



Minutes of Regular Meeting
Board of Managers
Wednesday January 6, 2016
City Council Chambers, Chaska City Hall, 7:00 p.m.
Approved _____, 2015

1. CALL TO ORDER AND ROLL CALL

On Wednesday, January 6, 2016, at 7:00 PM in the City Council Chambers of the Chaska City Hall, Chaska, Minnesota, President Shirk called to order the meeting of the Board of Managers of the Lower Minnesota River Watershed District (LMRWD) and asked for roll call to be taken. The following Managers were present: David Raby, Michael Murphy and Yvonne Shirk. In addition, the following were also present: Lindsey Albright, Dakota SWCD; Marianne Breitbach, PLSLWD, Linda Loomis, LMRWD Administrator; Della Schall Young, Burns & MacDonnell, LMRWD consulting engineer; and Liz Just and Emily Lipson, Wild River Academy.

2. APPROVAL OF THE AGENDA

Manager Shirk made a motion to approve the agenda of January 6, 2016. The motion was seconded by Manager Raby. The motion carried unanimously.

3. CITIZEN FORUM

Marianne Breitbach, PLSLWD, noted at the end of the meeting, the PLSLWD will be discussing Deans Lake at its Board of Manager's meeting next Tuesday.

4. CONSENT AGENDA

Administrator Loomis removed Item 4.C.iii. - the invoice from Culligan Bottled Water. No payment was made to Culligan in December, therefore there is no need to approve payment.

Manager Raby noted an item in the minutes that didn't make sense and asked for clarification. Administrator Loomis said that was an error and the amount of material reported removed should be 15,000 cubic yards rather than 15 cubic yards.

He then asked a question about the Annual Report. Administrator Loomis explained that MN Statute and Rules require the District to prepare an Annual report and an Annual Communication. At the December meeting the Managers decided the Annual Report could serve as the Annual Communication.

- A. Approval of Minutes October 21, 2015 and November 18, 2015 Regular Meetings**
- B. Approval of Financial Reports**
- C. Approval of Payment of Invoices**
 - i. Ron Harnack - November services**

- ~~ii. Culligan Bottled Water – Bottled water for office~~
 - iii. **Morrie Lanning Consulting - 2015 Consulting Services**
 - iv. **US Bank Equipment Leasing -January 2016 copier lease**
 - v. **Burns & McDonnell - Dred Scott & East Chaska Creek studies**
 - vi. **Rinke Noonan, Attorneys at Law - November Legal Services**
 - vii. **Greg Zeck - October & November web services**
- D. **Authorize Administrator's attendance at CSSR meeting**
 - E. **Designate Official Newspaper**
 - F. **Designate Data Practice Compliance Official**
 - G. **Order preparation of 2015 Annual Report**

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

5. NEW BUSINESS

A. Paddle Forward presentation

Administrator Loomis said this event was held late summer, early fall. She introduced Liz Just and Emily Lipson, who will be making a report

Ms. Just explained she works with Wild River Academy. She said the *Paddle Forward* program was started in 2013. *Paddle Forward* is a program where students canoe an urban river. In 2015 *Paddle Forward* paddled the Minnesota River.

Ms. Just reviewed the three main goals of *Paddle Forward*. One is to connect with K-12 classrooms and share the experience through videos and classroom presentations. The second goal is to provide an experiential learning opportunity to college students. The last goal is to focus on themes and for participants to learn about those themes and share what they have learned with others. The whole trip took about 6 weeks and traveled about 320 miles. The group started in Ortonville and traveled the whole Minnesota River, ending on the Mississippi in St. Paul.

Emily Lipson, was one of the "Paddle Fellows" on this year's trip. She came on the trip as part of an internship with the University of Minnesota. She just graduated with a degree in recreation, parks, recreation and leisure studies. This expedition was part of her final capstone project. She wanted to learn about environmental, outdoor and experiential education. She is currently working with AmeriCorps as a K-3 literacy tutor at Dowling Elementary School in South Minneapolis. One part of the trip was to use social media and share experiences of the trip through Facebook. She said she wants to convey to the Managers how transformational and educational this trip was. Ms. Lipson introduced the team of paddlers and showed videos, where paddlers gave their impressions of the Minnesota River prior to the expedition and what the daily routine was like.

