



PRIOR LAKE SPRING LAKE WATERSHED DISTRICT

AGENDA

Tuesday, March 8, 2022

6:00 PM

Council Chambers
Prior Lake City Hall

BOARD OF MANAGERS:

**Mike Myser, President; Curt Hennes, Vice President; Bruce Loney, Treasurer;
Christian Morkeberg, Manager 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

- Introduction of Allison Weyer, PLSLWD Permit Coordinator
- Board Officer Appointment (Mike Myser)
- Fish Lake Water Quality Follow-up (Jaime Rockney)
- Rules Revision Update (Joni Giese)
- Sutton Lake Management Plan - Status Update (Jaime Rockney)
- FY 2022-2023 Watershed-Based Implementation Funding Program (Joni Giese)
- Spring Lake West Project – Status Update (Jaime Rockney)
- Suggestions for Board Retreat Agenda Items (Mike Myser)
- Liaison Updates

6:00 – 6:02 PM	1.0	BOARD MEETING CALL TO ORDER & PLEDGE OF ALLEGIANCE
6:02 – 6:07 PM	2.0	SWEARING IN OF MANAGER MORKEBERG
6:07 – 6:10 PM	3.0	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 - 6:12 PM	4.0	APPROVAL OF AGENDA (Additions/Corrections/Deletions)
6:12 - 7:30 PM	5.0	OTHER OLD/NEW BUSINESS
	5.1	Board Officer Appointment (Vote)
	5.2	Programs & Projects Update (Discussion Only)
	5.3	2021 Aquatic Vegetation Survey Results Presentation (Steve McComas)
	5.4	Permit 22.01 City of Prior Lake Downtown South Roadway Reconstruction (Vote)
	5.5	I-LIDS Pilot Project Renewal for 2022 (Vote)
	5.6	Sutton Lake Iron Enhanced Sand Filter Feasibility Study (Vote)
	5.7	Moen Drainage Swale Stabilization Project (Vote)

7:30 – 7:35 PM 6.0 **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.

- 6.1 Meeting Minutes—February 15, 2022, Board Workshop
- 6.2 Meeting Minutes— February 15, 2022, Board Meeting
- 6.3 Meeting Minutes – February 7, 2022, Special Board Meeting
- 6.4 Meeting Minutes – January 27, 2021, CAC Meeting
- 6.5 Claims List & Visa Expenditures Summary
- 6.6 4B Estates Conservation Easement
- 6.7 Waterfront Restoration Contract
- 6.8 Three Rivers Park District Water Quality Monitoring Contract

7:35 - 7:40 PM 7.0 **TREASURER’S REPORT**

7.1 Monthly Financial Reports (Discussion Only)

- Financial Report
- Treasurers Report
- Cash Flow Projections

7.2 Draft Year End 2021 Financial Report

7:40 - 7:45 PM 8.0 **UPCOMING MEETING/EVENT SCHEDULE:**

- CAC Meeting, Thursday, March 31, 2022, 6:30 – 8:00 pm (Prior Lake City Hall – Wagon Bridge Conference Room)
- Board of Managers Meeting, Tuesday, April 12, 2022, 6:00 pm (Prior Lake City Hall – Council Chambers)

PLSLWD Board Staff Report
March 3, 2022



Subject	Board Officer Appointment	
Board Meeting Date	March 8, 2022	Item No: 5.1
Prepared By	Joni Giese, District Administrator	
Attachments	None	
Proposed Action	Board of Managers shall elect a member to fill the open secretary position for the remainder of 2022.	

Background

At the January 11, 2022, Board of Managers meeting, Manager Steve Pany was re-elected as the Board secretary. Manager Pany's term expired on March 1, 2022. Per the PLSLWD Bylaws:

If any officer cannot complete his or her term of office, the Board immediately will elect from among its members an individual to complete the unexpired term.

The secretary will:

- i. be a signatory to resolutions and other documents certifying and memorializing the proceedings of the District;*
- ii. maintain the records of the District;*
- iii. ensure that minutes of all Board meetings are recorded and made available to the Board in a timely manner and maintain a file of all approved minutes.*

The following is a list of Board Members serving officer roles for 2022:

President:	Mike Myser
Vice President:	Curt Hennes
Treasurer:	Bruce Loney
Secretary:	open

Action Item

Board of Managers shall elect a member to fill the open secretary position for the remainder of 2022.



PRIOR LAKE SPRING LAKE WATERSHED DISTRICT

MARCH 2022 PROGRAMS AND PROJECTS UPDATE

PROGRAM OR PROJECT	LAST MONTH'S STAFF ACTIVITIES	NEXT STEPS
Sutton Lake Outlet and Lake Management Plan <i>Project Lead: Joni/Jaime</i>	<ul style="list-style-type: none"> Landowner Meeting 3/1/2022 at Spring Lake Townhall Updated draft lake management plan 	<ul style="list-style-type: none"> Make revisions to Management Plan Review plan and ideas with DNR Final vegetation establishment on outlet project in spring
Carp Management <i>Rough Fish Management (Class 611)</i> <i>Carp Management Project (Class 750 & 751)</i> <i>Project Lead: Jeff</i>	<ul style="list-style-type: none"> Tracking: Continued to track radio-tagged carp across Spring and Prior Lakes. <ul style="list-style-type: none"> Upper Prior Radio tags continue to group near Knotty Oar Marina (2) and in the eastern basin (4). Spring Lake tags are aggregating in the northeastern/central part of the lake (6). Removals: Under ice gill netting on 2/25 did not capture any carp or bycatch. District staff and WSB partnered efforts to net carp. Carp moved from netting area before net was deployed in Upper Prior Lake. Moved operations to Spring Lake and deployed net without success. Other: Under water speaker is getting deployed daily to move carp from undesirable seining locations. 	<ul style="list-style-type: none"> Continue to track the tagged carp Remove fish under ice as permit allows. Continue using speaker to move carp. Make 319 final report available.
Ferric Chloride System Operations <i>Project Lead: Jeff</i>	<ul style="list-style-type: none"> No updates 	<ul style="list-style-type: none"> Solicit proposals for Ferric Treatment system analysis Prepare system for spring operations
Farmer-Led Council <i>Project Lead: Jaime</i>	<ul style="list-style-type: none"> Planning for Healthy Soils Event on March 16 	<ul style="list-style-type: none"> Summer meeting with FLC members
Cost Share Incentives <i>Project Lead: Jaime</i>	<ul style="list-style-type: none"> Updates with Moen gully stabilization project 	<ul style="list-style-type: none"> SWCD will present summary of 2021 activity at April board meeting

MARCH 2022 PROGRAMS AND PROJECTS UPDATE

PROGRAM OR PROJECT	LAST MONTH'S STAFF ACTIVITIES	NEXT STEPS
<i>Fish Lake Shoreline & Prairie Restoration Project</i> <i>Project Lead: Shauna</i>	<ul style="list-style-type: none"> • Contacted Kathy (DNR) about grant funds • Contacted MNL about potential enhancement options and invoicing • Requested quote for additional forb seeding in Prairie and plant plugs for the shoreline • Finalized Shoreline and Prairie interpretative signs, worked on rain garden sign. 	<ul style="list-style-type: none"> • Finish interpretive panel design, order & install interpretative signs for project. • Implement final site enhancements to fully expend grant funds available. • Continue to review progress for potential project handoff to Spring Lake Township.
<i>Upper Watershed Projects</i> <i>Buck East Wetland, Sutton IESF, Swamp IESF, Buck Chemical Treatment, Ditch 13 Chemical Treatment, Spring Lake West IESF</i> <i>Project Lead: Jaime</i>	<ul style="list-style-type: none"> • Final draft of Sutton IESF Feasibility Report provided for board acceptance • Grant reconciliation started for 2019 BWSR Metro Fund grant (Spring West) • Meet w/BWSR to discuss grant opportunities and FY2022 -2023 WBIF convening process 	<ul style="list-style-type: none"> • Landowner meeting for Buck East wetland restoration project on April 5 • Initiate convening process for FY 2022 – 2023 WBIF allocation funds, • Fine-tune the grant opportunities summary
<i>Website and Media</i> <i>Project Lead: Elizabeth</i>	<ul style="list-style-type: none"> • Website articles posted: 2022 Summer Internships article • Social Media – posted on all social channels about: Goldfish in Cates Lake, BWSR Lawns to Legumes program, CAC recruitment, and 2022 summer intern openings 	<ul style="list-style-type: none"> • Continue writing posts and updates about projects. • Continue updating Facebook, and Instagram about projects & news. • SCENE article(goldfish) will be posted in next edition. Work on idea for next article for PLA or website
<i>Citizen Advisory Committee</i> <i>Project Lead: Joni</i>	<ul style="list-style-type: none"> • Staff prepared for and attended the February 24th CAC meeting. • Started Allison's orientation to the CAC. 	<ul style="list-style-type: none"> • Plan & coordinate March 31st CAC meeting.
<i>Education Program</i> <i>Project Lead: Jaime</i>	<ul style="list-style-type: none"> • Finalized 2022 Education Plan • Presentation developed and provided for Spring Lake Township annual meeting on March 8 • SCWEP 2021 Review and 2022 planning meeting 	<ul style="list-style-type: none"> • Present at Spring Lake Association annual meeting in April
<i>Monitoring Program</i> <i>Project Lead: Jeff</i>	<ul style="list-style-type: none"> • Data management • Updating Tier 2 lake report cards • Worked on lake level graphs and stream hydrographs • Updating website with current data • Began preparing for 2022 field season • Checked dissolved oxygen in District ponds • Started process of switching to digital data collection (GIS/Survey123) 	<ul style="list-style-type: none"> • Data analysis • Upload final calibrated data • Updating Tier 2 & 3 lake report cards • Continue updating website with 2021 monitoring results • Make final decisions on WISKI specifics

MARCH 2022 PROGRAMS AND PROJECTS UPDATE

PROGRAM OR PROJECT	LAST MONTH'S STAFF ACTIVITIES	NEXT STEPS
Aquatic Vegetation Management and Surveys <i>Project Lead: Jeff</i>	<ul style="list-style-type: none"> Worked with lake associations on new AIS control grant for aquatic invasive plants. SLA submitted grant application for Spring Lake. PLSLWD submitted grant for Prior Lakes Worked on Aquatic Plant Management Policy Submitted Lake Vegetation Management Plans for Spring and Upper Prior Lakes to DNR for review 	<ul style="list-style-type: none"> Contracts for 2022 services Update website with 2021 Aquatic Vegetation data
AIS <i>Project Lead: Shauna</i>	<ul style="list-style-type: none"> Finalize contract with Waterfront Restorations for 2022 boat inspections Gather financial details of continuing the I-LIDS pilot program in 2022 Edited third draft of AIS Rapid Response Plan alongside Aquatic Plant Management plan 	<ul style="list-style-type: none"> Edit and finalize AIS Rapid Response Plan Renew contract with I-LIDS
Rules Revisions <i>Project Lead: Joni</i>	<ul style="list-style-type: none"> Continue data/information sharing with Scott County to resolve final issues Perform research on final outstanding issue with City of Prior Lake and scheduled meeting to discuss 	<ul style="list-style-type: none"> Prepare comments to review comments received Consider any final edits to rule revisions Present final proposed revisions to board Board approval
BMPs & Easements <i>Project Lead: Joni/Shana</i>	<ul style="list-style-type: none"> No activity 	<ul style="list-style-type: none"> Continue to work with landowners to resolve existing violation issues on their properties. Order more easement signs and assemble them.
Permitting <i>Project Lead: Joni/ Shauna</i>	<ul style="list-style-type: none"> Worked with developers/landowners on new development agreements and conservation easements, including: 4B Estates, Eagleview 1st Addition, and Amazed Acres. Work on closing out Permit #20.02. Follow up with Permit #19.01 easement. Follow up with Permit #18.06 final steps. Reviewed City of Prior Lake permit application #22.01 for Downtown South project and started work on MOA for stormwater credits. Participated in Spring Lake Regional Park stakeholders meeting and provided draft rules. Started orientation of new Permit Coordinator. 	<ul style="list-style-type: none"> Prepare Permit #22.01. Prepare MOA for Permit #22.01 for board approval in April. Continue to follow up with Permittees to close remaining open permits. Work with developers/landowners on Development Agreements and Conservation Easements. Work with Spring Lake Regional Park on project permit. Continue orientation of new Permit Coordinator.

MARCH 2022 PROGRAMS AND PROJECTS UPDATE

PROGRAM OR PROJECT	LAST MONTH'S STAFF ACTIVITIES	NEXT STEPS
Outlet Channel Projects and Administration Project Lead: Jaime/Jeff	<ul style="list-style-type: none"> • Meetings to discuss potential of PLOC bank repair projects as a ACOE mitigation project • Met w/landowner and Carl about bank stabilization project • Submitted Annual Report • Sediment removal project in progress • Vegetation maintenance planning for 2022 	<ul style="list-style-type: none"> • Conduct outlet pipe televising • Work with legal counsel to obtain easement from landowner • Sediment Removal project finalization • Bank repair projects to begin this summer/fall • Cooperator's meeting March 17 • Conduct pre-melt inspection • Obtain rights of entry for three parcels associated with bank stabilization project
General Administration Project Lead: Joni	<ul style="list-style-type: none"> • Onboarding new Permit Coordinator 	<ul style="list-style-type: none"> • Watershed Management Study <ul style="list-style-type: none"> ○ Continue work with PMT to prepare improvement options • Annual audit preparation (audit scheduled for March 17 – 18) • Staff reviews • Prepare benefits policy



Regulations Review Summary

New Easements – Active

- Vergus Estates 1 (Scott County) Garant
- Vergus Estates 2 (Scott County) Anderson
- 4B Estates (Scott County)
- Schieffer Property 195th St (Scott County)
- Villas at Crest Woods (City of Prior Lake)
- Eagleview 1st Addition (Savage)
- County Public Works Building (City of Prior Lake)
- Big Sky 2nd/3rd Additions (Savage)

New Easements – On Hold

- Parkhaven (City of Prior Lake)
- Vierling Property (City of Prior Lake)
- South Vergus Estates (Scott County)
- Schieffer Property Hwy 13 parcel (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)
- Stemmer Ridge Spring Lake Estates (Prior Lake)

Open Permits

- Living Hope Church (Shakopee)
- 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)
- Strauss Driveway (City of Prior Lake)
- Fish Point Road (City of Prior Lake)
- 21.02 MnDOT Hwy 13

Equivalency Agreements: Development Reviews

- Preserve at Jeffers Pond (City of Prior Lake)

District Permit Applications

- 22.01 Downtown South Roadway Reconstruction (City of Prior Lake)
- Spring Lake Regional Park (Scott County Parks) - upcoming

PLSLWD Board Staff Report

March 2, 2022


**PRIOR LAKE
SPRING LAKE
WATERSHED DISTRICT**
Subject | 2021 Aquatic Plant Survey Presentation

Board Meeting Date | March 8, 2022

Item No | 5.3

Prepared By | Jeff Anderson, Water Resources Coordinator

Attachments | 2021 Buck Lake Plant Survey
 2021 Fish Lake CLP Assessment
 2021 Pike Lake Plant Survey
 2021 Upper & Lower Prior – CLP Assessment and Plant Survey
 2021 Spring – CLP Assessment and Plant Survey

Action | No action required. For discussion only.
BACKGROUND

Aquatic plant survey assessments inform the District's Aquatic Plant Management Program, including when and where to treat for invasive plant species and the effectiveness of any performed treatments. The PLSLWD contracts with a private consultant (currently Blue Water Science) to perform macrophyte (aquatic plant) surveys. All the Tier 1 Lakes have an established Curlyleaf Pondweed (CLP) population and are surveyed every year after ice out to determine the potential need for treatment. If CLP is treated, assessments are done post-treatment to determine effectiveness of treatment. Whole lake point intercept surveys (plant surveys) analyze the distribution, type, and growth density of native plants. Data gathered through these surveys are key indicators for project success and overall lake health. Plant survey frequencies are shown in the following table:

Lake Tier Level	Plant Survey Frequency (every x years)
1	2
2	3
3	5

The District will complete additional surveys, as needed, to support lake diagnostic studies.

PROJECT OVERVIEW

Steve McComas, with Blue Water Science, will be presenting the results of the Aquatic Vegetation Surveys he conducted in 2021 for Buck, Fish, Pike, Spring, Lower Prior and Upper Prior Lakes.

Fish, Spring, Upper and Lower Prior Lakes were assessed in the springtime for Curlyleaf Pondweed (CLP) abundance and need for treatment. Based on Steve's assessment, PLSLWD hired a company (PLM) to treat CLP in areas that Steve determined CLP would likely get to heavy growth levels. Steve will show where the treatment areas were located and how effective the company was at treating those areas.

Buck, Fish, Pike, Spring, Lower Prior and Upper Prior Lakes were assessed in summertime for native plant abundance, species type, and distribution. He will discuss the results of these surveys for each lake and how the vegetation has changed over the years.

Steve provided a more detailed written report for each surveyed lake which is published to the PLSLWD website. To reduce length of board packet, reports are located on the bottom of this page at the following links.

ACTION REQUESTED

No action requested.

Aquatic Plant Reports – Ctrl+Click hyperlink below to view reports

[2021 Buck Lake Plant Survey](#)

[2021 Fish Lake CLP Assessment](#)

[2021 Pike Lake Plant Survey](#)

[2021 Spring Lake CLP and Plant Survey](#)

[2021 Lower and Upper Prior Lakes CLP and Plant Survey](#)

PLSLWD Board Staff Report
March 3, 2022



Subject 	Staff Review of Permit Application Permit #22.01 City of Prior Lake Downtown South Reconstruction	
Board Meeting Date 	March 8, 2022	Item No: 5.4
Prepared By 	Joni Giese, District Administrator	
Attachments 	a) Excerpt from Construction Plans: Sheet 1 Depicting Project Location b) Permit Application - Staff Review Comments c) Note: Full plans available at https://tinyurl.com/2p8fkmet	
Proposed Action 	Staff recommends Board approval of the application subject to the conditions noted in the attached Permit Application – Staff Review Comments.	

Introduction

The project includes reconstruction of 0.6 miles of streets in downtown Prior Lake along with corresponding utilities, curb, and gutter. Work will be performed along Colorado Street SE from Duluth Avenue SE to Main Avenue SE; Pleasant Street SE from Duluth Avenue SE to TH 13; and Main Avenue SE from Pleasant Street SE to Eagle Creek Avenue SE (CSAH 21).

The project will disturb a total of 5.8 acres with an increase of 0.12 acres of impervious for a total new/reconstructed impervious of 4.71 acres. The following District rules apply to the project: Rule C - General Standards, Rule D - Stormwater Management, and Rule E – Erosion and Sediment Control. The City requested the permit be reviewed under the proposed draft rules of the District.

Note to Permit Applicant

This report is not a permit. If the District Board approves the project, the applicant must then obtain a permit through District staff.

City Request for a Memorandum of Understanding (MOU) Documenting a Credit Deficit from the Project

Underground storage and above-ground storage options were evaluated by the City as possibilities for volume control management. The empty City lot northeast of Colorado & Arcadia, the VFW and City owned parking lots, the triangular lot at the southwest corner of Pleasant & TH 13, and under the street were reviewed as potential sites. All of the sites were deemed not feasible. Given the constraints of on-site treatment, the City is proposing, in consultation with PLSLWD, to locate and construct a future off-site stormwater volume credit bank within PLSLWD and to provide an equivalent water quality volume (8,554 CF) within the new volume bank. The water quality component required for the Downtown South Reconstruction Project will also be met by the construction of the future off-site volume bank.

The City is proposing to establish the future stormwater volume credit bank within 24 months after the start of the construction of the Downtown South Reconstruction project.

The City already has a stormwater credit deficit of 1,905 CF from Permit 21.01 (Fish Point Road Reconstruction Project) with PLSLWD. The existing credit deficit was originally intended to be addressed with the construction of an underground system in downtown on a site that is no longer available. Staff recommends the previous credit deficit (1,905 CF) be combined with the new credit deficit (8,554 CF) for a total credit deficit of 10,459 CF that will be documented in the new MOU. Staff will work to develop the MOU for manager approval at the April board meeting.

Watershed District Board Decision

The permit application was received on February 2, 2022, and was determined to be complete. To meet the procedural requirements of Rule B and Minnesota Statutes Section 15.99 regarding time deadlines for Board action, the Board must make a decision to either:

- 1) Approve or deny the permit application by April 3, 2022 (60-day period)
- or-
- 2) Provide written notice to the applicant of an extension of the 60-day period and state the reasons for the extension and its anticipated length, which may not exceed 60 days unless approved by the applicant.

Options for Action

1. Approve the application subject to the conditions noted in the attached Permit Application - Staff Review Comments.
2. Table the item, extend the application until a future date specified, and provide the applicant with direction on the issues that have been discussed.
3. Deny the application, stating the reasons for the denial.

Staff Recommendation

Staff recommends Option 1, Board approval of the application subject to the conditions noted in the attached Permit Application - Staff Review Comments.

GROSS LENGTH	1558.11	FEET	0.295	MILES
BRIDGE LENGTH		FEET		MILES
EXCEPTION LENGTH		FEET		MILES
NET LENGTH	1558.11	FEET	0.295	MILES

LENGTH AND DESCRIPTION BASED UPON
PROPOSED PLEASANT STREET CENTERLINE

MAIN AVENUE (SAP 201-119-003)

GROSS LENGTH	375.83	FEET	0.071	MILES
BRIDGE LENGTH		FEET		MILES
EXCEPTION LENGTH		FEET		MILES
NET LENGTH	375.83	FEET	0.071	MILES

LENGTH AND DESCRIPTION BASED UPON
PROPOSED MAIN AVENUE CENTERLINE

COLORADO STREET (SAP 201-131-001)

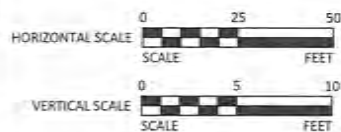
GROSS LENGTH	1227.14	FEET	0.232	MILES
BRIDGE LENGTH		FEET		MILES
EXCEPTION LENGTH		FEET		MILES
NET LENGTH	1227.14	FEET	0.232	MILES

LENGTH AND DESCRIPTION BASED UPON
PROPOSED COLORADO STREET CENTERLINE

DESIGN DESIGNATION	SAP 201-102-002	SAP 201-119-003	SP 201-131-001
STATION RANGE	STA. 20+45.00 TO STA. 36+03.11	STA. 40+35.19 TO STA. 44+11.02	STA. 2+47.28 TO STA. 14+74.42
FUNCTIONAL CLASSIFICATION	LOCAL ROADWAY	LOCAL ROADWAY	LOCAL ROADWAY
R-VALUE	40	40	40
ΣN-18	276,000	203,000	141,000
NO. & WIDTH OF TRAFFIC LANES	2 & 10 ft	2 & 11 ft	2 & 11 ft
NO. & WIDTH OF PARKING LANES	2 & 8 ft / 2 & 17 ft	2 & 17 ft	1 & 8 ft / 2 & 8 ft
ADT (PRESENT YEAR) 2022	940	930	440
ADT (PROJECTED YEAR) 2042	1,750	1,280	1,010
HCA DT (PROJECTED YEAR) 2042	3.90%	3.93%	3.86%
DESIGN SPEED	30 mph	30 mph	30 mph
DESIGN LOAD	10 ton	10 ton	10 ton
DESIGN SPEED NOT ACHIEVED AT:	N/A	N/A	N/A

DESIGN SPEED FOR ROADWAY BASED ON
ON STOPPING SIGHT DISTANCE:
HEIGHT OF EYE = 3.5 FT
HEIGHT OF OBJECT = 2.0 FT

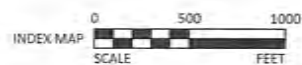
TYPICAL PLAN SCALE
UNLESS OTHERWISE NOTED:



PROJECT LOCATION



CITY: PRIOR LAKE
COUNTY: SCOTT
DISTRICT: METRO
(SECTION 02, T114N, R22W)



MINNESOTA DEPARTMENT OF TRANSPORTATION

CITY OF PRIOR LAKE

SCOTT COUNTY, MINNESOTA

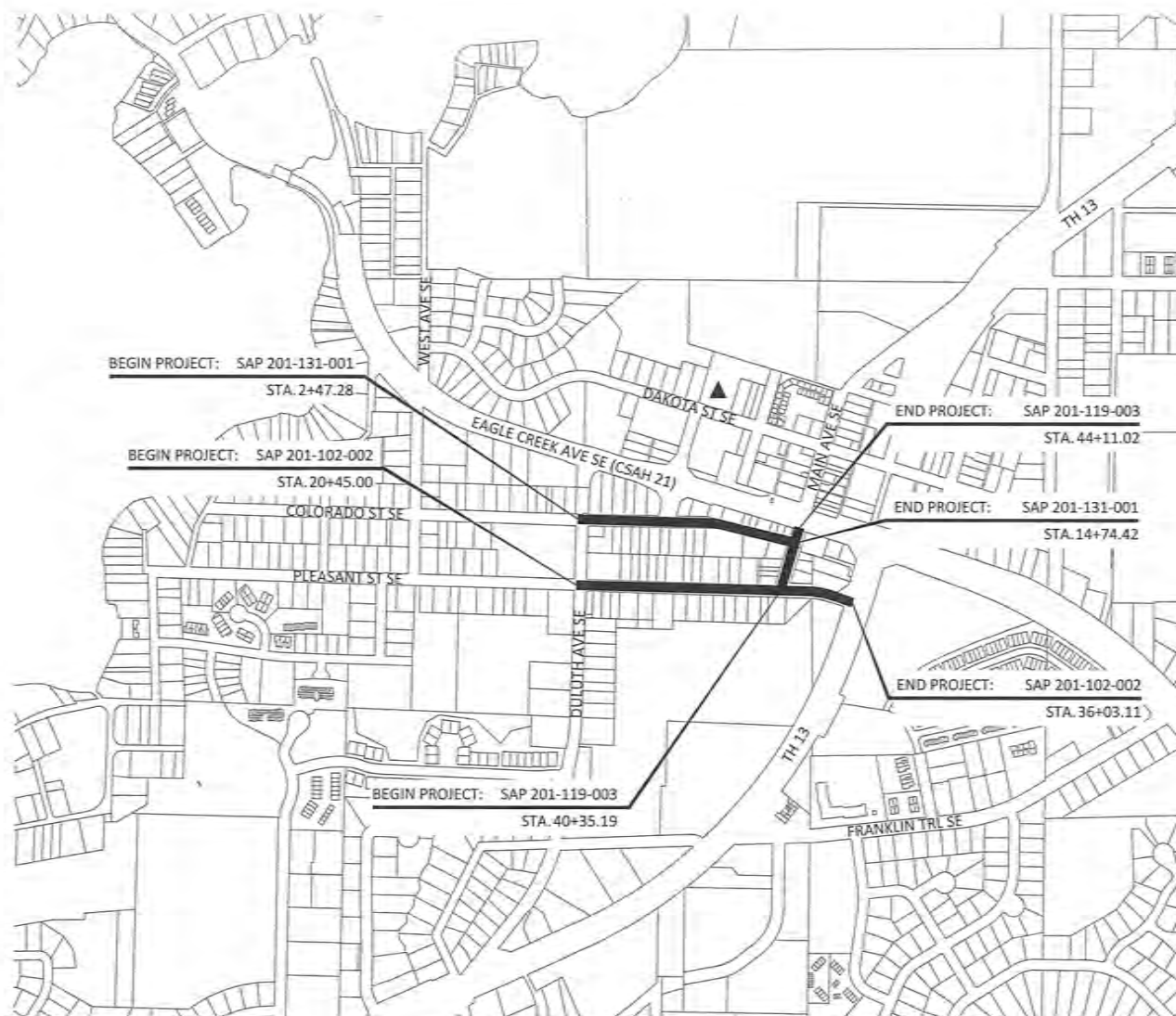
DOWNTOWN SOUTH RECONSTRUCTION

CONSTRUCTION PLAN FOR: GRADING, AGGREGATE BASE, PLANT MIXED BITUMINOUS PAVEMENT, CONCRETE CURB AND GUTTER, ADA IMPROVEMENTS, STORM SEWER, SANITARY SEWER, WATER MAIN, STREET LIGHTING, LANDSCAPING AND RELATED APPURTENANCES

SAP 201-102-002 LOCATED ON	PLEASANT STREET SE	FROM	DULUTH AVENUE SE	TO	TH 13
SAP 201-119-003 LOCATED ON	MAIN AVENUE SE	FROM	PLEASANT AVENUE SE	TO	EAGLE CREEK AVENUE SE (CSAH 21)
SAP 201-131-001 LOCATED ON	COLORADO STREET SE	FROM	DULUTH AVENUE SE	TO	MAIN AVENUE SE

STATION EQUATIONS

COLORADO STREET CL STA. 14+74.42 = MAIN AVENUE CL STA. 43+15.05
PLEASANT STREET CL STA. 31+89.17 = MAIN AVENUE CL STA. 40+35.19



THE SUBSURFACE UTILITY INFORMATION IN THIS PLAN IS UTILITY
QUALITY LEVEL D UNLESS OTHERWISE NOTED. THIS UTILITY LEVEL
WAS DETERMINED ACCORDING TO THE GUIDELINES OF C/ASCE
38-02, ENTITLED "STANDARD GUIDELINES FOR THE COLLECTION
AND DEPICTION OF EXISTING SUBSURFACE UTILITY DATA."

BM=943.05
TOP NUT HYDRANT
NW QUAD OF ARCADIA AVE SE
& COLORADO ST SE

PROJECT DATUM: SCOTT COUNTY COORDINATES
HORIZONTAL: NAD 83 (1996 ADJ.)
VERTICAL: NAVD 88

RECORD DRAWING
INFORMATION
OBSERVER:
CONTRACTOR:
DATE:



12224 NICOLLET AVENUE
BURNSVILLE, MINNESOTA 55337
Phone: (952) 890-0509
Email: Burns@bolton-menk.com
www.bolton-menk.com



DESIGNED: ARK
DRAWN: ARK
CHECKED: EBF
CLIENT FILE NO.: T18.120665

ALL TRAFFIC CONTROL DEVICES AND SIGNING SHALL CONFORM AND BE INSTALLED IN ACCORDANCE
WITH THE "MINNESOTA MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES" (MN MUTCD) AND
PART VI, "FIELD MANUAL" FOR TEMPORARY TRAFFIC CONTROL DEVICES.

SHEET NUMBER	SHEET TITLE
GENERAL	
G0.01	TITLE SHEET
G0.02	LEGEND
G1.01 - G1.04	STATEMENT OF ESTIMATED QUANTITIES, CONSTRUCTION NOTES
G2.01	PROJECT STAGING PLAN
CIVIL	
C0.01 - C0.08	EXISTING CONDITIONS & REMOVAL PLAN
C1.01 - C1.08	TABULATIONS
C1.09 - C1.35	TYPICAL SECTIONS, DETAILS AND STANDARD PLANS
C2.01 - C2.07	STORMWATER POLLUTION PREVENTION PLAN
C4.01 - G4.09	SANITARY SEWER & WATERMAIN PLAN & PROFILE
C5.01 - C5.07	STORM SEWER PLAN & PROFILE
C6.01 - C6.08	CONSTRUCTION PLAN & PROFILE
C6.09 - C6.16	INTERSECTION, PEDESTRIAN RAMPS AND DRIVEWAY DETAILS
C6.17 - C6.21	SPECIALITY SIDEWALK PLAN & PROFILE
C6.22	CONCRETE PAVING JOINTING PLAN
C6.23	CITY PARKING LOT GRADING PLAN
C7.01 - C7.07	TRAFFIC CONTROL PLAN & ALTERNATE PEDESTRIAN ROUTE
C7.08 - C7.10	SIGNAGE & STRIPING PLAN
C9.01 - C9.26	CROSS SECTIONS
LANDSCAPE	
L2.01 - L2.08	LANDSCAPING PLAN
ELECTRICAL	
E1.01 - E1.09	ELECTRICAL / STREET LIGHTING PLAN

THIS PLAN SET CONTAINS 149 SHEETS.

A VARIANCE TO MINNESOTA RULES 8820.9961, DATED FEBRUARY 2018, WAS GRANTED BY THE
COMMISSIONER OF TRANSPORTATION ON DECEMBER 23, 2020 TO ALLOW FOR 17 FEET PARKING
STALL DEPTH IN LIEU OF THE MINIMUM 20 FEET PARKING STALL DEPTH ON 45-DEGREE PULL-IN
DIAGONAL PARKING SPACES ON COLORADO STREET, PLEASANT STREET, AND MAIN AVENUE.

Bradley J. Fisher
Bradley J. Fisher, P.E.

Design Engineer: I hereby certify that this plan was prepared by me or under my direct supervision, and that
I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Date 01/04/2022 License Number 56595

Approved: *Andrew J. Butler*
City of Prior Lake City Engineer

Date 1/7/2022

For *Julie Drael*

Date 1/10/2022

District State Aid Engineer:
Review for compliance with State Aid Rules/Policy

For *Julie Drael*

Date 1/10/2022

Approved for State Aid Funding: State Aid Engineer

DOWNTOWN SOUTH RECONSTRUCTION
SAP 201-102-002, SAP 201-119-003, & SAP 201-131-001

TITLE SHEET

SHEET
G0.01

Prior Lake Spring Lake Watershed District Permit Application Number 22.01

Applicant:	Nick Monserud City of Prior Lake 952-447-9834 nmonserud@cityofpriorlake.com	Agent:	Brad Fisher Bolton & Menk 952-890-0509 ext. 3091 bradley.fisher@bolton-menk.com
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Purpose: 0.60+/- miles of reconstruction of streets in downtown Prior Lake

Location: Colorado St SE from Duluth Ave SE to Main Ave SE; Pleasant St SE from Duluth Ave SE to TH 13; and Main Ave SE from Pleasant St SE to Eagle Creek Ave SE (CSAH 21)

District Rule: C, D, & E

Recommendation: **Conditional Approval** pending receipt of the following items:

Stormwater Management

1. Memorandum of Understanding between PLSLWD and City of Prior Lake documenting credit deficit from this project.

Administrative

2. Documentation of NPDES permit status.
3. Security deposit (surety) from the contractor, amount TBD.

Conditions:

1. The permittee shall provide contact information for the responsible erosion and sediment control contractor prior to initiating work.
2. The permittee shall invite District permit inspector to the preconstruction meeting and weekly progress meetings.
3. The permittee shall obtain all other required permits and approvals.
4. The permittee is responsible for the stabilization and maintenance of the adjacent areas disturbed by the construction.

5. The permittee shall supply an as-built survey within 35 days of project completion. The District shall review this survey as a part of the certificate of completion for the project.

- Exhibits:
1. Plan Set (149 pages) prepared by Bolton & Menk, dated 1/10/2022, received 2/2/2022.
 2. Permit Application (12 pages), dated 2/2/2022, received 2/2/2022.
 3. Stormwater Memorandum (4 pages) prepared by Bolton & Menk, dated 1/6/2022, received 2/2/2022.
 4. Engineer's Report Response (4 pages) prepared by Bolton & Menk, received 2/2/2022.

- Findings:
1. Description – The project includes reconstruction of 0.6 miles of streets in downtown Prior Lake along with corresponding utilities, curb, and gutter. The project will disturb a total of 5.8 acres with an increase of 0.12 acres of impervious for a total new/reconstructed impervious of 4.71 acres. City staff have requested that this permit be reviewed under the proposed draft rules of the District if proposed rules are not adopted prior to formal permit application.
 2. Stormwater –Runoff from the project discharges to a system of Basic Protection wetlands south of Pleasant St SE that eventually drain into Upper Prior Lake. The project includes minor changes to site grading and addition of storm sewer piping in select locations. These alterations do not change total drainage area to existing storm sewer infrastructure or water resources.

Stormwater modeling has been provided, using Autodesk Storm and Sanitary Analysis (SSA), which demonstrates that the increase in runoff rate from the project at the receiving wetlands will be negligible (≤ 1 cfs increase for all storm events). This modeling also demonstrates that there will be no change to the bounce or inundation period of the downstream wetlands.

Volume control is required as the larger of 0.5" from new/reconstructed impervious (**8,554 CF**) or 1" from the increase in impervious surface (418 CF). The city has demonstrated that there are limited opportunities for stormwater retrofits on site to meet volume control requirements, and therefore, intends to go into a credit deficit with PLSLWD for this project. The city is currently working with a consultant to identify future locations to provide offsetting stormwater treatment.

