

Riley-Purgatory-Bluff Creek Watershed District
Board of Managers Regular Meeting
Wednesday, July 8, 2020, 7:00pm Regular Meeting
Virtual Meeting via ZOOM

<https://us02web.zoom.us/j/86912916749>

Agenda

- | | |
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| 1. Call to Order | Action |
| 2. Approval of the Agenda | Action |
| 3. Rice Marsh Lake Water Quality Project Presentation | Information |
| 4. 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.

- | | |
|---|---------------|
| 5. Reading and approval of minutes | Action |
| a. Board of Manager Special Meeting, June 1, 2020 | |
| b. Board of Manager Special Meeting, June 3, 2020 | |
| c. Board of Manager Regular Meeting, June 3, 2020 | |
| d. Board of Manager Special Meeting, June 26, 2020 | |
| 6. Citizen Advisory Committee | Action |
| a. Report | |
| b. Motion | |
| c. Application updates | |
| 7. 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 June Staff Report | |
| b. Accept June Engineer's Report (with attached Inspection Report) | |
| c. Authorize Administrator to enter into Cooperative Agreement with the City of Chanhassen on the Silver Lake Water Quality Project | |

- d. Approve Request for Additional Construction Administration Services Budget for Lower Riley Creek Restoration Project
- e. Approve Pay App #8 for Scenic Heights Forest Restoration
- f. Approve Pay App #2 for Spent Lime Unit Modification
- g. Adopt Resolution 2020-09 to Order and Notice Public Hearing for Duck Lake Partnership
- h. Adopt Resolution 2020-10 to Order and Notice for Rice Marsh Lake
- i. Adopt Resolution 2020-11 COVID Action Plan

8. Action Items

Action

- a. Pulled consent items
- b. Accept May Treasurer's Report
- c. Approve Paying of the Bills
- d. Approve Permit 2020-029 CorTrust Bank variance request as presented in the proposed board action of the permit review report
- e. Approve Permit 2020-029 CorTrust Bank permit as presented in the proposed board action of the permit review report
- f. Personnel Update and request for approve temporary to full time for B Lauer
- g. Approve the letter to Chanhassen in regards LSWMP, with authority to the administrator to finalize in consultation with counsel and with such nonsubstantive changes as necessary.

9. Discussion Items

Information

- a. Manager Report
 - i. Larry Koch - Permit southwest corner of Lotus Lake
- b. Administrator Report
- c. MAWD - Resolutions
 - i. Wake Boating
 - ii. Pesticides
 - iii. Other
- d. Other

10. Upcoming Board Topics

- a. Public Hearing for Ordering Rice Marsh Lake Water Quality
- b. Public Hearing for Duck Lake Plan Amendment
- c. St Hubert Community Cooperative agreement
- d. other

11. Upcoming Events

Information

- Citizen Advisory Committee Meeting, July 20, 2020, 6:00pm, Zoom Meeting
- Board of Managers Budget Workshop, July 27, 1pm 2020. Zoom Meeting
- Board of Managers Budget Public Hearing and Regular Meeting, August 5, 7pm 2020. Zoom Meeting

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

MEETING MINUTES

Riley-Purgatory-Bluff Creek Watershed District

June 1, 2020, RPBCWD Board of Managers Special Meeting: Duck Lake Road Project

PRESENT:

Managers:

Jill Crafton, Treasurer
Larry Koch
Dorothy Pedersen, Vice President
Dick Ward, President
David Ziegler, Secretary

Staff:

Amy Bakkum, MN Greencorps Member, RPBCWD
Claire Bleser, RPBCWD Administrator
Terry Jeffery, Watershed Planning Manager
B Lauer, RPBCWD Education and Outreach Assistant
Louis Smith, Attorney, Smith Partners
Scott Sobiech, Barr Engineering Co.

Other attendees:

Pat Andrican	Rod Fisher
Rebecca Bauman	Mary Krause
Jill Carson	Tom Lindquist
Rode Carson	Sarah Lloyd
Sandy Davis	Tim Olson, Bolton & Menk
Pat Duryee	Julie Peyer
Nancy Fisher	Rod Rue

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 Monday, June 1, 2020, Board of Managers Special Meeting for
- 2 the Duck Lake Road Project at 7:00 p.m. The meeting was held remotely via meeting platform
- 3 Zoom.

2. Duck Lake Road Project

- 4 Mr. Rod Rue presented a brief history of the proposed project and four possible design concepts.
- 5 The four concepts included street reconstruction only, as-designed with box culvert, a 150-foot
- 6 bridge with a sidewalk and fishing pier on the east side and a bike trail on the west side, and a 235-
- 7 foot bridge with a sidewalk and fishing pier on the east side and a bike trail on the west side.

8 Mr. Rue displayed renderings of the options and discussed each option in detail, including
9 information about the project costs, floodplain fill, wetland fill, total compensatory flood storage
10 provided, and variances, if any, needed. He addressed pros and cons of each concept option.

11 Mr. Fisher asked whether there are any other sites in Eden Prairie where a road bisects a lake, or
12 the road passes as close to a lake. Mr. Rue responded no. Mr. Lindquist asked about the project
13 impacts to the lake level. Mr. Rue explained that as part of the project, regardless of the design
14 concept selected, the lake level will be raised ten to twelve inches higher than the current lake level
15 at the outlet. He noted that the higher lake level will bring it to the historic lake level per DNR
16 records.

17 Mr. Fisher commented that the two sides of the lake differ in water quality and asked if the water
18 quality impacts from the project are known. Mr. Olson of Bolton & Menk responded.

19 Mr. Koch asked for more details about the plan to raise the lake level and asked about a design
20 concept that would include multiple box culverts in lieu of a bridge. Mr. Rue talked about raising
21 the lake level and the multiple-box-culvert option, which had been discussed early in the process.
22 He noted that concept would have required approximately ten box culverts.

23 Mr. Koch said his view on this proposed project is there is work to be done that falls into the
24 District's purview, and the District will make decisions based on that purview.

25 Mr. Ziegler asked residents to vote for the option they support, and a vote indicated zero votes for
26 the street reconstruction-only option and the as-designed with box culvert option, one vote for the
27 short bridge, and five votes for the long bridge. Mr. Ziegler commented that he supports the long
28 bridge concept.

29 Manager Crafton voiced her reservations about supporting the project at the \$1,000,000 level.
30 Manager Pedersen spoke in support of the long bridge concept. President Ward commented that he
31 is in favor of the District supporting of the long-bridge concept at the \$1,000,000 level, and he
32 remarked that he would like the District and the City to look at options for spreading the cost over
33 three or more years.

34 Administrator Bleser provided information about District funds that could be used toward the Duck
35 Lake Trail project. She noted that the \$1,200,000 Bent Creek Golf Course project the District
36 identified for 2023-2025 isn't going to proceed because there isn't a willing project partner.
37 Administrator Bleser said the District may have an opportunity in Minnetonka for a creek
38 restoration project in 2021, but the District could consider monitoring the situation and including
39 the project in the District's next 10-year plan, freeing funds to be used for other District projects.

40 President Ward said he and Administrator Bleser could talk with the City of Eden Prairie in the
41 next couple of days to consider funding options, and the Board could discuss this information at its
42 June Board meeting.

43 Attorney Smith highlighted that before the Board acts on the Duck Lake Trail project, the Board
44 will want to make sure it clearly presents for the record the water resource benefit of the project.

45 Manager Ziegler stated Administrator Bleser has the water resource data. Administrator Bleser said
46 she will work with the City of Eden Prairie to quantify the data. Manager Crafton noted that there
47 needs to be a narrative, not just numbers, to explain the water resources benefits of the project.

3. Adjournment

48 Manager Crafton moved to adjourn the special meeting. Manager Ziegler seconded the motion.
49 Upon a roll call vote, the motion carried 5-0 as follows:

50

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

51

52

53 The meeting adjourned at 8:00 p.m.

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Respectfully submitted,

57

58

David Ziegler, Secretary

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MEETING MINUTES

Riley-Purgatory-Bluff Creek Watershed District

June 3, 2020, RPBCWD Board of Managers Special Meeting: Governance Manual and Budget Workshop

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
Scott Sobiech, Barr Engineering Co.

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, June 3, 2020, Board of Managers Special Meeting
2 regarding the Governance Manual and 2021 Budget and Levy at 4:00 p.m. The meeting was held
3 remotely via meeting platform Zoom. Manager Koch raised issues of statute regarding continuing
4 to hold RPBCWD meetings via Zoom. Attorney Smith responded, noting that the District is
5 operating under statute 13D.031 and explained how the statute provides for remote meetings under
6 pandemic conditions. President Ward explained that he took action in March to declare the District
7 is operating under pandemic conditions and the declaration is in effect until he takes action to
8 repeal it. Manager Koch commented he takes a different position on this matter compared to how
9 Attorney Smith and President Ward view it.

2. Governance Manual

10 Attorney Smith summarized the two most recent Governance Manual Committee meetings, noting
11 there was robust discussion resulting in the proposed Bylaws changes presented. He said the next
12 action for the Board is to adopt the amendment included in the Special Meeting materials.
13 Manager Crafton raised a comment about separation of duties and noted it is an issue she has
14 repeatedly raised but she doesn't see addressed in the proposed changes. Manager Koch asked if
15 the comments he provided to Administrator Bleser and Attorney Smith were circulated to the
16 Board and Governance Committee. He said it sounds like they weren't, and he stated he would like

17 his comments distributed to the Governance Committee for consideration. Manager Koch went
18 into detail about his points about internal controls and processes, explaining why he believes it is
19 important.

20 Manager Koch moved that his comments are to be forwarded to the Governance Committee, and
21 the Governance Committee will meet to discuss his comments. Manager Crafton seconded the
22 motion.

23 Attorney Smith said there had been Board discussion about the separation of duties around the
24 processing of checks; duties that were deemed dependent on bringing in a new staff member in an
25 administrative assistant role. He said those changes could be made once that staff position exists.
26 Manager Crafton said the duties should be separated amongst the staff in place at this time.
27 Attorney Smith responded it would be valuable to have more discussion about this point. Manager
28 Koch remarked this is all the more reason for a meeting to go over the draft changes and
29 particularly about the right language about internal controls and so the Board actually approves the
30 principals the auditors are reciting as being the District's policies.

31 Manager Pedersen spoke in favor of voting on the amendment in front of the Board and at
32 changing specific areas that need more discussion at a future meeting. Manager Crafton said she
33 has been asking for some specific issues to be addressed since 2018.

34 Manager Koch added a friendly amendment to his motion to include that Manager Crafton's
35 Governance Manual comments about are forwarded to the Board and Governance Committee as
36 well as his comments. Manager Crafton agreed to the friendly amendment. Upon a roll call vote,
37 the motion carried 5-0 as follows:

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

38

3. 2021 Budget and Levy Discussion

39 Administrator Bleser shared a PowerPoint presentation to accompany the high-level discussion
40 about the District's 2021 Budget and Levy. She reminded the Board the 2020 levy was \$3,703,000,
41 and the District's 10-Year Plan projected the District would set the 2021 levy at \$3,760,000.
42 Administrator Bleser asked the Board for feedback on whether it wants to hold the levy at the 2020
43 level, decrease the levy, or increase the levy. She said staff's recommendation is to hold the levy at
44 the 2020 level, but she would like feedback and direction from the Board.

45 Manager Pedersen said she would like to keep the levy the same as the 2020 levy and to review its
46 projects to identify areas of flexibility where the District can delay projects if it becomes
47 necessary.

48 Manager Ziegler remarked he supports keeping the levy the same. He brought up the potential
49 issue of defaults on property tax payments, which would impact the amount of the levy the District
50 receives.

51 Administrator Bleser clarified the 2021 levy proposed in the Plan is \$3,760,000, which is a slight
52 increase over the 2020 levy, which was \$3,703,000. She said she would like the Board to provide
53 direction on whether it wants the 2021 levy to be \$3,703,000, which is the same amount as the
54 2020 levy, or if the Board wants to go in a different direction.

55 Manager Koch said he feels remaining at the same amount is the direction to go, but the Board
56 should be aware that there may be a number of property tax payment delinquencies.

57 Manager Crafton said she is comfortable with the levy remaining at the 2020 levy amount, and she
58 would like to see the District undertake a prioritization of its projects.

59 President Ward agreed with maintaining the 2021 levy at the same level but to keep in mind that it
60 may want to decrease that amount later in the year. He commented about the unknown costs to
61 Hennepin County resulting from the events of the past ten days.

62 Attorney Smith reviewed with the Board the budget and levy timeline based on watershed law.

63 Administrator Bleser provided a CIP projects summary, explaining which projects are active going
64 into 2021 but don't need funds levied, which projects are in progress and will be active in 2021,
65 and the one project that will be a new project in 2021. She summarized which projects call for
66 funds to be levied with the District's 2021 levy.

67 Administrator Bleser talked about the Purgatory Creek restoration project and asked if the Board is
68 comfortable with staff's recommendation to reevaluate the Purgatory Creek restoration project -
69 Covington Road a few years from now and based on that reevaluation, placing the project in the
70 District's next 10-Year Plan from the current 10-Year Plan. Managers provided comments.

71 Manager Koch remarked he believes it's important the District continues to use CRAS and the
72 other District methodologies to evaluate projects and to continue to use the scientific basis for
73 evaluating projects. President Ward summarized that the managers indicate consensus with staff's
74 recommendation for the Purgatory Creek restoration project at Covington Road.

75 Administrator Bleser asked the Board if it would consider levying for the Bluff Creek (B5) project
76 over multiple years, such as two or three years, instead of only 2021. She provided details about
77 the project and its timeline. Managers commented. Administrator Bleser responded to questions.

78 Manager Koch responded he wants to make sure the Board and District know what it has levied for
79 each of the projects for each of the years, what it has spent, and what it has left over at the end of
80 each year, if anything, for each project. He said he would like more granularity on the District's
81 multi-year projects to track this information, which would help him make decisions. President
82 Ward asked him if he is in favor of levying for this project over multiple years. Manager Koch said
83 yes if that is what makes sense project-wise and funding-wise. The Board indicated consent to
84 levying for the Bluff Creek (B5) project over multiple years.

85 Administrator Bleser talked about the Upper Riley Creek Restoration project and explained the
86 District has anticipated for this project to occur in 2021-2022. She asked the Board if it is
87 comfortable levying for this project into 2022, if needed. The managers commented, and the Board
88 indicated consent.

89 Administrator Bleser stated the District had some carry-over funds last year, and she thinks this
90 will be the same case going into 2021. She brought up the District's Community Resiliency line
91 item and said the District's 10-Year Plan proposed \$30,000 for Community Resiliency in 2021.
92 Administrator Bleser explained that the District is waiting to hear from the MPCA about a grant
93 for work in partnership with several cities to add details to the District's hydraulics and hydrology
94 model. She talked about the cost of the work and said she anticipates the District's cost will be
95 higher than the \$30,000 budgeted in the 10-Year Plan. She asked if the Board has any concerns
96 with increasing the District's 2021 Community Resiliency budget over the amount proposed in the
97 10-Year Plan. The managers commented, and Manager Koch pointed out that some thought should
98 go into which projects can the District cut back on if the District doesn't receive the funds
99 anticipated. The Board indicated consent to increasing the Community Resiliency 2021 budget.

100 Administrator Bleser reported the District provided a letter of support along with the City of
101 Chanhassen for an LCCMR grant, which is part of a larger project with the UMN, The Freshwater
102 Society, and other partners. She explained there is an abandoned well in the City of Chanhassen,
103 and part of that grant would be used for recharging that well. She went into details about that
104 possible project. Administrator Bleser said she sees it would be important for the District to
105 prioritize its groundwater funds in the event this project moves forward, and the District decides it
106 wants to participate with funds. Administrator Bleser highlighted the District allocated \$100,000
107 for 2021 for groundwater conservation.

108 Administrator Bleser asked the Board if it is comfortable doing carryovers of funds to 2021.
109 Managers commented, and Manager Koch provided suggestions in how to handle carry overs. The
110 Board indicated consent with doing carryovers of funds to 2021.

111 Administrator Bleser talked about staff costs, noting the District currently has five staff members.
112 She said if the District plans to add staff, she anticipates the amount budgeted in the District's 10-
113 Year Plan for staff costs for 2021 needs to increase. She asked if the Board has concerns about
114 staff costs increasing. Administrator Bleser said she wants to engage the personnel committee and
115 discuss staff needs going forward and organizational structure. President Ward asked the
116 Administrator to present a proposal to the Board. Manager Crafton said she would like the District
117 to pay attention to the skillsets it is bringing on as it adds staff, such as adding someone with an
118 ecology background. Manager Koch recommended a process for evaluating staffing needs.
119 Administrator Bleser said she will get in touch with the Personnel Committee and bring back
120 additional information to the Board.

121 Administrator Bleser said she could come back to the Board with a draft budget and levy in
122 August, and the Board could hold a budget workshop on August 5. President Ward suggested
123 holding the workshop in July. Manager Koch said he would like to see a proposed budget earlier
124 than August. Administrator Bleser said she will contact the managers this week about availability
125 for attending a budget workshop the week of July 20.

126

127

4. Adjournment

128

Manager Crafton moved to adjourn the special meeting. Manager Ziegler seconded the motion.

129

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

130

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

131

132

The special meeting adjourned at 5:18 p.m.

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134

135

Respectfully submitted,

136

137

138

David Ziegler, Secretary

139

MEETING MINUTES

Riley-Purgatory-Bluff Creek Watershed District

June 3, 2020, RPBCWD Board of Managers Monthly Meeting

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, Water Resources Technician II
Terry Jeffery, Watershed Planning Manager
B Lauer, Education and Outreach Assistant
Louis Smith, Attorney, Smith Partners
Scott Sobiech, Engineer, Barr Engineering Company

Other attendees: Elizabeth Henley, Smith Partners Lori Tritz, CAC
Steve Sabraski Christa Vascallo
Stephan Schuh

1. Call to Order

- 1 President Ward called to order the Wednesday, June 3, 2020, Board of Managers Regular
- 2 Monthly Meeting at 7:00 p.m. The meeting was held remotely via meeting platform Zoom.

2. Approval of Agenda

- 3 Manager Ziegler moved to approve the agenda. Manager Pedersen seconded the motion. Manager
- 4 Koch asked to remove Consent Agenda items 6a – Accept May Staff Report, 6b – Accept May
- 5 Engineer’s Report (with attached inspection report), and 6c – Approve Modification to Permit
- 6 2018-011 Westwind Plaza as presented in the proposed action of the permit report. President
- 7 Ward moved the three items to 7a – Pulled Consent Items. President Ward also added to the
- 8 agenda the meeting minutes from the District’s May 6, 2020, special meeting for the audit
- 9 presentation. Attorney Smith noted the Board is also adding an update on the Duck Lake Road
- 10 Project. President Ward added the update on the Duck Lake Road project as agenda item 3A.
- 11 Manager Ziegler and Manager Pedersen agreed to the friendly amendment to the motion to
- 12 modify the meeting agenda as described.

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

14

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

15

3. Matters of General Public Interest

16 Ms. Christa Vascallo, Ms. Nicole Johnson, and Mr. Pete Johnson of Horseshoe Curve,
 17 Chanhassen, talked about the severe shoreline erosion occurring on their adjacent properties.
 18 They summarized steps taken, including talking with Mr. Terry Jeffery, District Engineer Scott
 19 Sobiech and civil engineering firm Civil Methods and applying to the District for a permit for
 20 their residential shoreline stabilization project using rip rap. Mr. Johnson requested the Board
 21 provide the property owners with a conditional permit so the project can be constructed
 22 immediately. President Ward said Administrator Bleser or Engineer Sobiech will contact the
 23 property owners very quickly. Managers provided comments about rip rap and incorporating
 24 deep-rooting plants into the design for soil stability.

3A. Duck Lake Road Project Update

25 President Ward reported the Board held a special meeting on Monday evening, June 1, and Mr.
 26 Rod Rue of the City of Eden Prairie presented project concepts. President Ward said the Board
 27 directed him and Administrator Bleser to communicate with the City of Eden Prairie and discuss
 28 financial alternatives.

29 President Ward reported he and Administrator Bleser held a Zoom meeting on June 2 with two
 30 staff members of the City of Eden Prairie. He said this project offers a once-in-a-lifetime
 31 opportunity to remediate Duck Lake. President Ward said the water resource benefits the District
 32 anticipates from the Duck Lake Road project include:

- 33 •To reconstruct the historical connection of the lake
- 34 •Allows 7,050 feet of lake bed to be restored
- 35 •Allows minimization of wetland fill to improve public transportation and safety

36

- 37 •Reduced bounce on the western bay will allow for improved shoreline vegetation
38 establishment
- 39 •Improved aquatic habitat by allowing aquatic organisms to move freely between the lake
40 sections
- 41 •Allows plant communities to establish themselves in the corridor
- 42 •Provides habitat for fish and amphibians
- 43 •Provides floodplain impacts and improvements, including increased lake storage volume by
44 approximately 107,000 gallons
- 45 •On the western portion of the lake, the 100-year flood level will be reduced by
46 approximately 0.4 feet, and the eastern portion of the lake will experience a slight
47 reduction in the 100-year flood level as well.
- 48 •The project connects the surrounding community to Duck Lake, with over 300 residents in
49 the subwatershed and others interacting with it through nearby schools.

50 President Ward reminded the Board of the project concepts Mr. Rue presented to the Board
51 Monday night and the total cost of each option as well as the City's recommended participation
52 by the District. He provided details about the discussion he and Administrator Bleser had with the
53 City of Eden Prairie. President Ward said the City has consented to the District's suggestion that
54 it contributes by funding 25% of the project, for the longer-span bridge concept, over multiple
55 years, specifically \$235,000 over five years for a total District contribution of \$1,175,000. He
56 said there are so many resource benefits to the watershed and he and Administrator Bleser
57 recommend the Board approve the participating in the project with the longer bridge span concept
58 and providing \$1,175,000 in funding, payable over five years at \$235,000 per year. Manager
59 Pedersen seconded the motion.

60 Manager Koch commented he thinks voting on this item is premature at this time without seeing
61 any write up on the information just presented. He said the District needs to make sure its
62 participation is limited to the project's impact on the Watershed District's goals. Manager Koch
63 said he would like to see something in writing from the City of Eden Prairie regarding what it is
64 willing to do and would like to make sure there is a contingency included stating the District's
65 contribution would be reduced by any grants or state aid awarded to the project. He said he would
66 like to know and see which grant applications have been submitted for the project, and he wants
67 to make sure the City of Eden Prairie is on board and will negotiate terms.

68 Manager Koch asked what years the District would be providing funds for the project. President
69 Ward said the District and City need to prepare and enter into a Cooperative Agreement to work
70 out all the details, but he believes 2021 would be the first year of the District's contribution.
71 Manager Koch said he is not ready to approve the motion on the table at this level of detail, and
72 he recommended the District amend the motion and communicate to the City that the District is in
73 support of this type of project and would consider contributions along the lines just discussed.

74 Manager Koch asked if this project would require a plan amendment. Attorney Smith replied the
75 District has a Duck Lake project in its 10-Year Plan, so this project would likely require a minor
76 plan amendment. Attorney Smith said he understood President Ward has was presenting an

77 update on the most recent discussion he and Administrator Bleser had with the City of Eden
 78 Prairie about the conceptual proposal of the Duck Lake Road project and that there are legal
 79 requirements that need to be met and reviewed by the City Council and the RPBCWD Board of
 80 Managers at a future time.

81 Manager Koch moved to amend the motion on the table to change it to be an expression of
 82 interest in the project at those levels, and he is not saying he will vote in favor of the project. The
 83 motion to amend failed due to lack of a second.

84 Attorney Smith reiterated the motion on the table to clarify that the District tonight isn't
 85 committing legally to those expenditures, and the motion is that the Board of Managers desires to
 86 express its interest and support for the project at a level of contribution of \$1,175,000 to be paid
 87 over five years subject to legal requirements such as a cooperative agreement and getting a minor
 88 plan amendment and ordering the improvement.

89 Manager Koch moved to amend the motion on the table to be the motion as just clarified by
 90 Attorney Smith. Manager Pedersen seconded the motion. Upon a roll call vote, the motion to
 91 amend carried 5-0 as follows:

92

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

93

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

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

4. Reading and Approval of Minutes

95 **a. May 6, 2020, RPBCWD Board of Managers Regular Monthly Meeting and Public**
 96 **Hearing**

97 Manager Crafton moved to accept the minutes as presented. Manager Ziegler seconded
 98 the motion. Manager Crafton noted a correction on line 166 to replace the word “for” with
 99 “of.” Manager Ziegler noted the name Rob Krishner should be updated to Rod Krishner.
 100 Manager Ziegler added language to line 62 on page 3 to include, “The Board directed staff
 101 to coordinate with the City of Eden Prairie to set up a virtual meeting with citizens to get
 102 input on options presented today and requested lower cost options.” He also noted an edit
 103 on line 208 to delete the words, “...to amend...” Manager Pedersen said on line 71, the
 104 phrase “pollutants loadings” should be changed to “pollutant loading,” and on lines 84 and
 105 85 to add “Manager Pedersen” so the line reads, “Manager Ziegler and Manager Pedersen
 106 commented on their support of the project and awarding the grant.”

107 Manager Ziegler moved to amend the motion to include the edits to the minutes as
 108 presented. Manager Pedersen seconded the motion. Upon a roll call vote, the motion to
 109 amend carried 5-0 as follows:

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

110

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

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

112 **b. May 6, 2020, RPBCWD Board of Managers Special Meeting for Audit Presentation**
 113 Manager Ziegler moved to accept the minutes as presented. Manager Pedersen seconded
 114 the motion. Manager Koch moved to amend the motion and requested amending the
 115 minutes to add to lines 25 and 26 the language “Manager Koch stated he had questions
 116 concerning the audit report, and Mr. Nilson stated that he wasn’t prepared to answer
 117 questions concerning the audit report during this presentation.” Manager Crafton
 118 seconded the motion to amend. Upon a roll call vote, the motion to amend carried 5-0 as
 119 follows:

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

120

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

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

122

5. CAC

123 Ms. Lori Tritz reported on the CAC’s most recent meeting, stating the Committee passed one
 124 motion and had two consensus items. She said the motion was to make the Speakers Bureau
 125 presentations available on the District’s YouTube channel. Ms. Tritz stated the CAC’s
 126 consensus items included the Committee supports the District collecting more data, obtaining
 127 resident input, and financially supporting the Duck Lake Road project. She said another CAC
 128 consensus item was creating a “see-click-fix” app for people to use to report problems they see

129 around the watershed district. Ms. Tritz noted that the City of Eden Prairie has developed and is
130 utilizing such an app. Ms. Tritz mentioned the learning presentation on groundwater provided by
131 Ms. B. Lauer at the CAC's meeting, and she summarized the CAC Committees' updates.
132 Manager Crafton noted she attended the CAC meeting, and she provided additional comments
133 about the meeting.

134

6. Consent Agenda

135 There were no items on the Consent Agenda.

136

7. Action Items

137 a. Pulled Consent Agenda items

138 i. Accept May Staff Report

139 Manager Koch asked for more details about the carp barrier not being put in place
140 between Staring Lake and the Rec Area, and Administrator Bleser provided
141 information. Manager Koch asked for more details about the Silver Lake Water
142 Quality Improvement Project being undertaken by the MN Green Corps member
143 assisting the District, and Administrator Bleser responded, noting the changes in
144 the project vision due to COVID-19 considerations.

145 Manager Koch asked if the transfer of the wetland from the City is complete and
146 were the restrictions or reservations on that property removed or in place. Mr.
147 Jeffery reported on Attorney Welch's actions regarding the transfer and provided
148 a status report, saying the transfer will be completed after the City brings it back
149 to the City Council's next meeting for action on a resolution. Manager Koch
150 raised his concerns about the potential to lose the properties and said he would
151 like to see a copy of the documents that Attorney Welch reviewed.

152 Manager Koch asked Attorney Smith if he had any comments, and Attorney
153 Smith said that today Attorney Welch received correspondence from the attorney
154 for the City of Chanhassen, which Smith Partners will now review and will make
155 sure the issues Manager Koch raises will be addressed.

156 Manager Koch asked for an update from Administrator Bleser about opening the
157 District office, in relation to COVID-19, and she provided an update.

158 Manager Koch asked for a status update regarding the unpermitted rip rap on
159 Lotus Lake. Mr. Jefferey provided an update.

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

162

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

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- ii. **Accept May Engineer’s Report (with Attached Inspection Report)**
 Manager Koch asked the open CA’s and asked for any updates on them. Mr. Jeffery and Engineer Sobiech provided updates and responded to additional manager questions. Manager Koch moved to accept the Engineer’s Report. Manager Ziegler 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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- iii. **Approve Modification to Permit 2018-011 Westwind Plaza as presented in the proposed board action of the permit report**
 Manager Koch asked if this permit will be operating under the District’s updated rules and fees. Engineer Sobiech said the language has been drafted that the applicant needs to provide the permit fee deposit under the new permit fee structure. Manager Koch moved to approve the modification to Permit 2018-011 with the resolution set forth in the staff report. Manager Ziegler 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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b. Accept April Treasurer’s Report

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Treasurer Crafton moved to accept the Treasurer’s Report as submitted. Manager Pedersen seconded the motion.

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Manager Koch asked several questions about details provided in the report. Treasurer Crafton and Administrator Bleser responded. Manager Koch asked about the District’s investments, and he commented that there is some concern in general about about banks and their financial stability if there are defaults. He encouraged the District to more than once a month review to ensure it has adequate collateral at the institutions and to obtain signed certifications from the institutions.

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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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c. Approve Paying of Bills

195

Manager Crafton moved to pay the bills. 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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d. Approve Permit 2018-016: Avienda Variance Request as Presented in the Proposed Board Action of the Permit Review Report

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Engineer Sobiech said the Board is considering tonight a variance request for permit application 2018-016. He described the applicant has demonstrated the project will meet the District’s rules except for the floodplain fill criteria. Engineer Sobiech went through the criteria and explained the LGU (Local Governmental Unit), which is the City of Chanhassen, has allowed some of the wetlands to be completely filled and mitigated offsite, the waterbodies are no longer available on the project site to provide the compensatory storage adjacent to the same waterbody.

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Engineer Sobiech provided details about what the applicant is proposing to provide, including storm water ponds, filtration basins, and dry retention basins, which provide a larger amount of floodplain storage capacity than what is being filled. He said that with the information he just provided, there is ample evidence for the District to rely upon to grant the variance request.

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Manager Ziegler moved to approve the change and variance request for Permit 2018-016 with the staff and Engineer’s recommendations. Manager Crafton seconded the motion.

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Manager Pedersen remarked she remains opposed to this project because she doesn’t believe filling in wetlands is beneficial to the watershed’s water resources.

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Manager Koch asked for more details about what has changed from the variance the District approved previously to the current design. Engineer Sobiech responded the primary difference is the change in locations of the stormwater management facilities and there is slightly less compensatory storage volume being provided compared to under the previous approval; However, he pointed out, even with the changes, the project provides adequate compensatory storage volume in total. Manager Koch asked if the Board needs to take any action to repeal the previous approval. Engineer Sobiech stated it is his understanding that the variance in front of the Board today would supersede the Board’s previous approval. Attorney Smith agreed the record will show the Board’s action today on the variance request.

227

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	Aye
Pedersen	No
Ward	Aye
Ziegler	Aye

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- e. **Approve Permit 2018-016: Avienda Permit Modification Request as Presented in the Proposed Board Action of the Permit Review Report**
 Manager Ziegler moved to approve Permit 2018-016 permit modification as requested with the proposed Board action set forth in the report. Manager Koch seconded the motion. Upon a roll call vote, the motion carried 4-1 as follows:

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

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Manager Crafton asked if the District had any recourse regarding the action of the LGU for that project and the filling of the wetlands. Attorney Smith responded, and he noted that Wetland Conservation Act decisions by an LGU are reviewable and appealable. Managers commented about actions it could consider regarding wetlands. Manager Koch remarked he thinks legislative action would be the path to explore.

8. Discussion Items

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- a. **Manager Reports**
 Manager Koch reported on a University of Minnesota webinar about AIS that he attended and his takeaway that the District may want to investigate genetic testing of milfoil to

245 properly identify the species and treatment.

246 **b. Administrator Report**

247 Administrator Bleser provided brief highlights of the staff’s activities during the month.
 248 She noted that the District currently has five interns, and she described intern roles.

9. Upcoming Board Topics

249 Manager Koch asked if staff could report next month on its findings about a previous
 250 topic of discussion about interest due to contractors due to late payment of invoices.
 251 President Ward noted upcoming Board topics and events are listed on the meeting
 252 agenda.

10. Upcoming Events

- 253 • Citizen Advisory Committee Meeting, June 15, 2020, 6:00 p.m., Zoom Meeting
 - 254 • Webinar on Ecosystem Services, June 24, 7:00 p.m., Zoom Meeting
 - 255 • Board of Managers Meeting, July 8, 2020, 7:00 p.m., Zoom Meeting
- 256

11. Adjournment

257 Manager Crafton moved to adjourn the meeting. Manager Pedersen seconded the motion. Upon a
 258 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

259
 260 The meeting adjourned at 8:38 p.m.

