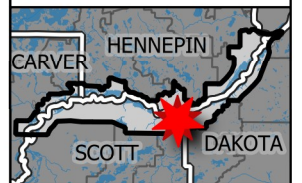










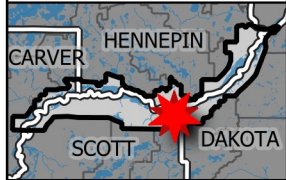
Figure 2: Caribou Coffee Grading Plan



LEGEND

-  Project Location
-  Parcel Boundary
-  Caribou Coffee
-  Building
-  Drive Thru/Parking Lot
-  Sidewalk

LMRWD Watershed Location Map



Technical Memorandum

To: Linda Loomis, Administrator
Lower Minnesota River Watershed District

From: Katy Thompson, PM
Della Schall Young, CPESC, PMP

Date: August 13, 2021

Re: River Bluffs Improvements (LMRWD No. 2021-040)

Advanced Engineering and Environmental Services, Inc. (AE2S or applicant) has applied for an Individual Project Permit from the Lower Minnesota River Watershed District (LMRWD or the District) on behalf of the City of Shakopee (the City) for the River Bluffs Improvements Project in downtown Shakopee (**Figure 1**). The River Bluffs Improvements Project is the final development in a series of recent development projects in the area. It includes improvements to the public streets and the construction of a best management practice (BMP) for regional stormwater treatment. This regional BMP will provide treatment for the previously approved Shakopee Flats mixed-use development (LMRWD No. 2020-123A) and the 2021 Street and Utility Reconstruction Project (LMRWD No. 2021-011). Together, all three projects will create more than one acre of new impervious surface, triggering LMRWD Rule D—Stormwater Management.

The River Bluffs project is not located within the High Value Resource Area, Steep Slopes Overlay District (SSOD), or Minnesota River floodplain. The City intends to begin construction in September 2021. Because the City does not have its municipal LGU permit, this project is subject to an LMRWD permitting review.

Project Summary

Project Name: River Bluffs Improvements

Purpose: Public street reconstruction and construction of a regional stormwater BMP

<u>Project Size:</u>	1.54 acres total; 0.87 acres of existing impervious surfaces; 1.22 acres of new impervious surfaces; net increase of 0.35 acres
<u>Location:</u>	Levee Drive, Scott Street, and Atwood Street
<u>Applicable LMRWD Rules:</u>	Rule B—Erosion and Sediment Control Rule D—Stormwater Management
<u>Recommended Board Action:</u>	Conditional approval

Discussion

As part of this submittal, the District has received the following documents for review:

- River Bluffs Improvements Watershed Permit Application prepared by AE2S; dated July 23, 2021; received July 23, 2021
- 2021 Street and Utility Reconstruction Specifications and Plans prepared by the City of Shakopee; dated March 2, 2021; received July 23, 2021
- Signed Shakopee Flats Site Improvement Plans prepared by AE2S; dated June 18, 2021; received July 23, 2021
- Construction Plans for River Bluffs Improvements prepared by AE2S; dated July 22, 2021; received July 23, 2021
- Shakopee Flats and River Bluffs Improvements Stormwater Management Plan prepared by AE2S; dated July 16, 2021; received July 23, 2021
- Stormwater Management Plan P8 models received July 23, 2021
- Stormwater Management Plan HydroCAD model; dated July 16, 2021; received July 23, 2021

The documents provided include the minimum information necessary for review.

Rule B—Erosion and Sediment Control

The District regulates land-disturbing activities that affect one acre or more under Rule B. The proposed project would disturb approximately 1.54 acres within the LMRWD boundary. The applicant has provided a grading plan, erosion control plan, and Stormwater Pollution Prevention Plan. The project generally complies with Rule B; however, a copy of the NPDES permit and contractor contact information is outstanding.

