AGENDA
Tuesday, September 8, 2015
6:00 PM
Prior Lake City Hall
www.priorlakewed.org

BOARD OF MANAGERS:
Curt Hennes, President; Marianne Breitbach, Vice President;
Charlie Howley, Secretary; Woody Spitzmueller, Treasurer; Fred Corrigan, Manager
Note: Indicated times are estimates; actual times may vary considerably. Individuals with items on the agenda or who wish to speak to the Board are encouraged to be in attendance when the meeting is called to order.

Board Workshop 4:30 p.m. WAGON BRIDGE Conference Room (Downstairs)

1. Budget Review
2. District Tour

6:00 – 6:05 PM
1.0 BOARD MEETING CALL TO ORDER, PLEDGE OF ALLEGIANCE

6:05 – 6:10 PM
2.0 PUBLIC COMMENT
If anyone wishes to address the Board of Managers on an item not on the agenda or on the consent agenda please come forward at this time, turn on the microphone and state your name and address. (The Chair may limit your time for commenting.)

6:10 – 6:15 PM
3.0 APPROVAL OF AGENDA (Additions/Corrections/Deletions)

PUBLIC HEARING 2015 PRELIMINARY BUDGET****
• 2016 Budget—Resolution 15-300
• 2016 Levy—Resolution 15-301

6:25 – 6:30 PM
4.0 CONSENT AGENDA
The consent agenda is considered as one item of business. It consists of routine administrative items or items not requiring discussion. Items can be removed from the consent agenda at the request of the Board member, staff member, or a member of the audience. Please state which item or items you wish to remove for separate discussion.

4.1 Meeting Minutes: August 11 Board of Managers Meeting and Board Workshops on August 11 and 19
4.2 CAC Minutes
4.3 Permit Update

6:30 – 6:40 PM
5.0 TREASURER’S REPORT (Claims List Tab)
5.1 Claims List (Vote)
5.2 Cash & Investments (Discussion Only)
5.3 Financial Report (Discussion Only)

6:40 – 7:45 PM
6.0 OTHER OLD/NEW BUSINESS
6.1 Manager Presentations (Discussion Only)
6.2 Projects and Programs (Discussion Only)
6.3 Special Well Decommissioning Program (Vote)
6.4 Fish Point Park RFP Approval (Vote)
6.5 DNR Contract for PLOC Bonding (Vote)
7.0 UPCOMING MEETING/EVENT SCHEDULE

- SCALE—PLSLWD HOSTING, SEPTEMBER 11, 2015, 7:30-9:00 A.M. SCOTT COUNTY REGIONAL TRAINING FACILITY
- DISTRICT TOUR (FERRIC CHLORIDE PLANT, 12/17 WETLAND AND SPRING LAKE SHORELINE RESTORATION DEMONSTRATION SITE), SEPTEMBER 29 1-4:00 P.M. CITY HALL
- JOINT LAC/CAC MEETING OCTOBER 7, 5:30-7:00 P.M. CITY HALL
Res. 15-300
Adopting the 2016 Budget

WHEREAS the Prior Lake-Spring Lake Watershed District (PLSLWD) is a watershed management organization and political subdivision of the State of Minnesota established under and operating with powers and purposes set forth at Minnesota Statutes Chapters 103B and 103D;

WHEREAS the PLSLWD has an approved watershed management plan under Minnesota Statutes Section 103B.231;

WHEREAS the PLSLWD Board of Managers ("Board") prepared a proposed budget for 2016 and on September 8, 2015, with due notice in accordance with Minnesota Statutes Section 103D.911, held a public hearing on the budget at which time all interested parties had an opportunity to address the Board; and

WHEREAS the Board has considered the expressed views of all interested parties, the priorities for PLSLWD action in 2016, and the fiscal effects of PLSLWD expenditures on taxpayers;

THEREFORE, BE IT RESOLVED that the Board hereby adopts a budget of $1,170,500 for 2016, as follows:

- General Fund: $98,000
- 509 Implementation Fund: $912,500
- Debt Service Fund: $160,000

The question was on the adoption of the Resolution and there were __ yeas and __ nays as follows:

<table>
<thead>
<tr>
<th>Yea</th>
<th>Nay</th>
<th>Absent</th>
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<tbody>
<tr>
<td>BREITBACH</td>
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<tr>
<td>HOWLEY</td>
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Upon vote, the chair declared the resolution adopted.

______________________________  Dated: ________________, 2015
Charles Howley, Secretary

* * * * * * * * * *
I, Charles Howley, Secretary of the Prior Lake – Spring Lake 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 transcript thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand this ___ day of __________, 2015.

____________________________
Charles Howley, Secretary
Resolution 15-301
Certifying the 2016
Administrative and Metropolitan Water Management Tax Levy

WHEREAS the Prior Lake-Spring Lake Watershed District (PLSLWD) is a watershed management organization and political subdivision of the State of Minnesota established under and operating with powers and purposes set forth at Minnesota Statutes Chapters 103B and 103D;

WHEREAS the PLSLWD has an approved watershed management plan under Minnesota Statutes Section 103B.231;

WHEREAS the PLSLWD Board of Managers (“Board”), following due notice and public hearing, by Resolution 15-301 adopted a 2015 budget of $1,170,500;

WHEREAS Minnesota Statute Section 103D.905, subdivision 3, authorizes the PLSLWD to levy an ad valorem tax on real property within the PLSLWD for the administrative expenses of the District not to exceed $250,000.00;

WHEREAS Minnesota Statutes Section 103B.241, subdivision 1, authorizes the PLSLWD to levy an ad valorem tax on real property within the PLSLWD sufficient to pay the increased costs to the PLSLWD to prepare and implement its watershed management plan;

THEREFORE, BE IT RESOLVED that in accordance with Minnesota Statutes Section 103D.915, the Board hereby approves and certifies to the Scott County Auditor an ad valorem levy in the total amount of $1,170,500 to be levied on all taxable property within the PLSLWD, composed of the following:

- $98,000 for the General Fund under authority of Minnesota Statutes Section 103D.905, subdivision 3;
- $1,072,500 to implement the watershed management plan under Minnesota Statutes Section 103B.241, consisting of:
  - $912,500 for the general projects and programs of the PLSLWD; and
  - $160,000 for the Debt Service Fund for repayment of bonds issued by the PLSLWD under authority of Minnesota Statutes Section 103D.335, subdivision 1.
The question was on the adoption of the Resolution and there were ___ yeas and ___ nays as follows:

<table>
<thead>
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<th>Yea</th>
<th>Nay</th>
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<td></td>
<td>SPITZMUELLER</td>
<td>HOWLEY</td>
<td></td>
</tr>
</tbody>
</table>

Upon vote, the chair declared the resolution adopted.

______________________________  Dated: ________________, 2015
Charles Howley, Secretary

* * * * * * * * * *

I, Charles Howley, Secretary of the Prior Lake – Spring Lake 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 transcript thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand this ___ day of _____________, 2015.

______________________________
Charles Howley

Res. 15-301
September 2015
REGULAR MEETING MINUTES

Tuesday, August 11, 2015
Prior Lake City Hall
6:00 PM

Members Present: Curt Hennes, Woody Spitzmueller, Charlie Howley
Marianne Breitbach & Fred Corrigan

Staff & Consultants Present: Diane Lynch, District Administrator
Maggie Karschnia, Water Resources Project Manager
Amy Tucci, Administrative Assistant
Carl Almer, EOR, District Engineer

Others Present: Rob Casey, SWCD
Ken Hedberg, City of Prior Lake
Jodi See, Resident
Glenn Kelley, Resident

- CALL TO ORDER/PLEDGE OF ALLEGIANCE: Meeting called to order by President Hennes at 6:10 PM.

- PUBLIC COMMENT: Glenn Kelley, Spring Lake Township Board member, addressed the Board sharing that he would like to see the second Alum Treatment completed in 2016 on Spring Lake.

- 3.0 APPROVAL OF AGENDA: Manager Breitbach moved to approve the agenda. Second by Manager Spitzmueller. Motion passed 5-0.

