



# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Minutes of Regular Meeting

### Board of Managers

Wednesday, March 19, 2025

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

Approved \_\_\_\_\_, 2025

#### 1. CALL TO ORDER

##### A. OATH OF OFFICE

On February 18, 2025, Janet Williams was appointed to the Board of Managers of the Lower Minnesota River Watershed District by the Scott County Board of Commissioners. President Barisonzi administered the Oath of Office.

##### B. ROLL CALL

On Wednesday, March 19, 2025, at 7:00 PM CST, in the Board Room of the Carver County Government Center, 602 East 4<sup>th</sup> Street, Chaska, Minnesota, President Barisonzi called to order the meeting of the Board of Managers of the Lower Minnesota River Watershed District (LMRWD).

President Barisonzi called for the roll call. The following Managers were present: President Barisonzi, Manager Lauren Salvato, Manager Vinatha Viswanathan and Manager Janet Williams. Manager Kuplic, joined the meeting virtually from a publicly noticed location: the Coffee Shop at the Residence Inn located at 20371 Summerlin Road, Fort Myers, FL 33908.

Administrator Loomis reminded President Barisonzi that all votes require a roll call.

In addition, the following attended the meeting in-person: Linda Loomis, Naiad Consulting, LLC, LMRWD Administrator; Della Schall Young, Young Environmental Consulting Group, LLC, LMRWD Technical Consultant; Joe Barten, Dakota County Soil & Water Conservation District; Lee Peterson and Judy Berglund, LMRWD Citizen Advisory Committee; and Troy Kuphal and Chase Emmers, Scott County Soil & Water Conservation District. John Kolb, Rinke Noonan Attorneys at Law, LMRWD Legal Counsel; Commissioner Jodi Brennan, Scott County; Joe Birkholz, Park Street Public, LMRWD Government Relations Consultant and Apollo Lammers, former LMRWD Manager; joined the meeting virtually.

#### 2. CITIZEN FORUM

No one present wished to address the Board of Managers.

#### 3. APPROVAL OF THE AGENDA

##### A. Additions, Corrections and Deletions to the Agenda

President Barisonzi introduced this item. He asked if there were any other changes to the agenda. Administrator Loomis reminded President Barisonzi that all votes require a roll call.

**Manager Williams made a motion to approve the agenda. Manager Salvato seconded the motion. Upon a vote being taken the following voted in favor of the motion: Barisonzi, Kuplic, Salvato, Viswanathan, Williams; the following voted against: None. The motion carried.**

#### **4. PUBLIC HEARINGS & PRESENTATION**

##### **A. Presentation by Dakota County Soil and Water Conservation District (SWCD)**

Mr. Troy Kuphal, District Director, and Mr. Chase Emmers, Water Resource Specialist, with the Scott County Soil and Water Conservation District were at the meeting in-person to report on 2024 monitoring of Scott County water resources within the LMRWD that they performed on behalf of the LMRWD.

Mr. Emmers presented results of the 2024 monitoring season in Scott County.

President Barisonzi asked what came out of the previous conversation they had about tracing the source of E. Coli. Mr. Emmers shared that they reached out to the cities of Savage and Shakopee investigating under their MS4 permit to do further upstream analysis. He said nothing has come from this previous discussion other than the additional sites.

President Barisonzi noted that this year's report E. Coli levels seems be a lot less than last year's. He asked if this was because less event sampling was done. Mr. Emmers said yes. He noted the higher levels were seen in the winter months and they see a lot less in the summer months

President Barisonzi asked if the Savage fens are better from the water perspective but still not great, while they are stable from a biosphere perspective but there are still threats. Mr. Emmers said this is an accurate assessment of the current state.

President Barisonzi asked if they have a part of the SWCD's work plan to address this trend. Mr. Kuphal said they do not have this in their work plan as their focus is on monitoring and providing the findings to the Board. It is then up to the LMRWD and others to address trends.

Manager Williams shared that as a long-time Savage resident, she is frustrated by the long time neglect of the Fen. She said it has been very disappointing and discouraging from the city's perspective when trying to work with the DNR and the Corp. of Engineers. She noted that the City conducted a recent resident survey and they received feedback that residents want to be able to walk through this area, which is impossible in its current state as it is being degraded and ignored.

Mr. Emmers explained that the DNR has been doing more training on fens. He added that they are working with the DNR to get more continuous data loggers out in these wells.

