



Please note the meeting will be held in person at the Carver County Government Center on the Wednesday, February 21, 2024. The meeting will also be available virtually using this [link](#).

# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Lower Minnesota River Watershed District

7:00 PM

Wednesday, February 21, 2024

Carver County Government Center

602 East Fourth Street, Chaska, MN 55318

Agenda Item	Discussion
1. Call to order	A. Roll Call
2. 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>
3. Approval of Agenda	A. Additions, Corrections, and Deletions to Agenda
4. Public Hearings & Presentations	A. Request from Coalition for a Clean Minnesota River B. Presentation of Fen Stewardship Plans
5. Consent Agenda	<p><i>All items listed under the consent agenda are routine by the Board of Managers and will be enacted by one motion and an affirmative vote of a majority of the members present. There will be no separate discussion of these items unless a Board Member or citizen request, in which event, the items will be removed from the consent agenda and considered as a separate item in its normal sequence on the agenda.</i></p> <p>A. Approve Minutes December 20, 2023 and January 17, 2024 Regular Meeting</p> <p>B. Receive and file January 2024 Financial report</p> <p>C. Approval of Invoices for payment</p> <ul style="list-style-type: none"> <li>i. Clifton Larson Allen (CLA) – Financial services through January 2024</li> <li>ii. TimeSavers Off Site Secretarial – Preparation of December 2023 meeting minutes</li> <li>iii. Rinke Noonan, Attorneys at Law – November 2023 Legal Services</li> <li>iv. Daniel Hron – March 2024 office rent</li> <li>v. US Bank Equipment Finance – December 2023 copier lease payment</li> <li>vi. Young Environmental Consulting Group, LLC – January 2024 technical, and Education &amp; Outreach services</li> <li>vii. Naiad Consulting, LLC – January 2024 administrative services, mileage &amp; expenses</li> <li>viii. Scott County Soil &amp; Water Conservation District - Q4 2023 monitoring, technical assistance &amp; education</li> <li>ix. 106 Group – January 2024 services related to Area #3</li> <li>x. 106 Group – January 2024 services related to Vernon Avenue</li> </ul>

	<ul style="list-style-type: none"> <li>xi. Bolton &amp; Menk – Engineering Services through Jan 17, 2024, related to Vernon Avenue</li> <li>xii. WSB – Area #3 land acquisition services</li> <li>xiii. Frenette Legislative Advisors – January &amp; February 2024 legislative services</li> <li>xiv. Redpath &amp; Company – partial payment on FY 2022 Financial Audit</li> <li>xv. State Department of Administration – publish advertisement for biennial solicitation for legal, engineering and professional services</li> <li>xvi. SafeGuard – Endorsement stamp &amp; deposit tickets</li> <li>xvii. 4M Fund – December 2023 Bank service charges</li> </ul> <p>D. Report from the Citizen Advisory Committee</p> <p>E. Letter of support from the LMRWD for Carver Levee Improvement Project</p> <p>F. Letter of Support for the Minnesota River Crossing and Flood Resiliency Study in the Southwestern Minneapolis-St. Paul Metropolitan Area</p> <p>G. Authorize reimbursement for Educator High School for Chaska High School</p> <p>H. Approve Joint Powers Agreement Between the Dakota County SWCD and the Lower Minnesota River Watershed District for 2024 Technical Assistance Services and authorize execution</p>
6. Permits & Reports on Standing Business Items	<ul style="list-style-type: none"> <li>A. LMRWD Permit Renewals</li> <li>B. RSI Marine Storage (LMRWD No. 2022-031)</li> <li>C. Tramore Heights Addition – Rule F Amendment (LMRWD No. 2023-020)</li> <li>D. CenterPoint Pipeline Abandonment (LMRWD No. 2023-026)</li> <li>E. City of Chaska Municipal LGU Permit Review</li> <li>F. 535 Lakota Lane, Chanhassen – work without a permit</li> <li>G. LMRWD Permit Program Summary</li> <li>H. Dredge Management <ul style="list-style-type: none"> <li>i. Dredging at the mouth of the River</li> <li>ii. Private Dredge Material Placement</li> <li>iii. Vernon Avenue Rehabilitation and Culvert Replacement Project</li> </ul> </li> <li>I. LMRWD Watershed Management Plan – No new information to report</li> <li>J. Lower MN River East One Watershed One Plan <ul style="list-style-type: none"> <li>i. Review of Draft 1W1P</li> <li>ii. Review of draft Memorandum of Understanding</li> </ul> </li> </ul>
7. Action Items	<ul style="list-style-type: none"> <li>A. LMRWD Communication Policy</li> <li>B. 2024 Legislative Action</li> <li>C. Sponsorship of 2024 Salt Symposium</li> <li>D. Sponsorship of 2024 Metro Children’s Water Festival</li> <li>E. Study Area #3 <ul style="list-style-type: none"> <li>- <u>The Board of Managers may close the meeting pursuant to statutes section 13D.05, subd. 3.c.3, to discuss the purchase an easement or fee ownership interest of a portion of property located in Eden Prairie, Hennepin County PID #3511622230013</u></li> </ul> </li> </ul>
8. Old Business	<ul style="list-style-type: none"> <li>A. 2022 Financial Audit – No new information to report</li> <li>B. Education &amp; Outreach</li> <li>C. Biennial Solicitation of Letters of Interest for legal, technical &amp; professional services</li> </ul>
9. Board Discussion Items	<ul style="list-style-type: none"> <li>A. Evaluation of Administrative Services</li> <li>B. Letter to the Editor in response to AP article re: EPA Mississippi River report</li> <li>C. Proposed Partnering with the MN River Collaborative on the Water Storage Study</li> </ul>



	D. MPCA Lower Minnesota River Watershed Surface Water Monitoring Request Guidance E. Request from Hennepin County Commissioner Debbie Goettel F. Education and Outreach (E&O) Program Recommendations Summary Report
10. Communications	G. Administrator Report H. President I. Managers J. Committees K. Legal Counsel F. Engineer
11. Adjourn	Next meeting of the LMRWD Board of Managers is 7:00 pm Wednesday, March 20, 2024.

Upcoming meetings/Events

*Managers are invited to attend any of these meetings. Most are free of charge and if not the LMRWD will reimburse registration fees.*

- Lower MN River East 1W1P Advisory Committee meeting – No February meeting
- Lower MN River East 1W1P Steering Committee meeting – Wednesday, February 21, 2024, 1:30 pm to 3:30 pm – virtual only
- Lower MN River East 1W1P Policy Committee – No February meeting.
- LMRWD Citizen Advisory Committee meeting – Tuesday, March 5, 2023, 4:30pm, virtual
- UMWA (Upper Mississippi Waterway Association) monthly meeting – Thursday, March 21, 2024, virtual only via Zoom

For Information Only

- **WCA Notices**
  - Dakota County - TEP input for no-loss for construction access to build the Minnesota Greenway Trail – Fort Snelling Segment
- **DNR Public Waters Work permits**
  - Carver County, City of Chaska - Request for comments – Sediment Removal, Erosion/Flood Prevention Chaska Creek
- **DNR Water Appropriation permits**
  - Carver County - Termination of permit to draw water from Chaska Lake
  - Scott County – Termination of permit to draw water from Fisher Lake



# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, February 21, 2024

### Agenda Item

#### Item 4. A. – Request from Coalition for a Clean Minnesota River

#### Prepared By

Linda Loomis, Administrator

#### Summary

Mr. Scott Sparlin from the Coalition for a Clean Minnesota River (Coalition) would like to address the Board of Managers to request that the Board consider supporting the Coalition as it lobbies for financial support from the federal government for water storage.

The request is to support the Coalition by providing financial support of \$10,000 over the next two years (\$5,000 per year).

The LMRWD has supported the Coalition twice in the past by offering to provide funds as a match to other funds the Coalition raises. There are funds available in the 2024 budget. The 2024 budget included \$10,000 to finance the County Fair project with the Friends of the Minnesota Valley (FMV). FMV withdrew its request so the \$5,000 of the \$10,000 could be redirected and the LMRWD could once again require the Coalition to raise matching funds.

Beginning in 2019, the LMRWD funded efforts of the Coalition at the MN Legislature to address water storage in the Minnesota River basin. The Coalition asked for \$10,000 over 2019 and 2020. The LMRWD Board granted the request, but asked that the Coalition raise matching funds. This effort was successful: the Coalition raised the matching funds and funding for water storage was approved by the Legislature.

In September of 2021, the Coalition asked the LMRWD to fund efforts to lobby the Federal Government to fund water storage. The LMRWD Board approved matching funds of \$10,000 over two years again. No federal funding was received, however the State of Minnesota increased the amount of funding for water storage initiatives.

Mr. Sparlin plans to attend the February Board of Managers meeting to make the request in person and to answer any questions the Board may have.

#### Attachments

Current request letter from Coalition for a Clean Minnesota River dated 2-3-24

Documents detailing approvals of projects with Coalition for a Clean Minnesota River and reimbursements

#### Recommended Action

Motion to authorize contribution of \$10,000 (\$5,000/year) for 2024 and 2025 to the Coalition for a Clean Minnesota River to fund efforts to secure funding for water storage projects in the Minnesota River Basin

2-3-24

Lower Minnesota River Watershed District  
Linda Loomis, Administrator  
112 5<sup>th</sup> St. East, Suite 102  
Chaska, MN 55318

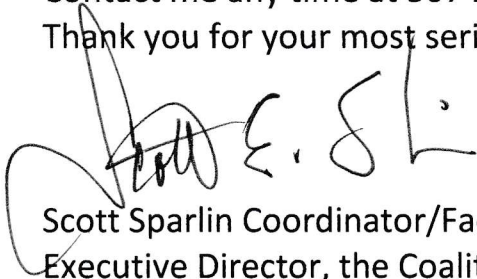
Building on our collective success in securing a \$17,000,000 appropriation for our new Water Storage Program for the Minnesota River Basin this past legislative session, The Minnesota River Congress has begun moving into the federal phase of our Water Storage Initiative. Our goal is to help secure additional funding for the program by engaging our Minnesota Senators and Representatives to help advance requests for federal funding . We will also seek additional private foundation funding targeted to the program's advancement. This action will provide the state program with the adequate resources it will need to be implemented basin-wide and to the scale it needs to have significant impacts on the river system.

We are asking for \$10,000 over the next 2 years to cover a portion of our initiative's costs related to accomplish this goal. As in the past we are seeking funding from all our partners to the degree they can give. The dollars you have donated in the past have made it easier to raise funds overall and with everyone chipping in something it makes us all good partners.

We appreciate your past support of our collective efforts and are asking for your support to continue this important work. We need funds to see this to its fruition. We highly value our partnership and will work diligently to make this a reality. We are also continuing to grow our already significant support for this critically needed program and with you on board we are much stronger.

Contact me any time at 507 276 2280 or [sesparlin@gmail.com](mailto:sesparlin@gmail.com)

Thank you for your most serious consideration

A handwritten signature in black ink, appearing to read "Scott Sparlin". The signature is written in a cursive style with a large initial "S".

Scott Sparlin Coordinator/Facilitator, Minnesota River Congress  
Executive Director, the Coalition for a Clean Minnesota River



## Original Request from Coalition for a Clean Minnesota River

# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday April 17, 2019

### Agenda Item

#### Item 5. G. - Request from Minnesota River Congress

#### Prepared By

Linda Loomis, Administrator

#### Summary

Mr. Scott Sparlin reached out to the LMRWD on behalf of the Minnesota River Congress. He and others from the Congress have been working to get water management agencies to agree to manage flow of stormwater. Specifically, the Minnesota Association of Soil & Water Conservation Districts has been featuring water storage at each of its regional meetings and Area 6 (which includes 11 counties) is considering a resolution that would make water retention and storage a priority for all SWCD's in the region. The resolution would:

- Endorses the initiative of the Minnesota River Congress as it pertains to increasing more water storage on the landscape.
- Promotes water storage projects within districts.
- Advocates, along with the Minnesota River Congress, to secure funding targeted specifically for water storage in the Minnesota River Watershed.

Area 5 is doing looking at similar actions. In many counties, SWCD's are also the drainage authorities. There is a lot of interest in water retention and storage as evidenced by the attendance at the Water Storage Forum in Mankato on April 4th. There were probably 200 people in attendance, many from drainage authorities.

Mr. Sparlin has asked the LMRWD to fund these efforts. He is looking for \$5000 (approximately \$400/month) for each of the next two years. The money would be used to fund his time coordinating organizational activities and cover meeting expenses to amass support and bring experts on board to create the language.

He will be working to get legislation passed relating to water retention and storage, and funding for projects. His plan is to have a bill with bi-partisan support ready for the 2020-21 legislative session. He has found authors for legislation and will be working on the language, so that it is ready for introduction. The legislation will be aimed at getting funding for retention and storage projects.

The 2019 Budget has \$7,600 in Education & Outreach for a project with the Friends of the Minnesota Valley. The Friends project was to hold education meeting in each of the Counties in the Minnesota River Basin. This project fits with the goals and intentions of the project.

Item 5. G. - Minnesota River Congress Request

Executive Summary

April 17, 2019

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**Attachments**

Agenda from MASWCD Area VI Regional meeting

letter from Scott Sparlin on behalf of the MN River Congress

**Recommended Action**

Motion to authorize MN River Congress project



## Area VI MASWCD

### Serving the 11 SWCD's in South Central Minnesota

Renville, McLeod, Sibley, Nicollet, Le Sueur, Brown, Blue Earth, Watonwan, Waseca, Martin, and Faribault.

#### AREA VI Meeting

Monday, April 22, 2019

American Legion Post 132

13 South Minnesota Street

New Ulm, MN 56073

507-354-4016

**DRAFT**

#### OFFICERS

Director

**Mark Schnobrich**

24209 Unit Ave  
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Secretary/Treasurer

**Mark Koenig**

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320-833-2313  
*Renville SWCD*

*MASWCD's purpose is to provide for education, communication, cooperation, and coordination between and among its member districts and affiliated partners, in order that the quality of the natural resources and environment within our area will be maintained and improved to the greatest possible extent.*

- 9:00 am Registration**
- 9:30 Welcome – Charles Mathews, Vice Chair of the Mcleod SWCD**
- 9:32 Call to order, Pledge, Roll Call, Agenda, Minutes, - Mark Schnobrich,**
- 9:40 Treasurers Reports: Mark Koenig**
- 9:50 Area VI update on Conservation Scholarship – Mark Koenig**
- 10:05 Reports and MASWCD Update**  
BSWR –  
NRCS –  
MACDE –  
MASWCD –
- 10:20 Water Storage: Scales, Practices, Partnerships – Al Kean/ Chief Eng., BSWR**  
*Surface and subsurface water storage (detention and retention) involves various conservation practices at different scales from field to watershed. Local water planning, as well as state and federal technical and financial assistance programs, often involve SWCDs and landowners in partnerships with drainage authorities and other LGUs. An overview for consideration and discussion.*
- 11:00 Minnesota River Congress – Director Coalition for a Clean Mn River**  
*Minnesota River Congress is spearheading an effort to secure significant funding specifically for surface water storage in the Minnesota River Watershed. What do they feel we need to do to achieve more storage.*
- 11:15 Izaak Walton League – Don Arnosti/ Cons. Issues Program Director/ Executive Director**  
*Private Conservation groups are trying to achieve the same results in water storage. Can private / public / non-governmental units all work together. Don will give us an idea as to how they are working to promote more water storage on public and private lands.*
- 12:00 pm Lunch**
- 12:45 Panel Discussion - Scott Sparlin, Don Arnosti, Al Kean, Ryan Freitag/ Mcleod SWCD Director, Adam Griebe/ Farmer, Brownton, Minn.**  
*Let us discuss the meat and bones of how we might actually get our separate factions to work together to achieve more water storage on the land.*
- 1:45 pm Area VI Directors Report– Mark Schnobrich / Adjourn**

Lower Minnesota River Watershed  
Linda Loomis, Administrator  
112 5<sup>th</sup> St. East, Suite 102  
Chaska, MN 55318

Based on information compiled from numerous input meetings with key individuals and organizations from the entire region, The Minnesota River Congress has begun an important initiative. The MRC is now actively acquiring support from conservation program implementors and a broad coalition of organizations throughout the Minnesota River Basin. This is being done with the ultimate goal of creating a large pool of money to be used specifically to produce surface water storage on the landscape.

Meetings have begun and are in process with state legislators, SWCD's and Watershed Districts across the basin to discuss the potential for a bill to address this specific underfunded yet clearly identified and prioritized conservation initiative.

We appreciate your past support of our collective efforts and are asking for your support to continue our important work. We need funds to see this to its fruition. Would you be willing to be a partner by both endorsing the effort in letter form as well as contributing dollars to see it move forward?

Contact me any time at 507 276 2280 or [sesparlin@gmail.com](mailto:sesparlin@gmail.com)

Thank you for your most serious consideration

Scott Sparlin Coordinator/Facilitator, Minnesota River Congress  
Executive Director, the Coalition for a Clean Minnesota River



**Manager Raby made a motion to approve the cost share application in the amount of \$2,100. The motion was seconded by Manager Frey. The motion carried unanimously.**

**G. Request from Minnesota River Congress**

Administrator Loomis said there is an effort being made to increase the amount of water storage on the land. She noted the Mr. Scott Sparlin said the Regional divisions of the MN Association of Soil & Water Conservation Districts are planning to adopt resolutions prioritizing water storage on the landscape.

Administrator Loomis said there is \$7,600 in the budget for a project proposed by the Friends of the Minnesota River Valley could be redirected to this project.

Administrator Loomis noted there are no partners and said there will be discussion of this project at the upcoming Minnesota River Congress.

The board said they should table this until after the meeting of the River Congress. Manager Raby clarified this request is for about \$5,000 a year for 2 years.

**Manager Raby made a motion to postpone action on this item until the June meeting. The motion was seconded by President Hartmann. The motion carried unanimously.**

**6. OLD BUSINESS**

**A. MAWD Dues**

President Hartmann said MAWD does not have a plan yet, but that he understands why the dues are calculated the way they are. He said the way dues are calculated makes sense and it would be difficult to find a formula that would work better. Manager Raby said it's hard to understand how the dues have tripled.

Administrator Loomis said right now the big push is to get WMO's to join.

Ms. Young suggested the LMRWD put a plan together on what the LMRWD would like to see MAWD do. Manager Raby said he thought that would be a good way to proceed, but that if the LMRWD expects to be taken seriously that it should probably be a member of the organization.

Attorney Kolb endorsed what Manager Raby proposed. He said a number of other watershed districts have had similar discussions. He echoed the recommendation by Ms. Young and give information to the MAWD Board ahead of the MAWD Annual Meeting and then be very vocal at the Annual Meeting.

Manager Raby proposed that staff identify some things to help us and then set aside time for a workshop before the Annual Meeting to discuss and finalize a list of service that would benefit the District. He also committed to attend a Metro MAWD meeting.

President Hartmann noted he attended the Metro MAWD meeting this week.

**Manager Raby made a motion pay the MAWD dues this year and reevaluate again next year. The motion was seconded by President Hartmann. The motion carried unanimously.**

**B. Dredge Management**

**i. Review Process for funding of maintenance of Navigation Channel**

No information to report other than what was included in the Executive Summary.

**ii. Vernon Avenue Dredge Material Management site**

Administrator Loomis said there was a meeting with the City of Savage on Friday. Ms. Young said the 90% plans are just about complete. She said there will need to be a





# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting  
Wednesday June 19, 2019

### Agenda Item

#### Item 6. A. - Minnesota River Congress Request

#### Prepared By

Linda Loomis, Administrator

#### Summary

The Minnesota River Congress brought a request for funding to the Board at the April Board meeting. The Board tabled the request to the June meeting. The Minnesota River Congress held its semi-annual meeting May 16th in St. Peter. It was very well attended. Scott Sparlin's plan is to have legislators introduce legislation during the next legislative session that would include money to restore wetland in the upper Minnesota River Basin. He has two legislators that have agreed to author the legislation, however, they are both DFL legislators.

After attending the MN River Congress, I would recommend that the LMRWD not commit to funding at this time. The Board should wait until a work plan is put together and other partners are found. I would recommend that the Board authorize the Administrator to continue working with the MN River Congress. I would also add that upland water storage is not the answer to issues in the Minnesota River. There will need to be a variety of approaches to address the issues; upland storage, improve soil health and manage drain tile systems.

#### Attachments

No attachments

#### Recommended Action

No Action recommended

explained types of capstone projects that are typically done under this program. She then introduced Ms. Rathjen.

Ms. Rathjen gave the Board a brief back ground of herself. She explained that she lives in Savage and recently found that Eagle Creek is a creek with a self-supporting population of brown trout. Eagle Creek is basically in her back yard. She provided information about her proposal and work she has done with the DNR and the City of Savage to get permission and their cooperation to complete the project. She explained her plans to get volunteers to help with the project. She plans to use this project to educate neighbors, especially those that are encroaching on the DNR land with trampolines, sheds and compost piles.

Ms. Galles reported on the current conditions on the site. She said the request is for \$1,657 and most of that go towards seed, planting and equipment.

Manager Raby congratulated Ms. Rathjen for taking this project on and all the work she has done so far. He suggested that this should have maybe been classified as a public entity project but said it is a good project. Administrator Loomis suggested that this could fall under a private/public partnership.

**Manager Raby made a motion to approve the cost share request. The motion was seconded by Manager Frey. The motion carried unanimously.**

#### C. 2020 Preliminary budget

Administrator Loomis said she is looking to bring a proposed 2020 budget next month. She is looking for direction from the Board on a couple of questions. First, the legislature increased the amount of per diem that managers can receive when conducting business. The increase was from \$75 per day to \$125. Does the Board want to increase the amount of per diem paid?

Administrator Loomis asked if the Board wished to contribute any funds to pay for improvements to the Dredge site. The Board could impose a levy across the district or special assessment as a match toward the project. Manager Raby asked for a clarification of what the Administrator means by the word "match". She said that perhaps the word "match" was incorrect and that she wanted to know if the Board wanted to contribute local funds to the Dredge site project. The levy has been kept at \$725,000 and if the Board wished to contribute money to the Dredge project the levy should be increased.

Manager Raby said his opinion would be to not levy this next year and to continue to ask for money from the State. He said that the LMRWD should wait until 2021 to see how things go. The rest of the Board concurred.

Manager Raby asked what other watershed districts are doing with the per diem amount. He said they should be consistent. Administrator Loomis said she would find out. She said that she did hear that one watershed was planning to increase the per diem right away. She would recommend that if the Board wanted to increase the per diem that they wait to institute the increase until 2020, since the 2019 budget assumes the per diem is \$75.

## 6. OLD BUSINESS

### A. MN River Congress Request

Administrator Loomis said this item came before the Board in April and the Board tabled the item to the June meeting. She reminded the Board the reason they tabled the item to June was to allow for the MN River Congress meeting in May to see if more definite information about the project became available. She is recommending not moving forward until the board has more specific information. She asked the board to table this request until they get more information.



# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting  
Wednesday July 17, 2019

### **Agenda Item**

**Item 6. B. - MN River Congress Request**

### **Prepared By**

Linda Loomis, Administrator

### **Summary**

This is an item that has come before the Board at the April and June Board meetings. Mr. Scott Sparlin plans to be present to answer any questions the Board may have. I asked Mr. Sparlin to prepare a proposed work plan or scope of work for the project. The information he provided is attached. Funding is included in the 2020 budget for this project. If the Board chooses to provide funding for this project in 2019, there is funding in the 2019 budget intended for a project that Friends of the MN Valley proposed, that could be re-directed toward this project.

### **Attachments**

Water Storage Legislation Work Plan and Timeline  
Proposed Water Storage Legislation  
MN River Congress participating entities and organizations.

### **Recommended Action**

No action recommended

Minnesota River Congress/CCMR Water Storage Legislative Initiative  
Work Plan-Timeline 7-1-19 to 7-1-21

**July 1, 2019 to December 31, 2019**

Continue to solicit, collect, compile and adapt input to be used to develop the various components of the bill. This requires face to face meetings and communicating with the potential implementers of the legislation including SWCD's, Watershed Districts, BWSR, State Agencies and numerous others. This will also be an on-going communication task given the nature of bill creation and perpetual negotiations with legislators. I will also meet with bill authors to share the compiled input in order to create first version of the bill in this time frame. This also requires face to face consultations. The bill is projected to be introduced this upcoming session of the legislature as previously indicated to me and other members of the Minnesota River Congress by the authors in both the State House and Senate.

I will continue to work with Minnesota State University Mankato Water Resources Center staff to compile and create a packet of existing data and associated documentation from various compelling studies. This will be made to distribute to legislators and partners for use in proving the need for water storage and securing support for the legislation from all parties and the public.

Do comprehensive targeted outreach, meet, as well as communicate with key water related, conservation, natural resource and agricultural entities to secure all levels of backing such as partnerships, resolutions and letters of support. This task is a focus of this time frame but will continue to be a task for the entire time as well.

I have met and will be meeting in person with Governor's past federal staff. I am confident I will ultimately obtain a meeting with Governor through those contacts and my past relationship with the Governor during his time in the U.S. House of Representatives. I will attempt to persuade the Governor to champion the water storage legislation and the river system in general going forward. He has close ties to Mankato and served as the House of Representatives chair of the "Sportsman's Caucus"

In consultation with authors we will also explore the potential for working within existing legislation to modify content which will likely take the same route of activity and actions by myself and others as laid out here.

**Total \$3500 Includes on-going full 2-year period tasks from above**

## **December 1, 2019 to May 15, 2020**

Meet in person and continue distribution of created information packets to legislators from both political parties in both houses of the legislature to obtain sponsorship and sign on to the bill.

Continue meetings with SWCD's for advancement of basin resolutions in support of a water storage bill to be taken to the state level for confirmation vote.

Work with bill authors to introduce the bill and obtain first hearings in both house and senate and foster progress.

When hearings are scheduled, we will arrange for testimony from important key affected individuals and entities such as agricultural producers, farming organization representatives, The Lower Minnesota River Watershed District, conservation organizations, city, county and state entities that deal with infrastructure maintenance.

We will develop an infrastructure protection awareness document and identify and secure point communication persons able to articulate the potential for infrastructure damages if something is not done on a larger scale such as we propose.

We will work with key partners to develop regular press releases and other means of media communications to increase public awareness about the nature and status of the bill.

We will participate in and work with organizers of "Water Action Day" at the State Capitol to include it as a priority talking point with all state legislators and see that information about it is included in the packet handout for the day by participants.

We will solicit and request statements in support from the Governor. To accomplish this task, I will set up a meeting with staff, provide information and consultation as to what we want to convey to the greater public.

**Time frame total \$2000**

## **May 15, 2020 to December 31, 2020**

I will work with the bills authors and sponsors to obtain committee hearings and consult with them to make any critical changes to ensure progress.

I will continue to foster the progress of the bill and advocate for its enactment. I will also seek out additional member support. This task requires trips to St. Paul and face to face meetings with legislators.

I will meet in person with federal elected house and senate members to explore options for federal partner funding if the state were to sign a water storage bill. The bill will be under more serious consideration at this time and federal funding opportunities can become a critical incentive for the state to enact a water storage bill if significant dollars are accessible at the federal level. Given that circumstance we will work to communicate these opportunities to the public and work in consultation with federal legislators and staff to develop the communication strategy and plea for public support at the state level to access the federal funding.

I will explore the potential for private foundation funding by meeting face to face with officers to discuss the feasible possibilities if the state were to enact the water storage bill.

I will explore the potential for Legacy Amendment funding through the LSOHF and Clean Water Fund by meeting with officers and discussing face to face the feasible possibilities if the state were to enact the water storage bill.

I will explore and compile other forms of funding to partner with by meeting with organizations and businesses who may want to play a part in creating and or enhancing water storage.

### **Time frame total \$2500**

### **January 1, 2021 to July 1, 2021**

I and the authors of the bill will continue to shepherd and monitor the bill through the next critical final phases. This task involves trips to the capitol for hearings and meetings to strategize with various legislators, staff and other key partners and people. I will set up and help coordinate testimony people in consultation with legislative staff as needed.

Working with bill authors and sponsors we will secure committee hearings and get a vote on a final water storage bill passage.

I will work with federal partners to strategize on process for accessing federal dollars available after the legislation is passed and enacted.

I will provide a final report on the initiative **Time frame total \$2000**

Initial process and sequence for seeking support for a  
Water Storage bill and its components  
“The Next Big Thing”

The fact is that all the data shows clearly that we need to put more water storage on the landscape. This is a clear, understandable and in most cases a well-received way to accomplish the goal of replacing historical and currently drained lakes and wetlands. It is literally intuitive to most people and especially land owners.

A very desirable by-product of this entire process is the exposure in the various medias.

Area 6 SWCD Supervisors and staff which comprise of 11 county SWCD's in the middle part of the Minnesota River basin has been met with three times have passed the resolution in principle. Area 5 has also been met with and notified of the initiative and will be going through the same endorsement process. We are emphasizing that surface water storage has come to the forefront in all our related meetings and discussions with other groups. We are using “in the interest of not wanting to waste your time, are you comfortable with, and agree that this is a program you would look forward to implementing. And do you feel that it is a public natural resource priority?” We are scheduling meetings with all the other affected SWCD district areas and key individual ones also.

The Minnesota River Congress is spearheading an initiative to secure significant funding by requesting a bill in the state and national legislatures that would create a pool of money targeted **specifically for surface water storage** in the Minnesota River Watershed. We will refer to CREP #1 and successful process that took place with much public and organizational support. This would be a little different however because we would already have a bill in the state legislature to take to the federal level when we make the federal request.

We are describing what we envision that the program/initiative could look like and how it might work and will be asking for additional input on how best to make it work or improve on the way we have it laid out. (See initial description on next page) It should have an acreage or percentage goal which will most likely be linked to the amount of money the bill would have in it.

We are using the CSSR (Collaborative for Sediment Source Reduction) study recommendations and allude to all the other numerous past and present related data and recommendations which currently exists and will be compiled by me shortly. We will enlist Patrick Belmont, Karen Gran, Chris Lenhart, Peter Wilcock and numerous others with completed studies and supporting data to provide that data and documentation.

We have created a template resolution that can be edited to fit what ever entity would be offering its endorsement. We will also be creating other narrative to be plugged into current letters of endorsement.

We are meeting/contacting other organizations who already participate in the Minnesota River Congress, (list included) to get support letters or resolutions, or their group sign on to a single letter along with other groups. Groups initially targeted include but not limited to IWLA, LPLA, CURE, MEP, FMV, CCMR, LSP, SFA, DU, PF, any farm organization or commodity related etc.

We will seek to obtain letter endorsements from other area SWCD's, Watershed Districts, and all other water related entities able to do so.

**We have met in person with and secured legislative authors in the State House and Senate.**

We will solicit other House and Senate sign on support aggressively.

We have met with one of the Governor's former national staff people who is now a MNDNR staff person along with other former national staff who have agreed to expose the initiative to the Governor and ask him to champion it. We will also be seeking meetings with the Governor himself for strategies and support counsel.

We will meet with federal level Minnesota legislators possessing state support and seek federal support and matching dollars.

We will seek private foundation funding for water storage.

We will investigate the potential for Legacy Amendment support.

### **Water Storage Program/Initiative (first draft) very preliminary description**

A one-time purchase to willing land owners of a permanent easement on land that has been identified as historically water covered by a concurred upon date such as the 1895 land survey or later, as well as existing MNDNR maps including Lidar etc. Rates for payment should reflect land values of the surrounding area and cropping history. A maximum payment limit should be established. Referencing other similar bills for additional requirements and components can and should be done for detailed legal descriptions. Much of this can be done at the legislative level during the bill creation process. Inclusion of components and incentives suggested by SWCD's would be a critical part of the initial bill makeup. There could also be an option of revising current program legislation to fit the storage priority.

Some features could include:



\*Allowing use of the shallow lake/wetland and surrounding buffer to be leased for hunting by the land owner.

\*If open to the public for hunting etc. further additional payment for land could be offered.

\*Priority should be given to areas with ability to store larger volumes of water?

Area 2,4,5,6,7 SWCD's

**Counties in the Basin**

Blue Earth

Cottonwood

Faribault

Freeborn

Jackson

Martin

Watonwan

Chippewa

Douglas

Grant

Kandiyohi

Otter Tail

Pope

Stevens

Swift

Brown

Lyon

Murray

Redwood

Lac qui Parle

Lincoln

Yellow Medicine

Renville

LeSueur

Steele

Waseca

Carver

Dakota

Hennepin

McCloud

Nicollet

Pipestone

Traverse

Big Stone

Ramsay

Rice

Scott

Sibley

\*Stearns

Minnesota River Congress Participating entities/organizations to date:

Minnesota State Mankato Water Resources Center, Minnesota Agricultural Water Resources Center, Minnesota Soybean Growers Assn, Clean Up the River Environment, Coalition for a Clean Minnesota River, Minnesota Corn Growers Assn., Southern Minnesota Beet Sugar Cooperative, Joseph Brown Center, Friends of Pool #2, Lake Pepin Legacy Alliance, The Minnesota Earth Sabbath Team, Agricultural Drainage Management Coalition, Tatanka Bluffs Corridor, Minnesota Valley History Learning Center, The Mankato Paddling and Outings Club, LeSueur River Citizens Watershed Network, Minnesota Pollution Control Agency, Minnesota Department of Natural Resources, Minnesota Department of Agriculture, Minnesota Farmers Union, Lower Sioux Community, Friends of the Minnesota Valley, Rural Advantage, MN Board of Water and Soil Resources, The New Ulm Area Sport Fishermen, Redwood Cottonwood Rivers Control Area, Minnesota River Watershed Alliance, The Lower Minnesota River Watershed District, Mankato Paddling and Outings Club, Wild River Academy, University of Minnesota Extension Regional Sustainable Development Partnerships, Minnesota Association of Watershed Districts, Numerous county SWCD staff and supervisors, County Commissioners, State and Federal elected officials and staff, crop consultants, Row Crop Producers, Certified Organic farmers, Community Supported Agriculture producers, American Fisheries Society sub-unit MSUM, US Geologic Survey, Greater Minnesota Parks and Trails Commission, Minnesota Valley National Wildlife Refuge Center, Natural Resources Conservation Service, Minnesota River By-Way, Hawk Creek Watershed Project, Minnesota Center for Environmental Advocacy, Greater Blue Earth River Basin Alliance, Agri-News, Pioneer Public Television, KEYC Television, 5 basin newspapers, Barr Engineering, Friends of High Island

The board provided direction to staff.

