



# PRIOR LAKE SPRING LAKE WATERSHED DISTRICT

## AGENDA

Tuesday, October 12, 2021

**6:00 PM**

Council Chambers  
Prior Lake City Hall

### BOARD OF MANAGERS:

**Mike Myser, President; Curt Hennes, Vice President; Bruce Loney, Treasurer;  
Steve Pany, Secretary; and Frank Boyles, Manager**

Note: 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 4:00 PM – Parkview Conference Room

- Upper Prior Lake and Spring Lake – Process for Delisting Impaired Waters (Steve Pany)
- Fish Lake: Water Quality Improvement Options (Jaime Rockney)
- Ferric Chloride System and Site Assessment Discussion (Joni Giese)
- 2022 Budget Draft – Outstanding Budget Items (Joni Giese)
- Ferric Chloride Site Land Ownership Transitions (Curt Hennes)
- District Information Sharing (Curt Hennes)
- Goldfish in Lakes (Steve Pany)
- I-LIDS Evaluation (Steve Pany)
- Staff Departure Discussion (Joni Giese)
- Staffing Update (Joni Giese)
- Liaison Updates (Joni Giese)

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. Go up to the podium, 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)

6:15 - 7:25 PM 4.0 **OTHER OLD/NEW BUSINESS**

- 4.1 Programs & Projects Update (Discussion Only)
- 4.2 Scott County LIDAR Funding Request (Vote)
- 4.3 Lower Prior Lake Subwatershed 6 & 36 Retrofit Feasibility Study (Vote)
- 4.4 Eagleview 2<sup>nd</sup> Addition Development Agreement and Conservation Easement (Vote)
- 4.5 Wise Addition Conservation Easement (Vote)
- 4.6 Manager Presentations & Liaison Updates (Discussion Only)

- 7:25 - 7:30 PM    5.0    **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.
- 5.1    Meeting Minutes—September 14 Board Workshop  
5.2    Meeting Minutes— September 14 Board Meeting  
5.3    Meeting Minutes—September 30 CAC Meeting  
5.4    Claims List & Visa Expenditures Summary  
5.5    Sutton Lake Management Plan: EOR Scope of Services
- 7:30 - 7:50 PM    6.0    **TREASURER’S REPORT**  
6.1    Monthly Financial Reports (Discussion Only)
  - Fund Performance Analysis
  - Cash and Investments Summary
  - Cash Flow Projections  
6.2    Quarterly Financial Statements (Discussion Only)
  - Balance Sheet
  - Cost Analysis
- 7:50 - 7:55 PM    7.0    **UPCOMING MEETING/EVENT SCHEDULE:**
  - CAC Meeting, Thursday, October 28, 6:30 – 8:00 pm (Parkview Conference Room)



### OCTOBER 2021 PROGRAMS AND PROJECTS UPDATE

PROGRAM OR PROJECT	LAST MONTH'S STAFF ACTIVITIES	NEXT STEPS
<b>Storage &amp; Infiltration Projects (Sutton Lake)</b> <i>Project Lead: Joni/Jaime</i>	<ul style="list-style-type: none"> <li>Executed EOR Scope of Services.</li> <li>Reviewed and processed Veit Pay Application #2.</li> </ul>	<ul style="list-style-type: none"> <li>Continue to monitor for erosion &amp; sediment control until site is fully established with vegetation.</li> <li>Complete design work for installing culvert by county road to improve access to site.</li> <li>Execute change order with contractor for access drive work.</li> </ul>
<b>Carp Management</b> <i>Rough Fish Management (Class 611)</i> <i>Carp Management Project (Class 750 &amp; 751)</i> <i>Project Lead: Jeff</i>	<ul style="list-style-type: none"> <li><b>Tracking:</b> Continued to track radio-tagged carp across Spring and Prior Lakes. Two radio tagged carp are still found in Lower Prior Lake. Begun installing new radio-tags in Spring and Upper Prior Lakes. 5 Radio tags have been completed in Spring Lake. Only 1 radio tag has been completed on Upper Prior Lake so far. Concurrent CPUE efforts are being recorded while efforts to collect carp for radio-tagging continue.</li> <li><b>Barriers:</b> Tadpole barrier fabrication has been completed. All necessary permits and notifications have been completed.</li> <li><b>Other:</b> Updated interactive web map. Completed outreach with volunteers.</li> </ul>	<ul style="list-style-type: none"> <li>PLSLWD and WSB staff will continue to track the tagged carp.</li> <li>Meet with fabricator and review final Tadpole barrier build. PLSLWD and WSB will install barrier.</li> <li>Begin planning for 2022 carp management program.</li> <li>Continue Implanting radio-tags in Upper Prior Lake carp.</li> <li>Conduct young of year sampling in 12/17 wetland and other basins.</li> </ul>
<b>Ferric Chloride System Operations</b> <i>Project Lead: Jeff</i>	<ul style="list-style-type: none"> <li>Intermittent flow and sampling.</li> </ul>	<ul style="list-style-type: none"> <li>Continue 1x/week sampling, 3x/week inspections, and flow measurements as stream flow allows.</li> <li>Prepare quarterly District Monitoring Report.</li> </ul>
<b>Farmer-Led Council</b> <i>Project Lead: Jaime</i>	<ul style="list-style-type: none"> <li>Continued planning efforts for the Growing Healthy Soils Event with SWCD.</li> </ul>	<ul style="list-style-type: none"> <li>Promote &amp; advertise the Cover Crop Initiative for this fall round.</li> <li>Explore expansion of FLC initiatives County-wide with local partners.</li> <li>Healthy Soils event planning.</li> <li>Meet w/SWCD and plan for December FLC meeting</li> </ul>

## OCTOBER 2021 PROGRAMS AND PROJECTS UPDATE

PROGRAM OR PROJECT	LAST MONTH'S STAFF ACTIVITIES	NEXT STEPS
<b>Cost Share Incentives</b> <i>Project Lead: Jaime</i>	<ul style="list-style-type: none"> <li>None</li> </ul>	<ul style="list-style-type: none"> <li>Review third round of potential cost share projects in October.</li> </ul>
<b>Spring Lake Parcel Restoration Project</b> <i>Project Lead: Shauna</i>	<ul style="list-style-type: none"> <li>AES visit in early October to apply herbicide treatment on small, resprouting buckthorn.</li> <li>Monitored the invasive species and restoration progress on the parcel.</li> </ul>	<ul style="list-style-type: none"> <li>Monitor restoration and control invasive species, particularly buckthorn, in the fall.</li> <li>Install plant identification signs.</li> </ul>
<b>Fish Lake Shoreline &amp; Prairie Restoration Project</b> <i>Project Lead: Shauna</i>	<ul style="list-style-type: none"> <li>Monitored the invasive species and restoration progress at project site.</li> </ul>	<ul style="list-style-type: none"> <li>MN Native Landscapes restoration maintenance &amp; buckthorn treatment and removal fall visit.</li> <li>Finish interpretive panel design, order &amp; install interpretative signs for project.</li> <li>Review progress for potential project handoff to SLA.</li> </ul>
<b>Lower Prior Lake Retrofit Projects</b> <i>Project Lead: Jaime</i>		<ul style="list-style-type: none"> <li>Finalize maintenance acceptance materials with the City of Prior Lake.</li> <li>Install interpretive signs for projects.</li> </ul>
<b>Feasibility Reports</b> <i>Project Lead: Jaime</i>	<ul style="list-style-type: none"> <li>Provide concept plan to landowner for Sutton IESF project</li> <li>Continued to explore relocating the iron sand filter to the west of CR-17 for the Spring Lake West project.</li> <li>Met w/SWCD to discuss wetland restoration portion of Spring Lake West project</li> <li>Meet to discuss options at Buck East project – planning for outreach</li> <li>Final draft of Lower Prior Lake Subwatersheds 6 &amp; 36 feasibility study to board for review</li> </ul>	<ul style="list-style-type: none"> <li>Schedule meeting with landowners to gauge interest and explore mutual goals for a future Buck East project.</li> <li>Meet w/Landowner to discuss IESF concept plan</li> <li>Update Spring Lake West Feasibility Study with new project location – meet w/landowner and consultant</li> <li>Meet w/landowner for Spring West wetland restoration feasibility report inclusion</li> <li>Extend Healthy Soils grant deadline due to covid</li> </ul>
<b>Website and Media</b> <i>Project Lead: Shauna</i>	<ul style="list-style-type: none"> <li><b>Website articles posted:</b> none</li> <li><b>Prior Lake Am and SCENE:</b> none</li> <li><b>Facebook &amp; Twitter</b> – Clean Water Clean Up Save the Date, Baited Box Trap thank you/Volunteer sign up, Storm Drain Stencil thank you, Radio-tags on Spring and UPL.</li> </ul>	<ul style="list-style-type: none"> <li>Continue writing posts and updates about projects.</li> <li>Continue tweeting and updating Facebook and LinkedIn about projects &amp; news.</li> </ul>



## OCTOBER 2021 PROGRAMS AND PROJECTS UPDATE

PROGRAM OR PROJECT	LAST MONTH'S STAFF ACTIVITIES	NEXT STEPS
<b>Citizen Advisory Committee</b>  <i>Project Lead: Joni</i>	<ul style="list-style-type: none"> <li>September 30<sup>th</sup> CAC Meeting planning and attendance.</li> </ul>	<ul style="list-style-type: none"> <li>Plan &amp; coordinate October 28<sup>th</sup> CAC meeting.</li> <li>Work with CAC subcommittee as needed to support development of new CAC member orientation packet.</li> </ul>
<b>MS4 Education Program</b>  <i>Project Lead: Jaime</i>	<ul style="list-style-type: none"> <li>PLOC Tour on Oct 4</li> <li>Clean Water- Clean up event (storm stenciling)</li> </ul>	
<b>Monitoring Program</b>  <i>Project Lead: Jeff</i>	<ul style="list-style-type: none"> <li>Data management</li> <li>Streams sampling intermittent with flow.</li> <li>Lake sampling continues</li> <li>Water quality database update/maintenance</li> <li>Reset Pike Lake Logger.</li> </ul>	<ul style="list-style-type: none"> <li>Data management</li> <li>Continue lake and stream chemistry sampling when flowing</li> <li>Flow measurements when flowing</li> <li>Remove stream level loggers</li> </ul>
<b>Aquatic Vegetation Management and Surveys</b> <i>(Class 626 and 637)</i> <i>Project Lead: Jaime/ Jeff</i>	<ul style="list-style-type: none"> <li>Summer vegetation surveys</li> <li>EWM on Spring Lake</li> </ul>	<ul style="list-style-type: none"> <li>Create vegetation management policy</li> <li>Review Aquatic Plant Management Plan</li> </ul>
<b>AIS</b> <i>Project Lead: Shauna</i>	<ul style="list-style-type: none"> <li>Reviewed I-LIDS videos for report QA/QC.</li> <li>Began I-LIDS first year summary review.</li> <li>Worked on Rapid Response Plan draft.</li> </ul>	<ul style="list-style-type: none"> <li>Continue to monitor I-LIDS video and reports for violations.</li> <li>DNR boat inspections through Oct 25.</li> <li>Maintain I-LIDS system.</li> <li>Complete AIS Rapid Response Plan.</li> </ul>
<b>Rules Revisions</b>  <i>Project Lead: Joni</i>	<ul style="list-style-type: none"> <li>None</li> </ul>	<ul style="list-style-type: none"> <li>EOR will provide revisions by October 8.</li> <li>Share revisions with technical advisory committee.</li> <li>Board review and approval of rule revisions by end of year.</li> </ul>
<b>BMPs &amp; Easements</b>  <i>Project Lead: Joni/Shaina</i>	<ul style="list-style-type: none"> <li>Continued to work with landowners to resolve existing violation issues on their properties.</li> <li>Purchased easement sign materials for new easements.</li> </ul>	<ul style="list-style-type: none"> <li>Work with landowners to resolve easement violations.</li> <li>Distribute and install signs for new easements.</li> </ul>

## OCTOBER 2021 PROGRAMS AND PROJECTS UPDATE

PROGRAM OR PROJECT	LAST MONTH'S STAFF ACTIVITIES	NEXT STEPS
<b>Permitting</b>  <i>Project Lead: Joni/ Shauna</i>	<ul style="list-style-type: none"> <li>Completed inspections on permit sites and followed up with permittees.</li> <li>Reviewed upcoming development projects: Timbercrest Trail, Eagle View, MnDOT Hwy 13, Marxen Farm, etc.</li> <li>Worked with developers/landowners on new conservation easements and easement amendments.</li> </ul>	<ul style="list-style-type: none"> <li>Continue to inspect, follow-up on and close remaining open permits.</li> <li>Review upcoming development projects as received.</li> <li>Work with developers on Development Agreements and Conservation Easements.</li> </ul>
<b>Outlet Channel O&amp;M</b>  <i>Project Lead: Jaime/Jeff</i>	<ul style="list-style-type: none"> <li>Routine channel/culvert inspections</li> <li>Removed terrestrial invasive species along the channel corridor</li> </ul>	<ul style="list-style-type: none"> <li>Culvert inspections</li> <li>Vegetation management all summer</li> </ul>
<b>Outlet Channel Admin</b>  <i>Project Lead: Jaime</i>	<ul style="list-style-type: none"> <li>Finished workplan and 2022 budget</li> <li>TAC Meeting</li> <li>Cooperator Meeting</li> </ul>	<ul style="list-style-type: none"> <li>December cooperator meeting</li> </ul>
<b>General Administration</b>  <i>Project Lead: Joni</i>	<ul style="list-style-type: none"> <li>Watershed Management Study: Compile existing conditions materials</li> <li>BWSR Alum Grant reconciliation</li> <li>Reviewed job applications and schedule interviews.</li> </ul>	<ul style="list-style-type: none"> <li>Watershed Management Study               <ul style="list-style-type: none"> <li>Continued PMT coordination</li> <li>Prepare for and attend Technical Advisory Meeting scheduled for November 2, 2021</li> </ul> </li> </ul>

### Regulations Review Summary

#### *New Easements*

- Parkhaven (City of Prior Lake)
- Vergus Estates (Scott County)
- 4B Estates (Scott County)
- Schieffer Property 195<sup>th</sup> St (Scott County)
- Schieffer Property Hwy 13 parcel (Scott County)
- Yorkshire Ave (Scott County)
- Villas at Crest Woods (City of Prior Lake)
- Vierling Property (City of Prior Lake)
- Eagleview 2nd Addition (Savage)
- County Public Works Building (City of Prior Lake)
- Marxen Farm (Scott County)
- Springview Meadows (Prior Lake)

- TH-13 (City of Prior Lake)
- TH-13 CSAH 12 (City of Prior Lake)
- County Public Works Building (City of Prior Lake)
- Pickleball Facility (City of Prior Lake)
- Pike Lake Culvert (City of Prior Lake)
- Hwy 282 (City of Prior Lake)
- Strauss Driveway (City of Prior Lake)
- Fish Point Road (City of Prior Lake)

#### *Equivalency Agreements: Development Reviews*

- Applewood Pointe PUD (Prior Lake)
- Eagle Creek (Prior Lake)
- Milner Parcel Subdivision (Scott County)

#### *Easement Amendments*

- Living Hope Church (Shakopee)
- Timber Crest (City of Prior Lake)
- Tyler Chambers (City of Prior Lake)
- Didi & Kit Tran, and Vladimir Dudin (Savage)

#### *PLOC Development Reviews*

- Whispering Waters (Shakopee)
- Quarry Lake (Shakopee)
- Shakopee AUAR

#### *District Permit Application*

- MnDOT Hwy 13 (City of Prior Lake)

#### *Permit Inspections*

- Living Hope Church (Shakopee)

**PLSLWD Board Staff Report**  
October 7, 2021



**Subject |** Scott County LIDAR Funding Request

**Board Meeting Date |** October 12, 2021

**Item: 4.2**

**Prepared By |** Joni Giese, District Administrator

**Attachment |** LIDAR for County Government Brochure

**Action |** Motion to commit funding to Scott County for the state LIDAR project.

### **Background**

The State of Minnesota is partnering with the USGS on a LIDAR collection flight which will take place in spring 2022. Current comprehensive LIDAR coverage is from 2003 and is out of compliance for today's current LIDAR standards. This project will collect LIDAR and provide a newer, high-resolution collection that can be used to update elevation models, contours, and other outputs, such as bathymetric, streambank, erosion, and flooding analysis used by watershed districts.

### **Discussion**

This project utilizing shared funding between the USGS, the State of Minnesota, and the counties within the state. Scott County has committed to contributing \$58,000 to the project and is asking their city and regional partners to assist them in funding the project. Scott WMO has already committed \$20,000 toward the project. Scott County is asking Prior Lake-Spring Lake Watershed District and Lower Minnesota River Watershed District to consider contributing \$5,000 each to the project.

Prior Lake-Spring Lake Watershed District will benefit from this data. It also benefits from numerous other mapping resources funded by the Scott County and cities within Scott County. For example, the County is fully funding the development of a new planimetric dataset. Planimetric data supports GIS and CAD software that is used to perform land-based analysis and to develop construction documents. Cities within the County each contribute \$2500 towards yearly aerial imagery flights that District staff reference on a daily basis.

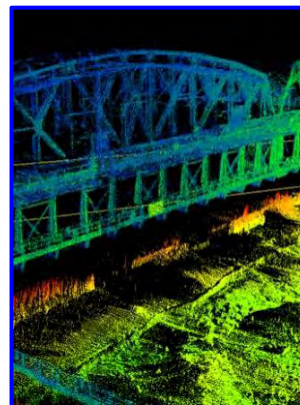
Attached is a brochure that provides more information on LIDAR. If you would like to learn more about the state LIDAR project, this [LINK](#) will take you to the LIDAR project on the State's website.

# LIDAR for County Government

## Use Cases & Return on Investment

### What is LIDAR?

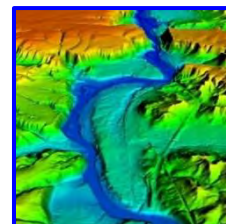
LIDAR is an acronym for *light detection and ranging*. LIDAR is a remote sensing technology acquiring data captured from the emission of intense, focused beams of laser light. This information is used to compute ranges (distances) to the target objects. LIDAR is similar to radar (*radio detecting and ranging*), except it is instead based on discrete pulses of light, whereas radar utilizes radio waves. The three-dimensional coordinates (x, y, z coordinates or latitude, longitude, and elevation) of the data collected from the target objects are computed from the time difference between the laser pulse being emitted and angle of return to create a *point cloud*. This technology enables key positional and locational information to be gathered from the natural and built environment for a variety of mapping and analytic uses.



### County Use Cases

The role of county government includes a large set of activities engaged in understanding, managing, and measuring both the built and natural environments. Across various county departments this can include activities ranging from flood hazard planning and mitigation for public safety, to the construction and maintenance of roadways in public works, to property tax assessment in the assessor's office to trail network development and maintenance in the parks and recreation department. Increasingly, these activities rely upon spatial data for their work, and LIDAR is a dynamic technology that can assist directly in these tasks and be used to derive other data needed for the work. The following narrative briefly summarizes the ways LIDAR and data derived from it are being used to assist county governments work more efficiently.

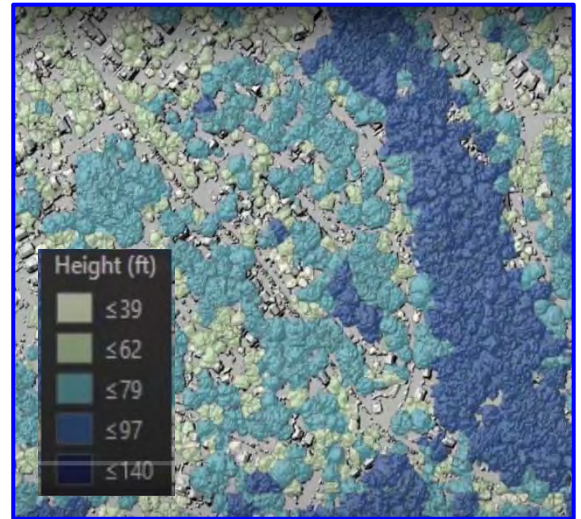
**Digital elevation model data.** One of the foundational and most useful products derived from LIDAR data are **digital elevation data**. For a digital elevation model, collection of LIDAR data can be calibrated to provide both a **digital surface model** (which contains the ground surface as well as vegetation as well as structures such as buildings and powerline pylons) and a **digital terrain model** (representing just the bare earth surface without buildings and vegetation). Both the **surface** and **terrain** models have a wide range of uses for assisting county government including hydrology flow modeling, extracting topographic contours, identification of slopes prone to erosion, risk mitigation and flood zone identification to name a few.