In addition to the volume credit deficit, the city has incorporated water quality improvements to the extent practicable. Sump manholes with SAFL baffles have been included at the downstream end of three of the four storm sewer systems within the project area. Adding a sump manhole to the fourth system, Colorado Street, was not practical due to constraints on the downstream manhole and conflicts with other utilities. This system drains through an existing storm sewer system down Duluth Avenue which has an existing sump manhole prior to discharge into the downstream wetland.

3. Erosion & Sediment Control – An acceptable draft SWPPP and erosion control plan have been submitted. The plan includes silt fencing upstream of wetlands, rock construction entrances, inlet protection, rock ditch checks, revegetation specifications, and construction sequencing notes.
4. Wetlands – The project drains to a system of Basic Protection wetlands, none of which are located on site and none of which will be altered by the proposed project.
5. Floodplain – There is no floodplain on site.

PLSLWD Board Staff Report
March 3, 2022



Subject 	I-LIDS Pilot Project Renewal for 2022	
Board Meeting Date 	March 8, 2022	Item No: 5.5
Prepared By 	Shauna Capron, Water Resources Specialist	
Attachments 	Memorandum: CAC I-LIDS Recommendation for 2022 I-LIDS Options with Estimated Costs	
Proposed Action 	Vote to renew the I-LIDS pilot project for 2022 consistent with the CAC recommendations.	

Background

In 2020, the Board approved the purchase and installation of an Internet Landing Installed Device Sensor (I-LIDS) unit at the Spring Lake boat launch as recommended by the CAC. The I-LIDS device was installed in 2021 as a pilot project.

Discussion

At the conclusion of 2021 monitoring activity, the CAC made a recommendation to continue the pilot project for 2022 (see attached memorandum).

The 2022 I-LIDS budget is \$5,000. Attached are two cost estimates. Option 1 provides estimated costs for the I-LIDS program assuming the same level of monitoring activity as 2021. The total estimated cost of Option 1 is \$3,430, which is less than the 2022 I-LIDS budget. Option 2 provides estimated costs for the I-LIDS program incorporating the CAC recommendations. The total estimated cost of Option 2 is \$7,408, which is \$2,408 above the 2022 I-LIDS budget. It should be noted that the estimated footing cost is a conservatively high estimate. Depending on site conditions, the cost of the footing could be lower than the estimate.

There are several 2022 budget items that could be reallocated to cover the additional estimated I-LIDS cost. The proposed contract for boat inspections is \$1,000 less than budgeted. The boat inspections task is covered by the same budget item as the I-LIDS program and these funds could be redirected to the I-LIDS program. In addition, a wetland monitoring task of \$3,000 in the District Monitoring Program budget will not be expended in 2022. Funds in the amount of \$1,408 can be reallocated to the I-LIDS program to cover the estimated costs above the current budget.

Recommendation

Staff recommends that the Board of Managers vote to renew the I-LIDS pilot project for 2022 consistent with the CAC recommendations with a reallocation of \$1,408 of wetland monitoring budget funds to cover the estimated I-LIDS program costs.

CAC Recommendation

January 27, 2022



Subject | CAC I-LIDS Recommendation for 2022

CAC Meeting Date | January 27, 2022

Prepared By | Ben Burnett, CAC Secretary, AIS committee member

Background

In 2020, the Board approved the purchase and installation of an Internet Landing Installed Device Sensor (I-LIDS) unit at the Spring Lake boat launch as recommended by the CAC. This automated boat inspecting device was designed to help improve water quality by slowing the spread of aquatic invasive species using video capture and audio messaging. PLSLWD purchased and installed a unit at the Spring Lake boat launch in May of 2021. At the end of the inspection season, ESP presented an annual report.

The PLSLWD Staff submitted their recommendation at the 12-21-21 Board meeting. Eric Lindberg, Environmental Sentry Protection (ESP), presented the ESP I-LIDS report at the 12-21-21 PLSLWD Board meeting. Two CAC members were present, several reviewed the meeting video later.

CAC Discussion

Based on the CAC member reports from Eric Lindberg's presentation, the CAC discussed the I-LIDS project at the 1-27-22 meeting. We discussed some of the shortcomings of the system and installation issues, then discussed future plans. There was interest in expanding the project to the Upper and Lower Prior Lake boat launches in an attempt to start gathering data (any data) to establish a baseline sooner. Based on the types of data I-LIDS collects and the incomplete nature of it, we decided the data (although better than nothing), was not good enough to warrant an expansion yet.

CAC Recommendation

The CAC voted to formally agree with the PLSLWD Staff and ESP recommendation to continue the I-LIDS pilot project through the 2022 season, with these specific sub-recommendations:

- Should add the concrete footing (needs DNR approval, start this ASAP).
- Should add a QR code on the sign to link to an education webpage.
 - CAC can help Staff with webpage. SLA may also be interested in helping, maybe providing "prize" incentives.
- Should increase the amount of video review by ESP, recommend they review every video.
 - This does include an additional expense, but CAC feels this would be valuable for the next pilot year to make future plans and compare to 2021.

I-LIDS CONTRACTOR	OPTION 1: SAME MONITORING ACTIVITY AS 2021			
	500 videos reviewed/month + additional 3,000 videos			
	Activity	Rate	Quantity	Amount
	Monthly Service Fee: Unlimied video capture/storage, website access, 500 video/month review (3,000 videos for 6 months), real-time reporting, network management, suspect AIS violation documeation to enforcement, remote system and camera maintenance, component repair servvice, training, off-site assistance.	\$ 450.00	6	\$ 2,700.00
	Cellular Service - 5GB bandwidth/month	\$ 55.00	6	\$ 330.00
	Video Review: review additional 3,000 videos and report	\$ 0.13	3,000	\$ 400.00

Total estimated cost for I-LIDS contractor	\$ 3,430.00
Total estimated cost	\$ 3,430.00
2022 I-LIDS Budget	\$ 5,000.00

OPTION 2: CAC RECOMMENDATION				
Review ALL videos (based on 2021 total video #s = 10,700). 500 videos reviewed/month + additional 7,700 videos				
I-LIDS CONTRACTOR	Activity	Rate	Quantity	Amount
	Monthly Service Fee: Unlimied video capture/storage, website access, 500 video/month review (3,000 videos for 6 months), real-time reporting, network management, suspect AIS violation documeation to enforcement, remote system and camera maintenance, component repair servive, training, off-site assistance.	\$ 450.00	6	\$ 2,700.00
	Cellular Service - 5GB bandwidth/month	\$ 55.00	6	\$ 330.00
	Video Review: review additional 7,700 videos and report	\$ 0.13	7,700	\$ 1,028.00
	ILIDS Concrete footing: Support customer on installation of concrete footing including supervision, digging hole, mixing concrete, and setting auger in place. This assumes customer or designated contractor is responsible for their resources listed in Concrete Footing Installation	\$ 300.00	1	\$ 300.00
	QR Code: sticker added to sign. Sign company produce and send out.*	\$ 50.00	1	\$ 50.00
FOOTING CONTRACTOR	Contractor to install concrete footing: Service includes all footing materials and potentially augering deeper and installing some sewer rock to handle groundwater intrusions. If the later is not needed, the work could cost less.	\$ 3,000.00	1	\$ 3,000.00

Total estimated cost from I-LIDS contractor	\$ 4,408.00
Total estimated cost from footing contractor	\$ 3,000.00
Total estimated cost	\$ 7,408.00
2022 I-LIDS Budget	\$ 5,000.00
Budget overage	\$ 2,408.00

* Assumes either District staff or Spring Lake Association creates educational content and website, which is not reflected in the above cost. Website hosting by either Spring Lake Association or PLSLWD.

PLSLWD Board Staff Report
March 2, 2022



Subject | Sutton Lake Iron Enhanced Sand Filter Feasibility Study

Board Meeting Date | March 8, 2022

Item: 5.6

Prepared By | Jaime Rockney, Project Manager

Attachment | Sutton Lake Iron Enhanced Sand Filter Feasibility Study

Action | Approval of the Sutton Lake Iron Enhanced Sand Filter Feasibility Study

Background

In 2021, the District received a BWSR Watershed Based Implementation Funding grant to perform a feasibility study of the Sutton Lake Iron Enhanced Sand Filter (IESF) project. This project was identified by PLSLWD board managers as one of the top 6 projects to pursue from the Upper Watershed Blueprint study.

Discussion

The feasibility report investigated several design options for this project. The preferred alternative would remove approximately 345 pounds of phosphorus per year or 6,100 pounds over its lifespan of about 18 years. The total cost of the project over its lifespan is approximately \$1.5 million, or \$250 per pound of phosphorus removed. The Total Maximum Daily Load (TMDL) study suggests an annual TP reduction of 2,959 lbs/year to meet state water quality standards in Spring Lake and this project would achieve 12% of the TMDL identified TP reduction. Final project approval and construction is still dependent on landowner approval. The landowner has been consulted with throughout the preparation of the feasibility study and is open to considering this project in the future.

Recommendation

Staff is requesting board approval of this feasibility study.

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

Sutton Lake Iron Enhanced Sand Filter

Feasibility Study



Cover image: Sutton Lake Iron Enhanced Filter Location, 2020 Aerial Image

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1 SUMMARY

The Prior Lake-Spring Lake Watershed District (PLSLWD) authorized the following study for an iron-enhanced sand filter (IESF) project at the outlet of Sutton Lake, a tributary to Spring Lake (Figure 1). Sutton Lake outflow was estimated to contribute 20% of the external load to Spring Lake, which is impaired for nutrients. PLSLWD recently completed the Upper Watershed Blueprint study to identify potential projects to address flooding and water quality opportunities. The Blueprint indicated that adding an iron-enhanced sand filter at that outlet of Sutton Lake could reduce up to 80% of the total phosphorus (TP) loading from the lake.

EOR conducted field reconnaissance in order to assess the viability of developing an IESF in the study area. In addition to collecting topographical survey data, a wetland delineation was conducted to determine the extent and type of wetlands on the site.

The District's PCSWMM model was used to understand the hydrology of the recently modified Sutton Lake Outlet and how that may affect potential performance of an IESF. The Sutton Lake Outlet was shown to produce a more consistent (less flashy) flow which is advantageous to an IESF performance because there will be less flow that exceeds the capacity of the IESF and is bypassed and more flow that is treated than with the past Sutton Lake open ditch outlet.

To fully assess the potential IESF performance, monitoring data collected at North Sutton Lake Blvd., Site ST_5D, was used. The monitoring data included six years of data: four years included water quality samples and flow data, two years included flow data only. Annual loads were approximated using the monitoring data and were found to be lower than the loads predicted in the Upper Watershed Blueprint study.

Several design iterations were developed through consultation with the landowner. Ultimately, a preferred design alternative was developed for a 51,500 sq-ft filter. The design incorporates a two-cell approach where a diversion structure allows flow to be diverted to one cell while the other is allowed to dry, to allow for aerobic conditions and oxidation of iron within the filter. Other design elements include a wetland depression upstream of the IESF to intercept and pre-treat agricultural runoff from the farm field before entering the ditch, a trail/field access from North Sutton Lake Blvd. that borders the filter for maintenance access, and ditch reshaping downstream of the filter diversion to provide a grassed waterway for bypass of high flows in a stable manner.

The predicted average TP captured by the proposed IESF is 44% of the total load or 345 lb/year based on the footprint and the ratio of soluble reactive phosphorus to TP in the ditch. Compared to the Spring Lake TMDL goal, the IESF is predicted to achieve 12% of the TP reduction needed to meet nutrient targets in the lake. Over an 18-year estimated lifespan, the TP removal is predicted to be approximately 6,100 lbs with a range of 5,400 lbs to 7,200 lbs, depending on the variability of streamflow and influent phosphorus concentrations.

The total cost of the project including construction, professional fees, legal fees, easement compensation, and annual operation and maintenance cost are estimated to range from \$1,350,000 to \$1,720,000, net present value. The cost effectiveness is estimated to range from \$222 to \$284 per

pound of TP captured over the life of the IESF. Once TP effluent concentrations from the IESF consistently exceed 60 µg/l (approximately 18 years) the iron enhanced sand should be replaced to restore performance and extend the lifespan of the IESF. The predicted cost to replace the filter material ranges from \$653,000 to \$835,000, net present value (Appendix B).

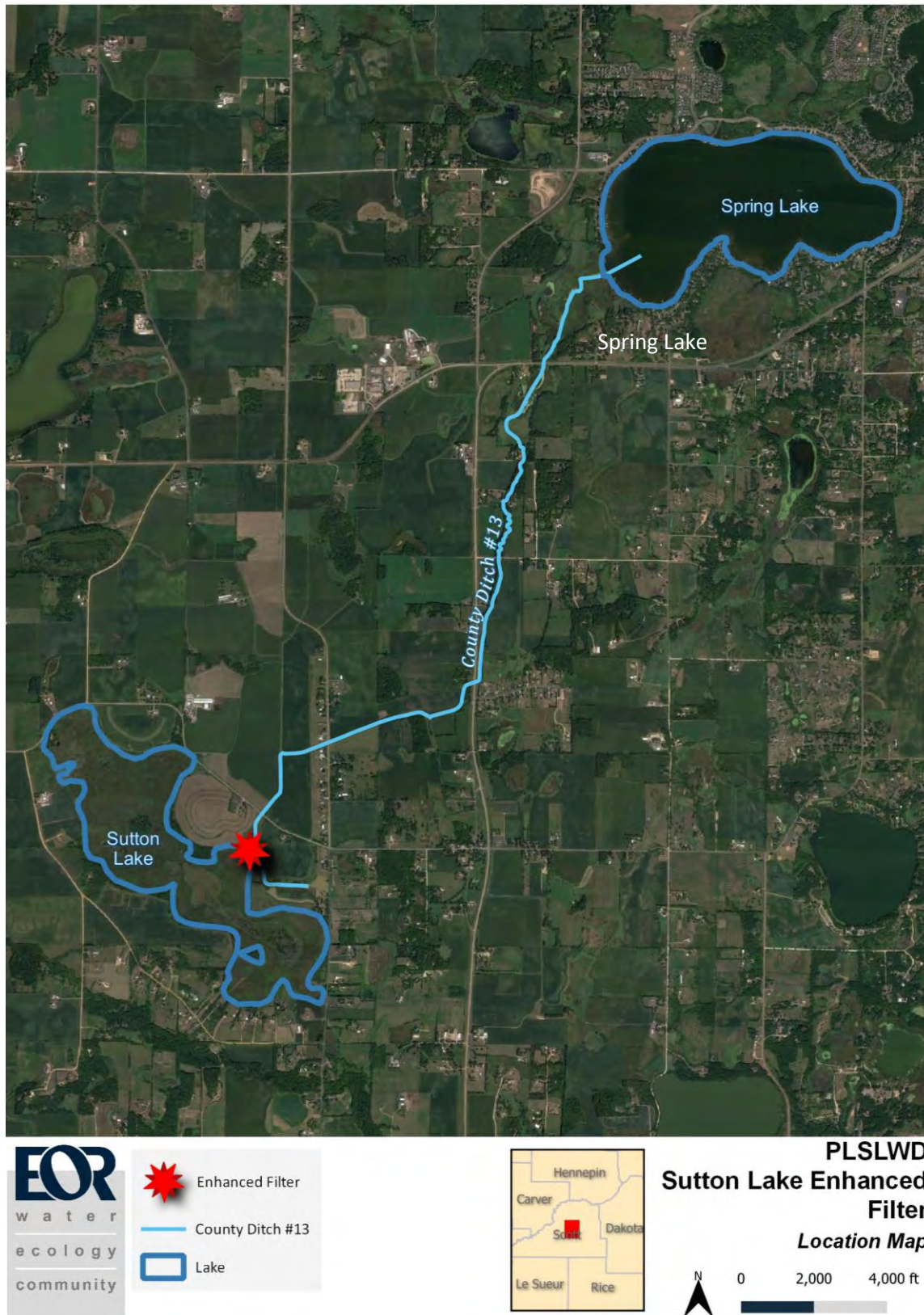


Figure 1. Sutton Lake Iron Enhanced Sand Filter Location and Flow Path to Spring Lake.

2 INTRODUCTION

Spring Lake is included on the state's Impaired Waters List. A lake is placed on this list when an assessment determines that it is not meeting one of its designated uses. In the case of Spring Lake, the assessment showed that among the identified impairments, the lake is impaired for aquatic life and recreation use due to excess nutrients which can lead to algal blooms and low water clarity. Water quality monitoring conducted by the District has identified that phosphorus is the nutrient contributing most to the lake's water quality impairment.

Over the years, the District has undertaken significant efforts to improve water quality in Spring Lake by attempting to control phosphorus loading by managing internal and external sources. The efforts have ranged from small scale raingardens and lakeshore restorations to large public improvement projects. Internal phosphorus sources have been managed through an aggressive carp removal and management program and by performing alum treatments. Alum is used to strip phosphorus from the water column and to create a short-term 'cap' on the lake's bottom sediment to prevent phosphorus release. The District constructed and has been operating a Ferric Chloride treatment system to treat external sources from the largest ditch (County Ditch 13) flowing to Spring Lake since 1998. This system captures an estimated 60% of the total phosphorus from the ditch flows. The District has also worked with watershed farmers to adopt agricultural conservation practices that help control external sources by reducing erosion and nutrient export from their fields.

The Upper Watershed Blueprint estimated that the discharge from Sutton Lake accounted for 20% of the watershed load reaching Spring Lake. Furthermore, the Blueprint estimated that an iron enhanced sand filter (IESF) located near the outlet of Sutton Lake could potentially capture 80% of the total phosphorus load from this drainage area. The Watershed District authorized this feasibility study in June 2021 to prepare design alternatives for an IESF, determine potential performance, and to estimate costs to complete the project.

3 METHODS

Base Mapping & Modeling

EOR collected data on site that would be appropriate for assessing site suitability. Data sets included, land use, topography, soils, existing wetland boundaries, and parcel ownership. The data was compiled into an internal GIS working map for use in project planning.

Design concepts were initially analyzed based on the surrounding landscape, hydrologic modeling, flow monitoring data, and the water quality monitoring data provided by the District. The District's PCSWMM model was first reviewed to understand how the changes to the Sutton Lake Outlet could affect performance of an IESF. The new Sutton Lake Outlet was shown to produce more consistent and less flashy peak flows. The more consistent flow is advantageous to performance of an IESF because less flow will be bypassed and more will be treated than with the prior ditched outlet.

To assess the potential IESF performance monitoring data collected at North Sutton Lake Blvd., monitoring location ST_5D was used. The monitoring data included six years of flow data, four of

which with water quality samples and flow data, two years with flow data only. Table 1 summarizes the water quality conditions at ST_5D. Compared to reference values for warm water streams, classified as 2B, in the southern river nutrient region, the stream at ST_5D has slightly elevated total phosphorus (TP) with a larger percentage of soluble reactive phosphorus (SRP) than other streams in the Twin Cities Metro Area and very low total suspended solids (TSS) concentrations. The low TSS and high SRP concentrations reflects the influence of Sutton Lake at this location. Further evidence of Sutton Lake's influence is shown in the regression analysis between water quality and flow. All parameters assessed at the site had negative slopes which suggests that a constant source of TP from either Sutton Lake itself and/or tile drainage is a large contributor of pollutants at the site. A significant percentage of TSS is expected to be organic matter flowing from Sutton Lake.

Table 1. Annual Water Quality Concentration Conditions at ST_5D (2014-2016, 2019-2021)

Year	SRP FPMC (ug/L)	TP FPMC (ug/L)	SRP/TP	TSS FPMC (mg/L)
Reference Values	67.5 ³	150 ¹	45% ²	65 ¹
2014	84	152	55%	6.7
2015	142	222	64%	3.5
2016	74	144	51%	3.4
2019	No Data	No Data	No Data	No Data
2020	No Data	No Data	No Data	No Data
2021	49	97	50%	6.3
2014-2016, 2021 Average	88	157	56%	5.4
Log Flow ~ Log Pollutant Regression Analysis Summary				
Slope	-0.12	-0.19	NA	-0.12
R ²	0.09	0.17	NA	0.07

¹ Reference water quality concentrations for streams in the Southern River Nutrient Region ([MN Rules 7050.0222](#))

² Typical percentage of dissolved phosphorus in the Twin Cities Metro Area ([MN Stormwater Manual](#))

³ Calculated from the total phosphorus reference concentration and reference SRP/TP percentage

Table 2 summarizes the approximate volume and loads at ST_5D compared to the predicted pollutant loads in the Upper Watershed Blueprint study. To compare to the annual load estimated in the Upper Watershed Blueprint study, the average monitored baseflow conditions in October and November were used to approximate the unmonitored (winter) flow volume at the site. The unmonitored flow volume during winter months was estimated to be approximately 557 ac-ft. The annual loads approximated from monitoring at the site are lower than the loads predicted in the Upper Watershed Blueprint study. However, the relative magnitude of the load coming from the Sutton Lake drainage area to Spring Lake should be similar to what was predicted in the Upper Watershed Blueprint.

Table 2. Annual Volume and Loads at ST_5D (2014-2016, 2019-2021)

	Volume (ac-ft)	SRP Load (lbs)	TP Load (lbs)	TSS Load (tons)	Percent of Year
Upper Watershed Blueprint	1,971	NA	990	22	100%
Predicted Annual (including winter)	1,668	400	789	12	100%
2014-2016; 2021 Monitoring Average	1,111	267	551	7.9	65%
2014	2,078	474	860	18.8	61%
2015	803	310	486	3.9	62%
2016	1,122	226	417	5.2	71%
2019	2,597	NA	NA	NA	55%
2020	1,088	NA	NA	NA	65%
2021	442	59	117	3.8	64%

Survey & Wetland Delineation

A site visit was conducted on June 14, 2021 to collect field observations necessary to assess feasibility of the project. Survey data, including topography, significant trees, field edges, and ditch configuration was also collected during the field reconnaissance. Field data was compiled and incorporated into the base map to facilitate assessment of alternatives and concept designs.

EOR conducted a Level 2 onsite wetland delineation of the study area on June 25, 2021 (Appendix C). The purpose of the delineation was to provide an evaluation of potential existing wetlands and jurisdictional waters within the study area. A single wetland consisting of three wetland types, and one ditch were identified within the study. The findings of the wetland delineation were presented to the local government unit (LGU) for validation of the wetland boundary and wetland type. The LGU (Scott SWCD) convened an on-site Technical Evaluation Panel (TEP) meeting which included representatives from the Board of Water and Soil Resources (BWSR), and the Minnesota Department of Natural Resources (MNDNR) to review the delineation. The TEP recommended a revision to the wetland boundary and type originally delineated by EOR. The northern two thirds of the wetland feature originally delineated by EOR was determined to be non-wetland. This area retained wetland characteristics, in part dominance of Reed Canary Grass, because it contained spoils from historical dredging of the channel. The southern portion of the wetland feature was retained as delineated. The revised wetland boundary is summarized in a technical memorandum and attached as an addendum to the wetland delineation report (Appendix C).

Preliminary Assessment of Alternatives

EOR's preliminary assessment for the site was guided by the modeling, survey and wetland delineation completed as stated previously in this report. An IESF was identified in the Upper Watershed Blueprint as a beneficial practice for improving water quality to Spring Lake and siting it as far upstream to the outlet of Sutton Lake would provide the greatest benefit for nutrient removal. IESFs utilize filtration through a sand/iron mixed media (95% sand/5% iron filings) where the iron filings adsorb dissolved phosphorus to create an effluent with improved water quality.

Design Iteration #1 was developed creating a standard IESF in an area of land preferred by the landowner representative. This area was just east of the existing ditch that outlets from Sutton Lake and south of North Sutton Lake Blvd. Siting the filter footprint was guided by the constraints of the draft wetland boundary along the ditch and not impacting the farm field to the east. This area yielded a filter size of 36,100 sq-ft. This iteration would have a ditch diversion structure direct base flows and a portion of storm flows to the filter. The structure would include a pump to pull water from the channel to the filter surface. A pump was necessary because this filter was designed at the highest elevation possible to reduce excavation as much as possible.

From the diversion structure would be a 12" HDPE pipe to the filter which has a capacity of about 5 cfs depending on final layout. All water would flow through the filter until the discharge to the filter exceeds the infiltration capacity of the IESF at approximately 2.4 cfs and the head in the filter exceeds the overflow elevation at which point the remaining water would go untreated. Treated water would be captured in the underdrain and directed back to the ditch via a 12" HDPE pipe. The basins would include a 10' wide emergency overflow set at an elevation 1 foot below the top of berm elevation. The overflow would also be directed towards the ditch, to provide a stable outlet for large rainfall events. The filter surface would allow for 2 feet of ponding in the basin before the emergency overflow would be utilized (see Appendix A).

Design Iteration #2 built upon Iteration #1 with the intent of maximizing filter size to the fullest extent possible without impacting the farm field to the east while also eliminating the need for a pump. Baseflows in this design would be diverted to the filter via gravitational flow due to the filter being at a lower elevation. With this came the need for more excavation. Also with a lower filter, the outlet pipe needed to be lowered, which required the outlet pipe to be directionally bored to the north side of North Sutton Lake Blvd. The filter size for this iteration was increased to 45,600 sq-ft.

Concept Design for Preferred Alternative

EOR met with District staff and the landowner to review the initial design iterations. Based on this input Design Iteration #3 (the Preferred Alternative) was prepared. Building off of Design Iteration #2, this iteration would also not require a pump but would still require the outlet pipe to be directionally bored under North Sutton Lake Blvd. Also incorporated into this iteration was a wetland depression just south of the IESF. This wetland depression would be connected to the ditch via a diversion structure to provide hydrology to the wetland. The depression would also intercept and treat agricultural runoff from the farm field to the east before entering the ditch. A trail/field access from North Sutton Lake Blvd, around the filter and back across the ditch to where a bridge could be installed (by others) has also been included in the design.

This iteration also includes grading to stabilize any existing ditch banks experiencing failure, and to modify the ditch channel cross section downstream of the diversion to increase channel stability for high flow conveyance. This grading includes impact within delineated wetland, which will require future WCA permitting. Similar to wetland impact associated with construction of the Sutton Lake Outlet, it is anticipated that wetland impacts will be deemed temporary or quality for exemptions. The filter size of this iteration was further increased to 51,500 sq-ft.

This iteration also incorporates a two-cell approach where one cell receives flow for treatment while the other is allowed to dry since IESFs are meant to be aerobic for peak performance. A riprap divide with non-permeable liner is included to separate the cells. The elevation is only 1 ft above the top of filter, so during large storm events both cells will be utilized to maximize removal. This two-cell approach will also be useful to facilitate maintenance.

This iteration and associated cost estimate assumes manual operation of gates by District staff. The frequency of gate operation is dependent on seasonal baseflow conditions, timing of rainfall, length of service the filter has been in operation, and ideally, is informed by performance monitoring. Initial expectations are that gate operation would occur every 2-3 weeks and that this frequency could increase to weekly to maximize system performance if baseflows exhaust available adsorption sites of one of the cells. The scope of work for final design could include assessment of automated gate operation for consideration by the Board for inclusion in the construction bid package.

4 FINDINGS

Preferred Alternative Performance

Based on the monitoring data at ST_5D, the performance of a 51,500 sq-ft two-cell IESF (each cell 25,750 sq-ft) was estimated in Table 3. The predicted annual TP captured is 345 lb/yr which is a little under half the 735 TP lb/yr predicted in the Upper Watershed Blueprint study. This difference in predicted performance is due to the different methods for estimated phosphorus loading, reduction in the IESF footprint, and predicted performance. The Upper Watershed Blueprint study assumed one large cell and no drying period. Without a drying period, there is increased risk of phosphorus release from the filter. Alternating between two filter cells allows the filter to dry and limits the risk of phosphorus release from the filter. In both the UWB and this study the filter was assumed to operate year-round if water is flowing. The filter will not completely freeze as long as water is consistently flowing through the system. There could be a spring scenario where freeze/thaw cycles lead to sheet ice buildup and need to take the system offline.

The predicted lifespan of the IESF is 18 years and is related to the SRP concentration in the stream and the mass of iron in the IESF. On average the IESF is predicted to treat approximately 69% of the flow based on the filter footprint. Of the water that gets treated, 60% of the SRP and 85% of the particulate phosphorus is captured according to literature values in the Minnesota Stormwater Manual which equates to approximately 71% TP captured given the monitored SRP to TP ratio of site ST_5D. This means that the system is predicted to capture 44% of the average annual TP load.

The range of values provided in Table 3 is based on the variability in flow measured at the site. Years with flows close to or greater than the filter design flow of 2.4 cfs will result in a shorter lifespan while years with average flows less than the design flow will result in a longer lifespan. In addition, variability in the SRP concentration of the flow will also effect the lifespan of the IESF. The IESF is predicted to have a maximum SRP removal of 3,000 lbs before replacement of IESF media is required. Based on the lifespan, the TP removal is predicted to be 6,100 lbs with a range of 5,400 lbs to 7,200 lbs.

Table 3. Estimated IESF Performance

Performance	Average Estimate (Range)
Annual SRP Removal (lb/yr)	170 (75-290)
Annual TP Removal (lb/yr)	345 (181-529)
Lifespan (yrs)	18 (10-40)

Preferred Alternative Cost

EOR developed an Engineer Opinion of Probable Cost for the preferred alternative of the IESF. This capital cost ranges from \$1,270,000 to \$1,620,000 which includes both construction costs and professional fees for planning, engineering, permitting, bidding, and construction administration per ASTM E 2516-06 design level (concept phase), (Appendix B).

To calculate cost effectiveness additional soft costs for legal (\$5,000) and easement (\$22,000) costs was included. Easement cost was estimated based on the taxable land value (from Scott County's online GIS map) and the area of the proposed IESF. In addition, \$4,000 per year over the range of approximated lifespan of the IESF was included for operation and maintenance.

In total, these costs represent a total net present value ranging from \$1,350,000 to \$1,720,000, assuming a discount rate of 4.5% (Appendix B). Dividing the net present value by the average predicted TP captured over the life of the IESF, 6,100 pounds, the cost effectiveness is estimated between \$222 and \$284 per pound of TP captured.

The lifespan of the project is calculated based on the mass of iron in the IESF and SRP loading to the IESF. Once the iron is used up, defined in the Minnesota Stormwater Manual as when the effluent concentration consistently exceeds 60 µg/L TP and the TP:Iron ratio in the IESF exceeds 5 mg of TP per gram of iron, the iron enhanced sand needs to be replaced to restore performance. The associated costs to replace the filter material ranges from \$653,000 to \$835,000, present value (Appendix B).

5 CONCLUSIONS

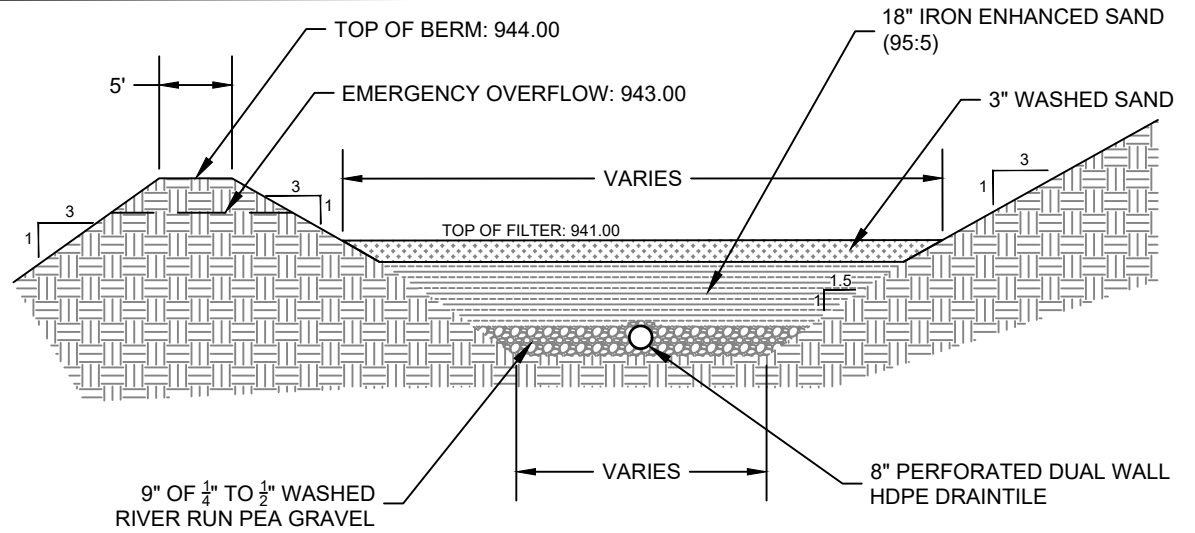
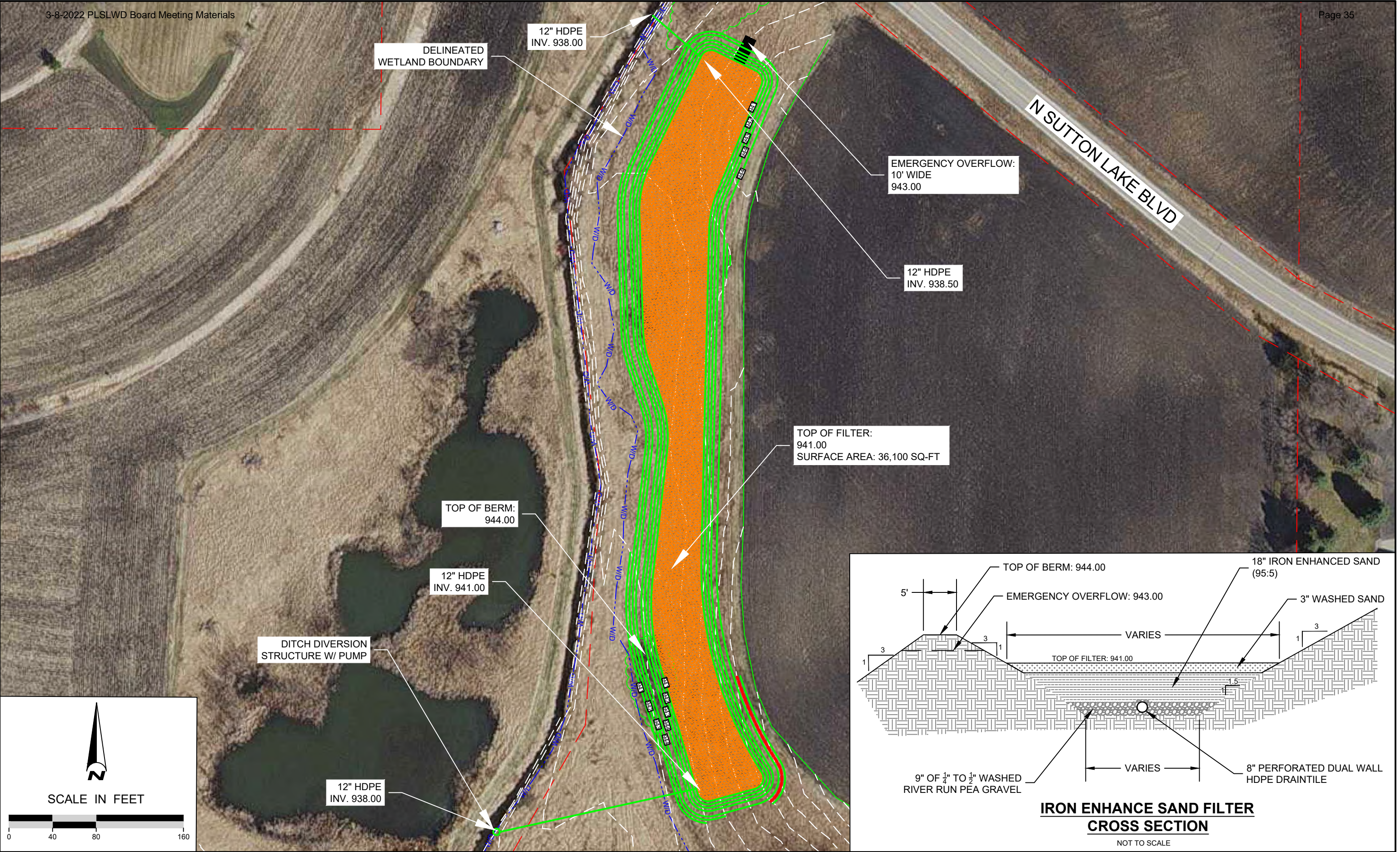
The IESF is predicted to capture 345 lb/yr of TP which is equal to approximately 12% of the TP reduction needed to meet the Spring Lake TMDL goal. EOR calculated the net present cost for the IESF between \$1,350,000 to \$1,720,000 and a cost effectiveness of \$222 to \$284 per pound of TP captured. The Blueprint originally estimated the construction costs to be much higher, at \$1,760,000, and the cost effectiveness to be \$166 per lb of TP captured. Even though this feasibility study shows a smaller percentage of TP reduction than stated in the Blueprint, lower construction costs put the cost effectiveness at a similar rate and more realistic phosphorus removal potential.

