

Riley-Purgatory-Bluff Creek Watershed District
Board of Managers Regular Meeting
Wednesday, June 3, 2020, 7:00pm Regular Meeting
Virtual Meeting via ZOOM

<https://us02web.zoom.us/j/85927526792>

Agenda

- 1. Call to Order** **Action**

- 2. Approval of the Agenda** **Action**

- 3. Matters of general public interest** **Information**

Welcome to the Board Meeting. Anyone may address the Board on any matter of interest in the watershed. Speakers will be acknowledged by the President; please come to the podium, state your name and address for the record. Please limit your comments to no more than three minutes. Additional comments may be submitted in writing. Generally, the Board of Managers will not take official action on items discussed at this time, but may refer the matter to staff for a future report or direct that the matter be scheduled on a future agenda.

- 4. Reading and approval of minutes** **Action**
 - a. Board of Manager Meeting, May 6, 2020

- 5. Citizen Advisory Committee** **Action**
 - a. Report
 - b. Motion
 - c. Application updates

- 6. Consent Agenda**
(The consent agenda is considered as one item of business. It consists of routine administrative items or items not requiring discussion. Any manager may remove an item from the consent agenda for action.)
 - a. Accept May Staff Report
 - b. Accept May Engineer's Report (with attached Inspection Report)
 - c. Approve Modification to Permit 2018-011 Westwind Plaza as presented in the proposed board action of the permit report

- 7. Action Items** **Action**
 - a. Pulled consent items
 - b. Accept February Treasurer's Report
 - c. Approve Paying of the Bills
 - d. Approve Permit 2018-016:Avienda variance request as presented in the proposed board action of the permit review report

- e. Approve Permit 2018-016:Avienda permit modification request as presented in the proposed board action of the permit review report

8. Discussion Items

Information

- a. Manager Report
- b. Administrator Report
- c. Other

9. Upcoming Board Topics

- a. Silver Lake Cooperative agreement
- b. Rice Marsh Lake Feasibility Informational Presentation
- c. other

10. Upcoming Events

Information

- Citizen Advisory Committee Meeting, June 15, 2020, 6:00pm, Zoom Meeting
- Webinar on Ecosystem Services, June 24th, 7pm, Zoom meeting
- Board of Managers Meeting, July 8, 2020. Zoom Meeting

Please check www.rpbcwd.org for the most current meeting details.

MEETING MINUTES

Riley-Purgatory-Bluff Creek Watershed District

May 6, 2020, RPBCWD Board of Managers Special Meeting: 2019 Audit Presentation

PRESENT:

Managers: Jill Crafton, Treasurer

Larry Koch

Dorothy Pedersen, Vice President

Dick Ward, President

David Ziegler, Secretary

Staff: Claire Bleser, RPBCWD Administrator

Terry Jeffery, Watershed Planning Manager

B Lauer, RPBCWD Education and Outreach Assistant

Louis Smith, Attorney, Smith Partners

Other attendees: Justin Nilson, ABDO, Eick & Meyers

Note: this meeting was held remotely via meeting platform Zoom in abidance with state mandates in response to Covid-19.

1. Call to Order

- 1 President Ward called to order the Wednesday, May 6, 2020, Board of Managers Special Meeting
2 for the 2019 audit presentation to order at 4:00 p.m. The meeting was held remotely via meeting
3 platform Zoom.

2. Audit Presentation

- 4 Mr. Justin Nilson of ABDO, Eick & Meyers, shared an online presentation summarizing the
5 District's 2019 audit. He went through the audit results and findings, and he went into detail on the
6 two findings:
7 Material Audit Adjustment-internal control finding: Recognition of grant revenue
8 Timing of Payments-compliance finding: Statute 471.425.
9 Mr. Nilson explained the material audit adjustment regarding recognition of grant revenue.
10 Administrator Bleser provided details regarding how for those chloride grants for which the
11 District hasn't expensed the funds, the dollars should have been categorized as unearned. She said
12 it was a translation error, and going forward the District will make sure the funds are listed in the
13 correct category.

14 Mr. Nilson said regarding the timing of payments, the audit took a sample of total payments, which
15 indicated three to seven transactions in 2019 were paid outside the 35 days required by the state.
16 He said this may arise from an issue regarding delegation of authority.

17 Manager Koch asked if the District owes interest on the payments made outside the 35 days and
18 asked if the District can set up contracts in a way to avoid this issue going forward. Attorney Smith
19 said he will investigate answers to Manager Koch's questions. Manager Crafton said she would
20 like to see the invoices that were paid outside of 35 days. There was discussion on whether to
21 review all the District's 2019 invoices to determine if any others in addition to the ones indicated
22 by the audit's sampling were paid late. Mr. Nilson said he has not heard of a client taking this
23 action, and the District could focus on reviewing the state statute and putting in place a system for
24 paying invoices within 35 days.

25 Mr. Nilson went through the audit details regarding the District's 509 Plan – Implementation Fund
26 balances and budget to actual.

27 Manager Koch raised questions and asked Mr. Nilson for ideas on how the District could update its
28 financial report to clearly indicate the District's cash available for and remaining obligations for
29 future and multi-year projects. Mr. Nilson said most reports he sees keep such information at a
30 high level. He said he could send the District some examples from cities.

31 President Ward asked Administrator Bleser and Manager Crafton to compile a list of invoices that
32 were paid late in 2019 and send that list in an email to the Board.

33 Manager Ziegler moved to accept the 2019 Audit Report. Manager Crafton seconded the motion.
34 Manager Koch commented that he did not have the opportunity to get an explanation for
35 information in the audit report. Mr. Nilson responded that the action item the Board could take is
36 that next year District staff could release the draft audit report for Board review. He said he would
37 be open to a discussion at a separate time about this year's audit or next year's audit.

38 Upon a roll call vote, the motion carried 4-1 as follows:

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<i>Manager</i>	<i>Action</i>
Crafton	Aye
Koch	No
Pedersen	Aye
Ward	Aye
Ziegler	Aye

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3. Adjournment

42 Manager Ziegler moved to adjourn the special meeting. Manager Crafton seconded the motion.
43 Upon a roll call vote, the motion carried 4-1 as follows:

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<i>Manager</i>	<i>Action</i>
Crafton	Aye
Koch	No
Pedersen	Aye
Ward	Aye
Ziegler	Aye

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47 The meeting adjourned at 4:43 p.m.

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Respectfully submitted,

David Ziegler, Secretary

MEETING MINUTES

Riley-Purgatory-Bluff Creek Watershed District

May 6, 2020, RPBCWD Board of Managers Monthly Meeting and Public Hearing

PRESENT:

Managers: Jill Crafton, Treasurer

Larry Koch

Dorothy Pedersen, Vice President

Dick Ward, President

David Ziegler, Secretary

Staff: Amy Bakkum, MN Green Corps Member, RPBCWD

Claire Bleser, RPBCWD Administrator

Zach Dickhausen, RPBCWD Water Resources Technician

Terry Jeffery, Watershed Planning Manager

B Lauer, RPBCWD Education and Outreach Assistant

Louis Smith, Attorney, Smith Partners

Scott Sobiech, Engineer, Barr Engineering Company

Other attendees: Christopher Dorn

Sarah Lloyd

Steve Ferraro, City of Chanhassen

Tim Olson

Rob Fisher

Don Ramler

Greg Hawks, Chanhassen Environ. Comm.

Rod Rue, City of Eden Prairie

Elizabeth Henley, Smith Partners

Marilynn Torkelson, CAC

Barry Hofer

Matt Unmacht, City of Chanhassen

Mary Krause

Note: this meeting was held remotely via meeting platform Zoom in abidance with state mandates in response to Covid-19.

1. Call to Order

- 1 President Ward called to order the Wednesday, May 6, 2020, Board of Managers Regular
- 2 Monthly Meeting and Public Hearings (held remotely via meeting platform Zoom) to order at
- 3 7:00 p.m.
- 4

2. Approval of Agenda

- 5 Manager Ziegler moved to accept the agenda as presented. Manager Pedersen seconded the
- 6 motion.

7 Manager Koch moved to amend the motion to amend the agenda to remove from the Consent
8 Agenda items 8a – Accept April Staff Report, 8f – Award Lake Riley Alum Project, 8g -Approve
9 2019 Annual Report Publication and Public Release, 8h - Approve fund transfer from Upper
10 Riley Creek to Middle Riley Creek for \$250,000, and 8i – Approve renewing grant agreement
11 with Metropolitan Council on monitoring WOMP stations, and table until the Board’s June
12 monthly meeting item 9e – Adopt Resolution 2020-08 authorize the 30-day notice of proposed
13 amendments to the Bylaws and other policies in the Governance Manual, and add as discussion
14 items under 10c – Other – the topic of District operations if staff members are unable to perform
15 duties and future audit processes. President Ward noted that item 9e - Adopt Resolution 2020-08
16 authorize the 30-day notice of proposed amendments to the Bylaws and other policies in the
17 Governance Manual – would be moved to a Board workshop, to be scheduled, instead of being
18 tabled to the Board’s June meeting.

19 *[Manager Crafton joined the meeting].*

20 Manager Zielger seconded the motion to amend the motion. By call of roll, the motion carried 5-0
21 as follows:

22

<i>Manager</i>	<i>Action</i>
Crafton	Aye
Koch	Aye
Pedersen	Aye
Ward	Aye
Ziegler	Aye

23

24 President Ward called for the vote on the amended motion. By call of roll, the motion carried 5-0
25 as follows:

<i>Manager</i>	<i>Action</i>
Crafton	Aye
Koch	Aye
Pedersen	Aye
Ward	Aye
Ziegler	Aye

26

3. Duck Lake Road Presentation

27 Administrator Bleser described the project and introduced Eden Prairie City Engineer Rod Rue to
28 present the proposed project. Mr. Rod Rue displayed a map indicating the location of the project.
29 He summarized the project as currently designed and said the project includes reconstruction of
30 2,240 feet of Duck Lake Road, replacing the existing culvert that connects the east and west bays
31 with an ten-by-four box culvert to equalize lake levels and flooding of the west bay, adding an
32 eight-foot trail on the west side running the entire length, and a sidewalk on the east side along
33 certain portions.

34 Mr. Rue listed the different organizations that the City has met with to gather input for
35 developing the project design. He presented three design options and displayed renderings and
36 explained the project impacts of each option:

37 Option 1: As designed with box culvert; \$0 requested of RPBCWD; \$2,500,000 City contribution

38 Option 2: Pedestrian bridge with box culvert; \$750,000 requested of RPBCWD; \$2,850,000 City
39 contribution

40 Option 3: Full bridge; \$1,500,000 requested of RPBCWD; \$3,200,000 City contribution

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42 Mr. Rue provided further details about possible pros and cons of each design option. Mr. Rue,
43 Mr. Tim Olson, and Ms. Sarah Lloyd responded to manager questions about design options,
44 including specific design criteria considered for Option 2 and new criteria proposed by managers.
45 There was lengthy discussion about impacts of design considerations, new design options,
46 pedestrian safety, and the possibility of reducing the bridge width. Manager Koch requested the
47 City run the design and cost numbers through the design scenario of two bridge spans instead of
48 the current design of four spans.

49 Attorney Smith pointed out that the managers want to clearly understand and identify what
50 watershed purposes will be achieved by the project. Administrator Bleser remarked the City
51 brought this in front of the Board to gather feedback. Administrator Bleser noted there is a
52 member of the public attending this meeting who would like to comment. President Ward asked
53 in the interest of time to hold public comments until the public comment period. There was
54 discussion about the District holding a Zoom meeting with residents and stakeholders.

55 The managers again discussed new design options, and Engineer Sobiech provided input.
56 Manager Pedersen asked that a fourth design option be presented, which would include removing
57 the six-foot sidewalk and reducing the bridge span. Mr. Olson said he could take this feedback
58 from the Board and look at the designs and provide an update to the Board. Mr. Rue said the
59 impacts of these proposed design changes need to be and can be evaluated, such as their impacts
60 on the embankment. President Ward said the Board could accommodate scheduling a special
61 meeting if the City wants to bring this back to the Board sooner than the Board's June regular
62 Board meeting in order to avoid project timeline delays.

4. Public Hearing: Pleasantview Road Drainage Improvement Grant

63 President Ward opened the public hearing on the Watershed Stewardship Grant for the
64 Pleasantview Road Drainage project.

65 Administrator Bleser shared an on-screen presentation about the Watershed Stewardship Grant
66 application from the City of Chanhassen for the Pleasantview Road Drainage Improvement
67 project. She provided background on the proposed project including the project's location near
68 489 Pleasantview Road, the current erosion issues, and the project goals to stabilize the ravine
69 and reduce the amount of sediment and phosphorous entering Lotus Lake. Administrator Bleser
70 highlighted that the project supports the District's water quality strategy by seeking to reduce
71 erosion and sedimentation and to minimize pollutants loadings to water resources.

72 Administrator Bleser provided project details about the proposed work, including removing
73 failing storm pipes, installing manhole structures with sumps, installing piping, and installing a
74 rock-lined channel to the lake. She stated the total estimated project cost is \$84,354.50, and of
75 those costs, staff determined \$77,179.50 are eligible costs under the Watershed Stewardship
76 Grant. She stated staff recommends awarding the grant in the amount of \$38,589.75, which is
77 50% of eligible costs. Administrator Bleser said the funds would come from the District's
78 Stewardship and Grants line item, and the funds are in the District's budget.

79 Administrator Bleser responded to manager questions. Mr. Jeffery noted there is not a permit
80 application submitted for the project yet, but he has looked at the project in terms of what it
81 would require for a permit. He talked about permitting considerations for the project.

82 Manager Ziegler commented on his support of the project and awarding the grant.

83 Administrator Bleser reported the District received a comment in writing from Ann Miller,
84 Chanhassen resident, and Administrator Bleser read the comment into the record.

85 President Ward called for further comments. Upon hearing none, he closed the public hearing.

5. Matters of General Public Interest

86 Mr. Rod Fisher, Eden Prairie Resident, commented he has lived on the south shore of Duck Lake
87 for 30 years. He thanked the District for looking out for the quality Duck Lake and for the
88 improvements in the lake. He said the most important concern about the Duck Lake Road project
89 is that it gets done quickly. Mr. Fisher recounted personal experiences with driving Duck Lake
90 Road and highlighted the dangers the current design poses to commuters and pedestrians. He
91 shared that people, including youth, will continue fishing off the east side of Duck Lake Road,
92 and if the Duck Lake Road project doesn't include designated fishing access, anglers will be in
93 the road.

6. Approval of Minutes

94 a. April 1, 2020, RPBCWD Board of Managers Regular Monthly Meeting and Public
95 Hearings

96 Manager Pedersen moved to approve the minutes as amended. Manager Ziegler seconded
97 the motion. Upon a roll call vote, the motion carried 5-0 as follows:

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<i>Manager</i>	<i>Action</i>
Crafton	Aye
Koch	Aye
Pedersen	Aye
Ward	Aye
Ziegler	Aye

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7. CAC

100 Mr. Barry Hofer, CAC member, reported the CAC met virtually via Zoom on Monday, April 20.
101 He said the Committee passed one motion, which was in support of the District creating
102 educational videos available for viewing by the CAC and public.

103 Mr. Hofer described the CAC's discussion about actions and activities the CAC members can
104 undertake currently, following the social distancing guidelines. He reported on a learning
105 presentation about soil health given by Lori Tritz to the CAC. Mr. Hofer summarized CAC
106 subcommittee activities, including that the Speakers Bureau provided a presentation to the
107 Chanhassen Rotary and there are upcoming Speakers Bureau presentations scheduled for June
108 and July. He added that a group within the CAC is evaluating youth engagement and will update
109 the CAC at its next meeting.

110 Manager Pedersen asked if the CAC plans to put its Speakers Bureau presentations on the
111 District's website. There was discussion of the idea, and Administrator Bleser said staff would
112 discuss possible options for posting the presentations on the website.

8. Consent Agenda

113 Manager Ziegler moved to approve the Consent Agenda. Manager Pedersen seconded the
114 motion. The Consent Agenda comprised 8b - Accept April Engineer's Report (with
115 attached Inspection Report); 8c - Approve Pay App #4 Lower Riley Creek Branch
116 Stabilization; 8d - Approve Permit 2019-048 Eden Prairie Central Middle School as
117 presented in the proposed board action of the permit report; and 8e - Approve Permit
118 2020-011 Minnetonka High School Parking Lot as presented in the proposed board action
119 of the permit report.

120 Upon a roll call vote, the motion carried 5-0 as follows:

121

<i>Manager</i>	<i>Action</i>
Crafton	Aye
Koch	Aye
Pedersen	Aye
Ward	Aye
Ziegler	Aye

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9. Action Items

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a. Pulled Consent Agenda items

124

i. **Accept April Staff Report**

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Manager Koch asked Mr. Jeffery to talk further about his development of a graduated system for the regulatory program. Mr. Jeffery responded. Mr. Koch asked if, in regard to the University of Minnesota service learner helping the District, the District has an agreement in place with the University of Minnesota and has the District's Legal Counsel reviewed it. Attorney Smith said the District secures a release form from each of its volunteers undertaking field work, and the District could have such a release form in place for the University service learners. Manager Koch said he would like Legal Counsel and Administrator Bleser to investigate whether the District should have an agreement in place and to make sure the District is covered.

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Manager Koch asked about another item discussed in the report: bareroot trees. He asked if they are designated only for the Silver Lake watershed. Administrator Bleser responded. Manager Koch asked for more details about the AIS CD3 unit at Lake Riley. Administrator Bleser provided more details.

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Manager Pedersen asked for a staff update on the cost-share projects.

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Administrator Bleser described recent activities and protocols the District has in place.

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Manager Ziegler moved to accept the staff report. Manager Pedersen seconded the motion. Upon a roll call vote, the motion carried 5-0 as follows:

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<i>Manager</i>	<i>Action</i>
Crafton	Aye
Koch	Aye
Pedersen	Aye
Ward	Aye
Ziegler	Aye

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ii. **Award Lake Riley Alum Project**

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Manager Koch asked staff if there was a report from Wenck regarding the condition of the alum on the lake. Administrator Bleser responded there was a feasibility report, which recommended the second split alum dosing. Manager Koch asked Administrator Bleser to send him that feasibility study. Manager Zielger moved to award the Lake Riley alum second split alum dosing to Wenck Engineering. Manager Pedersen seconded the motion.

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Upon a roll call vote, the motion carried 5-0 as follows:

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<i>Manager</i>	<i>Action</i>
Crafton	Aye
Koch	Aye
Pedersen	Aye
Ward	Aye
Ziegler	Aye

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157

iii. **Approve 2019 Annual Report Publication and Public Release**

158

Manager Koch provided his suggestions and edits to the report. Manager Crafton had a nonsubstantive change. Manager Crafton moved to approve the release of the District's 2019 Annual Report publication as amended. Manager Ziegler seconded the motion.

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Upon a roll call vote, the motion carried 5-0 as follows:

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<i>Manager</i>	<i>Action</i>
Crafton	Aye
Koch	Aye
Pedersen	Aye
Ward	Aye
Ziegler	Aye

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iv. **Approve Fund Transfer from Upper Riley Creek to Middle Riley
Creek for \$250,000**

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Manager Koch asked if the District will still be putting the original amount of money into Upper Riley Creek, and if so, would it be better to take the funds for Middle Riley Creek from the Opportunity Project budget. Administrator Bleser said there are various ways the District could approach the funding, including using funds from the Opportunity Projects budget. She described various ways the projects could be funded. Manager Crafton spoke in favor of leaving the funds in the Opportunity Project fund in case another project arises.

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Manager Koch moved to approve the fund transfer from Upper Riley Creek to Middle Riley Creek in the amount of \$250,000. Manager Crafton seconded the motion. Upon a roll call vote, the motion carried 5-0 as follows:

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<i>Manager</i>	<i>Action</i>
Crafton	Aye
Koch	Aye
Pedersen	Aye
Ward	Aye
Ziegler	Aye

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180 v. **Approve Renewing Grant Agreement with Metropolitan Council on**
181 **Monitoring WOMP Stations**

182 Manager Koch remarked this agreement incorporates a number of other
183 agreements with very specific insurance requirements. He asked if the District's
184 insurer is on-board with providing the amount of coverage as specified in the
185 agreement. Attorney Smith responded the District hasn't reviewed with the
186 insurance agent a confirmation, and the District Administrator can communicate
187 with the agent to do so.

188 Manager Koch moved to approve renewing the grant agreement with the
189 Metropolitan Council for the Metropolitan Council WOMP Program. Manager
190 Crafton seconded the motion.

191 Upon a roll call vote, the motion carried 5-0 as follows:

<i>Manager</i>	<i>Action</i>
Crafton	Aye
Koch	Aye
Pedersen	Aye
Ward	Aye
Ziegler	Aye

192
193 b. **Accept March Treasurer's Report**

194 Treasurer Crafton communicated that the report has been reviewed in accordance with
195 the District's internal controls and procedures. She moved to accept the March
196 Treasurer's Report as presented. Manager Ziegler seconded the motion. Manager Koch
197 asked several questions, and staff responded.

198 Upon a roll call vote, the motion carried 5-0 as follows:

<i>Manager</i>	<i>Action</i>
Crafton	Aye
Koch	Aye
Pedersen	Aye
Ward	Aye
Ziegler	Aye

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c. Approve Paying of Bills

Manager Crafton moved to pay the bills. Manager Pedersen seconded the motion. Upon a roll call vote, the motion carried 5-0 as follows:

<i>Manager</i>	<i>Action</i>
Crafton	Aye
Koch	Aye
Pedersen	Aye
Ward	Aye
Ziegler	Aye

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d. Approve Chanhassen Pleasantview Road Grant Application with Staff Recommendation

Manager Ziegler moved to approve the Pleasantview Road Grant Application with Staff Recommendation for the amount \$38,589.75. Manager Pedersen seconded the motion.

Upon a roll call vote, the motion to amend carried 5-0 as follows:

<i>Manager</i>	<i>Action</i>
Crafton	Aye
Koch	Aye
Pedersen	Aye
Ward	Aye
Ziegler	Aye

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e. Adopt Resolution 2020-08 Authorize the 30-day Notice of Proposed Amendments to the Bylaws and Other Policies in the Governance Manual
[Agenda item laid over to the Board's Special Meeting, to be scheduled.]

216

10. Discussion Items

217 a. Manager Report

218 President Ward said he would like to hear from each of the managers regarding how she
219 or he thinks the District should move forward given the recent economic shifts and
220 whether the Board should increase, maintain, or decrease the District's budget and levy
221 for 2021 as planned for in the District's 10-Year Plan. He said this input would provide
222 general direction to staff as it starts preparing the 2021 budget.

223 Manager Pedersen said she would like the District to maintain the budget relatively as is.
224 Manager Crafton said she would like the District to keep the budget relatively as is.
225 Manager Koch said it is too early to make any decision other than maintain the District's
226 plan for its budget and levy. Manager Ziegler said he would like the District to plan for
227 the amount planned for in the District's 10-Year Plan. President Ward said he would like
228 to be conscious of what is going on in the world and in the best case the District
229 maintains its budget and in the worst case the District reduces its budget.

230 b. Administrator Report

231 No Administrator Report

232 c. District's Operations if Staff Members are Unable to Perform Duties; Future 233 Audit Processes

234 President Ward asked Attorney Smith to summarize the District's COVID-19 procedural
235 plan that Smith Partners and Administrator Bleser drafted. Attorney Smith reviewed the
236 process and plan. Manager Koch commented that the District staff members all have key
237 functions and asked if the staff members have processes in place so if one staff member is
238 unable to work due to illness or other issue, that staff member's vital work functions be
239 carried out. There was a brief discussion,

240

11. Upcoming Board Topics

241 President Ward noted that upcoming Board topics are listed on the agenda. He reviewed
242 upcoming District events.

243

12. Upcoming Events

- 244 • Webinar: Soil Health and Water Quality, May 14, 7:00 p.m., Zoom meeting. Details on
245 RPBCWD website.
- 246 • Citizen Advisory Committee Meeting, May 18, 2020, 6:00 p.m., Zoom meeting. Details on
247 RPBCWD website.