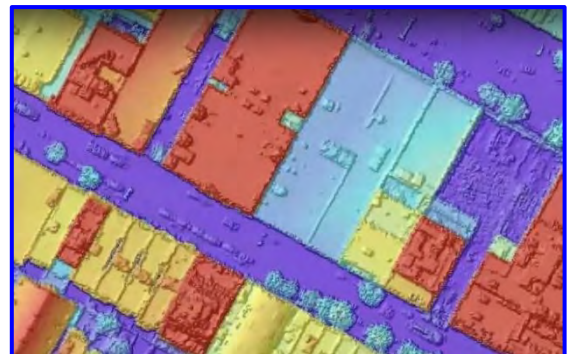


Understanding the detailed physical characteristics and constituent features of the landscape within a county enables staff to engage in improved land management practices and risk mitigation analysis.

**Vegetation analysis.** With **surface** model data, expanded avenues for vegetation cover analysis and modeling are possible. The data enables the user to determine extent and density of canopy cover (*an indicator of tree health*), while data such as tree height can help indicate age of the stand. This data assists foresters detect monoculture stands and provides arborists in the urban landscape improved ability determine where new trees need to be planted for shade, screening, or soil stability.



**Increased data accuracy and expanded capabilities for your existing data.** The addition of LIDAR data to existing GIS datasets can greatly increase both their accuracy and usability. Many counties already maintain data containing building footprints, road corridors, storage tanks and towers; LIDAR enables the user to enhance this existing data facilitating three-dimensional (3D) renderings of fixtures which are useful for a variety of visualizations, site analysis and site planning.



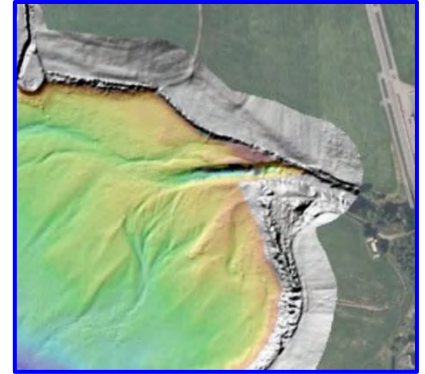
With the emergence of NextGen9-1-1 and its ever-increasing need for accurate data, LIDAR will play an important role for site intelligence for emergency responses and emergency management uses. Additionally, urban planning and urban design specialists make use of LIDAR for site planning decisions and impact analysis.



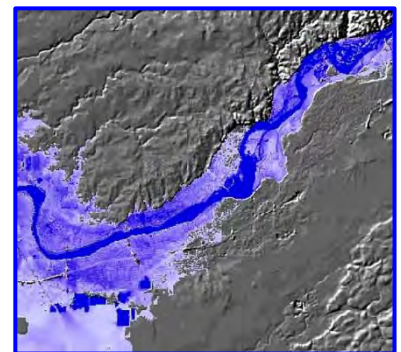
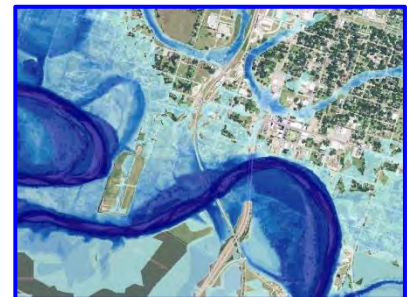
**Time savings for site analysis.** Access to high-quality LIDAR data can provide significant savings of both time and labor for a variety of projects. Professional surveyors are making increased use of LIDAR to enhance the positional accuracy of their data serving to streamline many common work tasks. LIDAR data can reduce the need for and expense of many kinds of field work data collection activities, as much of the precise locational information related to elevation can be accessed at a computer workstation plan.



**Bathymetric analysis.** LIDAR data provides excellent opportunities for the continuous capture of data along the land-water interface and for the analysis of lakebed and riverbed conditions. LIDAR data is uniquely suited for collecting information on patterns of sediment deposition, to support hydrographic survey work, identifying shorelines sensitive to erosion, collecting details on near-shore aquatic habitats, providing data for canal dredging, charting changes in shorelines and numerous other uses. Combining this data with other GIS data facilitates a wide range of uses for understanding and protecting water resources.



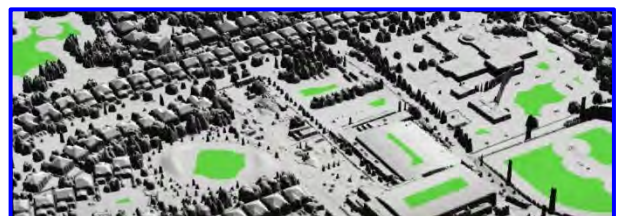
**Environmental modeling and hazard analysis.** LIDAR data is used extensively in the work of environmental modeling and hazard planning and mitigation. The data enables the user to map, model and delineate areas prone to flood based on elevation and slope characteristics. These data, combined with GIS data representing soil type and land ownership are instrumental in variety of uses for flood control, natural hazard mitigation planning, wetland protection, identification of sensitive natural areas and protection of property. LIDAR has been used extensively to improve and upgrade the national Flood Insurance Rate Maps and is used for mapping changes in the extent of lakes, the courses of riverways, to delineate and map the erosion and accretion of lands due to natural causes and human agency as well as tracking other landscape changes such as the impact expansion of impervious surfaces on overland water flow and water quality. Agricultural land management practices are increasingly using LIDAR for erosion mitigation analysis in their effort to protect areas of prime agricultural soils.



**Special topics analysis.** LIDAR data is enormously helpful for problem solving specific landscape and planning tasks. The telecommunications industry uses the elevation data from LIDAR to find the most suitable sites for locating their towers to maximize their service area coverage. LIDAR data can be used for helping to establish and understand sightlines for towers and structures (example at right, above).



Other applications include decision support for specific analysis needs. The example at right (below) shows the results of an analysis as to where helicopters can land safely without fear of damaging the rotors or becoming entangled with nearby structures or vegetation.



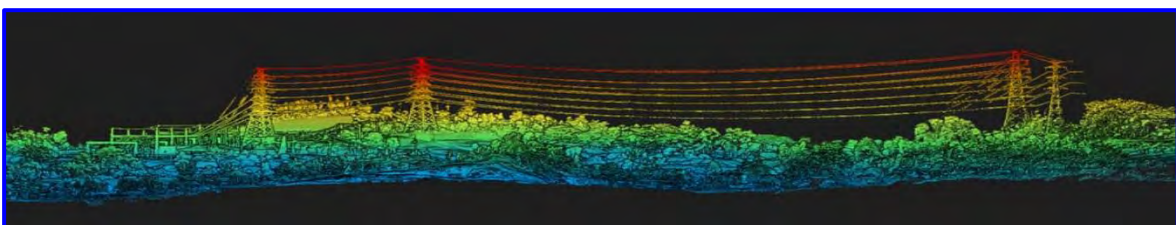
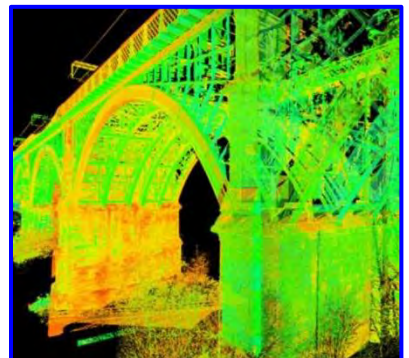
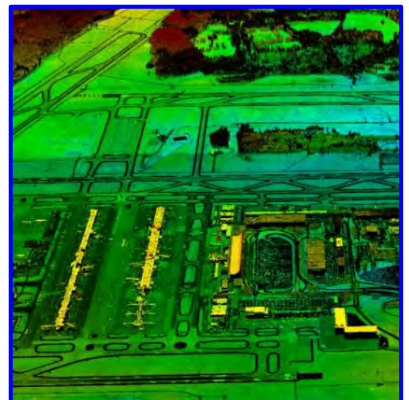
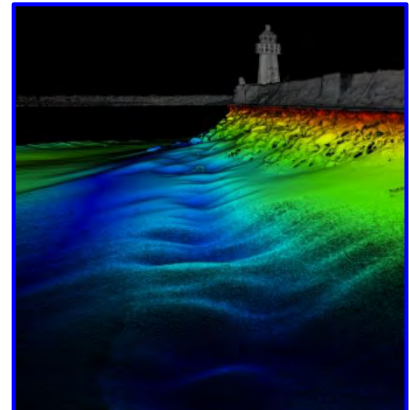


## Return on Investment

While the initial capture, purchase and processing of LIDAR data represents a potentially significant up-front cost to county governments, the benefits of this investment in this data are numerous and continue to 'pay dividends' in a variety of ways after the initial purchase and processing.

Once acquired, the extensible and multi-use nature of LIDAR data—indeed of all geospatial data—makes it difficult to definitively quantify its precise dollar value to county governments. However, this value can be assessed in the range of the benefits that are yielded—both directly and indirectly—in the implementation and use of this technology.

Among the largest of the value propositions of LIDAR are the ability for existing data to be augmented and improved by it. This increases the value of the county's existing investment in GIS and enables county to perform its on-going mapping and analytical work more efficiently and accurately. More accurate data informing the work of the county translates to safer highways with fewer accidents, fewer property disputes, fewer homes lost during floods and natural disasters due to preemptive planning, increased water quality from detailed analysis and studies, protection of natural resources and an entire list of societal benefits for which county government is a partner in fostering and maintaining. LIDAR acquisition creates a 'snapshot' in time of the county's landscape; this is an important archival record which can be drawn from against future data to chart, analyze and understand landscape changes. LIDAR data can be maintained in an enterprise system and its various derivative products can be readily available to a range of county departments to meet their overlapping and divergent needs. With decreasing costs of LIDAR acquisition and the enhanced ability of county governments to partner with other governments to minimize these costs and share the benefits LIDAR can be a valuable addition to public sector work and problem solving.





**PLSLWD Board Staff Report**  
October 5, 2021



**Subject |** Lower Prior Lake Subwatershed 6 & 36 Retrofit Feasibility Study

**Board Meeting Date |** October 12, 2021

**Item: 4.3**

**Prepared By |** Jaime Rockney, Project Manager

**Attachment |** Lower Prior Lake Subwatershed 6 & 36 Retrofit Feasibility Study report

**Action |** Approval of the “Lower Prior Lake Subwatersheds 6 & 36 Retrofit Feasibility Study” and authorization to share the report with the City of Prior Lake, Scott County, and MnDOT.

### **Background**

In 2011, the District received a grant from the MPCA to perform a diagnostic and feasibility study of Lower Prior Lake. Over the summer of 2011, EOR:

- collected numerous water quality samples at a variety of locations in Lower Prior Lake and at various stormwater discharge points to the lake,
- conducted a shoreline survey, and
- compiled the data they had collected.

This resulted in the “Lower Prior Lake Diagnostic Study and Implementation Plan” dated April 13, 2013.

Monitoring results from the diagnostic study revealed that Subwatersheds 6 and 36 contribute relatively high pollutant loads to Lower Prior Lake. The District received a BWSR Watershed Based Funding grant in 2019 to determine the feasibility of implementing water quality improvement practices in the Lower Prior Lake Subwatershed 6 & 36 study area.

### **Discussion**

The report recommends the implementation of four BMP retrofits for the study area. The estimated construction costs in the report for the recommended practices assume that the work is completed in conjunction with road improvement projects. Discussions with the City and County staff have indicated that there are no immediate plans to upgrade the roads in question. At this time, the study recommends that the District share this feasibility study with the City of Prior Lake, Scott County and MnDOT staff and hold off on further consideration of implementation until road improvement projects are planned in this area.

Prepared by Emmons & Olivier Resources, Inc.  
Prepared for Prior Lake-Spring Lake Watershed District

## Lower Prior Lake Subwatersheds 6 & 36

### Retrofit Feasibility Study



Cover image: Subwatersheds 6 & 36, Google Earth Image

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## 1 SUMMARY

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The District authorized the following study to determine the feasibility of implementing water quality improvement practices in the Lower Prior Lake Subwatershed 6 & 36 study area (see Figure 1). A detailed investigation of the subwatershed, including refinement of hydrologic boundaries and field-surveys of potential project sites was conducted in the winter of 2019/2020. Nine locations within the study area were originally identified as having potential for water quality improvement. Feasibility study level designs were developed for each of the sites along with cost estimates and an estimate of the potential benefits of each site. Following this prioritization, the following retrofit opportunities are being recommended for future consideration: four curbside raingardens and up to three iron-enhanced sand filter benches alongside existing stormwater ponds (see Figure 3). Combined, the retrofit projects are estimated to remove an average annual Total Phosphorus (TP) load of 7.1 lb/year at a cost benefit range of \$9,600 - \$15,600 per pound of TP removed (Table 1).

**Table 1. Estimated BMP Performance**

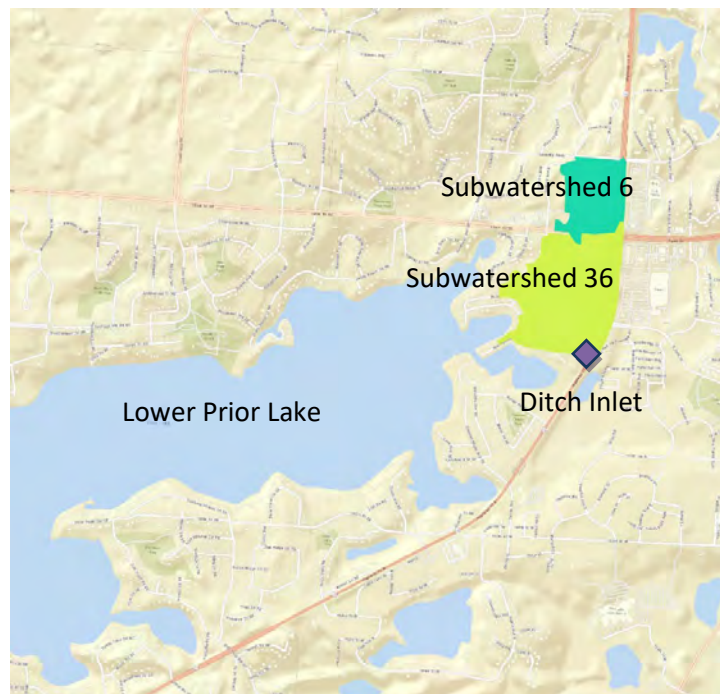
Pollutant	Average Annual Load Reduction	Cost Benefit Range (\$/lbs removed)	
Particulate Phosphorus	1.6 lbs/yr		
Dissolved Phosphorus	5.5 lbs/yr		
Total Phosphorus	7.1 lbs/yr	\$9,600	\$15,600



## 2 METHODOLOGY

Recent water quality monitoring conducted in the watershed indicates that there are high pollutant loads entering Lower Prior Lake from the ditch east of Your Boat Club. While the 2013 Lower Prior Lake Diagnostic Study identified numerous potential BMP retrofit opportunities within the direct discharge subwatersheds to Lower Prior Lake, little investigation was done on the subwatersheds draining to this ditch since there are existing stormwater management facilities already in place.

The following feasibility study investigates the potential for retrofit water quality BMPs in Subwatersheds 6 and 36. The investigation began with a desktop retrofit analysis followed by field verification of potential sites. A cost-benefit analysis was used to prioritize potential retrofit projects and conceptual plans have been developed to guide future implementation.



**Figure 1. Location of Lower Prior Lake Subwatersheds 6 and 36 showing ditch inlet point.**

### 2.1 SUBWATERSHED ASSESSMENT

The first step in the analysis of potential BMP retrofit opportunities was to perform an assessment of the study area. This began with a compilation and review of past hydrologic modeling and P8 water quality modeling. In addition, review of existing infrastructure was completed which resulted in a further refinement of the subwatershed areas. Through this process, it was recognized that a large portion of Subwatershed 36 is effectively treated from a water quality standpoint as it now discharges to an underground detention system and downstream filtration pond located within Boudins Park that was constructed by the City of Prior Lake and partially funded by the District in 2011 (PLSLWD Permit 2011-02; City Project 11-011) (Figure 2).

The hydrologic assessment and refinement of watershed areas included the following:

- **Utility Location Map Request:** Existing utility data from the City and County was reviewed and compiled for development of a study area base map and to begin the process of refining drainage areas. Review of storm sewer as-builts for County Road 42, Highway 13 and local roads was also completed.
- **Storm Sewer and Pond Survey:** A data gaps analysis of compiled stormwater utility data indicated areas in need of field verification and survey. Ponds, outlet structures, overflows

elevations and other critical survey points were collected in January of 2020. Survey data was incorporated into the study area base map.



Figure 2. Refined subwatershed areas showing existing treatment within Subwatersheds 6 and 36

Analysis of the hydrology, phosphorus loading dynamics and existing BMP performance for the remaining 6 subwatersheds within the study area is summarized in Table 2. Total phosphorus (TP) loading rates were derived from the P8 Water Quality Model built for the Lower Prior Lake Diagnostic Study and adapted to the refined subwatershed areas. Recent water quality monitoring data was also used to calibrate/validate the modeling output.

In order to develop effective stormwater management BMPs, it is important to understand the particulate versus dissolved components of phosphorus. Research by the St. Anthony Falls Laboratory of the University of Minnesota indicates that TP is typically 45% dissolved phosphorus (DP) and 55% particulate phosphorus (PP). In addition to the large area draining to the Boudins Park stormwater facility, there are currently smaller BMPs (curbside raingardens) and NURP ponds providing some level of water quality treatment within Subwatersheds 1, 5, and 6. The level of treatment provided by each of these BMPs was estimated using the P8 Model along with the physical characteristics of the practices. Since these BMPs are retention ponds which rely on settling as their pollutant removal mechanism, only particulate phosphorus is removed in these practices. As a result, Table 2 indicates that the reduced DP loading values are the same as the original DP loading for each of the subwatershed.

**Table 2. Existing phosphorus loading and treatment characteristics by subwatershed.**

Watershed Characteristics		Watershed Loading						
Subwatershed	Area (Upstream Drainage Area) [acres]	TP Loading [lbs/year]	PP Loading [lbs/year]	DP Loading [lbs/year]	Existing BMP PP Removal Efficiency [%]	Existing BMP DP Removal Efficiency [%]	Reduced PP Loading [lbs/year]	Reduced DP Loading [lbs/year]
1	4.5 (7.5)	2.88	1.58	1.30	50%	0%	0.79	1.30
2	0.9 (6.6)	0.56	0.31	0.25	0%	0%	0.31	0.25
3	6.6	4.20	2.31	1.89	0%	0%	2.31	1.89
4	1.4	0.88	0.48	0.40	0%	0%	0.48	0.40
5	26.5 (1.4)	18.82	8.70	7.12	60%	0%	3.48	7.12
6	31.9	22.30	12.27	10.04	50%	0%	6.13	10.04

TP = Total Phosphorus, DP = Dissolved Phosphorus, PP = Particulate Phosphorus

## 2.2 STORMWATER BMP RETROFIT ANALYSIS

The stormwater BMP retrofit analysis began with a preliminary desktop identification of potential retrofit sites across the subwatershed using data collected for the subwatershed assessment. The drainage network and existing BMP locations were reviewed to prioritize areas where additional water quality treatment was needed. Specific locations for potential BMP retrofits were selected based on suitability factors including current land-use, topography, soils, and parcel ownership. Potential BMP retrofit opportunities were visited in person to further assess local site conditions and to verify their feasibility. Following field verification, nine potential BMP retrofit opportunities were initially identified



for further investigation. Two primary BMP types were investigated: iron-enhanced sand filter (IESF) benches along existing stormwater ponds and curbside raingardens within right-of-way areas with large open-space areas. Of the nine potential BMP retrofits, it was determined that two of the IESF opportunities were not feasible due to site constraints (Table 3).

**Table 3. Feasibility of BMP retrofit opportunities investigated**

Subwatershed	Practice Type	Feasibility
1	Iron-Enhanced Sand Filter Bench	Not feasible due to pond level matching lake level and not enough elevation difference to bottom of pond structure to fit in underdrain
2	Curbside Rain Garden	Feasible
3	Curbside Rain Gardens (2)	Feasible
4	Curbside Rain Garden	Feasible
5	Iron-Enhanced Sand Filter Benches (3)	Feasible
6	Iron-Enhanced Sand Filter Bench	Not feasible due to not enough elevation difference to bottom of pond structure to fit in underdrain

## 2.3 RETROFIT COST-BENEFIT & PRIORITIZATION.

An Engineer's Opinion of Probable Costs (EOPC) was developed for each of the remaining sites based on an estimation of drainage area and generalized BMP configuration. Based on the EOPC and estimated phosphorus reduction performance, a cost benefit analysis was performed, and potential BMP retrofit were prioritized to advance to concept design. A summary of the cost and benefit analysis is shown in Table 4.