6 NEXT STEPS

The following are recommended next steps:

- Board approval of the Sutton Lake Iron Enhanced Filter Feasibility Study
- Submit Feasibility Study to the Board of Water & Soil Resources (BWSR)
- Pursue landowner agreement and easement acquisition
- Pursue grant funding
- Authorize final design and wetland permitting of the preferred option
- Coordinate with Scott County with respect to County Road 10 road bank stabilization and working within the right-of-way

APPENDIX A: DESIGN ITERATIONS #1, #2, & #3 (PREFEREED ALTERNATIVE)



**IRON ENHANCE SAND FILTER
CROSS SECTION**

NOT TO SCALE

6			
5			
4			
3			
2			
1	02/07/2022	DEM	CONCEPT DRAWING
NO	DATE	BY	REVISION



DRAFT

SUBMISSION DATE: 02/07/2022
DESIGN BY: DRAWN BY: CHECKED BY: EOR DEM XXX
EOR PROJECT NO. 0758-0145

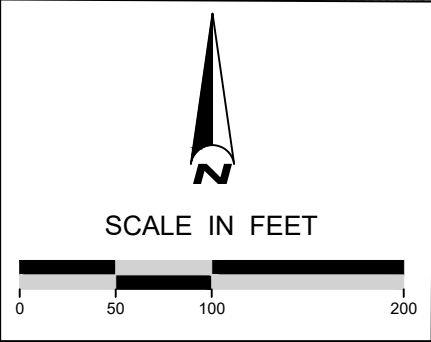
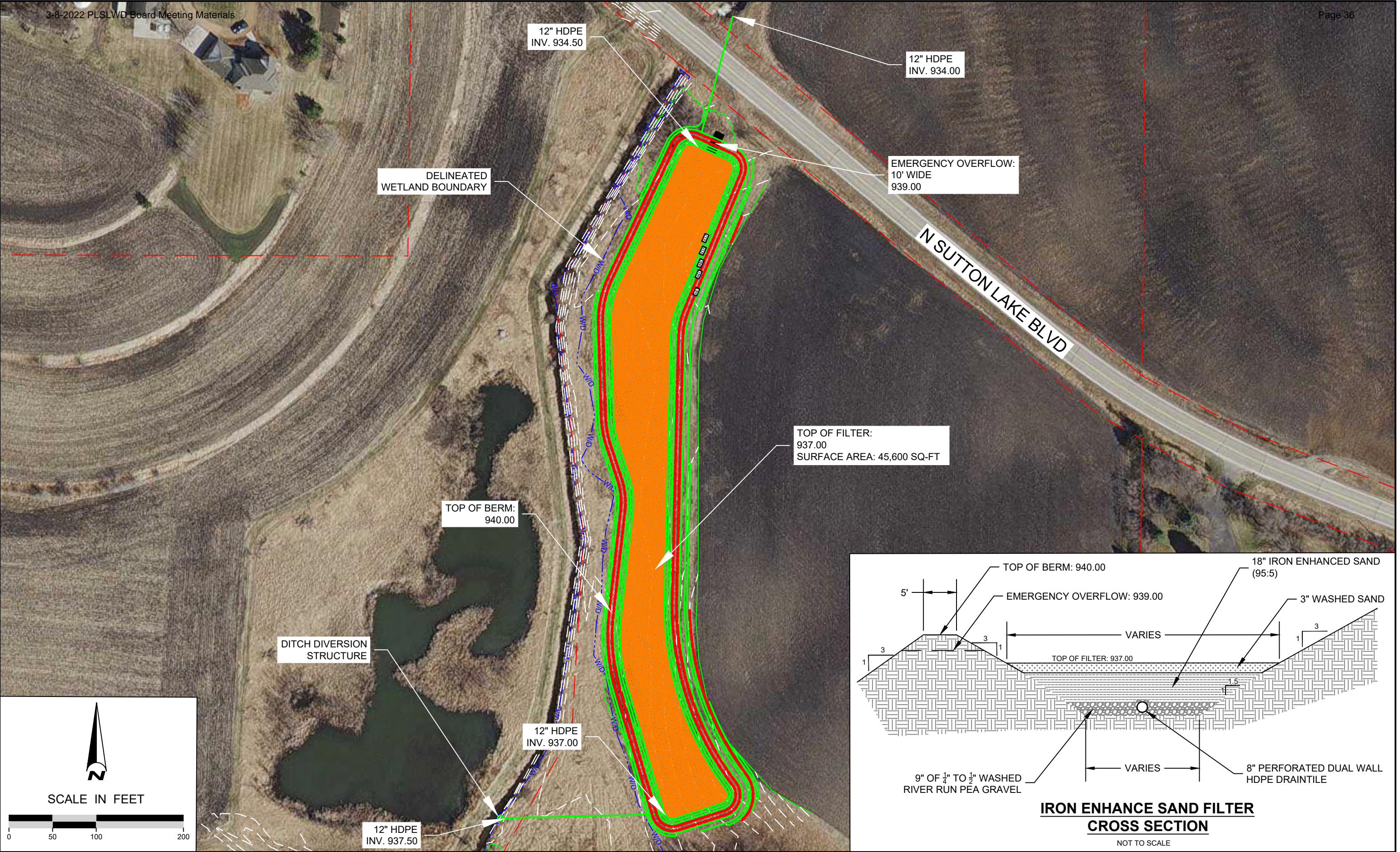


**Emmons & Olivier
Resources, Inc.**
1919 University Ave W,
Suite 300, St Paul, MN 55104
Tele: 651.770.8448
www.eorinc.com



SUTTON LAKE IRON-ENHANCED SAND FILTER FEASIBILITY STUDY SAND CREEK TOWNSHIP, SCOTT COUNTY, MINNESOTA
STATE PROJECT NO. --- CITY PROJECT NO. ---

IRON ENHANCED SAND FILTER - ITERATION 1
SHEET 01 OF 03 SHEETS



6			
5			
4			
3			
2			
1	02/07/2022	DEM	CONCEPT DRAWING
NO	DATE	BY	REVISION



DRAFT

SUBMISSION DATE: 02/07/2022		
DESIGN BY	DRAWN BY	CHECKED BY
EOR	DEM	XXX
EOR PROJECT NO. 0758-0145		

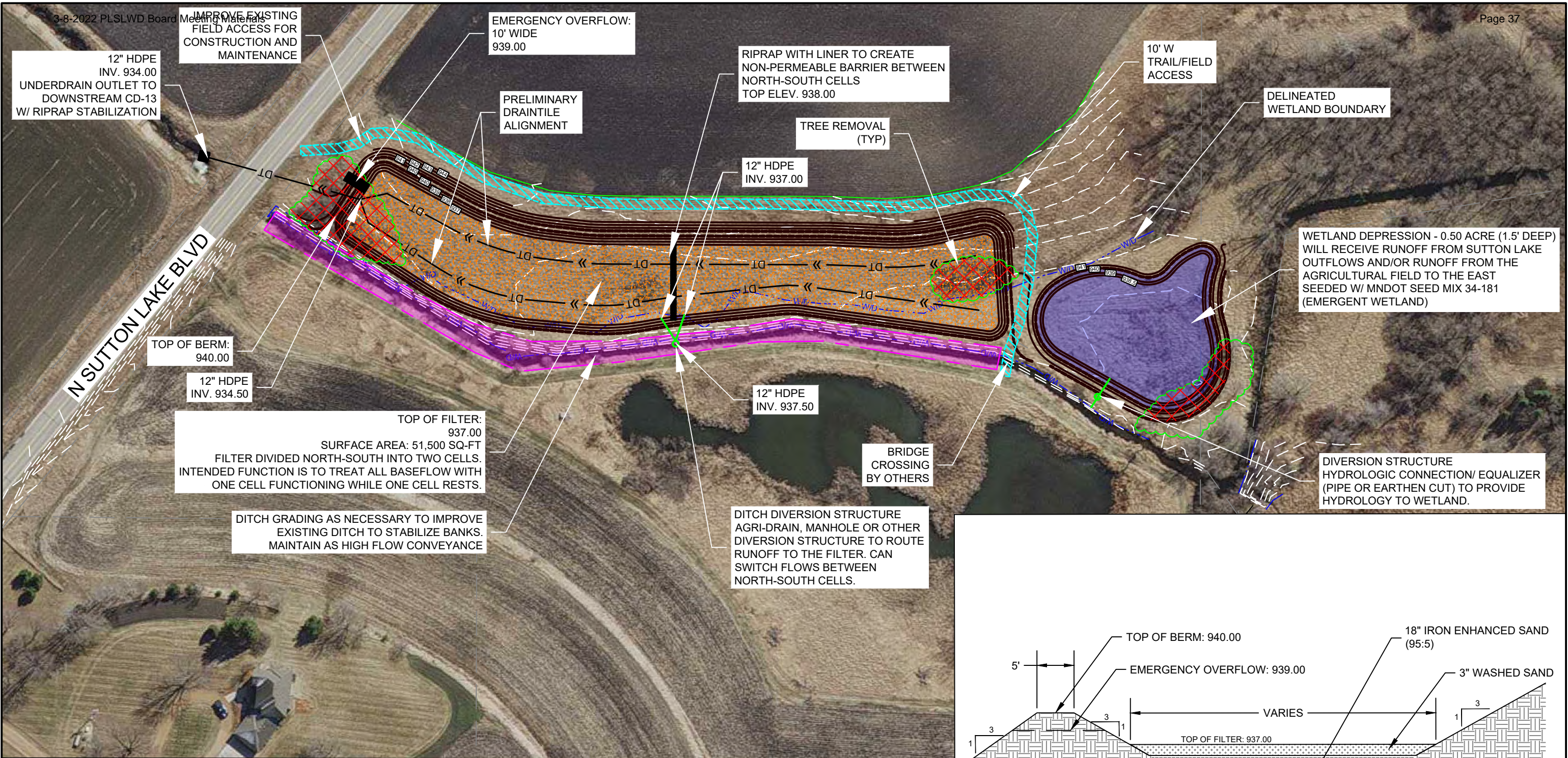


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SUTTON LAKE IRON-ENHANCED SAND FILTER FEASIBILITY STUDY SAND CREEK TOWNSHIP, SCOTT COUNTY, MINNESOTA	
STATE PROJECT NO. ---	CITY PROJECT NO. ---

IRON ENHANCED SAND FILTER - ITERATION 2
SHEET 02 OF 03 SHEETS



NOTES:

1. ALL SURROUNDING BUFFER AREA TO BE SEEDDED W/ 34-271 (WET MEADOW SOUTH & WEST)

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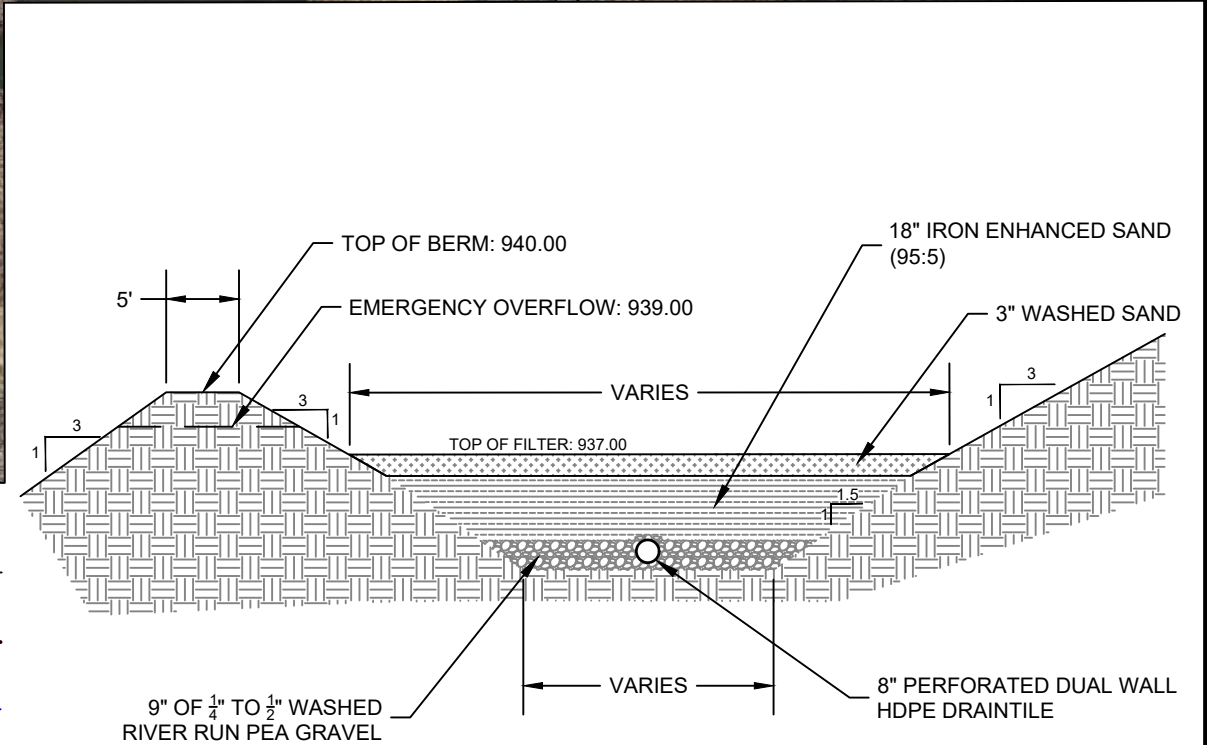
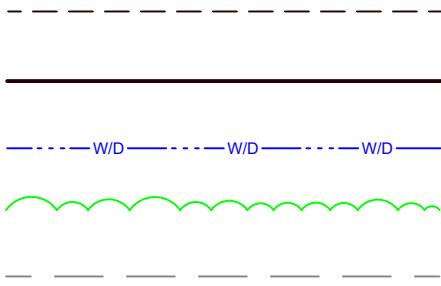
EXISTING CONTOURS

PROPOSED CONTOURS

WETLAND DELINEATION

TREE LINE

PROPERTY LINE

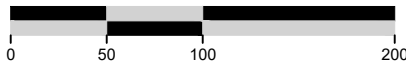


IRON ENHANCED SAND FILTER
CROSS SECTION

NOT TO SCALE



SCALE IN FEET



DRAFT

SUBMISSION DATE:
02/07/2022
DESIGN BY: EOR
DRAWN BY: DEM
CHECKED BY: XXX
EOR PROJECT NO.
0758-0145

EOR Emmons & Olivier
Resources, Inc.
1919 University Ave W,
Suite 300, St Paul, MN 55104
w a t e r e c o l o g y
c o m m u n i t y
T e l e : 6 5 1 . 7 7 0 . 8 4 4 8
w w w . e o r i n c . c o m



SUTTON LAKE IRON-ENHANCED SAND FILTER
FEASIBILITY STUDY
SAND CREEK TOWNSHIP, SCOTT COUNTY,
MINNESOTA

STATE PROJECT NO. ---

CITY PROJECT NO. ---

IRON ENHANCED SAND FILTER
- PREFERRED ALTERNATIVE

SHEET 03 OF 03 SHEETS

APPENDIX B: ENGINEERS OPINION OF PROBABLE COST FOR PREFERRED ALTERNATIVE

ENGINEER'S OPINION OF PROBABLE COST (EOPC) - Capital Improvement					
SUTTON LAKE IESF FEASIBILITY STUDY					
PREPARED BY EMMONS & OLIVIER RESOURCES, INC.					
EOR JOB NO.			00758-0145		
DATE PREPARED			2/9/2022		
Item	MnDOT Reference #	Unit	Estimated	Estimated Unit Cost	Extended Cost
Mobilization	2021.501	LS	1.00	45,000.00	\$ 45,000.00
Clearing and Grubbing	2101.501	LS	1.00	5,000.00	\$ 5,000.00
Common Excavation	2106.507	CY	17,100.00	10.00	\$ 171,000.00
Storm Sewer, HDPE 8"	2503.503	LF	1,400.00	30.00	\$ 42,000.00
Storm Sewer, HDPE 12"	2503.503	LF	100.00	40.00	\$ 4,000.00
12" HDPE (Directional Drilled)	2504.603	LF	145.00	155.00	\$ 22,475.00
Agri-Drain Outlet Control Structure	2506.602	EA	2.00	10,000.00	\$ 20,000.00
Random Riprap	2511.507	CY	90.00	70.00	\$ 6,300.00
Turf Reinforcement Mat	2575.504	SY	25.00	35.00	\$ 875.00
Washed Sand (P)	2105.507	CY	480.00	45.00	\$ 21,600.00
Washed Aggregate - River Run Pea Stone (P)	2105.507	CY	1,275.00	70.00	\$ 89,250.00
IESF Mixture (Iron Filings - 5% by Weight)	2106.507	CY	2,700.00	140.00	\$ 378,000.00
EPDM Liner, 45 mil	2511.504	SY	5,700.00	15.00	\$ 85,500.00
Temporary Erosion and Sediment Control	SP	LS	1.00	20,000.00	\$ 20,000.00
Seeding and Restoration	SP	LS	1.00	30,000.00	\$ 30,000.00
Construction Totals				Refined Total	\$ 941,000.00
Construction Contingency				20.00%	\$ 188,200.00
Final Construction Total					\$ 1,129,200.00

EOR Professional Fees			
PLANNING AND ENGINEERING	15.00%	\$	169,380.00
PERMITTING AND APPROVALS	4.00%	\$	45,168.00
BIDDING AND CONSTRUCTION ADMIN	6.00%	\$	67,752.00
PROFESSIONAL FEES TOTAL		\$	282,300.00
TOTAL PROJECT COST		\$	1,411,500.00
ESTIMATED ACCURACY RANGE***		-10.0%	\$ 1,270,350.00
		15.0%	\$ 1,623,225.00



ENGINEER'S OPINION OF PROBABLE COST (EOPC) - Future IESF Media Replacement					
SUTTON LAKE IESF FEASIBILITY STUDY					
PREPARED BY EMMONS & OLIVIER RESOURCES, INC.					
EOR JOB NO.			00758-0145		
DATE PREPARED			2/9/2022		
Item	MnDOT Reference #	Unit	Estimated	Estimated Unit Cost	Extended Cost
Mobilization	2021.501	LS	1.00	15,000.00	\$ 15,000.00
Common Excavation	2106.507	CY	3,200.00	10.00	\$ 32,000.00
12" HDPE (Directional Drilled)	2504.603	LF	145.00	155.00	\$ 22,475.00
Washed Sand (P)	2105.507	CY	480.00	45.00	\$ 21,600.00
IESF Mixture (Iron Filings - 5% by Weight)	2106.507	CY	2,700.00	140.00	\$ 378,000.00
Temporary Erosion and Sediment Control	SP	LS	1.00	5,000.00	\$ 5,000.00
Seeding and Restoration	SP	LS	1.00	10,000.00	\$ 10,000.00
Construction Totals				Refined Total	\$ 484,075.00
Construction Contingency				20.00%	\$ 96,815.00
Final Construction Total					\$ 580,890.00



EOR Professional Fees			
PLANNING AND ENGINEERING	15.00%	\$	87,133.50
PERMITTING AND APPROVALS	4.00%	\$	23,235.60
BIDDING AND CONSTRUCTION ADMIN	6.00%	\$	34,853.40
PROFESSIONAL FEES TOTAL		\$	145,222.50
TOTAL PROJECT COST		\$	726,112.50
ESTIMATED ACCURACY RANGE***		-10.0%	\$ 653,501.25
		15.0%	\$ 835,029.38

APPENDIX C: WETLAND DELINEATION & ADDENDUM

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

Sutton Lake IESF

Wetland and Waters Delineation Report

Sand Creek Township, Scott County, Minnesota



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EXECUTIVE SUMMARY

The purpose of this report is to provide Prior Lake-Spring Lake Watershed District an evaluation of potential existing wetlands and jurisdictional waters of the **Study Area**. The Study Area includes the east side of the Sutton Lake outlet channel (**Figure 1**). The Study Area represents the focus of this report; this report was not developed to evaluate areas beyond the Study Area.

Evaluation of the Study Area began with a review of existing data including field surveyed and digital elevation data, Soil Survey Geographic (SSURGO) hydric soil classification data, National Wetland Inventory (NWI) Data, National Hydrography Dataset (NHD), and Minnesota Department of Natural Resources (MNDNR) Public Waters Inventory (PWI) data.

A Level 2 onsite delineation performed by EOR on June 25, 2021 identified one wetland and one ditch within the Study Area consisting of three wetland types. EOR recommends submittal of this report to the LGU to validate the boundary of the delineated wetland and wetland types.

1.1. Review Team and Contact Information

The wetland delineation was performed by Jimmy Marty and reviewed by Jason Naber of Emmons & Olivier Resources.

Wetland Delineators:

Jimmy Marty, CMWP #1322
jmarty@eorinc.com

Jason Naber, CMWP #1369
jnaber@eorinc.com

Emmons & Olivier Resources, Inc. (EOR)
1919 University Ave W #300
St. Paul, MN 55104
651.770.8448



Figure 1. Sutton Lake IESF Study Area.

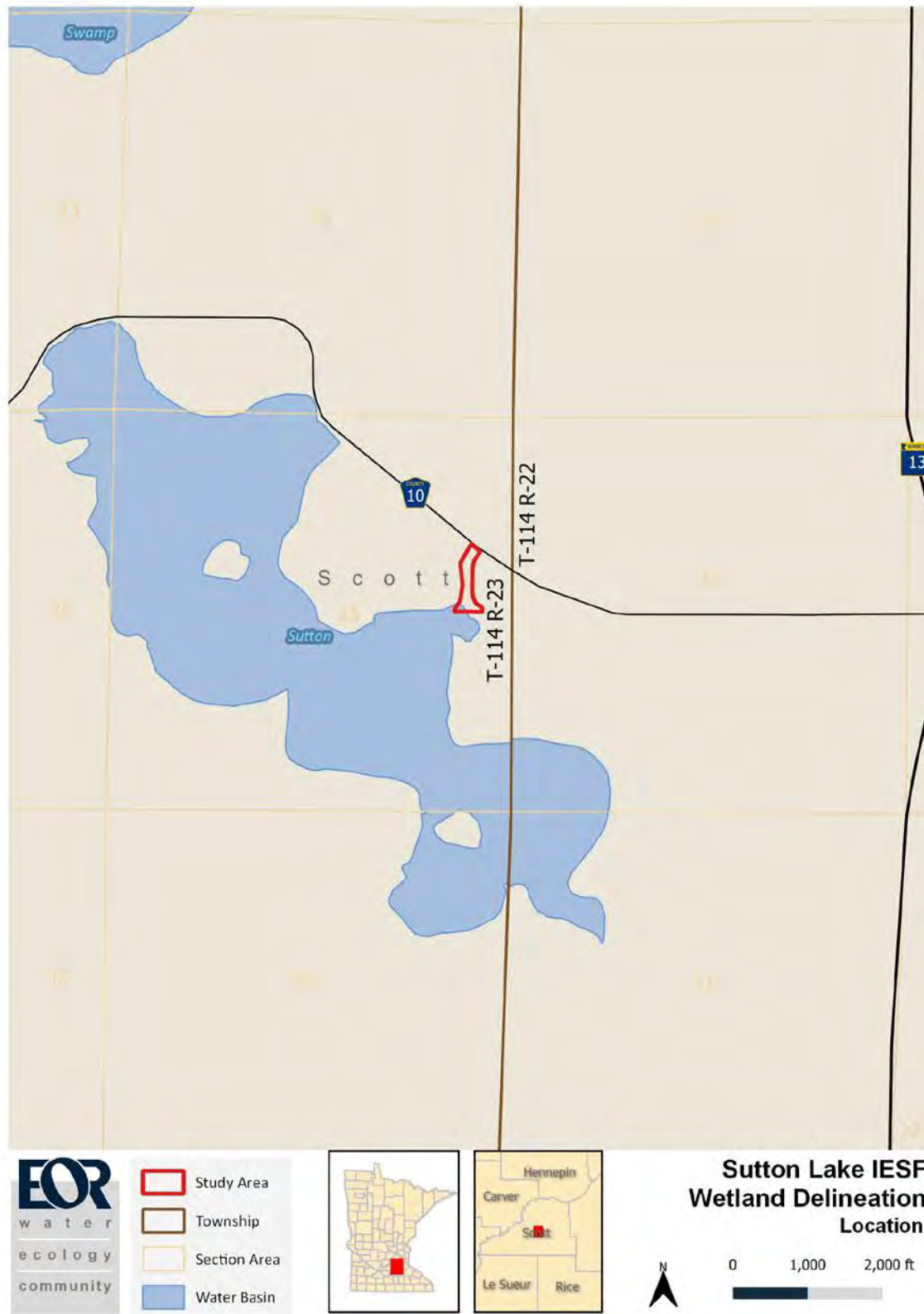


Figure 2. The Study Area is located along the east side of the Sutton Lake outlet channel, just south of County Highway 10 and near the eastern boundary of Sand Creek Township.

INTRODUCTION

The proposed project includes construction of an iron-enhanced sand filter on the east side of the Sutton Lake outlet channel within a 3.6-acre Study Area in Sand Creek Township, Scott County (**Figure 2**). The proposed project is under feasibility study and has not been sited or designed.

The legal description of the Study Area is the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 25, Township 114N, Range 23W. The Study Area is located on two privately owned parcels with property ID numbers 099250021 and 099250033. The Scott County Soil & Water Conservation District is the Local Governing Unit for the Wetland Conservation Act.

METHODOLOGY

3.1. Preliminary Desktop Investigation

The following data were collected and reviewed prior to the field delineation:

- MNDNR high resolution 1-meter digital elevation data and lidar-derived 1-foot elevation contours of Study Area vicinity (**Figure 3**)
- Natural Resources Conservation Service (NRCS) SSURGO hydric soil classification data (**Figure 4**)
- U.S. Fish and Wildlife Service (USFWS) NWI (**Figure 5**)
- U.S. Geological Survey (USGS) NHD (**Figure 5**)
- MNDNR Public Waters Inventory (PWI) (**Figure 5**)

3.2. Onsite – Level 2 Wetland Delineation Methods

3.2.1. Data Collection and Tabulation

EOR followed methodology in accordance with the BWSR technical guidance documentation and methodology outlined in the 1987 Corps of Engineers Wetland Delineation Manual and supplemental methods identified in the Midwest Regional Supplement to delineate wetlands within the Study Area. Wetland and upland observations and data were recorded in the field and subsequently entered into the U.S. Army Corps of Engineers Automated Wetland Determination Data Form – Midwest. Streams were assessed based on observations of the Ordinary High Water Mark (OHWM) as defined by the U.S. Army Corps of Engineers. Sample points and delineated boundaries were collected in the field using a Virtual Reference Station corrected submeter differential Global Positioning System (GPS) and mapped using QGIS v. 3.16.

3.2.2. Wetland Indicator Methodology

EOR conducted field work on June 25, 2021 to identify wetland boundaries. A transect was established in a representative transition zone of each potential wetland. The transect consisted of sample point in the potential wetland, and if wetland criteria were met, one point in the upland. Soils, vegetation, and hydrology were documented at each sample point and provided in data sheets.

Vegetation

Observed plant species were identified and assigned corresponding Midwest Region wetland indicator status. The wetland probability indicator status of dominant plant species was determined using the 2016 National Wetland Plant List v3.3 (**Appendix A**).

Soils

Soil samples were collected using a soil auger and were dug to a minimum of 24 inches or until restrictive layers were met. Soil colors were determined using the Munsell Soil Color Charts. Soils were described to include those hydric indicators immediately below the A-horizon. A hydric soil determination was made based upon soil characterization (texture, color), soil order, ponding, and flooding frequency.

Hydrology

As required in the 1987 Manual, the presence of subsurface hydrology or indicators thereof was characterized in the rooting zone to a minimum of 24 inches. Primary and secondary hydrology indicators were identified according to the Midwest Supplement.

3.2.3. Delineation Boundary and Type Determination

Wetland and stream boundaries were determined via consideration of soil, hydrology, vegetation, topography, and professional judgment at paired upland and wetland sample points. Boundary GPS data was collected at sufficient and appropriate intervals, depending on curvature and assumed accuracy. Wetland type boundaries were digitized using QGIS v. 3.16 based on field observations and desktop data.

4. RESULTS

4.1. Preliminary Desktop Investigation

4.1.1. Topography

The Study Area consists of a terrace sloping gently to the west toward the ditched Sutton Lake outlet channel (**Figure 3**). The terrace broadens into a large depression in the southern portion of the Study Area near Sutton Lake. The outlet channel flows generally to the north. Elevations range from 939 feet above sea level at the north end of the outlet to 950 feet on the hillslope in the southeastern corner of the Study Area.

4.1.2. Soils Data

NRCS SSURGO data mapped four soil units within the Study Area (**Figure 4; Table 1**). Hydric ratings were based on those identified in the SSURGO database.

Table 1. NRCS Soils and Hydric Rating

Soil Unit	Hydric Classification	Percent Hydric
Wb – Webster Glencoe silty clay loams	Hydric	100%
PaA – Klossner muck, 0 to 1 percent slopes	Hydric	100%
LcB – Lester loam, 2 to 6 percent slopes	Predominantly Non-Hydric	10%
LcC2 – Lester loam, 6 to 10 percent slopes	Predominantly Non-Hydric	2%

4.1.3. Water Resources Data

Mapped NWI wetlands within the Study Area include PEM1Cd and PF01Ad-type wetlands along the western boundary (**Figure 5**). The Sutton Lake DNR public water basin is mapped in the southwestern corner of the Study Area. An NHD watercourse in approximate alignment with the outlet channel runs along the western boundary of the Study Area. Several additional NWI-mapped wetlands are located beyond the Study Area and associated with Sutton Lake to the south and west or the outlet channel north of County Highway 10.

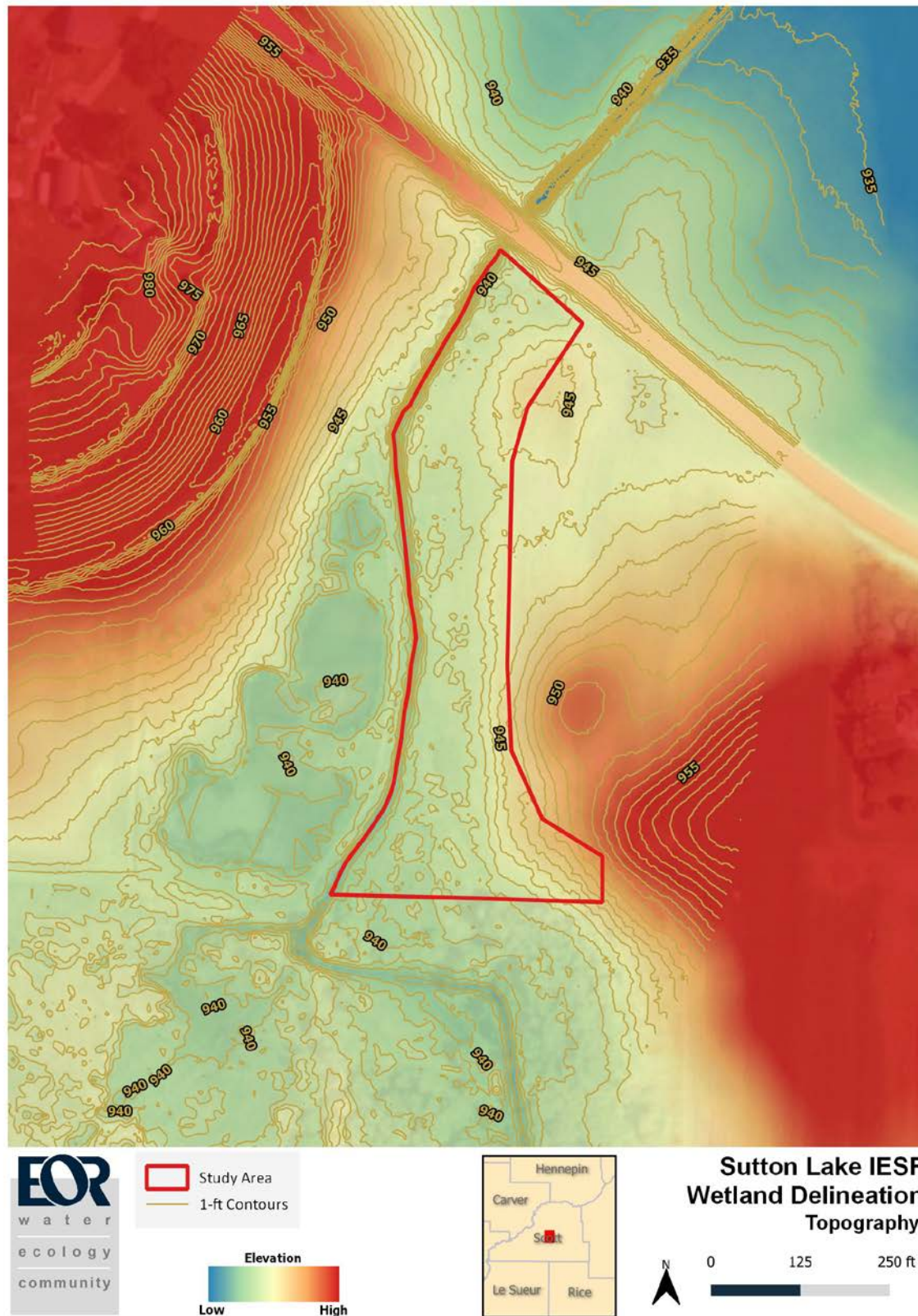


Figure 3. High resolution 1-meter DEM and lidar-derived 1-foot elevation contours for the Study Area.

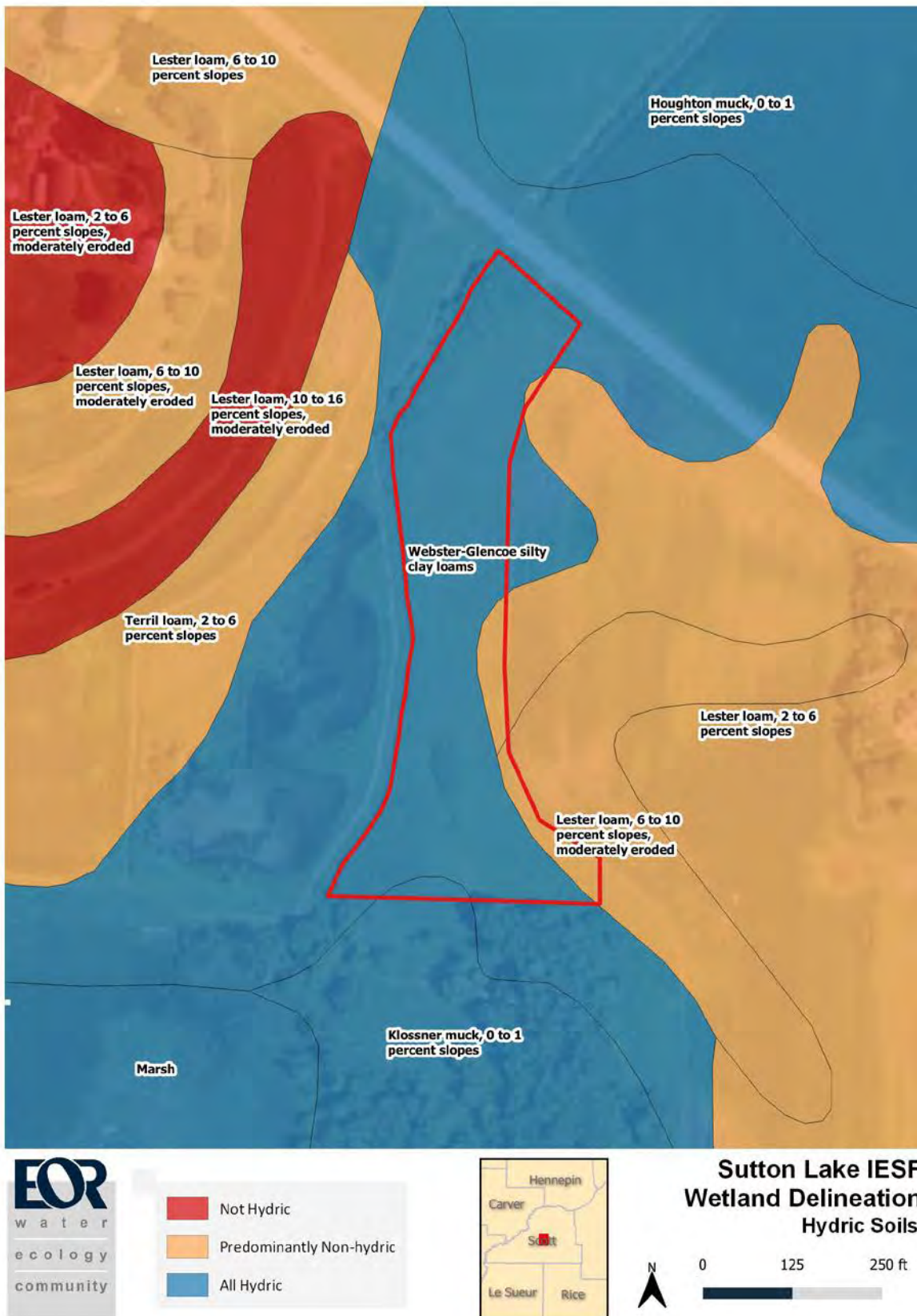


Figure 4. NRCS SSURGO soils data identified seven soil units within the Study Area.

