

Lower Minnesota River Watershed District



2008 Annual Report



Lower Minnesota River Watershed District

www.watersheddistrict.org

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***Note: Monitoring Reports can be found and downloaded off the District web site at: www.watersheddistrict.org**

- 2008 Monitoring Summary Reports
 - Scott County: Eagle Creek Station

 - Dakota County: Willow Creek WOMP Report
Fen Well Monitoring Report:
 - Quarry Island
 - Snelling
 - Nichols
 - Assumption Creek/Seminary

 - Carver County: East Chaska Creek Station – EC1 site
East Chaska Creek Station – EC2 site
East Chaska Creek Station – EC3 site
West Chaska Creek Station – CH 1.0 site

- Attached:
 - MAWD Proposed Resolution Wetland Conservation Act of 1991 amendment

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ANNUAL REPORT FOR YEAR ENDING DECEMBER 31, 2008

The LMRW D was principally established to be a legal entity for providing local participation to the U.S. Army Corps of Engineers (USACOE) to construct a navigation channel within the Minnesota River. With this purpose in mind, a nine-foot channel was developed in cooperation with the USACOE. Today, the LMRWD is still actively involved in the maintenance of the channel.

The statutes and rules affecting watershed districts and watershed management organizations have changed since the inception of the LMRWD. These changes have broadened the role that watershed districts play in water resource management.

As a result of these changes the Managers have focused their efforts on the following six goals and activities:

- The District will implement a data collection, assessment and planning program for its resources
- The District will expand its project review (developments, government projects, etc.), making the process more consistent, and obtaining more cooperation from the cities. The proposed joint resolutions will be amended as resource assessments are completed to set specific limits and/or require special resource protection methods/strategies in the watershed.
- The District will expand its project inspection program to verify that projects are meeting specific standards.
- The District intends to change its role regarding LMRWD funding of projects that generally benefit the District. As resource plans are developed, the District will either independently, or jointly with other entities in response to petitions, enter into projects identified in resource plans that benefit these resources. This is a new role and purpose.
- The District will expand its commercial navigation initiatives; in addition to acquiring dredge material disposal sites, the District will obtain easements to access the sites and enter into other projects that benefit navigation and water quality in the river, such as bank stabilization control.
- The District has entered into cooperative agreements with the Metropolitan Airports Commission and the MN Department of Transportation, and will seek to enter into similar cooperative agreements with the Minneapolis Park & Recreation Board and the federal agencies to establish a project review and permitting program for the areas that were included in the “2000 Boundary Change Area” order.

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Also, quoting directly from the original petition: “That the formation, and establishment of the proposed District is necessary and would be conducive to the public health and

public welfare in and upon its formation the District shall cooperate with, aid, and assist the State or Federal Government and all subdivisions of agencies thereof in carrying out the purposes of the District; that the timely establishment of said Watershed District will allow the immediate inception of the plans of the U.S. Army Corps of Engineers for the diversion and improvement of the watercourse of the Minnesota River within the District so as to provide water capacity for barges and heavy commercial river transportation on said river throughout the District, thus providing a water route for incoming and outgoing commodities of trade to serve the general agricultural and industrial areas adjacent to and within the trade area tributary to the District, all of which are of great benefit to the vast area of this State...”.

The LMRWD is located in the southwest part of the Twin Cities metropolitan area along the Minnesota River. The boundaries encompass an area of 64 square miles including portions of Carver, Hennepin, Dakota, and Scott counties. This area includes the Minnesota River Valley from Fort Snelling, at the confluence of the Minnesota and Mississippi Rivers, upstream to Carver, Minnesota. The width of the District extends to the bluffs on both sides of the Minnesota River within this reach of the river.

The District’s river and valley floodplain receives storm water runoff from highly developed communities above the river bluffs. Yet, most of these communities on the river bluffs are not within the LMRWD boundaries. This unique characteristic requires that the LMRWD work cooperatively with adjacent communities and watershed districts to protect the quality of the Minnesota River and its natural and cultural resources.

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ASSESSMENT OF PREVIOUS YEAR'S WORK PLAN

Minneapolis Airport Commission (MAC)

Annual Report

MAC staff gave their annual report to the Board.

Runway 10L/28R Extension; Sanitary Sewer and Water main Extension, Flying Cloud Airport

After engineering review, the Board approved this project subject to conditions by the engineers.

Runway 10R Expansion at Flying Cloud Airport

After engineering review, the Board approved this project with the engineer's comments included.

MAC's NPDES Permit

This permit has expired and they are working with the MPCA to obtain a new permit.

Minnesota Department of Transportation (MNDOT)

I-35W Additional Southbound Lane across the Minnesota River

After engineering review, the Board approved adding an additional southbound lane across the Minnesota River on I-35W.

Trunk Highway 41

The C-2 corridor model is going to be presented to the State of Minnesota. The City of Chaska is not agreeing to this model.

Dredge Sites

New dredge site (Cargill's)

The USACOE graded the slope of the banks at the District's new site. District staff planted seed for the river banks where the USACOE disturbed the soils. The only work left at the site is the access road and the 18" culvert. The board put a hold on any work at the new site or negotiating with other entities to acquire an additional site due to lack of funds.

