

MIDDLE ST. CROIX WATERSHED MANAGEMENT ORGANIZATION

455 HAYWARD AVENUE, OAKDALE, MINNESOTA 55082
Phone 651.330.8220 x22 fax 651.330.7747 www.mscwmo.org



Regular Meeting of the Middle St. Croix Watershed Management Organization Bayport Public Library, Bayport, MN Thursday, February 8, 2018 6:00PM

1. Call to Order – 6:00PM
2. Approval of Minutes
 - a) Draft minutes- January 11 , 2018 **Pg. 1-3**
3. Treasurer’s Report
 - a. Report of savings account, assets for February 8, 2018
 - b. Approve payment of bills for February 8, 2018
 - c. 2017 Year End Budget Summary
4. Public Comments
5. Old Business
 - a. 2018 Review Fees Discussion
6. New Business
 - a. Lake St. Croix Direct Phase III Grant Agreement **Pg. 3-9**
 - b. WCD 2017 Program Results **Pg. 10-13**
 - c. 2018 MSCWMO Cost Share Policy Review **Pg. 14-21**
 - d. 2018 MSCWMO Administrative Time **Pg. 22-23**
 - e. One Watershed One Plan Agreement **Pg. 24-42**
 - f. BWSR Watershed-Based Funding Pilot Program **Pg. 43-54**
7. Grant and Cost Share Applications
8. Plan Reviews/Submittals
 - a. Miller Farms Phase VI, Baytown Township **Pg. 55-65**
 - b. CSAH 5, Stillwater
 - c. Inspiration Phase IV, Bayport
 - d. Fedorwski Residential Review, Baytown Township **Pg. 66**
 - e. Orchards at Cahanes Farm Concept, Baytown Township
9. Administrator’s Report **Pg. 67-68**
10. Adjourn

Middle St. Croix Watershed Management Organization
Bayport Public Library
Minutes January 11th, 2018

Present: Nancy Anderson , City of St. Mary's Point; Doug Menikheim, City of Stillwater; Dan Kylo, West Lakeland Township; Mike Runk, City of Oak Park Heights; John Fellegly, Baytown Township; Mike Isensee, MSCWMO Administrator; Drew Chirpich, Green Corps.

Call to Order- Regular Board Meeting

The meeting was called to order at 6:00pm

Approval of Minutes

A motion to approve the December 14, 2017 minutes was made by Mr. Runk, Seconded by Ms. Anderson. Motion carried.

Treasurer's Report

The Treasurer's report was presented. The date was amended. The board reviewed the monthly budget update.

Mr. Runk motioned to approve the budget update and payment of the bills. Mr. Kylo seconded. Motion Carried.

Public Comments

None Submitted.

2018 Review Fees

Administrator Isensee discussed reviews of plans for government organizations are exceeding the amount budgeted. The \$3500-\$4000 deficit in 2017 was covered by shifting unused funds from other categories. Mr. Fellegly requested summary of hours per project reviewed for the next meeting.

One Watershed One Plan

Administrator Isensee provided an update on Lower St. Croix One Watershed One Plan Process.

Election of Officers

Administrator Isensee added election of officers for 2018 to the agenda. Current MSCWMO Officers are Brian Zeller, Chair; Joe Paiement, Vice Chair; Dan Kylo, Treasurer; Nancy Anderson, Secretary.

Mr. Fellegly motioned to retain existing officers. Mr. Runk seconded. Motion carried.

Stillwater Foundation Grant Award

Administrator Isensee provided an overview of the Stillwater Foundation grant awarded of \$4,200 to the MSCWMO for the development of the Adopt A Raingarden Program.

Mr. Runk motioned to approve the acceptance of the \$4,200 grant award. Ms. Anderson seconded. Motion carried.

Adopt a Raingarden Website Contract

Staff requested the board of managers award a contract to Carmen Simonet Design for the development of the Adopt A Raingarden Website.