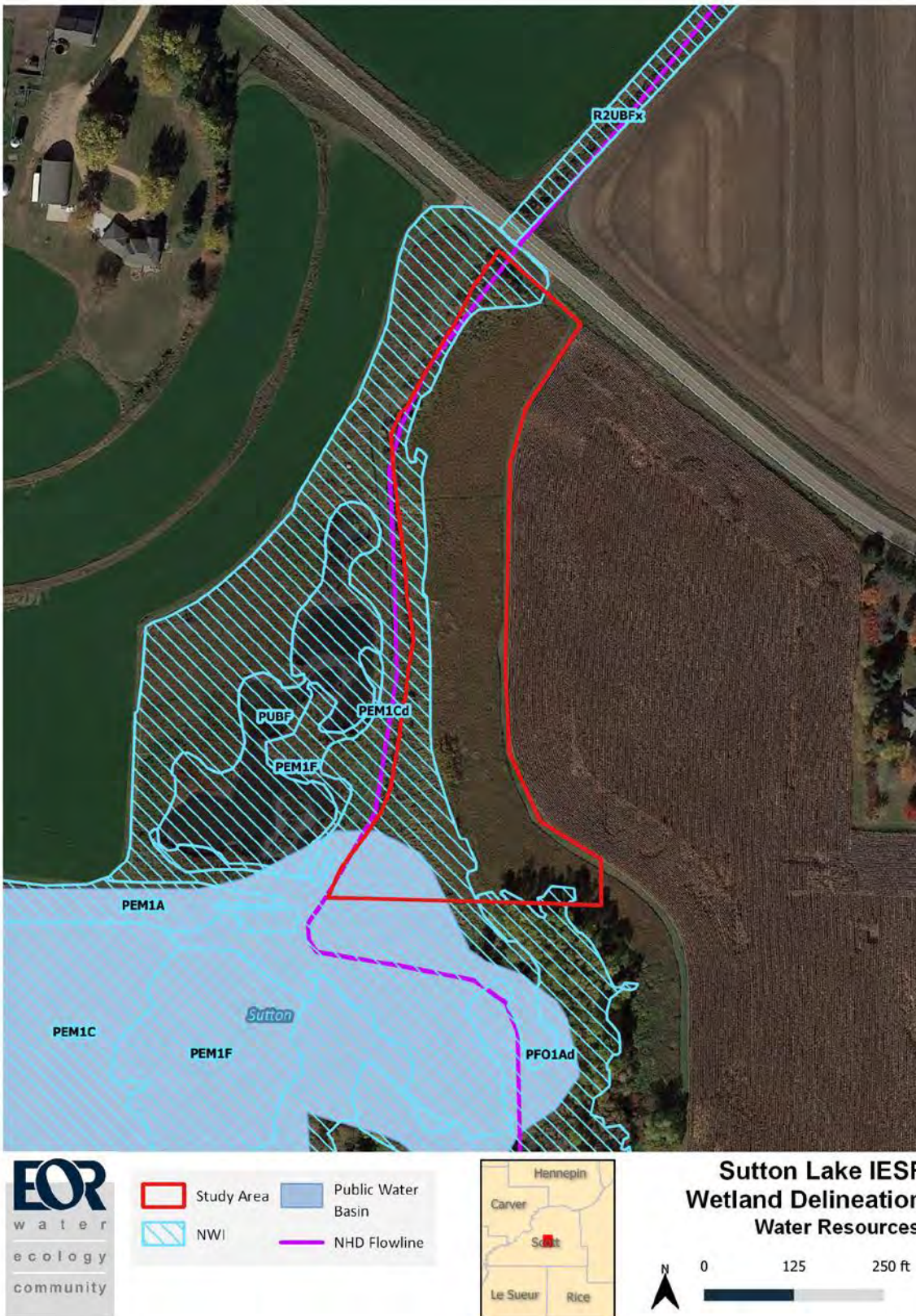


Figure 5. NWI, PWI, and NHD water resources in the Study Area vicinity.

4.2. Onsite – Level 2 Wetland Delineation Results

The wetland delineation was conducted on June 25, 2021. Weather conditions were clear at the time of the delineation. Antecedent precipitation data from the Minnesota Climatology Working Group indicated the three month antecedent precipitation was normal prior to field work (**Table 2**). However, the month of June was very dry with only 1.36 inches of precipitation, compared to a normal range of 3.48 to 4.84 inches.

Table 2. Antecedent Precipitation from Minnesota Climatology Working Group

Precipitation data for target wetland location:	
County: Scott	Township number: 114N
Township name: Sand Creek	Range number: 23W
Nearest community: Lydia	Section number: 25

Score using 1981-2010 normal period for June 25, 2021 site visit:

(Values are in inches)	1st prior month: May 2021	2 nd prior month: April 2021	3 rd prior month: March 2021
Estimated precipitation total for this location:	3.04*	2.23*	2.95*
There is a 30% chance this location will have less than:	2.47	1.87	1.20
There is a 30% chance this location will have more than:	4.37	2.72	1.96
Type of month: dry normal wet	normal	normal	wet
Monthly score	3 * 2 = 6	2 * 2 = 4	1 * 3 = 3
Multi-month score: 6 to 9 (dry) 10 to 14 (normal) 15 to 18 (wet)	13 (Normal)		

*Total derived from radar-based estimates

4.3. Wetland Descriptions

EOR identified one wetland and one ditch within the Study Area consisting of three wetland types (**Figure 6** and **Figure 7**; **Table 3**). Additional details of sample points are provided in the data sheets and photographs included in **Appendix B**.

Table 3. Delineated Wetlands

Aquatic Resource	Wetland Type			Area (acres)
	Cowardin <i>et al</i> / NWI	Circular 39	Eggers and Reed	
Wetland	PEM1Ad	Type 1	Seasonally Flooded Basin	0.53
	PEM1Bd	Type 2	Fresh (Wet) Meadow (Disturbed Subtype)	0.40
Wetland Area				0.93
Ditch	R2UBFx	N/A	N/A	0.13
Total Aquatic Resource Area within Study Area				1.06

The delineated wetland consisted of Type 1, PEM1Ad and Type 2, PEM1Bd wetlands along the Sutton Lake outlet channel ditch (**Figure 7**). At the northern/downstream edge, the wetland occupies a terrace along the ditch and consists of a narrow fringe of Type 1 wetland. The narrow fringe gradually broadens into a depressional basin at the upstream end near Sutton Lake and includes Type 2 wetland. One transect of paired sample points (**W1A** and **W1B**) was completed along the wetland boundary along with an additional non-wetland point where the Type 1 fringe constricts to a very narrow band along the top of the ditch (**W1C**).

Wetland sample point **W1A** was taken along the ditch terrace. Dominant vegetation at wetland sample point W1A consisted of reed canary grass (FACW) with a minor component of giant goldenrod (FACW) and several species at 2% cover or less. Soils at the wetland sample point met the requirements of hydric indicator A12 (Thick Dark Surface). No primary hydrology indicators were observed, but wetland hydrology criteria was met by the secondary indicators D2 (Geomorphic Position) and D5 (FAC-Neutral Test). The paired upland sample point **W1B** was located farther upslope on the terrace. Hydrophytic vegetation was not present and dominant vegetation consisted of indian grass (FACU), with a minor component of Canada goldenrod (FACU), Kentucky bluegrass (FAC), and wild bergamot (FACU). Several other species were present at 1% cover. Soils at the upland sample point met the requirements of hydric indicator A12 (Thick Dark Surface). Sample point W1B did not meet wetland hydrology criteria and not hydrology indicators were observed.

Non-wetland sample point **W1C** was taken along the terrace near the downstream end of the ditch where the wetland fringe appeared to narrow based on vegetation observations. Hydrophytic vegetation was not present, despite the presence of some wetland species as dominants. Dominant vegetation at sample point W1C consisted of box elder (FAC) in the tree stratum; sandbar willow (FACW) and exotic honeysuckle (FACU) in the shrub stratum; smooth brome (FACU), reed canary grass (FACW), and Canada goldenrod (FACU) in the herb stratum; and riverbank grape and Virginia creeper in the vine stratum. Wild plum (UPL) was not present within the sample point, but was

observed as the dominant species along the ditch bank to the north. Soils at the wetland sample point were assumed to be hydric; a restrictive layer of gravel was encountered at 24 inches that prevented further observation. Soils were 10YR 2/1 through 24 inches and therefore potentially met requirements of A12 (Thick Dark Surface) at depths below the restrictive layer. No primary or secondary hydrology indicators were observed and the sample point did not meet wetland hydrology criteria.

The centerline of the ditch was surveyed and forms the west boundary of the Study Area. The ditch channel ranged in width from 5-6 feet wide. The centerline was buffered to a 6-foot width using GIS to digitize the ditch boundary. The ditch flows to the north and water depth at the thalweg was 6-8 inches.

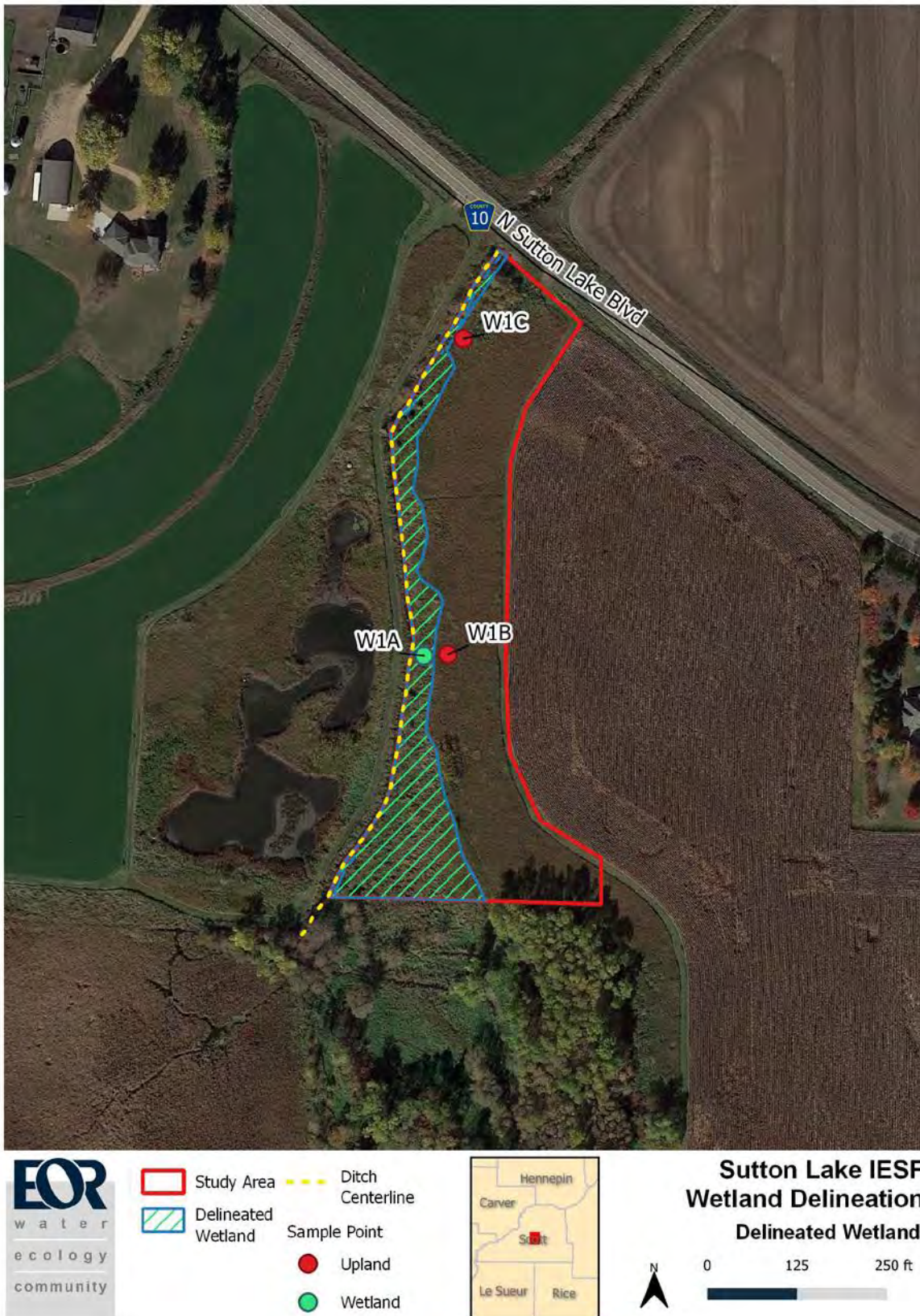


Figure 6. Delineated Wetland

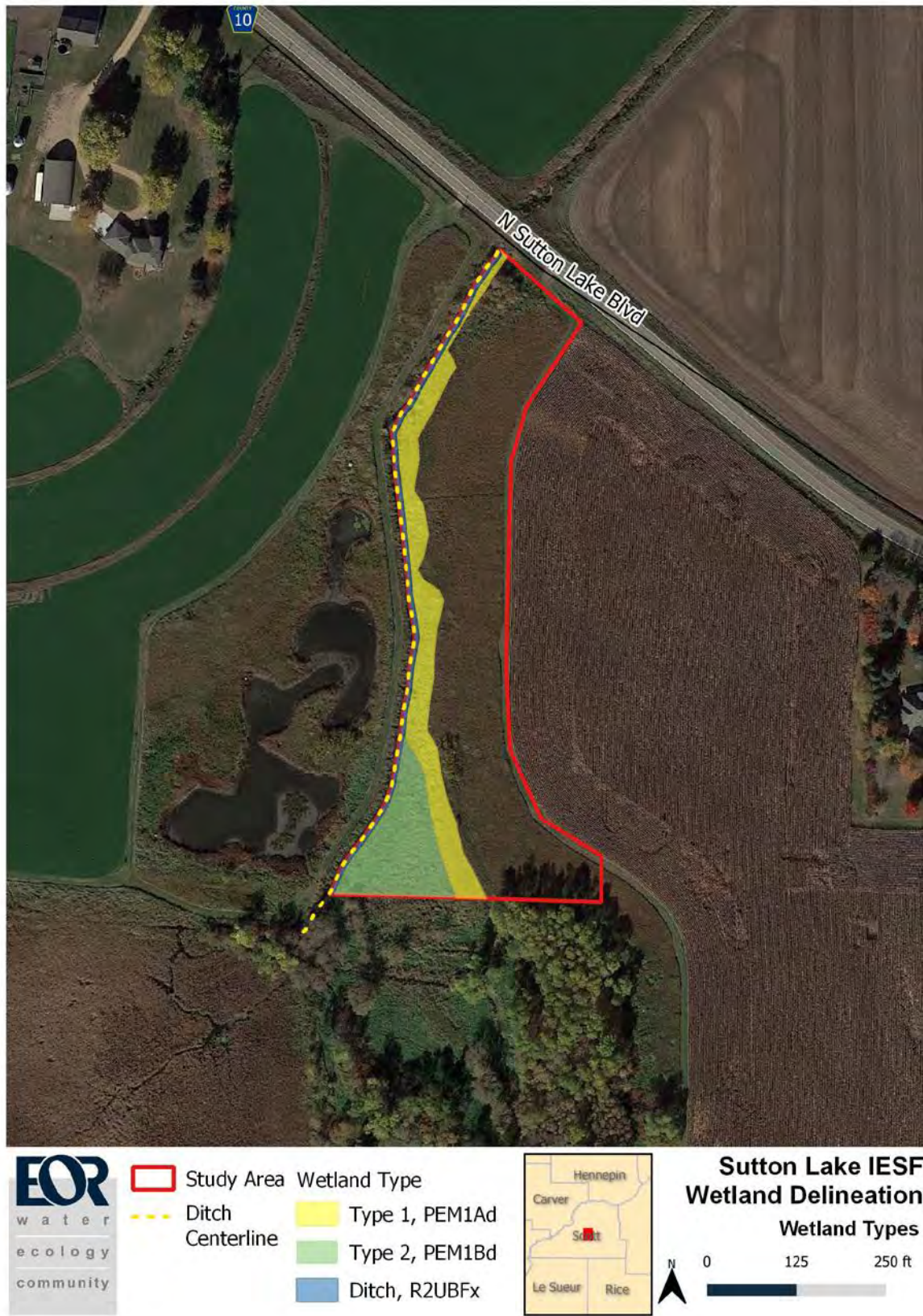


Figure 7. Wetland types within the Study Area.

APPENDIX A: WETLAND PLANT INDICATOR CLASSES

Obligate Wetland (OBL)	Species occurs almost always (estimated probability >99%) in wetlands under natural conditions.
Facultative Wetland (FACW)	Species usually occurs in wetlands (estimated probability 67 to 99%) but occasionally found in non-wetlands.
Facultative (FAC)	Species equally likely to occur in wetlands and non-wetlands (estimated probability 34 to 66%).
Facultative Upland (FACU)	Species usually occurs in non-wetlands (estimated probability 67 to 99%) but occasionally is found in wetlands (estimated probability 1 to 33%).
Obligate Upland (UPL)	Species occurs in wetlands in other region but, under normal conditions, occur almost always (estimated probability >99%) in non-wetlands within the region specified. Species that do not occur in wetlands in any region are not found on the National List.
No Indicator Status (NI)	Insufficient information available to establish indicator status.

APPENDIX B: WETLAND DETERMINATION DATA FORMS AND PHOTOGRAPHS

WETLAND DETERMINATION DATA FORM - Midwest Region

Project/Site Sutton IESF City/County: Scott Sampling Date: 6/25/2021
 Applicant/Owner: PLSLWD State: MN Sampling Point: W1A
 Investigator(s): Jimmy Marty & Nick McReavy Section, Township, Range: S25 T114N R23W
 Landform (hillslope, terrace, etc.): terrace Local relief (concave, convex, none): concave
 Slope (%): 1 Lat: 44.653490N Long: 93.523918W Datum: NAT 83 UTM Zone 15N
 Soil Map Unit Name Wb: Webster-Glencoe silty clay loams VWI Classification: PEM1Cd

Are climatic/hydrologic conditions of the site typical for this time of the year? Y (If no, explain in remarks)

Are vegetation , soil , or hydrology significantly disturbed?

Are "normal circumstances"

Are vegetation , soil , or hydrology naturally problematic?

present? Yes

SUMMARY OF FINDINGS

(If needed, explain any answers in remarks.)

Hydrophytic vegetation present?	<u>Y</u>	Is the sampled area within a wetland? <u>Y</u> If yes, optional wetland site ID: <u>Wetland 1</u>
Hydric soil present?	<u>Y</u>	
Indicators of wetland hydrology present?	<u>Y</u>	

Remarks: (Explain alternative procedures here or in a separate report.)

Wetland is a fringe of a ditch terrace, 35% side slope, channel is 5 feet wide at sample point with thalweg of 7 inches.
RCG and native phragmites dominate

VEGETATION -- Use scientific names of plants.

Tree Stratum	(Plot size: <u>30 ft</u>)	Absolute % Cover	Dominant Species	Indicator Status	Dominance Test Worksheet Number of Dominant Species that are OBL, FACW, or FAC: <u>1</u> (A) Total Number of Dominant Species Across all Strata: <u>1</u> (B) Percent of Dominant Species that are OBL, FACW, or FAC: <u>100.00%</u> (A/B)
1					
2					
3					
4					
5					
		<u>0</u> = Total Cover			Prevalence Index Worksheet Total % Cover of: OBL species <u>2</u> x 1 = <u>2</u> FACW species <u>95</u> x 2 = <u>190</u> FAC species <u>1</u> x 3 = <u>3</u> FACU species <u>3</u> x 4 = <u>12</u> UPL species <u>0</u> x 5 = <u>0</u> Column totals <u>101</u> (A) <u>207</u> (B) Prevalence Index = B/A = <u>2.05</u>
Sapling/Shrub stratum	(Plot size: <u>15 ft</u>)				
1					
2					
3					
4					
5					
		<u>0</u> = Total Cover			
Herb stratum	(Plot size: <u>5 ft</u>)				Hydrophytic Vegetation Indicators: <u> </u> Rapid test for hydrophytic vegetation <u>X</u> Dominance test is >50% <u>X</u> Prevalence index is ≤3.0* Morphological adaptations* (provide supporting data in Remarks or on a separate sheet) Problematic hydrophytic vegetation* (explain) *Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic
1	<u>Phalaris arundinacea</u>	<u>80</u>	<u>Y</u>	<u>FACW</u>	
2	<u>Solidago gigantea</u>	<u>15</u>	<u>N</u>	<u>FACW</u>	
3	<u>Persicaria amphibia</u>	<u>2</u>	<u>N</u>	<u>OBL</u>	
4	<u>Acer negundo</u>	<u>1</u>	<u>N</u>	<u>FAC</u>	
5	<u>Taraxacum officinale</u>	<u>1</u>	<u>N</u>	<u>FACU</u>	
6	<u>Rubus idaeus</u>	<u>1</u>	<u>N</u>	<u>FACU</u>	
7	<u>Asclepias syriaca</u>	<u>1</u>	<u>N</u>	<u>FACU</u>	
8					
9					
10					
		<u>101</u> = Total Cover			
Woody vine stratum	(Plot size: <u>30 ft</u>)				Hydrophytic vegetation present? <u>Y</u>
1					
2					
		<u>0</u> = Total Cover			

Remarks: (Include photo numbers here or on a separate sheet)

SOIL

Sampling Point:

W1A

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
0-4	10YR 2/1	100					loam	dry and friable
4-20	10YR 2/1	100					clay loam	
20-24	10YR 2/1	98	7.5YR 3/4	2	C	PL	clay	
24-34	10YR 2/1	100					clay	
34-36	10YR 4/1	75	10YR 4/3	25	C	M	clay	

*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. **Location: PL = Pore Lining, M = Matrix

Hydric Soil Indicators:

- ☐ Histisol (A1) ☐ Sandy Gleyed Matrix (S4)
☐ Histic Epipedon (A2) ☐ Sandy Redox (S5)
☐ Black Histic (A3) ☐ Stripped Matrix (S6)
☐ Hydrogen Sulfide (A4) ☐ Loamy Mucky Mineral (F1)
☐ Stratified Layers (A5) ☐ Loamy Gleyed Matrix (F2)
☐ 2 cm Muck (A10) ☐ Depleted Matrix (F3)
☐ Depleted Below Dark Surface (A11) ☒ Redox Dark Surface (F6)
☒ Thick Dark Surface (A12) ☐ Depleted Dark Surface (F7)
☐ Sandy Mucky Mineral (S1) ☐ Redox Depressions (F8)
☐ 5 cm Mucky Peat or Peat (S3)

Indicators for Problematic Hydric Soils:

- ☐ Coast Prairie Redox (A16) (LRR K, L, R)
☐ Dark Surface (S7) (LRR K, L)
☐ Iron-Manganese Masses (F12) (LRR K, L, R)
☐ Very Shallow Dark Surface (TF12)
☐ Other (explain in remarks)

*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

Restrictive Layer (if observed):

Type: _____
 Depth (inches): _____

Hydric soil present? Y

Remarks:

HYDROLOGY**Wetland Hydrology Indicators:**Primary Indicators (minimum of one is required; check all that apply)

- ☐ Surface Water (A1) ☐ Aquatic Fauna (B13)
☐ High Water Table (A2) ☐ True Aquatic Plants (B14)
☐ Saturation (A3) ☐ Hydrogen Sulfide Odor (C1)
☐ Water Marks (B1) ☐ Oxidized Rhizospheres on Living Roots (C3)
☐ Sediment Deposits (B2) ☐ Presence of Reduced Iron (C4)
☐ Drift Deposits (B3) ☐ Recent Iron Reduction in Tilled Soils (C6)
☐ Algal Mat or Crust (B4) ☐ Thin Muck Surface (C7)
☐ Iron Deposits (B5) ☐ Gauge or Well Data (D9)
☐ Inundation Visible on Aerial Imagery (B7) ☐ Other (Explain in Remarks)
☐ Sparsely Vegetated Concave Surface (B8)
☐ Water-Stained Leaves (B9)

Secondary Indicators (minimum of two required)

- ☐ Surface Soil Cracks (B6)
☐ Drainage Patterns (B10)
☐ Dry-Season Water Table (C2)
☐ Crayfish Burrows (C8)
☐ Saturation Visible on Aerial Imagery (C9)
☐ Stunted or Stressed Plants (D1)
☒ Geomorphic Position (D2)
☒ FAC-Neutral Test (D5)

Field Observations:

Surface water present? Yes ☐ No ☒ Depth (inches): _____
 Water table present? Yes ☐ No ☒ Depth (inches): _____
 Saturation present? Yes ☐ No ☒ Depth (inches): _____
 (includes capillary fringe)

Indicators of wetland hydrology present? Y

Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

WETLAND DETERMINATION DATA FORM - Midwest Region

Project/Site Sutton IESF City/County: Scott Sampling Date: 6/25/2021
 Applicant/Owner: PLSLWD State: Minnesota Sampling Point: W1B
 Investigator(s): Jimmy Marty & Nick McReavy Section, Township, Range: S25 T114N R23W
 Landform (hillslope, terrace, etc.): terrace Local relief (concave, convex, none): concave
 Slope (%): 1 Lat: 44.653498N Long: 93.523789W Datum: NAT 83 UTM Zone 15N
 Soil Map Unit Name Wb: Webster-Glencoe silty clay loams VWI Classification: none

Are climatic/hydrologic conditions of the site typical for this time of the year? Y (If no, explain in remarks)

Are vegetation , soil , or hydrology significantly disturbed?

Are "normal circumstances"

Are vegetation , soil , or hydrology naturally problematic?

present? Yes

SUMMARY OF FINDINGS

(If needed, explain any answers in remarks.)

Hydrophytic vegetation present?	<u>N</u>	Is the sampled area within a wetland? <u>N</u> If yes, optional wetland site ID: <u> </u>
Hydric soil present?	<u>Y</u>	
Indicators of wetland hydrology present?	<u>N</u>	
Remarks: (Explain alternative procedures here or in a separate report.)		

VEGETATION -- Use scientific names of plants.

Tree Stratum	(Plot size: <u>30 ft</u>)	Absolute % Cover	Dominant Species	Indicator Status	Dominance Test Worksheet Number of Dominant Species that are OBL, FACW, or FAC: <u>0</u> (A) Total Number of Dominant Species Across all Strata: <u>1</u> (B) Percent of Dominant Species that are OBL, FACW, or FAC: <u>0.00%</u> (A/B)
1					
2					
3					
4					
5					
		<u>0</u> = Total Cover			
Sapling/Shrub stratum	(Plot size: <u>15 ft</u>)				Prevalence Index Worksheet Total % Cover of: OBL species <u>0</u> x 1 = <u>0</u> FACW species <u>1</u> x 2 = <u>2</u> FAC species <u>15</u> x 3 = <u>45</u> FACU species <u>92</u> x 4 = <u>368</u> UPL species <u>1</u> x 5 = <u>5</u> Column totals <u>109</u> (A) <u>420</u> (B) Prevalence Index = B/A = <u>3.85</u>
1					
2					
3					
4					
5					
		<u>0</u> = Total Cover			
Herb stratum	(Plot size: <u>5 ft</u>)				Hydrophytic Vegetation Indicators: <u> </u> Rapid test for hydrophytic vegetation <u> </u> Dominance test is >50% <u> </u> Prevalence index is ≤3.0* <u> </u> Morphological adaptations* (provide supporting data in Remarks or on a separate sheet) <u> </u> Problematic hydrophytic vegetation* (explain) *Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic
1	<u>Sorghastrum nutans</u>	<u>65</u>	<u>Y</u>	<u>FACU</u>	
2	<u>Solidago canadensis</u>	<u>20</u>	<u>N</u>	<u>FACU</u>	
3	<u>Poa pratensis</u>	<u>15</u>	<u>N</u>	<u>FAC</u>	
4	<u>Monarda fistulosa</u>	<u>5</u>	<u>N</u>	<u>FACU</u>	
5	<u>Medicago lupulina</u>	<u>1</u>	<u>N</u>	<u>FACU</u>	
6	<u>Cirsium arvense</u>	<u>1</u>	<u>N</u>	<u>FACU</u>	
7	<u>Solidago gigantea</u>	<u>1</u>	<u>N</u>	<u>FACW</u>	
8	<u>Melilotus alba</u>	<u>1</u>	<u>N</u>	<u>UPL</u>	
9					
10					
		<u>109</u> = Total Cover			
Woody vine stratum	(Plot size: <u>30 ft</u>)				Hydrophytic vegetation present? <u>N</u>
1					
2					
		<u>0</u> = Total Cover			

Remarks: (Include photo numbers here or on a separate sheet)

SOIL

Sampling Point:

W1B

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
0-13	10YR 2/1	100					clay loam	very compact, dry, friable
13-19	10YR 2/1	100					clay	
19-24	10YR 2/1	98	10YR 4/2	2	D	PL	clay	
24-28	10YR 3/1	100					clay	
28-34	10YR 4/1	70	10YR 4/3	30	C	M	clay	

*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. **Location: PL = Pore Lining, M = Matrix

Hydric Soil Indicators:

- ☐ Histisol (A1)
☐ Histic Epipedon (A2)
☐ Black Histic (A3)
☐ Hydrogen Sulfide (A4)
☐ Stratified Layers (A5)
☐ 2 cm Muck (A10)
☐ Depleted Below Dark Surface (A11)
☒ Thick Dark Surface (A12)
☐ Sandy Mucky Mineral (S1)
☐ 5 cm Mucky Peat or Peat (S3)

- ☐ Sandy Gleyed Matrix (S4)
☐ Sandy Redox (S5)
☐ Stripped Matrix (S6)
☐ Loamy Mucky Mineral (F1)
☐ Loamy Gleyed Matrix (F2)
☐ Depleted Matrix (F3)
☐ Redox Dark Surface (F6)
☐ Depleted Dark Surface (F7)
☐ Redox Depressions (F8)

Indicators for Problematic Hydric Soils:

- ☐ Coast Prairie Redox (A16) (LRR K, L, R)
☐ Dark Surface (S7) (LRR K, L)
☐ Iron-Manganese Masses (F12) (LRR K, L, R)
☐ Very Shallow Dark Surface (TF12)
☐ Other (explain in remarks)

*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

Restrictive Layer (if observed):

Type: _____
 Depth (inches): _____

Hydric soil present? Y

Remarks:

HYDROLOGY**Wetland Hydrology Indicators:**Primary Indicators (minimum of one is required; check all that apply)

- ☐ Surface Water (A1)
☐ High Water Table (A2)
☐ Saturation (A3)
☐ Water Marks (B1)
☐ Sediment Deposits (B2)
☐ Drift Deposits (B3)
☐ Algal Mat or Crust (B4)
☐ Iron Deposits (B5)
☐ Inundation Visible on Aerial Imagery (B7)
☐ Sparsely Vegetated Concave Surface (B8)
☐ Water-Stained Leaves (B9)

- ☐ Aquatic Fauna (B13)
☐ True Aquatic Plants (B14)
☐ Hydrogen Sulfide Odor (C1)
☐ Oxidized Rhizospheres on Living Roots (C3)
☐ Presence of Reduced Iron (C4)
☐ Recent Iron Reduction in Tilled Soils (C6)
☐ Thin Muck Surface (C7)
☐ Gauge or Well Data (D9)
☐ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ☐ Surface Soil Cracks (B6)
☐ Drainage Patterns (B10)
☐ Dry-Season Water Table (C2)
☐ Crayfish Burrows (C8)
☐ Saturation Visible on Aerial Imagery (C9)
☐ Stunted or Stressed Plants (D1)
☐ Geomorphic Position (D2)
☐ FAC-Neutral Test (D5)

Field Observations:

Surface water present? Yes ☐ No ☒ Depth (inches): _____
 Water table present? Yes ☐ No ☒ Depth (inches): _____
 Saturation present? Yes ☐ No ☒ Depth (inches): _____
 (includes capillary fringe)

Indicators of wetland hydrology present? N

Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

WETLAND DETERMINATION DATA FORM - Midwest Region

Project/Site Sutton IESF City/County: Scott Sampling Date: 6/25/2021
 Applicant/Owner: PLSLWD State: MN Sampling Point: W1C
 Investigator(s): Jimmy Marty & Nick McReavy Section, Township, Range: S25 T114N R23W
 Landform (hillslope, terrace, etc.): terrace Local relief (concave, convex, none): concave
 Slope (%): 1 Lat: 44.654702N Long: 93.523717 Datum: NAT 83 UTM Zone 15N
 Soil Map Unit Name Wb: Webster-Glencoe silty clay loams NWI Classification: none

Are climatic/hydrologic conditions of the site typical for this time of the year? Y (If no, explain in remarks)

Are vegetation , soil , or hydrology significantly disturbed?

Are "normal circumstances"

Are vegetation , soil , or hydrology naturally problematic?

present? No

SUMMARY OF FINDINGS

(If needed, explain any answers in remarks.)

Hydrophytic vegetation present?	<u>N</u>	Is the sampled area within a wetland? <u>N</u> If yes, optional wetland site ID: <u> </u>
Hydric soil present?	<u>Y</u>	
Indicators of wetland hydrology present?	<u>N</u>	
Remarks: (Explain alternative procedures here or in a separate report.)		

VEGETATION -- Use scientific names of plants.