- 4.0 CONSENT AGENDA:
Manager Howley moved to approve the consent agenda. Second by Manager Spitzmueller. Motion passed 5-0.

- 5.1 CLAIMS LIST:
Manager Breitbach moved to approve the claims list. Second by Manager Howley. All ayes. Motion passed 5-0.

- 5.2 CASH & INVESTMENTS:
Manager Spitzmueller gave an overview of the cash and investments of the District.
OTHER OLD/NEW BUSINESS

6.1 MANAGER PRESENTATIONS
Board of Managers gave brief comments about different liaison meetings they have attended in the last month.

6.2 PROJECTS AND PROGRAMS
Staff gave verbal updates on current projects.

6.3 BOG UPDATE
Discussion as to how to handle bogs on Spring Lake in the future. There are varying opinions and confusion as to who is responsible for removing bogs. More discussion to follow at further meetings. No vote taken.

6.4 WSB CONTRACT FOR CARP MANAGEMENT
Manager Corrigan moved to approve the contract with WSB for carp management. Second by Manager Howley. All ayes. Motion passed 5-0.

6.5 GREAT RIVER GREENING CONTRACT FOR SPRING LAKE SHORELAND RESTORATION DEMONSTRATION PROJECT
Manager Corrigan moved to approve the contract with Great River Greening. Second by Manager Breitbach. All ayes. Motion passed 5-0.

6.6 APPROPRIATION FOR SPRING LAKE SHORELAND RESTORATION
Manager Corrigan moved to approve the appropriation. Second by Manager Hennes. All ayes. Motion passed 5-0.

6.7 PERSONNEL MANUAL UPDATE
Manager Howley moved to approve the personnel manual updates. Second by Manager Spitzmueller. All ayes. Motion passed 5-0.

7.0 UPCOMING MEETINGS AND EVENT SCHEDULE

- CITIZENS ADVISORY COMMITTEE MEETING THURSDAY, AUGUST 27, 6:30-8:00 P.M. CITY HALL

ADJOURNMENT
Manager Howley moved to adjourn meeting. Second by Manager Breitbach. Meeting adjourned at 7:05 PM.

Charlie Howley, Secretary
WORKSHOP MEETING MINUTES  
Tuesday, August 11, 2015  
Prior Lake City Hall

Members Present: Curt Hennes, Woody Spitzmueller, Charlie Howley, Fred Corrigan & Marianne Breitbach

Staff Present: Diane Lynch, District Administrator

Others Present: Carl Almer, District Engineer; Chris Schadow, District Accountant and Glenn Kelly, resident of Spring Lake Township

PERSONNEL POLICY MANUAL REVISIONS
Administrator Lynch reviewed five minor amendments to the latest draft of the Manual. The Managers suggested an additional one. All of the amendments will be voted on at the Regular Meeting. Manager Breitbach recommended that the formatting change so that the letters listed in the Table of Contents are in the body of the text, as well.

BUDGET REVIEW
Manager Spitzmueller indicated that the District’s budget is in good shape going into 2016. Chris Schadow reinforced that comment. He stated that the PLOC budget needs to be approved before the District’s budget is final.

The Board talked about including an additional handout at monthly meeting that would indicate the status of the overall budget, not just the program budget. Schadow will put together an example of what that could look like. There was some discussion on other budget additions to consider, such as the treating Upper Prior Lake in the bay where the Spring Lake channel ends. When asked about removing sediment in the area to lower the amount of phosphorus in the water and the proliferation of algae, Carl Almer did not think it would have much effect. The managers requested the Administrator to pull together costs for taking a sediment sample in the bay to determine the history of impairment.

Administrator Lynch mentioned that the City is hooking up residents to sewer and water in several developments and the District was approached about providing cost share for well decommissioning. Lynch is working with the SWCD to put together a joint cost share package with a cap of $15,000 that these residents can have access to. The SWCD will review this idea at their next board meeting.

The managers discussed extending the alum treatment, based upon the recommendation of Barr Engineering. Manager Corrigan suggested setting aside $130,000 in 2016 to save for a possible treatment in 2017. Lynch reviewed a draft $1.3 million budget with the managers.
The next Budget Workshop is scheduled for August 19.

Charlie Howley, Secretary
WORKSHOP MEETING MINUTES  
Wednesday, August 19, 2015  
Prior Lake City Hall

Members Present: Curt Hennes, Woody Spitzmueller, Charlie Howley, Fred Corrigan & Marianne Breitbach

Staff Present: Diane Lynch, District Administrator

Others Present: Carl Almer, District Engineer and Barbara Marschall, Scott County Commissioner

BUDGET REVIEW
Special taxing scenarios were discussed for large projects, such as setting up water utilities, special taxing districts, etc.

Manager Spitzmueller responded to concerns about levy increases by stating that the District is “right sizing” itself due to budget needs similar to other years, but the District now does not have reserves to fall back on to augment a lower levy. Commissioner Marschall suggested that the Managers consider building up a reserve or that the PLOC be seen as a “designated reserve.” Commissioner Marschall complimented the board on their collaboration on creating a budget that reflected compromise and diligence.

Administrator Lynch presented three budget options for review by the Board. After considerable discussion, the Board supported a budget and levy of $1,170,500 and directed the Administrator to prepare the appropriate resolutions for consideration at their September 8, 2015 Board meeting. The Board will review the budget one more time at a budget workshop prior to the Board meeting.

___________________________
Charlie Howley, Secretary
Prior Lake-Spring Lake Watershed District
Citizen Advisory Committee

Thursday August 27, 2015 6:30-8 p.m.
PL City Hall, 4646 Dakota Street SE Prior Lake, MN 55372

Our mission is to manage and preserve the water resources of the Prior Lake-Spring Lake Watershed District to the best of our ability using input from our communities, sound engineering practices, and our ability to efficiently fund beneficial projects which transcend political jurisdictions.

The Prior Lake-Spring Lake Watershed District Citizen Advisory Committee (CAC) consists of residents who provide input and recommendations to the Board on projects, reports, prioritization and act as the primary interface for the Board to address the current issues of concern of the local citizens.

CAC Members present: Steve Pany, Liz Schramm, Joe Schramm, Jodi See, Adam Fitzpatrick, Kim Silvernagel, Roger Wahl, Paul Krueger

Others present: Marianne Breitbach, PLSLWD Vice President; Maggie Karschner, PLSLWD Water Resources Project Manager; Bill Kallberg, LAC/CAC Liaison

6:27 p.m. meeting called to order – Chair Steve Pany

A. Approval of Agenda
B. Watershed District Projects update:
   1 Fish Point Park Project: Funding through BWSR, neighbors have been notified, project needs to be approved; then BIDs will go out. Must be complete by end of year 2016.
   2 SWCD Conservation Leaders Award: PLSLWD received the 2015 Conservation Leader of the Year Award through the SWCD.
   3 Spring Lake Alum Treatment: Monitor and apply next treatment when deemed necessary by the Board.
   4 Spring Lake shoreline restoration project: Three Rivers Park is having a spring volunteer event for their shoreline so spring might be a good time for volunteers to help plant for the watershed shoreline at the same time. Dock possibility is still under research. Parking possibilities discussed. Contract signed with Great River Greening.
   5 Carp management plan: Awarded grant. Electro-tagging to help locate the schools of carp in the future. Seining likely this winter or spring. Will reach out to the schools in PL to see if they have any programs interested in helping. WSB could remove the debris from the bottom of the lake to help the seining.
   6 Booth at Lakefront Days and County Fair: Marianne was at both events and provided an update. Marianne recommends partnering with the LAC at Lakefront Days again next year.
   7 Flood Study: Timeline pushed back a bit – Flood modeling needs to be re-done with more accurate information for Spring Lake levels. More meetings for technical committee and advisory group. Public meeting will be held before all is final.
   8 Upcoming District Tour: District tour of projects (Ferric Chloride Plant, 12/17 Wetland and Spring Lake Demonstration Project) coming up in October.
   9 Spring Lake Bogs: Second time this summer for an occurrence. City responded quickly to remove bog. Local city & township staff meeting on Sept 10 regarding bog removal protocol.
   10 New PLSLWD logo/contest: There is an old logo that shows the watershed. Maybe host a contest to come up with a new logo.
Joint meeting with LAC: CAC and LAC will have a joint meeting on Wednesday, October 7, from 5:30 – 7pm. This will replace the CAC September meeting.