Rule D—Stormwater Management

The District requires stormwater management for projects that propose to create one acre or more of new impervious area. AE2S provided a Stormwater Management Plan that includes the private Shakopee Flats development, the City’s 2021 Street and Utility Reconstruction Project, and the City’s proposed River Bluffs Improvements Project. Although the River Bluffs Improvements Project is only proposing a net increase of 0.35 acres of new impervious surfaces, the net total of new impervious area created from all three projects is 1.27 acres and requires stormwater treatment (**Table 1**).

Table 1. River Bluffs Improvements, Shakopee Flats, and 2021 Street and Utility Reconstruction Projects Impervious Area Summary

	Disturbed Area (ac)	Existing Impervious Area (ac)	Proposed Impervious Area (ac)	Net Change in Impervious Area (ac)
River Bluffs Improvements	1.54	0.87	1.22	+0.35
Shakopee Flats*	1.93	0.78	1.60	+0.82
2021 Street and Utility Reconstruction*	2.04	1.62	1.72	+0.10
TOTAL	5.51	3.27	4.54	+1.27

**Shakopee Flats and the 2021 Street and Utility Reconstruction projects were previously permitted by the LMRWD, information provided for reference*

The proposed impervious area from the Shakopee Flats and River Bluffs Improvements Projects will be treated by the proposed regional BMP, whereas the 2021 Street and Utility Reconstruction Project will follow the existing storm sewer to the Minnesota River. The BMP proposed is an underground stormwater chamber system with a sand filter component for water quality treatment. This regional BMP will be owned and maintained by the City as part of its MS4 system and will provide rate control and water quality treatment that meet the requirements for all three projects. The following is a discussion of the District’s stormwater requirements.

Rate Control

Section 4.4.1 of Rule D requires that applicants demonstrate no increase in proposed runoff rates when compared with existing conditions. The River Bluff Improvements project would discharge at five locations to the Minnesota River, one from the regional BMP and four from existing outfalls. A summary of the provided HydroCAD modeling in **Table 2** below demonstrates that the combined projects meet the District’s rate control requirement.

Table 2. River Bluffs Improvements, Shakopee Flats, and 2021 Street and Utility Reconstruction Projects Peak Discharge Rates Summary

Design Event	Existing Discharge Rate (cfs)	Proposed Discharge Rate (cfs)	Change in Discharge Rates (cfs)
2-year / 24-hour	31.24	28.65	-2.59
10-year / 24-hour	49.88	48.97	-0.91
100-year / 24-hour	95.00	88.46	-6.54

Volume Reduction

Section 4.4.2 of Rule D requires volume reduction for post-construction stormwater runoff for projects that create more than one acre of impervious surface. Because of the proximity to the Minnesota River bluff and shallow bedrock, infiltration is not feasible, and the applicant is proposing to provide equivalent filtration. The provided soil borings indicate that the underlying soils in the regional BMP footprint are primarily silty/clayey sand with observed water levels only six feet below grade, confirming that an infiltration practice would not be suitable in this location.

The applicant proposes to filter runoff from 2.82 acres of new and reconstructed impervious surfaces from the Shakopee Flats and River Bluffs Improvements Projects with the regional BMP, exceeding the District requirement of 4,610 cubic feet (the volume from one inch of rainfall over the net new impervious surfaces of 1.27 acres). The proposed BMP will contain a 15-inch sand filtration bed atop a synthetic liner that has the capacity to provide up to 10,452 CF of filtration between the top of the sand filtration bed (El. 726.95) and the top of the outlet weir wall (El. 729).

Water Quality

Section 4.4.3 of Rule D requires projects that create more than one acre of impervious surface to provide evidence that no net increase in total phosphorus (TP) or total suspended solids (TSS) in the receiving waters would result from the project. Together the three projects create 1.27 acres of new impervious surface, and, although only 1.17 acres of new impervious surface are directly treated by the proposed regional BMP, 1.65 acres of reconstructed impervious surfaces will also be directly treated by the regional BMP, bringing the total to 2.82 acres of impervious surfaces treated. The applicant provided P8 model results showing an overall reduction for both TP and TSS (**Table 3**), meeting the District's water quality requirements.