Motion by Ms. Anderson, second by Mr. Menikheim, to enter into contract with Carmon Simonet Design for the development of the Adopt A Raingarden website for a total not to exceed \$1,530.00

Baytown Township Local Surface Water Management Plan Resolution

Administrator Isensee explained the Board of Managers approved the Baytown Township LSWMP at the December 14, 2017 regular meeting. The Board is request to formally approve the plan by resolution.

Manager Fellegly moved to adopt Resolution 18-01 to certify the Baytown Township Local Water Management Plan. Seconded by Manager Runk. Motion carried 5-0.

City of Stillwater LSWMP Review Comments

Administrator Isensee provided an overview of the Local Surface Water Management Plan Comments review letter dated January 11, 2018.

Motion to approve comments made by Mr. Menikheim, seconded by Mr. Fellegly. Motion carried.

Miller Farms Phase VI, Baytown Township Plan Reviews/ Submittals

Administrator Isensee reviewed the project submittal items that were missing to determine compliance with applicable Performance Standards contained within Section 7.0 of the 2015 MSCWMO Watershed Management Plan. Advised the board that the additional information would be requested and the results reviewed at the February board meeting.

Administrators Report

Administrator Isensee submitted and reviewed the Administrators Report.

Adjourn

Mr. Fellegly Motioned to adjourn. Mr. Kylo seconded. Motion carried. Meeting adjourned at 7:46pm

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MEMORANDUM

TO: Middle St. Croix WMO Board of Managers
FROM: Mikael Isensee, Administrator
DATE: February 8, 2018

RE: 6a) Clean Water Fund Grant Agreement- 2018 Lake St. Croix Direct Phase III Grant

The MSCWMO has been awarded a 2018 Board of Water and Soil Resources Clean Water Fund Grant to implement practices identified in the Lake St. Croix Direct Subwatershed Assessment completed by the MSCWMO in 2015. The total grant amount of \$33,440.00 is substantially less than the \$153,000 grant application, so the work plan and deliverables have been scaled back to match the grant award.

Motion by Board Member 1, seconded by Board Member 2, to approve the 2018 BWSR Clean Water Fund Grant Agreement for a total grant amount of \$33,440.00.

**FY 2018 STATE OF MINNESOTA
 BOARD OF WATER and SOIL RESOURCES
 COMPETITIVE GRANTS PROGRAM
 GRANT AGREEMENT**

Vendor:	0000795682	VN#:	
PO#:	3000008787	Date Paid:	

This Grant Agreement is between the State of Minnesota, acting through its Board of Water and Soil Resources (Board) and **Middle St. Croix River WMO, 455 Hayward Ave Oakdale Minnesota 55128** (Grantee).

<i>This grant is for the following Grant Programs :</i>		
C18-9787	Lake St. Croix Direct Discharge Stormwater Retrofit Phase III	\$33,440

Total Grant Awarded: \$33,440

Recitals

1. The Laws of Minnesota 2017, 1st Special Session, HF 707 4th Engrossment, Article 2, Section 7, appropriated Clean Water Funds (CWF) to the Board for the FY 2018 Competitive Grants Program.
2. The Board adopted the FY 2018 Clean Water Fund Competitive Grants Policy and authorized the FY 2018 Competitive Grants Program in Board Resolution 17-57.
3. The Board adopted Board Resolution 17-95 to allocate funds for the FY 2018 Competitive Grants Programs.
4. The Grantee has submitted a BWSR approved work plan for this Program which is incorporated into this agreement by reference.
5. The Grantee represents that it is duly qualified and agrees to perform all services described in this grant agreement to the satisfaction of the State.
6. As a condition of the grant, Grantee agrees to minimize administration costs.

Authorized Representative

The State's Authorized Representative is Marcey Westrick, Clean Water Coordinator, BWSR, 520 Lafayette Road North, Saint Paul, MN 55155, 651-284-4153, or her successor, and has the responsibility to monitor the Grantee's performance and the authority to accept the services and performance provided under this Grant Agreement.

The Grantee's Authorized Representative is: **ADMINISTRATOR
 455 HAYWARD AVENUE
 OAKDALE, MN 55128
 651-330-8220 X22**

If the Grantee's Authorized Representative changes at any time during this Grant Agreement, the Grantee must immediately notify the Board.