Ag. Soil testing project: Recent meeting with Farmer Led Council to reinvigorate the soil testing that the previous Watershed Director conducted. Suggestion – write an article for the SCENE. Paul provided insight into possible winter crops to help with erosion.

C. Discussion topics:

1. **Restore Your Shore contest:** Jody provided updates. May need a name change to make it more engaging and clarify that it is not just the lakeshore. Suggestion of Lake Friendly Leaders.

2. **Alum treatment Upper Prior Lake:** Waiting to see how Spring Lake treatment results come in and the carp management program. Curly leaf problem around Twin Isles this year which harbors carp. Seining for the carp management program will include Spring and Prior Lakes. Zebra mussels may be a deterrent for seiners.

3. **Suggestion: Artic Lake carp removal:** Diane working with SCMC on restoration project, including carp barrier. This is a water body for carp hatching. A temporary net may be put up on various areas depending upon electro tracking. Maggie will check with Diane to see if seining can happen on Artic Lake.

4. **Suggestion: Monthly clean water focus topic:** April could be carp; May could be restoration, etc. A more focused approach with the ‘season’ of the month. Marianne likes the Facebook stuff that Amber put together. With different topics that will ‘appear’ randomly.

5. CAC members may speak directly to managers, staff, & public at Board of Managers Meetings during the Public Comment portion of the agenda – everyone is invited, 2nd Tuesday of the month. Steve did a PowerPoint presentation last spring. Anyone can participate.

D. Comments, suggestions, questions

1. Clean Water cleanup again this October. No park selected yet.

2. Marianne-As Steve suggested, use the Public Comment period to express thoughts ideas for projects. Watershed budget planning for next year.

3. Jody spoke about an up north lake home association that contributed to the cost of the milfoil treatment themselves.

4. Discussion around tiling of farmland; nutrients that are or are not filtered.

5. Pump from the lake program – 1 person signed up this year so far.

E. Meeting adjourned – 8:01pm
MEMORANDUM

TO: PLSLWD BOARD OF MANAGERS
FROM: MAGGIE KARSCHNIA, WATER RESOURCES PROJECT MANAGER
SUBJECT: PERMIT STATUS/ACTIVITY REPORT
DATE: SEPTEMBER 2, 2015

PLSLWD-Issued Permits with Active Construction

10.02 Jeffers Waterfront
Permittee: Mattamy Homes
Starting PFD* Balance: $1,010.00
PFD Balance Remaining: $345.75
Security Amount**: N/A
Status: Construction is complete and the site is stabilized. District staff has contacted the permittee and is awaiting a signed Request for Certificate of Completion before this permit can be closed. District staff will continue efforts to close this permit in 2015.

11.03 Jeffers Pointe
Permittee: Ryland Homes
Starting PFD Balance: $1,510.00
PFD Balance Remaining: $700.00
Security Amount: N/A
Status: Construction is complete and the site is stabilized. District staff have inspected the raingarden following a small rain event and although water was infiltrating, the vegetation is not yet sufficiently established (70% cover). The District is working with Ryland Homes to resolve the issue. Ryland Homes is the process of eradicating the invasive cattails, and will soon be re-mulching and re-planting either plugs or shrubs in the raingarden. Once this is resolved, staff anticipates the permit will be closed by the end of the fall.

13.02 Cty Rd 12 Improvements
Permittee: Scott County Highway Department
Starting PFD Balance: N/A
PFD Balance Remaining: N/A
Security Amount: N/A
Status: Construction is complete. During the last inspection, several locations along the highway did not meet the required 70% vegetated cover. District staff is still awaiting a signed Request for Certificate of Completion before this permit can be closed, but will continue efforts to close this permit in 2015.
13.03 Sunset Ave Improvements  
**Permittee:** City of Prior Lake  
**Starting PFD Balance:** N/A  
**PFD Balance Remaining:** N/A  
**Security Amount:** N/A  
**Status:** Construction is complete. During the last inspection, several locations on site did not meet the required 70% vegetated cover. The City of Prior Lake has been working to established vegetation on the recently restored after damage occurred from vandalism to the fire hydrant last spring. The District is working to establish vegetation in the wetland restoration at the project site as part of a cooperative agreement with the City. If sufficient vegetative cover is reached, we anticipate this permit will be closed this fall.

13.04 Quarry Park Access  
**Permittee:** City of Shakopee  
**Starting PFD Balance:** N/A  
**PFD Balance Remaining:** N/A  
**Security Amount:** N/A  
**Status:** Construction is complete. The City of Shakopee and has submitted a Request for Certificate of Completion. A final inspection revealed some erosion problems and lack of sufficient vegetation that will need to be corrected before the District can issue the Certificate of Completion. We anticipate this permit will closed shortly.

13.05 East Village 3rd Addition  
**Permittee:** SMSC  
**Starting PFD Balance:** N/A  
**PFD Balance Remaining:** N/A  
**Security Amount:** $5,750.00  
**Status:** Construction is complete. Sufficient vegetation still needs to be established and the District has been working with the contractor to make sure that repairs are made to the areas where gullies or erosion has occurred and bare areas have been seeded or covered with blanket. As this project lies in a special wellhead protection area, the raingardens will need to be checked for proper infiltration. We anticipate this permit will be closed later this year after the existing issues have been resolved.

14.01 KiciYapi Culvert  
**Permittee:** SMSC  
**Starting PFD Balance:** N/A  
**PFD Balance Remaining:** N/A  
**Security Amount:** N/A  
**Status:** SMSC is in the final process of finishing up the fence installations and plantings at the site. If no problems are noted during the final site inspection, we anticipate this permit will be closed later this fall.

15.01 Mushtown Road Improvements  
**Permittee:** City of Prior Lake  
**Starting PFD Balance:** N/A  
**PFD Balance Remaining:** N/A  
**Security Amount:** $5,160  
**Status:** Construction is largely complete. Stabilization and sufficient vegetation cover still needs to be established in some areas, mainly including those areas along Panama Avenue. Weekly
inspection will be conducted until the project is complete, ensuring proper stormwater management BMPs are applied until the entire site is stabilized.

**PLSLWD-Issued Permits with Inactive Construction**

Additionally, there are a total of 17 permit files that are listed as “active”, though no active construction continues by the permittees. District staff reviewed all “active” permits in 2012, and discovered that many of the permits remain open with unaddressed issues, such as a missing easement document, unknown status of soil mitigation, leftover perimeter silt fence, etc. Staff continues to pursue closing these additional permits.

*PFD = Permit Fee Deposit
This fee may be required for a permit to cover the cost of administering, reviewing, and inspecting permit applications.

**Security Amount
The security amount may be required to ensure completion of the permitted activity in accordance with the permit and the rules of the District.*
Managers will consider approving this claims list - Staff payroll and Manager per diems have already been paid via ADP.
After the managers vote, two Managers will sign checks within three days of the meeting for approve claims.
Then, staff will US mail checks (written on the Prior Lake State Bank) to the claims list parties.
Staff will request that all vendors provide information on their invoices to fit into the categories below

### 1. Watershed District Projects (excluding staff payroll)

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<th>Invoice</th>
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**Total for Category 1:** $27,657.58

### 2. Outlet Channel - JPA/MOA (excluding staff payroll)

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<td>2,887.25</td>
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<tr>
<td>EOR</td>
<td>00758-0086</td>
<td>PLOC Vegetation Maintenance</td>
<td>56.00</td>
</tr>
<tr>
<td>Messerli Schadow</td>
<td>81515</td>
<td>August Service</td>
<td>1,158.75</td>
</tr>
<tr>
<td>Metropolitan Council</td>
<td>7136</td>
<td>Sample Analysis</td>
<td>825.75</td>
</tr>
</tbody>
</table>