## 6. OLD BUSINESS

### A. 2020 Proposed Budget

Administrator Loomis said she provided hard copies of the budget for the Board.

Manager Raby asked about Scott County. He noted they were surprised that the market value in Scott County was more than Hennepin County. Administrator Loomis said it has flip-flopped this year. She said a mistake was made in 2018 when the LMRWD certified the levy to Scott County. The levy for the entire district was certified to Scott County. Administrator Loomis talked about how this will be taken care of.

Administrator Loomis said the board agreed to keep the levy at \$725,000. She said she is concerned about the dredge project and making sure the LMRWD has enough money available to pay for the construction costs. She said paying for the dredge project will be tight. She said she would feel more comfortable putting additional money in the budget for the nine-foot channel.

Administrator Loomis explained the overhead costs of the district are allocated across the different funds by percentages. She recommended the percentage for the channel fund be changed to 15%. The additional percentage should be charged to the 509 plan. She said this is more reflective of the amount of time spent on the two responsibilities of the District.

Manager Raby asked for staff to clarify the funding of the dredge site project. The estimated cost provided by the engineers is about \$1.5M. Staff said they are trying to get a more accurate number and have reached out to LS Marine. Staff said they would have more information available in August. The Board said that by increasing the levy to \$800,000 that it should cover the project.

Bruce Loney asked about the Prior Lake Outlet Channel project shown in the LMRWD budget. Administrator Loomis said there is a proposal to do a project with the City of Shakopee to slow the flow of water down in a segment of the Prior Lake Outlet Channel, in order to reduce nutrients and sediment to Dean Lake. The LMRWD and the City received a grant under the Metro area Watershed Based Funding for this project and it will likely be constructed in 2020.

### B. MN River Congress Request

Scott Sparlin provided an overview of his proposal to achieve an increase in water storage in the MN River Basin. He said there has been action on this proposal already. He has spoken to Representatives Jeff Brand and Paul Torkelson and they support both this project. There is a sponsor in the State Senate. He is now seeking letters of support for this initiative to create more storage in the MN River Basin.

President Hartmann asked what feedback Mr. Sparlin has received from the farming community. Mr. Sparlin listed some of the organizations he has contacted and responses he has received. He said there will have to be a significant amount of payments get more storage and that payments will have to reflect the land values. The flexibility of the initiative will be the strongpoint. Mr. Sparlin explained the three tiers to this proposal for perpetual water storage. He pointed out that the program would be voluntary and he is hoping to be able to get federal funding once the State puts a program in place.

Manager Raby clarified the funding request and said it looks like the total is \$6,500.

Administrator Loomis said the work plans goes from this year to 2021. Mr. Sparlin said the total is \$10,000 and it is cumulative.

Manager Raby asked if other money has been raised. Mr. Sparlin said they have raised about \$3,000 for this effort and they will continue to seek additional funding.

Administrator Loomis asked if it would be easier for Mr. Sparlin to raise money if there were a match. The board discussed contributing funds as matching funds. Manager Raby said he would be comfortable matching up to \$5,000 each year. Manager Raby asked if this was in the LMRWD budget. Administrator Loomis said that funding was in the budget for a different project in the MN River Basin that could be redirected to this project. Mr. Sparlin said a match would help and he mentioned some of the groups that he is speaking to about supporting this initiative.

Mr. Sparlin asked for an endorsement letter saying the LMRWD board is in support of seeking funding from the state of MN to create a significant water storage program.

**Manager Raby made a motion to agree to match up to \$5,000 in 2019 and 2020 based upon a 1 to 1 match and write a letter of endorsement. The motion was seconded by President Hartmann. The motion carried unanimously.**

Manager Hartmann asked where the water comes from for irrigation. Mr. Sparlin said groundwater wells, but there are a few permits that do come from tributaries.

Manager Frey asked if Mr. Sparlin has spoken to Ducks Unlimited. Mr. Sparlin said that is in progress. Manager Frey said he thinks there would a lot of support for this proposal from the hunting community if the proposal will increase habitat.

Manager Raby asked that the LMRWD submit a resolution to MAWD.

#### **C. Remote meeting participation**

Administrator Loomis said this is for the Board's information. Manager Raby asked if there was schedule to complete. Administrator Loomis said there was not a schedule. She said she will ask for a timeframe.

#### **D. Dredge Management**

##### **i. Review Process for funding of maintenance of Navigation Channel**

Administrator Loomis said she received communication from MNDOT that attorneys for MNDOT do not believe the LMRWD qualifies for funding under the Port Development Assistance Program. She and Lisa Frenette are arranging a meeting with Patrick Phenow, Navigation Director for MNDOT.

##### **ii. Vernon Avenue Dredge Material Management site**

Administrator Loomis said the hearing for the amendment to the Conditional Use Permit (CUP) is tomorrow night. Manager Raby said it looks like the condition for removing material when there is a flood was not being removed from the permit. Ms. Della Young stated that the site is being designed so that there will be no rise in the flood elevation. The city has received a no rise certification from LMRWD engineers and the CUP will be worded so that removal of material from the site will not be necessary.

The condition that a three day notice be given to the City when material is being removed from the dredge site will be removed from the CUP.

##### **iii. Private Dredge Material Placement**

Private slips have not yet been dredged. Last year's material is in the process of being removed.

#### **E. Watershed Management Plan**

Statement for Match Funding to The Lower Minnesota River Watershed District  
From The Coalition for a Clean Minnesota River (CCMR)  
By Scott Sparlin Coordinator/Facilitator Minnesota River Congress/ Ex. Dir. CCMR

Hours specific to **Water Storage Initiative** for Minnesota River Congress @ \$40 hr.

July	20
August	30
September	35
October	35
November	40
December	20
<b>Total</b>	<b>180 hrs. @ \$40 = \$7200</b>

Invoice from Coalition for a Clean Minnesota River for first half of project

Mileage @ .52 per mile

St. Paul (2) 440, Mankato (3) 210, Henderson (2) 180, St. Peter (3) 180  
Nicollet 35, **Total 1045 miles \$543.40**

Room Rental, refreshments, security charges, **\$425**

**Total WSI expenses from July thru Dec. 2019 \$8168.40**

Money secured and designated for **Water Storage Initiative** to date

Nicollet Conservation Club	1250
New Ulm Area Sport Fishermen	850
Fundraiser American Legion	1115
CURE	200
MnAgWaterResourceCenter	200
Crystal Waters Project	200
Minnesota Wastewater Operators Assn.	200
Friends of Pool 2	300
Southern Minnesota Beet Sugar Coop.	100
Mankato Paddling and Outing Club	100
Doug Thomas	100
Darby and Geri Nelson	1000
<b>Total as of 11-25-19</b>	<b>\$5615</b>



# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Minutes of Regular Meeting

### Board of Managers

Wednesday, April 15, 2020

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

Approved May 20, 2020

#### 1. CALL TO ORDER AND ROLL CALL

On Wednesday, April 15, 2020, at 7:12 PM, President Hartmann 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 meeting was convened on-line due to a declaration of a peacetime emergency by Governor Walz. The following Managers were present: Manager Adam Frey, and President Jesse Hartmann. Manager Dave Raby joined the meeting at 7:15pm. In addition, the following were also on-line: Linda Loomis, Naiad Consulting, LLC, LMRWD Administrator; Della Schall Young, Young Environmental Consulting Group, LLC, Technical Consultant; John Kolb, Rinke Noonan, Attorneys at Law, Legal Counsel; Lisa Frenette, Frenette Legislative Advisors, lobbyist for the LMRWD; and Lindsey Albright, Dakota County Soil & Water Conservation District.

#### 2. APPROVAL OF THE AGENDA

Administrator Loomis said she had no additions or corrections to the Agenda.

**President Hartmann made a motion to approve the Agenda. The motion was seconded by Manager Frey. Upon a vote being taken the following voted in favor of: Frey, and Hartmann, the following voted against: none and the motion carried.**

#### 3. CITIZEN FORUM

Administrator Loomis said she had not received any communications from anyone that wished to address the Board.

#### 4. CONSENT AGENDA

President Hartmann introduced the item.

##### A. Approve Minutes of the February 19, 2020 Regular Meeting

##### B. Receive and file February 2020 Financial reports

##### C. Approval of Invoices for payment

- i. Coalition for A Clean Minnesota River - 2019 payment for water storage initiative
- ii. Daniel Hron - for March & April 2020 office rent
- iii. Metro Sales - payment on copier maintenance agreement
- iv. Frenette Legislative Advisors - for March 2020 lobbying services
- v. Rinke Noonan Attorneys at Law - February 2020 legal services
- vi. US Bank Equipment Finance - for May 2020 copier lease payment
- vii. Scott County - fee charged for verifying levy for 2019 audit
- viii. Young Environmental Consulting Group - for December 2019 technical services

Statement for Match Funding to The Lower Minnesota River Watershed District  
From The Coalition for a Clean Minnesota River (CCMR)  
By Scott Sparlin Coordinator/Facilitator Minnesota River Congress/ Ex. Dir. CCMR

Hours specific to **Water Storage Initiative** for Minnesota River Congress @ \$40 hr.

**2020**

January	35 hrs.
February	40 hrs.
March	46 hrs.
April	40 hrs.
May	30 hrs.
June	4 hrs.
July	0 hrs.
August	0 hrs.
September	0 hrs.
October	0 hrs.
November	10 hrs.
December	0 hrs.

**2021**

January	50 hrs.
February	45 hrs.
March	40 hrs.
April	20 hrs.

**Total Hrs. 360 = \$14,400**

**In person meetings**

Mileage @ .52 per mile

St. Paul (2) 440, Mankato (2) 140, Henderson (1) 90, St. Peter (3) 180

Nicollet 70,

**Total 920 miles = \$478,40**

**Total WSI expenses from January 2020 thru April 18, 2021 \$14,878.40**

Money secured and designated for **Water Storage Initiative** to date

Nicollet Conservation Club	\$1500
New Ulm Area Sport Fishermen	1000
Fundraiser American Legion	970
CCMR	1500
CURE	100
Mn Ag Water Resource Center	100
Crystal Waters Project	100
Minnesota Wastewater Operators Assn.	100
Friends of Pool 2	100
Southern Minnesota Beet Sugar Coop.	100
Mankato Paddling and Outing Club	100
Doug Thomas	100
Darby and Geri Nelson	500
<b>Total</b>	<b>\$6,270.00</b>



Minnesota River Congress/CCMR Water Storage Legislative Initiative  
Work Plan-Timeline 7-1-19 to 7-1-21

Final Report  
accomplishments are highlighted in yellow.

**July 1, 2019 to December 31, 2019**

Continue to solicit, collect, compile and adapt input to be used to develop the various components of the bill. This requires face to face meetings and communicating with the potential implementers of the legislation including SWCD's, Watershed Districts, BWSR, State Agencies and numerous others. This will also be an on-going communication task given the nature of bill creation and perpetual negotiations with legislators. I will also meet with bill authors to share the compiled input in order to create first version of the bill in this time frame. This also requires face to face consultations. The bill is projected to be introduced this upcoming session of the legislature as previously indicated to me and other members of the Minnesota River Congress by the authors in both the State House and Senate.

I will continue to work with Minnesota State University Mankato Water Resources Center staff to compile and create a packet of existing data and associated documentation from various compelling studies. This will be made to distribute to legislators and partners for use in proving the need for water storage and securing support for the legislation from all parties and the public.

Do comprehensive targeted outreach, meet, as well as communicate with key water related, conservation, natural resource and agricultural entities to secure all levels of backing such as partnerships, resolutions and letters of support. This task is a focus of this time frame but will continue to be a task for the entire time as well.

I have met and will be meeting in person with Governor's past federal staff. I am confident I will ultimately obtain a meeting with Governor through those contacts and my past relationship with the Governor during his time in the U.S. House of Representatives. I will attempt to persuade the Governor to champion the water storage legislation and the river system in general going forward. He has close ties to Mankato and served as the House of Representatives chair of the "Sportsman's Caucus"

In consultation with authors we will also explore the potential for working within existing legislation to modify content which will likely take the same route of activity and actions by myself and others as laid out here.

**Total \$3500 Includes on-going full 2-year period tasks from above**



## **December 1, 2019 to May 15, 2020**

Meet in person and continue distribution of created information packets to legislators from both political parties in both houses of the legislature to obtain sponsorship and sign on to the bill.

Continue meetings with SWCD's for advancement of basin resolutions in support of a water storage bill to be taken to the state level for confirmation vote.

Work with bill authors to introduce the bill and obtain first hearings in both house and senate and foster progress.

When hearings are scheduled, we will arrange for testimony from important key affected individuals and entities such as agricultural producers, farming organization representatives, The Lower Minnesota River Watershed District, conservation organizations, city, county and state entities that deal with infrastructure maintenance.

We will develop an infrastructure protection awareness document and identify and secure point communication persons able to articulate the potential for infrastructure damages if something is not done on a larger scale such as we propose.

We will work with key partners to develop regular press releases and other means of media communications to increase public awareness about the nature and status of the bill.

We will participate in and work with organizers of "Water Action Day" at the State Capitol to include it as a priority talking point with all state legislators and see that information about it is included in the packet handout for the day by participants.

We will solicit and request statements in support from the Governor. To accomplish this task, I will set up a meeting with staff, provide information and consultation as to what we want to convey to the greater public.

**Time frame total \$2000**

## **May 15, 2020 to December 31, 2020**

I will work with the bills authors and sponsors to obtain committee hearings and consult with them to make any critical changes to ensure progress.

I will continue to foster the progress of the bill and advocate for its enactment. I will also seek out additional member support. This task requires trips to St. Paul and face to face meetings with legislators.

I will meet in person with federal elected house and senate members to explore options for federal partner funding if the state were to sign a water storage bill. The bill will be under more serious consideration at this time and federal funding opportunities can become a critical incentive for the state to enact a water storage bill if significant dollars are accessible at the federal level. Given that circumstance we will work to communicate these opportunities to the public and work in consultation with federal legislators and staff to develop the communication strategy and plea for public support at the state level to access the federal funding.

I will explore the potential for private foundation funding by meeting face to face with officers to discuss the feasible possibilities if the state were to enact the water storage bill.

I will explore the potential for Legacy Amendment funding through the LSOHF and Clean Water Fund by meeting with officers and discussing face to face the feasible possibilities if the state were to enact the water storage bill.

I will explore and compile other forms of funding to partner with by meeting with organizations and businesses who may want to play a part in creating and or enhancing water storage.

**Time frame total \$2500**

## **January 1, 2021 to July 1, 2021**

I and the authors of the bill will continue to shepherd and monitor the bill through the next critical final phases. This task involves trips to the capitol for hearings and meetings to strategize with various legislators, staff and other key partners and people. I will set up and help coordinate testimony people in consultation with legislative staff as needed.

Working with bill authors and sponsors we will secure committee hearings and get a vote on a final water storage bill passage.

I will work with federal partners to strategize on process for accessing federal dollars available after the legislation is passed and enacted.

I will provide a final report on the initiative **Time frame total \$2000**

Administrator Loomis thinks it may be good for Mr. Sparlin to come and talk to the Board again to clarify. The Board discussed the item and decided to table until the following month.

Manager Salvato asked about the Aaron Sullivan payment.

Administrator Loomis did two site visits, one before and one after, she looked at the plants and there were a lot of plants, downspouts are directed from the property, and the plans were followed through.

- A. Approve Minutes April 21, 2021 Regular Meeting and May5, 2021 Meeting**
- B. Receive and file April 2021 Financial reports**
- C. Approval of Invoices for payment**
  - i. **DRB Consulting - Payment on data management project**
  - ii. **Frenette Legislative Advisors - Feb/Mar 2021 legislative services**
  - iii. **Daniel Hron - April 2021 office rent**
  - iv. **Rinke Noonan Attorneys at Law - February 2021 legal services**
  - v. **US Bank Equipment Finance - April copier lease payment**
  - vi. **Riley Purgatory Bluff Creek Watershed District - Payment of LMRWD contribution to Lower Riley Creek stabilization**
  - vii. **Aaron Sullivan - Payment for 2021 cost share project**
  - viii. **Frenette Legislative Advisors - April legislative services**
  - ix. **US Bank Equipment Finance - May copier lease payment**
  - x. **Naiad Consulting, LLC - Jan/Feb 2021 administrator services and expenses**
  - xi. **TimeSaver Off Site Secretarial, Inc. - preparation of February and March 2021 meeting minutes**
  - xii. **Young Environmental Consulting Group - February 2021 technical and Education & Outreach services**
- D. Authorize 2nd half payment to Coalition for a Clean Minnesota River for Water Storage Initiative**

Manager Salvato made a motion to approve the Consent Agenda and to table item 4D until June. The motion was seconded by President Hartmann. Upon a vote being taken the following voted in favor of the motion: Hartmann, Mraz, and Salvato; the following voted against: None.

## 5. NEW BUSINESS

### A. Report on 2020 monitoring in Dakota County

Lindsey Albright from the Dakota County Soil and Water Conservation District presented the findings of the 2020 monitoring. She walked the Board through each of the fens and updated them on the wells and water levels. General conclusions are continued monitoring to increase the data record; a number of the wells had significant trends before the re-measurement in 2016 so many of the wells in the Nichols Fen are right on the edge and another year or two of data would get those significant trends. Quarry Island had no clear trends; Fort Snelling showed stable water levels. Management decisions for the Board include a consideration of data sharing and having access to the Met Council's database as that would help with some of the wells. The Board may also look at whether data from all the wells is necessary or if they are getting enough conclusive information from a smaller set, or if more wells are necessary. Ms. Albright noted they may want to look at discrete monitoring (which is what she does) versus continuous monitoring at these wells.

President Hartmann asked how far apart wells 1LN and 1LS are.

Ms. Albright replied they are right next to each other, within 2 feet.

- ~~A. Approve Minutes July 21, 2021 Regular Meeting~~
- B. Receive and file July 2021 Financial reports
- C. **Approval of Invoices for payment**
  - 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
- 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  
Authorize amendment to Intergovernmental Agreement Between the Metropolitan Council and the Lower Minnesota River Watershed District for water quality monitoring in Ike's Creek

**President Hartmann made a motion to approve the Consent Agenda with the July 2021 meeting minutes removed. The motion was seconded by Manager Mraz. Upon a vote being taken the motion carried unanimously.**

## 5. PUBLIC HEARING

### A. Proposed 2022 Budget and Preliminary Certification of Tax Levy Payable 2022

Administrator Loomis made no changes to the budget that was presented to the Board at the July meeting. The recommended levy for taxes payable 2022 is the same as the previous year at \$725,000. The levy is apportioned as follows: Carver County \$41,762; Dakota County \$72,153; Hennepin County \$306,964; Scott County \$304,120. The total proposed expenses for the 2022 budget are \$1,035,000 and is below the expenses in the 2021 budget. Public notice of the public hearing was published in the Star Tribune on Thursday, August 12, 2021 and Sunday, August 15, 2021.

President Hartmann opened the public hearing.

Administrator Loomis walked the Board through line items in the budget.

Seeing and hearing no one wishing to testify, President Hartmann closed the public hearing.

Manager Raby requested clarification about the posting of the hearing notice. Attorney Kolb clarified that the notices met the requirements of statute.

**Manager Raby made a motion to approve the Resolutions 21-08, 21-09, 21-10 and 20-11. The motion was seconded by Manager Mraz. Upon a vote being taken the motion carried unanimously.**

## 6. NEW BUSINESS

### A. I-35W Frontage Trail Cost Share – Burnsville



# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting  
Wednesday, September 15, 2021

### **Agenda Item**

#### **Item 5. B. – Request from Coalition for a Clean Minnesota River**

### **Prepared By**

Linda Loomis, Administrator

### **Summary**

In 2019, Mr. Scott Sparlin, Executive Director for the Coalition for a Clean Minnesota River, requested the LMRWD provide financial assistance to an initiative to seek legislative funding for water storage projects within the Minnesota River watershed. The LMRWD agreed to fund the project over the course of two years (\$5,000 per year). The District provide funds as a match to other funds raised for the project.

In 2021, the Minnesota Legislature included funding for water storage projects and now Mr. Sparlin is planning to request federal funds for projects. He is requesting that the LMRWD consider funding this work. A request from Mr. Sparlin is attached along with a timeline and budget for the project. The 2022 budget has funds that could be used for this project. Funds could come from either the Education line or from the Watershed Resource Restoration Fund.

### **Attachments**

LMRWD Funding Request dated 9/21/2021

Draft Workplan Timeline for the LMRWD dated 9/21/2021

### **Recommended Action**

Motion to approve funding request as a match to other funds raised

**B. Request from Coalition for a Clean Minnesota River**

Administrator Loomis reminded the Board that Scott Sparlin requested \$10,000 over the course of two years to help get legislation passed at the State level for funding of water storage projects in the Upper Minnesota River Basin. Mr. Sparlin was successful this legislative session, but the legislature diluted it as it is not just specific to the Minnesota River and the amount of funding allocated was not what had been hoped for. Now Mr. Sparlin would like to ask the federal government for assistance with the same task because much of the sediment and nutrients from the erosion in the Minnesota River are contributing to the anoxic zone in the Gulf of Mexico.

Manager Raby would like to know what the overall effort over the next two years will be and the funding effort for that.

Mr. Sparlin clarified they got the program established, it is for the Minnesota River basin and the Upper Mississippi River. The legislature did not include the kinds of funds needed to bring this to scale which is what they will be working on over the next couple of years. The money he is asking the LMRWD for is to continue down the path of seeking a federal partnership. The overall budget is dependent upon the work that other organizations are doing so he cannot give a good answer to the question at this time. They are looking at a \$30,000 per year (total of \$60,000) overall budget and will seek a match for the funds.

**President Hartmann made a motion to approve the fund request as a match per the previous time. The motion was seconded by Manager Mraz. Upon a vote being taken the motion carried unanimously.**

**C. Appletree Condominium Cost Share Application**

Administrator Loomis stated this is a condominium building in Bloomington; they are in a steep slope overlay zone and have been having issues with erosion behind the building. They have done quite a bit of work to put in drain tile and drain water away from the building to the City storm water system and are looking at landscaping to further ameliorate the erosion issues. They sent in an application for a cost-share project and Young Environmental reviewed the application and made some recommendations.

Ms. Schall-Young noted it is a good application and they are recommending approval. The Board should keep in mind that the project will need a permit so perhaps a portion of the money should go towards that permit application to ensure that they come back and do due diligence.

Administrator Loomis noted \$7,500 is the maximum amount for a condominium-type of request.

**Manager Raby made a motion to approve the cost-share application subject to the applicant applying for and obtaining a permit from the LMRWD. The motion was seconded by Manager Mraz. Upon a vote being taken the motion carried unanimously.**

**D. Modification to LMRWD Board of Managers meeting schedule**

Administrator Loomis noted in April, Staff asked that the Board consider adding a second meeting every month to the schedule to make it a regular meeting and eliminate emergency meeting notices, and now that Ms. Schall-Young's team has a better handle on applications they no longer feel they need the second meeting. They are asking to modify that meeting schedule and eliminate the first Wednesday meeting.



## Authorization of payment of first half for second project

# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, August 17, 2022

### Agenda Item

#### Item 4. F. – Authorize Payment to Coalition for a Clean Minnesota River Water Storage Initiative

#### Prepared By

Linda Loomis, Administrator

#### Summary

In 2019 and 2020, the LMRWD supported efforts by the Coalition for a Clean Minnesota River to lobby the Minnesota Legislature to support efforts to manage the flow of stormwater in the Minnesota River by establishing a program aimed at storing more water on the landscape. The LMRWD supported this effort financially by providing up to \$5,000 in matching funds each year for two years.

At the September 15, 2021 Board of Managers meeting, the Board of Managers approved a request to provide a matching grant again for \$5,000 over two years. The focus this time will be to seek a federal program with funding to establish water storage initiative. Mr. Sparlin is requesting distribution of the first half of the grant. He has provided information regarding expenses and matching funds received. He has also provided testimony given before the MN Senate Environment and Natural Resources Finance Committee in March 2022.

A report from the 14<sup>th</sup> Minnesota River Congress held June 15, 2022 is attached for the Board's information.

#### Attachments

Excerpt from September 2021 LMRWD Board of Manager meeting approving grant

Statement for Match Funding to The Lower Minnesota River Watershed District From The Coalition for a Clean Minnesota River (CCMR)

Testimony to State Senate 3-8-2022

14<sup>th</sup> Minnesota River Congress Summary

#### Recommended Action

Motion to accept report from Mr. Scott Sparlin and authorize distribution of grant funds in the amount of \$5,000.

Invoice for first half payment for second project

Statement for Match Funding to The Lower Minnesota River Watershed District  
From The Coalition for a Clean Minnesota River (CCMR)

By Scott Sparlin Coordinator/Facilitator Minnesota River Congress/ Ex. Dir. CCMR

Hours specific to **Water Storage Initiative** for Minnesota River Congress @ \$45 hr.

**2021**

October	38 hrs.	<b>2022</b> January	50 hrs.
November	40 hrs.	February	45 hrs.
December	32 hrs.	March	30 hrs.
		April	48 hrs.
		May	16 hrs.
		June	24 hrs.

**Total Hours 323 = \$14,535**

**In person meetings**

Mileage @ \$.54 (Mankato 4) 280, (St. Paul 2) 440, (Nicollet 2) 140, (Henderson 2) 180

**Total Mileage 1040 miles = \$562**

Ballroom Rental \$1200

Coffee, soft drinks, brownies, cookies, \$200

**Total event cost \$1400**

**Total WSI expenses from 10-1-21 to 7-1-22 \$16,497**

Money secured and designated for **Water Storage Initiative** to date

Nicollet Conservation Club	\$6000
Izaak Walton League MN	\$750
Darby and Geri Nelson	\$500
New Ulm Area Sport Fishermen	\$750
Friends of Pool 2	\$100
Lake Pepin Legacy Alliance	\$100
Crystal Waters Project	\$100
CCMR	\$1500
Rahr Malting Co.	\$1000
Jim Sheman	\$1000
Lac qui Parle Lake Assn.	\$100
Pioneer Public TV	\$250
Earth day fund raiser	\$160
Individual donor appeal total	\$1055

**Total Matching dollars raised \$13,365**



### 3. CITIZEN FORUM

Administrator Loomis reported that she had not received communication from anyone that wished to address the Board. Michael Miller representing the Burnsville Sanitary Landfill and Waste Management was present and addressed the Board. He reported on plans to expand the landfill.

### 4. CONSENT AGENDA

President Hartmann introduced the item.

#### A. Approve Minutes July 20, 2022, Regular Meeting

#### B. Receive and file July 2022 Financial reports

#### C. Approval of Invoices for payment

- i. CLA (Clifton Larson Allen, LLP) – July 2022 financial services
- ii. Scott County SWCD – Q2 2022 monitoring, technical assistance & education services
- iii. Dakota County SWCD - Q2 2022 monitoring, technical assistance & education services
- iv. Rinke Noonan – July 2022 legal services
- v. US Bank Equipment Finance – August payment on copier lease
- vi. Young Environmental Consulting Group, LLC – June 2022 technical, and Education & Outreach Services
- vii. TimeSaver Off Site Secretarial – preparation of July 2022 meeting minutes
- viii. Naiad Consulting, LLC – July 2022 administrative services & expenses

#### D. Receive and file June 2022 Citizen Advisory Committee meeting minutes

#### E. Accept report from 2021 Cost Share application – Sarazine, 11451 Landing Road, Eden Prairie and authorize reimbursement

#### F. Authorize payment to Coalition for a Clean Minnesota River Water Storage Initiative

#### G. Grant Agreement Terms & Conditions for Monitoring Ike's Creek between Minnesota Valley Refuge Friends and the LMRWD

#### H. Cost Share Application for 11533 Palmer Circle, Bloomington

#### I. Cost Share Application for 1033 Sunny Ridge Drive, Carver

#### J. 2022-2023 Liability Insurance Quote

Manager Amundson made a motion to approve the Consent Agenda with the addition of Item 4. C. vii -invoice from TimeSaver Off Site Secretarial. Item 4. C. viii – invoice from Naiad Consulting LLC, and Item 4. J. -2022-2023 Liability Insurance Quote. President Hartmann seconded the motion. Upon a vote being taken the motion carried unanimously.

### 5. PUBLIC HEARING

#### A. Presentation of 2023 Proposed Budget and Preliminary Certification of Tax Levies Payable 2023

Administrator Loomis explained the proposed levies to the Counties and provided a brief overview of the proposed expenses from the proposed 2023 Budget.

President Hartmann opened the public hearing at 7:24 pm.

No one was present who wished to address the Board.

President Hartmann closed the public hearing at 7:25 pm.



LMRWD Agenda Item 4.H. - Authorizing  
reimbursement to Coalition for a Clean Minnesota  
River for second half of 2021/2022 project

# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers

Meeting Wednesday, July 19, 2023

### Agenda Item

**Item 4. H. – Authorize Payment to Coalition for a Clean Minnesota River Water Storage Initiative**

### Prepared By

Linda Loomis, Administrator

### Summary

In 2019 and 2020, the LMRWD supported efforts by the Coalition for a Clean Minnesota River to lobby the Minnesota Legislature to support efforts to manage the flow of stormwater in the Minnesota River by establishing a program aimed at storing more water on the landscape. The LMRWD supported this effort financially by providing up to \$5,000 in matching funds each year for two years.

At the September 15, 2021, Board of Managers meeting, the Board of Managers approved a request to provide a matching grant again for \$5,000 over two years 2022 and 2023. This initiative was successful in obtaining \$17 million from the State of Minnesota to continue to support efforts to keep more water on the landscape and reduce runoff from agricultural landscapes.

### Attachments

Original proposal request from Coalition for a Clean Minnesota River

Excerpt from September 2021 LMRWD Board of Manager meeting minutes approving grant

Statement for Match Funding to The Lower Minnesota River Watershed District From The Coalition for a Clean Minnesota River (CCMR)

### Recommended Action

Motion to authorize distribution of grant funds in the amount of \$5,000.

Statement for Match Funding to The Lower Minnesota River Watershed District  
 From The Coalition for a Clean Minnesota River (CCMR)  
 By Scott Sparlin Coordinator/Facilitator Minnesota River Congress/ Ex. Dir. CCMR

Hours specific to **Water Storage Initiative** for Minnesota River Congress @ \$45 hr.

**2022**

July	20 hrs.	<b>2023</b> January	50 hrs.
August	30 hrs.	February	45 hrs.
Sept.	32 hrs.	March	30 hrs.
October	32 hrs.	April	48 hrs.
November	40 hrs.	May	18 hrs.
December	28 hrs.	June	14 hrs.

Invoice from Coalition for a Clean Minnesota River for second half of 2021/2022 project

**Total Hours 387 = \$17,415**

**In person meetings**

Mileage @ \$.54 (Mankato 7) 420, (St. Paul 4) 880, (Nicollet 1) 28, (Henderson 2) 360

**Total Mileage 1688 miles = \$912**

Ballroom Rental \$1200

Coffee, soft drinks, cookies, \$200

**Total event cost \$1400**

**Total WSI expenses from 7-1-22 to 6-30-23 \$19,727**

Money secured and designated for **Water Storage Initiative only** to date:

Nicollet Conservation Club	\$4,500
Izaak Walton League MN	325
Geri Nelson	500
New Ulm Area Sport Fishermen	1000
Friends of Pool 2	100
Crystal Waters Project	100
CCMR	1500
Rahr Malting Co.	1000
Lac qui Parle Lake Assn.	100
Jim Scheman	1000
Individual donor appeal total	\$2670

**Total Matching dollars raised \$12,795**

President Hartmann offered a friendly amendment to move Item 6. I. iii. ahead one position to then follow Item 6. I. i. - Shakopee Mdewakanton Sioux Community Organic Recycling Facility (LMRWD No. 2022-016), on the agenda. Manager Barisonzi and Salvato accepted the friendly amendment. Upon a vote being taken motion carried unanimously.

### 3. CITIZEN FORUM

Administrator Loomis said she had not received communication from anyone that wished to address the Board, and no one present at the meeting asked to address the Board.

### 4. CONSENT AGENDA

President Hartmann introduced the item.

#### ~~A. Approve Minutes June 21, 2023 Regular Meeting~~

#### B. Receive and file May 2023 and June 2023 Financial Reports

#### C. Approval of Invoices for payment

- i. Clifton Larson Allen (CLA) - Financial services through June 2023
- ii. Rinke Noonan, Attorneys at Law – June 2023 Legal Services
- iii. Daniel Hron – August 2023 office rent
- iv. Frenette Legislative Advisors – May, June & July 2023 legislative services
- v. US Bank Equipment Finance – July 2023 payment on copier lease
- vi. Young Environmental Consulting Group, LLC – June 2023 technical, and Education and Outreach services
- ~~vii. Naiaad Consulting, LLC – June 2023 administrative services, mileage, and expenses~~
- viii. Barr Engineering – June 2023 services related to Area #3 (wetland delineation & Threatened and Endangered Species Review)
- ix. 106 Group – June 2023 services related to Area #3
- x. 106 Group – June 2023 services related to Vernon Avenue
- xi. Inter-Fluve – June 2023 Area #3 Design Services
- xii. Dakota County Soil & Water Conservation District - Q2 2023 monitoring, cost share and education services
- xiii. I & S Group, Inc. – June 2023 services related to wetland delineation at Vernon Avenue
- xiv. 4M Fund – May Bank service charges

#### D. Report on Citizen Advisory Committee

#### E. LMRWD Permit Renewals

#### F. LMRWD Permit Program Summary

#### G. Authorize replacement of copier at Chaska Office and entering into a new lease agreement

#### H. Reimburse Coalition for a Clean MN River for second half of Water Storage Initiative

#### I. Reimburse Peggy Thomsen for Cost Share project at 11533 Palmer Circle

#### J. Accept Quote and authorize payment of premium for D & O Insurance

President Hartmann made a motion to approve the Consent Agenda as amended under the approval of the agenda. Manager Salvato seconded the motion. Upon a vote being taken motion carried unanimously.



# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, February 21, 2024

### **Agenda Item**

#### **Item 4. B. – Presentation og Fen Stewardship Plan**

### **Prepared By**

Linda Loomis, Administrator

### **Summary**

Young Environmental has been developing a LMRWD Stewardship Plan for the calcareous fens located within the boundaries of the LMRWD. The first steps in the development of the plan were to undertake a gap analysis to determine if additional data was needed to develop the Plan. Relevés were conducted. A relevé is a type of analysis where a number of small plots of vegetation are analyzed as a sample of a wider area. Well monitoring data was analyzed and considered.

The DNR was included in the development of the plan, although participation by the DNR was limited because of funding availability.

The Plan is now ready to present to the Board. The final report will be available for approval by the Board at the March Board of Managers meeting.

### **Attachments**

No attachments

### **Recommended Action**

No action is recommended. Feedback will be taken from the Board

Item 5.B.  
LMRWD 2-21-2024

<b>BEGINNING BALANCE</b>	<b>31-Dec-24</b>	<b>\$ 1,119,832.82</b>
<b>ADD:</b>		
<b>General Fund Revenue:</b>		
January 2024 Interest	\$ 4,672.43	
Permit review fee - ERM on behalf of CenterPoint Energy (LMRWD No, 2023-024)	\$ 750.00	
Metropolitan Council Environmental Services final WOMP Grant payment	\$ 1,000.00	
M & J Trucking - payment for sale of dredge material	\$ 109,778.00	
License Fee for 2023 Private Dredge Placement by Savage Riverport	\$ 3,037.00	
Hennepin County 2023 final tax settlement	\$ 6,311.06	
Scott Count 2023 final tax settlement	\$ 2,256.05	
Carver County 2023 final tax settlement	\$ 434.77	
Dakota County 2023 final tax settlement	\$ 1,559.33	
<b>Total Revenue and Transfers In</b>		<b>\$ 129,798.64</b>
<b>DEDUCT:</b>		
<b>Debits/Reductions</b>		
Redpath and Company	Preparation of FY 2021 Financial Audit	\$ 25,000.00
Bolton & Menk, Inc.	Engineering for Vernon Avenue through Nov_20_ 2023	\$ 3,993.50
Bolton & Menk, Inc.	Engineering for Vernon Avenue through Dec_15_ 2023	\$ 1,956.00
106 Group	October 2023 services related to Area #3	\$ 1,817.50
106 Group	October 2023 services related to Vernon Avenue	\$ 296.00
Clifton Larson Allen, LLP (CLA)	November 2023 financial services	\$ 2,540.56
Clifton Larson Allen, LLP (CLA)	December 2023 financial services	\$ 4,253.45
Daniel Hron	December 2023 Office Rent	\$ 650.00
Daniel Hron	January 2024 Office Rent	\$ 650.00
Frenette Legislative Advisors	November & December 2023 legislative services	\$ 3,333.34
I & S Group	Engineering services related to Spring Creek	\$ 2,306.40
Naiad Consulting	November 2023 administrative services & expenses	\$ 11,440.51
Naiad Consulting	December 2023 administrative services & expenses	\$ 11,745.19
Rinke Noonan, Attorneys at Law	November 2023 legal services	\$ 5,937.50
Rinke Noonan, Attorneys at Law	December 2023 legal services	\$ 1,697.00
TimeSaver Off Site Secretarial, Inc.	Preparation of Oct & Nov 2023 meeting minutes	\$ 431.25
US Bank Equipment Finance	January 2024 copier lease payment	\$ 254.48
US Bank Equipment Finance	December 2023 copier lease payment	\$ 206.75
WSB	Property acquisition services for Area #3	\$ 5,834.50
Young Environmental Consulting	December 2023 technical, & E & O services	\$ 35,598.46
Young Environmental Consulting	November 2023 technical, & E & O services	\$ 18,118.04
Studio Lola	Design & fabrication of Courthouse Lake signage	\$ 4,275.00
Star Tribune	Publish notice of public hearing levy & budget final	\$ 817.60
Carver County WMO	Final contribution to West Chaska Creek Re-meander	\$ 22,559.00
Carver County WMO	2023 Monitoring, Education & Outreach services	\$ 25,638.46
Appletree Condominium Association	Reimbursement for 2023 Cost Share Project	\$ 7,500.00
Scarborough Townhouses	Reimbursement for 2023 Cost Share Project	\$ 7,500.00
City of Carver	Final payment for Levee Improvement Cost Share	\$ 25,000.00
LMRWD Managers	1st half 2023 Manager per diem & expenses	\$ 1,212.11
LMRWD Managers	2nd half 2023 Manager per diem & expenses	\$ 2,415.24
4M Fund	December 2023 bank service fee	\$ 40.00
<b>Total Debits/Reductions</b>		<b>\$ 235,017.84</b>
<b>ENDING BALANCE</b>	<b>31-Jan-24</b>	<b>\$ 1,014,613.62</b>

	2023 Budget	Year end totals	YTD 2023	Over (Under) Budget
<b>Administrative expenses</b>	\$ 250,000.00	\$ 76,685.75	\$ 380,165.26	\$ 130,165.26
<b>Cooperative Projects</b>				
Eden Prairie Bank Stabilization Area #3	\$ -	\$ 11,849.46	\$ 166,585.70	\$ 166,585.70
Gully Erosion Contingency Fund	\$ -	\$ -	\$ -	\$ -
Seminary Fen Ravine Restoration site A	\$ -	\$ -	\$ -	\$ -
Seminary Fen Ravine Restoration site C-2	\$ 20,000.00	\$ -	\$ -	\$ (20,000.00)
<b>509 Plan Budget</b>				
<i>Resource Plan Implementation</i>				
Watershed Resource Restoration Fund	\$ 100,000.00	\$ -	\$ -	\$ (100,000.00)
Gully Inventory	\$ 90,500.00	\$ -	\$ 81,264.54	\$ (9,235.46)
MN River Corridor Management Project	\$ -	\$ -	\$ -	\$ -
Carver Levee Improvement Project	\$ -	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00
Assumption Creek Hydrology Restoration	\$ -	\$ -	\$ -	\$ -
Groundwater Screening Tool Model	\$ -	\$ -	\$ -	\$ -
MN River Floodplain Model Feasibility Study	\$ 75,000.00	\$ -	\$ 10,329.10	\$ (64,670.90)
Schroder Acres Park	\$ -	\$ -	\$ -	\$ -
Downtown Shakopee Stormwater BMPs	\$ 50,000.00	\$ -	\$ -	\$ (50,000.00)
PLOC Realignment/Wetland Restoration	\$ -	\$ -	\$ -	\$ -
Spring Creek Project	\$ 90,000.00	\$ 2,306.40	\$ 56,927.92	\$ (33,072.08)
West Chaska Creek	\$ -	\$ 22,559.00	\$ 22,559.00	\$ 22,559.00
Sustainable Lakes Mgmt. Plan (Trout Lakes)	\$ -	\$ -	\$ -	\$ -
Geomorphic Assessments (Trout Streams)	\$ -	\$ -	\$ -	\$ -
Fen Stewardship Program	\$ 75,000.00	\$ 12,787.75	\$ 70,218.25	\$ (4,781.75)
District Boundary Modification	\$ -	\$ -	\$ -	\$ -
MN River Sediment Reduction Strategy	\$ -	\$ -	\$ -	\$ -
Local Water Management Plan reviews	\$ 5,000.00	\$ -	\$ 31.25	\$ (4,968.75)
Project Reviews	\$ 50,000.00	\$ 15,701.48	\$ 136,900.93	\$ 86,900.93
<i>Monitoring</i>	\$ 75,000.00	\$ 25,638.46	\$ 91,554.69	\$ 16,554.69
<i>Watershed Management Plan</i>	\$ -	\$ 12,257.25	\$ 95,093.84	\$ 95,093.84
<i>Public Education/CAC/Outreach Program</i>	\$ 85,000.00	\$ 7,706.81	\$ 92,857.64	\$ 7,857.64
<i>Cost Share Program</i>	\$ 20,000.00	\$ 15,000.00	\$ 36,851.50	\$ 16,851.50
<b>Nine Foot Channel</b>				
Return of unused state funds	\$ -	\$ -	\$ 182,742.77	\$ 182,742.77
Dredge Site Improvements	\$ 240,000.00	\$ 6,621.00	\$ 320,767.85	\$ 80,767.85
<b>Total:</b>	<b>\$ 1,225,500.00</b>	<b>\$ 234,113.36</b>	<b>\$ 1,769,850.24</b>	<b>\$ 544,350.24</b>

	2024 Budget	January Actuals	YTD 2024	Over (Under) Budget
<b>Administrative expenses</b>	\$ 377,838.00	\$ 904.48	\$ 904.48	\$ (376,933.52)
<b>Cooperative Projects</b>				
Eden Prairie Bank Stabilization Area #3	\$ 100,000.00	\$ -	\$ -	\$ (100,000.00)
Gully Erosion Contingency Fund	\$ -	\$ -	\$ -	\$ -
Seminary Fen Ravine Restoration site A	\$ -	\$ -	\$ -	\$ -
Seminary Fen Ravine Restoration site C-2	\$ 90,000.00	\$ -	\$ -	\$ (90,000.00)
Eagle Creek Bank Restoration: Town & Country R	\$ 30,000.00	\$ -	\$ -	\$ (30,000.00)
Shakopee River Bank Stabilization	\$ 50,000.00	\$ -	\$ -	\$ (50,000.00)
<b>509 Plan Budget</b>				
<i>Resource Plan Implementation</i>				
Watershed Resource Restoration Fund	\$ 82,500.00	\$ -	\$ -	\$ (82,500.00)
Fen Private Land acquisition study	\$ 50,000.00	\$ -	\$ -	\$ (50,000.00)
Gully Inventory	\$ 150,000.00	\$ -	\$ -	\$ (150,000.00)
MN River Floodplain Model Feasibility Study	\$ -	\$ -	\$ -	\$ -
Downtown Shakopee Stormwater BMPs	\$ 50,000.00	\$ -	\$ -	\$ (50,000.00)
Spring Creek stabilization project	\$ 100,000.00	\$ -	\$ -	\$ (100,000.00)
Sustainable Lakes Mgmt. Plan (Trout Lakes)	\$ 50,000.00	\$ -	\$ -	\$ (50,000.00)
Geomorphic Assessments (Trout Streams)	\$ 100,000.00	\$ -	\$ -	\$ (100,000.00)
Fen Stewardship Program	\$ 75,000.00	\$ -	\$ -	\$ (75,000.00)
District Boundary Modification	\$ -	\$ -	\$ -	\$ -
Local Water Management Plan reviews	\$ 5,000.00	\$ -	\$ -	\$ (5,000.00)
Project Reviews	\$ 50,000.00	\$ -	\$ -	\$ (50,000.00)
Project inspections	\$ -	\$ -	\$ -	\$ -
<i>Monitoring</i>	\$ 75,000.00	\$ -	\$ -	\$ (75,000.00)
<i>Watershed Management Plan</i>	\$ -	\$ -	\$ -	\$ -
<i>Public Education/CAC/Outreach Program</i>	\$ 115,000.00	\$ -	\$ -	\$ (115,000.00)
<i>Cost Share Program</i>	\$ 20,000.00	\$ -	\$ -	\$ (20,000.00)
<b>Nine Foot Channel</b>				
Return of unused state funds	\$ -	\$ -	\$ -	\$ -
Dredge Site Improvements	\$ 240,000.00	\$ -	\$ -	\$ (240,000.00)
<b>Bonded Debt Levy</b>				
Scheduled Area #3 Bond payments	\$ 300,000.00			
<b>Total:</b>	<b>\$ 2,110,338.00</b>	<b>\$ 904.48</b>	<b>\$ 904.48</b>	<b>\$ (2,109,433.52)</b>





# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting  
Wednesday, February 21, 2024

### Agenda Item

#### Item 5. D. - Report from the Citizen Advisory Committee

#### Prepared By

Linda Loomis, Administrator

#### Summary

The Citizen Advisory Committee (CAC) cancelled its regular January meeting and instead joined the Board at the Workshop on January 11<sup>th</sup>.

The CAC met virtually on December 5, 2023. The CAC recommends that the LMRWD consider creating a You-Tube Channel where videos can be shared. LMRWD staff had hoped to discuss this recommendation at the January 11<sup>th</sup> Board Workshop, but no discussion ever took place on this topic.

Here is a link to a video that was shot and edited by CAC member Patti Thomsen during the Boat ride the CAC took last summer. This is an example of videos that would be shared. Several other watershed districts have You Tube Channels

- [Mississippi Watershed Management Organization](#)
- [Shell Rock Watershed District](#)
- [Capitol Region Watershed District](#)
- [Nine Mile Creek Watershed District](#)
- [Riley Purgatory Bluff Creek Watershed District](#)

Anoka SWCD has even used clean water funds to create a series of animated videos.

- <https://www.youtube.com/@AnokaSWCD>

You-Tube channels are free to create. However, there will be expenses incurred to produce content. The LMRWD has some content that could populate the channel initially, and then the cost to produce content could be added to future LMRWD budgets. No decision needs to be made at this time.

Item 5. D. – Report from the Citizen Advisory Committee

Executive Summary

February 21, 2024

Page 2

CAC meeting minutes from the December 5, 2023, meeting were included in the December 20, 2023 LMRWD Board of Manager meeting materials and are attached to this Executive Summary for the Board's information. The handout included with the December 5, 2023, CAC meeting minutes was approved by the Board at the December 20, 2023, Board of Managers meeting.

**Attachments**

December CAC meeting materials (including draft trifold handout)

[Video from Summer 2023 boat trip from Carver down the Minnesota River](#)

**Recommended Action**

No action recommended



# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Agenda

### Citizen Advisory Committee

Tuesday, December 5, 2023 | 4:30 p.m.

Virtual via WebEx

1. Call to Order and Roll Call
2. Consent Agenda
  - a. Approval of the December Agenda
  - b. Approval of the October Minutes
3. Citizen Input on Non-agenda Items
4. New Business
  - a. 2024 calendar planning for CAC meetings
  - b. Identify 2024 outreach events
5. Old Business
  - a. Approve the fall newsletter
  - b. Winter salt use video review
  - c. Update on MN River Journey video
6. Communications
  - a. Update on watershed activities
  - b. Update on Texas A&M audience engagement
7. Adjournment

**\*\*Please RSVP to confirm a quorum\*\***



# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Minutes

Citizen Advisory Committee (CAC)

Tuesday, October 3, 2023

Dred Scott Playfield

### 1. Call to Order and Roll Call

Chair Berglund called the meeting to order. The following CAC members were present: Judy Berglund, Tom Hartle, and Patty Thomsen. The following individuals also attended the meeting: Theresa Kuplic (Lower Minnesota River Watershed District [LMRWD] Board Manager), Linda Loomis (Naiad Consulting, LLC, and the LMRWD Administrator) and Jen Dullum (representing Young Environmental Consulting Group, LLC).

### 2. Consent Agenda

#### a. Approval of the October Agenda and September Minutes

Thomsen moved to approve the consent agenda, and Berglund seconded the motion. Upon a vote being taken, the motion carried unanimously.

### 3. Citizen Input on Non-Agenda Items

There was no input.

### 4. New Business

#### a. LMRWD budget review

Loomis gave a brief overview of the LMRWD budget. This is the largest budget in LMRWD history due to the amount of projects. This year, for the first time, the LMRWD is raising matching funds for Project Area #3. The LMRWD levy is \$1,175,000 and proposed expenses for 2024 are \$2,110, 338. The LMRWD Board is considering more projects in the future especially after the recent gully inventories. A question was asked about the size of the LMRWD in comparison to other watersheds in the metro. The LMRWD is an average size watershed. Information about watershed sizes can be found in the packet.

#### b. Review summer tabling events. Plan for 2024.

Overall, CAC members enjoyed the tabling events. They found it a positive experience with meaningful conversations with residents. They feel like they should attend the same or similar events going forward into 2024. They are interested in hearing more about the County Fair program and the outcomes from that project. Going forward the CAC would like to have a watershed map showcasing the different watershed boundaries. Loomis and Dullum will bring back a list of events for the group to decide their 2024 events at a future meeting.

## 5. Old Business

### a. Bi-annual newsletter

A draft newsletter from CAC member Kevin Kedrowski was reviewed.

Suggestions include:

- Designing the handout as a trifold pamphlet with no dates so it can be handed out at any time,
- Making the back page about the cost share and mini grant programs,
- Including more photos,
- Rewording the salt paragraph to be less positive towards salt, and
- Revising the storm drain section so that flooding is mentioned before polluting the river. This may catch more attention.

Jen will create a shared document so the CAC members can edit online for all to see. This will then be mocked up in a trifold and brought back to the group.

### b. Video storyboard update

Hartle shared his video storyboard mock-up on salt application. It is suggested that the video be no longer than two minutes. Thomsen volunteered to create the do-it-yourself salt spreader. The next step will be to gather images and video clips with a similar look to stitch together for the video. CAC members should send Tom any images and video clips of salt application or salt on sidewalks and roads they may have. Then Tom will film the video and send it out to the group. The hope is that this video will have a link on the LMRWD website and be posted to the LMRWD Instagram account.

### c. Minnesota River journey video update

Thomsen looked for more suggestions on the Minnesota River Journey video. She will come back to the group with the video after suggestions are taken into consideration.

## 6. Communications

### a. Update on watershed activities

Loomis mentioned that watershed project updates are listed in the projects notes in the budget document in the packet. She also noted that Manager Salvato, who works for the Upper Mississippi River Basin Association, is working with a professor from Texas A & M on water quality messaging. This messaging may be able to be used for the LMRWD since the LMRWD is a tributary to the Upper Mississippi River. Loomis will keep us informed on this work. The CAC is interested in this and how it could be utilized for tabling events.

b. Dullum gave a quick update on the Educator Mini-Grant Program and the application scoring sheets. Grant applications are due October 20. This this quick turnaround time for the CAC to complete scoring, Loomis will create a fillable form to make the scoring easier. Once scoring is complete, applications will go to the Board of Managers in November for consideration.

## 7. Adjournment

Thomsen moved to adjourn the meeting, and Hartle seconded the motion. Upon a vote being taken, the motion carried unanimously.

Next meeting: November 7, 2023, at 1:00 p.m. Black Dog Power Plant, 1410 E Black Dog Rd, Burnsville, MN 55337.

City	Event_1	Event_2	Event_3	Event_4
Bloomington	Public Works Open House	Farmers Market		
Burnsville	Native Plant Market	Farmers Market		
Carver	Public Works Open House	Farmers Market		
Chanhassen	Farmers Market			
Chaska	Native Plant Workshop/Walk (fall) with Carver SWCD	Farmers Market		
Eagan	Eagan Garden Club Plant Sale	Arbor Day Celebration	LakeFest	Farmers Market
Eden Prairie	Chamber of Commerce Spring Expo	Eco Expo - Rotary (2024)	Arbor Day Walk and Green Fair	
Mendota Heights	Tree Sale	Resident Tree Pickup & Rain Barrel/Compost Bin Pickup		
Savage	Arbor Day Celebration	Farmers Market		
Shakopee	Tree Sale			
Carver County	Carver County Fair			
Dakota County	Dakota County Fair			
Hennepin County	Hennepin County Fair			
Scott County	Scott County Fair			
Scott SWCD	Outdoor Education Days			
Carver County WMO	Metro Children's Water Festival			

FALL

# WATERSHED NEWS



## THREE EASY STEPS TO A CLEANER MINNESOTA RIVER

1

### Keep Storm Drains Clear

#### Keep Storm Drains Clear

As less rain and more snow accumulates, it may be easy to forget the importance of keeping storm drains clear. Storm drains help divert rainwater and melting snow from the streets in the Minnesota River. However, if they are clogged with leaves or debris, it can lead to spring flooding if the snow melt has no place to go! It can also cause excess nutrients and pollutants to enter the river, polluting the water.

#### Avoid Using Salt for Deicing Sidewalks and Driveways

Salt is a permanent pollutant that builds up in concentrations in soils near where it's used. Salty soil kills plants, leading to soil erosion and sediment in our waterways. It only takes one teaspoon of salt to permanently pollute 5 gallons of water with chloride, which is harmful to local fish and other aquatic life. To avoid oversalting:

- Shovel and scrape more often to prevent ice
- Consider wearing shoe traction devices
- Sprinkle sand on icy areas instead
- Install hand rails
- Remember that salt only works effectively when it's warmer than 15 degrees

2

### Avoid Using Salt for Deicing

#### Clean Up After Your Pets

Pet waste is not only unsightly when left on the side of a trail, it's also harmful to local rivers and lakes. As snow and rain wash the pet waste into local bodies of water, it decays in the water, depleting the oxygen and raising ammonium levels, harming fish and other organisms. These conditions also contribute to an environment for algae and weeds to grow and thrive. **Try biodegradable pet waste bags to avoid using plastic!**

3

### Clean Up After Your Pets



LOWER MINNESOTA RIVER  
WATERSHED DISTRICT





## EDUCATOR MINI GRANTS



### Promoting Environmental Education

The Lower Minnesota River Watershed District offers an Educator Mini Grant Program, allowing up to 10 grants per school year to help cover the cost of materials and programming that focus on water resources. Past projects have provided learning equipment like microscopes and waders for science projects and field trips along the Minnesota River.

To learn more about the program and see when to apply, visit:  
<https://lowermnriverwd.org/makeadifference/educator-mini-grants>



## COST-SHARE GRANTS



### Protecting Water Resources Close to Home

The Lower Minnesota River Watershed District offers Cost-Share Grants for small residential projects to larger commercial/government projects ranging from rain gardens to shoreline restoration to invasive species removal.

Visit our website to see if your project applies and how much funding you may be eligible to receive!

<https://lowermnriverwd.org/makeadifference/cost-share-grants>

Connect with us!



[lowermnriverwd.org](https://lowermnriverwd.org)



[/lowerminn](https://www.facebook.com/lowerminn)



[/lowerminn](https://www.instagram.com/lowerminn)



[LowerMinn](https://twitter.com/LowerMinn)



# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Executive Summary for Action

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

### **Agenda Item**

**Item 5. E. - Letter of support from the LMRWD for Carver Levee Improvement Project**

### **Prepared By**

Linda Loomis, Administrator

### **Summary**

The City of Carver is looking for support from its partners, as it seeks funding for its Levee Improvement project. President Barisonzi has drafted a letter of support, which is attached and is looking for the LMRWD Board to authorize the letter.

### **Attachments**

LMRWD Letter of support for Levee Improvement project

### **Recommended Action**

Authorize providing a Letter of Support for the City of Carver's Levee Improvement project



LOWER MINNESOTA RIVER  
WATERSHED DISTRICT

January 2024

Carver

Lauren Salvato  
Secretary

Dakota

Theresa Kuplic  
Vice President

Hennepin

Joseph Barisonzi  
President

Laura Amundson  
Treasurer

Scott

Nathan Dull

To whom it may concern,

I am writing this letter in support of the City of Carver's Levee Improvement Project. Carver's levee system was constructed nearly 55 years ago following the devastating 1965 flood, which damaged 50 historic structures, mainly homes, in downtown Carver. The levee was constructed as a community response to flood events in the 1960's and as a result no engineering plans and specifications exist for the levee. In addition, the levee has several documented deficiencies including freeboard elevations, steep slopes, lack of internal drainage and clear zone issues. Unfortunately, these deficiencies led to the City's removal from the US Army Corp's of Engineers' Levee Safety Program. All the while, The Minnesota River has reached flood stage at least 22 times in the past 10 years. As recently as 2019, the Minnesota River in Carver was at or above flood stage more weeks than it was below flood stage.

The City of Carver is asking for \$3.35 million from the State of Minnesota so they can make the necessary improvements to their levee. These improvements will not only prevent future flooding in Carver's historic downtown but will also set Carver on the path toward getting the levee certified by FEMA. Once this process is complete, home and building owners in the 100-year floodplain will no longer need to purchase exorbitant flood insurance on their structures, and the restrictions on certain improvements (expansions and additions) to the homes and businesses in the 100-year floodplain will no longer exist.

The City of Carver's Levee Improvement Project holds paramount importance for the Lower Minnesota River Watershed District (LMRWD). As stewards of the watershed's ecological health and sustainable development, the LMRWD recognizes the project's pivotal role in addressing aging infrastructure and enhancing resilience against flooding events. The interconnectedness of water management and environmental preservation underscores the LMRWD's commitment to supporting initiatives that contribute to the overall well-being of the watershed. By securing funding for the Carver Levee improvements, the LMRWD actively promotes the broader mission of ensuring the safety, economic stability, and ecological sustainability of the entire Lower Minnesota River region.

Carver's levee is a *prime* example of aging infrastructure. Carver needs the State of Minnesota's support to help ensure the safety of their residents and the vitality of their historic downtown. The City of Carver has one of the largest contiguous districts on the National Register of Historic Places. They have 90 structures which are on that list, many of which are located within the 100-year flood plain.

I hope you will join me in supporting the City of Carver's Levee Improvement project. Thank you for your consideration, your service, and your partnership on this very important issue.

Sincerely,

Joseph Barisonzi  
President  
Board of Managers  
Lower Minnesota River Watershed District

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

112 East 5th Street  
Suite 102  
Chaska, MN 55318

E-mail:  
admin@lowermnrivewd.org



# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, February 21, 2024

### Agenda Item

**Item 5. F. - Letter of Support for the Minnesota River Crossing and Flood Resiliency Study in the Southwestern Minneapolis-St. Paul Metropolitan Area**

### Prepared By

Linda Loomis, Administrator

### Summary

Scott County Transportation Department, working in partnership with Carver County, is planning to pursue funding through the Rebuilding American Infrastructure with Sustainability and Equity grant program for the “Minnesota River Crossing and Flood Resiliency Study”. The proposed planning study will identify a community-supported solution that addresses infrastructure improvement needs due to frequent flooding at key river crossings, including TH 25, Scott CSAH 9, and TH 41.

It is important that the LMRWD support this effort, not only because Scott and Carver counties are LMRWD partners, but this outcomes will have an impact on the LMRWD and it is important to be a part of the planning process.

As part of the grant submittal, Scott County is asking for LMRWD support. A draft letter of support was provided, which the LMRWD has revised. Since Scott County is a partner of the LMRWD and the deadline for the grant submittal was Tuesday, February 20, 2024, before the February LMRWD Board of Managers meeting, a letter of support was provided to Scott County.

A copy of the letter of support is attached, for the Board’s information.

### Attachments

Letter of support for the Minnesota River Crossing and Flood Resiliency Study on the Southwestern Minneapolis-St. Paul Metropolitan Area

### Recommended Action

Motion to authorize execution and distribution of letter of support for the Minnesota River Crossing and Flood Resiliency Study on the Southwestern Minneapolis-St. Paul Metropolitan Area after the fact





LOWER MINNESOTA RIVER  
WATERSHED DISTRICT

### Carver

Lauren Salvato  
Secretary

### Dakota

Theresa Kuplic  
Vice President

### Hennepin

Joseph Barisonzi  
President

Laura Amundson  
Treasurer

### Scott

Nathan Dull

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

112 East 5th Street  
Suite 102  
Chaska, MN 55318

E-mail:  
admin@lowermnriverwd.org

February 20, 2024

Mr. Pete Buttigieg  
Secretary, US Department of Transportation  
1200 New Jersey Ave, SE  
Washington, DC 20590

### **RE: Support of the Minnesota River Crossing and Flood Resiliency Study in the Southwestern Minneapolis-St. Paul Metropolitan Area**

Dear Secretary Buttigieg:

On behalf of the Lower Minnesota River Watershed District (LMRWD), I am writing to express our support for Scott County's 2024 funding request from the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) discretionary grant program. If awarded, the county will use the funding for the Minnesota River Crossing and Flood Resiliency Study.

At LMRWD, we work with communities within the watershed district and adjacent to its boundaries to protect, improve, and educate residents, business owners, stakeholders, and the public about rare and high-value resources. The LMRWD's unique resources include trout lakes and streams, calcareous fens, bluffs protected to minimize erosion and loss of property, and the Minnesota River, which provides recreational and commercial navigation opportunities. Our 80-square-mile boundary includes the Minnesota River Valley from the city of Carver, Minnesota, at the west to the confluence with the Mississippi River near historic Fort Snelling and the Minneapolis-St. Paul International Airport, at the east.

One challenge facing the Minnesota River and its major tributaries is the wide fluctuations in peak water flows, exacerbated by upstream land uses and increasingly frequent heavy rain events. Increased peak flows lead to greater bank instability and erosion, consequently reduced water quality due to higher levels of sediment and nutrients. Higher levels of sediment and nutrients increase the need for dredging to maintain river navigation, crucial to the economy of the region and state of Minnesota. Increased dredging creates additional expenses both in the cost to dredge and to the cost to manage dredge materials once removed from the navigation channel.

The changing climate and associated heavy rains increase flooding which in turn affects the people who live, work, and play in our region. This includes those who rely on a safe and efficient transportation system to access employment, healthcare, recreation, and other destinations. Increased extreme flood events impact river crossings, which have become inadequate and must be closed to ensure the safety of the public.

We support Scott County leading this study to identify a community-supported vision for necessary investments that preserve and protect the Minnesota River Watershed and ensure reliable access at key Minnesota River crossings during flooding events. This includes an analysis of Trunk Highway (TH) 41, Carver CSAH 11/Scott CSAH 9, and TH 25, which are most at risk for flood-related closures. The analysis also would include

CSAH 101 and U.S. Highway 169, which both take on additional traffic during flooding events, causing a major imbalance on the transportation system, resulting in extreme levels of congestion and crashes.

I am writing to ask for your support in this crucial study to help us identify a solution to this ongoing issue that will only worsen due to our changing climate. Thank you for your consideration and the opportunity for me to voice my support for this important study that will benefit the Minnesota River and river valley communities in the southwestern Twin Cities metro area.

Sincerely,

Joseph Barisonzi  
Board 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, February 21, 2024

### **Agenda Item**

#### **Item 5. G. – Reimbursement for Chaska High School Educator mini-grant**

### **Prepared By**

Linda Loomis, Administrator

### **Summary**

At the November 15, 2023, meeting of the LMRWD Board of Managers, an educator mini-grant was approved for Chaska High School. This project is complete and educator Kelly Dreier is requesting reimbursement. The original grant amount was \$500. Reimbursement being requested is \$475.00. Ms. Dreier has submitted a report on the project with pictures. Receipts were not submitted with the final report; however, they have been requested. The original grant request is attached for the Board's information.

### **Attachments**

Chaska High School Educator Mini-grant application

Excerpt from November 15, 2023, meeting minutes approving the Educator Mini-grant for Chaska High School

Final report from Chaska High School Educator Mini-grant

Cost Share Grant Agreement

### **Recommended Action**

Motion to authorize reimbursement to Chaska High School subject to receipt of expenses



LOWER MINNESOTA RIVER  
WATERSHED DISTRICT

# Educator Mini-Grant Program Application

Name of School/Organization:

Chaska High School

First Name:

Kelly

Last Name:

Dreier

Email:

dreierk@district112.org

Phone:

(952) 556-7100

Describe your current role?

AP Environmental Science Teacher

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

Address of School/Organization

Street Address:

545 Pioneer Trail

Address line 2:

City:

Chaska

State:

MN

Zip Code:

55318

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

Street Address:

Address line 2:

City:

State:

Zip Code:



What age(s) are the participants?

K-5<sup>th</sup> grade

6-12<sup>th</sup> grade

18+ years

Senior

Estimated number of participants:

250 students

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

We currently conduct stream study tests of East Chaska Creek with our AP environmental Science students. We would like to add in turbidity testing by adding turbidity tubes and we would like to add a portable dissolved oxygen sensors so we are not having to bring computers down to the stream with us.

The goals of this lab is for students to understand the various test scientiest do to determine the health of a stream. We also discuss factors that influence changes in these tests and what the human impacts are.

When is this activity/project scheduled to take place?

Every year during the fall

Total requested amount (maximum \$500):

\$500

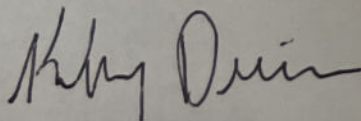
Specify how funds will be allocated (e.g. supplies, materials, and transportation):

4 turbidity tubes -  $\$54.44 \times 4 = 217.76$

1 portable dissolved oxygen probe - \$280

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

Signature:



Date:

10/17/2023

President Barisonzi noted sometimes the public that provides feedback may not be the public that uses the river, such as those that are fishing for sustenance. He said the LMRWD should address barriers to participation in planning. He suggested that the LMRWD make sure that when they are looking at their work plan at the workshop next year that this becomes one of the issues that they want to talk about. He added that they should also discuss the coordination of the feedback letter to make sure it solicits the feedback from the different managers with technical support as needed.

Manager Salvato added that in the recreation survey for the Upper Mississippi River they included fishing for sustenance as an environmental justice tie-in. President Barisonzi reiterated his desire to have this addressed in LMRWD workplans.

**C. City of Carver Levee**

President Barisonzi introduced this item and shared that the City of Carver will be at the December Board Meeting and asked if there was additional information that needed to be brought to the attention of the Board.

**D. Dredge Management**

President Barisonzi introduced this item and said that the Board received good information in the meeting materials. Administrator Loomis noted that there are a lot of project going on in this corridor. She stated that the Corp. of Engineers is having to re-bid the Continental Grain Marsh Repair project. She added that if the Corp. of Engineers couldn't get into the site when they were conducting reconnaissance for the Continental Marsh project. They contacted the LMRWD about accessing the site, to deliver material for the Continental Marsh Project. It was not clear why access to the site was closed. Administrator Loomis coordinated contacts for all the projects planned in this corridor; MnDOT, USACE and Lureka Fiber Optic and the LMRWD.

**i. Dredging at mouth of MN River**

No update on this item.

**ii. Sale of Dredge Material**

No update on this item.

**iii. Private Dredge Material Placement**

No update on this item.

**iv. Vernon Avenue reconstruction and culvert replacement project**

No update on this item.

**E. Watershed Management Plan**

No new information to report since the last update.