**Table 4. Phosphorus removal performance and cost-benefit analysis findings by subwatershed**

Watershed	BMP Investigation				Costs/Benefit (25-yr Life Cycle)	
Subwatershed	Practice Investigated	PP Removed Removal Rate (%) / [lbs/year]	DP Removed Removal Rate (%) / [lbs/year]	TP Removed [lbs/year]	Construction Cost (Range)	TP Removal Cost [\$/lbs] (Range)
2	Curbside Rain Garden	80% / 0.25	20% / 0.05	0.30	\$15K - \$25K	\$4,003 - \$6,671
3	Curbside Rain Garden (2)	80% / 0.92	20% / 1.13	2.06	\$15K - \$25K	\$577 - \$962
4	Curbside Rain Garden	80% / 0.39	20% / 0.08	0.47	\$15K - \$25K	\$2,547 - \$4,245
5	IESF Benches (3)	0% <sup>1</sup> / 0	60% / 4.27	4.27	\$120K - \$180K	\$2,472 - \$3,708

<sup>1</sup>Note that the removal performance for the IESF Bench is in addition to the existing reduction achieved by the open water pond in the subwatershed (assumed at 60%PP removal efficiency). We have used a conservative estimate (0%) for PP removal efficiency, literature values range from 0% to 40%.

### 3 RECOMMENDATIONS

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The following BMP retrofits are recommended for further consideration within the study area: one curbside raingarden in each of Subwatersheds 2 and 4, two curbside raingardens within Subwatershed 3 and up to three iron-enhanced sand filter benches along the existing ponds in Subwatershed 5 (Figure 3). Concept designs for these practices are shown in Appendix A. The costs for constructing these practices assumes that the work is completed in conjunction with road improvement projects. Discussions with the City and County staff have indicated that there are no immediate plans to upgrade the roads in question. At this time, it is recommended that the District share this feasibility study with the City of Prior Lake, Scott County and MNDOT staff and hold off on further consideration of implementation until road improvement projects are planned.

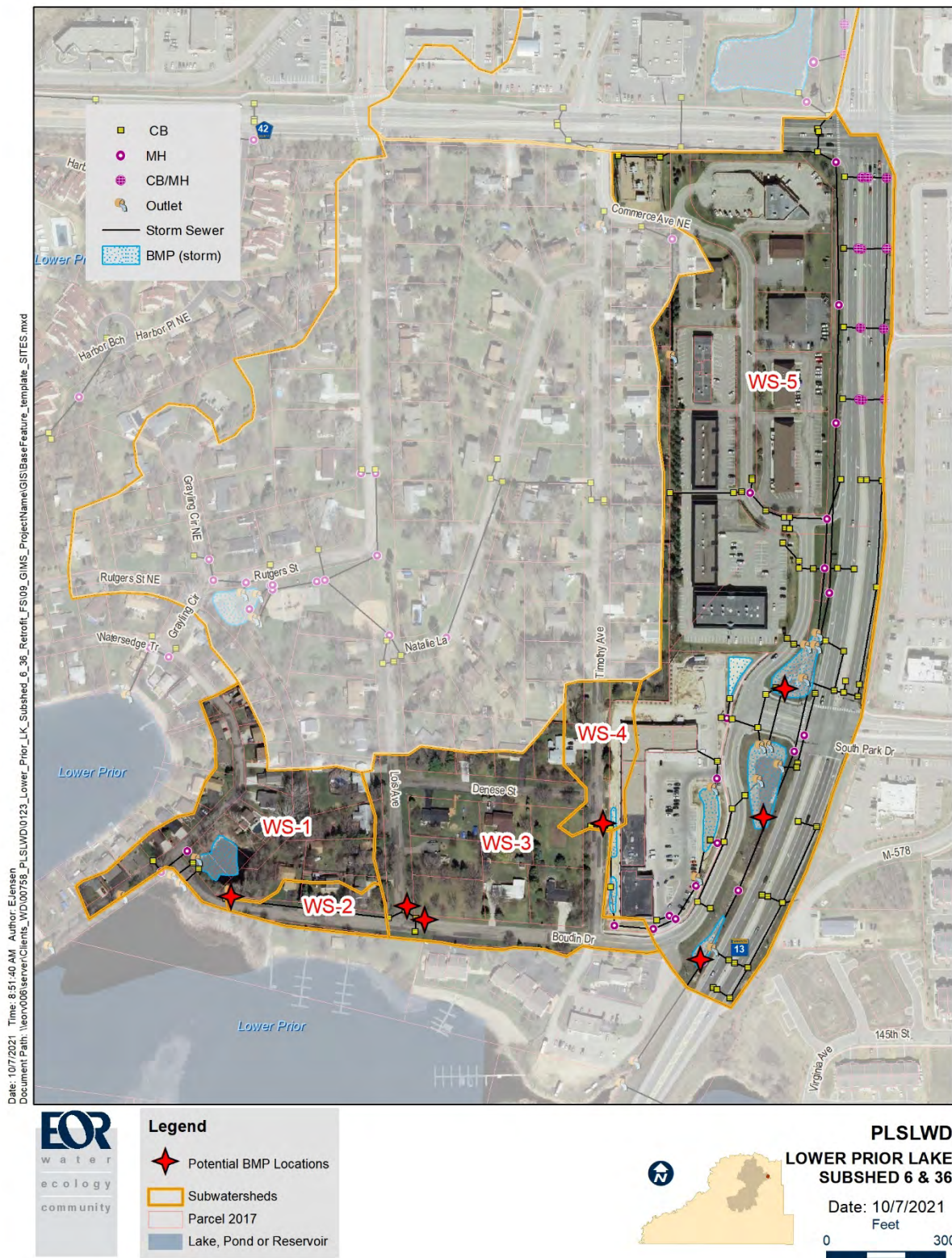


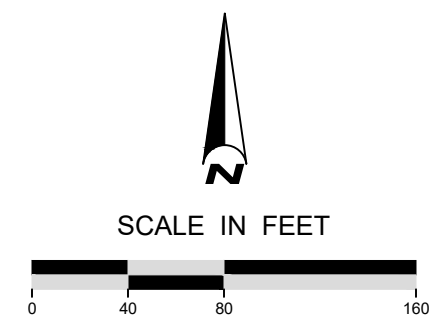
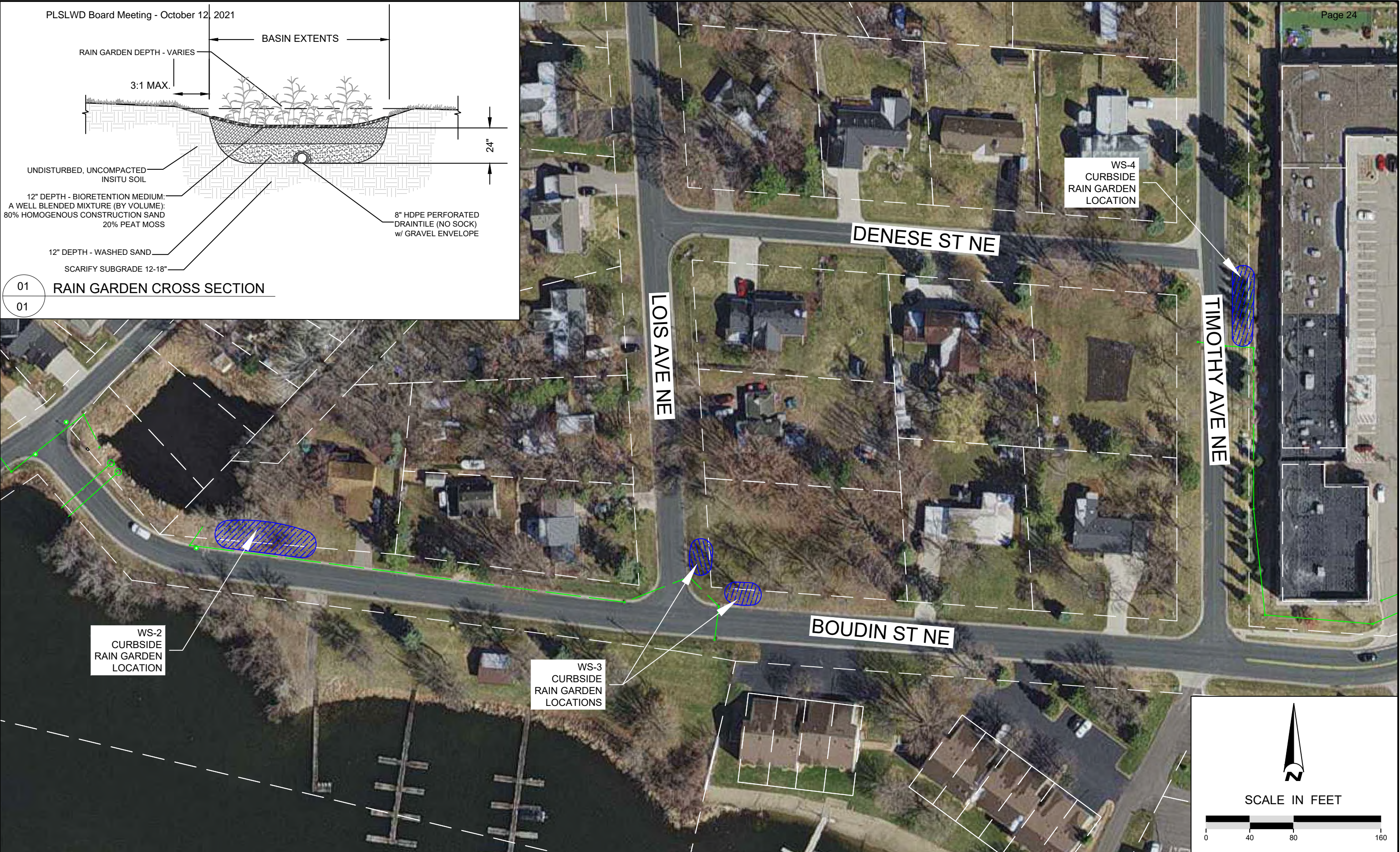
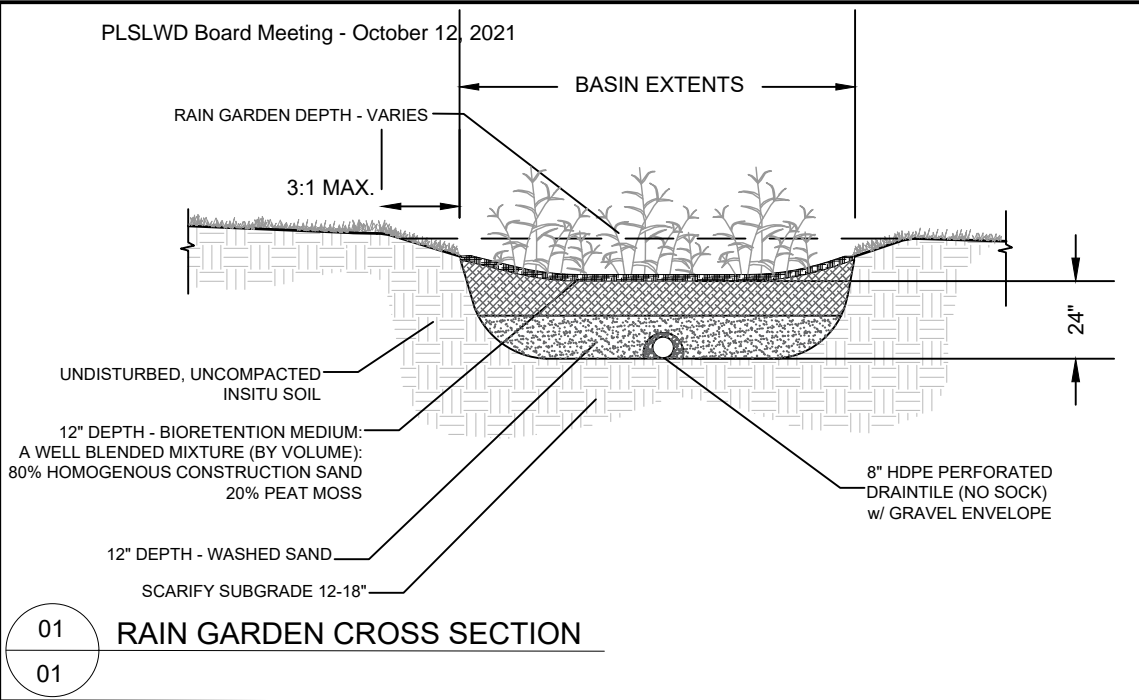
Figure 3. Potential stormwater BMP retrofit opportunities recommended for future consideration.

**APPENDIX A CONCEPT DESIGN FOR PREFERRED OPTIONS.**

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3			
2			
1			
NO	DATE	BY	REVISION

NOT FOR CONSTRUCTION

SUBMISSION DATE: 09/29/2021	
DESIGN BY DRL	DRAWN BY DEM
EOR PROJECT NO. 00758-0123	



**Emmons & Olivier  
Resources, Inc.**  
1919 University Ave W,  
Suite 300, St Paul, MN 55104  
Tele: 651.770.8448  
www.eorinc.com

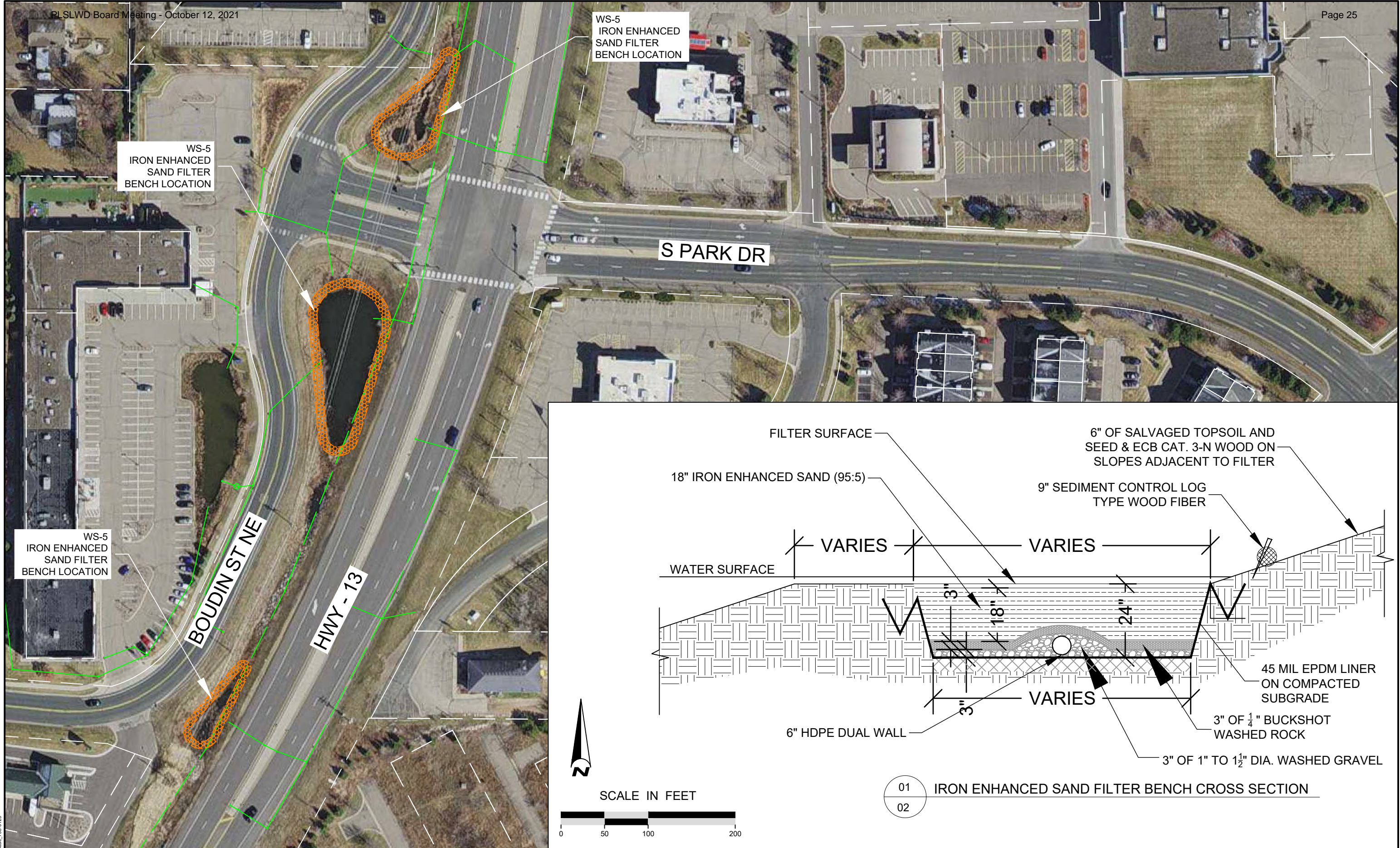
PRIOR LAKE-SPRING LAKE  
WATER SHED DISTRICT  
4646 DAKOTA ST SEDAKOTA ST SE,  
PRIOR LAKE, MN 55372

LOWER PRIOR LAKE SUBSHED 6 / 36  
RETROFIT  
PRIOR LAKE-SPRING LAKE WATERSHED  
DISTRICT, PRIOR LAKE, MINNESOTA  
STATE PROJECT NO. ---  
CITY PROJECT NO. ---

CURBSIDE RAIN GARDEN  
POTENTIAL SITES  
SHEET 01 OF 02 SHEETS

Plot Date: 10/01/2021  
C:\Users\jld0758\Documents\00758\plslwd\0123\_lower\_prior\_lake\_subshed\_6\_36\retrofit\_6\_36\projname.dwg CD Drawing\_758-0123.dwg  
Xrefs: X-Base\_758-0123; P-Base\_758-0123





6			
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NO	DATE	BY	REVISION

NOT FOR CONSTRUCTION

SUBMISSION DATE:	09/29/2021
DESIGN BY	DRL
DRAWN BY	DEM
EOR PROJECT NO.	00758-0123

**EOR**  
water  
ecology  
community

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PRIOR LAKE, MN 55372

LOWER PRIOR LAKE SUBSHED 6 / 36  
RETROFIT  
PRIOR LAKE-SPRING LAKE WATERSHED  
DISTRICT, PRIOR LAKE, MINNESOTA  
STATE PROJECT NO. --- CITY PROJECT NO. ---

IRON ENHANCED SAND FILTER BENCH  
POTENTIAL SITES  
SHEET 02 OF 02 SHEETS





<b>Subject  </b>	Eagleview 2 <sup>nd</sup> Addition Development Agreement & Conservation Easement		
<b>Board Meeting Date  </b>	October 12, 2021	<b>Item No  </b>	4.4
<b>Prepared By  </b>	Joni Giese, District Administrator		
<b>Attachments  </b>	1) Project Location Map 2) Eagleview 2 <sup>nd</sup> Addition Development Agreement 3) Eagleview 2 <sup>nd</sup> Addition Conservation Easement		
<b>Action  </b>	Motion to approve the Eagleview 2 <sup>nd</sup> Addition Development Agreement and Conservation Easement		

### **BACKGROUND**

At the July 10, 2018, Board Meeting, the Board provided guidance to staff on how to move forward with the potential acquisition of new conservation easements. New procedures were established for all new developments located within an MOA permitting area that triggered the District Rule J for wetland buffer preservation. District Rule J requires a 20' wide minimum buffer around wetlands with a 30' average buffer width that helps maintain the long-term health and function of these basins, most of which are connected to one or more of the Districts' lakes.

The procedures include acquiring a development agreement in conjunction with the permanent conservation easements. The development agreements provide a way for the District to recover costs associated with the acquisition of the easements including title work, staff time, and engineering review, as well as to ensure that the easement areas are properly established with native plants that filter stormwater.