**Total for Category 2:** $5,837.75

### 3. Payroll, Office and Overhead

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Invoice</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>ADP Manager Per Diems</td>
<td></td>
<td>Already Paid</td>
<td>965.00</td>
</tr>
<tr>
<td>ADP Staff Payroll</td>
<td></td>
<td>Already Paid</td>
<td>14,580.88</td>
</tr>
<tr>
<td>ADP Taxes &amp; Benefits</td>
<td></td>
<td>Already Paid</td>
<td>9,577.87</td>
</tr>
<tr>
<td>BCBS</td>
<td>4K397-M5</td>
<td>Health Insurance</td>
<td>3,846.78</td>
</tr>
<tr>
<td>BWSR</td>
<td></td>
<td>BWSR Academy Registration</td>
<td>246.00</td>
</tr>
<tr>
<td>HSA Bank</td>
<td></td>
<td>Health Savings Account</td>
<td>115.38</td>
</tr>
<tr>
<td>Iceberg Web Design</td>
<td>13002</td>
<td>Website Hosting</td>
<td>51.24</td>
</tr>
<tr>
<td>League of MN Cities</td>
<td>221522</td>
<td>Annual Dues</td>
<td>1,775.00</td>
</tr>
<tr>
<td>Messerli &amp; Schadow</td>
<td>82515</td>
<td>August Service</td>
<td>1,847.50</td>
</tr>
<tr>
<td>NCPERS</td>
<td>9400915</td>
<td>Life Insurance</td>
<td>48.00</td>
</tr>
<tr>
<td>Southwest Newspaper</td>
<td>100426</td>
<td>Legal Notice</td>
<td>56.66</td>
</tr>
<tr>
<td>Wells Fargo</td>
<td></td>
<td>Health Savings Account</td>
<td>346.14</td>
</tr>
</tbody>
</table>

**Total for Category 3:** $33,456.45

### 4. Debt repayment and Interest

**Total for Category 4:** $0.00

**Total** $66,951.78
<table>
<thead>
<tr>
<th>PROJECT</th>
<th>CURRENT PROGRESS</th>
<th>NEXT STEPS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ferric Chloride Feed System Redesign</td>
<td>• Monitoring the system in 2015 to see how well it is working</td>
<td>• Will need to replace trees for Finks</td>
</tr>
<tr>
<td>Ferric Chloride System Class 550 Project</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lead: Jaime</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| CR 12/17 Wetland Restoration                | • Applied Ecological Services has continued to complete selective mowing and spot spraying with herbicide to control invasive/exotic species at the site.  
  • The City has ordered the carp barriers from AgriDrain.                                                                                      | • Continue to work with AES & EOR on getting a good cover of vegetation established at the site, along with the City at the area where there was former gully damage from the fire hydrant vandalism.  
  • The City of Prior Lake will be installing the carp barriers.                                                                                   |
| Upper Watershed Volume Reduction Grant (741) |                                                                                                                                                                                                                  |                                                                                                                                                                                                          |
| Lead: EOR/Maggie                            |                                                                                                                                                                                                                  |                                                                                                                                                                                                          |
| Lower Prior Lake Diagnostic Study Implementation | • EOR has moved forward on the feasibility and design of the projects.  
  • The City of Prior Lake has begun its shoreline restoration at Watzl's Beach in coordination with the District as part of this project.              | • Moving forward with feasibility and design of projects.  
  • Anticipate bidding out the project this fall/winter.                                                                                           |
| LPDS Grant (Class 743)                      |                                                                                                                                                                                                                  |                                                                                                                                                                                                          |
| Lead: EOR/Maggie                            |                                                                                                                                                                                                                  |                                                                                                                                                                                                          |
| Carp Management                             | • Executed contract with WSB.  
  • WSB has ordered the electro-tags and has begun moving forward with acquiring the necessary permits.  
  • Contacted local public and private schools to identify potential educational opportunities with the project.                                         | • We anticipate electro-tagging fish in September.  
  • Build informational/educational website associated with the carp management project.  
  • Work with local public and private schools to engage them in the project.                                                                        |
| In Lake Management (Class 611)              |                                                                                                                                                                                                                  |                                                                                                                                                                                                          |
| Project Lead: Amy & Maggie                  |                                                                                                                                                                                                                  |                                                                                                                                                                                                          |
| Clean Water Fund Grants: Fish Point Park    | • Coordinated with City and EOR to select final design components for the project, with consideration to feedback received at neighborhood meeting.  
  • EOR completed design work for Fish Point Park project and prepared bid packet for board approval.                                               | • Pending board approval to proceed, the request for bids for the project will go out in September and work will likely commence in October/November.                                                           |
<p>| Project Lead: Diane &amp; Maggie                |                                                                                                                                                                                                                  |                                                                                                                                                                                                          |</p>
<table>
<thead>
<tr>
<th>PROJECT</th>
<th>CURRENT PROGRESS</th>
<th>NEXT STEPS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Site Specific Standard</strong></td>
<td>• MPCA finished reviewing citizen comments</td>
<td>• MPCA will complete Findings of Fact document</td>
</tr>
<tr>
<td><strong>Project Lead: Jaime</strong></td>
<td></td>
<td>• If approved by the MPCA Commissioner, it will be submitted to the EPA for review</td>
</tr>
<tr>
<td><strong>Subwatershed Assessment</strong></td>
<td>• Report complete</td>
<td>• Consideration for Cost Shares</td>
</tr>
<tr>
<td><strong>Project Lead: Jaime</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>H&amp;H Study</strong></td>
<td>• Universe of Options will be run through the matrix</td>
<td>• TAC meeting on September 14</td>
</tr>
<tr>
<td><strong>Project Lead: Diane &amp; Maggie</strong></td>
<td>• Major scenarios to be selected</td>
<td>• Advisory Group meeting to be scheduled in October</td>
</tr>
</tbody>
</table>
## Operations Update

<table>
<thead>
<tr>
<th>PROGRAM</th>
<th>CURRENT PROGRESS</th>
<th>NEXT STEPS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Monitoring</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| Monitoring and Data Acquisition (Class 637) | • Entering data  
• Taking samples and flow measurements | • Complete 2013/2014 annual monitoring report  
• Continue to monitor lakes and streams |
| Project Lead: Jaime |  |  |
| **Ferric Chloride System Operations** |  |  |
| Ferric Chloride System (Class 611) | • Monthly DMR Reports completed  
• Coordination with snowmobile club and SWCD regarding the bridge crossing and fixing erosion issues  
• Troubleshoot issues with sensor | • Continue sampling weekly and 3x/weekly inspections  
• Address Curt’s concern about trees in stream |
| Project Lead: Jaime |  |  |
| **Permitting, ESC & BMP Inspections** |  |  |
| Permitting (Class 648) | • Completed site inspections for open permits, worked with contractors to resolve issues.  
• Followed up with several permittees to move forward on closing out old permits | • Continue to inspect, follow-up on and close remaining open permits |
| Project Lead: Maggie |  |  |
| **Citizen Advisory Committee** |  |  |
| Education and Outreach (Class 652) | • Members volunteered for the District’s booth for Lakefront Days  
• Members recommended some new projects | • Next CAC meeting will be a joint meeting with the LAC on October 7 |
| Project Lead: Diane |  |  |
| **Education and Outreach** |  |  |
| Education and Outreach (Class 652) | • Rack cards designed by the SWCD were completed to use at Lakefront Days and other events  
• Logo banner is now available for use on the SWCD’s display | • Put together a work plan for 2015 with flexibility for Green Corps position |
| Project Lead: Diane |  |  |
| **Website and Social Media** |  |  |
| Education and Outreach (Class 652) | • Website continues to be updated | • Continue writing posts and updates about projects  
• Will tweet and/or update Facebook about projects & news  
• Update website |
| Project Lead: Amy |  |  |
| **Cost Share Program** |  |  |
| Land Mgmt (Class 611) | • A list of grantees for 2015 has been finalized with the SWCD | • As it completes projects, Prior Lake’s residents are disconnected from septic and will be connected to sewer. Well decommissioning dollars may be in high demand |
| Project Lead: Diane |  |  |
# Operations Update

## Easement and Land Maintenance
*Land Mgmt (Class 611)*

**Project Lead: Maggie**

- Finishing up yearly monitoring inspections scheduled for this year, installing missing easement signs at properties as necessary.
- Met with several landowners to discuss resolving easement violations. Continue to resolve violations in accordance with the Easement Violation Policy.