**F. 2023 Legislative Action**

No new information to report since the last update.

**G. Education and Outreach Plan**

President Barisonzi introduced this item. He noted that the \$500 for Redtail Ridge Elementary School was for water testing equipment which Friends of the Minnesota Valley has and is part of what the Board paid for their program. He added that the school could use this equipment for free.



Manager Hartmann made a motion to approve the recommendations of the CAC and awards educator mini-grants as follows: Nicollet Middle School Green Team - \$500; Pilot Knob STEM Magnet School - \$300; Chaska High School - \$500; and Redtail Ridge Elementary School - \$500. Manager Salvato seconded the motion. Upon a vote being taken, the motion carried unanimously.

#### H. LMRWD Projects

*(Only projects that require Board action will appear on the agenda. Informational updates will appear on the Administrator Report)*

##### i. Area #3

President Barisonzi introduced and asked Administrator Loomis to walk them through the information. She noted that the LMRWD received an appraisal for the property at Area #3 necessary to construct the project. The LMRWD is interested in securing a portion of the property, either by easement or property ownership. She noted that the Board was provided with hard copies of the information received.

Attorney Kolb noted that the information was just received the day of the meeting. He stated that there are options and prices associated with a partial fee purchase in the package. He added that there is also the price associated with just an acquisition of an easement over this property. He noted that they are in the process of posturing the LMRWD for a voluntary acquisition. He noted that he had not seen the information yet. He added that he is not sure if there will be additional costs with land use or governance restrictions on subdividing this parcel to facilitate the partial acquisition. He shared that this is a pre-decisional, information document and is not yet public information. He said the LMRWD will need the City to determine if there are additional costs to be considered to comply with the City's land use requirements. He added that when they revisit this they will need to discuss if an easement or a fee acquisition makes more sense then decide how they want to approach this landowner. He noted that it was the landowner's suggestion that they consider an easement as opposed to a fee purchase.

Manager Amundson asked why they would buy this land. Attorney Kolb shared that he had this discussion with the acquisition consultant and Young Environmental. He stated that it comes down to the level of control and the risk to the project if the LMRWD only has an easement versus ownership, as ownership would give them much greater control of the property. He stated that they should be able to get everything done that they need to under an easement, but future access for maintenance must be considered.

##### i. Spring Creek

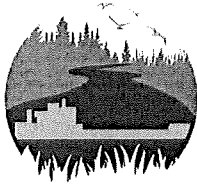
No update on this item.

#### I. Permits and Project Reviews

##### i. ACE Rent a Car (LMRWD No. 2022-022) – After the Fact Permit

President Barisonzi introduced and asked for a motion before discussion. He then asked Administrator Loomis to provide background on this item. She stated that Manager Salvato had asked why a stop work order was not placed on this project by the LMRWD. She explained that the intent of the owner was not to circumvent the rules, ACE Rent a Car just did not understand and were very cooperative once they were notified. She added that they also notified the airport as they owned the land that this was being built on.

Manager Salvato stated that she was trying to understand the coordination that led to this permit. Ms. Young explained that they have been in contact with ACE quite a bit and they



LOWER MINNESOTA RIVER  
WATERSHED DISTRICT

## Educator Mini-Grant Program Reimbursement and Reporting Request Form

Name of School/Organization:

Chaksa High School

First Name:

Kelly

Last Name:

Dreier

Email:

dreierk@district112.org

Phone:

3205100712

Address of School/Organization

Street Address:

545 Pioneer Trail

Address line 2:

City:

Chaska

State:

MN

Zip Code:

55387

When and where did the activity/project take place?

Chaska Hight School - East Chaska Creek

Describe how your activity or project engaged participants?

Students went down to East Chaska Creek and sampled water, including turbidity. We analyzed the health of the stream including the turbidity using the turbidity tubes purchased with the grant. Students were engaged in learning more about our local environment and the factors that impact our local environment.

Total number of participants:

120 students

List your relevant expenses:

5 Turbidity tubes (120cm) = \$87.00 each (purchased from Carolina Biological)  
\$40 in shipping

= \$475 total

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

\$ 475

Please provide information for the check recipient:

First Name:

Last Name:

Chaska High School

Science Department

Street Address:

545 Pioneer Trail

Address line 2:

City:

State:

Zip Code:

Chaska

MN

55318

Please submit photos of your activity or project in action. Include the photographer's name in the photo file name and email to [admin@lowermnrivewd.org](mailto:admin@lowermnrivewd.org).























LOWER MINNESOTA RIVER WATERSHED DISTRICT  
2023 Educator Mini-Grant Program  
Cost Share Grant Agreement

This grant agreement made this 29 day of Jan 2023 is between the Lower Minnesota River Watershed District, a Minnesota Watershed District ("LMRWD") a public body with purposes and powers set forth in Minnesota Statutes Chapters 103B and 103D, and Kelly Dreier, ("GRANTEE"), a teacher at Chaska High School. The GRANTEE's address is Chaska High School, 545 Pioneer Trail, Chaska, MN 55318.

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

To LMRWD:

Administrator  
Lower Minnesota River Watershed District  
112 East Fifth Street, Suite 102 Chaska, MN 55318

To GRANTEE:

Kelly Dreier  
Chaska High School  
545 Pioneer Trail  
Chaska, MN 55318

The parties agreeing to be signed as follows:

GRANTEE:

By: Kelly Dreier

Its: Teacher - Grantee

Date: 1-29-24

LOWER MINNESOTA RIVER WATERSHED DISTRICT:

By: \_\_\_\_\_

Its: President

Date: \_\_\_\_\_



# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, February 21, 2024

### Agenda Item

**Item 5. H. – Approve Joint Power Agreement Between the Dakota County SWCD and the Lower Minnesota River Watershed District for 2024 Technical Assistance Services and authorize execution**

### Prepared By

Linda Loomis, Administrator

### Summary

The Dakota County Soil & Water Conservation District (Dakota SWCD) conducts monitoring of water levels in the calcareous fens located in Dakota County on behalf of the Lower Minnesota River Watershed District, offers technical assistance to Dakota residents that live in the LMRWD and offers educational opportunities to residents of the LMRWD. The Dakota SWCD and the LMRWD enter into a Joint Powers Agreement (the Agreement) so the Dakota SWCD can provide these services to the LMRWD. The Agreement is attached for the Board review. The Agreement is currently being reviewed by then Dakota County Attorney. Once the Attorney reviews the Agreement, the SWCD will execute the Agreement and then forward the Agreement to the LMRWD for signature. The Agreement is essentially the same agreement as executed in the past to provide services.

The Board should approve the JPA and authorize execution contingent upon the Agreement being reviewed by the LMRWD.

### Attachments

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

### Recommended Action

Motion to approve and authorize execution of the Joint Powers Agreement between the Dakota County Soil & Water Conservation District and the Lower Minnesota River Watershed District for 2024 Technical Assistance Services contingent upon review by LMRWD legal counsel

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

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

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

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

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

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

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

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

SWCD Liaison: Telephone: Email:	Lindsey Albright, Water Resource Specialist (651) 480-7783 <a href="mailto:lindsey.albright@co.dakota.mn.us">lindsey.albright@co.dakota.mn.us</a>
LMRWD Liaison: Telephone: Email:	Linda Loomis, District Administrator (763) 545-4659 <a href="mailto:niadconsulting@gmail.com">niadconsulting@gmail.com</a>
  
14. DEFAULT: FORCE MAJEURE. Neither party shall be liable to the other party for any loss or damage resulting from a delay or failure to perform due to unforeseeable acts or events outside the defaulting party's reasonable control, providing the defaulting party gives notice to the other party as soon as possible. Acts and events may include acts of God, acts of terrorism, war, fire, flood, epidemic, acts of civil or military authority, and natural disasters.
  
15. DATA PRIVACY. All data created, collected, received, stored, used, maintained, or disseminated in the performance of this Agreement is subject to the requirements of the Minnesota Government Data Practices Act, Minn. Stat. ch. 13 and the Minnesota Rules implementing the Act now in force or hereafter adopted as well as the federal laws on data privacy.
  
16. OWNERSHIP OF WORK PRODUCT. If SWCD uses LMRWD's copyrighted material in performing work for this Agreement, SWCD will protect LMRWD's right, title and interest in the copyrighted material.

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

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

Notwithstanding any provision of this Agreement to the contrary, either party may immediately terminate this Agreement if it does not obtain funding from the Minnesota Legislature, Minnesota Agencies, or other funding source, or if its funding cannot be continued at a level sufficient to allow payment of the amounts due under this Agreement.

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

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

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

**LOWER MINNESOTA RIVER WATERSHED DISTRICT**

By \_\_\_\_\_  
Joseph Barisonzi, President, or successor  
Date of Signature \_\_\_\_\_

**DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT**

By \_\_\_\_\_  
Kevin Chamberlain, Chair, or successor  
Date of Signature \_\_\_\_\_

Approved as to Form:

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



**2024 Work Plan and Budget**  
**Lower Minnesota River Watershed District**

Task	Calculation			Sub-total
<b>Education and Community Engagement</b>				
	Hours	Rate	Fees	
<b>Landscaping for Clean Water</b>	15	\$95.00		\$1,425.00
Create promotional materials for classes in partnership with Dakota County cities and watershed organizations, organize course materials, and coordinate with partners.				
<b>Education and Outreach Total</b>				<b>\$1,425.00</b>
<b>Technical Assistance</b>				
	Hours	Rate	Fees	
<b>Fen Well Monitoring</b>	100	\$95.00	\$150.00	\$9,650.00
Staff time for groundwater monitoring in Fort Snelling, Nichols, and Quarry Island fens from March 1, 2024 through December 31, 2024 - 10 monitoring trips at 5 hours/trip. Also Includes data management, reporting and site maintenance as needed.				
<b>Landscaping for Clean Water</b>			\$1,800.00	\$1,800.00
SWCD staff time for technical assistance on Landscaping for Clean Water projects.				
		\$600 x 3 project		
<b>Conservation Projects</b>	75	\$95.00		\$7,125.00
Technical assistance for potential projects. <i>Only as requested by Lower Minnesota River WD.</i>				
<b>Technical Assistance Total</b>				<b>\$18,575.00</b>
<b>Cost Share</b>				
	Hours	Rate	Fees	
<b>Landscaping for Clean Water</b>			\$750.00	\$750.00
Provide cost share to landowners for projects including raingardens, native plantings and shoreline stabilization projects consistent with Dakota SWCD cost share policies.				
		\$250 X 3 projects		
<b>Cost Share Total</b>				<b>\$750.00</b>
<b>Total Agreement Not-to Exceed</b>				<b>\$20,750.00</b>



# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, February 21, 2024

### **Agenda Item**

#### **Item 6. A. – LMRWD Permit Renewals**

### **Prepared By**

Linda Loomis, Administrator

### **Summary**

There is a total of 6 permits that require renewing this month. Table 1 of the Technical Memorandum – February 2024 Permit Renewal Requests, dated February 14, 2024 is attached listing the Permits that have requested renewal.

### **Attachments**

Technical Memorandum – February 2024 Permit Renewal Requests dated February 14, 2024

### **Recommended Action**

Motion to approve renewal requests listed in Table 1. Summary of February 2024 LMRWD permit renewal requests detailed in Technical Memorandum – February 2024 Permit Renewal Requests dated February 14, 2024



Young Environmental  
Consulting Group, LLC

# Technical Memorandum

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

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

**Date:** February 14, 2024

**Re:** February 2024 Permit Renewal Requests

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

Table 1 summarizes the permittees who have responded to the permit expiration reminder, confirmed that no significant changes to the proposed project have occurred since the original permit was issued, and requested a permit extension to complete their projects.

Table 1. Summary of February 2024 LMRWD permit renewal request.

LMRWD No.	Project Name	City	Previous Expiration Date	Recommended Expiration Date
2022-019	TH 494 SP 2785-433	Bloomington/Eagan	April 10, 2024	April 10, 2025
	<u>Reason for Extension:</u> Project construction is on-going			
2020-135	Canterbury Crossing	Shakopee	April 20, 2024	April 20, 2025
	<u>Reason for Extension:</u> Project construction is on-going			
2022-041	35W Resurface and Auxiliary Lane	Burnsville	April 10, 2024	April 10, 2025
	<u>Reason for Extension:</u> Project waiting for final vegetative stabilization			
2023-011	Quarry Lake Playground	Shakopee	April 24, 202	April 24, 2025
	<u>Reason for Extension:</u> Final inspection required for project close-out			
2021-022	Safety and Security Center Phase 1	MAC	March 18, 2024	March 18, 2025
	<u>Reason for Extension:</u> Review of record drawings required prior to project close-out			

**Recommendation**

Staff recommend renewing the permit provided in Table 1.



# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, February 21, 2024

### Agenda Item

#### Item 6. B. – RSI Marine Storage (LMRWD No. 2022-031)

#### Prepared By

Linda Loomis, Administrator

#### Summary

RSI Marine Storage is a redevelopment project planned for 10500 Great Plains Boulevard, Chanhassen. This address is in the northwest quadrant of the intersection of Flying Cloud Drive/CSAH 61 and TH 101/Great Plains Boulevard. The project will be used for boat storage. RSI Marine is a family operated shop with two locations providing boat storage, transportation, service, and repair.

Young Environmental Consulting Group, LLC reviewed the application on behalf of the LMRWD and recommends approval of a permit for the project subject to the following contingencies:

- Copy of the NPDES construction stormwater permit.
- Statement designating an individual who will remain liable to the LMRWD for performance from the time permitted activities commence until 70% vegetation cover is established and the LMRWD has certified satisfaction with erosion and sediment control requirements.
- Name and contact information for all contractors undertaking land-disturbing activities as part of the proposed project.
- Name and contact information for the person(s) responsible for erosion and sediment control inspections and maintenance.
- Documentation of approval from Carver County allowing the project to discharge to the County ditch.
- Documentation of approval for the project from the City of Chanhassen.
- Executed maintenance agreement for the stormwater facilities with the City of Chanhassen.
- Final construction plans signed by a professional engineer.

#### Attachments

Technical Memorandum – RSI Marine Storage (LMRWD No. 2022-031) dated February 14, 2024

#### Recommended Action

Motion to conditionally approve a permit for RSI Marine Storage (LMRWD No. 2022-031) subject to the above listed contingencies

# Technical Memorandum



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

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

**Date:** February 14, 2024

**Re:** RSI Marine Storage (LMRWD No. 2022-031)

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RSI Marine Storage has applied for an individual project permit from the Lower Minnesota River Watershed District (LMRWD) for a marine storage development including four proposed buildings and stormwater management facilities at 10500 Great Plains Boulevard, Chanhassen, MN, 55317 (Figure 1). The applicant's engineer, James R. Hill, submitted the permit application, associated application exhibits, and site plans for the RSI Marine Storage project.

The project proposes to remove an existing storage building and gravel lot to be repurposed as a marine storage facility. The project proposes construction of four new buildings, 20,000 square feet each, with access from Flying Cloud Drive in the southeast corner of the property. The project includes construction of a stormwater management system and extension of the existing sanitary and watermain throughout the project site. The project is not located within the High Value Resource Area, Steep Slopes Overlay District (SSOD), or the Minnesota River floodplain. The project disturbs approximately 6.55 acres and constructs 2.38 acres of new impervious surfaces, triggering Rule B—Erosion and Sediment Control and Rule D—Stormwater Management. The project proposes to commence construction in March 2024.

The City of Chanhassen does not have its municipal permit and therefore the project requires a LMRWD individual permit and is subject to a LMRWD permitting review.

## Summary

**Project Name:** RSI Marine Storage

**Purpose:** Removal of an existing storage building to construct a marine storage facility

**Project Size:**

Area Disturbed	Existing Impervious Area	Proposed Impervious Area	Net Increase Impervious Area
6.55 acres	0.41 acre	2.79 acre	2.38

**Location:** 10500 Great Plains Boulevard  
Chanhassen, MN, 55317

**LMRWD Rules:** Rule B – Erosion and Sediment Control  
Rule D – Stormwater Management

**Recommended Board Action:** Conditional approval

## Discussion

The LMRWD received the following documents for review:

- LMRWD online permit application, received September 21, 2023.
- LMRWD permit application fee of \$1,000; received November 10, 2023.
- Commitment for title insurance; received November 10, 2023.
- Construction plans by James R. Hill; dated September 22, 2022; revised January 9, 2024; received January 9, 2024.
- Stormwater Management Narrative and Summary by James R. Hill; dated August 23, 2023; revised January 9, 2024; received January 9, 2024.
- Draft maintenance agreement; received December 19, 2023.
- P8 Model by James R. Hill; received January 9, 2024.

The application was deemed complete on January 24, 2024, and the documents received provide the minimum information necessary for permit review.

### Rule B – Erosion and Sediment Control

The LMRWD regulates land-disturbing activities that affect one acre or more under Rule B. The proposed project would disturb approximately 6.55 acres within the LMRWD boundary. The applicant has provided an erosion and sediment control plan and a

Stormwater Pollution Prevention Plan (SWPPP). The project generally complies with Rule B, but a copy of the National Pollutant Discharge Elimination System (NPDES) permit and contact information for the contractor and person(s) responsible for the inspection and maintenance of erosion and sediment control features are needed before the LMRWD can issue a permit.

Rule D – Stormwater Management

The project proposes a total of 2.38 acres of new impervious surface. Runoff from newly constructed pavement for the project will be collected via local storm sewer and directed into the proposed Nationwide Urban Runoff Program (NURP) pond and proposed infiltration basin. Discharge will be reduced by infiltration and an outlet control structure and directed into a Carver County ditch, which will require a permit from Carver County and is required as a conditional approval item.

Rule 5.4.1 of Rule D requires that applicants demonstrate no increase in the proposed runoff rates compared with existing conditions.

*Table 1. RSI Marine Storage Runoff Rate Summary*

Rainfall Event (24-hour depth)	Existing (cfs)	Proposed (cfs)	Change (cfs)
2-year (2.87")	5.99	3.82	-2.17
10-year (4.27")	15.18	15.07	-0.11
100-year (7.38")	40.08	26.81	-13.27

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

Section 5.4.2 of Rule D requires projects to retain one inch of runoff from the new and fully reconstructed impervious areas. There are 2.38 acres of proposed impervious. Therefore, the project must provide 10,127 cubic feet of volume retention to meet Rule D requirements. The applicant proposes to use a NURP pond and infiltration basin for volume control to meet Rule D requirements.

*Table 2. RSI Marine Storage Volume Control Summary*

Best Management Practice (BMP)	Volume (CF) – Live Storage
Proposed Infiltration Basin	13,263

The project’s volume control has been achieved through storage in the proposed NURP pond and infiltration basin, and the project complies with Rule D volume requirements.

Section 5.4.3 of Rule D requires a no-net-increase in total phosphorus (TP) or total suspended solids (TSS) to receiving waterbodies when compared to existing conditions. The applicant proposed using the NURP pond and infiltration basin to meet the water



quality requirements of the LMRWD. Water quality calculations were completed using a P8 model and the supporting documentation was submitted.

Table 3. RSI Marine Storage Water Quality Summary

	TP (lb/yr)	TSS (lb/yr)
Existing	2.5	787.0
Proposed	0.9	151.7
Difference	-1.6	-635.3
% Reduction	64%	81%

As presented, the pollutant load would be reduced for both TP and TSS, ensuring the project meets the water quality requirements established under Rule D.

### Recommendations

Based on review of the project, we recommend conditional approval contingent on the receipt of the following:

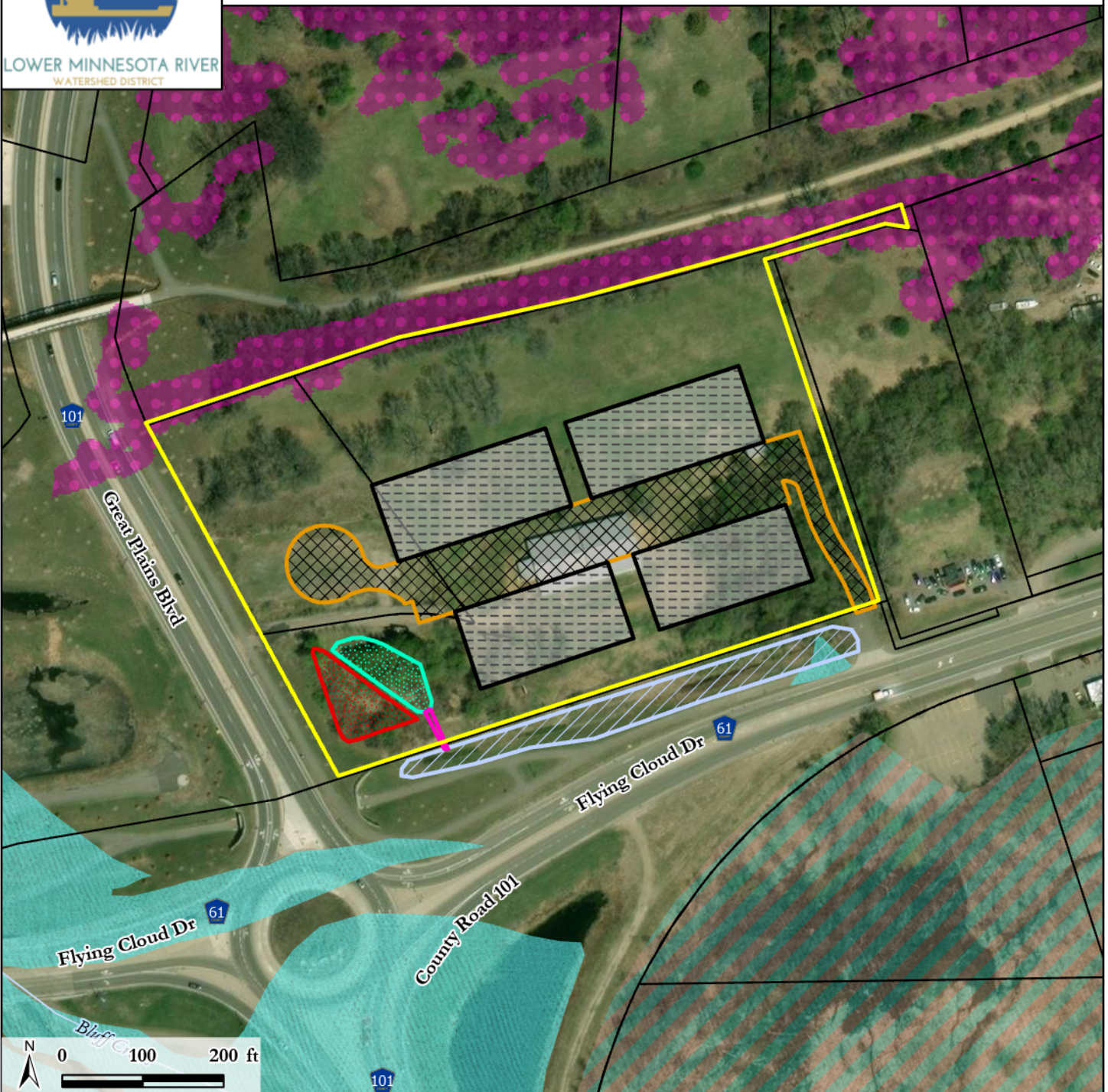
- Copy of the NPDES construction stormwater permit.
- Statement designating an individual who will remain liable to the LMRWD for performance from the time permitted activities commence until 70% vegetation cover is established and the LMRWD has certified satisfaction with erosion and sediment control requirements.
- Name and contact information for all contractors undertaking land-disturbing activities as part of the proposed project.
- Name and contact information for the person(s) responsible for erosion and sediment control inspections and maintenance.
- Documentation of approval from Carver County allowing the project to discharge to the County ditch.
- Documentation of approval for the project from the City of Chanhassen.
- Executed maintenance agreement for the stormwater facilities with the City of Chanhassen.
- Final construction plans signed by a professional engineer.

### Attachments

- Figure 1—RSI Marine Storage Project Location Map



Figure I: RSI Marine Project Location  
LMRWD Permit No. 2022-031



**Legend**

- Project Location
- Proposed Building
- Proposed Infiltration Basin
- Proposed NURP Pond
- Proposed Pavement
- Proposed Outlet
- Carver County Ditch
- Public Waters
- 100-yr Floodplain
- Floodway
- Steep Slope Overlay District
- Parcels

LMRWD Watershed Location Map

Young Environmental Consulting Group, LLC

Projects \ LMRWD \ Project Reviews \ 02 In Process \ Great Plains Blvd \ 04 GIS



# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, February 21, 2024

### Agenda Item

**Item 6. C. - Tramore Heights Addition – Rule F Amendment (LMRWD No. 2023-020)**

### Prepared By

Linda Loomis, Administrator

### Summary

In October 2023, the LMRWD Board of Managers approved this project for initial site preparation and grading. This project is for development of two single family homes on a subdivided lot at 8260 McColl Drive, in Savage. The Project developer is now ready to continue work on the site by beginning to construct impervious surfaces, and has applied for a permit under LMRWD Rule F. Young Environmental Consulting Group, LLC, has reviewed the Rule F application on behalf of the LMRWD.

Approval of the project for compliance with LMRWD Rule F is recommended with the following contingencies:

- Documentation of approval from the City of Savage.
- Name and contact information for the individual responsible for inspection and maintenance of erosion and sediment control measures.
- Name and contact information for all contractors undertaking land-disturbing activities as part of the proposed project.
- Executed maintenance agreement for stormwater management facilities with the City of Savage.
- Statement designating an individual who will remain liable to the LMRWD for performance from the time permitted activities commence until 70% vegetation cover is established and the LMRWD has certified satisfaction with erosion and sediment control requirements.

### Attachments

Technical Memorandum

### Recommended Action

Motion to conditionally approve a permit for Tramore Heights Addition – Rule F Amendment (LMRWD No. 2023-020) subject to the contingencies listed above





# Technical Memorandum

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

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

**Date:** February 14, 2024

**Re:** Tramore Heights Addition—Rule F Amendment (LMRWD No. 2023-020)

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Larry Hassler has applied for an individual project permit from the Lower Minnesota River Watershed District (LMRWD) to split a residential lot for the construction of a new single-family home at 8260 McColl Drive, Savage, MN, 55378 (Figure 1). The applicant's engineer, ISG, Inc., submitted the permit application, associated exhibits, and site plans for the Tramore Heights project.

The proposed project consists of constructing a single-family home, driveway, and infiltration basin. Staff previously reviewed this project, and the LMRWD Board of Managers approved the project for Rule B – Erosion and Sediment Control, initial site preparation activities, and mass grading at the October 18, 2023, meeting (Attachment 1). The project is not located within a High Value Resource Area or Minnesota River floodplain, but the project does result in a net increase in impervious surface to the Steep Slopes Overlay District (SSOD), triggering Rule F—Steep Slopes. The applicant is seeking an amendment to the permit to complete the construction of impervious surfaces and stormwater management facilities. The applicant proposes to begin utility construction in March 2024 and impervious surface construction in May 2024. The project does not trigger Rule D—Stormwater Management because the applicant is proposing to construct less than one acre of new/reconstructed impervious surface.

The City of Savage does not have its municipal permit; therefore, the project requires a LMRWD individual permit and is subject to a LMRWD permitting review.

## Summary

**Project Name:** Tramore Heights Addition

**Purpose:** Construction of a single-family home, associated driveway, and a filtration basin

**Project Size:**

Area Disturbed	Existing Impervious Area	Proposed Impervious Area	Net Increase Impervious Area
2 acres	0.08 acres	0.25 acres	0.17 acres

**Location:** 8260 McColl Drive  
Savage, MN, 55378

**LMRWD Rules:** Rule B – Erosion and Sediment Control  
Rule F – Steep Slopes

**Recommended Board Action:** Conditional approval of Rule F (impervious surface and stormwater management facility construction)

## Discussion

The LMRWD received the following documents for review:

- LMRWD individual permit application; received August 21, 2023.
- NPDES Construction Stormwater Permit; dated August 16, 2023; received August 21, 2023.
- LMRWD Permit application fee of \$300; received August 30, 2023.
- Authorization of Agent form; dated August 21, 2023; received September 19, 2023.
- HydroCAD Report by ISG; revised October 3, 2023; received October 3, 2023.
- Draft Stormwater Maintenance and Operation Agreement; received September 19, 2023.
- Stormwater Management Report by ISG; dated September 15, 2023; revised January 9, 2024; received January 22, 2024.
- Tramore Heights Addition Civil Plans by ISG; dated August 23, 2023; revised January 9, 2024; received January 22, 2024.
- Savage City Council Minutes dated September 5, 2023; received October 3, 2023.

The application was deemed complete on January 19, 2024, and the documents

received provide the minimum information necessary for a permit review for Rule F – Steep Slopes.

Rule F – Steep Slopes

The LMRWD regulates land disturbing-activities within the SSOD and requires a permit for activities that result in a net increase in stormwater runoff to the SSOD. The project proposes to increase impervious area that drains to the SSOD by 0.17 acres. The applicant is proposing to construct an infiltration basin to meet the LMRWD requirements. The infiltration basin outlet and emergency overflow (EOF) are directed toward the SSOD. To prevent erosion of the steep slopes, the applicant proposes to construct an outlet with a flow dissipator to release water through a larger area using perforated drain tile. The EOF of the pond will include class II riprap to serve as an additional erosion control measure.

Section 7.5.3 requires applicants to demonstrate the Project will not change existing drainage patterns, rates, and volumes. The applicant submitted a HydroCAD analysis demonstrating the proposed infiltration basin will provide rate and volume control for the project. The existing and proposed runoff rates are provided in Table 1 and show a decrease from existing conditions. In addition, the applicant completed modeling to show a “worst case scenario” where there would be no infiltration in the basin. The existing and proposed runoff rates under these conditions continue to show a decrease from existing conditions.

*Table 1. Tramore Heights Runoff Rate Summary*

Rainfall Event (24-hour depth)	Existing (cfs)	Proposed (cfs)	Change (cfs)	Proposed No Infiltration (cfs)	Change (cfs)
2-year (2.80")	0.39	0.19	-0.20	0.29	-0.10
10-year (4.20")	1.01	0.72	-0.29	0.96	-0.05
100-year (7.50")	2.84	2.82	-0.02	2.71	-0.13

The reported runoff rates show a decrease for the discharge to the SSOD for the 2-, 10-, and 100-year events, meeting the rate control requirements of Rule F.

The submitted HydroCAD analysis for the infiltration basin demonstrates a volume reduction of 985 cubic feet from existing conditions.

The plans have been signed by a professional engineer in the state of Minnesota. The project complies with the minimum requirements of Rule F.

## Recommendations

Based on review of the project, we recommend conditional approval for Rule F—Steep Slopes, contingent on receipt of the following:

- Documentaiton of approval from the City of Savage.
- Name and contact information for the individual responsible for inspection and maintenance of erosion and sediment control measures.
- Name and contact information for all contractors undertaking land-disturbing activities as part of the proposed project.
- Executed maintenance agreement for stormwater management facilities with the City of Savage.
- Statement designating an individual who will remain liable to the LMRWD for performance from the time permitted activities commence until 70% vegetation cover is established and the LMRWD has certified satisfaction with erosion and sediment control requirements.

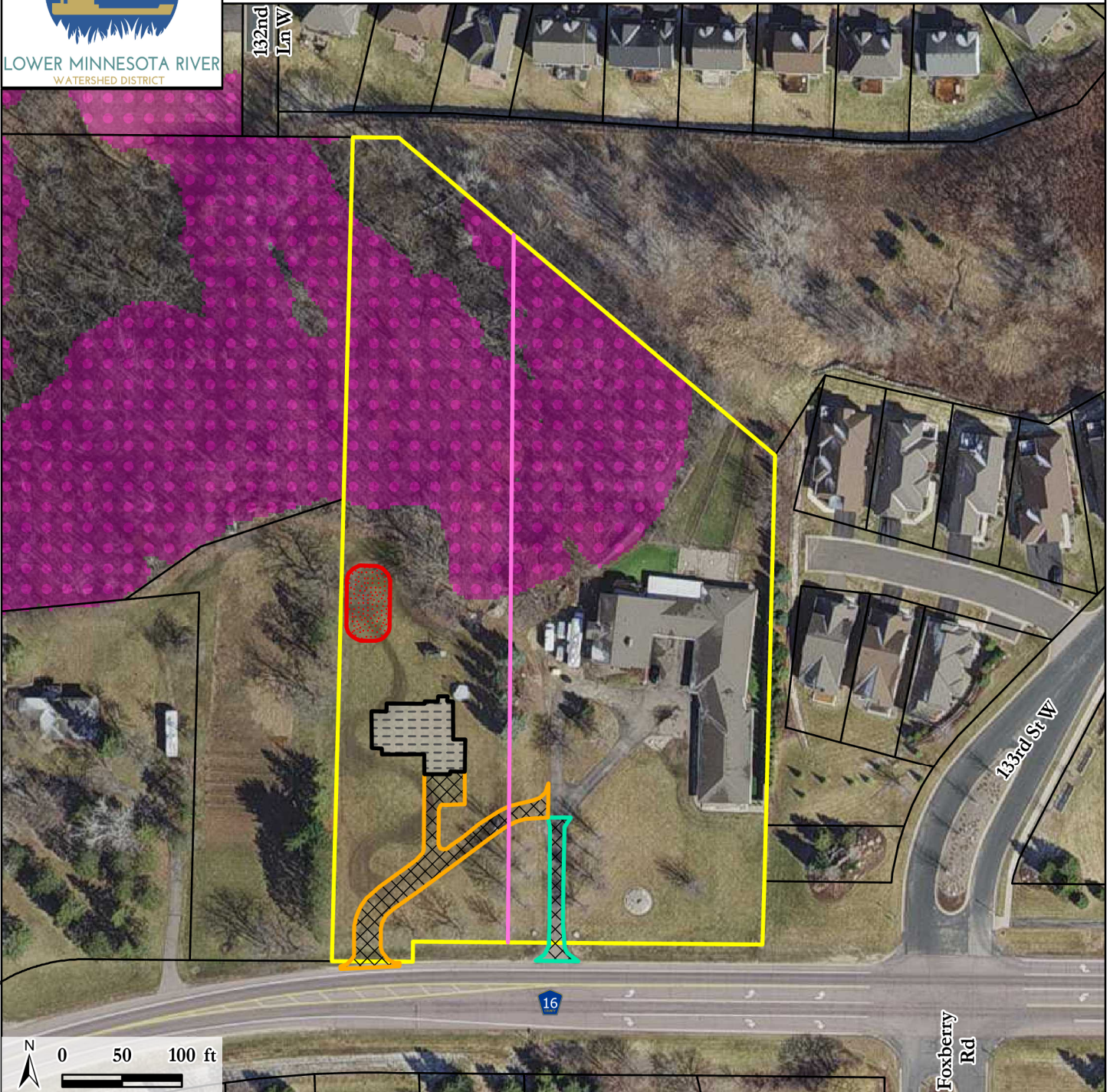
## Attachments

- Figure 1—Tramore Heights Project Location
- Attachment 1—Tramore Heights Addition Rule B Memo





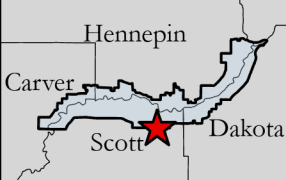
Figure I: Tramore Heights Addition Project Location  
LMRWD No. 2023-020



**Legend**

- Project Location
- Proposed Lot Line
- Filtration Basin
- Proposed Building
- Remove Bituminous
- Steep Slope Overlay District

**LMRWD Watershed Location Map**



Location: Projects\LMRWD\Project Reviews\02 In Process\2023-020 Tramore Heights Addition\04 GIS



# Technical Memorandum

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

**From:** Karina Weelborg, Water Resources Scientist  
Hannah LeClaire, PE, Project Manager

**Date:** October 11, 2023

**Re:** Tramore Heights Addition Rule B (LMRWD No. 2023-020)

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Larry Hassler has applied for an individual project permit from the LMRWD to split a residential lot for the construction of a new single-family home in Savage, MN (Figure 1). The applicant's engineer, ISG Inc., has provided site plans for the Tramore Heights Addition Project (Project) along with the permit application.