### **PROJECT OVERVIEW**

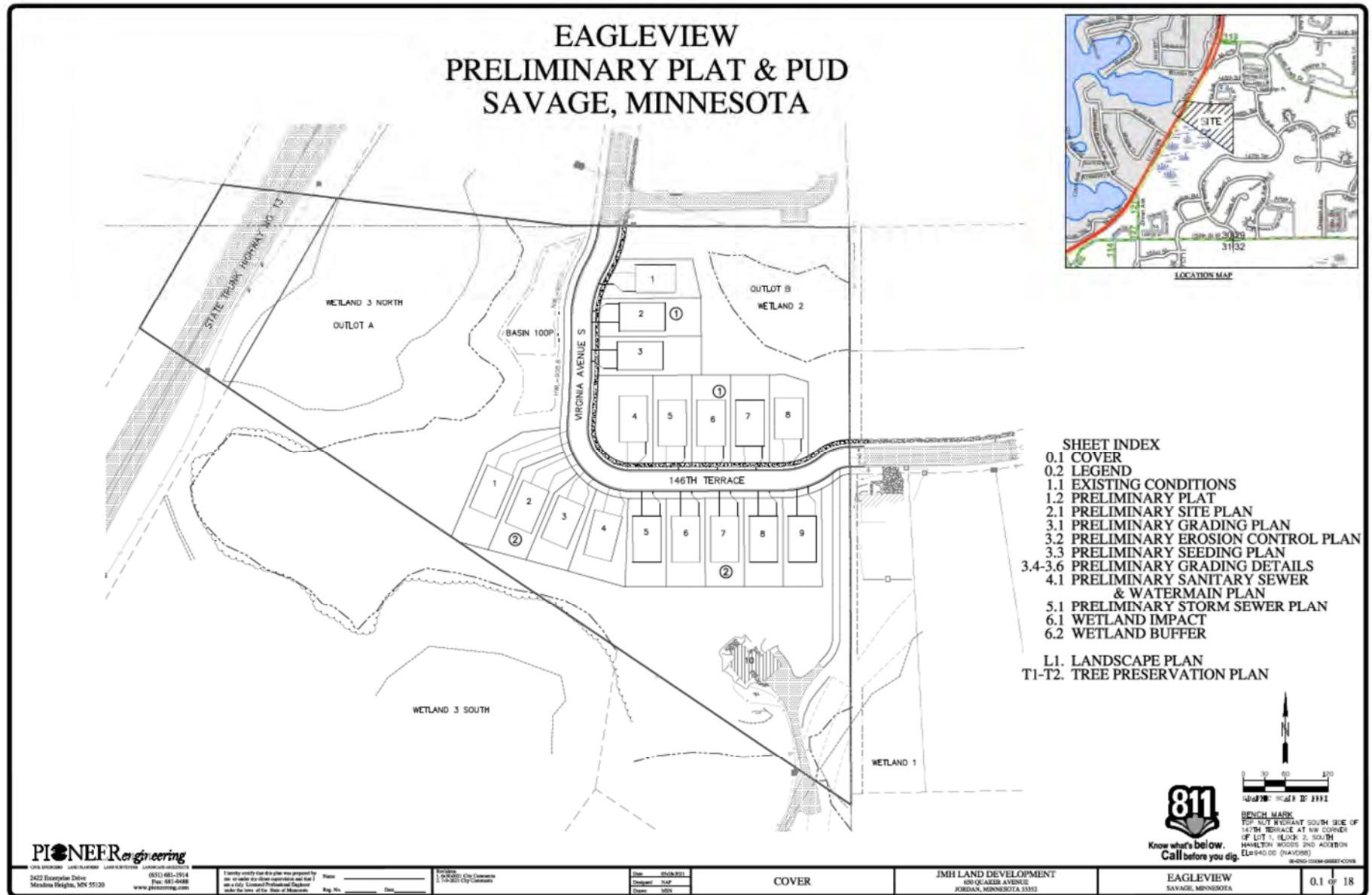
District staff is working with the property owner representative, the City of Savage, and EOR to establish a wetland buffer area and to permanently protect with a conservation easement. The location of the project is shown on the attached map.

The attached development agreement and conservation easement documents are based on a template developed by the District Attorney. The conservation easement is a legal document that will be recorded in the Scott County Land Records Office and will protect the wetland buffers in perpetuity from landowner to landowner.

### **ACTION REQUESTED**

District staff is requesting that the Board of Managers approve the attached development agreement and conservation easement for execution by the District Administrator and recording in the Scott County Land Records Office.

# Excerpt from Preliminary Plat & PUD Submittal To Depict Project Location



## DEVELOPMENT AGREEMENT

This Agreement is made this \_\_\_\_\_ day of \_\_\_\_\_, 2021, between JMH Eagleview LLC, a Minnesota limited liability company (collectively the “Owner”), and the Prior Lake-Spring Lake Watershed District, a political subdivision of the State of Minnesota (“Watershed District” or “District”).

## RECITALS

A. Owner is the fee owner of and is proceeding to subdivide certain land located in Scott County, Minnesota, and legally described in Exhibit A (the “Property”).

B. As a condition of the approval for the subdivision of the Property, Scott County requires that the Declarant grant the Watershed District a conservation easement over a buffer strip around the perimeter of wetland within the Project that meets the requirements of the Watershed District’s Rules (“Rules”).

C. Declarant desires to establish a conservation easement (“Conservation Easement”) under Minnesota Statutes, Chapter 84C, to create a buffer strip around the perimeter of wetlands within the Project as required by the Rules.

## AGREEMENT

In consideration of the mutual covenants herein, the parties hereto agree as follows:

1. RECITALS. The foregoing recitals are true and correct and incorporated herein by this reference.

2. SURVEY. Within 30 days after this agreement has been fully executed, the Owner shall supply the Watershed District with a satisfactory legal description and survey drawing of the proposed Conservation Easement area that meets the requirements of the Rules.

3. EASEMENT DOCUMENT. Within 30 days after of final approval of the subdivision of the Property, the Owner will properly execute and hand-deliver to the District a Conservation Easement that has been drafted by the District and meets the requirements of the Rules. The District will hold the Conservation Easement in escrow.

4. TITLE. The Owner shall supply the Watershed District an attorney's title opinion for the Conservation Easement prior to its recording. If the affected area is subject to a mortgage or other encumbrance in conflict with the terms of the Conservation Easement, the Owner will work diligently to obtain a signed consents from interest holders, and to deliver the consent documents to the District as soon as possible. On receipt of the consent(s), the District will execute the Conservation Easement and file it for recording.

5. BUFFER ESTABLISHMENT. Owner shall, at its expense, establish native vegetation in the Conservation Easement in accordance with the requirements of District Rules as shown in Exhibit B, unless the District agrees in writing that the existing vegetation in the easement area is currently in a condition that meets these requirements.

6. MONUMENTATION. A monument shall be required at each parcel line where it crosses the Conservation Easement boundary, and at the point of each corner where there is a change in boundary direction of the Conservation Easement. A monument shall consist of a 4" x 4" wooden post and a buffer strip sign provided by the Watershed District, or as otherwise approved in writing by the Watershed District. The sign shall be securely mounted to a minimum height of 4 feet above grade. If there is a subdivision after initial monumentation, monuments will be adjusted to maintain conformance with this paragraph.

7. INDEMNITY. Owner shall indemnify, defend and hold the District and its agents, employees, officers, and contractors, harmless from all claims made by itself and third parties for damage or loss sustained or costs incurred, in connection with or arising out of this Agreement. Costs incurred includes District staff costs, and consultant and attorney fees, incurred as a result of a claim.

8. COSTS AND FEES. Owner shall reimburse the District for all costs incurred in the preparation and review of the Conservation Easement, including District staff time, title policy cost, recording fees, and engineering & attorneys' fees. The Owner shall also reimburse the District for all costs related to the enforcement of this Agreement. Owner shall fully pay all invoices ("Invoices") submitted by the District for obligations incurred under this Agreement within 30 days after receipt. Amounts not so paid shall accrue interest at the rate of 8 percent per year or the maximum rate allowed by law, if less.

9. DEFAULT. If Owner defaults as to any obligation required by this Agreement, the District may, at its option and after not less than 7 days' notice to Owner, enter and perform the work, and Owner shall reimburse the District for all costs incurred thereby. In the event of an emergency as determined by the District, the requirement of 7 days advance notice of default shall be waived.

10. DURATION. This Agreement shall terminate on the date that the Watershed District provides formal written documentation that the Conservation Easement has been planted and fully established in accordance with Exhibit B, meets all Rule requirements, and that all reimbursable costs incurred by the District have been paid. At Owner's request, the District will execute a notice of termination that Owner may record on the title.

11. ESCROW; SURVIVAL. Notwithstanding the foregoing paragraph 9, as a prerequisite to termination, Owner will provide the District the sum of \$1,000 to secure the establishment of Conservation Area vegetation in accordance with Exhibit B, and the required installation of buffer signs. The District will hold the funds in escrow, may commingle the funds with other similar escrow funds, and with 7 days' notice may use the funds for the purpose of securing vegetation establishment and fence removal in accordance with Exhibit B. When establishment has been completed, the District will return remaining escrow funds to Owner, less the amount of any unpaid Invoices. The District is not obligated to hold the funds in an interest-bearing account, but if the funds have accrued interest, it will be included in the sum returned. The establishment requirement of paragraph 4 and the escrow requirement of this paragraph 10 will survive termination of the Agreement.

12. BINDING EFFECT. This Agreement shall run with the land and bind and inure to the benefit of the parties hereto and their respective heirs, successors and assign. However, Owner and each successor record owner of the Property shall be fully discharged and relieved of liability under this Agreement upon ceasing to own any interest in the Property and paying all amounts and performing all obligations hereunder to the time ownership terminates.

13. RECORDING. Owner shall provide the signed original copy of this agreement to the District for recording. Owner shall be responsible for payment of the recording fee(s) and if such fee(s) are advanced by the District, Owner shall reimburse the District for those fee(s).

14. MISCELLANEOUS.

(a) The invalidity or unenforceability of any provision of this Agreement shall not affect the validity or enforceability of any other provision.


(b) The failure of the District to insist on compliance or enforcement of any provision of this Agreement shall not affect the validity or enforceability or constitute a waiver of future enforcement of that provision or any other provision by the District.

(c) All notices under this Agreement shall be deemed to be sent or delivered when personally delivered to the recipient or when mailed by certified or registered mail, postage prepaid, addressed to Owner at 650 Quaker Avenue, Jordan MN 55352 and to the Watershed District at 4646 Dakota Street SE, Prior Lake, Minnesota 55372, or at such other address as either party may hereafter designate in writing to the other.

(d) This Agreement shall be subject to and governed by Minnesota law.

IN WITNESS WHEREOF, the Owner has voluntarily executed this Development Agreement on this 29 day of SEPTEMBER, 2021.

OWNER:

By:   
Steven M. Hentges

STATE OF MINNESOTA    )  
  ) ss.  
COUNTY OF SCOTT        )

The foregoing instrument was acknowledged before me this 29<sup>th</sup> day of September, 2021, by Steven M. Hentges, President of JMH Eagleview LLC, a Minnesota limited liability company.



  
Notary Public

My Commission Expires: 01/31/2022

**ACCEPTANCE**

The Prior Lake-Spring Lake Watershed District hereby accepts the foregoing Development Agreement this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

PRIOR LAKE-SPRING LAKE WATERSHED  
DISTRICT

By: \_\_\_\_\_  
Joni Giese

Title: District Administrator

STATE OF MINNESOTA    )  
                                      ) ss.  
COUNTY OF SCOTT        )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by Joni Giese, as the District Administrator of the Prior Lake-Spring Lake Watershed District, a political subdivision under Minnesota law.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

This instrument was drafted by:

Prior Lake-Spring Lake Watershed District  
4646 Dakota Street SE  
Prior Lake, MN 55372

Return to:

Prior Lake-Spring Lake Watershed District  
4646 Dakota Street SE  
Prior Lake, MN 55372



EXHIBIT A:

LEGAL DESCRIPTION OF PROPERTY:

Outlot A, Eagleview, Scott County, Minnesota

## EXHIBIT B:

## Excerpt from Watershed District Rules

## Rule J, Section 4 (c):

All open areas within the buffer strip shall be seeded or planted in accordance with Paragraph 8 below. All seeding or planting shall be completed prior to removal of any erosion and sediment control measures. If construction is completed after the end of the growing season, erosion and sediment control measures shall be left in place and all disturbed areas shall be mulched for protection over the winter season.

## Rule J, Section 8:

## 8. VEGETATION:

- (a) Where acceptable natural vegetation exists in buffer strip areas, the retention of such vegetation in an undisturbed state is required unless an applicant receives approval to replace such vegetation. A buffer strip has acceptable natural vegetation if it:
  - (i) Has a continuous, dense layer of perennial grasses that has been uncultivated or unbroken for at least 5 consecutive years; or
  - (ii) Has an overstory of trees and/or shrubs that has been uncultivated or unbroken for at least 5 consecutive years; or
  - (iii) Contains a mixture of the plant communities described in Subparagraphs 8(a)(i) and
  - (iv) above that has been uncultivated or unbroken for at least 5 years.
- (b) Notwithstanding the performance standards set forth in Paragraph 8(a), the managers may determine existing buffer strip vegetation to be unacceptable if:
  - (i) It is composed of undesirable plant species including but not limited to common buckthorn, purple loosestrife, leafy spurge or noxious weeds; or
  - (ii) It has topography that tends to channelize the flow of runoff; or
  - (iii) For some other reason it is unlikely to retain nutrients and sediment.
- (c) Where buffer strips are not vegetated or have been cultivated or otherwise disturbed within 5 years of the permit application, such areas shall be replanted and maintained. The buffer strip plantings must be identified on the permit application. The buffer strip landscaping shall comply with the following standards:
  - (i) Buffer strips shall be planted with a seed mix approved by MnDOT, NRCS or SWCD, with the exception of a one-time planting with an annual nurse or cover crop such as oats or rye.
  - (ii) The seed mix shall be broadcast according to MnDOT, NRCS or SWCD specifications of the selected mix. The annual nurse or cover crop shall be applied at a minimum rate of 30 pounds per acre. The MnDOT or NRCS seed

mix selected for permanent cover shall be appropriate for soil site conditions and free of invasive species. MnDOT, NRCS or SWCD approved mixtures appropriate for specific soil and moisture conditions can be used to meet these requirements.

- (iii) Native shrubs may be substituted for native forbs. All substitutions must be approved by the District. Such shrubs may be bare root seedlings and shall be planted at a minimum rate of 60 plants per acre. Shrubs shall be distributed so as to provide a natural appearance and shall not be planted in rows.
  - (iv) Any groundcover or shrub plantings installed within the buffer strip are independent of any landscaping required elsewhere by the municipality or county.
  - (v) Grasses and forbs shall be seeded or planted by a qualified contractor. The method of application shall be approved by the District prior to planting or seeding.
  - (vi) No fertilizer shall be used in establishing new buffer strips, except on highly disturbed sites when necessary to establish acceptable buffer strip vegetation and then limited to amounts indicated by an accredited soil testing laboratory.
  - (vii) All seeded areas shall be mulched immediately with clean straw at a rate of 1.5 tons per acre. Mulch shall be anchored with a disk or tackifier.
  - (viii) Buffer strips (both natural and created) shall be protected by erosion and sediment control measures during construction in accordance with Rule E. The erosion and sediment control measures shall remain in place until the area crop is established.
- (d) Buffer strip vegetation shall be established and maintained in accordance with the requirements found in this Paragraph 8. During the first two full growing seasons, the owner must replant any buffer strip vegetation that does not survive. The owner shall be responsible for reseeding and/or replanting if the buffer strip changes at any time through human intervention or activities. At a minimum the buffer strip must be maintained as a "no mow" area.

### DECLARATION OF CONSERVATION EASEMENT

This Declaration is made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by JMH Eagleview LLC, a Minnesota limited liability company, (the “Declarant”).

### RECITALS

Declarant owns land related to the development of Eagleview 2<sup>nd</sup> Addition in Scott County, Minnesota, described on the attached Exhibit A (the “Property”). As conditions of the approval of the plats of Eagleview 2<sup>nd</sup> Addition, Scott County required that the Declarant establish, to the benefit of the Prior Lake-Spring Lake Watershed District (“Watershed District”), a conservation easement over a buffer strip around the perimeter of wetlands within the Property in accordance with the requirements of the Watershed District’s Rules (“Rules”). Declarant desires to establish a conservation easement under Minnesota Statutes, Chapter 84C, to create a buffer strip around the perimeter of wetlands (both existing and to be created) within the Property.

### DECLARATION

NOW, THEREFORE, Declarant hereby declares that the portion of the Property described or depicted on the attached Exhibit B (“Easement Area”) shall be held, sold, conveyed and occupied subject to the following easements and restrictions (the “Conservation Easement”), which shall be perpetual and run with the Property and bind each owner (“Owner”) and all other persons having any right, title or interest in the Property or any part thereof, their heirs, representatives, successors and assigns, and shall inure to the benefit of the Watershed District, and its successors and assigns.

1. PRESERVATION. Declarant will permanently retain the Easement Area in its predominantly natural condition and prevent or remedy any subsequent activity or use that impairs or interferes with its function as a buffer strip.

2. RESTRICTIONS. The following restrictions shall apply to the Easement Area:

(a) The Easement Area shall be preserved predominantly in its natural condition. No trees, shrubs, or other vegetation that are not indigenous or naturalized to the State of Minnesota shall be planted upon the Easement Area; and no trees, shrubs, or other vegetation



shall be removed from the Easement Area without the prior written consent of the Watershed District.

(b) Buffer strip vegetation shall be established and maintained within the Easement Area in accordance with the Rules. There will be no grading or other disturbance of the soil within the Conservation Easement except as incidental to vegetation planting and removal. No structure or paved surface will be placed temporarily or permanently within the Conservation Easement.

(c) Easement identification monuments ("Signs") must be placed and maintained by the Declarant at the boundaries of the Easement Area as required by the Rules. Signs will be placed and maintained on the upland edge of the Conservation Easement, at each lot line and at each point where the bearing of the Conservation Easement boundary line changes. Monument design and wording will conform to District Rules or be as otherwise approved by the District. Removal of the monuments is prohibited.

(d) Subject to Section 3 below, alterations including building, storage, paving, mowing, plowing, introduction of noxious vegetation, cutting, dredging, filling, mining, dumping, grazing livestock, agricultural production, yard waste disposal or fertilizer application, are prohibited within the Easement Area. Noxious vegetation, such as European buckthorn, purple loosestrife and reed canary grass, may be removed as long as the Easement Area is maintained to the standards required by the Rules and with a two week advance written notice to the Watershed District. Notwithstanding the foregoing, Declarant may plant to enhance the natural vegetation or selectively clear or prune trees or vegetation that are dead, diseased or otherwise pose hazards with written consent from the Watershed District.

3. AUTHORIZED USES. The following activities are not prohibited alterations under Paragraph 2(d) above:

(a) Placement, maintenance, repair or replacement of utility and drainage systems that exist on creation of the Conservation Easement or are required to comply with any subdivision approval or building permit obtained from the municipality or county, so long as any adverse impacts of utility or drainage systems on the function of the Conservation Easement have been avoided or minimized to the extent possible.

(b) Construction, maintenance, repair, reconstruction or replacement of public roads crossing the Easement Area, so long as any adverse impacts of such roads on the function of the Conservation Easement are avoided or minimized to the extent possible.

4. ENTRY. The Watershed District, and its agents, employees, managers and contractors, may enter the Property (but not any structure or improvements) at reasonable times to monitor subsequent activities and uses, perform work, and enforce this Declaration. The Watershed District shall give reasonable prior notice to the Owner of all such entries and shall not unreasonably interfere with the Owner's use and quiet enjoyment of the Property. This Declaration grants no right of access or entry on the Property to the general public.

5. COSTS AND FEES. The Owner shall reimburse the Watershed District for all costs

incurred in the enforcement of this Declaration, including Watershed District staff costs and engineering and attorneys' fees. The Owner shall fully pay all invoices submitted by the Watershed District for obligations incurred under this Declaration within 7 days after receipt. Amounts not so paid shall accrue interest at the rate of 8 percent per year, or the maximum rate allowed by law, if lower.

6. MONUMENTATION. A monument shall be required at each parcel line where it crosses the Conservation Easement boundary, and at the point of each corner where there is a change in boundary direction of the Conservation Easement. A monument shall consist of a 4" x 4" wooden post and a buffer strip sign provided by the Watershed District, or as otherwise approved in writing by the Watershed District. The sign shall be securely mounted to a minimum height of 4 feet above grade. If there is a subdivision after initial monumentation, monuments will be adjusted to maintain conformance with this paragraph.

#### 7. MISCELLANEOUS.

(a) Unless the context otherwise requires, a reference in this Declaration to the Rules adopted by the Watershed District means the Rules, as amended, in effect at the time of their application.

(b) Each Owner, including Declarant, and each successor record owner of the Property shall be fully discharged and relieved of liability under this Declaration upon ceasing to own any interest in the Property and paying all amounts and performing all obligations hereunder to the time such ownership terminates.