## Aquatic Vegetation Management and Surveys (Class 626 and 637)

**Project Lead: Jaime**

- Treatment completed
- Plant surveys on Prior and Pike last week.

## Flooding 2014

**Project Lead: Diane & Jaime**

- Legislation supporting bonding for PLOC damages passed in the 2015 Special Session
- DNR just advised the District that bonding funds have been released

## Flooding 2014

**Project Lead: Diane & Jaime**

- Sign the state agreement for bond funds
<table>
<thead>
<tr>
<th>Activity</th>
<th>Current Progress</th>
<th>Next Steps</th>
</tr>
</thead>
</table>
| Prior Lake Outlet Channel (Seg 1) Project Lead: Jaime | Monitor lake level | Get outlet pipe camera’ed when lake level goes below 902.5  
Repair spalling joints when lake level goes below 902.5 |
| PLOC Inspections Project Lead: Jaime/Intern | Weekly inspections of the channel and outlet structure | |
| Gonyea Culvert, Kes Field Crossing and Pike Lake Park (FEMA) | Repair planned for 2015 | |
| Segment 4a Realignment Project Lead: EOR/Diane | Construction is completed | Ongoing landscape work is continuing |
| Segment 4b Restoration Project Lead: Diane | Met with Mullenhardt to view new bank erosion  
Waiting for estimate of easement request | |
| Channel Bank Erosion (FEMA) | State just approved funds release | Draft an RPF for the end of the year, once trees are removed |
| Segment 5b Development Project Lead: Diane | No recent action | Continue to work with Shakopee |
| Downed Trees & Sediment Delta (FEMA) | Only received one bid from the August RFB for downed tree removal. As a result, the District needed to re-bid the project.  
New RFB published in the September 5 Prior Lake American. | Bids close on September 18  
It is anticipated that the project will be awarded by September 25. |
| JPA/MOA & TAC Meetings Project Lead: Diane & Jaime | Develop RFP for channel work  
Identify changes need for the JPA/ MOA  
Finalize PLOC budget and review with cooperators | Cooperators meeting in September |
| Invasive Species Removal Project Lead: Jaime | Received comments from Prior Lake and MnDOT on draft rules | Wait to see about FEMA funds before continuation of vegetation and invasive species maintenance |
| MS4 Permit Project Lead: Diane | | Review the recommendations  
Bring the rules to the Board for consideration & finalization |
**Outlet Structure and Channel**

<table>
<thead>
<tr>
<th>ACTIVITY</th>
<th>CURRENT PROGRESS</th>
<th>NEXT STEPS</th>
</tr>
</thead>
</table>
| **PLOC Easements**  | • Working with Muhlenhardt towards amending easements to correct the legal description.  
                     | • Contacted landowners in segment 7 which are both interested in moving forward with easements. | • Continue to negotiate easement with Muhlenhardt.  
                     |                                                   | • Continue to explore potential easements with landowners in segment 7. |
MEMORANDUM

TO: PLSLWD BOARD OF MANAGERS
FROM: MAGGIE KARSCHNIA, WATER RESOURCES PROJECT MANAGER
SUBJECT: FISH POINT PARK WATER RESOURCES IMPROVEMENTS PROJECT
     RE: AUTHORIZATION TO SOLICIT QUOTES
DATE: SEPTEMBER 3, 2015

BACKGROUND

In 2013, the Prior Lake-Spring Lake Watershed District (PLSLWD) completed a diagnostic study that concluded that while the water quality of the upper bay of Lower Prior Lake is strongly influenced by the water quality of Upper Prior Lake, the water quality of the rest of Lower Prior Lake is more strongly influenced by phosphorus loading from the watershed. Therefore, the Lower Prior Lake Protection Project is focused on keeping Lower Prior Lake off of the MPCA’s list of impaired waters by installing best management practices in the watershed.

As one of the projects identified in the Lower Prior Lake Protection Project, the Fish Point Park Water Resources Improvements Project combines the efforts of both PLSLWD and the City of Prior Lake to reach the water quality goal in this subwatershed. Partially funded by a grant from the Clean Water Fund through the Board of Soil & Water Resources, the Fish Point Park Water Resources Improvements Project aims to reduce erosion and treat incoming stormwater before it reaches the lake. The proposed project includes three elements:

1) expanding storage capacity and restoring an upstream wetland
2) installing a water level control structure
3) retrofitting an existing ditch section with in-line iron-sand filters

These three BMPs work together to enhance their collective effectiveness, making the overall project benefits greater than the sum of the benefit provided by each part.

PLSLWD hosted a neighborhood meeting to discuss the upcoming project on July 15th of this year. The neighbors that attended were in full support of the project and their comments and suggestions were incorporated into the water resource improvement plans for the park.

The intent of this memo is to request Board approval to solicit contractor quotes to execute the construction of the water quality improvements for the project. The District would like to publish a public bid notice/advertisement in the upcoming edition of Prior Lake American and contractor websites in the hopes of receiving a minimum of three bids. A mandatory pre-bid meeting will be held on the site in September.
ESTIMATED PROJECT SCHEDULE

Approvals:
- **September 8** – seek approval to solicit quotes
- **October 13** – seek approval to award contract

Project Schedule:
- **October** – City of Prior Lake will remove trees in project area
- **November** – construction will begin
- **Spring/Summer 2016** – construction largely complete
- **Spring/Summer 2016** – potential volunteer planting/seeding event
- **2016-2018** – ongoing vegetation maintenance until fully established

CONTRACT SCOPE & ESTIMATED VALUE

The following table itemizes estimated construction and maintenance costs by task and funding source. Specific details on the components of the plan see the attached plan sheets.

<table>
<thead>
<tr>
<th>Items</th>
<th>Funding Source</th>
<th>Estimated Contract Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>District</td>
<td>State Grant</td>
</tr>
<tr>
<td>Wetland/Prairie Restoration</td>
<td>$10,840</td>
<td>$32,520</td>
</tr>
<tr>
<td>Water Control Structure</td>
<td>$ 6,043</td>
<td>$18,128</td>
</tr>
<tr>
<td>Iron-Sand Filters</td>
<td>$ 8,702</td>
<td>$26,104</td>
</tr>
<tr>
<td><strong>TOTAL:</strong></td>
<td>$25,585</td>
<td>$76,752</td>
</tr>
<tr>
<td>Add/Alternative for Vegetation</td>
<td>$ 1,300</td>
<td>$ 3,900</td>
</tr>
<tr>
<td><strong>TOTAL including Add/Alt:</strong></td>
<td>$26,885</td>
<td>$80,652</td>
</tr>
</tbody>
</table>
GENERAL SITE WORK NOTES

1. Verify workorder location and elevation where a connection to existing pipeline structure fire hydrants is made to be to the satisfaction of the engineering firm of any deficiencies or irregularities from the plans.

2. Refer to Appendix G for detailed specifications, work areas, work procedures and installation.

3. Prior to the start of construction, the contractor shall remove from the right of way all such items and equipment.

4. All work shall be approved by the Superintendent of Public Works or his designee.

5. Storm sewer notes shall be posted at locations for the benefit of the department involved and for any other agencies which may be affected by the work being done.

6. All construction work shall be completed within city-approved working hours.

7. Progress reports will be made on a weekly basis and the contractor is expected to submit any report of deficiencies.

8. A preconstruction meeting will be held with the planning and engineering departments to ensure any required approval.

SITE DEMOLITION & REMOVAL NOTES

1. All underground electrical, plumbing, gas, sanitary, and storm drain systems shall be considered hazardous to the contractor.

2. All existing buildings and materials shall be removed from the site.

3. All work shall be performed in accordance with the city's standard procedures and specifications.

4. All work shall be completed within the time frame specified.

5. All work shall be inspected by the planning and engineering departments.

6. All work shall be approved by the planning and engineering departments.

7. All work shall be completed within the time frame specified.

8. All work shall be inspected by the planning and engineering departments.

9. All work shall be approved by the planning and engineering departments.

10. All work shall be completed within the time frame specified.

11. All work shall be inspected by the planning and engineering departments.

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28. All work shall be completed within the time frame specified.

