



# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, August 15, 2018

### Agenda Item

#### Item 7. D. Dredge Management

#### Prepared By

Linda Loomis, Administrator

#### Summary

i. **Funding for dredge material management**

Staff met with the BWSR Board Conservationist for the District. BWSR did not have any additional comments on the proposed dredging activities. They only asked to be notified if there were changes to the work plan that was submitted to them in August 2017.

Staff received comments from the DNR and has responded to those comments. Staff anticipates that everything will be in order to hold the public hearing at the October Board meeting. The Board will be asked to adopt a resolution at the September Board meeting calling for the public hearing.

I have attached a number of documents for the Board to review to refresh your memories about this project. The first is a memo from Attorney John Kolb detailing the process for the District to make dredge management a permanent capital project of the District. The second document is the notice the District provided to BWSR and the DNR. The third document is the response the District received from the DNR and lastly is the District's response to DNR's comments.

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

A task order was presented to the Board at the July meeting. The Board decided that the task order should be done under the new Engineering Services Agreement. A new task has been prepared and is attached for Board review and approval.

iii. **Private Dredge Material Placement**

I received a call from Lisa Brickey at Mosaic. The recent high water levels left a lot of sediment on a boat launch at Mosaic. They called to see if they could remove the sediment and what they should do with it. I checked with Jennie Skancke at the DNR and was told that Mosaic can remove the material and place it on the bank of the slip. This work would be covered under the permit Mosaic has to dredge the barge slip.

#### Attachments

Dredge Project Proceeding Memorandum  
Dredge Material Site Update for Agency Review  
DNR comments  
LMRWD response to DNR comments  
Task Order for Dredge Site Studies

#### Recommended Action

Motion to authorize execution of Task Order



**RINKE NOONAN**

*attorneys at law*

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1015 W. St. Germain St., Ste. 300, P.O. Box 1497  
St. Cloud, Minnesota 56302-1497  
Telephone 320-251-6700, Fax 320-656-3500

### Memorandum

**To: Lower Minnesota River Watershed District Board of Managers**  
**From: Rinke Noonan, John C. Kolb**  
**Re: Dredge Project Continuation: Hearing and Establishment**  
**Our File: 25226-0007**  
**Date: February 14, 2017**

You asked that I provide an explanation of next steps in the dredge project proceedings. The District is proceeding under statutes section 103D.605 for establishment of a project modification to the existing dredge project. The modification includes improvements to the current management facility and changes in the basis of cost allocation for the project.

The Board has completed several preliminary steps in the project proceedings. Remaining steps are:

1. Submission of the project plan to BWSR and DNR for review and comment; and
2. Notice and conduct of a final hearing.

Based on current posture of the proceedings, I recommend authorizing submission of the dredge management plan, as updated, to BWSR and DNR with a request for review under section 103D.605. Upon completion of the agency review, the Board may proceed to notice and hold a final hearing.

#### **Discussion:**

In September 2015, the Board adopted a resolution initiating proceedings under statutes section 103D.605 to modify the previously established dredge project. The Board specified that it would follow the processes set forth in sections 103D.605 and 103D.715 – .731 as appropriate. Part of those processes include a determination of project benefits by the Board.<sup>1</sup>

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<sup>1</sup> The Board also directed, under statutes section 103B.251, that the dredge project be included as a capital improvement project of the District.

To assist it in its task of determining benefits, the Board engaged Clay Dodd to analyze the project and affected properties and to provide a report on special benefits. At its regular meeting in December, Mr. Dodd presented his report to the Board. The Board invited owners of property identified in Mr. Dodd's report to the meeting. The Board must now decide whether to proceed with the actions initiated by the resolution. Specifically: **does the Board want to proceed to establish a modification to the project that will enable allocation of some or all of the project costs to properties benefitted by the project or does the Board want to dismiss the proceedings and continue to fund the project through ad valorem taxes or other available funds?**

### **Proceedings for Establishment:**

In its initiating resolution, the Board directed that the proceedings follow statutes sections 103D.605 and 103D.715 – .731 as appropriate. Sections 103D.715 – .731 deal with the benefit determination which is being assisted by Mr. Dodd. Section 103D.605 provides the procedural process for initiation and establishment.