(c) This Declaration may be amended only by a writing duly signed and notarized by Owner and the Watershed District.

(d) Enforcement of this Declaration shall be by proceedings at law or in equity against any person violating or attempting to violate these restrictions either to restrain the violation or to recover damages. The failure to enforce any of the restrictions shall not be deemed to be a waiver of the right to do so thereafter. A party seeking enforcement of this Declaration shall be entitled to recover from the party violating the restrictions, reimbursement for all costs and expenses of litigation including reasonable attorneys' fees and other costs incurred in attempting to secure such relief.

(e) This document is to be finalized, signed/notarized by both parties, and recorded before the developer may sell any of the lots.

(f) Invalidity of any provision of this Declaration shall not affect the remaining provisions, which shall continue in full force and effect.

IN WITNESS WHEREOF, the Owner has voluntarily executed this Agreement on this 29 day of September, 2021.

OWNER:

JMH Eagleview LLC,  
A Minnesota limited liability company

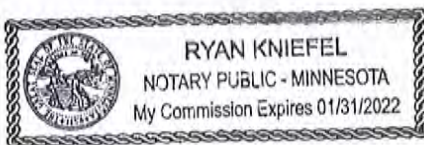
By: [Signature]

Steve M. Hentges

Its: President

STATE OF MINNESOTA    )  
  ) ss.  
COUNTY OF SCOTT        )

The foregoing instrument was acknowledged before me this 29<sup>th</sup> day of September, 2021, by Steve M. Hentges, the President of JMH Eagleview LLC, a Minnesota limited liability company, on behalf of the Company.



Notary Public [Signature]

My Commission Expires: 01/31/2022

ACCEPTANCE

The Watershed District hereby accepts the foregoing Conservation Easements pursuant to Minnesota Statutes, Section 84C.02, on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

PRIOR LAKE - SPRING LAKE  
WATERSHED DISTRICT

By: \_\_\_\_\_  
Joni Giese

Its: District Administrator

STATE OF MINNESOTA )  
  )SS  
COUNTY OF \_\_\_\_\_)

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by Joni Giese, the Administrator of the PRIOR LAKE-SPRING LAKE WATERSHED DISTRICT, a political subdivision under Minnesota law, on its behalf.

Notary Public

This instrument was drafted by:  
Prior Lake-Spring Lake Watershed District  
4646 Dakota Street SE, Prior Lake, MN 55372



EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

Outlot A and B, Eagleview 2<sup>nd</sup> Addition,  
Scott County, Minnesota

## EXHIBIT B

## LEGAL DESCRIPTION OF EASEMENT AREAS

An easement for conservation purposes lying over, under and across that part of Outlot A, EAGLEVIEW 2ND ADDITION, according to the recorded plat thereof Scott County, Minnesota, described as follows:

Beginning at the intersection of easterly right-of-way line of State Trunk Highway No. 13 as delineated and dedicated on said EAGLEVIEW 2ND ADDITION with the northerly line of said Outlot A; thence on an assumed bearing of South 29 degrees 58 minutes 55 seconds East, along said easterly right-of-way, 309.54 feet to the southerly line of said Outlot A; thence South 56 degrees 09 minutes 22 seconds East, along said southerly line, 271.80 feet; thence North 59 degrees 45 minutes 24 seconds East, 212.70 feet; thence North 82 degrees 55 minutes 34 seconds East, 62.43 feet to the west right-of-way line of Virginia Avenue South as delineated and dedicated on said EAGLEVIEW 2ND ADDITION; thence northerly 131.11 feet along a non-tangential curve concave to the west along said westerly right-of-way having a radius of 1495.55 feet, a central angle of 05 degrees 01 minutes 23 seconds and a chord that bears North 01 degrees 50 minutes 30 seconds East; thence northerly 93.40 feet along said westerly right-of-way along a reverse curve having a radius of 175.00 feet, central angle of 30 degrees 34 minutes 47 seconds; thence northerly 48.61 feet along said westerly right-of-way along a reverse curve having a radius of 125.00 feet and a central angle of 22 degrees 16 minutes 58 seconds to the northerly line of said Outlot A; thence North 89 degrees 39 minutes 04 seconds West along said northerly line, 35.14 feet; thence North 83 degrees 15 minutes 08 seconds West along said northerly line, 326.95 feet to the point of beginning.

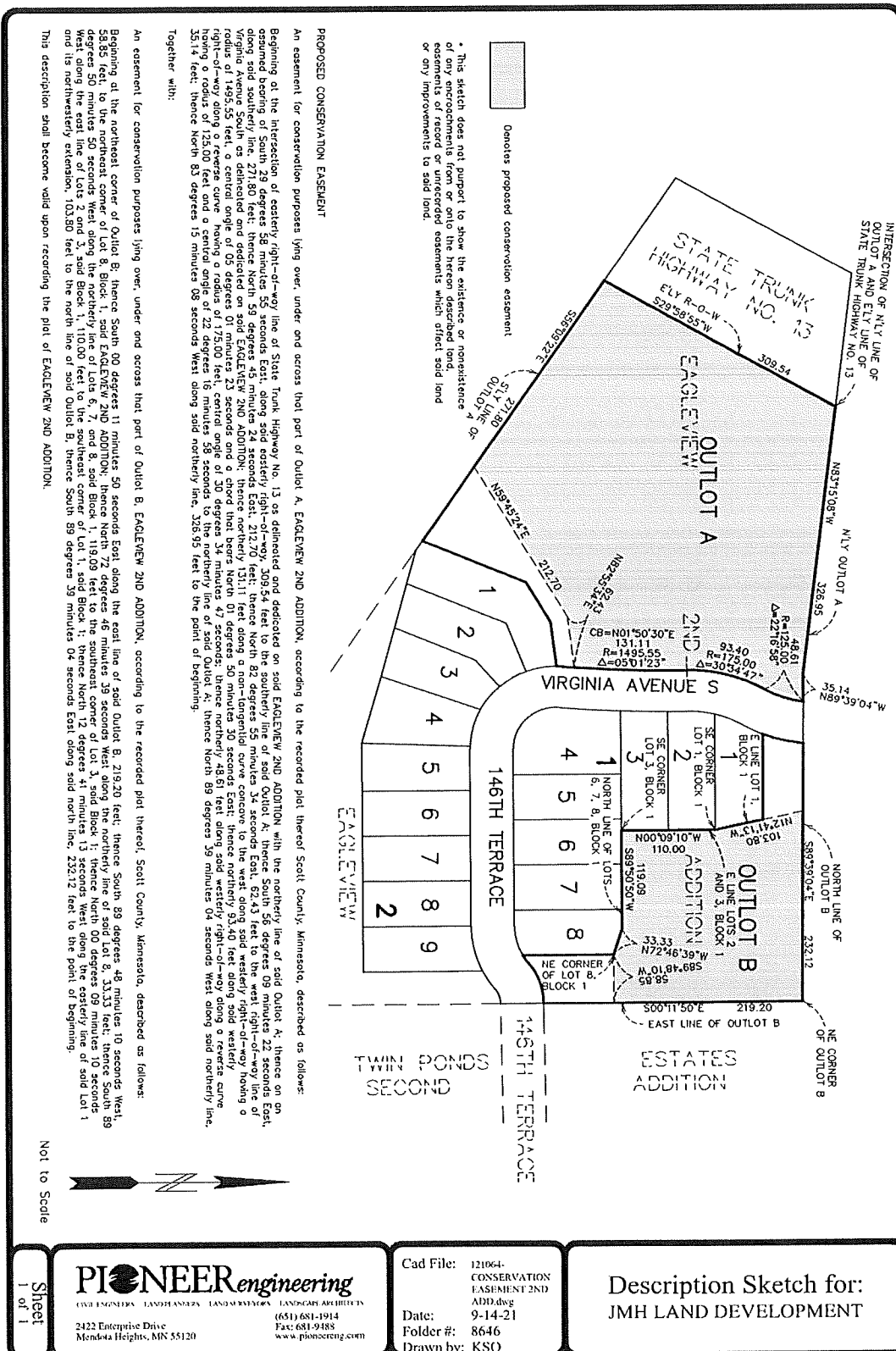
Together with:

An easement for conservation purposes lying over, under and across that part of Outlot B, EAGLEVIEW 2ND ADDITION, according to the recorded plat thereof, Scott County, Minnesota, described as follows:

Beginning at the northeast corner of Outlot B; thence South 00 degrees 11 minutes 50 seconds East along the east line of said Outlot B, 219.20 feet; thence South 89 degrees 48 minutes 10 seconds West, 58.85 feet, to the northeast corner of Lot 8, Block 1, said EAGLEVIEW 2ND ADDITION; thence North 72 degrees 46 minutes 39 seconds West along the northerly line of said Lot 8, 33.33 feet; thence South 89 degrees 50 minutes 50 seconds West along the northerly line of Lots 6, 7, and 8, said Block 1, 119.09 feet to the southeast corner of Lot 3, said Block 1; thence North 00 degrees 09 minutes 10 seconds West along the east line of Lots 2 and 3, said Block 1, 110.00 feet to the southeast corner of Lot 1, said Block 1; thence North 12 degrees 41 minutes 13 seconds West along the easterly line of said Lot 1 and its northwesterly extension, 103.80 feet to the north line of said Outlot B, thence South 89 degrees 39 minutes 04 seconds East along said north line, 232.12 feet to the point of beginning.

This description shall become valid upon recording the plat of EAGLEVIEW 2ND ADDITION.

## EXHIBIT C





**Subject |** Wise Addition Conservation Easement

**Board Meeting Date |** October 12, 2021

**Item No |** 4.5

**Prepared By |** Joni Giese, District Administrator

**Attachments |** 1) Project Location Map  
2) Wise Addition Conservation Easement

**Action |** Motion to approve the Wise Addition Conservation Easement

### **BACKGROUND**

At the July 10, 2018, Board Meeting, the Board provided guidance to staff on how to move forward with the potential acquisition of new conservation easements. New procedures were established for all new developments located within an MOA permitting area that triggered the District Rule J for wetland buffer preservation. District Rule J requires a 20' wide minimum buffer around wetlands with a 30' average buffer width that helps maintain the long-term health and function of these basins, most of which are connected to one or more of the Districts' lakes.

The procedures include acquiring a development agreement in conjunction with the permanent conservation easements. The development agreements provide a way for the District to recover costs associated with the acquisition of the easements including title work, staff time, and engineering review, as well as to ensure that the easement areas are properly established with native plants that filter stormwater.

### **PROJECT OVERVIEW**

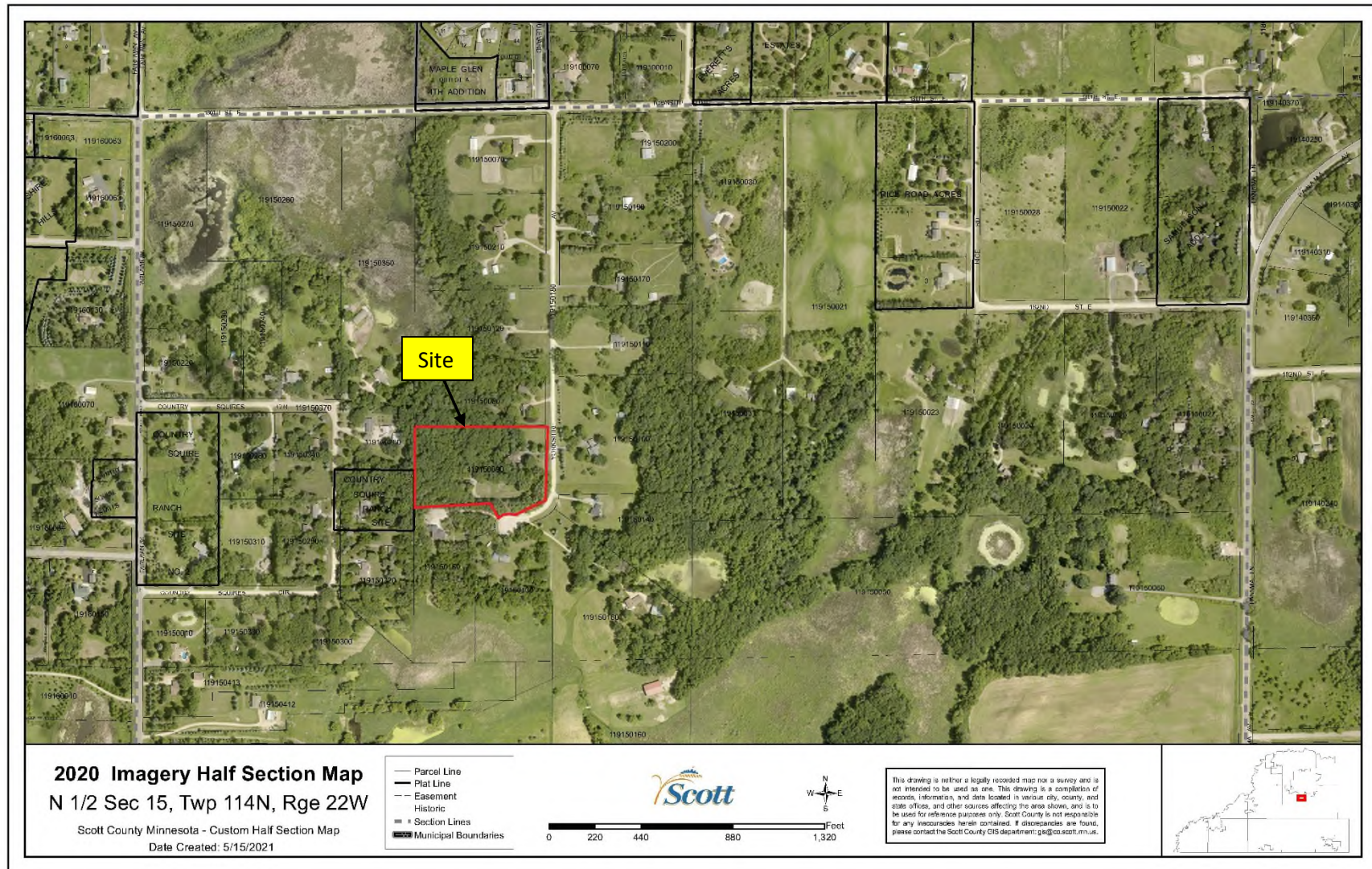
District staff is working with the property owner representative and EOR to establish a wetland buffer area and to permanently protect with a conservation easement. The location of the project is shown on the attached map.

The attached conservation easement document is based on a template developed by the District Attorney. The conservation easement is a legal document that will be recorded in the Scott County Land Records Office and will protect the wetland buffers in perpetuity from landowner to landowner.

### **ACTION REQUESTED**

District staff is requesting that the Board of Managers approve the attached conservation easement for execution by the District Administrator and recording in the Scott County Land Records Office.





**Figure 1**  
**Location of Wise Parcel #119150090**

## DECLARATION OF CONSERVATION EASEMENT

This Declaration is made this 6<sup>th</sup> day of October, 2021, by Donna M. Wise, a single person, (the "Declarant").

## RECITALS

Declarant owns land related to the subdivision of certain land in Scott County, Minnesota, described on the attached Exhibit A (the "Property"). As conditions of the approval of the plat of Wise Addition Scott County required that the Declarant establish, to the benefit of the Prior Lake-Spring Lake Watershed District ("Watershed District"), a conservation easement over a buffer strip around the perimeter of wetlands within the Property in accordance with the requirements of the Watershed District's Rules ("Rules"). Declarant desires to establish a conservation easement under Minnesota Statutes, Chapter 84C, to create a buffer strip around the perimeter of wetlands (both existing and to be created) within the Property.

## DECLARATION

NOW, THEREFORE, Declarant hereby declares that the portion of the Property described on the attached Exhibit B ("Easement Area") and depicted as the Drainage and Utility Easement on the attached Exhibit C shall be held, sold, conveyed and occupied subject to the following easements and restrictions (the "Conservation Easement"), which shall be perpetual and run with the Property and bind each owner ("Owner") and all other persons having any right, title or interest in the Property or any part thereof, their heirs, representatives, successors and assigns, and shall inure to the benefit of the Watershed District, and its successors and assigns.

1. PRESERVATION. Declarant will permanently retain the Easement Area in its predominantly natural condition and prevent or remedy any subsequent activity or use that impairs or interferes with its function as a buffer strip.

2. RESTRICTIONS. The following restrictions shall apply to the Easement Area:

(a) The Easement Area shall be preserved predominantly in its natural condition. No trees, shrubs, or other vegetation that are not indigenous or naturalized to the State of Minnesota shall be planted upon the Easement Area; and no trees, shrubs, or other vegetation

shall be removed from the Easement Area without the prior written consent of the Watershed District.

(b) Buffer strip vegetation shall be established and maintained within the Easement Area in accordance with the Rules. There will be no grading or other disturbance of the soil within the Conservation Easement except as incidental to vegetation planting and removal. No structure or paved surface will be placed temporarily or permanently within the Conservation Easement.

(c) Easement identification monuments must be placed and maintained by the Declarant at the boundaries of the Easement Area as required by the Rules. Monuments will be placed and maintained on the upland edge of the Conservation Easement boundary, at each parcel line where it crosses the Conservation Easement boundary, and at each point where the bearing of the Conservation Easement boundary line changes, aligning with the iron pipes placed by the surveyor for the Conservation Easement. A monument shall consist of a metal U-channel post and a buffer strip sign provided by the Watershed District, or as otherwise approved in writing by the Watershed District. The sign shall be securely mounted to a minimum height of 4 feet above grade. Removal, relocation, or damage to the monuments is prohibited. If a monument has been relocated or damaged, the Owner shall notify the District as soon as possible. If there is a subdivision after initial monumentation, monuments will be adjusted to maintain conformance with this paragraph.

(d) Subject to Section 3 below, alterations including building, storage, paving, mowing, plowing, introduction of noxious vegetation, cutting, dredging, filling, mining, dumping, grazing livestock, agricultural production, yard waste disposal or fertilizer application, are prohibited within the Easement Area. Noxious vegetation, such as European buckthorn, purple loosestrife and reed canary grass, may be removed as long as the Easement Area is maintained to the standards required by the Rules and with a two week advance written notice to the Watershed District. Notwithstanding the foregoing, Declarant may plant to enhance the natural vegetation or selectively clear or prune trees or vegetation that are dead, diseased or otherwise pose hazards with written consent from the Watershed District.

3. AUTHORIZED USES. The following activities are not prohibited alterations under Paragraph 2(d) above:

(a) Placement, maintenance, repair or replacement of utility and drainage systems that exist on creation of the Conservation Easement or are required to comply with any subdivision approval or building permit obtained from the municipality or county, so long as any adverse impacts of utility or drainage systems on the function of the Conservation Easement have been avoided or minimized to the extent possible.

(b) Construction, maintenance, repair, reconstruction or replacement of public roads crossing the Easement Area, so long as any adverse impacts of such roads on the function of the Conservation Easement are avoided or minimized to the extent possible.

4. ENTRY. The Watershed District, and its agents, employees, managers and contractors, may enter the Property (but not any structure or improvements) at reasonable times to monitor subsequent activities and uses, perform work, and enforce this Declaration. The Watershed District shall give reasonable prior notice to the Owner of all such entries and shall not unreasonably interfere with the Owner's use and quiet enjoyment of the Property. This Declaration grants no right of access or entry on the Property to the general public.

5. COSTS AND FEES. The Owner shall reimburse the Watershed District for all costs incurred in the enforcement of this Declaration, including Watershed District staff costs and engineering and attorneys' fees. The Owner shall fully pay all invoices submitted by the Watershed District for obligations incurred under this Declaration within 7 days after receipt. Amounts not so paid shall accrue interest at the rate of 8 percent per year, or the maximum rate allowed by law, if lower.

6. MISCELLANEOUS.

(a) Unless the context otherwise requires, a reference in this Declaration to the Rules adopted by the Watershed District means the Rules, as amended, in effect at the time of their application.

(b) Each Owner, including Declarant, and each successor record owner of the Property shall be fully discharged and relieved of liability under this Declaration upon ceasing to own any interest in the Property and paying all amounts and performing all obligations hereunder to the time such ownership terminates.

(c) This Declaration may be amended only by a writing duly signed and notarized by Owner and the Watershed District.

(d) Enforcement of this Declaration shall be by proceedings at law or in equity against any person violating or attempting to violate these restrictions either to restrain the violation or to recover damages. The failure to enforce any of the restrictions shall not be deemed to be a waiver of the right to do so thereafter. A party seeking enforcement of this Declaration shall be entitled to recover from the party violating the restrictions, reimbursement for all costs and expenses of litigation including reasonable attorneys' fees and other costs incurred in attempting to secure such relief.