The proposed project consists of constructing a single-family home, driveway, and filtration basin. The project would disturb approximately 2 acres and create 0.17 acres of new impervious surface. The project is not located within a High Value Resource Area or floodplain, but it does result in a net increase in impervious surface to the Steep Slopes Overlay District (SSOD). The applicant proposes to begin initial site preparation activities and mass site grading in October 2023 and construction of impervious surfaces and stormwater management facilities in 2024. The project triggers Rule B – Erosion and Sediment Control and Rule F – Steep Slopes. Because the City of Savage does not have its LMRWD municipal permit, this project requires an LMRWD individual permit.

Following discussion with the applicant in September 2023, project time constraints became apparent. In previous permit applications with similar time constraints, permits have been issued in phases to allow the applicant to begin initial site preparation activities and mass grading ahead of other approvals. Because of construction schedule concerns, we have segregated our permit review to include just the initial site preparation activities and mass grading activities (Rule B). The initial permit will explicitly forbid construction of impervious surfaces and stormwater management facilities until LMRWD staff can confirm the project meets all requirements for Rule F.

## Summary

**Project Name:** Tramore Heights Addition

**Purpose:** Construction of a single-family home, associated driveway, and a filtration basin

**Project Size:**

Area Disturbed	Existing Impervious Area	Proposed Impervious Area	Net Increase Impervious Area
2 acres	0.08 acres	0.25 acres	0.17 acres

**Location:** 8260 McColl Drive  
Savage, MN, 55378

**LMRWD Rules:** Rule B – Erosion and Sediment Control  
Rule F – Steep Slopes

**Recommended Board Action:** Approval of Rule B (initial site preparation activities and mass grading only)

## Discussion

The LMRWD received the following documents for review:

- LMRWD individual permit application; received August 21, 2023.
- National Pollutant Discharge Elimination System (NPDES) Construction Stormwater Permit; dated August 16, 2023; received August 21, 2023.
- LMRWD permit fee; received August 30, 2023.
- Authorization of Agent form; dated August 21, 2023; received September 19, 2023.
- HydroCAD Report by ISG Inc.; revised October 3, 2023; received October 3, 2023.
- Draft Stormwater Maintenance and Operation Agreement; received September 19, 2023.
- Stormwater Management Report by ISG Inc.; dated September 15, 2023; revised October 3, 2023; received October 3, 2023.
- Tramore Heights Addition Civil Plans by ISG Inc.; dated August 23, 2023; revised September 25, 2023; received October 3, 2023.
- Savage City Council Minutes; dated September 5, 2023; received October 3, 2023.



The application was deemed complete on October 4, 2023, and the documents received provide the minimum information necessary for a permit review for Rule B – Erosion and Sediment Control.

*Rule B – Erosion and Sediment Control*

Under Rule B, the LMRWD regulates land-disturbing activities that affect one acre or more. The proposed project would disturb approximately 2 acres within the LMRWD boundary. The applicant has provided an erosion and sediment control plan and a Stormwater Pollution Prevention Plan (SWPPP). The contractor and individuals responsible and liable for the inspection and maintenance of erosion and sediment control features are:

Bituminous Roadways Inc.  
Garrett Jedlicki  
1520 Commerce Drive  
Mendota Heights, MN 55120  
[Garrett.jedlicki@bitroads.com](mailto:Garrett.jedlicki@bitroads.com)  
651.686.7001

Bituminous Roadways Inc.  
Cole Denver  
[Cole.denver@bitroads.com](mailto:Cole.denver@bitroads.com)  
715.566.0482

The applicant has provided a copy of the project's NPDES construction stormwater permit. The project complies with Rule B.

**Recommendations**

Based on review of the project, we recommend approval of the project for initial site preparation and grading only in accordance with Rule B.

This permit will allow the applicant to begin site preparation, including mass grading, but does not allow for the construction of any new impervious surface or stormwater management facilities. Staff will continue to work with the applicant to ensure that the project complies with Rule F before a permit can be issued for construction of impervious surface and filtration basin.

**Attachments**

- Figure 1—Tramore Heights Project Location Map



# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, February 21, 2024

### Agenda Item

#### Item 6. D. – CenterPoint Pipeline Abandonment (LMRWD No. 2023-026)

#### Prepared By

Linda Loomis, Administrator

#### Summary

The Board was informed of this project in January and no action was recommended at that time, information was only to make the Board aware of the project.

CenterPoint Energy has now applied for a permit for the project, which will abandon a pipeline in place, under Black Dog Lake, the Minnesota River, and adjacent wetlands. Young Environmental Consulting Group has reviewed the application on behalf of the LMRWD and recommends conditional approval, subject to the following conditions:

- Name and contact information for all contractors undertaking land-disturbing activities.
- Documentation of approval from the City of Burnsville, including WCA Exemption, Right-of-Way Permit, and the Conditional Use Permit.
- Documentation of right-of-way permit from the City of Bloomington.
- Documentation of approval from the USFWS.
- Documentation of approval from the Minnesota Department of Natural Resources (MnDNR), including the Water Appropriations Permit and Utility License Abandonment Authorization Request.

#### Attachments

Technical Memorandum - CenterPoint Pipeline Abandonment (LMRWD No. 2023-026) dated February 14, 2024

Technical Memorandum – CenterPoint Pipeline Abandonment (LMRWD No. 2023-026) dated January 3, 2024

#### Recommended Action

Motion to conditionally approve a permit for CenterPoint Pipeline Abandonment (LMRWD No. 2023-026) subject to the above conditions.

# Technical Memorandum

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

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

**Date:** February 14, 2024

**Re:** CenterPoint Pipeline Abandonment (LMRWD No. 2023-026)

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CenterPoint Energy has applied for an individual project permit from the Lower Minnesota River Watershed District (LMRWD) for work within the Federal Emergency Management Agency (FEMA) 100-year floodplain of the Minnesota River and shoreland of Black Dog Lake to abandon its existing 16-inch diameter (natural gas) steel transmission line located between 1400 Black Dog Road East, Burnsville, MN, and Portland and 102nd Street, Bloomington, MN (Figure 1). The applicant's engineer, ERM, submitted the permit application, associated application exhibits, and site plans for the project.

The proposed project consists of abandoning approximately 8,886 feet of its existing Portland Line steel natural gas transmission line. The existing 16-inch-diameter transmission line will be filled with a grout slurry to prevent buoyancy and abandoned beneath Black Dog Lake, the Minnesota River, and within the boundaries of the Minnesota Valley National Wildlife Refuge. The grout slurry will contain primarily benign concrete or similar materials. The project anticipates disturbing 0.08 acres, which includes six excavations to complete the abandonment procedures. All excavation locations will be backfilled and returned to existing contours. The project is located within the Black Dog Lake High Value Resource Area (HVRA), Steep Slopes Overlay District (SSOD), and Minnesota River floodplain in both Hennepin and Dakota counties and the cities of Burnsville and Bloomington. While the project does go through the SSOD, there are no excavation locations within the SSOD. The applicant proposes to begin pipeline abandonment in June 2024, and it is anticipated that it will take several weeks to complete.

The City of Bloomington and the City of Burnsville have their municipal permit for Rule B – Erosion and Sediment Control and Rule F – Steep Slopes. Therefore, the project will require an LMRWD Individual Permit for Rule C – Floodplain and Drainage Alteration.

## Summary

**Project Name:** CenterPoint Pipeline Abandonment

**Purpose:** Abandonment of natural gas pipeline within the SSOD, HVRA, floodway, and floodplain

<b><u>Project Size:</u></b>	<b>Area Disturbed</b>	<b>Temporary Excavation</b>
	0.08 acres	93.6 cubic yards

**Location:** 1400 Black Dog Road      Portland and 102nd Street  
Burnsville, MN 55337      Bloomington, MN 55420

**LMRWD Rules:** Rule C – Floodplain and Drainage Alteration

**Recommended Board Action:** Conditional Approval

## Discussion

The LMRWD received the following documents for review:

- Burnsville Conditional Use Permit Amendment, by CenterPoint Energy; dated November 28, 2023; received December 21, 2023.
- LMRWD individual permit application; received January 5, 2024.
- Permit Narrative Cover Letter, by CenterPoint Energy; dated January 5, 2024; received January 5, 2024.
- Project Narrative; received January 5, 2024.
- Site Plans, by ERM and CenterPoint Energy; dated November 29, 2023; received January 5, 2024.
- Typical Best Management Practices (BMPs), by CenterPoint Energy; dated February 10, 2023; received January 5, 2024.
- No-rise certification dated November 27, 2023; received January 5, 2024.
- Existing easements received January 5, 2024.
- Timber matting BMP typical section, by US Army Corps of Engineers; received January 24, 2024.
- Groundwater encounter contingency plan, by CenterPoint Energy; received January 24, 2024.
- LMRWD Permit application fee of \$750,; received January 12, 2024.

### Rule C – Floodplain and Drainage Alteration

The LMRWD requires the applicant to provide documentation that the proposed floodplain fill will not cause an increase in the 100-year water surface elevations. The

project is located within the Minnesota River floodplain and floodway, as seen on the FEMA Flood Insurance Rate Map (FIRM) Panel 27037C0070E (effective December 2, 2011) with a 100-year flood elevation of 715.0 feet North American Vertical Datum (NAVD88) at cross-section T.

The project proposes 93.6 cubic yards of temporary excavation. Specifically, the project anticipates 31 cubic yards of excavation in the floodway located near Black Dog Road, with an additional 14 cubic yards of excavation within the floodplain near CenterPoint Energy's Dakota Station Facility. The remaining excavation will be located within CenterPoint Energy's upland easements or within existing road right-of-ways within the City of Bloomington. Final grading proposes to restore the excavation sites to pre-construction contours. CenterPoint will use temporary BMPs to stabilize the area. US Fish and Wildlife Service (USFWS) has historically limited re-seeding activities within wetland areas to encourage growth and establish the natural seedbank within the wetland soils. CenterPoint will consult with the USFWS regarding the potential re-seeding of the wetland areas. The project plans to install a temporary 3,000-square-foot access route (Figure 2), which will be utilized to access the excavation. A typical section of the timber matting used for the access route has been provided. The proposed disturbances will not cause a rise in the 100-year water surface elevation. A no-rise certification signed by a professional engineer has been provided.

An erosion and sediment control plan is required to comply with Rule C. The applicant has submitted an erosion and sediment control plan for the project and provided typical BMPs. The person responsible for erosion and sediment control is noted below:

Colton Peshek  
CenterPoint Energy Senior Environmental Specialist  
612-321-5447  
[Colton.Peshek@centerpointenergy.com](mailto:Colton.Peshek@centerpointenergy.com)

In general, the project complies with Rule C; however, contact information for the contractor is required before a permit can be issued.

#### Additional Considerations

The project proposes excavation within wetlands on the project site. Excavation dewatering may be required in the wetland areas. The applicant submitted a Wetlands Conservation Act (WCA) Utilities Exemption request to the City of Burnsville on January 22, 2024. All discharge plans must be routed through sediment bags and weed-free haybale structures to areas where there is no standing water to prevent sediment introduction into the adjacent wetlands. In addition, the applicant provided a groundwater contingency plan (Attachment 1).



A previous nearby CenterPoint project, 2022 MBL Nicollet River Crossing (LMRWD No. 2022-002), experienced groundwater flows during trenching activities. The contractor backfilled the trench with native soils and compacted the material to prevent further seepage. There was no further evidence of groundwater seepage.

The 2022 MBL Nicollet River Crossing project also identified threatened and endangered species. ERM provided a threatened and endangered species review as part of the application material, which provided information on potential impacts and minimization measures.

### **Recommendations**

Based on review of the project, we recommend conditional approval contingent on receipt of the following:

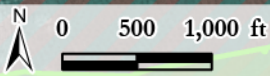
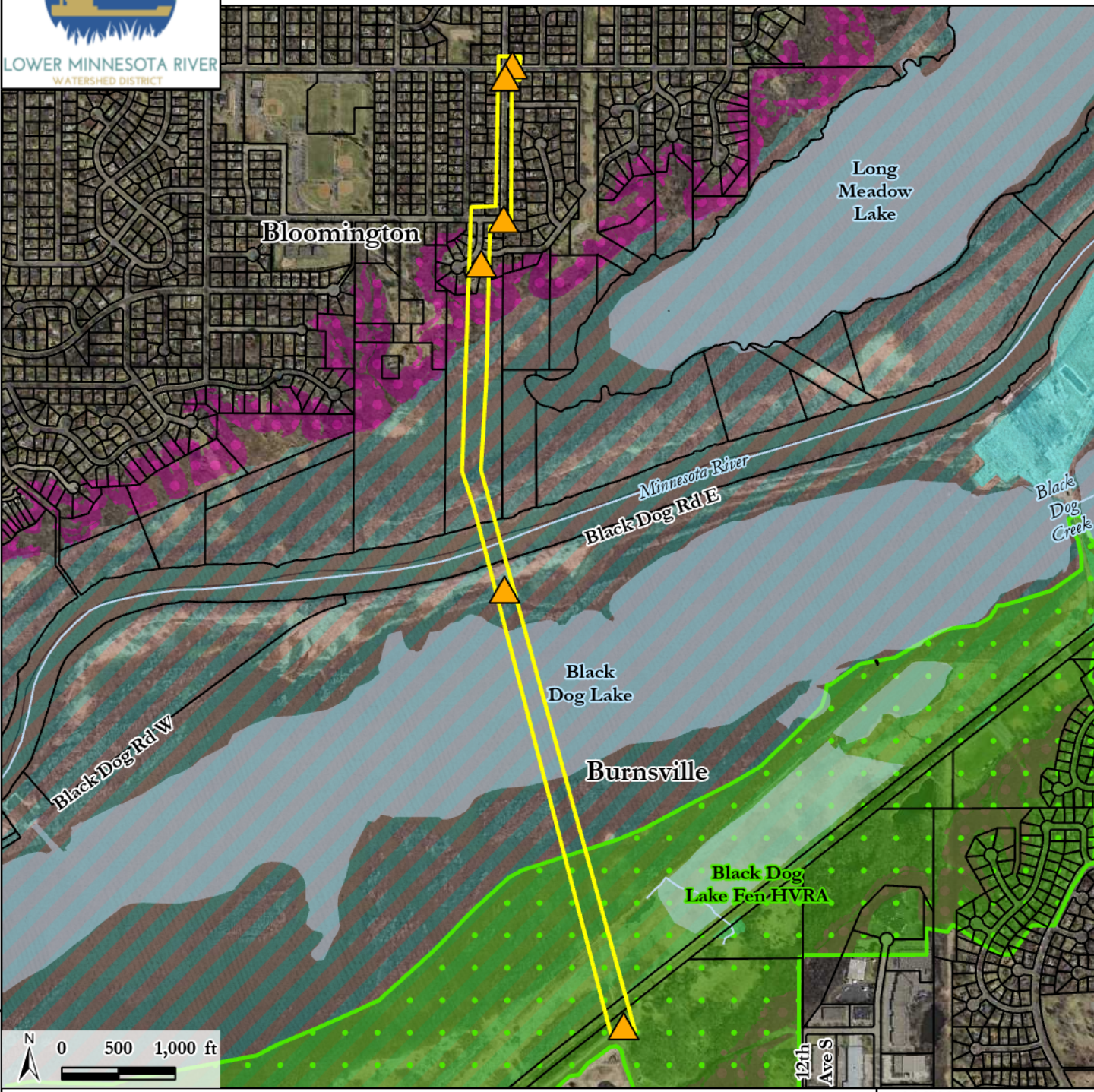
- Name and contact information for all contractors undertaking land-disturbing activities.
- Documentation of approval from the City of Burnsville, including WCA Exemption, Right-of-Way Permit, and the Conditional Use Permit.
- Documentation of right-of-way permit from the City of Bloomington.
- Documentation of approval from the USFWS.
- Documentation of approval from the Minnesota Department of Natural Resources (MnDNR), including the Water Appropriations Permit and Utility License Abandonment Authorization Request.

### **Attachments**

- Figure 1—CenterPoint Energy Pipeline Abandonment Project Location
- Figure 2—CenterPoint Energy Pipeline Abandonment Access Route
- Attachment 1—CenterPoint Groundwater Contingency Plan



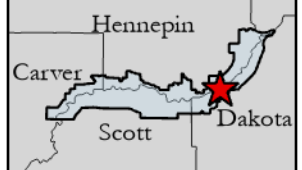
Figure I: CenterPoint Pipeline Abandonment Project Location  
LMRWD No. 2023-026



**Legend**

- Project Location
- Excavations
- Parcels
- Public Waters
- Public Waterbodies
- High Value Resource Area
- Steep Slope Overlay District
- 100-yr Floodplain
- Floodway

**LMRWD Watershed Location Map**

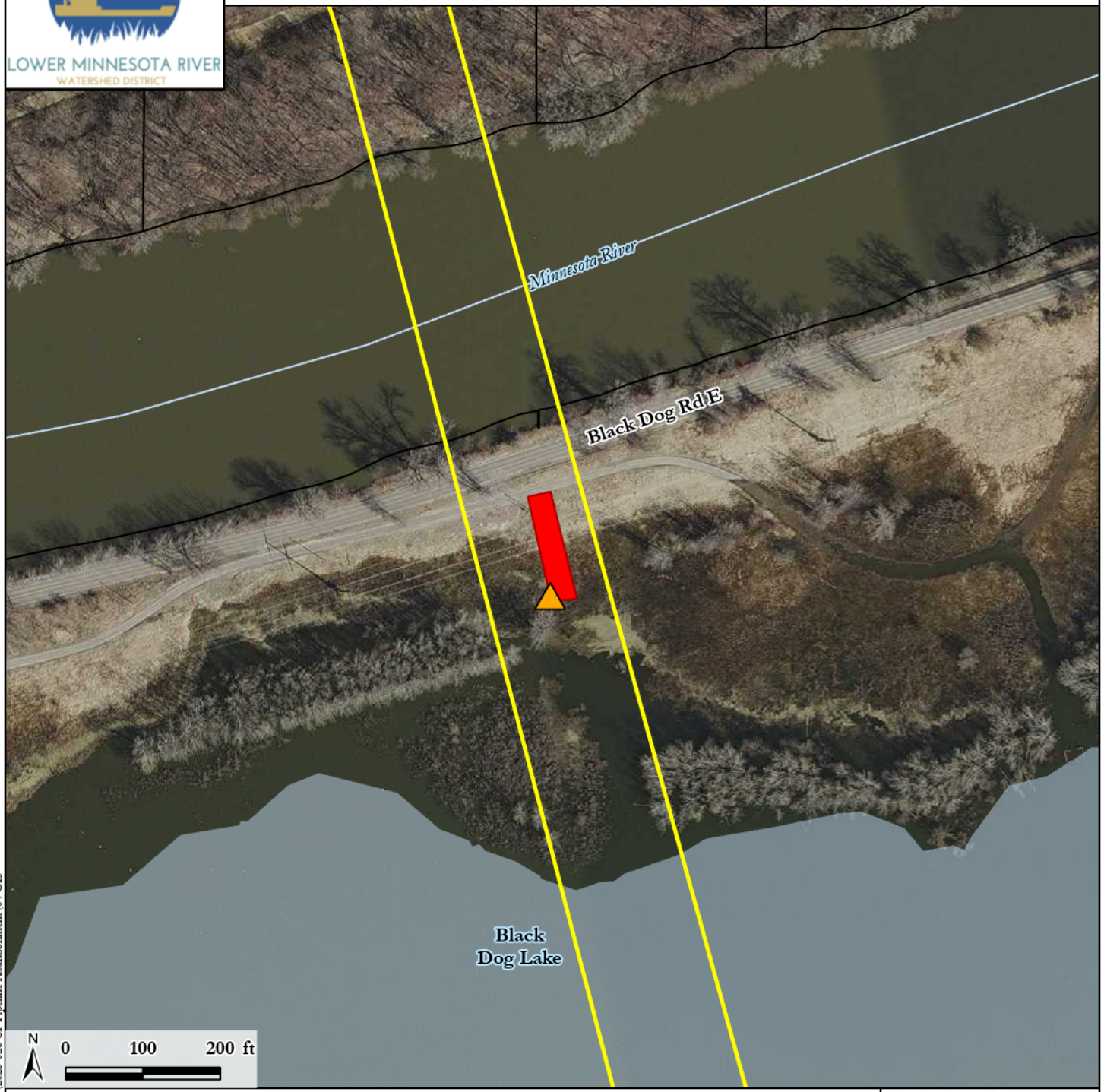


Location: Projects \LMRWD\Project Reviews\02 In Process\2023-026 CP Pipeline

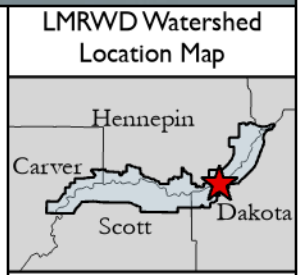




Figure 2: CenterPoint Pipeline Abandonment Access Route  
LMRWD No. 2023-026



- Legend**
- Project Location
  - Excavations
  - Access Route
  - Parcels
  - Public Waters
  - Public Waterbodies



Location: Projects \LMRWD\Project Reviews\02 In Process\2023-026 CP Pipeline Abandonment\04 GIS

**CENTERPOINT ENERGY NATURAL GAS OPERATIONS  
PORTLAND LINE ABANDONMENT PROJECT  
CONTINGENCY PLAN FOR ENCOUNTERING GROUNDWATER**

Historical subsurface disturbances in the project area have not encountered any springs or groundwater flow; however, the CenterPoint Energy-designated Site Inspector will monitor for the presence of shallow groundwater, perched water table, and/or artesian springs during pipeline abandonment activities.

As such, the Site Inspector is to monitor any necessary dewatering activities and complete a dewatering log daily, regardless of if dewatering activities occurred. CenterPoint Energy and its contractor will minimize dewatering to the extent practicable and implement typical dewatering best management practices at discharge points where dewatering is required.

**A Minnesota Department of Natural Resources (DNR) Water Appropriations Permit has been obtained (refer to attached Permit No. [ERM to insert upon receipt]) if dewatering volumes are anticipated to reach or exceed 10,000 gallons per day.**

However, if excessive groundwater flow is encountered during pipeline abandonment activities, the Site Inspector is to implement the following procedure:

1. Notify Environmental Services (Colton Peshek, CenterPoint Energy Senior Environmental Specialist, 612-321-5447 or [Colton.Peshek@centerpointenergy.com](mailto:Colton.Peshek@centerpointenergy.com)) immediately so that notifications can be made to the DNR, City of Burnsville, and Lower Minnesota River Watershed District (LMRWD).
2. The Site Inspector and contractor will stop work and evaluate options for sealing the source of groundwater flow.
3. Additional erosion and sediment control best management practices (i.e., straw/hay bales, silt fence, sediment control logs, etc.) will be implemented as needed around the excavation to prevent sediment transport to the Minnesota River, Black Dog Lake, and associated wetlands during dewatering activities. If the Site Inspector or contractor observes sediment runoff toward the wetlands or waterbodies, contact Colton Peshek immediately.
4. Environmental Services will contact Joe Richter (DNR District Appropriations Hydrologist, 651-259-5877 or [Joe.Richter@state.mn.us](mailto:Joe.Richter@state.mn.us)) to discuss mitigation measures and obtain concurrence prior to initiating actions to minimize potential impact on natural groundwater flow patterns.
5. Environmental Services will provide subsequent notifications to the City of Burnsville and LMRWD as necessary.

# Technical Memorandum

**To:** Marcus Green, Consultant 2, Scientist  
Environmental Resource Management (ERM)

Kevin Trushenski, Community Development Assistant  
City of Burnsville

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

**From:** Erica Bock, Water Resources Scientist  
Della Schall Young, PMP, CPESC, CTF, Principal Scientist

**Date:** January 3, 2024

**Re:** CenterPoint Pipeline Abandonment (LMRWD No. 2023-026)

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The City of Burnsville (City) provided notification of a new Conditional Use Permit (CUP) for CenterPoint Energy to allow work within the Federal Emergency Management Agency (FEMA) Floodplain and Shoreland of the Minnesota River and Black Dog Lake to abandon its existing 16-inch diameter (natural gas) steel transmission line located at 1400 Black Dog Road East and 11500 12th Avenue South, Burnsville, MN (Figure 1). The project's engineer, ERM, provided site plans for review. The City asked for review of the comments and response to Marcus Green, ERM, by January 3, 2024.

The proposed project consists of abandoning approximately 8,886 feet of its existing Portland Line steel natural gas transmission line. The existing 16-inch-diameter transmission line will be filled and abandoned beneath Black Dog Lake, the Minnesota River, and within the boundaries of the Minnesota Valley National Wildlife Refuge. The project anticipates disturbing 0.08 acres, which includes six excavations to complete the abandonment procedures. All the excavation locations will be backfilled. The project is located within the High Value Resource Area (HVRA), Steep Slopes Overlay District (SSOD), and Minnesota River floodplain in both Hennepin and Dakota counties and the cities of Burnsville and Bloomington. The applicant proposes to begin pipeline abandonment in June 2024 and it is anticipated that it will take several weeks to complete.

The City has its municipal permit for Rule B: Erosion and Sediment Control and Rule F: Steep Slopes Overlay District. Therefore, the project will require an LMRWD Individual Permit for Rule C: Floodplain and Drainage Alteration. The purpose of this memo is to summarize the preliminary review that Young Environmental Consulting Group (Young

Environmental) has completed in response to the City’s request for comments on the CenterPoint CUP application and to provide preliminary recommendations to the prospective applicant. This does not address review required across the river in the City of Bloomington.

### Summary

**Project Name:** CenterPoint Pipeline Abandonment

**Purpose:** Abandonment of natural gas pipeline within the SSOD, HVRA, floodway, and floodplain

<b><u>Project Size:</u></b>	<b>Area Disturbed</b>
	0.08 acres

**Location:** 1400 Black Dog Road  
Burnsville, MN 55337

**LMRWD Rules:** Rule C – Floodplain and Drainage Alteration

**Recommended Board Action:** Information Only

### Discussion

The LMRWD received the following documents for review:

- Burnsville Conditional Use Permit Amendment, by CenterPoint Energy; dated November 28, 2023; received December 21, 2023.
- Plans and documentation, by CenterPoint Energy and ERM; dated November 21, 2023; received December 21, 2023.
- Project narrative; received December 21, 2023.
- Site Plan, by CenterPoint Energy; dated October 19, 2023; received December 21, 2023.

#### Rule C – Floodplain and Drainage Alteration

The LMRWD requires the applicant to provide documentation that the proposed floodplain fill will not cause an increase in the 100-year water surface elevations. The project is located within the Minnesota River floodway, as seen on the FEMA Flood Insurance Rate Map (FIRM) Panel 27037C0070E (effective December 2, 2011) with a 100-year flood elevation of 715.0 feet National Geodetic Vertical Datum of 1929 (NGVD 29) at cross-section T.



The project anticipates 31 cubic yards of excavation in the floodway located near Black Dog Road, with an additional 14 cubic yards of excavation within the floodplain near CenterPoint Energy's Dakota Station Facility. CenterPoint plans to install a temporary 3,000-square-foot workspace, which will be utilized to access the excavation. Final grading proposes to restore the excavation sites to pre-construction contours.

To comply with Rule C, the applicant must provide a no-rise certification signed by a professional engineer and supporting calculations to demonstrate that the proposed impacts (although temporary) will not result in a loss of flood conveyance capacity or cause a rise in the 100-year flood elevation of the Minnesota River. We recommend the prospective applicant review [LMRWD Rule C](#), Sections 4.4 and 4.5 for further information regarding compliance.

### *Additional Considerations*

The project proposes excavation within wetlands on the project site. Excavation dewatering may be required in the wetland areas. We request that the applicant provide additional information about whether the project has undergone a Wetland Conservation Act (WCA) review. All discharge plans must be routed to areas where there is no standing water through sediment bags and weed-free hay-bale structures to prevent sediment introduction into the adjacent wetlands.

A previous nearby CenterPoint project, 2022 MBL Nicollet River Crossing (LMRWD No. 2022-002), experienced groundwater flows during trenching activities. The contractor backfilled the trench with native soils and compacted the material to prevent further seepage. There was no further evidence of groundwater seepage. The LMRWD is increasingly concerned about the potential negative impacts of deep excavations on groundwater.

The MBL Nicollet River Crossing project also identified threatened and endangered species. We request that the applicant provide a status update about any reviews or coordination that has been completed to minimize potential disturbances to threatened and endangered species (i.e. a cultural resources review).

Because the project has proposed excavation locations within the City of Bloomington, we request that the applicant provide an update on project coordination that has occurred with the City of Bloomington. The LMRWD will require project approval from both the City of Burnsville and the City of Bloomington before issuing a permit.

### **Recommendations**

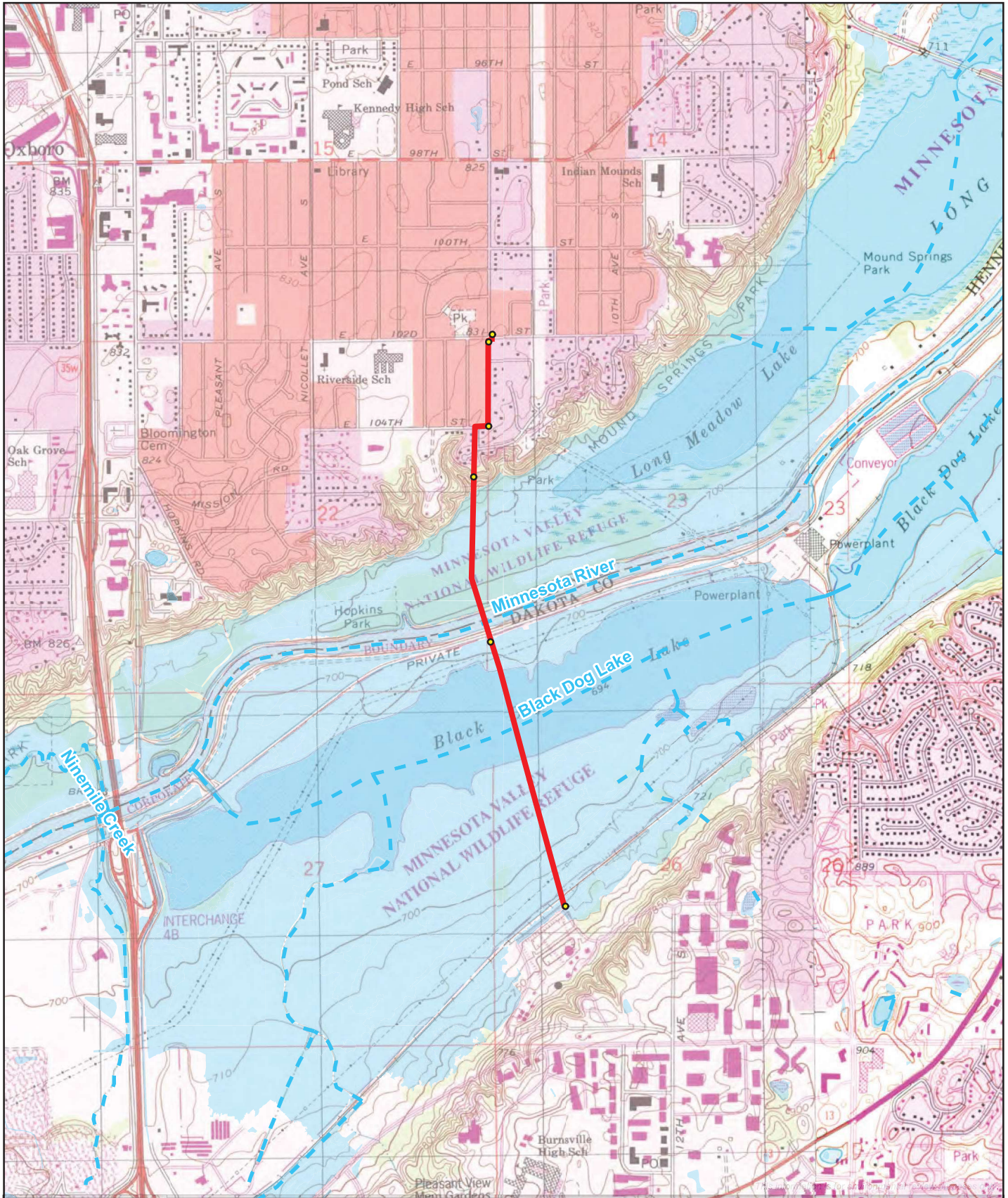
No board action is required at this time. As presented, CenterPoint Energy must obtain an LMRWD Individual Project permit before the start of construction activities for the applicable LMRWD rules. We offer the following summarized comments to the project to help facilitate the permit review process:

- Review LMRWD [Rule C](#), especially the “Criteria” and “Required Information” and “Exhibits” sections to determine the requirements for compliance.
- For compliance with LMRWD Rule C, provide a no-rise certification signed by a professional engineer and calculations to demonstrate that the proposed excavation and access road (although temporary) would not result in a loss of flood conveyance capacity nor cause a rise in the 100-year flood elevation of the Minnesota River.
- The LMRWD will require approval from the City of Burnsville and the City of Bloomington.
- The LMRWD will require a status update on the WCA review information once available.
- The LMRWD will require a status update about any cultural resources review that may have occurred in the project area.
- The LMRWD encourages early coordination for complex projects and suggests scheduling a pre-application meeting to discuss the LMRWD permitting process and requirements.