- 248 • Webinar: Sustainable Lawns – Fescues and Flowers Workshop, May 28, 6:00 p.m., Zoom
249 meeting. Details on RPBCWD website.
- 250 • Board of Managers Meeting, June 3, 2020, 7:00 p.m., Zoom meeting. Details on RPBCWD
251 website.
- 252

13. Adjournment

253 Manager Crafton moved to adjourn the meeting. Manager Pedersen seconded the motion.
254 Upon a roll call vote, the motion carried 5-0 as follows:
255

<i>Manager</i>	<i>Action</i>
Crafton	Aye
Koch	Aye
Pedersen	Aye
Ward	Aye
Ziegler	Aye

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257 The meeting adjourned at 9:39 p.m.

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259
260 Respectfully submitted,
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263 _____
264 David Ziegler, Secretary

DRAFT Minutes: Monday, May 18, 2020
RPBCWD Citizen's Advisory Committee Monthly Meeting
Location: VIRTUAL VIA ZOOM OR TELEPHONE

CAC Members (By each name, put a P=Present, E=Excused, not present but with notification or A=Absent with no notification)

Jim Boettcher	P	Barry Hofer	P	Sharon McCotter	P	Marilynn Torkelson	P
Kim Behrens	A	Peter Iverson	A	Jan Neville	P	Lori Tritz	P
Michelle Frost	P	Terry Jorgenson	P	Vanessa Nordstrom	P		
Heidi Groven	P	Matt Lindon	P	Joan Palmquist	P		

Claire Bleser	RPBCWD Administrator	P
B Lauer	RPBCWD staff	P
Jill Crafton	Board of Managers	P

Key MOTIONS for the Board of Managers: A motion was made for the Speaker's Bureau presentations to be placed on the district's You Tube Channel. Lori made the motion, Marilynn seconded. The motion carried.

Key CONSENSUS ITEMS:

1. **The CAC supports the district collecting more data, obtaining resident inputs and financially supporting the Duck Lake Road project. Marilynn proposed and Sharon seconded. Motion carried.**
2. **Lori made a motion and Jan seconded a See Click Fix type App for reporting problems around the district. Motion carried.**

Key discussion items:

- 1.

I. Opening

- A. Call CAC meeting to Order:** President Lori Tritz called the meeting to order at 6:02 pm.
- B. Attendance:** As noted above.
- C. Matters of general public interest:** None
- D. Approval of Agenda:** Joan moved and Sharon seconded to approve the agenda. Motion carried.
- E. Approval of April 20, 2020 CAC Meeting Minutes:** Jan moved and Sharon seconded to approve the minutes as written. Motion carried.

II. Learning Presentation: Groundwater 101 (B) Be gave an excellent groundwater presentation. Claire noted that a grant to replenish aquifers using dry wells has been written. Currently we're waiting to see if it gets approved.

III. Program and Project Updates:

- A. **High level recap from May 6th board of managers meeting** (Barry) Primary topic was the Duck Lake Road project including EP city engineer's presentation. Design options were provided which ranged in cost from \$2.5 million to \$4.7 million (\$1.5 million contribution asked for from RPBCWD in the \$4.7 million option.) The city reports they have sought funding from other sources but were unsuccessful. Claire gave us an update on the Duck Lake Road project. She mentioned that informational session is tentatively scheduled for June 1st 7pm with city engineer discussion again and resident input. Pricing for a shorter span bridge option will be presented. Lori asked what goals and strategies this would further. It will reconnect east and west parts of the lake, provide wetland resiliency and interaction of residents with water resources. The project scored a 30 in project prioritization which is a high score. Lori asked if other projects would have to be sacrificed or curtailed. Barry continued his recap of the board meeting. The Pleasant View Rd. project was discussed. It will cost \$84,000 - managers approved 50% funding of grant eligible portion of the cost. President Ward asked for feedback about 2021 budget requests. They decided the district should request money for planned projects as usual but be flexible as needed because of Covid-19.
- B. **Specific program/project updates from May Board meeting** (Claire)
- C. **Duck Lake Subwatershed Project**(Claire) Planters to be installed late May early June. Rain barrels are installed and trees planted. The trees continue to look healthy. Of the residents invited to participate there were 24% active participants and 30% engaged.
- D. **St. Hubert's Catholic School**(Claire) In design phase for tree trenches, native plant restorations, rain garden and capture and reuse project for implementation next year.
- E. **Alum for Lake Riley** (Claire) Chemical used in lake to bind phosphorus and remove from water column and traps at the bottom of the lake. To be implemented Jun 8th.
- F. **Middle Riley Restoration** (Claire) The restoration is located between Lake Riley and Rice Marsh Lake and will be completed with financial assistance from Bear Path Golf Course since it is on their private property.
- G. **Wetlands at Pioneer Trail** (Claire) Asked for grant extension to develop wetland restoration design. Delay caused by COVID 19 pandemic.
- H. **Staring Lake Outdoor Center/Capture and Reuse** (Claire) On hold due to the Covid 19 slowdown. Feasibility has been conducted. Waiting for update from city of Eden Prairie.
- I. **Education Series** (Claire) Soil Health webinar completed last week. There will be a link on website so people can watch. The next presentation will be on a date not yet determined on Ecosystem Services from Green Economics, Benefit of Trees will follow and a Sustainable Lawns presentation is scheduled for May 28th.
- J. **Groundwater Conservation Program** (B) Signed agreements with 3 of 5 cities. Remaining 2 are still being reviewed.
- K. **Watershed Stewardship Grants** (B) We have finalized our scoring sheets for reviewing grants. We reviewed 6 applications in May, all of which were approved for funding. There are 11 applications to be reviewed in June. B is working on a zero contact site visit protocol. Once established site visits will be resumed on a first come first serve basis. Seth will visit, with follow up email or phone call. Plan is to resume site visits after Memorial Day. Joan asked about Action Grants which are coordinated by Maya. They've slowed way down with the pandemic.
- L. **Silver Lake (Claire)** Amy Bakkum MN GreenCorp member and Master Water Steward in training, is working on growing seedlings in pea gravel containers as her capstone project. The watershed will be giving the trees to Silver Lake subwatershed residents to promote the benefits of trees for water quality this fall after they've had a chance to grow.
- M. **Preserve HOA** (B) Three stewardship grant applications for native plantings were approved. There is also a Capture and Reuse project in the works.

IV. Topics and Discussion

- A. How can the CAC continue providing value during the pandemic? Marilynn noted that Lower Riley Creek Conservation Area would benefit from creek access for residents to wade and enjoy the water which

they seem to be doing currently anyway. Lori mentioned EP's See Click, Fix App. Could the watershed district implement something along those lines for residents to report concerns to the district? Marilyn reported a lamium infestation at Cedar Forest entrance emanating from an adjacent residence. Claire responded that the problem should be reported to the city of Eden Prairie.

- B. Are there subcommittees that are actively involved with something now that could use additional hands/eyes for those initiatives? none
- C. Video Presentation Discussion-How to make learning presentations, speakers bureau presentation and various other presentations available. WD now has a You Tube channel. Claire would rather have speaker's bureau presentation NOT be downloaded. She wants those presentations to be up close and in depth. Marilyn commented that when things return to normal, this would likely NOT decrease the demand for future public presentations. Lori made a motion for speaker's bureau presentations to be made available to the public on the district's website or You Tube channel, Marilyn seconded. Motion carried.
- D. Site visits as part of the learning presentation will likely not happen this summer What might we do in place of them? Vanessa requested a Soil Health and water table learning presentation . Claire suggested steep slope vulnerability. Michelle requested a virtual bus tour since the districts usual bus tour to view projects around the district had to be canceled due to Covid 19. She wants a virtual tour of places she should visit and why. Terry J. requested traditional monitoring techniques and Heidi wants videos of what staff does in the field. Next learning presentation will be on the watershed district's budget proposal. Another possible future learning presentation topic is on Harmful Algae Blooms (HAB).

V. Subcommittee Reports:

- A. **Education and Outreach/Speaker's Bureau:** Two presentations are scheduled at The Preserve: Landscaping for Water Quality and Top 5 Things for Water Sustainability.
- B. **Lakes and Streams:** Matt posted their subcommittee charter for this year in the shared CAC Google Drive. The charter includes goals and draft project plans. One goal is to add additional information to the Lake information sheets on district's website.
- C. **Stormwater:** Sharon reports that the city of Chanhassen has project on hold due to Covid 19.
- D. **Landscaping for Water:** Lori presented draft of a benefits of native plant handout. Claire stated that the district already has a handout for this. Marilyn asked for a copy. The district has not had a chance to review the raingarden maintenance guide.
- E. **Youth Engagement in CAC:** Michelle said that a draft of their charter has been created. They want to talk to Maya next. Matt agreed to be part of future meetings. Goals are exploration, stewardship, knowledge and leadership opportunities for teenagers and high school students.

VI. Upcoming Events

- A. RPBCWD Board of Managers meeting June 3, 2020 at 7pm 18681 Lake Drive East -Lori to attend as CAC representative.
- B. RPBCWD CAC meeting June 15, 2020 at 6:00 pm, 18681 Lake Drive East
- C. CAC member needed to attend July 8th and Oct. 7th board meetings. M. Torkelson (July) and Matt Lindon (October) volunteered.

VIII. Adjourn CAC meeting: Sharon moved & Matt seconded a motion to adjourn. Motion carried. Meeting adjourned at 8:57 pm.

RPBCWD May Staff Report

Administration		Staff update	Partners
Accounting and Audit	Coordinate with Accountants for the development of financial reports. Coordinate with the Auditor. Continue to work with the Treasurer to maximize on fund investments.	Administrator Bleser continued to process financials.	
Annual Report	Compile, finalize and submit an annual report to agencies	Annual Report has been posted on the website and distributed to agencies.	
Internal Policies	Work with Governance Manual and Personnel Committees to review bylaws and manuals as necessary		
Advisory Committees	Engage with the Technical Advisory Committee on water conservation, chloride management and emerging topics Engage with the Citizen Advisory Committee on water conservation, annual budget and emerging topics. Facilitate recruitment of CAC members for 2019.	The CAC met for their regular meeting on May 18th via Zoom video conference. Draft minutes are included in the Board Packet. B Lauer gave a learning presentation about the basics of groundwater, groundwater in the district and the district’s groundwater initiatives. Administrator Bleser and Staff Lauer gave program and project updates regarding the Duck Lake subwatershed project, St. Hubert’s, Alum Treatment on Lake Riley, Middle Riley Restoration, Wetlands at Pioneer Trail, Staring Lake Outdoor Center capture and resume, the summer education series, Groundwater Conservation Programming, Watershed Stewardship Grants, Silver Lake programming, and projects at the Preserve Association. Staff also helped the CAC brainstorm ways to stay active during the pandemic.	

MAWD		MAWD Summer Tool was canceled.	
District-Wide			
<p>Regulatory Program</p>	<p>Review regulatory program to maximize efficiency. Engage Technical Advisory Committee and Citizen Advisory Committee on possible rule changes. Implement regulatory program.</p>	<p>Nine (9) permit applications have been received since the April meeting. Seven (7) permits have been administratively approved since the May meeting. Of these, five (5) were for general curb, drainage, or pavement refurbishment projects undertaken by local road authorities: Hennepin County, City of Deephaven, and City of Eden Prairie (3). The other two were for the directional drilling of a gas line resulting in greater than 50 c.y. of earth movement with no creation nor disturbance of impervious surface. The other was for the installation of a six (6) foot wide pervious surface trail less than 2,000 square feet in area but in excess of 50 c.y.</p> <p>In addition to the new application, staff is working with three property owners that are looking to stabilize their shorelines in Chanhassen. All three submitted incomplete applications for the placement of riprap. A fourth property owner is in violation of the shoreline stabilization rule. The applicant's consultant has retained the services of an engineer in the hope of using the design flexibility track written into RPBCWD Rule F, Subsection 3.3c.</p> <p>Staff Jeffery went and visited open corrective action sites over the past two weeks. Many have come into compliance. At least one site is requesting that staff re-evaluate the violation. Staff has and concluded that the wetland fill is from their site and not, as suggested by the</p>	

		<p>contractor, from an adjoining property. Staff Jeffery is working with staff from Eden Prairie to address the wetland violation.</p> <p>Staff Jeffery and Engineer Sobiech are virtually meeting with Houston Engineering (HEI) on 5/27/20. HEI indicated that they have constructed the base framework of the database and have specific questions which they need staff to address to complete the database. Staff and Barr have begun creating/compiling the maps and GIS layers needed for the database, inspection tool, and public interface. While a firm date is not known at this time, by all appearances, the database development is going smoothly and should be released later this summer.</p>	
<p>Aquatic Invasive Species</p>	<p>Review AIS monitoring program Develop and implement Rapid Response Plan as appropriate Coordinate with LGUs and keep stakeholders aware of AIS management activities. Manage and maintain the aeration system on Rice Marsh Lake as per the Riley Chain of Lakes Carp Management Plan. Review AIS inspection program. Keep abreast in technology and research in AIS. Zebra mussel veliger testing.</p>	<p>The barrier between the rec area and Staring Lake is not in use this year due to Covid-19 and the City operating at low staff levels. As of the end of April staff have been monitoring temps and the berm site. Fish have been seen congregating near the barrier site starting May 18th. Water levels have been high so staff is unable to remove fish at the berm site. Staff will most likely try boat electrofishing to remove fish this month.</p> <p>Bleser spoke to both Carver County and City of Eden Prairie in regards to expectation of inspection for 2020 season amid Covid 19. Both are proceeding with inspection with the exception that both are on hold until DNR is able to conduct trainings. Both entities are hoping that past trained inspectors can be</p>	<p>City of Chanhassen City of Eden Prairie University of Minnesota MN DNR Carver County</p>

		waved of that requirement in order to begin inspection season. The CD3 unit on Lake Riley should be soon operational.	
Cost-Share	<p>Schedule and coordinate site visits.</p> <p>Review applications and recommend implementation.</p>	<p>Staff Lauer has developed and launched a Zero Contact Site Visit Protocol in consultation with CCSWCD technician. The protocol has been communicated to site visit requestees and Staff Lauer has begun scheduling site visits.</p> <p>The District has received a total of 41 site visit requests thus far. Staff Lauer has communicated with each requestee to inform them of the Zero Contact Site Visit Protocol.</p> <p>The District received 13 applications for Watershed Stewardship Grants in the month of May. Staff Lauer reviewed applications and has recommended nine applications be reviewed by the Watershed Stewardship Grant review committee. Staff Lauer will work with remaining applicants to complete their applications. All applications are residential.</p> <p>The Watershed Stewardship Grant review committee will meet on May 27th to review grant applications.</p> <p>Staff Lauer continues to answer questions from the public, update the grant webpage as necessary, and curate new resources.</p>	<p>Carver County Soil and Water Conservation District</p>
Data Collection	<p>Continue Data Collection at permanent sites.</p> <p>Identify monitoring sites to assess future project sites.</p>	<p>Staff completed two rounds of stream sample collection in May. Lake sampling will begin in June.</p> <p>Staff Maxwell presented to LMRWD and RPBCWD interns about Safety and Stream Sampling on May 27th.</p>	<p>Metropolitan Council</p> <p>City of Eden Prairie</p> <p>University of MN</p>

		<p>The District welcomed its summer interns this month. Abby Tekiela, Jared Fladebo, and Tim Toavs. They will assist with 2020 data collection.</p> <p>Staff found a large beaver dam on Purgatory Creek by Homeward Hills Road (downstream of Staring Lake) and residents notified the District of a beaver dam/debris obstruction between lakes Lucy and Ann. Both cities were notified and debris was removed on Lucy thus far.</p> <p>WOMP stations: WOMP sampling has restarted and staff started collecting samples beginning on 5/29/2020. Staff has been working with MET Council to set up Survey123 for WOMP data collection.</p> <p>Staff has been utilizing the surveying equipment for installing lake level sensors, collecting real elevations from its stream stage (tapedown locations), and collecting water elevations from ponds.</p> <p>Staff continued prepping field equipment for the 2020 season.</p> <p>Staff began deploying pond monitoring stations for the second year of the stormwater monitoring project.</p> <p>Created Covid-19 safe data collection sampling procedures document for summer staff.</p> <p>Staff met with Limnotech to add 4G radios to most of the units and discussed improving the EnviroDIY units. Staff have made modifications to the EnviroDIY pond units for more accurate and precise readings. Staff began deploying the units this month.</p>	<p>City of Chanhassen</p> <p>MNDNR</p> <p>City of Minnetonka</p>
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<p>District Hydrology and Hydraulics Model</p>	<p>Coordinate maintenance of Hydrology and Hydraulics Model. Coordinate model update with LGUs if additional information is collected. Partner and implement with the City of Bloomington on Flood Evaluation and Water Quality Feasibility.</p>	<p>No new updates</p>	<p>City of Bloomington City of Minnetonka City of Eden Prairie City of Deephaven City of Shorewood.</p>
<p>Education and Outreach</p>	<p>Implement Education & Outreach Plan, review at year end. Manage partnership activities with other organizations. Coordinate Public Engagement with District projects.</p>	<p>The District hosted a “Smart Salting for Property Management” online training for salt applicators on May 27th. Staff built and delivered Adopt-a-dock monitoring plates for the volunteer monitoring program, and will work with lakeshore residents to check for zebra mussels throughout the summer. The District will hosted a webinar on Soil Health and water quality on Thursday, May 14th at 7pm. The District worked with partners to host a webinar on Sustainable Lawns on May 28th. The webinar was hosted by RPBCWD staff and presented by Greg Thompson. Staff are working to create and publish short videos to educate and engage the public on the work that we do, watershed/ ecosystem concepts, and stewardship Staff continue to plan, create, and distribute a series of virtual lessons and activities, so that the youth program can continue to support the work of educators. Activities will be designed to help youth understand local waterways and processes, and to encourage stewardship of natural resources.</p>	<p>Sustainable Lawns Webinar: Nine Mile Creek WD, Carver County WMO, City of Bloomington Adopt a drain: City of Eden Prairie, City of Minnetonka, City of Bloomington, Hamline University, Nine Mile Creek Watershed District Service learner: University of Minnesota</p>

		<p>Educator mini-grants and action grants are still open and accepting digital applications.</p> <p>Community members continue to sign up to adopt storm drains and keep them clear of leaves, dirt, and other debris through the Adopt-a-drain.org partnership.</p> <p>Interns: Artist intern Aimi Dickel will join the district starting on June first. She will be working with staff to generate graphics for a variety of print and digital materials.</p>	
MN GreenCorps Update		<p>Member Bakkum launched the Silver Lake Water Quality Improvement Project on the district's website and partnered with staff to launch a social media campaign to promote the project. Printed materials will follow in the mail to further engage this community.</p> <p>Member Bakkum created a survey to discover a baseline of stormwater BMPs already in place and which practices Silver Lake area residents would be interested in implementing. This survey is a requirement for those looking to reserve a bare root tree from the established gravel beds.</p> <p>Member Bakkum created a webpage detailing various examples of residential stormwater BMPs residents could implement.</p>	MPCA
Groundwater Conservation	<p>Work with other LGUs to monitor, assess, and identify gaps.</p> <p>Engage with the Technical Advisory Committee to identify potential projects.</p> <p>Develop a water conservation program (look at Woodbury model)</p>	<p>Staff Lauer is working with cities to sign grant agreements. Three have been finalized and those Grants are launched.</p> <p>Staff Lauer has been exploring education and outreach opportunities for the education collaborative.</p>	<p>Metropolitan Council</p> <p>City of Eden Prairie</p> <p>City of Shorewood</p> <p>City of Bloomington</p> <p>City of Minnetonka</p> <p>City of Chanhassen</p>

		Staff Lauer and Administrator Bleser have been in conversation with the City of Minnetonka regarding a pilot cellular water meter program.	
Lake Vegetation Management	<p>Work with the University of Minnesota or Aquatic Plant Biologist, Cities of Chanhassen and Eden Prairie, lake association, and residents as well as the Minnesota Department of Natural Resources on potential treatment. Implement herbicide treatment as needed.</p> <p>Secure DNR permits and contracts with herbicide applicators.</p> <p>Lakes the District is monitoring for treatment include: Lake Susan, Lake Riley, Lotus Lake, Mitchell Lake, Red Rock Lake and Staring Lake.</p> <p>Work with Three Rivers Park District for Hyland Lake</p>	<p>Surveys were performed on Lotus Lake, Lake Riley, Red Rock, Mitchell and Staring Lakes. Herbicide treatments were identified for Lake Riley, Red Rock and Mitchell Lake. Bleser applied for Herbicide treatment and is coordinating with the applicator. Treatment dates are May 7th and 8th.</p> <p>Staff performed a recheck on Lotus Lake of curlyleaf pondweed abundance and treatment was deemed necessary. Postcards were sent to shoreline homeowners on May 22nd. Anticipated treatment dates are May 28th and 8th.</p>	<p>City of Eden Prairie City of Chanhassen University of Minnesota MNDNR</p>
Opportunity Projects	Assess potential projects as they are presented to the District	Administrator Bleser and Staff Lauer are looking at the possibility of a capture and reuse system at the Preserve Association.	
Total Maximum Daily Load	<p>Continue working with Minnesota Pollution Control Agency on the Watershed Restoration And Protection Strategies (WRAPS).</p> <p>Engage the Technical Advisory Committee.</p>	No new updates	MPCA
Repair and Maintenance Grant	Develop and formalize grant program.	No new update.	
University of Minnesota	Review and monitor progress on University of Minnesota grant.	Staff added University of MN pond monitoring to the sample collection docket this year due	Stormwater ponds partners:

	<p>Support Dr John Gulliver and Dr Ray Newman research and coordinate with local partners.</p> <p>Keep the manager abreast to progress in the research.</p> <p>Identify next management steps.</p>	<p>Covid-19 restrictions preventing the U of MN from conducting field work. These ponds received iron filings this past winter and needed to be monitored to assess the effectiveness of the treatment.</p>	<p>Bloomington, Chanhassen, Eden Prairie, Minnetonka, Shorewood, and Limnotech.</p> <p>Plant Management: Chanhassen Eden Prairie</p>
Watershed Plan	<p>Review and identify needs for amendments.</p>	<p>No new updates.</p>	
Wetland Conservation Act (WCA)	<p>Administer WCA within the Cities of Shorewood and Deephaven.</p> <p>Represent the District on Technical Evaluation Panel throughout the District</p>	<p>No WCA applications have been received in Deephaven.</p> <p>No WCA applications have been received in Shorewood.</p> <p>Staff Jeffery has provided comment on seven applications in Chanhassen, Eden Prairie, and Minnetonka. None were for replacement plans.</p>	<p>City of Shorewood City of Deephaven City of Chanhassen City of Eden Prairie MCWD BWSR DNR ACOE</p>
Wetland Management	<p>Assess known existing wetlands, identify previously unknown wetlands, and identify potential restoration and rehabilitate wetlands and wetland requiring additional protection.</p>	<p>Staff Jeffery and Staff Dickhausen have begun MNRAM assessments in Eden Prairie south of T.H. 5 and west of Eden Prairie Rd.</p> <p>Barr Engineering continues to work on updating the MNRAM version for Microsoft Access. Upon completion, data will need to be migrated from the Excel version into the Access version.</p> <p>Administrator Bleser and Staff Jeffery are working with other agencies and wetland experts to identify potential opportunities to increase the knowledge of and tools available for working with wetlands, particularly from an ecological value perspective.</p>	<p>City of Chanhassen City of Eden Prairie Hennepin County Carver County MNDNR BWSR</p>

