



LOWER MINNESOTA RIVER WATERSHED DISTRICT

January 2022 Administrator report
From: Linda Loomis, Administrator
To: LMRWD Board of Managers

In addition to items on the meeting agenda, the following District projects and issues were addressed during the month:

Other Work

State Funding for Water Storage

I received information from Mr. Scott Sparlin after the meeting packet was complete and posted to the LMRWD website regarding 'Water Storage and Treatment Program Development. I have attached the memo from BWSR that Mr. Sparling provided.

County Liaison

County Boards typically appoint a member of the Board to be a liaison with the Lower Minnesota River Watershed District. These appointments are usually made at the beginning of each calendar year. The liaison to the Carver County Board is Commissioner Matt Udderman and Scott County Commissioner Michael Beard.

Eminent Domain Action

The City of Chaska has begun an Action of Eminent Domain for many properties in Downtown Chaska. The office building where the Lower Minnesota River Watershed District's office is located is one of the affected properties. The action has to do with improvements planned for TH 41. Legal Counsel has reviewed the documentation and has advised that the action will not affect the LMRWD office other than to occasionally impact access to the office and the availability of parking. These are issues that the District can work around. Legal Counsel has advised that the LMRWD provide a disclaimer of interest.

MPCA Draft PFAS Monitoring Plan

As reported in December, the MPCA hosted a public meeting on January 4, 2022. I was not able to attend the meeting, however, you can view it using this [link](#).

In addition, on January 6, 2022, the MPCA released new sampling and analytical PFAS guidance, which can be found on the [MPCA Quality System webpage](#).

MN Association of Watershed Administrators (MAWA)

MAWA is affiliated with MAWD. It is open to all administrators of water management organizations. It holds quarterly meetings to share and discuss topics of mutual concern. On January 13th, MAWA held its first quarterly meeting of 2022. One of the topics that was discussed was the issue of dues and how they are inequitable and have disproportionate impact on WMOs outside the Metropolitan Area, because of the levy limits imposed by the State. The MAWD Board will look at a new formula for calculating dues.

Andy Henschel, the administrator from the Shell Rock River Watershed District, directed some questions to Emily Javens, MAWD Executive Director regarding MAWD Board governance. He

started off with addressing the transparency of the MAWD Board. I had to step away from the meeting at that point, but I have reached out to Andy for a list of the issues he brought forward.

Lower Minnesota River West One Watershed One Plan

The Technical Advisory Group for this project met December 16, 2021 (at the same time as the Lower MN River East), January 4, 2022 and January 13, 2022. The TAG has been going through the implementation schedule item by item. Discussions have been interesting and authorities in the area are having issues similar to the LMRWD – steep slope erosion and development pressures. Everyone involved seems to understand the issues of sediment coming to the MN River and the impacts of increased flow from stormwater.

Watershed Plan Projects

Gully Inventory and condition assessment: The final report has been delayed because of the workload and holidays – Watershed Management Plan.

Project website: <http://lowermnriverwd.org/projects/mn-river-corridor-management-project>

Eden Prairie Area #3 Stabilization: Work has been continuing on this project and an update is on the meeting agenda.

Project website: <http://lowermnriverwd.org/projects/mn-river-corridor-management-project>

Seminary Fen ravine stabilization project: There is no new information to report on this project since the last update.

Project website: <http://lowermnriverwd.org/projects/bwsr-clean-water-fund-grant-administration>

East Chaska Creek: (Carver County Watershed Based Funding): There is no new information to report on this project since the last update. I am working to get the final reporting updated in elink.

Project website: <http://lowermnriverwd.org/projects/east-chaska-creek-bank-stabilization>

Schroeder Acres Park (Scott County Watershed Based Funding): The LMRWD received a grant to assist funding this project that was set to expire 12/31.2021. An extension of the grant was received. There is no new information to report since the last update.