Table 3. River Bluffs Improvements, Shakopee Flats, and 2021 Street and Utility Reconstruction Projects Water Quality Summary

	Total Area (ac)	Impervious Area (ac)	Area Routed to Proposed BMPs (ac)	TP Annual Load (lbs)	TSS Annual Load (lbs)
Existing	12.15	8.6	0	19.1	5,962
Proposed	12.14	9.8	2.82	17.0	4,725
			Change	-2.1	-1,237

Additional Considerations

Although the project is not located within the SSOD, as shown in Figure 1, the storm sewer reconstruction from the regional BMP to the existing 48-in manhole (SDMH 191) would be within ten feet of the SSOD. Care should be taken in this area to avoid disturbances to the soil or vegetation within the SSOD.

Recommendations

Staff recommends conditional approval of the River Bluffs Improvements Project, pending the receipt of the NPDES permit and contractor contact information, and continued coordination with the City on future development projects that may utilize any excess filtration volume provided in the proposed underground BMP.

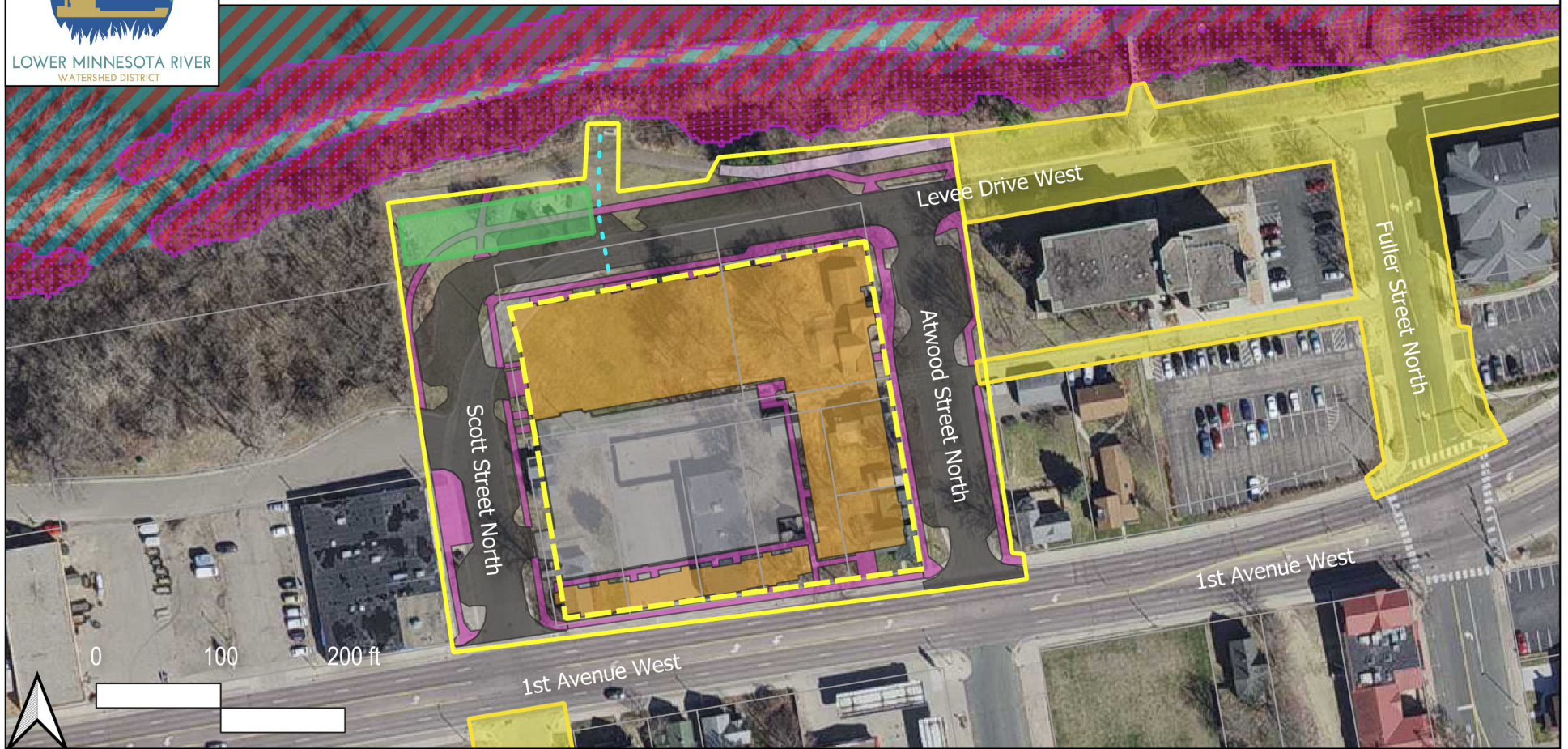
Attachments

- Figure 1: River Bluffs Improvements Project Location
- LMRWD No. 2020-123 Shakopee Flats Review Memo
- LMRWD No. 2021-011 City of Shakopee 2021 Street and Utility Reconstruction Review Memo


















Attachment I:
River Bluffs Improvements Project Location Map



Figure 1: Shakopee River Bluffs Improvement Project Location



LEGEND

-  Project Location
- 2020_LMRWD_ProjectReviews_Areas
-  River Bluffs Improvement
-  2021 Street & Utility Reconstruction
-  Shakopee Flats
-  Shakopee Flats Building
-  Shakopee Flats Parking Lot
-  River Bluff Sidewalk Improvements
-  River Bluff Road Improvements
-  River Bluff Trail Improvements
-  River Bluff Storm Sewer Improvements
-  River Bluff Proposed Regional BMP
-  Public Waterbodies
-  Public Waterways
-  Steep Slopes Overlay District
-  100-yr Floodplain
-  Floodway
-  Parcels

**LMRWD Watershed
Location Map**



**Attachment 2:
LMRWD No. 2020-123
Shakopee Flats Review Memo**

Technical Memorandum

To: Linda Loomis, Administrator
Lower Minnesota River Watershed District

From: Katy Thompson, PM