Grant Agreement

1. **Term of Grant Agreement.**
 - 1.1. **Effective date:** The date the Board obtains all required signatures under Minn. Stat. § 16B.98, Subd.5. **The State's Authorized Representative will notify the Grantee when this grant agreement has been executed. The Grantee must not begin work under this grant agreement until it is executed.**
 - 1.2. **Expiration date:** December 31, 2020, or until all obligations have been satisfactorily fulfilled, whichever comes first.
 - 1.3. **Survival of Terms:** The following clauses survive the expiration or cancellation of this Agreement: 7. Liability;

8. State Audits; 9. Government Data Practices; 11. Publicity and Endorsement; 12. Governing Law, Jurisdiction, and Venue; 14. Data Disclosure; and 18. Intellectual Property Rights.

2. Grantee's Duties.

The Grantee will comply with required grants management policies and procedures set forth through Minn. Stat. § 16B.97, Subd. 4(a)(1). The Grantee is responsible for the specific duties for the Program as follows:

- 2.1. **Implementation:** The Grantee will implement their work plan, which is incorporated into this Agreement by reference.
- 2.2. **Reporting:** All data and information provided in a Grantee's report shall be considered public.
 - 2.2.1. The Grantee will submit an annual progress report to the Board by February 1 of each year on the status of program implementation by the Grantee. Information provided must conform to the requirements and formats set by the Board. All individual grants over \$500,000 will also require a reporting of expenditures by June 30 of each year.
 - 2.2.2. The Grantee will prominently display on its website the Clean Water Legacy Logo and a link to the Legislative Coordinating Commission website.
 - 2.2.3. Final Progress Report: The Grantee will submit a final progress report to the Board by February 1, 2021 or within 30 days of completion of the project, whichever occurs sooner. Information provided must conform to the requirements and formats set by the Board.
- 2.3. **Match:** The Grantee will ensure any local match requirement will be provided as stated in Grantee's approved work plan.

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

4. Terms of Payment.

- 4.1. Grant funds will be distributed in three installments: 1) The first payment of 50% will be distributed after the execution of the Grant Agreement. 2) The second payment of 40% will be distributed after the first payment of 50% has been expended and reporting requirements have been met. An eLINK Interim Financial Report that summarizes expenditures of the first 50% must be signed by the Grantee and approved by BWSR. Selected grantees may be required at this point to submit documentation of the expenditures reported on the Interim Financial Report for verification. 3) The third payment of 10% will be distributed after the grant has been fully expended and reporting requirements are met. The final, 10% payment must be requested within 30 days of the expiration date of the Grant Agreement. An eLINK Final Financial Report that summarizes final expenditures for the grant must be signed by the grantee and approved by BWSR.
- 4.2. All costs must be incurred within the grant period.
- 4.3. All incurred costs must be paid before the amount of unspent grant funds is determined. Unspent grant funds must be returned within 30 days of the expiration date of the Grant Agreement.
- 4.4. The obligation of the State under this Grant Agreement will not exceed the amount stated above.
- 4.5. This grant includes an advance payment of 50 percent of the grant's total amount. Advance payments allow the grantee to have adequate operating capital for start-up costs, ensure their financial commitment to landowners and contractors, and to better schedule work into the future.
- 4.6. Contracting and Bidding Requirements per Minn. Stat. §471.345, Grantees that are municipalities as defined in Subd. 1 must do the following if contracting funds from this grant contract agreement for any supplies, materials, equipment or the rental thereof, or the construction, alteration, repair or maintenance of real or personal property.
 - 4.6.1. If the amount of the contract is estimated to exceed \$100,000, a formal notice and bidding process must be conducted in which sealed bids shall be solicited by public notice. Municipalities may, as a best value alternative, award a contract for construction, alteration, repair, or maintenance work to the vendor or contractor offering the best value under a request for proposals as described in Minn. Stat. §16C.28, Subd. 1, paragraph (a), clause (2).
 - 4.6.2. If the amount of the contract is estimated to exceed \$25,000 but not \$100,000, the contract may be made either upon sealed bids or by direct negotiation, by obtaining two or more quotations for the

purchase or sale when possible, and without advertising for bids or otherwise complying with the requirements of competitive bidding. All quotations obtained shall be kept on file for a period of at least one year after receipt thereof. Municipalities may, as a best value alternative, award a contract for construction, alteration, repair, or maintenance work to the vendor or contractor offering the best value under a request for proposals as described in Minn. Stat. §16C.28, Subd. 1, paragraph (a), clause (2) and paragraph (c).