Project website: <http://lowermnriverwd.org/projects/schroeder-acres-parkeagle-creek-sub-watershed-stormwater-study>

Shakopee Downtown BMP Retrofit (Scott County Watershed Based Funding): The LMRWD received a grant to assist funding this project that was set to expire 12/31.2021. An extension of the grant was received. There is no new information to report since the last update.

Project website: <http://lowermnriverwd.org/projects/targeted-bmps-downtown-shakopee>

PLOC (Prior Lake Outlet Channel) Restoration (Scott County Watershed Based Funding): The LMRWD received a grant to assist funding this project that was set to expire 12/31.2021. An extension of the grant was received. This project is complete and the City has requested reimbursement of the grant and payment of the LMRWD Cost Share. This item is on the January 19, 2022 meeting agenda.

Project website: <http://lowermnriverwd.org/projects/prior-lake-outlet-channel-realignmentwetland-restorationhis>

Hennepin County Chloride Project (HCCI) (Hennepin County Watershed Based Funding): This group is working to schedule its next meeting. MP+G Marketing Solutions is gathering market research data from HOA boards and faith based organization, whose contact information was provided by members of the working group. MP+G Marketing Solutions plan to present the results of their research at a full HCCI meeting to gather consensus on the findings before moving on to campaign development..

On December 14, 2021 I met with other watershed districts in the Hennepin County portion of the Minnesota River Watershed to discuss the grant projects that is being done jointly. There is still money

available, so assignments were made to reach out to communities about applying for grants related to chloride reduction project. Grant details for this project can be found on the LMRWD website using this link <http://lowermnriverwd.org/news/chloride-reduction-grants-available>.

Vegetation Management Plan: No new information to report since the last update.

Sustainable Lake Management Plan: Trout Lakes: There is no new information to report since the last update.

Geomorphic Assessment of Trout Streams: There is no new information to report since the last update. Project website: <http://lowermnriverwd.org/projects/geomorphic-assessment-trout-streams>

Spring Creek Cost Share: This project is on the January 2022 meeting agenda under Item 7. K.

West Chaska Creek Re-meander: No new information to report since last update.

Project website: <https://storymaps.arcgis.com/stories/1695a2cf90b44ddb730aad399196405>

Seminary Fen Ravine Restoration Area C2: No new information to report since last update.

MN River Corridor Plan: The next meeting of stakeholders is scheduled for Thursday, January 20, 2022 from 10:00am to 12:00 noon. The meeting will be virtual. Here is a link to join the meeting. [LMRWD Corridor Management Plan Focus Group Session #1](#)

Project Reviews

1-35W Trail Realignment

Cliff Road Ramps

MAC 2022 Perimeter Gate Security Improvements

Shakopee Dental Office: - City of Shakopee – A permit for this project was approved by the Board at the December 15, 2021 Board meeting.

Kraemer Quarry/Cemstone: - City of Burnsville – There is no new information to report since the last update.

I 494 River Crossing Improvement Project: - This project is part of a MNDOT improvement project for I-494. The project proposes to the 494 bridge over the MN River. It will widen and reconstruct the existing trail, replace lighting and deteriorated concrete median, repair concrete pavement and reconstruct bituminous shoulder.

A meeting between the LMRWD, MnDOT and the DNR was held January 5, 2022 to discuss this project. The purpose of the meeting was to touch base to make sure the project had provided all the information needed for permits..

CenterPoint Energy Nicollet River Crossing Segment 1 and CenterPoint Energy Nicollet River Crossing Segment 2: – Cities of Bloomington and Burnsville – Xcel Energy has provided comments on this project. CenterPoint Energy issued responses to the comment from Excel and the City of Burnsville. CenterPoint has applied to the City for a Conditional Use Permit. The LMRWD has not received a permit application for this project yet.

Excel Energy Line 0832: - City of Burnsville – A permit for this project was approved at the September 2021 Board of Managers meeting.

Lone Oak Signal: - City of Eagan – The permit application for this project is on the October agenda.