Della Schall Young, CPESC, PMP

Date: February 12, 2021

Re: Shakopee Flats Permit Amendment (LMRWD No. 2020-123)

Advanced Engineering and Environmental Services, Inc. (AE2S or applicant) has previously applied for an Individual Project Permit from the Lower Minnesota River Watershed District (LMRWD or District) on behalf of Gaughan Companies (the project owner and project contractor) to develop the site located on 339 1st Avenue West, Shakopee in Scott County ([Figure 1](#)).

Staff previously reviewed this project, and the Board approved it at the September 16, 2020, meeting. This allowed for demolition of existing buildings, asphalt, and concrete pavement as well as associated infrastructure (refer to Young Environmental memo, Shakopee Gaughan Removal Plan Permit Review [LMRWD No. 2020- 0123] dated September 11, 2020). The Board amended the permit at the November 18, 2020, meeting to incorporate building foundation construction (refer to Young Environmental memo, Shakopee Mix Use Permit Amendment [LMRWD No. 2020-123] dated November 13, 2020). The applicant is seeking its final amendment to the permit to complete the private site construction.

This private development project is directly connected to and adjacent to the City of Shakopee (City) street and utility improvement project. The City is separately completing the adjacent design of its 2021 road reconstruction project ([Figure 2](#)), which will create 0.23 acres of new impervious surface. Together, the public and private developments will create more than one acre of new impervious surface, which will be

treated by an underground stormwater best management practice (BMP) constructed within the City's right-of-way.

Young Environmental contacted the City on February 5, 2021, for assurance and received confirmation that the City's street project is part of its 2021 street and utility improvement project and is scheduled for construction this summer 2021. The applicant is requesting a permit from the LMRWD to proceed with the construction of its private site while the details of the public improvements are still being refined.