Manager Williams shared that in Savage's comprehensive plan, they have always had a trail below the bluff, and this could be incorporated into some kind of walkway in this area so that the residents can experience this area.

President Barisonzi noted that money for was cut from the 2025 LMRWD budget and asked if the Fen project was one of the things that was to cut. Ms. Young said yes and explained that money was cut from the budget for land acquisition adjacent to the fens. She noted the Fen Stewardship project and coordination with the DNR was not cut from the budget.

President Barisonzi shared that he would like the Board and its partners to be given an overview of their fen project.

Manager Williams noted that Eagle Creek is the only natural ground trout stream in the metropolitan area and the City of Savage has been able to secure a 100-foot buffer along this stream which is extremely important.

Manager Salvato asked what additional costs would be associated with adding the ability to download continuous data loggers in the future. Mr. Kuphal explained that they already have the equipment needed to download this so there would not be a change in cost to use this equipment

Ms. Judy Berglund, from the LMRWD Citizen Advisory Committee, reported on an effort she participated in to remove buckthorn. She noted the CAC was planning to table at the Savage Farmers Market in September and she thought having information about Savage Fen would be great outreach.

Administrator Loomis pointed out that approval of the partnership agreement between the LMRWD and Scott SWCD is on the agenda. Mr. Kuphal explained the differences between the new agreement and the previous agreement. The addition of three new monitoring sites added \$3,700 to the cost, but savings were found in other areas to offset the majority of that increase. The additional sites is a partnership between the LMRWD and the cities of Savage and Shakopee, who will cover 50% of the cost.

**Manager Salvato made a motion to approve and authorize execution of the Agreement Between the Lower Minnesota River Watershed District and the Scott Soil and Water Conservation District for Monitoring, Technical, Education and other Conservation Services. The motion was seconded by Viswanathan.**

Manager Salvato asked about being able to access the monitoring data, the cost of the continuous data loggers and what the is difference in the data collection with the continuous loggers. Mr. Emmers explained the differences in the data collection and Mr. Kuphal said they could provide a quote to the LMRWD.

President Barisonzi asked about the role of the Scott County Commissioners in this partnership with the cities and the LMRWD. Mr. Kuphal pointed out that the SWCD is not Scott County, so they do not report directly to the County. He did note that the County is aware of the partnership and the services the SWCD provides. He added that Scott County supports the SWCD providing these types of services to all local watershed agencies.

**Upon a vote being taken the following voted in favor of the motion: Barisonzi, Kuplic, Salvato, Viswanathan, Williams; the following voted against: None. The motion carried.**

**B. Report from the Citizen Advisory Committee**

Lee Peterson and Judy Berglund, members of the Citizen Advisory Committee (CAC), reported on the activities of the CAC, election of CAC officers, and shared their plans for 2025.

Mr. Peterson reported that the CAC is interested in improving soil health to increase rainwater absorption in yards and wanted to know if the Board would be interested in having the CAC getting more information to them about this.

President Barisonzi shared that he would love to see the CAC bring forward any projects that they have thought through for consideration, such as soil health. He noted the most effective way to do Cost Share projects is throughout the LMRWD is with partnerships between the LMRWD municipal partners.

**5. CONSENT AGENDA**

President Barisonzi introduced this item. Administrator Loomis recommended the February 19, 2025, meeting minutes be removed from the Consent Agenda.

~~**A. Approve Minutes February 19, 2025**~~

**B. Receive and file February 2025 Financial report**

**C. Approval of Invoices for payment**

- i. Clifton Larson Allen (CLA) - Financial services through February 2025
- ii. Rinke Noonan, Attorneys at Law - January 2025 general legal services & Area #3
- iii. TimeSavers Off-site Secretarial – preparation of January 2025 meeting minutes
- iv. Daniel Hron – April 2025 office rent
- v. US Bank Equipment Finance – March 2025 copier lease payment
- vi. Young Environmental Consulting Group, LLC –February 2025 Technical, and Education and Outreach services
- vii. Naiad Consulting, LLC – February 2025 administrative services, mileage, and expenses
- viii. Bolton & Menk, Inc. – Engineering services related to Vernon Avenue
- ix. 106 Group – January 2025 Invoice for Area #3 services
  - x. I & S Group, Inc. – February Engineering services related to Spring Creek
  - xi. Park Street Public – March 2025 Government Relations Services
  - xii. Redpath and Company – Progress billing for FY 2022 Financial Audit
  - xiii. Liberty Mutual Surety – 2025/2026 Surety Bond Premium
  - xiv. 4M Fund – January 2025 fund service charges

**D. Approval to authorize payment of recurring invoices**

Manager Salvato made a motion to approve the Consent Agenda with the removal of Item 5.A – Approve Minutes February 19, 2025. Manager Williams seconded the motion. Upon a vote being taken the following voted in favor of the motion: Barisonzi, Kuplic, Salvato, Viswanathan, Williams; the following voted against: None. The motion carried.