29. All work shall be inspected by the planning and engineering departments.

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79. All work shall be completed within the time frame specified.

80. All work shall be inspected by the planning and engineering departments.

81. All work shall be approved by the planning and engineering departments.

82. All work shall be completed within the time frame specified.
NOTES

1. PROTECT THE EXISTING TREES NOT SPECIFIED FOR REMOVAL; PROTECTION MEASURES TO BE INCIDENTAL TO THE CONTRACT.

2. MINIMIZE CLEARING AND GRADING TO THE EXTENT PRACTICABLE TO RETAIN EXISTING VEGETATION.

3. CLEARING AND GRADING FOR UDOT 204 TO BE INCIDENTAL TO THE CONTRACT.

4. CONSTRUCTION LIMITS TO BE STAKED BY CONTRACTOR UNDER THE GUIDANCE AND DIRECTION OF ENGINEER.

5. CONTRACTOR TO IMPROVE SIGNAGE AND BARRIERS NECESSARY TO PROVIDE SAFE PASSAGE FOR THE PUBLIC TO BE INCIDENTAL TO THE CONTRACT.

6. CONTRACTOR TO OBTAIN NECESSARY PERMITS FOR ACCESS TO THE CITY OF PRIOR LAKE RIGHT OF WAY.
CONSTRUCTION NOTES:
1. SEE PLAN SHEETS 2 AND 3 FOR ADDITIONAL CONSTRUCTION NOTES.
2. CONSTRUCTION LIMITS TO BE STAKED BY CONTRACTOR UNDER THE GUIDANCE AND DIRECTION OF ENGINEER.
3. CONTRACTOR TO PROVIDE BRIDGE AND BANKS NECESSARY TO PROVIDE SAFE PASSAGE FOR THE PUBLIC, TO BE INCIDENTAL TO THE CONTRACT.
4. CONTRACTOR TO DESIRE NECESSARY PERMITS FOR ACCESS TO THE SITE OF LESS THAN 200 FEET.
5. TYPICAL SLOPE OF X:1 UNLESS NOTED OTHERWISE.

PRIOR LAKE - SPRING LAKE
WATERSHED DISTRICT
1842 N. 2ND AVENUE
PRIOR LAKE, MINNESOTA 55372

FISH POINT PARK
WATER QUALITY IMPROVEMENTS
2828 CENTER ST
PRIOR LAKE, MINNESOTA 55372

GRADING AND DRAINAGE PLAN 2
SHEET 06 OF 12 SHEETS
SEQUENCE OF CONSTRUCTION

1. STABILIZE ALL UP-GRADIENT EXPOSED EARTH WITH SEED, BLANKET, AND SEDIMENT LOG.

2. INSTALL 45 MIL EPDM LINER ON SUBGRADE.

3. INSTALL HEADER PIPE, DRAIN TILE, CLEANOUTS, VALVES AND MANHOLES.

4. PLACE WASHED PEA GRAVEL, SCREED LEVEL.

5. PLACE IRON ENHANCED SAND FILTER MEDIA PER SPECIFICATION AND RAKE SURFACE SMOOTH.

6. PLACE 3" WASHED SAND AND RAKE SURFACE SMOOTH.

7. INSTALL TRM WHERE SPECIFIED.

DRAIN TILE CLEANOUT

8" OF SALVAGED TOPSOIL AND SEED & NET FREE ECB OR TYPE 1 BONDED FIBER MATRIX ON SLOPES ADJACENT TO FILTER

6" WASHER SAND PER SPECIFICATION

18" IRON ENHANCED SAND (94:6) PER SPECIFICATION

SPILLWAY, FROM FILTER TO DICHT TO INCLUDE TRM REINFORCEMENT SEE DETAIL

6" OF 3/8 TO 1/2" WASHED RIVER RUN PEA GRAVEL (SEE INSET A)

45 MIL EPDM LINER ON COMPACTED SUBGRADE (TO TOP OF IRON ENHANCED SAND LAYER)

8" HDPE DUAL WALL - SMOOTH INTERIOR PERFORATED DRAIN TILE (SEE INSET A)
GENERAL 8TH WORK NOTES

1. VERIFY ALL ADDITIONAL LOCATION AND ELEVATION MEASUREMENTS (X-Y) AND ELEVATION MEASUREMENTS (Z) OF APPARENT HILLSIDE OR HILLTOPS TO THE PROJECT DESCRIBED IN THE CONTRACT DOCUMENTS. THESE MEASUREMENTS SHOULD BE MADE PRIOR TO THE BEGINNING OF ANY CONSTRUCTION ACTIVITY TO ENSURE THAT THE CONTRACTOR IS IN COMPLIANCE WITH THE PROJECT REQUIREMENTS.

2. REFER TO THE CONTRACT DOCUMENTS AND DIRECTIONS PRIOR TO BEGINNING ANY CONSTRUCTION ACTIVITY TO ENSURE THAT THE CONTRACTOR IS IN COMPLIANCE WITH THE PROJECT REQUIREMENTS.

3. VERIFY ALL ADDITIONAL LOCATION AND ELEVATION MEASUREMENTS (X-Y) AND ELEVATION MEASUREMENTS (Z) OF APPARENT HILLSIDE OR HILLTOPS TO THE PROJECT DESCRIBED IN THE CONTRACT DOCUMENTS. THESE MEASUREMENTS SHOULD BE MADE PRIOR TO THE BEGINNING OF ANY CONSTRUCTION ACTIVITY TO ENSURE THAT THE CONTRACTOR IS IN COMPLIANCE WITH THE PROJECT REQUIREMENTS.

4. VERIFY ALL ADDITIONAL LOCATION AND ELEVATION MEASUREMENTS (X-Y) AND ELEVATION MEASUREMENTS (Z) OF APPARENT HILLSIDE OR HILLTOPS TO THE PROJECT DESCRIBED IN THE CONTRACT DOCUMENTS. THESE MEASUREMENTS SHOULD BE MADE PRIOR TO THE BEGINNING OF ANY CONSTRUCTION ACTIVITY TO ENSURE THAT THE CONTRACTOR IS IN COMPLIANCE WITH THE PROJECT REQUIREMENTS.

5. VERIFY ALL ADDITIONAL LOCATION AND ELEVATION MEASUREMENTS (X-Y) AND ELEVATION MEASUREMENTS (Z) OF APPARENT HILLSIDE OR HILLTOPS TO THE PROJECT DESCRIBED IN THE CONTRACT DOCUMENTS. THESE MEASUREMENTS SHOULD BE MADE PRIOR TO THE BEGINNING OF ANY CONSTRUCTION ACTIVITY TO ENSURE THAT THE CONTRACTOR IS IN COMPLIANCE WITH THE PROJECT REQUIREMENTS.

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STATE OF MINNESOTA GRANT CONTRACT
WITH THE PRIOR LAKE-SPRING LAKE WATERSHED DISTRICT FOR RESTORATION
OF THE PRIOR LAKE OUTLET CHANNEL

This grant contract is between the State of Minnesota, acting through its Commissioner of Natural Resources, ("State") and The Prior Lake-Spring Lake Watershed District, 4646 Dakota Street SE, Prior Lake, Minnesota 55372 ("Grantee").

Recitals
1. Under Minn. Stat. 103F.161, the State is empowered to enter into this grant agreement.
2. Minnesota Session Laws 2015, 1st Special Session, Chapter 5, article 2, section 2, subdivision 3 appropriated funds to provide disaster relief in counties included in FEMA federal disaster declaration DR 4182.
3. The State agrees that restoration and repair of the Prior Lake outlet system is in the interest of the State.
4. The Grantee represents that it is duly qualified and agrees to perform all services described in this grant contract to the satisfaction of the State. Pursuant to Minnesota Statutes §16B.98 Subdivision 1, the Grantee agrees to minimize administrative costs as a condition of this grant contract.
5. The Grantee attests it has the financial capacity to provide any required local match for the project or phase funded under the terms of this grant contract.