Project Summary

<u>Project Name:</u>	Shakopee Flats
<u>Purpose:</u>	Residential and commercial site redevelopment construction
<u>Project Size:</u>	3.35 acres total
<u>Location:</u>	339 1st Ave. W., Shakopee, MN, 55739
<u>Applicable LMRWD Rules:</u>	Rule B—Erosion and Sediment Control
<u>Recommended Board Action:</u>	Approval of amendment to Permit No. 2020-123

Discussion

As part of this submittal, the District has received the following documents for review:

- Stormwater Management Plan prepared by AE2S; dated October 2020; received November 2, 2020; revised February 8 and 9, 2021
- Stormwater Management Plan P8 models received November 2, 2020; revised February 8 and 9, 2021

The documents provided include the minimum information necessary for review.

Rule B—Erosion and Sediment Control

The applicant previously provided an erosion and sediment control plan, Stormwater Pollution Prevention Plan, and National Pollutant Discharge Elimination System construction stormwater permit coverage for the Shakopee Flats development under LMRWD No. 2020-123.

Rule D—Stormwater Management

The applicant provided a Stormwater Management Plan for both the private Shakopee Flats and the City’s upcoming 2021 street reconstruction and BMP construction. The District requires stormwater management for projects that propose to create one acre or more of new impervious area. While the Shakopee Flats project is only proposing 0.89 acres, the total public and private impervious area will be 1.12 acres and require stormwater treatment (**Table 1**).

Table 1. HydroCAD Drainage Area and Impervious Summary

OUTFALL	EXISTING CONDITIONS		PROPOSED CONDITIONS		CHANGE	
	Drainage Area (ac)	Impervious Area (ac)	Drainage Area (ac)	Impervious Area (ac)	Drainage Area (ac)	Impervious Area (ac)
Public and Private Site	3.35	1.60	2.82	2.35	-0.53	+0.75
Off-site-West	0	0	0.06	0	+0.06	0
Off-site-East	0	0	0.46	0.37	+0.46	+0.37
TOTAL	3.35	1.60	3.34	2.72	-0.01	+1.12

The proposed impervious area will be treated in an underground filtration BMP, which will provide rate control and water quality treatment for both the public and the private improvements. Because of the proximity to the Minnesota River bluff and shallow bedrock, infiltration is not feasible, and the applicant is proposing to provide equivalent filtration. The following is a discussion of the District’s stormwater requirements.

Rate Control

Section 4.4.1 of Rule D requires that applicants demonstrate no increase in proposed runoff rates when compared with existing conditions. The Shakopee Flats project would discharge at three locations, one to the north of the proposed underground BMP and two off-site locations to the east and west. A summary of the provided HydroCAD modeling appears in **Table 2** below and demonstrates that the combined public and private project will meet the District’s rate control requirement and provide rate reductions for all required design storms.

Table 2. Overall Peak Runoff Rates from HydroCAD Models

DESIGN STORM	EXISTING (CFS)	PROPOSED (CFS)	CHANGE (CFS)
2-YR / 24-HR	11.65	11.55	-0.10
10-YR / 24-HR	19.25	15.45	-3.80
100-YR / 24-HR	38.22	27.08	-11.14

Volume Reduction

Section 4.4.2 of Rule D requires volume reduction for post-construction stormwater runoff volume for projects that create more than one acre of impervious surface. The applicant proposes to treat the new 1.12 acres of impervious surface with the underground filtration BMP to meet the District requirement for one inch of rainfall over the new impervious surfaces or 4,066 cubic feet (CF) for volume reduction. The proposed BMP will contain an 18-inch sand filtration bed atop a synthetic or clay liner that is proposed to provide 10,452 CF of filtration between the top of the sand filtration bed (El. 725.7) and the top of the outlet weir wall (El. 729).

The applicant provided soil boring information with the stormwater management plan. Soil boring B-13 is located within the footprint of the underground filtration BMP and indicates that the underlying soils contain a silty/clayey sand with observed water levels only six feet below grade, confirming that an infiltration practice would not have adequate separation nor be suitable in this location.