4.6.3. If the amount of the contract is estimated to be \$25,000 or less, the contract may be made either upon quotation or in the open market, in the discretion of the governing body. If the contract is made upon quotation, it shall be based, so far as practicable, on at least two quotations which shall be kept on file for a period of at least one year after their receipt. Alternatively, municipalities may award a contract for construction, alteration, repair, or maintenance work to the vendor or contractor offering the best value under a request for proposals as described in Minn. Stat. §16C.28, Subd. 1, paragraph (a), clause (2).

4.6.4. Support documentation of the bidding process utilized to contract services must be included in the Grantee's financial records, including support documentation justifying a single/sole source bid, if applicable.

4.6.5. For projects that include construction work of \$25,000 or more, prevailing wage rules apply per Minn. Stat. §§177.41 through 177.44. Consequently, the bid request must state the project is subject to prevailing wage. These rules require that the wages of laborers and workers should be comparable to wages paid for similar work in the community as a whole. A prevailing wage form should accompany these bid submittals.

5. Conditions of Payment. All services provided by the Grantee under this Grant Agreement must be performed to the State's satisfaction, as set forth in this Agreement and in the BWSR approved work plan for this program. Compliance will be determined at the sole discretion of the State's Authorized Representative and in accordance with all applicable federal, State, and local laws, policies, ordinances, rules, FY 2018 Clean Water Fund Competitive Grants Policy, and regulations. All Grantees must follow the Grants Administration Manual policy. Minnesota Statutes §103C.401 (2014) establishes BWSR's obligation to assure program compliance. If the noncompliance is severe, or if work under the grant agreement is found by BWSR to be unsatisfactory or performed in violation of federal, state, or local law, BWSR has the authority to require the repayment of grant funds, or an additional penalty. Penalties can be assessed at a rate up to 150% of the grant agreement.

6. Assignment, Amendments, and Waiver.

6.1. **Assignment.** The Grantee may neither assign nor transfer any rights or obligations under this Grant Agreement without the prior consent of the State and a fully executed Assignment Agreement, executed and approved by the same parties who executed and approved this Grant Agreement, or their successors in office.

6.2. **Amendments.** Any amendment to this Grant Agreement must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original Grant Agreement, or their successors in office. Amendments must be executed prior to the expiration of the original agreement or any amendments thereto.

6.3. **Waiver.** If the State fails to enforce any provision of this Grant Agreement, that failure does not waive the provision or its right to enforce it.

7. Liability. The Grantee must indemnify, save, and hold the State, its agents, and employees harmless from any claims or causes of action, including attorney's fees incurred by the State, arising from the performance of this Grant Agreement by the Grantee or the Grantee's agents or employees. This clause will not be construed to bar any legal remedies the Grantee may have for the State's failure to fulfill its obligations under this Grant Agreement.

8. State Audits. Under Minn. Stat. § 16B.98, subd. 8, the Grantee's books, records, documents, and accounting procedures and practices of the Grantee or other party relevant to this Grant Agreement or transaction are subject to examination by the Board and/or the State Auditor or Legislative Auditor, as appropriate, for a minimum of six years from the end of this Grant Agreement, receipt and approval of all final reports, or the

required period of time to satisfy all State and program retention requirements, whichever is later.

8.1. The books, records, documents, accounting procedures and practices of the Grantee and its designated local units of government and contractors relevant to this grant, may be examined at any time by the Board or Board's designee and are subject to verification. The Grantee or delegated local unit of government will maintain records relating to the receipt and expenditure of grant funds.