(e) This document is to be finalized, signed/notarized by both parties, and recorded before the developer may sell any of the lots.

(f) Invalidation of any provision of this Declaration shall not affect the remaining provisions, which shall continue in full force and effect.

IN WITNESS WHEREOF, the Owner has voluntarily executed this Agreement on this  
6th day of October, 2021.

OWNER:

Legal Name,

~~A Minnesota limited liability company~~

*Donna Wise*

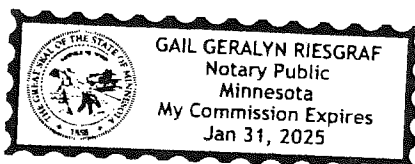
By:

*Donna M. Wise* P.O.A.  
 Donna M. Wise

STATE OF MINNESOTA )

COUNTY OF SCOTT )

The foregoing instrument was acknowledged before me this 6 day of  
October, 2021, by Donna M. Wise, a single person.



Notary Public

*Gail G. Riesgraf*

My Commission Expires:

1-31-25



## ACCEPTANCE

The Watershed District hereby accepts the foregoing Conservation Easements pursuant to Minnesota Statutes, Section 84C.02, on this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

# PRIOR LAKE - SPRING LAKE WATERSHED DISTRICT

By: \_\_\_\_\_  
Joni Giese

Its: District Administrator

STATE OF MINNESOTA )  
 )SS  
COUNTY OF SCOTT )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by Joni Giese, the Administrator of the PRIOR LAKE-SPRING LAKE WATERSHED DISTRICT, a political subdivision under Minnesota law, on its behalf.

Notary Public

This instrument was drafted by:  
Prior Lake-Spring Lake Watershed District  
4646 Dakota Street SE, Prior Lake, MN 55372

## EXHIBIT A

## LEGAL DESCRIPTION OF PROPERTY

That part of the West Half of the East Half of the Northwest Quarter of Section 15, Township 114, Range 22, Scott County, Minnesota described as follows:

Commencing at the southeast corner of said West Half of the East Half of the Northwest Quarter; thence South 89 degrees 01 minutes 14 seconds West assumed bearing along the south line of said West Half of the East Half of the Northwest Quarter a distance of 370.00 feet; thence North 00 degrees 13 minutes 02 seconds East parallel with the east line of said West Half of the East Half of the Northwest Quarter a distance of 600.00 feet; thence North 68 degrees 15 minutes 18 seconds East along a line drawn to a point on the east line of said West Half of the East Half of the Northwest Quarter a distance of 1910.00 feet southerly of the northeast corner thereof, a distance of 162.57 feet to the point of beginning of the land to be described; thence continuing North 68 degrees 15 minutes 18 seconds East a distance of 236.30 feet to a point on the east line of said West Half of the East Half of the Northwest Quarter distant 1910.00 feet southerly of the northeast corner thereof; thence northerly along said East line of the West Half of the East Half of the Northwest Quarter to the north line of the South 330.00 feet of the North 1850.00 feet of said West Half of the East Half of the Northwest Quarter; thence westerly along said north line of the South 330.00 feet of the north 1850.00 feet of the West Half of the East Half of the Northwest Quarter to the west line of said West Half of the East Half of the Northwest Quarter; thence southerly along said west line of the West Half of the East Half of the Northwest Quarter a distance of 379.38 feet; thence North 85 degrees 10 minutes 22 seconds East a distance of 349.73 feet to a point located North 40 degrees 23 minutes 46 seconds West and 148.27 feet from the point of beginning, thence South 40 degrees 23 minutes 46 seconds East a distance of 148.27 feet to the point of beginning.

Together with and subject to an easement for road purposes over and across a strip of land 66 feet in width the centerline of which is described as follows:

Beginning at the northeast corner of the West Half of the East Half of the Northwest Quarter of Section 15, Township 114, Range 22, Scott County, Minnesota; thence southerly along the east line of said West Half of the East Half of the Northwest Quarter a distance of 1850 feet, thence southwesterly 105.60 feet along a tangent curve concave to the northwest and having a radius of 89.05 feet and a central angle of 67 degrees 56 minutes 39 seconds; thence tangent to last described curve a distance of 176.00 feet and there terminating; also subject to said road easement in that part which lies within the circumference of a circle having a radius of 60 feet. The center of said circle is the above described terminus.

**EXHIBIT B****LEGAL DESCRIPTION OF EASEMENT AREAS**

An easement for conservation purposes, over, under and across that part of Lot 1 and Lot 2, Block One, WISE ADDITION, Scott County, Minnesota described as follows: Commencing at the southeast corner of said Lot 1; thence South 88 degrees 46 minutes 35 seconds West, record bearing, along the southerly line of said Lot 1, a distance of 167.23 feet to a boundary corner of said Lot 1; thence North 83 degrees 50 minutes 23 seconds West, continuing along the southerly line of said Lot 1, a distance of 45.00 feet to the point of beginning of the land to be described; thence North 18 degrees 26 minutes 49 seconds West a distance of 60.00 feet; thence South 88 degrees 54 minutes 39 seconds West a distance of 70.00 feet; thence South 39 degrees 56 minutes 05 seconds West a distance of 55.00 feet to a point on said southerly line distant 125.00 feet westerly from the point of beginning; thence South 20 degrees 53 minutes 42 seconds East a distance of 50.00 feet; thence South 81 degrees 23 minutes 32 seconds East a distance of 75.00 feet; thence North 35 degrees 57 minutes 04 seconds East a distance of 55.00 feet, more or less, to the point of beginning.

## EXHIBIT C

[illegible]



### **WORKSHOP MEETING MINUTES**

***Tuesday, September 14, 2021***

***Prior Lake City Hall, Parkview Conference Room***

Members Present: Curt Hennes, Steve Pany, Frank Boyles, Bruce Loney & Mike Myser

Staff Present: Joni Giese, District Administrator; Jaime Rockney, Water Resources Manager; Jeff Anderson, Water Resources Coordinator

Others Present: Lisa Quinn, Spring Lake Township; Ben Burnett, CAC; Jim Fitzsimmons, Scott SWCD; Chris Knopik, CLA; Carl Almer, EOR; Wesley Steffen, Spring Lake Association

*The meeting was called to order by President Mike Myser at 4:00 p.m.*

#### **Upper Watershed Blueprint Analysis Update**

Administrator Giese provided a brief overview of the updated analysis. There was a brief discussion about the need to retain a public finance advising firm to help the District with long-term funding needs. It was clarified that staffing needs shown on the Upper Watershed Blueprint analysis would be fulfilled with existing District staff (essentially one staff member will be needed close to full time for the next three years). While most grant application opportunities have already passed this year, staff will inquire with typical funding agencies to see if any grant funds are available to assist the District with the feasibility studies that have been advanced to 2022. Administrator Giese clarified that the feasibility studies will advance the projects to an approximate 30 percent design effort. Managers expressed a desire that the District pursue more grant funds than indicated in the current analysis.

#### **2022 Budget Draft**

Administrator Giese provided an overview of the latest draft budget spreadsheet and memorandum. This most recent draft includes a three percent increase in the District levy. Revisions include a new line item for Upper Watershed Blueprint public finance advisor, additional funding to reduce expected new debt, Public Infrastructure Partnership Project with the City of Savage to estimate the goldfish population in Cate's Lake, and funds to assess when the ferric chloride tank should be replaced. Regarding Cate's Lake, Managers questioned whether funds could be better used to remove the fish versus assessing the population. An updated estimate for the District's contribution to the Prior Lake Outlet Channel indicates that the District contribution may be approximately \$7,600 more than currently shown.

Manager Loney shared a high-level analysis indicating the District will not expend approximately \$600,000 of the current year budget. Manager Myser discussed that several of the line items are not intended to be spent in 2021, but rather to build up funds for future expenses, such as future alum treatments. Manager Myser



inquired if there is a better way to communicate this in the financial statements. Chris Knopik suggested that before the end of year, the Board of Managers take formal action to commit the funds to their intended purpose, which will then communicate the desired use for the funds.

Manager Boyles asked for clarification regarding the process needed to adopt the budget. It was stated that two public hearings are held. One for the preliminary levy and then a second for the final levy.

#### **Debt Issuance Time Frame**

Administrator Giese indicated that she would bring in several public finance advising firms to meet with the Board of Managers before a decision is made on which firm to retain. The advisors would help the District determine the amount of debt needed, which type of debt would work best for the District, and when debt would need to be issued. General discussion indicated a preference to hold off on bringing in the public finance advisors until more of the feasibility studies have been completed to better understand project interest by landowners.

#### **PLSLWD Committees Appreciation**

Manager Hennes made a motion to provide PLSLWD committee members at \$50 gift card as a token of appreciation, provided the gift is deemed to be legal by state Statutes. Second by Manager Boyles. All ayes. Passed 5-0.

#### **Staffing Update and Staff Organization Chart**

Administrator Giese stated that given the departure of two staff members, she took the opportunity to evaluate staff workloads and made some adjustments. She eliminated the Outreach Specialist position and created a new position, Watershed Regulations Coordinator. She also revised two staff position titles to better reflect work tasks being performed by staff and to better align with industry standards. *Water Resources Specialist II* is now *Water Resources Coordinator*. *Water Resources Technician* is now *Water Resources Specialist*. To accommodate staff professional development, staff promotions were made. Jaime Rockney has been promoted to Project Manager. Jeff Anderson has been promoted to Water Resources Coordinator. Shauna Capron has been promoted to Water Resources Specialist.

#### **Carp Program: Consultants vs. Staff Efforts**

Manager Hennes stated that in the previous year he had received assurances from District staff (no longer working for the District) that the level of consultant time would decrease for the carp program and wondered why we are still paying fairly high consultant fees. Given the staff member is no longer with the District, staff present could not speak to the assurance that Manager Hennes heard. Current District staff indicated that the District still has a contract with the consultant and the consultant is projected to be within budget this year. Consultant level of effort is decreasing. In 2020, the District used approximately 1300 hours of consultant time on the Carp program. Six months into 2021, consultant hours are at approximately 300 hours and staff hours are at 1100 hours. Staff are continuing to learn carp management approaches and techniques from the consultants, but noted there are certain expertise and equipment needs that make sense for the District to obtain/use through a consultant, such as an electrofishing boat, nets, cribs, population estimates, and relationships with commercial fishers.



**District Records: Inventory and Management**

Manager Pany stated that the District may want to consider hiring a records management consultant to assist the District in sorting through and archiving old paper documents. This would allow the District to have this task taken care of should the District choose to relocate their office in the future. Administrator Giese stated bringing on a consultant would be greatly appreciated, but it still requires the District to make some assessments regarding how to treat select documents that are not specifically addressed in the District's record retention policy. Managers agreed that reviewing and archiving older District documents is needed and is on the District's "to do" list, but is not a priority at this time. Chris Knopik informed the Managers that local government units are not allowed to destroy paper records without first allowing the Minnesota Historical Society to review them.

**Fish Lake Impaired Water Delisting**

Manager Hennes inquired if there is a TMDL for Fish Lake. Administrator Giese stated the MPCA had developed a plan in 2020 that provided TMDLs for District lakes, including Pike and Fish. She stated it was her understanding that typically there is a TMDL implementation plan created for lakes. She intends to inquire with the MPCA regarding next steps.

Manager Hennes inquired with District staff about a particular inlet to the lake that may be a source of pollution. Staff indicated there was a farm drain tile that outlets to the lake, but is not a major contributor to lake water quality issues. Staff also stated that expected conversion of farmland to residential development will also reduce sediment loads into lake, which would improve water quality.

Manager Hennes inquired if there is something that could be done on the lake in 2022 to improve water quality, given the lake is close to meeting water quality standards. Manager Myser inquired where this effort falls in relation to other work tasks. Managers acknowledged that Fish Lake is a Tier I lake. Staff will research options that could be considered to improve water quality for Fish Lake and provide findings back to the Managers at a later meeting.

**Lake Vegetation Policy and AIS Rapid Response Plan Status**

Administrator Giese stated as part of the carp grants deliverables, Blue Water Science will be providing to the District in mid-October Lake Management Plans for Spring Lake and Upper Prior Lake using a MnDNR template. These Lake Management plans will provide a strong foundation for the development of a lake vegetation management policy and AIS rapid response plans. District staff is hoping to share drafts of the lake vegetation policy and rapid response plans to the Board of Managers as part of the December meeting.

Manager Pany inquired why the District does not treat Eurasian Watermilfoil (EWM). Staff shared the District did attempt to treat EWM in the 1990's, but found that the EWM population stabilized and a decision was made to discontinue treatment as EWM did not affect water quality. The District does treat Curly-leaf Pondweed because it does negatively impact water quality.

Wesley Steffen shared that Spring Lake Association was moving forward with a treatment of EWM on September 15 adjacent to lake properties that provided authorization for the treatment.

**Miscellaneous Topics**

Manager Hennes inquired when the next Prior Lake Outlet Channel (PLOC) Cooperators meeting was scheduled. It was shared that it is scheduled for September 16. Manager Hennes asked that future PLOC Cooperator meetings be listed as upcoming meetings on the Board of Managers meeting agenda.

Manager Hennes asked if District partners could be invited to attend the “Hike the Outlet Channel” tour. Previous discussions resulted in a decision to limit tour invitations to the Managers and the CAC to allow for easier presentation of information to the group. The group discussed the potential for recording portions of the tour.

Manager Pany stated that he was not happy that the City of Prior Lake lease included a three percent escalation clause for the future years. Administrator Giese stated the District is only obligated to the first year of the lease. Manager Hennes stated that the County will be providing updated lease rates for County facilities for PLSLWD’s consideration.

*The meeting was adjourned at 5:45 p.m.*



# PRIOR LAKE SPRING LAKE WATERSHED DISTRICT

## REGULAR MEETING MINUTES

*Tuesday September 14, 2021*

*Prior Lake City Hall*

*6:00 PM*

### BOARD OF MANAGERS:

Mike Myser, President; Curt Hennes, Vice President; Bruce Loney, Treasurer  
Steve Pany, Secretary and Frank Boyles, Manager

Members Present: Mike Myser, Curt Hennes, Bruce Loney, Steve Pany, Frank Boyles

Staff & Consultants Present: Joni Giese, District Administrator  
Patty Dronen, Administrative Assistant  
Jaime Rockney, Water Resources Project Manager  
Jeff Anderson, Water Resources Coordinator  
Shauna Capron, Water Resources Specialist  
Camille Will, Summer Intern  
Janae Carlson, Summer Intern  
Carl Almer, EOR, District Engineer

Others Present: Lisa Quinn, Spring Lake Township  
Wes Steffan, President, Spring Lake Association  
Ben Burnett, CAC

### **CALL TO ORDER & PLEDGE OF ALLEGIANCE**

Meeting called to order by President Myser at 6:02 P.M.

### **2.0 PUBLIC COMMENT**

None.

### **Public Hearing--2022 Preliminary Proposed Budget and Levy**

2022 Proposed Levy—Resolution 21-348

Administrator Giese proposed a three percent increase in 2022 levy for a total of \$1,848,935.00  
Manager Hennes moved to open the public meeting for the 2022 Preliminary Proposed Budget and Levy. Second by Manager Loney. All Ayes. Passed 5-0.

Public comment: None.

Manager Loney commented that this is the Preliminary Proposed Budget maximum amount. It cannot be increased. In the past three years there were no increases to the Levy. President Myser pointed out that projects in the upper watershed are moving forward to reduce phosphorous flowing downstream to Spring and Prior Lakes.

Manager Hennes moved to approve the 2022 Preliminary Proposed Budget and Levy. Second by Manager Loney. All Ayes. Passed 5-0.

### **3.0 APPROVAL OF AGENDA**

Manager Hennes moved to approve the agenda. Second by Manager Pany. All Ayes. Passed 5-0.

### **4.0 OTHER OLD/NEW BUSINESS**

#### **4.1 2021 Intern Update Presentation. Camille Will & Janae Carlson**

Activities included bluegill stocking; baited carp box traps; community outreach, such as the Hike the Watershed tours; YMCA and local school student educational activities; carp tracking and electrofishing; water quality sampling; conservation easement compliance inspections; invasive species management; and wetland health assessments.

#### **4.2 Programs & Projects Update**

Patty Dronen reported that on Saturday September 25, 2021, 9:45 am -12:00 pm, PLSLWD and the City of Prior Lake will jointly host a Clean Water Cleanup Event. The event will be stenciling storm drains. The stencil will indicate on the storm drain that water entering the drains ends up in the lake.

Jeff Anderson reported Spring Lake water level was 909.7 and Prior Lake water level was 900.8. Ten radio tags will be installed in carp for tracking in Spring and Upper Prior Lake. Fall walleye fingerling stocking permit will be submitted and stocking will be done later this fall.

Approximately 2,500 walleye will be stocked in Spring Lake, 1,875 walleye in Upper Prior Lake, and 3,125 walleye in Lower Prior Lake.

Jaime Rockney reported that the Farmer-Led Council had an event on August 26<sup>th</sup>. Rob Casey and Joe Hentges farms received a Lake-Friendly Farm award. About 40 people attended. The event included a presentation by Jodi DeJong Hughes with the University of Minnesota Extension on tillage practices. The boat inspection program inspected 457 boats in August. 76 boats on Lower Prior Lake, 149 on Upper Prior Lake, 228 on Spring Lake, and 4 on Fish Lake. The I-LIDS unit reviewed 160 boat launches at Spring Lake.

Spring Lake Association will be treating Eurasian watermilfoil on Spring Lake. This plant does not affect water quality. It may cause navigation difficulties.

Biobase 2021 vegetation monitoring indicated that Spring Lake has a 26% increase in aquatic plants from 2020. The goal is 40% lake bottom plant growth for good water quality.

Monitoring in Spring Lake began in 2013. Upper Prior Lake is showing a 115% increase in aquatic plants from 2020. Part of this improvement resulted from the carp removal, alum treatment, citizen lakefront improvements/practices, and other improvements in the upper watershed.

**4.3 2021-2022 Integrated Pest Management Plan**

Jeff Anderson reported that this plan began in 2017. It has been an unusual year with the drought and low water levels. Some smaller lakes experienced winter kill. Electrofishing, barriers, seining, box traps, and other methods are reducing carp population levels.

Manager Loney moved to approve the 2021-2022 Integrated Pest Management Plan. Second by Manager Pany. All Ayes. Passed 5-0.

**4.4 Wise Addition Development Agreement**

Manager Boyles moved to approve this agreement. Second by Manager Loney. All Ayes. Passed 5-0.

**4.5 Mesenbrink Parcel Development Agreement**

Manager Pany moved to approve this agreement. Second by Manager Loney. All Ayes. Passed 5-0. Residents are asked to not mow or place yard waste in PLSLWD conservation easements.

**4.6 Managers Presentations & Liaison Updates**

Manager Loney reported that Steve McComas of Blue Water Science will be making a presentation at the CAC meeting on September 30, 6:30 p.m at City Hall.

**5.0 CONSENT AGENDA**

Manager Boyles moved to approve the Consent Agenda. Second by Manager Loney. All Ayes. Passed 5-0.

- 5.1 Meeting Minutes— August 10, Board Workshop
- 5.2 Meeting Minutes—August 10, Board Meeting
- 5.3 Meeting Minutes— August 26, CAC Meeting
- 5.4 Claims List & Visa Expenditures Summary
- 5.5 Sutton Lake Outlet Access Improvement: EOR Work Order
- 5.6 City of Prior Lake Office Lease Agreement

**6.0 TREASURER'S REPORT**

Manager Loney reported that finances are in good order. New reports are providing good information.

**6.1 Financial Reports Update**

- Fund Performance Analysis
- Cash and Investments Summary
- Cash Flow Projections

**7.0 UPCOMING MEETING/EVENT SCHEDULE**

- Clean Water Cleanup Event on Saturday, September 25, 2021, 9:45 am -12:00 pm, joint sponsorship by PLSLWD and City of Prior Lake
- CAC meeting Thursday, September 30, 6:30 pm, in Parkview Room in Prior Lake City Hall

**ADJOURNMENT**

Manager Pany moved to adjourn meeting. Second by Manager Loney. All Ayes. Motion Passed 5-0.

Meeting adjourned at 7:17 P.M.