#### **Attachments**

- Figure 1—Project Location

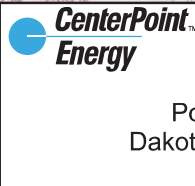




- Excavation Sites
- Proposed Pipeline Abandonment
- NWI Wetlands
- - - River/Stream

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**Figure 1**  
**Site Location Map**  
 Portland Line Abandonment Project  
 Dakota and Hennepin Counties, Minnesota





# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, February 21, 2024

### **Agenda Item**

#### **Item 6. E. – City of Chaska Municipal LGU Permit Review**

### **Prepared By**

Linda Loomis, Administrator

### **Summary**

The City of Chaska has chosen to apply for a Municipal LGU Permit from the LMRWD to implement LMRWD Rules B and D. LMRWD Rules allow municipalities to apply for a Municipal LGU permit once municipal official controls conform with LMRWD Rules. Young Environmental Consulting Group, LLC, has worked with the City of Chaska and reviewed its official controls and the Municipal LGU Permit application on behalf of the LMRWD. Young Environmental recommends approving a Municipal LGU Permit for the City of Chaska to implement LMRWD Rules B and D.

The LMRWD will retain permit authority over projects that trigger LMRWD Rules C and F or fall within a High Value Resource Area. The City will notify developers of the need for an LMRWD permit in those situations.

### **Attachments**

Technical Memorandum – City of Chaska Municipal LGU Permit Review dated February 14, 2024

### **Recommended Action**

Motion to approve the City of Chaska for an LMRWD Municipal LGU permits to implement Rules B and D.





# Technical Memorandum

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

**From:** Mitchell Evans, Water Resources Scientist  
Hannah LeClaire, PE, Project Manager

**cc:** Brent Alcott, City of Chaska

**Date:** February 14, 2024

**Re:** LMRWD— City of Chaska Municipal LGU Permit Review

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On November 29, 2023, Brent Alcott, on behalf of the City of Chaska (City), applied for the LMRWD general municipal local government unit (LGU) permit. The city submitted Section 5.3.2 Design Standards from their Local Surface Water Management Plan. An earlier version of this document was submitted to the LMRWD for review in July 2023. Young Environmental Consulting Group (Young Environmental) provided comments on behalf of the LMRWD (Attachment 1). The submitted document incorporates these comments and presents evidence of compliance with policy, regulation, exceptions, and criteria associated with Rules B – Erosion and Sediment Control and D – Stormwater Management. At this time, the City has requested that the LMRWD maintain permitting authority for Rule C – Floodplain and Drainage Alterations and Rule F – Steep Slopes, as well as for projects located with High Value Resource Areas that trigger either Rule B or Rule D.

Below is a summary of Young Environmental’s review of the information provided and our recommendation.

## **Erosion and Sediment Control**

Compliance with the LMRWD’s Rule B – Erosion and Sediment Control is captured in Section 5.3.2.1 Submittal Requirements, Section 5.2.2.2 Erosion and Sediment Control, and Section 5.3.2.4. Section 5.3.2 Design Standards indicates that areas of the city that are within the LMRWD will be governed by the most restrictive erosion and sediment control rules.

## **Stormwater Management**

Compliance with the LMRWD's Rule D – Stormwater Management is captured in Section 5.3.2.1 Submittal Requirements, Section 5.3.2.4 Stormwater Quantity, Section 5.3.2.5 Stormwater Quality, and Section 5.3.2.6 Stormwater Abstraction. Areas of the city that are within the LMRWD will be governed by the most restrictive stormwater management rules.

## **Recommendations**

As presented, the City's Design Standards meet the requirements outlined within the LMRWD rules for an LGU Permit. For projects that fall within an HVRA or trigger LMRWD Rule C or F, the City will notify applicants that an LMRWD individual permit will be required in addition to meeting Chaska Design Standards. We recommend approval of an LGU permit for implementation of LMRWD Rules B and D, with the exception of HVRA's which will remain under LMRWD permitting authority. Additionally, the LMRWD will retain permitting authority for Rules C and F at this time.

## **Attachments**

- Attachment 1—City of Chaska Stormwater Requirement Updates Review





# Technical Memorandum

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

**From:** Karina Weelborg, Water Resources Scientist  
Hannah LeClaire, PE, Project Manager

**cc:** Brent Alcott, City of Chaska

**Date:** July 12, 2023

**Re:** LMRWD— City of Chaska Stormwater Requirement Updates Review

The City of Chaska (City) is updating its Local Surface Water Management Plan (LSWMP) Section 5.3.2 Design Standards to be consistent with its Municipal Separate Storm Sewer System (MS4) permit requirements. On June 22, 2023, the City requested comments on these updates. Young Environmental Consulting Group (Young Environmental) reviewed the updated LSWMP Section 5.3.2 Design Standards and provided comments on behalf of the LMRWD. The updated LSWMP was compared with LMRWD Rules to better understand how the LMRWD and the City can work together to protect, preserve, and manage water resources within the LMRWD. Below is a summary of Young Environmental’s review of the Design Standards section and our recommendations.

## Erosion and Sediment Control

Section 5.3.2.1 Submittal Requirements, Section 5.3.2.2 Erosion and Sediment Control, and Section 5.3.2.4 Stormwater Quantity contain information relevant to the LMRWD’s Rule B—Erosion and Sediment Control. Table 1 lists LSWMP sections and LMRWD recommendations for erosion and sediment control.

*Table 1. LSWMP Erosion and Sediment Control Recommendations*

LSWMP Section	LMRWD Recommendation
Section 5.3.2.1 Submittal Requirements Subsection 8 – presents City requirements for erosion and sediment control plans	City requirements match LMRWD Rule B requirements for erosion and sediment control plans
Section 5.3.2.1 Submittal Requirements	City requirements match LMRWD Rule B

Subsection 9 – requires wetland delineation	requirements for wetlands in erosion and sediment control plans
Section 5.3.2.1 Submittal Requirements Subsection 10 – states applications must meet Floodplain and Shoreland Ordinances	It is recommended that the City require delineation of any floodplain changes in erosion and sediment control plans as listed in LMRWD Rule B.5.2.G
Section 5.3.2.2 Erosion and Sediment Control – adopts and incorporates Minnesota’s Construction Stormwater General Permit by reference	The City’s requirements match LMRWD Rule B regulatory standards and requirements for general areas.  It is recommended that the City provide additional amendments to include the LMRWD’s stricter requirements for High Value Resource Areas (HVRA) listed in Rule B.3.2.B.
Section 5.3.2.4 Stormwater Quantity Subsection 25 – requires 6” of topsoil in all green spaces and general soil decompaction	It is recommended that the City require decompaction to a depth of 18” as listed in LMRWD Rule B.3.4.3.B

**Stormwater Management**

Section 5.3.2.1 Submittal Requirements, , Section 5.3.2.4 Stormwater Quantity, Section 5.3.2.5 Stormwater Quality, and Section 5.3.2.6 Stormwater Abstraction contain information relevant to the LMRWD’s Rule D – Stormwater Management. Table 2 lists LSWMP sections and LMRWD recommendations for stormwater management.

*Table 2. LSWMP Stormwater Management Recommendations*

LSWMP Section	LMRWD Recommendation
Section 5.3.2.1 Submittal Requirements Subsection 7 – presents City requirements for stormwater management plans	The City’s requirements for stormwater management plans match or exceed the LMRWD’s standards and requirements.
Section 5.3.2.4 Stormwater Quantity – presents City requirements for rate control	The City’s requirements for rate control match or exceed the LMRWD’s standards requirements.
Section 5.3.2.5 Stormwater Quality – presents City’s water quality requirements	The City’s total phosphorus (TP) and total suspended solid requirements (TSS) match or exceed the LMRWD’s standards and requirements for TP and TSS reduction.  It is recommended that the City provide additional amendments to include the LMRWD’s stricter requirements for High Value Resource Areas (HVRA), such as trout

	waters, as listed in LMRWD Rule D.5.4.3.B.
Section 5.3.2.6 Stormwater Abstraction Subsections 2 and 3 - presents City's volume retention requirements	The City's requirements for volume retention generally match the LMRWD standards and requirements for general areas.  It is recommended that the City provide additional amendments to include the LMRWD's stricter requirements for the HVRAs.
Section 5.3.2.6 Stormwater Abstraction Subsection 4 – presents City's requirements for infiltration	It is recommended that the City also provide restrictions for areas within the LMRWD Steep Slopes Overlay District as listed in Rule D.5.4.3.C

**Recommendations**

We greatly appreciate the opportunity to review the amendments to the City's LSWMP Section 5.3.2 Design Standards. The City is to be commended for its efforts to protect our water resources. In general, the LMRWD supports the adoption of the amendments to Section 5.3.2; however, the LMRWD recommends the following amendments to the LSWMP before adoption:

- Provide stricter erosion and sediment control and stormwater management regulatory standards and requirements for HVRAs and the Steep Slopes Overlay District.
- Require floodplain delineation in erosion and sediment control plans.
- Require deeper decompaction of compacted soils.



# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, February 21, 2024

### **Agenda Item**

**Item 6. F. – 535 Lakota Lane, Chanhassen – work without a permit**

### **Prepared By**

Linda Loomis, Administrator

### **Summary**

On Tuesday, February 6, 2024, Initial Disclosures were served upon opposing counsel. Disclosures that were filed are attached for the Board's Information.

### **Attachments**

Plaintiff's Initial Disclosure dated 2-6-2024

Supporting documentation

### **Recommended Action**

No action recommended



STATE OF MINNESOTA

Case Type: Civil – Other  
DISTRICT COURT

COUNTY OF CARVER

FIRST JUDICIAL DISTRICT

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Lower Minnesota River Watershed District,

Court File No. 10-CV-23-1151

Plaintiff,

**PLAINTIFF’S RULE 26.01  
INITIAL DISCLOSURES**

v.

Eco Real Estate Holdings LLC; and Andrew  
Polski, individually and as a registered agent  
for Eco Real Estate Holdings LLC,

Defendants.

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Pursuant to Rule 26.01(a)(1), Plaintiff Lower Minnesota River Watershed District, makes  
the following disclosures:

**INTRODUCTORY STATEMENT**

The following disclosures are made based on the information reasonably available to Plaintiff as of the date hereof. By making these disclosures, Plaintiff does not represent that it is identifying every document, tangible thing or witness that it may possibly use to support its claims or defenses. Plaintiff does not waive its right to object to the production of any document or tangible thing disclosed herein on the basis of any privilege, the work product doctrine, relevancy, undue burden or any other valid objection. Plaintiff’s disclosures represent a good faith effort to identify information it reasonably believes it may use to support its claims or defenses, unless solely for impeachment, as required by Rule 26(a)(1).

Finally, Plaintiff’s disclosures are made without in any way waiving: (1) the right to object on the grounds of competency, privilege, relevancy and materiality, hearsay, data

classification or any other proper ground, to use of any such information, for any purpose, in whole or in part, in any subsequent proceeding in this action or any other action; and (2) the right to object on any and all grounds, at any time, to any other discovery request or proceeding involving or relating to the subject matter of these disclosures.

All of the disclosures set forth below are made subject to the above objections and qualifications.

**26(a)(1)(A)**

The name, and if known, the address and telephone number of each individual likely to have discoverable information – along with the subjects of that information – that the disclosing party may use to support its claims or defenses, unless the use would be solely for impeachment:

- A. Della Young, Young Environmental Consulting Group, LLC, 6040 Earle Brown Drive, Suite 306, Brooklyn Center, MN 55430; (651) 249-6974. Ms. Young has information regarding the Plaintiff's investigation into the violations on Defendant's property at issue.
- B. Linda Loomis, Lower Minnesota River Watershed District Administrator, 112 5th Street East, Suite 102, Chaska, MN 55318; (763) 568-9522. Ms. Loomis has information regarding the Plaintiff's investigation into the violations on Defendant's property at issue, Plaintiff's rules and regulations, and Plaintiff's prior communications with Defendant regarding the violations.
- C. Katy Thompson, Young Environmental Consulting Group, LLC, 6040 Earle Brown Drive, Suite 306, Brooklyn Center, MN 55430; (651) 249-6974. Ms. Thompson has information regarding the Plaintiff's investigation into the violations on Defendant's property at issue.
- D. Dale Denn, HomeStead Septic, 1108 Goldrenrod Lane, Shakopee, MN 55379; (612) 310-7887. Mr. Denn designed and installed sump pump system, which is in violation of Plaintiff's rules and regulations.
- E. Unknown employee of City of Chanhassen Planning Commission, 7700 Market Boulevard P.O. Box 147 Chanhassen, MN 55317; (952) 227-1100. Has knowledge of violations on Defendant's property.

Plaintiff reserves the right to amend this list to add or remove individuals and add or remove subjects of information.

**26(a)(1)(B)**

A copy of, or a description by category or location of, all documents, electronically stored information, and tangible things that the disclosing party has in its possession, custody, or control and may use to support its claims or defenses, unless the use would be solely for impeachment:

Bates Number	Description of Document
RN 0001 – RN 0029	Technical Memorandum
RN 0030 – RN 0033	May 25, 2022 letter to ECO Real Estate Holdings LLC
RN 0034 – RN 0040	July 25, 2022 letter to ECO Real Estate Holdings LLC
RN 0041 – RN 0043	August 17, 2022 letter to ECO Real Estate Holdings LLC
RN 0044 – RN 0045	LMRWD Individual Permit
RN 0046 – RN 0059	Type I Trench Design Plans
RN 0060 – RN 0062	Septic Invoice and Final Inspection

**26(a)(1)(C)**

A computation of each category of damages claimed by the disclosing party – who must also make available for inspection and copying as under Rule 34 the documents or other evidentiary material, unless privileged or protected from disclosure, on which each computation is based, including materials bearing on the nature and extent of injuries:

Plaintiff seeks injunctive and non-economic relief.

**26(a)(1)(D)**

For inspection and copying as under Rule 34, any insurance agreement under which an insurance business may be liable to satisfy all or part of a possible judgment in the action or to indemnify or reimburse for payments made to satisfy judgment:

A. N/A

**26(b) Disclosure of Expert Testimony**

Disclosure of the identity of any witness that may be used at trial to present evidence under Minnesota Rules of Evidence 702, 703 or 705:

A. Expert witnesses not yet determined.

Dated: February 6, 2024

RINKE NOONAN, LTD.

/s/ Hannah Schacherl

Hannah Schacherl (#0403739)

John C. Kolb (#268938)

Suite 300 US Bank Plaza

1015 W. St. Germain St.

P.O. Box 1497

St. Cloud, MN 56302

(320) 251-6700

(320) 656-3500 fax

Email: [HSchacherl@rinkenoonan.com](mailto:HSchacherl@rinkenoonan.com)

Email: [JKolb@rinkenoonan.com](mailto:JKolb@rinkenoonan.com)

ATTORNEYS FOR PLAINTIFF





# Technical Memorandum

To: Linda Loomis, Administrator  
Lower Minnesota River Watershed District

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

Date: May 12, 2022

Re: 535 Lakota Lane Inspection (LMRWD No. 2022-018)

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During the April 16, 2022, board meeting, the administrator and legal counsel informed the managers that the owner of 535 Lakota Lane had made improvements to the property potentially within the Lower Minnesota River Watershed District (LMRWD) within the Steep Slopes Overlay District (SSOD) without a permit. Based on the information, the managers authorized staff to inspect the property to assess whether the owner had violated LMRWD rules. Young Environmental, as LMRWD staff, completed the property inspection because the city of Chanhassen does not have its municipal LGU permit, and our findings are as follows.

## Background

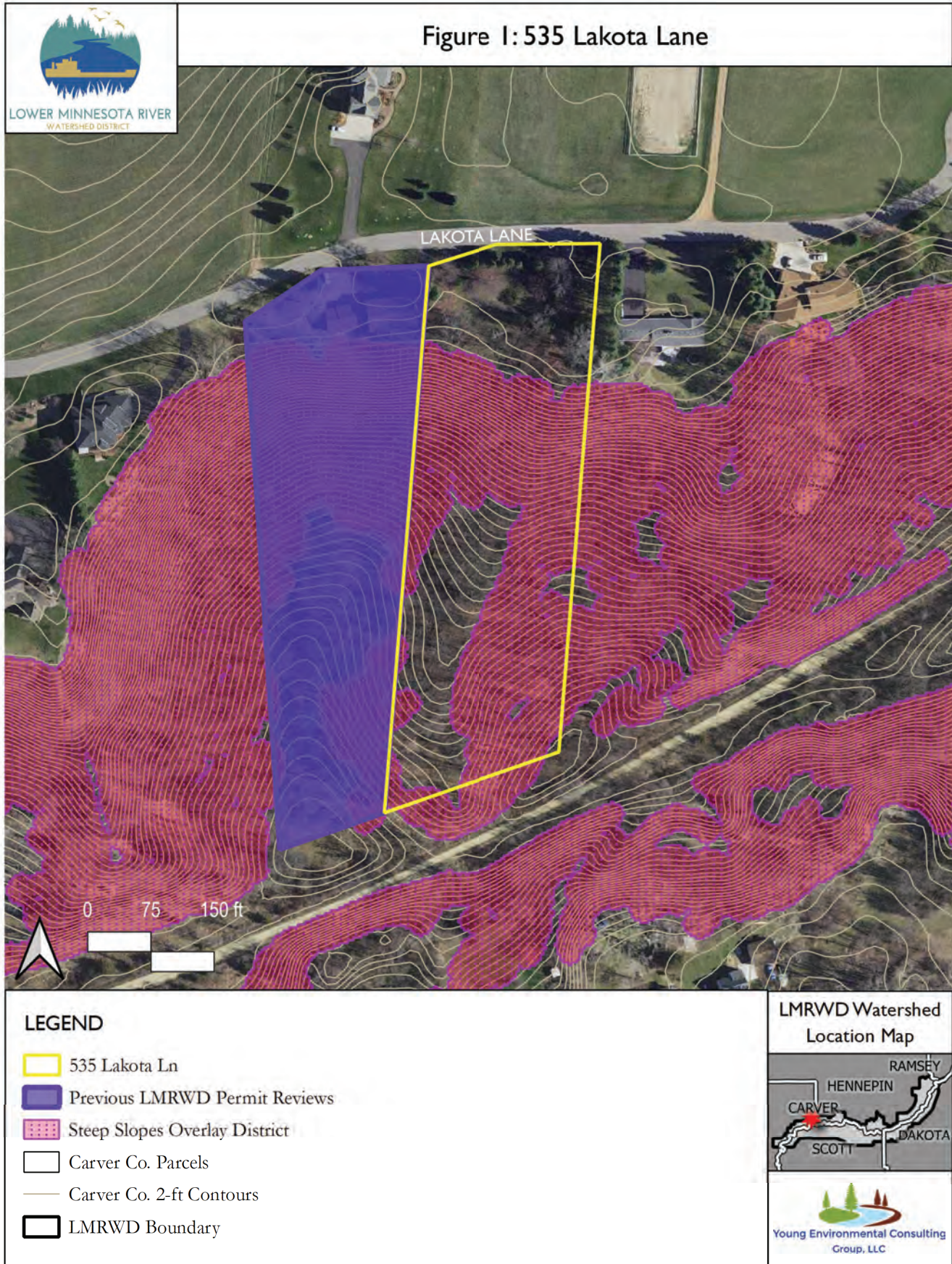
The City of Chanhassen (City) contacted the LMRWD on April 13, 2022, regarding a resident, Mr. Andy Polski, who had recently done work to their property at 535 Lakota Lane without a permit (Figure 1). The City was concerned that the work may have been in the LMRWD SSOD and included grading, construction of a retaining wall and drain tile, and tree removals. The City became aware of the violation when Mr. Polski listed the property for sale, and the information included a list of improvements that required City permits; however, no permits had been pulled. City staff investigated the violations and are now working with the property owner to either retroactively issue the permits for the 50 improvements identified or restore the site to previous conditions because the improvements have already been constructed (Attachment 1). The concerns related to the LMRWD SSOD include the following:

- Encroachments into the bluff setback and impact zone from the deck addition,

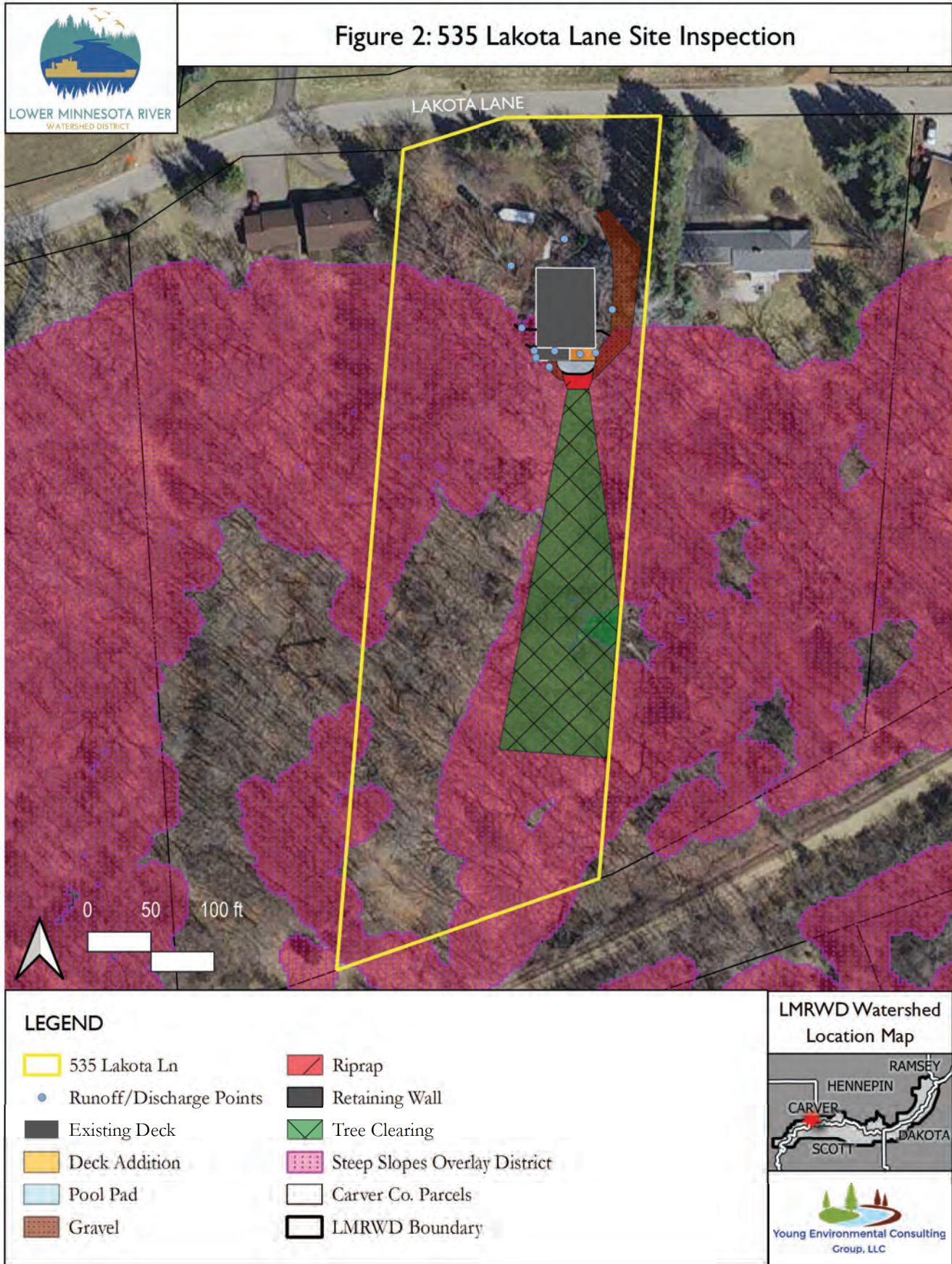
Page 2 of 8

- retaining wall, pool pad, and grading and vegetation removal
- Tree removal on the bluff
- Drain tile and sump pump installation
- Permanent site stabilization to prevent erosion

The approximate extent of the improvements are shown in Figure 2.









## Summary

<u>Project Name:</u>	Polski Residence—Work Without Permit
<u>Purpose:</u>	Unpermitted residential improvements and grading in the SSOD
<u>Project Size:</u>	Unknown, estimated 1,400 square feet in SSOD and approximately 3,700 square feet of new impervious surfaces.
<u>Location:</u>	535 Lakota Lane, Chanhassen (Parcel ID No. 251300020)
<u>LMRWD Rules:</u>	Rule F—Steep Slopes
<u>Recommended Board Action:</u>	None, information only

The property is located in the Bluffview Addition, platted in 1958 and constructed in 1978. It is currently listed by the Carver County tax assessor as having one story and four bedrooms in 2,318 square feet. The current listing states that the property is five bedrooms, three bathrooms, and 4,864 square feet—significantly larger than the County information provided.

A review of County aerial photography clearly shows the construction of the new aboveground pool pad, deck addition, and retaining wall and riprap noted in the field (Figures 3 and 4).



Figure 3. Carver County aerial images of 535 Lakota Lane (left taken April 15, 2015, and right taken November 21, 2020.).





Figure 4. Western view of 535 Lakota Lane (top image taken on April 24, 2018; bottom image taken on April 8, 2020.).

## Site Inspection

On May 5, 2022, Young Environmental staff visited 535 Lakota Lane to document site conditions. Prior to inspecting the property, staff noted that it appeared the occupant was home. Staff knocked on the door to talk to the homeowner, but no one answered the door. Staff then walked around the property and took photos to document the site conditions (Attachment 2). Staff observed the following:

1. Twelve roof, sump pump, or drain tile discharge points were identified coming from the house and discharging onto the property. Ten of these were discharged into the SSOD.
2. Extensive tree-clearing activities occurred downslope from the property.
3. Gravel and riprap were placed to create a level surface for the aboveground pool and held in place with a retaining wall.
4. Gravel was placed on the east hillside and side yard for RV parking.

## Rules Review

The District regulates land-disturbing activities that affect one acre or more under Rule B and create more than one acre of new impervious surfaces. The improvements appear to have disturbed less than one acre within the LMRWD boundary and resulted in approximately 3,700 square feet of new impervious surfaces, indicating that neither Rule B nor D apply. However, the total amount of disturbance will be confirmed by the City when an on-site survey is completed.

### Rule F—Steep Slopes Rule

The District regulates land-disturbing activities within the SSOD and requires a permit for activities that involve the excavation of 50 cubic yards or more of earth or the displacement or removal of 5,000 square feet or more of surface area or vegetation within the overlay area. The improvements appear to have been subject to this rule, given the amount of tree clearing and grading within the SSOD. Exemptions to Rule F exist for native plantings and removal of noxious, exotic, or invasive vegetation as well as for pruning of diseased or dead trees within the SSOD; however, the applicant must provide a rationale for the tree and vegetation clearing as well as the total area affected by their activities.

For work within the SSOD, the applicant must provide documentation that a qualified professional or professional engineer registered in the state of Minnesota has certified this area as suitable for the proposed activities, structures, or uses resulting from the construction. Because the homeowner appears to have completed most of the improvements, a professional must evaluate them to determine if the retaining walls, deck, pool pad, gravel, and riprap placement will be stable and not cause further erosion of the slope because no documentation has been provided.

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Finally, staff identified 12 discharge points around the property during the site inspection, including 10 within the SSOD, which can create unstable slope conditions. Rule F explicitly states that land-disturbing activities may not result in any new water discharge points on the steep slopes or along the bluff. The homeowner must redirect these discharge points away from the SSOD.

### **Summary of Findings and Recommendations**

As per the inspection of the property conducted on May 5, 2022, the improvements do violate the LMRWD Rule F—Steep Slopes Rule and must be corrected with an after-the-fact permit. To address the permit violation, the staff recommends continued work with the City and the property owner to address the identified concerns and issue an after-the-fact permit.

We recommend drafting a letter to the property owner outlining the Rule F violation and required restoration or corrective actions. The letter will include a timeline for addressing the violation and required submittals, including the following:

1. Apply for an LMRWD Individual Permit, and pay the permit fee of \$750.
2. Provide documentation of the tree- and vegetation-clearing activities within the SSOD.
3. Provide an evaluation by a professional engineer that the slope can withstand the constructed improvements as is.
4. Redirect stormwater runoff from the house (roof and gutter as well as sump pump discharges) away from the SSOD.

If the property owner does not comply, then as the LMRWD's legal counsel recommends, the violation order would be served on the owner and recorded with the property title.

### **Attachments**

- Attachment 1 – City Review Memo
- Attachment 2 – Photos from May 5, 2022, site visit

**Attachment 1—City Review Memo**





# CITY OF CHANHASSEN

Chanhassen is a Community for Life - Providing for Today and Planning for Tomorrow

May 2, 2022

**2<sup>ND</sup> NOTICE**

ECO Real Estate Holdings LLC  
P.O. Box 1199  
Clark, CO 80428

Re: 535 Lakota Lane – Work Without Permit

Dear ECO Real Estate Holdings LLC:

On April 18, 2022 the City sent you a letter making you aware of several violations of City Code on your property and requesting that you work with staff to address these issues. To date, staff has not received a response this letter. Please provide staff with a timeline for submitting a survey of the property and addressing the other issues raised in the initial letter by **May 20, 2022**.

As a reminder, based on the information available and staffs' observations during a site visit on April 12, 2022, staff believes the following items will need to be addressed:

**Planning Department:**

- Probable encroachment into required bluff setback and impact zone
  - Deck addition
  - Retaining wall
  - Pool pad and above-ground pool
  - Grading and vegetation removal associated with limestone around pool pad
- As-built/updated survey needed to accurately depict current conditions on property and determine exact extent and nature of encroachment into the bluff setback and impact zone
- If survey shows alterations made within bluff setback and bluff impact zone, one of the following must be done:
  - Remove alterations and restore bluff area to pre-existing conditions
  - Request an after-the-fact variance
    - The City may not grant all or part of the requested variance
    - If elements of the variance request are not granted, they would need to be removed
    - If elements of the variance are granted, the City would impose conditions to mitigate the impact of the various elements

Questions about these requirements can be addressed to the City's Associate Planner, MacKenzie Young-Walters at 952-227-1132 or [mwalters@ci.chanhassen.mn.us](mailto:mwalters@ci.chanhassen.mn.us).

**Environmental Resources:**

- Tree removal within bluff. A survey of trees removed from bluff, including diameter and species will be needed.
  - Based on extent of removals, native trees will be required to be planted to restore the bluff to pre-removal conditions.

**PH 952.227.1100 • [www.ci.chanhassen.mn.us](http://www.ci.chanhassen.mn.us) • FX 952.227.1110**

7700 MARKET BOULEVARD • PO BOX 147 • CHANHASSEN • MINNESOTA 55317

RN 0010

535 Lakota Lane  
 May 2, 2022  
 Page 2

Questions about this requirement can be addressed to the City's Environmental Resource Specialist, Jill Sinclair at 952-227-1133 or [j Sinclair@ci.chanhassen.mn.us](mailto:j Sinclair@ci.chanhassen.mn.us).

**Water Resources Department:**

- A survey of the stormwater-related improvements including but not limited to the concrete apron and drain tile installation will be needed to understand the extent of the work completed. Additional stipulations may be required from the findings of the survey.
- The site must be permanently stabilized to prevent erosion and sediment transport. After completion of any work related to this letter the homeowner shall schedule an erosion control inspection with the City and address any issues from that inspection.

Questions about this requirement can be addressed to the City's Water Resources Engineer, Joe Seidl at 952-227-1168 or [jseidl@ci.chanhassen.mn.us](mailto:jseidl@ci.chanhassen.mn.us).

**Building Department:**

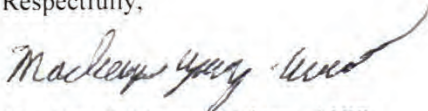
- Permits for the following exterior improvements need to be obtained:
  - Deck addition
  - New footings and railings on existing deck
  - Windows, exterior doors, garage overhead door
  - Porch converted into master bedroom

In addition to the permits needed for exterior improvements, permits are required for interior improvements that have been completed. We have several photos showing interior improvements and have received a list of 50 improvements that have been made to the property within the last three years. The list is included with this letter. Items on the list highlighted in green have been permitted and items in red were completed without permits. Please contact the Building Department to schedule an interior walkthrough of your property. Staff would ask that you or your representative accompany us for this process. Once staff walks through the property, we can begin to provide you with a path towards compliance with the Building Code.

To schedule a walkthrough of the property or if you have any questions about Building Code/permit requirements, please contact the City's Building Official, Eric Tessman at 952-227-1199 or [etessman@ci.chanhassen.mn.us](mailto:etessman@ci.chanhassen.mn.us).

Your cooperation in correcting these issues is appreciated.