8.2. The Grantee or designated local unit of government implementing this Agreement will provide for an audit that meets the standards of the Office of State Auditor. The audit must cover the duration of the Agreement Period and be performed within one year after the end of the Agreement Period or when routinely audited, whichever occurs first. Copies of the audit report must be provided to the Board if requested.

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

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

11. Publicity and Endorsement.

11.1. **Publicity.** Any publicity regarding the subject matter of this Grant Agreement must identify the Board as the sponsoring agency. For purposes of this provision, publicity includes notices, informational pamphlets, press releases, research, reports, signs, and similar public notices prepared by or for the Grantee individually or jointly with others, or any subcontractors, with respect to the program, publications, or services provided resulting from this Grant Agreement.

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

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

13. Termination.

13.1. The State may cancel this Grant Agreement at any time, with or without cause, upon 30 days' written notice to the Grantee. Upon termination, the Grantee will be entitled to payment, determined on a pro rata basis, for services satisfactorily performed.

13.2. In the event of a lawsuit, an appropriation from a Clean Water Fund is canceled to the extent that a court determines that the appropriation unconstitutionally substitutes for a traditional source of funding.

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

15. Prevailing Wage. It is the responsibility of the Grantee or contractor to pay prevailing wages on construction projects to which State prevailing wage laws apply (Minn. Stat. 177.42 – 177.44). All laborers and mechanics employed by grant recipients and subcontractors funded in whole or in part with these State funds shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality.

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MEMORANDUM

TO: Middle St. Croix WMO Board of Managers
FROM: Mikael Isensee, Administrator
DATE: February 8, 2018

RE: 6b) 2017 Washington Conservation District Program Results

The Washington Conservation District works closely with the MSCWMO to help achieve goals outlined in the 2015 Watershed Management Plan. The following documents outline the accomplishments for the number of site visits WCD staff conducted to provide technical assistance for conservation questions, the number and results of inspections on existing stormwater best management practices in the MSCWMO, the number of new practices installed in 2017, and the number of stormwater best management practices maintained.

Information Only

Memorandum

TO: WD & WMO Partners

FROM: Tara Kline, Washington Conservation District

DATE: January 31st, 2018

RE: 2017 BMP Team Year End Update & Homeowner Packet Update

2017 BMP Team Year End Update:

In partnership with seven Watershed Districts and one Watershed Management Organization, Washington Conservation District (WCD) BMP staff completed 258 site visits and installed 53 projects; reducing a total of 79.18 lbs of Total Phosphorus from discharging into our lakes and rivers (Figure 1). Staff inspected 463 completed BMP projects (Figure 2) through the annual inspections program.



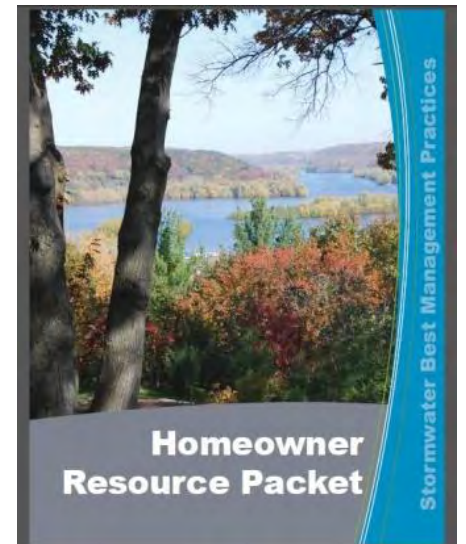
In addition 38 practices were maintained through our new BMP Maintenance program; funded through partnerships with the WMO, Cities, Stillwater Schools and the County.

Through the East Metro Water Resource Education Program outreach efforts at various workshops and events, WCD staff connected with new landowners to educate and implement conservation projects and stormwater best management practices.

Homeowner Packet Update:

The homeowner packet (Figure 4) was created five years ago to streamline technical assistance and resources for landowners and has proven to be a useful document during site visits. The homeowner packet gives detailed descriptions of multiple stormwater best management practices (BMP's) and watershed locations and contact information. It provides plant palettes, installation guidance, photos of common project materials, and website resources.