Watershed Districts must follow section 103D.605 if (1) a project is to be constructed within the watershed district under an agreement between the managers and the state or federal government and the cost of the project is to be paid for in whole or in part by the state or federal government, but the rights-of-way and the cost of the project are assumed by the watershed district; or (2) the managers are undertaking all or a portion of the basic water management project as identified in the watershed management plan.

Here, the dredge project is a basic water management project identified in the watershed management plan. Additionally, the project is implemented under an agreement with the federal government wherein the federal government conducts the dredging, but the watershed district is obligated to acquire disposal sites and rights of way and pay for the management and disposal of the dredge materials. I have concluded, therefore, that section 103D.605 is an appropriate mechanism for establishment.

Section 103D.605 requires that a copy of the project plan, in this case the District's dredge material management plan, must be transmitted to BWSR and DNR for review and comment. BWSR and DNR must review the project plan, prepare reports on the project and transmit the reports to the managers.

After receiving the BWSR and DNR reports, the managers must set a time and location for a hearing on the proposed project. The project hearing notice must provide the time, date and location of the hearing, a description of the project, an estimate of project costs (including long-term operations and maintenance), and a description of the method by which the project costs

will be paid (to include assessments, ad valorem taxes, and any costs allocated to an affected municipality or the state).<sup>2</sup>

The District must publish notice of the hearing in a legal newspaper, published in each county where property is to be improved by the proposed project. The last publication must occur between 30 days and ten days before the project hearing. Additionally, the District must mail notice, at least ten days before the project hearing, to BWSR, DNR, municipalities entirely or partly within the project area and any owner of property subject to benefits assessment.<sup>3</sup>

The hearing is an evidentiary proceeding. At the hearing, the managers must hear all parties interested in the proposed project. After the hearing, if the managers find that the project will be conducive to public health, promote the general welfare, and is in compliance with the watershed management plan and the provisions of chapter 103D, the Board must, with appropriate findings, order establishment of the project.

### **Appeals:**

Any party alone or jointly may appeal an order of the managers made in a proceeding relating to a project that determines: benefits; damages; the allowance of fees or expenses; a matter in the proceeding affecting a substantial right; or the establishment or refusal to establish a project in whole or in part. The appeal may be taken to the District Court or BWSR. An appeal of benefits is entitled to a jury trial and any amount determined on appeal will replace the amount from which the appeal was taken.<sup>4</sup>

If an appeal is taken from an order establishing a project, a trial of an appeal of benefits or damages from the proceedings must be stayed until the establishment appeal is decided. If the order authorizing the project is affirmed, a trial of an appeal of benefits or damages may commence.

The appeal must be filed within 30 days of the date of the final order.

### **Recommendation:**

To continue in the proceedings, the Board should authorize its technical consultant to submit the dredge management plan, as updated, to BWSR and DNR with a request for review under section 103D.605.

Upon completion of the agency review, the Board may proceed to notice and hold a final hearing.

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<sup>2</sup> It is possible that the Board could combine revenue authority in a single project. For example, if the Board determines that the project creates both general benefit, as it did in 1984, and special benefit, as it did in 1962, it may allocate project costs between an ad valorem component and benefit assessment component. I also note that recent bonding from the legislature will defray some expenses related to the project.

<sup>3</sup> Failure to give mailed notice or defects in the notice do not invalidate the proceedings.

<sup>4</sup> It is possible therefore that an appellant's benefits could increase or damages decrease on appeal.