261 Respectfully submitted,
 262 _____
 263 David Ziegler, Secretary

MEETING MINUTES

Riley-Purgatory-Bluff Creek Watershed District

June 26, 2020, RPBCWD Board of Managers Special Meeting

PRESENT:

Managers:

Jill Crafton, Treasurer
Larry Koch
Dorothy Pedersen, Vice President
Dick Ward, President
David Ziegler, Secretary

Staff:

Amy Bakkum, MN Greencorps Member, RPBCWD
Claire Bleser, RPBCWD Administrator
Terry Jeffery, Watershed Planning Manager
B Lauer, RPBCWD Education and Outreach Assistant
Scott Sobiech, Barr Engineering Co.
Michael Welch, Attorney, Smith Partners

Other attendees:

Pete Johnson

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 Friday, June 26, 2020, Board of Managers Special Meeting at
2 8:00 a.m. The meeting was held remotely via meeting platform Zoom.

2. Approval of Agenda

3 Manager Ziegler moved to approve the agenda as presented. Manager Crafton seconded the
4 motion. Manager Koch moved to amend the motion to include modifying the agenda by moving
5 Agenda Item 4 - Permit 2020-037 Oster Sand Blanket, Agenda Item 5 - Enter into Grant
6 Agreement with Metropolitan Council Stormwater Grant for St. Hubert Catholic School and
7 Delegate to Administrator to Execution of the Grant, and Agenda Item 6 - Wells Fargo Resolution
8 for Financial Services to a consent agenda. Manager Ziegler seconded the motion to amend.

9 The Board discussed Manager Koch's motion to amend and proposed the friendly amendment to
10 his motion to amend to keep Agenda Item 4 - Permit 2020-037 Oster Sand Blanket on the agenda
11 and move Agenda Items 5 and 6 to a consent agenda. Manager Koch agreed to the friendly
12 amendment.

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

14

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

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3. Approve Permit 2020-014: 6665 Horseshoe Curve - Johnson Shoreline Stabilization as Presented in the Proposed Board Action of the Permit Review Report

17 Engineer Sobiech noted that the permit applications for 6665 and 6669 Horseshoe Curve are nearly
 18 identical and are neighboring properties. He reminded the Board the applicants spoke at the
 19 Board’s previous meeting. Engineer Sobiech described the work performed by the applicants for
 20 Permit 2020-014 and Permit 2020-015 through an engineer to develop for each a site stabilization
 21 plan and talked about the erosion intensity scoresheets the District uses to determine what types of
 22 shoreline stabilization measures are appropriate.

23 Engineer Sobiech went into detail about the erosion intensity score, the site stabilization plan, and
 24 the permit review for permit 2020-014. He said the Engineer recommends approval of the permit
 25 as presented.

26 Manager Ziegler moved to approve permit 2020-014 based on the Engineer’s review and
 27 recommendations.

28 Manager Koch raised questions and concerns about the technical information provided and the
 29 application of the District’s rules. He went into great detail about his questions on how the
 30 proposed project meets District criteria through the score from the erosion intensity evaluation and
 31 about his interpretation of specific technical information provided or missing from the permit
 32 application, such as the parallel line and measurements to determine slope. Manager Koch
 33 presented his concerns about ensuring rip rap is installed in compliance with DNR rules and the
 34 District’s rules.

35 Mr. Jeffery and Engineer Sobiech responded to Manager Koch, reminding him the applicants for
 36 both permits retained engineering services to develop the site stabilization plan, highlighting the
 37 plan included the necessary dimensions to determine slope and the parallel line was determined
 38 and discussed, and noting that the Board could add a condition for the applicants’ engineer provide
 39 an updated plan to show the parallel line with the offsets as specified in the exhibits. Engineer
 40 Sobiech went into detail about the erosion intensity scoresheet results, and he added that District
 41 staff had extensive discussions with the applicants about installing native vegetation along the

42 shoreline and at the top of the rip rap, to reduce erosion and help reduce runoff leaving the shore,
 43 but at this time the applicant hasn't chosen to pursue the native planting.

44 Manager Pedersen asked if the District could require the applicant to install native vegetation. Mr.
 45 Jeffery responded no, the District can't compel the applicant to install a buffer because it isn't in
 46 the District's rules. Attorney Welch reiterated that based on its rules, the District can encourage
 47 native plantings on lake shorelines but can't require such plantings.

48 There was discussion about the District's project inspection process and if the project would be
 49 inspected within the first year of installation or if the District should have an inspection process in
 50 which projects are inspected during installation.

51 Manager Koch noted there is a property on the lake that installed an unpermitted project, and he
 52 would like that project to be discussed at the Board's next regular monthly meeting.

53 Manager Koch moved to amend the motion on the table so that the application be approved
 54 contingent on changing the general requirements to incorporate specifically that the work has to be
 55 done consistent with Rule F and that prior to commencement of work a member of staff inspect the
 56 installation of rip rap and contingent on requiring a plan consistent with District's requirements.
 57 The motion died due to lack of a second.

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

59

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

60

61

4. Approve Permit 2020-014: 6669 Horseshoe Curve-Vasallo Shoreline Stabilization as Presented in the Proposed Board Action of the Permit Review Report

62 Engineer Sobiech stated this permit application is nearly identical to the previous permit
 63 application and is for the property adjacent to the one for 6665 Horseshoe Curve. He said the
 64 Engineer recommends approval based on the review and with the conditions as presented in the
 65 report included in the meeting packet.

66 Manager Ziegler asked for more explanation about the parallel line that isn't shown on the plan but
 67 is somehow being used as part of the technical information. Engineer Sobiech clarified that the
 68 District doesn't require an as-built drawing, so the information on record will be the information
 69 the District has now, unless the District adds a condition that the applicant submit an updated plan
 70 that shows the parallel line and measurement thereof. He provided more details about measurement
 71 information.

72 Manager Koch commented he has the same concerns with this application as he had with the prior
 73 permit application. He said the District has no authority to waive its requirements except through
 74 its variance process. Manager Koch said it would be arbitrary and capricious to approve a permit
 75 that doesn't comply with the District's rules, except through a variance process. He said this permit
 76 should not be approved as submitted and the prior one should not have been approved since it
 77 doesn't comply with the District's rules.

78 Manager Ziegler moved to approve the permit with the condition that it include the reference line
 79 the District's rules require. Manager Pedersen seconded the motion. Manager Koch moved to
 80 amend the motion so it includes inspection upon commencement of installation, the inclusion of
 81 the line, and that installation must comply with Rule F. The motion to amend died due to lack of
 82 second.

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

84

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

85

5. Approve Permit 2020-037: Oster Sand Blanket

86 Manager Ziegler moved to approve Permit 2020-037. Manager Koch seconded the motion.

87 President Ward asked staff for more details about Rule F. Mr. Jeffery provided details. Manager
 88 Ziegler asked for information about the District's rule about slope requirements for sand blankets.
 89 Mr. Jeffery said there isn't a slope requirement, but this property is in an area where the slope is
 90 approximately 10 to 1. Attorney Welch clarified for the record that this applicant submitted an
 91 application, and the specs for the sand are included. Mr. Jeffery confirmed Attorney Welch's
 92 clarification.

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

94

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

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6. Consent Agenda

97 Manager Koch moved to approve the Consent Agenda including the resolution included in the
 98 meeting packet. Manager Ziegler seconded the motion. The items approved on the Consent
 99 Agenda included 5i – Enter into Grant Agreement with Metropolitan Council Stormwater Grant for
 100 St. Hubert Catholic School and Delegate to Administrator to Execution of the Grant and 5ii –
 101 Wells Fargo Resolution for Financial Services.

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

103

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

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7. Resolution Adopting Haak Property Transfer

107 Attorney Welch provided background on this agenda item. He clarified that the transfer acceptance
 108 of the property was previously approved by the District, and the conveyance has been approved by
 109 the City of Chanhassen. Attorney Welch said the managers directed staff to obtain title insurance
 110 for the property, which is in progress with a title commitment. He said the Minnesota Management
 111 and Budget Office, which issued the grant for this property to be acquired, had a checklist that they
 112 needed to see before they would approve the project. Attorney Welch said the Office approved the
 113 transfer but then added a request that the District acknowledge, in a separate resolution, the
 114 declaration. He said this is the resolution in front of the Board now. Attorney Welch provided an
 115 update on the conveyance process.

116 Manager Koch had a question about the fifth Whereas included in the resolution. Attorney Welch
 117 responded.

118 Manager Pedersen moved to adopt Resolution 2020-008. Manager Ziegler seconded the motion.

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

120

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

121

8. Adjournment

122 Manager Pedersen moved to adjourn the special meeting. Manager Crafton seconded the motion.

123 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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128 The meeting adjourned at 8:56 a.m.

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Respectfully submitted,

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David Ziegler, Secretary

DRAFT Minutes: Monday, June 15, 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	P	Peter Iverson	A	Jan Neville	P	Lori Tritz	P
Michelle Frost	P	Terry Jorgenson	P	Vanessa Nordstrom	A		
Heidi Groven	A	Matt Lindon	E	Joan Palmquist	P		

Claire Bleser	RPBCWD Administrator	P
B Lauer	RPBCWD staff	P
David Ziegler	Board of Managers	P

Key MOTIONS for the Board of Managers:

1. Sharon made a motion to support revisiting cost share/WSG recipient sites to determine effectiveness of completed projects. The motion also asks for a reporting form for the yearly progress reports (what information would the watershed like specifically) and a yearly reminder email to be sent out by RPBCWD for the progress reports. Finally Sharon suggests using former recipients to collaborate on refining the reporting process. Jan seconded the motion. Motion carried.
2. Jan made a motion to support B's idea of creating a story map that details past cost share/WSG recipients projects, Sharon seconds the motion. Motion carried.

Key CONSENSUS ITEMS:

1. Sharon made a motion to designate 5 minutes per meeting so interested CAC members could share 60 second nuggets of acquired wisdom pertinent to the watershed at the monthly meetings, Joan seconded. Motion carried. (CAC should communicate their desire to share prior to the meeting to ensure time is allotted.) Additionally, it was mentioned that CAC could email their nuggets in lieu of using meeting time if that makes sense for the situation.
2. Joan made motion and Jim seconded to use a timed agenda for the next CAC meeting for the purpose of efficiency and to limit the meeting length to 2 hours or 2.5 hours if there is a learning presentation included. Joan volunteers to be the timekeeper during next month's meeting.

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Key DISCUSSION ITEMS:

How watersheds ensure benefits from water quality improvement projects are realized by diverse stakeholders. (Michelle) The CAC discussed the desire to ensure that improvement projects occur where lower income people live or visit within our district. New immigrants and people new to the concept of watershed LGU would not necessarily be strong advocates for identifying and asking for help to fix problems in their neighborhoods or where they go for recreation.

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. **Changes in agenda structure.** (Lori)
- E. **Approval of Agenda:** Added agenda item to review meeting start time given the Zoom presentation. Claire noted that the learning presentation has to be postponed. Sharon moved and Jan seconded to approve the agenda as amended. Motion carried
- F. **Approval of May 15, 2020 CAC Meeting Minutes:** Sharon moved and Joan seconded to approve the minutes as written. Motion carried.

II. **Learning Presentation: Regulations and Jurisdiction** POSTPONED

III. **Board Meeting Recap and Discussion (Lori):**

- A. **Shoreline erosion on Lotus Lake-Citizens seeking permit to act quickly.** Staff has been working with them since March to collect necessary information before approving permit. Lori wanted to know if controversial wake surfing has contributed to the erosion problem? Claire says No, erosion can't be definitively linked to wakeboarding. The causes for the erosion must be studied further. Another factor that might be the absence of a proper native plant buffer. It is the DNR's job to define acceptable recreation on each lake. Lori also asked, "How effective is rip rap?" And for the new members, "What is rip rap?" Rip Rap is basically boulders on top of boulders used in areas with high impact of water due to wind or current. Often vegetation can be used to stabilize shoreline instead.
- B. **Duck Lake Road Project**(Claire) A non-binding agreement has been reached between Eden Prairie and the watershed to pay 25% of the \$4.7 million longer span bridge project cost over 5 years. Claire reviewed benefits to the watershed numerous benefits which were outlined for the Board and listed in the board meeting minutes.
- C. **Modification to Permit 2018-011 Avienda Plaza variance-** This project will fill in 60 acres of a 100-acre wetland. There was negative reaction by board members towards this wetland destruction. BOM concluded that since previous permits allowed wetland destruction for this project, it is a little late to reverse decision now. History of the project: The RPBCWD in mid 2000 ceded the implementation of the Wetland Conservation Act to cities. This project was started before 2015, when RPBCWD returned to being a regulatory authority. The Wetland Bank Program was discussed. High, Medium and Low quality wetlands would require different compensation through wetland banking. The remaining 5% agriculture within the district is being gradually converted to developed land. Pioneer Trail wetland restoration project will not be banked. Jan asked if we could refuse to renew the Avienda Plaza variance if it expires before the project is started. Claire said she'd need to discuss with Scott.

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IV. **Program and Project Updates**

- A. Additional specific program/project updates from June board meeting not discussed in section III (Claire): Sharon asked whether the Tree Trenches at St. Hubert's were planned for this year. They are scheduled for installation in 2021.
- B. CAC questions from their review of the board packet: Lori asked about whether the grant extension on the Pioneer Trail Wetland Project would possibly allow extra money to be budgeted for the project. Claire responded No since board has already approved the project as previously designated.

V. Staff Engagement with CAC

- A. CAC provided Groundwater Conservation Program input last December.
- B. B mentioned she'd be seeking feedback about a handout from the Landscaping subcommittee.
- C. Jan is interested in simplifying and clarifying the Water Stewardship Grant (WSG) application process. She commented that even as a Master Water Steward and CAC member, designing a rain garden is a challenge. She wants the watershed district to consider whether they want to provide guidelines/resources for homeowners to be able to build a rain garden without having to hire a contractor or whether they always expect that a contractor will be used to install rain gardens.
- D. B mentioned that the WD will be scheduling follow-up WSG recipient site visits in the fall. They will collect applicant feedback at that time about their experience. RPBCWD has received about 50 site visit requests and 15-20 WSG applications this year so far. Sharon encouraged revisiting WSG recipients to see how restoration projects are doing. Project reports are required for 5 years after completion. Sharon asked if there was a reporting form or reminders sent out. She's not heard of anything. Claire said staff is looking at implementing a review process for past grant recipients. Sharon said she and possibly other grant recipients would be willing to help review the plan. Sharon made a motion to support revisiting cost share/WSG recipient sites to determine whether the projects are performing as anticipated and if not what can be done to fix the problem. The motion also asks for a reporting form for the yearly progress reports and a yearly reminder email to be sent out by the RPBCWD. Finally Sharon suggests using past grant recipients to collaborate on establishing a reporting process. Jan seconded the motion. The motion carried.
- E. Sharon suggests posting completed WSG recipient photos on RPBCWD Website. B mentioned WD thinking of developing a story map when time allows in the WSG off season. Sharon liked that idea even better.

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VI. CAC Business

- A. Discussed Marilyn's proposal to return meetings to 6:30pm when conducted by Zoom instead of in person. Motion did not carry. Meeting remains at 6pm. Jan made a motion to provide a maximum 2 hour meeting length. Discussion followed which resulted in a 2.5 hour length so we could continue to allow time for learning presentations.
- B. **Site visit options to replace usual in person learning opportunities.** We selected Steep Slope Vulnerability, traditional monitoring techniques, and Harmful Algae blooms.
- C. **Shared Nuggets (Sharon)** Sharon attended and highly recommends a 4 hour safe salting workshop. She shared some nuggets of information. Joan and Sharon had been going to develop short handouts (like a business card) to hand out to create over salting awareness. Sharon now realizes this is a more complicated topic than could really be addressed in a handout/card. Joan and Sharon will continue to work on the card, first by identifying the purpose of the card and second, specify the action we'd like to see happen.
- D. **CAC yearly volunteer event (Sharon)** CAC voted to YES have a volunteer event following RPBCWD's guidelines. We'll read COVID19 action plan and discuss an event at next month's meeting. All are encouraged to bring their ideas for an activity.
- E. **How watersheds ensure benefits from water quality improvement projects are realized by diverse stakeholders. (Michelle)** Claire said staff is internally having conversations on this topic. Joan suggests making sure CAC membership reflects the diversity within the district. Lori mentioned engaging people who live in apartments/condos/ areas of lots of impermeable pavements. Prioritization tool takes into account community engagement. Michelle would like to be kept this conversation alive between staff and CAC. Claire suggests we learn about our community. Claire will pull together some information that the staff has collected on who lives and visits our watershed. We believe the June 23rd meeting with Freshwater, Water Connects Us, will also be addressing this topic. Claire will check and let us know.
- F. **What are CAC members hearing from other citizens/groups?** No discussion

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VII. Subcommittee Reports:

- A. **Education and Outreach/Speaker's Bureau: The first Preserve presentation went well.**

- B. **Lakes and Streams:** no updates
- C. **Stormwater:** Sharon, committee of one, wants to disband storm drain committee. Chanhassen wants to partner again for a leaf cleanup which is scheduled for the last weekend in October. Educational door hangers will be developed in partnership with Maya, The Chanhassen Environmental Commission approached Sharon about using/creating a video and launching a large, city-wide adopt-a-drain program. Sharon has emailed Maya the request and will discuss the role the watershed would like to play in the program. More details are needed from the commission as well.
- D. **Landscaping for Water:** Met with staff and we're reexamining our goals accordingly.
- E. **Youth Engagement in CAC:** Michelle has new charter on Google Drive. Worked with Maya to develop priorities of wanting to provide opportunities for knowledge, emotional connection and leadership. Does CAC want youth member? Possibly recruit youth for large volunteer events.

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Deleted: Sharon may partner with the Chanhassen conservation committee for storm drain work.

VIII. Upcoming Events

- A. RPBCWD Board of Managers meeting July 8, 2020 at 7pm Virtual Zoom meeting -Marilynn to attend as CAC representative.
- B. RPBCWD CAC meeting July 20, 2020 at 6:00 pm, Virtual Zoom meeting
- C. Wild Ones partnership presentations through the City of Eden Prairie (for links go to Eden Prairie city FB page or website)
 - a. Landscaping for Pollinators-June 17, 6:30pm (Lori)
 - b. Landscaping for Water Quality-July 15, 6:30pm (Lori)
 - c. Landscaping for Soil Health-August 19, 6:30pm (Marilynn)
- D. On-going habitat restoration project adjacent to 9 Mile watershed district building-contact Sharon with questions. Meeting 10am-noon Wednesday indefinitely. Multi year project to remove invasive plants and restore native plants.
- E. Ecosystems Services Webinar-Wednesday, June 24th from 7-8:30pm RPBCWD sponsored/hosted

IX. Adjourn CAC meeting: Sharon moved & Marilynn seconded a motion to adjourn. Motion carried. Meeting adjourned at 8:55 pm.

RPBCWD June 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	No new update	
Internal Policies	Work with Governance Manual and Personnel Committees to review bylaws and manuals as necessary	Administrator Bleser met with the personnel committee to discuss professional development and staffing needs.	
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 June 15th. Administrator Bleser answered questions that were sparked by the June Board of Managers Meeting. Staff Lauer and Administrator Bleser answered specific questions pertaining to projects and programs. Staff offered any points of engagement or ideas for projects for CAC members and CAC members investigated feasibility of some project ideas alongside staff.	
Local Surface Water Management Plan		Working with the City of Chanhasen on the possibility of taking on some of the regulatory program.	
MAWD		Call for resolutions has been released.	
District-Wide			
Regulatory Program	Review regulatory program to maximize efficiency.	The City of Chanhasen has submitted materials indicating their intent to assume regulatory	

	<p>Engage Technical Advisory Committee and Citizen Advisory Committee on possible rule changes. Implement regulatory program.</p>	<p>authority within that portion of RPBCWD coincidental to Chanhassen boundaries. Questions remain as to how it will be implemented and what regulations they will assume. Administrator Bleser and Staff Jeffery are coordinating a meeting with city staff to discuss their intent.</p> <p>Six applications for permits have been submitted since the regular June meeting of the Board of Managers. These include four applications for rule C (two municipal road rehabilitation projects one private retaining wall and one single-family home construction). The remaining two applications are for shoreline stabilization, both of which are on Lotus Lake. One is a request for a fast-track maintenance and the other is for stabilization using bioengineering.</p> <p>The following permits were administratively approved since the June meeting.</p> <ul style="list-style-type: none"> ● 2020-033 Chanhassen 2020 Pavement Rehabilitation Project ● 2020-034 Lake Lucy Road Rehabilitation Project ● 2020-036 Eden Prairie 2020 Pavement Management Project 	
<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.</p>	<p>The fish barrier between the Purg Rec Area and Staring Lake was placed in early June. Staff conducted a boat electrofishing run in Upper Purg Rec Area, but were only able to capture 36 carp. Water levels cooperated twice this month and fish congregated at the berm which allowed for removals with the block net and</p>	<p>City of Chanhassen City of Eden Prairie University of Minnesota MN DNR Carver County</p>

	<p>Manage and maintain the aeration system on Rice Marsh Lake as per the Riley Chain of Lakes Carp Management Plan.</p> <p>Review AIS inspection program.</p> <p>Keep abreast in technology and research in AIS.</p> <p>Zebra mussel veliger testing.</p>	<p>backpack electrofisher (81 & 101 fish totals). The runs coincided with rain events. Staff will continue to monitor the barrier and berm.</p> <p>Zebra mussel veliger sampling will occur in July across all lakes.</p>	
Cost-Share	<p>Schedule and coordinate site visits.</p> <p>Review applications and recommend implementation.</p>	<p>Staff Lauer has been scheduling and coordinating initial site visits with residents and the CCWMO technician. Approximately 30 site visits were conducted in the month of June.</p> <p>The Watershed Stewardship Grant review committee met on June 11th to review four applications. Three of these applications were recommended for funding.</p> <p>The District awarded three grants in the month of June: one residential raingarden, one residential shoreline restoration, and one residential habitat restoration.</p> <p>Staff Lauer continues to work and regularly communicate with potential applicants and applicants to answer questions and guide them through the application and approval process.</p> <p>The District received four completed project reports in the month of June. Two reports are for 2020 grants, one for a 2019 grant, and one for a 2018 grant (project received an extension).</p> <p>Staff Lauer is working with the CCWMO technician to identify needs for additional educational materials.</p>	<p>Carver County Soil and Water Conservation District</p>
Data Collection	<p>Continue Data Collection at permanent sites.</p>	<p>Staff completed two-three rounds of regular stream and lake sample collection in June.</p>	<p>Metropolitan Council City of Eden Prairie</p>

	<p>Identify monitoring sites to assess future project sites.</p>	<p>Bank pins were measured at all regular stream monitoring sites.</p> <p>The District has been utilizing summer interns this month. Abby Tekiela, Jared Fladebo, and Tim Toavs.</p> <p>Staff reported a beaver dam on Purgatory Creek by Homeward Hills Road (downstream of Staring Lake) to the City of Eden Prairie. This was the second time in a month the dam needed to be cleared.</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>Lake level sensors were checked. Lake Riley sensor was replaced and the McCoy sensor is now communicating.</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 deployed pond monitoring stations for the second year of the stormwater monitoring project. Staff have been having issues with communication and the wind sensors with the units and have been working to get them up and running fully. Pond data has been collected biweekly since the end of May.</p> <p>Staff went out on Mitchell Lake and surveyed/took photos of the filamentous algae to allow for future tracking.</p>	<p>University of MN</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>Administrator Bleser met with Engineer Sobiech and Barnes and City Bloomington to discuss flood-risk prioritization mapping.</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 webinar on Ecosystem Services on June 24th. Adopt a dock volunteers continue to check monitoring plates for invasive zebra mussels and report findings to staff.</p> <p>Staff Swope is in continued conversation with other watershed district staff on equity/inclusion in outreach efforts Staff continue 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. Educator mini-grants and action grants are still open and accepting digital applications. 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>Adopt a drain: City of Eden Prairie, City of Minnetonka, City of Bloomington, Hamline University, Nine Mile Creek Watershed District</p> <p>Service learner: University of Minnesota</p>

		Interns: Artist intern Aimi Dickel joined district starting on June first. She is working with staff to generate graphics for a variety of print and digital materials.	
MN GreenCorps Update		Member Bakkum is collaborating with staff and artist intern to create interpretive signage for the gravel bed tree nurseries to encourage curiosity and engagement. Member Bakkum continues to support the Hennepin County Chloride Initiative. Member Bakkum attended a GreenCorps training focused on urban forestry and green developments in stormwater management.	MPCA
Groundwater Conservation	Work with other LGUs to monitor, assess, and identify gaps. Engage with the Technical Advisory Committee to identify potential projects. Develop a water conservation program (look at Woodbury model)	All Groundwater Conservation Grant agreements have been finalized. Staff Lauer has been discussing the engagement of three highly trained and skilled Master Water Stewards and Water Conservation Advisors from the City of Minnetonka to aid in the creation of education and outreach materials pertaining to Groundwater Conservation as a part of the Groundwater Conservation Education Collaborative.	Metropolitan Council City of Eden Prairie City of Shorewood City of Bloomington City of Minnetonka City of Chanhassen
Lake Vegetation Management	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.	Update from University of Minnesota May point-intercept and biomass surveys for Lakes Riley, Susan and Staring have been completed. Biomass samples have been dried, weighed, and recorded. A fair amount of Eurasian watermilfoil was found in Lake Staring and we will continue to assess the situation.	City of Eden Prairie City of Chanhassen University of Minnesota MNDNR

	<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>June point-intercept and biomass sampling is underway for Lake Susan and Staring Lake and Lake Riley will be sampled before the end of June. Olson is continuing to work on a thesis research proposal for his committee.</p>	
Opportunity Projects	<p>Assess potential projects as they are presented to the District</p>	<p>ISG is finalizing feasibility on the reuse system at Preserve.</p>	
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>	<p>No new updates</p>	<p>MPCA</p>
Repair and Maintenance Grant	<p>Develop and formalize grant program.</p>	<p>No new update.</p>	
University of Minnesota	<p>Review and monitor progress on University of Minnesota grant.</p> <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>The University of MN has taken over monitoring their study ponds this month as their Covid-19 restrictions preventing the U of MN from conducting field work have been loosened. These ponds received iron filings this past winter and needed to be monitored to assess the effectiveness of the treatment. Staff also installed the continuous monitoring stations.</p>	<p>Stormwater ponds partners: Bloomington, Chanhassen, Eden Prairie, Minnetonka, Shorewood, and Limnotech. Plant Management: Chanhassen Eden Prairie</p>
Watershed Plan	<p>Review and identify needs for amendments.</p>	<p>No new updates.</p>	

<p>Wetland Conservation Act (WCA)</p>	<p>Administer WCA within the Cities of Shorewood and Deephaven. Represent the District on Technical Evaluation Panel throughout the District</p>	<p>No WCA applications have been received in Deephaven. No WCA applications have been received in Shorewood. Staff Jeffery has provided comment on applications in Chanhassen, and Eden Prairie. All were approvals of delineated boundaries or no-loss determinations.</p>	<p>City of Shorewood City of Deephaven City of Chanhassen City of Eden Prairie MCWD BWSR DNR ACOE</p>
<p>Wetland Management</p>	<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 are wrapping up MNRAM assessments in Eden Prairie south of T.H. 5 and west of Eden Prairie Rd. Moving forward, they will continue to assess wetlands east of Eden Prairie Rd., west of Flying Cloud Dr. Barr Engineering continues to work on updating the MNRAM version for Microsoft Access. A version has been provided to staff Jeffery to assess functionality. Upon completion, data will need to be migrated from the Excel version into the Access version. 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>
<p>Hennepin County Chloride Initiative</p>	<p>Phase 1: Develop a plan to target commercial and association-based sources or chloride pollution - businesses, malls, HOAs, property management companies and the</p>	<p>No additional updates.</p>	

	<p>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.</p>		
Lower Minnesota Chloride Cost-Share Program	<p>The Lower Minnesota River Watersheds are coming together to offer cost-share grants.</p>	<p>Grant eligibility have been finalized and calls for application will be released in July.</p>	
Bluff Creek One Water			
Bluff Creek Tributary Restoration	<p>Implement and finalize restoration. Monitor Project.</p>	<p>Contractor is working on plantings and erosion control.</p>	<p>City of Chanhassen</p>
Wetland Restoration at 101	<p>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</p>	<p>The transfer of the property at 730 Pioneer Trail is being completed. The City is working with the MN OMB to satisfy their concerns. The resolution from the special June meeting should satisfy OMB concerns. Staff Jeffery and Staff Dickhausen installed shallow monitoring wells on site and have been checking water levels daily. Staff Jeffery and Staff Dickhausen will delineate and survey the properties at the beginning of July. Staff Jeffery and Engineer Sobeich met with other design team members to ascertain</p>	<p>City of Chanhassen MN DNR</p>

		approaches to restoration that could address the concerns expressed by the Managers.	
Riley Creek One Water			
Lake Riley Alum	Continuing to monitor the Lake.	Alum was successfully applied.	
Lake Susan Improvement Phase 2	Complete final site stabilization and spring start up. Finalize and implement E and O for the project. Monitor project.	No updates	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. Samples have been collected. Stop logs directing water into the unit will need to be manipulated to ensure water is entering the unit or not saturating the unit (depending on dry or wet periods).	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.	No new updates.	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	Feasibility report was distributed to managers the week of June 22nd. Feasibility presentation will be on July 8th.	City of Chanhassen
Upper Riley Creek	Work with City to develop scope of work (in addition to stabilizing the creek can we mitigate for climate change) Conduct feasibility Develop cooperative agreement with the City of Chanhassen Order Project Start design	Barr Engineering staff finished surveying and delineating wetland areas around Upper Riley Creek.	City of Chanhassen
Middle Riley Creek	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) Draft feasibility report Develop cooperative agreement with Bearpath Order Project Start design	Surveying and delineation of Middle Riley is complete. Administrator Bleser and engineering consultant are working with the City of Chanhassen on the corridor enhancement plan.	Bearpath Neighborhood Association. City of Eden Prairie Dept. of Natural Resources
Purgatory Creek One Water			
PCRA Berm		Feasibility is almost complete.	City of Eden Prairie
Duck Lake Water Quality Project	Work with the City to implement neighborhood BMP. Identify neighborhood BMP to help improve water resources to Duck Lake. Implement neighborhood BMPs.	Administrator Bleser checked on progress on Duck Lake raingardens and pervious pavers. All are 90% completion. Raingarden planting remains and minor modification to insure full functionalities of both systems.	City of Eden Prairie

		Downspout planters are in the process of being installed by the contractors. Some installations are complete, others will begin soon.	
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.	Staff Swope continues to check on site and monitor progress. Videos from this spring’s restoration will be processed soon. District volunteer work on the site is currently on hold, due to social distancing measures.	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	Cooperative agreement is finalized and included in your board packet.	City of Chanhassen

Memorandum

To: Riley-Purgatory-Bluff Creek Watershed District Board of Managers and District Administrator
From: Barr Engineering Co.
Subject: Engineer's Report Summarizing June 2020 Activities for July 8, 2020, Board Meeting
Date: June 30, 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 June 2020.

General Services

- a. Participated in June 1st special meeting discussion Duck Lake Road replacement.
- b. Participated in the June 2nd Middle Riley Creek capital improvement project coordination meeting with Bearpath. Main discussion was Bearpath's comments on the draft cooperative agreement developed by district legal counsel (clarifying maintenance responsibilities, buffer requirements, financial contributions, etc.), project coordination with work being conducted by Bearpath for the 13th Tee box relocation, and joint permitting were also discussed.
- c. Assisted Administrator Bleser in brainstorming ecological benefits of Duck Lake Road replacement in preparation for the June 3rd regular meeting.
- d. Provided a beta version of the Minnesota Routine Assessment Method (MNRAM) wetland assessment database for compatibility with Microsoft Office 365 for RPBCWD staff review and testing. Efforts are on hold until comments are received from RPBCWD staff.
- e. Participated in June 10th meeting with MPCA workgroup about manufactured treatment devices (MTDs). The three goals of this meeting were to determine variables to consider in a certification/crediting process, identify the information needed to fit the variable into the certification process, and identify the process for moving forward.
 - i. Certification will likely require development of some sort of tiered approach and rely on appropriate analysis of data to allow for different credit values that are linked to certain actions.
 - ii. Some action items for the workgroup include:
 - A need to develop a model for what a crediting and certification process would look like. It must be simple and preferably in a checkoff format for plan reviewers.
 - Identify and review existing data management procedures/methods and develop a recommendation for the types of data we need, how it would be managed, and analysis methods.
 - Examine existing testing protocols with a consideration of developing protocols that would be used for independent monitoring data to be accepted.

- f. Worked with Administrator Bleser and Counsel Welch to begin reviewing city of Chanhassen revisions to their Local Surface Water Management plan and draft ordinances relative to their storm water regulatory program.
- g. Follow-up with Peterson Companies regarding status of Water Vision system installation at Chanhassen High School due to several alarms being triggers. Peterson Companies replaced the UV cooling valve and increased the cooling time.
- h. Participated in a virtual meeting on June 19th with Administrator Bleser and city of Bloomington staff to discuss community resiliency prioritization framework and applying it to locations that also include commercial land use, potential all of Bloomington.
- i. Attended June 3rd governance and budget workshops.
- j. Participated in the June 3rd regular Board of Managers meeting.
- k. Participate in June 26th Special meeting.
- l. Prepared Engineer's Report for engineering services performed during June 2020.
- m. Miscellaneous discussions and coordination with Administrator Bleser about planning for CIP project budgets, 2021 budgeting, and upcoming Board meeting agenda.