We are currently running low on inventory of the homeowner packets. Through the years of handing out the homeowner packet and teaching landowners on site about various BMP practices, we are seeing a need to make some changes to the document prior to re-ordering. These changes will reduce costs by converting the packet into tri-fold flyers geared toward each major BMP group and updating language in the document. Information will be updated for shorelines, prairie, raingardens, woodlands, the county map with watershed district boundaries, and a resource guide for project materials.



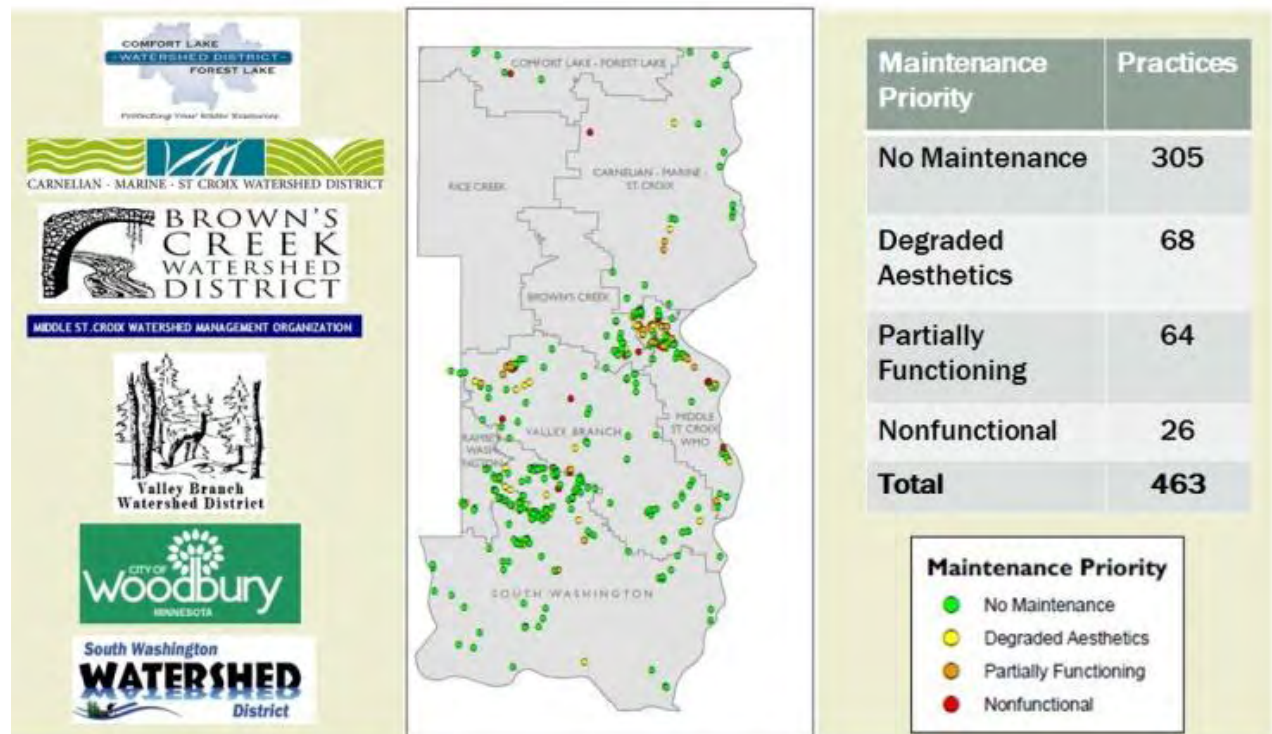
The WCD will use Capacity Funding to cover cost of design time and purchase of the tri- fold flyer materials. Additional materials requested by partners will need to be charged under the BMP technical services agreement. Please let us know if you would like to see a draft before it's printed. We anticipate completing the update by the end of February.