# Technical Memorandum

*Transmitted electronically*

To: Steve Christopher, BWSR Board Conservationist  
Jennie Skancke, DNR Area Hydrologist

From: Lisa Buchli, PE  
Della Schall Young, CPESC, PMP

CC: Linda Loomis, LMRWD Administrator  
John Kolb, Rinke Noonan  
Jeff Thuma, Burns & McDonnell

Date: May 18, 2018

Re: Cargill East River (MN-14.2-RMP) Dredge Material Site Project Update for Agency Review

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Per Minnesota Statute 103D.605, subdivision 2, the Lower Minnesota River Watershed District (LMRWD or "District") is distributing the updated dredge management plan ("Plan") for your review and consideration. The proposed modification includes improvements to the current Cargill East River (MN-14.2-RMP) dredge material site and changes in the basis of the cost allocation. The following is a summary of the proposed changes to the Cargill East River (MN-14.2-RMP) dredge material site or "Project."

## Current Project Improvements

The District serves as the local sponsor and is responsible for providing a placement site for the U.S. Army Corps of Engineers (USACE) to place dredge material from the Minnesota River to maintain a nine-foot-deep river channel. The District owns and operates in the Project, in the City of Savage where USACE temporarily stores dredge material from the river. In 2014, the District entered into agreements with Cargill, Inc.; CHS, Inc.; and Riverland Ag Corp. to provide an area within the Project for temporary storage of dredge material from their private slips located on the Minnesota River.

To maintain adequate segregation of the sandy USACE material and the fine-grained private dredge material, the Project now being used to store the private dredge material will be reconfigured from one-cell to two-celled. One water control structure will be

installed in each cell to optimize the dewatering and consolidation potential of the private dredge material. The modifications would result in greater storage capacity, more than 50,000 cubic yards, for the private dredge material and over 75,000 cubic yards of storage capacity for the USACE material.

The District developed the capital cost for modifications to the Project and for continuous operation and maintenance (O&M); see the "Estimate of Probable Cost, Cargill East River (MN-14.2-RMP) Dredge Material Site" by Burns & McDonnell, dated February 15, 2017. Capital improvement costs were separated into costs associated with only the private dredge material area and costs associated with both the private and USACE dredge material areas, the latter of which would be equally split between the private land owners and the District. The District will incur all O&M costs. The District is also in the process of developing a hydraulic model for the Project to address municipal floodplain requirements.

#### Changes to the Basis of Project Cost Allocation

Modifications to the Project also include changes to the basis of cost allocation for the Project. As part of the processes set forth in Minnesota Statutes 103D.605 and 103D.715-731, a determination of Project benefits must be made by the District's Board of Managers (Board). As required, the District completed the determination of Project benefits and documented in the enclosed *Special Benefits Report*, dated October 5, 2017. The Board will use the report to determine cost allocations to properties benefited by the Project or to continue to fund it through ad valorem taxes or other available funding streams.

We request your agency's response to these project modifications within the next 30 days. Questions and requests for additional information should be directed to Linda Loomis at 763-545-4659 or [naiadconsulting@gmail.com](mailto:naiadconsulting@gmail.com) or to Della Young at 651-249-6974 or [della@youngecg.com](mailto:della@youngecg.com).

Enclosures: Special Benefits Study Pertaining to the Maintenance of the 9-foot River Channel in the Minnesota River and Dredge Site Cost Analysis Memo

June 14, 2018

Linda Loomis  
Administrator, Lower Minnesota River Watershed District  
6677 Olson Memorial Highway  
Golden Valley, MN 55427

**Re: Engineer's Report:** Lower Minnesota River Watershed District - Dredge Management Project Update

Dear Linda Loomis,

On behalf of the Director of the Division of Ecological and Water Resources of the Minnesota Department of Natural Resources (DNR), I offer the following comments on the Engineer's Report for the above-cited project, in accordance with Minnesota Statutes section 103D.605, subdivision 2.

The dredge material management site is subject to the Channel Maintenance and Management Plan (CMMP) for the Navigation System on the Upper Mississippi, Minnesota, and St. Croix Rivers. There does not appear to be significant changes in the project that would be inconsistent with the CMMP.

We understand that the Lower Minnesota River Watershed District (District) evaluated the following changes to the current Dredge Management Project:

- Reconfigure the dredge placement site from one cell to two cells;
- Add two water control structures (one per cell);
- Add a culvert along Vernon Avenue;
- Vernon Avenue upgrade;
- Change the access site for private slip dredge material unloading.

