



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, March 21, 2018

Agenda Item

Item 6. I. - Project Reviews

Prepared By

Linda Loomis, Administrator

Summary

- i. **Hennepin County - Bloomington Road**
Staff suggested this project might want to look at an alternative to the SAFL Baffle called the Preserver. The engineer on the project said the County preferred to stick with the SAFL Baffle since they have used these in other installations and are familiar with the maintenance required.
- ii. **City of Bloomington - Hyatt House; 2343-2373 Old Shakopee Road**
See the attached memorandum from staff
- iii. **City of Chaska - Local Surface Water Management Plan**
Staff is reviewing the Chaska Local Surface Water Management Plan and has received comments from the Metropolitan Council Environmental Services (MCES), which are attached for Managers information.
- iv. **City of Chanhassen - Local Water Management Plan**
Staff is reviewing the Chanhassen Local Water Management Plan and has received comments from MCES, which are attached for Managers information.
- v. **City of Lilydale - Local Water Management Plan**
Staff is reviewing the Lilydale Surface Water Management Plan and has received comments from MCES, which are attached for Managers information
- vi. **City of Burnsville - Xcel Energy Black Dog Plant**
No new information since last update
- vii. **MNDOT - I-35W Bridge Replacement**
No new information since last update

Attachments

Memorandum regarding Hyatt House

MCES Comment letter on City of Chaska Local Surface Water Management Plan

MCES Comment letter on Chanhassen local Water Management Plan

MCES Comment letter on Lilydale Surface Water Management Plan

Recommended Action

No action recommended



Technical Memorandum

To: Linda Loomis, Administrator

From: Della Schall Young, CPESC, PMP

Date: March 16, 2018

Re: Hyatt House Hotel Project – Old Shakopee Road E & 86th Street E,
Bloomington, MN

Sambatek, Inc. (Sambatek) contacted the Lower Minnesota River Watershed District (District) in December 2017 requesting a meeting to discuss the Hyatt House Hotel Project and the District's requirements and project review process. We (Linda Loomis and Della Young) met with Michele Caron and Benjamin Lucas, both Sambatek staff, on December 21, 2017. Sambatek staff were informed that the District does not have a formal permitting process but that we do review and comment on whether projects meet District standards through state or municipal review processes. They were also told that the proposed project would likely trigger the District's Bluff, Erosion and Sediment Control, and Stormwater Standards. All of the standards noted, with the exception of the Bluff Standard, would be addressed through compliance with the City of Bloomington's erosion and stormwater requirements and the Minnesota Pollution Control Agency's Construction Stormwater Permit. Although the City of Bloomington has bluff protection requirements, the requirements differ from the District's standard. To address the differences in bluff protection requirements, the District provided Sambatek staff the Thirty-Percent Bluff Overlay District shapefiles and the Bluff Standard language from the 2011 approved Watershed Management Plan.

Using the information provided by the District, Sambatek conducted a site survey and has requested a modification to the District's Thirty-Percent Bluff Overlay District adjacent to the project area (Figure 1—District and Sambatek Bluff Comparison). Note: The District's overlay areas were developed using the Minnesota Department of Natural

Resources bluff-mapping tool without a site survey or field verification. The modification requested by Sambatek reflects more accurate information.