Canterbury Senior Living Center: - City of Shakopee – This project has been renamed Omry. Conditional approval of a permit for this project was given at the September 2021 Board of Managers meeting. The LMRWD has received the additional documentation requested and the permit will be issued.

MN Mash: - City of Savage – Staff is still working with the applicant on this project.

Circle K/Holiday Station Store: - City of Savage – A permit for this project was conditionally approved at the September 2021 Board of Managers meeting. The fen management plan has been received and approved by the DNR. The LMRWD is still working with the proponent to complete the documentation requested.

South Park Jeep: - City of Burnsville – A permit for this project was approved at the September 2021 Board of Managers meeting.

Trunk Highway (TH) 55: - MNDOT - Bloomington Road to TH 52, Mendota Heights - The LMRWD received an application for a permit to resurface the roadway, improve drainage, make pedestrian accessibility improvements and rehabilitate bridges on MN 55 from the east end of bridge over Bloomington Road in Minneapolis to junction US 52 in Inver Grove Heights. There is no new information to report since the last update. Construction is scheduled for Spring 2022 through fall 2022.

Project website: <https://www.dot.state.mn.us/metro/projects/hwy55mpls-invergroveheights/>

Burnsville Sanitary Landfill (BSL): - City of Burnsville – There is no new information to report since the last update.

Project website: <https://www.pca.state.mn.us/regulations/burnsville-sanitary-landfill-expansion-project>

DEM-CON Landfill: - City of Shakopee - There is no new information to report since the last update.

4905 TH Highway 13: - City of Savage – A permit for this project was issued at the August Board of Managers meeting.

TH 169 Pedestrian Bridge: - City of Shakopee – No new information to report since the last update.

Project website: <https://www.shakopeemn.gov/recreation/parks-trails-projects/highway-169-pedestrian-bridge>

2021 Safety & Security Center Phase 1: - Metropolitan Airport Commission – A permit for this project was approved at the November 2021 Board meeting.

106th Street Transportation Improvement Project: - City of Bloomington – This project was conditionally approved at the June 2, 2021 Board meeting.

Burnsville Cemetery Expansion: - City of Burnsville – A permit for this project was approved at the October 2021 Board of Managers meeting.

Capstone 35: - City of Burnsville – This project was conditionally approved at the May 19, 2021 Board meeting. The LMRWD has received the requested additional documentation and the permit has been issued.

Jefferson Court: - City of Shakopee – This project was approved at the June 2, 2021 Board meeting.

TH 41/CSAH 61: - City of Chaska - This project is for transportation improvements to TH 41 in downtown Chaska, including the intersection of TH 41 with CSAH 61. On January 6, 2022, Staff met with Engineers for this project to discuss the documentation the LMRWD will require in order to issue a permit.

CSAH 61 Drainage Channel Extension: - Carver County – A permit for this project was approved at the October Board of Managers meeting.

Credit River Outfall Repair: - City of Savage - This project is to repair the Credit River outfall where it daylight after going under TH 13 in Savage. The city has applied for a public waters work permit for this project. There is no new information to report since the last update.

Southbridge Crossing 6th Addition/Core Crossing: - City of Shakopee – A permit for this project was approved at the July 21, 2021 Board of Managers meeting.

Project website: <https://www.shakopeemn.gov/business-development/current-development/southbridge-crossings>

Quarry Lake Park Improvements: City of Shakopee –Components to this project are; 1) a mountain bike trail in the southern portion of the site, 2) improvements to the park area and changes to accommodate the water-ski club and 3) ~~an outlet of the lake to the Prior Lake Outlet Channel (PLOC)~~. The City has removed (3) from the project. There is no new information to report since the last update.

Project website: <https://www.shakopeemn.gov/recreation/parks-trails/parks-trails-projects/quarry-lake-park>.

Prairie Heights: City of Eden Prairie - This project is a residential housing development in Eden Prairie that is partially in the LMRWD and partially in Riley Purgatory Bluff Creek Watershed District (RPBCWD). It is not in a High Value Resource Area or the Steep Slope Overlay zone. Permitting authority was given to RPBCWD. No new information to report since the last update.