In relation to the project site, as stated within the project report, the site lies within the Minnesota River floodway. The update memo does not include a detailed stage increase analysis under the floodplain section. The DNR expects that the no-rise modeling and analysis will be provided as part of the CUP amendment process and that the analysis will adequately demonstrate how the District will meet FEMA and the City of Savage's requirements related to floodway fill. The DNR will review the amendment request when the City routes it for review and comment. The District has stated a request will be made to remove the CUP condition to remove fill during flood events. We expect there will be an analysis certifying that any dredge fill left in place will not cause a rise, as required by the City of Savage and FEMA regulations.

In relation to state-listed Threatened and Endangered species, while the DNR doesn't have any concerns regarding the proposed modifications, it is unclear whether potential impacts to state-listed species were considered in the original plan. To ensure compliance with the Minnesota Endangered Species Statute and Rules, the DNR recommends that all watershed projects involving new disturbance include an assessment of potential impacts to state-listed species. Please visit the [NHIS webpage](#) for information on how to request a Natural Heritage Review or enter into a license agreement with the DNR for the use of the Rare Features Data.

Thank you for your consideration of these comments.

Sincerely,  


Dan Lais  
Regional Manager

- CC: MN DNR - Bill Huber
- MN DNR - Jennie Skancke
- City of Savage – Jesse Carlson
- BWSR – Ben Carlson

Website Address:

The website address for Minnesota DNR's Natural Heritage Information System webpage is:  
<https://www.dnr.state.mn.us/nhnrp/nhis.html>.



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

August 10, 2018

Dan Lais, Central Region Manager  
Minnesota Department of Natural Resources  
Division of Ecological and Water Resources  
1200 Warner Road  
St. Paul, Minnesota 55106

Dear Mr. Lais:

Thank you for the comments provided to the Lower Minnesota River Watershed District (District) on the proposed dredge management project update. Below are responses to those comments.

**City of Savage Conditional Use Permit**

The District is in the process of developing the hydrology and hydraulic (H&H) model of the dredge site. The H&H model will be used to formulate site conditions that will not affect the 100-year flood stage within the Minnesota River floodplain. The expected completion of the H&H model and accompanying conditional use permit application packet is December 2018/January 2019.

**Threatened and Endangered Species Survey**

The District intends to complete a threatened and endangered species (T&E) survey. As the DNR has recommended, the District will assess the potential impact of the proposed dredge management project update on state-listed threatened and endangered species. The expected completion date of the T&E survey is October 2018.

Thank you again for your review and comments. Please contact me at (763)545-4659 or [naiadconsulting@gmail.com](mailto:naiadconsulting@gmail.com) if you have any questions or need additional information.

Sincerely,

Linda Loomis, Administrator  
Lower Minnesota River Watershed District  
LL/dsy

CC: LMRWD Managers Ben Carson, BWSR; Bill Huber, DNR; Jennie Skancke, DNR; Jesse Carlson, City of Savage; and Steve Christopher, BWSR

# Memorandum



Date: August 10, 2018 *(Email transmittal)*

To: Linda Loomis, Administrator

From: Della Schall Young, PMP, CPESC

Subject: Permitting, Design, and Construction Administration Task Order  
Cargill East River (MN—14.2 RMP) Dredge Material Site

The Lower Minnesota River Watershed District (the “District”) intends to implement the planned capital improvement project at the Cargill East River (MN—14.2 RMP) Dredge Material Site (the “Site”) located on the Minnesota River in Savage, Minnesota. As part of this effort, environmental and water resources studies, permitting, and engineering design need to be completed. These tasks were identified in the Board of Water and Soil Resources (BWSR) approved work plan prepared by Burns & McDonnell Engineering Company, Inc. (“Burns & McDonnell”) and Young Environmental Consulting Group, LLC (“Young Environmental”) for the District. This Task Order identifies the items to be completed to support the design and construction administration services required for the proposed capital improvements at the Site.