Minnesota River Basin Commission Establishment

The District sent a resolution (appendix) to MAWD requesting their support for the establishment, by statute, of a Minnesota River Basin which would be able to:

- (1) protect, preserve, and use natural surface and groundwater storage and retention systems;
- (2) maximize benefits of public capital expenditures needed to correct flooding and water quality problems;

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- (3) identify and plan for means to effectively protect and improve surface and groundwater quality;
- (4) establish more uniform policies and official controls for surface and groundwater management;
- (5) prevent erosion of soil and associated pollutants into surface water systems;
- (6) promote groundwater recharge;
- (7) protect and enhance fish and wildlife habitat;
- (8) secure other benefits associated with the sustainable use and management of surface and groundwater resources;
- (9) promote coordination and cooperation among basin water management organizations; and facilitate resolution of water resources conflicts and to coordinate basin water management activities, implement projects and programs of common benefit to the basin, and monitor performance of local water management entities related to the above purposes.

MAWD passed the resolution for establishing a MN River Basin Commission.

Representative Mike Beard said he would sponsor the bill for the House and Senator Dahl showed interest in sponsoring the bill for the Senate.

The District's lobbyist and District Administrator met with the Director of the Minnesota River Board to discuss the proposed legislation and the potential for funding.

WCA Rules Change Resolution

The District's proposal for a rule change to the WCA was approved by MAWD with a few changes. Need a copy of the final Resolution from Len

Gully Inventory

The general approach taken for this program was as follows:

1. Identify and locate groundwater dependent resources such as trout streams and fens.
2. With the help of other knowledgeable resource management professionals, evaluate the resources in terms of their current condition and restoration potential.
3. Identify what, if any, groundwater monitoring efforts have been or are currently being carried out for these resources and summarize the results of those efforts.
4. Identify opportunities for involvement in effective and useful groundwater monitoring efforts, including partnering opportunities.

Finally, prepare a report that summarizes those findings and estimates the cost of the recommended effort. (The final strategy report was submitted to BWSR in 2006)

Once determined the District could partner with the cities to take of the problem, not through restoration, but through fixing the problem so it no longer causes erosion. The District could also partner with cities in doing feasibility studies by funding the study at a not to exceed \$15,000 of the total costs up to two to three of their worst sites to figure out what it is going to cost to fix the drainage situation. Once costs are determined, the District would partner with the cities in the actual construction work. Goal was to have repairs underway in 2008. It was also a goal to have the cities do the studies and the work with the District as a partner in reviewing their plans for repairs to solve the problem. As a result of repairs and phosphorus reductions, they can receive credit for repairing from the MPCA as part of TMDLs. The goal in all cases is to limit further damage.

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Minnesota River South Side GIS software program

The District had this software program completed as a tool for the cities south of the river.

City of Eden Prairie's Gully Inventory Final Plan for Four Study Areas

The Board of Managers approved partner funding 50% or a not to exceed amount of \$59,440.00 for Study Areas 1 & 2.

City of Bloomington's Parkers Picnic Gully Inventory Project

Two catch basins were at a low point in the road so they take on water rather quickly and goes out a 12" pipe and causes severe erosion. The Board of Managers approved partnering funding 50% or \$22,264.75 to eradicate the problem.

City of Bloomington's Lower MN River Washout Gully Inventory Project

The project's goal is to protect lower flow in the District at this location. The Board of Managers approved partnering funding up to \$92,933.50 of the total \$185,867.00 construction cost.

Bluff Creek

BWSR brought a severe erosion issue at Bluff Creek coming out of Riley-Purgatory Watershed District to the District's attention. MNDOT was concerned about the sediment load clogging their four box culverts at Highways 101 and 212. Annual maintenance costs were \$45,000 a year to clean the culverts out. The District is a recipient of the settled out sediment.

Meetings have been held periodically on this TMDL for Bluff Creek. District has been having difficulty getting U.S. Fish and Wildlife participation.

Two other streams that impact Bluff Creek (Frenchie's Junk Yard) and another on the south side of #212.

City Visits

Mr. Terry Schwalbe, Administrator, conducted his annual city and county visits in 2008 and solicited partnership projects for 2009 especially under the District's Gully Inventory Program

Education

Three news articles were published on the web site:

- What is a Rain Garden
- Larry Samstad's almost 50 years of service
- Seminary Fen

The anticipated goal was for two articles a year.

Louisville Township Education Project

The District partnered with the township, Jackson Township, City of Shakopee and Scott County SWCD to develop a power point presentation, handout materials and to conduct one workshop for 6th-9th graders. The presentation educated about what is a watershed district, stormwater, its causes and effects. This was followed by a field trip to the Minnesota River in Shakopee to see stormwater impacts by conducting water quality sampling to see sediment collected. The goal to partner with District cities in educating the public continues. The District contributed \$600 towards this project.

Blue Thumb Planting for Clean Water

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The District continued and participated in membership with this organization to help promote this organization. The District contributed \$750.00 towards a billboard about Blue Thumb on Old Highway 212 between Shakopee and Eden Prairie at the top of the bluff. Also, promoted the Blue Thumb Program on the District's web site and served 20 hours of volunteer time at Blue Thumb activities. The goal to begin to participate with other environmental organizations is being achieved.