Grant Contract

1 Term of Grant Contract
1.1 Effective date: September 1, 2015 or the date the State obtains all required signatures under Minnesota Statutes §16C.05, subdivision 2, whichever is later.
1.2 Expiration date: June 30, 2017 or until all obligations have been satisfactorily fulfilled, whichever occurs first.

2 Grantee’s Duties
The Grantee, who is not a state employee, will be responsible for:
Restoration and repair of eroded portions of Segments 1 through 8 of the Prior Lake outlet channel as described in plans for Project #PLS003D. Grantee shall pursue and exhaust all FEMA DR-4182 funding for 75% reimbursement of project expenses. Funds reimbursed the Grantee by FEMA shall be forwarded to the State. Representative photographs of repaired or restored channel segments shall be provided to the State’s representative.

3 Time
The Grantee must comply with all the time requirements described in this grant contract. In the performance of this grant contract, time is of the essence.

4 Consideration and Payment
4.1 Consideration. The State will reimburse for all eligible services performed by the Grantee under this grant contract as follows:
(a) Compensation. The Grantee will be reimbursed for the eligible project expenses, not to exceed $750,000.00. These funds are to be used for work eligible for 75% reimbursement under the FEMA Public Assistance program. Grantee’s reimbursement by FEMA for project expenses paid
by the State under this Agreement shall be returned to the State. Upon receipt of FEMA payment for expenses already paid by the State, Grantee shall notify the State to arrange for payment back to the State.

(b) Travel Expenses. Reimbursement for eligible project-related travel and subsistence expenses actually and necessarily incurred by the Grantee as a result of this grant contract will be reimbursed in the same manner and in no greater amount than provided in the current "Commissioner’s Plan" promulgated by the Commissioner of Minnesota Management and Budget (MMB). The Grantee will not be reimbursed for travel and subsistence expenses incurred outside Minnesota unless it has received the State’s prior written approval for out of state travel. Minnesota will be considered the home state for determining whether travel is out of state.

(c) Eligible Expenses. Eligible expenses are those costs directly incurred by the Grantee that are solely related to and necessary for producing the work products described in Provision 2 of this Agreement. Eligible costs may include the following:

- Project expenses incurred after July 1, 2015, advertising costs for bids and proposals; capital expenditures for facilities, equipment and other capital assets as expressly approved by the State; materials and supplies; architectural and engineering services; construction management and inspection services; surveys and soil borings; attorney fees solely related and necessary to accomplish the Project, as determined by the State and actual construction of the Project.

Certain other types of costs may be eligible provided that they are (1) directly incurred by the Grantee; (2) are solely related to, and necessary for, producing the work products described in Provision 2; and (3) have prior written approval of the State. Any cost not defined as an eligible cost or not included in the Project Plan shall not be paid from State funds committed to the Project.

(d) Ineligible Expenses. Non-eligible costs for reimbursement means all costs not defined as eligible costs, including but not limited to the following:

- Any costs incurred before the July 1, 2015; expenses previously reimbursed by FEMA; fund raising; taxes, except sales tax on goods and services; insurance, except title insurance; attorney fees not necessary to accomplish the project; loans, grants, or subsidies to persons or entities for development; financing; bad debts or contingency funds; interest; operation and maintenance costs; options for acquisition of real estate; lobbyists; and political contributions.

4.2. Payment

Invoices. To obtain reimbursement for eligible costs under this Grant, the Grantee shall provide the State with invoices and evidence that the portion of the Project for which payment is requested has been satisfactorily completed. All invoices shall be sent to the person designated in Section 6. Grantee shall submit invoices and evidence that the required contribution toward any required local match are being met. Invoices will be submitted for the amount and should differentiate, when applicable, between the Federal and Non-Federal Project costs, as well as the State and local share of the Project costs. Invoices must be received by the State within thirty (30) days after the completion of the Project or the expiration of this Grant as set forth in Section 1.2, whichever occurs first. Invoices received after that date may not be eligible for reimbursement, at the State’s discretion. The State’s authorized agent has final authority for acceptance of Grantee’s services, determination as to whether the expenditures are eligible for reimbursement under this Grant, and verification of the total amount requested. The Grantee shall not receive payment for work found by the State to be
unsatisfactory, or performed in violation of federal, state or local law, ordinance, rule or regulation. At its discretion, the State may retain 10% of the total grant award until the State has determined that the Grantee has satisfactorily fulfilled all of the terms of this Grant. If requested by the State, the Grantee shall arrange for a tour of the Project area prior to release of the final ten (10) percent of the funds. Invoices must be submitted timely and according to the following schedule:

It is required that invoices be submitted, at a minimum, at the close of each state fiscal year which is July 1 – June 30. If expenses are extensive, reimbursement requests may be submitted monthly or quarterly. Please itemize the eligible expenses by the month of occurrence, not liquidation. If invoices are not received in this format, it could delay receipt of payment.

5 Conditions of Payment
All services provided by the Grantee under this grant contract must be performed to the State’s satisfaction, as determined at the sole discretion of the State’s Authorized Representative and in accordance with all applicable federal, state, and local laws, ordinances, rules, and regulations. The Grantee will not receive payment for work found by the State to be unsatisfactory or performed in violation of federal, state, or local law.

6 Authorized Representative
The State's Authorized Representative is Patrick Lynch, Floodplain Hydrologist, Department of Natural Resources, 500 Lafayette Road, St. Paul, Minnesota, 55155, 651-259-5691, pat.lynch@state.mn.us, or his/her successor, and has the responsibility to monitor the Grantee’s performance and the authority to accept or reject the services provided under this grant contract. If the services are satisfactory, the State's Authorized Representative will certify acceptance on each invoice submitted for payment.

The Grantee’s Authorized Representative is Diane Lynch, District Administrator, Prior Lake-Spring Lake Watershed District, 4646 Dakota Avenue SE, Prior Lake, Minnesota 55372, 952-440-0067, dlynch@plslwd.org. If the Grantee’s Authorized Representative changes at any time during this grant contract, the Grantee must immediately notify the State.

7 Assignment, Amendments, Waiver, and Grant Contract Complete
7.1 Assignment. The Grantee shall neither assign nor transfer any rights or obligations under this grant contract without the prior written consent of the State, approved by the same parties who executed and approved this grant contract, or their successors in office.

7.2 Amendments. Any amendments to this grant contract must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original grant contract, or their successors in office.

7.3 Waiver. If the State fails to enforce any provision of this grant contract, that failure does not waive the provision or the State’s right to enforce it.

7.4 Grant Contract Complete. This grant contract contains all negotiations and agreements between the State and the Grantee. No other understanding regarding this grant contract, whether written or oral, may be used to bind either party.

8 Liability
The Grantee must indemnify, save, and hold the State, its agents, and employees harmless from any claims or causes of action, including attorney’s fees incurred by the State, arising from the performance of this grant contract by the Grantee or the Grantee’s agents or employees. This clause will not be construed to bar any legal remedies the Grantee may have for the State's failure to fulfill its obligations under this grant contract.
State Audits
Under Minn. Stat. §16B.98, Subd.8, the Grantee’s books, records, documents, and accounting procedures and practices of the Grantee or other party relevant to this grant agreement or transaction are subject to examination by the State and/or the State Auditor or Legislative Auditor, as appropriate, for a minimum of six years from the end of this grant agreement, receipt and approval of all final reports, or the required period of time to satisfy all state and program retention requirements, whichever is later.

Government Data Practices
The Grantee and State must comply with the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, as it applies to all data provided by the State under this grant contract, and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by the Grantee under this grant contract. The civil remedies of Minn. Stat. § 13.08 apply to the release of the data referred to in this clause by either the Grantee or the State. If the Grantee receives a request to release the data referred to in this Clause, the Grantee must immediately notify the State.

Workers’ Compensation
The Grantee certifies that it is in compliance with Minn. Stat. § 176.181, subd. 2, pertaining to workers’ compensation insurance coverage. The Grantee’s employees and agents will not be considered State employees. Any claims that may arise under the Minnesota Workers’ Compensation Act on behalf of these employees and any claims made by any third party as a consequence of any act or omission on the part of these employees are in no way the State’s obligation or responsibility.