Hennepin County Chloride Initiative	Phase 1: Develop a plan to target commercial and association-based sources or chloride pollution - businesses, malls, HOAs, property management companies and the private applicators that they hire. We will hire a consultant to facilitate focus groups with private applicators, as well as those that execute contracts with private applicators. These focus groups will help identify needs and barriers for our target audience. The consultant will compile information into a plan for implementation.	Met with Research Assistant Kreiter to discuss white paper and next steps. District hopes to finalize findings early this summer.	
Lower Minnesota Chloride Cost-Share Program	The Lower Minnesota River Watersheds are coming together to offer cost-share grants.	Draft grant agreements were sent to partner to review. A zoom meeting will be shortly scheduled to finalize eligibility requirements.	
Bluff Creek One Water			
Bluff Creek Tributary Restoration	Implement and finalize restoration. Monitor Project.	Contractor is working on plantings and erosion control.	City of Chanhassen
Wetland Restoration at 101	Remove 3 properties from flood zone, restore a minimum 7 acres and as many as 16 acres of wetlands, connect public with resources, reduction of volume, rate, pollution loads to Bluff Creek	The transfer of the property at 730 Pioneer Trail is being completed. The City is working with the MN OMB to satisfy their concerns. Staff Jeffery and Staff Dickhausen will delineate and survey the properties as soon as conditions are appropriate.	City of Chanhassen MN DNR

		Staff Jeffery and Engineer Sobeich met with other design team members to ascertain approaches to restoration that could address the concerns expressed by the Managers.	
Riley Creek One Water			
Lake Riley Alum	Continuing to monitor the Lake.	Bids were open and award memo included board packet.	
Lake Susan Improvement Phase 2	Complete final site stabilization and spring start up. Finalize and implement E and O for the project. Monitor project.	The city is not ready to start it up just yet.	City of Chanhassen Clean Water Legacy Amendment
Lake Susan Spent Lime	2020 startup and monitoring.	The Lake Susan Spent Lime Treatment System modifications have been completed. Worked with ISCO to set up modem for the spent Lime ISCO units before deployment. Monitoring equipment installation and startup of the system will hopefully occur early this month.	City of Chanhassen
Lower Riley Creek Stabilization	Coordinate agreement and acquire easements if needed for the restoration of Lower Riley Creek reach D3 and E. Implement Project. Continue Public Engagement for project and develop signage of restoration.	Rachel Contracting completed its work on Lower Riley and the water pump was removed last month. Staff placed restoration signs at obvious locations along the project to reduce the potential of someone tampering with the various project elements before vegetation is allowed to establish.	City of Eden Prairie Lower MN River Watershed District
Rice Marsh Lake Alum Treatment	Continuing to monitor the Lake.	No new updates.	City of Eden Prairie City of Chanhassen
Rice Marsh Lake Watershed Load Project 1	Conduct feasibility. Develop cooperative agreement with City of Chanhassen	The feasibility study for the area has been completed in its initial draft form. Staff Jeffery and Engineer Sobeich met with staff from the	City of Chanhassen

		City of Chanhassen to discuss the feasibility report on 5/21/20.	
Upper Riley Creek	<p>Work with City to develop scope of work (in addition to stabilizing the creek can we mitigate for climate change)</p> <p>Conduct feasibility</p> <p>Develop cooperative agreement with the City of Chanhassen</p> <p>Order Project</p> <p>Start design</p>	Staff Dickhausen assisted Barr Engineering staff in delineating wetland areas and collecting more survey points around Upper Riley Creek.	City of Chanhassen
Middle Riley Creek	<p><i>Work with Bearpath HOA/Golf Course to develop scope of work (in addition to stabilizing the creek can we mitigate for climate change and provide for an improved recreational experience)</i></p> <p><i>Draft feasibility report</i></p> <p><i>Develop cooperative agreement with Bearpath</i></p> <p><i>Order Project</i></p> <p><i>Start design</i></p>	<p>Staff Jeffery and Staff Dickhausen delineated floodplain wetlands and performed survey of stream cross sections. Staff Jeffery will perform additional survey work the week of May 25.</p> <p>Engineer Sobiech has begun working with staff at Barr to develop modeling and plans for the area.</p>	<p><i>Bearpath Neighborhood Association.</i></p> <p><i>City of Eden Prairie Dept. of Natural Resources</i></p>
Purgatory Creek One Water			
PCRA Berm		Wenck is working on design and working with BARR on hydrology of that area.	City of Eden Prairie
Duck Lake Water Quality Project	<p>Work with the City to implement neighborhood BMP.</p> <p>Identify neighborhood BMP to help improve water resources to Duck Lake.</p> <p>Implement neighborhood BMPs.</p>	Staff will be checking in with Duck Lake participants in May.	City of Eden Prairie

Lotus Lake – Internal Load Control	Monitor treatment and plant populations.	No new updates	
Scenic Heights	Continue implementing restoration effort. Work with the City of Minnetonka and Minnetonka School District on Public Engagement for project as well as signage.	District is coordinating with school and City for the restoration.	Minnetonka Public School District City of Minnetonka Hennepin County
Silver Lake Restoration	Order project Design Project Work with the City of Chanhassen for Design, cooperative agreement and implementation	Legal is reviewing a cooperative agreement.	City of Chanhassen
Professional Development			

Memorandum

To: Riley-Purgatory-Bluff Creek Watershed District Board of Managers and District Administrator
From: Barr Engineering Co.
Subject: Engineer's Report Summarizing May 2020 Activities for June 3, 2020, Board Meeting
Date: May 27, 2020

The purpose of this memorandum is to provide the Riley-Purgatory-Bluff Creek Watershed District (RPBCWD) Board of Managers and the District Administrator with a summary of the activities performed by Barr Engineering Co., serving in the role of District Engineer, during May 2020.

General Services

- a. Compiled floodplain information to assist resident at 11709 Welters Way, Eden Prairie with FEMA elevation certificate. The 100-year flood elevation of the Purgatory Creek adjacent to 11709 Welters Way in Eden Prairie is elevation 803.81 (NGVD29). Helped service learner Holst with questions about soil boring inventory database she is compiling from permit applications to document soil types encountered and surficial groundwater elevations.
- b. Participated in May 12th virtual meetings with Administrator Bleser and the city of Eden Prairie to discuss the city's proposed Duck Lake Road project alternatives. Discussions focused on potential revisions to reduce cost and planning for June 1st public information meeting,
- c. Continued upgrading the Minnesota Routine Assessment Method (MNRAM) wetland assessment database for compatibility with Microsoft Office 365. Testing and debugging. Began report calculations fix and updating vegetation list. Added logos and funding statement. Composed README file.
- d. Participated in a May 21st virtual meeting with Watershed Planning Coordinator Jeffery and city of Chanhassen to discuss the outcome of the Rice Marsh Lake Subwatershed 12a feasibility study. Presented potential best management practices to implement to reduce phosphorus entering Rice Marsh Lake. City was supportive of a potential project but express slight reservations about proprietary technology and requested additional time to review draft report.
- e. Participated in conference call on May 26th to discuss and assisted Administrator Bleser and Counsel Welch in refining a draft cooperative agreement for the Silver Lake water quality improvement project.
- f. Follow-up with Peterson Companies regarding status of Water Vision system installation. System has been installed and is functional, although contractor indicated that after system was set-up reuse system was shut off manually and he was going to stop by the site to check on things. Contractor would also like to set-up a system operation training with RPBCWD and school district staff in the near future.
- g. Participated in the May 3rd regular Board of Managers meeting.

To: Riley-Purgatory-Bluff Creek Watershed District Board of Managers and District Administrator
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- h. Prepared Engineer's Report for engineering services performed during May 2020.
- i. Miscellaneous discussions and coordination with Administrator Bleser about planning for CIP project budgets, 2021 budgeting, wetland program assistance, project staffing and upcoming Board meeting agenda.

Permitting Program

- a. *Permit 2018-016: Avienda:* This project involves a mixed-use regional development in the southwest quadrant of the intersection of Lyman Boulevard and Powers Boulevard in Chanhassen Minnesota. Reviewed modification request, provided review comments to applicants engineer, and draft review report for manager consideration at the June 3, 2020 regular meeting.
- b. *Permit 2019-011: Westwind Plaza:* The project proposes the demolition of a portion of an existing parking lot and construction of a new bank building in the shopping center at the northeast quadrant of the Highway 101 and Highway 7 intersection. The project includes two underground detention systems. This project will trigger RPBCWD Rules C, and J. Several calls with the applicants engineering about site conditions differing from soil boring data and design assumptions. During construction high groundwater was discovered and the stipulated infiltration testing revealed soils with very low infiltration capacity, thus the site is a restricted site. Applicant submitted a permit modification request on May 22, 2020. Provided initial comments on May 26th indicating abstraction needs to be provided to the maximum extent practicable and the need to consider trees and rainwater harvest and reuse. Drafted a permit modification review report for consideration at the June 3rd Board of Managers meeting.
- c. *Permit 2019-048 Central Middle School* – This project involves constructing building additions, reconfiguring parking lots and drives, and relocating the track at Central Middle School in Eden Prairie, MN. The project includes two stormwater infiltration basins and two underground infiltration systems for stormwater quantity, volume and quality control. Notified applicant of conditional approval at the May 6, 2020 regular meeting. Reviewed and commented on draft maintenance agreement.
- d. *Permit 2019-051: Berrospid Addition* – This project is proposing to split an existing lot with one single family home at 7406 Frontier Trail in Chanhassen, MN into three separate lots for the addition of two single family homes. The proposed project triggers RPBCWD's floodplain management, erosion control, wetland and creek buffer, and stormwater management rules. Reviewed May 1st revised submittal and provided review comments on May 8th. The permit application remains incomplete due to missing buffer within the high-risk erosion area. Participated in a May 15th virtual meeting with applicant's engineer to discuss poor soil and high groundwater condition on a portion of the site, redesign ideas for the site BMP, the need to relocate BMP to meet low floor criteria for adjacent, off-site structure and buffer requirements for the thalweg in the high risk erosion area identified on the parcel.
- e. *Permit 2020-003: Moments of Chanhassen* – This project consists of the construction of a 48-unit memory care residential facility located in Chanhassen, MN. The proposed development will include associated parking areas, utilities, grading, and a stormwater feature including a filtration basin. The proposed project triggers RPBCWD's erosion prevention and sediment

- control, waterbody crossings and structures, wetland and creek buffers, and stormwater management rules. Review infiltration testing results which showed no measurable infiltration capacity. Discussed design revisions with applicants engineer on May 6, 2020 to provide abstraction to the maximum extent practicable by incorporating a rainwater harvest and reuse system.
- f. *Permit 2020-011 Minnetonka High School 2020 Parking Lot Addition* – This project involves construction of a new parking area, including new bituminous pavement, concrete curb and gutter, and storm sewer on the Minnetonka High School property in Minnetonka, MN. This project includes a subsurface stormwater management system to provide stormwater rate, volume and water quality control. This permit triggers RPBCWD's erosion and sediment control, wetland and creek buffers, and stormwater management rules. Notified applicant of conditional approval at the May 6, 2020 regular meeting. Reviewed and commented on draft maintenance agreement.
 - g. Fielded miscellaneous calls from developer's engineers with questions about floodplain compensatory storage requirement, buffer criteria, shoreline stabilization requirements, and stormwater management criteria.
 - h. Participated in a May 12th preapplication virtual meeting with project applicant and city of Eden Prairie for a potential apartment building at 9360 Hennepin Town Road. Reviewed soil infiltration testing results and discussed what is need for providing abstraction to the maximum extent practicable. Due to soils with very low infiltration capacity the applicant intends to pursue rainwater harvest and reuse as well as soil amendment to improve the soils water holding capacity.
 - i. Participated in May 27th virtual meeting with Watershed Planning Coordinator Jeffery and Houston Engineering to review initial set-up of new on permit database. Discussed standard nomenclature, forms, BMP types to track, inspection tracking, and need to translate existing information into database. Houston anticipates rolling system out this summer.
 - j. Conducted erosion prevention and sediment control inspection on May 19-20th for permits in Hennepin County only because district staff indicated they would be inspecting all permits in Carver County this month. Provided a summary of sites with open corrective actions to Watershed Planning Manager Jeffery on May 21st.

Data Management/Sampling/Equipment Assistance

- a. Made edits to the Survey123 mobile application for collecting pond data.
- b. Prepared a data table of Lake Susan Park Pond IESF analytical results.

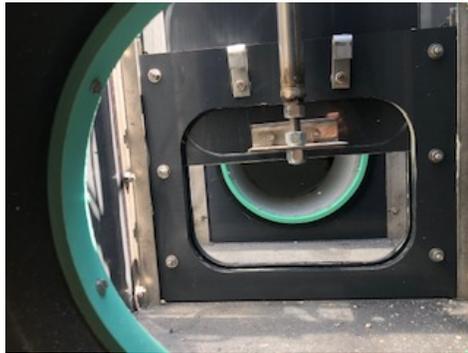
Repair and Maintenance

Lake Susan spent lime filter modification

- a. Staff verified the automated water level control structure functions. Staff tested manual operation of the structure as well as tested a weekly schedule/cycle to open the valve. Initially the valve will be programmed to open for a couple hours and then closed for several days to allow the filter to dry out. District staff plan to monitor the performance of the filter, and if it

performs similar to laboratory tests completed by District staff, the water level control structure will be adjusted to increase the duration of time that it is open.

- b. Met with District staff Maxwell onsite on May 28th to confirm monitoring equipment is setup and then bring the filter back online.



Photograph of inside the water level control structure. Photograph is taken looking upstream towards where water comes into the filter. The structure consists of a solar panel (not shown), control panel (also not shown), and the gate. The control panel is programmed to open and close the gate on a schedule that staff program.

Task Order 6: WOMP Station Monitoring

Purgatory Creek Monitoring Station at Pioneer Trail

- a. Download and review data.

Purgatory Creek Monitoring Station at Valley View Rd

- a. Download and review data.

Task Order 14b: Lower Riley Creek Final Design

- a. Conducted a site walk with contractor and city staff on May 14th to identify remaining punch list items regarding grading, erosion control, tree and limb removal, and adjustment to several in-stream boulder and log structures. Site access to address punch list items is extremely limited due to steep slopes, restored stream banks/bed, tree protection, and city of Eden Prairie's equipment access restrictions. Because the DNR permit limits work in the creek until June 15th, the Contractor is using this time to determine means and methods to address the outstanding punch list items.
- b. Coordinated with the contractor and the vegetation subcontractor regarding shrub and tree plantings along the creek.
- c. Coordinated with the contractor and city regarding the restoration of the bituminous trail along the Sky Lane access and the installation of a hand-formed bituminous curb.
- d. Contractor has completed the majority of the project work, including most planting and restoration. Remaining work items include addressing punch list items and installation of the District buffer markers.



Restored rock riffle and VRSS in upstream portion of the project.



Boulder/log cross vane identified as punch list item that needs addressing.

- e. Coordinated development and review of Change Order #3 regarding substitution of bare-root trees for the specified ball & burlap trees and the addition of erosion control and seeding at the Cedarcrest access route. This change order will result in a net decrease in project budget
- f. Due to the need to develop revised construction plan for the downstream section of the project as part of construction change order #2 to account for poor soil conditions at the downstream end of the project, which was not anticipated in Barr's task order or amendments, Barr's construction administration budget is nearly exhausted. We raised this potential budget overrun as part of the March 2020 engineer's report and monitored the budget closely since then. Given the need for additional site observation of punch list items and project close-out activities we anticipate Barr will exceed the authorized budget within the next month. Barr continues to monitor the construction management budget closely and will need to submit a request for addition budget.
- g. e. Reviewed contractor's request for Change Order #2 to address poor soils conditions and revised design in anticipation of including in the March 4th packet materials.

Task Order 21B: Bluff Creek Stabilization Project

- a. Contractor anticipates addressing corrective work items identified on the punch list in early June.
- b. As previously mentioned, final seeding, permanent erosion control features, and final plantings will be completed in the spring.

Task Order 23: Scenic Heights School Forest Restoration

- a. Restoration management efforts being with herbicide applications and mowing of the garlic mustard. In the final year of management under the current contract, Landbridge Ecological will focus on eradicating the final re-sprouts of buckthorn and tartarian honeysuckle while tackling as best as possible the remaining garlic mustard, brome, and reed canary grass.

Task Order 24B: Silver Lake Water Quality Improvement Project

- a. Assisted Administrator Bleser and Counsel Welch with cooperative agreement
- b. Compiled existing information (e.g., site survey, tree inventory, city survey information, etc.) for construction drawing base maps.

Task Order 25: Duck Lake Water Quality Improvement Project

- a. Construction scheduling has begun with Sunram Construction. A pre-construction meeting is being planned for early June.
- b. . Agreements to construct and install 14 downspout planter boxes were sent to two contractors; Outdoor Lab Landscapes and Landbridge Ecological. These two companies have begun fabricating the selected downspout box models in their shops. Once ready the property owners will be informed and arrangements for downspout box installation will begin. The contractors have until June 30, 2020 to install and plant the boxes.

Task Order 26: Stormwater Model Update and Flood-Risk Area Prioritization Identification for the Bloomington Portion of Purgatory Creek

- a. Staff are waiting for input from Bloomington staff on the prioritized list of areas. A reminder was sent to city staff last month to inquire on the status of their review. City staff review has been delayed during the stay-at-home order, but city staff indicated that they anticipated completing their review by next month.
- b. In June, staff will reconnect with city of Bloomington staff to receive comments on the prioritization framework and discuss application of the framework to areas outside of the portion of Purgatory Creek that was used for the initial development of the prioritization framework.

Task Order 28A: Rice Marsh Lake Subwatershed 12a Water Quality Project

- a. Held a virtual meeting on May 12th with Watershed Planning Coordinator Jeffery to review modifications and additions made in response to district comments.
- b. Finalized draft report, included a premier on soil amendments and potential ways to implement as part of the water quality improvement project based on May 12th
- c. Presented recommended BMP (BioClean's Kraken Filter, or similar) and soil amendments to the City of Chanhassen on May 21st. The City expressed interest in BioClean's Modular Wetland System or dual system, as well.
- d. Analyzed dual modular wetland system in response to city request and summarized results for district consideration.
- e. Awaiting final comments from the City and planning to present to the Board at the July meeting.

To: Riley-Purgatory-Bluff Creek Watershed District Board of Managers and District Administrator
From: Barr Engineering Co.
Subject: Engineer's Report Summarizing May 2020 Activities for June 3, 2020, Board Meeting
Date: May 27, 2020
Page: 7

Task Order 29B: Middle Riley Creek Reach R3 Stabilization Project Design

- a. Visited site on May 4, 2020, identified potential reference reach and photographed project reaches.
- b. Reviewed survey data from RPBCWD staff, provided feedback and request for additional data.
- c. Conducted geotechnical site review and completed hand-auger soil borings on May 19, 2020 to aid in design of rock wall near Hole 16.

Task Order 30B: Pioneer Trail Wetland Restoration Design

- a. Waiting for district staff to complete field survey and wetland delineation to inform design.
- b. Discussed potential monitoring well locations with Watershed Planning Coordinator Jeffery.

Task Order 032A: Upper Riley Creek Ecological Enhancement Plan

- a. Held kickoff meeting with Administrator Bleser, Barr staff, and representative from the City of Chanhassen.
- b. Scheduled field wetland delineation work (planned for May 26, 2020).
- c. Continued to compile information for the Phase I Environmental Site Assessment and cultural assessment.
- d. Began development of an Ecological Enhancement Plan report template that can be used for this project while also serving as a template for future projects.



May 27, 2020

Claire Bleser
District Administrator
Riley Purgatory Bluff Creek Watershed District
18681 Lake Drive E.
Chanhassen, Minnesota 55317

Dear Claire:

Enclosed please find the checks and Treasurer's Report for Riley Purgatory Bluff Creek Watershed District for the one month and four months ending April 30, 2020.

Please examine these statements and if you have any questions or need additional copies, please call me.

Sincerely,

REDPATH AND COMPANY, LTD.

A handwritten signature in black ink, appearing to read "Mark Gibbs", is written over a small white rectangular area.

Mark C. Gibbs, CPA
Enclosure



To The Board of Managers
Riley Purgatory Bluff Creek Watershed District
Chanhassen, Minnesota

Accountant's Opinion

The Riley Purgatory Bluff Creek Watershed District is responsible for the accompanying April 30, 2020 Treasurer's Report in the prescribed form. We have performed a compilation engagement in accordance with the Statements on Standards for Accounting and Review promulgated by the Accounting and Review Services Committee of AICPA. We did not audit or review the Treasurer's Report nor were we required to perform any procedures to verify the accuracy or completeness of the information provided by the Riley Purgatory Bluff Creek Watershed District. Accordingly, we do not express an opinion, a conclusion, nor provide any form of assurance on the Treasurer's Report.

Reporting Process

The Treasurer's Report is presented in a prescribed form mandated by the Board of Managers and is not intended to be a presentation in accordance with accounting principles generally accepted in the United States of America. The reason the Board of Managers mandates a prescribed form instead of GAAP (Generally Accepted Accounting Principles) is this format gives the Board of Managers the financial information they need to make informed decisions as to the finances of the watershed.

GAAP basis reports would require certain reporting formats, adjustments to accrual basis and supplementary schedules to give the Board of Managers information they need, making GAAP reporting on a monthly basis extremely cost prohibitive. An independent auditing firm is retained each year to perform a full audit and issue an audited GAAP basis report. This annual report is submitted to the Minnesota State Auditor, as required by Statute, and to the Board of Water and Soil Resources.

The Treasurer's Report is presented on a modified accrual basis of accounting. Expenditures are accounted for when incurred. For example, payments listed on the Cash Disbursements report are included as expenses in the Treasurer's Report even though the actual payment is made subsequently. Revenues are accounted for on a cash basis and only reflected in the month received.

REDPATH AND COMPANY, LTD.

A handwritten signature in black ink that reads "Redpath and Company, Ltd." in a cursive script.

St. Paul, Minnesota
May 27, 2020

RILEY PURGATORY BLUFF CREEK WATERSHED DISTRICT

Treasurers Report

April 30, 2020

REPORT INDEX

<u>Page #</u>	<u>Report Name</u>
1	Cash Disbursements
2	Fund Performance Analysis – Table 1
3	Multi-Year Project Performance Analysis – Table 2
4	Balance Sheet
5	VISA Activity

RILEY PURGATORY BLUFF CREEK WATERSHED DISTRICT
Cash Disbursements
April 30, 2020

Accounts Payable:

<u>Check #</u>	<u>Payee</u>	<u>Amount</u>
5159V	Amy Herbert, LLC	(\$903.16)
5204	Barr Engineering	53,916.43
5205	B9 Polar Waters, LLC	7,593.28
5206	CenterPoint Energy	399.46
5207	CenturyLink	192.47
5208	City of Chanhassen	35.59
5209	Coverall of the Twin Cities	316.76
5210	Jill S. Crafton	1,064.81
5211	Dorsey & Whitney LLP	510.00
5212	ECM Publishers, Inc.	357.00
5213	HealthPartners	4,760.09
5214	Amy Herbert, LLC	1,713.16
5215	Olivia R. Holstine	117.75
5216	Iron Mountain	129.95
5217	ISG - Accounts Receivable	1,266.00
5218	Larry Koch	230.88
5219	Metro Sales, Inc.	151.64
5220	PLM Lake & Land Management	6,048.52
5221	Principal Life Insurance Company	404.01
5222	Purchase Power	118.32
5223	Redpath & Company	2,735.83
5224	RMB Environmental Laboratories, Inc.	391.00
5225	Signature Woodworking, Inc.	8,650.00
5226	Smith Partners	20,310.16
5227	Southwest News Media	568.83
5228	SRF Consulting Group, Inc.	2,934.29
5229	Teledyne Instruments, Inc.	1,052.00
5230	Wenck, Inc.	16,801.38
5231	What Works, Inc.	2,242.00
5232	Xcel Energy	615.54
Total Accounts Payable:		<u><u>\$134,723.99</u></u>

Payroll Disbursements:

Payroll Processing Fee	196.50	
Employee Salaries	33,684.16	
Employer Payroll Taxes	3,161.85	
Employer Benefits (H.S.A. Match)	420.83	
Employee Benefit Deductions	(394.25)	
Staff Expense Reimbursements	26.45	
PERA Match	2,547.08	
Total Payroll Disbursements:		<u><u>\$39,642.62</u></u>
VISA	4,817.30	

TOTAL DISBURSEMENTS:

\$179,183.91

Memos

The 2020 mileage rate is .575 per mile. The 2019 rate was .58
Old National VISA will be paid on-line.