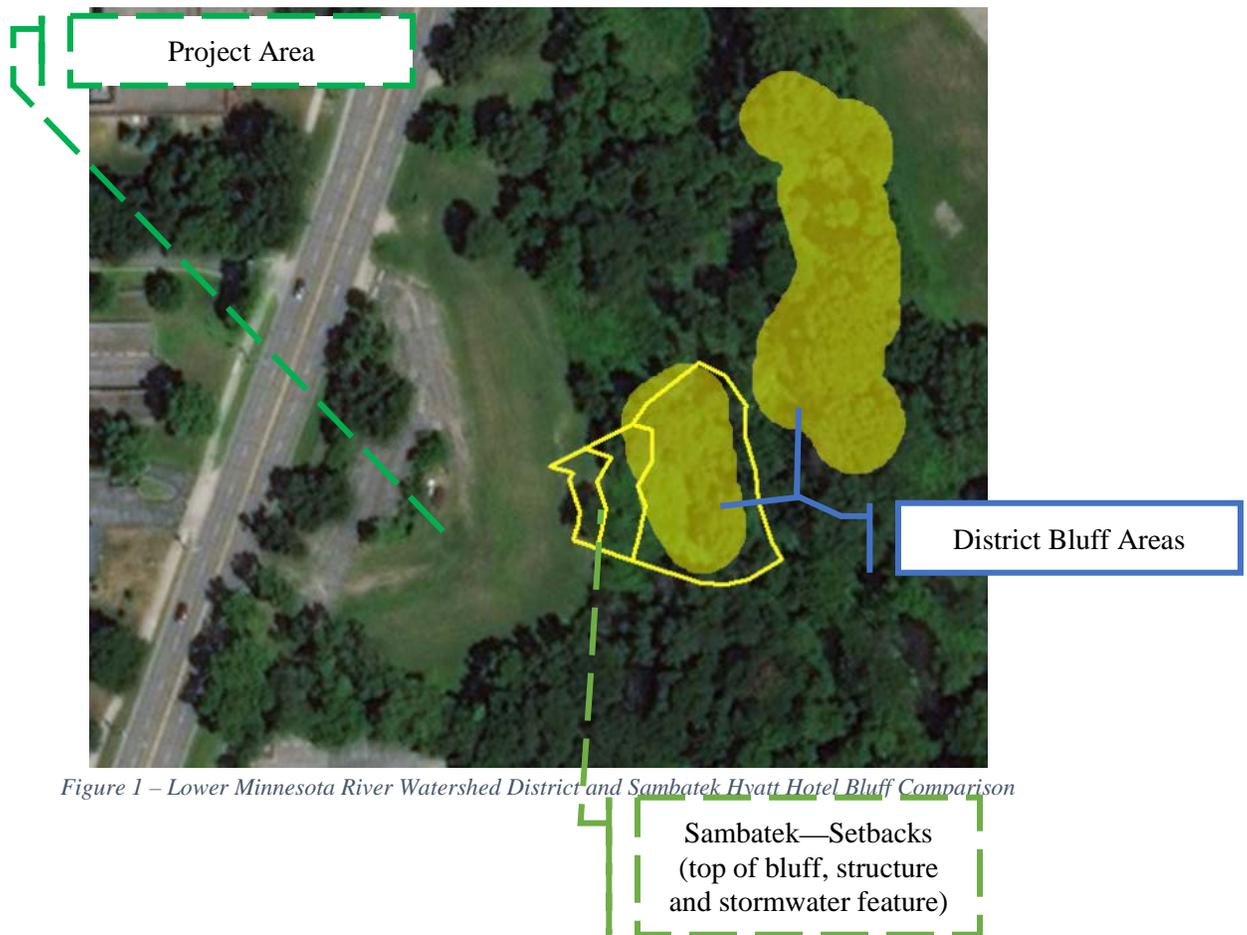


Figure 1 – Lower Minnesota River Watershed District and Sambatek Hyatt Hotel Bluff Comparison

Staff recommends approval of the request. Because nothing in development or implementation of this standard is meant to imply that all slopes 30% or greater are suitable for development or immune to failure, landowners and developers assume risk of failure in all cases.

CC: Jeffrey Thuma, Burns & McDonnell

March 15, 2018

Linda Loomis, Administrator
Lower Minnesota River Watershed District
112 E. 5th Street, #102
Chaska, MN 55318

RE: Chaska Local Surface Water Management Plan
Metropolitan Council Review File No. 21867-1

Dear Ms. Loomis:

The Metropolitan Council (Council) has completed its review of Chaska's Local Surface Water Management Plan (plan). The plan is detailed, provides a good framework for managing the city's water resources, and is generally consistent with Council policies and the Council's *Water Resources Policy Plan*.