Water Quality

Section 4.4.3 of Rule D requires projects that create more than one acre of impervious surface to provide evidence that no net increase in total phosphorus (TP) or total suspended solids (TSS) in the receiving waters would result from the project. The overall project will create 1.12 acres of new impervious surface, and the underground filtration BMP is proposed to meet the District’s water quality requirements. The applicant provided P8 model results showing the proposed BMP will provide an overall reduction for both TP and TSS (**Table 3**), meeting the District’s water quality requirements.

Table 3. P8 Water Quality Summary

	Total Area (ac)	Impervious Area (ac)	Area Routed to Proposed BMPs (ac)	TP Annual Load (lbs)	TSS Annual Load (lbs)
Existing	3.35		0	3.7	1,141
Proposed	3.34	2.34	2.82	2.5	311
			Change	-1.2	-831

Recommendations

We recommend approving an amendment of the existing permit (LMRWD No. 2020-123) to include site development and construction of the proposed improvements outlined in the stormwater management plan.

The public improvements component of this project will require a separate individual permit from LMRWD if the City of Shakopee has not received a municipal LGU permit from LMRWD by that time.

Attachments

- Figure 1: Shakopee Flats Project Location
- Figure 2: Excerpt from City of Shakopee's 2021–2025 Capital Improvement Projects Map highlighting the 2021 Street Reconstruction Project
- Amended Permit No. 2020-123



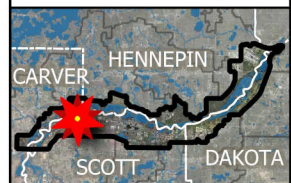
Figure 1: Shakopee Flats Project Location