RILEY PURGATORY BLUFF CREEK WATERSHED DISTRICT
Fund Performance Analysis - Table 1
April 30, 2020

	2020 Budget	Fund Transfers	Revised 2020 Budget	Current Month	Year-to-Date	Year-to-Date Percent of Budget
REVENUES						
Plan Implementation Levy	\$3,703,000.00	-	\$3,703,000.00	-	-	0.00%
Permit	25,000.00	-	25,000.00	1,910.00	13,874.00	55.50%
Grant Income	346,719.00	-	346,719.00	-	-	0.00%
Investment Income	75,000.00	-	75,000.00	6,347.95	34,814.59	46.42%
Past Levies	3,699,097.00	-	3,699,097.00	-	-	0.00%
Miscellaneous Income	0.00	-	0.00	96.48	14,419.80	---
Partner Funds	432,000.00	-	432,000.00	-	-	0.00%
TOTAL REVENUE	\$8,280,816.00	-	\$8,280,816.00	\$8,354.43	\$63,108.39	0.76%
EXPENDITURES						
Administration						
Accounting and Audit	\$42,000.00	-	\$42,000.00	\$2,932.33	27,543.31	65.58%
Advisory Committees	5,000.00	-	5,000.00	-	137.48	2.75%
Insurance and bonds	20,000.00	-	20,000.00	-	-	0.00%
Engineering Services	109,000.00	-	109,000.00	8,016.00	34,098.69	31.28%
Legal Services	84,000.00	-	84,000.00	9,147.08	44,735.22	53.26%
Manager Per Diem/Expense	20,000.00	-	20,000.00	1,625.00	4,970.75	24.85%
Dues and Publications	14,000.00	-	14,000.00	-	9,000.00	64.29%
Office Cost	150,000.00	-	150,000.00	19,352.41	57,695.64	38.46%
Permit Review and Inspection	135,000.00	-	135,000.00	17,581.73	63,301.44	46.89%
Permit and Grant Database	39,900.00	-	39,900.00	-	-	0.00%
Professional Services	-	-	-	2,242.00	2,242.00	---
Recording Services	17,000.00	-	17,000.00	810.00	4,089.48	24.06%
Staff Cost	600,000.00	-	600,000.00	40,311.45	167,898.88	27.98%
Subtotal	\$1,235,900.00	-	\$1,235,900.00	\$102,018.00	\$415,712.89	33.64%
Programs and Projects						
District Wide						
10-year Management Plan	\$5,000.00	-	\$5,000.00	3,225.70	6,831.43	136.63%
AIS Inspection and early response	85,000.00	-	85,000.00	118.32	1,182.56	1.39%
Cost-share	398,723.00	-	398,723.00	3,700.71	14,169.31	3.55%
Data Collection and Monitoring	192,000.00	-	192,000.00	7,486.24	37,372.99	19.47%
Community Resiliency	63,130.00	-	63,130.00	-	1,669.00	2.64%
Education and Outreach	123,000.00	-	123,000.00	2,129.02	26,964.99	21.92%
Plant Restoration - U of M	58,762.00	-	58,762.00	-	-	0.00%
Repair and Maintenance Fund *	267,730.00	-	267,730.00	487.50	42,933.48	16.04%
Wetland Management*	165,685.00	-	165,685.00	7,749.66	8,977.92	5.42%
Groundwater Conservation*	179,750.00	-	179,750.00	-	-	0.00%
Lake Vegetation Implementation	125,937.00	-	125,937.00	6,048.52	26,359.28	20.93%
Opportunity Project*	287,501.00	-	287,501.00	4,200.29	7,170.29	2.49%
Stormwater Ponds - U of M	79,985.00	-	79,985.00	-	19,770.96	24.72%
Hennepin County Chloride Initiative	114,830.00	-	114,830.00	202.66	6,859.46	5.97%
Lower Minnesota Chloride Cost-Share	217,209.00	-	217,209.00	-	-	0.00%
Subtotal	\$2,364,242.00	-	\$2,364,242.00	\$35,348.62	\$200,261.67	8.47%
Bluff Creek						
Bluff Creek Tributary*	65,037.00	-	65,037.00	2,470.89	12,374.65	19.03%
Wetland Restoration at Pioneer	308,674.00	-	308,674.00	3,837.19	28,395.22	9.20%
Subtotal	\$373,711.00	-	\$373,711.00	\$6,308.08	\$40,769.87	10.91%
Riley Creek						
Lake Riley - Alum Treatment*	305,000.00	-	305,000.00	4,299.80	20,116.01	6.60%
Rice Marsh Lake in-lake phosphorus load	60,568.00	-	60,568.00	-	12,287.18	20.29%
Rice Marsh Lake Water Quality Improvement Phase 1	300,000.00	-	300,000.00	4,235.00	6,724.50	2.24%
Riley Creek Restoration (Reach E and D3)	1,592,925.00	-	1,592,925.00	5,589.83	1,745,884.03	109.60%
Lake Riley & Rice Marsh Lake Subwatershed Assessment	29,961.00	-	29,961.00	4,316.00	20,943.47	69.90%
Upper Riley Creek Stabilization	1,100,000.00	-	1,100,000.00	3,517.80	4,675.80	0.43%
Middle Rice Creek	-	18,900.00	18,900.00	2,934.00	22,144.02	117.16%
Lake Ann Wetland Restoration	150,000.00	(100,000.00)	50,000.00	-	-	0.00%
St. Hubert Water Quality Project	-	100,000.00	100,000.00	-	-	0.00%
Subtotal	\$3,538,454.00	\$18,900.00	3,557,354.00	\$24,892.43	\$1,832,775.01	51.52%
Purgatory Creek						
Purgatory Creek Rec Area- Berm/retention area - feasibility/design	50,000.00	-	50,000.00	3,750.78	6,170.28	12.34%
Lotus Lake in-lake phosphorus load control	104,106.00	-	104,106.00	197.00	20,831.26	20.01%
Silver Lake Restoration - Feasibility Phase 1	255,931.00	-	255,931.00	755.00	11,091.62	4.33%
Scenic Heights	55,459.00	-	55,459.00	262.50	924.00	1.67%
Hyland Lake in-lake phosphorus load control	1,388.00	-	1,388.00	-	-	0.00%
Duck Lake watershed load	125,422.00	-	125,422.00	1,222.50	5,844.50	4.66%
Michell Lake Subwatershed Assessment	46,203.00	-	46,203.00	4,429.00	36,742.97	79.53%
Lotus Lake Kerber Pond	30,000.00	-	30,000.00	-	85.00	0.28%
Subtotal	\$668,509.00	\$0.00	668,509.00	\$10,616.78	\$81,689.63	12.22%
Reserve	\$100,000.00	(\$18,900.00)	81,100.00	\$0.00	-	0.00%
TOTAL EXPENDITURE	\$8,280,816.00	\$0.00	\$8,280,816.00	\$179,183.91	\$2,571,209.07	31.05%
EXCESS REVENUES OVER (UNDER) EXPENDITURES	\$0.00	\$0.00	\$0.00	(\$170,829.48)	(\$2,508,100.68)	

*Denotes Multi-Year Project - See Table 2 for details

RILEY PURGATORY BLUFF CREEK WATERSHED DISTRICT

Multi-Year Project Performance Analysis - Table 2

April 30, 2020

	Total Project	FUNDING SOURCE			Month Ended 04/30/20	Year To-Date	Lifetime Costs	Remaining
		District funds	Partner Fund	Grants				
Programs and Projects								
District Wide								
Community Resiliency	98,000.00	98,000.00	-	-	-	1,669.00	36,538.50	61,461.50
Repair and Maintenance Fund	277,005.00	277,005.00	-	-	487.50	42,933.48	77,208.98	199,796.02
Wetland Management	200,000.00	200,000.00	-	-	7,749.66	8,977.92	68,292.98	131,707.02
Groundwater Conservation	180,000.00	180,000.00	-	-	-	-	250.00	179,750.00
Opportunity Project*	300,000.00	300,000.00	-	-	4,200.29	7,170.29	19,669.29	280,330.71
Stormwater Ponds - U of M	106,092.00	64,092.00	42,000.00	-	-	19,770.96	45,877.97	60,214.03
Hennepin County Chloride Initiative	120,800.00	19,000.00	-	101,800.00	202.66	6,859.46	12,829.77	107,970.23
Lower Minnesota Chloride Cost-Share	217,209.00	20,000.00	-	197,209.00	-	-	-	217,209.00
Subtotal	\$1,499,106.00	\$1,158,097.00	\$42,000.00	\$299,009.00	\$12,640.11	\$87,381.11	\$260,667.49	1,238,438.51
Bluff Creek								
Bluff Creek Tributary*	436,750.68	386,750.68	50,000.00	-	2,470.89	12,374.65	334,087.43	102,663.25
Wetland Restoration at Pioneer	857,820.00	450,000.00	-	407,820.00	3,837.19	28,395.22	577,543.24	280,276.76
Subtotal	\$1,294,570.68	\$836,750.68	\$50,000.00	\$407,820.00	\$6,308.08	\$40,769.87	\$911,630.67	\$382,940.01
Riley Creek								
Lake Riley - Alum Treatment 1st dose *	560,000.00	560,000.00	-	-	4,299.80	20,116.01	275,115.84	284,884.16
Rice Marsh Lake in-lake phosphorus load	150,000.00	150,000.00	-	-	-	12,287.18	101,719.99	48,280.01
Rice Marsh WQ 1	300,000.00	300,000.00	-	-	4,235.00	6,724.50	6,724.50	293,275.50
Riley Creek Restoration (Reach E and D3) *	1,915,000.00	1,615,000.00	300,000.00	-	5,589.83	1,745,884.03	2,014,016.30	(99,016.30)
Lake Riley & Rice Marsh Lake Subwatershed Assessment	72,500.00	12,500.00	5,000.00	55,000.00	4,316.00	20,943.47	63,482.44	9,017.56
Upper Riley Creek Stabilization	450,000.00	1,100,000.00	0.00	-	3,517.80	4,675.80	4,675.80	445,324.20
Subtotal	\$3,447,500.00	\$3,737,500.00	\$305,000.00	\$55,000.00	\$21,958.43	\$1,810,630.99	\$2,465,734.87	\$981,765.13
Purgatory Creek								
Purgatory Creek Rec Area- Berm/retention area - feasibility/design	50,000.00	50,000.00	-	-	3,750.78	6,170.28	6,170.28	43,829.72
Lotus Lake in-lake phosphorus load control	345,000.00	345,000.00	-	-	197.00	20,831.26	261,724.60	83,275.40
Silver Lake Restoration Project WQ1	268,013.00	268,013.00	-	-	755.00	11,091.62	23,173.45	244,839.55
Scenic Heights	260,000.00	165,000.00	45,000.00	50,000.00	262.50	924.00	205,465.25	54,534.75
Hyland Lake Internal Load	150,000.00	130,000.00	20,000.00	-	-	-	128,612.41	21,387.59
Duck Lake watershed load	220,000.00	220,000.00	0.00	0.00	1,222.50	5,844.50	100,421.52	119,578.48
Mitchell Lake Subwatershed Assessment	87,500.00	12,500.00	5,000.00	70,000.00	4,429.00	36,742.97	78,039.61	9,460.39
Subtotal	\$1,380,513.00	\$1,190,513.00	\$70,000.00	\$120,000.00	\$10,616.78	\$81,604.63	\$803,607.12	\$576,905.88
Total Multi-Year Project Costs	\$7,621,689.68	\$6,922,860.68	\$467,000.00	\$881,829.00	\$51,523.40	\$2,020,386.60	\$4,441,640.15	\$3,180,049.53

Riley Purgatory Bluff Creek Watershed District
Balance Sheet
As of April 30, 2020

ASSETS

Current Assets

General Checking-Old National	\$345,573.43
Checking-Old National/BMW	23,256.03
Investments-Standing Cash	796,723.01
Investments-Wells Fargo	3,970,272.15
Accrued Investment Interest	21,874.72
Due From Other Governments	102,116.73
Taxes Receivable-Delinquent	36,003.36
Pre-Paid Expense	24,742.32
Security Deposits	7,244.00

Total Current Assets: \$5,327,805.75

LIABILITIES AND CAPITAL

Current Liabilities

Accounts Payable	\$589,313.95
Retainage Payable	12,521.39
Salaries Payable	19,945.11
Permits & Sureties Payable	645,054.50
Deferred Revenue	36,003.36
Unearned Revenue	199,470.00

Total Current Liabilities: \$1,502,308.31

Capital

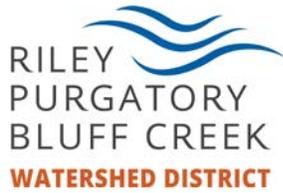
Fund Balance-General	\$6,333,598.12
Net Income	(2,508,100.68)

Total Capital \$3,825,497.44

Total Liabilities & Capital \$5,327,805.75

RILEY PURGTORY BLUFF CREEK WATERSHED DISTRICT
OLD NATIONAL BANK VISA ACTIVITY
April 30, 2020

DATE	PURCHASED FROM	AMOUNT	DESCRIPTION	ACCOUNT #	RECEIPT
04/13/20	General Delivery Service	271.58	Mail Service	10-00-4280	Y
04/21/20	Verizon Wireless	412.60	Telecommunications	10-00-4240	Y
04/23/20	FastSigns	164.33	Office Supplies	10-00-4260	Y
04/27/20	Randy's Sanitation	98.11	Office Maintenance	10-00-4220	Y
04/30/20	Amazon	150.00	Safety Masks	10-00-4260	Y
05/02/20	Amazon	44.92	Office Supplies	10-00-4260	Y
05/05/20	Imprint.com	406.25	Office Supplies	10-00-4201	Y
05/05/20	Amazon	48.34	Office Maintenance	10-00-4260	Y
05/10/20	Microsoft	134.41	Technology	10-00-4203	Y
05/11/20	SQ Fee Security, LLC	642.75	Office Maintenance	10-00-4215	Y
05/12/20	Amazon	32.32	Office Supplies	10-00-4260	Y
05/15/20	Zoom.US	354.68	Meeting Platform-Technology	10-00-4203	Y
05/18/20	Amazon	60.63	Office Supplies	10-00-4200	Y
05/18/20	General Delivery Service	85.62	Mail Services	10-00-4280	Y
		\$2,906.54	General Administration Total		
04/16/20	Two Men And A Truck	340.00	Gravel Bed Nursery	20-08-4260	Y
04/16/20	Facebook	2.16	Education & Outreach	20-08-4260	Y
04/16/20	Tractor Supply Co.	1,724.85	Gravel Bed Nursery	20-08-4260	Y
04/17/20	In Brooksaide Garden	432.50	Gravel Bed Nursery	20-08-4260	Y
04/21/20	PayPal	354.25	Data Collection Supplies	20-05-4260	Y
04/22/20	Two Men And A Truck	34.00	Gravel Bed Nursery	20-08-4260	Y
04/22/20	Amazon	43.05	Data Collection Supplies	20-05-4635	Y
04/23/20	USPS.Com Postal Store	255.80	Mailing Supplies	20-08-4260	Y
04/24/20	The Home Depot	187.36	Gravel Bed Nursery	20-08-4260	Y
04/24/20	ESRI	708.22	Technology Wetlands	20-13-4203	Y
04/26/20	Amazon	125.21	Data Collection Supplies	20-05-4635	Y
04/28/20	Graingers	7.83	Gravel Bed Nursery	20-08-4260	Y
04/29/20	Dick's Sporting Goods	45.99	Data Collection Supplies	20-05-4635	Y
04/29/20	The Home Depot	10.73	Gravel Bed Nursery	20-08-4260	Y
04/29/20	HomeDepot.com	77.96	Gravel Bed Nursery	20-08-4260	Y
04/30/20	Dick's Sporting Goods	72.00	Data Collection Supplies	20-05-4635	Y
05/01/20	Dick's Sporting Goods	24.00	Data Collection Supplies	20-05-4635	Y
05/04/20	Holiday Stations	32.94	Fuel for Vehicle	20-05-4322	Y
05/05/20	Speedway	19.75	Fuel for Vehicle	20-05-4322	Y
05/05/20	BestBuy.com	108.01	Education & Outreach	20-08-4635	Y
05/06/20	BestBuy.com	43.16	Education & Outreach	20-08-4635	Y
05/12/20	USPS.Com Postal Store	106.80	Mailing Supplies	20-08-4260	Y
05/13/20	BestBuy.com	356.47	Education & Outreach	20-08-4635	Y
05/14/20	Hach Company	540.55	Data Collection Supplies	20-05-4635	Y
05/15/20	Hach Company	532.90	Data Collection Supplies	20-05-4635	Y
05/18/20	Amazon	28.66	Data Collection Supplies	20-05-4636	Y
05/16/20	Facebook	9.94	Education & Outreach	20-08-4260	Y
05/18/20	Chanhassen Goodyear	38.95	Vehicle Maintenance	20-05-4322	Y
05/18/20	The Home Depot	(170.63)	Adopt-A-Dock	20-08-4635	Y
05/18/20	The Home Depot	170.63	Adopt-A-Dock	20-08-4635	Y
05/18/20	The Home Depot	39.38	Adopt-A-Dock	20-08-4635	Y
		\$6,303.42	District-Wide Total		
		\$9,209.96	GRAND TOTAL		



18681 Lake Drive East
Chanhassen, MN 55317
952-607-6512
www.rpbcwd.org

Riley Purgatory Bluff Creek Watershed District Permit Application Review

Permit No: 2019-011

Considered at Board of Managers Meeting: June 3, 2020

Project Procedural History: Permit application conditionally approved at March 28, 2019 meeting; request for approval of permit modification submitted May 22, 2020.

Modification Request Received complete: May 22, 2020

Applicant: Bre Retail Residual Owner 6

Consultant: Brian Mundstock, Sunde Engineering

Project: Westwind Plaza: Chase Bank – demolition of a portion of the existing parking lot and construction of a new bank building. Underground infiltration systems was intended to provide stormwater runoff volume, rate, and water quality control. During construction, infiltration tests revealed that infiltration is no longer feasible. A revised design and stormwater management report were received on May 22, 2020.

Location: 4795 County Rd 101, Minnetonka, MN

Reviewer: Heather Hlavaty, E.I.T. and Scott Sobiech, P.E., Barr Engineering

Proposed Board Action

Manager _____ moved and Manager _____ seconded adoption of the following resolutions based on the permit report that follows and the presentation of the matter at the June 3, 2020 meeting of the managers:

Resolved that the modification to the application for Permit 2019-011 is approved, subject to the conditions and stipulations set forth in the Recommendations section of the attached report;

Resolved that on determination by the RPBCWD administrator that the conditions of approval have been affirmatively resolved, the RPBCWD president or administrator is authorized and directed to sign and deliver Permit 2019-011 to the applicant on behalf of RPBCWD.

Upon vote, the resolutions were adopted, _____ [VOTE TALLY].

Applicable Rule Conformance Summary

Rule	Issue	Conforms to RBPCWD Rules?	Comments	
C	Erosion Control Plan	Yes.		
J	Stormwater Management	Rate	Yes.	
		Volume	Yes	
		Water Quality	Yes.	
		Low Floor Elev.	Yes.	
		Maintenance	See comment.	See condition 2.
		Chloride Management	See comment.	See stipulation 1.
		Wetland Protection	See comment.	See stipulation 4.
L	Permit Fee	Yes.	\$1,500 received March 14, 2019 Additional review fees associated with modification request and replenish a \$3,000 fee deposit	
M	Financial Assurance	See comment.	The financial assurance is calculated at \$171,400	

Background

The applicant is demolishing a portion of an existing parking lot and constructing a new bank building within the shopping plaza at the intersection of Highway 101 and Highway 7 in Minnetonka, MN. The application was conditionally approved by the Board at the March 2019 meeting. The applicant fulfilled the conditions of approval, the permit was released, and land-disturbing activities commenced. However, during construction, infiltration testing revealed infiltration rates of 0.02 to 0.05 in/hr for the east infiltration system. Due to elevated groundwater, an infiltration test at the west infiltration system was unable to be performed. The soil beneath the proposed infiltration systems differed from the boring logs submitted with the initial application. Layers of peat, heavy organics, construction debris, and thick clay were encountered. Given these soil and groundwater conditions, the site is now “restricted” for purposes of RPBCWD Rule J. The 2019 conditionally approved project originally included two subsurface infiltration systems; however, because infiltration is no longer reasonably feasible, the infiltration systems will be converted into two underground wet detention systems with pre-treatment sumps. The two subsurface wet detention systems are located on the east and west edges of the disturbed area beneath the parking lot. The overflow from the systems will discharge into the existing stormsewer to the north of the site. The combination of these best management practices provides stormwater

quantity and quality control. **This report and proposed terms and conditions of approval of the modification request, as provided below and as may be modified by the managers, will supplant the prior approval in their entirety.**

There is an onsite wetland and Purgatory Creek located to the north and adjacent to the site. Because the creek and wetland are not downgradient from the proposed land disturbing activities, wetland buffer requirements do not apply to the proposed project.

The project site information is summarized below:

Project Site Information	Conditionally Approved	Modification Request
Total Site Area (ac)	10.2	10.2
Existing Site Impervious (ac)	7.6	7.6
Disturbed Site Impervious Area (ac)	0.85 (11.2%)	0.85 (11.2%)
Change in Site Impervious Area (ac)	-0.13 (1.7% decrease)	-0.13 (1.7% decrease)
Total Disturbed Area (ac)	0.87	0.87

Key Exhibit Dates:

1. Request for permit modification received May 22, 2020
2. Electronic P8 and HydroCAD models received on May 26, 2020 (received as part of May 26, 2020 revised submittal)
3. Civil Construction Plan Sheets (8 sheets) updated May 21, 2020 (received as part of May 26, 2020 revised submittal)
4. Landscaping Plan Sheets (2 sheets) dated April 12, 2019 (received as part of May 26, 2020 revised submittal)
5. Copy of the recorded Maintenance Agreement dated October 3, 2019 (received as part of May 26, 2020 revised submittal)
6. Memo to the RPBCWD describing changes to stormwater management plan dated May 22, 2020 (received as part of May 26, 2020 revised submittal)
7. Stormwater Management Narrative dated May 22, 2020 (received as part of May 26, 2020 revised submittal)

Rule C: Erosion and Sediment Control

Because the project will involve 0.87 acres of land-disturbing activity, the project must conform to the requirements in the RPBCWD Erosion and Sediment Control rule (Rule C, Subsection 2.1). The erosion control plan prepared by Sunde Engineering, LLC. includes installation of silt fence, inlet silt sacs to

protect storm sewer catch basins, biologs, a rock construction entrance, decompaction of areas compacted during construction, and retention of native topsoil onsite. The project conforms to RPBCWD Rule C criteria.

Rule J: Stormwater Management

Because the project will disturb 0.87 acres of land-surface area, the project must meet the criteria of RPBCWD’s Stormwater Management rule (Rule J, Subsection 2.1). The criteria listed in Subsection 3.1 will apply to only to the disturbed area because the project will disturb only 11.2% of the site impervious which is less than 50% of the existing impervious surface on the parcel and the overall impervious area on the site is decreased by the project (Rule J, Subsection 2.3).

The developer is proposing construction of two subsurface wet detention systems to provide the rate control and water quality management on the site. The applicant is provided several trees to provide abstraction to the maximum extent practicable. Sump manholes with weirs will serve as pretreatment for runoff into the detention systems.