Thank you for your continued partnership in conservation. We are looking forward to an exciting 2018 season

Figure 1: 2017 BMP Cost Share Program Summary

Watershed	# of Site Visits	Had Site Visit in Year And Installed/ Closed-Out	Had Site Visit in Previous Year, But Closed Out in Current Year	Total Completed Projects	TP lbs/yr	TSS lbs/yr
BCWD	13	0	4	4	6.34	2206.91
CLFLWD	35	2	6	8	4.84	
RCWD	18	0	1	1	0.52	790
CMSCWD	36	1	2	3	4.7	
RWMWD	23	1	2	3	0.29	12
SWWD	47	2	11	13	24.13	510
VBWD	47	5	10	15	28.26	
MSCWMO	39	2	4	6	10.1	375
Totals	258	13	40	53	79.18	3893.91

Figure 2: 2017 BMP Inspections Summary



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MEMORANDUM

TO: Middle St. Croix WMO Board of Managers
FROM: Mikael Isensee, Administrator
DATE: February 8, 2018

RE: 6b) 2018 MSCWMO Grant and Cost Share Program Approval

MSCWMO staff recommend continued adoption of the grant and cost share program as developed by the board of managers in 2016.

Motion by Board Member 1, seconded by Board Member 2, to approve the 2018 grant and cost share policies and application forms.



MSCWMO Grant and Cost Share Policy

1. Definition of terms and abbreviations

- a. The Middle St. Croix Watershed Management Organization will be referred to as the MSCWMO.
- b. The Middle St. Croix Watershed Management Organization Board of Managers will be referred to as the MSCWMO Board.
- c. The individual, organization, or association applying for the grant or cost-share program will be referred to as the applicant.

2. Grants Program

- a. Landscaping for Habitat
 - i. Examples of projects include: native gardens, raingardens, and native shoreline restorations.
 - ii. Funding Cap \$250
- b. Landscaping for Water Quality
 - i. Proposed residential scale projects that reduce the volume and pollutants of stormwater runoff and are identified in identified one of the MSCWMO's five Prioritized Subwatershed Analyses (i.e. Lake McKusick, Lily Lake, Perro Creek, or the St. Croix River Direct Discharge North and St. Croix River Direct Discharge South).
 - ii. Funding cap: \$500
- c. Native Habitat Restoration
 - i. Proposed larger conservation projects that restore shoreland and upland native plant communities. Example projects include: prairie and woodland restorations; wetland, lake and stream shoreline restorations.
 - ii. Funding cap: \$1,000.
- d. Water Quality Improvement
 - i. Supports larger water quality projects on public, commercial properties or association properties. Examples of projects include: erosion and slope stabilization, gully stabilization, bioretention basins, infiltration basins, iron enhanced sand filters, stormwater irrigation systems and other stormwater quality improvement projects located within a catchment identified in one of the MSCWMO's five Prioritized Subwatershed Analyses (i.e. Lake McKusick, Lily Lake, Perro Creek, or the St. Croix River Direct Discharge North and St. Croix River Direct Discharge South).
 - ii. Funding cap: \$5,000

- e. Water Quality Infrastructure Improvement Projects
 - i. Large-scale infrastructure projects that improve water quality, implement water management plans, and contribute toward TMDL load reduction goals. Examples of projects include: bioretention practices, porous pavements, soil amendments/sand filters, green roofs, water reuse and other best management practices well-suited to the site.
 - ii. Ranking considerations: projects with high potential for pollutant load reductions to receiving waters will be prioritized. Projects that minimize costs through coordination with other improvement projects will also be given preference.
 - iii. Funding cap: \$75,000.
- 3. Grant Program Process
 - a. Applicant meets with MSCWMO staff to identify potential conservation opportunities and discuss the goals and scope of the project.
 - b. Applicant submits grant application form, including project plan and cost estimates, to MSCWMO.
 - c. MSCWMO staff review the application and provide a funding recommendation to the MSCWMO Board for approval.
 - d. Upon MSCWMO Board approval, the applicant will receive an award letter with a copy of the relevant contract and the Operation and Maintenance Plan.
 - e. MSCWMO staff shall participate in a preconstruction meeting with landowner and (if applicable) contractor.
 - f. MSCWMO staff will be available to the applicant during construction to answer questions, document installations and provide general construction observation to inform the applicant of non-compliant project components or conditions.
 - g. The applicant is responsible to pay, in full, all receipts and invoices directly to the contractor or vendor.
 - h. At project completion, the MSCWMO staff shall determine whether the project was constructed in compliance with the approved plans. The applicant must submit invoices or receipts of actual costs in sufficient detail for the District's review. Requests for reimbursement shall include a Voucher and Practice Certification Summary Form submitted at least two weeks prior to the first of the month to allow for MSCWMO review and processing.