Permitting Program

- a. *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. Informed applicant of Managers June 3rd conditional approval and provided comments on revised draft declaration.
- b. *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 storm water management rules. Reviewed June 23rd revised submittal and provided review comments on June 25th. Drafted permit review report but waiting for applicant to revise design to achieve the required 90% TSS removal. Because they were considered complete on June 3rd, the 60-day review period will expire on August 2nd which is before the August meeting. Therefore we are working with Watershed Planning Coordinator to issue a 60 day extension for the review period from August 2nd to October 1st.
- c. *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 storm water 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 storm water management rules. Applicant's engineer in the process of redesigning site plans to provide abstraction to the maximum extent practicable by incorporating a rainwater harvest and reuse

- system. RPBCWD engineer was notified on June 19th that applicant is in coordination with Developer/Owner and Architect to prepare construction documents and revise plans.
- d. *Permit 2020-014 Johnson Shoreline* – This project involves construction activities to stabilize about 180 feet of Lotus Lake shoreline at 6665 Horseshoe Curve in Chanhassen. Because the proposed shoreline stabilization project involves work below the ordinary high water level of Lotus Lake and below the 100-year flood elevation of Lotus Lake, the project will need to conform to RPBCWD's permit requirements for Rule B-Floodplain Management, Rule C-Erosion Prevention and Sediment Control and Rule F- Shoreline and Streambank Stabilization. Participated in June 17th virtual meeting with applicant and applicant's engineer. Reviewed and provided comments on the complete application was received on June 23rd. Drafted permit review report for Board consideration at the June 26th special meeting. Informed applicant of RPBCWD conditional approval.
- e. *Permit 2020-015 Vassallo Shoreline* – This project involves construction activities to stabilize about 75 feet of Lotus Lake shoreline at 6669 Horseshoe Curve in Chanhassen. Because the proposed shoreline stabilization project involves work below the ordinary high water level of Lotus Lake and below the 100-year flood elevation of Lotus Lake, the project will need to conform to RPBCWD's permit requirements for Rule B-Floodplain Management, Rule C-Erosion Prevention and Sediment Control and Rule F- Shoreline and Streambank Stabilization. Participated in June 17th virtual meeting with applicant and applicant's engineer. Reviewed and provided comments on the complete application was received on June 23rd. Drafted permit review report for Board consideration at the June 26th special meeting. Informed applicant of RPBCWD conditional approval with the requirement to add a baseline to the drawing. Worked with applicant to address conditions of approval.
- f. *Permit 2020-021 Purgatory Park Storm Sewer Replacement*– In July 2019, the city of Minnetonka undertook an emergency replacement of a collapsed corrugated metal storm sewer pipe with discharge to Purgatory Creek within Purgatory Park as allowed under Rule A, subsection 2.5. District staff have been working with the City on getting an after the fact permit since July 2019. The City hired the consulting engineering firm Bolton and Menk to prepare and submit a permit application on May 26th. The bank of Purgatory Creek has erode leaving the CMP projecting from the bank. The replacement of the collapsed pipe will also include creek bank grading, resurfacing a small section of the entrance drive to the park, and stabilizing the outfall with rip rap that meets the District requirements. The project triggers RPBCWD's Floodplain, Erosion Prevention and Sediment Control, Wetland and Creek Buffer, and Waterbody Crossing and Structures rules. The application is considered incomplete because information showing compliance with the applicable criteria of RPBCWD Rule D, Wetland and Creek Buffers was not provided in the submittal and a signed permit application is needed. Notified the applicant of incomplete application and provided review comments on June 10th.
- g. *Permit 2020-028 UHG Technology Drive 1 Watermain Repair* – This project involves the repair of an existing private 12-inch watermain along a private roadway located at 13625 Technology Drive in Eden Prairie. Proposed work includes repair of the existing 12-inch watermain, pit excavation for infrastructure connection, site restoration including replacement of disturbed pavement and sidewalks in like kind, and stabilization of disturbed landscape.

- Two permits have previously been issued for work at the UnitedHealth Group property. The applicant's preliminary submittal, submitted on May 26th triggered RPBCWD's erosion control, wetland and creek buffer, and storm water management rules. Engineer reviewed preliminary submittal and provided initial comments on June 5th indicating the application is considered incomplete due to missing storm water management system modeling. Applicant submitted revised plans on June 18th including watermain lining in lieu of full watermain replacement to reduce site disturbance limits below storm water management Rule J threshold. Revised submittal triggers RPBCWD's erosion prevention and sediment control rule. Engineer drafted permit report with conditions of approval for Administrator review/approval.
- h. *Permit 2020-029: CorTrust Bank* – This project proposes reconstruction of the CorTrust bank building parking lot constructed in the 1990s located in Minnetonka, MN. The project will restore the parking lot to the intended grade and improve storm sewer drainage to an existing storm water pond on the east side of the site. The existing storm water pond, as well as, tree plantings will provide runoff volume abstraction, water quality treatment, and rate control. The proposed project triggers RPBCWD's floodplain Management and Drainage Alterations, erosion prevention and sediment control, wetland and creek buffers, and storm water management rules. Applicant's engineer in the process of redesigning site plans to provide abstraction to the maximum extent practicable by incorporating tree plantings on the site. Engineer reviewed preliminary submittal and provided initial comments on June 15th indicating the application is considered incomplete due to missing storm water management system modeling. Applicant submitted revised submittal on June 23rd. Revised submittal was considered complete. Drafted permit review report for Board consideration at the July 8th meeting.
- i. *Permit 2020-030 Vine Hill Road Culvert Replacement*– In October 2019, the city of Minnetonka undertook an emergency replacement of a deteriorated reinforced arch pipe under Vine Hill Road along the Silver Lake Branch of Purgatory Creek. Because a sinkhole had formed adjacent to the roadway the City undertook this emergency repair as allowed under Rule A, subsection 2.5. District staff have been working with the City on getting an after the fact permit since October 2019. The City submitted an after the fact permit application on May 26, 2020. Work to replace the failed pipe included creek bank grading, resurfacing a small section of Vine Hill Road and pedestrian trail, and stabilizing the outfall with rip rap that meets the District requirements. The project triggers RPBCWD's floodplain, erosion prevention and sediment control, Wetland and Creek Buffer, and Waterbody Crossing and Structures rules. The application is considered incomplete because information showing compliance with the applicable criteria of RPBCWD Rule D, Wetland and Creek Buffers was not provided in the submittal. Notified the applicant of incomplete application and provided review comments on June 15th.
- j. Conducted a pre-application site visit at 6605 Horseshoe Curve for a potential shoreline stabilization project.
- k. Fielded miscellaneous calls from developer's engineers with questions about floodplain compensatory storage requirement, buffer criteria, shoreline stabilization requirements, and storm water management criteria.

- l. Reviewed draft permit database Houston Engineering is developing and provided comments to Watershed Planning Coordinator Jeffery
- m. Conducted erosion prevention and sediment control inspection on June 18-19 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 June 19th.
- n. Miscellaneous conversation with Watershed Planning Coordinator Jeffery about rules, permit status, financial assurances, and inspections.
- o. Participated in a June 29th virtual meeting with Watershed Planning Coordinator Jeffery, Hennepin County Regional Railroad Authority, Hennepin County, MNDNR Area Hydrologist, and Bolton & Menk to discuss the HCRAA planned renovation of the Purgatory Creek waterbody crossing just downstream of Valley View Road.

Data Management/Sampling/Equipment Assistance

- a. Prepared, loaded, and verified 5 RMB laboratory (RMB) reports.
- b. Communicating with RMB to correct electronic data deliverables.
- c. Deployed upgrades to the Survey123 mobile application for collecting pond data.

Repair and Maintenance

Lake Susan spent lime filter modification

- a. Staff prepared a quick reference guide for programming the water level control structure. District staff Maxwell used the guide to reprogram the water control valve to open for several hours three days a week.

Task Order 6: WOMP Station Monitoring

Purgatory Creek Monitoring Station at Pioneer Trail

- a. Download and review data.
- b. Communication with MCES staff on turbidity sensor readings.

Purgatory Creek Monitoring Station at Valley View Rd

- a. Download and review data.
- b. Review and approval of MCES lab invoice.

Task Order 14b: Lower Riley Creek Final Design

- a. Conducted a site walk with contractor and city staff on June 17th to identify remaining punch list items regarding grading, erosion control, tree and limb removal, and adjustment to several in-stream boulder and log structures along the downstream section of the restoration. Modification efforts to address some additional erosion are needed and the contractor intends to implement the modifications using the unit pricing in the contract documents.
- b. Conduct construction observation of restoration modifications the week of June 22-28th.



Example boulder/log cross vane modifications as a result of June 17th site walk.

- c. Continued coordinating development 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.
- d. 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 was exhausted by early-June. 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 and prepared the attached change order request to cover the needed additional services.

Task Order 21B: Bluff Creek Stabilization Project

- a. Worked with City of Chanhassen to review Contractor request for some tree and shrub substitutions.
- b. Due to very warm weather the contractor has requested a contract time extension for the substantial completion date to allow the trees and shrubs to be planted under more favorable temperatures. Will be working with Administrator Bleser to review and process this request.

Task Order 23: Scenic Heights School Forest Restoration

- a. Conduct field observation and prepared payment application #8 covering two site management visits including spot mowing and herbicide applications to control garlic mustard and reed canary grass.

Task Order 24B: Silver Lake Water Quality Improvement Project

- a. Compilation of existing conditions basemap based on survey data from City and feasibility study.
- b. Development of preliminary design and plan set of proposed system design, including review of City standard plates and details.
- c. Finalize wetland delineation report for permitting.
- d. Follow-up with MnDOT regarding most recent research/standard details for iron-enhanced ditch checks.
- e. Conversation about data collection required for soil health.

Task Order 25: Duck Lake Water Quality Improvement Project

- a. Construction of a rain garden and permeable paver driveway section at 17309 Duck Lake Trail was substantially completed by Sunram Construction during the week ending June 26 (see 'before' and 'under construction' photos below). Construction of a rain garden at 17040 South Shore Lane began during the week ending June 26th and is expected to be completed during the first week of July. Both rain gardens are scheduled to be planted during the second week of July.



- b. Landbridge Ecological constructed and installed four downspout planter boxes at homes within the Duck Lake watershed during the week ending June 19. Outdoor Lab Landscapes is constructing six downspout planters for installation by the end of June. The boxes will be planted with a list of plants chosen by the homeowners. Each contractor will fabricate and deliver to the RPBCWD office one additional planter box. Education and Outreach Coordinator Swope has coordinated installation schedules with the contractors and the homeowners.

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

- a. Staff met with Administrator Bleser and City of Bloomington staff to discuss comments on the prioritized list of areas. Administrator Bleser and City staff requested that the prioritization framework be applied to locations that also include commercial land use, the further verify that the outcome a need to apply the framework prioritizes areas that accurately reflect staff understanding of the storm water system.
- b. In July, staff will begin applying the prioritization framework to an area that includes commercial land use.

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

- a. Developed information for presentation to the Board at the July meeting.

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

- a. Received additional survey data from RPBCWD June 2nd, reviewed and requested clarification of vertical datum, as additional survey data did not coincide with Lidar or previous survey data provided by district staff.
- b. Requested amendment for additional scope reviewing and coordinating survey data, as well as for on-site reference reach survey. Amendment of \$6,700 (time and materials, not to exceed) was authorized June 5th by Administrator Bleser.
- c. Conducted reference reach and spot check survey June 11, 2020. Met on site with Kevin Cashman and reviewed potential access routes and project locations/layouts.
- d. Worked with RPBCWD staff on resolving datum busts with survey data collect in May and early June. The delays in receiving district survey data and additional work to clarify and resolve datum concerns will impact project timelines.

Task Order 30B: Pioneer Trail Wetland Restoration Design

- a. Waiting for district staff to complete field survey and wetland delineation to inform design.
- b. Planned schedule for development of restoration plans is on hold until field survey and wetland delineation data become available.

Task Order 31A: Kerber Pond Ravine Stabilization Feasibility

- a. Compilation of basemap and past modeling for feasibility study use
- b. Review of ravine profile and soils data and soil erodibility
- c. Review of past site photos
- d. Coordination of site visit and data collection for feasibility concept development.
- e. Coordination of project meeting with City and Agency staff.

Task Order 032A: Upper Riley Creek Ecological Enhancement Plan

To: Riley-Purgatory-Bluff Creek Watershed District Board of Managers and District Administrator
From: Barr Engineering Co.
Subject: Engineer's Report Summarizing June 2020 Activities for July 8, 2020, Board Meeting
Date: June 30, 2020
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- a. Held project update meeting with Administrator Bleser, Barr staff, and representatives from the City of Chanhassen.
- b. Developed an Ecological Enhancement Plan report template for both this and future projects, submitted to Administrator Bleser.
- c. Completed vegetation assessment, field wetland delineation, Phase I Environmental Assessment site walk, and cultural resources assessment site walk. Initiated associated reporting.

To: RPBCWD Board of Managers
From: Dave Melmer
Subject: June 18-19, 2020—Erosion Prevention and Sediment Control Inspection (Hennepin County Only)
Date: June 24, 2020
Project: 23/27-0053.14 PRMT 9016

Barr staff has inspected construction sites in the Riley Purgatory Bluff Creek Watershed District for conformance to erosion prevention and sediment control policies. Only permits in Hennepin County were inspected by Barr staff because district staff indicated they would be inspecting all permits in Carver County this month. Listed below are construction projects and the improvement needed for effective erosion prevention and sediment control. The sites were inspected from June 18-19, 2020.

Site Inspections

2015-055	Hampton Inn Eden Prairie - Private - Commercial/Industrial 11825 Technology Drive Eden Prairie, MN 55344 Site is compliant	2020-06-18
2016-017	SWLRT - Government - Other Varies Eden Prairie, MN 55344 Site is compliant	2020-06-18
2016-032	CSAH 61 Improvements - Government - Linear N/A Eden Prairie, MN 55347 Site is compliant	2020-06-18
2016-033	Anderson Lakes-Purgatory Trail - Government - Other Anderson Lakes PKWY and Purgatory Creek Eden Prairie, MN 55344 Site is compliant	2020-06-18
2017-001	Kopesky 2nd Addition - Private - Residential 18340 82nd St Eden Prairie, MN 55347 Site is compliant	2020-06-18
2017-023	Eden Prairie Assembly of God - Private - Commercial/Industrial 16591 Duck Lake Trail Eden Prairie, MN 55346 Site is compliant	2020-06-18

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2017-024	Prairie Bluffs Senior Living - Private - Residential 10280 Hennepin Town Rd Eden Prairie, MN 55347 <p>Corrective Actions remains open from 4/18/19. Sediment into wetland onsite due to no protection of slope and poor silt fence maintenance during constructions. Slopes have been sodded and/or sprayed and landscaping complete. Sediment in wetland area was not removed. Watershed Planning Coordinator Jeffery is working with the city of Eden Prairie, the LGU for responsible for administering WCA, to have the applicant address the wetland fill. City indicated there is evidence, as purported by the builder that the sediment is being delivered via storm sewer from an offsite source.</p>	2020-06-18
2017-026	6135 Ridge Road - Existing Single-Family 6135 Ridge Road, Excelsior, MN, 55331 <p>Site is compliant. Permit has expired. Silt fences still in place.</p>	2020-06-18
2017-043	Flying Cloud Dr Trail Improvements - Government - Other 8251 FLYING CLOUD DR Eden Prairie, MN 55344 <p>Site is compliant</p>	2020-06-18
2017-069	Scheels Redevelopment - Private - Commercial/Industrial 8301 Flying Cloud Dr. Eden Prairie, MN 55344 <p>Site is compliant</p>	2020-06-18
2017-072	O'Reilly Auto Parts Eden Prairie - Private - Commercial/Industrial 8868 AZTEC DRIVE Eden Prairie, MN 55347 <p>No change since last two months of inspections. Corrective Action remains open. Site representative has been notified multiple times and has stated that repairs would be made within a week of notification. Watershed Planning Coordinator Jeffery notified on 6/19/20 of issue.</p>	2020-06-18
2018-003	19475 Waterford Place, Existing Single-Family 16820 Excelsior BLVD Minnetonka, MN 55345 <p>Corrective Action remain open - No change since May 2020 inspection. Erosion south of house, overtopped silt fences. Sediment offsite. Notified realtor last month—he stated he would let contractor know—nothing has been done. Contractor passed away—no Will or Legal Transfer of Business. Spoke with Realtor –property is in Probate and Home owners are left with a mess. Bank will foreclose on property to get it out of Probate so owners can hire a new contractor to finish. In short –nothing will be done until new contractor is hired. Realtor will let me know when that happens. Watershed Planning Coordinator Jeffery notified on 6/19/20 of issue.</p>	2020-06-18
2018-014	Eden Prairie Road Reconstruction - Government - Linear Eden Prairie, MN 55347	2020-06-18

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Site is compliant

2018-017 **Eden Prairie Schools ASC Parking Lot Expansion - Government - Other** **2020-06-18**
8100 School Road Eden Prairie, MN 55344
Site is compliant

2018-034 **Basin 05-11-A Cleanout - Government - Other** **2020-06-19**
Corner of Sequoia and Ginger Eden Prairie, MN 55346
Site is compliant

2018-038 **Eden Prairie Senior Living - Private - Residential** **2020-06-18**
8460 Franlo Rd Eden Prairie, MN 55344
Site is compliant

2018-044 **Smith Village - Private - Residential** **2020-06-18**
16389 Glory Lane Eden Prairie, MN 55344
Site is compliant

2018-047 **Peterson Borrow Site - Private - Commercial/Industrial** **2020-06-18**
15900 Flying Cloud Drive Eden Prairie, MN 55347
Site is compliant

2018-055 **Park Trail Improvement Project - Government - Other** **2020-06-18**
1700 W. 98th Street Bloomington, MN 55431
Site is compliant. Site is stable. Catch basin protection still in at one location. Site representative has been notified multiple times that it can be removed.

2018-058 **Walker Home - Existing Single-Family** **2020-06-18**
9108 Stephens Pointe Eden prairie, MN 55347
Site is stabilized. There is some sediment on neighbor's property at dock entrance. Site representative notified. Watershed Planning Coordinator Jeffery notified on 6/19/20 of issue.

2018-060 **Loichinger Residence - Existing Single-Family** **2020-06-18**
16396 Stratus Court Eden Prairie, MN 55347
Site is compliant

2018-062 **Lower Riley Creek Stabilization Project - Government - Other** **2020-06-18**
Ridge on Riley Creek, Outlot A Eden Prairie, MN 55344
Site is compliant

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2018-065	New Build - Arbit Residence – Existing Single Family 3611 Rainbow Dr Minnetonka, MN 55345 Site is compliant	2020-06-19
2018-066	Castle Ridge Redevelopment - Private - Residential 615-635 Prairie Center Drive Eden Prairie, MN 55344 Site is compliant	2020-06-18
2018-067	Hennepin Co Library - Eden Prairie Branch Refurb - Government - Other 565 Prairie Center Drive Eden Prairie, MN 55344 Site is compliant	2020-06-18
2018-068	DriStem Warehouse Expansion - Private - Commercial/Industrial 14949 Technology Drive Eden Prairie, MN 55344 Site is compliant	2020-06-18
2018-070	4917 Vine Hill Rd 4917 VINE HILL RD DEEPHAVEN, MN 55331 Site is stable. Vegetation is established. All temporary BMP's have been removed. This will be last field inspection for this permit.	2020-06-18
2018-072	Hyland Park Parking Lot Improvements - Government - Other 10145 E Bush Lake Rd Bloomington, MN 55438 Site is compliant	2020-06-18
2018-073	Preserve Boulevard Reconstruction - Government - Linear Preserve Boulevard Eden Prairie, MN 55344 Site is compliant	2020-06-18
2018-074	Eden Prairie Ground Storage Reservoir - Government - Other XXXX Eden Prairie Road Eden Prairie, MN 55344 Corrective Action remains open. Silt Fence down—site rep. stated they would take care of it last month—still down. Site representative notified. Watershed Planning Coordinator Jeffery was notified on 6/19/20 of issue and notified City staff who are addressing.	2020-06-18
2019-003	Stable Path - Private - Residential 9650 Stable Path Eden Prairie, MN 55347 Site is compliant	2020-06-18

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2019-007	Beverly Hill - Private - Residential 16540 Beverly Drive & 9800 Eden Prairie Road Eden Prairie, MN 55347 Site is compliant	2020-06-18
2019-008	Staring Lake Pavilion - Government - Other 14800 Pioneer Trail Eden Prairie, MN 55347 Site is compliant	2020-06-18
2019-009	5995 Ridge Rd Remodel - Existing Single-Family 5995 Ridge Rd Shorewood, MN 55331 Site is compliant	2020-06-18
2019-011	Westwind Plaza - Private - Commercial/Industrial 4795 County Rd. 101 Minnetonka, MN 55345 Site is compliant	2020-06-19
2019-019	Sheldon Place - Private - Residential 7960 Eden Prairie Rd Eden Prairie, MN 55347 Site is compliant	2020-06-18
2019-020	Dixon new home - Existing Single-Family 3993 Hillcrest Road Deephaven, MN 55391 Site is compliant	2020-06-19
2019-022	Woodcrest Place - Private - Residential 17170 Beverly Drive Eden Prairie, MN 55347 No activity since tear down. Site is compliant	2020-06-18
2019-023	Minnetonka Library - Government - Other 17524 Excelsior Blvd. Minnetonka, MN 55345 Site is compliant	2020-06-19
2019-024	Conifer Heights - Private - Residential 5615 Conifer Trail 5616 Mahoney Ave Minnetonka, MN 55345 Site is compliant	2020-06-19
2019-026	Ridgewood Church Parking Lot 4420 County Road 101 Minnetonka, MN 55345 Site is compliant	2020-06-19

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2019-029	Sheldon Ave Storm Sewer Improvements - Government - Linear 16032 Sheldon Avenue Eden Prairie, MN 55344 No activity observed to date	2020-06-18
2019-033	Spring Rd Pedestrian Crossing - Government - Linear Spring Rd and Prospect Rd Eden Prairie, MN 55344 Site is compliant	2020-06-18
2019-034	Lion's Tap - Private - Commercial/Industrial 16180 Flying Cloud Dr Eden Prairie, MN 55347 Site is compliant	2020-06-18
2019-036	Miller Pool - Existing Single-Family 18471 Heathcote Dr Deephaven, MN 55391 Site is compliant. All temporary BMP's have been removed. Site is stable. All vegetation is established. This will be last field inspection for this permit.	2020-06-19
2019-040	5328 Spring Ln - Private - Residential 5328 Spring Lane Minnetonka, MN 55345 Site is compliant	2020-06-19
2019-041	Engelstad Pool - Existing Single-Family 17773 Cascade Dr Eden Prairie, MN 55344 Site is compliant	2020-06-18
2019-043	Cedarcrest Stables - Private - Residential 16870 Cedarcrest Dr Eden Prairie, MN 55347 Site is compliant	2020-06-18
2019-045	16820 Excelsior Blvd, Minnetonka - Existing Single-Family 16820 Excelsior BLVD Minnetonka, MN 55345 Site is compliant	2020-06-19
2019-052	5545 Kipling Avenue Site is compliant	2020-06-19
2020-001	The Overlook - Private - Residential 9955 Spring Road Eden Prairie, MN 55347 No activity observed to date	2020-06-18

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2020-005	Silver Home, 4052 Thrushwood Ln, Minnetonka 4052 Thrushwood Ln Minnetonka, MN 55345 Open CA(s): Silt fence to west is overtopped in one location. Site representative was notified. Deadline: 6/19/2020 Site has Corrective Action. Last month's Corrective Action was fixed. New one has occurred. Site representative was notified.	2020-06-19
2020-008	Eden Ridge - Private - Residential 15817 Valley View Road 15807 Valley View Road Eden Prairie, MN 55344 Site is compliant	2020-06-18
2020-010	Ginder Residence, Existing Single-Family 10070 Sapphire Skies, Eden Prairie, MN 55347 Site is compliant	2020-06-18
2020-011	Minnetonka HS 2020 Parking Lot - Government - Other 18301 Hwy. 7 Minnetonka, MN 55345 Site is compliant. Site clearing/surveying.	2020-06-19
2020-013	Hillcrest Paving - Centerpoint Energy Hillcrest Rd Deephaven, MN 55345 No activity observed to date	2020-06-19
2020-016	HSIP Project - Hennepin County - Government - Other Bloomington and Eden Prairie, MN 55431 No activity observed to date	2020-06-18
2020-017	Deephaven 2020 Street Improvements - Hillcrest R/W - Government - Linear 4000 Hillcrest Rd Deephaven, MN 55391 No activity observed to date	2020-06-19
2020-018	Deerfield Trail, Eden Prairie - Government - Linear Deerfield Trail Eden Prairie, MN 55344 Site is compliant	2020-06-18
2020-019	TH 101 Paving - Centerpoint – Private Energy County Rd 101 Minnetonka, MN 55345 No activity observed to date	2020-06-19

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2020-022 **Elim Shores Trail Project – Private-Residential** **2020-06-18**
7900 Timber Lake Drive Eden Prairie, MN 55347
Site is compliant

2020-023 **2020 SPCS Project - Kimberly Ln and Chennault Way –** **2020-06-18**
Government – Other
7578 Kimberly Lane (& EP Right-of-Way) Eden Prairie, MN
55344
Site is compliant

2020-024 **2020 SPCS Project - Kristie Ln – Government – Other** **2020-06-18**
19184 Kristie Lane Eden Prairie, MN 55344
Site is compliant

Please contact me at 952.832-2687 or dmelmer@barr.com if you have questions on the projects listed above or any additional items that need to be addressed for the erosion control inspections.

COOPERATIVE AGREEMENT
Between the Riley-Purgatory-Bluff Creek Watershed District
and the City of Chanhassen

Silver Lake Watershed Phosphorous Control Project at
Pleasant View Preserve

This cooperative agreement is made by and between the Riley-Purgatory-Bluff Creek Watershed District, a watershed district created pursuant to Minnesota Statutes chapters 103B and 103D (RPBCWD), and the City of Chanhassen, a governmental subdivision and body corporate and politic of the State of Minnesota (Chanhassen), for the construction, operation and maintenance of the Silver Lake Watershed Phosphorous Control project at Pleasant View Preserve.

Recitals

WHEREAS in 2016 the Minnesota Pollution Control Agency designated Silver Lake as impaired for aquatic recreation because of excessive nutrients, and Silver Lake continues to fall short of meeting its designated-use classification;

WHEREAS RPBCWD's approved 2018 watershed management plan (the Plan) identifies excessive nutrient loading as an ongoing harm to water quality in Silver Lake, a public water within both Chanhassen and the City of Shorewood;

WHEREAS the capital improvements program in the Plan includes the Silver Lake Watershed Phosphorous Control Project (designated SiL_2), which includes measures to manage phosphorus loading to Silver Lake, including ditch checks with iron-enhanced sand for filtration, and stabilization of the banks of a firstorder stream

WHEREAS in 2017, RPBCWD completed an update of a 1996 use attainability analysis for Silver Lake, focusing on: (1) assessing the water quality in Silver Lake based on updated physical, chemical and biological data; (2) improving understanding of current water-quality concerns in the lake; and (3) identifying best management practices to improve and protect the lake's water quality and increase the likelihood of Silver Lake being removed from the state impaired waters list;

WHEREAS the RPBCWD engineer prepared a feasibility report in December 2018 to assess options to further reduce phosphorus loading to and improve water quality in Silver Lake, and the engineer determined that construction of ditch checks with iron-enhanced sand in ravines upgradient of and tributary to Silver Lake would reduce loading of total phosphorus to Silver Lake by 2.6 to 4.7 pounds per year at an estimated annual cost of between \$1,020 and \$3,460 per pound;

WHEREAS based on these findings and an assessment of potential tree and upland impacts from construction, the RPBCWD engineer recommended installation of ditch checks with iron-enhanced sand as the most efficacious and cost-effective conceptual design to address RPBCWD’s goals for Silver Lake;

WHEREAS the optimal location of the ditch checks is a stream in a ravine that flows from Pleasantview Road to Silver Lake through Pleasant View Preserve, a park area owned by Chanhassen;

WHEREAS further assessment of potential project approaches by the RPBCWD engineer in collaboration with RPBCWD and Chanhassen water-resources staff resulted in a final proposed design consisting of five ditch checks with iron-enhanced sand filtration and stabilization of the banks of a first-order stream in the Park, along with wetland restoration, to improve 0.3 acres of habitat (the Project), as shown and labeled as “Project Area” in Exhibit A, attached hereto and incorporated herein as a term of this agreement;

WHEREAS after a duly noticed public hearing on September 4, 2019, and due consideration of the comments received, the RPBCWD Board of Managers ordered the Project on March 4, 2020;

WHEREAS Chanhassen operates its stormwater-management system under the state Municipal Separate Storm Sewer System general permit, and construction and maintenance of the Project is intended to accrue to the benefit of Chanhassen’s fulfillment of its obligations under the MS4 permit;

WHEREAS Chanhassen and RPBCWD acknowledge that their ability to achieve Project objectives depends on each party satisfactorily and promptly performing individual obligations and working cooperatively with the other party; and

WHEREAS Minnesota Statutes section 471.59 authorizes Chanhassen and RPBCWD to enter this cooperative agreement.

AGREEMENT

NOW, THEREFORE Chanhassen and RPBCWD enter into this agreement to document their understanding of the scope of the Project, affirm their commitments as to the responsibilities of and tasks to be undertaken by each party, establish procedures for performing these tasks and carrying out these responsibilities, and facilitate communication and cooperation to successfully complete and subsequently operate and maintain the Project.

1 Project Design, Construction and Maintenance

The Project is defined and specified for purposes of this cooperative agreement as consisting of design and construction in accordance with the following:

1.1 DESIGN. RPBCWD has contracted with the RPBCWD engineer for the preparation of plan sheets, drawings and technical specifications for the implementation of the Project and will submit 90 percent complete plan sheets, drawings and technical specifications to Chanhasen for review and approval in accordance with paragraph 2.1 of this agreement. The plan sheets, drawings and technical specifications will serve as the primary technical specifications in the contract documents prepared in accordance with this subsection of this agreement for purposes of contracting for implementation of the Project. The preparation of all necessary construction documents for the Project will include:

- a. Erosion and sediment-control measures – temporary and permanent;
- b. Installation of streambank-stabilization measures;
- c. Delineation of wetland areas with the Project Area, and enhancement of vegetation in and drainage to the wetland;
- d. Completion of a tree inventory and development of a tree-protection and -replacement plan for Chanhasen’s approval;
- e. Grade control;
- f. Up to five iron-enhanced ditch checks at approximately the locations shown in Exhibit A; and
- g. Auxilliary and complementary elements.

Construction documents for the Project will provide for one year of vegetative establishment, followed by a two-year warranty period on vegetation.

1.2 CONSTRUCTION. RPBCWD will contract for the implementation of the Project in accordance with applicable public-procurement law. The Project will be implemented by a contractor under contract to RPBCWD, with construction oversight and management by the RPBCWD engineer, under contract to RPBCWD. Construction will include advance determination and procurement of permits and other regulatory approvals necessary for the Project.

1.3 MAINTENANCE PLAN. In collaboration with Chanhasen, RPBCWD will develop a plan for the post-construction maintenance of the Project (the Maintenance Plan), as provided in paragraphs 3.2e and 4.2. The Maintenance Plan will identify routine maintenance and repair of the Project. The Maintenance Plan will articulate a process for funding and completing work required to maintain the effectiveness of or repair the Project that falls outside the scope of what is defined and specified by the Maintenance Plan as routine maintenance – i.e., major maintenance and repair of the Project.

2 Chanhassen's Specific Rights and Duties, and Grant of Access, Construction

2.1 Pursuant to paragraph 1.1 above, the RPBCWD engineer will timely submit 90 percent complete plan sheets, drawings and specifications for the Project to Chanhassen for review, comment and approval. Chanhassen will have 10 business days from the date of transmission to review, comment and approve the plan sheets, drawings and specifications. Chanhassen's right to review and approve plan sheets, drawings and specifications will be reasonably exercised. If Chanhassen neither approves nor disapproves in the designated timeframe, the plan sheets, drawings and specifications will be deemed approved by the parties and for the purposes of this agreement. If either RPBCWD declines to modify the plan sheets, drawings and specifications for the Project as required to secure Chanhassen's approval, or if Chanhassen disapproves the plans and specifications for the Project, this agreement will be rescinded and annulled, and all obligations herein, performed or not, will be voided.

2.2 By execution of this agreement, Chanhassen grants to RPBCWD, its contractors, agents and assigns a license to access and use that portion of the property legally described as Outlot C, the Summit at Near Mountain shown and labeled as the Project Area in Exhibit A for purposes of RPBCWD's exercise of rights and fulfillment of its obligations under this agreement. Chanhassen's grant of property-use rights hereunder is nonexclusive, except that RPBCWD, on 48 hours' notice to Chanhassen, may temporarily restrict or preclude public access to the Project Area to ensure safety while construction activities are under way. Access to the Project Area will be restricted as briefly and infrequently as reasonably possible, and will be imposed only as necessary for Project access, construction and safety purposes. RPBCWD will respond within one business day to any communication from Chanhassen regarding closure of the Project Area.

2.3 On completion of construction of the Project, Chanhassen will retain ownership of Pleasant View Preserve and all installed and constructed elements of the Project.