Tree Stratum	(Plot size: <u>30 ft</u>)	Absolute % Cover	Dominant Species	Indicator Status	Dominance Test Worksheet Number of Dominant Species that are OBL, FACW, or FAC: <u>4</u> (A) Total Number of Dominant Species Across all Strata: <u>8</u> (B) Percent of Dominant Species that are OBL, FACW, or FAC: <u>50.00%</u> (A/B)
1	<u>Acer negundo</u>	<u>15</u>	<u>Y</u>	<u>FAC</u>	
2	<u> </u>	<u> </u>	<u> </u>	<u> </u>	
3	<u> </u>	<u> </u>	<u> </u>	<u> </u>	
4	<u> </u>	<u> </u>	<u> </u>	<u> </u>	
5	<u> </u>	<u> </u>	<u> </u>	<u> </u>	
		<u>15</u>	= Total Cover		Prevalence Index Worksheet Total % Cover of: OBL species <u>0</u> x 1 = <u>0</u> FACW species <u>60</u> x 2 = <u>120</u> FAC species <u>16</u> x 3 = <u>48</u> FACU species <u>88</u> x 4 = <u>352</u> UPL species <u>1</u> x 5 = <u>5</u> Column totals <u>165</u> (A) <u>525</u> (B) Prevalence Index = B/A = <u>3.18</u>
Sapling/Shrub stratum	(Plot size: <u>15 ft</u>)				
1	<u>Salix interior</u>	<u>15</u>	<u>Y</u>	<u>FACW</u>	
2	<u>Lonicera morrowii</u>	<u>10</u>	<u>Y</u>	<u>FACU</u>	
3	<u>Rubus idaeus</u>	<u>1</u>	<u>N</u>	<u>FACU</u>	
4	<u> </u>	<u> </u>	<u> </u>	<u> </u>	
5	<u> </u>	<u> </u>	<u> </u>	<u> </u>	
		<u>26</u>	= Total Cover		
Herb stratum	(Plot size: <u>5 ft</u>)				Hydrophytic Vegetation Indicators: <u> </u> Rapid test for hydrophytic vegetation <u> </u> Dominance test is >50% <u> </u> Prevalence index is ≤3.0* <u> </u> Morphological adaptations* (provide supporting data in Remarks or on a separate sheet) <u> </u> Problematic hydrophytic vegetation* (explain) *Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic
1	<u>Phalaris arundinacea</u>	<u>40</u>	<u>Y</u>	<u>FACW</u>	
2	<u>Bromus inermis</u>	<u>40</u>	<u>Y</u>	<u>FACU</u>	
3	<u>Solidago canadensis</u>	<u>25</u>	<u>Y</u>	<u>FACU</u>	
4	<u>Asclepias syriaca</u>	<u>5</u>	<u>N</u>	<u>FACU</u>	
5	<u>Taraxacum officinale</u>	<u>1</u>	<u>N</u>	<u>FACU</u>	
6	<u>Cirsium arvense</u>	<u>1</u>	<u>N</u>	<u>FACU</u>	
7	<u>Acer negundo</u>	<u>1</u>	<u>N</u>	<u>FAC</u>	
8	<u>Ulmus pumila</u>	<u>1</u>	<u>N</u>	<u>UPL</u>	
9	<u> </u>	<u> </u>	<u> </u>	<u> </u>	
10	<u> </u>	<u> </u>	<u> </u>	<u> </u>	
		<u>114</u>	= Total Cover		
Woody vine stratum	(Plot size: <u>30 ft</u>)				Hydrophytic vegetation present? <u>N</u>
1	<u>Vitis riparia</u>	<u>5</u>	<u>Y</u>	<u>FACW</u>	
2	<u>Parthenocissus quinquefolia</u>	<u>5</u>	<u>Y</u>	<u>FACU</u>	
		<u>10</u>	= Total Cover		

Remarks: (Include photo numbers here or on a separate sheet)

SOIL

Sampling Point:

W1C

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
0-24	10YR 2/1	100					loam	very compact, no clay, friable

*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. **Location: PL = Pore Lining, M = Matrix

Hydric Soil Indicators:

- ☐ Histisol (A1)
☐ Histic Epipedon (A2)
☐ Black Histic (A3)
☐ Hydrogen Sulfide (A4)
☐ Stratified Layers (A5)
☐ 2 cm Muck (A10)
☐ Depleted Below Dark Surface (A11)
☒ Thick Dark Surface (A12)
☐ Sandy Mucky Mineral (S1)
☐ 5 cm Mucky Peat or Peat (S3)
- ☐ Sandy Gleyed Matrix (S4)
☐ Sandy Redox (S5)
☐ Stripped Matrix (S6)
☐ Loamy Mucky Mineral (F1)
☐ Loamy Gleyed Matrix (F2)
☐ Depleted Matrix (F3)
☒ Redox Dark Surface (F6)
☐ Depleted Dark Surface (F7)
☐ Redox Depressions (F8)

Indicators for Problematic Hydric Soils:

- ☐ Coast Prairie Redox (A16) (LRR K, L, R)
☐ Dark Surface (S7) (LRR K, L)
☐ Iron-Manganese Masses (F12) (LRR K, L, R)
☐ Very Shallow Dark Surface (TF12)
☐ Other (explain in remarks)

*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

Restrictive Layer (if observed):

Type: rock/gravel
 Depth (inches): 24"

Hydric soil present? Y**Remarks:**

Assume A12

HYDROLOGY**Wetland Hydrology Indicators:**Primary Indicators (minimum of one is required; check all that apply)

- ☐ Surface Water (A1)
☐ High Water Table (A2)
☐ Saturation (A3)
☐ Water Marks (B1)
☐ Sediment Deposits (B2)
☐ Drift Deposits (B3)
☐ Algal Mat or Crust (B4)
☐ Iron Deposits (B5)
☐ Inundation Visible on Aerial Imagery (B7)
☐ Sparsely Vegetated Concave Surface (B8)
☐ Water-Stained Leaves (B9)
- ☐ Aquatic Fauna (B13)
☐ True Aquatic Plants (B14)
☐ Hydrogen Sulfide Odor (C1)
☐ Oxidized Rhizospheres on Living Roots (C3)
☐ Presence of Reduced Iron (C4)
☐ Recent Iron Reduction in Tilled Soils (C6)
☐ Thin Muck Surface (C7)
☐ Gauge or Well Data (D9)
☐ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ☐ Surface Soil Cracks (B6)
☐ Drainage Patterns (B10)
☐ Dry-Season Water Table (C2)
☐ Crayfish Burrows (C8)
☐ Saturation Visible on Aerial Imagery (C9)
☐ Stunted or Stressed Plants (D1)
☐ Geomorphic Position (D2)
☐ FAC-Neutral Test (D5)

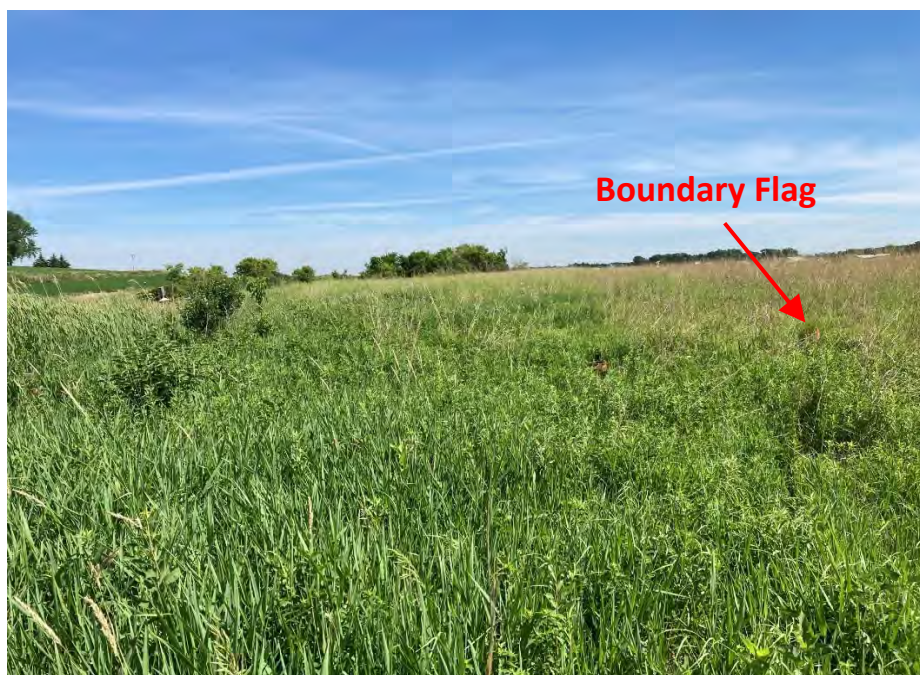
Field Observations:

Surface water present? Yes ☐ No ☒ Depth (inches):
 Water table present? Yes ☐ No ☒ Depth (inches):
 Saturation present? Yes ☐ No ☒ Depth (inches):
 (includes capillary fringe)

Indicators of wetland hydrology present? N

Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:



Overview of the delineated wetland looking north along the boundary. A boundary flag is visible at the transition from reedcanary grass-dominated wetland to indian grass-dominated upland.



Wetland sample point W1A.



Upland sample point W1B.



Non-wetland sample point W1C.



Wetland boundary overview looking north near non-wetland sample point W1C.



Looking south toward the southern boundary where the wetland broadens near Sutton Lake.



Looking west across the ditch.

memo



Project Name	Sutton Lake IESF	Date	11/10/2021
To / Contact info	Collin Schoenecker, Jon Utrecht (Scott SWCD); Ben Carlson (BWSR); Taylor Huinker (DNR)		
Cc / Contact info	Joni Gies (PLSLWD); Troy Kuphal (Scott SWCD)		
From / Contact info	Jason Naber, Chris Long		
Regarding	Wetland Boundary and Type Addendum – Sutton Lake IESF (LGU Project No. WCA-21-044)		

Background

The following memo summarizes revisions made to the boundary and type of a wetland complex delineated at the proposed site for an iron-enhanced sand filter on the east side of the Sutton Lake outlet channel. A Level 2 delineation report and joint project application were received by the LGU from EOR on 10/5/2021. The TEP reviewed the delineation in the field on 11/1/2021. The TEP recommended a major revision to the wetland boundary and type originally delineated by EOR.

Delineation Revisions

The northern two thirds of the wetland feature originally delineated by EOR was determined to be upland. This area retained some wetland characteristics, in part dominance of reed canary grass (*Phalaris arundinacea*), because it contained spoils from historical dredging of the channel. The southern portion of the wetland feature was retained as delineated. (**Figure 1**). The wetland types in this area remain the same as delineated. An updated summary of the revised wetland types and areas are provided below in **Table 1**.

Table 1. Revised Delineated Wetland Table

Aquatic Resource	Wetland Type			Area (acres)
	Cowardin <i>et al</i> / NWI	Circular 39	Eggers and Reed	
Wetland	PEM1Ad	Type 1	Seasonally Flooded Basin	0.19
	PEM1Bd	Type 2	Fresh (Wet) Meadow (Disturbed Subtype)	0.40
Wetland Area				0.59
Ditch	R2UBFx	N/A	N/A	0.13
Total Aquatic Resource Area within Study Area				0.72

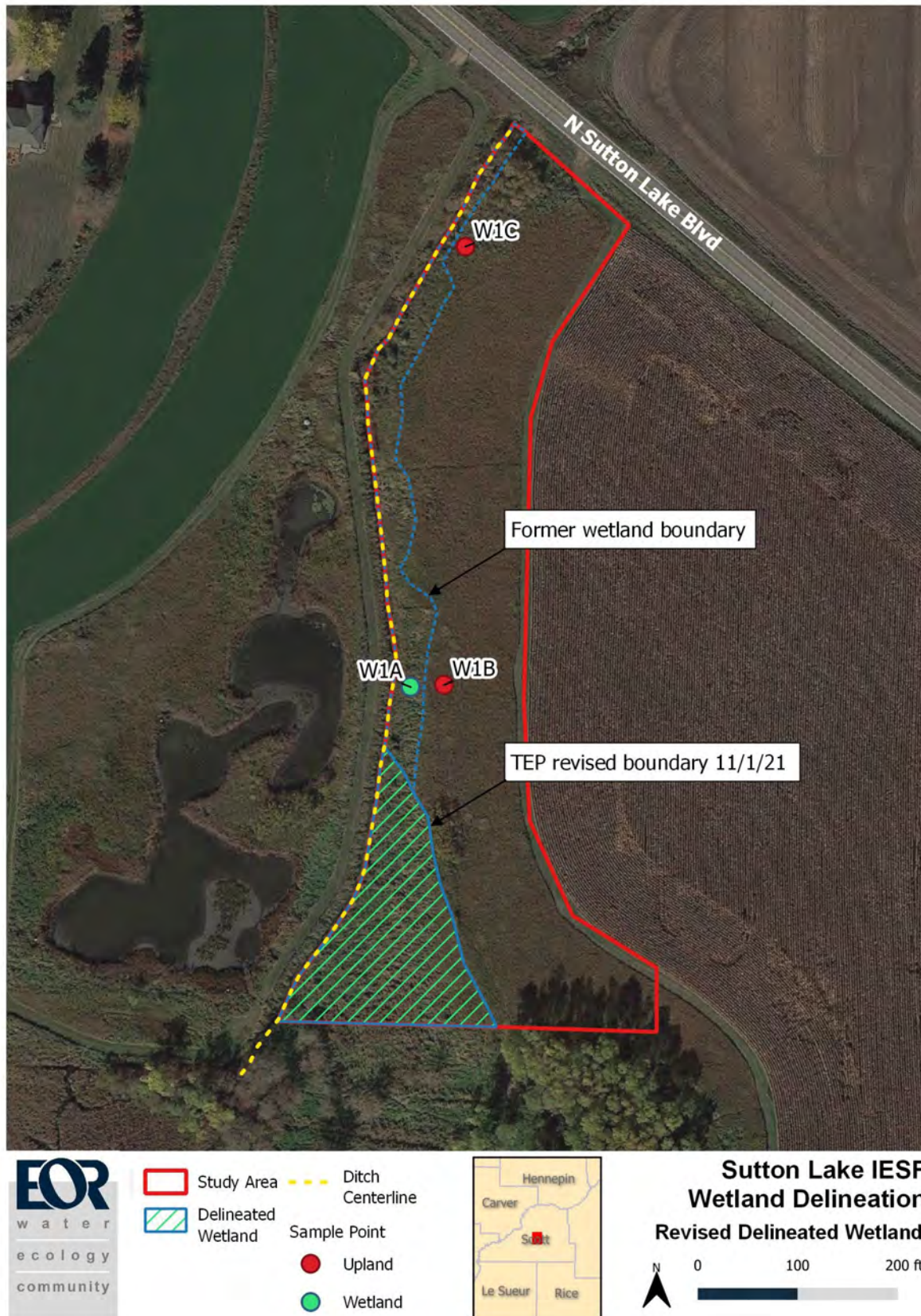


Figure 1. Wetland boundary revisions recommended by the TEP.

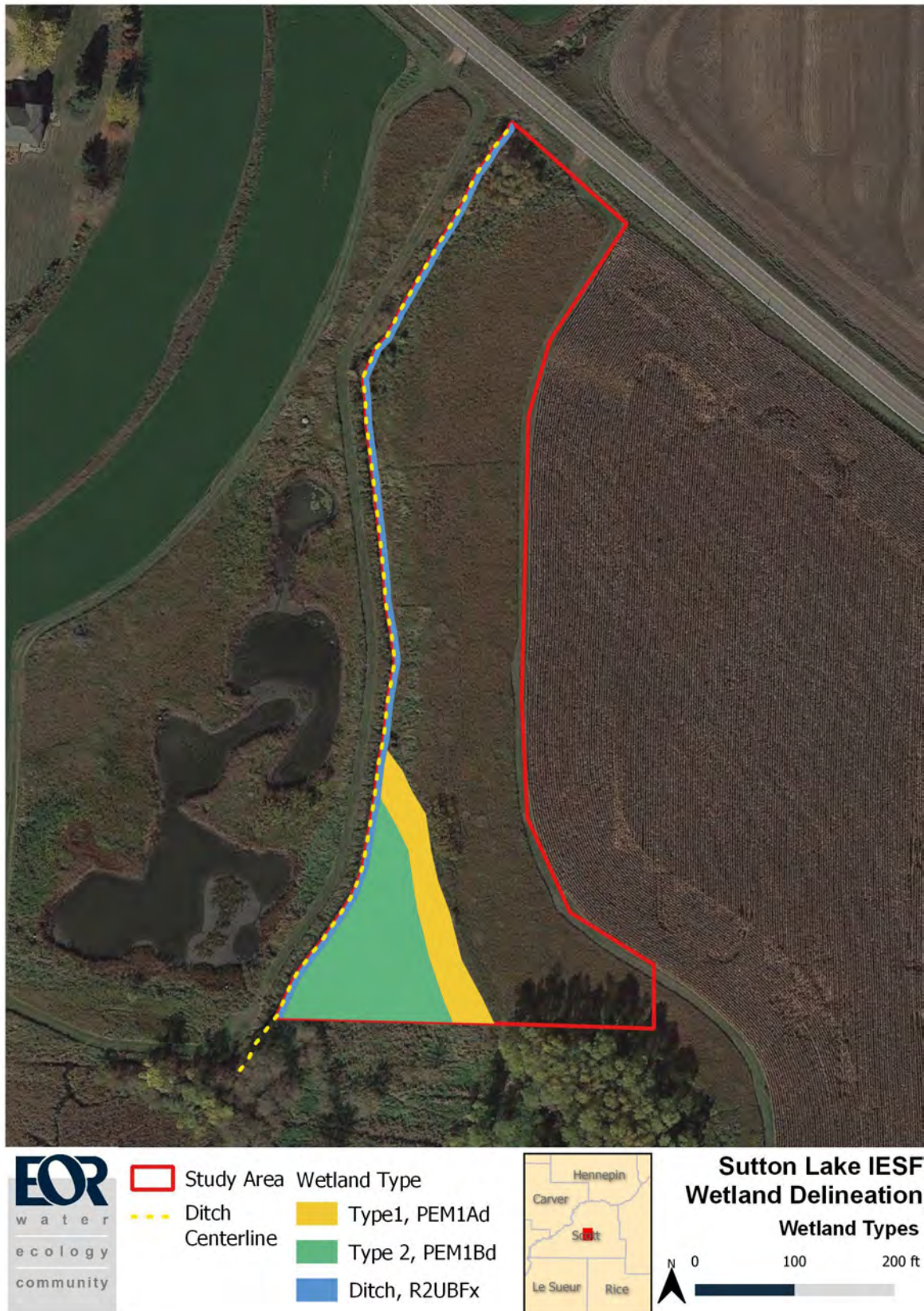


Figure 2. Revised wetland types and boundaries.



Subject | Moen Drainage Swale Stabilization Project

Board Meeting Date | March 8, 2022

Item: 5.7

Prepared By | Jaime Rockney, Project Manager

Attachment | Moen Project Design Plan

Action | Approval of funding for the “Moen Drainage Swale Stabilization Project”

Background

During routine inspections, the Scott County ditch inspector noticed a large drainage swale located in the Upper Watershed actively eroding into the county ditch which flows to Spring Lake. The ditch inspector contacted Scott Soil and Water Conservation District (SWCD) to inform them of this issue. SWCD and PLSLWD staff visited the site together and agreed that repair is warranted to reduce sediment and phosphorus loading to Spring Lake.

Discussion

Using the RUSLE soil loss equations, given current eroded conditions, 8 pounds of phosphorus is lost each year with likelihood of the erosion rate (and phosphorus loading) increasing each year as the gully continues to head-cut upstream towards the wetland. If the gully reaches the wetland, it could drain the wetland. A lined waterway has been designed by Scott SWCD that would stop this erosion. See Attachment 1 for proposed project design.



Figure 1 Standing in Eroded Swale

Cost and Funding

The total drainage swale stabilization project is expected to cost \$30,080.

Scott SWCD is proposing to cover 55% of the project cost through a Clean Water Fund (CWF) grant and PLSLWD is proposed to cover 45% of the project cost.

According to the Conservation Practice Financial Assistance Program Policy manual, the combination of state grant funds and cost-share funds are not allowed to exceed 70% of the total project cost. The policy also states that when projects are initiated by or are beneficial to a landowner, the landowner is expected to pay 30% of the cost. Initial Scott SCWD conversations with the landowner determined that while benefiting downstream water resources, controlling erosion on the site is not perceived by the landowner as a direct benefit. In addition, the initial landowner conversation led Scott SWCD to believe

the landowner has a limited ability to contribute to the project, with 0-2% being the potential contribution range.

Scott SWCD is proposing to apply a portion of their Clean Water Fund (CWF) grant to cover 55% of the cost-share (\$16,544), PLSLWD is proposed to contribute the remaining 15% of the cost share (\$4,512). This dollar amount would come out of the PLSLWD 2022 cost share budget.

Given the landowner situation, Scott SWCD is asking PLSLWD to cover the remaining 30% of the project cost (\$9,024). Staff recommends this portion of the project cost be funded via the 2022 Upper Watershed Blueprint (UWB) budget as the project is located in the Upper Watershed and its implementation would contribute towards the Upper Watershed phosphorus reduction goals. There is currently \$85,800 of Upper Watershed budget not allocated to a specific project. Should Scott SWCD be successful in obtaining a contribution from the landowner, those funds would be used to reduce PLSLWD's contribution.

Cost & Funding Summary

Cost-share (70% of project cost):

\$16,544 – Scott SWCD via CWF grant (55%)

\$4,512 – PLSLWD Cost-Share (15%)

Local match (30% of project cost)

\$9,024 –PLSLWD Funds

Local match could be funded through:

a) Cash Reserves

b) \$6,750 PIPP & \$2,274 Cash Reserves

c) Upper Watershed Blueprint funds

Total Cost (100%)

\$30,080

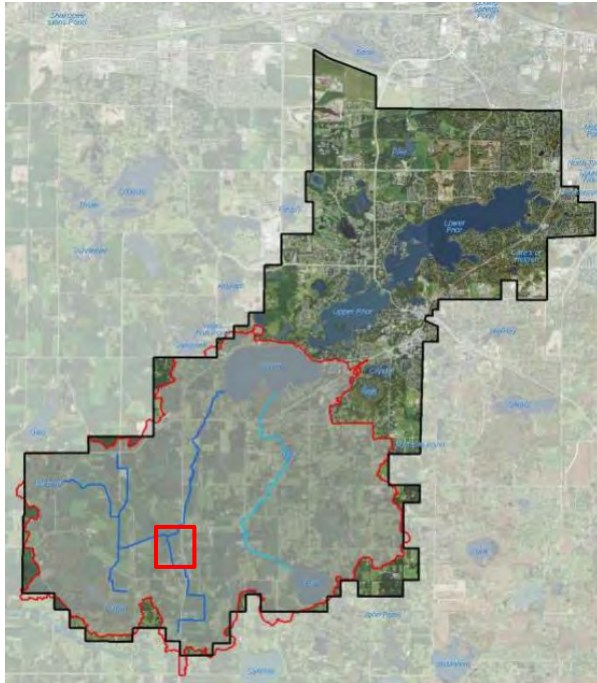
Lifespan and Phosphorus Removal

The Natural Resource Conservation Service assumes a 15-year project life for the swale stabilization project, however, given SWCD's experience with these projects, the actual project lifespan is likely to be 30-50 years. At the current erosion rate of 8 lbs/year, this equates to an estimated cost of \$262 per pound of phosphorus removed with a 15-year lifespan. However, erosion rates will likely increase as the gully progresses upstream. From the perspective of District dollars spent on the project, the cost per pound of phosphorus removed is estimated to be \$118 over 15 years (and less if it lasts longer than 15 years). For comparison, the Sutton IESF project is estimated to cost approximately \$250/lb (including easement compensation) for phosphorus reduction over 18 years and the Spring Lake West IESF project options range from \$351/lb - \$958/lb (excluding easement compensation).

Timeline

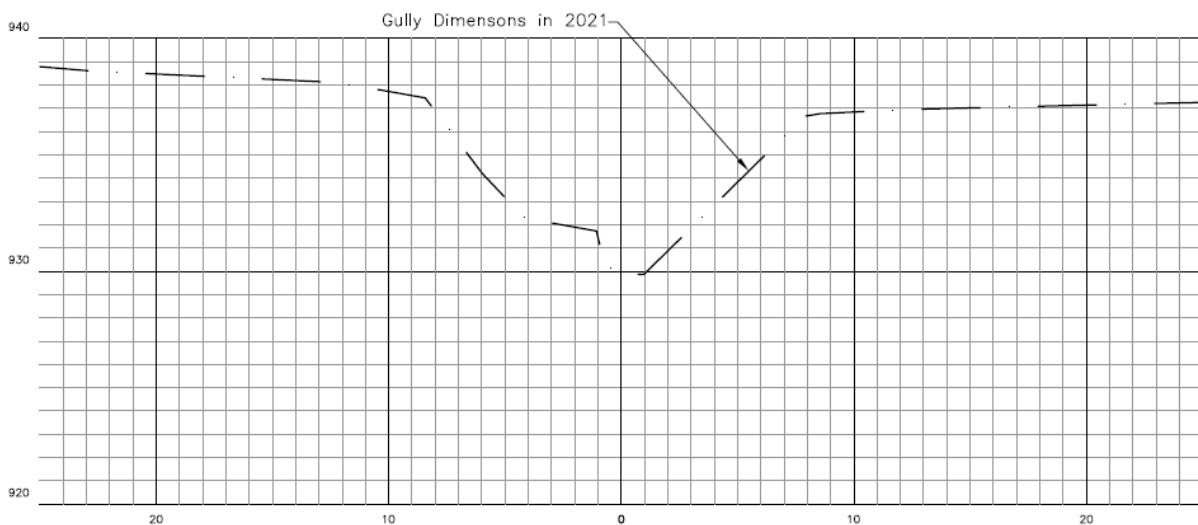
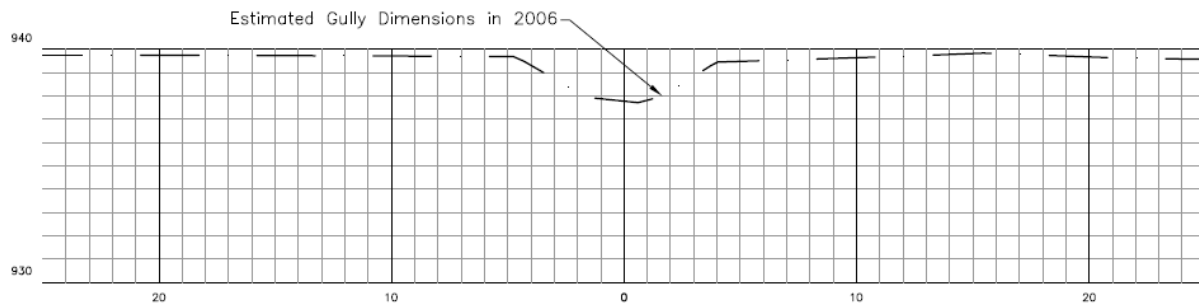
The Scott SWCD CWF grant will expire at the end of 2022. In order to take advantage of these funds, the project needs to be constructed by the end of 2022. According to SWCD, this is attainable if approval is given at the March board meeting. Should PLSLWD choose to not fund this project, it will not move forward.

Location



Dimensions

The following estimates the change in gully dimensions over the past 15 years.



Recommendation

Staff recommends the Board of Managers approve a contribution of \$13,536 towards the Moen Drainage Swale Stabilization project, with \$4,512 funded through the PLSLWD Cost-Share budget and \$9,024 funded through either cash reserves, a combination of PIPP budgeted funds and cash reserves, or the Upper Watershed Blueprint budgeted funds.



PRIOR LAKE SPRING LAKE WATERSHED DISTRICT

WORKSHOP MEETING MINUTES

Tuesday February 15, 2022

Prior Lake City Hall

4:00 PM

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

Staff & Consultants Present: Joni Giese, District Administrator
Jaime Rockney, Project Manager
Carl Almer, EOR, District Engineer
Patty Dronen, Administrative Assistant

Others Present: Jim Fitzsimmons, SWCD representative
Wesley Steffan, Spring Lake Association

Staff and others joined the meeting at 5:50 PM due to a closed meeting.

Closed Meeting Summary

Manager Myser summarized the closed meeting stating that District Administrator Giese was given a confidential performance review. The Managers reviewed Joni's self-assessment, provided feedback, and provided a salary adjustment. A performance review was also held with the District Engineer Almer. The discussion focused on ways to enhance communication between the managers and the District Engineer Almer. It also included suggestions on how the District Engineer, managers and staff could enhance how we work. This was the first time the District Engineer received a performance review.

Moen Drainage Swale Stabilization Project

Staff presented information about the proposed Moen Drainage Swale Stabilization project, which is located north of the town of Lydia. Manager Hennes stated that he knew nothing about this project even though he is the liaison to this area. Manager Hennes asked when Scott Soil and Water Conservation District (SWCD) brought the proposed project forward to PLSLWD staff. Staff estimated it was about two months ago.

Staff informed the managers that the county ditch inspector brought the erosion issue to the attention of the Scott SWCD. There is a lot of erosion going into the channel. Staff and a Scott SWCD representative inspected the area and agreed that the erosion was contributing sediment and phosphorous loads to County Ditch 13. The property owner was alerted to the erosion issue

by Scott SWCD. The erosion area is located in a back field area that isn't used for farming operations. There is not an economic incentive for the homeowner to address the erosion.

Manager Boyles inquired if PLSLWD would be required to participate in project maintenance. Administrator Giese stated Scott SWCD projects typically include 15 years of landowner maintenance. Scott SWCD staff will inspect the project intermittently over the 15 years to ensure maintenance is being performed. PLSLWD contribution is primarily funding the initial construction.

Manager Hennes asked how large the gulley is. Staff stated it was about 6 feet deep and about 10 feet wide. Manager Loney inquired if PLSLWD is required to repair the erosion, and wondered if Scott SWCD would be willing to split the local share. Staff stated Scott SWCD would manage the project if it moved forward.

Manager Myser said this is exactly the type of project the district should be doing but larger projects have a higher priority. He inquired about the phosphorous reduction associated with this project. Staff estimated about 8 pounds/year and compared it to the Fish Point project constructed several years ago where 16 pounds of phosphorous were estimated to be removed/year.

Staff stated PLSLWD staff time associated with this project would be minimal, the repair project has already been designed, and ready for construction. Manager Boyles stated that costs and time are all being picked up by Scott SWCD and that it's the type of project the Watershed should be involved with. No action was taken on the project.

Meeting adjourned at 5:59 PM.



PRIOR LAKE SPRING LAKE WATERSHED DISTRICT

REGULAR MEETING MINUTES

Tuesday February 15, 2022

Prior Lake City Hall

6:00 PM

Members Present:

Mike Myser, Curt Hennes, Bruce Loney, Steve Pany, Frank Boyles

Staff & Consultants Present:

Joni Giese, District Administrator
Jeff Anderson, Water Resources Coordinator
Jaime Rockney, Water Resources Project Manager
Shauna Capron, Water Resources Specialist
Elizabeth Froden, Water Resources Assistant
Carl Almer, EOR, District Engineer

Others Present:

Zack Braid, City Council Prior Lake
Josh Accola, Stantec Corp.
Jim Fitzsimmons, SWCD
Wes Steffan, President Spring Lake Association
Ben Burnett, CAC

1.0 CALL TO ORDER & PLEDGE OF ALLEGIANCE:

Meeting called to order by President Myser at 6:04 P.M.

2.0 PUBLIC COMMENT: None

3.0 APPROVAL OF AGENDA

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

4.0 OTHER OLD/NEW BUSINESS

- **4.1 Programs & Projects Update:**

Carp Management Update and Approach for 2022

Jeff Anderson reports that at this time, for Upper Prior Lake, five of six factors for a successful carp seine event are favorable. For Spring Lake, 4 of 6 factors are favorable.

The factors are carp location, aggregation, ice thickness, weather, commercial netters availability, and fish market. Carp are not in a favorable aggregated location based on the carp that are radio tagged. The historical movement of carp this time of year may indicate that the carp are moving to the desired carp seining areas. Gill net carp removal is also an option. Manager Pany asked what is the process of reaching a “go” to sein carp? Who makes the call - WSB, commercial netters, PLSLWD, or a collaboration? Jeff replied that it is a collaboration. Manager Hennes asked about a log removal from the preferred carp seining area of NE Spring Lake. Jeff Anderson stated the log, which can disrupt the netting of carp, was removed by a commercial netter.

Upper Watershed Updates

Jaime Rockney reports that Sutton Lake Iron Enhanced Sand Filter Feasibility report is being finalized. A status update of the 6 Upper Watershed Blueprint projects was presented. A Sutton Lake Management Plan is being drafted. Requests for proposals to assess the ferric chloride system will be solicited in the near future.

Prior Lake Outlet Channel Project Updates

Repairs to the Prior Lake Outlet Channel continue. These are locations that were not funded through the FEMA grant repairs. Work has started on removing accumulated sediment from a section of the channel just prior to Dean Lake. This portion of the channel was intentionally designed to collect sediment, so this is really expected maintenance activity.

Growing Healthy Soils Event

Part One of the Growing Healthy Soils event was held in January. There were over 60 attendees with favorable review comments received from attendees. Part Two will be held on March 16.

Conservation Easements Status Updates

Shauna Capron presented a Conservation Easements update and a conservation easement workflow chart. All 45 easements were inspected in 2021. Included are 184 unique land owners. 65% of easements are in compliance and the goal is a 90% compliance rate. A timeline worksheet for new conservation easements is being developed. This will create better coordination with Scott County for the permitting process. Manager Boyles asked if this process is being shared with other local government units. Administrator Giese said that yes it can be shared.

- **4.2 I-LIDS Pilot Project Renewal for 2022.**

The CAC is recommending that this project continue for 2022. The CAC recommendation also includes have the consultant review all the recorded videos, adding a concrete footing to reduce vibrations that trigger false recordings, and including a QR code of the sign to direct people to an educational website. Manager Loney requested a clarification of the budget for this project. Manager Pany asked if the I-LID device is covered by the PLSLWD insurance.

Administrator Giese will check into the insurance coverage. Manager Loney moved to table the I-LIDS Pilot Project Renewal. Second by Manager Hennes. All Ayes. Passed 5-0

- **4.3 2022 Education and Outreach Plan**

Elizabeth Froden presented information about the plan. Educational activities included in the plan help the District comply with the MS4 (Municipal Separate Storm Sewer System) permit and Water Resources Management Plan. Manager Boyles moved to approve the 2022 Education and Outreach Plan. Second by Manager Hennes. All Ayes. Passed 5-0

- **4.4 Resolution 22-354: Authorizing Membership in the 4M Fund**

Manager Myser stated that this fund will improve the banking and investing of funds for the PLSLWD. Manager Loney moved to approve Resolution 22-354. Second by Manager Pany. All Ayes. Passed 5-0

- **4.5 Resolution 22-355: Adopting Alum Internal Loading Reserve Fund Budget Amendment.**

Manager Myser requested a clarification about this budget item. Manager Loney moved to table Resolution 22-355. Second by Manager Hennes. All Ayes. Passed 5-0

- **4.6 Covid-19 Safety Plan Update**

Manager Loney moved to approve the Covid-19 Safety Plan Update. Second by Manager Pany. All Ayes. Passed 5-0

- **4.7 Manager Recognition**

Manager Myser thanked Manager Pany for his service on the Board of Managers. Manager Pany's term ends March 2, 2022. Manager Pany thanked the managers, administrator, and staff for their great work during his time on the Board of Managers and CAC.

5.0 CONSENT AGENDA

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

- 5.1 Meeting Minutes— January 11, 2022 Board Workshop
- 5.2 Meeting Minutes—January 11, 2022 Board Meeting
- 5.3 Meeting Minutes- December 9, 2021, CAC Meeting
- 5.4 Claims List & Visa Expenditures Summary

6.0 TREASURER'S REPORT:

Manager Loney reported that finances and financial projections are in good order. Information from the Clifton Larson Allen CPA reports continue to improve. Restricted, committed funds, and cash on hand are clearer at this time.

6.1 Monthly Financial Reports

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

7.0 UPCOMING MEETING/EVENT SCHEDULE:

- CAC meeting Thursday, February 27, 2022, in Wagon Bridge Conference Room, Prior Lake City Hall at 6:30 p.m.
- Board of Managers Meeting, Tuesday, March 8, 2022, 6:00 p.m. Prior Lake City Hall-Council Chambers.
- Growing Healthy Soils Event – Part 2, March 16, 2022, 11:00 a.m.- 3:00 p.m., Ridges of Sand Creek, Jordan, MN.

ADJOURNMENT

Manager Pany moved to adjourn the meeting. Second by Manager Hennes. All Ayes. Motion Passed 5-0
Meeting adjourned at 7:16 P.M.

Steve Pany, District Secretary
February 15, 2022



SPECIAL MEETING MINUTES

Monday, February 7, 2022

Prior Lake City Hall, Wagon Bridge Conference Room

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

Staff Present: Joni Giese, District Administrator

Others Present: Commissioner Beard, Scott County (virtual)

1.0 CALL TO ORDER:

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

2.0 PUBLIC COMMENT:

None

3.0 APPROVAL OF AGENDA:

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

4.0 OTHER OLD/NEW BUSINESS

4.1 PLSLWD COVID-19 Preparedness Plan

Administrator Giese stated PLSLWD adopted a COVID-19 Safety Plan on June 9, 2020. Conditions have changed since 2020 and she recommended that the plan be revised to provide updated guidance.

Administrator Giese stated the plan should include a staff acknowledgement page that would be signed and returned to the administrator. Managers agreed.

Manager Hennes inquired if the draft plan had been reviewed by the District's legal counsel. Administrator Giese stated it had and was deemed by legal counsel to be within the District's legal authority.

Administrator Giese asked for a vote on whether the plan should include a requirement that staff provide proof of vaccination status. Two in favor (Boyles and Pany). Three opposed (Loney, Hennes, Myser).

Administrator Giese asked for a vote on whether the plan should give the administrator the ability to direct staff to work from home during periods of high transmission rates. All in favor.

Administrator Giese asked if whether the plan should include a distinct protocol for staff who have been confirmed positive for COVID-19 in the past 90 days. Three in favor (Hennes, Pany, and Boyles). Two did not vote.

Managers discussed that the policy would apply to staff. It will be up to the managers and Citizen Advisory Committee if they want to follow the same guidance. Manager Boyles asked that language be revised to clarify which staff are eligible to use PTO time associated with the plan and to add “when eating or drinking” and “when outdoors and socially distanced” to the list of when masks can be removed.