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Steve Pany, District Secretary

September 14, 2021



**CAC Meeting Minutes**

Date: 9/30/21 6:30-8:00 PM

## Attendees:

## CAC Members:

- ☒ Christian Morkeberg (Chair)
- ☒ Christopher Crowhurst
- ☒ Jim Weninger
- ☒ Matt Tofanelli
- ☐ ~~Maureen Reeder~~

7 of 10 members present = 70%

- ☒ Woody Spitzmueller
- ☐ ~~Matt Newman~~
- ☒ Ben Burnett
- ☐ ~~Loren Hanson~~
- ☒ David Hagen

Staff: ☒ Joni Giese (District Administrator)

## Board members:

- ☒ Bruce Loney (CAC rep)      ☒ Curt Hennes

## Guests:

- Adam Proehl (PLA)
- Wes Steffan (SLA)
- Steve McComas (BWS)

I. Meeting convened at 6:32 pm by Chair Christian Morkeberg

II. Minutes &amp; Agenda

- a. October Minutes approved      Motioned: Woody; Seconded: Jim; passed
- b. September Agenda      Motioned: Chis; Seconded: Dave; passed
  - 1. Change: Loren out, will present next month
  - 2. Corrected Steve McComas's name in

III. Water Quality Presentation - Blue Water Science – Steve McComas

a. **See Attachment #1 below for slide content, additional information, and discussion**

b. Key take-aways:

- 1. Primary solutions and goals: Reduce phosphorous and carp
- 2. Solutions have 3 legs:
  - Economic/cost
  - Technology – is it possible, can it be done?
  - Social/political – will people/politicians do it?

IV. CAC Business

- o Christian brought up the suggestion of creating a new position of “Subcommittee Facilitator” and suggested Christopher for the position, discussion followed, then formally motioned by Jim, seconded by Chris, passed. Chris will begin immediately.
- o Christian suggested Subcommittees meet 15 minutes before CAC monthly meeting (6:15-6:30), discussion followed, then formally motioned by Ben, seconded by Woody, passed. This will start next month (October 2021).
- o Delayed: New Member Orientation Packet Update (Loren)

V. Staff Project Updates

- o Lake Vegetation Improvement
  - Goal is 40% for self-sustaining lake health
  - Spring (2021): 29.1% (26% improvement from 2020)
  - Upper Prior (2021): 51.6% (115% increase from 23.9% in 2020)
  - Lower Prior (2021): 45.6% (stable)
  - NOTE: Lake levels are VERY low, and this may be affecting (increasing) Vegetation level numbers
  - Future Ideas:

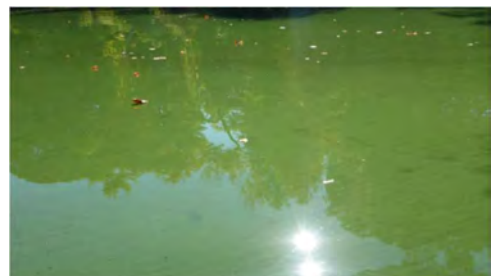
- Rent a rake/harvester for a yearly “mowing” and removal of weeds in specific areas – this could be counterproductive for 40% coverage, Use in limited areas
  - PR idea: encourage residents to limit the amount of weeds they clear for personal recreation areas, only clear beaches and paths in/out
- Budget Process Update – moving forward
  - Submitted a 3% increase for the Levy for 2022
- Hike the Outlet Channel Tour: October 4, 1 – 4:30 PM
- VI. September Board Meeting – attendee: Ben
  - a. CAC Member Report, See **Attachment #2 PLSLWD 9/14/21 Workshop and Board Meeting notes**
  - b. October Board Meeting – attendee: Jim
    - 1. See Attachment #3 for other future meetings and CAC Attendees
- VII. Board Liaison Updates & Requests to CAC – Bruce
  - Discussed feasibility reports, easements, staffing, etc.
- VIII. CAC Subcommittee Reports
  - a. Fish stocking update:
    - 1. Walleye stocking this fall
    - 2. Any fish that eat zebra mussels? – yes, explore this.... also other wildlife
  - b. No other reports, next month need to discuss subcommittee structures and re-alignment, and work on goals for 2021
  - c. Potential re-alignment: (need to sort out duplicates and overlap)
    - Shoreline Restoration (Loren, David, Jim)
      - PR, pamphlets, community education
    - Lake-Life and Water Quality (Christopher, Matt N, Maureen, Matt T)
      - Muck digesters (Christopher, Matt N)
      - AIS/Signage (Christian, Ben)
      - Fish Stocking (Christian, Loren, Matt T)
    - Storage Assessment, Plans and Wetland Banking (Woody, Jim, Maureen)
      - flooding [and drought]
- IX. Goals & Topics for Next Meeting
  - a. Subcommittee re-alignment
  - b. Projects and Prioritizing
  - c. Stocking follow-up – start to explore now, to get DNR commitments for next year.
  - d. Fish Survey, what’s next?
- X. Staff & Other Announcements
  - a. none
- XI. Adjourn
  - a. Motioned: Woody; Seconded: Chris; passed
  - b. Adjourned at 8:05 pm
- XII. Upcoming Meetings:
  - a. Board Meeting: Tues, October 12<sup>th</sup> 6:00 pm
  - b. CAC Meeting: Thurs, October 28<sup>th</sup>
    - 1. Subcommittee Meetings: 6:15 pm
    - 2. Meeting: 6:30 pm

Minutes submitted by: Ben Burnett

## **Attachment #1 - Water Quality Presentation**

***slide content with additional info, questions, and discussion***

- Steve McComas - Blue Water Science
  - Authored 2 books
    - Lake and Pond Management Guidebook - <https://smile.amazon.com/Lake-Management-Guidebook-Steve-McComas/dp/1566706300/>
    - Lake Smarts: The First Lake Maintenance Handbook - <https://smile.amazon.com/Lake-Smarts-First-Maintenance-Handbook/dp/9994363271/>
- Lake Management Ideas for Prior Lake/Spring Lake Watershed District Lakes
  - Steve McComas Blue Water Science
  - September 2021
- In-Lake Management Topics
  - Algae
  - Weeds
  - Fish
  - Muck
  - Recreation
- Algae Challenges
  - Floating Filamentous (stringy algae)
  - Planktonic (open water algae)
- Filamentous Algae
  - 60-80 day life cycle
  - Starts growing on lake bottom
  - 1 or 2 crops a year
  - Almost always green algal family and is non-toxic (mostly)
  - Copper compounds knock it down
  - Forms resting cells when it dies back (***so harvesting & removal works best to control***)
- Open Water Algae
  - Blue-green algae are really cyanobacteria
  - Non-cyanobacteria are desired
  - Cyanobacteria form resting cells and sit on the lake sediments
  - Resting cells can last for years
  - Not all cyanobacteria are toxic
- Cyanobacteria Management
  - If you control blue-greens, you reduce water column phosphorus and chlorophyll
    1. Reduce watershed phosphorus loading
    2. Reduce in-lake phosphorus
    3. Inhibit cyanobacteria growth (***also: harvesting & removal***)
- Watershed Projects
  - Ag BMPs



- Buffer strips
- Stormwater ponds
- Other BMPs
- In-Lake Phosphorus Reduction
  - Fish Management for Phosphorus Reduction
  - Carp removal
    - Carp are bentivore, bottom feeders - stir up the locked phosphorous in bottom muck
    - Carp: \$0.07/lb in 1917
    - Carp: \$0.11/lb in 2020
    - Bottleneck is lack of a good market
    - **Target is to reduce Carp to 100 lbs/acre of lake**
  - Goldfish – not a big factor, omnivores, they don't stir up the bottom (locked phosphorous) unless no other food source available
  - Sediment Treatments
    - Aluminum (alum) – most efficient, most stable, but affects only 1 phosphorous component (several others exist)
    - Calcium – carbonate or oxiate – need a lot
    - Iron – not as good in deep water (greater than 15 ft)
    - Above 3 are positive charged ions(?), so attract negative phosphorous and lock it away
    - Some other additives exist, but less effective
  - Cyanobacterial Control
    - Prokaryotes vs eukaryotes
    - Selective control of just cyanobacteria
    - Control cyanos - good things happen (look at Lower Prior Lake)
- Muck Reduction Challenges
  - Muck = soil (sand, clay, etc.) + organic compounds
  - Silt, clay, sand are not going to be reduced
  - Organic compounds are highly variable in decomposition potential
  - 3 classes of organic decomposition
    - Hours
    - Days - leaves
    - Years – most of lake muck now
- Aeration + Additives for Muck Reduction
  - Aeration is good, but select applications carefully
    - Aeration doesn't help in most cases
  - Do additives reduce muck? (additives don't hurt the lake)
    - Hit or miss
    - Don't hurt the lake – often don't help either
    - Many options exist he had several products, but the documentation, research and evidence is dubious....
- Aquatic Plants
  - Natives and non-natives
    - Some non-natives may be ok, not all are AIS
  - Manage invasive species (but not all)
- Typical Lake Products that Don't Work
  - Some Muck digesters and reducers
    - Bacteria
    - Oxidizers

- Aeration
  - Algae control
    - Enzymes
    - Special formulation
  - Lake improvement
    - Aeration packages
- Recreation
  - Work to maintain and/or improve the lake experience
- Solutions
  - Reduce phosphorous and carp
  - Watershed projects – the key to improving lakes
    - Fix/clean water before it gets to lakes
    - These are slow projects, but are often the best
  - In-lake projects – often necessary
    - Faster ways to get affects, but not fixing the source of problems
  - For Invasives: Act don't overreact
  - Get to 40% plant coverage – helps in many ways to naturally clean-up phosphorous, and become self-sustaining
    - Causes some negative lake usage affects
- Discussion:
  - Could we pay farmers to use ½ as much Phosphorous and then compensate them for lower crop yields?
  - Steve's response:
    - Solutions have 3 legs (parts?):
      - Economic/cost
      - Technology – is it possible, can it be done?
      - Social/political – will people/politicians do it?

## **Attachment #2 - PLSLWD 9/14/21 Workshop and Board Meeting notes**

Notes from PLSLWD Board Workshop and Meeting 9/14/2021 – Ben Burnett

### Workshop:

- Arrived late
- PLSLWD Committees Appreciation (Mike Myser)
  - Discussed \$50 gift card for FLC
- Staffing Update and Staff Organization Chart (Joni Giese)
  - Updated titles for 2 existing positions to match tasks and make more similar to other Watershed districts in the Metro area.
  - Updated Org chart
  - 2 positions open, received 26 applications so far
- Carp Program: Consultants vs. Staff Efforts (Curt Hennes)
  - Using WSB to “augment” staff capabilities
  - Trying to “ween” off of using WSB, it was requested to try to reduce our dependence
- District Records: Inventory and Management (Steve Pany)
  - Covid helped to push more digital records,
  - Lots of 30 yr old paper records, need to organize and digitize
  - Suggested outsourcing... This task is “on the list” but lower priority
- Fish Lake Impaired Water Delisting (Curt Hennes)
  - Discussed a TMDL (Total maximum daily load) study/analysis for Fish Lake
  - Curt thought a “cheaper” option existed, discussed options, will report back next Month
- Lake Vegetation Policy and AIS Rapid Response Plan Status (Joni Giese)
  - Goal is to present draft AIS rapid response plan & lake vegetation policy to Managers in December 2021
- Discussed PLOC tour for Oct. 4<sup>th</sup>
- Discussed lease of Prior Lake City Hall space

### Board Meeting:

- Announced Levy request
  - 3% increase, total \$1.8 million
  - No increase for 3 years, this is first in 4 years
  - Includes banking money for future projects including alum treatments, upper watershed water quality projects, etc.
- Intern Presentation/report
- Programs & Projects Updates
  - 9/25/21 – stenciling on storm drains
  - Carp removal updates
  - Stocking – verified with DNR, 7500 total in 3 lakes; permits pending; delivery late Oct./ early Nov.
  - Hike the Watershed Tours – done for year, went well
  - 457 boat inspections in Aug. at public accesses
  - I-LIDS – 160 launches videoed, Video shows people looking for AIS and reading signage
  - AIS – Eurasian watermilfoil discussed
  - Vegetation updates: goal is 40% for self-sustaining lake health
    - Spring (2021): 29.1% (26% improvement from 2020)



- Upper Prior (2021): 51.6% (115% increase from 23.9% in 2020)
- Lower Prior (2021): 45.6% (stable)
- NOTE: Lake levels are VERY low, and this may be affecting (increasing) Vegetation level numbers
- Discussed use of “Poison Corn Bait” – Jeff said this was not approved for use
  - Also asked about Carp viruses that could be used to control Carp
- 2021 - 2022 Integrated Pest Management Plan - passed
- Wise Addition Development Agreement - passed
- Mesenbrink Parcel Development Agreement - passed
- Announced that Steve McComas of Blue Water Science will be at next CAC meeting 9/30
- Passed Consent Agenda

**Attachment #3 - 2021 Board Meeting Assignments****2021 Board Meeting Assignments**

*Held the second Tuesday of the month*

**Board meetings:** 6 pm in Prior Lake Council Chambers

**Board workshops** (optional): 4:00 pm\* in Wagonbridge

(\*Start time can vary, check meeting agenda beforehand)

- **January 12:** Woody
- **February 9:** Ben
- **March 9:** Christopher
- **April 13:** Jim
- **May 11:** Maureen
- **June 8:** Maureen
- **July 13:** Loren
- **August 10:** Christopher
- **September 14:** Ben
- **October 12:** Jim
- **November 9:** Woody
- **December 14:**

Patty Dronen - Administrative Assistant	CLA - accountant	Bruce Loney, Treasurer
<b>10/12/2021</b>		
<b>Prior Lake Spring Lake Watershed District</b>		
<b>Claims list for Invoice Payments due for the prior month</b>		
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 Sterling State Bank) to the claims list parties. Staff will request that all vendors provide information on their invoices to fit into the categories below		
<b>Vendor</b>	<b>Invoice</b>	<b>Description</b>
<b>1. Watershed District Projects (excluding staff payroll)</b>		
EOR	00758-0114	Sutton Lake Outlet Modification Plan
	00748-0139	General Engineering
	00758-0123	Lower Prior Subshed 6 & 36 Retrofit Feasibility
	00758-0145	Sutton Lake IESF Feasibility
	00758-0146	Buck Lake East Wetland Enhancement Feasibility
	00758-0139	District Monitoring Program
	00758-0139	Permitting
		BMP Easements
WSB	R-017421-000-15	Carp Management
	R-017421-000-14	Carp Management
Veit Contracting		Sutton Lake Outlet Pay Ap #2
Waterfront Restoration		Boat Inspections
RES - Resource Environmental Solutions	17048	Herbaceous Treatments
Twin City Fab Inc.	30516	Spring Lake Fish Barrier Fabrication - Balance Due
Scott County Abstract & Title Company	69514	Timber Crest Park O&E report
Your Boat Club		2022 Membership
Gopher State One Call		Two calls
Environmental Sentry Protection	1340	6 Months Seasonal Operation
Metropolitan Council	1130457	Lab Analysis
RMB	M2199174	Monitoring
For The One Transportation		Outlet Channel tour
Xcel Energy		18051 Langford Blvd - September
		<b>Subtotal</b>
		<b>55,543.11</b>
<b>2. Outlet Channel - JPA/MOA (excluding staff payroll)</b>		
City of Shakopee		Ridge Creek Reimbursement
EOR	00758-0140	Segment 4
		Segment 5
		Segment 7
		Non-specific
	00758-0145	PLOC Seg 1, 4 & 5A Bank Repair
	00758-0148	PLOC Pike Lake Road Sediment Removal
Smith Partners	42707	PLOC Meetings
CLA	3016220	PLOC
		<b>Subtotal</b>
		<b>155,089.57</b>
<b>3. Payroll, Office and Overhead</b>		
ADP Manager Per Diems		Per Diems
ADP Staff Payroll		Payroll Services
ADP Taxes & Benefits		Taxes and Benefits
HSA Bank		HSA Bank
Fidelity		HSA account
Jaime Rockney		Tax over collection
NCPERS		Life Insurance - September
Reliance Standard		October Premium (LTD, STD)
HealthPartners		October Premium
League of Minnesota Cities		Workers Compensation Audit Adjustment
League of Minnesota Cities	348501	Membership Dues
City of Prior Lake		Rent (October, November)
CLA	3016220	Monthly Bookkeeping
		Payroll Services
		Working with ADP on amended W-2s
		Budget Meeting
		Technology and Client Support Fee
Smith Partners	42705	9/7 Web conference - IT Services
	42706	Easement Permitting
Metro Sales		September - October Usage
Rymark IT Navigation	27956	IT Security and Management Installation onboarding
	27954	Monthly Billing
VISA		September Billing
		<b>Subtotal</b>
		<b>50,920.27</b>
<b>TOTAL</b>		<b>261,552.95</b>
X	X	

**Prior Lake - Spring Lake Watershed District**  
**VISA Transactions: August 26-September 23, 2021**

[illegible]

**PLSLWD Board Staff Report**  
October 5, 2021



**Subject |** Sutton Lake Management Plan: EOR Scope of Services

**Board Meeting Date |** October 12, 2021

**Item: 5.5**

**Prepared By |** Joni Giese, District Administrator

**Attachment |** Sutton Lake Management Plan: EOR Scope of Services

**Action |** Vote to approve EOR Scope of Services

### **Background**

The Sutton Lake Outlet was designed to facilitate temporary drawdowns of Sutton Lake, if desired. So far there has not been a need, or MnDNR authorization, to drawdown the lake. Should the interest/need arise in the future, a Lake Management Plan must be prepared and approved by the MnDNR. The EOR Scope of Services include the preparation of the Lake Management Plan, stakeholder outreach, and facilitation of the regulatory approvals needed to afford temporary drawdown of the lake. Preparation of the plan was included in the District's 2021 budget for \$20,000. Subsequent to the development of the original budget, it has been determined that a heightened level of agency and stakeholder engagement will be required to ensure the project complies with State rules and statutes, while also satisfying agency and stakeholder needs and desires, resulting in a fee proposal of \$25,500. The District has sufficient funds to accommodate the estimated cost of the proposed scope of services.

### **Requested Board Action**

Staff recommends that the Board vote to approve the EOR Scope of Services as attached.



## SCOPE OF SERVICES

### SUTTON LAKE MANAGEMENT PLAN

PLSLWD
CLASS:
PROJECT: Sutton Lake Management Plan

EOR
JOB: 00758-0148
PHASE: N/A TASK: N/A

START DATE: 10/15/2021

END DATE: 2/31/2022

TOTAL PROJECT BUDGET: \$25,500

**OVERVIEW OF PROJECT SCOPE:** Proposed scope of work includes ecological services and regulatory coordination for preparation of a Lake Management Plan (LMP) for Sutton Lake. Previous work conducted on Sutton Lake by the District included completing a Natural Resources Inventory, developing a lake outlet Operating Plan, and constructing the outlet structure. The structure was designed to facilitate a lake drawdown if desired. To this point there has not been a need to or MNDNR authorization for drawdown the lake, however, should the interest/need arise in the future a LMP must be prepared and approved by MNDNR. The tasks included in this Scope of Services will prepare the LMP and facilitate the regulatory approvals needed to afford temporary drawdown of the lake.