2.4 Chanhassen will forbear from any activity, other than emergency activities, that interferes with the RPBCWD's ability to exercise its rights or meet its obligations under this agreement. Chanhassen will facilitate RPBCWD's reasonable exercise of its rights under this agreement with regard to access to and use of the Project Area. Chanhassen will not take any action on, in or adjacent to the Project Area that could reasonably be expected to diminish the effectiveness or function of the Project for the purposes intended, and after notice of completion of construction of the Project from RPBCWD, Chanhassen will continue to operate and maintain Pleasantview Road and the Pleasant View Preserve in a manner that avoids inhibiting the operation and effectiveness of the Project. If Chanhassen transfers ownership of a fee interest in Pleasant View Preserve or any portion of Pleasant View Preserve improved by the Project during the term of this

agreement, Chanhassen will require as a condition of sale and enforce a requirement that the transferee assume in writing Chanhassen's obligations and responsibility under this agreement.

3 RPBCWD's Specific Rights and Duties

3.1 As between the parties, RPBCWD will obtain all necessary permits, licenses and approvals for the Project on behalf of itself and Chanhassen, and will ensure that the Project is completed in accordance with applicable law and regulatory requirements. Chanhassen, as owner of Pleasant View Preserve, will cooperate with RPBCWD's and its contractor's efforts to obtain permits and approvals needed for the Project. Chanhassen, in its regulatory capacity, will facilitate the proper and efficient processing of any permits or approvals needed for the Project.

3.2 RPBCWD will implement the Project as follows:

- a. RPBCWD will contract with the RPBCWD engineer for the development of designs and plans for both the Project, along with the technical specifications and all other necessary bidding and construction documentation. Notwithstanding the foregoing, RPBCWD makes no warranty to Chanhassen regarding the RPBCWD engineer's or another third party's performance in designing or specifying the Project.
- b. RPBCWD will require that the contractor for the Project name Chanhassen as an additional insured with primary and noncontributory coverage for general liability and provide a certificate showing same prior to construction. RPBCWD will require that the contractor extend all product warranties and workmanship guaranties to Chanhassen.
- c. RPBCWD or the RPBCWD engineer on RPBCWD's behalf will oversee the construction of the Project. RPBCWD may adjust the designs, plans and specifications for the Project during construction, as long as the revisions do not require RPBCWD to exceed the scope of the rights granted under this agreement.
- d. On completion of construction of the Project, RPBCWD will restore the Project Area to a safe and functional condition, consistent with its ongoing use for public recreational purposes, except to the extent Pleasant View Preserve is improved by the Project. RPBCWD will provide as-built construction drawings of the Project to Chanhassen within 90 days of certification of the Project as substantially complete for the intended purposes, along with notice of the date of substantial completion.
- e. RPBCWD will contract with the RPBCWD engineer for the development of the Maintenance Plan. The contract for the Maintenance Plan will require the

RPBCWD engineer to provide the Maintenance Plan for approval by Chanhasen within one year of certification by a qualified engineer of the as-built construction drawings of the Project, such approval not to be unreasonably withheld. Notwithstanding, RPBCWD makes no warranty to Chanhasen regarding the RPBCWD engineer's performance in completing the Maintenance Plan.

3.3 Until completion of construction of the Project, if RPBCWD, in its judgment, should decide that the Project is infeasible, RPBCWD, at its option, may declare the agreement rescinded and annulled. If RPBCWD so declares, all obligations herein, performed or not, will be voided, except that RPBCWD will return the Project Area materially to its prior condition or to a condition agreed to by Chanhasen and RPBCWD.

4 Maintenance

4.1 RPBCWD will contract with the RPBCWD engineer for and direct the development, in collaboration with Chanhasen, of a draft plan for the post-construction maintenance of the Project (the Maintenance Plan). The Maintenance Plan will delineate and distinguish routine operation, maintenance and repair of the Project from major maintenance and repair.

4.2 RPBCWD will convey the draft Maintenance Plan to Chanhasen for its approval. The draft Maintenance Plan will describe and specify routine maintenance of the Project. If Chanhasen does not approve the Maintenance Plan within 45 days of receipt of the draft, all maintenance and repair necessary to assure that the Project will continue to effectively function as designed will become the sole responsibility of Chanhasen. After approval of the Maintenance Plan, Chanhasen will perform routine maintenance of the Project, for no less than 20 years from the date the Project is substantially complete for its intended purposes.

4.3 After approval of the Maintenance Plan as provided in paragraph 4.2 and otherwise herein, at the request of Chanhasen, RPBCWD will duly consider levying and dedicating funds to major maintenance or repair of the project.

4.4 RPBCWD may from time to time conduct monitoring of the performance of the Project, and will share the results of the data to Chanhasen.

5 Cost Allocation and Credit-Sharing

5.1 Costs. Except as specified below, each party will bear the costs of fulfilling its responsibilities and performing its obligations under this agreement, as well as its internal, administrative and incidental costs. Neither party will be responsible for or will reimburse costs incurred by the other.

5.2 Maintenance costs. Chanhassen will be responsible for costs of routine maintenance of the Project in accordance with the Maintenance Plan, except that RPBCWD will be responsible for the cost of materials and equipment for replacement of the iron-sand filter medium, the necessity for which will be jointly determined by Chanhassen and RPBCWD. Chanhassen will be responsible for cost of labor to replace the iron-sand filter medium. Further, RPBCWD will duly consider levying and dedicating maintenance funds for major maintenance of the Project.

5.3 Compliance credit. Stormwater-management or nutrient-reduction capacity created by the Project, if any, may be utilized by Chanhassen in accounting for compliance with its Municipal Separate Storm Sewer System permit or other regulatory obligations. Chanhassen will determine, at its cost, available credit from the Project. RPBCWD makes no representation or warranty as to credit that will be available from or results that will be achieved by the Project.

6 General Terms

6.1 INDEPENDENT RELATIONSHIP; LIABILITY.

- a. This agreement does not create a joint powers board or organization within the meaning of Minnesota Statutes section 471.59, and neither party agrees to be responsible for the acts or omissions of the other pursuant to subdivision 1(a) of the statute. Only contractual remedies are available for the failure of a party to fulfill the terms of this agreement.
- b. Chanhassen and RPBCWD enter this agreement solely for the purposes of improving water quality in Silver Lake. Accordingly, each party is responsible for its own acts, omissions and the results thereof to the extent authorized by law and will not be responsible for the acts and omissions of others or the results thereof. Minnesota Statutes chapter 466 and other applicable law govern liability of each of the parties. The limits of liability for the parties may not be added together to determine the maximum amount of liability for either party. Notwithstanding the foregoing or any other provision of this agreement, Chanhassen's and RPBCWD's obligations under this paragraph will survive the termination of the agreement.
- c. This agreement creates no right in and waives no immunity, defense or liability limitation with respect to any third party.
- d. Notwithstanding the foregoing, RPBCWD will not be deemed to have acquired by entry into or performance under this agreement, any form of interest or ownership in the Project Area. RPBCWD will not by entry into or performance under this agreement be deemed to have exercised any form of control over the use, operation or management of any portion of the Project Area or adjacent

property so as to render RPBCWD a potentially responsible party for any contamination under state and/or federal law.

6.2 PUBLICITY AND ENDORSEMENT. Any publicity regarding the Project must identify Chanhassen and RPBCWD as the sponsoring entities. For purposes of this provision, publicity includes notices, informational pamphlets, press releases, research, reports, signs, and similar public notices prepared by or for Chanhassen or RPBCWD individually or jointly with others, or any subcontractors, with respect to the Project. RPBCWD and Chanhassen may collaborate on the development of educational and informational signage pertinent to the Project, and each party, at its cost, may develop, produce and, after approval of the other party, distribute educational, outreach and publicity materials related to the Project.

6.3 DATA MANAGEMENT. All designs, written materials, technical data, research or any other work-in-progress will be shared between the parties to this agreement on request, except as prohibited by law. As soon as is practicable, the party preparing plans, specifications, contractual documents, materials for public communication or education will provide them to the other party for recordkeeping and other necessary purposes.

6.4 DATA PRACTICES. All data created, collected, received, maintained or disseminated for any purpose in the course of this agreement is governed by the Minnesota Government Data Practices Act, Minnesota Statutes chapter 13, and any state rules adopted to implement the act, as well as federal regulations on data privacy

6.5 ENTIRE AGREEMENT. This agreement, as it may be amended in writing, contains the complete and entire agreement between the parties relating to the subject matter hereof, and supersedes all prior negotiations, agreements, representations and understandings, if any, between the parties respecting such matters. The recitals stated at the outset are incorporated into and made a part of the agreement.

6.6 WAIVERS. The waiver by Chanhassen or RPBCWD of any breach or failure to comply with any provision of this agreement by the other party will not be construed as nor will it constitute a continuing waiver of such provision or a waiver of any other breach of or failure to comply with any other provision of this agreement.

6.7 NOTICES. Any notice, demand or communication under this agreement by either party to the other will be deemed to be sufficiently given or delivered if it is dispatched by registered or certified mail, postage prepaid to:

Chanhassen
Charlie Howley
7700 Market Blvd
Chanhassen, MN 55317
952-227-1168

RPBCWD
Claire Bleser, administrator
18681 Lake Drive East
Chanhassen MN 55317
952-607-6512

6.8 TERM; TERMINATION. This agreement is effective on execution by both parties and will terminate three years from the date of execution of this agreement or on the written agreement of both parties. Any responsibility or obligation that has come into being before expiration, specifically including maintenance obligations under paragraph 4.2 will survive expiration.

[signature page follows]

IN WITNESS WHEREOF, the parties have executed this agreement.

City of Chanhaseen,

a statutory city and political subdivision of the State of Minnesota

By _____ Date: _____
Elise Ryan
Mayor

By _____ Date: _____
Heather Johnston
Interim City Manager

RILEY-PURGATORY-BLUFF CREEK WATERSHED DISTRICT

a watershed district and political subdivision of the State of Minnesota

By _____ Date: _____
Dick Ward
President

Approved as to form and execution

By _____
RPBCWD counsel

Exhibit A
Project Area

Memorandum

To: RPBCWD Board of Managers
From: Scott Sobiech
Subject: Lower Riley Creek Project – Request for additional engineering services budget
Date: June 30, 2020
Project: 23/27-0053.14 014

Requested Board Action

Barr requests that the RPBCWD Board of Managers consider authorizing Barr Engineering to spend an additional budget of \$12,000 for construction administration and observation services related to the Lower Riley Creek Stabilization Project.

After construction encountered unforeseen site conditions we started anticipating a budget shortfall could happen and included the following text in the February engineer's report: *"This necessary change in design was not anticipated in Barr's task order or amendments and might result in Barr exceeding the authorized budget. Barr continues to monitor the construction management budget closely and may need to submit a request for addition budget in the future."* We continued to track the construction administration budget closely, work closely with RPBCWD Administrator, and provide updates in Barr's monthly engineer's reports to inform the mangers of a potential overrun in advance. As of the May engineering services invoice (thru 5/31) there was only \$14 left in Barr's authorized budget for this project (\$247,116). Because the construction administration budget is exhausted, Barr is requesting additional construction administration budget for the following reasons:

- The downstream portion of the project needed substantial design modifications to account for the mucky soil conditions. Resolving the mucky soils issue required unanticipated meetings with the contractor, more coordination with the City, extension plan revisions, specification revisions, and change order negotiations.
- The contractor requested Barr to be on site more frequently than anticipated
- Field fitting stabilization features to minimize added tree impact
- Additional construction staking/grade control for storm sewers
- Additional efforts related to the pedestrian bridge incorporate into the project (e.g., construction staking, review of submittals, coordination with the city, site alignment coordination)
- Unanticipated construction observation/coordination to field fit stabilization modification to address bank erosion that occurred following spring flows.

Reviewing the task order language, we had allotted 280 hours for construction administration but as of June 26th Barr had expended about 477 hours. Construction activities remaining include punch list review, payment application processing, and close-out activities.

Because construction on the project experienced unforeseeable challenges requiring additional engineering services, additional budget is needed to complete construction administration services and close-out activities. The following table summarizes the approved budget, the amount spent as of May 31st, and anticipated additional budget to complete the engineering work associated with the Lower Riley Creek Stabilization Project design and construction administration (Task Order 14B). We are anticipating the total construction administration budget at project completion, assuming punch list remedies and close-out activities go smoothly, to be roughly \$55,000-\$65,000 (about 3.3% of the total construction cost, \$1,794,560):

Task Order 14B	Authorized Budget	Amount Spent Through 5/31/19	Estimated Additional Work
<ul style="list-style-type: none"> Design of Restoration Project (Design, Permitting, EAW, Maintenance Plan, Plans and Specifications) Construction Services (Bidding, Construction Oversight and Administration) 	\$247,116	\$247,102	\$12,000
Budget Remaining (as of 5/31/20)		\$14	
Budget Increase Request			\$12,000



June 16, 2020

President Dick Ward and Board of Managers
Riley-Purgatory-Bluff Creek Watershed District
14500 Martin Drive Suite 1500
Eden Prairie, MN 55344

**Re: Scenic Heights Elementary School Forest Restoration Project – Pay Application #8
Barr Project # 23/27-0053.14-023**

Dear President Ward and Board of Managers:

Enclosed is the Application for Payment #8 from Landbridge Ecological for work completed in May of 2020, on the above-referenced project. Upon your review and approval, please sign three copies and return one copy to me, one copy to the contractor and retain the remaining copy for your files.

Major items of work covered by this pay application include two site management visits including spot mowing and herbicide applications to control garlic mustard and reed canary grass.

Barr Engineering has reviewed the application for payment, confirmed that the work for which payment is requested has been performed, believes to the best of our knowledge that the work has been performed in accordance with the terms of the contract with the Riley Purgatory Bluff Creek Watershed District, and is recommending payment in the amount of **\$5,000.00**. Payments shall be made directly to Landbridge Ecological at 670 Vandalia Street, St. Paul, MN 55114.

Please call me at 952-832-2755 if you have any questions or concerns about the application for payment, or about any other related matters.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Sobiech". The signature is fluid and cursive, written over a white background.

Scott Sobiech, P.E.
Barr Engineering Co.

c: Claire Bleser, RPBCWD
Elissa Thompson, Landbridge Ecological

Enclosure #1 – Application for Payment – Progress Payment 8

**Scenic Heights School Forest Restoration Project
Progress Payment Number 8**

1.0	Total Completed Through This Period	<u>\$165,022.50</u>		
2.0	Total Completed Previous Period		<u>\$5,000.00</u>	
3.0	Total Completed This Period			<u>\$5,000.00</u>
4.0	Amount Retained, Previous Period		<u>\$4,980.62</u>	
5.0	Amount Retained, This Period (See Note 1)		<u>\$0.00</u>	
6.0	Total Amount Retained		<u>\$4,980.62</u>	
7.0	Retainage Released Through This Period:			<u>\$0.00</u>
8.0	Amount Due This Period			<u><u>\$5,000.00</u></u>

Note 1: At rate of 5% until Completed to Date equals 50% of current Contract Price and a rate of 0% thereafter.

Note 2: Current Contract Price \$199,225.00

SUBMITTED BY:

Name: Elissa Thompson Date: 6/16/2020
 Title: Project Manager
 Contractor: Landbridge Ecological

Signature: *Elissa Thompson*

RECOMMENDED BY:

Name: Scott Sobiech Date: 6/16/2020
 Title: District Engineer
 Engineer: Barr Engineering Co.

Signature: *Scott Sobiech*

APPROVED BY:

Name: Dick Ward Date: _____
 Title: President
 Owner: Riley-Purgatory-Bluff Creek Watershed District

Signature: _____

Scenic Heights School Forest Restoration Project
 Riley Purgatory Bluff Creek Watershed District
 Summary of Work Completed through May 29, 2020 for Progress Payment Number 8 (INVOICE #4055)



Item	ITEM DESCRIPTION	UNIT	ESTIMATED QUANTITY	BID - LANDBRIDGE ECOL		(1) Total Completed Through This Period		(2) Total Completed Through This Period		(3) Total Completed Through This Period		(4) Total Completed Through This Period		(5) Total Completed Through This Period		(6) Total Completed Through This Period		(7) Total Completed Through This Period		(8) Total Completed Through This Period	
						UNIT COST	EXTENSION	Quantity	Amount	Quantity	Amount	Quantity	Amount	Quantity	Amount	Quantity	Amount	Quantity	Amount	Quantity	Amount
1.06 A	Mobilization/Demobilization	L.S.	1	\$15,500.00	\$15,500.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	1	\$15,500.00	0	\$0.00	0	\$0.00	0	\$0.00
1.06 B	Erosion Control Construction Entrance	Each	1	\$2,500.00	\$2,500.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
1.06 C	Desirable Plant Marking for Protection	L.S.	1	\$1,750.00	\$1,750.00	1	\$1,750.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
1.06 D	Clear and Grub Woody Invasive Plant Removal (Trees under 8")	AC	7	\$4,500.00	\$31,500.00	6	\$27,000.00	1	\$4,500.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
1.06 F	Clear and Grub Woody Invasive Plant Removal (Trees over 8")	Each	40	\$450.00	\$18,000.00	33	\$14,850.00	7	\$3,150.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
1.06 H	Remove and Dispose of Adopt-A-Plots Signs	Each	30	\$85.00	\$2,550.00	30	\$2,550.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
1.06 I	Heavy Duty Silt Fence	L.F.	85	\$15.50	\$1,317.50	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
1.06 J	Erosion Control Blanket	S.Y.	125	\$5.50	\$687.50	0	\$0.00	125	\$687.50	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
1.06 K	Remove and Salvage Topsoil (P)	C.Y.	80	\$45.00	\$3,600.00	0	\$0.00	80	\$3,600.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
1.06 L	Grading	L.S.	1	\$5,900.00	\$5,900.00	0	\$0.00	1	\$5,900.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
1.06 M	Rock Riffle	Each	3	\$3,500.00	\$10,500.00	0	\$0.00	3	\$10,500.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
1.06 N	Woodland Seed Mix with Cover Crop (Custom Mix)	AC	4.7	\$2,200.00	\$10,340.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	4.7	\$10,340.00	0	\$0.00	0	\$0.00	0	\$0.00
1.06 O	Prairie Seed Mix with Cover Crop (MnDOT 35-221)	AC	1.3	\$1,950.00	\$2,535.00	0	\$0.00	0	\$0.00	0	\$0.00	1.3	\$2,535.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
1.06 P	Woodland Edge Seed Mix with Cover Crop (MnDOT 36-711)	AC	1.2	\$1,850.00	\$2,220.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	1.2	\$2,220.00	0	\$0.00	0	\$0.00	0	\$0.00
1.06 Q	Wet Meadow Seed Mix with Cover Crop (MnDOT 34-261)	AC	0.5	\$3,500.00	\$1,750.00	0	\$0.00	0.3	\$1,050.00	0	\$0.00	0	\$0.00	0.2	\$700.00	0	\$0.00	0	\$0.00	0	\$0.00
1.06 R	Live Stake (Furnish and Install)	Each	148	\$15.50	\$2,294.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	148	\$2,294.00	0	\$0.00	0	\$0.00	0	\$0.00
1.06 S	#10 Corl. Tree (Furnish and Install)	Each	30	\$350.00	\$10,500.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	30	\$10,500.00	0	\$0.00	0	\$0.00	0	\$0.00
1.06 T	Shrub, Bare Root (Furnish and Install)	Each	182	\$25.50	\$4,641.00	0	\$0.00	101	\$2,575.50	0	\$0.00	0	\$0.00	81	\$2,065.50	0	\$0.00	0	\$0.00	0	\$0.00
1.06 U	Herbaceous Plug (Furnish, Install by others)	Each	2520	\$1.50	\$3,780.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	2520	\$3,780.00	0	\$0.00	0	\$0.00	0	\$0.00
1.06 U	Straw Mulch	AC	7.7	\$1,550.00	\$11,935.00	0	\$0.00	0	\$0.00	0	\$0.00	1	\$1,550.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
1.06 V	Shredded Hardwood Mulch	C.Y.	45	\$65.00	\$2,925.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	45	\$2,925.00	0	\$0.00	0	\$0.00	0	\$0.00
1.06 W	Herbaceous Management Site Visit 2018	Each	7	\$2,500.00	\$17,500.00	0	\$0.00	3	\$7,500.00	3	\$7,500.00	1	\$2,500.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
1.06 X	Herbaceous Management Site Visit 2019	Each	7	\$2,500.00	\$17,500.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	1	\$2,500.00	1	\$2,500.00	2	\$5,000.00	0	\$0.00
1.06 Y	Herbaceous Management Site Visit 2020	Each	7	\$2,500.00	\$17,500.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	2	\$5,000.00
CONSTRUCTION SUBTOTAL					\$199,225.00		\$46,150.00		\$39,463.00		\$7,500.00		\$6,585.00		\$52,824.50		\$2,500.00		\$5,000.00		\$5,000.00



INVOICE # 4055

670 Vandalia Street | Saint Paul, MN 55114
612.503.4420 | www.landbridge.eco | info@landbridge.eco

BILL TO Riley Purgatory Bluff Creek WD
18681 Lake Dr. E.
Chanhassen, MN 55317

PROJECT 17-054 Scenic Heights Restoration
DATE 5/29/20
TERMS Net 30

DESCRIPTION	QTY	RATE	AMOUNT
Herbaceous Management Site Visit 2020 (EA)	2	2,500.00	5,000.00

TOTAL \$5,000.00

PAYMENTS / CREDITS \$0.00

BALANCE DUE \$5,000.00



June 5, 2020

President Dick Ward and Board of Managers
Riley-Purgatory-Bluff Creek Watershed District
18681 Lake Drive East
Chanhassen, MN 55317

**Re: Lake Susan Spent Lime Filter Modification –Pay Application #2 (Final Payment Application)
Barr Project # 23/27-0053.14-008**

Dear President Ward and Board of Managers:

Enclosed is the Application for Payment #2 (Final Payment Application) from Sunram Construction Inc. for work completed through June 3, 2020, on the above-referenced project. Upon your review and approval, please sign three copies and return one copy to me, one copy to the contractor and retain the remaining copy for your files.

Major items of work covered by this pay application include site restoration.

Barr Engineering has reviewed the application for payment, confirmed that the work for which payment is requested has been performed, believes to the best of our knowledge that the work has been performed in accordance with the terms of the contract with the Riley Purgatory Bluff Creek Watershed District, and is recommending payment in the amount of **\$500.00**. Payments shall be made directly to Sunram Construction Inc.

Please call me at 952-832-2755 if you have any questions or concerns about the application for payment, or about any other related matters.

Sincerely,

A handwritten signature in black ink that reads "Scott Sobiech". The signature is fluid and cursive, with the first and last names being clearly legible.

Scott Sobiech, P.E.
Barr Engineering Co.

c: Claire Bleser, RPBCWD
Ryan Sunram, Sunram Construction Inc.

Enclosure #1 – Application for Payment – Progress Payment 2 (Final Payment Application)

**Lake Susan Spent Lime Filter Modification
Progress Payment Number 2
Final Payment**

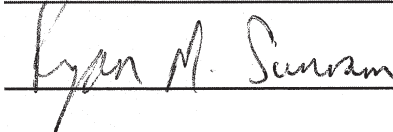
1.0	Total Completed Through This Period	<u>\$39,020.48</u>		
2.0	Total Completed Previous Period		<u>\$38,520.48</u>	
3.0	Total Completed This Period			<u>\$500.00</u>
4.0	Amount Retained, Pervious Period		<u>\$0.00</u>	
5.0	Amount Retained, This Period (See Note 1)		<u>\$0.00</u>	
6.0	Total Amount Retained		<u>\$0.00</u>	
7.0	Retainage Released Through This Period:			<u>\$0.00</u>
8.0	Amount Due This Period			<u><u>\$500.00</u></u>

Note 1: At rate of 5% until substantial completion and a rate of 0% thereafter.

Note 2: Current Contract Price \$39,020.48, including Change Order 1.

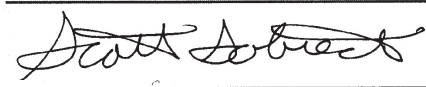
SUBMITTED BY:

Name: Ryan Sunram Date: 6/3/20
 Title: Project Manager
 Contractor: Sunram Construction Inc.

Signature: 

RECOMMENDED BY:

Name: Scott Sobiech Date: June 5, 2020
 Title: District Engineer
 Engineer: Barr Engineering Company

Signature: 

APPROVED BY:

Name: Dick Ward Date: _____
 Title: President
 Owner: Riley Purgatory Bluff Creek Watershed District

Signature: _____

**Lake Susan Spent Lime Filter Modification
Piley Purgatory Bluff Creek Watershed District
Summary of Work Completed Through June 3, 2020 for Progress Payment Number 2**

Item	Description	Unit	Estimated Quantity	Unit Price	Extension	(1) Total Completed Through This Period		(2) Total Completed Previous Period		(3) Total Completed This Period	
						Quantity	Amount	Quantity	Amount	Quantity	Amount
A	Mobilization/Demobilization	LS	1	6,750.00	6750	1	\$6,750.00	1	\$6,750.00	0	\$0.00
B	6-inch Polyvinyl Chloride (PVC) Slotted Pipe and Fittings	L.F.	55	45.00	2,475.00	55	\$2,475.00	55	\$2,475.00	0	\$0.00
C	6-inch Polyvinyl Chloride (PVC) Solid Pipe and Fittings	L.F.	12	56.00	672.00	12	\$672.00	12	\$672.00	0	\$0.00
D	6-inch Valterra Gate Valve	Each	6	1,000.00	6,000.00	6	\$6,000.00	6	\$6,000.00	0	\$0.00
E	10-inch Butterfly Valve	Each	1	2,315.00	2,315.00	1	\$2,315.00	1	\$2,315.00	0	\$0.00
F	Water Control Structure	LS	0	6,250.00	0.00	0	\$0.00	0	\$0.00	0	\$0.00
G	Remove Existing Spent Lime, Granular Filter Material, and Plastic Netting	LS	1	5,200.00	5,200.00	1	\$5,200.00	1	\$5,200.00	0	\$0.00
H	Filter Media	C.Y.	0	165.00	0.00	0	\$0.00	0	\$0.00	0	\$0.00
I	Restoration Seed and Straw Blanket	S.Y.	50	10.00	500.00	50	\$500.00	0	\$0.00	50	\$500.00
ALT A (1)	Automated Water Level Control Structure	LS	1	10,000.00	10,000.00	1	\$10,000.00	1	\$10,000.00	0	\$0.00
ALT B (2)	Filter Media Alternate	C.Y.	14	200.00	2,800.00	14	\$2,800.00	14	\$2,800.00	0	\$0.00
CO1	Pipe fittings & Automated Water Level Control Structure adjustments	L.S.	1	2,308.48	2,308.48	1	\$2,308.48	1	\$2,308.48	0	\$0.00

Total of Extensions = \$ 39,020.48 \$39,020.48 \$38,520.48 \$500.00

- (1) Alternate A will replace item F.
(2) Alternate B will replace item H.

**RESOLUTION NO. 2020-09
RILEY PURGATORY BLUFF CREEK WATERSHED DISTRICT
BOARD OF MANAGERS**

**ORDER AND NOTICE OF PUBLIC HEARING FOR
THE DUCK LAKE RESTORATION PARTNERSHIP PROJECT**

Manager _____ offered the following resolution and moved its adoption, seconded by
Manager _____:

WHEREAS the Riley Purgatory Bluff Creek Watershed District's (District) 2018 10-Year Watershed Management Plan (Plan) identified Duck Lake Watershed Phosphorus Load Control project, DL-3, as a Proposed Project in the Purgatory Creek Watershed (Plan, Section 7, Table 7-2);

WHEREAS the City of Eden Prairie (Eden Prairie) approached the District in 2019 with a unique partnership opportunity to restore Duck Lake as part of an Eden Prairie road reconstruction project;

WHEREAS the District has moved through an information gathering, engagement, and planning process with Eden Prairie to understand the environmental benefits affiliated with the road reconstruction project, which will remove and replace 235 feet (length) by 30 feet (width) of an existing two way road (a total of 7,050 square feet of roadway) with a bridge; environmental benefits include restoring 7,050 square feet of lake bed, minimizing wetland fill, enabling improved establishment of shoreline vegetation, removing habitat fragmentation within Duck Lake, improving floodplain impacts by increasing storage volume of Duck Lake;

WHEREAS the District proposes to provide \$1,175,000 over five years for the road reconstruction project and related water quality and habitat benefits; the District proposes to fund its share of the Project costs through the District's ad valorem property tax levy to implement its watershed management plan pursuant to Minnesota Statutes Section 103B.241, 77% of which is paid by District property taxpayers in Hennepin County and 23% is paid by District property taxpayers in Carver County;

WHEREAS the Duck Lake Restoration Partnership is an Opportunity Project;

WHEREAS the District is prepared to set a date for and hold a public hearing on the proposed minor plan amendment for the Duck Lake Restoration Partnership Project, and to consider whether to order the improvement;

NOW THEREFORE BE IT RESOLVED that the Board of Managers hereby orders that a public hearing shall be held consistent with Minnesota Statutes § 103B.231, on the Duck Lake Restoration Partnership Project minor plan amendment, and to consider whether to order the improvement pursuant to Minnesota Statutes § 103B.251, on August 5, 2020, at 7:00 p.m.;

BE IT FURTHER RESOLVED that the Board of Managers hereby directs the Administrator to issue and publish the annexed notice of public hearing pursuant to the requirements of the District’s Plan, and Minnesota Statutes §§103B.231 and .251.

The question was on the adoption of the resolution and there were _____ yeas and _____ nays as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
CRAFTON				
KOCH				
PEDERSEN				
WARD				
ZIEGLER				

Upon vote, the president declared the resolution _____.

Dated: July ____, 2020.

David Ziegler, Secretary

* * * * *

I, David Ziegler, secretary of the Riley Purgatory Bluff Creek Watershed District, do hereby certify that I have compared the above resolution with the original thereof as the same appears of record and on file with the District and find the same to be a true and correct transcription thereof.

IN TESTIMONY WHEREOF, I set my hand this _____ day of _____, 2020.

David Ziegler, Secretary

**Public Notice
(Official Publication)**

Notice of Public Hearing

**Riley Purgatory Bluff Creek Watershed District
Duck Lake Restoration Partnership Project
Minor Plan Amendment
And
Ordering of Improvement**

PLEASE TAKE NOTICE that the Board of Managers of the Riley Purgatory Bluff Creek Watershed District will hold a public hearing consistent with Minnesota Statutes §§103B.231 and 103B.251, on August 5, 2020, at 7:00 p.m. in order to receive public comments on a proposed minor plan amendment to its 2018 W10-Year Watershed Management Plan (Plan), and to consider whether to order the improvement of the Duck Lake Restoration Partnership Project.

Pursuant to Minnesota Statutes §13D.021, due to the COVID-19 health pandemic, this public hearing will be held by alternative electronic means in the form of a Zoom meeting. The link for the participation in the Zoom meeting may be found at the District web site: www.rpbcwd.org

The amendment identifies a road reconstruction project that will enable reconnection of historically disconnected sections of Duck Lake, enable restoration of Duck Lake habitat, reduce wetland fill, and improve floodplain impacts by increasing Duck Lake storage volume. This project falls under the Opportunity Project Program in the District's Plan.

The District will fund \$1,175,000 of this project by means of its watershed-wide ad valorem tax levy. The District proposes to pay for the project from the District's ad valorem property tax levy authorized by Minnesota Statutes § 103B.241 for the implementation of its water management plan. Approximately 77% of this levy will be paid by properties in Hennepin County, and 23% by properties in Carver County.

All interested parties are invited to appear at the public hearing via Zoom to offer comments and ask questions in order to advise the Board of Managers on whether to adopt the proposed plan amendment and to order the proposed improvement. Further information is available by contacting the District Administrator, Claire Bleser, cbleser@rpbcwd.org, 952-607-6512, or by visiting the District website: www.rpbcwd.org.

To review the full text of the amendment, please visit the District's website at www.rpbcwd.org.

Dated: July 1, 2020

BY ORDER OF THE BOARD OF MANAGERS

David Ziegler, Secretary

RILEY PURGATORY BLUFF CREEK WATERSHED DISTRICT
DRAFT MINOR PLAN AMENDMENT

9.13.b Duck Lake Restoration Partnership Project

Need

In 2019, the City of Eden Prairie (Eden Prairie) approached the Riley Purgatory Bluff Creek Watershed District (District) with a unique partnership opportunity to restore Duck Lake, located in the northwest corner of Eden Prairie, as part of an Eden Prairie road reconstruction project.

Duck Lake was historically disconnected, negatively impacting water quality and habitat in the lake, and this road project would enable reconnecting two sections of the lake and result in myriad environmental benefits. Currently, two water body crossings bisect Duck Lake. One is Duck Lake road, built in 1930s, on the west side of Duck Lake, and the other is the Twin Cities and Western Railroad Line on the east side of Duck Lake.

The environmental benefits affiliated with the road reconstruction project include:

- Enabling restoration of 7,050 square feet of lake bed;
- Minimizing the amount of wetland fill required to improve public transportation and pedestrian safety;
- Enabling improved establishment of shoreline vegetation by reducing the wetland bounce on the western bay of Duck Lake;
- Removing habitat fragmentation within Duck Lake and allowing aquatic organisms to move freely between the two divided sections; enabling plant communities to become established in the newly connected corridor; and providing habitat for macroinvertebrates, fish, and amphibians;
- Improving floodplain impacts by increasing storage volume of Duck Lake by 0.33 acre feet (approximately 107,000 gallons), and reducing the 100-year flood level on the western portion of Duck Lake by approximately 0.4 feet and on the eastern portion of Duck Lake by approximately 0.05 feet (about 0.5 inches); and
- Connecting the public to Duck Lake, the watershed of which is home to over 300 residents, with the additional nearby communities of Prairie View Elementary School (730 students, ~70 staff) and Eden Prairie High School (3,000 students, ~200 staff).