She said they had a lot of fun and learned a lot. Ms. Lipson said they broke down the trip to six different themes; agriculture, geology, water quality, watersheds, Native American significance and river communities. When she learned the most about agriculture was when they stayed on Listening Stones Farm, which is a participant in the farm stewardship program. She learned how farming practices can have a negative impact on the water quality of the river.

She learned the most about the geology of the river at the headwaters at Big Stone Lake in the wildlife refuge, where the original bedrock is visible.

Ms. Lipson said she learned the most about water quality and watersheds just by being on the water and observing. The quality of the water of the Minnesota River became most apparent at the confluence of the Minnesota River with the Mississippi and you could clearly see the line. They talked about the downstream effect throughout the entire trip and it was really powerful to stand at the confluence and see the difference in the water between the two rivers.

Native American significance was another theme they talked about. This theme was very interesting in that they moved away from the harder sciences and into the social history of the river. They visited Upper Sioux State Park and met with both a park ranger and a Dakota woman.

Finally, river communities - they met and talked with many people along the way. They stayed in homes and shared meals in many communities along the way. She shared another video, where another trip participant explained what he had learned from many of the people they met throughout the trip. What they learned was that many people in the Minnesota River Basin are working hard to protect and improve the river environment.

Ms. Lipson stated again how much everyone learned on the trip. She shared a final video which contrasted the participant's impressions of the Minnesota River at the end of the trip with their initial impressions before the trip began. Her biggest take away is the idea of urban nature. She felt so passionate and inspired she began to think about more ways to share the river with others. She said she would personally like to see more campsites along the river. In conclusion Ms. Lipson said she had a fantastic time on the trip.

Manager Raby asked how many total paddlers there were. Ms. Lipson said there were 7 total that traveled the entire river together, which included support people. Others joined them for portions, throughout the trip.

Manager Murphy asked when they stopped if they were providing education or mostly learning for themselves. Ms. Lipson responded they did both. She said, in addition to meeting and learning from people they met along the way, they also had meetings with schools, mostly science classrooms in middle school and a few high schools. Others were able to follow along via the story map on line, which she showed the Managers.

Manager Murphy asked what is next and how will she apply what she learned in the future. Ms. Lipson said she is currently working in a classroom setting right now, but she would like to look for opportunities to teach in an outdoor setting, perhaps as a professional guide or as outdoor environmental educator. She realized that the most beneficial way for her to learn is through non-formal, hands on, outdoor experiential education.

President Shirk asked about next year's trip. Ms. Just said they are taking a break next year but then they plan to travel to Des Moines River in 2017. Wild River Academy would like to develop the program more and become an accredited college program before the next trip. They are looking forward to the trip on the Des Moines River.

Administrator Loomis mentioned that the group visited the LMRWD dredge site.

B. County Highway 61 & State Highway 41 Transportation Improvements

Administrator Loomis said this week she received an email from the engineering firm managing a MNDOT project at Flying Cloud Drive and Chaska Boulevard. A kickoff meeting is planned for the project and happens to be the same date as the meeting in Mankato the Managers would like her to attend. She recommends that Burns & MacDonnell represent the LMRWD at this meeting.

Manager Murphy asked what the expectation is for the LMRWD to participate in this meeting. Administrator Loomis said to look at the opportunities to improve water quality and to make sure the project complies with the standards of the district. Manager Raby also recommended that whoever attends on behalf of the district come back to give a brief overview of the project. Manager Murphy said it would also be good for Managers to be able to ask whoever represents the LMRWD, questions about the project. President Shirk noted this is a preliminary meeting so a summary may be enough.

Manager Shirk made a motion to authorize Burns & MacDonnell to represent the Watershed District on the County Highway 61 & State Highway 41 project. Seconded by Manager Murphy. The motion carried unanimously.

6. OLD BUSINESS

A. Legislative Action

i. 2016 Legislative session

Administrator Loomis said she spoke with Ron Harnack and they both would like direction from the Board, as to what the LMRWD would like accomplished this session. She said they discussed approaching the State for funding to help address the deficit in the channel fund.