Respectfully,



MacKenzie Young-Walters, AICP  
 Associate Planner

ec: Eric Tessman, Building Official  
 Jill Sinclair, Environmental Resources Specialist  
 Joe Seidl, Water Resources Engineer

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535 Lakota Lane  
 May 2, 2022  
 Page 3

### List of Improvements in past 3 years

Building permit obtained

Building permit needed

Zoning permit needed

- New Roof, ice & water, roof vents, etc.
- All new windows (17) LoE high efficiency windows
- All new moldings, casing, baseboard, etc.
- All new subfloor on main level
- Main level ceiling removed; raised 6" and all new drywall
- All new blown in cellulose insulation in attic space
- All walls that were opened – closed cell spray foam insulated
- All new solid pine interior doors – 100% of the house
- New overhead garage door w. windows
- New fire door to garage
- New double glass French door at entry
- New footings on deck
- New laminate beams and posts added to support master suite over deck
- Screened in porch converted to massive master suite
- Added WC to master bath, completely gutted and added huge his/her shower, all heated ceramic tile, everything new.
- Added large master closet w. barn doors, custom – California style shelving and hangers
- Roughed in 220V for baseboard heat if needed in owner's suite addition, but has not been needed. Very efficient as it was all spray foamed.
- All 3 bathrooms completely renovated with new plumbing, custom tile work, vanities, flooring, etc.
- All new engineered hardwood and carpet on main level.
- All new cabinets, vanities, moldings, crown, custom wood wraps on HVAC duct work, beams, etc.
- Added walls to create 3<sup>rd</sup> bedroom on main level and closet.
- Added built in cabinets and butcher block top/entertainment center w. data conduit center in main level living room
- All new countertops (white granite in main kitchen, quartz in bathrooms, and butcher block in lower level kitchen).
- Wall removed separating dining area from kitchen; and custom island installed w. prep sink.
- All new plumbing w. pex supply lines, drain pipes, frost proof silcocks
- All new HVAC duct work, air supplies, and cold air returns (house was previously on electric baseboard heat)
- New high efficiency furnace
- Added New A.C. Condensing Unit and hook ups/plumbing
- New Water Heater

535 Lakota Lane  
 May 2, 2022  
 Page 4

- New Washer & Dryer
- All new appliances in (2) kitchens
- Commercial style finish in laundry/hobby room with butcher block counter tops, custom sink, built in cabinets, etc.
- Added drain tile and sump pump in the basement (French drain style to sump basket).
- All new drywall in lower level ceiling.
- All new recessed lights and light fixtures throughout house
- All new paint throughout the interior and exterior
- Created mudroom off garage with custom bench and bead board coat hooks.
- Patching and skim coat of garage concrete floor, painted garage
- Added concrete apron w. drain for rainwater runoff
- Seal coated entire driveway
- Replaced roof, siding, door, and painted shed
- Graded, seeded, and repaired over 1/2 of front/side yard
- Installed underground electric dog fence around the entire perimeter of house and back yard, trenched in driveway.
- Added custom mulch and pruned all trees, extensive cleanup of over grown shrubs, etc. in yard
- Added a great RV parking space on east side of house w. limestone driveway and electric hookup
- Added custom concrete landscaping curbing around the entire house.
- New mulch
- \$52,000 retaining wall and deck addition to create a pad for pool/swim spa with an infinity feel overlooking the MN River Bluffs view. Completely drain tiled, compacted, 25 tons of limestone 8-12' rock on slope to prevent any erosion. 12" of compacted limestone class-5 rock on the actual pad pool pad.
- Added above ground pool w. filtration system and pump (in garage during the off season, but comes with the house)
- \$26,120 Completely new gravity fed Septic System fall of 2021 w. directional bore for drain field at lower elevation approximately 65' SW of house down the hill to leave room for an outbuilding just west of the house. All new tanks, drain field, etc.



**Attachment 2—Photos from May 5, 2022, site visit**

535 Lakota Lane – front of house (discharge points circled in yellow)





535 Lakota Lane – front of house (discharge points circled in yellow)





535 Lakota Lane – west side of house (discharge points circled in yellow)





535 Lakota Lane – west side of house (discharge points circled in yellow)





535 Lakota Lane – west side of house (discharge points circled in yellow)





535 Lakota Lane – south side of house, under existing deck





535 Lakota Lane – south side of house, under new deck





535 Lakota Lane – south side of house





535 Lakota Lane – south side of house



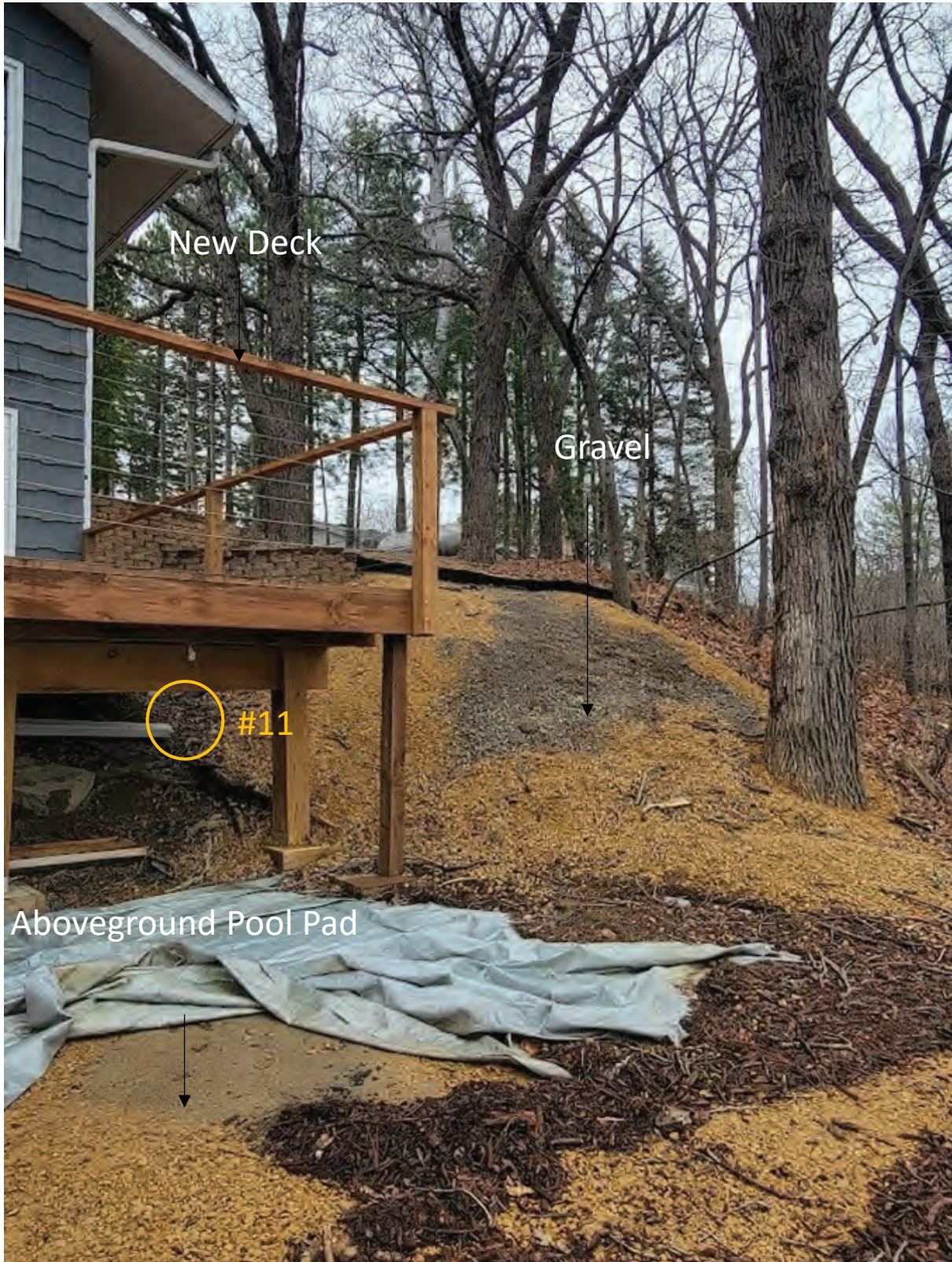


535 Lakota Lane – Close up of Point #11





535 Lakota Lane – south side of house





535 Lakota Lane – east side of house





535 Lakota Lane – east retaining walls





535 Lakota Lane – east side of house (discharge points circled in yellow)





535 Lakota Lane – south view from aboveground pool pad







# CITY OF CHANHASSEN

Chanhassen is a Community for Life - Providing for Today and Planning for Tomorrow

May 25, 2022

**FINAL NOTICE**

ECO Real Estate Holdings LLC  
P.O. Box 1199  
Clark, CO 80428

Re: 535 Lakota Lane – Work Without Permit

Dear ECO Real Estate Holdings LLC:

On April 18, 2022 the City sent a letter making you aware of several violations of City Code on your property and requesting that you work with staff to address these issues. Staff has not received a response to this letter and as a result, staff sent a second letter requiring that you provide a timeline for addressing the issues by May 20, 2022. To date, no timeline has been received. If the issues listed below are not addressed by **June 10, 2022**, the City will begin enforcement actions.

As a reminder, based on the information available and staffs' observations during a site visit on April 12, 2022, staff believes the following items will need to be addressed:

**Planning Department:**

- Probable encroachment into required bluff setback and impact zone
  - Deck addition
  - Retaining wall
  - Pool pad and above-ground pool
  - Grading and vegetation removal associated with limestone around pool pad
- As-built/updated survey needed to accurately depict current conditions on property and determine exact extent and nature of encroachment into the bluff setback and impact zone
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  - Request an after-the-fact variance
    - The City may not grant all or part of the requested variance
    - If elements of the variance request are not granted, they would need to be removed
    - If elements of the variance are granted, the City would impose conditions to mitigate the impact of the various elements

Questions about these requirements can be addressed to the City's Associate Planner, MacKenzie Young-Walters at 952-227-1132 or [mwalters@ci.chanhassen.mn.us](mailto:mwalters@ci.chanhassen.mn.us).

**Environmental Resources:**

- Tree removal within bluff. A survey of trees removed from the bluff, including diameter and species will be needed.

**PH 952.227.1100 • [www.ci.chanhassen.mn.us](http://www.ci.chanhassen.mn.us) • FX 952.227.1110**

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RN 0030

535 Lakota Lane  
 May 25, 2022  
 Page 2

- Based on extent of removals, native trees will be required to be planted to restore the bluff to pre-removal conditions.

Questions about this requirement can be addressed to the City's Environmental Resource Specialist, Jill Sinclair at 952-227-1133 or [jsinclair@ci.chanhassen.mn.us](mailto:j Sinclair@ci.chanhassen.mn.us).

**Water Resources Department:**

- A survey of the stormwater-related improvements including but not limited to the concrete apron and drain tile installation will be needed to understand the extent of the work completed. Additional stipulations may be required from the findings of the survey.
- The site must be permanently stabilized to prevent erosion and sediment transport. After completion of any work related to this letter, the homeowner shall schedule an erosion control inspection with the City and address any issues from that inspection.

Questions about this requirement can be addressed to the City's Water Resources Engineer, Joe Seidl at 952-227-1168 or [jseidl@ci.chanhassen.mn.us](mailto:jseidl@ci.chanhassen.mn.us).

**Building Department:**

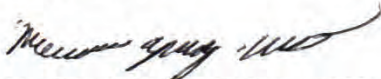
- Permits for the following exterior improvements need to be obtained:
  - Deck addition
  - New footings and railings on existing deck
  - Windows, exterior doors, garage overhead door
  - Porch converted into master bedroom

In addition to the permits needed for exterior improvements, permits are required for interior improvements that have been completed. We have several photos showing interior improvements and have received a list of 50 improvements that have been made to the property within the last three years. The list is included with this letter. Items on the list highlighted in green have been permitted and items in red were completed without permits. Please contact the Building Department to schedule an interior walkthrough of the property. Staff would ask that you or your representative accompany us for this process. Once staff walks through the property, we can begin to provide you with a path towards compliance with the Building Code.

To schedule a walkthrough of the property or if you have any questions about Building Code/permit requirements, please contact the City's Building Official, Eric Tessman at 952-227-1199 or [etessman@ci.chanhassen.mn.us](mailto:etessman@ci.chanhassen.mn.us).

Your cooperation in correcting these issues is appreciated.

Respectfully,



MacKenzie Young-Walters, AICP  
 Associate Planner

cc: Eric Tessman, Building Official  
 Jill Sinclair, Environmental Resources Specialist  
 Joe Seidl, Water Resources Engineer

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RN 0031



535 Lakota Lane  
 May 25, 2022  
 Page 3

### List of Improvements in past 3 years

Building permit obtained

Building permit needed

Zoning permit needed

- New Roof, ice & water, roof vents, etc.
- All new windows (17) LoE high efficiency windows
- All new moldings, casing, baseboard, etc.
- All new subfloor on main level
- Main level ceiling removed; raised 6" and all new drywall
- All new blown in cellulose insulation in attic space
- All walls that were opened – closed cell spray foam insulated
- All new solid pine interior doors – 100% of the house
- New overhead garage door w. windows
- New fire door to garage
- New double glass French door at entry
- New footings on deck
- New laminate beams and posts added to support master suite over deck
- Screened in porch converted to massive master suite
- Added WC to master bath, completely gutted and added huge his/her shower, all heated ceramic tile, everything new.
- Added large master closet w. barn doors, custom – California style shelving and hangers
- Roughed in 220V for baseboard heat if needed in owner's suite addition, but has not been needed. Very efficient as it was all spray foamed.
- All 3 bathrooms completely renovated with new plumbing, custom tile work, vanities, flooring, etc.
- All new engineered hardwood and carpet on main level.
- All new cabinets, vanities, moldings, crown, custom wood wraps on HVAC duct work, beams, etc.
- Added walls to create 3<sup>rd</sup> bedroom on main level and closet.
- Added built in cabinets and butcher block top/entertainment center w. data conduit center in main level living room
- All new countertops (white granite in main kitchen, quartz in bathrooms, and butcher block in lower level kitchen).
- Wall removed separating dining area from kitchen; and custom island installed w. prep sink.
- All new plumbing w. pex supply lines, drain pipes, frost proof silcocks
- All new HVAC duct work, air supplies, and cold air returns (house was previously on electric baseboard heat)
- New high efficiency furnace
- Added New A.C. Condensing Unit and hook ups/plumbing
- New Water Heater
- New Washer & Dryer

535 Lakota Lane  
 May 25, 2022  
 Page 4

- All new appliances in (2) kitchens
- Commercial style finish in laundry/hobby room with butcher block counter tops, custom sink, built in cabinets, etc.
- Added drain tile and sump pump in the basement (French drain style to sump basket).
- All new drywall in lower level ceiling.
- All new recessed lights and light fixtures throughout house
- All new paint throughout the interior and exterior
- Created mudroom off garage with custom bench and bead board coat hooks.
- Patching and skim coat of garage concrete floor, painted garage
- Added concrete apron w. drain for rainwater runoff
- Seal coated entire driveway
- Replaced roof, siding, door, and painted shed
- Graded, seeded, and repaired over 1/2 of front/side yard
- Installed underground electric dog fence around the entire perimeter of house and back yard, trenched in driveway.
- Added custom mulch and pruned all trees, extensive cleanup of over grown shrubs, etc. in yard
- Added a great RV parking space on east side of house w. limestone driveway and electric hookup
- Added custom concrete landscaping curbing around the entire house.
- New mulch
- \$52,000 retaining wall and deck addition to create a pad for pool/swim spa with an infinity feel overlooking the MN River Bluffs view. Completely drain tiled, compacted, 25 tons of limestone 8-12' rock on slope to prevent any erosion. 12" of compacted limestone class-5 rock on the actual pad pool pad.
- Added above ground pool w. filtration system and pump (in garage during the off season, but comes with the house)
- \$26,120 Completely new gravity fed Septic System fall of 2021 w. directional bore for drain field at lower elevation approximately 65' SW of house down the hill to leave room for an outbuilding just west of the house. All new tanks, drain field, etc.





# CITY OF CHANHASSEN

Chanhassen is a Community for Life - Providing for Today and Planning for Tomorrow

July 25, 2022

ECO Real Estate Holdings LLC  
P.O. Box 1199  
Clark, CO 80428

Re: 535 Lakota Lane – Work Without Permit

Dear ECO Real Estate Holdings LLC:

In response to the City's notice of violations regarding your property at 535 Lakota Lane, you had indicated that you would meet with staff to apply for the required building permits during the last week of June. To date, no permit applications have been received. Based on staff's April 12, 2022 site visit, it appears that the structure is in violation of the Building Code (most recent enforcement letter attached for reference). If permit applications are not filed by **August 11, 2022**, the City will revoke the building's Certificate of Occupancy (relevant rule attached).

If you have any questions about Building Code/permit requirements, please contact the City's Building Official, Eric Tessman, at 952-227-1199 or [etessman@ci.chanhassen.mn.us](mailto:etessman@ci.chanhassen.mn.us).

Your cooperation in correcting these issues is appreciated.

Respectfully,

MacKenzie Young-Walters, AICP  
Associate Planner

Enclosures

cc: Eric Tessman, Building Official  
Jill Sinclair, Environmental Resources Specialist  
Joe Seidl, Water Resources Engineer

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RN 0034



**1300.0220 CERTIFICATE OF OCCUPANCY.**

Subpart 1. **Use and occupancy.** No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building, structure, or portion of a building or structure shall be made until the building official has issued a certificate of occupancy for the building or structure under this part. Issuance of a certificate of occupancy is not approval of a violation of the code or other ordinances of the municipality. Certificates presuming to give authority to violate or cancel the code or other ordinances of the municipality are not valid.

**Exception:** A municipality has the option of requiring certificates of occupancy for:

- A. "U" occupancies constructed under the International Building Code;
- B. accessory structures constructed under the International Residential Code; or
- C. used manufactured homes moved into or within a jurisdiction.

Subp. 2. **Existing structures.** The legal occupancy of any structure existing on the date of adoption of the code shall be permitted to continue without change.

Subp. 3. **Change in use.** Changes in the character or use of an existing structure must comply with chapter 1305 or 1311.

Subp. 4. **Moved buildings.** Buildings or structures moved into or within a jurisdiction shall comply with the provisions of the code for new buildings or structures.

**Exception:**

- A. buildings designed to comply with chapter 1311; or
- B. a residential building relocated within or into a municipality need not comply with the Minnesota Energy Code or Minnesota Statutes, section 326B.439.

Subp. 5. **Certificate issued.** After the building official inspects a building or structure and finds no violations of the code or other laws that are enforced by the Department of Building Safety, the building official shall issue a certificate of occupancy containing the following:

- A. the building permit number;
- B. the address of the structure;
- C. the name and address of the owner;
- D. a statement that the described portion of the structure has been inspected for compliance with the requirements of the code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified;
- E. the name of the building official;

- F. the edition of the code under which the permit was issued;
- G. the use and occupancy classification;
- H. the type of construction;
- I. if an automatic sprinkler system is provided; and
- J. any special stipulations and conditions of the building permit.

Subp. 6. **Temporary occupancy.** The building official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that the portion or portions shall be occupied safely. The building official shall set a time period during which the temporary certificate of occupancy is valid.

Subp. 7. **Revocation.** The building official may issue a written suspension or revocation of a certificate of occupancy issued under the code if the certificate is issued in error or on the basis of incorrect information supplied, or if the building or use of the building, structure, or portion of the building or structure is in violation of any ordinance or regulation or a provision of the code.

**Statutory Authority:** *MS s 16B.59; 16B.61; 16B.64; 326B.02; 326B.101; 326B.106; 326B.13*

**History:** *27 SR 1471; 32 SR 5; L 2007 c 140 art 4 s 61; art 13 s 4; 39 SR 91*

**Published Electronically:** *January 23, 2015*





# CITY OF CHANHASSEN

Chanhassen is a Community for Life - Providing for Today and Planning for Tomorrow

May 25, 2022

**FINAL NOTICE**

ECO Real Estate Holdings LLC  
P.O. Box 1199  
Clark, CO 80428

Re: 535 Lakota Lane – Work Without Permit

Dear ECO Real Estate Holdings LLC:

On April 18, 2022 the City sent a letter making you aware of several violations of City Code on your property and requesting that you work with staff to address these issues. Staff has not received a response to this letter and as a result, staff sent a second letter requiring that you provide a timeline for addressing the issues by May 20, 2022. To date, no timeline has been received. If the issues listed below are not addressed by **June 10, 2022**, the City will begin enforcement actions.

As a reminder, based on the information available and staffs' observations during a site visit on April 12, 2022, staff believes the following items will need to be addressed:

**Planning Department:**

- Probable encroachment into required bluff setback and impact zone
  - Deck addition
  - Retaining wall
  - Pool pad and above-ground pool
  - Grading and vegetation removal associated with limestone around pool pad
- As-built/updated survey needed to accurately depict current conditions on property and determine exact extent and nature of encroachment into the bluff setback and impact zone
- If survey shows alterations made within bluff setback and bluff impact zone, one of the following must be done:
  - Remove alterations and restore bluff area to pre-existing conditions
  - Request an after-the-fact variance
    - The City may not grant all or part of the requested variance
    - If elements of the variance request are not granted, they would need to be removed
    - If elements of the variance are granted, the City would impose conditions to mitigate the impact of the various elements

Questions about these requirements can be addressed to the City's Associate Planner, MacKenzie Young-Walters at 952-227-1132 or [mwalters@ci.chanhassen.mn.us](mailto:mwalters@ci.chanhassen.mn.us).

**Environmental Resources:**

- Tree removal within bluff. A survey of trees removed from the bluff, including diameter and species will be needed.

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RN 0037



535 Lakota Lane  
 May 25, 2022  
 Page 2

- Based on extent of removals, native trees will be required to be planted to restore the bluff to pre-removal conditions.

Questions about this requirement can be addressed to the City's Environmental Resource Specialist, Jill Sinclair at 952-227-1133 or [jsinclair@ci.chanhassen.mn.us](mailto:jsinclair@ci.chanhassen.mn.us).

**Water Resources Department:**

- A survey of the stormwater-related improvements including but not limited to the concrete apron and drain tile installation will be needed to understand the extent of the work completed. Additional stipulations may be required from the findings of the survey.
- The site must be permanently stabilized to prevent erosion and sediment transport. After completion of any work related to this letter, the homeowner shall schedule an erosion control inspection with the City and address any issues from that inspection.

Questions about this requirement can be addressed to the City's Water Resources Engineer, Joe Seidl at 952-227-1168 or [jseidl@ci.chanhassen.mn.us](mailto:jseidl@ci.chanhassen.mn.us).

**Building Department:**

- Permits for the following exterior improvements need to be obtained:
  - Deck addition
  - New footings and railings on existing deck
  - Windows, exterior doors, garage overhead door
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In addition to the permits needed for exterior improvements, permits are required for interior improvements that have been completed. We have several photos showing interior improvements and have received a list of 50 improvements that have been made to the property within the last three years. The list is included with this letter. Items on the list highlighted in green have been permitted and items in red were completed without permits. Please contact the Building Department to schedule an interior walkthrough of the property. Staff would ask that you or your representative accompany us for this process. Once staff walks through the property, we can begin to provide you with a path towards compliance with the Building Code.

To schedule a walkthrough of the property or if you have any questions about Building Code/permit requirements, please contact the City's Building Official, Eric Tessman at 952-227-1199 or [etessman@ci.chanhassen.mn.us](mailto:etessman@ci.chanhassen.mn.us).

Your cooperation in correcting these issues is appreciated.

Respectfully,



MacKenzie Young-Walters, AICP  
 Associate Planner

cc: Eric Tessman, Building Official  
 Jill Sinclair, Environmental Resources Specialist  
 Joe Seidl, Water Resources Engineer

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535 Lakota Lane  
 May 25, 2022  
 Page 3

### List of Improvements in past 3 years

Building permit obtained

Building permit needed

Zoning permit needed

- New Roof, ice & water, roof vents, etc.
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- New Water Heater
- New Washer & Dryer



535 Lakota Lane  
 May 25, 2022  
 Page 4

- All new appliances in (2) kitchens
- Commercial style finish in laundry/hobby room with butcher block counter tops, **custom sink**, built in cabinets, etc.
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- **All new recessed lights and light fixtures throughout house**
- All new paint throughout the interior and exterior
- Created mudroom off garage with custom bench and bead board coat hooks.
- Patching and skim coat of garage concrete floor, painted garage
- **Added concrete apron w. drain for rainwater runoff**
- Seal coated entire driveway
- Replaced roof, **siding, door**, and painted shed
- Graded, seeded, and repaired over 1/2 of front/side yard
- Installed underground electric dog fence around the entire perimeter of house and back yard, trenched in driveway.
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- New mulch
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- **\$26,120 Completely new gravity fed Septic System fall of 2021 w. directional bore for drain field at lower elevation approximately 65' SW of house down the hill to leave room for an outbuilding just west of the house. All new tanks, drain field, etc.**





# CITY OF CHANHASSEN

Chanhassen is a Community for Life - Providing for Today and Planning for Tomorrow

August 17, 2022

ECO Real Estate Holdings LLC  
P.O. Box 1199  
Clark, CO 80428

Re: 535 Lakota Lane – Revoked Certificate of Occupancy

Dear ECO Real Estate Holdings LLC:

On July 25<sup>th</sup> the City informed you that as a result of your failure to apply for the required building permits for the improvements made to 535 Lakota Lane the City would revoke the home's Certificate of Occupancy if the required permit applications were not submitted by August 11, 2022. To date, no building permit applications have been received.

For this reason, effective immediately, the Certificate of Occupancy for the house located at 535 Lakota Lane in Chanhassen Minnesota is hereby revoked.

Please contact me at 952-227-1199 or [etessman@ci.chanhassen.mn.us](mailto:etessman@ci.chanhassen.mn.us) if you have any questions about Building Code/permit requirements and what will be required to obtain a new Certificate of Occupancy.

Respectfully,

Eric Tessman  
Building Official

Enclosures

ec: MacKenzie Young-Walters, AICP, Associate Planner  
Jill Sinclair, Environmental Resources Specialist  
Joe Seidl, Water Resources Engineer

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RN 0041

**1300.0220 CERTIFICATE OF OCCUPANCY.**

Subpart 1. **Use and occupancy.** No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building, structure, or portion of a building or structure shall be made until the building official has issued a certificate of occupancy for the building or structure under this part. Issuance of a certificate of occupancy is not approval of a violation of the code or other ordinances of the municipality. Certificates presuming to give authority to violate or cancel the code or other ordinances of the municipality are not valid.

**Exception:** A municipality has the option of requiring certificates of occupancy for:

- A. "U" occupancies constructed under the International Building Code;
- B. accessory structures constructed under the International Residential Code; or
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- B. a residential building relocated within or into a municipality need not comply with the Minnesota Energy Code or Minnesota Statutes, section 326B.439.

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- A. the building permit number;
- B. the address of the structure;
- C. the name and address of the owner;
- D. a statement that the described portion of the structure has been inspected for compliance with the requirements of the code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified;
- E. the name of the building official;



- F. the edition of the code under which the permit was issued;
- G. the use and occupancy classification;
- H. the type of construction;
- I. if an automatic sprinkler system is provided; and
- J. any special stipulations and conditions of the building permit.

Subp. 6. **Temporary occupancy.** The building official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that the portion or portions shall be occupied safely. The building official shall set a time period during which the temporary certificate of occupancy is valid.

Subp. 7. **Revocation.** The building official may issue a written suspension or revocation of a certificate of occupancy issued under the code if the certificate is issued in error or on the basis of incorrect information supplied, or if the building or use of the building, structure, or portion of the building or structure is in violation of any ordinance or regulation or a provision of the code.

**Statutory Authority:** *MS s 16B.59; 16B.61; 16B.64; 326B.02; 326B.101; 326B.106; 326B.13*

**History:** *27 SR 1471; 32 SR 5; L 2007 c 140 art 4 s 61; art 13 s 4; 39 SR 91*

**Published Electronically:** *January 23, 2015*





## LMRWD Individual Permit Application

535 Lakota after-the-fact permit

Organization Contact Info	Authorization Agent Contact Info
Andrew Polski	Andrew Polski
27918 Silver Spurt St, Steamboat Springs, CO, 80487	27918 Silver Spurt St, Steamboat Springs, CO, 80487
andrewpolski@gmail.com	andrewpolski@gmail.com
+17636396522	+17636396522

General Project Info	Project Area Details
<b>Name of Proposed Project</b>	<b>Proposed Project Location</b>
535 Lakota after-the-fact permit	535 Lakota Lane, Chaska, MN, 55318
<b>Type of development</b>	<b>Total Project Area (acres)</b>
Residential	2.70
<b>Anticipated Start Date</b>	<b>Total Disturbed Area (acres)</b>
01-May-2023	0.20
<b>Existing Land Use</b>	<b>Existing Impervious Area (acres)</b>
Residential	2.30
<b>Proposed Land Use</b>	<b>Proposed New Impervious Area (acres)</b>
Residential	2.10
<b>Is the project in an unincorporated area?</b>	<b>Is this project in the MnDOT right-of-way?</b>
No	No
<b>Is the project located in a High Value Resource Area?</b>	<b>Is the project located in a Steep Slope Overlay District?</b>
No	Yes
<b>Is the project located in a floodplain</b>	
No	

**Project Description**

After-the-fact permit required per Linda Loomis for retaining wall/pad in the back yard, storm water, sump pump discharge points, etc.

**Rules****Fees****Rule Applicability (check all that apply)****Permit Fee Amount**

Stormwater Management  
Steep Slopes

\$ 250.00

**Exhibits****Exhibit title****Signature****Full name of property owner or designated agent**

Andrew Polski

## Type I Trench Design

DATE: 5/15/2019

CLIENT: Eco RealEstate Holdings Inc.  
510 Pleasant View Road  
Chanhassen, MN 55317

SITE: 535 Lakota Lane  
Chaska, MN 55318

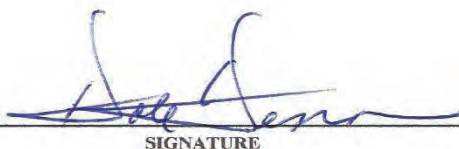
DESIGNER: Dale J Denn  
HomeStead Septic  
1108 Goldenrod Lane  
Shakopee, MN 55379  
MPCA License #583  
Cell: 612-310-7887  
Email: [Homesteadseptic@outlook.com](mailto:Homesteadseptic@outlook.com)

For new construction lots, all septic sites shall be protected in the field with fencing/identification up to the time of installation. Existing home lots, do not disturb septic site and keep all heavy equipment and vehicles off of the site. Any trees that need removal must be done without rubber tired equipment, ie, track machines to avoid soil compaction and undue disturbance. Cut tree trucks as close to surface as possible and leave stumps intact, do not excavate. Grinding is ok with a portable grinder.

*Contact Dale Denn with any questions, comments, or concerns about this Septic Design.*

***This Cover Page with Designer Signature, electronic or otherwise, hereby certifies that I have completed this septic design in accordance with all applicable State Septic Rules. Local rules may vary from State Rules. Installer to verify all aspects of applicable Local Rules and setbacks that may be more restrictive than State Rules. Local Units of Governments are required to publish any rule or portion thereof that differs from State Rules. Consult with Local Unit of Government.***


**Dale Denn**  
DESIGNER

  
SIGNATURE

**3226**  
MPCA CERT #

**5/15/2019**  
DATE



<b>Property Card</b>		<b>Parcel ID Number</b> 251300020			
<b>Taxpayer Information</b>					
Taxpayer Name ECO REAL ESTATE HOLDINGS LLC					
Mailing Address 510 PLEASANTVIEW RD CHANHASSEN, MN 55317-					
<b>Property Address</b>					
Address 535 LAKOTA LN					
City CHASKA, MN 55318					
<b>Parcel Information</b>					
Uses	Res 1 unit	GIS Acres	2.93	Net Acres	
		Deeded Acres			
		Plat	BLUFFVIEW ADDITION		
		Lot	002		
		Block			
Tax Description					
<b>Building Information</b>					
Building Style	1 Story Frame	Above Grade Finished Sq Ft	2318	Bedrooms	4
Year Built	1978	Garage	Y		
<b>Miscellaneous Information</b>					
School District	Watershed District	Homestead	Green Acres	Ag Preserve	
0112	WS 060 LOWER MN RIVER	N	N	N	
<b>Assessor Information</b>					
Estimated Market Value	2018 Values (Payable 2019)	2019 Values (Payable 2020)	Last Sale		
Land	\$171,900.00	\$180,500.00	Date of Sale	7/11/2018	
Building	\$375,500.00	\$388,900.00	Sale Value	\$333,000.00	
Total	\$547,400.00	\$569,400.00			

The data provided herewith is for reference purposes only. This data is not suitable for legal, engineering, surveying or other similar purposes. Carver County does not guarantee the accuracy of the information contained herein. This data is furnished on an 'as is' basis and Carver County makes no representations or warranties, either expressed or implied, for the merchantability or fitness of the information provided for any purpose. This disclaimer is provided pursuant to Minnesota Statutes §466.03 and the user of the data provided herein acknowledges that Carver County shall not be liable for any damages, and by using this data in any way expressly waives all claims, and agrees to defend, indemnify, and hold harmless Carver County, its officials, officers, agents, employees, etc. from any and all claims brought by anyone who uses the information provided for herein, its employees or agents, or third parties which arise out of user's access. By acceptance of this data, the user agrees not to transmit this data or provide access to it or any part of it to another party unless the user includes with the data a copy of this disclaimer.