Rate Control

In order to meet the rate control criteria listed in Subsection 3.1.a, the 2-, 10-, and 100-year post development peak runoff rates must be equal to or less than the existing discharge rates at all locations where stormwater leaves the site. The applicant used a HydroCAD hydrologic model to simulate runoff rates for pre- and post-development conditions for the 2-, 10-, and 100-year frequency storm events using a nested rainfall distribution, and a 100-year frequency, 10-day snowmelt event. The existing and proposed 2-, 10-, and 100-year frequency discharges from the disturbed site area are summarized in the table below. The proposed project is in conformance with RPBCWD Rule J, Subsection 3.1.a.

2-Year Discharge (cfs)		10-Year Discharge (cfs)		100-Year Discharge (cfs)		10-Day Snowmelt (cfs)	
Ex	Prop	Ex	Prop	Ex	Prop	Ex	Prop
3.3	2.3	5.1	4.7	8.5	8.3	0.16	0.16

Volume Abstraction

Subsection 3.1.b and 2.3 of Rule J requires the abstraction onsite of 1.1 inches of runoff from all disturbed and additional impervious surface of the parcel. An abstraction volume of 2,874 cubic feet is required from the 0.72 acres (31,349 square feet) of disturbed impervious area on the site for volume retention.

Soil borings performed by Braun Intertec on February 23, 2013 show that soils in the project area are primarily silty sand. However, soil conditions observed during construction reveal clayey, low-infiltrating soils. Infiltration testing results indicate a maximum infiltration rate of 0.05 in/hr beneath the east subsurface system. An infiltration test was unable to be performed on the west subsurface system due

to a perched groundwater table. The soil underneath the proposed systems differed from the boring logs and layers of peat, heavy organics, construction debris, and clay layers were encountered. Infiltration was considered at other locations throughout the site but no suitable soil layers were discovered. In addition, the existing groundwater table below the west subsurface system is within three feet of the bottom of the system, thus subsection 3.1.b.2.a prohibits infiltration. Because the engineer concurred that the infiltration testing information support that the abstraction standard in subsection 3.1 of Rule J cannot practicably be met, the site is considered a restricted site and stormwater runoff volume is required to be managed in accordance with subsection 3.3 of Rule J.

For restricted sites, subsection 3.3 of Rule J requires rate control in accordance with subsection 3.1.a and that abstraction and water-quality protection be provided in accordance with the following sequence: (a) Abstraction of at least 0.55 inches of runoff from site impervious surface determined in accordance with paragraphs 2.3, 3.1 or 3.2, as applicable, and treatment of all runoff to the standard in paragraph 3.1c; or (b) Abstraction of runoff onsite to the maximum extent practicable and treatment of all runoff to the standard in paragraph 3.1c; or (c) Off-site abstraction and treatment in the watershed to the standards in paragraph 3.1b and 3.1c. Given the low infiltration capacity of the soils and high groundwater conditions, the engineer finds that the 0.55-inch abstraction standard in subsection (a) cannot be achieved. The applicant has therefore maximized stormwater abstraction in accordance Subsection 3.3b of Rule J by providing trees to extend over a portion of the impervious surface. The designed abstraction performance for the project site is summarized in the table below.

	Abstraction Depth (inches)	Abstraction Volume (cubic feet)
Requirement	1.1	2,874
Provided	0.015	39

¹ Abstraction volume from trees calculated using the Center for Watershed Protection’s published Document for *Stormwater Performance-Based Credit. Crediting Framework Product #7 for the project Making Urban Trees Count: A Project to Demonstrate the Role of Urban Trees in Achieving Regulatory Compliance for Clean Water*

Water Quality Management

Subsection 3.1.c of Rule J requires the Applicant provide for at least 60 percent annual removal efficiency for total phosphorus (TP), and at least 90 percent annual removal efficiency for total suspended solids (TSS) from site runoff, and no net increase in TSS or TP loading leaving the site from existing conditions. The Applicant is proposing two subsurface wet detention systems to achieve the required TP and TSS removals and submitted a P8 model to estimate the TP and TSS removals. The results of this modeling are summarized in tables below showing the annual TSS and TP removal requirements are achieved and that there is no net increase in TSS and TP leaving the site. The engineer concurs with the modeling, and finds that the proposed project is in conformance with Rule J, Subsection 3.1.c.

Annual TSS and TP removal summary:

Pollutant of Interest	Regulated Site Loading (lbs/yr)	Required Load Removal (lbs/yr)	Provided Load Reduction (lbs/yr)
Total Suspended Solids (TSS)	131.1	118.0 (90%)	121.9 (92%)
Total Phosphorus (TP)	0.4	0.2 (60%)	0.2 (62%)

Summary of net change in TSS and TP leaving the site

Pollutant of Interest	Existing Site Loading (lbs/yr)	Proposed Site Load after Treatment (lbs/yr)	Change (lbs/yr)
Total Suspended Solids (TSS)	566.6	9.1	-557.5
Total Phosphorus (TP)	1.9	0.2	-1.7

Low floor Elevation

No structure may be constructed or reconstructed such that its lowest floor elevation is less than 2 feet above the 100-year event flood elevation or less than 1 foot above the emergency overflow according to Rule J, Subsection 3.6. The proposed low flow of the structure is 4.05 feet above the 100-year flood elevation of Purgatory Creek adjacent to the site is 886.45 feet. The low floor elevation of the building and the adjacent stormwater management feature is summarized below and shows proposed project is in conformance with Rule J, subsection 3.6.

Location Riparian to Stormwater Facility	Low Floor Elevation of Building (feet)	100-year Event Flood Elevation of Adjacent Stormwater Facility (feet)	Freeboard to 100-year Event (feet)
Chase Bank Building	890.5	887.9	2.6

Maintenance

Subsection 3.7 of Rule J requires the submission of a maintenance plan. All stormwater management structures and facilities must be designed for maintenance access and properly maintained in perpetuity to assure that they continue to function as designed. A maintenance declaration was recorded based on the prior stormwater management system. Because the proposed wet detention stormwater management system is different than the system in the prior recorded declaration and trees are proposed for abstraction, the permit applicant must amend or vacate and supersede the recorded maintenance and inspection declaration to provide maintenance consistent with the revised stormwater-management system, including the trees. A draft of the modification of the declaration must be provided for District review and approval prior to recording.

Wetland Protection

Because runoff from the regulated area is routed to the wetland via pipe, the proposed activities must conform to RPBCWD wetland protection criteria (Rule J, subsection 3.10). Because the applicant has demonstrated, and the engineer concurs, that the proposed flow rate and volumes flowing towards the

wetland is less than the existing flows, the project meets the Bounce and Inundation criterion and is in conformance with Rule J, subsection 3.10a.

Rule J, Subsection 3.10b requires that any discharge to a low or medium value wetland be treated to the water quality treatment criteria in Rule J, subsection 3.1c. Discharge to high or exceptional value wetlands must undergo treatment to a TP reduction of at least 75% and TSS reduction of at least 90%. The computations demonstrate the two proposed wet detention systems provide 92% TSS and 62% TP removal, thus achieving the criteria for low and medium value wetland. Because a MNRAM was not completed for the project, the wetland classification is undefined and additional information if needed to determine compliance with the wetland protection criteria. If the wetland is classified as medium or low value, the proposed system complies with water quality criteria 3.1cii, and the proposed project is in conformance with Rule J, Subsection 3.10b. The applicant must provide a MNRAM for the downstream wetland in order to verify the classification of the wetland and verify the wetland protection criteria are achieved. If the wetland is determined to be high or exceptional value, the applicant will need to modify the stormwater facility design to achieve the required water quality treatment. This would need to be submitted to the district for review and approval in the form of a permit modification.

Chloride Management

Subsection 3.8 of Rule J requires the submission of chloride management plan that designates the individual authorized to implement the chloride management plan and the MPCA-certified salt applicator engaged in implementing the plan. To close out the permit and release the \$5,000 in financial assurance held for the purpose, Permit applicant must provide a chloride management plan that designates the individual authorized to implement the chloride management plan and the MPCA-certified salt applicator engaged in implementing the plan at the site.

Rule L: Permit Fee:

A \$1,500 permit application fee was submitted with the original permit application on March 14, 2019. The RPBCWD permit fee schedule adopted in February 2020 requires permit applicants to submit a permit-fee deposit of \$3,000 to be held in escrow and applied to reimburse RPBCWD for the permit-application processing fee and permit review and inspection-related costs. When the permit application is approved, the deposit must be replenished to the applicable deposit amount by the applicant before the permit will be issued to cover actual costs incurred to monitor compliance with permit conditions and the RPBCWD Rules. The \$3000 permit fee deposit has not been submitted. In accordance with the adopted RPBCWD permit-fee schedule the applicant must provide an additional fee sufficient to establish a balance of \$3,000 before the permit can be issued.

Rule M: Financial Assurance:

Rules C: Silt fence and bio-logs: 897 L.F. x \$2.50/L.F. =\$2,245
Inlet protection: 5 x \$100 =.....\$500
Rock Entrance: 1.0 x \$900 =.....\$900

Restoration: 0.87 acres x \$2,500/acre =	\$2,175
Rules J: Subsurface detention systems: \$120,000 x 125% of engineer's opinion of cost=	\$150,000
Contingency (10%)	<u>\$15,580</u>
Total Financial Assurance.....	\$171,400

Applicable General Requirements:

1. The RPBCWD Administrator and Engineer shall be notified at least three days prior to commencement of work.
2. Construction shall be consistent with the plans and specifications approved by the District as a part of the permitting process. The date of the approved plans and specifications is listed on the permit.
3. Construction must be consistent with the plans, specifications, and models that were submitted by the applicant that were the basis of permit approval. The date(s) of the approved plans, specifications, and modeling are listed on the permit. The grant of the permit does not in any way relieve the permittee, its engineer, or other professional consultants of responsibility for the permitted work.
4. The grant of the permit does not relieve the permittee of any responsibility to obtain approval of any other regulatory body with authority.
5. The issuance of this permit does not convey any rights to either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.
6. In all cases where the doing by the permittee of anything authorized by this permit involves the taking, using or damaging of any property, rights or interests of any other person or persons, or of any publicly owned lands or improvements or interests, the permittee, before proceeding therewith, must acquire all necessary property rights and interest.
7. RPBCWD's determination to issue this permit was made in reliance on the information provided by the applicant. Any change in the work substantively affecting the nature and extent of applicability of RPBCWD regulatory requirements or substantive changes in the methods or means of compliance with RPBCWD regulatory requirements must be the subject of an application for a permit modification to the RPBCWD.
8. If the conditions herein are met and the permit is issued by RPBCWD, the applicant, by accepting the permit, grants access to the site of the work at all reasonable times during and after construction to authorized representatives of the RPBCWD for inspection of the work.

Findings

1. The proposed project includes the information necessary, plan sheets and erosion control plan for review.

2. The proposed project conform to Rules C and will conform to Rule J if the stipulations listed below are met.

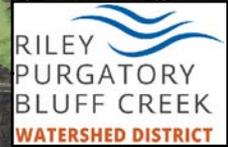
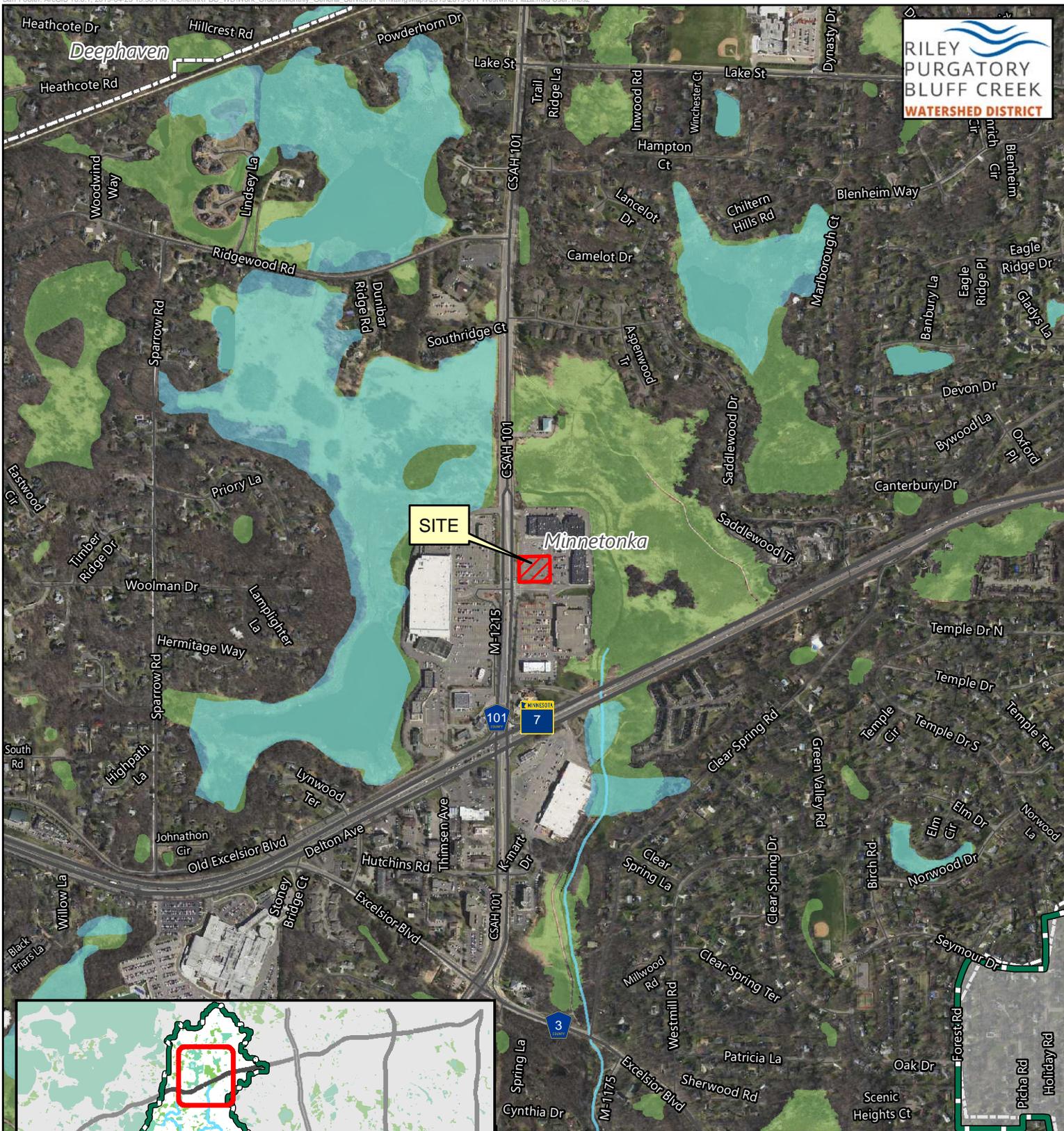
Recommendation:

Approval of the permit issuance contingent upon:

1. Continued compliance with General Requirements.
2. Submission of a draft amendment to the existing stormwater-management declaration or vacating and superseding declaration to provide maintenance consistent with the revised stormwater-management system and trees. A draft of the modification of the declaration must be provided for District review and approval prior to recording.
3. The applicant must provide an additional fee deposit sufficient to establish a balance of \$3,000 before the permit can be issued. Replenishment of the permit fee deposit to \$3,000 to cover actual costs incurred to review this permit modification request and monitor compliance with permit conditions and the RPBCWD Rules.
4. Financial Assurance in the total amount of \$171,400. Because and financial assurance of \$88,895 has already been provided and additional assurance amount of \$82,504 is required.

By accepting the permit, when issued, the applicant agrees to the following stipulations:

1. Per Rule J Subsection 5.6, upon completion of the site work, the permittee must submit as-built drawings demonstrating that at the time of final stabilization, the pretreatment manholes and subsurface stormwater facility conform to design specifications and function as intended and approved by the District. As-built/record drawings must be signed by a professional engineer licensed in Minnesota and include, but not limited to:
 - a) the surveyed bottom elevations, water levels, and general topography of all facilities;
 - b) the size, type, and surveyed invert elevations of all stormwater facility inlets and outlets;
 - c) the surveyed elevations of all emergency overflows including stormwater facility, street, and other;
 - d) other important features to show that the project was constructed as approved by the Managers and protects the public health, welfare, and safety.
2. . The applicant must provide a MNRAM for the wetland to the north to verify that it is a medium value or lower wetland. If the wetland is determined to be high or exceptional value, the applicant will need to modify the stormwater facility design to achieve the required water quality treatment. This would need to be submitted to the district for review and approval in the form of a permit modification.



Permit Location Map



Feet



WESTWIND PLAZA

Permit 2019-011

Riley Purgatory Bluff Creek
Watershed District

THE CONTRACTOR MUST OBTAIN A ROW/UTILITY PERMIT FROM HENNEPIN COUNTY PRIOR TO ANY WORK WITHIN THE COUNTY ROAD 101 RIGHT-OF-WAY. CONTACT PERMITS SUPERVISOR MICHAEL OLMSTEAD AT (612) 596-0336 OR MICHAEL.OLMSTEAD@HENNEPIN.US

1. COMPACTION LOG REPORTS AND CERTIFICATION BY A QUALIFIED GEOTECHNICAL ENGINEERING FIRM, ALL MUNICIPAL APPROVALS AND SIGN OFFS FOR WORK COMPLETED BY LANDLORD.
2. ELEVATIONS OF ALL TAPS AND INVERTS FOR BURIED UTILITIES WILL BE PROVIDED IN A CERTIFIED "AS-BUILT" OR SIMILAR DOCUMENT DELIVERED BY LANDLORD TO TENANT.
3. LANDLORD TO INSTALL SILT FENCE, BIO-ROLL, INLET PROTECTION, AND TEMPORARY ROCK CONSTRUCTION ENTRANCE, AND MAINTAIN THEM THROUGH DURATION OF LANDLORD WORK. CHASE SHALL TAKE OVER MAINTENANCE OF SILT FENCE, BIO-ROLL, INLET PROTECTION, AND TEMPORARY ROCK CONSTRUCTION ENTRANCE AFTER THE LANDLORD COMPLETES THEIR WORK. CHASE SHALL REMOVE ALL TEMPORARY EROSION CONTROL MEASURES UPON PROJECT COMPLETION.

INSTALL CURB CUT TO ACCOMMODATE PROPOSED SIDEWALK CONNECTION

REPLACE PORTION OF EXISTING CONCRETE SIDEWALK

REPLACE PORTION OF EXISTING BITUMINOUS PATHWAY

REPLACE PORTION OF EXISTING CONCRETE SIDEWALK

SOD DISTURBED AREAS

B612 CONCRETE CURB AND GUTTER

REMOVE THE EXISTING STRIPING IN ORDER TO CREATE THE NEW DRIVE AISLE

B612 CONCRETE CURB AND GUTTER

SEE CHASE CIVIL PLANS FOR WORK WITHIN THIS AREA

CHASE BUILDING OUTLINE

WOOD MULCH ON ISLAND, MATCH EXISTING CONDITIONS

FACE OF CURB

NEW BITUMINOUS PAVEMENT

LIMITS OF CONSTRUCTION

SITE NOTES:

1. Existing boundary, location, topographic, and utility information shown on this plan is from a field survey by Sunde Land Surveying, LLC, dated 02/25/2016. The Engineer is not responsible for inaccuracies related to the survey information.
2. All materials required for this work shall be new material conforming to the requirements for class, kind, grade, size, quality, and other details specified herein or as shown on the Plans. Do not use recycled or salvaged aggregate, asphaltic pavement, crushed concrete, or scrap shingles. Unless otherwise indicated, the Contractor shall furnish all required materials.
3. All dimensions are to face of curb (where applicable), edge of pavement, or exterior face of building, unless otherwise indicated.
4. All curb radii shall be three (3) feet minimum unless otherwise noted.
5. Install and make operational all irrigation before commencing with landscaping.
6. Do not block access to building, fire hydrants, or other fire appliances with construction materials.
7. All new curb and gutter shall be type B612 installed in accordance with MNDOT Standard Spec. 2531 and MNDOT Standard Plate 7100L. Match gutter slopes to pavement cross-slopes. Retire the pavement grades and construct the curb and gutter in order to "top out" where water drains away from the curb. Construct all other areas as "top in." Coordinate with the grading contractor.
8. Portland cement concrete for curb and gutter, sidewalk, and concrete pavement shall be 4000 psi minimum 28 days compressive strength with 5 to 7 percent air entraining. Concrete aggregates shall be free of organic impurities, chert, shales, or other deleterious substances. Use a water/cement ratio of 0.45 or less for concrete exposed to deicers.
9. Construct all concrete sidewalks in accordance with MNDOT Specification 2521. All concrete sidewalks shall be as indicated on the plans, but not less than 4" thick with 6 inch x 6 inch - #10/#10 wire size woven wire mesh reinforcing.
10. Form coating material in order to prevent bonding between a form, dowel, or other object and concrete shall meet the requirements of MNDOT Specification 3902.
11. Preformed expansion joints using 0.5" thickness shall be placed at each end of curb radius, at intersections, and approximately every 200 feet.
12. Contraction joints shall be spaced at 10 foot intervals in the curb and gutter.
13. For exterior concrete slabs, unless otherwise indicated, provide expansion joints at 30 foot intervals and at locations where the concrete surrounds or adjoins any existing fixed object such as walls, walls, posts, curbing, steps, driveways, building foundations and other rigid structures. Divide exterior slabs into square panels of uniform size generally containing not more than 36 square feet of area.
14. Seal all joints, including expansion joints, with joint sealant.
15. Construct 3" taper at the free end of all concrete curb and gutter sections.
16. 2% maximum slope in all directions in handicapped accessible parking areas. 2% maximum cross slope and 5% maximum longitudinal slope on all sidewalks.

ZONING INFORMATION

SITE DATA:

LEGAL DESCRIPTION: Lot 1, Block 2, WILLOW WOOD, including adjacent Merchant Ave vacated also South 395 feet of the West 447 feet of the South half of the Northwest Quarter of the Northwest Quarter of Section 29, Township 117, Range 22, except road.

ZONING: B-2 (LIMITED BUSINESS DISTRICT)
DISTURBED AREA: 42,055 SQ. FT. (0.97 ACRES)
PROPERTY PERVIOUS ADDED: 5,496 SQ. FT.

BUILDING DATA:

BUILDING FOOT PRINT: 3,558± SQ. FT.

PARKING DATA:

TYPICAL PARKING WIDTH: 9.0'
TYPICAL PARKING LENGTH: 18.0'
MINIMUM ISLE WIDTH: 24.0'

EXISTING PARKING:

STANDARD STALLS: 400
HANDICAPPED STALLS: 11 (9 REQUIRED)
TOTAL STALLS: 411

PROPOSED PARKING:

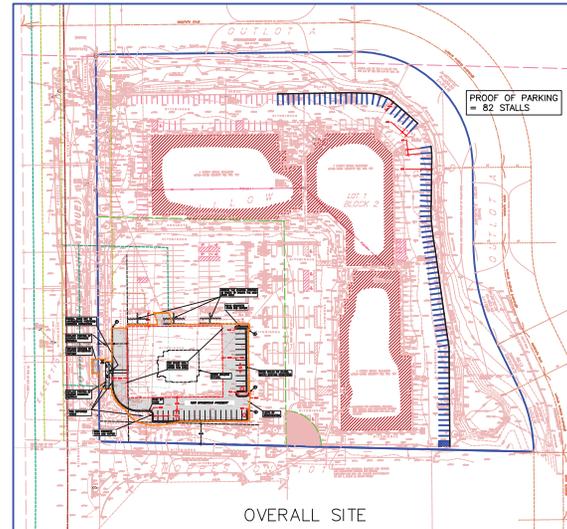
HANDICAPPED STALLS: 13 (9 REQUIRED)
PROOF OF PARKING STALLS: 83
TOTAL STALLS: 419

GOPHER STATE ONE CALL
WWW.GOPHERSTATEONECALL.ORG
(800) 252-1166 TOLL FREE
(651) 454-0002 LOCAL

The subsurface utility information shown on this plan is utility Quality Level D. This quality level was determined according to the guidelines of OANCE 38-02, entitled "Standard Guidelines for the Collection and Depiction of Existing Subsurface Utility Data."