Administrator Giese will incorporate comments received at the special meeting and provide a revised draft to the managers for adoption.

4.2 Potential Sale of City of Prior Lake Owned Parcel at 17232 Sunset Trail SW

Administrator Giese stated this information is being shared only to let the Board of Managers know that the City of Prior Lake is considering selling a parcel that PLSLWD currently uses to access Spring Lake. The sale of the parcel will result in less efficient access to the lake to track carp and the potential loss of a location to place a carp baited box trap.

4.3 Prior Lake Chamber of Commerce Membership

Administrator Giese stated that PLSLWD has been a member of the Prior Lake Chamber of Commerce since 2013. When reviewing the District’s public purpose expenditures policy, she felt it could be interpreted either allowing or not allowing membership. Managers stated that the policy should be interpreted to allow for membership. Four members were in favor of renewing membership (Myser, Loney, Pany, and Boyles). One member was not in favor (Hennes). Manager Boyles suggested that PLSLWD should attempt to make a presentation to the Chamber at one of their monthly meetings.

ADJOURNMENT

Meeting adjourned at 6:30 p.m.



CAC Meeting Minutes

CAC Meeting date: 1/27/2022 6:30-8:00 PM

CAC Subcommittees 6:00 to 6:30

Attendees:

CAC Members:

7 of 10 members present = 70% (>50%)

- | | |
|--|---|
| <input checked="" type="checkbox"/> Christian Morkeberg (Chair) | <input type="checkbox"/> Woody Spitzmueller |
| <input checked="" type="checkbox"/> Christopher Crowhurst (SubCmChr) | <input checked="" type="checkbox"/> Matt Newman |
| <input checked="" type="checkbox"/> Jim Weninger | <input checked="" type="checkbox"/> Ben Burnett (Secretary) |
| <input type="checkbox"/> Matt Tofanelli | <input checked="" type="checkbox"/> Loren Hanson |
| <input checked="" type="checkbox"/> Maureen Reeder | <input type="checkbox"/> David Hagen |

Staff: Joni Giese (District Administrator)
Elizabeth Frödén

Board members:

Bruce Loney (CAC rep) Curt Hennes

Guests:

SLA Rep Lisa Quinn

- I. Pre-meeting Subcommittee Gatherings – Christopher Crowhurst
CAC Subcommittees met from 6:00 pm to 6:30 pm
- II. Convene meeting – 6:31 pm – Welcome — Chair Christian Morkeberg
- III. Minutes & Agenda
 - o December minutes approved Motioned: Matt N.; Seconded: Loren; Passed
 - o January Agenda approved Motioned: Loren; Seconded: Matt N.; Passed
- IV. CAC Business
 - o Elect officers - delayed until February, pending new PLSLWD Board appointments – 3 CAC members may be moving to board (should know after 2/15).
 - Motioned: Matt N.; Seconded: Ben; Passed
 - o Terms expiring (CM, WS, JW)
 - Need to re-apply for each 3 year term, use forms on county volunteer website
 - o Finalize New Member Orientation Packet (e-mailed) (Loren)
 - Suggested we add links to the MN laws that give CAC and watershed districts authority.
 - See Attachment #1 – New member packet
 - o Structure of subcommittee meeting/CAC meeting
 - Discussed several options: same as now (30 min subcommittee mtgs + 90 min. CAC mtg, 60/60 split, quarterly long subcommittee w/brief CAC, some others)
 - Decided to go with monthly 30/90 splits with quarterly meetings flipped to be 90/30 (See Attachment #2 - CAC mtg schedule)
 - Motioned: Christopher; 2nd: Loren; Passed
 - o CAC Subcommittee Reports – working on goals for 2021 & now re-alignment
 - a. Shoreline Restoration (David, Loren, Jim, Matt N.)
 - Dave has been Mapping old and new depths checking for sand deposits
 - Loren has been looking at DNR website for information about proper way and permits to add sand for beaches
 - Need to review current ordinances and regulations relating to sand etc.
 - How does PL and SL annexing affect this moving forward?

- b. Lake Life and Water Quality (~~Matt T.~~, Matt N, Maureen)
 - Harvesting plants and weeds to use for fertilizer and to remove captured phosphorous – exploring options.
 - c. AIS/Signage (Ben, ~~Christian~~)
 - Discussed ESP presentation to PLSLWD Board, discussed what we wanted to recommend for the I-LIDS project for 2022
 - Finalized I-LIDS recommendation (see Attachment #3)
 - Motioned: Ben; 2nd: Christopher; passed
 - Other projects for 2022: AIS Rapid Response Plan, scorecard help, plant ID class in partnership with SLA
 - d. Fish Stocking (Loren, ~~Christian, Matt T.~~)
 - Looked for 2021 surveys – none yet
 - Matt N. e-mailed DNR for info, pending
 - Will work to get PLA and SLA more involved with fish stocking
 - e. Storage Assessment, Plans and Wetland Banking (Maureen, Woody, Jim)
 - Exploring wetland banking: ways to promote, grants, how to speed up process, etc.
 - 2016 Burr (sp?) Engineering report – useful, needs more review
 - Compare with WD plan, was this report included?
 - Section 7 A-G and “option D” had a 1ft. flood reduction
 - Also compare to PL flood policy
 - (links from Joni to these reports)
- V. Staff Project Updates
- Sutton Lake Outlet – education about the new weir installed in 2021 to provide layered release of waters based on 100yr, 25yr, etc flood events and water levels.
 - Slides were presented from PLSLWD staff
 - Sutton Lake Management Plan was presented
 - SL West report
 - IESF (Iron enhanced Sand filter) options and locations
 - New wetland possible – money maker for wetland credits locally
 - Staff updates
 - Elizabeth Frödén joined as Water Resources Assistant
 - Interviews for other position, offer going out
 - Carp seining update
 - Tracking carp under ice twice a week – watching for the correct conditions
 - Hope to do a seine early Feb
 - Using water drone to locate obstruction and may need to send diver
 - Locations: maybe NW spring Lake or by Knotty Oar on PL
- VI. Board Liaison Updates & Requests to CAC – Bruce
- Jan. board meeting review
 - Administrative misc.
 - Covid policy update – pending
 - Upper WD blueprint updates – it keeps moving forward with feasibility studies and tracking down land owners, etc.
 - Water Management in Scott County - 3 different watershed organizations, maybe working together could save money and/or get more support
 - New banking system – 4M fund
 - Farmer Led Council met and discussed cover crops to help with runoff
 - Growing Healthy Soils - Part 2 (3/16/2022) – SWCD web page for more details

- VII. CAC report from Board Meeting(s)
 - December CAC reports sent with previous minutes
 - Attendees: Matt T., Ben, Christopher
 - No January CAC reports – no one attended
 - February 15th Board Meeting CAC Attendee – Ben
 - (See Attachment #4 to sign up for other meetings)
- VIII. Other Topics and Announcements for Next Meeting
 - Prepare for summer watershed presentation at PLC event to promote results and gain support, and recruit CAC members, after new board members selected)
 - DNR speaker about lakeshore management
 - Staff presented the Education event list (Attachment #5)
- IX. Adjourned – 8:03 pm
 - Motioned: Matt N.; Seconded: Loren; Passed
- X. Upcoming Meetings:
 - Board Meeting: Tues, February 15, 2022 6:00 pm (wkshp 4-6)
 - CAC Meeting: Thurs, February 27, 2022 6:30 – 8:00 pm
 - Subcommittee Mtg: 6:00 – 6:30 pm

Attachment #1 - New member packet

Attached in a separate document



Citizen Advisory Committee (CAC)

Welcome to the PLSLWD Community Advisory Committee! We are so encouraged by your willingness to volunteer your time, knowledge and compassion for the lakes and other waters in our district. The watershed looks to the committee for guidance and ideas on how to best educate and provide resources to the citizens of the district. We all have a love of nature and want to be sure that future generations can enjoy what we have been able to.

What is the Citizen Advisory Committee (CAC)?

The purpose of the Citizen Advisory Committee (CAC) is to advise the Prior Lake-Spring Lake Watershed District Board and staff on issues related to lakes and other water resources within the Prior Lake - Spring Lake Watershed District. The CAC consists of residents who provide input, review, and recommendations to the Board of Managers on projects, reports, and prioritizations. The CAC act as the primary interface for the Board to address the current issues of concern of the local citizens.

For a description of the Prior Lake Spring Lake Watershed District, its boundaries and a definition of a watershed, go to www.plslwd.org. [Maps and waterbodies in: <https://www.plslwd.org/waterbodies/>]

- CAC By-Laws: [attached at end of this document](#)
- Original Petition requesting PLSLWD: <https://www.plslwd.org/wp-content/uploads/2013/07/1969NominatingPetition.pdf>
- MN state statue about watershed districts: <https://www.revisor.mn.gov/statutes/cite/103D>
- Minnesota Watershed Act (Minnesota Statutes, Chapter 112) <https://www.revisor.mn.gov/statutes/1976/cite/112/pdf>
- PLSLWD overview: <https://www.plslwd.org/districtoverview/>
- 2020-30 Water Resource Management Plan: <https://www.plslwd.org/2020plan/> & https://www.plslwd.org/wp-content/uploads/2020/07/DRAFT-WRMP-Plan_2020-07-14-FINAL.pdf

Acronyms: Many of us struggle with acronyms and their meanings. As a government body, the PLSLWD (Prior Lake Spring Lake Watershed District) uses them as well. You will find a description of commonly used acronyms attached to this document.

Subcommittees: In order to be more efficient and better utilize our members, we have formed five subcommittees.

- Shoreline Restoration
- Lake Life and Water Quality
- Aquatic Invasive Species
- Fish Stocking
- Water Storage/Flooding

The CAC meets monthly on the **last Thursday** of the month at **6:30 pm** at the **Prior Lake City Hall**, located at 4646 Dakota St. SE, Prior Lake, MN 55372. CAC meetings are open to the public. Please feel free to join us for future CAC meetings.

There are currently ten citizen representatives on the CAC. Members serve three-year terms. Terms end in March and new terms start in April. *[Term lengths were added in 2021, so the CAC members on the committee in 2021 will serve slightly altered term lengths to move the appointment to a set schedule].*

2022 CAC Officers: **Chair:** Christopher Crowhurst, **Vice Chair:** Loren Hanson, **Secretary:** Ben Burnett



2021 Citizen Advisory Committee (CAC) Members

From left to right: Woody Spitzmueller, David Hagen, Matt Tofanelli, Loren Hanson, Christopher Crowhurst, Jim Weninger, Matthew Newman, Christian Morkeberg, Ben Burnett, Maureen Reeder

Christopher Crowhurst

8935 Woodhill Drive, Savage, MN
1980 Lake View Drive, Jordan, MN
952-428-9141
christopher@qajaqrolls.com
TERM: 05/2020 – 03/2023

Woody Spitzmueller

4279 Grainwood Circle NE
Prior Lake, MN 55372
952-440-7607
bwspitz@gmail.com
TERM: 04/2019 – 03/2022

Ben Burnett

3040 Creekview Circle SW
Prior Lake, MN 55372
952-226-3951
burnettb317@gmail.com
TERM: 09/2020 – 03/2023

Matt Newman

3081 Fairlawn Lane
Spring Lake Township, MN
952-686-4652
Mdnewman007@yahoo.com
TERM: 06/2020 – 03/2023

Jim Weninger

2591 Spring Lake Road
Shakopee, MN 55379
952-445-6645
james.weninger1946@gmail.com
TERM: 01/2020 – 03/2022

Maureen Reeder

2850 South Shore Drive
Prior Lake, MN 55372
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TERM: 05/2021 – 03/2024

Loren Hanson

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Dave Hagen

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507-291-1097
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TERM: 6/2021 – 05/2024

Common Abbreviations

µg/L	Micrograms per liter (ie, measures phosphorus)	FDR	Flood Damage Reduction (federal)
ACE	Army Corp of Engineers (federal)	FeCl	Ferric Chloride
ACOE	Army Corp of Engineers (federal)	FEMA	Federal Emergency Management Agency (federal)
ACP	Agricultural Conservation Program (federal)	FSA	Farm Services Administration, USDA (federal)
ADA	Association of (Watershed) District Administrators (state)	GIS	Geographic Information System
AIS	Aquatic Invasive Species	GPS	Geographic Positioning System
AMC	Association of Minnesota Counties (state)	HUD	Housing and Urban Development Department (federal)
AMT	Association of Minnesota Townships (state)	JPA	Joint Powers Agreement (local)
AMWRAP	Association of Minnesota Water Resources Administrators and Planners	JPB	Joint Powers Board
ASCS	Agricultural Stabilization and Conservation Service, USDA (federal) (no longer in use, replaced by Farm Services Administration - FSA)	LAC	Lakes Advisory Committee
BMP	Best Management Practice	LAP	Lake Assessment Program (state)
BOD	Biological Oxygen Demand	LCCMR	Legislative-Citizen Commission on Minnesota Resources (state)
BWSR	Board of Water and Soil Resources (state)	LCMR	Legislative Commission on Minnesota Resources (state)
CAC	Citizen Advisory Committee	LGU	Local Governmental Unit (local)
CFS	Cubic Feet per Second	LMC	League of Minnesota Cities (state)
CFSA	Consolidated Farm Services Agency	LOHC	Lessard Outdoor Heritage Council
CHS	Community Health Service (regional)	LWRPMP	Local water Resources Protection and Management Program
CIP	Capital Improvement Project	MACDE	Minnesota Association of Conservation District Employees (state)
CLWP	Comprehensive Local Water Planning (state)	MACPZA	Minnesota Association of County Planning and Zoning Administrators (state)
COE	Army Corp of Engineers (federal)	MARC&D	Minnesota Association of Resource Conservation and Development
CREP	Conservation Reserve Enhancement Program (federal and state)	MASWCD	Minnesota Association of Soil and Water Conservation Districts (state)
CRP	Conservation Reserve Program (federal)	MAWD	Minnesota Association of Watershed Districts (state)
C-S	Cost Share program	MDA	Minnesota Department of Agriculture (state)
CWA	Clean Water Act	MDH	Minnesota Department of Health (state)
CWC	Clean Water Council	MDNR	Minnesota Department of Natural Resources (state)
CWF	Clean Water Fund	MDOT	Minnesota Department of Transportation (state)
CWL	Clean Water Legacy	MES	Minnesota Extension Service (state – old term no longer in use)
CWP	Clean Water Partnership	MetC	Metropolitan Council (regional)
DNR	Department of Natural Resources (state)	MFIP	Minnesota Forestry Improvement Program (state)
DOER	Minnesota Department of Employee Relations (state)	MGS	Minnesota Geological Survey (state)
EOR	Emmons & Olivier Resources	MLA	Minnesota Lakes Association (state)
EPA	US Environmental Protection Agency (federal)		
EQIP	Environmental Quality Incentive Program (federal)		
ESC	Erosion & Soil Control		

MMB	Minnesota Office of Management and Budget	SCS	Soil Conservation Service, USDA (federal) (no longer in use, replaced by Natural Resources Conservation Service - NRCS)
MNDOT	Minnesota Department of Transportation (state)		
MOU	Memorandum of Understanding	SCWEP	Scott Clean Water Education Partnership
MPCA	Minnesota Pollution Control Agency (state)	SECCHI DEPTH	Measurement of water clarity in meters
MS4	Municipal Separate Storm Sewer System	SLA	Spring Lake Association
NACD	National Association of Conservation Districts (national)	SLR	Streambank, Lakeshore, and Roadside Program (state)
NEMO	Nonpoint Source Education for Municipal Officials (local with national network)	SRF	State Revolving Fund
NPDES	National Pollutant Discharge Elimination System	SWCD	Soil and Water Conservation District (local)
NPEA	Nonpoint Engineering Assistance	SWCS	Soil and Water Conservation Society (national with state chapters)
NPS	Nonpoint Source Pollution	SWPPP	Stormwater Pollution Prevention Plan
NRBG	Natural Resources Block Grant	TAC	Technical Advisory Committee
NRCS	Natural Resources Conservation Service, USDA (federal)	TDML	Total Daily Maximum Load (federal and state)
NWF	National Wildlife Federation	TEP	Technical Evaluation Panel
OEA	Minnesota Office of Environmental Assistance (state)	TMDL	Total Maximum Daily Load
OWM	Minnesota Office of Waste Management (state)	UM Ext.	University of Minnesota Extension Service (state)
PCA	Pollution Control Agency (state)	USDA	US Department of Agriculture
PFM	Private Forestry Management	USF&WS	US Fish & Wildlife Service (federal)
PLA	Prior Lake American or Prior Lake Association	USGS	US Geological Survey (federal)
PLSAS	Prior Lake-Savage Area Schools	VSMP	Volunteer Stream Monitoring Partnership (metro)
PLSLWD	Prior Lake-Spring Lake Watershed District	WBP	Water Bank Program
PWP	Permanent Wetland Preserve	WCA	Wetland Conservation Act (state)
RC&D	Resource Conservation & Development, USDA (federal)	WD	Watershed District (local)
RCM	Rivers Council of Minnesota (state)	WMO	Watershed Management Organization (local)
RDC	Regional Development Commission (regional)	WRAPS	Watershed Restoration and Protection Strategy
RECD	Rural Economic and Community Development	WREP	Wetland Reserve Enhancement Program
RIM	Reinvest in Minnesota Program (state)	WRMP	Water Resources Management Plan
SCALE	Scott County Association for Leadership & Efficiency	WRP	Wetland Reserve Program

CAC Bylaws (Updated March 2021)

Prior Lake-Spring Lake Watershed District Citizen Advisory Committee Bylaws

SECTION 100: PURPOSE

- 101:** The purpose of these bylaws is to provide a set of operating procedures for the Citizen Advisory Committee (CAC), and to establish a code of ethics and conduct.

SECTION 200 COMMITTEE

- 201:** COMMITTEE CREATED: A Citizen Advisory Committee is hereby created for the Prior Lake - Spring Lake Watershed District. The purpose of the Committee is to advise the District Board and staff on issues related to lakes and other water resources within the Prior Lake - Spring Lake Watershed District.

- 202:** DUTIES OF THE COMMITTEE: The duties of the Citizen Advisory Committee are as follows:
1. Research, study and make recommendations to the District Board and staff on the information contained within the "Water Resources Management Plan."
 2. Research, study and make recommendations to the District Board and staff on other pertinent information as outlined by the District.
 3. The Committee Chair shall give an accounting of the Committee's activities with respect to its goals and objectives before the District Board semiannually.
 4. Specific powers, duties and responsibilities may be assigned to the Committee by the District Board of Managers or staff.

- 203:** SUBCOMMITTEES: The Committee may divide its membership into subcommittees, as it deems necessary to implement its goals and objectives. Subcommittees may be formed upon agreement of majority of members present.

- 204:** COMPOSITION: The Committee shall be composed of a minimum of five (5) but no more than (12) twelve members appointed by the Board of Managers for three (3) year terms. The terms of Committee members will be staggered. To be eligible for appointment, an applicant must reside in the watershed district and have resided in the watershed district for at least (30) days prior to appointment.

There are no limits on the number of terms a committee member may serve. At the end of a committee members' term, the member must reapply for membership to the committee to be reconsidered for membership.

- 205:** VACANCIES: When an appointed member of the Citizens Advisory Committee completes their term, resigns, is terminated, or otherwise vacates a seat on the Committee, the District Board shall appoint a replacement in the following manner:
1. Applications are solicited. The vacancy is made public and individuals are encouraged to apply for the position.
 2. The District Board, or their designee, shall review all candidate applications and make a recommendation to the District Board.
 3. The District Board may accept or reject the recommendation. If the recommendation is rejected, the District shall appoint another individual or decide to reopen the vacancy to consider new candidates.
- If an appointed member vacates their seat before the end of their term, the member appointed to fill their seat shall serve out the remainder of the length of the uncompleted term.
- If the Office of Chair, Vice-Chair, or Secretary becomes vacant, the Committee shall elect a successor from its membership at the next regular meeting, and such election shall be for the unexpired term of said office.
- 206:** OFFICERS: The Citizen Advisory Committee shall elect from among its members a Chair, a Vice-Chair, and a Secretary. Elections will occur annually at the January meeting and officers will be elected by a majority vote of the Committee. Terms shall begin in February and expire the following January.
1. Chair: The duties of the Chair shall include review and approval of meeting agendas, presiding at meetings, semiannual reporting to the District Board, designating a representative to attend monthly District Board meetings, and representation of the Committee as appropriate.
 2. Vice-Chair: The Vice-Chair shall perform the duties of the Chair in his/her absence. The Vice-Chair shall assume such other duties as assigned by the Chair.
 3. Secretary: The Secretary shall be responsible for recording and compiling a written summary of all official activities of the Committee.

SECTION 300 MEETINGS

- 301:** MEETING SCHEDULE: Regular meetings shall be held the last Thursday of the month at 6:30 p.m. at the Prior Lake City Hall, 4646 Dakota Street S.E., Prior Lake, Minnesota. In the event that such a date shall fall on a legal holiday, the meeting shall be rescheduled. Regular meetings may be rescheduled, cancelled or changed depending upon unique circumstances and subject to the approval and consent of both the Chair and/or Vice-Chair.

302: NOTIFICATION: All regular and special meetings of the Committee shall be noticed by:

1. Posting at the District Office or on the District's website for at least two (2) days prior to the meeting.
2. A copy of the notice, agenda and accompanying material shall be prepared by staff and received by the Committee, District staff and others designated by District Board and staff, no later than the Tuesday prior to the Thursday meeting and in no case later than two (2) days prior to a special meeting.
3. A copy of the agenda and meeting materials will be available for the public at the meeting.

303: SPECIAL MEETINGS: Special Meetings of the Committee may be called by the Chair, or two (2) members of the Committee for the purpose of transacting any business designated in the call. Members may recommend calling a special meeting but must receive approval from either the Chair or two members of the Committee. The call for a special meeting may be delivered prior to the time of the proposed meeting to each member of the Committee at least two (2) days prior to the special meeting. At such meetings, no business shall be considered other than as designated in the call. The notification provisions of Section 302 shall be followed.

304: QUORUM FOR REGULAR AND SPECIAL MEETINGS: For the purpose of conducting its business, attendance of fifty (50) percent or more of Committee members shall constitute a quorum. However, a smaller number may adjourn from time to time until a quorum is obtained. When a quorum is in attendance, action may be taken by the Committee upon a vote of a majority of the Committee present.

305: Conduct of Business at Meetings – The agenda for a regularly scheduled meeting shall include the following items of business:

1. Call to Order
2. Review of minutes of previous meeting(s)
3. Old Business
4. Staff Update
5. New Business
6. Adjournment

306: VOTING: All members of the Committee have equal voting authority.

SECTION 400 AMENDMENTS

401: AMENDMENTS: These Bylaws shall be reviewed annually by the Citizen Advisory Committee and any amendments agreed to by a majority vote of the Committee shall be proposed to the Board of Managers for consideration and adoption.

Attachment #2 - 2022 CAC Schedule

Last Thursday of each month (unless noted below)

Subcommittee Gatherings: 6:00 – 6:30 PM

CAC Meeting: 6:30 – 8:00 PM

Wagon Bridge Conference Room (unless noted below), Prior Lake City Hall

	<u>Subcommittees</u>	<u>CAC mtg</u>
January 27, 2022	6:00 – 6:30 pm	6:30 – 8:00 pm
February 24, 2022	6:00 – 6:30 pm	6:30 – 8:00 pm
March 31, 2022**	6:00 – 7:30 pm**	7:30 – 8:00 pm**
April 28, 2022	6:00 – 6:30 pm	6:30 – 8:00 pm
May 26, 2022	6:00 – 6:30 pm	6:30 – 8:00 pm
June 30, 2022**	6:00 – 7:30 pm**	7:30 – 8:00 pm**
July 28, 2022	6:00 – 6:30 pm	6:30 – 8:00 pm
August 25, 2022	6:00 – 6:30 pm	6:30 – 8:00 pm
September 29, 2022**	6:00 – 7:30 pm**	7:30 – 8:00 pm**
October 27, 2022	6:00 – 6:30 pm	6:30 – 8:00 pm
*November –	NO MEETING	NO MEETING
*December 8, 2022**	6:00 – 7:30 pm**	7:30 – 8:00 pm**

**The November and December meetings fall on or near holidays, so the normal scheduled meetings are altered to have a single meeting in early December to cover both Nov. and Dec.*

***In Jan. 2022, CAC decided to once a quarter give the subcommittees more time to meet and work on their project areas prior to a very short CAC general meeting.*

Covid Recommendation: Please get vaccinated, if you are not vaccinated, please wear a mask. If you are feeling sick, please stay home. Online/remote meeting options are available.

Attachment #3 – CAC I-LIDS Recommendation

CAC Recommendation

January 27, 2022



Subject | CAC I-LIDS Recommendation for 2022

CAC Meeting Date | January 27, 2022

Prepared By | Ben Burnett, CAC Secretary, AIS committee member

Background

In 2020, the Board approved the purchase and installation of an Internet Landing Installed Device Sensor (I-LIDS) unit at the Spring Lake boat launch as recommended by the CAC. This automated boat inspecting device was designed to help improve water quality by slowing the spread of aquatic invasive species using video capture and audio messaging. PLSLWD purchased and installed a unit at the Spring Lake boat launch in May of 2021. At the end of the inspection season, ESP presented an annual report.

The PLSLWD Staff submitted their recommendation at the 12-21-21 Board meeting. Eric Lindberg, Environmental Sentry Protection (ESP), presented the ESP I-LIDS report at the 12-21-21 PLSLWD Board meeting. Two CAC members were present, several reviewed the meeting video later.

CAC Discussion

Based on the CAC member reports from Eric Lindberg's presentation, the CAC discussed the I-LIDS project at the 1-27-22 meeting. We discussed some of the shortcomings of the system and installation issues, then discussed future plans. There was interest in expanding the project to the Upper and Lower Prior Lake boat launches in an attempt to start gathering data (any data) to establish a baseline sooner. Based on the types of data I-LIDS collects and the incomplete nature of it, we decided the data (although better than nothing), was not good enough to warrant an expansion yet.

CAC Recommendation

The CAC voted to formally agree with the PLSLWD Staff and ESP recommendation to continue the I-LIDS pilot project through the 2022 season, with these specific sub-recommendations:

- Should add the concrete footing (needs DNR approval, start this ASAP).
- Should add a QR code on the sign to link to an education webpage.
 - CAC can help Staff with webpage. SLA may also be interested in helping, maybe providing "prize" incentives.
- Should increase the amount of video review by ESP, recommend they review every video.
 - This does include an additional expense, but CAC feels this would be valuable for the next pilot year to make future plans and compare to 2021.

Attachment #4 - 2022 PLSLWD/CAC signup

2022 Board Meeting CAC Attending Member Assignments

Held the second Tuesday of the month (unless noted)

Board meetings: 6 pm in Prior Lake Council Chambers

Board workshops (optional): 4:00 pm* in Parkview Conference Room

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

- **January 11, 2022:** None
- **February 15, 2022 (3rd Tues.):** Ben
- **March 8, 2022:** Loren Hanson
- **April 12, 2022:**
- **May 10, 2022:** Loren Hanson
- **June 14, 2022:**
- **July 12, 2022:**
- **August 9, 2022:**
- **September 13, 2022:**
- **October 11, 2022:**
- **November 8, 2022:** Maureen Reader
- **December 13, 2022:** Maureen Reader

Attachment #5 – PLSLWD 2022 Outreach Activities

Proposed Education Outreach Activities

Activities & Events	Schedule	Partners
Growing Healthy Soils (FLC event) Part 1	13-Jan	SWCD
Growing Healthy Soils (FLC event) Part 2	March	SWCD
Annual Update & Implement District Education and Outreach Plan	January/February	
Contribute to PLA & SLA annual newsletters, as requested	Winter	PLA, SLA
Conservation easement newsletter (mailing)	Spring	
Mailing to farmers highlighting available cost share & services	TBD	SWCD
Coordinate CAMP program volunteers	Spring-Fall	Met Council
Coordinate carp volunteers	All Year	
Spring Lake Association Annual Meeting Presentations	April	
Vegetation Identification	Summer	Spring Lake Association
<i>Native Prairie workshop (tentative)</i>	<i>TBD</i>	<i>SWCD</i>
City of Prior Lake Fishing Clinic	15-Jul	City of Prior Lake
<i>Shoreline workshop (tentative)</i>	<i>June</i>	<i>SWCD</i>
Chamber Fest Booth (and/or Farmers Market)	Summer	
Dive the Lake Cleanup	June	PLA, Free-Daptive Divers
<i>Mailing to new lakeshore residents about technical assistance, cost-share and workshops (tentative)</i>	<i>Summer</i>	<i>SWCD</i>
Send inspection letters to easement landowners	Summer/Fall	
Clean Water Clean-Up Stenciling Event	Spring	City of Prior Lake
District Tour (TBD)	Fall	
Design & install Fish Lake restoration project signs	Spring	Spring Lake Township
Outdoor Education Days	Fall	SWCD
Prior Lake Association Annual Meeting Presentations	Fall	
Coordinate volunteer ice observer reports	Winter	
<i>Winter maintenance workshop for homeowners (tentative)</i>	<i>December</i>	<i>SWCD</i>
Citizen Advisory Committee (CAC) meetings	Monthly	
Farmer-Led Council (FLC) Meetings	Quarterly	
Present to partner city councils, township boards, and advisory committees (as requested)	Annually	
Website Updates	Ongoing	
Social Media Updates (weekly)	Ongoing	
Create project factsheets	Ongoing	
Coordinate precip volunteers	Ongoing	
Carp management outreach	Ongoing	
Write articles (6 minimum) for website, Prior Lake American, and/or Scott County SCENE	Ongoing	
Present to school classrooms	As requested	

Patty Dronen - Administrative Assistant

CLA - accountant

Bruce Loney, Treasurer

3/8/2022

**Prior Lake Spring Lake Watershed District
Claims list for Invoice Payments due for the prior month**

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

Vendor	Invoice	Description	Amount
1. Watershed District Projects (excluding staff payroll)			
EOR		Sutton Lake Outlet Modification Plan	567.00
		General Engineering	1,162.50
		Sutton Lake IESF Feasibility	3,866.11
		Sutton Lake Management Plan	10,135.75
		Permitting	925.00
		Rules Revision	1,395.00
WSB	R-019773-000-1	Project Management - Carp Management	1,269.00
TechSales	325791	EXO ph Sensor Replacement Module	200.00
Xcel Energy	769631740	18051 Langford Blvd.	15.89
		Subtotal	\$ 19,536.25
2. Outlet Channel - JPA/MOA (excluding staff payroll)			
EOR		Segment 1	46.50
		Nonspecific	615.00
		PLOC Channel Repair	106.28
		PLOC Channel Repair	704.11
		PLOC Channel Repair	518.11
		PLOC Vegetation/Stability Inspections	1,287.25
		PLOC Sediment Removal	3,781.94
		Subtotal	\$ 7,059.19
3. Payroll, Office and Overhead			
ADP Manager Per Diems			516.87
ADP Staff Payroll			18,201.46
ADP Taxes & Benefits			13,411.58
HSA Bank		HSA account	265.38
Fidelity		HSA account	165.38
NCPERS		Life Insurance Premiums - March	80.00
Reliance Standard		March LTD and STD Premiums	735.68
HealthPartners		Health Insurance Premiums	5,106.65
City of Prior Lake		Rent (April 2022)	2,250.00
CLA		Monthly bookkeeping	1,630.00
		Payroll Services	260.00
		Technology and Client Support fee	126.00
		Prep of IRS Forms for 2021	330.00
		Audit Prep	300.00
Metro Sales		Monthly usage February - March	103.00
		Contract Base Rate and Usage	916.66
Rymark		Monthly charge - March	852.50
VISA			1,948.07
		Subtotal	\$ 47,199.23
TOTAL			\$ 73,794.67

X

X

Prior Lake-Spring Lake Watershed District
VISA Transactions 01/27/22-02/18/22

Trans Date	Merchant Name	Amount	Receipt?	Staff Approval	Class	Customer	Expense	Description
1/25/2022	FINANCE CHARGE CR-RETAIL	(\$0.01)						
1/28/2022	VISTAPR*VistaPrint.com	\$2.42	x	Patty Dronen	405 General Fund		706 Office Supplies	Business Cards
1/28/2022	VISTAPR*VistaPrint.com	\$29.78	x	Patty Dronen	405 General Fund		706 Office Supplies	Business Cards
1/28/2022	IRONCLAD STORAGE	\$199.00	x	Jeff Anderson	611 Operations & Maintenance	Fish Mgmt - Equipment, Storage	876 Field Equipment & Maintenance	Equipment Storage
2/1/2022	INF*GOODHIRE.COM	\$5.00	x	Patty Dronen	405 General Fund		903 Dues/Fees/Subscriptions	Background Check
2/1/2022	INF*GOODHIRE.COM	\$69.98	x	Patty Dronen	405 General Fund		903 Dues/Fees/Subscriptions	Background Check
2/2/2022	INTUIT *QuickBooks Online	\$755.00		Joni Giese	405 General Fund		903 Dues/Fees/Subscriptions	Accounting Software
2/3/2022	USPS PO 2676300882	\$116.00	x	Elizabeth Froden	611 Operations & Maintenance	Growing Healthy Soils Events	701 Postage	Stamps -
2/4/2022	VZWRLSS*APOCC VISB	\$13.04	x	Jeff Anderson	648 Regulation	LGU Permit & Inspections	876 Field Equipment & Maintenance	cell service
		\$32.66	x	Jeff Anderson	PLOC 839	PLOC Equipment & Maintenance	876 Field Equipment & Maintenance	cell service
		\$27.62	x	Jeff Anderson	611 Operations & Maintenance	Fish Mgmt - Equipment, Storage	876 Field Equipment & Maintenance	cell service
2/4/2022	OFFICEMAX/DEPOT 6767	\$51.52	x	Elizabeth Froden	611 Operations & Maintenance	Growing Healthy Soils Events	901 Mailings	Postcards
2/8/2022	HOLIDAY STATIONS 0198	\$69.64	x	Jeff Anderson	611 Operations & Maintenance	Fish Mgmt - Equipment, Storage	801 Gas, Mileage	Gas
2/9/2022	PRIOR LAKE CHAMBER	\$110.00	x	Patty Dronen	405 General Fund		903 Dues/Fees/Subscriptions	Yearly Membership Fee
2/11/2022	ADOBE CREATIVE CLOUD	\$56.90	x	Patty Dronen	626 Planning	Planning and Program Development	903 Dues/Fees/Subscriptions	software
2/11/2022	U OF M CONTLEARNING	\$75.00	x	Shauna Capron	626 Planning	Training	904 Staff & Board Training	AIS Management Course
2/11/2022	USPS PO 2676300882	\$43.50	x	Patty Dronen	626 Planning	Planning and Program Development	701 Postage	Mailing costs - Board packets
2/16/2022	EDELWEISS BAKERY	\$32.70	x	Patty Dronen	626 Planning	Planning and Program Development	902 Meals and Lodging	Cookies
2/16/2022	JIMMY JOHNS - 1206	\$12.08	x	Patty Dronen	626 Planning	Planning and Program Development	902 Meals and Lodging	Board Manager dinner
2/17/2022	CANVAS SOLUTIONS INC	\$51.00	x	Shauna Capron	648 Regulation	LGU Permit & Inspections	903 Dues/Fees/Subscriptions	software
2/17/2022	JIMMY JOHNS - 1206 - ECOM	\$84.78	x	Patty Dronen	626 Planning	Planning and Program Development	902 Meals and Lodging	Board Manager dinner
2/18/2022	TST* CHARLIE S ON PRIOR	\$41.96	x	Joni Giese	626 Planning	Planning and Program Development	902 Meals and Lodging	Stantec introductions meeting
2/20/2022	MICROSOFT#G008029345	\$4.99		Patty Dronen	626 Planning	Planning and Program Development	903 Dues/Fees/Subscriptions	
2/20/2022	CVS/PHARMACY #06649	\$34.04		Patty Dronen				Accidently charged personal stuff - this will be credited on next statement
2/21/2022	INTEREST CHARGE-PURCHASE	\$29.47		Patty Dronen	626 Planning	Planning and Program Development	903 Dues/Fees/Subscriptions	Late payment due to late board meeting
	TOTAL	\$1,948.07						

PLSLWD Board Staff Report

March 2, 2022

**PRIOR LAKE
SPRING LAKE
WATERSHED DISTRICT****Subject |** 4B Estates Conservation Easement**Board Meeting Date |** March 8, 2022**Item No |** 6.6**Prepared By |** Allison Weyer, Permit Coordinator**Attachments |** 1) Project Location Map
2) 4B Estates Conservation Easement**Action |** Motion to approve the 4B Estates Conservation Easement**BACKGROUND**

PLSLWD 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 wetland basins.