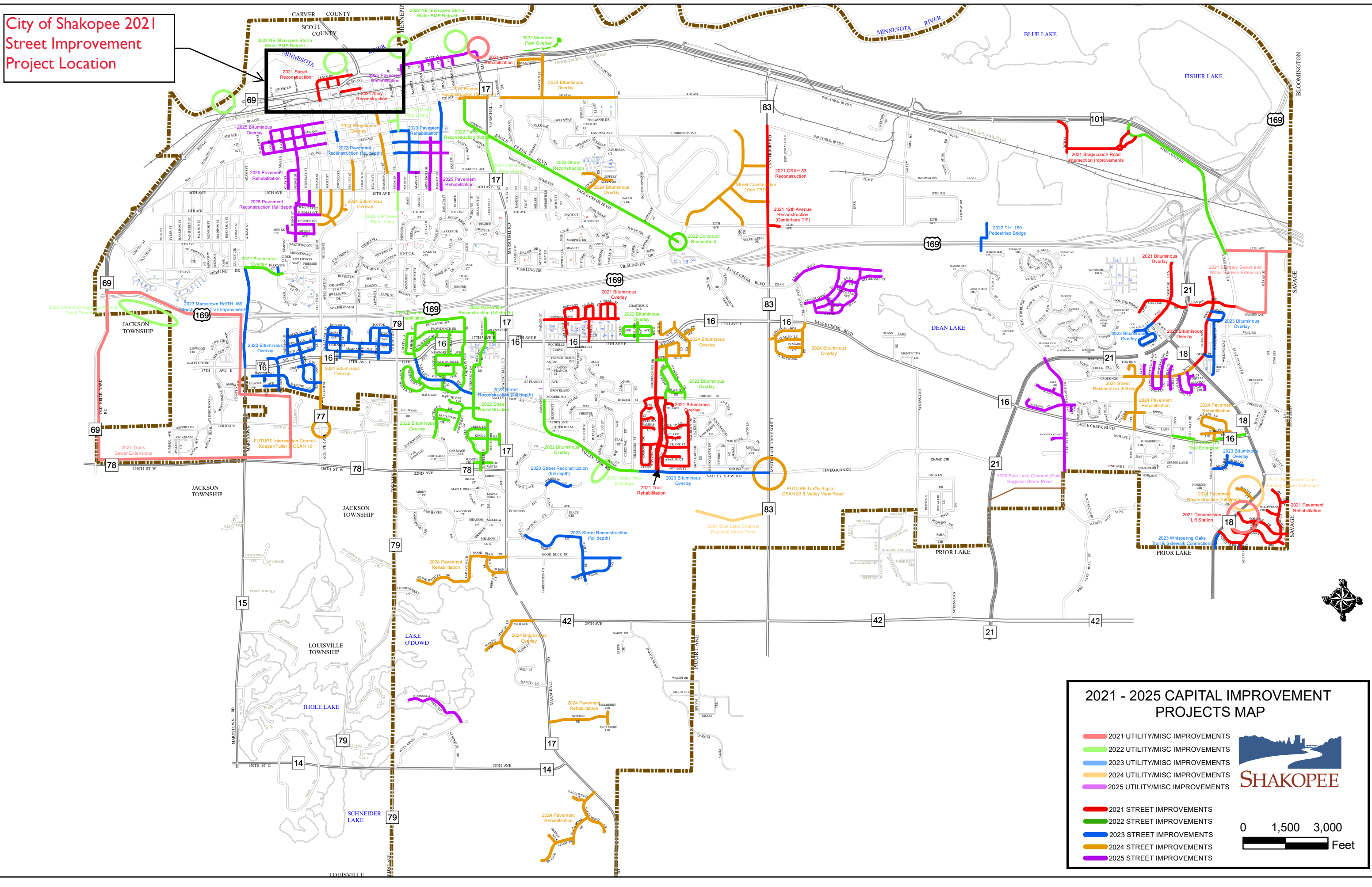
LEGEND

- Project Location
- Project Area
- Proposed Stormwater BMP
- LMRWD Boundary
- Steep Slopes Overlay District
- 100-yr Floodplain
- Floodway
- 500-yr Floodplain

LMRWD Watershed Location Map



City of Shakopee 2021 Street Improvement Project Location



2021 - 2025 CAPITAL IMPROVEMENT PROJECTS MAP

2021 UTILITY/MISC IMPROVEMENTS
 2022 UTILITY/MISC IMPROVEMENTS
 2023 UTILITY/MISC IMPROVEMENTS
 2024 UTILITY/MISC IMPROVEMENTS
 2025 UTILITY/MISC IMPROVEMENTS

2021 STREET IMPROVEMENTS
 2022 STREET IMPROVEMENTS
 2023 STREET IMPROVEMENTS
 2024 STREET IMPROVEMENTS
 2025 STREET IMPROVEMENTS

SHAKOPEE

0 1,500 3,000 Feet



Permit Number
2020-123
Amended

Individual Project Permit

Pursuant to Minnesota Statutes, Chapters 103B and 103D, consistent with the rules of the Lower Minnesota River Watershed District (LMRWD), and on the basis of statements and information contained in the permit application, plans and supporting information provided by the applicant, all of which are made part hereof by reference, **permission is hereby granted** to the applicant to perform actions as authorized below.

By granting this permit, the LMRWD does not direct the activity authorized herein or warrant the soundness of the applicant's design or methods in any respect. The LMRWD waives no immunity or protection applicable to itself, an officer, an agent or an employee pursuant to this approval.