KEYNOTES
KEYNOTES ARE DENOTED BY: ○

① - MATCH EXISTING CURB



OVERALL SITE



CIVIL AND ENVIRONMENTAL ENGINEERING SERVICES
10855 NEBBETT AVENUE SOUTH
BLOOMINGTON, MINNESOTA 55437
(952) 881-2344 TELEPHONE
(952) 881-1913 FAX
www.sundeeng.com

**CHASE BANK
WESTWIND PLAZA
4795 COUNTY RD 101**

MINNETONKA, MN 55345

DATE	REVISION
03-12-2019	Waterhead District Submittal
03-27-2019	Revisions per Waterhead District comment
05-07-2019	Cost, Bidmark, Limit of Construction
07-15-2019	FOR PERMIT
07-16-2019	WORK BY OWNER
08-28-2019	CITY COMMENTS
05-21-2020	NEW WET DETENTION SYSTEM

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

Brian Mundstock
Brian Mundstock
DATE: 05-21-2020 REV. NO.: 23468

INFORMATION:

PROJECT NO.:	16-504
DRAWN BY:	KSD
CHECKED BY:	BHM
APPROVED BY:	BHM
SCALE:	graphic
DATE:	02-28-2019

DESCRIPTION:

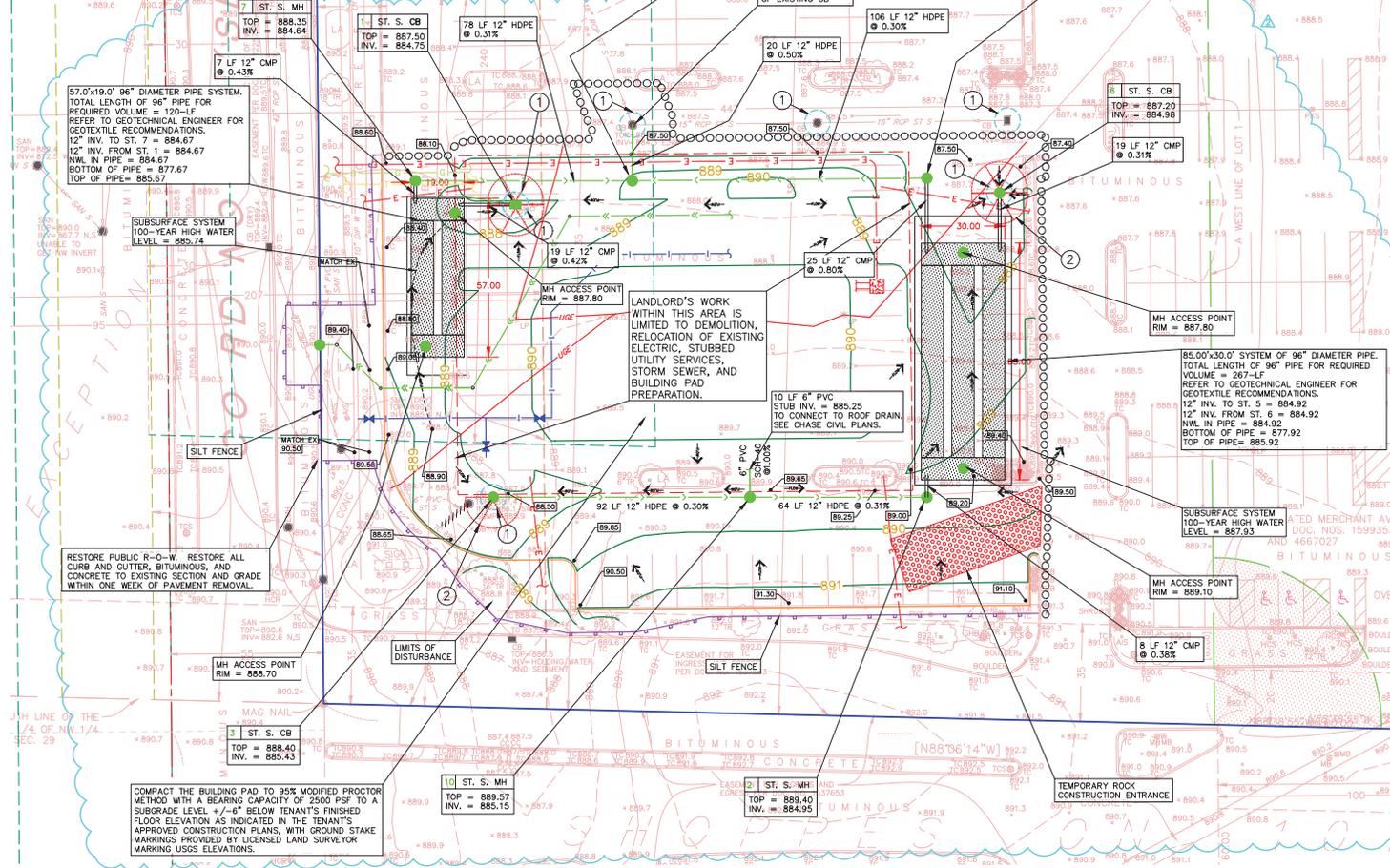
SITE PLAN

SHEET NO.:

C1

THE CONTRACTOR MUST OBTAIN A ROW/UTILITY PERMIT FROM HENNEPIN COUNTY PRIOR TO ANY WORK WITHIN THE COUNTY ROAD 101 RIGHT-OF-WAY. CONTACT PERMITS SUPERVISOR MICHAEL OLMSTEAD AT (612) 596-0336 OR MICHAEL.OLMSTEAD@HENNEPIN.US

1. COMPACTION LOG REPORTS AND CERTIFICATION BY A QUALIFIED GEOTECHNICAL ENGINEERING FIRM, ALL MUNICIPAL APPROVALS AND SIGN OFFS FOR WORK COMPLETED BY LANDLORD.
2. ELEVATIONS OF ALL TAPS AND INVERTS FOR BURIED UTILITIES WILL BE PROVIDED IN A CERTIFIED "AS-BUILT" OR SIMILAR DOCUMENT DELIVERED BY LANDLORD TO TENANT.
3. LANDLORD TO INSTALL SILT FENCE, BIO-ROLL, INLET PROTECTION, AND TEMPORARY ROCK CONSTRUCTION ENTRANCE, AND MAINTAIN THEM THROUGHOUT DURATION OF LANDLORD WORK. CHASE SHALL TAKE OVER MAINTENANCE OF SILT FENCE, BIO-ROLL, INLET PROTECTION, AND TEMPORARY ROCK CONSTRUCTION ENTRANCE AFTER THE LANDLORD COMPLETES THEIR WORK. CHASE SHALL REMOVE ALL TEMPORARY EROSION CONTROL MEASURES UPON PROJECT COMPLETION.



STORM DRAINAGE:

1. Unless otherwise indicated, use reinforced, precast, concrete maintenance holes and catchbasins conforming to ASTM C478. Furnish with water stop rubber gaskets and precast bases. Joints for all precast maintenance hole sections shall be confined, using "O" ring gaskets in accordance with ASTM C623. The inside barrel diameter shall not be less than 48 inches.
2. Install catchbasin castings with specified top elevation at the front rim.
3. All joints and connections in the storm sewer system shall be gasketed or watertight. Use flexible concrete construction in accordance with Minnesota Rules part 4714.0713.6. Where permitted by the authoritative authority, approved rubber gaskets and waterstop gaskets must be used in order to make watertight connections to manholes, catchbasins, and other structures. Use "Pre-Set" "Waterstop Grouting Rings" or approved cast. Cement mortar joints are permitted only for repairs or connections to existing lines having such joints.
4. The building sewer starts 2 feet outside of the building. See Uniform Plumbing Code (UPC) part 715.1. Material installed within 2 feet of the building must be of materials approved for use inside of or within the building.
5. The exterior storm water piping must comply with the following requirements: (A) Double sewer may not be used for drainage fittings in the horizontal position (see Minnesota Rules, Chapter 4714, Section 310.5), because proper pipe slope cannot be maintained on both of the lateral branches. (B) Changes in direction in drainage piping must be made by appropriate use of wyes and bends (see Minnesota Rules, Chapter 4714, Section 706.0). When connecting any vertical drop to a horizontal run, use a wye and a 1/8 bend (45 deg.) or a sanitary combo. A sanitary combo is a combination wye and a 1/8 bend combined in a single fitting. The reason is to form a long radius bend in order to insure that the wye is directed in the downstream direction as enters the horizontal run. Tees are not allowed where the direction of flow changes from either the horizontal or horizontal to horizontal.
6. PVC Pipe (Outside of the Building): Use soft-core, Schedule 40, ASTM D2665 polyvinyl chloride (PVC) (2709) or compacted polypropylene (PE) (ASTM F403) on all exterior. Install drainage with high permeability circular knit polypropylene filament filter sock per ASTM D2070-01. Model 3733 Type I (even seam non-woven) material shall not be used. Drainage pipe directly connected to the storm sewer is classified as storm sewer. Drainage pipe elevations to the catch basins must be above the storm sewer inlet elevations.
7. Testing: Test all portions of storm sewer that are within 10 feet of buildings, within 10 feet of buried water lines, within 50 feet of water wells, or that pass through soil or water identified as being contaminated in accordance with the Minnesota Rules part 4714.1109 and UPC part 1102.5. Test all flexible storm sewer lines for deflection after the sewer line has been installed and backfill has been in place for at least 30 days. No pipe shall exceed a deflection of .5%. If the test fails, make necessary repairs and retest.
8. Cleanouts: Install cleanouts on all storm sewer services in accordance with UPC part 715.2 and 1101.12. The distance between cleanouts in horizontal piping shall not exceed 100 feet for pipes 4-inch and over in size. Cleanouts shall be of the same nominal size as the pipes they serve. Include trap sleeves and concrete frame and pipe support. Install a meter box frame and solid lid (Nenech R-1914-A, or approved equal) over all cleanouts.
9. Drains: In accordance with Minnesota Rules part 4714.1102.5, use perforated polypropylene (PVC) (2709) or compacted polypropylene (PE) (ASTM F403) on all exterior. Install drainage with high permeability circular knit polypropylene filament filter sock per ASTM D2070-01. Model 3733 Type I (even seam non-woven) material shall not be used. Drainage pipe directly connected to the storm sewer is classified as storm sewer. Drainage pipe elevations to the catch basins must be above the storm sewer inlet elevations.
10. Use a Nenech R-1233 frame with Type "C" radial grate, or approved equal, on CB 3 and CB 6.
11. Use Nenech R-3067-06/DL casting with curb box, or approved equal, on CB 1. Casting shall include the "NO DUMPING. DRAINS TO RIVER" environmental notice.
12. Use Nenech Foundry Co. R-1470 EB casting with a bolted lid for the underground storage pipe system risers.
13. Use Nenech Foundry Co. R-1642 casting with self-venting, solid, type B lid, or approved equal, on all storm sewer maintenance holes. Covers shall bear the "Storm Sewer" label.
14. Install detectable underground marking tape directly above all pvc, polyethylene, and other nonconcrete underground utilities at a depth of 403 mm (16 inches) below finished grade, unless otherwise indicated. Bring the tape to the surface at various locations in order to provide location points for locating underground utilities. Install green Fibra-TriFlex Test Stations, or approved equal, with block caps at each surface location.
15. The minimum depth of cover for building and canopy roof drain leaders without insulation is 3 feet. Insulate roof drain leaders at locations where the depth of cover is less than 3 feet. Provide a minimum insulation thickness of 2 inches. The insulation must be at least 4 feet wide and centered on the pipe. Install the insulation boards 6 inches above the top of the pipe on mechanically compacted and tested pipe bedding material. Use high density, closed cell, rigid foam insulation equivalent to Dow Styrofoam H-40 plastic foam insulation.
16. Install all pipe with the ASTM identification numbers on the tap for inspection. Commerce pipe joining at the lowest point of the proposed sewer line. Lay the pipe with the bell end or receiving groove end of the pipe pointing up. Lay the pipe when connecting to existing pipe, uncover the existing pipe in order to allow any adjustments in the proposed line and grade before laying any pipe. Do not lay pipe in water or when the trench conditions are unsuitable for such work.
17. Provide a final storm water management report that will serve to verify that the intent of the approved storm water management design has been met. The report shall include the final design elevations, and photographic evidence of the as-built storm water management system. The report shall substantiate that all aspects of the original design have been adequately provided for by the construction of the project.

Sunde Engineering, PLLC
 CIVIL AND ENVIRONMENTAL ENGINEERING SERVICES
 10800 NE 38TH AVENUE SOUTH
 BLOOMINGTON, MINNESOTA 55437
 (952) 881-3344 TELEPHONE
 (952) 881-3915 FAX
 www.sundeeng.com

CHASE BANK WESTWIND PLAZA
 4795 COUNTY RD 101
 MINNETONKA, MN 55345

DATE	REVISION
03-12-2019	Waterford District Submittal
05-07-2019	Revisions per Waterford District comment
05-07-2019	Storm Water, Sewer, Curb, and Slope
07-15-2019	FOR PERMIT
07-19-2019	WORK BY OWNER
08-28-2019	CITY COMMENTS
09-09-2020	STW SEWER CALLOUT ADDED
05-21-2020	NEW WET DETENTION SYSTEM

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

Brian J. Husted

P.E. NAME: Brian J. Husted
 DATE: 05-21-2020 REG. NO.: 23468

INFORMATION:
 PROJECT NO.: 16-509
 DRAWN BY: KSD
 CHECKED BY: BHM
 APPROVED BY: BHM
 SCALE: 1" = 30'
 DATE: 02-28-2019
 DESCRIPTION:

GRADING, DRAINAGE, AND EROSION CONTROL PLAN

SHEET NO: **C2**

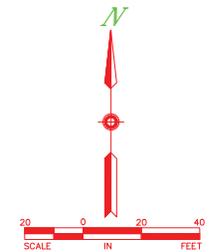
GOPHER STATE ONE CALL
 WWW.GOPHERSTATEONECALL.ORG
 (800) 252-1166 TOLL FREE
 (651) 454-0022 LOCAL

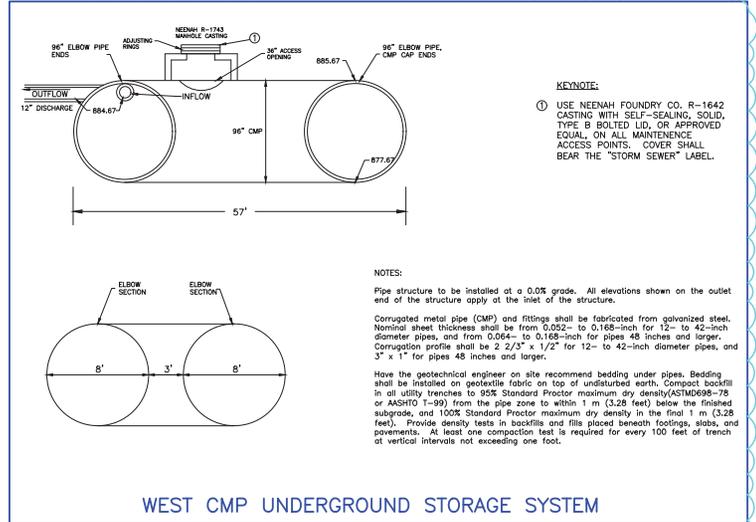
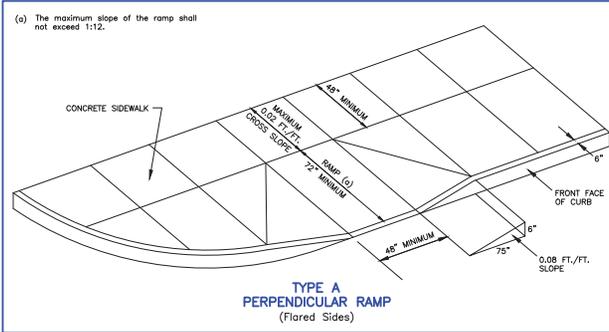
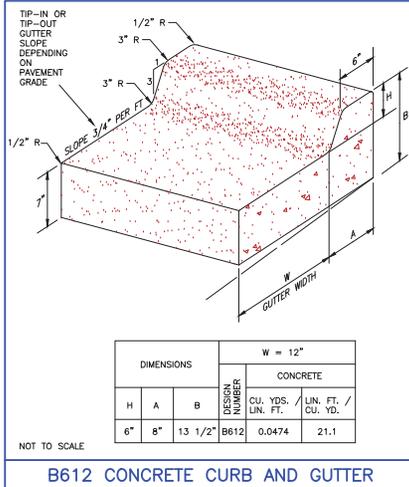
The subsurface utility information shown on this plan is utility quality level D. This quality level was determined according to the guidelines of OJACSE 38-02, entitled "Standard Guidelines for the Collection and Depiction of Existing Subsurface Utility Data."

- KEYNOTES**
 KEYNOTES ARE DENOTED BY:
1. INSTALL SILTSAC, OR APPROVED EQUAL, EROSION CONTROL SILT TRAP INSIDE CATCHBASIN. REMOVE SILT AND RE-USE SILTSAC AS REQUIRED.
 2. INSTALL FINGER DRAINS AT ALL CATCH BASINS. SEE FINGER DRAIN DETAIL ON SHEET C7.

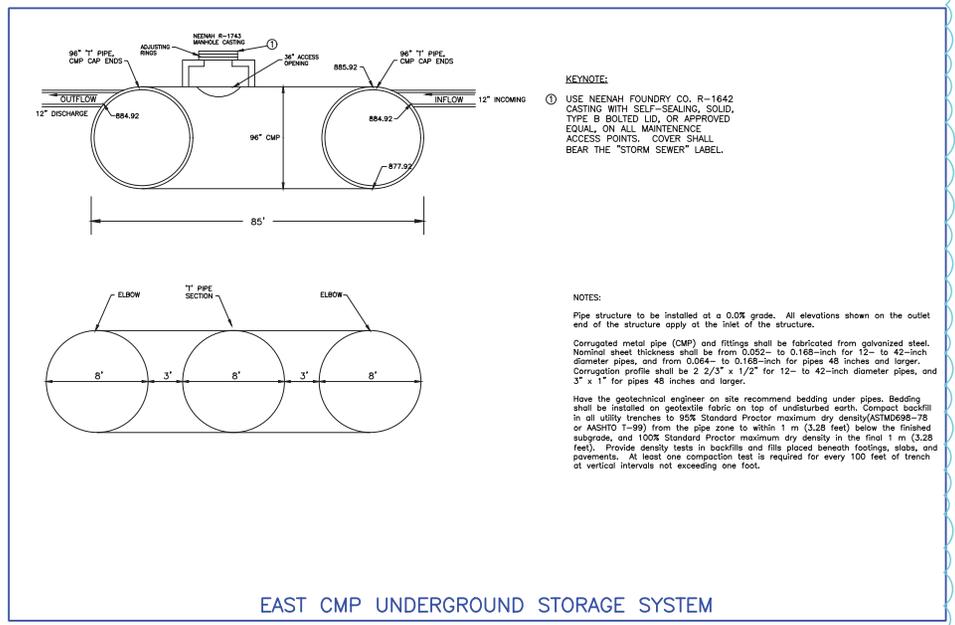
- BENCHMARKS (BM)**
 (NVD 29)
1. Top of tap nut of fire hydrant located near the NE corner of the most southerly building. Elevation = 892.76 feet
 2. Top of tap nut of fire hydrant located north of the loading dock of the NE building. Elevation = 890.25 feet
 3. Top of tap nut of fire hydrant located on an island in the center of the main parking lot. Elevation = 890.77 feet
 4. Top of tap nut of fire hydrant located near the NW corner of Cub Foods. [not shown on survey] Elevation = 892.83 feet

- APPROXIMATE CONSTRUCTION SCHEDULE**
- START CONSTRUCTION: MAY 2019
 UNDERGROUND UTILITIES: JUNE 2019
 STORMWATER MANAGEMENT: JULY 2019
 BUILDING CONSTRUCTION: AUGUST 2019 – APRIL 2020
 PAVING FIRST COURSE: OCTOBER 2019
 FINAL PAVING COURSE: APRIL 2020
 END CONSTRUCTION: MAY 2020





IN ORDER TO MEET THE CITY REQUIREMENT THAT THE UNDERGROUND SYSTEM WILL BE ABLE TO SUPPORT 83,000 POUNDS AND 10,800 PER SQUARE FOOT OUTRIGGER LOAD, THE UNDERGROUND FACILITY MUST BE INSPECTED BY A GEOTECHNICAL ENGINEER OR QUALIFIED GEOTECHNICAL TESTER DURING INSTALLATION TO VERIFY THAT THE REQUIREMENTS SHOWN ON THE LARGE VEHICLE ANALYSIS CALCULATION WORKSHEET FOUND ON SHEET C-9.



CHASE BANK WESTWIND PLAZA
4795 COUNTY RD 101
MINNETONKA, MN 55345

DATE	REVISION
03-12-2019	Watershed District Submittal
03-27-2019	Revisions per Watershed District comment
05-07-2019	Sheet, Water, Sidewalk, Curb, and Slope
07-15-2019	FOR PERMIT
07-19-2019	WORK BY OWNER
08-28-2019	CITY COMMENTS
05-21-2020	NEW WET DETENTION SYSTEM

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Brian J. Husted

P.E. NAME: *Brian J. Husted*
DATE: 05-21-2020 REG. NO.: 23468

INFORMATION:

PROJECT NO.: 16-509

DRAWN BY: KSD

CHECKED BY: BHM

APPROVED BY: BHM

SCALE: 1" = 30'

DATE: 02-28-2019

DESCRIPTION:

DETAILS

SHEET NO.:

C8

8 of 8



18681 Lake Drive East
Chanhassen, MN 55317
952-607-6512
www.rpbcwd.org

Riley Purgatory Bluff Creek Watershed District Permit Application Review

Permit No: 2018-016

Considered at Board of Managers Meeting: June 3, 2020

Project Procedural History: Permit application conditionally approved at September 5, 2018. A permit modification was approved on March 4, 2020. Conditions of approval remain unfulfilled. Permit timeline was extended administratively August 28, 2019 for one year to September 5, 2020.

Modification Request Received complete: February 4, 2020

Applicant: Level 7 Development LLC, Bahram Akradi
Consultant: Landform Professional Services, Steve Sabraski
Project: Avienda – This project proposes construction of Phase I of the development which will encompass mass grading, installation of public utilities, construction of public streets, trails, sidewalks, and stormwater management systems. The stormwater management system includes filtration basins, infiltration basins, vegetated swales, and detention ponds to provide runoff volume abstraction, water quality treatment, and rate control.

Location: SW corner of Powers and Lyman Boulevard Chanhassen, Minnesota

Reviewer: Scott Sobiech, PE, Barr Engineering

Potential Board Variance Action

Manager _____ moved and Manager _____ seconded adoption of the following resolutions based on the permit report that follows and the presentation of the matter at the June 3, 2020 meeting of the managers; as well as the factual findings in the permit report that follows:

Resolved that variances for Permit 2018-016 are approved, subject to the following conditions:

1. [CONDITION(S)]

Proposed Board Action

Manager _____ moved and Manager _____ seconded adoption of the following resolutions based on the permit report that follows and the presentation of the matter at the June 3, 2020 meeting of the managers. Resolved that the modification to the application for Permit 2018-016 is approved, subject to the conditions and stipulations set forth in the Recommendations section of the attached report;

Resolved that on determination by the RPBCWD administrator that the conditions of approval have been affirmatively resolved, the RPBCWD president or administrator is authorized and directed to sign and deliver Permit 2018-016 as modified to the applicant on behalf of RPBCWD.

Upon vote, the resolutions were adopted, _____ [VOTE TALLY].