Chaska updated its plan in 2015 and it appears that the 2015 plan was resubmitted for review without any changes. The revised Minnesota Rules Chapter 8410 requires all local surface water plans for be updated in the period of 2017-2018. Council staff are recommending that at a minimum the city must update their capital improvement program (Table 6-1; *City Stormwater System Implementation Priorities*) to extend, by year, through the life of the plan (2028).

In addition, there are several impaired waters in the city, and Total Maximum Daily Load (TMDL) studies are underway for some of them. The Watershed Management Organizations (WMOs) the city is within are currently updating their watershed management plans. We strongly recommend that the city do a thorough plan update after the TMDL studies and WMO plan updates have been completed as well.

Thank you for the opportunity to comment on the city's plan. Again, the Council believes Chaska's plan provides a good foundation for managing stormwater in the City's water resources. If you have any questions regarding the Council's expectations, please contact Joe Mulcahy, of my staff at 651-602-1104.

Sincerely,



Sam Paske
Assistant General Manager, MCES, Environmental Quality Assurance Dept.

cc: Matt Clark, City of Chaska
Dan Edgerton, Stantec Consulting Services Inc.
Deb Barber, Metropolitan Council District 4
Angela Torres, Metropolitan Council Sector Representative
Raya Esmaeili, Metropolitan Council Referrals Coordinator
Joe Mulcahy, Water Resources Assessment Section

March 16, 2018

Ms. Linda Loomis, Administrator
Lower Minnesota River Watershed District
Scott County Government Center
112 E. 5th Street, #102
Chaska, MN 55318

RE: Chanhassen Local Water Management Plan
Review File No. 21862-1

Dear Ms. Loomis:

The Metropolitan Council (Council) has completed its review of the City of Chanhassen's draft Local Water Management Plan (plan), submitted in February 2018. The plan is consistent with Council policies and the Council's *Water Resources Policy Plan*.

The plan's water resource inventory is based on hydrologic and hydraulic modeling of the City on a subwatershed basis and includes issues and opportunities for each subwatershed. Overall, the plan provides an excellent framework to manage the City's water resources. However, we do have two minor comments on the plan:

- In Table 5-3, *Chanhassen LWMP Implementation Plan 2018-2027 by year*, the capital improvement section covers 2018 through 2022. The columns for years 2023 through 2027 are blank with a note stating, "To Be Determined In Future Annual CIP Updates." The city could consider extending this table to cover the total period of the plan. We realize it is difficult to estimate revenue and expenditures this far out, and that City budgets are reviewed annually, but technically this is required in the plan.
- As stated in the plan, all the Watershed Management Organizations (WMOs) the city is in are currently updating their management plans. The city should consider updating this plan after the WMO plan updates have been completed.

Thank you for the opportunity to comment on the city's plan. If you have any questions regarding these comments, please contact Joe Mulcahy, Water Resources Section, at 651-602-1104.

Sincerely,



Sam Paske
Assistant General Manager, Environmental Quality Assurance Department

cc: Vanessa Strong, Water Resources Coordinator City of Chanhassen
Jennifer Munt, Metropolitan Council District 3
Angela Torres, Metropolitan Council Sector Representative
Raya Esmaeili, Metropolitan Council Referrals Coordinator
Joe Mulcahy, Water Resources Assessment Section

March 9, 2018

Linda Loomis, Administrator
Lower Minnesota River Watershed District
112 E. 5th Street, #102
Chaska, Minnesota 55318

RE: Lilydale Surface Water Management Plan (SWMP) 45-Day Review
Metropolitan Council Review File No. 21865-1

Dear Ms. Loomis:

The Metropolitan Council (Council) has completed its 45-day review of the City of Lilydale's (City) draft Surface Water Management Plan (plan) as required under Minnesota Statute 103B.235. The Council reviewed the Plan for consistency with Minnesota Rules Part 8410.0160 and our *2040 Water Resources Policy Plan* (Policy Plan). Following are the Council's comments for your use in review and approval of the plan.