Metro Blooms

The District partnered with Metro Blooms in late 2007 to conduct one test Workshop A rain water garden workshop in 2008 with Rusty Schmidt as presenter. The goal to begin to participate with other environmental organizations is being achieved.

Carver County Environmental Children's Water Festival

The District authorized \$500.00 towards bus transportation from Carver County to the State Fair Grounds for this important educational event. The goal to begin to participate with other environmental organization continues with Carver County.

PROJECTED WORK PLAN

1. River Basin Bill

The District will continue to pursue the establishment of a Minnesota River Basin Commission through lobbying efforts at the legislature.

2. The District will continue to pursue alternative opportunities for the funding of the Nine-Foot Channel.

3. The District will continue its extensive monitoring programs.

4. The District will continue to cooperate with local partners on potential gully repair projects which were identified in the gully inventory. Following are projects brought by cities within the District for work in 2009:

- City of Carver – 4th-6th Street gully erosion
- City of Chaska – Assumption Creek wetland enhancement
- City of Chaska – Hazeltine Bluff ravine stabilization
- City of Chanhassen – Bluff Creek erosion stabilization
- City of Eden Prairie – Site 1 and 2 erosion stabilization
- City of Bloomington – Lower MN River valley washout

5. The District will continue to work with other local units of government on groundwater, wetland, lake and stream protection.

6. The District will continue to work on development and implementation of TMDLs.

7. The District will continue to cooperate with the cities, counties and other LGUs on the enforcement of our joint resolutions.

8. The District will continue to secure protection of the unique natural resources and features of the District.

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9. The District will complete its Fifth Generation Water Resource Plan in 2009.

10. EDUCATION

As part of updating the District's Fifth Generation Plan a Citizen Advisory Committee (CAC) will be formed to develop and implement an Education and Outreach Plan. Until then, the following educational activities will continue:

Metro Blooms

In 2009 the District will partner with Metro Blooms and three cities (Chanhasen, Savage and Bloomington) to conduct four rain water garden Workshops (three "A" and one "B").

Blue Thumb Planting for Clean Water

The District will continue supporting this education organization. Goal is to ensure that all cities and townships are aware of this organization to gain access to educational materials and events.

Educational articles

The District will continue to do interesting and educational articles. Goal is to complete three articles in 2009.

Supporting partners in educating the public, including children, and cleanup projects

The District will continue to support both types of projects. The goal is to support two projects per year.

District Web Site

The District continues to utilize the web site to post monitoring data collection and other important reports, articles, public involvement to improve water quality, etc.

PERMITS/VARIANCES/ENFORCEMENT ACTION

The cities within the District are the LGU on our behalf. We do not permit projects, but depending on the project the cities will ask us to review a particular project alongside their review.

SUMMARY OF WATER QUALITY MONITORING DATA

The Lower Minnesota River Watershed District has several monitoring locations with the District. 2008 Summary Reports have been placed on the web site and can be downloaded.

EVALUATION OF STATUS OF LOCAL PLAN ADOPTION AND IMPLEMENTATION

None in 2008 as 2007 was renewal for most plans.

COPY OF PUBLISHED COMMUNICATION REQUIRED BY PART 8410.010 SUBPART 4

The Lower Minnesota River Watershed District's web site (www.watersheddistrict.org) contains all the requirements of MN Rules 8410.0100 and is available all year.

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**ACTIVITIES RELATED TO BIENNIAL SOLICITATION FOR LEGAL,
PROFESSIONAL OR TECHNICAL CONSULTING SERVICES UNDER
MN STATUTES 103B.227, SUBD.5**

We solicited for legal and engineering services in 2008. We received five proposals and chose Bonestroo Inc. to serve as our general engineering consultants. We also solicited for engineering services to update our 10-year 5th Generation Water Resource Plan in 2008 and chose HDR Engineering to assist us in completing our update.

**ASSESSMENT OF CHANGES IN FUND BALANCES INCLUDING
DESCRIPTION OF PROGRAM COSTS WITH RESPECT TO
OVERALL ANNUAL BUDGET**

With the purchase of the Minnesota River Mile 13.2 dredge site in July of 2006 the District depleted the balance of funds in the Nine-Foot Channel fund and actually had to borrow funds from the General Fund to complete the purchase of the site. As a result the board directed staff to research the properties which could be special assessed for the Nine-Foot Channel project. Staff determined there were six property owners which they felt receive direct benefit from the project. When the preliminary results were presented to the board two of the managers were no longer supportive of the special assessment and since a special assessment takes a unanimous vote the special assessment failed to move forward. As a result of the failure of the special assessment the board directed staff to pursue other means of funding the Nine-Foot Channel. As a result staff researched and prepared a resolution to MAWD for the establishment of river basins throughout the state. The District also pursued funding from MNDOT and the Port Authority Association.

**STATUS OF ANY LOCALLY ADOPTED WETLAND BANKING
PROGRAM**

There is no activity under this heading.

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