**6. PERMITS**

**A. LMRWD Permit Renewals**

President Barisonzi introduced this item.

Manager Salvato made a motion to renew permit requests as recommended in the Technical Memorandum – March 2025 Permit Renewal Requests dated March 12, 2025.

Manager Viswanathan seconded the motion. Upon a vote being taken, the motion carried unanimously

**B. Dell Road Reconstruction Project (LMRWD No. 2024-22)**

President Barisonzi introduced this item.

Manager Salvato made a motion to conditionally approve a permit subject to receipt of the following:

- Copy of the NPDES construction stormwater permit
- Designation of an individual who will remain liable to the LMRWD for the performance under Rule B from the time the permitted activities commence until vegetation cover is established and the LMRWD has certified satisfaction with erosion and sediment control requirements
- Documentation of approval from Hennepin County to alter/obstruct its right-of-way
- Documentation of approval from RPBCWD
- Final construction plans signed by a professional engineer

- **Name, address and phone number(s) of all the contractors undertaking land-disturbing activities, as part of the project**
- **Additional information on the final staging areas, once determined by the contractor**
  - **Include updated erosion and sediment control plans, if applicable**

**Manager Viswanathan seconded the motion. Upon a vote being taken the following voted in favor of the motion: Barisonzi, Kuplic, Salvato, Viswanathan, Williams; the following voted against: None. The motion carried.**

**C. 2024 Minneapolis-St. Paul (MSP) International Airport Terminal 1 (LMRWD No. 2024-012) Permit Amendment)**

President Barisonzi introduced this item.

**Manager Salvato made a motion to approve an amendment to LMRWD Permit No. 2024-012 to include work along Glumack Drive that was not originally included when the permit was approved. Manager Viswanathan seconded the motion. Upon a vote being taken the following voted in favor of the motion: Barisonzi, Kuplic, Salvato, Viswanathan, Williams; the following voted against: None. The motion carried.**

## **7. ACTIONS ITEMS**

**A. Administrative Services Update**

President Barisonzi introduced this item. He shared that an interview process was determined by the Personnel Committee and interviews will be scheduled April 9, 2025, meeting of the Personnel Committee.

**B. 2024 Annual Report Update**

President Barisonzi introduced this item.

**Manager Salvato made a motion to approve the 2024 LMRWD Annual Report as presented and order its distribution. The motion was seconded by Manager Viswanathan. Upon a vote being taken the following voted in favor of the motion: Barisonzi, Kuplic, Salvato, Viswanathan, Williams; the following voted against: None. The motion carried.**

**C. State of the Minnesota River Listening Session**

President Barisonzi introduced this item.

The Board thanked the Young Environmental team for their great work on this report.

**Manager Salvato made a motion to approve report documents, approve aggregation of testimony and publication on the LMRWD website, and approve Sections 3 and 4 for public release on the website and through mass email to participants. The motion was seconded by Manager Viswanathan. Upon a vote being taken the following voted in favor of the motion: Barisonzi, Kuplic, Salvato, Viswanathan, Williams; the following voted against: None. The motion carried.**

Young Environmental Consulting Group provided a public engagement strategy and asked for direction from the Board as to how to proceed.

**President Barisonzi moved that Young Environmental Consulting Group be authorized to implement the communication and public engagement strategy with direction to negotiate a contract with a vendor to support that and bring that to the next meeting with application in the budget of how that's being paid. Manager Salvato seconded the motion. Upon a vote being taken the following voted in favor of the motion: Barisonzi, Kuplic, Salvato, Viswanathan, Williams; the following voted against: None. The motion carried.**

**D. Study Area #3 Update**

President Barisonzi introduced this item.

Manager Salvato asked about the budget implications of doing another survey on this project. The administrator said this is not something they expected but it is something they need to get done for the city to re-plat and rezone the property. She stated it is not much of an expense and this will not have a huge budgetary impact.