Rule Conformance Summary

Rule	Issue	Conforms to RBPCWD Rules?	Comments	
B	Floodplain Management and Drainage Alterations	No	See Rule K variance discussion	
C	Erosion Control Plan	Yes		
D	Wetland and Creek Buffer	See Comment	See Rule Specific Permit Condition D1-D2.	
J	Stormwater Management	Rate	Yes	
		Volume	See Comment	See Rule Specific Permit Condition J1.
		Water Quality	Yes	
		Low Floor Elev.	Yes	
		Chloride Management	See Comment	See Stipulation 4
		Wetland Protection	Yes	
		Maintenance	See Comment	See Rule Specific Permit Condition J2.
K	Variances and Exceptions	See Comment	Variance from compensatory storage location requirements in subsection 3.2 of the Floodplain Management and Drainage Alteration Rule requested.	
L	Permit Fee	See Comment	\$4,500 was received on 3/22/18. Additional \$17,045.88 for excess cost recovery from prior reviews, review fees associated with modification request and replenish a \$3,000 fee deposit	
M	Financial Assurance	See Comment	The financial assurance has been calculated at \$1,356,314.	

Project Background

The site comprises approximately 116 acres of non-contiguous land located at the southwest and southeast corners of Lyman Boulevard (County Road 18) and Powers Boulevard (County Road 17) immediately north of U.S. Highway 212 in the City of Chanhassen, Minnesota. The majority of the site consists of farm fields with the southwest corner containing a wooded area. The fields, some of which

have been idle for a couple years, are mostly separated by tree lines. There are 10 wetlands on site and two off but adjacent to the site; all are protected by the Wetland Conservation Act. A watercourse connects two of the wetlands; it is not a Department of Natural Resources-regulated (Public Waters) watercourse. There are no public water wetlands on or adjacent to the site. Runoff from the northeast and eastern portion of the site drains east, eventually draining to Lake Susan, while the rest of the site drains west and south, ultimately reaching Bluff Creek.

The Board of Manager conditionally approved the applicant's variance requests and permit application at the September 5, 2018 meeting and a modification request at the March 4, 2020 meeting for the construction of Phase I of the Avienda development which entails mass grading roughly 96 acres of the site, installation of utilities, stormwater management systems, and construction of streets, trails and sidewalks within Bluff Creek Boulevard, Avienda Parkway, and Sunset Trail. (The utilities, streets and stormwater systems within the streets, as well as the trails and sidewalks ultimately will be dedicated to the city.) Much of the graded area will be converted to vegetated pervious area in anticipation of future site development. The stormwater management systems include filtration basins, infiltration basins, vegetated swales, and a detention ponds will provide runoff volume abstraction, water quality treatment, and rate control.

The conditions of September 2018 and March 2020 have not, to date, been completely fulfilled, and the applicant has not started land-disturbing activities. The changes relevant to RPBCWD permitting between the project proposed as part of the prior conditional approvals and the modification being requested include the removal of the east portion of Avienda Parkway, the rotation and reorganization of the commercial facilities in the center of the site, and the addition of office buildings in the southeast portion of the site. While the applicant is not now seeking RPBCWD approval of construction of buildings, the revisions to the site configuration necessitate a modification to the stormwater management design.

The applicant also provided big picture proof of concept information for the full build-out condition of the Avienda development to gauge whether the final project would be able to achieve compliance with the RPBCWD regulatory program. The full build-out of the site is anticipated to take several years and involves construction of public roads and utilities (now) and residential, commercial, hotel, and office components with associated private improvements (later). No work beyond Phase 1, as described above, will be authorized by this permit, if issued. As individual lots or future subdivided parcels within the Avienda site are developed, the property owner/developer must submit a separate application with necessary supporting materials showing compliance of the proposed work with applicable RPBCWD regulatory requirements in effect at the time of the application. Further, unless removed in a subsequent revision of the RPBCWD rules, the common scheme of development framework in subsection 2.5 of Rule J will apply to build-out of the properties. RPBCWD's approval, if granted, of this permit 2018-016 modification does not represent a determination of compliance of the ultimate build-out condition of the Avienda development with RPBCWD regulatory requirements. The data for the ultimate Avienda development in this report are provided for information only.

The project site information is summarized below:

	September 2018 Conditional Approval		May 2020 Modification Request	
	Phase 1	Ultimate Build-Out	Phase 1	Ultimate Build-Out
Total Site Area (acres)	119.11	119.11	119.11	119.11
Existing Site Impervious (acres)	0.52	0.52	0.52	0.52
Post Construction Site Impervious (acres)	8.25	66.23	7.38	63.75
New (Increase) in Site Impervious Area (acres)	7.73	65.71	6.86	63.23
Disturbed impervious surface (acres)	0.52	0.52	0.52	0.52
Exempt Impervious Trail and sidewalk (acres) ¹	2.28	2.28	1.54	1.54
Total Disturbed Area (acres)	96.63	96.63	96.99	96.99

¹Because the proposed trails and sidewalks do not exceed 10 feet in width and will be boarded downgradient by a pervious area at least half the trail width, the 1.54 acres of trail and sidewalk are exempt from the stormwater requirements (Rule J, Subsection 2.2d)

Key Exhibit Dates:

1. Project Plan Set (27 sheets) dated April 22, 2020 (revision dated May 27, 2020)
2. Double Ring Infiltrometer testing Results dated August 16, 2017 (Braun Intertec)
3. Existing, Phase 1, and Ultimate conditions HydroCAD Models received April 28, 2020 (revision received May 27, 2020)
4. P8 Models Received April 28, 2020 (revision received May 27, 2020)
5. Avienda MnRAM received April 25, 2018
6. Minnesota Wetland Conservation Act Notice of Decision dated December 22, 2017
7. Variance request received May 27, 2018
8. Engineer’s Opinion of Probable Cost received May 27, 2018

Rule Specific Permit Conditions

Rule B: Floodplain Management and Drainage Alterations

Because Phase 1 of the proposed development project involves the placement of a total of 5,284 cubic yards of fill below the 100-year flood elevation of wetland 1 (el. 907.61), wetland 2 (el. 909.9), and wetland 7 & 8 (el. 901.66), the project activities must conform to the RPBCWD’s Floodplain Management and Drainage Alterations rule (Rule B). In addition, there are two other wetlands (WL5 and WL9) that will be filled (and eliminated) and WL 6 will be partially disturbed. Because these three wetland are on slopes they do not exhibit natural banks required meet the watercourse definition or an

enclosed natural depression with definable banks required to be a waterbody and they do not provide flood storage, Rule B does not apply to WL5, WL6, and WL9.

Because the applicant is not proposing to construct any structures as part of Phase 1, no analysis under the freeboard requirement in Rule B, Subsection 3.1, is necessary. (As individual lots or future subdivided parcels within the Avienda site are developed, the developer must submit a separate application with necessary supporting materials for the proposed work to show compliance with the freeboard requirement, among others.)

Placement of fill below the 100-year flood elevation is prohibited unless fully compensatory flood storage is provided within the same floodplain and at or below the same elevation for fill in the floodplain of a water basin (Rule B, Subsection 3.2). The supporting materials demonstrate, and the RPBCWD Engineer concurs, that in Phase 1 an aggregate total of 5,284 cubic yards of fill will be placed and 5,885 cubic yards of compensatory storage will be created below the 100-year flood elevation of 909.9 (set relative to the existing level elevation of the highest water resource being filled), thus providing a net increase in the floodplain storage. Because the compensatory storage will not be provided at or below the same elevation for fill in the floodplain and within the floodplain of the same waterbody, the applicant as requested a variance from this requirement of Rule B, Subsection 3.2. See the Rule K discussion for additional information on the variance request.

Because filling of wetlands onsite to facilitate site development and providing alternative storages areas will alter the timing and duration of flows leaving the site, the applicant must demonstrate that the alterations will not have an adverse offsite impact and will not adversely affect flood risk, basin or channel stability, groundwater hydrology, stream baseflow, water quality, or aquatic or riparian habitat (Rule B subsection 3.3). The RPBCWD engineer concurs with the applicant's use of Board of Water and Soil Resources' Recommended Wetland Management Standards: Minnesota Routine Assessment Method for Evaluating Wetland Functions, Version 3.0 to demonstrate the change in hydrology will not adversely impact the onsite and adjacent downstream wetlands. These are the same criteria listed in Table J1 of the stormwater rule for wetland protection. The analysis presented under the Wetland Protection section of the Rule J analysis shows the project aligns with BWSR's recommended wetland management standard and RPBCWD wetland protection criteria, thus the applicant has demonstrated the project will not adversely impact the wetlands that will remain onsite and those immediately adjacent to the site.

The applicant also provided pre- and post-project water quality modeling to demonstrate no adverse impact to water quality. The modeling results show the total suspended solids and total phosphorus load leaving the site after the development will be less than the existing load leaving the site. In addition, for drainage to Lake Susan and Riley Creek, the total runoff volume for proposed storms with a return frequency of 2-years or shorter is less than the existing and the peak discharge rate is less than existing. For drainage to Bluff Creek, total runoff volumes for proposed storms with a return frequency of 10-years or shorter are less than the existing volumes and again the peak discharge rates are less than existing. This also supports the engineer's determination that the project will not adversely affect flood

risk, basin or channel stability, or stream baseflow, thus meeting the requirements of Rule B, subsection 3.3.

There is one natural watercourse conveying runoff between wetland 4 and a MnDOT wetland (M09) that is located to the southeast of the project site. Rule B, Subsection 3.4 does not allow placing, constructing or reconstructing structures or paved surfaces within 100 feet of the centerline of any watercourse. Phase 1 construction activities will not place any structures or paved surfaces within 100 feet of this watercourse, those complying with Rule B, subsection 3.4. A note on the stormwater pollution prevention plan sheet requires the construction to be conducted to minimize the potential transfer of aquatic invasive species conforming to Rule B, Subsection 3.5.

The proposed project conforms to the floodplain management and drainage alteration requirements of Rule B with the exception of subsection 3.2, from which the applicant has requested a variance

Rule C: Erosion and Sediment Control

Because the project will alter 96.63 acres of land-surface area the project must conform to the requirements in the RPBCWD Erosion and Sediment Control rule (Rule C, Subsection 2.1).

The erosion control plan prepared by Landform Professional Services includes installation of silt fence, inlet protection for storm sewer catch basins, daily inspection, placement of a minimum of 6 inches of topsoil, and retention of native topsoil onsite. Fred Volz of Landform (Cell: 612-363-3684) is the stormwater pollution prevention plan (SWPPP) inspector/manager responsible for erosion prevention and sediment control for the site. The proposed project conforms to the Rule C criteria.

Rule D: Wetland and Creek Buffers

Because the proposed work triggers a permit under RPBCWD Rule B and Rule J and 10 onsite wetlands and two off site wetland protected by the state Wetland Conservation Act are downgradient from the proposed construction activities, Rule D, Subsections 2.1a and 3.1 require buffer on the edges of the wetlands that are downgradient from the land-disturbing activities. The City of Chanhassen is the LGU administering WCA requirements and in that capacity approved elimination of six wetlands (wetlands WL1, WL2, WL5, WL7, WL8, and WL9) on the project site, as well as the partial filling wetland WL6 as part of the proposed Phase 1 construction activities. Because the applicant proposes to disturb a portion of wetland WL6, wetland buffer must be provided around the entire (remaining) wetland on the parcel (a buffer map is provided below for reference). Buffer is not required around wetland WL10 is not required because the wetland is upgradient from the land-disturbing activities.

A Minnesota Wetland Conservation Act Notice of Decision, dated December 22, 2017, was included with the submittal. The MnRAM analysis submitted indicates that the wetlands to remain onsite and the offsite wetland downgradient from disturbance are medium value (Appendix D1). Rule D, Subsection 3.1.a.iii requires a wetland buffer with an average of 40 feet from the delineated edge of the wetland, minimum 20 feet. The buffer widths are summarized in the table below.

Wetland ID	RPBCWD Wetland Value	Required Minimum Width ¹ (ft)	Required Average Width ¹ (ft)	Provided Minimum Width (ft)	Provided Average Width (ft)
Wetland WL3	Medium	20	40	28.4	40.7
Wetland WL4	Medium	20	40	40	40
Wetland WL6	Medium	20	40	24	40.2
Wetland M09 ²	Medium	20	40	20	43.6

¹ Average and minimum required buffer width under Rule D, Subsection 3.1.a.

² Wetland M09 is located off but adjacent to the project site.

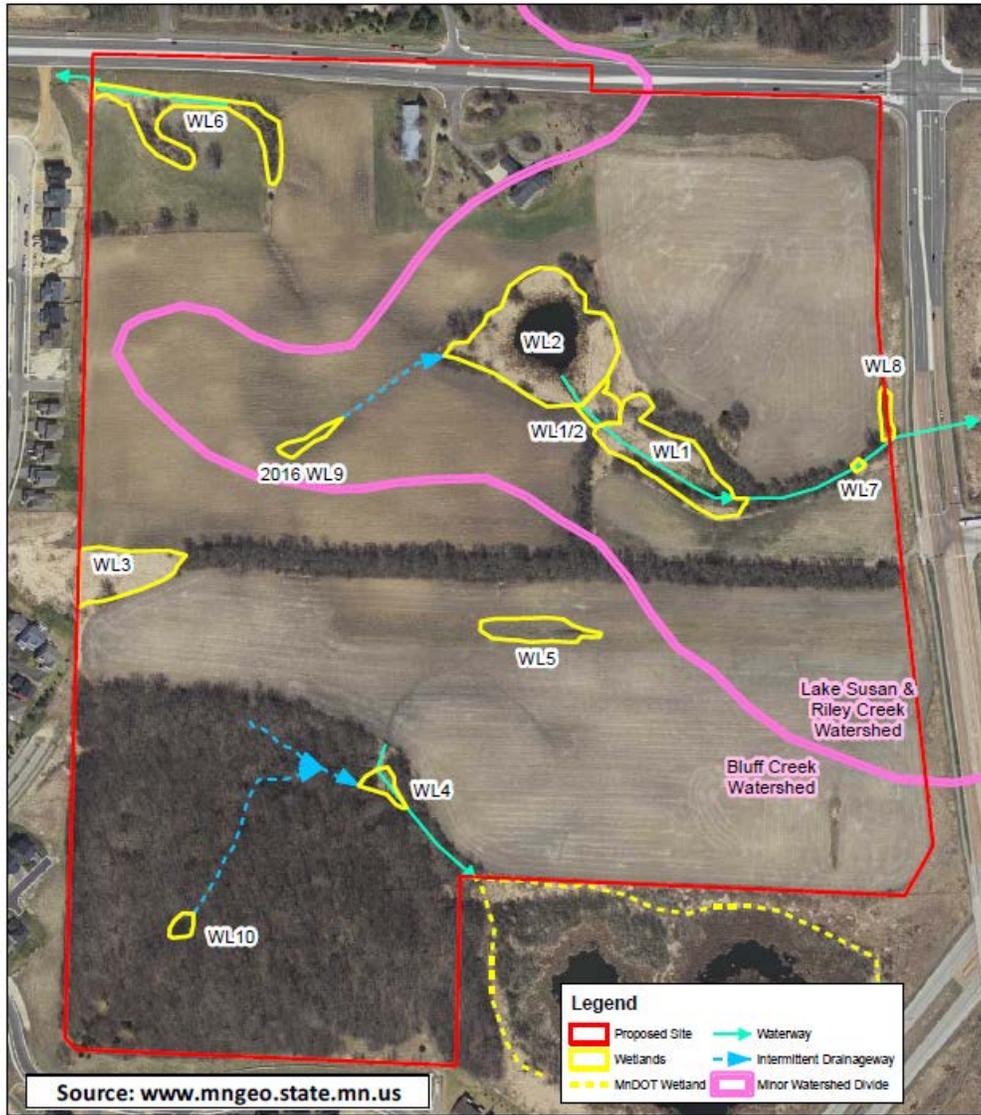


Figure 4 - Minor Watershed Boundaries (2016 Metro Aerial)



The Applicant is proposing revegetating disturbed areas within the proposed buffer with native vegetation in conformance with Rule D, Subsection 3.2. A note is included on the plan sheet indicating the project will be constructed so as to minimize the potential transfer of aquatic invasive species (e.g., zebra mussels, Eurasian watermilfoil, etc.) to the maximum extent possible conforming to Rule D, Subsection 3.5.

To conform to the RPBCWD Rule D the following revisions are needed:

- D1. Buffer areas and maintenance requirements must be documented in a declaration recorded after review and approval by RPBCWD in accordance with Rule D, Subsection 3.4.
- D2. There appears to be proposed grading outside the parcel boundary along Powers Boulevard and storm sewer installation discharging into MnDOT Wetland M09. The off site work to install the storm sewer and grade along Powers Boulevard is upgradient from the wetland and will therefore require wetland buffer with a 20 foot minimum, 40 foot average (and the applicant's plan show such buffer, as noted above). The applicant must provide documentation acceptable to the administrator indicating if the property rights to construct the storm sewer and site grading allow for restoration with native vegetation, the designation of a buffer and the right to maintain that buffer.

Rule J: Stormwater Management

Because the project will alter 96.63 acres of land-surface area, increase the imperviousness of the entire site by more than 50%, the project must meet the criteria of RPBCWD's Stormwater Management rule (Rule J, Subsection 2.3) for all the impervious surface on the site.

The project includes installation of vegetated swales, five detention ponds, two filtration basins, and three infiltration basins with pretreatment to provide runoff volume abstraction, water quality treatment, and rate control. Pretreatment of runoff prior to entering infiltration areas is provided by vegetated swales, grass strips, or proprietary hydrodynamic separators (large manholes structures designed to pretreat runoff).

Rate Control

In order to meet the rate control criteria listed in Subsection 3.1.a, the 2-, 10-, and 100-year post development peak runoff rates must be equal to or less than the existing discharge rates at all locations where stormwater leaves the site. The applicant used a HydroCAD hydrologic model to simulate runoff rates for pre- and post-development conditions for the 2-, 10-, and 100-year frequency storm events using a nested rainfall distribution, and a 100-year frequency, 10-day snowmelt event. The existing and proposed 2-, 10-, and 100-year frequency discharges from the site are summarized in the table below. Phase 1 of the proposed project is in conformance with RPBCWD Rule J, Subsection 3.1.a.

Discharge Location	2-Year Discharge (cfs)		10-Year Discharge (cfs)		100-Year Discharge (cfs)		10-Day Snowmelt (cfs)	
	Ex	Prop	Ex	Prop	Ex	Prop	Ex	Prop
Powers South	0.6	0.0	1.5	0.0	3.8	0.0	0.1	0.0
East Culvert	18.4	15.3	55.1	36.4	128.9	85.2	7.2	6.3
Powers North	0.1	0.0	0.7	0.0	2.7	0.0	0.1	0.0
Lyman NE	0.3	0.0	2.5	0.0	9.7	0.0	0.4	0.0
Lyman North	0.4	0.0	2.1	0.0	7.0	0.0	0.3	0.0

Wetland 6	16.6	4.1	36.9	6.9	81.6	26.9	3.1	2.8
Wetland 3	9.0	1.3	18.6	2.5	40.4	5.9	1.5	0.8
West Woods	0.7	0.2	3.0	1.5	11.0	7.2	0.6	0.5
Southwest	0.2	0.2	1.9	1.9	8.9	8.9	0.7	0.7
East Woods	0.2	0.2	1.7	1.7	8.3	8.3	0.6	0.6
Wetland 4 Channel	19.3	7.7	45.3	16.0	111.6	44.0	6.0	6.1
South	9.1	1.1	19.1	2.2	40.1	4.5	1.1	0.1
Southeast	9.0	1.3	18.9	1.9	40.2	4.8	1.4	1.4

Volume Abstraction

Subsection 3.1.b of Rule J requires the abstraction onsite of 1.1 inches of runoff from the impervious surface of the parcel. An abstraction volume of 21,027 cubic feet is required from the 229,386 square feet of regulated impervious area. Because the proposed trails and sidewalks do not exceed 10 feet in width and will be boarded downgradient by a pervious area at least half the trail width, the 1.54 acres of trail and sidewalk are exempt from the stormwater requirements (Rule J, Subsection 2.2d). The project includes infiltration basins with pretreatment to provide runoff volume abstraction, water quality treatment, and rate control. Pretreatment of runoff prior to entering the infiltration areas is provided by vegetated swales, grass strips, or proprietary hydrodynamic separators (Rule J, Subsection 3.1b.1).

Soil borings performed by Braun Intertec show that soils in the project area are typically clay soils with a couple of areas being underlain by silty sand soils. Braun Intertec also performed ten onsite infiltration tests in the subsurface soils and the results indicated unadjusted infiltration rates of 0.1 to 2.4 inches per hour. Because the site will be mass graded for Phase 1, thus disturbing most of the areas where the infiltration test were conducted, the applicant elected to use an infiltration rate of 0.06 inches per hour in their design based on the MN Stormwater Manual guidance for clay soils. The soil boring information summarized in the table shows that groundwater is at least 3 feet below the bottom of all but one of the proposed best management practices (BMPs) (Rule J, Subsection 3.1.b.2a. While some borings are close to the proposed BMPs, it is not clear that they are within the system footprint as required in Rule J, subsection 5.4c.

Proposed BMP	Nearest Boring	Boring is within footprint?	Groundwater Elevation (feet)	BMP Bottom Elevation (feet)	Separation (feet)
Bluff Creek Blvd East	ST-19	Yes	No groundwater observed at nearest boring bottom (el 893.4)	898.15	4.75
Bluff Creek Blvd West	ST-30	See comment J1 below	No groundwater observed at nearest boring bottom (el 903.7)	911.00	7.30
Avienda Pkwy NW	ST-31	Yes	905.3	912.5	7.2

The table below summarizes the volume abstraction on the site.

Required Abstraction Depth (inches)	Required Abstraction Volume (cubic feet)	Provided Abstraction Depth (inches)	Provided Abstraction Volume (cubic feet)
1.1	21,027	1.45	27,718

To conform to the RPBCWD Rule J, Subsection 3.1.b the following revision is needed:

J1. Paragraph 5.4c of the rule requires a soil boring at the proposed infiltration sites to demonstrate that the bottoms of the filtration and infiltration basins are at least 3 feet above the water table, the soils present below the basin. In addition, paragraph 3.1.b.2.c requires measured infiltration capacity of the soils at the bottom of the basin. The applicant must submit documentation verifying the soils present, infiltration capacity of the soil and the groundwater elevation at the following BMPs. If the soils, groundwater elevation or infiltration capacity are less than anticipated or result in noncompliance with separation to groundwater, design modifications to ensure compliance with RPBCWD requirements would need to be submitted (in the form an application for a permit modification or new permit).

- Avienda Pkwy NW,
- Bluff Creek Blvd East,
- Bluff Creek Blvd West

Water Quality Management

Subsection 3.1.c of Rule J requires the Applicant provide volume abstraction in accordance with 3.1b or least 60 percent annual removal efficiency for total phosphorus (TP), and at least 90 percent annual removal efficiency for total suspended solids (TSS) from site runoff, and no net increase in TSS or TP loading leaving the site from existing conditions. Because the BMPs proposed by the applicant provide more volume abstraction than is require in accordance with 3.1b and the engineer concurs with the modeling, the engineer finds that the proposed project is in conformance with Rule J, Subsection 3.1.c.

Low floor Elevation

No structure may be constructed or reconstructed such that its lowest floor elevation is less than 2 feet above the 100-year event flood elevation according to Rule J, Subsection 3.6. The applicant is not proposing to construct any structures as part of Phase 1. Because the Phase 1 construction activities do impact the 100-year flood elevation of two wetlands and one stormwater detention area that are adjacent to off-site structures, the applicant must demonstrate that the modifications of these and construction of new stormwater facilities will not result bringing the low floor elevation of an adjacent habitable structure (offsite) into noncompliance with this criteria. The low floor elevation of the

adjacent structures and the modified stormwater management features is summarized below. The RPBCWD Engineer concurs that the proposed project is in conformance with Rule J, Subsection 3.6.