District 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 and Scott County 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 and will be recorded in the Scott County Land Records Office. It 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.

Excerpt taken from the Mesenbrink Wetland Report prepared by Terry L. Bovee



Figure 1
Location of Mesenbrink Parcel #119260370

DECLARATION OF CONSERVATION EASEMENT

This Declaration is made this _____ day of _____, 2022, by Robert Mesenbrink and Lori Mesenbrink, each the spouse of the other, (collectively 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 plats of 4B Estates, 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 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 2 day of March, 2022.

OWNER:

By:

Robert Mesenbrink
Robert Mesenbrink

By:

Lori Mesenbrink
Lori Mesenbrink

STATE OF MINNESOTA)

) ss.

COUNTY OF SCOTT)

The foregoing instrument was acknowledged before me this 2 day of March, 2022, by Robert Mesenbrink and Lori Mesenbrink, each the spouse of the other.



Notary Public

Ann Schroeder

My Commission Expires:

01.31.26

ACCEPTANCE

The Watershed District hereby accepts the foregoing Conservation Easements pursuant to Minnesota Statutes, Section 84C.02, on this _____ day of _____, 2022.

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 _____, 2022, 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

The East half of the North West Quarter of the North East Quarter (E $\frac{1}{2}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$) of Section Twenty-six (26) except the North One (1) rod thereof, Township One Hundred Fourteen (114), Range Twenty-two (22), Scott County, Minnesota.

EXHIBIT B**LEGAL DESCRIPTION OF EASEMENT AREAS**

An easement for conservation purposes over, under and across those parts of Lots 1, 2 and 3, Block 1, 4B ESTATES, Scott County, Minnesota, described as follows:

Commencing at the southwest corner of said Lot 1, Block 1; thence North 88 degrees 28 minutes 31 seconds East, plat bearing along the south line of said Lot 1, a distance of 110.00 feet to the point of beginning; thence North 31 degrees 51 minutes 30 seconds East a distance of 80.00 feet; thence North 84 degrees 27 minutes 18 seconds East a distance of 100.00 feet; thence South 43 degrees 57 minutes 12 seconds East a distance of 100.00 feet to the south line of said Lot 1; thence southwesterly along said south line to the point of beginning.

TOGETHER WITH commencing at the southeast corner of said Lot 1; thence North 01 degree 02 minutes 19 seconds East, plat bearing along the east line of said Lot 1, a distance of 220.00 feet to the point of beginning; thence North 80 degrees 56 minutes 34 seconds West a distance of 70.00 feet; thence North 09 degrees 33 minutes 02 seconds East a distance of 140.00 feet; thence North 77 degrees 24 minutes 53 seconds East a distance of 50.00 feet to a point on the east line of said Lot 1, the same being the west line of said Lot 2, distant 160.00 feet northerly of the point of beginning; thence South 79 degrees 19 minutes 47 seconds East a distance of 85.00 feet; thence South 06 degrees 12 minutes 22 seconds West a distance of 105.00 feet; thence South 62 degrees 02 minutes 29 seconds West a distance of 85.00 feet to the point of beginning.

ALSO TOGETHER WITH beginning at the southeast corner of said Lot 2; thence South 88 degrees 28 minutes 31 seconds West, plat bearing along the south line of said Lot 2, a distance of 50.00 feet; thence North 01 degree 02 minutes 19 seconds East a distance of 220.00 feet; thence northeasterly to a point on the east line of said Lot 2, the same being the west line of said Lot 3, distant 260.00 feet northerly of the point of beginning; thence southeasterly to a point on the east line of said Lot 3 distant 200.00 feet northerly of the southeast corner of said Lot 3; thence southerly, along said east line, to the southeast corner of said Lot 3; thence westerly, along the south line of said Lot 3, to the point of beginning.

PLSLWD Board Staff Report
March 8, 2022



Subject 	Boat Inspections for 2022	
Board Meeting Date 	March 8, 2022	Item No: 6.7
Prepared By 	Shauna Capron, Water Resources Specialist	
Attachments 	Waterfront Restoration Contract	
Proposed Action 	Vote to approve the Waterfront Restoration Contract for 2022 boat inspections	

Background & Discussion

Boat inspections are an important measure to try to prevent aquatic invasive species from infesting District lakes. The attached contract proposes boat inspections to occur on Spring Lake, Fish Lake, and Upper and Lower Prior Lakes in 2022. Per the proposed contract, boat inspections will occur between May 13 and September 24 for a total of 900 inspection hours. Staff is proposing to retain the same boat inspection company that performed the 2021 boat inspections (Waterfront Restoration). The contract value of \$24,000 is less than the \$25,000 budgeted for 2022 boat inspections.

Recommendation

Staff recommends that the Board of Managers approve the Waterfront Restoration Contract for 2022 boat inspections.

**AGREEMENT BETWEEN
PRIOR LAKE - SPRING LAKE WATERSHED DISTRICT and
WATERFRONT RESTORATION**

Waterfront Restoration Boat Inspections

This agreement is entered into by the Prior Lake - Spring Lake Watershed District, a public body with powers set forth at Minnesota Statutes chapters 103B and 103D (PLSLWD), and Waterfront Restoration, a Minnesota corporation (CONSULTANT). In consideration of the terms and conditions set forth herein and the mutual exchange of consideration, the sufficiency of which hereby is acknowledged, PLSLWD and CONSULTANT agree as follows:

1. Scope of Work

CONSULTANT will perform the work described in the 2/4/2022 Scope of Services attached as Exhibit A (the "Services"). Exhibit A is incorporated into this agreement and its terms and schedules are binding on CONSULTANT as a term hereof. PLSLWD, at its discretion, in writing may at any time suspend work or amend the Services to delete any task or portion thereof. Authorized work by CONSULTANT on a task deleted or modified by PLSLWD will be compensated in accordance with paragraphs 5 and 6. Time is of the essence in the performance of the Services.

2. Independent Contractor

CONSULTANT is an independent contractor under this agreement. CONSULTANT will select the means, method and manner of performing the Services. Nothing herein contained is intended or is to be construed to constitute CONSULTANT as the agent, representative or employee of PLSLWD in any manner. Personnel performing the Services on behalf of CONSULTANT or a subcontractor will not be considered employees of PLSLWD and will not be entitled to any compensation, rights or benefits of any kind from PLSLWD.

3. Subcontract and Assignment

CONSULTANT will not assign, subcontract or transfer any obligation or interest in this agreement or any of the Services without the written consent of PLSLWD and pursuant to any conditions included in that consent. PLSLWD consent to any subcontracting does not relieve CONSULTANT of its responsibility to perform the Services or any part thereof, nor in any respect its duty of care, insurance obligations, or duty to hold harmless, defend and indemnify under this agreement.

4. Duty of Care; Indemnification

CONSULTANT will perform the Services with due care and in accordance with national standards of professional care. CONSULTANT will defend PLSLWD, its board members, employees and agents from any and all actions, costs, damages and liabilities of any nature arising from; and hold each such party harmless, and indemnify it, to the extent due to: (a) CONSULTANT's negligent or otherwise wrongful act or omission, or breach of a specific contractual duty; or (b) a subcontractor's negligent or otherwise wrongful act or omission, or breach of a specific contractual duty owed by CONSULTANT to PLSLWD. For any claim subject to this paragraph by an employee of CONSULTANT or a subcontractor, the indemnification obligation is not limited by

a limitation on the amount or type of damages, compensation or benefits payable by or for CONSULTANT or a subcontractor under workers' compensation acts, disability acts or other employee benefit acts.

5. Compensation

PLSLWD will compensate CONSULTANT for the Services on an hourly basis and reimburse for direct costs in accordance with Exhibit A. Invoices will be submitted monthly for work performed during the preceding month. Payment for undisputed work will be due within 30 days of receipt of invoice. Direct costs not specified in Exhibit A will not be reimbursed except with prior written approval of the PLSLWD administrator. Subcontractor fees and subcontractor direct costs, as incurred by CONSULTANT, will be reimbursed by PLSLWD at the rate specified in PLSLWD's written approval of the subcontract.

The total payment for each task will not exceed the amount specified for that task in Exhibit A unless specifically authorized in writing by PLSLWD. The total payment for the Services will not exceed \$24,000. Total payment in each respect means all sums to be paid whatsoever, including but not limited to fees and reimbursement of direct costs and subcontract costs, whether specified in this agreement or subsequently authorized by the administrator.

CONSULTANT will maintain all records pertaining to fees or costs incurred in connection with the Services for six years from the date of completion of the Services. CONSULTANT agrees that any authorized PLSLWD representative or the state auditor may have access to and the right to examine, audit and copy any such records during normal business hours.

6. Termination; Continuation of Obligations

This agreement is effective when fully executed by the parties and will remain in force until end of day 12/31/2022 unless earlier terminated as set forth herein.

PLSLWD may terminate this agreement at its convenience, by a written termination notice stating specifically what prior authorized or additional tasks or services it requires CONSULTANT to complete. CONSULTANT will receive full compensation for all authorized work performed, except that CONSULTANT will not be compensated for any part performance of a specified task or service if termination is due to CONSULTANT's breach of this agreement.

Insurance obligations; duty of care; obligations to defend, indemnify and hold harmless; and document-retention requirements will survive the completion of the Services and the term of this agreement.

7. No Waiver

The failure of either party to insist on the strict performance by the other party of any provision or obligation under this agreement, or to exercise any option, remedy or right herein, will not waive or relinquish such party's rights in the future to insist on strict performance of any provision, condition or obligation, all of which will remain in full force and affect. The waiver of either party on one or more occasion of any provision or obligation of this agreement will not be construed as a waiver of any subsequent breach of the same provision or obligation, and the consent or

approval by either party to or of any act by the other requiring consent or approval will not render unnecessary such party's consent or approval to any subsequent similar act by the other.

Notwithstanding any other term of this agreement, PLSLWD waives no immunity in tort. This agreement creates no right in and waives no immunity, defense or liability limit with respect to any third party.

8. Insurance

At all times during the term of this Agreement, CONSULTANT will have and keep in force the following insurance coverages:

- A. General: \$1.5 million, each occurrence and aggregate, covering CONSULTANT's ongoing and completed operations on an occurrence basis and including contractual liability.
- B. Professional liability: \$1.5 million each claim and aggregate. Any deductible will be CONSULTANT's sole responsibility and may not exceed \$50,000. Coverage may be on a claims-made basis, in which case CONSULTANT must maintain the policy for, or obtain extended reporting period coverage extending, at least three (3) years from completion of the Services.
- C. Automobile liability: \$1.5 million combined single limit each occurrence coverage for bodily injury and property damage covering all vehicles on an occurrence basis.
- D. Workers' compensation: in accordance with legal requirements applicable to CONSULTANT.

CONSULTANT will not commence work until it has filed with PLSLWD a certificate of insurance documenting the required coverages and naming PLSLWD as an additional insured for general liability, along with a copy of the additional insured endorsement establishing coverage for CONSULTANT's ongoing and completed operations as primary coverage on a noncontributory basis. The certificate will name PLSLWD as a holder and will state that PLSLWD will receive written notice before cancellation, nonrenewal or a change in the limit of any described policy under the same terms as CONSULTANT.

9. Compliance With Laws

CONSULTANT will comply with all applicable laws and requirements of federal, state, local and other governmental units in connection with performing the Services and will procure all licenses, permits and other rights necessary to perform the Services.

In performing the Services, CONSULTANT will ensure that no person is excluded from full employment rights or participation in or the benefits of any program, service or activity on the ground of race, color, creed, religion, age, sex, disability, marital status, sexual orientation, public assistance status or national origin; and no person who is protected by applicable federal or state laws, rules or regulations against discrimination otherwise will be subjected to discrimination.

10. Data and Information

All data and information obtained or generated by CONSULTANT in performing the Services, including documents in hard and electronic copy, software, and all other forms in which the data and information are contained, documented or memorialized, are the property of PLSLWD. CONSULTANT hereby assigns and transfers to PLSLWD all right, title and interest in: (a) its copyright, if any, in the materials; any registrations and copyright applications relating to the materials; and any copyright renewals and extensions; (b) all works based on, derived from or incorporating the materials; and (c) all income, royalties, damages, claims and payments now or hereafter due or payable with respect thereto, and all causes of action in law or equity for past, present or future infringement based on the copyrights. CONSULTANT agrees to execute all papers and to perform such other proper acts as PLSLWD may deem necessary to secure for PLSLWD or its assignee the rights herein assigned.

PLSLWD may immediately inspect, copy or take possession of any materials on written request to CONSULTANT. On termination of the agreement, CONSULTANT may maintain a copy of some or all of the materials except for any materials designated by PLSLWD as confidential or non-public under applicable law, a copy of which may be maintained by CONSULTANT only pursuant to written agreement with PLSLWD specifying terms.

11. Data Practices; Confidentiality

If CONSULTANT receives a request for data pursuant to the Data Practices Act, Minnesota Statutes chapter 13 (DPA), that may encompass data (as that term is defined in the DPA) CONSULTANT possesses or has created as a result of this agreement, it will inform PLSLWD immediately and transmit a copy of the request. If the request is addressed to PLSLWD, CONSULTANT will not provide any information or documents, but will direct the inquiry to PLSLWD. If the request is addressed to CONSULTANT, CONSULTANT will be responsible to determine whether it is legally required to respond to the request and otherwise what its legal obligations are, but will notify and consult with PLSLWD and its legal counsel before replying. Nothing in the preceding sentence supersedes CONSULTANT's obligations under this agreement with respect to protection of PLSLWD data, property rights in data or confidentiality. Nothing in this section constitutes a determination that CONSULTANT is performing a governmental function within the meaning of Minnesota Statutes section 13.05, subdivision 11, or otherwise expands the applicability of the DPA beyond its scope under governing law.

CONSULTANT agrees that it will not disclose and will hold in confidence any and all proprietary materials owned or possessed by PLSLWD and so denominated by PLSLWD. CONSULTANT will not use any such materials for any purpose other than performance of the Services without PLSLWD written consent. This restriction does not apply to materials already possessed by CONSULTANT or that CONSULTANT received on a non-confidential basis from PLSLWD or another party. Consistent with the terms of this section 11 regarding use and protection of confidential and proprietary information, CONSULTANT retains a nonexclusive license to use the materials and may publish or use the materials in its professional activities. Any CONSULTANT duty of care under this agreement does not extend to any party other than PLSLWD or to any use of the materials by PLSLWD other than for the purpose(s) for which CONSULTANT is compensated under this agreement.

12. PLSLWD Property

All property furnished to or for the use of CONSULTANT or a subcontractor by PLSLWD and not fully used in the performance of the Services, including but not limited to equipment, supplies, materials and data, both hard copy and electronic, will remain the property of PLSLWD and returned to PLSLWD at the conclusion of the performance of the Services, or sooner if requested by PLSLWD. CONSULTANT further agrees that any proprietary materials are the exclusive property of PLSLWD and will assert no right, title or interest in the materials. CONSULTANT will not disseminate, transfer or dispose of any proprietary materials to any other person or entity unless specifically authorized in writing by PLSLWD.

Any property including but not limited to materials supplied to CONSULTANT by PLSLWD or deriving from PLSLWD is supplied to and accepted by CONSULTANT as without representation or warranty including but not limited to a warranty of fitness, merchantability, accuracy or completeness. However, CONSULTANT's duty of professional care under paragraph 4, above, does not extend to materials provided to CONSULTANT by PLSLWD or any portion of the Services that is inaccurate or incomplete as the result of CONSULTANT's reasonable reliance on those materials.

13. Notices

Any written communication required under this agreement to be provided in writing will be directed to the other party as follows:

To PLSLWD:

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

To CONSULTANT:

Waterfront Restoration
2105 Daniels St.
Long Lake, MN
55356

Either of the above individuals may in writing designate another individual to receive communications under this agreement.

14. Choice of Law; Venue

This agreement will be construed under and governed by the laws of the State of Minnesota. Venue for any action will lie in Scott County.

15. Whole Agreement

The entire agreement between the two parties is contained herein and this agreement supersedes all oral agreements and negotiations relating to the subject matter hereof. Any modification of this agreement is valid only when reduced to writing as an amendment to the agreement and signed by the parties hereto. PLSLWD may amend this agreement only by action of the Board of Managers acting as a body.

IN WITNESS WHEREOF, intending to be legally bound, the parties hereto execute and deliver this agreement.

CONSULTANT

By *Nerick Lee*
Its Account Manager

Date: 03/01/2022

Approved as to Form and Execution

PLSLWD Attorney

PRIOR LAKE -SPRING LAKE WATERSHED DISTRICT

By _____
Its _____

Date: _____

Exhibit A
Scope of Services



**WATERCRAFT
INSPECTION
STATION**

CLEAN • DRAIN • DRY

Stop Aquatic Hitchhikers!

...ing you must:
prohibited invasive species.



...t:
...ssels, or other prohibited species
...in the water if it has aquatic plants, zebra mussels, o
...es attached
...aining water, removing the drain plug, and opening

bait in the water or on the ground

00 - Call a Conservation Officer to report vi

Minnesota Department of Natural Resources



Proposal
Prepared for:
PLSLWD
February 4th, 2022

Executive Summary

Waterfront Restoration appreciates the opportunity to submit this best value proposal for watercraft inspection and boater education services to aid PLSLWD again in 2022 in preventing the spread of aquatic invasive species.

This proposal presents our approach to ensuring we achieve and exceed your expectations in 2022 and includes nine sections addressing the following:

Executive Summary	2
About Waterfront Restoration	3
Hiring	4
Onboarding/Training	5
Management	7
Reporting	8
Waterfront Restoration- The Best Value to Protect Your Lakes	9
Schedule	10
Investment	10

Best Value Proposal: All questions outlined in Exhibit A: <http://bit.ly/ExhibitA-WIDP-RFP> have been answered and outlined in this proposal.

Waterfront Restoration is committed to ensuring we have the right people working at your lakes and that they are properly trained/managed. Thus, we compensate them consistent with market conditions. Doing so helps us, on your behalf, to staff your lakes with reliable, presentable, and professional inspectors that create a positive experience for your boaters while also protecting your lakes.

We invest year after year to maintain an industry-leading watercraft inspections program for Minnesota counties and have refined our processes based on what we have learned from thousands of hours of inspections. These developments, our unique advantages, and our above and beyond service approach ensures that your county is getting maximum value from every inspection dollar spent.

Ultimately, when you hire us, it is our job to ensure you have a successful AIS prevention program that provides you with peace of mind knowing that your lakes are protected by the highest quality professional inspectors available whom help prevent the spread of AIS, keep your county out of the news for the wrong reasons, better educate your boaters, and represent your county in a first – class positive image to the public.

Given the prediction of lingering concern of COVID-19 into the future, we have developed our *COVID-19 Preparedness Plan* alongside the DNR to ensure a safe boating season for years to come. To better protect inspectors and boaters we have implemented best practices to ensure everyone is protected. Please see this link for details: <http://bit.ly/COVIDProtocol-WaterfrontRestoration>.

About Waterfront Restoration

Lakes * Living * Legacy

Waterfront Restoration was founded by Tom Suerth in 2003. He was inspired to start the company by his passion for lake preservation. He grew up near a Minnesota lake and saw firsthand the devastation that Eurasian watermilfoil had on it. Today, species like Zebra Mussels, Starry Stonewort, and other AIS are creating high risks of devastating recreational boating, swimming, and fishing in counties throughout the state. Our company's mission is to preserve Minnesota lakes and protect them from all invasive species.

We specialize in providing high-quality, fully managed Level 1 and Level 2 watercraft inspections and boater education services to counties, associations, and watershed districts throughout the state of Minnesota. We have developed a four-point formula that provides expertise in the recruitment, training, reporting, and management of seasonal staff for aquatic invasive species prevention and control programs. This expertise provides us with the ability to recruit and retain watercraft inspectors who share our passion for lake preservation and professionally represent your county.

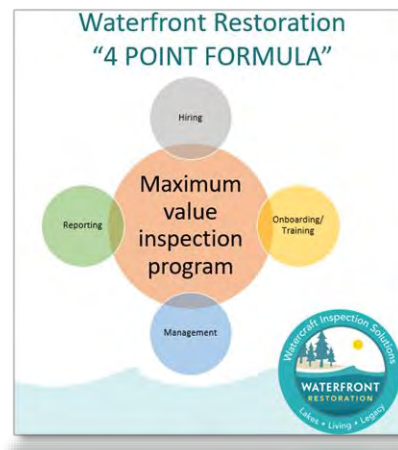
Our staff works closely with the Minnesota DNR, counties, counties, and lake associations in Minnesota to keep our knowledge current on aquatic invasive species issues and best practices for watercraft inspections.

Clients that have chosen us to protect their lakes see our value beyond a monetary exchange. They see us as their partner in lake protection. Waterfront Restoration is devoted and dedicated to keeping your lakes clean and preventing the spread of AIS. We do that through hiring the right people, providing them with the skills necessary to keep boaters informed and watercrafts thoroughly inspected, and managing them to ensure your expectations are met.

In an industry riddled with unstable small businesses that have one or two full-time staff trying to manage everything, Waterfront Restoration is a financially stable, professional service company with an expert management team that consistently delivers high-quality results for its clients.

We have provided inspector services to the following clients. I encourage you to reach out to any/all of them for a reference.

- Dakota County
- Goodhue County
- Waseca County
- Meeker County
- Blue Earth County
- Scott County
- Christmas Lake Association in Hennepin County
- Lake Francis Association in LeSueur County
- Prior Lake Spring Lake Watershed District
- City of Eden Prairie- Carver County



Hiring

High Quality Inspectors

We recognize that one of the major keys to success with providing inspection services is the inspector hiring process. To ensure inspections are performed properly and your county is professionally represented, we have developed a rigorous candidate screening and evaluation process. It is designed to identify the traits of high performing inspectors. We refer to it as our “above and beyond” approach as it ensures our inspectors are carefully interviewed and selected based on suitability for the role. The impact of this hiring approach is highlighted in an unsolicited comment we received from a county client.



“When interacting with inspectors from Waterfront Restoration, they were far more thorough and friendly than some I’ve seen in other areas of the state. Some others I’ve encountered were not friendly at all and really seemed like that was the last thing they wanted to be doing.”

Hiring Process. The inspector recruiting process begins upon notice of award of the contract. It takes approximately eight weeks from contract award to inspector staffing at your lakes. For example, if the desired start date is May 15, the contract award notification is needed by March 15. Inspection start dates are also dependent on DNR training session availability as their schedules and class capacities are limited.

Upon notification of contract award, we begin recruiting for the role and hiring inspectors. This process is facilitated by our management team who is highly sensitive to balancing priorities between proper staffing and filling the roles quickly. For Level 1 inspectors, our minimum age requirement is sixteen.

We have developed a weighted interview scoring system to rate the candidates based upon twenty different aspects that we feel are critical to success in the role. Some of the scored qualification aspects include: knowledge of AIS, customer service experience, de-escalation communication experience, attention to detail, and previous inspector experience. If a candidate does not achieve the target score that we established, that person is not hired.

To be considered for hire, a candidate must pass our online customer service test to ensure they have the relationship, speaking, and rapport skills necessary to interact with your boating community. Thus, as your boaters interact with our inspectors, they have a positive experience throughout the inspection process.

While some providers only conduct phone interviews, we conduct in-person or video interviews with every candidate. This helps to select those who represent themselves professionally, and thus, will represent your county professionally.

Prior to hire, every candidate undergoes a criminal background check to identify felony convictions and sexual offender convictions. Candidates with those convictions are not hired.

Inspector Compensation. Inspector pay rate is dependent on their qualifications. Once inspectors are hired, they are eligible for participation in our performance-based compensation program which rewards them for outstanding performance. Our qualification and performance compensation approach has helped us attract and retain the best people for the job. It also ensures the county is receiving maximum value on the investment in inspectors.

Onboarding/Training

Specialized Inspector Skill & Knowledge Development

Those candidates, who complete our rigorous hiring process and are extended an offer, participate in our onboarding and training program. This program is designed to provide inspectors with the knowledge and skills needed to properly protect your lakes and provide an outstanding boater experience during the inspection process. Our clients frequently cite our inspector onboarding and training program as an aspect that sets us apart.



Employee Handbook. Our employee handbook has been refined over sixteen years of employing seasonal staff for AIS control and prevention. It is updated annually by our HR and legal counsel to ensure compliance with all laws. The handbook is specifically tailored to the AIS control and prevention services we provide. A copy of this handbook can be provided for your review upon request.

Onboarding System. The backbone of our onboarding process is our HR onboarding technology system. Many small businesses do not have a systemized onboarding process which causes issues such as required forms not being completed by employees timely and conflicts resulting from employees not being aware of policies. Onboarding mistakes lead to problems for the county due to employee disputes, disengagement, or unsatisfactory work performance, and ultimately vacancies at your boat launches. Our system and overall onboarding approach significantly reduce the risk of these issues occurring.

Inspector Knowledge Development. The DNR training sessions often do not fully equip inspectors to perform inspections properly. As a result, many counties have experienced issues with their inspectors not performing as expected. Based upon the thousands of inspections we have performed, we developed additional training programs to ensure the inspectors assigned to your county are equipped with the tools to properly provide these services, professionally represent your county to the public, and ensure the inspectors feel comfortable with the transition from the classroom to the field.

After completion of DNR training and prior to deployment in the field, inspectors are guided through our supplemental training class. They participate in a comprehensive program in our online training platform. Each module ends with the required completion of a quiz. This helps to ensure mastery of the content. Waterfront Restoration will ensure the DNR has authorized the employee prior to conducting inspections.

Examples of the modules and instructional videos include:

- Our safety process for handling adverse weather conditions with boaters.
- Boater communication best practices
- Customer service and Verbal de-escalation skills
- Lake/location specific expectations
- Known infestations.
- Watercraft Compendium which includes manufacturing insights to help know where to inspect for AIS.

Inspector Tools. Inspectors use digital devices (either a tablet or cellphone) on which DNR software is loaded. Also loaded on each device is AIS inspection procedures, the types of watercrafts that may be encountered at the boat landing, AIS inspection manual from the Minnesota DNR, a copy of Aquatic Nuisance Species (ANS) Inspectors, a contact list for the contractor and county staff that includes phone numbers for the correct personnel at our office, conservation officers, and county staff. During onboarding, inspectors are trained how to use the devices and the software.

As part of the onboarding process, inspectors are provided with the following professional attire:

- Safety vests- with wording of watercraft inspector on it
- Name badge with county name on it
- Double sided signs stating watercraft inspection station
- Backup paper surveys
- Lake boat access case number reference sheet
- First aid kit
- Sanitizer
- Masks

Management

Oversight of the process and the inspectors

A key to success with protecting your lakes is our inspector management program. We have six project managers on staff with fifty years of combined experience and are, at a minimum, certified as Level 1 inspectors. They are responsible for overseeing both the process and the inspector team to ensure compliance with regulation and law as well as consistency in the delivery of our services. To ensure current knowledge and skills, this team regularly attends statewide AIS training and conferences.



With six managers on staff, there is always an expert available for inspector questions and to respond to any violations found by inspectors. Managers can be reached by phone, text, and email seven days a week. This access is not only provided to inspectors, but to the county as well. Our managers are tasked with developing relationships with each of our inspectors as this is a key to retention and high job performance of the inspectors.

Our managers are also responsible for monitoring inspector surveys weekly for case number accuracy. They provide inspectors with feedback if there are inaccuracies and then make the corrections to the database with Adam Doll/DNR if necessary. This ensures the county has accurate inspection data for its lakes.

Random spot checks and regular meetings. Waterfront Restoration designates a roaming inspector or company manager to regularly meet with and spot check inspectors. The intent of the check/meeting is to ensure inspectors remain highly engaged and their skills stay fresh thus ensuring the highest quality inspection of every watercraft. It also helps identify any poor performers right away instead of letting them do a poor-quality job all season, we can replace them right away.

During the check or meeting the manager provides the inspector with ongoing feedback and training. This includes customer service review, refreshers on boat inspection procedures, and coaching on proper inspection protocol.

Employee Surveys. Employees are surveyed monthly via an anonymous online questionnaire. The survey asks questions about how employees feel about company culture, overall performance, and recognition by superiors. Surveys can be accessed via an internal online link.

Payroll Management. Waterfront Restoration takes full responsibility for managing and paying of its inspectors. Anyone employed by or working on behalf of our company is a W-2 employee. We collect required W4s and provide W2s. Inspectors are paid hourly and receive payment biweekly with proper withholdings of FICA, FUTA, state unemployment, workers compensation, and state and federal withholding, as required by law.

Schedule Management. Waterfront Restoration uses advanced calendar software to manage scheduling to ensure coverage requests are met. The scheduling system, combined with our management system, ensures coverage when a primary inspector is unable to work a shift.

During the implementation of the contract, a shift schedule framework is developed in conjunction with the county's input. The weekly inspector schedule is available at least one week in advance throughout the season. Scheduling is arranged to align with the county's requirements and to ensure excess hours are not scheduled without the county's approval.

Reporting

Visibility into program performance

A key ingredient in our county partnership recipe is communication. This is an aspect our clients frequently cite as an area of excellence of ours. During implementation, goals and standards are established aligned with your performance expectations.

We provide a series of reports to our clients keeping them apprised of what we see in their lakes with data on which they can take action. These reports also provide visibility into our performance aligned with the established goals and standards.



Continuous documenting and reporting ensures process and protocols are followed. Each day, week, month, and year, our inspectors and management team develop broad-level of visibility into a county's lakes and have insight into ways to better protect them. Through reporting, we keep our clients informed, so action can be taken on it.

Daily. We have multiple ways of keeping you in the know of lake happenings including:

- Real-time updates for urgent/important matters. We have management available by phone/text/email 7 days a week, and especially on weekends to promptly respond/address/resolve any and all urgent issues that may arise or occur.
- GPS live tracking - access can be provided to the county to see where our inspectors are deployed at any given time.
- If desired, a daily email report outlining any violations from the previous day can be provided. Supervisors respond to violations found by inspectors at accesses and work with the inspector to notify law enforcement if needed and provide a written report.

Monthly. A report is provided, along with your invoice, that includes the following information:

- Trend analyses
- Inspection results
- Summary of spot checks and meeting comments made by the inspectors
- Equipment needs or recommendations
- Number of hours spent on inspections by each employee, at each access, each day
- Number of aquatic invasive species (AIS) identified
- Number of calls to the supervisor, DNR or 911
- Number of boaters referred to a decontamination site for a courtesy or required decontamination
- Number of non-compliant boaters
- Verification that all data on each device was uploaded to the DNR database
- Summary of any inspection data and/or device(s) lost, damaged, stolen, or otherwise made unrecoverable.

Annually. At the conclusion of the boating season, an annual report is provided that presents comprehensive data for each of your lakes. This report provides actionable information that your county can use to take steps to better protect your lakes in future years. We can conduct an annual debrief presentation to review our findings and recommendations for improvement.

Waterfront Restoration- The Best Value to Protect Your Lakes

WATERFRONT RESTORATION

For counties that want peace of mind knowing that the launches are protected by high quality inspectors who help prevent the spread of AIS, keep you out of the news for the wrong reasons, better educate your boaters, and represent your county in a first – class positive image to the public.

- Higher per hour inspector pay rate with performance-based compensation program. Rewards them for outstanding performance and attracts and retains better people for the job.
- A criminal background check to identify felony convictions and sexual offender convictions. Candidates with those convictions are not hired.
- Detailed end of year report- <http://bit.ly/EOYReportExample>
- Video interviews for all candidates- This helps to select those who represent themselves professionally, and thus, will represent your county professionally.
- Attempt to cover/replace shifts if a primary inspector is sick or calls out of.
- Expert 6-person management team- there will always be a manager available by phone/text/email 7 days a week, and especially on weekends to promptly respond/address/resolve all urgent issues.
- Monitor inspector surveys weekly for case number accuracy. Ensures the county has accurate inspection data for its lakes.
- Monthly Reports- <http://bit.ly/MonthlyReport-Example>
- After completion of DNR training- additional virtual training classes, safety modules, and online customer service training to ensure they have the relationship, speaking, and rapport skills necessary to interact with boaters. Also, de-escalation scenarios on how to deal with unruly, inpatient, or aggressive boaters. Each training module ends with the completion of a quiz.
- Guaranteed all launches full staffed by your desired start date and achieve 99% coverage of season contract desired hours (pending no delays on DNR side for training, and minimum 8 week hiring lead time from contract award to desired first day of staffing).

Schedule

Scheduling Outline. The following table was used when developing your inspector schedule. This is an example proposed schedule. Final schedule will be implemented with PLSLWD coordinator prior to April 1st.

Lake	Day	Operating Hours	Qty of Hours	Start	Total weeks	Total Season Hrs
SPRING	Fridays	8am – 4:30pm	8.5	May 13th	17 Total Fridays until 9/2	145
	Saturdays	8am - 4:30pm	8.5	May 14th	17 Total Saturdays until 9/3	145
	Sundays	8am - 4:30pm	8.5	May 15th	17 Total Sundays until 9/4	145
	Holidays	8am - 4:30pm	8.5		3 Mondays- Memorial, 4th, Labor	26
	Saturdays (After Labor Day)	7am - 1pm	6	Sept 10th	3 Total Saturdays until 9/24	18
Total season hours if covering 8am-430pm every Fri, Sat, and Sun, from 5/13-9/5, and Saturdays only from 9/10-9/24 totals to 477 hours. However similar to 2021 Waterfront Restoration will not cover every Fri, Sat, Sunday shift from 8am-430, they will alternately use thier judgement to staff inspectors at the Spring Lake Launch on Fri, Sat, and Sun during peak boating times. Total season hours for Spring lake are expected to be around 350 hours.						
					Total Spring=	350
FISH	Fri, Sat, or Sun	TBD	TBD	TBD	Staff periodic Friday, Saturday, or Sunday shifts totalling to approximately 50 hours between 5/13-9/5.	50
Upper Prior	Fri, Sat, or Sun	TBD	TBD	TBD	Busiest times that DNR is not inspecting	225
Lower Prior	Fri, Sat, or Sun	TBD	TBD	TBD	Busiest times that DNR is not inspecting	225
Upper, Lower, Spring	Weekday Shifts	TBD	TBD	TBD	Periodic weekday shifts (Wed/Thur) during high traffic times= (any shift length between 10am-5pm, trying to focus around peak traffic between 2-4pm). Waterfront Restoration plans to staff random shifts to Upper, Lower, and Spring between 5/13-9/5	50
						=
						Season total- PLSLWD
						900

*Total season hours will not exceed 907 hours

Investment

The best value to protect your lakes.

\$26.46 per hour

A few important aspects about our pricing:

1. You are only billed when inspectors are “clocked-in” at the launch site.
2. All overhead costs such as recruiting, company training, DNR training, holiday pay, ongoing management, protocol compliance, technology, software, and reporting are included in the hourly rate.
3. Our pricing is fully transparent. The invoices we provide are simply the multiplication of the hours inspectors worked at the launch multiplied by the hourly rate.

Minimum of 900 inspection hours required for rate outlined.

The county will be invoiced monthly, based upon the number of hours worked in the previous month.



CERTIFICATE OF LIABILITY INSURANCE

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER AssuredPartners of MN - Chaska 101 W 3rd St Chaska MN 55318		CONTACT NAME: Amanda Swanson PHONE (A/C, No, Ext): (952) 448-3800 FAX (A/C, No): (952) 556-4873 E-MAIL ADDRESS: amanda.swanson@assuredpartners.com	
		INSURER(S) AFFORDING COVERAGE	
		INSURER A: Western National Mutual Ins	
		INSURER B: Evanston Insurance Company	
		INSURER C:	
		INSURER D:	
		INSURER E:	
		INSURER F:	

COVERAGES

CERTIFICATE NUMBER: 2022 Liability

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	Y	Y	CPP 1155032 05	01/01/2022	01/01/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			CPP 1155051 05	01/01/2022	01/01/2023	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 10,000			UMB 1025970 05	01/01/2022	01/01/2023	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ 1,000,000
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y / N	N / A	3EE6200	01/01/2022	01/01/2023	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Certholder is included as an additional insured on General Liability. Waiver of Subrogation applies.