Description

The Eden Prairie road reconstruction project will remove and replace 235 feet (length) by 30 feet (width) of an existing two way road (a total of 7,050 square feet of roadway) with a bridge. The Duck Lake Restoration Partnership Project presents a unique, once-in-a-lifetime opportunity to restore the water quality and habitat health of Duck Lake.

The District will provide \$1,175,000 over five years for the road reconstruction project and related water quality and habitat benefits. Ongoing collaboration between Eden Prairie and the

District will guide the implementation of best management practices for the project and provide an integrated approach to restoring Duck Lake's water quality and habitat.

Eden Prairie anticipates the following construction and implementation schedule for the project:

Project implementation is anticipated in 2021 with final completion in 2022.

The District will also contribute review, comment on the project design as well as education materials and signage.

Estimated Cost: \$4,700,000; the District's contribution of \$1,175,000 will be used for the road reconstruction project and related water quality and habitat benefits.

Funding

The District would expect to fund this project by means of its watershed-wide ad valorem levy. However, if there are cost-sharing or grant opportunities with other public agencies, the District would explore these as sources of funding as well.

**RESOLUTION NO. 2020-010
RILEY PURGATORY BLUFF CREEK WATERSHED DISTRICT
BOARD OF MANAGERS**

**ORDER AND NOTICE OF PUBLIC HEARING FOR
THE RICE MARSH LAKE SUBWATERSHED RM_12A
WATER QUALITY IMPROVEMENT PROJECT**

Manager _____ offered the following resolution and moved its adoption, seconded by
Manager _____:

WHEREAS the Riley Purgatory Bluff Creek Watershed District's (District) 2018 10-Year Watershed Management Plan (Plan) identified proposed projects in the Riley Creek Watershed, including RM_12a, Rice Marsh Lake, Watershed Phosphorus Load Control;

WHEREAS the District engineer completed a feasibility report in May 2020 which recommends the installation of a proprietary device, similar to the Bio Clean Kraken Filter as the most feasibly best management practice to improve water quality in the RM_12a subwatershed and thereby for Rice Marsh Lake; the District engineer's opinion of probable cost for the project is \$569,000; the District proposes to fund its share of the Project costs through the District's ad valorem property tax levy to implement its watershed management plan pursuant to Minnesota Statutes Section 103B.241, 77% of which is paid by District property taxpayers in Hennepin County and 23% is paid by District property taxpayers in Carver County;

WHEREAS the District is prepared to hold a public hearing to consider whether to order the proposed Rice Marsh Lake Subwatershed RM_12a Water Quality Improvement Project;

NOW THEREFORE BE IT RESOLVED that the Board of Managers hereby orders that a public hearing shall be held to consider whether to order the improvement pursuant to Minnesota Statutes §103B.251, on August 5, 2020, at 7:00 p.m.;

BE IT FURTHER RESOLVED that the Board of Managers hereby directs the Administrator to issue and publish the annexed notice of public hearing pursuant to the requirements of the District's Plan, and Minnesota Statutes §103B.251.

The question was on the adoption of the resolution and there were _____ yeas and _____ nays as follows:

Yea

Nay

Abstain

Absent

**CRAFTON
KOCH
PEDERSEN
WARD
ZIEGLER**

Upon vote, the president declared the resolution _____.

Dated: July ___, 2020.

David Ziegler, Secretary

* * * * *

I, David Ziegler, secretary of the Riley Purgatory Bluff Creek Watershed District, do hereby certify that I have compared the above resolution with the original thereof as the same appears of record and on file with the District and find the same to be a true and correct transcription thereof.

IN TESTIMONY WHEREOF, I set my hand this _____ day of _____, 2020.

David Ziegler, Secretary

**Public Notice
(Official Publication)**

Notice of Public Hearing

**Riley Purgatory Bluff Creek Watershed District
Rice Marsh Lake Subwatershed RM_12a Water Quality Improvement Project**

PLEASE TAKE NOTICE that the Board of Managers of the Riley Purgatory Bluff Creek Watershed District will hold a public hearing pursuant to Minnesota Statutes §103B.251 on August 5, 2020, at 7:00 p.m. in order to receive public comments to consider whether to order the improvement of the Rice Marsh Lake Subwatershed RM_12a Water Quality Improvement Project.

The District's (District) 2018 10-Year Watershed Management Plan (Plan) identified proposed projects in the Riley Creek Watershed, including RM_12a, Rice Marsh Lake, Watershed Phosphorus Load Control. The District engineer completed a feasibility report in May 2020 which recommends the installation of a proprietary device, similar to the Bio Clean Kraken Filter as the most feasibly best management practice to improve water quality in the RM_12a subwatershed and thereby for Rice Marsh Lake. The District engineer's opinion of probable cost for the project is \$569,000.

Pursuant to Minnesota Statutes §13D.021, due to the COVID-19 health pandemic, this public hearing will be held by alternative electronic means in the form of a Zoom meeting. The link for the participation in the Zoom meeting may be found at the District web site: www.rpbcwd.org

All interested parties are invited to appear at the public hearing via Zoom to offer comments and ask questions in order to advise the Board of Managers on whether to adopt the proposed plan amendment and to order the proposed improvement. Further information is available by contacting the District Administrator, Claire Bleser, cbleser@rpbcwd.org, 952-607-6512, or by visiting the District website: www.rpbcwd.org.

To review the full text of the amendment, please visit the District's website at www.rpbcwd.org.

Dated: July 1, 2020

BY ORDER OF THE BOARD OF MANAGERS

David Ziegler, Secretary

**RESOLUTION NO. 2020-011
RILEY PURGATORY BLUFF CREEK WATERSHED DISTRICT
BOARD OF MANAGERS**

ADOPTING DISTRICT COVID-19 PREPAREDNESS PLAN

Manager _____ offered the following resolution and moved its adoption, seconded by
Manager _____:

WHEREAS under Governor Tim Walz’s Executive Orders, businesses that are in operation during the peacetime emergency are required to establish a COVID-19 Preparedness Plan;

WHEREAS throughout the COVID-19 pandemic, the District has been operating with due care by closing the District office, staff working remotely from home, conducting board meetings by alternative electronic means pursuant to the Open Meeting Law;

WHEREAS the Administrator has written a COVID-19 District Action Plan which addresses office closure, phased timelines for return to work, workplace protocols, including employee screening, confirmed illness protocol, social distancing protocol, and other employee health and safety protocols;

NOW THEREFORE BE IT RESOLVED that the Board of Managers hereby confirms its review and adoption of the District Action Plan to serve as the District’s COVID-19 Preparedness Plan, and directs the Administrator to continue to implement the plan and advise the Board regularly on training and implementation.

The question was on the adoption of the resolution and there were _____ yeas and _____ nays as follows:

Yea Nay Abstain Absent

**CRAFTON
KOCH
PEDERSEN
WARD
ZIEGLER**

Upon vote, the president declared the resolution _____.

Dated: July ___, 2020.

David Ziegler, Secretary

* * * * *

I, David Ziegler, secretary of the Riley Purgatory Bluff Creek Watershed District, do hereby certify that I have compared the above resolution with the original thereof as the same appears of record and on file with the District and find the same to be a true and correct transcription thereof.

IN TESTIMONY WHEREOF, I set my hand this _____ day of _____, 2020.

David Ziegler, Secretary



June 30, 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 five months ending May 31, 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, faint circular stamp.

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 May 31, 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
June 30, 2020

RILEY PURGATORY BLUFF CREEK WATERSHED DISTRICT

Treasurers Report

May 31, 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
May 31, 2020

Accounts Payable:

<u>Check #</u>	<u>Payee</u>	<u>Amount</u>
5229V	Teledyne Instruments, Inc.	(\$1,052.00)
5233	Barr Engineering	51,029.33
5234	B9 Polar Waters, LLC	15,186.56
5235	CenterPoint Energy	70.89
5236	Coverall of the Twin Cities	316.76
5237	Fortin Consulting, Inc.	15,000.00
5238	Greene Economics	300.00
5239	HAB Acquatic Solutions	232,071.00
5240	HDR Engineering, Inc.	310.74
5241	HealthPartners	4,760.09
5242	Amy Herbert, LLC	1,200.00
5243	Olivia R. Holstine	1,279.17
5244	Iron Mountain	129.95
5245	Robert & Thomas Jay	1,948.46
5246	Larry Koch	577.18
5247	Landbridge Ecological	5,000.00
5248	Limnotech	2,460.00
5249	Kyle & Rachel Mairose	2,948.10
5250	Donna & Mike Melander	5,000.00
5251	Metro Sales, Inc.	282.79
5252	Metro Conservation District	2,000.00
5253	PLM Lake & Land Management	1,843.46
5254	Principal Life Insurance Company	404.01
5255	Protech	236.56
5256	Redpath & Company	1,959.65
5257	RMB Environmental Laboratories, Inc.	3,412.00
5258	RMB Environmental Laboratories, Inc.	2,663.00
5259	RMB Environmental Laboratories, Inc.	1,943.00
5260	Smith Partners	13,265.41
5261	SRF Consulting Group, Inc.	5,977.59
5262	Sunram Construction, Inc.	500.00
5263	Teledyne Instruments, Inc.	1,052.00
5264	University of Minnesota	12,059.00
5265	Rebecca & John Varone	4,428.19
5266	Wenck, Inc.	9,280.10
5267	Xcel Energy	579.48
Total Accounts Payable:		<u><u>\$400,422.47</u></u>

Payroll Disbursements:

Payroll Processing Fee	195.45	
Employee Salaries	34,412.89	
Employer Payroll Taxes	3,084.68	
Employer Benefits (H.S.A. Match)	466.66	
Employee Benefit Deductions	(494.40)	
Staff Expense Reimbursements	334.91	
PERA Match	2,546.91	
Total Payroll Disbursements:		<u><u>\$40,547.10</u></u>
VISA	4,671.79	

TOTAL DISBURSEMENTS:

\$445,641.36

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
May 31, 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	9,400.00	23,274.00	93.10%
Grant Income	346,719.00	-	346,719.00	-	-	0.00%
Investment Income	75,000.00	-	75,000.00	12,069.54	46,884.13	62.51%
Past Levies	3,699,097.00	-	3,699,097.00	-	-	0.00%
Miscellaneous Income	0.00	-	0.00	-	14,419.80	---
Partner Funds	612,698.00	-	612,698.00	-	-	0.00%
TOTAL REVENUE	\$8,461,514.00	-	\$8,461,514.00	\$21,469.54	\$84,577.93	1.00%
EXPENDITURES						
Administration						
Accounting and Audit	\$42,000.00	-	\$42,000.00	\$2,155.10	29,698.41	70.71%
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	7,662.50	41,761.19	38.31%
Legal Services	84,000.00	-	84,000.00	6,521.82	51,257.04	61.02%
Manager Per Diem/Expense	20,000.00	-	20,000.00	625.00	5,595.75	27.98%
Dues and Publications	14,000.00	-	14,000.00	-	9,000.00	64.29%
Office Cost	150,000.00	-	150,000.00	18,257.35	75,952.99	50.64%
Permit Review and Inspection	135,000.00	-	135,000.00	15,867.71	79,169.15	58.64%
Permit and Grant Database	39,900.00	-	39,900.00	-	-	0.00%
Professional Services	-	-	-	-	2,242.00	---
Recording Services	17,000.00	-	17,000.00	1,200.00	5,289.48	31.11%
Staff Cost	600,000.00	-	600,000.00	40,886.22	208,785.10	34.80%
Subtotal	\$1,235,900.00	-	\$1,235,900.00	\$93,175.70	\$508,888.59	41.18%
Programs and Projects						
District Wide						
10-year Management Plan	\$5,000.00	-	\$5,000.00	311.78	7,143.21	142.86%
AIS Inspection and early response	85,000.00	-	85,000.00	-	1,182.56	1.39%
Cost-share	398,723.00	-	398,723.00	16,341.35	30,510.66	7.65%
Data Collection and Monitoring	192,000.00	-	192,000.00	10,816.96	48,189.95	25.10%
Community Resiliency	63,130.00	-	63,130.00	85.00	1,754.00	2.78%
Education and Outreach	123,000.00	-	123,000.00	27,857.58	54,822.57	44.57%
Plant Restoration - U of M	58,762.00	-	58,762.00	-	-	0.00%
Repair and Maintenance Fund *	267,730.00	-	267,730.00	3,184.10	46,117.58	17.23%
Wetland Management*	165,685.00	-	165,685.00	2,766.63	11,744.55	7.09%
Groundwater Conservation*	179,750.00	-	179,750.00	-	-	0.00%
Lake Vegetation Implementation	125,937.00	-	125,937.00	443.50	26,802.78	21.28%
Opportunity Project*	287,501.00	-	287,501.00	-	7,170.29	2.49%
Stormwater Ponds - U of M	79,985.00	-	79,985.00	12,059.00	31,829.96	39.79%
Hennepin County Chloride Initiative	114,830.00	-	114,830.00	-	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	\$73,865.90	\$274,127.57	11.59%
Bluff Creek						
Bluff Creek Tributary*	65,037.00	-	65,037.00	517.50	12,892.15	19.82%
Wetland Restoration at Pioneer	308,674.00	-	308,674.00	23.90	28,419.12	9.21%
Subtotal	\$373,711.00	-	\$373,711.00	\$541.40	\$41,311.27	11.05%
Riley Creek						
Lake Riley - Alum Treatment*	305,000.00	-	305,000.00	233,468.29	253,584.30	83.14%
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	6,350.00	13,074.50	4.36%
Riley Creek Restoration (Reach E and D3)	1,773,623.00	-	1,773,623.00	2,192.38	1,748,076.41	98.56%
Lake Riley & Rice Marsh Lake Subwatershed Assessment	29,961.00	-	29,961.00	2,554.50	23,497.97	78.43%
Upper Riley Creek Stabilization	1,100,000.00	(250,000.00)	850,000.00	8,154.21	12,830.01	1.51%
Middle Rice Creek	-	268,900.00	268,900.00	4,600.50	26,744.52	9.95%
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	8,490.42	8,490.42	8.49%
Subtotal	\$3,719,152.00	\$18,900.00	3,738,052.00	\$265,810.30	\$2,098,585.31	56.14%
Purgatory Creek						
Purgatory Creek Rec Area- Berm/retention area - feasibility/design	50,000.00	-	50,000.00	3,946.00	10,116.28	20.23%
Lotus Lake in-lake phosphorus load control	104,106.00	-	104,106.00	-	20,831.26	20.01%
Silver Lake Restoration - Feasibility Phase 1	255,931.00	-	255,931.00	5,176.06	16,267.68	6.36%
Scenic Heights	55,459.00	-	55,459.00	-	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	227.50	6,072.00	4.84%
Michell Lake Subwatershed Assessment	46,203.00	-	46,203.00	2,898.50	39,641.47	85.80%
Lotus Lake Kerber Pond	30,000.00	-	30,000.00	-	85.00	0.28%
Subtotal	\$668,509.00	\$0.00	668,509.00	\$12,248.06	\$93,937.69	14.05%
Reserve	\$100,000.00	(\$18,900.00)	81,100.00	\$0.00	-	0.00%
TOTAL EXPENDITURE	\$8,461,514.00	\$0.00	\$8,461,514.00	\$445,641.36	\$3,016,850.43	35.65%
EXCESS REVENUES OVER (UNDER) EXPENDITURES	\$0.00	\$0.00	\$0.00	(\$424,171.82)	(\$2,932,272.50)	

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

RILEY PURGATORY BLUFF CREEK WATERSHED DISTRICT

Multi-Year Project Performance Analysis - Table 2

May 31, 2020

	Total Project	FUNDING SOURCE			Month Ended 05/31/20	Year To-Date	Lifetime Costs	Remaining
		District funds	Partner Fund	Grants				
Programs and Projects								
District Wide								
Community Resiliency	98,000.00	98,000.00	-	-	85.00	1,754.00	36,623.50	61,376.50
Repair and Maintenance Fund	277,005.00	277,005.00	-	-	3,184.10	46,117.58	80,393.08	196,611.92
Wetland Management	200,000.00	200,000.00	-	-	2,766.63	11,744.55	71,059.61	128,940.39
Groundwater Conservation	180,000.00	180,000.00	-	-	-	-	250.00	179,750.00
Opportunity Project*	300,000.00	300,000.00	-	-	-	7,170.29	19,669.29	280,330.71
Stormwater Ponds - U of M	106,092.00	64,092.00	42,000.00	-	12,059.00	31,829.96	57,936.97	48,155.03
Hennepin County Chloride Initiative	120,800.00	19,000.00	-	101,800.00	-	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	\$18,094.73	\$105,475.84	\$278,762.22	1,220,343.78
Bluff Creek								
Bluff Creek Tributary*	436,750.68	386,750.68	50,000.00	-	517.50	12,892.15	334,604.93	102,145.75
Wetland Restoration at Pioneer	857,820.00	450,000.00	-	407,820.00	23.90	28,419.12	577,567.14	280,252.86
Subtotal	\$1,294,570.68	\$836,750.68	\$50,000.00	\$407,820.00	\$541.40	\$41,311.27	\$912,172.07	\$382,398.61
Riley Creek								
Lake Riley - Alum Treatment 1st dose *	560,000.00	560,000.00	-	-	233,468.29	253,584.30	508,584.13	51,415.87
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	-	-	6,350.00	13,074.50	13,074.50	286,925.50
Riley Creek Restoration (Reach E and D3) *	2,095,698.00	1,615,000.00	480,698.00	-	2,192.38	1,748,076.41	2,016,208.68	79,489.32
Lake Riley & Rice Marsh Lake Subwatershed Assessment	72,500.00	12,500.00	5,000.00	55,000.00	2,554.50	23,497.97	66,036.94	6,463.06
Upper Riley Creek Stabilization	450,000.00	1,100,000.00	0.00	-	8,154.21	12,830.01	12,830.01	437,169.99
Subtotal	\$3,628,198.00	\$3,737,500.00	\$485,698.00	\$55,000.00	\$252,719.38	\$2,063,350.37	\$2,718,454.25	\$909,743.75
Purgatory Creek								
Purgatory Creek Rec Area- Berm/retention area - feasibility/design	50,000.00	50,000.00	-	-	3,946.00	10,116.28	10,116.28	39,883.72
Lotus Lake in-lake phosphorus load control	345,000.00	345,000.00	-	-	-	20,831.26	261,724.60	83,275.40
Silver Lake Restoration Project WQ1	268,013.00	268,013.00	-	-	5,176.06	16,267.68	28,349.51	239,663.49
Scenic Heights	260,000.00	165,000.00	45,000.00	50,000.00	-	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	227.50	6,072.00	100,649.02	119,350.98
Mitchell Lake Subwatershed Assessment	87,500.00	12,500.00	5,000.00	70,000.00	2,898.50	39,641.47	80,938.11	6,561.89
Subtotal	\$1,380,513.00	\$1,190,513.00	\$70,000.00	\$120,000.00	\$12,248.06	\$93,852.69	\$815,855.18	\$564,657.82
Total Multi-Year Project Costs	\$7,802,387.68	\$6,922,860.68	\$647,698.00	\$881,829.00	\$283,603.57	\$2,303,990.17	\$4,725,243.72	\$3,077,143.96

Riley Purgatory Bluff Creek Watershed District
Balance Sheet
As of May 31, 2020

ASSETS

Current Assets

General Checking-Old National	\$606,088.64
Checking-Old National/BMW	23,256.03
Investments-Standing Cash	2,525,661.79
Investments-Wells Fargo	1,503,402.91
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: \$4,850,390.50

LIABILITIES AND CAPITAL

Current Liabilities

Accounts Payable	\$536,049.62
Retainage Payable	12,521.39
Salaries Payable	19,966.01
Permits & Sureties Payable	645,054.50
Deferred Revenue	36,003.36
Unearned Revenue	199,470.00

Total Current Liabilities: \$1,449,064.88

Capital

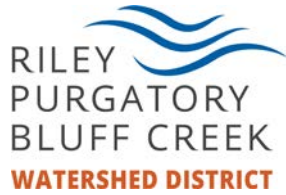
Fund Balance-General	\$6,333,598.12
Net Income	(2,932,272.50)

Total Capital \$3,401,325.62

Total Liabilities & Capital \$4,850,390.50

RILEY PURGTORY BLUFF CREEK WATERSHED DISTRICT
OLD NATIONAL BANK VISA ACTIVITY
May 31, 2020

DATE	PURCHASED FROM	AMOUNT	DESCRIPTION	ACCOUNT #	RECEIPT
05/21/20	Verizon Wireless	393.89	Telecommunications	10-00-4240	Y
05/22/20	Pilgrims Dry Cleaners	483.82	Cleaning of Safety Gear	10-00-4260	Y
05/26/20	SP Old Glory Distilling	189.00	Hand Sanitizer	10-00-4260	Y
05/26/20	Randy's Sanitation	96.79	Trash & Recycling	10-00-4220	Y
05/26/20	Amazon	36.66	Office Supplies	10-00-4260	Y
05/26/20	Amazon	86.95	Office Supplies	10-00-4260	Y
05/27/20	Amazon	19.34	Office Supplies	10-00-4260	Y
05/28/20	Amazon	55.90	Office Supplies	10-00-4260	Y
05/30/20	Amazon	123.75	Office Supplies	10-00-4260	Y
05/31/20	Amazon	36.50	Office Supplies	10-00-4260	Y
06/02/20	FastSigns	180.47	Signs for Vehiclees	10-00-4260	Y
06/04/20	Adobe Acropro Subs.	16.10	Computer Software	10-00-4203	Y
06/05/20	Amazon	(32.32)	Refund/Packaged Never Arrived	10-00-4260	Y
06/05/20	WPY Fortin Consulting	160.00	Salt Symposium Registration	10-00-4265	Y
06/08/20	Amazon	74.67	Office Supplies	10-00-4260	Y
06/10/20	MSU Payments	1,550.00	Staff Development	10-00-4321	Y
06/11/20	Microsoft	134.41	Computer Software	10-00-4203	Y
06/15/20	FastSigns	180.46	Signs for Vehiclees	10-00-4260	Y
06/15/20	Amazon	130.78	Office Supplies	10-00-4260	Y
		\$3,917.17	General Administration Total		
05/20/20	The Home Depot	160.96	AIS Adopt A Dock Equipment	20-02-4635	Y
05/22/20	ESP Well Supply	96.75	Wetland Monitoring Wells	20-13+-4635	Y
05/28/20	Merlins Ace Hardware	19.38	Data Collection Equipment	20-05-4635	Y
06/01/20	Natural Waterscapes	189.85	Wetland Monitoring Wells	20-13-4635	Y
06/02/20	Holiday Stations	43.94	Fuel for Vehicle	20-13-4322	Y
06/04/20	Speedway	67.98	Fuel for Vehicle	20-05-4322	Y
06/04/20	CPI*ColeParmerinstrument	67.74	Data Collection Equipment	20-05-4635	Y
06/05/20	YSI	298.81	Data Collection Equipment	20-05-4635	Y
06/08/20	Menards Eden Prairie	51.23	Data Collection Equipment	20-05-4635	Y
06/09/20	Merlins Ace Hardware	17.14	Data Collection Equipment	20-05-4635	Y
06/09/20	Adafruit Industries	103.93	Data Collection	20-05-4635	Y
06/10/20	Teledyne Instruments	233.00	Data Collection Equipment	20-05-4635	Y
06/16/20	Forestry Suppliers Inc.	39.54	Wetland Data Collection	20-13-4635	Y
06/17/20	DKC Digi Key Corp.	501.99	Data Collection	20-05-4635	Y
		\$1,892.24	District-Wide Total		
		\$5,809.41	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: 2020-029

Application Received complete: June 23, 2020

Applicant: CorTrust Bank, JB Vang

Consultant: Civil Site Group, David Knaeble

Project: CorTrust Bank – This project proposes reconstruction of the CorTrust bank building parking lot constructed in the 1990s. The project will restore the parking lot to the grade at which it was originally constructed and improve storm sewer drainage to an existing stormwater pond on the east side of the site. The existing stormwater pond, as well as, tree plantings will provide runoff volume abstraction, water quality treatment, and rate control.

Location: 4625 County Road 101, Minnetonka

Reviewer: Heather Hlavaty, and Scott Sobiech, PE, Barr Engineering

Potential Board Variance Action

Manager _____ moved and Manager _____ seconded adoption of the following resolution based on the permit report that follows, the presentation of the matter at the July 8, 2020, meeting of the managers and the managers' findings, as well as the factual findings in the permit report that follows:

Resolved that variance requests 1 and 2 for Permit 2020-029 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 July 8, 2020 meeting of the managers:

Resolved that the application for Permit 2020-029 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 met, the RPBCWD president or administrator is authorized and directed to sign and deliver Permit 2020-029 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	
B	Floodplain Management and Drainage Alterations	No	See Rule K variance discussion.	
C	Erosion Control Plan	See Comment	See Rule Specific Permit Condition C1.	
D	Wetland and Creek Buffer	No	See Rule Specific Permit Condition D1 and Rule K variance discussion	
J	Stormwater Management	Rate	Yes	
		Volume	Yes	
		Water Quality	Yes	
		Low Floor Elev.	Yes	
		Maintenance	Yes	See Rule Specific Permit Condition J1.
		Chloride Management	See Comment	See stipulation #2.
		Wetland Protection	Yes	
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. See Rule Specific Permit Condition K1	
L	Permit Fee	Yes	\$5,000 was received on 5/26/20.	
M	Financial Assurance	See Comment	The financial assurance has been calculated at \$23,623.	

Project Description

The 3.42-acre site includes 0.7 acres of an existing parking lot and CorTrust bank building located off of County Road 101, north of Highway 7 in the City of Minnetonka, Minnesota. There is a medium value wetland onsite that is within the Purgatory Creek floodplain. Purgatory Creek is off-site and downgradient from the property.

This application proposes reconstructing the existing parking lot. The parking lot has experienced settlement since its construction in the 1990's resulting in a portion of the site no longer draining to the stormwater facility as originally intended. In some areas, the parking lot has settled more than 2.5 feet. The entire parking lot was constructed with storm sewer to drain into a stormwater pond along the eastern

boundary of the site. The proposed work is to restore existing elevations and drainage patterns such that the entire lot drains to the existing stormwater pond as originally intended. The stormwater management system includes the existing stormwater pond and new tree plantings to provide runoff volume abstraction, water quality treatment, and rate control.

The project site information is summarized below:

	Area (acres)
Total Site Area	3.42
Existing Site Impervious	0.70
Post Construction Site Impervious	0.695
New (Decrease) in Site Impervious Area	-0.005
Disturbed impervious surface	0.70
Total Disturbed Area	1.08

Exhibits:

1. Permit Application received May 26, 2020
2. Stormwater Management Report dated May 22, 2020 (revised July 2, 2020)
3. Project Plan Set (16 sheets) dated May 22, 2020 (revised July 2, 2020)
4. Geotechnical Evaluation Report by Northern Technologies, LLC dated April 5, 2020
5. MnRAM Report by Jacobson Environmental, PLLC dated May 6, 2020
6. Response to RPBCWD Comments dated June 23, 2020
7. Electronic P8 and HydroCAD models received on June 25, 2020
8. HydroCAD Output Drainage Summary Tables received on June 25, 2020
9. P8 Output Summary Tables received on June 25, 2020
10. Wetland delineation report dated May 21, 2020
11. MnRAM classification results spreadsheet received on June 25, 2020
12. Stormwater Performance Based Credit Calculator by the Center for Watershed Protection for Tree abstraction received on June 25, 2020
13. Existing Conditions Drainage Map received on June 25, 2020

Rule Specific Permit Conditions

Rule B: Floodplain Management and Drainage Alterations

Because the proposed development project involves the placement of a total of 315 cubic yards of fill below the 100-year flood elevation of Purgatory Creek (el. 886.45 msl), the project activities must conform to the RPBCWD’s Floodplain Management and Drainage Alterations rule (Rule B).

The low floor elevation of the existing structure and the floodplain are summarized below. The RPBCWD Engineer concurs that the proposed project is in conformance with Rule B, Subsection 3.1.

Adjacent Lowest Structure Locations	Low Floor Elevation of Building (feet)	Purgatory Creek 100-year Event Flood Elevation (feet)	Freeboard (feet)
CorTrust Bank	889.11	886.45	2.66

Placement of fill below the 100-year flood elevation is prohibited unless fully compensatory storage at the same elevation (+/- 1 foot) for fill within the floodplain of a watercourse and within the floodplain of the same waterbody is provided (Rule B, Subsection 3.2). The supporting materials demonstrate, and the RPBCWD Engineer concurs, that 315 cubic yards of net fill (325.1 cubic yards of fill and 9.9 cubic yards of compensatory storage) will be placed within the 100-year flood elevation of 886.45, thus providing a net decrease in the floodplain storage to restore the parking lot. No fill is proposed to be placed within the onsite wetland. Because full compensatory storage is not proposed, the applicant has 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 the floodplain may alter the timing and duration of flows below the 100-year flood elevation of Purgatory Creek and the wetland, the applicant must demonstrate that the alterations are not reasonably likely to 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). Because the flood flows in Purgatory Creek inundate the wetlands adjacent to the creek, there is a single floodplain in this location covering approximately 40.4 acres.

In order to better understand the potential impacts to the onsite wetland of placing the fill in the floodplain the RPBCWD engineer compared the existing and proposed flow rates and volumes flowing toward the wetland as summarized in the following table. Because the proposed flow rate and volumes flowing towards the wetland are the same as the existing flows for the 1, 2, and 10-year events, the project will not materially change the bounce or inundation period.

Event	Existing Conditions		Proposed Conditions	
	Peak Flow (cfs)	Volume (acft)	Peak Flow (cfs)	Volume (acft)
1-Year	0.6	0.16	0.6	0.16
2-Year	0.7	0.19	0.7	0.19
10-year	1.0	0.31	1.0	0.31

Because the water that would have otherwise been stored in the fill area would be distributed over the floodplain a simplified assessment of the potential impact of the fill on the flood elevations was performed by distributing the fill over the floodplain area, rather than conduct detailed hydraulic modeling. Filling 315 cubic yards over the 40.4 acre floodplain would result in a minimal increase to the flood elevation (less than 0.01 feet or roughly 1/16 of an inch), thus the proposed project is not reasonably likely to materially change the discharge leaving the wetland, have a material adverse offsite flood impact, or adversely impact the onsite wetland. 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 project will be the same as the existing load leaving the site because the project reduces the impervious surface by 215 square feet and routes runoff through a stormwater pond for treatment prior to discharging to the wetland. This also supports the engineer's determination that the project meets the requirements of Rule B, subsection 3.3.

Rule B, Subsection 3.4 is not relevant because Purgatory Creek, a watercourse is more than 400 feet south of the site, no buildings will be constructed or reconstructed as part of the project, and the no impervious surface will be created or re-created within 50 feet of a watercourse.

The applicant has prepared an erosion prevention and sediment control plan as required by Rule B, Subsection 3.5. The plan includes a note 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 B, Subsection 3.6.

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 1.08 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, decompaction of areas compacted during construction, and retention of native topsoil onsite. To conform to the RPBCWD Rule C requirements the following revisions are needed:

C1. The Applicant must provide the name and contact information of the individual responsible for erosion control at the site. RPBCWD must be notified if the responsible individual changes during the permit term.