Adjacent Lowest Structure Locations	Low Floor Elevation of Building (feet)	Adjacent Facility	100-year Event Flood Elevation of Adjacent Stormwater Facility (feet)	Freeboard (feet)
Preserve at Bluff Creek 1 st	925.5	33P	922.01	3.49
Preserve at Bluff Creek 5 th	897.1	WL6	885.80	11.3
Preserve at Bluff Creek 1 st	912.3	34P	909.23	3.07

Maintenance

Subsection 3.7 of Rule J requires the submission of a maintenance plan. All stormwater management structures and facilities must be designed for maintenance access and properly maintained in perpetuity to assure that they continue to function as designed.

- J2. Permit applicant must provide a draft maintenance and inspection plan. Once approved by RPBCWD, the plan must be recorded on the deed in a form acceptable to the District.

Chloride Management

Subsection 3.8 of Rule J requires the submission of chloride management plan that designates the individual authorized to implement the chloride management plan and the MPCA-certified salt applicator engaged in implementing the plan. To close out the permit and secure the release of the applicable \$5,000 financial assurance, the applicant must provide a chloride management plan that designates the individual authorized to implement the chloride management plan and the MPCA-certified salt applicator engaged in implementing the plan at the site.

Wetland Protection

Because the proposed activities discharge to wetlands on the site and alter the discharge the wetlands receive from the site, the proposed activities must conform to RPBCWD wetland protection criteria (Rule J, subsection 3.10). The applicant provided and the Engineer concurs with the below analysis of potential wetland impacts based on Table J1 of RPBCWD Rule J.

The wetlands remaining on site under the proposed conditions have been assessed as medium value (wetlands WL3, WL4, and WL6). Wetland M09 and MNDOT M10, also medium value wetlands, are located off but adjacent to the project site and receives direct runoff from the development. The following table summarizes the allowable change in bounce and inundation duration from Table J1 of RPBCWD Rule J. The information summarized in the following table also summarizes the applicant’s analysis for wetland protection and the potential impacts on the wetlands. The project meets the Bounce and Inundation criterion and is in conformance with Rule J, subsection 3.10a.

Wetland	RPBCWD Wetland Value	Change in Bounce for, 10-Year Event (feet)	1-year change in Inundation Period (days)	2-year change in Inundation Period (days)	10-year change in Inundation Period (days)	Runout Control Elevation ¹
Rule J, Table J1 Criteria	Medium	Existing +/- 1.0 feet	Existing+2 days	Existing+2 days	Existing +14 days	0 to 1.0 ft above existing runout
Wetland WL3	Medium	0.44	0.6	0.7	0.7	No change
Wetland WL4	Medium	-0.34	0.9	1.0	1.2	No change
Wetland WL6	Medium	-0.82	0.4	0.4	0.4	No change
Wetland M09	Medium	-0.07	0	0	0	No change
MNDOT M10	Medium	0.04	0	0	0	No change

Rule J, Subsection 3.10b requires that treatment of runoff to medium value wetlands meet the water quality treatment criteria in Rule J, subsection 3.1c. Because the Applicant is proposing the construction of three infiltration basins providing the volume abstraction required in accordance with 3.1b and the onsite treatment systems result in no untreated stormwater flowing to wetlands, the proposed system complies with water quality criteria 3.1ci, thus the engineer finds that the proposed project is in conformance with Rule J, Subsection 3.10b.

Rule K: Variances and Exceptions

The local governmental unit (LGU) administering the Wetland Conservation Act (WCA), City of Chanhassen, approved the filling six wetlands and partial filling another on the project site. Rule B subsection 3.2 requires compensatory storage at or below the same flood elevation and within the floodplain of the same waterbody. The Applicant requested variances from these provisions of RPBCWD's Rule B – Floodplain Management and Drainage Alterations.

Both variances result from the applicant's decision to (and the LGU's approval of) completely eliminate (and replace via purchase of wetland bank credits) of the four wetlands (wetland 1, wetland 2, wetland 7, and wetland 8). Because three wetlands (WL5, WL6, and WL9) are on slopes they do not exhibit natural banks required meet the watercourse definition or an enclosed natural depression with definable banks required to be a waterbody and they do not provide flood storage, Rule B does not apply to these wetlands. The attached variance request letter submitted on behalf of the applicant cites several facts related to the development in support of the request. Rule K requires the Board of Managers to find that because of unique conditions inherent to the subject property the application of rule provisions will impose a practical difficulty on the Applicant. Assessment of practical difficulty is conducted against the following criteria:

1. how substantial the variation is from the rule provision;
2. the effect of the variance on government services;
3. whether the variance will substantially change the character of or cause material adverse effect to water resources, flood levels, drainage or the general welfare in the District, or be a

- substantial detriment to neighboring properties;
4. whether the practical difficulty can be alleviated by a technically and economically feasible method other than a variance. Economic hardship alone may not serve as grounds for issuing a variance if any reasonable use of the property exists under the terms of the District rules;
 5. how the practical difficulty occurred, including whether the landowner, the landowner's agent or representative, or a contractor, created the need for the variance; and
 6. in light of all of the above factors, whether allowing the variance will serve the interests of justice.

It is the applicant's obligation to address these criteria to support a variance request. Following is the RPBCWD engineer's assessment of information received relevant to the applicant's request for a variance from the compensatory storage criteria to be at or below the same elevation for fill in the floodplain of a water basin and within the floodplain of the same waterbody:

- Related to variance criterion 1 – The supporting materials demonstrate that Phase 1 will involve an aggregate total of 5,284 cubic yards of fill and 5,885 cubic yards of compensatory storage below the 100 year floodplain, thus providing a net increase in the floodplain storage. The bold numbers in the Comparative Floodplain Storage table below illustrate the difference in storage volume by elevation

Elev	Existing Incremental Storage Volume (cf)				Phase 1 Storage Volume (cf)		
	Wetland 1	Wetland 2	Wetland 8	Existing Cumulative Storage (cf)	1P	11.4P	P1 Cumulative Storage (cf)
895.70			-	-			-
896.00			2	2			-
897.00			228	230			-
898.00			663	893			-
899.00			1,818	2,711			-
900.00			5,505	8,216			-
901.00			12,508	20,724			-
901.66			13,279	34,003			-
902.00				34,003			-
903.00				34,003			-
904.00				34,003			-
905.00				34,003		189	189
905.40	-			34,003			189
906.00	4,671			38,674		-	189
907.00	41,146			79,820	22,014	-	22,203
907.61	45,734			125,554			22,203
908.00				125,554	40,353		62,556
908.30				125,554			62,556
909.00		-		125,554	45,166		107,722

909.90		17,135		142,689	51,189		158,911
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- With regard to variance criteria 2 and 3 – The information submitted demonstrates compliance with Rule B, subsection 3.3, which requires no off-site adverse impacts. The Rule B discussion above illustrates that the proposed alternations are not reasonably likely to have adverse effects to governmental services, water resources, flood levels, or neighboring properties. The proposed variance only impacts the applicant’s property.
- Technical measures incorporated into the project plan to alleviate the practical difficulty (variance criterion 4) include creation of two filtration basins, three infiltration basins and five detention basins but at a higher elevation to facilitate site development. Because the wetlands will no longer exist the compensatory storage cannot be provided within the floodplain of the same waterbody.
- With regard to variance criterion 5, the applicant has created the circumstances leading to the variances, but did so with the approval of another relevant regulatory body, the LGU administering WCA..

The engineer finds there is an adequate technical basis for the managers to rely on to grant the requested variance.

Rule L: Permit Fee:

The RPBCWD permit fee schedule adopted in February 2020 requires permit applicants to submit a permit-fee deposit of \$3,000 to be held in escrow and applied to reimburse RPBCWD for the permit-application processing fee and permit review and inspection-related costs. When the permit application is approved, the deposit must be replenished to the applicable deposit amount by the applicant before the permit will be issued to cover actual costs incurred to monitor compliance with permit conditions and the RPBCWD Rules. The \$3000 permit fee deposit has not been submitted, and the applicant has not reimbursed RPBCWD for outstanding excess costs. In accordance with the adopted RPBCWD permit-fee schedule and excess-cost recovery policy, because the engineer, legal, and staff time to review this permit exceeded \$5,000 the applicant must submit \$17,045.88 for excess cost recovery from prior application reviews and provide a \$3,000 permit fee deposit.

Rule M: Financial Assurance:

Because the applicant proposed modification to the stormwater facilities, the financial assurance for the project was recomputed using the financial assurance fee schedule adopted in January 2019., as presented below:

Rule C:

Perimeter Control: 18,000 L.F. x \$2.50/L.F. =\$45,000
 Rock Entrances: 2 x \$900/EA =.....\$1,800
 Inlet Protection: 134 x \$100/EA =\$13,400
 Restoration: 96.6 acres x \$2,500/acre =\$241,600

Rule D:

Wetland and Creek Buffer: \$5,000 + \$1,000/acre over 10 acres =\$5,000

Rule J:

Infiltration: 125% of Engineer's Opinion of Cost (1.25*\$10,574.44) =	\$13,218
Filtration: 125% of Engineer's Opinion of Cost (1.25*\$595,785.21) =	\$744,731
Detention Basin: 125% of Engineer's Opinion of Cost (1.25*\$86,731.56) =	\$108,414
Hydrodynamic Separators: 125% of Engineer's Opinion of Cost (1.25*\$75,000) =	\$93,750
Swales: 125% of Engineer's Opinion of Cost (1.25*\$17,000) =	\$21,300
Chloride Management: =	\$5,000
Administration (10%).....	<u>\$123,301</u>
Total Financial Assurance.....	\$1,356,314

Applicable General Requirements:

1. The RPBCWD Administrator and Engineer shall be notified at least three days prior to commencement of work.
2. Construction shall be consistent with the plans and specifications approved by the District as a part of the permitting process. The date of the approved plans and specifications is listed on the permit.
3. Construction must be consistent with the plans, specifications, and models that were submitted by the applicant that were the basis of permit approval. The date(s) of the approved plans, specifications, and modeling are listed on the permit. The grant of the permit does not in any way relieve the permittee, its engineer, or other professional consultants of responsibility for the permitted work.
4. The grant of the permit does not relieve the permittee of any responsibility to obtain approval of any other regulatory body with authority.
5. The issuance of this permit does not convey any rights to either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.
6. In all cases where the doing by the permittee of anything authorized by this permit involves the taking, using or damaging of any property, rights or interests of any other person or persons, or of any publicly owned lands or improvements or interests, the permittee, before proceeding therewith, must acquire all necessary property rights and interest.
7. RPBCWD's determination to issue this permit was made in reliance on the information provided by the applicant. Any substantive change in the work affecting the nature and extent of applicability of RPBCWD regulatory requirements or substantive changes in the methods or means of compliance with RPBCWD regulatory requirements must be the subject of an application for a permit modification to the RPBCWD.
8. If the conditions herein are met and the permit is issued by RPBCWD, the applicant, by accepting the permit, grants access to the site of the work at all reasonable times during and after construction to authorized representatives of the RPBCWD for inspection of the work.

Findings

1. The proposed project includes the information necessary, plan sheets and erosion control plan for review.
2. Except for the shortfalls from compliance with Rule B criteria that are the subject of the variance requests, the proposed project will conform to Rules C, D, and J if the Rule Specific Permit Conditions listed above are met.

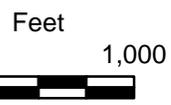
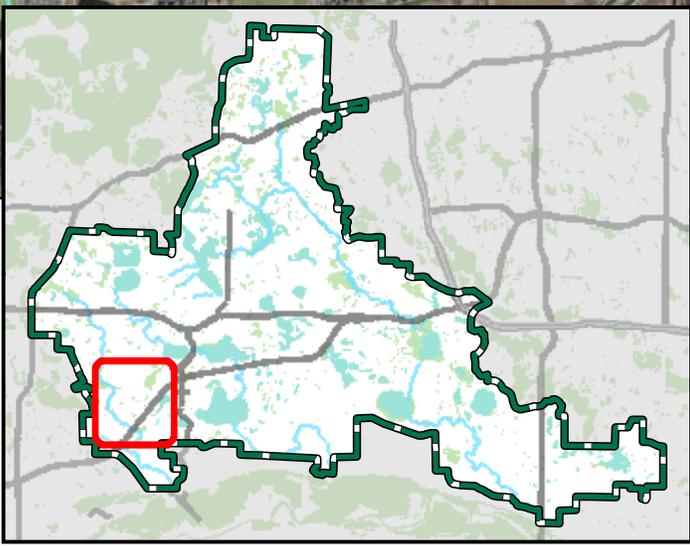
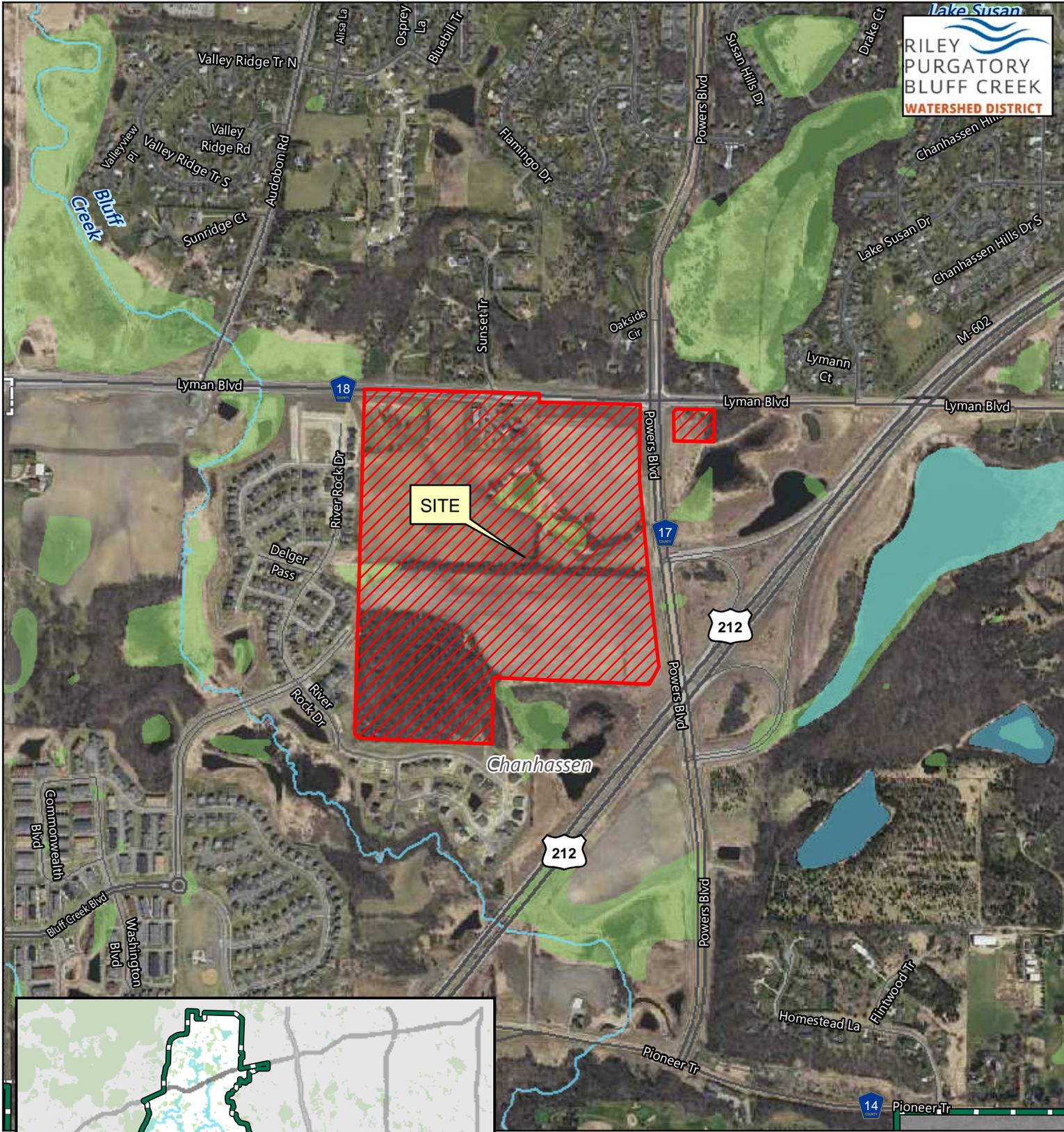
Recommendation:

- A. Extension of the permit timeline, which was extended administratively August 28, 2019 for one year to September 5, 2020, until September 5, 2021.
- B. Approval of the permit contingent upon:
 1. Continued compliance with General Requirements.
 2. Financial Assurance in the amount of \$1,356,314.
 3. Receipt of documentation demonstrating the Applicant has the necessary permissions to complete the proposed grading, and storm sewer construction outside the property boundary. The necessary permissions must be obtained prior issuance of a permit for the work from RPBCWD. The property rights must allow for restoration with native vegetation, the designation of a buffer and the right to maintain that buffer.
 4. Receipt in recordation a maintenance declaration for the operation and maintenance of the buffer and stormwater management facilities. A draft must be approved by the District prior to recordation.
 5. Submission and replenishment of the fee deposit to \$3,000 before the permit will be issued to cover actual costs incurred to review this permit modification request and monitor compliance with permit conditions and the RPBCWD Rules.
 6. Submission of \$17,045.88 for excess cost recovery.

By accepting the permit, when issued, the applicant agrees to the following stipulations:

1. The applicant submit documentation verifying the soils present, infiltration capacity of the soil and the groundwater elevation at Avienda Pkwy NW, Bluff Creek Blvd East, and Bluff Creek Blvd West Basins. If the soils, groundwater elevation or infiltration capacity are less than anticipated or result in noncompliance with separation to groundwater, design modifications to ensure compliance with RPBCWD requirements would need to be submitted (in the form an application for a permit modification or new permit).
2. Per Rule J Subsection 5.6, upon completion of the site work, the permittee must submit as-built drawings demonstrating that at the time of final stabilization, the pretreatment manholes and subsurface stormwater facility conform to design specifications and function as intended and approved by the District. As-built/record drawings must be signed by a professional engineer licensed in Minnesota and include, but not limited to:
 - a) the surveyed bottom elevations, water levels, and general topography of all facilities;
 - b) the size, type, and surveyed invert elevations of all stormwater facility inlets and outlets;
 - c) the surveyed elevations of all emergency overflows including stormwater facility, street, and other;

- d) other important features to show that the project was constructed as approved by the Managers and protects the public health, welfare, and safety.
3. Providing the following additional close-out materials:
 - a) Documentation that constructed infiltration and filtration facilities perform as designed. This may include infiltration testing, flood testing, or other with prior approval from RPBCWD
 - b) Documentation that disturbed pervious areas remaining pervious have been decompacted per Rule C.2c criteria
 4. To close out the permit and secure the release of the \$5,000 chloride-management financial assurance, the permit applicant must provide a chloride management plan that designates the individual authorized to implement the chloride management plan and the MPCA-certified salt applicator engaged in implementing the plan at the site.



Permit Location Map

AVIENDA
Permit 2018-016
Riley Purgatory Bluff Creek
Watershed District



Narrative

Watershed Variance

Prepared for:

Level 7 Development, LLC

May 27, 2020



PREPARED FOR
Level 7 Development, LLC
4600 Kings Point Rd
Minnetrista, MN 55331



PREPARED BY
Landform Professional Services,
LLC
105 5th Ave S, Suite 513
Minneapolis, MN 55401

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Introduction

On behalf of Level 7 Development, LLC, Landform is pleased to submit this application for two variances from Riley Purgatory Bluff Creek Watershed District (RPBCWD) Rule B, Subsection 2.1. Approval of the variance will allow the development to proceed in accordance with preliminary plat and PUD approvals granted by the City of Chanhassen and are consistent with the wetland approvals. We are excited about the improvements proposed for this site.

Variance

Variance Request #1

We are requesting Watershed approval for a variance from Rule B, Subsection 2.1 which requires the project to provide compensatory storage within +/- one foot of the fill. This requirement cannot be practicably met within each increment of elevation for this site. The Avienda project will provide a cumulative compensatory storage which greatly exceeds the total existing storage for both the phase 1 and ultimate buildout scenarios. Refer to Table 17 for additional information regarding the compensatory storage. The requested variance meets the standards outlined in the rules as follows:

1.1 How substantial the variation is from the rule provision

The variation from the rule provision is insignificant. Specifically, the storage volume exceeds the existing total storage for both the phase 1 and ultimate buildout scenarios. The intent of the rule is met for compensatory storage as shown in Table 17.

1.2 The effect of the variance on government services

There will be no effect of the variance on government services. The site conditions provide adequate compensatory storage on site and will be managed by the developer.

1.3 Whether the variance will substantially change the character of or cause material adverse effect to water resources, flood levels, drainage or the general welfare in the District, or be a substantial detriment to neighboring properties.

There will be no material adverse effect to water resources, flood levels, drainage or general welfare in the District nor any substantial detriment to neighboring properties. As noted in Table 17, the cumulative compensatory storage greatly exceeds the existing storage for both the phase 1 and ultimate build out scenarios.

1.4 Whether the practical difficulty can be alleviated by a technically and economically feasible method other than a variance. Economic hardship alone may not serve as grounds for issuing a variance if any reasonable use of the property exists under the terms of the District rules

There is no technically or economically feasible alternative to the variance.

1.5 How the practical difficulty occurred, including whether the landowner, the landowner's agent or representative, or a contractor, created the need for the variance

The practical difficulty is not created by the landowner or their agent but is a result of the conflicts between the watershed rules, LGU approvals and other agency requirements.

1.6 In light of all the above factors, whether allowing the variance will serve the interests of justice

Allowing the variance will serve the interests of justice by allowing the project to proceed forward as approved by the City of Chanhassen and providing compensatory storage that exceeds the total existing storage for both the phase 1 and ultimate buildout scenarios.

Variance Request #2

We are requesting Watershed approval for a variance from Rule B, Subsection 2.1 which requires the project to provide compensatory storage within the same waterbody. The waterbodies as defined by the RPBCWD consist of wetlands which are permitted to be impacted by the LGU. Providing compensatory storage within these waterbodies is not possible. The requested variance meets the standards outlined in the rules as follows:

1.1 *How substantial the variation is from the rule provision*

The variation from the rule provision is insignificant. The waterbodies in question are wetlands that have been permitted for impact by the LGU and, therefore, it is not technically possible to comply with the rule.

1.2 *The effect of the variance on government services*

There will be no effect of the variance on government services.

1.3 *Whether the variance will substantially change the character of or cause material adverse effect to water resources, flood levels, drainage or the general welfare in the District, or be a substantial detriment to neighboring properties.*

There will be no material adverse effect to water resources, flood levels, drainage or general welfare in the District nor any substantial detriment to neighboring properties. As noted in Table 17, the cumulative compensatory storage greatly exceeds the existing storage for both the phase 1 and ultimate buildout scenarios and will be provided on site.

1.4 *Whether the practical difficulty can be alleviated by a technically and economically feasible method other than a variance. Economic hardship alone may not serve as grounds for issuing a variance if any reasonable use of the property exists under the terms of the District rules*

There is no technically or economically feasible alternative to the variance. The waterbodies in question have been permitted by the LGU to be impacted and it is not technically possible to comply with the rule.

1.5 *How the practical difficulty occurred, including whether the landowner, the landowner's agent or representative, or a contractor, created the need for the variance*

The practical difficulty is not created by the landowner or their agent.

1.6 *In light of all the above factors, whether allowing the variance will serve the interests of justice*

Allowing the variance will serve the interests of justice by allowing the project to proceed forward as approved by the City of Chanhassen. The compensatory storage will be provided on site in compliance with all other watershed rules.

Summary

We respectfully request approval of the two variances to allow construction of the Avienda Regional/Lifestyle Center at the southwest corner of intersection of Powers Boulevard and Lyman Boulevard in Chanhassen.

Contact Information

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