Friday, May 17, 2019

Carver County, MN

RN 0047





# Preliminary Evaluation Worksheet



**1. Contact Information** v 04.02.2019

Property Owner/Client:  Date Completed:

Site Address:  Project ID:

Email:  Phone:

Mailing Address:

Legal Description:

Parcel ID:  TWP:  SEC:  RNG:

**2. Flow and General System Information**

**A. Client-Provided Information**

Project Type:  New Construction  Replacement  Expansion  Repair

Project Use:  Residential  Other Establishment:

Residential use: # Bedrooms:  Dwelling Sq.ft.:  Unfinished Sq. Ft.:

# Adults:  # Children:  # Teenagers:

In-home business (Y/N):  If yes, describe:

Water-using devices: *(check all that apply)*

<input checked="" type="checkbox"/> Garbage Disposal/Grinder	<input checked="" type="checkbox"/> Dishwasher	<input type="checkbox"/> Hot Tub*
<input checked="" type="checkbox"/> Sewage pump in basement	<input checked="" type="checkbox"/> Water Softener*	<input checked="" type="checkbox"/> Sump Pump*
<input type="checkbox"/> Large Bathtub >40 gallons	<input type="checkbox"/> Iron Filter*	<input type="checkbox"/> Self-Cleaning Humidifier*
<input checked="" type="checkbox"/> Clothes Washing Machine	<input checked="" type="checkbox"/> High Eff. Furnace*	<input type="checkbox"/> Other: <input type="text"/>

\* Clear water source - should not go into system

Additional current or future uses:

Anticipated non-domestic waste:

The above is complete & accurate:

*Client signature & date*

**B. Designer-determined flow Information** *Attach additional information as necessary.*

Design Flow:  GPD Anticipated Waste Type:

BOD:  mg/L TSS  mg/L Oil & Grease  mg/L

#	Description	Mn. ID#	Well Depth (ft.)	Casing Depth (ft.)	Confining Layer	STA Setback	Source
1			>50	50		50'	
2							
3							
4							

Additional Well Information:





## Preliminary Evaluation Worksheet



Site within 200' of noncommunity transient well (Y/N)	<input type="checkbox"/> No	Yes, source: <input style="width: 80%;" type="text"/>
Site within a drinking water supply management area (Y/N)	<input type="checkbox"/> No	Yes, source: <input style="width: 80%;" type="text"/>
Site in a Well Head Protection inner wellhead management zone (Y/N)	<input type="checkbox"/> No	Yes, source: <input style="width: 80%;" type="text"/>
Buried water supply pipes within 50 ft of proposed system (Y/N)	<input type="checkbox"/> No	
<b>B. Site located in a shoreland district/area?</b>	<input type="checkbox"/> Yes	Yes, name: <input style="width: 80%;" type="text"/>
Elevation of ordinary high water level:	<input style="width: 50%;" type="text"/> ft	Source: <input style="width: 80%;" type="text"/>
Classification: <input style="width: 150%;" type="text"/>	Tank Setback: <input style="width: 50%;" type="text"/> 50 ft.	STA Setbk: <input style="width: 50%;" type="text"/> 50 ft.
<b>C. Site located in a floodplain?</b>	<input type="checkbox"/> No	Yes, Type(s): <input style="width: 80%;" type="text"/>
Floodplain designation/elevation (10 Year):	<input style="width: 50%;" type="text"/> ft	Source: <input style="width: 80%;" type="text"/>
Floodplain designation/elevation (100 Year):	<input style="width: 50%;" type="text"/> ft	Source: <input style="width: 80%;" type="text"/>
<b>D. Property Line Id / Source:</b>	<input type="checkbox"/> Owner <input checked="" type="checkbox"/> Survey <input checked="" type="checkbox"/> County GIS <input type="checkbox"/> Plat Map <input type="checkbox"/> Other: <input style="width: 80%;" type="text"/>	
<b>E. ID distance of relevant setbacks on map:</b>	<input checked="" type="checkbox"/> Water <input checked="" type="checkbox"/> Easements <input checked="" type="checkbox"/> Well(s) <input checked="" type="checkbox"/> Building(s) <input checked="" type="checkbox"/> Property Lines <input type="checkbox"/> OHWL <input type="checkbox"/> Other: <input style="width: 80%;" type="text"/>	

### 4. Preliminary Soil Profile Information From Web Soil Survey (attach map & description)

Map Units:	<input style="width: 95%;" type="text" value="Lester/Kilkenny Loams"/>	Slope Range:	<input style="width: 80%;" type="text" value="15-30"/> %
List landforms:	<input style="width: 95%;" type="text" value="Upland Summit/River Terrace"/>		
Landform position(s):	<input style="width: 95%;" type="text" value="Back/ Side Slope"/>		
Parent materials:	<input style="width: 95%;" type="text" value="Till"/>		
	Depth to Bedrock/Restrictive Feature:	<input style="width: 50%;" type="text" value="66+"/> in	Depth to Watertable: <input style="width: 50%;" type="text" value="66+"/> in
Map Unit Ratings	Septic Tank Absorption Field- At-grade:	<input style="width: 95%;" type="text"/>	
	Septic Tank Absorption Field- Mound:	<input style="width: 95%;" type="text"/>	
	Septic Tank Absorption Field- Trench:	<input style="width: 95%;" type="text"/>	

### 5. Local Government Unit Information

Name of LGU:	<input style="width: 95%;" type="text" value="City of Chanhassen"/>
LGU Contact:	<input style="width: 95%;" type="text" value="Eric"/>
LGU-specific setbacks:	<input style="width: 95%;" type="text" value="Same as 7080 but have Bluff Ordinance"/>
LGU-specific design requirements:	<input style="width: 95%;" type="text" value="Same as 7080 but have Bluff Ordinance"/>
LGU-specific installation requirements:	<input style="width: 95%;" type="text" value="Same as 7080 but have Bluff Ordinance"/>
Notes:	<input style="width: 95%; height: 30px;" type="text"/>





## Field Evaluation Worksheet

**m** MINNESOTA POLLUTION  
CONTROL AGENCY

1. Project Information		v 04.02.2019
Property Owner/Client:	Eco Realstate Holdings Inc	Project ID: <input type="text"/>
Site Address:	535 Lakota Lane, Chaska, MN 55318	Date Completed: 5/15/2019
2. Utility and Structure Information		
Utility Locations Identified	<input type="checkbox"/> Gopher State One Call # <input type="text"/>	<input type="checkbox"/> Any Private Utilities: <input type="text"/>
Locate and Verify (see Site Evaluation map) <input checked="" type="checkbox"/> Existing Buildings <input checked="" type="checkbox"/> Improvements <input checked="" type="checkbox"/> Easements <input checked="" type="checkbox"/> Setbacks		
3. Site Information		
Vegetation type(s):	Forest	Landscape position: Back/ Side Slope
Percent slope:	15 %	Slope shape: Linear, Concave      Slope direction: south
Describe the flooding or run-on potential of site: sheet flow over in-ground trenches		
Describe the need for Type III or Type IV system: <input type="text"/>		
Note: <input type="text"/>		
Elevations and Benchmarks identified on map? (Y/N):	Yes	If yes, describe: basement floor 100'
Proposed soil treatment area protected? (Y/N):	Yes	If yes, describe: in Woods on steep slope
4. General Soils Information		
Filled, Compacted, Disturbed areas (Y/N):	No	
If yes, describe:	<input type="text"/>	
Soil observations were conducted in the proposed system location (Y/N): Yes		
A soil observation in the most limiting area of the proposed system (Y/N): Yes		
Number of soil observations:	3	Soil observation logs attached (Y/N): Yes
Percolation tests performed & attached (Y/N): No		
5. Phase I. Reporting Information		
	Depth	Elevation
Periodically saturated soil:	66 in	81.1 ft
Standing water:	<input type="text"/> in	<input type="text"/> ft
Bedrock:	<input type="text"/> in	<input type="text"/> ft
Benchmark:		100 ft
Benchmark Location:	basement floor	
Soil Texture: medium sand		
Percolation Rate: <input type="text"/> min/inch		
Soil Hyd Loading Rate: 1 gpd/ft <sup>2</sup>		
Differences between soil survey and field evaluation: sandy soil, more like outwash on stream terrace		
Site evaluation issues / comments: Trees and stumps have to be removed. Some large.		
Anticipated construction issues: steep slope to drainfield site, drainfield area 15%		









# Soil Observation Log

Project ID: v 04.02.2019

<b>Client:</b> Eco Realstate Holdings Inc		<b>Location / Address:</b> 535 Lakota Lane, Chaska, MN 55318							
<b>Soil parent material(s):</b> (Check all that apply) <input checked="" type="checkbox"/> Outwash <input checked="" type="checkbox"/> Lacustrine <input type="checkbox"/> Loess <input checked="" type="checkbox"/> Till <input type="checkbox"/> Alluvium <input type="checkbox"/> Bedrock <input type="checkbox"/> Organic Matter									
<b>Landscape Position:</b> (check one) <input type="checkbox"/> Summit <input type="checkbox"/> Shoulder <input checked="" type="checkbox"/> Back/Side Slope <input type="checkbox"/> Foot Slope <input type="checkbox"/> Toe Slope		<b>Slope shape:</b> Linear, Concave							
<b>Vegetation:</b> Forest	<b>Soil survey map units:</b> Lester/Kilkenny	<b>Slope %:</b>	<b>Elevation:</b> 84.1						
<b>Weather Conditions/Time of Day:</b> clear and sunny/pm		<b>Date:</b> 05/15/19							
<b>Observation #/Location:</b> B1									
Depth (in)	Texture	Rock Frag. %	Matrix Color(s)	Mottle Color(s)	Redox Kind(s)	Indicator(s)	Shape	Grade	Consistence
0-16	Sandy Loam	<35%	10yr 2/2				Granular	Moderate	Friable
16-27	Sandy Loam	<35	10yr 2/2	10yr 3/3			Granular	Moderate	Friable
27-50	Loamy Sand	<35	10yr 4/3				Granular	Moderate	Friable
50-72	Fine Sand	<35%	10yr 5/3				Single grain		
<b>Comments:</b> No ReDox seen to 72"									
I hereby certify that I have completed this work in accordance with all applicable ordinances, rules and laws.									
<b>Date</b>		<b>Signature</b>		<b>583</b>		<b>5/15/2019</b>			
<b>(Designer/Inspector)</b>		<b>(Signature)</b>		<b>(License #)</b>		<b>(Date)</b>			





# Additional Soil Observation Logs

Project ID:

Client: Eco Realestate Holdings Inc		Location / Address: 535 Lakota Lane, Chaska, MN 55318							
Soil parent material(s): (Check all that apply) <input checked="" type="checkbox"/> Outwash <input checked="" type="checkbox"/> Lacustrine <input type="checkbox"/> Loess <input checked="" type="checkbox"/> Till <input type="checkbox"/> Alluvium <input type="checkbox"/> Bedrock <input type="checkbox"/> Organic Matter									
Landscape Position: (check one) <input type="checkbox"/> Summit <input type="checkbox"/> Shoulder <input checked="" type="checkbox"/> Back/Side Slope <input type="checkbox"/> Foot Slope <input type="checkbox"/> Toe Slope		Slope shape: Linear, Concave							
Vegetation: Forest	Soil survey map units: Lester/Killkenny		Elevation: 15.0						
Weather Conditions/Time of Day: clear and sunny/PM		Date: 05/15/19							
Observation #/Location: B2		Observation Type: Auger							
Depth (in)	Texture	Rock Frag. %	Matrix Color(s)	Mottle Color(s)	Redox Kind(s)	Indicator(s)	Shape	Grade	Consistence
0-6	sandy loam	<35%	10yr 3/2				Granular	Moderate	Friable
6-17	sandy loam	<35%	10yr 4/3	10yr 3/3			Granular	Moderate	Friable
17-23	Med/C Sand	35-50%	10yr 4/4	10yr 5/4			Granular	Moderate	Friable
23-30	sandy loam	<35%	10yr 4/4	10yr 5/4			Granular	Moderate	Friable
30-72	sandy loam	<35%	10yr 4/4	10yr 5/4 10yr 6/3/2			Single grain		
Comments: No redox to 72"									





## Design Summary Page



1. PROJECT INFORMATION		v 04.02.2019
Property Owner/Client:	<input type="text" value="ECO Realestate Holdings Inc"/>	Project ID: <input type="text"/>
Site Address:	<input type="text" value="535 lakota Lane, Chaska, 55318"/>	Date: <input type="text" value="05/15/17"/>
Email Address:	<input type="text"/>	Phone: <input type="text" value="763-639-6562"/>
2. DESIGN FLOW & WASTE STRENGTH <span style="float: right; font-weight: normal; font-size: small;">Attach data / estimate basis for Other Establishments</span>		
Design Flow:	<input type="text" value="750"/> GPD	Anticipated Waste Type: <input type="text" value="Residential"/>
BOD:	<input type="text"/> mg/L	TSS: <input type="text"/> mg/L
Oil & Grease:	<input type="text"/> mg/L	
Treatment Level:	<input type="text" value="C"/> <i>Select Treatment Level C for residential septic tank effluent</i>	
3. HOLDING TANK SIZING		
Minimum Capacity: Residential = 400 gal/bedroom, Other Establishment = Design Flow x 5.0, Minimum size 1000 gallons		
Code Minimum Holding Tank Capacity:	<input type="text"/> Gallons	in <input type="text"/> Tanks or Compartments
Recommended Holding Tank Capacity:	<input type="text"/> Gallons	in <input type="text"/> Tanks or Compartments
Type of High Level Alarm:	<input type="text"/> (Set @ 75% tank capacity)	
Comments:	<input type="text"/>	
4. SEPTIC TANK SIZING		
<b>A. Residential dwellings:</b>		
Number of Bedrooms (Residential):	<input type="text" value="5"/>	
Code Minimum Septic Tank Capacity:	<input type="text" value="2250"/> Gallons	in <input type="text" value="2"/> Tanks or Compartments
Recommended Septic Tank Capacity:	<input type="text" value="2250"/> Gallons	in <input type="text" value="2"/> Tanks or Compartments
Effluent Screen & Alarm (Y/N):	<input type="text" value="No"/>	Model/Type: <input type="text"/>
<b>B. Other Establishments:</b>		
Waste received by:	<input type="text"/> <input type="text"/> GPD x <input type="text"/> Days Hyd. Retention Time	
Code Minimum Septic Tank Capacity:	<input type="text"/> Gallons	In <input type="text"/> Tanks or Compartments
Recommended Septic Tank Capacity:	<input type="text"/> Gallons	In <input type="text"/> Tanks or Compartments
Effluent Screen & Alarm (Y/N):	<input type="text"/>	Model/Type: <input type="text"/>
5. PUMP TANK SIZING		
Pump Tank 1 Capacity (Minimum):	<input type="text" value="1060"/> Gal	Pump Tank 2 Capacity (Minimum): <input type="text"/> Gal
Pump Tank 1 Capacity (Recommended):	<input type="text" value="1060"/> Gal	Pump Tank 2 Capacity (Recommended): <input type="text"/> Gal
Pump 1 <input type="text" value="42.0"/> GPM Total Head	<input type="text" value="18.3"/> ft	Pump 2 <input type="text"/> GPM Total Head <input type="text"/> ft
Supply Pipe Dia. <input type="text" value="2.00"/> in	Dose Vol: <input type="text" value="187.0"/> gal	Supply Pipe Dia. <input type="text"/> Dose Vol: <input type="text"/> Gal





### Design Summary Page



<b>6. SYSTEM AND DISTRIBUTION TYPE</b>		Project ID:	
Soil Treatment Type:	<input type="text" value="Trench"/>	Distribution Type:	<input type="text" value="Gravity Distribution"/>
Elevation Benchmark:	<input type="text" value="100"/> ft	Benchmark Location:	<input type="text" value="bsmnt floor"/>
MPCA System Type:	<input type="text" value="Type I"/>	Distribution Media:	<input type="text" value="Registered Product:"/> <input type="text" value="EZ Flo"/>
Type III/IV Details:	<input type="text"/>		

<b>7. SITE EVALUATION SUMMARY:</b>			
Describe Limiting Condition: <input type="text" value="Redoximorphic Features/Saturated Soils"/>			
Layers with >35% Rock Fragments? (yes/no) <input type="text" value="No"/> If yes, describe below: % rock and layer thickness, amount of soil credit and any additional information for addressing the rock fragments in this design.			
Note: <input type="text"/>			
Limiting Condition:	<input type="text" value="66"/> inches	Depth	<input type="text" value="5.5"/> ft
Minimum Req'd Separation:	<input type="text" value="36"/> inches	Depth	<input type="text" value="3.0"/> ft
Code Max System Depth:	<input type="text" value="30"/> inches	Depth	<input type="text" value="2.5"/> ft
		Elevation	<input type="text" value="78.6"/> ft
		Elevation	<input type="text" value="81.6"/> ft
<i>Critical for system compliance</i>			
This is the maximum depth to the bottom of the distribution media. Negative Depth (ft) means it must be a mound.			
Soil Texture:	<input type="text" value="Loamy Sand"/>		
Soil Hyd. Loading Rate:	<input type="text" value="1.00"/> GPD/ft <sup>2</sup>	Percolation Rate:	<input type="text" value="4.00"/> MPI
Contour Loading Rate:	<input type="text" value="13"/>	Note:	<input type="text"/>
Measured Land Slope:	<input type="text" value="15.0"/> %	Note:	<input type="text"/>
Comments:	<input type="text" value="use center feed distribution and break trenches into 7 equal sections. (15% rule)"/>		

<b>8. SOIL TREATMENT AREA DESIGN SUMMARY</b>			
<b>Trench:</b>			
Dispersal Area	<input type="text" value="720"/> ft <sup>2</sup>	Sidewall Depth	<input type="text" value="12"/> in
Total Lineal Feet	<input type="text" value="240"/> ft	Trench Width	<input type="text" value="3"/> ft
Contour Loading Rate	<input type="text" value="13.0"/> ft	No. of Trenches	<input type="text" value="4"/>
		Code Max. Trench Depth	<input type="text" value="30.0"/> in
		Min. Length	<input type="text" value="58"/> ft
		Designed Trench Depth	<input type="text" value="30/up side"/> in
<b>Bed:</b>			
Dispersal Area	<input type="text"/>	Sidewall Depth	<input type="text"/>
Bed Width	<input type="text"/>	Maximum Bed Depth	<input type="text"/>
		Bed Length	<input type="text"/>
		Designed Bed Depth	<input type="text"/>
<b>Mound:</b>			
Dispersal Area	<input type="text"/>	Bed Length	<input type="text"/>
Absorption Width	<input type="text"/>	Bed Width	<input type="text"/>
Upslope Berm Width	<input type="text"/>	Clean Sand Lift	<input type="text"/>
Total System Length	<input type="text"/>	Berm Width (0-1%)	<input type="text"/>
		Downslope Berm	<input type="text"/>
		Endslope Berm Width	<input type="text"/>
		System Width	<input type="text"/>
		Contour Loading Rate	<input type="text"/>

Project ID: #REF!





### Design Summary Page



**At-Grade:**

Bed Width  ft      Bed Length  ft      Finished Height  ft

Contour Loading Rate  gal/ft      Upslope Berm  ft      Downslope Berm  ft

Endslope Berm  ft      System Length  ft      System Width  ft

**Level & Equal Pressure Distribution**

No. of Laterals       Perforation Spacing  ft      Perforation Diameter  in

Lateral Diameter  in      Min Dose Volume  gal      Max Dose Volume  gal

**Non-Level and Unequal Pressure Distribution**

	Elevation (ft)	Pipe Size (in)	Pipe Volume (gal/ft)	Pipe Length (ft)	Perf Size (in)	Spacing (ft)	Spacing (in)	
Lateral 1								Minimum Dose Volume <input type="text"/> gal
Lateral 2								
Lateral 3								
Lateral 4								Maximum Dose Volume <input type="text"/> gal
Lateral 5								
Lateral 6								

**9. Additional Info for At-Risk, HSW or Type IV Design**

A. Starting BOD Concentration = Design Flow X Starting BOD (mg/L) X 8.35 ÷ 1,000,000

gpd X  mg/L X 8.35 ÷ 1,000,000 =  lbs. BOD/day

B. Target BOD Concentration = Design Flow X Target BOD (mg/L) X 8.35 ÷ 1,000,000

gpd X  mg/L X 8.35 ÷ 1,000,000 =  lbs. BOD/day

Lbs. BOD To Be Removed:

PreTreatment Technology:  \*Must Meet or Exceed Target

Disinfection Technology:  \*Required for Levels A & B

C. Organic Loading to Soil Treatment Area:

mg/L X  gpd x 8.35 ÷ 1,000,000 ÷  ft<sup>2</sup> =  lbs./day/ft<sup>2</sup>

**10. Comments/Special Design Considerations:**

I hereby certify that I have completed this work in accordance with all applicable ordinances, rules and laws.

Dale Denn  
(Designer)

(Signature)

583  
(License #)

5/15/2019  
(Date)





# Trench Design Worksheet

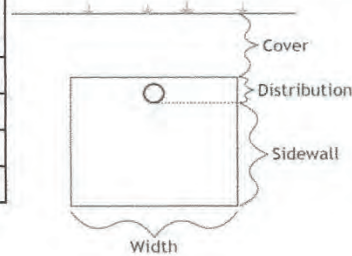


1. SYSTEM SIZING: Project ID: \_\_\_\_\_ v 04.02.2019

- A. Design Flow:  GPD
- B. Code Maximum Depth:  inches Designers Maximum Depth:  inches
- C. Soil Loading Rate:  GPD/ft<sup>2</sup> Contour Loading Rate:  gal/ft
- D. Required Bottom Area: Design Flow (1.A) ÷ Loading Rate (1.C) = Initial Required Bottom Area  
 GPD ÷  GPD/ft<sup>2</sup> =  ft<sup>2</sup>
- E. Select Dispersal Media:  Rock  
 (selection required)  Registered Product
- F. Select Distribution Method:  Pressure  Gravity-Drop Box  
 Gravity-Other
- G. If distribution media is installed in contact with sand or loamy sand or with a percolation rate of 0.1 to 5 mpi indicate distribution or treatment method:

2. TRENCH CONFIGURATION: ROCK

A.	Initial required trench bottom area (ft <sup>2</sup> ): (from 1.D)	Sidewall Absorption (inches)	Bottom Area Reduction	Bottom Area Multiplier	Design trench bottom area
		6 to 11		1	
		12 to 17	20%	0.8	
		18 to 23	34%	0.66	
		24	40%	0.6	



- B. Select Sidewall Height:  inches =  ft
- C. Design Bottom Area (2.A):  ft<sup>2</sup>
- D. Select Trench Width:  ft
- E. Total Designed Trench Length: Bottom Area ÷ Trench Width = Total Required Trench Length  
 ft<sup>2</sup> ÷  ft =  ft
- F. Calculate Minimum length of each trench based on Contour Loading Rate: Design Flow ÷ CLR =  
 gpd ÷  gal/ft =  ft
- G. Number of Trenches:  Minimum base on CLR  Designed Number of Trenches
- H. Length per trench = Actual Trench Length ÷ Number of Trenches (recommended to be equal or exceed 2F)  
 ft ÷  =  ft
- J. Select Trench Spacing :  ft (typically 5 - 12 ft from center to center)
- K. Calculate Lawn Area: Trench Length (2.E) X Trench Spacing (2.G) = square feet of lawn area  
 ft X  ft =  ft<sup>2</sup> lawn area
- L. Select Depth Required to Cover Distribution Pipe:  ft (0.33 ft for pressure, 0.5 ft for gravity)
- M. Calculate Rock Volume: (Sidewall Height (2.B) + Depth to Cover Pipe (2.J)) X Bottom Area (2.C) = cubic feet ÷ 27 = cubic yards  
 (  ft +  ft ) X  ft<sup>2</sup> =  ft<sup>3</sup> ÷ 27  yd<sup>3</sup>

## 3. TRENCH CONFIGURATION: REGISTERED PRODUCTS - CHAMBERS AND EZFLOW

A.	Initial required trench bottom area (ft <sup>2</sup> ): (from 1.D)	Sidewall Absorption (inches)	Bottom Area Reduction	Bottom Area Multiplier	Design trench bottom area
		6 to 11		1	
		12 to 17	20%	0.8	
		18 to 23	34%	0.66	
		24	40%	0.6	

B. Registered Product:

EZ Flow

Check registered product information for specific application details and design

C. Select Sidewall Height:

12 inches = 1.0 ft

D. Design Bottom Area (3.A):

720 ft<sup>2</sup>

E. Registered Width:

3 ft

F. Minimum Designed Trench Length = Bottom Area (3.C) ÷ Trench Width (3.D)

720 ft<sup>2</sup> ÷ 3.0 ft = 240 ft

G. Enter the Registered Product Component Length:

10 ft

H. Number of Components = Minimum Total Length Required divided by Component Length (Round up)

240 ft ÷ 10 ft = 24 components

I. Actual Total Trench Length = Number of Components X Component Length:

24 components X 10.0 ft = 240 ft

J. Calculate Minimum length per trench based on Contour Loading Rate: Design Flow ÷ CLR =

750.0 gpd ÷ 13.0 gal/ft = 57.7 ft

K. Select No. of Trenches:

4 Minimum based on CLR 4 Designers Number of Trenches

L. Length per trench = Actual Trench Length ÷ Number of Trenches. *Recommended* to be equal or exceed 3.J.

240.0 ft ÷ 4 trenches = 60.0 ft

M. Select Trench Spacing:

12 ft (typically 5 - 12 ft from center to center)

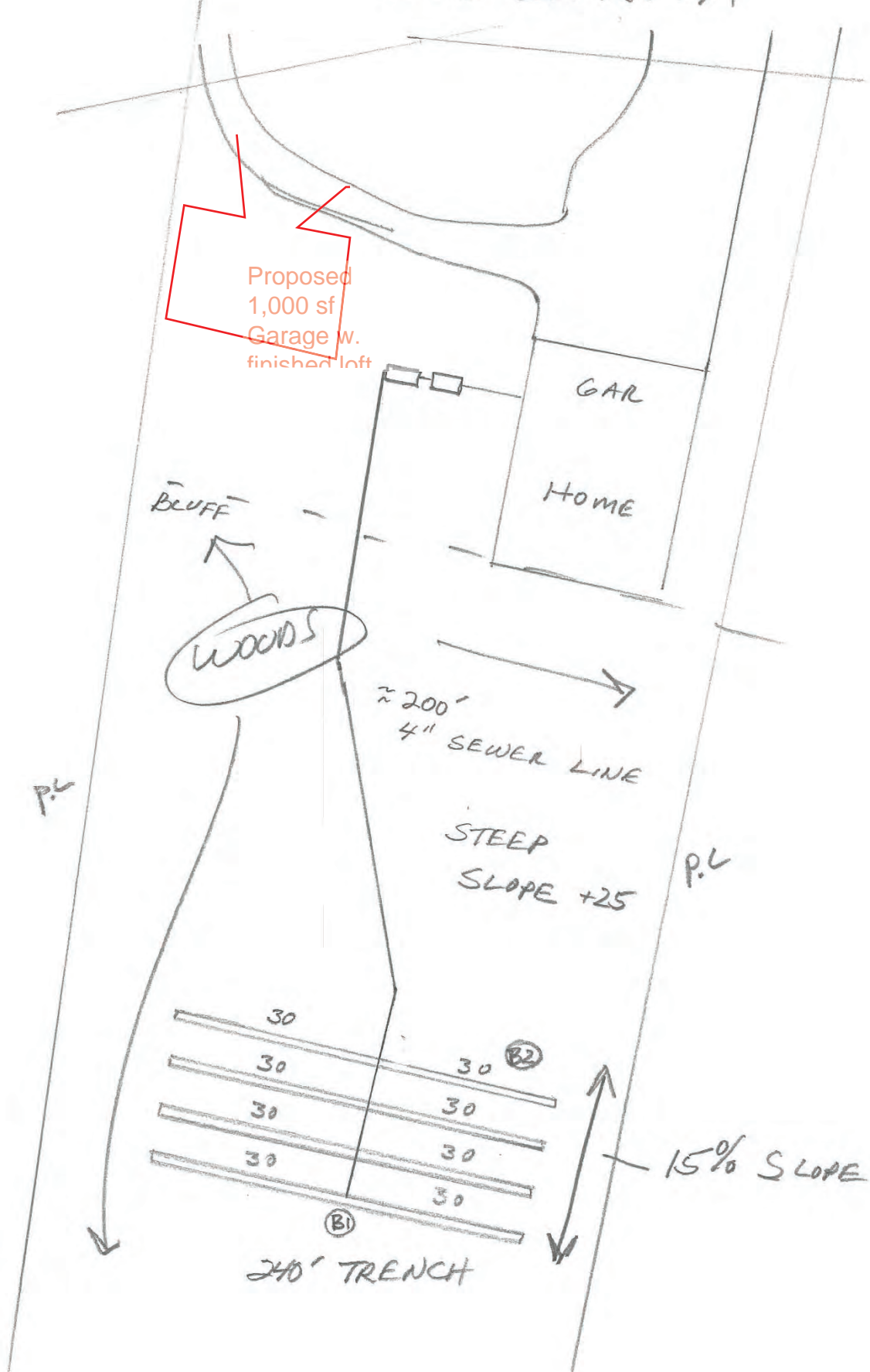
N. Calculate Lawn Area: Trench Length X Trench Spacing = square feet of lawn area

240 ft X 12 ft = 2880 ft<sup>2</sup> lawn area

Comments:



535 LAKOTA



HomeStead Septic  
 1108 Goldenrod Lane  
 Shakopee, MN 55379  
 612-310-7887  
 Homesteadseptic@outlook.com

## Invoice

Number 1135

Date 10/16/2020

### Bill To

Andy Polski  
 Eco RealEstate Holdings Inc.  
 510 Pleasant View Road  
 Chanhassan, MN, 55317

### Job Description

535 Lakota Septic Installation

Terms: Net 15 Days from Date of Invoice.

Job Details	Quantity/	Price/Rate	Amount
Estimate	1.00	\$26,120.00	\$26,120.00
Credit #4226 9/15	1.00	(\$1,220.00)	(\$1,220.00)
Credit - less tree removal	1.00	(\$750.00)	(\$750.00)
Credit - Core Drilling	1.00	(\$400.00)	(\$400.00)
Credit - Old tank abatement	1.00	(\$500.00)	(\$500.00)
Credit - if no bluff restoration?	1.00	(\$1,000.00)	(\$1,000.00)

Invoice Total:	\$22,250.00
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Amount Paid: \$8,000.00

Amount Due \$14,250.00





# CITY OF CHANHASSEN

Chanhassen is a Community for Life - Providing for Today and Planning for Tomorrow

SSTS Certificate of Compliance (COC)			
<b>SSTS Permit #:</b>	2020-02253	<b>Site Address:</b>	535 Lakota Lane
<b>Type of Work:</b>	New System	<b>COC Expire Date:</b>	10/29/2025
System Information and Specifications			
<b>SSTS Type:</b>	Type 1	<b>Treatment Type:</b>	C
<b>Bedrooms:</b>	5	<b>Gallons Per Day:</b>	750
<b>Septic Tank Capacity:</b>	2250	<b>Lift Tank Capacity:</b>	
<b>Residential:</b>	yes	<b>Other Establishment:</b>	
<b>Garbage Disposal</b>	No	<b>Lift in the Basement:</b>	No
<b>Comments:</b>			

<b>Property Owner:</b>	Eco Real Estate Holdings Inc.
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<b>Designer:</b>	Homestead Septic – Dale Denn	<b>Phone:</b>	612-310-7887
<b>License #:</b>	C3226	<b>Expiration:</b>	12/30/2020

<b>Installer</b>	Homestead Septic – Dale Denn	<b>Phone:</b>	612-310-7887
<b>License #:</b>	C3226	<b>Expiration:</b>	12/31/2020

This document serves as a Certificate of Compliance (COC) for this recently installed/repairs subsurface sewage treatment system (SSTS).

The issuance of this COC does not certify that the work of the SSTS Installer is free from defects in the construction of the SSTS and it does not guarantee future hydraulic performance of the SSTS to treat sewage. Unknown site conditions during construction, materials used, water usage, wastewater strength, abuse of the SSTS, and the amount of maintenance will affect the performance and longevity of the SSTS. The owner should periodically refer to the Septic System Owners Guide for the proper use, maintenance and record keeping for this SSTS.

<b>Inspector:</b>	Eric Tessman	<b>Signature</b>	<i>Eric Tessman</i>
<b>License #:</b>	C465	<b>Date</b>	11/2/20
<b>Certificate of Compliance Valid Until:</b> 10/29/2025			

PH 952.227.1100 • [www.ci.chanhassen.mn.us](http://www.ci.chanhassen.mn.us) • FX 952.227.1110

7700 MARKET BOULEVARD - PO BOX 147 - CHANHASSEN - MINNESOTA 55317

RN 0061



CITY OF CHANHASSEN, MINNESOTA  
Phone: 952-227-1180 • Fax: 952-227-1190 • www.ci.chanhassen.mn.us

INSPECTION FOR Distribution System DATE 10/12  
TIME/DATE INSPECT, DESIRED 2:00 10/13-wed PERMIT NO. 20-12253  
ADDRESS 535 Lakota Ln  
PERMITTEE Hornstead TAKEN BY: cm

RE-INSPECT REQUIRED  CORRECT & PROCEED  OK TO PROCEED  FINAL OK

CORRECTIONS

- 1) 4" schedule 40 gas pipe from tanks to trenches - line buried in
- 2) 7 trenches total - 10' or greater between trenches  
- 5 trenches at 3' x 30' x 30" deep  
- 1 trench at 3' x 20' x 30" deep
- 3) filter fabric provided over top ez flow
- 4) old tanks pumped - tanks had no bottoms, tanks filled with sand
- 5) New Tanks - Tank 1: 1250 gal - mfg date: 10-8-20  
Tank 2: 1000 gal - mfg date: 7-1-19
- 6) 36" pipe brought

Make corrections as listed above and schedule a re-inspection. You may not cover, conceal or proceed with construction in any areas that require correction until authorized by the building official.

Date 10/12/20 Time 2:30 pm  
Inspector ET

INSPECTION REPORT  
CITY OF CHANHASSEN, MINNESOTA  
Phone: 952-227-1180 • Fax: 952-227-1190 • www.ci.chanhassen.mn.us

INSPECTION FOR SSIS Final DATE \_\_\_\_\_  
TIME/DATE INSPECT, DESIRED 10/29 PERMIT NO. 20-02253  
ADDRESS 535 Lakota Ln  
PERMITTEE Hornstead TAKEN BY: \_\_\_\_\_

RE-INSPECT REQUIRED  CORRECT & PROCEED  OK TO PROCEED  FINAL OK

CORRECTIONS

- 1) Reers on tanks brought to surface
- 2) Tanks covered with inspection pipes brought to surface
- Final SSIS inspection OK

Make corrections as listed above and schedule a re-inspection. You may not cover, conceal or proceed with construction in any areas that require correction until authorized by the building official.

Date 10/29/20 Time 2:00 pm  
Inspector ET