She said the district could then approach the local industries to ask them to be part of the funding solution and support LMRWD efforts at the legislature (including efforts to reduce the amount of sediment). The district could then develop a long-term plan to fund the channel maintenance.

She reminded the Managers that Burns & MacDonnell is preparing a plan for improvements at the Vernon Avenue dredge placement site, such as a way to dewater the dredge material more quickly, erosions controls and other improvements.

Manager Murphy said when he was with Cargill they had looked at installing a drain under dredge material and thought the district should speak to the industries about funding these improvements. Administrator Loomis said looking at a drainage system is what is being looked at by Burns & McDonnell. She said industry sharing in the cost of such improvements will be added to the list of topics to be discussed with industry.

Administrator Loomis said the resolution proposed by the LMRWD was adopted by the MAWD membership and a press release is being prepared. Managers should notify the Administrator with any suggestions of who should receive the notice.

Administrator Loomis advised the Managers that she has been in touch with the Freshwater Society, as directed by the Managers, to find partners and build a coalition that would support LMRWD efforts in the Minnesota River Basin and to develop a public awareness campaign and messaging to reach out to the broader community.

Manager Murphy asked if this could fall under the statutory mandate to form a citizens advisory board. Administrator Loomis responded that this effort would fall under that mandate and the district could keep that in mind as it proceeds.

President Shirk said she is in favor of the bonding request, but asked if they are too late to do anything about the second dredge site. Administrator Loomis said a letter was sent today to the Corps of Engineers requesting a decision about the need for a second dredge site and she will work to get a response from the Corps before the beginning of the legislative session. She informed the Managers that Ron Harnack has drafted a bill requesting bonding

money for flood hazard mitigation and has placed an earmark in that bill for the LMRWD. It may be possible that flood hazard mitigation money could be used to fund upland storage.

Manager Raby reminded the Board that even if the Corps determines that a second dredge placement site is not needed, the district will still incur costs transporting dredge material to Savage and this cost should be identified in any consideration of state funding.

Administrator Loomis said the cost of transporting the material will not be a large long term expense based on the history of dredging this portion of the river, but she will discuss this with Mr. Harnack. She is fairly confident that the Corps will agree with our request.

Manager Raby said it would be prudent for the district to budget for costs incurred below I-35W and to include consideration of this expense in any proposal for long term funding of channel maintenance.

B. Dredge Management

i. Review process for assessing benefitting properties

No report.

ii. Vernon Avenue Dredge Material Management site

The district received a check from Rachel Contracting for material removed from the Vernon Avenue Dredge placement site in 2015. They also provided a reconciliation of when material was removed and where it was placed.

iii. Secondary Dredge Site

A letter was sent to the Corps of Engineers asking for a decision regarding maintenance of the channel below I-35W and whether or not the district will need to provide a placement site for material dredge from that reach of the river.

iv. Private Dredge Material Placement

The district has not yet received payment from CHS and Cargill for the private dredge material placement.

C. LMRWD CIP Action Items

i. East Chaska Creek

Administrator Loomis has a meeting scheduled with the city of Chaska. A meeting has also been scheduled with the DNR and Administrator Loomis has informed the DNR of this project.

D. Cavallo Ridge, Eden Prairie - No change since last update

E. Eden Prairie Local Water Management Plan - No change since last update

Administrator Loomis said she has stayed in touch with both Riley/Purgatory/Bluff Creek Watershed District and Nine Mile Creek Watershed District and none of the three districts has received any communication from the city, regarding the draft water management plan. RPBCWD proposed sending a letter to the city. Administrator Loomis said she recommended that any letter sent should remind the City that even though the plan is not approved they must still comply with the rules of the watersheds and that they need to adopt official controls to enforce the rules of the watersheds.

F. MAC Hotel Development - No change since last update

Administrator Loomis will ask Mr. Al Dye to attend the April Manager meeting to present his annual report.