The City is essentially fully developed thus the plan's emphasis is on redevelopment. In addition, the city is the Local Unit of Government responsible for administering the Wetland Conservation Act as well as the entity responsible for permitting of development and redevelopment. The Council has reviewed the plan with this in mind.

The Executive Summary, the description of existing and proposed physical environment and land use, and the associated maps set a strong context for the plan. However, it is unclear from the land use table and map whether or not the map and table are taken from, or consistent with, the information that will be included in the City's 2018 Comprehensive Plan Update. If they are not consistent, the map and table should be made to be consistent with the Comprehensive Plan Update.

The plan includes information for the water resources within the City: the Minnesota River, Mississippi River, Pickerel Lake, Ivy Falls Creek and Interstate Valley Creek. The plan also identifies which water bodies are impaired and what they are impaired for. The plan falls short in identifying the City's role implementing projects or actions to help improve water quality for these resources. In particular, the City should identify its role in reducing bacteria in Interstate Valley Creek and what it plans to do about the erosion identified in the plan for Ivy Falls Creek.

The plan also stated that some of the Lilydale storm sewer system no longer meets the level of service for which it was originally designed but fails to include any needed projects or studies to fix this issue. It is unclear whether the list of projects completed for the storm sewer have fixed the problems or if there are remaining areas of concern. The plan also states that the City will assess and prioritize areas for shoreland restoration. There are no associated implementation projects for the problems identified in the plan. One of the main requirements for local surface water management plans are to identify the problem areas in the community, propose projects to address the problems and include money in a CIP to ensure the work needed can be done. This plan does not appear to adequately address problem areas within the City.

Page 4-5 states that the Metropolitan Council added a surcharge to Lilydale's sewer bill to fix I/I issues in the city. The Plan includes statements that inaccurately characterize the Council's ongoing I/I program. It is advised that the planners review the www.metrocouncil.org/iandi website and the [Thrive 2040 plan](#) for current policy. For example: the I/I Program does not collect funds for system improvements; the Council will not provide capacity within the interceptor system to serve excessive I/I; and, the program is intended to reduce excessive flows of clear water from I/I sources. For quantifying I/I, some communities have used the [EPA guidance](#) to determine the annual I/I and peak month I/I <https://www3.epa.gov/region1/ssw/pdfs/Guide4EstimatingInfiltrationInflow.pdf>

The plan includes goals for lake and stream water quality; stormwater pollution prevention; stormwater quality; stormwater rates and volumes; erosion and sediment control; groundwater; wetland management; and water resources enjoyment. Council staff encourage the city to adopt MIDS standards as well as use of LID practices. Prioritization of goals is recommended as this may help with implementation of actions, projects, and studies needed to meet the goals.

Thank you for the opportunity to comment on the City's plan. If you have any questions regarding the Council's expectations, please contact Judy Sventek, at 651-602-1156 or judy.sventek@metc.state.mn.us. Please advise the city that they need to send the Council a final copy of the plan for our records, along with the dates the watersheds approved it, and when the city adopted the final plan.

Sincerely,



Sam Paske
Assistant General Manager, MCES, Environmental Quality Assurance Dept.

cc: Mary Schultz, City of Lilydale
Jeff Weiss, Barr Engineering Company
Richard Kramer, Metropolitan Council District 13
Sam Paske, MCES, Assistant General Manager
Patrick Boylan, Metropolitan Council Sector Representative
Raya Esmaeili, Metropolitan Council Referrals Coordinator
Judy Sventek, Manager, Water Resources Section