Publicity and Endorsement
12.1 Acknowledgments. The Grantee agrees to acknowledge the State's financial support for the Project. Any statement, press release, bid, solicitation, or other document issued describing the Project shall provide information reflecting that State funds were used to support the Project and will contain the following language:

This Project is made possible in part by a grant provided by the Minnesota Department of Natural Resources, through an appropriation by the Minnesota State Legislature.

Any site developed or improved by the Project shall display a sign, in a form approved by the State, stating the same information.

12.2 Endorsement. The Grantee must not claim that the State endorses its products or services.

Governing Law, Jurisdiction, and Venue
Minnesota law, without regard to its choice-of-law provisions, governs this grant contract. Venue for all legal proceedings out of this grant contract, or its breach, must be in the appropriate state or federal court with competent jurisdiction in Ramsey County, Minnesota.

Termination
14.1 Termination by the State. The State may immediately terminate this grant contract with or without cause, upon 30 days’ written notice to the Grantee. Upon termination, the Grantee will be entitled to payment, determined on a pro rata basis, for services satisfactorily performed.

14.2 Termination for Cause. The State may immediately terminate this grant contract if the State finds that there has been a failure to comply with the provisions of this grant contract, that reasonable
progress has not been made or that the purposes for which the funds were granted have not been or will
not be fulfilled. The State may take action to protect the interests of the State of Minnesota, including
the refusal to disburse additional funds and requiring the return of all or part of the funds already
dispersed.

15  Data Disclosure
Under Minn. Stat. § 270C.65, Subd. 3, and other applicable law, the Grantee consents to disclosure of its
social security number, federal employer tax identification number, and/or Minnesota tax identification
number, already provided to the State, to federal and state tax agencies and state personnel involved in
the payment of state obligations. These identification numbers may be used in the enforcement of
federal and state tax laws which could result in action requiring the Grantee to file state tax returns and
pay delinquent state tax liabilities, if any.

16  Invasive Species
The DNR requires active steps to prevent or limit the introduction, establishment, and spread of invasive
species during contracted work. The contractor shall prevent invasive species from entering into or
spreading within a project site by cleaning equipment prior to arriving at the project site. If the
equipment, vehicles, gear, or clothing arrives at the project site with soil, aggregate material, mulch,
vegetation (including seeds) or animals, it shall be cleaned by contractor furnished tool or equipment
(brush/broom, compressed air or pressure washer) at the staging area. The contractor shall dispose of
material cleaned from equipment and clothing at a location determined by the DNR Contract
Administrator. If the material cannot be disposed of onsite, secure material prior to transport (sealed
container, covered truck, or wrap with tarp) and legally dispose of offsite.

17  Jobs Reporting
Pursuant to Minn. Stat. Sec. 16A.633, subd. 4, State Entity is required to report the number of jobs
created or retained by the Project. To enable State Entity to comply with Minn. Stat. Sec. 16A.633,
subd. 4, the Public Entity is required to report the number of jobs created or retained by the Project to
State Entity as set forth below.

(b) The Public Entity shall require all of its contractors to report the information below to the
Public Entity. The Public Entity shall then report to State Entity. Information can be recorded by State
Entity in an Excel document that can be downloaded into the report by Minnesota Management and Budget.
Each report must contain the following:

(1) The name of the Project.
(2) The State Entity’s contract number, if applicable.
(3) Reporting period. The appropriate biennium is to be selected.
(4) The Agency Number. This will complete the next column with Agency Name.
(5) Legal Citation for the Authorization.
(6) Department ID responsible for the Project.
(7) The Appropriation for the Project.
(8) The Appropriation Amount.
(9) Project Start Date.
(10) Project Completion Date.
(11) The County where the Project is located or, if it is located in more than one county, where it
is primarily located.
(12) Funding Source for Project. The selection will be Trunk Highway Bonds, General Obligation Bonds or General Fund.

(13) Job Type. Jobs should be classified as either (i) engineering/professional, (ii) construction, or (iii) other. Manager and supervisor jobs shall be classified as category (i), (ii) or (iii) based on the nature of the work those individuals spent the majority of their time overseeing.

(14) Hourly Wages. Jobs should be classified according to the hourly pay ranges below. Overhead or indirect costs or the value of pensions or other benefits should not be included in wages.

(i) less than $10.00,
(ii) $10.01 to $15.00,
(iii) $15.01 to $20.00,
(iv) $20.01 to $25.00,
(v) $25.01 to $30.00,
(vi) $30.01 to $35.00,
(vii) $35.01 to $40.00, or
(viii) more than $40.00.

(15) Jobs.

a. Jobs should be classified as either (i) jobs created or (ii) jobs retained; they will not be counted as both. A “job created” is a new position created and filled, or an existing unfilled position that is filled, because of the Project. A “job retained” means a job at a specific wage level that existed prior to beginning the Project that would have been lost but for the Project. Only jobs in Minnesota should be counted.

b. Jobs should be expressed in “full-time equivalents” (FTE). In calculating an FTE, the number of hours worked during the Reporting Period should be divided by 2,080 (the number of hours representing a full work schedule in a Reporting Period). Jobs should be reported regardless of when the Project or an individual’s employment began or ended. Jobs are to be calculated based on hours worked in the current Reporting Period only, so that reporting is not cumulative.

c. Jobs should not be separated into full-time, part-time, temporary, seasonal, etc. Instead, all hours should be totaled and converted into FTEs as indicated above.

c) Each contractor will report its workforce and the workforce of its subcontractors active during the Reporting Period. This includes employees actively engaged in the Project who work on the jobsite, in the Project office, in the home office or telecommute from home or other alternative office location. This includes, but is not limited to, any engineering personnel, inspectors, sampling and testing technicians, and lab technicians performing work directly in support of the Project. This does not include material suppliers such as steel, culverts, guardrail and tool suppliers. Only hours that relate to time spent on the Project should be reported.

(d) The Public Entity must incorporate these reporting requirements into its contracts with its contractors (in part so that contractors can add the requirements to their contracts with subcontractors and impose deadlines on reporting by subcontractors).
(e) To distinguish the jobs reported by contractors that were funded by the Grant, the Public Entity must multiply the job numbers reported by each contractor in each category above by the percentage of total Project costs funded by the Grant (e.g., if the Grant was 40% of total Project costs, the Public Entity should multiply the jobs numbers given in each category by 40% to arrive at the number of jobs funded by the Grant) and it is those numbers that should be reported to State Entity.

18 Construction Contract Language on Jobs Reporting
The Contractor is hereby advised that this Project is funded all or in part by state bond funds and subject to the reporting requirements of Minnesota Statute 16A.633, Subdivision 4 (MN Laws of 2012 Chapter 293, Section 28).

19 Permits, Approvals and Environmental Review
This grant does not constitute government approval of the project or phase funded under this agreement, and neither negates nor precludes any mandatory environmental review or permitting requirements that may apply to the project. Grantee may not commence construction until all necessary permits and approvals have been obtained and the requirements of Minnesota Rules, Chapter 4410 have been satisfied.

1. STATE ENCUMBRANCE VERIFICATION

Individual certifies that funds have been encumbered as required by Minn. Stat. §§16A.15 and 16C.05.

Signed: ____________________________
Date: 8/24/2015

Contract Number: 98963/3000083531

2. GRANTEE

The Grantee certifies that the appropriate person(s) have executed the grant contract on behalf of the Grantee as required by applicable articles, bylaws, resolutions, or ordinances.

By: ____________________________
Title: ____________________________
Date: ____________________________

By: ____________________________
Title: ____________________________
Date: ____________________________

Distribution: ____________________________
Agency: ____________________________
Contractor: ____________________________
State’s Authorized Representative - Photo Copy

3. STATE AGENCY

Individual certifies the applicable provisions of Minn. Stat. §16C.08, subdivisions 2 and 3 are reaffirmed.

By: ____________________________
(with delegated authority)
Title: ____________________________

Date: ____________________________