Carver County CSAH 10: City of Chaska – This project is 92% complete. There is no new information to report since the last update.

Project website: <https://www.co.carver.mn.us/departments/public-works/projects-studies/highway-10-study-victoria-chaska-area>

Keyland Development/Whispering Waters: - City of Shakopee – This permit was approved at the June 16, 2021 Board meeting.

Hentges Industrial park: City Shakopee - A portion of this property is being developed as Southwest Logistics Center (SLC). A permit for SLC was approved at the March 2021 meeting of the LMRWD Board of Managers. Additional developments are planned for this property. There is no new information to report since the last update.

Project website: <https://www.shakopeemn.gov/business-development/current-development/hentges-industrial-park>

9960 Deerbrook, Chanhassen: No new information to report since last update.

Summerland Place Residential Development: Shakopee - No new information since last update.

Project website: <https://www.shakopeemn.gov/business-development/current-development/summerland-place>

Timber Creek Residential Development EAW: Carver - No new information to report since last update.

Project website: <https://www.cityofcarver.com/timber-creek/>

MNDOT TH13 Improvement: The LMRWD is waiting for a maintenance agreement between MNDOT and the City of Savage for the stormwater management features required by this project. The LMRWD reached out to MnDOT for the status of the maintenance agreement but has not received a response yet. The LMRWD has granted an additional extension for the approval period of this project.

Project website: <http://www.dot.state.mn.us/metro/projects/hwy13savageburnsville/index.html>

Historic Fort Snelling Revitalization: No new information to report since last update.

Project website: <https://www.dnr.state.mn.us/input/environmentalreview/upperpost/index.html>

Dakota County - MN River Greenway: There are two components to this project the extension of the trail and a bridge over the Union Pacific Railroad. A permit for the trail was approved by the Board of Managers at the November 2021 meeting.

Project website: <https://www.co.dakota.mn.us/parks/About/TrailPlanning/Pages/minnesota-river.aspx>

City of Burnsville - Freeway Dump and Landfill: No new information to report since last update.

Project website: <https://www.pca.state.mn.us/waste/freeway-landfill-and-dump>

City of Eden Prairie - Peterson Wetland Bank: No new information to report since last update.

City of Chanhassen - TH 101 Improvements: The LMRWD has asked Carver SWCD if they have been inspecting this project and if so, could the LMRWD receive a status report. No response has been received yet.

Project website: <https://www.highway101improvements.com/>

MNDOT - I494 from TH169 to Minnesota River: MNDOT – No new information to report since last update.

Project website: <https://www.dot.state.mn.us/metro/projects/i494-airport-hwy169/index.html>

MAC/LMRWD/MCWD boundary realignment: No new information to report since last update.

USACOE/USFWS - Bass Ponds, Marsh & Wetland: This project is complete. The Corps of Engineers is planning to hold its August River Resource Forum in Savage and touring this project.

Project website: <https://www.mvp.usace.army.mil/Home/Projects/Article/1467604/upper-mississippi-river-restoration-program-bass-ponds-marsh-wetland-habitat-re/>

Upcoming meetings/events

- UMWA monthly meeting – Thursday, January 20, 2022, meeting will be virtual, contact District Administrator to attend
- [LMRWD Corridor Management Plan Focus Group Session #1](#) (Threats) – Thursday, January 20, 2022, 10:00 AM – 12:00 noon – Virtual
- Seminary Fen Work Group – Monday, February 7, 2022, 10:00 to 11:00 am; [MS Teams](#)
- Savage Fen Work Group – Monday, February 7, 2022, 1:00 to 2:00 pm; [MS Teams](#)
- Dakota County Fen Work Group – Monday, February 14, 2022, 9:00 to 11:00 am; [MS Teams](#)
- Lower MN River East 1W1P – Thursday, February 17, 3:00 to 5:00, LeSueur and virtual

Water Storage and Treatment Program Development

DRAFT

Statute and Funding Overview

The Minnesota legislature passed a law this year requiring BWSR to develop a program to provide financial assistance to local units of government (LGUs) to control water rates and/or volumes to protect infrastructure, improve water quality and related public benefits, and mitigate climate change impacts. BWSR is required to give priority to the Minnesota River basin and the lower Mississippi River Basin in Minnesota.