#### PROJECT TEAM

PLSLWD
<b>PROJECT LEAD:</b> Joni Giese, District Administrator
<b>OTHER STAFF:</b> Jaime Rockney, District Water Resources Project Manager
EOR
<b>PROJECT LEAD:</b> Jason Naber (P4)
<b>OTHER STAFF:</b> Carl Almer (P4), Joe Pallardy (P3), Jimmy Marty (P2)

#### SUMMARY OF TASKS

TASK 1: General Lake Information & Background
<p><b>SUMMARY:</b> Compilation of existing information and background data to be included in the first section of the LMP. This section includes water level data, water quality data, a discussion on wildlife habitat and wildlife use, and vegetation communities present. Coordination with District staff.</p> <p><b>DELIVERABLES:</b> 1) Existing Data and Report Compilation 2) Coordination Meeting with Staff 3) Updated and Finalized Plan content (pdf)</p> <p><b>TIMELINE:</b> October 2021 – November 2021</p> <p><b>EOR STAFF (HRS):</b> Almer (3), Naber (7), Pallardy (1), Marty (19)</p> <p><b>ESTIMATED COSTS:</b> \$4,344</p>



<b>TASK 2: Management Goals &amp; Objectives</b>	
<b>SUMMARY:</b>	Develop and prepare management goals, objectives and management actions proposed to meet objectives. These will first be developed as drafts, shared with District staff, and then shared with agency staff. Input received from this review will be used to prepare LMP content.
<b>DELIVERABLES:</b>	1) Draft Goals, Objectives & Management Actions (pdf) 2) Coordination Meeting with Staff 3) Coordination Meeting with Agencies 4) Updated and Finalized Plan content (pdf)
<b>TIMELINE:</b>	November 2021 – December 2021
<b>EOR STAFF (HRS):</b>	Almer (6), Naber (14), Pallardy (2), Marty (30)
<b>ESTIMATED COSTS:</b>	\$7,690
<b>TASK 3: Lake Management Plan Draft for Review</b>	
<b>SUMMARY:</b>	This task will compile all documentation and input received to date and include a proposed monitoring protocol and prescribed management plan revision process. This will be a complete compiled document including plan sections and figures suitable for review by District staff, District board and agencies.
<b>DELIVERABLES:</b>	1) Prepare Review Draft of Lake Management Plan (pdf) 2) Coordinate review and acceptance by District staff and Board 3) Revise & Update LMP as needed 3) Submit Draft LMP document to agencies for review and approval (pdf)
<b>TIMELINE:</b>	January 2022
<b>EOR STAFF (HRS):</b>	Almer (6), Naber (10), Pallardy (2), Marty (22)
<b>ESTIMATED COSTS:</b>	\$5,928
<b>TASK 4: Lake Management Plan Final</b>	
<b>SUMMARY:</b>	Incorporation of any requested edits into final Lake Management Plan. Request formal approvals by District Board.
<b>DELIVERABLES:</b>	1) Final Lake Management Plan with signature approvals (pdf)
<b>TIMELINE:</b>	February 2022
<b>EOR STAFF (HRS):</b>	Almer (2), Naber (2), Pallardy (1), Marty (5)
<b>ESTIMATED COSTS:</b>	\$1,494
<b>TASK 5: Outreach and Approvals</b>	
<b>SUMMARY:</b>	Complete required outreach and agency approvals to meet Section 404/401 of the Clean Water Act as well as State Rules and Statutes, including required public hearing.
<b>DELIVERABLES:</b>	1) Landowner outreach, meetings (2), and approvals 2) Clean Water Act Section 404/401 approvals 3) Compliance with State Rule and Statutes (MN DNR Waters – Rule <a href="#">6115.0271</a> , Statute <a href="#">103G.408</a> & the Wetland Conservation Act)
<b>TIMELINE:</b>	December 2021 - February 2022
<b>EOR STAFF (HRS):</b>	Almer (6), Naber (10), Pallardy (4), Marty (20)
<b>ESTIMATED COSTS:</b>	\$6,044

**ESTIMATED COST SUMMARY**

DESCRIPTION	HOURS/ QUANTITY	ESTIMATED COST
<b>TASK 1:</b> General Lake Information & Background	30	\$ 4,344
<b>TASK 2:</b> Management Goals & Objectives	52	\$ 7,690
<b>TASK 3:</b> LMP Draft for Review	40	\$ 5,928
<b>TASK 4:</b> LMP Final	10	\$ 1,494
<b>TASK 5:</b> Outreach and Approvals	40	\$ 6,044
<b>EXPENSES:</b> Mileage Equipment rental Other	***Included in the above estimated costs***	
<b>TOTAL</b>		<b>\$25,500</b>

*NOTE: Actual costs per task may differ from the estimated costs listed above, but the TOTAL amount must not exceed \$25,500.*

**ASSUMPTIONS:** The estimated cost summary for the execution of the tasks in this Scope of Services is based upon the following assumptions:

- 1) District will pay all necessary permitting and application fees required for this project.
- 2) District will coordinate landowner meetings and public hearing.

**SIGNATURES:** The services described in this Scope of Services are being provided in accordance with the Master Services Consulting Agreement between PLSLWD and EOR dated December 13, 2019. Any changes to the project team, tasks, deliverables, timeline, or total cost will require a signed amendment/update to this Scope of Services.

Prior Lake-Spring Lake Watershed District

Emmons & Olivier Resources, Inc.

Signature: \_\_\_\_\_

Name: Joni Giese

Title: District Administrator

Date: \_\_\_\_\_

Signature:  \_\_\_\_\_

Name: Carl K. Almer

Title: Water Resources Lead

Date: September 22, 2021

\*\*Reflects bills paid through September 2021\*\*

Program Element		2021 Source of Funds			2021 Budget	Actual Results		
		2021 Levy	Budget Reserve	Grant Funds/Fees		Monthly Activity	YTD Actual Results	YTD percents
<b>General Fund (Administration)</b>								
<b>Revenues</b>								
	Property Taxes	166,126			166,126	-	87,904	53%
	Grants	-			-	-	-	0%
	Interest	-			-	(55)	28	-100%
	Other	-			-	-	831	-100%
	<b>Total Revenues</b>	<b>166,126</b>	<b>-</b>	<b>-</b>	<b>166,126</b>	<b>(55)</b>	<b>88,764</b>	<b>53%</b>
<b>Expenditures</b>								
	Administrative Salaries and Benefits	90,186			90,186	7,365	96,079	106.53%
	703 - Telephone & Internet	10,000			10,000	160	2,340	23.40%
	706 - Office Supplies	8,690			8,690	473	9,902	113.95%
	709 - Insurance and Bonds	10,000			10,000	-	12,488	124.88%
	670 - Accounting	30,000			30,000	2,571	28,997	96.66%
	671 - Audit	10,250			10,250	-	7,500	73.17%
	903 - Fees	2,000			2,000	1,034	10,726	536.31%
	660 - Legal (not for projects)	5,000			5,000	3,497	8,917	178.34%
	702 - Rent	-			-	-	6,750	#DIV/0!
	<b>General Fund (Administratio) Expenditures</b>	<b>166,126</b>			<b>166,126</b>	<b>15,101</b>	<b>183,699</b>	<b>110.58%</b>
	<b>Net Change in General Fund</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>(15,156)</b>	<b>(94,935)</b>	

\*\*Reflects bills paid through September 2021\*\*

Program Element		2021 Source of Funds			2021 Budget	Actual Results		
		2021 Levy	Budget Reserve	Grant Funds/Fees		Monthly Activity	YTD Actual Results	YTD percents
	<b>Implementation Fund</b>							
	<b>Revenues</b>							
	Property Taxes	1,628,506			1,628,506	-	861,385	53%
	Grants	-		297,000	297,000	-	103,769	35%
	Interest	-			-	63	113	#DIV/0!
	Sales/Others	-			-	-	1,000	#DIV/0!
	<b>Total Revenues</b>	<b>1,628,506</b>	<b>-</b>	<b>297,000</b>	<b>1,925,506</b>	<b>63</b>	<b>966,268</b>	<b>50%</b>
	<b>Expenditures</b>							
	<b>Program Salaries and Benefits (not JPA/MOA)</b>	<b>440,323</b>			<b>440,323</b>	<b>24,630</b>	<b>304,941</b>	<b>69.25%</b>
Water Qual	550 Public Infrastructure Partnership Projects	20,000			20,000	-	-	0.00%
Water Qual	611 Farmer-led Council	51,000			51,000	5,005	15,855	31.09%
Water Qual	611 Cost-Share Incentives	58,000			58,000	8,243	11,657	20.10%
Water Qual	611 Highway 13 Wetland, FeCl system & Desilt, O&M	35,000			35,000	655	14,494	41.41%
Water Qual	611 Fish Management, Rough Fish Removal	60,000			60,000	4,415	30,837	51.39%
Water Qual	611 Spring Lake Demonstration Project Maintenance	1,500			1,500	(600)	496	33.07%
Water Qual	611 Alum Internal Loading Reserve	230,000			230,000	-	-	0.00%
Water Qual	611 County Rd 12/17 Maintenance	1,000			1,000	-	-	0.00%
Water Qual	611 Fish Lake TMDL Implementation		3,000		3,000	-	-	0.00%
Water Qual	611 Pike Lake TMDL Implementation		3,000		3,000	-	-	0.00%
Water Qual	611 Feasibility Reports	-			-	-	-	#DIV/0!
Water Qual	637 District Monitoring Program	128,000			128,000	2,063	27,047	21.13%
Water Qual	GRANT Carp Management/Removal	30,000		90,000	120,000	4,357	76,811	64.01%
Water Qual	626 Planning and Program Development	32,000			32,000	2,405	6,559	20.50%
Water Qual	626 LGU Plan Review		3,000		3,000	-	44	1.45%
Water Qual	626 Engineering not for programs	30,000			30,000	1,175	7,539	25.13%
Water Qual	648 Permitting and Compliance	17,000			17,000	2,771	19,014	111.85%
Water Qual	648 Update MOAs with cities & county	5,000	5,000		10,000	-	-	0.00%
Water Qual	648 BMP and easement inventory & inspections	14,000			14,000	1,697	9,335	66.68%
Water Qual	626 Upper Watershed Blueprint	235,543			235,543	3,547	30,595	12.99%
Water Qual	626 District Plan Update	2,500			2,500	-	-	0.00%
Water Qual	752 Fish Lake Shoreline Restoration Project Maintenance	1,000			1,000	900	900	90.00%
Water Qual	626 Spring Lake West Subwatershed Project	30,000			30,000	-	1,269	4.23%
Water Qual	648 Non-project Reg. Reporting, Rules & Stand. Rev.	5,000			5,000	-	740	14.79%
Water Qual	611 Fish Stocking	6,000			6,000	-	-	0.00%
	<b>WQ TOTAL</b>	<b>992,543</b>	<b>14,000</b>	<b>90,000</b>	<b>1,096,543</b>	<b>36,632</b>	<b>253,190</b>	<b>23.09%</b>
Water Storage	550 District-wide Hydraulic & Hydrologic model	7,500			7,500	-	-	0.00%
	550 S&I Sutton Lake Outlet Structure Project	25,000	182,000	207,000	414,000	-	241,125	58.24%
	<b>WS TOTAL</b>	<b>32,500</b>	<b>182,000</b>	<b>207,000</b>	<b>421,500</b>	<b>-</b>	<b>241,125</b>	<b>57.21%</b>
AIS	611 Aquatic Vegetation Mgmt	-			-	-	6,506	#DIV/0!
AIS	637 Automated Vegetation Monitoring	4,700			4,700	200	2,999	63.81%
AIS	637 Aquatic Vegetation Surveys	18,000			18,000	-	9,372	52.07%
AIS	637 Boat Inspections on Spring, Upper & Lower Prior	38,000			38,000	6,394	17,296	45.52%
AIS	637 AIS Management Plans	20,000			20,000	-	-	0.00%
	<b>AIS TOTAL</b>	<b>80,700</b>	<b>-</b>	<b>-</b>	<b>80,700</b>	<b>6,594</b>	<b>36,173</b>	<b>44.82%</b>
Ed & Out	652 Education and Outreach Program	7,440	11,910		19,350	2,710	4,987	25.77%
Ed & Out	652 Prior Lake-Savage Schools partnerships	-			-	-	35	#DIV/0!
	<b>E&amp;O TOTAL</b>	<b>7,440</b>	<b>11,910</b>	<b>-</b>	<b>19,350</b>	<b>2,710</b>	<b>5,022</b>	<b>25.95%</b>
	<b>PLOC expenses</b>	<b>75000</b>			<b>75,000</b>	<b>-</b>	<b>27,624</b>	<b>36.83%</b>
	<b>Total Implementation Fund</b>	<b>1,628,506</b>	<b>207,910</b>	<b>297,000</b>	<b>2,133,416</b>	<b>70,565</b>	<b>868,075</b>	<b>40.69%</b>
	<b>Net Change in Fund Balance Implementation Fund</b>				<b>(207,910)</b>	<b>(70,502)</b>	<b>98,193</b>	

	<b>Grant Funds/Fees Anticipated</b>				
Water Qual	<b>648 Permitting and Compliance</b>			1,000	1,000
Water Qual	<b>648 BMP and easement inventory &amp; inspections</b>			1,000	1,000
AIS	<b>611 Aquatic Vegetation Mgmt. (Scott County)</b>			6,000	6,000
	<b>Total Grant Funds/Fees Anticipated</b>			<b>8,000</b>	<b>8,000</b>

No assurance is provided on this statement.

This statement omits required disclosures.

This statement is prepared on the cash basis of accounting.



**PLSLWD monthly Treasurers Report**

Treasurer: Bruce Loney

*Account balances as of 9/30/2021*

Old National Bank (Checking Account) *	\$	620,189
Sterling Bank (Checking Account)	\$	806,672
Total Uncleared Transactions	\$	-
Northland Securities (Investments) (Cash)	\$	380,798
<b>SUBTOTAL</b>	<b>\$</b>	<b>1,807,660</b>

**RESTRICTED/ASSIGNED FUNDS**

Restricted - Permit Deposits, etc.	\$	94,436
Restricted - PLOC Contingency Reserve (850)*	\$	260,558
Restricted - PLOC O&M Funds (830)*	\$	351,116
Assigned - Alum Internal Loading Reserve	\$	230,000
<b>TOTAL DISTRICT/PLOC RESTRICTED/ASSIGNED OBLIGATIONS</b>	<b>\$</b>	<b>936,110</b>

<b>Available cash at end of September 2021</b>	<b>\$</b>	<b>871,550</b>
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37.9% of 2021 Budget

# PLSL Watershed District

Starting cash on hand

Cash Minimum Balance Alert	\$	150,000
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	YTD Through May	Jun 2021	Jul 2021	Aug 2021	Sep 2021	Oct 2021	Nov 2021	Dec 2021	Total
Cash on hand + Northland Securities(beginning of month)	\$ 1,742,187	\$ 1,242,318	\$ 2,091,827	\$ 2,014,872	\$ 1,905,960	\$ 1,807,660	\$ 1,472,141	\$ 1,252,736	

## Cash Receipts

Property Tax Levy	\$ -	\$ 949,290	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 830,000	\$ 1,779,290
BWSR Grant	-	-	-	-	-	-	-	-	-
Sutton Lake Grant	-	-	-	-	-	-	-	207,000	207,000
Watershed Based Funding	74,000	-	-	-	-	-	-	-	74,000
Metro WBIF - Lower	19,788	-	-	-	-	-	-	15,903	35,691
Internal Loading BMPs	-	-	-	-	-	-	-	11,877	11,877
Grants - Other	-	-	-	-	-	-	-	1,734	1,734
PLOC Contributions	77,358	-	42,209	-	-	-	-	-	119,567
Interest Income	(33)	14	79	34	29	10	10	10	153
Other Receipts	-	-	1,001	1,000	-	-	-	-	2,001
Total Cash Receipts	\$ 171,113	\$ 949,303	\$ 43,289	\$ 1,034	\$ 29	\$ 10	\$ 10	\$ 1,066,524	\$ 2,231,312
Total Cash Available		\$ 2,191,621	\$ 2,135,116	\$ 2,015,906	\$ 1,905,989	\$ 1,807,670	\$ 1,472,151	\$ 2,319,260	

### Cash Paid Out

Salaries and Per Diems	\$ 213,300	\$ 50,365	\$ 45,174	\$ 47,290	\$ 31,995	\$ 44,209	\$ 44,209	\$ 44,209	\$ 520,752
Office Expense, Audit, Accounting	38,950	18,509	16,782	9,229	4,581	6,328	6,328	6,328	107,036
PLSLWSD Program Costs	371,526	21,419	52,424	44,452	47,849	134,091	117,915	117,915	907,591
PLOC Contribution	27,624	-							27,624
PLOC Operations	19,582	9,501	5,864	8,974	13,904	150,900	50,964	50,964	310,652
Subtotal	\$ 670,981	\$ 99,794	\$ 120,244	\$ 109,946	\$ 98,329	\$ 335,529	\$ 219,416	\$ 219,416	

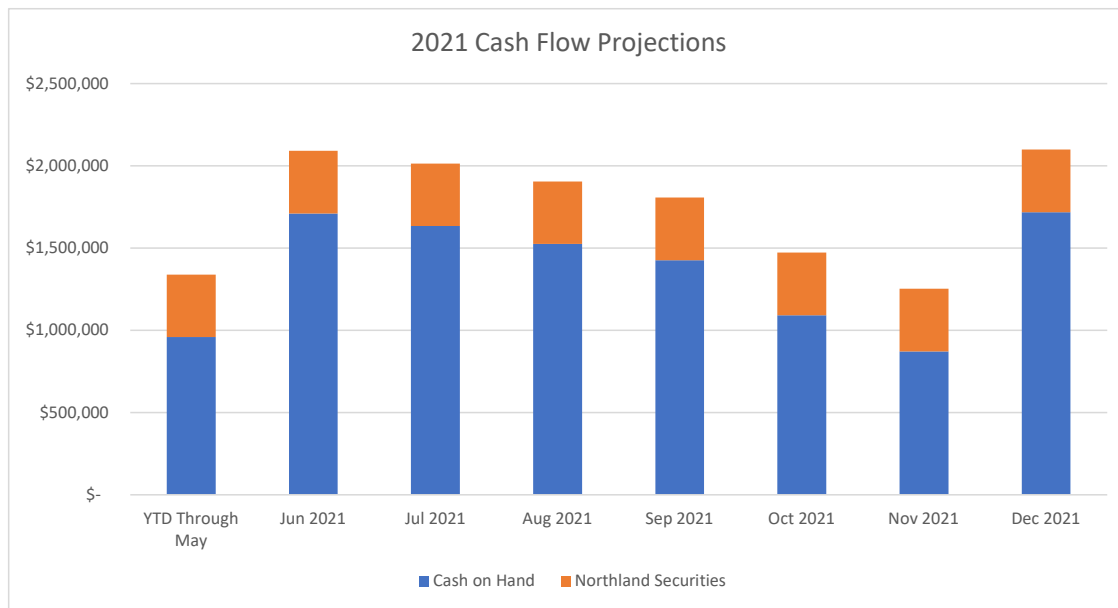
Cash on Hand + Northland Securities (end of month)		\$ 2,091,827	\$ 2,014,872	\$ 1,905,960	\$ 1,807,660	\$ 1,472,141	\$ 1,252,736	\$ 2,099,844	
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## Investments - Northland Securities

[illegible]

## Cash Flow Chart

Month (End of Month)	YTD Through May	Jun 2021	Jul 2021	Aug 2021	Sep 2021	Oct 2021	Nov 2021	Dec 2021
Cash on Hand	\$ 958,443	\$1,711,029	\$1,634,074	\$1,525,162	\$1,426,862	\$1,091,343	\$ 871,938	\$1,719,046
Northland Securities	\$ 380,798	\$ 380,798	\$ 380,798	\$ 380,798	\$ 380,798	\$ 380,798	\$ 380,798	\$ 380,798
<b>Total Cash on Hand &amp; Northland Securities</b>	<b>\$ 1,339,241</b>	<b>\$2,091,827</b>	<b>\$2,014,872</b>	<b>\$1,905,960</b>	<b>\$1,807,660</b>	<b>\$1,472,141</b>	<b>\$1,252,736</b>	<b>\$2,099,844</b>



## Prior Lake-Spring Lake Watershed District Balance Sheet

	9/30/2021 Balance
Cash/Investments	
Sterling Bank	\$ 620,189
Old National Bank	806,673
Northland Securities	380,798
	<u>\$ 1,807,660</u>
Receivables	
PLOC - Contributions	1,228
Other - State of MN	2,344
	<u>3,572</u>
Total Assets	<u><u>\$ 1,811,232</u></u>
Liabilities	
Permit Security	78,104
Permit Deposits	16,332
	<u>94,436</u>
Fund Balance	
Restricted	612,902
Assigned	230,000
Unassigned	873,894
	<u>1,716,796</u>
Total Liabilities and Fund Balance	<u><u>\$ 1,811,232</u></u>

PLSLWD  
Cost Analysis  
Year to Date 9-30-2021

	<u>Year to Date 9-30-2021</u>	
	Amount	% of total
<u>Program staff costs</u>	<u><b>304,941</b></u>	<b>29.8%</b>
<u>Consultants</u>		
EOR	78,301	
WSB & Associates	88,380	
Scott Soil and Water Cons.	76,140	
RMB Environmental Labs	12,489	
Wenck Associates Inc	8,214	
	<u><b>263,525</b></u>	<b>25.7%</b>
<u>Projects - (without staff cost or consultants)</u>		
Hard costs, exclusive of prog staff & consultant costs	<u>278,735</u>	
	<u><b>278,735</b></u>	<b>27.2%</b>
<u>Overhead and Administration</u>		
Staff costs	96,079	
Audit/Accounting/Legal	45,414	
Other admin overhead	35,456	
	<u><b>176,949</b></u>	<b>17.3%</b>
<u>Bonds payments</u>	<u>-</u>	<b>0.0%</b>
<b>Expenses excluding PLOC expenses per manager report</b>	<u><u><b>1,024,150</b></u></u>	<b>100.0%</b>

No assurance is provided on this statement.

This statement omits required disclosures.

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