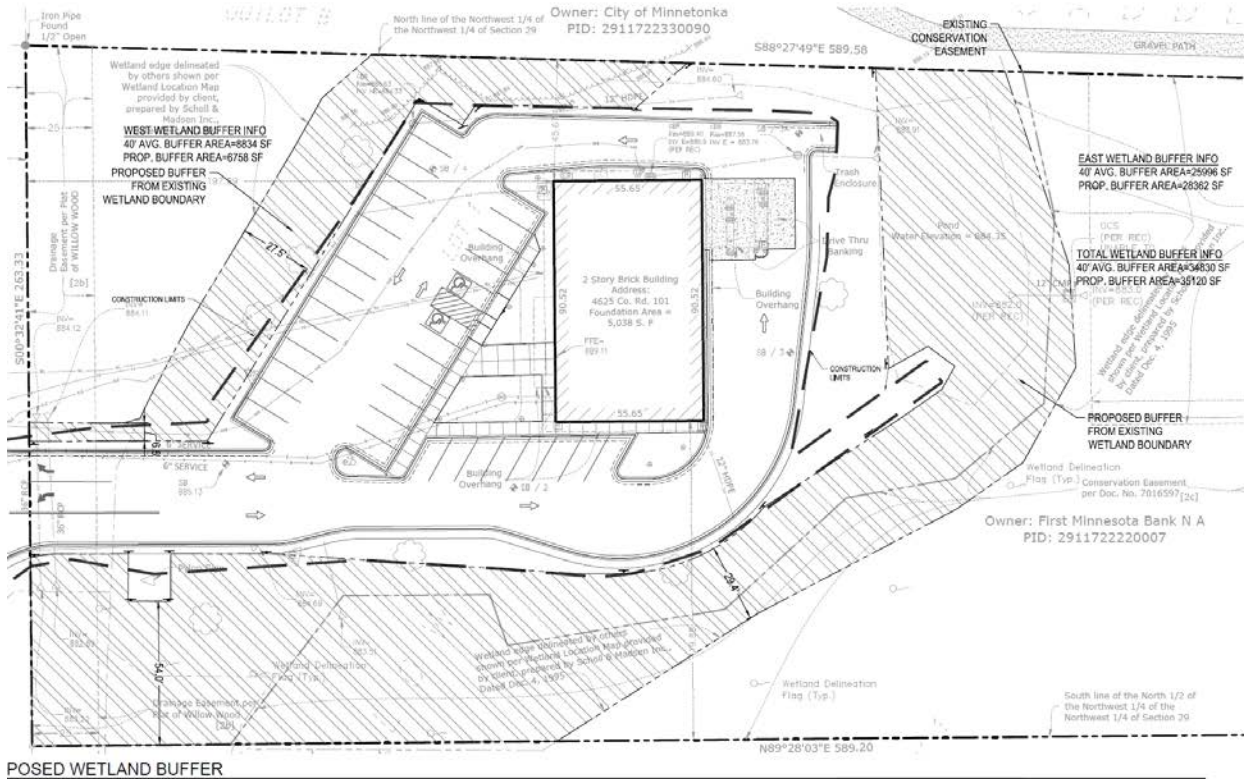
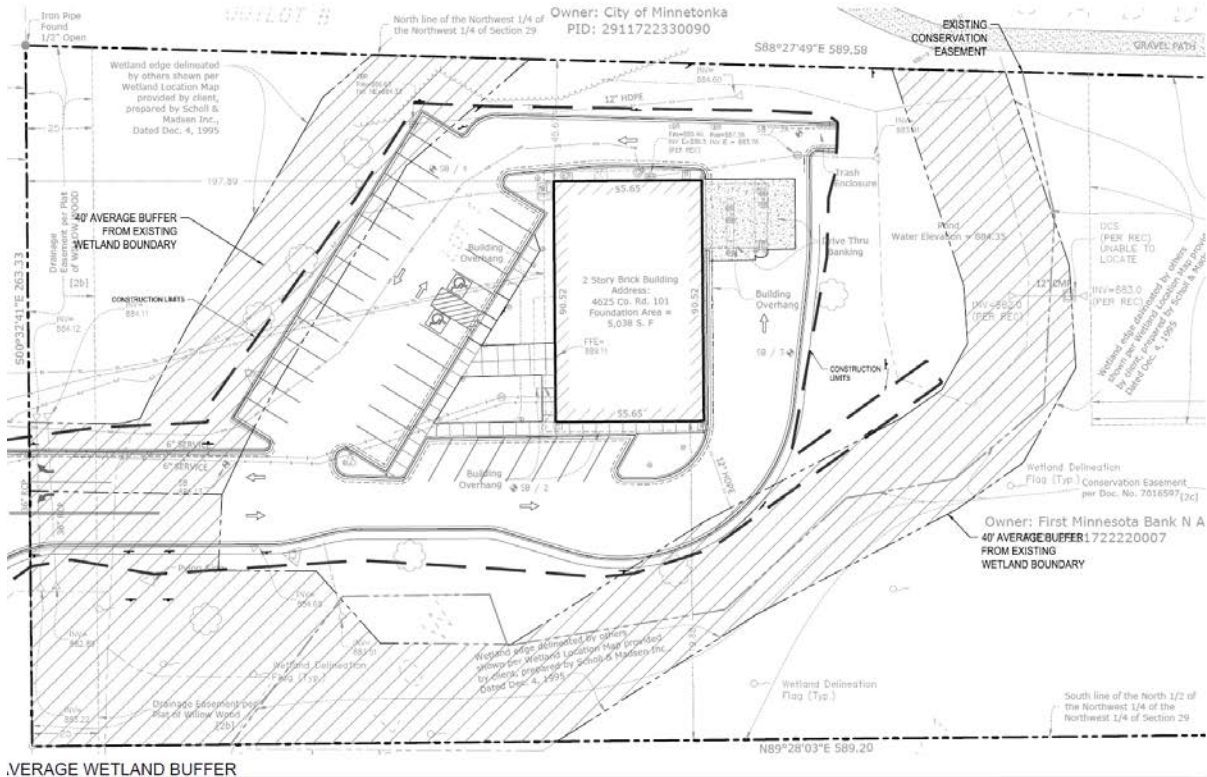
Rule D: Wetland and Creek Buffers

Because the proposed work triggers a permit under RPBCWD Rule B and Rule J and a wetland protected by the state Wetland Conservation Act is downgradient from the proposed construction activities, Rule D, Subsections 2.1a and 3.1 require buffer on the edge of the wetland that is downgradient from the land-disturbing activities. The figure below illustrates the location of the onsite wetland (outlined in red). The wetland generally wraps around the bank and parking area. Again, no excavation or fill in the wetland is proposed.

The MnRAM analysis submitted indicates that the wetland onsite are a 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 W1	Medium	20	40	6.8	41.8

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



Using buffer averaging (subsection 3.2d) the require buffer area for a 40-foot width buffer adjacent to the wetland is 34,830 square feet. The applicant’s proposed buffer totals 35,120 square feet with an average width of 41.8 feet, minimum 6.8 feet. The Applicant has requested a variance from the criteria of Rule D, Subsection 3.1.a.iii that require a minimum 20 feet buffer width from the delineated edge of a medium value wetland, (see variance discussion below). Although the applicant did not request a variance from Rule D, Subsection 3.3.d, the reconstruction of the entrance road the buffer area is not allowed based on subsection 3.3.d. However, if the Board approves the request to allow a minimum buffer width of 6.8 feet as described in the variance discussion below, the entrance road would not be in the buffer.

A note on the Stormwater Pollution Prevention Plan requires the contractor to revegetate 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.

Rule J: Stormwater Management

Because the project will alter 1.08 acres of land-surface area, and disturb more than 50% of existing impervious area, 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 storm sewer to route runoff to an existing stormwater pond, as well as, tree plantings to provide runoff volume abstraction, water quality treatment, and rate control.

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. 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
East	0.7	0.7	1.0	1.0	6.3	6.3	0.2	0.2

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 2,786 cubic feet is required from the 30,398 square feet of regulated impervious area. Four soil borings and two piezometer tests were performed by Northern Technologies, LLC show that soils in the project area are typically undocumented fill soils over swamp deposits. Groundwater was discovered at elevations between 884.0 – 845.5 which are only a few feet below the proposed grade of the parking lot. Because groundwater is less than 3 feet below the proposed ground elevation of most of the parcel, infiltration is infeasible, and the site is considered restricted.

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 high groundwater conditions, soils, and location of the onsite wetland the engineer finds that the applicant has maximized stormwater abstraction in accordance Subsection 3.3b of Rule J by reducing the impervious footprint by 215 square feet acres (0.1% reduction) and providing trees to extend over a portion of the impervious surface. The existing stormwater facility provides no abstraction because it is a wet pond and the high groundwater on the site prevents infiltration of runoff. The designed abstraction performance for the project site is summarized in the table below.

	Abstraction Depth (inches)	Abstraction Volume (cubic feet)
Requirement (1.1")	1.1	2,786
Provided	0.02	45.6

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 to use the existing stormwater pond 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 applicant submitted site survey data of the existing stormwater pond that allowed the engineer to determine the results below based on current

treatment capacity in the pond. 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)	504.1	453.7 (90%)	463.9 (92.6%)
Total Phosphorus (TP)	1.6	0.96 (60%)	1.0 (62.5)%

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)	37.3	37.3	0
Total Phosphorus (TP)	0.6	0.6	0

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 the project. Because the project impacts the 100-year flood elevation of the stormwater detention pond, the applicant must demonstrate that the results will not bring the low floor elevation of the adjacent structure into noncompliance with this criteria. The low floor elevation of the adjacent structures and the stormwater detention pond are 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)
CorTrust Bank	889.11	Existing Pond (1P)	884.55	4.56

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.

- J1. Permit applicant must provide a draft maintenance and inspection plan for the stormwater facility and planned trees. Once approved by RPBCWD, the plan must be recorded on the title 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 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.

Wetland Protection

Because the proposed activities discharge to a wetland on the site, 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 are the same as the existing flows for the 1, 2, and 10-year events, the project will not change the bounce or inundation period, thus 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 medium value wetland be treated to the water quality treatment criteria in Rule J, subsection 3.1c. The computations demonstrate the existing stormwater facility provides 92.6% TSS and 62.5% TP removal from runoff prior to discharging to the wetland, thus the proposed project is in conformance with Rule J, Subsection 3.10b.

Rule K: Variances and Exceptions

The following table summarizes the Applicant's request for two variances from the RPBCWD regulatory requirements.

Variance request summary

Variance number	Rule	Subsection	Requested Variance	Notes
1.	B	3.2	Floodplain compensatory storage	Not providing full compensatory storage
2.	D	3.2	Buffer width	Not providing the minimum buffer width

The attached variance request information 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.

Variance Request #1

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 the same elevation (+/- 1 foot) and within the floodplain of the same waterbody:

- Related to variance criterion 1 – The project will involve 325.1 cubic yards of fill and 9.9 cubic yards of compensatory storage below the 100 year floodplain, thus resulting in a net decrease of 315.2 cubic yards of floodplain storage (a 97% shortfall). The deviation from RPBCWD standard is substantial.
- Regarding variance criteria 2 and 3 – assessment of the adverse impacts of flooding considers two primary elements, the potential of flooding and what the flooding impacts. The original parking lot constructed in the 1990s was completely out of the floodplain but has since settled. The floodplain in this location is approximately 40.4 acres (1,759,824 SF) and is at an elevation of 886.45. Using a simplified analysis, filling 315.2 cubic yards of floodplain displaces the flood waters over the entire floodplain and would increase the flood elevation by approximately 0.005' (roughly 1/16 of an inch). Because of the marginal increase in flood elevation from the proposed fill the proposed alterations by themselves are not reasonably likely to adverse effect to offsite governmental services, water resources, flood levels, or neighboring properties.
- Additional technical measures cannot be incorporated into the project plan to alleviate the practical difficulty (variance criterion 4) without reducing the size of the existing parking lot.
 - Providing compensatory storage on site would also reduce the size of the parking lot. No supporting data were provided demonstrating that the parking lot size could not be reduced.
 - Reconstructing the parking lot at the existing grades was dismissed by the applicant because the parking lot wouldn't be able to drain to stormwater facility.
 - The applicant also considered minimizing the floodplain impact by providing compensatory storage in the upland areas adjacent to the existing parking lot. The two locations where this is may be feasible are the locations on the east and west side of the proposed building and parking lot. However, both locations are fully vegetation and contain numerous mature trees. Grading in these areas could result in roughly 80 cubic yards of compensatory storage but would require the removal of existing larger diameter ironwood tree, three

larger ash trees, multiple smaller diameter elm trees, four 15'+ tall pines and established native grasses and plants.

- With regard to variance criteria 5 and 6, the circumstances leading to the variances were not created by the applicant but due to the existence of poor underlying soils. Approval of the variance request is not reasonably likely to have adverse impacts on any other properties or landowners. The property owner is attempting to correct an issue that occurred naturally.

The engineer makes no determination as to whether there is an adequate technical basis for the managers to rely on to grant the requested variances from the compensatory storage (Rule B, subsection 3.2) requirement.

Variance Request #2

The second variance request is from the minimum width requirement for a medium value wetland (Rule D, Subsection 3.1.a.iii). Subsection 3.1.a.iii states that buffer with a minimum width of 20 must be created. Although the applicant did not request a variance from Rule D, Subsection 3.3.d, the reconstruction of the entrance road in the buffer area is not allowed based on subsection 3.3.d. However, if the Board approves the request to allow a minimum buffer width of 6.8 feet as discussed below, the entrance road would not be in the buffer. For purposes of the Board of Managers' consideration, the following factors were analyzed based on Rule K.

- Related to variance criterion 1 – The proposed wetland buffer will have minimum width of 6.8 feet, which is 34% of the required minimum from the entrance road.
- With regard to variance criteria 2 and 3 – The information submitted demonstrates that the proposed buffer minimum width of 6.8 feet will not have an adverse effects to the resource because the runoff from the entrance road, which is within the minimum 20 foot width, is routed to the existing stormwater facilities.
- Technical measures considered to alleviate the practical difficulty (variance criterion 4) was reducing the width of the entry drive by 14 feet. This is not feasible due to safety and functionality concerns. The safety concerns are that this entry drive is established with a one lane in and two lanes to exit. The applicant indicted that reducing this exit would impact site distances and present safety concerns. The functionality of the entrance would also be impacted by not having direct turn lanes for vehicles leaving this site.
- With regard to variance criterion 5, the applicant has created the need for the variance by reconstructing the entrance road to address pavement settlement and restore the site drainage patterns so the runoff drains to the existing stormwater facility for rate control and water quality treatment as originally intended.

The engineer finds there is adequate technical basis for the managers to rely on to grant the requested variance from the minimum buffer width for the wetland.

Rule L: Permit Fee Deposit:

The RPBCWD permit fee schedule adopted in February 2020 requires permit applicants to submit a permit-fee deposit of \$3,000 and an addition \$2,000 for variance request 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. A permit fee deposit of \$5,000 was received on January 31, 2020.

Rule M: Financial Assurance:

Rule C:

Perimeter Control: 730 L.F. x \$2.50/L.F. =	\$1,825
Restoration: 1.08 acres x \$2,500/acre =	\$2,700
Inlet Protection: 8 x \$100/each =.....	\$800
Construction Entrance: 1 x \$900/each =.....	\$900

Rule D:

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

Trees (10): 125% of Engineer’s Opinion of Cost (1.25*\$4,200) =	\$5,200
Chloride Management Plan =	\$5,000
Contingency (10%)	<u>\$2,148</u>
Total Financial Assurance.....	\$23,623

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. The Applicant has requested a variance from compliance with the Rule B criteria related to providing full compensatory storage for placing fill within the floodplain.
3. The Applicant has requested a variance from compliance with the Rule D criteria related to minimum buffer width for medium value wetland.
4. The proposed project will conform to Rules C and J if the Rule Specific Permit Conditions listed above are met.

Recommendation:

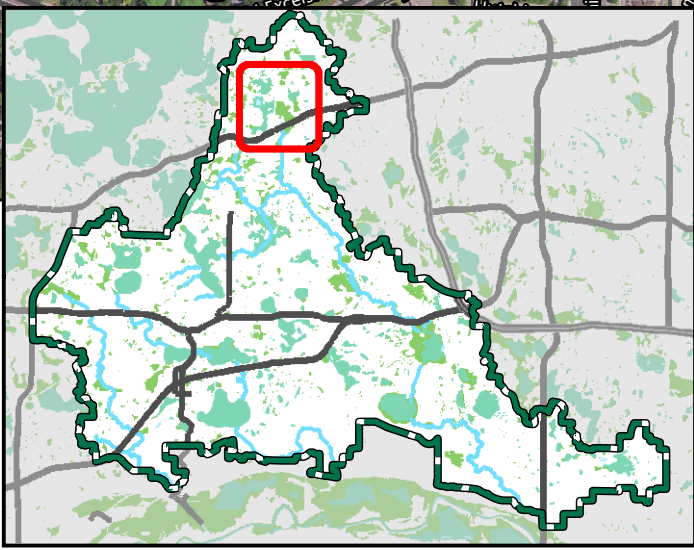
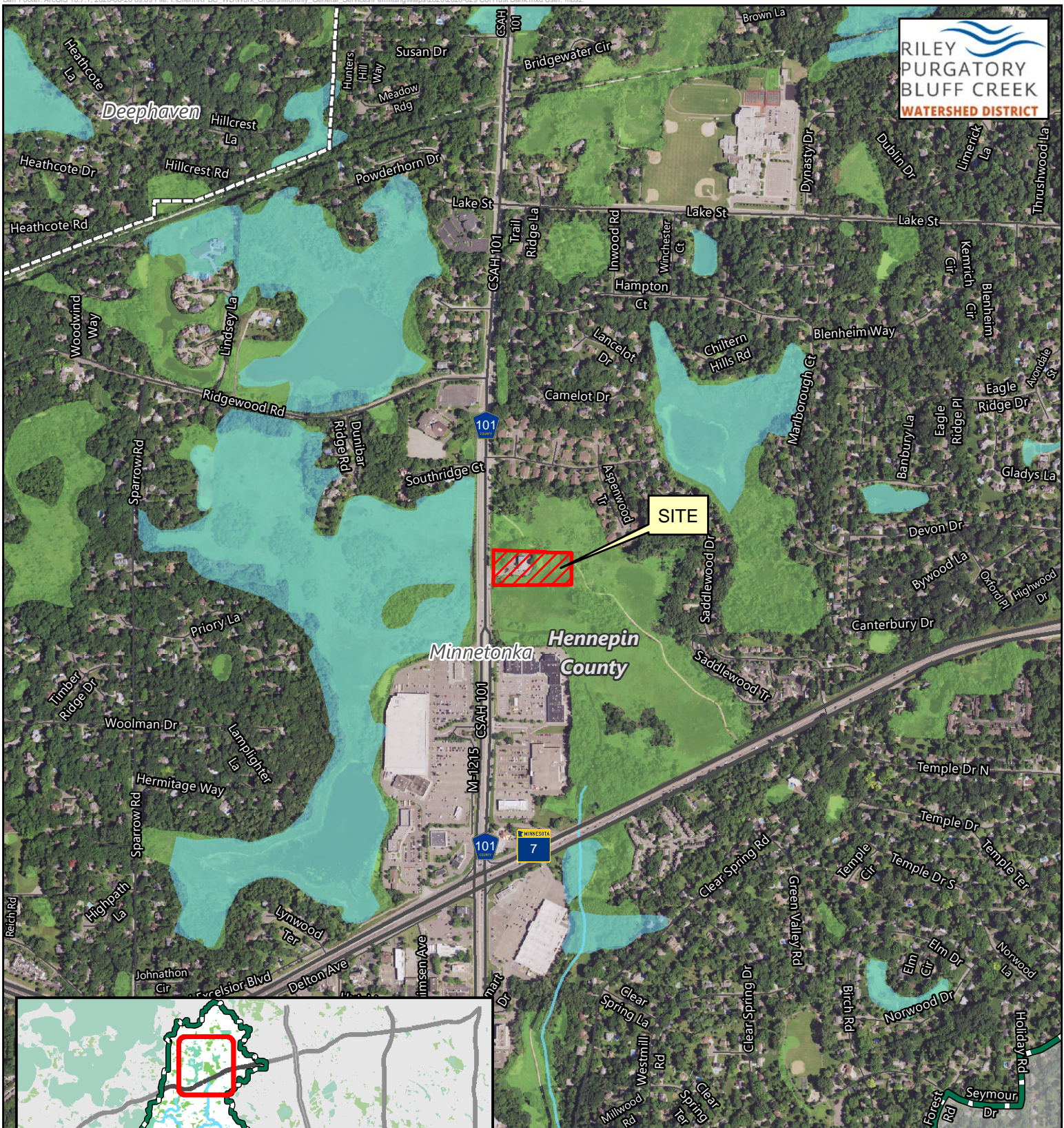
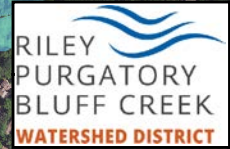
Approval of the permit contingent upon:

1. Continued compliance with General Requirements.
2. Financial Assurance in the amount of \$23,623.
3. Applicant providing the name and contact information of the individual responsible for erosion and sediment control at the site.
4. Receipt in recordation a maintenance declaration for the operation and maintenance of the buffer and stormwater management facilities, including planned trees. A draft must be approved by the District prior to recordation.
5. Compliance with rule-specific permit conditions.

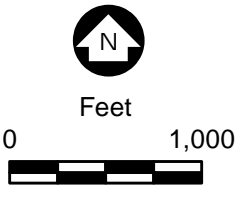
By accepting the permit, when issued, the applicant agrees to the following stipulations:

1. Per Rule J Subsection 4.5, upon completion of the site work, the permittee must submit as-built drawings demonstrating that at the time of final stabilization, stormwater facilities conform to design specifications as approved by the District.

2. To close out the permit and release the \$5,000 in financial assurance held for the purpose, 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.
3. The work on the CorTrust parcel under the terms of permit 2020-029, if issued, must have an impervious surface area and configuration materially consistent with the approved plans. Design that differs materially from the approved plans (e.g., in terms of total impervious area) will need to be the subject of a request for a permit modification or new permit, which will be subject to review for compliance with all applicable regulatory requirements.



Permit Location Map



CORTRUST BANK
Permit 2020-029
Riley Purgatory Bluff Creek
Watershed District

Surface area of pond at outlet elevation = 4527 sf = 0.103 acres
0.103 acres x 5.66 cfs per acre = 0.59 cfs (for 1" volume) (Required Max Rate)
Per HydroCAD, provided = 0.08 cfs (in 1" storm modeled)
0.08 cfs < 0.59 cfs ⇒ REQUIREMENT SATISFIED

1.5" x (imp. Area) = 1.5" x 30372 sf / 12 inches = 3797 cf = Required Live Storage

Provided storage at 883.00 = 9661 cf
Provided storage at 884.20 = 15800 cf
Provided Live Storage (883.00 to 884.20) = 6139 cf > 3797 cf ⇒ REQUIREMENT SATISFIED

P8 Calculator Results

TSS Removals = 92.6%

TP Removals = 63.7%

Floodplain Management:

This site will be filling below the floodplain elevation of 886.45. The only reason that this project is occurring is because the existing site has settled almost 2.5 feet since it was originally constructed. The site was originally designed and constructed above the 100-YR floodplain elevation (the original lowest site grade within the parking lot area was 886.8).

Now within the parking lot, there is a large area that has settled below the 100-YR floodplain, with grades as low as 884.6.

This settlement has caused drainage issues for the site and parking lot and caused the parking lot in general to fail. The existing building was constructed on piles, so the building has not had any negative impacts due to settling. The main drainage issue that has occurred is that the site no longer drains to the existing stormwater pond that was designed and constructed as part of the original project. The original project has the entire site impervious area draining to the onsite stormwater pond. Approximately half the site now discharges to the existing wetland without being routed to the stormwater pond. If the site is not filled back to existing grade, the site will not function as designed and will not be providing full water quality treatment.

This project will need to request a variance to fill the site back to it's original condition.

VARIANCE REQUEST TO FILL WITHIN THE FLOODPLAIN (RULE B)

To grant a variance, the Board of Managers must find, based on demonstration by the applicant, that because of unique conditions inherent to the subject property, which do not

apply generally to other land or structures in the Riley Purgatory Bluff Creek watershed, strict application of a rule provision will impose a practical difficulty on the applicant, not a mere inconvenience. For purposes of the Board of Managers' determination of whether a practical difficulty exists, the following factors will be considered for each variance request:

- K-1.1 How substantial the variation is from the rule provision.*
- K-1.2 The effect of the variance on government services.*
- K-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.*
- K-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.*
- K-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.*
- K-1.6 In light of all the above factors, whether allowing the variance will serve the interests of justice.*

This project will be requesting a variance from the RPBCWD to fill within the floodplain without compensatory storage.

K-1.1 – This project is proposing to fill approximately 315.2 CY of floodplain. The only reason that this project is occurring is because the existing site has settled almost 2.5 feet since it was originally constructed. This settlement has caused drainage issues for the site and parking lot and caused the parking lot in general to fail. The filling of the floodplain will bring the site back up to the original designed and constructed grades for this site. The original parking lot was completely out of the floodplain. If this site wouldn't have ever had settlement issues, this variance would not be needed.

The main drainage issue that has occurred is that the site no longer drains to the existing stormwater pond that was designed and constructed as part of the original project. The original project has the entire site impervious area draining to the onsite stormwater pond. Approximately half the site now discharges to the existing wetland without being routed to the stormwater pond. If the site is not filled back to existing grade, the site will not function as designed and will not be providing full water quality treatment.

The floodplain in this location is approximately 40.4 acres (1,759,824 SF) and is at an elevation of 886.45. Filling this floodplain for this project would have negligible impact to the flood elevation. The 100-YR flood elevation is 886.45 in the current condition and would

not increase even 0.01' due to the filling of this floodplain. The actual elevation change is approximately 0.005'.

We analyzed attempting to provide some additional compensatory storage on site by either keeping the parking lot elevation below the flood elevation and grading in upland areas on site.

If we decided to minimize the floodplain filling by keeping the parking lot below the flood elevation, this would have negative impacts on the parking lot functionality and water quality impacts. The flood elevation is 886.45, which means the parking lot would need low points that are below this elevation to minimize floodplain filling. Low points below 886.45 would not physically be able to drain to the existing onsite stormwater pond. In this scenario approximately half the site impervious surface area would not be able to drain to the stormwater pond and would not be treated before discharging to the wetland. We feel that filling in the floodplain in the parking lot is more beneficial and less impactful than not filling in the floodplain in the parking lot.

The other option to minimize the floodplain impact would be to provide compensatory storage in the upland areas adjacent to the existing parking lot. The two locations where this is the most feasible are the locations on the east and west side of the proposed building and parking lot. In my opinion, grading in these areas to provide compensatory storage is not desirable because the impacts outweigh the benefits. Both of these areas are fully established with vegetation and trees.

On the east side of the site, grading in this area could provide approximately 50 CY of compensatory storage, but would require the removal of an established larger diameter Ironwood tree, multiple smaller diameter elm trees and approximately three 15'+ tall pine trees along with established native grasses and plants. These impacts are more detrimental to the site as a whole than the benefits of providing the additional compensatory storage especially when the floodplain elevation will raise less than 0.01' with the current design.

On the west side of the site, grading in this area could provide approximately 30 CY of compensatory storage, but would require the removal of three established larger diameter Ash trees, and one 15'+ tall pine trees along with established native grasses and plants. These impacts are more detrimental to the site as a whole than the benefits of providing the additional compensatory storage especially when the floodplain elevation will raise less than 0.01' with the current design.

K-1.2 – Allowing this variance will not impact any government services. The City of Minnetonka has already indicated that they are okay with the filling of this floodplain to bring the site back to its original elevation.

K-1.3 – Allowing this variance will not change the character of or cause material adverse effect to water resources, flood levels, drainage or the general welfare in the District. No changes to the flood elevations, or flood storage volume will occur as part of this project.

Not filling the floodplain in this area will actually be more detrimental to the water resources because the current parking lot grades do not allow the runoff from approximately half the impervious surface area from draining to the existing stormwater pond. This water runs off directly to the wetland untreated. The proposed project would raise the site back up to the original elevations and have all the site impervious area treated by the onsite stormwater pond.

K-1.4 – This practical difficulty that this project is attempting to resolve is the fact that this site has settled since it was originally constructed. The project is only proposing to raise the parking lot back to its original elevations.

K-1.5 – This practical difficulty did not occur by the current landowner, or any of their agents. This problem occurred due to poor existing onsite soils.

K-1.6 – This variance request will serve the interests of justice because no other properties or landowners will be impacted by approving this request. The property owner is only attempting to correct an issue that occurred naturally. Allowing this variance will not change the character of or cause material adverse effect to water resources, flood levels, drainage or the general welfare in the District.

Low Floor Elevation Discussion (Appendix J):

All new and reconstructed buildings must be constructed such that the lowest floor is:

- a. At least two feet above the 100-year high water elevation or one foot above the natural overflow of a waterbody;*
- b. At least two feet above the 100-year high water elevation of any open stormwater conveyance;*
- c. At least two feet above the 100-year high water elevation or one foot above the emergency overflow of a constructed facility.*

Alternatively, a stormwater management facility may be constructed at a location set in accordance with Appendix J, "Suggested Low Floor Guidance."

The existing building onsite is more than 2 feet above the 100-YR stormwater pond elevation.

Wetland Buffer:

This site is surrounded by existing wetlands. The wetlands exist on the east side of the site and the west side of the site. A MNRAM analysis has been completed which indicates that these are medium quality wetlands with a required average buffer width of 40'.

Based on the original wetland delineation line that was completed by Schoell and Madsen, Inc. in 1995, the existing wetland boundary is within 40' of the existing parking lot that is going to be reconstructed. When the original project was constructed these wetland buffer rules were not in place.

As part of this project, we will be providing a wetland buffer to the maximum extent practicable. In locations where the 40' buffer cannot be provided, we will provide the buffer to within 3' of the curb line. The proposed buffer will meet the buffer averaging rules, but will not meet the minimum buffer width requirement in one location adjacent to the existing entrance drive.

This project will need to request a variance because a small portion of the proposed wetland buffer will need to be less than the minimum width of 20'. This area is directly north of the existing entrance drive. The proposed buffer width at this location is 6.8'.

VARIANCE REQUEST TO MINIMUM BUFFER WIDTH REQUIREMENT (RULE D)

To grant a variance, the Board of Managers must find, based on demonstration by the applicant, that because of unique conditions inherent to the subject property, which do not apply generally to other land or structures in the Riley Purgatory Bluff Creek watershed, strict application of a rule provision will impose a practical difficulty on the applicant, not a mere inconvenience. For purposes of the Board of Managers' determination of whether a practical difficulty exists, the following factors will be considered for each variance request:

K-1.1 How substantial the variation is from the rule provision.

K-1.2 The effect of the variance on government services.

K-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.

K-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.

K-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.

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

This project will be requesting a variance from the RPBCWD for the minimum buffer width.

K-1.1 – This project is proposing to provide a wetland buffer around the existing wetland onsite. This wetland buffer will be using buffer averaging to meet the buffer area requirement and will be meeting the minimum buffer width requirement in almost all locations. The only area where the buffer width will be less than the minimum is north of the existing entrance drive.

When this site was originally developed in the late 1990's, existing wetland was filled in to allow the entry drive for this site. Additional wetland was provided onsite to meet the mitigation requirements. At the time of the filling of this wetland, the current buffer rules did not exist and the area between the existing entrance drive and the wetland was not large enough to meet the current minimum buffer width. The proposed buffer width in this location is 6.8', which is less than the minimum width of 20'. The proposed buffer is being established 3' behind the back of curb.

K-1.2 – Allowing this variance will not impact any government services. The City of Minnetonka has already indicated that the work on this site will not require any additional wetland buffers.

K-1.3 – Allowing this variance will not change the character of or cause material adverse effect to water resources, flood levels, drainage or the general welfare in the District. The existing entrance drive is already located in close proximity to the existing wetland. The proposed buffer will benefit the water resources of the wetland from the existing conditions by establishing the buffer.

K-1.4 – This practical difficulty that this project is attempting to resolve cannot be alleviated by a feasible alternative method other than a variance. The only way that this variance could be alleviated would be to reduce the width of the entry drive by an additional 14'. This is not feasible due to safety and functionality concerns.

The safety concerns are that this entry drive is established with a one lane in and two lanes to exit. Reducing this exit would impact site distances and could be a safety liability. The county prefers this current exit design.

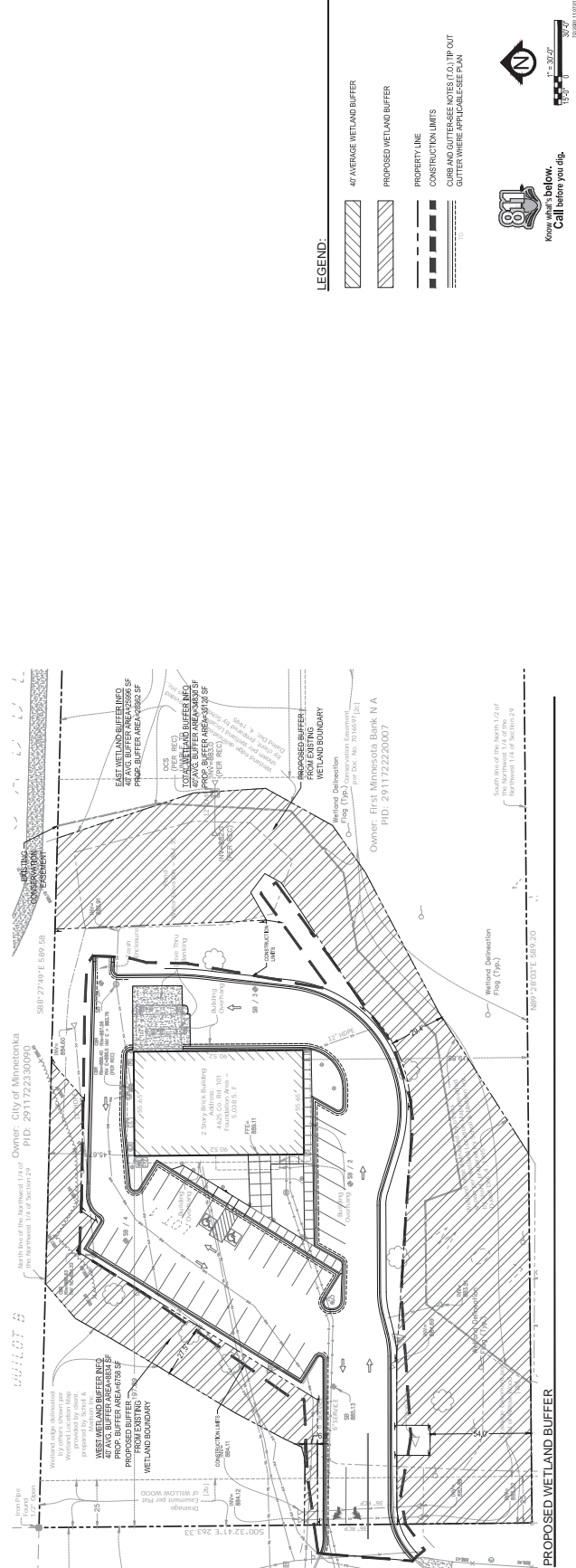
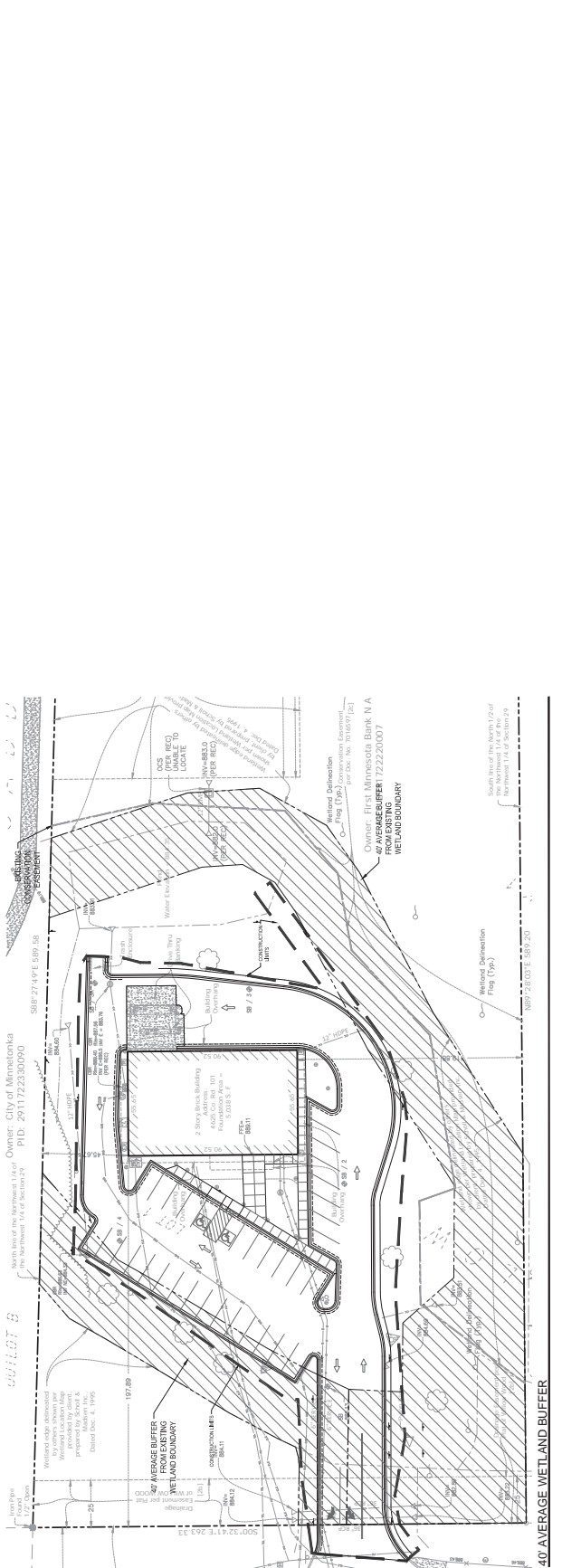
The functionality of the entrance would also be impacted by not having direct turn lanes for vehicles leaving this site. A single turn lane would cause delays to drivers leaving the site.