The legislature appropriated \$2 million to develop this program which will also seek leverage via local, federal, and private sector funds.

Outreach Activities

BWSR completed a series of outreach activities to get stakeholder input on the development of the program. These activities included in-person meetings, virtual meetings, and an online survey.

In total, twelve meetings (virtual or in person) were held and the following questions were asked before looking for general feedback on the program.

- *Where a water storage the project is located within a watershed is a very important question to answer. Should the available funds be used for this planning work? Should funds only be used for construction? How about easements and other land rights acquisition costs?*
- *Statute provides that the program is to “control volumes and rates” and certain types of projects are more likely to control rates and other projects to control volumes. Should we limit what kind of practices we’ll fund to those that will show the greater reduction of rates and volumes?*
- *How should allocation of funds be prioritized? Is it for the proposal that has the most water volume and rate control? Is it reasonable to ask applicants to provide hydrographs showing what their projects will do?*
- *There are concerns from some that putting in projects with drainage systems will allow for more drainage in the future. Should projects be allowed as part of drainage system improvements? How do we separate or connect the two interests?*

The online survey included questions much like the meetings, but more specifically asked respondents to identify practices that should be included in the program and how the funding should be allocated. The survey was sent to local partners and was open to the public.

Outreach Response

While responses to the questions varied, there were themes that emerged which will help BWSR staff develop the final program details. In general, respondents felt it was most important to focus on design and construction of storage practices at this time. Respondents felt that funding could also be used for planning and feasibility studies if additional funding is provided in the future.

Most respondents felt that the storage practices should be varied, and that the best approach would include structural projects, wetland restorations, and soil health practices. Respondents agreed that practices with more peak flow or volume reduction should be prioritized, along with projects that provided multiple benefits. Respondents stated it was appropriate for grant applicants to provide feasibility studies with runoff hydrographs that would quantify the benefits of the installed practices.

There were very diverse responses regarding if these grant funds could be used for storage practices related to drainage improvement projects. A number of responses indicated that there should be no connection between this program's funds and drainage system improvement projects, while others felt that this should be allowed.

DRAFT Program Details

Since the intention of the program is to control water rates and volumes, BWSR is proposing that funded projects show a change in the runoff hydrograph for an area of concern, which would be defined by the relevant LGU. The area of concern can have flooding, erosion, or water quality issues.

Practices would not be limited to a specified list, however those that show the greatest reduction in peak flow rates or volumes would be prioritized and would be more likely receive the funding. Other prioritization factors potentially include the project having multiple benefits, shovel readiness (including addressing permitting needs), and if there is a comprehensive approach to reaching storage goals in the watershed (e.g. – if there are other flow reduction measures upstream of the new project, such as WASCObS or soil health practices).

It is likely that a feasibility study will be required as part of all applications, and an existing and proposed hydrograph will need to be provided to help quantify the reduction in peak flows or volumes.

Since there were very diverse responses with regards to how storage projects funded by this program will connect to drainage system improvements, BWSR staff will thoroughly discuss how this will be handled. BWSR feels a solution can be reached, but it will take time to develop criteria to evaluate projects in these instances. Therefore, it is likely the program will not allow projects that are connected to drainage system improvements for these first two years.

Program Timeline

Program details need to be reviewed by internal teams before going to the Board for approval. It is expected that the program will be presented to the Board at the January or March board meeting, and a Request for Proposals will be issued shortly thereafter.

For additional information and to share your ideas, please contact:

Rita Weaver, BWSR Chief Engineer
rita.weaver@state.mn.us
(651) 297-2907

Dave Weirens, BWSR Assistant Director
david.weirens@state.mn.us
(763) 229-4308