**Manager Salvato made a motion to approve Amendment #001 to Work Order 2024-01 of Agreement for Professional Services between the Lower Minnesota River Watershed District and Bolton & Menk, Inc. and authorize execution. The motion was seconded by Manager Viswanathan. Upon a vote being taken the following voted in favor of the motion: Barisonzi, Kuplic, Salvato, Viswanathan, Williams; the following voted against: None. The motion carried.**

**8. BOARD DISCUSSION ITEMS**

**A. Committee Meetings Discussion**

President Barisonzi introduced this item.

Administrator Loomis shared that they need to have a quorum at these meetings, which is two Managers at a minimum for Finance Committee and Personnel Committee meetings.

Manager Salvato added that Managers should also communicate with Administrator Loomis when they will not be able to attend a meeting or when they will have to attend remotely.

**B. Lower Minnesota River Calcareous Fen Enhancements - Seminary Fen Land Acquisition**

Ms. Young introduced this item and reviewed the acquisition strategies for land critical to Seminary Fen.

President Barisonzi shared that the Personnel Committee discussed how the Board will sometimes approve items without looking at where they fit into their priorities. He said he would love to see these items include a time and budget allocation so they knew what they were voting on. He added that he would like to speak with the Bloomington-Minnesota Valley Land Trust and the Minnesota Land Trust on these acquisitions.

Ms. Young stated the report is just to show the Board that there are different areas that they need to prioritize in the future and the expectation is to have these be considered by the groups who have the ability to acquire this land.

**Manager Salvato made a motion to adopt recommendations to:**

- **Maintain open lines of communication with priority parcel owners to explore voluntary conservation measures.**
- **Develop a funding and resource plan that could be activated if and when opportunities arise to secure land adjacent to the fen.**
- **Appoint a liaison or use the working group to monitor development proposals near the fen, engage with landowners, and facilitate protection efforts.**
- **Advocate for zoning and policy protections at the local level that minimize development impacts on fen-adjacent properties with landowners.**

**The motion was seconded by Manager Viswanathan. Upon a vote being taken the following voted in favor of the motion: Barisonzi, Kuplic, Salvato, Viswanathan, Williams; the following voted against: None. The motion carried.**

**C. Distribution of Managers**

President Barisonzi introduced this item. He reported that there will be an action item on this item at the next meeting.

No action was taken.

**9. FOR INFORMATION ONLY**

**A. 2025 Legislative Update**

Joe Birkholz, Park Street Public, gave an update on the 2025 legislative session. He reported that the funding for LMRWD dredge activities will not be touched.

Mr. Peterson asked about the introduction of a bill to limit who can request Environmental Assessment Worksheet (EAW). It would require anyone requesting an EAW to live in the County where to project is being proposed. Mr. Birkholz explained that this is part of the permitting and regulatory reform efforts that are mainly being driven by Chambers of Commerce. He said this effort has currently been stalled.

President Barisonzi asked if Mr. Birkholz could alert the Board if this particular bill gains traction.

**B. Vernon Avenue Update**

Administrator Loomis introduced this item. She shared that she has spoken with public finance counsel who has indicated that the LMRWD has money to pay for this project.

**C. 2025 Minnesota River Tour Update**

President Barisonzi introduced this item.

Manager Salvato suggested that they send a downloadable calendar invite along with the Save the Date for this event.

**D. Municipal Coordination meeting Summaries**

For information only – no action was taken.

**E. LMRWD Permit Program Summary**

For information only – no action was taken.

**10. COMMUNICATIONS**

**A. Administrator Report:** Administrator Loomis shared that she attended a MnDOT open house last week concerning the Trunk Highway 13 project. She said construction will likely not start until 2028; however, she wanted to make sure LMRWD voiced their concerns with access to the dredge site during construction and the possible impacts that a redesign could have on the access to the site once the construction is complete.

**B. President:** Reported on a Thank You card from Bloomington Neighbors Nurturing Nature for funding its request for Cost Share.

**C. Managers:** No report

**D. Committees:** No report

**E. Legal Counsel:** Attorney Kolb noted that the item that Mr. Peterson had asked about is House File 8, which has not had action taken since March 3. He said it is very unlikely that this bill will make it out of committee on time.

**F. Engineer:** No report

**11. ADJOURN**

Hearing no further business, President Barisonzi adjourned the meeting at 8:43 PM.

**The next regular meeting of the LMRWD Board of Managers will be at 7:00, Wednesday, April 16, 2025, in the Board Room at the Carver County Government Center.**

\_\_\_\_\_  
Lauren Salvato, Secretary

Attest:

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Linda Loomis, Administrator

UNAPPROVED