## Scope of Work

### *Task 1: Environmental Support, Analysis, and Permitting*

#### *Task 1.1: Hydrologic and Hydraulic (H&H) Modeling Assistance*

The Site is in the Minnesota River floodway. To complete the proposed capital improvements to the Site, a conditional use permit associated with work in the floodplain is required. As confirmed by public works staff, the city of Savage, MN will require H & H modeling of the reconfigured site design to demonstrate that the proposed configuration of the dredge material on the Site will not raise the flood stage. Barr Engineering Company (“Barr”) has been retained by the District to complete the H & H modeling, and the Young Environmental team will support the H&H modeling efforts. This support will include in-person and telephone meetings with Barr.

#### *Task 1.2: Desktop Wetland Analysis*

There is a wetland in the northwestern corner of the Site between Port Richards and Vernon Avenue. The plan is to avoid impacting the wetland. To do that, a desktop wetland analysis is required to clearly identify the limit of the wetland area the proposed capital improvements should avoid. The desktop wetland analysis will be completed by a professional wetland scientist and a Minnesota wetland delineator certified professional and submitted to Savage. If the desktop wetland analysis determines a field survey is required, additional costs may be incurred.

Deliverable: Desktop Wetland Analysis Report

## Memorandum (cont'd)

Dredge Mgmt. Site – Permitting, Design and Construction Administration Task Order  
August 10, 2018  
Page 2

### **Task 1.3: Threatened and Endangered Species Survey**

During the study of the Site completed as part of the U.S. Army Corps of Engineers -sponsored Dredge Material Management Plan in March 2007, the United States Fish and Wildlife Service concurred with the findings that proposed operations at the Site would not adversely affect federally and state listed threatened and endangered (T & E) species. Given the ongoing listing and delisting of T & E species on a federal and state level, an updated T&E survey is required prior to implementing the reconfigured site design. An environmental specialist will complete the T & E survey in accordance with relevant state and federal requirements.

Deliverable: Threatened and Endangered Species Report

### **Task 1.4: City of Savage Conditional Use Permitting**

This task consists of completing the conditional use permit (CUP) application and package supporting materials, as needed. This also includes attending one staff meeting with the city of Savage's public works department and one Savage city council meeting and preparing for and participating in a meeting with the city of Savage to discuss the reconfigured site design and the H&H modeling results. The task also includes preparing a letter to Savage requesting an amended CUP such that the reconfigured site design and materials placed at the Site can remain in place during floods.

Deliverable: CUP Permit Application and Letter to the City of Savage

### **Task 2: Engineering Design**

#### **Task 2.1: Engineering Design and Subcontractor Management**

Engineering design and permitting of the reconfigured site design need to be completed in accordance with Minnesota Pollution Control Agency requirements and must incorporate the information determined from the H&H modeling (to be completed by Barr), the predesign studies described in this Task Order, and input from LS Marine.

A contractor can then use the detailed design documents (i.e., plans and specifications) to construct the reconfigured site design. A licensed professional engineer registered in the state of Minnesota will complete the detailed engineering design.

The following are anticipated to be completed as part of this task:

- Develop a geotechnical investigation of the scope of work based on the reconfigured site design.
- Develop a topographical survey scope of work based on the reconfigured site design.
- Prepare a site-specific health and safety plan for field staff and subcontractors.

## Memorandum (cont'd)

Dredge Mgmt. Site – Permitting, Design and Construction Administration Task Order

August 10, 2018

Page 3

- Coordinate and provide oversight of geotechnical and topographical survey subcontractors.
- Finalize the revised conceptual site design and prepare a grading plan and details for the permanent berms, site access roads, dewatering structures, and river access points.
- Develop a design for permanent erosion protection to protect the berms from erosion during floods.
- Prepare construction drawings and specifications necessary to competitively bid and construct the project. The following drawings are anticipated to be prepared:
  - Cover sheet
  - General notes
  - Existing conditions
  - Two grading plan sheets
  - Cross-sections
  - Two detail sheets
  - Construction erosion control plan
  - Construction erosion control details
- Applicable construction specifications will be prepared as needed for the design. We anticipate preparing the following specifications:

### **Division 00: Contractual/Legal**

000001	Cover Page
000107	Index and Certification Page
000110	Table of Contents
001116	Invitation to Bid
001153	Bidder's Qualification Statement
002113	Instructions to Bidders
004000	Bid Form
004313	Bid Bond
005000	Agreement Between Owner and Contractor
005100	Notice of Award
005500	Notice to Proceed
006101	Performance Bond
006111	Labor and Material Payment Bond
006119	Maintenance Bond
007200	General Conditions
007310	Labor-Related Regulations
009100	Addendum

### **Division 01: General Requirements**

011100	Summary of Work
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## Memorandum (cont'd)

Dredge Mgmt. Site – Permitting, Design and Construction Administration Task Order  
August 10, 2018  
Page 4

012300	Alternates
012500	Substitutions
013100	Project Coordination and Meetings
013200	Construction, Progress Schedules, and Reports
013300	Submittals
013529	Safety and Emergency Response
014000	Quality Requirements
014200	Definitions and Standards
015100	Temporary Facilities and Utilities
015700	Temporary Barriers and Controls
016000	Equipment and Materials
017123	Construction Layout and Surveying
017500	Manufacturer's Field Services
017800	Contract Closeout
017836	Warranties

### **Division 31 – Earthwork**

312000	Site Preparation and Earthwork
312300	Excavation and Backfill
312313	Subgrade Preparation
312333	Trenching and Backfilling for Utilities

### **Division 32 – Exterior Improvements**

329200	Seeding
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- Burns & McDonnell will identify test methods, performance specifications, and as-built documentation required of the construction contractor and provide a list of required contractor submittals within construction drawings and specifications.
- Drawings will be provided for the District's review at the following completion stages:
  - Conceptual site design
  - 60% design completion stage with an order of magnitude cost estimate
  - 100% design complete issued for bid drawings, specifications, and final cost estimate

Deliverable: Drawings, Bid Documents, and Specifications

### **Task 2.2: Geotechnical Evaluation**

A geotechnical evaluation of the Site is needed to aid in the detailed engineering design of the reconfigured Site. The geotechnical evaluation will assess the suitability of the onsite material for use in construction and will evaluate the stability of the berms during various conditions (e.g., during a flood). Burns & McDonnell will subcontract with a geotechnical firm to complete the geotechnical evaluation, which will be completed by a licensed professional engineer registered in the state of Minnesota.

## Memorandum (cont'd)

Dredge Mgmt. Site – Permitting, Design and Construction Administration Task Order  
August 10, 2018  
Page 5

Geotechnical borings will be gathered at the Site with a drill rig, and soil samples will be collected for laboratory analysis to determine engineering properties of the soil. The number of borings and soil samples will be determined in consultation with the geotechnical engineering firm performing the work. Using the site-specific data, slope stability analyses will be completed with slope stability modeling computer software.

For this Task Order, an allowance of up to \$25,000 is included to complete the geotechnical evaluation, which matches the estimated cost presented in the Work Plan approved by BWSR. The actual costs to complete this task will be discussed with the District once proposals are obtained from subcontractors.

Deliverable: Geotechnical Report

### **Task 2.3: Topographic Survey**

A topographic survey of the Site is needed to aid in the detailed engineering design of the reconfigured Site. Burns & McDonnell will subcontract with a licensed professional surveyor registered in the state of Minnesota to complete the survey, which will include the collection of elevation data as required and will define surface irregularities, break lines, void areas, and boundaries. The survey will also locate and determine elevations for objects like property corner monuments, ditches, culverts, utilities, etc.

For this Task Order, an allowance of up to \$12,000 is included to complete the topographic survey, which matches the estimated cost presented in the Work Plan approved by BWSR. The actual costs to complete this task will be discussed with the District once proposals are obtained from subcontractors.

Deliverable: Topographic Survey in AutoCAD Format or Equivalent.

### **Task 2.4: Preconstruction Services**

Preconstruction services including assistance with competitive bidding process. These services include the following: participating in an on-site pre-bid meeting, assisting with bidders' questions, issuing addenda during bidding phase, and reviewing bids for conformance with bid document requirements.