CERTIFICATE HOLDER

Prior Lake
 Spring Lake Watershed District
 4646 Dakota St SE
 Prior Lake MN 55372

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Amanda Swanson

PLSLWD Board Staff Report

March 2, 2022


**PRIOR LAKE
SPRING LAKE
WATERSHED DISTRICT**
Subject | Three Rivers Parks District Water Quality Monitoring Contract

Board Meeting Date | March 8, 2022

Item No | 6.8

Prepared By | Jeff Anderson, Water Resources Coordinator

Attachments | 2022 TRPD Contract Agreement

Action | Request approval of contract agreement
BACKGROUND

Since around 2004, Three Rivers Parks District has been monitoring the water quality on District Lakes. The data collected is used to create trends, assess project and program goals, as well as drive management decisions.

PROJECT OVERVIEW

The cost of the project is not to exceed \$18,033. Monitoring includes one sample in March and/or April, bi-weekly sampling from May through September, and one sample in October. All physical measurements and water samples for chemical analyses are obtained from a point directly over the deepest point in the lake. A multiprobe sonde is used to record temperature, pH, conductivity, and dissolved oxygen profiles at 1-meter intervals. Secchi disk transparency is determined with a black and white 20-cm diameter disk on the shady side of the boat. Total phosphorus (TP), soluble reactive phosphorus (SRP), total nitrogen (TN), Chloride (Cl), and chlorophyll-*a* (Chl-A) concentrations are determined from the surface composite sample for all sampling events. Additional sampling for deep lakes includes: TP and SRP collected in the “middle” of the water column directly above the thermocline and a “bottom” sample is collected for TP, SRP, and Cl below the thermocline while remaining above the bottom 0.5 meters to prevent disturbing the sediment. All samples collected except plankton samples are analyzed in house by Three Rivers Park District. Plankton samples will be collected on Spring Lake in 2022.

ACTION REQUESTED

District staff is requesting that the Board of Managers approve the attached contract agreement for execution by the District Administrator.

**AGREEMENT BETWEEN
PRIOR LAKE - SPRING LAKE WATERSHED DISTRICT and
Three Rivers Park District**

Water Quality Monitoring Services Agreement - 2022

This agreement is entered into by the Prior Lake - Spring Lake Watershed District, a public body with powers set forth at Minnesota Statutes chapters 103B and 103D (PLSLWD), and Three Rivers Park District, a Minnesota corporation (CONSULTANT). In consideration of the terms and conditions set forth herein and the mutual exchange of consideration, the sufficiency of which hereby is acknowledged, PLSLWD and CONSULTANT agree as follows:

1. Scope of Work

CONSULTANT will perform the work described in the Scope of Services attached as Exhibit A (the "Services"). Exhibit A is incorporated into this agreement and its terms and schedules are binding on CONSULTANT as a term hereof. PLSLWD, at its discretion, in writing may at any time suspend work or amend the Services to delete any task or portion thereof. Authorized work by CONSULTANT on a task deleted or modified by PLSLWD will be compensated in accordance with paragraphs 5 and 6. Time is of the essence in the performance of the Services.

2. Independent Contractor

CONSULTANT is an independent contractor under this agreement. CONSULTANT will select the means, method and manner of performing the Services. Nothing herein contained is intended or is to be construed to constitute CONSULTANT as the agent, representative or employee of PLSLWD in any manner. Personnel performing the Services on behalf of CONSULTANT or a subcontractor will not be considered employees of PLSLWD and will not be entitled to any compensation, rights or benefits of any kind from PLSLWD.

3. Subcontract and Assignment

CONSULTANT will not assign, subcontract or transfer any obligation or interest in this agreement or any of the Services without the written consent of PLSLWD and pursuant to any conditions included in that consent. PLSLWD consent to any subcontracting does not relieve CONSULTANT of its responsibility to perform the Services or any part thereof, nor in any respect its duty of care, insurance obligations, or duty to hold harmless, defend and indemnify under this agreement.

4. Duty of Care; Indemnification

CONSULTANT will perform the Services with due care and in accordance with national standards of professional care. CONSULTANT will defend PLSLWD, its board members, employees and agents from any and all actions, costs, damages and liabilities of any nature arising from; and hold each such party harmless, and indemnify it, to the extent due to: (a) CONSULTANT's negligent or otherwise wrongful act or omission, or breach of a specific contractual duty; or (b) a subcontractor's negligent or otherwise wrongful act or omission, or breach of a specific contractual duty owed by CONSULTANT to PLSLWD. For any claim subject to this paragraph by an employee of CONSULTANT or a subcontractor, the indemnification obligation is not limited by a limitation on the amount or type of damages, compensation or benefits payable by or for

CONSULTANT or a subcontractor under workers' compensation acts, disability acts or other employee benefit acts.

5. Compensation

PLSLWD will compensate CONSULTANT for the Services on an hourly basis and reimburse for direct costs in accordance with Exhibit A. Invoices will be submitted annually for work performed during the preceding year. Payment for undisputed work will be due within 60 days of receipt of invoice. Direct costs not specified in Exhibit A will not be reimbursed except with prior written approval of the PLSLWD administrator. Subcontractor fees and subcontractor direct costs, as incurred by CONSULTANT, will be reimbursed by PLSLWD at the rate specified in PLSLWD's written approval of the subcontract.

The total payment for the Services will not exceed \$18,033. Total payment in each respect means all sums to be paid whatsoever, including but not limited to fees and reimbursement of direct costs and subcontract costs, whether specified in this agreement or subsequently authorized by the administrator.

CONSULTANT will maintain all records pertaining to fees or costs incurred in connection with the Services for six years from the date of completion of the Services. CONSULTANT agrees that any authorized PLSLWD representative or the state auditor may have access to and the right to examine, audit and copy any such records during normal business hours.

6. Termination; Continuation of Obligations

This agreement is effective when fully executed by the parties and will remain in force until 12/31/2022 unless earlier terminated as set forth herein.

Either party may terminate this agreement for any reason by providing 90 days written notice to the other party. CONSULTANT will receive full compensation for all authorized work performed, except that CONSULTANT will not be compensated for any part performance of a specified task or service if termination is due to CONSULTANT's breach of this agreement.

Insurance obligations; duty of care; obligations to defend, indemnify and hold harmless; and document-retention requirements will survive the completion of the Services and the term of this agreement.

7. No Waiver

The failure of either party to insist on the strict performance by the other party of any provision or obligation under this agreement, or to exercise any option, remedy or right herein, will not waive or relinquish such party's rights in the future to insist on strict performance of any provision, condition or obligation, all of which will remain in full force and affect. The waiver of either party on one or more occasion of any provision or obligation of this agreement will not be construed as a waiver of any subsequent breach of the same provision or obligation, and the consent or approval by either party to or of any act by the other requiring consent or approval will not render unnecessary such party's consent or approval to any subsequent similar act by the other.

Notwithstanding any other term of this agreement, PLSLWD waives no immunity in tort. This agreement creates no right in and waives no immunity, defense or liability limit with respect to any third party.

8. Insurance

At all times during the term of this Agreement, CONSULTANT will have and keep in force the following insurance coverages:

- A. General: \$1.5 million, each occurrence and aggregate, covering CONSULTANT's ongoing and completed operations on an occurrence basis and including contractual liability.
- B. Professional liability: \$1.5 million each claim and aggregate. Any deductible will be CONSULTANT's sole responsibility and may not exceed \$50,000. Coverage may be on a claims-made basis, in which case CONSULTANT must maintain the policy for, or obtain extended reporting period coverage extending, at least three (3) years from completion of the Services.
- C. Automobile liability: \$1.5 million combined single limit each occurrence coverage for bodily injury and property damage covering all vehicles on an occurrence basis.
- D. Workers' compensation: in accordance with legal requirements applicable to CONSULTANT.

CONSULTANT will not commence work until it has filed with PLSLWD a certificate of insurance documenting the required coverages and naming PLSLWD as an additional insured for general liability, along with a copy of the additional insured endorsement establishing coverage for CONSULTANT's ongoing and completed operations as primary coverage on a noncontributory basis. The certificate will name PLSLWD as a holder and will state that PLSLWD will receive written notice before cancellation, nonrenewal or a change in the limit of any described policy under the same terms as CONSULTANT.

9. Compliance With Laws

CONSULTANT will comply with all applicable laws and requirements of federal, state, local and other governmental units in connection with performing the Services and will procure all licenses, permits and other rights necessary to perform the Services.

In performing the Services, CONSULTANT will ensure that no person is excluded from full employment rights or participation in or the benefits of any program, service or activity on the ground of race, color, creed, religion, age, sex, disability, marital status, sexual orientation, public assistance status or national origin; and no person who is protected by applicable federal or state laws, rules or regulations against discrimination otherwise will be subjected to discrimination.

10. Data and Information

All data and information obtained or generated by CONSULTANT in performing the Services, including documents in hard and electronic copy, software, and all other forms in which the data and information are contained, documented or memorialized, are the property of PLSLWD. CONSULTANT hereby assigns and transfers to PLSLWD all right, title and interest in: (a) its copyright, if any, in the materials; any registrations and copyright applications relating to the materials; and any copyright renewals and extensions; (b) all works based on, derived from or incorporating the materials; and (c) all income, royalties, damages, claims and payments now or hereafter due or payable with respect thereto, and all causes of action in law or equity for past, present or future infringement based on the copyrights. CONSULTANT agrees to execute all papers and to perform such other proper acts as PLSLWD may deem necessary to secure for PLSLWD or its assignee the rights herein assigned.

PLSLWD may immediately inspect, copy or take possession of any materials on written request to CONSULTANT. On termination of the agreement, CONSULTANT may maintain a copy of some or all of the materials except for any materials designated by PLSLWD as confidential or non-public under applicable law, a copy of which may be maintained by CONSULTANT only pursuant to written agreement with PLSLWD specifying terms.

11. Data Practices; Confidentiality

If CONSULTANT receives a request for data pursuant to the Data Practices Act, Minnesota Statutes chapter 13 (DPA), that may encompass data (as that term is defined in the DPA) CONSULTANT possesses or has created as a result of this agreement, it will inform PLSLWD immediately and transmit a copy of the request. If the request is addressed to PLSLWD, CONSULTANT will not provide any information or documents, but will direct the inquiry to PLSLWD. If the request is addressed to CONSULTANT, CONSULTANT will be responsible to determine whether it is legally required to respond to the request and otherwise what its legal obligations are, but will notify and consult with PLSLWD and its legal counsel before replying. Nothing in the preceding sentence supersedes CONSULTANT's obligations under this agreement with respect to protection of PLSLWD data, property rights in data or confidentiality. Nothing in this section constitutes a determination that CONSULTANT is performing a governmental function within the meaning of Minnesota Statutes section 13.05, subdivision 11, or otherwise expands the applicability of the DPA beyond its scope under governing law.

CONSULTANT agrees that it will not disclose and will hold in confidence any and all proprietary materials owned or possessed by PLSLWD and so denominated by PLSLWD. CONSULTANT will not use any such materials for any purpose other than performance of the Services without PLSLWD written consent. This restriction does not apply to materials already possessed by CONSULTANT or that CONSULTANT received on a non-confidential basis from PLSLWD or another party. Consistent with the terms of this section 11 regarding use and protection of confidential and proprietary information, CONSULTANT retains a nonexclusive license to use the materials and may publish or use the materials in its professional activities. Any CONSULTANT duty of care under this agreement does not extend to any party other than PLSLWD or to any use of the materials by PLSLWD other than for the purpose(s) for which CONSULTANT is compensated under this agreement.

12. PLSLWD Property

All property furnished to or for the use of CONSULTANT or a subcontractor by PLSLWD and not fully used in the performance of the Services, including but not limited to equipment, supplies, materials and data, both hard copy and electronic, will remain the property of PLSLWD and returned to PLSLWD at the conclusion of the performance of the Services, or sooner if requested by PLSLWD. CONSULTANT further agrees that any proprietary materials are the exclusive property of PLSLWD and will assert no right, title or interest in the materials. CONSULTANT will not disseminate, transfer or dispose of any proprietary materials to any other person or entity unless specifically authorized in writing by PLSLWD.

Any property including but not limited to materials supplied to CONSULTANT by PLSLWD or deriving from PLSLWD is supplied to and accepted by CONSULTANT as without representation or warranty including but not limited to a warranty of fitness, merchantability, accuracy or completeness. However, CONSULTANT's duty of professional care under paragraph 4, above, does not extend to materials provided to CONSULTANT by PLSLWD or any portion of the Services that is inaccurate or incomplete as the result of CONSULTANT's reasonable reliance on those materials.

13. Notices

Any written communication required under this agreement to be provided in writing will be directed to the other party as follows:

To PLSLWD:

Joni Giese
District Administrator
Prior Lake - Spring Lake Watershed District
4646 Dakota Street SE
Prior Lake MN 55372

To CONSULTANT:

Brian Vlach
Senior Manager of Water Resources
Three Rivers Park District
12615 Rockford Road
Plymouth, MN 55428

Either of the above individuals may in writing designate another individual to receive communications under this agreement.

14. Choice of Law; Venue

This agreement will be construed under and governed by the laws of the State of Minnesota. Venue for any action will lie in Scott County.

15. Whole Agreement

The entire agreement between the two parties is contained herein and this agreement supersedes all oral agreements and negotiations relating to the subject matter hereof. Any modification of this agreement is valid only when reduced to writing as an amendment to the agreement and signed by the parties hereto.

IN WITNESS WHEREOF, intending to be legally bound, the parties hereto execute and deliver this agreement.

CONSULTANT

By Brian Vlach
Date: Mar 2, 2022
Its Senior Manager of Water Resources

Signature: Brian Vlach
Email: brian.vlach@threeriversparks.org

PRIOR LAKE -SPRING LAKE WATERSHED DISTRICT

By _____
Date: _____
Its _____

Signature: _____
Email: _____

Exhibit A

Scope of Services

Three Rivers Park District will be responsible for:

1.0 Monitoring the water quality from five different lakes in accordance with standard methodology and protocols.

1.1 Fish Lake, Spring Lake, Upper Prior Lake, Lower Prior Lake, and Pike Lake

2.0 Lake sampling will occur bi-weekly

2.1 From ice out (April) through the completion of fall turnover (October).

3.0 Physical water quality parameters will be collected for each lake

3.1 Temperature, dissolved oxygen, conductivity, and pH at 1-meter intervals from surface to bottom

3.2 Water clarity will be measured using a Secchi disk

4.0 Surface water samples will be collected for each lake and lakes deep enough for development of stratification will have middle and bottom samples

4.1 Surface sample: 2-meter composite tube sample

4.2 Middle samples: collected with Kemmerer bottle at the top of the hypolimnion

4.3 Bottom sample: collected with Kemmerer bottle 1-meter from the bottom

4.4 Field duplicates will be collected for 10% of the samples.

5.0 All water samples will be stored on ice until delivered to the Three Rivers Park District certified laboratory

5.1 Bottles will be labeled with: site identification, date of collection, sample depth collected, and constituent parameters to be analyzed in the laboratory

5.2 A Summary of the analysis is in Table 1

Table 1 Summary of parameters collected for each lake

Lakes	Site ID	Sample Codes	Water Quality In-Lake Sampling						Plankton
			Sampling Interval	Water Quality Parameters					
				TP	SRP	TN	Chl-a	CI*	
Fish-SL	70006900	FSH-SL	Bi-weekly	SMB	SMB	S	S	SB ^M	x
Spring	70005400	SPG	Bi-weekly	SMB	SMB	S	S	SB ^M	
Prior-Upper	70007200	PRI-UP	Bi-weekly	SMB	SMB	S	S	SB ^M	
Prior-Lower	70007200	PRI-LO	Bi-weekly	SMB	SMB	S	S	SB ^M	
Pike E	70007600	PIK-E	Bi-weekly	S	S	S	S	S ^M	
Pike W	70007600	PIK-W	Bi-weekly	S	S	S	S	S ^M	

Summary of Estimated Contract Expenses 2022				
Monitoring				
Lake Monitoring	Sites	Units	Unit Cost	
Regular Employee (2 hours/lake/day)	6	26	\$25.00	\$3,900.00
Seasonal Employee (2 hours/lake/day)	6	26	\$18.00	\$2,808.00
Plankton collection and equipment use	1	7	\$75.00	\$525.00
			Total	\$7,233.00
Lake Laboratory Analysis				
Parameter	Sites	Units	Unit Cost	Total Cost
Surface Sample Lake				
Total Phosphorus (S)	2	13	\$13.00	\$338.00
Soluble Reactive Phosphorus (S)	2	13	\$13.00	\$338.00
Total Nitrogen (S)	2	13	\$13.00	\$338.00
Chlorophyll-a (S)	2	13	\$13.00	\$338.00
Chloride (S) (monthly)	2	7	\$13.00	\$182.00
			Sub-total	\$1,534.00
Surface, Middle, Bottom Lakes				
Total Phosphorus (S,M,B)	4	39	\$13.00	\$2,028.00
Soluble Reactive Phosphorus (S,M,B)	4	39	\$13.00	\$2,028.00
Total Nitrogen (S)	4	13	\$13.00	\$676.00
Chlorophyll-a (S)	4	13	\$13.00	\$676.00
Chloride (S,B) (monthly)	4	14	\$13.00	\$728.00
			Sub-total	\$6,136.00
QA/QC Samples (10% of Total Samples)				
Total Phosphorus (S,M,B)	1	19	\$13.00	\$247.00
Soluble Reactive Phosphorus (S,M,B)	1	19	\$13.00	\$247.00
Total Nitrogen (S)	1	8	\$13.00	\$104.00
Chlorophyll-a (S)	1	8	\$13.00	\$104.00
Chloride (S,B)	1	7	\$13.00	\$91.00
			Sub-total	\$793.00
Total Lake Lab Expenses			Total	\$8,463.00
Plankton Analyses (BSA - contractor)				
Phytoplankton analyses	1	7	\$153.00	\$1,071.00
Zooplankton Analyses	1	7	\$138.00	\$966.00
			Sub-total	\$2,037.00
Data Analysis and Reporting				
Parameter	Sites	Units	Unit Cost	Total Cost
Lake Data Analysis (hours)	6	1	\$25.00	\$150.00
Report Writing/Preparation-1 year (hours)	6	1	\$25.00	\$150.00
			Total	\$300.00
Total Expenses				\$18,033.00

PRIOR LAKE SPRING LAKE WATERSHED DISTRICT
Financial Report - Cash Basis
January 1, 2022 Through February 28, 2022

Reflects bills paid through February 28, 2022

Program Element		2022 Budget	2022 Actual Results		
			February 2022	YTD	YTD % of Budget
	General Fund (Administration)				
	Revenues				
	Property Taxes	\$ 246,200	-	-	0%
	Grants	-	-	-	#DIV/0!
	Interest	-	6	11	#DIV/0!
	Other	-	-	-	#DIV/0!
	Total Revenues	\$ 246,200	6	11	0%
	Expenditures				
	Administrative Salaries and Benefits	\$ 133,800	8,930	15,024	11%
	703 · Telephone, Internet & IT Support	20,000	1,040	2,023	10%
	702 - Rent	27,400	2,250	4,500	16%
	706 · Office Supplies	10,000	538	644	6%
	709 · Insurance and Bonds	12,800	-	-	0%
	670 · Accounting	27,000	1,806	1,806	7%
	671 · Audit	7,700	-	-	0%
	903 · Fees, Dues, and Subscriptions	1,500	-	88	6%
	660 · Legal (not for projects)	6,000	575	575	10%
			0	0	
	General Fund (Administration) Expenditures	\$ 246,200	15,138	24,660	10%
	Net Change in General Fund	-	(15,132)	(24,649)	

			Reflects bills paid through February 28, 2022		
	Implementation Fund				
	Revenues				
	Property Taxes	\$ 1,602,735	-	-	0%
	Grants/Fees	105,000	-	-	0%
	Interest	-	-	-	#DIV/0!
	Sales/Other	-	-	-	#DIV/0!
	Budget Reserves	252,700	-	-	0%
	Total Revenues	\$ 1,960,435	-	-	0%
	Expenditures				
	Program Salaries and Benefits (not JPA/MOA)	\$ 461,700	28,170	48,165	10%
Water Qual	550 Public Infrastructure Partnership Projects	\$ 6,750	\$ -	\$ -	0%
Water Qual	611 Farmer-led Council	61,000	1,670	1,709	3%
Water Qual	611 Cost-Share Incentives	58,000	-	-	0%
Water Qual	611 Highway 13 Wetland, FeCl system & Desilt, O&M	65,000	41	41	0%
Water Qual	611 Fish Management, Rough Fish Removal	88,000	523	523	1%
Water Qual	611 Spring Lake Demonstration Project Maintenance	1,050	-	-	0%
Water Qual	611 Alum Internal Loading Reserve	250,000	-	-	0%
Water Qual	637 District Monitoring Program	109,000	25	25	0%
Water Qual	626 Planning and Program Development	20,000	151	181	1%
Water Qual	626 Engineering not for programs	15,000	837	837	6%
Water Qual	626 Debt Issuance Planning	10,000	-	-	0%
Water Qual	648 Permitting and Compliance	27,000	2,355	2,539	9%
Water Qual	648 Update MOAs with cities & county	10,000	-	-	0%
Water Qual	648 BMP and easement inventory & inspections	12,000	-	-	0%
Water Qual	626 Upper Watershed Blueprint	443,035	7,438	7,438	2%
Water Qual	611 Fish Stocking	3,000	-	-	0%
	WQ TOTAL	\$ 1,178,835	13,040	13,293	1%
Water Storage	550 District-wide Hydraulic & Hydrologic model	\$ 5,000	-	-	0%
Water Storage	550 S&I Sutton Lake Outlet Structure Project	125,400	50,810	50,810	41%
	WS TOTAL	\$ 130,400	50,810	50,810	39%
AIS	611 Aquatic Vegetation Mgmt	\$ 7,000	-	-	0%
AIS	637 Automated Vegetation Monitoring (BioBase)	5,000	-	-	0%
AIS	637 Aquatic Vegetation Surveys	18,000	-	-	0%
AIS	637 Boat inspections on Spring, Upper & Lower Prior	30,000	-	-	0%
	AIS TOTAL	60,000	-	-	0%
Ed & Out	652 Education and Outreach Program	\$ 10,000	-	-	0%
	E&O TOTAL	\$ 10,000	\$ -	\$ -	0%
	PLOC Expenses	\$ 19,500	-	-	0%
	Debt Payment Reserve	100,000	-	-	0%
	Total Implementation Fund	\$ 1,960,435	92,019	112,268	6%
	Net Change in Fund Balance Implementation Fund	-	(92,019)	(112,268)	

	Grant Funds/Fees Anticipated	
Water Qual	611 Farmer-led Council (BWSR Grant)	\$ 10,000
	648 New Easement Acquisition Fees	5,000
Water Qual	648 BMP and easement violations fees	500
	626 Upper Watershed Blueprint (BWSR WBIF Grant)	19,800
	550 S&I Sutton Lake Outlet (DNR Flood Hazard Grant)	62,700
AIS	611 Aquatic Vegetation Mgmt. (Scott County)	7,000
	Total Grant Funds/Fees Anticipated	\$ 105,000

PLSLWD monthly Treasurers Report

Treasurer: Bruce Loney

Account balances as of 2/28/2022

Old National Bank (Checking Account) *	\$	1,593,963
Sterling Bank (Checking Account)	\$	71,662
Total Uncleared Transactions	\$	(3,176)
Northland Securities (Investments) (Cash)	\$	380,799
SUBTOTAL	\$	2,043,247

RESTRICTED/ASSIGNED FUNDS

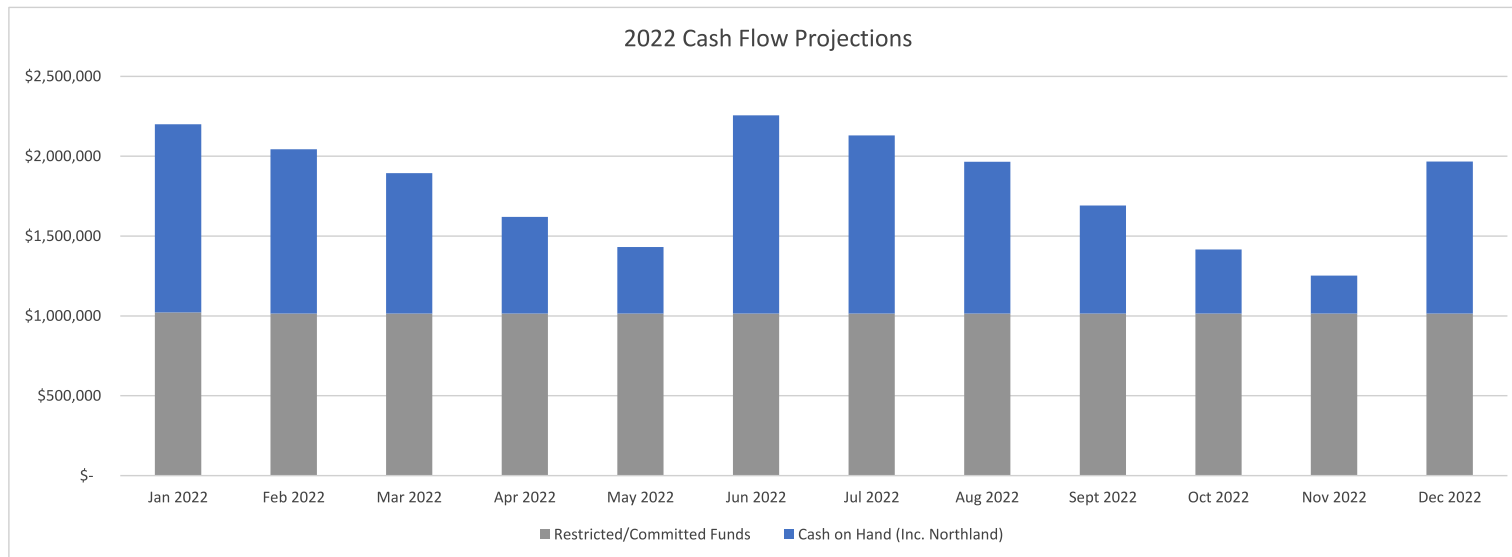
Restricted - Permit Deposits, etc.	\$	86,638
Restricted - PLOC Contingency Reserve (850)*	\$	260,558
Restricted - PLOC O&M Funds (830)*	\$	248,321
Assigned - Alum Internal Loading Reserve	\$	230,000
Assigned - Upper Watershed Blueprint Fund Balance	\$	190,000
TOTAL DISTRICT/PLOC RESTRICTED OBLIGATIONS	\$	1,015,517

Available cash at end of February 2022	\$	1,027,730
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44.7% of 2022 Budget

Cash Flow Chart

Month (End of Month)	Jan 2022	Feb 2022	Mar 2022	Apr 2022	May 2022	Jun 2022	Jul 2022	Aug 2022	Sept 2022	Oct 2022	Nov 2022	Dec 2022
Cash on Hand (Inc. Northland)	\$1,178,681	\$1,027,730	\$ 879,050	\$ 604,569	\$ 415,589	\$1,240,437	\$1,114,306	\$ 949,826	\$ 675,346	\$ 400,865	\$ 237,135	\$ 951,709
Restricted/Committed Funds	\$1,021,671	\$1,015,517	\$1,015,517	\$1,015,517	\$ 1,015,517	\$1,015,517	\$1,015,517	\$1,015,517	\$1,015,517	\$1,015,517	\$1,015,517	\$1,015,517
Total Cash on Hand & Northland Securities	\$2,200,352	\$2,043,247	\$1,894,567	\$1,620,086	\$ 1,431,106	\$2,255,954	\$2,129,823	\$1,965,343	\$1,690,863	\$1,416,382	\$1,252,652	\$1,967,226



PLSL Watershed District

Starting cash on hand

Cash Minimum Balance Alert \$ 150,000

	Jan 2022	Feb 2022	Mar 2022	Apr 2022	May 2022	Jun 2022	Jul 2022	Aug 2022	Sept 2022	Oct 2022	Nov 2022	Dec 2022	Total
Cash on hand + Northland Securities(beginning of month)	\$ 2,288,043	\$ 2,200,352	\$ 2,043,247	\$ 1,894,567	\$ 1,620,086	\$ 1,431,106	\$ 2,255,954	\$ 2,129,823	\$ 1,965,343	\$ 1,690,863	\$ 1,416,382	\$ 1,252,652	

Cash Receipts

Property Tax Levy	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	980,686	\$	-	\$	-	\$	-	\$	-	\$	750	\$	868,999	\$	1,850,435
BWSR WBIF - Lower MN River		-		-		15,800		-		-		-		-		-		-		-		-		-		-		-		4,000		19,800
BWSR BWF Metro Grant																		18,500														18,500
DNR Flood Hazard Mitigation Grant		-		-		-		-		-		-		-		-		-		31,350		-		-		-		-		31,350		62,700
Grants - Other		-		-		-		-		-		-		-		-		-		7,000		-		-		-		-		-		7,000
PLOC Contributions		-		-		-		-		-		-		-		-		-		-		-		-		-		-		-		-
Interest Income		6		6		10		10		10		10		10		10		10		10		10		10		10		10		10		112
Other Receipts		-		-		-		-		-		-		-		-		-		-		-		-		-		-		-		-
Total Cash Receipts	\$	6	\$	6	\$	15,810	\$	10	\$	10	\$	999,196	\$	38,360	\$	10	\$	10	\$	10	\$	760	\$	904,359	\$	1,958,547						
Total Cash Available	\$	2,288,049	\$	2,200,358	\$	2,059,057	\$	1,894,577	\$	1,620,096	\$	2,430,301	\$	2,294,314	\$	2,129,833	\$	1,965,353	\$	1,690,873	\$	1,417,142	\$	2,157,011								

Cash Paid Out

Salaries and Per Diems	\$ 41,794	\$ 37,100	\$ 49,625	\$ 49,625	\$ 49,625	\$ 49,625	\$ 49,625	\$ 49,625	\$ 49,625	\$ 49,625	\$ 49,625	\$ 49,625	\$ 49,625	\$ 575,144
Office Expense, Audit, Accounting	3,423	5,751	9,367	9,367	9,367	9,367	9,367	9,367	9,367	9,367	9,367	9,367	9,367	102,841
PLSLWSD Program Costs	40,586	107,548	94,103	94,103	94,103	94,103	94,103	94,103	94,103	94,103	94,103	94,103	94,103	1,089,163
PLOC Contribution					19,500	-								19,500
PLOC Operations	1,894	6,712	11,396	121,396	16,396	21,253	11,396	11,396	121,396	121,396	11,396	36,690		492,715
Debt Service														
Subtotal	\$ 87,697	\$ 157,111	\$ 164,490	\$ 274,490	\$ 188,990	\$ 174,347	\$ 164,490	\$ 164,490	\$ 274,490	\$ 274,490	\$ 164,490	\$ 189,784		

Cash on Hand + Northland Securities (end of month)	\$ 2,200,352	\$ 2,043,247	\$ 1,894,567	\$ 1,620,086	\$ 1,431,106	\$ 2,255,954	\$ 2,129,823	\$ 1,965,343	\$ 1,690,863	\$ 1,416,382	\$ 1,252,652	\$ 1,967,226
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Investments - Northland Securities

[illegible]

PRIOR LAKE SPRING LAKE WATERSHED DISTRICT
Financial Report - Cash Basis
January 1, 2021 Through December 31, 2021

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Reflects bills paid through February 2022

Program Element		2021 Budget	Actual Results		
			Monthly Activity	YTD Actual Results	YTD percents
	General Fund (Administration)				
	Revenues				
	Property Taxes	166,126	80,261	168,165	101%
	Grants	-	-	-	0%
	Interest	-	9	37	-100%
	Other	-	3,646	4,478	-100%
	Total Revenues	166,126	83,916	172,680	104%
	Expenditures				
	Administrative Salaries and Benefits	90,186	9,393	124,652	138.22%
	703 · Telephone & Internet	10,000	1,031	7,206	72.06%
	706 · Office Supplies	8,690	2,215	13,138	151.19%
	709 · Insurance and Bonds	10,000	-	12,918	129.18%
	670 · Accounting	30,000	4,541	37,520	125.07%
	671 · Audit	10,250	-	7,500	73.17%
	903 · Fees	2,000	360	13,507	675.33%
	660 · Legal (not for projects)	5,000	721	9,710	194.20%
	702 - Rent	-	2,250	15,750	#DIV/0!
	General Fund (Administratio) Expenditures	166,126	20,512	241,901	145.61%
	Net Change in General Fund	-	63,404	(69,221)	

PRIOR LAKE SPRING LAKE WATERSHED DISTRICT

Financial Report - Cash Basis

January 1, 2021 Through December 31, 2021

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Reflects bills paid through February 2022

Program Element			Actual Results		
		2021 Budget	Monthly Activity	YTD Actual Results	YTD percents
	Implementation Fund				
	Revenues				
	Property Taxes	1,628,506	765,310	1,626,695	100%
	Grants	297,000	144,683	248,452	84%
	Interest	-	35	149	#DIV/0!
	Sales/Others	-	-	1,000	#DIV/0!
	Total Revenues	1,925,506	910,028	1,876,295	97%
	Expenditures				
	Program Salaries and Benefits (not JPA/MOA)	440,323	89,737	394,678	89.63%
Water Qual	550 Public Infrastructure Partnership Projects	20,000	-	-	0.00%
Water Qual	611 Farmer-led Council	51,000	38,325	54,926	107.70%
Water Qual	611 Cost-Share Incentives	58,000	30,434	42,091	72.57%
Water Qual	611 Highway 13 Wetland, FeCl system & Desilt, O&M	35,000	467	15,407	44.02%
Water Qual	611 Fish Management, Rough Fish Removal	60,000	5,160	37,950	63.25%
Water Qual	611 Spring Lake Demonstration Project Maintenance	1,500	-	1,046	69.73%
Water Qual	611 Alum Internal Loading Reserve	230,000	-	-	0.00%
Water Qual	611 County Rd 12/17 Maintenance	1,000	-	-	0.00%
Water Qual	611 Fish Lake TMDL Implementation	3,000	-	-	0.00%
Water Qual	611 Pike Lake TMDL Implementation	3,000	-	-	0.00%
Water Qual	611 Feasibility Reports	-	-	-	#DIV/0!
Water Qual	637 District Monitoring Program	128,000	20,698	49,984	39.05%
Water Qual	GRANT Carp Management/Removal	90,000	32,415	116,045	128.94%
Water Qual	626 Planning and Program Development	32,000	7,554	18,401	57.50%
Water Qual	626 LGU Plan Review	3,000	-	44	1.45%
Water Qual	626 Engineering not for programs	30,000	2,120	12,617	42.06%
Water Qual	648 Permitting and Compliance	17,000	6,400	31,684	186.37%
Water Qual	648 Update MOAs with cities & county	10,000	-	-	0.00%
Water Qual	648 BMP and easement inventory & inspections	14,000	-	9,548	68.20%
Water Qual	626 Upper Watershed Blueprint	235,543	2,097	39,973	16.97%
Water Qual	626 District Plan Update	2,500	-	-	0.00%
Water Qual	752 Fish Lake Shoreline Restoration Project Maintenance	1,000	600	1,500	150.00%
Water Qual	626 Spring Lake West Subwatershed Project	30,000	2,044	3,891	12.97%
Water Qual	648 Non-project Reg. Reporting, Rules & Stand. Rev.	5,000	3,785	4,552	91.05%
Water Qual	611 Fish Stocking	6,000	6,000	6,000	100.00%
	WQ TOTAL	1,066,543	158,096	445,659	41.79%
Water Storage	550 District-wide Hydraulic & Hydrologic model	7,500	-	-	0.00%
	550 S&I Sutton Lake Outlet Structure Project	414,000	4,502	270,221	65.27%
	WS TOTAL	421,500	4,502	270,221	64.11%
AIS	611 Aquatic Vegetation Mgmt	-	-	6,506	#DIV/0!
AIS	637 Automated Vegetation Monitoring	4,700	-	4,206	89.48%
AIS	637 Aquatic Vegetation Surveys	18,000	9,600	19,054	105.86%
AIS	637 Boat inspections on Spring, Upper & Lower Prior	38,000	-	27,602	72.64%
AIS	637 AIS Management Plans	20,000	-	-	0.00%
	AIS TOTAL	80,700	9,600	57,368	71.09%
Ed & Out	652 Education and Outreach Program	19,350	3,235	8,661	44.76%
Ed & Out	652 Prior Lake-Savage Schools partnerships	-	-	35	#DIV/0!
	E&O TOTAL	19,350	3,235	8,695	44.94%
	PLOC expenses	75,000	-	27,624	36.83%
	Total Implementation Fund	2,103,416	265,170	1,204,246	57.25%
	Net Change in Fund Balance Implementation Fund	(177,910)	644,857	672,050	

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