K-1.5 – This practical difficulty did not occur by the current landowner, or any of their agents. This problem is due to the fact that the watershed has newer buffer rules that were established after this site was developed. The only reason that this project is triggering the need to provide this buffer is because the site needs to be reconstructed due to settling that has occurred over the last 20 years.

K-1.6 – This variance request will serve the interests of justice because no other properties or landowners will be impacted by approving this request. The property owner is only attempting to correct an issue that occurred naturally and triggered the need to establish wetland buffers. Allowing this variance will not change the character of or cause material adverse effect to water resources, flood levels, drainage or the general welfare in the District.

Conclusions:

This project will be utilizing an existing stormwater pond to meet the requirements of the RPBCWD and the City of Minnetonka. The existing stormwater pond has been analyzed to show that it provides the required water quality treatment for the site.



Know what's below.
 Call before you dig.

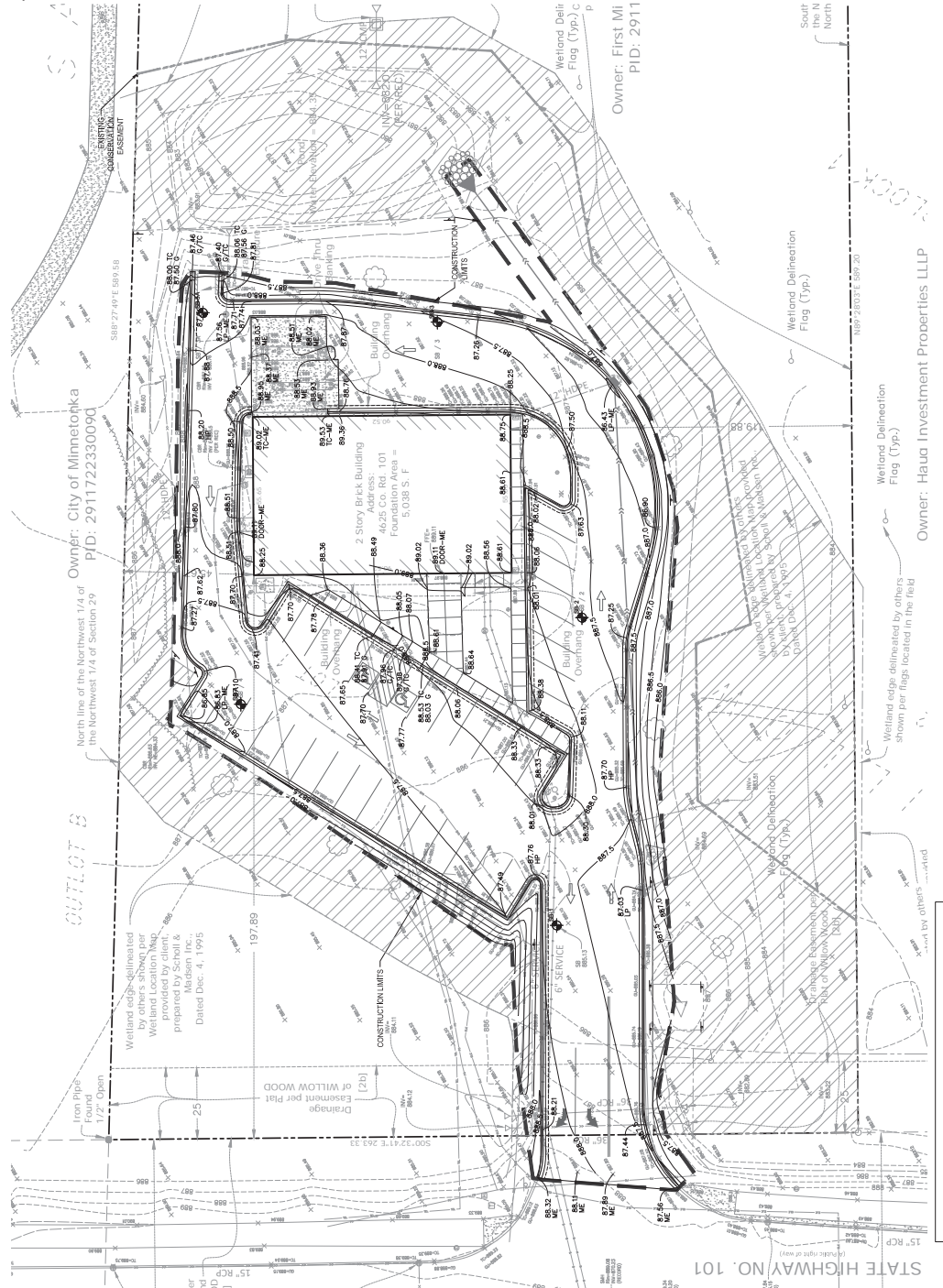
800-800-5528
 1" = 32'-0"
 1" = 8'-0"

GENERAL GRADING NOTES:

- SEE SITE PLAN FOR HORIZONTAL LAYOUT & GENERAL GRADING NOTES.
- THE CONTRACTOR SHALL COMPLETE THE SITE GRADING CONSTRUCTION INCLUDING BUT NOT LIMITED TO THE PREPARATION, SOIL CORRECTION, EROSION CONTROL, GRASSMANNING, ETC. IN ACCORDANCE WITH THE REQUIREMENTS OF THE SOILS ENGINEER. ALL SOIL TESTING SHALL BE COMPLETED BY THE SOILS ENGINEER AND THE RESULTS SHALL BE SUBMITTED TO THE ENGINEER FOR REVIEW AND APPROVAL PRIOR TO THE START OF CONSTRUCTION.
- GRADING AND EXCAVATION ACTIVITIES SHALL BE PERFORMED IN ACCORDANCE WITH THE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT REQUIREMENTS & PERMIT REQUIREMENTS OF THE CITY.
- ALL EXISTING UTILITY LOCATIONS SHOWN ARE APPROXIMATE. CONTACT "TOPHER STATE ONE CALL" (888-444-0202 OR 888-552-1198) FOR UTILITY LOCATIONS 48 HOURS PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPLACING ANY UTILITIES THAT ARE DAMAGED DURING CONSTRUCTION AT A COST TO THE OWNER.
- PROPOSED SPOT GRADES ARE FLOWLINE FINISHED GRADE ELEVATIONS, UNLESS OTHERWISE NOTED.
- PROPOSED SPOT GRADES SHALL NOT EXCEED 3% UNLESS INDICATED OTHERWISE ON THE DRAWINGS.
- PROPOSED SPOT GRADES SHALL NOT EXCEED 3% UNLESS INDICATED OTHERWISE ON THE DRAWINGS.
- PROPOSED RETAINING WALLS, PRECASTING WALLS, OR COMBINATION OF WALL TYPES GREATER THAN 4' IN HEIGHT SHALL BE DESIGNED AND SUBMITTED BY A REGISTERED RETAINING WALL ENGINEER. DESIGN DRAWINGS SHALL BE SUBMITTED FOR REVIEW AND APPROVAL PRIOR TO CONSTRUCTION.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTENANCE OF GRADE STAKES THROUGHOUT THE CONSTRUCTION PERIOD. STAKES SHALL BE REPLACED AS NECESSARY. STAKES SHALL ALSO BE RESPONSIBLE FOR A FINAL FIELD CHECK OF FINISHED GRADES ACCEPTABLE TO THE ENGINEER/LANDSCAPE ARCHITECT PRIOR TO TOPSOIL AND SOODING ACTIVITIES.
- IF EXCESS OR SHORTAGE OF SOIL MATERIAL EXISTS, THE CONTRACTOR SHALL TRANSPORT ALL EXCESS SOIL MATERIAL OFF THE SITE TO AN AREA SELECTED BY THE CONTRACTOR, OR IMPORT SUITABLE MATERIAL TO THE SITE.
- EXCAVATE TOPSOIL FROM AREAS TO BE FURTHER EXCAVATED OR REGRADED AND STOCKPILE IN AREAS TO BE REGRADED. TOPSOIL SHALL BE STOCKPILED IN AREAS TO BE REGRADED OUTSIDE OF BUILDING PANS, ROADWAYS AND PARKING AREAS. THE CONTRACTOR SHALL SUBMIT CUT AREAS, WHERE TURF IS TO BE ESTABLISHED, TO A DEPTH OF 6 INCHES. RESEED TOPSOIL IN AREAS WHERE TURF IS TO BE ESTABLISHED TO A MINIMUM DEPTH OF 6 INCHES.
- FINISHED GRADING SHALL BE COMPLETED. THE CONTRACTOR SHALL UNIFORM GRADE AREAS WITHIN SPECIFIED TOLERANCES, WITH UNIFORM LEVELS OR SLOPES BETWEEN POINTS WHERE ELEVATIONS ARE SHOWN, OR BETWEEN SUCH POINTS AND EXISTING GRADES. AREAS THAT HAVE BEEN FINISH GRADED SHALL BE PROTECTED FROM SUBSEQUENT CONSTRUCTION OPERATIONS, TRAFFIC, AND UNDERGROUND UTILITIES. FINISHED GRADES SHALL BE SETTLING BELOW THE REQUIRED GRADE. ALL AREAS RESTORED BY THE CONTRACTOR OPERATIONS SHALL BE RESTORED TO EQUAL OR BETTER THAN ORIGINAL CONDITION OR TO THE REQUIREMENTS OF THE NEW WORK.
- FOR EACH PERCENT OF THE AGGREGATE BASE, A TEST ROLL WILL BE REQUIRED ON THE STREET AND PARKING AREA SURFACE. THE CONTRACTOR SHALL PROVIDE A LOADED TANDY AXLE TRUCK WITH A TEST ROLLER TO TEST THE AGGREGATE BASE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE TEST ROLLING WHICH SECTIONS OF THE STREET OR PARKING AREA ARE UNSTABLE. CORRECTION OF THE SUBGRADE SOILS SHALL BE COMPLETED IN ACCORDANCE WITH THE UNDERGROUND STORM RETENTION/VENTILATION SYSTEMS.
- TOLERANCES
 14.1. THE BUILDING SURFACE FINISHED GRADE ELEVATION SHALL NOT VARY BY MORE THAN 0.30 FOOT ABOVE OR 0.30 FOOT BELOW, THE PRESCRIBED ELEVATION AT ANY POINT WHERE MEASUREMENT IS MADE.
 14.2. THE STREET OR PARKING AREA SURFACE FINISHED GRADE ELEVATION SHALL NOT VARY BY MORE THAN 0.30 FOOT ABOVE OR 0.30 FOOT BELOW, THE PRESCRIBED ELEVATION OF ANY POINT WHERE MEASUREMENT IS MADE.
 14.3. AREAS WHICH ARE TO RECEIVE TOPSOIL SHALL BE GRADED TO WITHIN 0.30 FOOT ABOVE OR BELOW THE REQUIRED ELEVATION, UNLESS DIRECTED OTHERWISE BY THE ENGINEER.
 14.4. TOPSOIL SHALL BE GRADED TO PLUS OR MINUS 1/2 INCH OF THE SPECIFIED THICKNESS.
 15. MAINTENANCE
 15.1. THE CONTRACTOR SHALL PROTECT NEWLY GRADED AREAS FROM TRAFFIC AND EROSION, AND KEEP AREA FREE OF TRASH AND DEBRIS.
 15.2. CONTRACTOR SHALL REPAIR AND REESTABLISH GRASSES IN SETTLED, ERODED AND RUTTED, THE WARRANTY PERIOD. ERODED AREAS WHERE TURF IS TO BE ESTABLISHED SHALL BE RESEED AND MULCHED.
 15.3. WHERE COMPLETED COMPACTED AREAS ARE DISTURBED BY SUBSEQUENT CONSTRUCTION OPERATIONS, THE CONTRACTOR SHALL REPAIR AND REESTABLISH GRASSES, RESEED, RESPADE, AND COMPACT TO REQUIRED DENSITY PRIOR TO FURTHER CONSTRUCTION.

GRADING PLAN LEGEND:

EXT. TO CONTOUR ELEVATION INTERVAL	1:10
1" = 10' CONTOUR ELEVATION INTERVAL	1:10
1" = 10' CONTOUR ELEVATION INTERVAL UNLESS OTHERWISE NOTED	1:10
SPOT GRADE ELEVATION GUTTER	801.00 G
SPOT GRADE ELEVATION TOP OF CURB	801.00 TC
SPOT GRADE ELEVATION BOTTOM OF STAIRS/STOP OF STAIRS	801.00 BS/TS
SPOT GRADE ELEVATION MATCH EXISTING	801.00 ME
GRADE BREAK - HIGH POINTS	⊕
CURB AND GUTTER (C.O. = TIP OUT)	—
EMERGENCY OVERTLOW	—
EMERGENCY OVERTLOW	—



GROUNDWATER INFORMATION:
 THE BORINGS & GROUNDWATER ARE AS FOLLOWS:
 SP1 882.50
 SP2 882.50
 SP3 883.00
 SP4 884.00

EROSION CONTROL NOTES:
 SEE SWPPP DOCUMENTS SWP-0 - SWP-3
 Wetland edge delineated by others shown per flags located in the field.

CITY OF MINNETONKA GRADING NOTES:
 1. RESERVED FOR CITY SPECIFIC GRADING NOTES.

811
 Know what's below.
 Call before you dig.

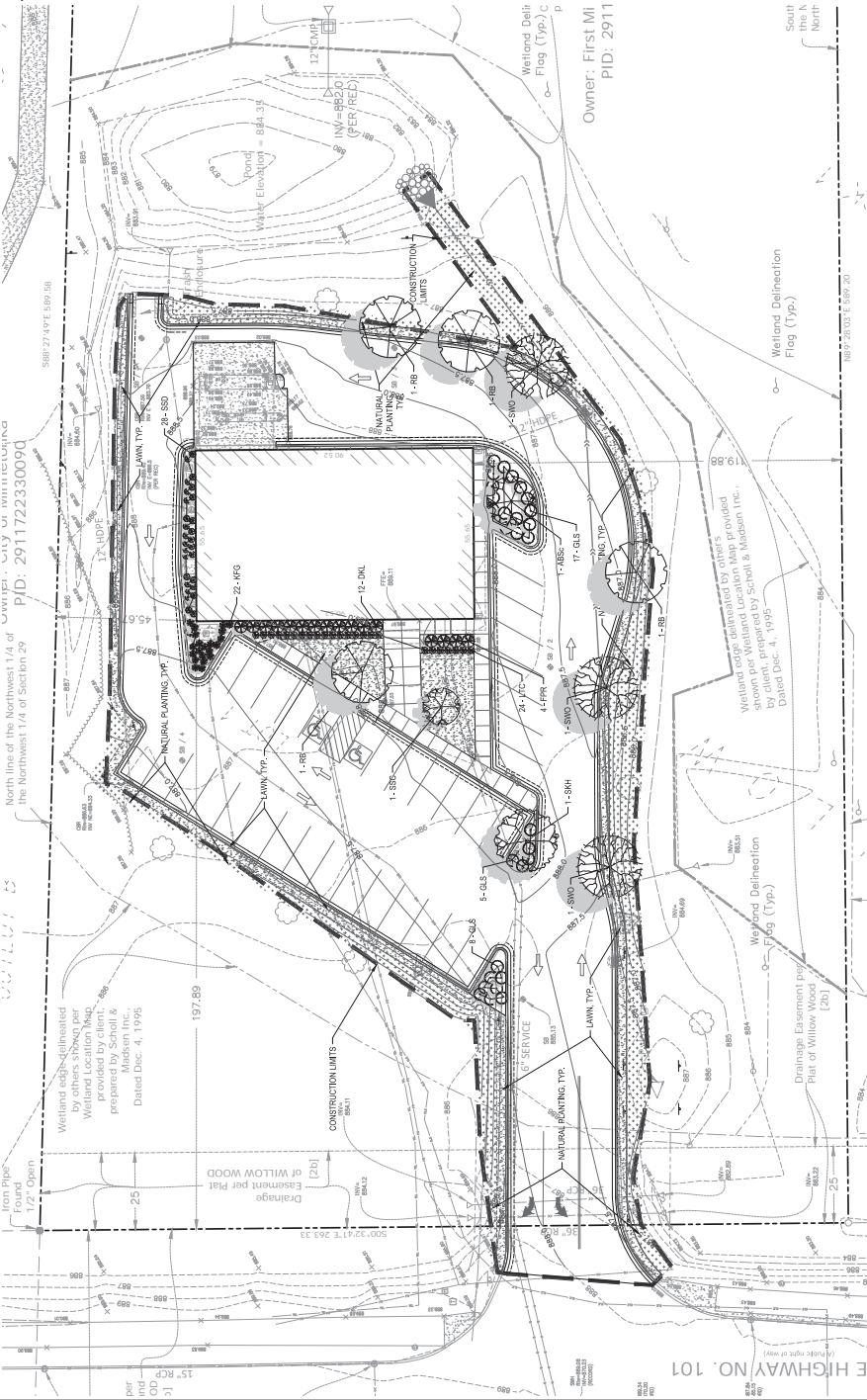
1-800-762-8888
 1-800-762-8888

811
 Know what's below.
 Call before you dig.

1-800-762-8888
 1-800-762-8888

LANDSCAPE NOTES:

- WHERE SHOWN, SHRUBS & PERENNIAL BEDS SHALL BE MULCHED WITH 4" DEPTH MINIMUM AFTER INSTALLATION (AND/OR TOP DRESSING OPERATIONS) OF SHREDED CYPRESS MULCH.
- ALL TREES SHALL BE MULCHED WITH SHREDED CYPRESS MULCH TO OUTER EDGE OF SAUNDER OR TO OUTER EDGE OF TRUNK IF APPLICABLE. ALL MULCH SHALL BE 8" MINIMUM WITHIN A MINIMUM OF 2' FROM TREE TRUNK.
- IF SHOWING ON PLAN, RANDOM SEED LIME/STONE BOLLERS COLOR AND SIZE TO COMPLEMENT NEW LANDSCAPING. OWNER TO APPROVE BOLLER SAMPLES PRIOR TO INSTALLATION.
- PLANT MATERIALS SHALL CONFORM WITH THE AMERICAN ASSOCIATION OF NURSERYMEN STANDARDS (AAS) UNLESS OTHERWISE NOTED ON THE DRAWINGS. CONTRACTOR SHALL STAKE IN THE FIELD ALL LOCATIONS OF TREES AND SHRUBS FOR REVIEW AND APPROVAL BY THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
- UPON DISCOVERY OF A DISCREPANCY BETWEEN THE QUANTITY OF PLANTS SHOWN ON THE SCHEDULE AND THE QUANTITY SHOWN ON THE PLAN, THE PLAN SHALL GOVERN.
- THE CONTRACTOR SHALL MAINTAIN ALL EXISTING UTILITY LOCATIONS AND SHALL MAINTAIN THROUGHOUT THE DURATION OF THE CONTRACT, LANDSCAPE MATERIALS PART OF THE CONTRACT SHALL BE WARRANTEED FOR ONE (1) FULL GROWING SEASONS FROM SUBSTANTIAL COMPLETION DATE.
- ALL AREAS DISTURBED BY CONSTRUCTION ACTIVITIES SHALL RECEIVE 4" LAYER TOPSOIL AND SOD AS SPECIFIED UNLESS OTHERWISE NOTED ON THE DRAWINGS.
- CONTRACTOR SHALL STAKE AND MAINTAIN ALL EXISTING UTILITY LOCATIONS, INCLUDING UTILITIES, AND SHALL MAINTAIN THROUGHOUT THE DURATION OF THE CONTRACT. CONTRACTOR SHALL STAKE IN THE FIELD ALL LOCATIONS OF TREES AND SHRUBS FOR REVIEW AND APPROVAL BY THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
- ALL PLANT MATERIALS SHALL BE WATERED AND MAINTAINED UNTIL ACCEPTANCE.
- NO COST TO OWNER ALL DAMAGE RESULTING FROM LANDSCAPE CONTRACTORS ACTIVITIES.
- OWNER AND MAINTAIN ALL RAVED SURFACES FREE OF DEBRIS GENERATED FROM LANDSCAPE CONTRACTORS ACTIVITIES.
- REPAIR AT NO COST TO THE OWNER IRRIGATION SYSTEM DAMAGED FROM LANDSCAPE CONSTRUCTION ACTIVITIES.
- PROVIDE SITE WIDE IRRIGATION SYSTEM DESIGN AND INSTALLATION. SYSTEM SHALL BE FULLY OPERATIONAL AND CAPABLE OF DELIVERING ONE INCH OF PRECIPITATION PER WEEK. SYSTEM SHALL EXTEND INTO THE PUBLIC RIGHT-OF-WAY TO THE EDGE OF PAVEMENT/BACK OF CURB.
- CONTRACTOR SHALL SECURE APPROVAL OF PROPOSED IRRIGATION SYSTEM INCLUDING PRICING FROM OWNER PRIOR TO INSTALLATION.



LEGEND

[Symbol]	ALL SHRUB BEDS: 100% MULCH OR 70% MULCH 30% GRAVEL BASED SOD
[Symbol]	ALL PLANTING BEDS: 100% MULCH OR 70% MULCH 30% GRAVEL BASED SOD
[Symbol]	LAWN - COMMERCIAL GRADE, LOCALLY AVAILABLE BLUE GRASS BASED SOD
[Symbol]	SEED TYPE 1 - HYDRIT 24-26% WET PRAIRIE PER
[Symbol]	INDOT SEEDING MANUAL SPECIFICATIONS (D1-4)

PROPOSED CANOPY TREE SYMBOLS - SEE PLANT SCHEDULE AND PLAN FOR SPECIES AND PLANTING SIZES

PROPOSED EVERGREEN TREE SYMBOLS - SEE PLANT SCHEDULE AND PLAN FOR SPECIES AND PLANTING SIZES

PROPOSED ORNAMENTAL TREE SYMBOLS - SEE PLANT SCHEDULE AND PLAN FOR SPECIES AND PLANTING SIZES

PROPOSED DECODED AND EVERGREEN SHRUB SYMBOLS - SEE PLANT SCHEDULE AND PLAN FOR SPECIES AND PLANTING SIZES

PROPOSED PERENNIAL PLANT SYMBOLS - SEE PLANT SCHEDULE AND PLAN FOR SPECIES AND PLANTING SIZES

PROPOSED BOLLER AND PLANT FOR SPECIES AND PLANTING SIZES

EDGING

DECORATIVE BOLLER (ROUNDED X BLOCK STYLE), 1' 0" DIA.

PLANT SCHEDULE - ENTIRE SITE

SYMB.	QUANT.	COMMON NAME	BOTANICAL NAME	SIZE	ROOT	COMMENTS
RB	4	River Birch	Betula nigra	2.5" CAL.	BAB	STRAIGHT LEADER- FULL FORM
SH	1	Sheep Kenar Honeylocust	Gleditsia inornata 'Dwarf'	2.5" CAL.	BAB	STRAIGHT LEADER- FULL FORM
SWD	3	Swamp White Oak	Quercus bicolor	2.5" CAL.	BAB	STRAIGHT LEADER- FULL FORM
ORNAMENTAL TREES						
ABS	1	AUTUMN BRILLIANCE SERVICEBERRY CLUMP	Amelanchier canadensis 'Autumn Brilliance' (clump form)	1.5" CAL.	BAB	STRAIGHT LEADER- FULL FORM
BSS	1	SPRING SMOOTH CORNUS CLUMP	Cornus spicata 'Spring Snow'	1.5" CAL.	BAB	STRAIGHT LEADER- FULL FORM
SHRUBS - COMPOUND & EVERGREEN						
CS	30	CHRISTMAS TREE	Thuja occidentalis 'Green Jewel'	24" HT.	CONT.	
EBR	12	DWARF FOREAN LILAC	Syringa meyeri 'Palmer'	24" HT.	CONT.	
PERENNIALS & GRASSES						
BGS	22	BIRCH SWAMP BURNING	Chamaecrista nictitans 'Yogi Frazier'	#1	CONT.	
BMW	28	SHRUB SWAMP BURNING	Hamamelis virginiana	#1	CONT.	
LTC	24	LITTLE TITCH CAT TAIL	Nepeta racemosa 'Little Titch'	#1	CONT.	

Knowlton
 Call us or visit our website
 1-800-840-2277
 www.knowlton.com

PROJECT
CORTRUST BANK - MINNETONKA
 4626 COUNTY ROAD 101, MINNETONKA, MN 55345
 100 EAST HAVENS AVENUE, MITCHELL, SD 57301

PERMITS AND/OR REGULATORY AGENCIES TO BE NOTIFIED AND THE PERMITTEE MUST OBTAIN THE NECESSARY PERMITS UNDER THE LAWS OF THE STATE OF MINNESOTA.
 SHEET NUMBER: 1000
 DRAWN BY: J. N. [Signature]
 CHECKED BY: J. N. [Signature]
 DATE: 11/15/2024
 PROJECT NUMBER: 1000

DATE	DESCRIPTION
11/15/2024	ISSUE SUBMITTAL SUMMARY
11/15/2024	ISSUE DESCRIPTION
11/15/2024	ISSUE ACTION
11/15/2024	ISSUE RESOLUTION
11/15/2024	ISSUE VERIFICATION
11/15/2024	ISSUE CLOSURE
11/15/2024	ISSUE RE-OPEN

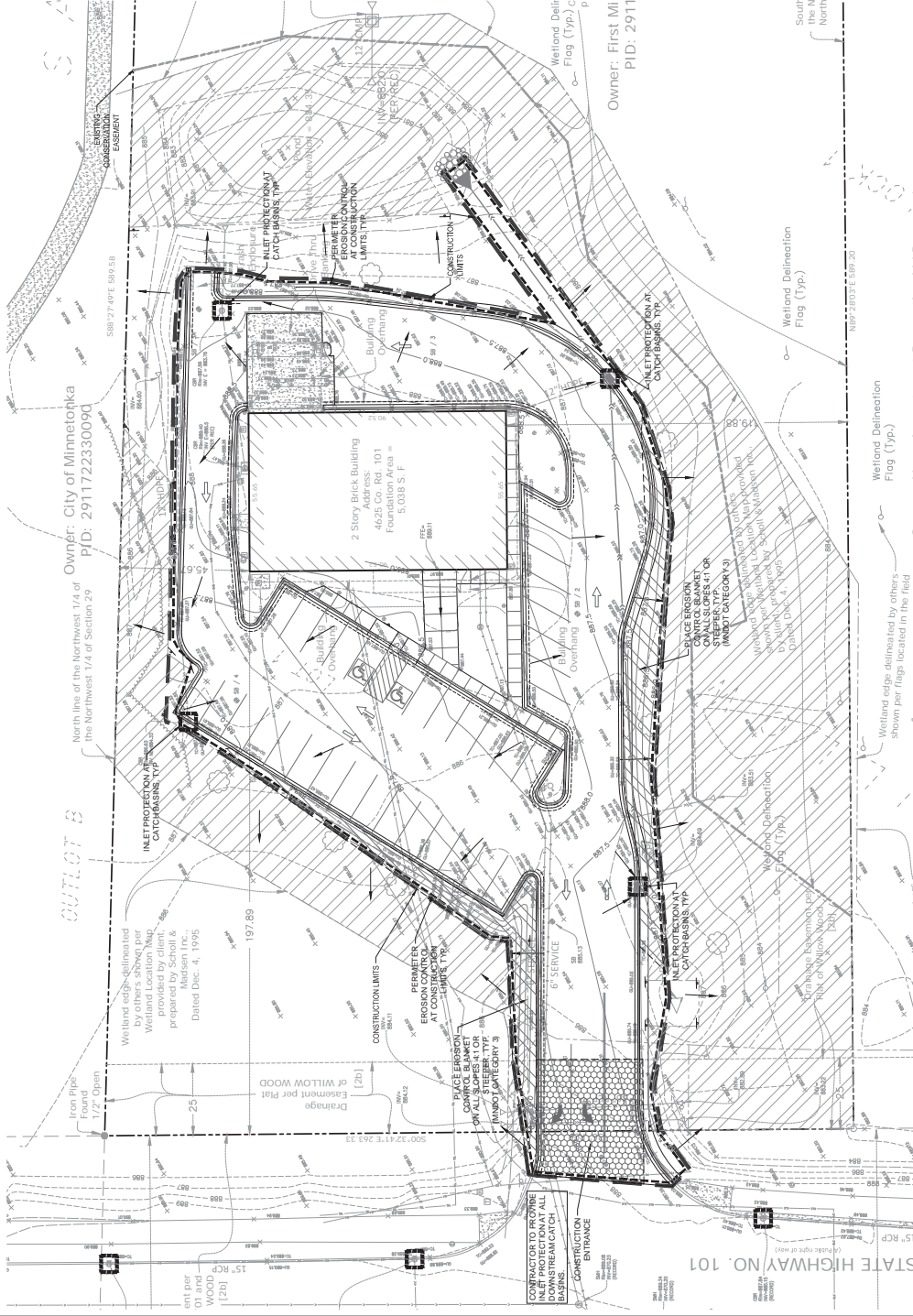
SWPPP - PROPOSED CONDITIONS
SW1.1

SWPPP NOTES:

1. THIS PROJECT IS LESS THAN ONE ACRE AND WILL NOT REQUIRE AN EROSION CONTROL PLAN PER CITY OF MINNETONKA SWPPP REGULATIONS.
2. SEE SHEETS SW1.0 - SW1.3 FOR ALL EROSION CONTROL NOTES, DESCRIPTIONS, AND PRACTICES.
3. SEE GRADING PLAN FOR ADDITIONAL GRADING AND EROSION CONTROL NOTES.
4. CONTRACTOR IS RESPONSIBLE FOR SWPPP IMPLEMENTATION, INSPECTIONS, AND COMPLIANCE WITH NPDES PERMIT.