Deliverable: Addenda (if Required) and Project Schedule

### **Task 3: Construction Administration**

Assistance during the construction phase of the proposed capital improvements will be provided to the District. These services will include:

- Assist with review of requests for information, submittals, proposal requests, and change orders during construction.

## Memorandum (cont'd)

Dredge Mgmt. Site – Permitting, Design and Construction Administration Task Order

August 10, 2018

Page 6

- Provide on-site construction quality assurance (CQA) services during critical phases of construction. We assume the construction of the reconfigured site design will occur over a period of up to eight consecutive weeks and anticipate a field engineer providing on-site CQA services up to eight hours per week.
- Attend a substantial completion punch list site visit and final punch list site visit.
- Prepare construction as-built record drawings.
- Prepare document report documenting as-built conditions.

Deliverable: As-Built Construction Record-Drawing and Documentation Report

### Cost Estimate

Task Description	Estimate
<b><i>Task 1: Environmental Support, Analysis and Permitting</i></b>	-
Task 1.1: Hydrologic and Hydraulic Modeling Assistance	\$4,000
Task 1.2: Desktop Wetland Analysis	\$4,000
Task 1.3: Threatened and Endangered Species Survey	\$12,000
Task 1.4: City of Savage Conditional Use Permitting	\$8,000
<b><i>Task 2: Engineering Design</i></b>	-
Task 2.1: Engineering Design and Subcontractor Management	\$90,000
Task 2.2: Geotechnical Evaluation	\$25,000
Task 2.3: Topographic Survey	\$12,000
Task 2.4: Preconstruction Services	\$12,000
<b><i>Task 3: Construction Administration</i></b>	\$35,000
<b>Total:</b>	<b>\$202,000</b>

### Assumptions

- The H&H modeling results will be approved by the city of Savage, which will issue an amended CUP for the Site by the date shown on the attached schedule.
- The design and operational requirements (if any) for the owner and/or operator of the high voltage transmission lines traversing the Site are minimal. We will engage with the owner and/or operator of the transmission lines on behalf of the District prior to completing the scope of work described here and we have allocated up to eight hours for this work.

# Memorandum (cont'd)

Dredge Mgmt. Site – Permitting, Design and Construction Administration Task Order  
August 10, 2018  
Page 7

- The construction of the Site will occur in 2019 over a period of up to eight consecutive weeks. If additional time, delays in the schedule, phasing of the construction, etc., are required to complete (including but not limited to) the predesign studies, engineering design, permitting, and/or construction project, additional time and costs may be incurred.
- The Site will be accessible, and the geotechnical investigations described herein can be conducted with a truck-mounted direct-push rig within three ten-hour days. If inclement conditions or geologic refusal delays or interrupts sequential completion of the work, additional costs may be incurred beyond those estimated.
- The topographical survey will be completed when the Site is relatively snow free and accessible.
- The T&E species survey will be completed during summer and fall of 2018.
- LS Marine will provide design and operational input in a timely manner and assist with the scope described here.
- One round of the District's comments on the 60% and 100% design and construction documents will e provided by the District.

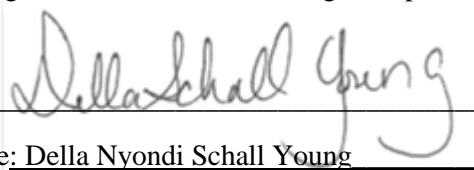
If you find this scope and cost estimate to be acceptable, please complete the signature block below and return the executed copy of this proposal to the Consultant as notice to proceed.

**Accepted and Agreed to: Design, Permitting, and  
Construction Assistance Task Order for Cargill  
East River (MN—14.2 RMP) Dredge Material Site**

CLIENT  
Lower Minnesota River Watershed District

CONSULTANT  
Young Environmental Consulting Group, LLC

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

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

Name: \_\_\_\_\_

Name: Della Nyondi Schall Young

Title: \_\_\_\_\_

Title: Owner and Principal