G. Fort Snelling Upper Post Development - No change since last update

H. Analysis of Dakota County Monitoring Data - verbal update

Administrator Loomis said she and Della spoke about the installation about the additional wells recommended in the report. This is a topic that will be discussed in the district's meeting with the DNR. She reminded the Managers that the last time the DNR wanted monitoring wells installed in Seminary Fen, the LMRWD paid for those wells. She said they could also approach the Met Council as they have ongoing dewatering permits, which may be impacting the water levels of the fens.

I. Education and Outreach Plan

i. 2015 River Tour - No change since last update

Administrator Loomis said she still has not received an invoice from Upper River Services. Manager Murphy asked how long this can go on and how much the district owed. Administrator Loomis said she had asked Upper River Services to keep cost under \$5,000 and noted the total the Managers had authorized the district would spend on the tour was \$7,500. which included buses and other costs.

ii. Citizen Advisory Committee

Administrator Loomis reported on the Citizen Advisory Committee and said she is planning to have the information at the February meeting. President Shirk asked about a Manager for Carver County. Administrator Loomis noted ads were placed in the local papers but she hasn't heard anything.

J. Seminary Fen/Chaska Ravine Stabilization Project - information only

Administrator Loomis had nothing to add since the last update.

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

L. Riley Creek Cooperative Project - No change since last update

M. Dean Lake - No report

N. Bluff Creek Cooperative Project - No change since last update

O. Report from TAC meeting

i. District Rules and Standards

ii. Project Reviews

iii. Monitoring Plan

iv. Bluff and gully

Administrator Loomis said staff has been working on a clarification of the plan for cities, which the Managers will be asked to review. Staff will be meeting with the DNR to get input from them regarding rules to protect the unique resources within the LMRWD. Managers Raby and Murphy had questions about the Technical Advisory Committee (TAC).

Administrator Loomis explained that it is a fairly big group that includes city and county staff, adjacent watershed districts, state agencies and the Met Council.

She then explained the approach staff is planning to take with the clarification of the district's plan and resource protection strategy.

P. MPCA Soil Reference Values - verbal update

Administrator Loomis stated the executive summary included information from the MPCA she was able to obtain through the Corps of Engineers. She noted the MPCA is planning another

comment period and the agency is planning to update its dredge material management guide in response. Manager Murphy questioned if there has been any indication of what the final rules will be, especially in regards to proposed levels that were lower than the natural background levels. Administrator Loomis said all she has heard is that concern is being addressed, but has not heard how the agency is planning to address that.

8. COMMUNICATIONS

A. Administrator Report

Administrator Loomis said she attended the Mississippi River Forum in December, which presented a proposal by Met Council Environmental Services (MCES) to use water from dewatering at the Seneca Waste Water Treatment Plant for irrigation at the Blue Cross/Blue Shield campus in Eagan. She also has a meeting scheduled with Judy Sventek of MCES to talk about reducing Phosphorus levels in the Minnesota River, by taking water from the river, treating it to remove Phosphorus and then returning the water to the river.

She and Ron Harnack are meeting in January with the Corps of Engineers to discuss the Minnesota River Interagency Basin Study.

She said she is meeting with Metro Transit next week to discuss the Metro Transit Orange Line Bus Rapid Transit, which will have two stations in the LMRWD, one at 98th street & 35W and one at TH 13 & 35W.

Administrator Loomis said Hennepin County has an upcoming meeting in February to talk about Flying Cloud Drive project.

She is beginning to set up meetings with cities within the LMRWD to talk about issues of mutual concern and possible partnerships to build water quality improvement projects.

Administrator Loomis said she has been asked by the Campaign Finance and Disclosure Board to inform Managers about a new requirement to annually report the Manager's statement of economic interest by January 25, regardless of any changes the Managers may have.

President Shirk asked about the website. Administrator Loomis said she is working on putting out an RFP. She has spoken to other watershed districts about where they advertised. Manager Raby suggested talking to the other districts about who they use.

B. **President** - No report

C. **Commissioners** - No report

D. **Committees** - No report

E. **Legal Counsel** - No report

F. **Engineer** – No report

9. ADJOURN

It was moved and seconded to adjourn 8:20 PM. Motion carried unanimously.

Len Kremer, Secretary

Attest:

Linda Loomis, Administrator

DRAFT