RPCBWD EROSION CONTROL NOTES:

1. NATURAL TOPOGRAPHY AND SOIL CONDITIONS MUST BE PROTECTED INCLUDING RETENTION ON SITE OF NATIVE TOPSOIL TO THE GREATEST EXTENT POSSIBLE.
2. ADDITIONAL MEASURES SUCH AS HYDRAULIC MULCHING AND OTHER MEASURES SHALL BE USED ON SLOPES OF 3:1 OR GREATER TO PROVIDE ADDITIONAL STABILIZATION.
3. INVA. SITE RESTORATION MEASURES SHALL BE PERFORMED AT LEAST 60 INCHES OF TOPSOIL OR ORGANIC MATTER BE SPREAD AND INCORPORATED INTO THE UNDERLYING SOIL DURING FINAL SITE TREATMENT WHEREVER TOPSOIL HAS BEEN REMOVED.
4. CONSTRUCTION WASTE SUCH AS DISCARDED BUILDING MATERIALS, PAINT, OIL, CHEMICALS, LITTER AND SANITARY WASTE MUST BE PROPERLY MANAGED.
5. ALL TEMPORARY EROSION AND SEDIMENT CONTROL BMPs MUST BE MAINTAINED UNTIL COMPLETION OF CONSTRUCTION AND VEGETATION IS ESTABLISHED SUFFICIENTLY TO ENSURE STABILITY OF THE SITE, AS DETERMINED BY THE DISTRICT.
6. ALL TEMPORARY EROSION AND SEDIMENT CONTROL BMPs MUST BE REMOVED UPON FINAL STABILIZATION.
7. ALL DISTURBED AREAS MUST BE RECLAIMED WITHIN 90 DAYS AFTER COMPLETION OF CONSTRUCTION UNLESS OTHERWISE SPECIFIED. PROPERTY THAT DRAINS TO AN IMPAIRED WATER BODY WITHIN 14 DAYS ELSEWHERE.
8. SOIL SURFACES COMPACTED DURING CONSTRUCTION AND REMAINING PERVIOUS UPON COMPLETION OF CONSTRUCTION MUST BE DECOMPACTED TO SOIL COMPACTNESS TESTING PRESSURE OF LESS THAN 1,400 KILOPASCALS OR 200 POUNDS PER SQUARE INCH IN THE UPPER 12 INCHES OF SOIL OR 1,000 POUNDS PER SQUARE FOOT IN THE UPPER 12 INCHES OF SOIL.
9. IN ADDITION, UTILITIES, TREE ROOTS AND OTHER EXISTING VEGETATION MUST BE PROTECTED UNTIL FINAL VEGETATION OR OTHER STABILIZATION OF THE SITE.
10. ACTIVITIES MUST BE CONDUCTED SO AS TO MINIMIZE THE POTENTIAL FOR TRANSPORT OF ADIATIC INVASIVE SPECIES (E.G. ZEBRA MUSSELS, EURASIAN MILFOL) TO THE MAXIMUM EXTENT POSSIBLE.
11. THE PERMITEE MUST, AT A MINIMUM, INSPECT MAINTAIN AND REPAIR ALL DISTURBED SURFACES AND ALL EROSION AND SEDIMENT CONTROL FACILITIES ON A DAILY BASIS. INSPECTIONS SHALL BE CONDUCTED AT LEAST ONCE PER SITE AND AT LEAST WEEKLY UNTIL LAND-USE/GRADING ACTIVITY HAS CEASED. THEREAFTER, THE PERMITEE MUST PERFORM THESE RESPONSIBILITIES AT LEAST ONCE PER MONTH. THE PERMITEE SHALL MAINTAIN A LOG OF ALL ACTIVITIES UNDER THIS SECTION OR INSPECTION BY THE DISTRICT ON REQUEST.



ALL SPECIFIED EROSION AND SEDIMENT CONTROL PRACTICES AND MEASURES CONTAINED IN THIS SWPPP ARE THE MINIMUM REQUIREMENTS. THE PERMITEE SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR THE COURSE OF CONSTRUCTION.

CITY OF MINNETONKA EROSION CONTROL NOTES:
 1. REFERRED TO CITY SPECIFIC EROSION CONTROL NOTES.

LEGEND:

1:0' CONTOUR ELEVATION INTERVAL	EX: 1' CONTOUR ELEVATION INTERVAL
DRAINAGE ARROW	DRAINAGE ARROW
SILT FENCE BARRIC - GRADING LIMIT	SILT FENCE BARRIC - GRADING LIMIT
INLET PROTECTION	INLET PROTECTION
STABILIZED CONSTRUCTION ENTRANCE	STABILIZED CONSTRUCTION ENTRANCE
EROSION CONTROL BLANKET	EROSION CONTROL BLANKET



Owner: Haud Investment Properties LLLP
 PID: 2911

Owner: City of Minnetonka
 P/D: 291172230090

Owner: First MI
 PID: 2911

Owner: Haud Investment Properties LLLP
 PID: 2911

Owner: Haud Investment Properties LLLP
 PID: 2911

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 PID: 2911

Owner: Haud Investment Properties LLLP
 PID: 2911

Owner: Haud Investment Properties LLLP
 PID: 2911

Know what's below.
 Call before you dig.

STATE HIGHWAY NO. 101

STATE HIGHWAY NO. 101

STATE HIGHWAY NO. 101

STATE HIGHWAY NO. 101

STATE HIGHWAY NO. 101

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STATE HIGHWAY NO. 101

STATE HIGHWAY NO. 101

STATE HIGHWAY NO. 101

STATE HIGHWAY NO. 101

STATE HIGHWAY NO. 101

STATE HIGHWAY NO. 101

MEMORANDUM

DATE: July 1, 2020
TO: MAWD Members
FROM: Sherry Davis White, Resolutions Committee Chair
RE: **2020 REQUEST FOR MAWD RESOLUTIONS**



It is that time of year for MAWD members to submit their policy recommendations through our resolutions process. Here are the next steps and timeline:

- July / August** Members discuss and approve resolutions at their local WD/WMO meetings
- September 1** Administrators submit resolutions and background information documents to the MAWD office at emily@mnwatershed.org by September 1
- September / October** Resolutions Committee will review resolutions, gather further information when deemed necessary, discuss and make recommendations on their passage to the members
- October 31** Resolutions (with committee feedback) will be emailed to each district by Oct. 31
- November** Members should discuss the resolutions at their November meetings and decide who will be voting on their behalf at the annual meeting (2 voting members allowed per watershed organization)
- December** Delegates discuss and vote on resolutions at the annual meeting
- December / January** Legislative Committee will review existing and new resolutions and make a recommendation to the MAWD Board of Directors for the 2021 legislative platform
- January 2021** MAWD Board of Directors will finalize the 2021 legislative platform
- January 5, 2021** First day of the 92nd legislative biennium

Resolutions passed by the membership at the annual meeting will remain MAWD policy for five years. After five years resolutions will sunset and if desired, will need to be resubmitted and passed at the annual meeting to keep those issues active.

See the enclosed lists for resolutions that are active and those that will sunset at the end of the year.

Please feel free to contact me at sherrywhite@mediacombb.net or our Executive Director Emily Javens if you have any questions at emily@mnwatershed.org or (651) 440-9407.

THANK YOU FOR YOUR EFFORTS IN OUR POLICY DEVELOPMENT!

Background Information

2020 MAWD Resolution

Proposing District: _____

Contact Name: _____

Phone Number: _____

Email Address: _____

Resolution Title: _____

Background that led to the submission of this resolution:

Ideas for how this issue could be solved:

Anticipated support or opposition from other governmental units?

(Check one) This issue is of importance to:

Only our district _____

Only our region _____

The entire state _____

Active MAWD Resolutions

July 1, 2020



FINANCE ISSUES

2018-02 Increase the \$250k General Fund Tax Levy Limit

MAWD supports legislation to increase or remove the \$250,000 general fund ad valorem tax levy limit set in MN statute 103D.905 subd. 3. If the limit is raised to a new dollar amount, MAWD supports an inflationary adjustment be added to statute.

2017-05 Middle Fork Crow River Watershed District General Operating Levy Adjustment

MAWD supports the efforts of Middle Fork Crow River Watershed District to draft and advance special legislation affecting a change in its general fund levy cap.

2019-08: Heron Lake Watershed District General Operating Levy Adjustment

MAWD supports an increase in Heron Lake Watershed District's general operating levy cap from \$250,000 to an amount not to exceed \$500,000.

2019-09: Shell Rock River Watershed District General Operating Levy Adjustment

MAWD supports an increase in Shell Rock River Watershed District's general operating levy cap from \$250,000 to an amount not to exceed \$500,000.

2019-10: Pelican River Watershed District General Operating Levy Adjustment

MAWD supports an increase in Pelican River Watershed District's general operating levy cap from \$250,000 to an amount not to exceed \$500,000.

2019-11: Buffalo Red River Watershed District General Operating Levy Adjustment

MAWD supports an increase in Buffalo Red River Watershed District's general operating levy cap from \$250,000 to an amount not to exceed \$500,000.

2019-06: Oppose Legislation that Forces Spending on Political Boundaries.

MAWD opposes legislation that establishes spending requirements or restricts watershed district spending by political regions or boundaries.

2017-06 Obtain Stable Funding for the Flood Damage Reduction Program

MAWD supports stable funding (as opposed to the current even year bonding process) for the DNR's Flood Damage Reduction Program. A suggested sustainable level of funding is \$25 million per year for the next 10 years.

2016-03 Tax Law Treatment of Conservation Easements

MAWD pursue a legislative initiative to define "riparian buffer" for purposes of conservation easements in state tax code and to establish an administrative procedure whereby a watershed organization would certify, for purposes of section 273.117, a conservation easement or restriction as meeting the water quantity and quality purposes cited in the tax law and therefore be eligible for a reduction in estimated market value.

URBAN STORMWATER

017-04 Limited Liability for Certified Commercial Salt Applicators

MAWD supports passage and enactment of state law that provides a limited liability exemption to commercial salt applicators and property owners using salt applicators who are certified through the established salt applicator certification program who follow best management practices.

2017-07 Creation of a Stormwater Reuse Task Force

MAWD pursue legislation requiring creation of a Stormwater Reuse Task Force with membership from Watershed Districts, Cities, Counties, State Agencies and other Stormwater Reuse implementers; and that the Stormwater Reuse Task Force should be charged with developing recommendations that further clarify and/or replace the information in the Water Reuse Report that relates to stormwater reuse best management practices.

PUBLIC DRAINAGE LAW

2019-04: Clarify County Financing Obligations and/or Authorize Watershed District General Obligation Bonding for Public Drainage Projects.

MAWD supports legislation to achieve one or both of the following:

- a) To clarify that an affected county must finance a watershed district drainage project on project establishment and request of the watershed district; and
- b) To authorize watershed districts to finance drainage project establishment and construction by issuance of bonds payable from assessments and backed by the full faith and credit of the watershed district; and further provide for adequate tax levy authority to assure the watershed district's credit capacity.

2019-02: Add a Classification for Public Drainage Systems that are Artificial Watercourses

MAWD supports removal of the default Class 2 categorization for public drainage systems that are artificial watercourses and supports a default Class 7 categorization for public drainage systems that are artificial watercourses.

2018-08 Reinforce Existing Rights to Maintain/Repair 103E Drainage Systems

MAWD supports legislation modeled after House File 2687 and Senate File 2419 of the ninetieth legislature (2017-2018) reinforcing that the DNR cannot restrict existing rights to maintain and repair 103E public drainage systems.

AQUATIC INVASIVE SPECIES

2017-02 Temporary Lake Quarantine Authorization to Control the Spread of AIS

MAWD supports legislation granting to watershed districts, independently or under DNR oversight, the authority, after public hearing and technical findings, to impose a public access quarantine, for a defined period of time in conjunction with determining and instituting an AIS management response to an infestation.

2019-07: Chinese Mystery Snail Designation Change and Research Needs.

MAWD supports Chinese Mystery Snail prevention and control research and to change the Chinese Mystery Snail designated status in Minnesota as a regulated species to a prohibited species.

LOCAL and STATE WATERSHED MANAGEMENT COORDINATION / REPRESENTATION

2019-01 Streamline the DNR permitting process

MAWD supports legislation, rules, and/or agency policies to streamline the DNR permitting process by increasing responsiveness, decreasing the amount of time it takes to approve permits, providing a detailed fee schedule prior to application, and conducting water level management practices that result in the DNR reacting more quickly to serious, changing climate conditions.

2019-03: Support for Managing Water Flows in the Minnesota River Basin Through Increased Water Storage and Other Strategies and Practices.

MAWD supports efforts to manage the flow of water in the Minnesota River Basin and the Minnesota River Congress in its efforts to increase water storage on the landscape; and

MAWD supports the Minnesota River Congress in its efforts to secure state and federal programs targeted specifically to increase surface water storage in the Minnesota River Watershed.

2019-05: Watershed District Membership on Wetland Technical Evaluation Panels.

MAWD supports legislation to allow technical representatives of watershed districts to be official members of wetland technical evaluation panels (TEPs).

2018-04 Require Watershed District Permits for the DNR

MAWD supports an amendment to the MN Statute § 103D.315, subd. 5, to include the MN Department of Natural Resources as a state agency required to get permits from watershed districts when applicable.

2018-06 Ensure Timely Updates to Wildlife Management Area (WMA) Plans

MAWD supports that Wildlife Management Area (WMA) operation and maintenance plans and/or management plans are either drafted or brought current in a timely fashion, with input from local governmental entities, to ensure their consideration in future One Watershed One Plan efforts.

2018-03 Require Timely Appointments to the BWSR Board

MAWD supports legislation that requires the Governor to make BWSR board appointments within 90 days of a vacancy or board member term expiration.

2018-09 Clean Water Council Appointments

MAWD may ask the representative of the Clean Water Council to resign when they lose their direct association to a watershed district; and that MAWD will recommend to the Governor's office that managers and/or administrators in good standing with MAWD be appointed to the Clean Water Council.

WATERSHED OFFICE OPERATIONS

2016-01 Making Human Resources Expertise Available to Districts through MAWD

MAWD research potential options of making human resources expertise available to districts and make every effort to assure districts have access to the expertise they need to effectively manage their organizations.

Resolutions to Sunset

Effective December 31, 2020



In accordance with MAWD's Sunset Policy, the following resolutions will be archived at the end of the year and will no longer be considered for future legislative and administrative platforms. The Sunset Policy says that resolutions older than five years old shall be removed from the books. If your watershed feels any of these issues should continue to be actively pursued with MAWD resources, then your watershed board needs to write up a new resolution and the issue will need to be voted on and renewed by the membership at the next annual meeting to be held in December.

2015-01 Encourage DNR to Permit Storing Water on DNR Land

MAWD supports the temporary storage of water on existing DNR-controlled wetlands in the times of major flood events.

2015-02 Road Raises for Cities with Levees

MAWD supports the State of Minnesota providing financial support through the MN DNR Flood Damage Reduction Program to cost share with local, state, and federal road authorities to provide road raises as an additional feature of flood control levee projects.

2015-05 Improvements in Process with Permitting Authorities for Water Quality Improvement Projects

MAWD supports all permitting authorities:

1. Identify all regulatory requirements and applicable standards that have been developed, formalized, and codified into applicable laws, statutes, and rules that apply to proposed water quality improvement projects within 30 days of receiving a permit application;
2. Coordinate with permit applicants on proposed water quality improvement projects as part of the technical advisory committee process;
3. Consider the development of internal technical advisory/evaluation committees within each authority to review proposed water quality improvement projects; and
4. Allow permit applicants to address all members of each authority's organization that are offering comments and concerns on a proposed water quality improvement project early on through the technical advisory committee process, instead of trying to go through one contact person at each authority.

2015-06 Establishment of Minnesota River Basin Commission

MAWD supports the legislative establishment of a MN River Basin Commission to provide effective and efficient proactive comprehensive basin planning; administration; project development; implementation; construction and maintenance or water resource projects and programs of benefit to the MN River Basin with a focus on water quantity and water quality management.

2015-07 Review Commitment to Clean Water Council Process for Recommendations to Governor and Legislature on Spending Priorities of the Clean Water Fund

MAWD supports a review of our commitment to the present Clean Water Council funding recommendation process and make a recommendation to the membership at our 2016 Annual Meeting on our continued participation in that process.

2015-08 Protect the Integrity of the Clean Water Council Appointments

MAWD supports legislation to protect the integrity of Clean Water Council appointments by supporting legislation similar to the BWSR appointment process for local government appointments, and that any state agency influence on the appointment process for local government representatives or any other specific represented groups on the Clean Water Council not be tolerated.

Thursday, July 2, 2020

To: Board of Managers

Re: RPBCWD Organizational Development

Dear Managers,

I have recently begun an organization evaluation with the help of Barbara Strandell to determine staffing needs for the District. We are in the first phase of this process, which is the engagement of all staff to self-reflect and provide feedbacks on their positions with the District. Each staff member was asked to fill out a Position Description Questionnaire (PDQ). The PDQs are then sent to Mrs. Strandell for her review. As of July 2, almost all PDQs have been submitted and the remaining should be done shortly. Mrs. Strandell will then summarize the findings and present them to the Personnel Committee this month. Working with the personnel committee, a recommendation will then be presented with the findings to the board of managers. This process will allow the district to identify organizational needs and pathway to move forward to fulfill the 10-year plan initiatives.

Currently, one position was filled on a temporary basis for the management of two long-term programs (groundwater and cost-share) which were partially filled by the Communication and Project Manager before the position was left vacant in October 2019. The District hired B Lauer in September 2019 to work until August 2020 to help with our groundwater programming and miscellaneous education and outreach programming. B stepped in and began managing the stewardship (cost-share) program. B's main role for the District at present is to manage the Groundwater and Stewardship programs. She also assists in the facilitation of meetings. I've attached an updated position description for her current job. As her position is due to end shortly, I would like to recommend we take action to make her a permanent part of RPBCWD's future.

Respectfully,



Claire Bleser
District Administrator

Riley Purgatory Bluff Creek Watershed District
18681 Lake Drive East
Chanhassen, MN 55317

POSITION TITLE: Groundwater Program & Stewardship Coordinator
REPORTS TO: District Administrator
TYPE: Full-time, exempt from the provisions of the Fair Labor Standards Act
Pay Grade: \$40,000- 60,000 commensuration based on experience

PRIMARY OBJECTIVE

The role of the Groundwater Program and Stewardship Coordinator is to improve and protect the water resources of the Riley Purgatory Bluff Creek Watershed District through the coordination and management of the Watershed Stewardship Grant Cost-share program and the Groundwater Conservation Program. The Groundwater Program and Stewardship Coordinator is also responsible for supporting the Communication Manager and other District Staff in the implementation of education and outreach programming. This role supports stewardship by identifying desired behavior change and barriers to those actions through the management of programs and creation of resources that help overcome those barriers.

PRIMARY DUTIES AND RESPONSIBILITIES

1. Manage the Watershed Stewardship Grant Cost-Share Program that provides technical assistance and funding for projects that protect and conserve water resources, and increases public awareness of the vulnerability of these resources and solutions to improve them.
 - a. Develop an annual budget
 - b. Organize site visits and communicate with technician
 - c. Prepare and negotiate grant agreements
 - d. Lead grant funding recommendation committees
 - e. Prepare funding recommendation reports
 - f. Track individual projects and grant budgets
 - g. Submit reimbursement requests
 - h. Report progress and metrics
 - i. Coordinate inspections
 - j. Keep and organize electronic and paper records
 - k. Evaluate and update program regularly
 - l. Manage communication with grant applicants and awardees
 - m. Organize promotional materials, events and programming
2. Manage the Groundwater Conservation Program to promote the conservation of groundwater resources through education and outreach and work with cities.
 - a. Work with cities to encourage conservation practices and reduce groundwater consumption
 - b. Manage Groundwater Conservation Grant Program
 - c. Lead education programming
 - d. Develop and coordinate Water Smart Meter Pilot Program

- e. Stay abreast of local opportunities and regional efforts
- f. Review, evaluate, and adjust program components regularly
- 3. Provide support for Education and Outreach programs
 - a. Coordinate continuing education and volunteer opportunities for certified Master Water Stewards
 - b. Support efforts of certified Master Water Stewards and promote stewardship growth
 - c. Support youth programming
 - d. Assist with tabling and public events
 - e. Assist with creation of education and outreach related communications (newsletters, flyers, handouts, website, social media etc.)
- 4. Other duties and responsibilities
 - a. Research and stay up to date with developments in the field of water resources
 - b. Participates as a member of the staff team for District projects and programs by cooperating with other staff and consultants, contributing ideas, providing comments when requested, and helping where needed.
 - c. Effectively represent water and watershed issues at meetings, conferences, before media, and to other local units of government, City Departments, The RPBCWD Board of Managers, partner organizations and the public
 - d. Prepare reports and summaries for the District Administrator and Board of Managers as required/ requested
 - e. Assist with day-to-day office activities such as room set-up, office supply inventory, event logistics, receipt and organization of District files and documents
 - f. Perform other tasks as assigned by the District Administrator

(The functions are intended only as illustrations of various types of work performed and are not necessarily all-inclusive. This position description is subject to change as the needs of the employer and requirements of the position change.)

SALARY: Salary range is from \$40,000 - \$60,000 and initial salary depends on qualifications and experience.

MINIMUM QUALIFICATIONS: 3 years of experience preferred implementing water resource and/or environmental education, outreach and communications programs to a variety of audiences, managing and recruiting volunteers. Bachelor's degree in natural resources with an emphasis in communication or bachelor's degree in Education with experience in natural resources. A graduate degree in a related field may be considered in lieu of work experience. Knowledge of technical and regulatory water quality and storm water issues. Demonstrated written, verbal, and presentation skills. Demonstrated networking, team-building, research, coordination, and multi-tasking skills. Ability to work with a diverse public audience. Must have a reliable vehicle and a valid US driver's license with no recent suspensions.

DESIRED QUALIFICATIONS: Understanding of social marketing and behavioral change strategies. Experience with non-formal, non-traditional teaching settings (e.g., outside of classroom, adult learners). Training in volunteer management. Knowledge of Adobe Suites other similar publishing software, and experience in web updates and content design. Previous experience with local units of government and stormwater education or urban environmental education.

KNOWLEDGE, SKILLS AND ABILITIES

General

- Proficiency with a personal computer and Microsoft software packages for word processing, spreadsheet, database management and computer generated graphics, specifically, but not limited to, Microsoft Office, Excel, Word, Access, PowerPoint, Adobe InDesign, Illustrator and Photoshop.
- Ability to effectively use email and Internet applications and other common software applications.
- Ability to take direction, work independently with a minimum of supervision, use good time management practices, possess the ability to set priorities and balance large volumes of diverse work.
- Ability to work collaboratively to develop education and outreach programming with local and agency staff, consultants and associates.
- Ability to develop and maintain effective working relationships with the District Administrator, the **Community Outreach Coordinator**, RPBCWD Board of Managers, Citizens Advisory Committee, city and agency staff, members of the public, and other interested parties.
- Ability to effectively communicate verbally and in written form to a wide variety of audiences ranging from elected officials to K12 students.
- Creativity in developing and presenting educational information and exhibits.

APPLICATION PROCESS:

This position is open until filled (First consideration **February 21**). Applications received during the final stage of the search are not guaranteed consideration. Apply by email to: cbleser@rpbcd.org. Attach to the email in PDF format only the following 2 items: Cover letter and Resume with 3 professional references. Complete application submissions will be acknowledged by return email.

Reviewed by CSB, TJ, MS, BL, JM

Vanessa Strong, Senior Water Resources Manager
City of Chanhausen

Re: Chanhausen Local Surface Water Management Plan

Friday, May 4, 2018

Dear Mrs Strong,

In accordance with Minnesota Statutes section 103B.235, subdivision 3, RPBCWD staff have reviewed the City of Chanhausen's draft Local Water Management Plan (the Chanhausen Plan) for consistency with RPBCWD's adopted third-generation Watershed Management Plan (the WMP) and the final review draft of Planning for the Next Ten Years 2018-2027, RPBCWD's updated watershed management plan (the 2018 Plan).

The RPBCWD has a few comments.

The goals and policies are well thought out and the District looks forward to collaborating and partnering with the City on projects and programs. The Chanhausen Plan has 6 goals which include:

1. Promote abstraction through infiltration, reuse and other methods where practicable to do so to provide flood protection, groundwater recharge and improve water quality,
2. Achieve water quality standards in lakes, streams, and wetlands consistent with their designated uses and establishes classifications,
3. Protect and rehabilitate wetlands to maintain or improve their function and value.
4. Prevent contamination of the aquifers and promote groundwater recharge to maintain base flows in streams and wetlands,
5. Maintain primary responsibility for managing water resources at the local level where efficient to do so but continue coordination and cooperation with other agencies and organizations,
6. Cultivate an environmentally literate public to promote an active community role in sustainable management of water resources.

RPBCWD received the Metropolitan Council's March 16, 2018, comments on the Chanhausen Plan and considered them in its review. Staff's recommended conditions on approval of the Chanhausen Plan include both areas or topics on which staff recommends further consideration by the city and changes that must be made to the Chanhausen Plan for RPBCWD's approval to be effective:

1. Title page: Terry Jeffery is listed as a staff member for the City of Chanhausen. Please remove his name as he is no longer with the City.

2. Pg.iii and pg.iv: In the list of acronyms, the draft LSWMP identifies WD and WMO. However, in the text WMO seemed to be used in a fashion that combines both entities into WMO. Watershed Districts are not governed in the same way as watershed management organizations. Please use acronyms appropriately.
3. Pg. 1-4: The District has a new Water Management Plan that is in the final stage of being approved by the Board of Water and Soil Resources. Please adjust Local Surface Water Management Plan to reflect the RPBCWD new 10-year management plan (2018).
4. Pg. 3-1, Table 3.1: Please update your impaired waters table to reflect changes that have occurred in 2018 MPCA listings.
5. Section 3.3: The following UAA is missing in this section: Rice Marsh Lake and Lake Riley UAA (2016). Furthermore, the District implemented the Creek Restoration Action Strategy study which should be added to this section as it evaluated creek health within the watershed which includes both Bluff and Riley Creeks. The Upper Riley Creek Sediment Source Assessment was also performed February 2017. The District also conducted a beyond Atlas 14 floodplain evaluation which might be of interest to be included in this section.
<http://rpbcwd.org/index.php/library/?sortBy=&CID=159&submit=159&Search=Search+%C2%BB&keywords=flood>
6. As required by Minnesota Rules 8410.0160, subpart 3B, subsection 2.5 of the Chanhassen Plan describes water-resource-related agreements the city has entered. While tables 5.2 and 5.3 of the implementation section of the draft Chanhassen Plan identify the Lake Susan Park Pond project and Chanhassen High School stormwater reuse projects, subsection 2.5 of the Chanhassen Plan should recognize that the city has entered into a cooperative agreement with RPBCWD providing for property use, construction, maintenance and credit-sharing for each project. In addition, Chanhassen and RPBCWD entered a cooperative agreement in 2015 for the Lake Susan spent-lime water-quality improvement project that ensures the continued functionality of the constructed facilities, and the two entities are actively pursuing a cooperative agreement for efficient joint administration of financial assurances secured for regulatory purposes.
7. As amended March 2, 2016, the WMP requires that a city local water management plan contain a clear statement of the city's intent as to whether it will exercise sole regulatory authority to provide protection of water resources at least as effective as is provided by the RPBCWD rules or defer exercise of regulatory authority (i.e., permitting) to RPBCWD. The 2018 Plan further elucidates this requirement, noting that RPBCWD will require that a city opting to exercise sole regulatory authority must commit in its plan to updating its ordinance(s) within one year after RPBCWD provides notice that it has significantly revised an RPBCWD rule. The draft Chanhassen Plan addresses exercise of regulatory jurisdiction in several places:
 - Subsection 2.3 states clearly that the city intends continue to serve as the Wetland Conservation Act local government unit (though note that strictly speaking, WCA does not provide for issuance of "permits"). (Also, while the city's intention to remain the WCA LGU

is clear, RPBCWD is glad to take on such responsibility if the city desires.)

- Goal 5, Regulatory Responsibility, in Table 4.1 states that the city’s goal is to “[m]aintain primary responsibility for managing water resources. ... ” implying that the city intends to permit to protect water resources, while also relying on watershed organizations’ permitting programs. (The table also appears to correctly indicate that watershed organizations have sole authority to regulate multijurisdictional resource impacts, such as dredging and sediment control, shoreline and streambank stabilization, water appropriations and (in some circumstances) waterbody crossings.) Similarly, in the detailed Regulatory Responsibility portion of chapter 4, the draft Chanhassen Plan acknowledges that RPBCWD “reviews and permits,” but that the city’s will retain “primary responsibility for” managing water resources where it is “efficient to do so.” It is not clear what these statements mean at base, and they appear to contradict state law directing watershed organizations to establish and implement watershed-wide plans for protecting and improving water resources in collaboration with other local governmental entities, and to “establish more uniform local policies and official controls for surface and groundwater management.” (Minn. Stat. § 103B.231, subd. 6; Minn. Stat. § 103B.201(4); Minn. R. 8410.0105.)

The 2018 Plan and Minnesota Rules 8410 do not provide for indeterminate, “rolling” decision making on exercise of regulatory authority based on determinations of efficiency. Leaving such uncertainty in the Chanhassen Plan would work a disservice on watershed property owners and project proponents. Under the same goal statement the city’s indication that it will adopt policies consistent with the most stringent local watershed authorities’ management plan “to the extent feasible” also qualifies the city’s commitment in a manner that undermines the utility of the Chanhassen Plan and leaves all concerned parties to wonder what would render adoption of a policy or policies infeasible.

- Subsection 5.1.1 and Table 5.1 show the city’s intention to adopt ordinances¹ that provide protection of water resources at least as effective as provided by the RPBCWD rules. Again, though, the text does not explicitly state that the city elects to exercise sole regulatory authority over those RPBCWD rule areas within the city’s jurisdiction nor does the draft Chanhassen Plan include a commitment to continue to update the city’s ordinances to maintain conformity to the RPBCWD rules. Subsection 9.4.2 states that a city opting to exercise sole regulatory authority itself must commit to updating its ordinance(s) within one year after RPBCWD provides notice that it has significantly revised an RPBCWD rule. Further, if the city intends to exercise sole regulatory authority, the draft Chanhassen Plan will need to commit to working with RPBCWD to ensure submission of applications for permits under those RPBCWD rules for which the city’s does not have authority and to provide a process whereby variances from city’s ordinances are submitted to RPBCWD for

¹ Subsection 5.1.1 indicates that the city will “implement a new water resources permit and process for development and redevelopment to administer permit requirements.” Depending on other choices the city makes regarding water-resources regulation, “permit” in that sentence should perhaps be revised to “ordinance.”

review and approval in accordance with Minnesota Statutes section 103B.211, subd. 1(a)(3)(ii).

- The Chanhassen Plan must be revised to provide a clear statement of the city's intent with regard to exercise of regulatory authority, along with such further provisions as may be needed to guide implementation of its decision, as discussed here. In making revisions to clarify its intent, the city is well advised to consider subsection 9.4.2 of RPBCWD's 2018 Plan, which provides both a framework to ensure that RPBCWD and the city maintain a cohesive and protective regulatory program, as well as specifics on local water plan elements needed for RPBCWD approval.

8. Table 5-3 must be reviewed to reflect estimated revenues and expenditures to be through 2027.

At its May 2, 2018, meeting the RPBCWD board of managers approved the Plan conditioned on Chanhassen's revision of the Plan to incorporate as follows:

1. Remove Terry Jeffery as a City of Chanhassen employee
2. Revise document to reduce the ambiguity between WMO and WD
3. RPBCWD's plan reference should refer to the 2018 Plan.
4. Update impaired water's list
5. Update studies list
6. All RPBCWD and Chanhassen Cooperative agreements should be listed
7. Address official control requirements as identified in 8410.0105 subp 6 and 8410.0160, subp.3
8. Update Table 5.3 to reflect estimated revenues and expenditures through 2027.

The District also recommends that the plan be updated to reflect the findings from the Lower Minnesota River WRAPS when these are finalized. The District looks forward to working collaboratively with the City of Chanhassen on their projects and programs for protecting and restoring the waters in the Riley-Purgatory-Bluff Creek Watershed District.

Sincerely,



Claire Bleser
District Administrator

July 9, 2020

Charlie Howley, Public Works Director/City Engineer
Erik Henricksen, Project Engineer
Matt Unmacht, Water Resources Coordinator
City of Chanhassen
7700 Market Boulevard
PO Box 147
Chanhassen MN 55317

Re: May 19, 2020, Chanhassen Local Surface Water Management Plan updates

Mr. Howley et al,

Riley-Purgatory-Bluff Creek Watershed District has received and reviewed the draft revisions to the 2018 Chanhassen Local Surface Water Management plan referenced above and the associated draft ordinance revisions. As you know, in accordance with Minnesota Statutes section 103B.235, subdivision 3, RPBCWD reviewed the initial 2018 draft of the LSWMP and the RPBCWD Board of Managers conditionally approved the LSWMP at its May 2, 2018, meeting. The attached letter specifies the conditions of approval.

RPBCWD understands that, as a consequence in significant part of staff turnover at the city, Chanhassen is still working on responding to and completing the work necessary to resolve the conditions of approval. In particular, the May 2020 LWSMP update and associated ordinances are being revised to allow the city to make a clear statement of its intent and plan to exercise sole regulatory authority with regard to water-resource protections and flood-risk minimization within the city's regulatory authority.

While state law, not RPBCWD, sets the specific timeline and deadlines for the city to adopt and implement its LSWMP, for its part RPBCWD remains willing to continue to work with the city for another six months – until December 31, 2020 – on the LSWMP revisions and ordinance updates necessary for the city to exercise sole regulatory authority in that portion of the watershed within the city. At its July 8, 2020, meeting, the RPBCWD Board of Managers concurred in this extension and devotion of RPBCWD resources to Chanhassen's effort.

RPBCWD staff will continue to work with you on the finalizing the LSWMP update to address the relevant conditions in the May 4, 2018, communication. The RPBCWD engineer and staff will work with you on ordinance revisions so the engineer and staff can make a written determination and presentation to the board that the Chanhassen ordinances will provide water-resource protection and flood-risk mitigation as or more effective than the RPBCWD

rules. Finally, RPBCWD will confirm that the LWSMP commits to ordinance amendments in a manner that maintains consistency with RPBCWD's regulatory program. When these items have been completed, RPBCWD and Chanhassen can develop and execute a memorandum of understanding that reflects the city and watershed district's structure for cost-effective and efficient collaboration for resource protection and flood-risk management.

Thank you for your commitment to our joint efforts.

Sincerely,

Claire Bleser
District Administrator

Attachments

A – May 4, 2018, letter stating conditions of approval of the Chanhassen LSWMP