Project Name Shakopee Flats	Project Location 339 1st Ave W, Shakopee, MN, 55379	
Type of Development Commercial and Residential	City Shakopee	County Scott
Permittee/Property Owner's Name and Title Dan Hebert	Permittee Mailing Address 56 East Broadway Ave, Suite 200, Forest Lake, MN, 55025	
Authorized Agent Name and Title Laura Wehr	Agent Email Address laura.wehr@ae2s.com	Agent Phone Number (612)-364-5509
Purpose of Permit: Demolition of existing buildings including building pads, removal of existing pavement, and trash remediation and removal; excavation for deep footings and foundation construction; construction of private residential/commercial development and appurtenances	Authorized Action(s): Grading, erosion, and sediment control; excavation for deep footings and foundation construction; site development; stormwater infrastructure activities.	
Affected Rule(s): Rule B: Erosion and Sediment Control; Rule D: Stormwater Management		
Issued Date: 9/16/2020; Amended 11/18/2020 and 2/17/201	Effective Date: 9/16/2020; Amended 11/18/2020 and 2/17/2020	Expiration Date: 9/16/2021
Authorized Issuer Name and Title Linda Loomis, Administrator	Email Address: admin@lowermnriverwd.org	Phone Number: (763) 545-4659

This permit is granted **subject to** the following **general conditions**:

NPDES Permit: Submit a copy of the NPDES construction stormwater general permit to the LMRWD before construction begins.

All erosion and sediment control measures must be effectively installed and maintained according to LMRWD guidelines and MPCA NPDES Permit guidelines as laid out by current District Rules and Policies until all disturbed soils have been permanently stabilized.

Grading and excavating must not begin until the applicant has been noticed that a permit has been issued and required erosion control measures are in place. Working without a permit where required is in violation of LMRWD Rules and is a misdemeanor subject to penalty by law.

Applicable federal, state, or local regulations: The permittee is responsible for the action(s) of their representative, contractor and employees and compliance with all rules, regulations, requirements, or standards of any applicable federal, state, or local agencies; including, but not limited to, the U.S. Army Corps of Engineers, Board of Water and Soil Resources, MN Pollution Control Agency, watershed districts, water management organizations, county, city and township zoning.

Site access: In accepting this permit, the owner recognizes and agrees that LMRWD representatives may enter the site at reasonable times to inspect the activities authorized hereunder and compliance with the requirements of this permit, the LMRWD Rules and applicable statutes. This includes routine site inspections as well as inspections during or immediately following installation of best management practices, following storms/critical events, prior to seeding deadlines, for the purpose of permit closeout, or on report of issue or complaint. This right of access is in addition to the access authority of the LMRWD under existing law.

Completion date: Construction work authorized under this permit shall be completed on or before the date specified above. No construction is authorized beyond the expiration date. The permittee may request an extension of the time to complete the project by submitting a written request, stating the reason thereof, to the LMRWD, no later than two weeks before this permit expiration.

Written consent: In all cases where the permittee by performing the work authorized by this permit shall involve the taking, using, or damaging of any property rights or interests of any other person or persons, or of any publicly owned lands or improvements thereon or interests therein, the permittee, before proceeding, shall obtain the written consent of all persons, agencies, or authorities concerned, and shall acquire all property, rights, and interests needed for the work.

Not assignable: This permit is not assignable nor transferable by the permittee except with the written consent of the LMRWD.

No changes: The permittee shall make no changes, without written permission or amendment previously obtained from the LMRWD, in the dimensions, capacity or location of any items of work authorized hereunder.

Permission only/ no liability: This permit is permissive only. No liability shall be imposed by the LMRWD or any of its officers, agents or employees, officially or personally, on account of the granting hereof or on account of any damage to any person or property resulting from any act or omission of the permittee or any of its agents, employees, or contractors. This permit shall not be construed as estopping or limiting any legal claims or right of action of any person other than the state against the permittee, its agents, employees, or contractors, for any damage or injury resulting from any such act or omission, or as estopping or limiting any legal claim or right of action of the state against the permittee, its agents, employees, or contractors for violation of or failure to comply with the permit or applicable conditions.

Contractor responsibility: The permittee shall ensure the contractor has received and thoroughly understands all conditions of this permit.

Termination: This permit may be terminated by the LMRWD at any time deemed necessary for the conservation of water resources, or in the interest of public health and welfare, or for violation of any of the conditions or applicable laws, unless otherwise provided in the permit.

**Attachment 3:
LMRWD No. 2021-011
City of Shakopee 2021 Street and
Utility Reconstruction Review Memo**