4. General Grant Policies

- a. All funding and requests for payment require the approval of the MSCWMO Board.
- b. All funding is subject to fund availability and may be discontinued or subject to program policy revisions by the MSCWMO Board as it deems appropriate.
- c. Applicants are responsible to submit application forms, project plans, and cost estimates as requested by the MSCWMO in sufficient detail for the MSCWMO to complete its review.
- d. Grant funding may cover up to 75% of associated project costs.
- e. Grant and cost-share funding shall be awarded on a first come, first serve basis provided that funds are available. The MSCWMO Board reserves the right to rank the applications based on anticipated benefits and determine the number of projects funded and the level of funding. The MSCWMO Board reserves the right to limit funding at their discretion.
- f. Unless specified otherwise by Minnesota prevailing wage statues, the value of labor, equipment, materials, and /or services that are proposed to be provided by the applicant to complete the project shall be estimated at:
 - i. General Labor rate: \$18.00
 - ii. Labor rate for concrete work: \$35.00
 - iii. Heavy equipment operation, including labor (e.g. skid steers, tractors, backhoes, and scrapers): \$32.00
 - iv. Professional or semi-professional services (e.g. construction administration or engineering labor): \$65.00 (date, times, and activity must be documented)
- g. Unless otherwise approved by the MSCWMO Board, a portion of a project becomes ineligible for funding if construction begins on that portion before a funding contract has been approved.
- h. Funding through the grant and cost-share program cannot be used to meet the minimum requirements of any permit of any regulatory body.
- i. The MSCWMO does not provide technical or administrative assistance to other organizations that implement their own financial assistance program unless specifically identified in a work plan or contractual agreement.
- j. Individual project funding decisions will be made solely by the MSCWMO Board and within the responsibilities outlined under a contractual agreement.
- k. The project must be completed in compliance with the terms and conditions of the Cost Share Agreement and maintained in compliance with the Operation and Maintenance Agreement.
- l. MSCWMO Technical Standards include, but are not limited to, the most current; MPCA Stormwater Manual, MPCA Protecting Water Quality in Urban Area, NPDES General Stormwater Permit for Construction Activity, NRCS Field Office Technical Guide, MSCWMO Performance Standards, and applicable local, state and federal regulations.

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Water Quality Cost-Share Program Application Form

Contact Information

Name		
Address		
City	State	Zip Code
Project Location (if different than above)		
Lake or Stream (if applicable)	Previous Grant Recipient? What Project?	
Home Phone	Work or Cell Phone	
Email Address	Other Contact Info	

Project Information

Project Description: (Use additional sheets as necessary) Please let us know what types of BMP you want to install, if you will use only native plants, and who you are planning to have do most of the work.		
Water Quality Issues the Project will Address: Clean water, invasive species removal and/or reduce amount of water going downstream.		
Area treated by project (attach two-ft topography)	Maximum Size of Practice	Landuse in Drainage Area

Cost-Share Request

Total Project Cost (Attach itemized list - required for cost-share)	MSCWMO Cost-Share Request	Pollutant Load Reductions Volume:
Collaborators (List partners and contributing funds, if applicable)		TP:
		TSS:
		N:

I certify to the best of my knowledge that the information included in this application is true, complete, and accurate. I acknowledge that if approved, cost share funding expires on **November 30, 2018**, unless an extension is granted by the MSCWMO prior to the expiration.

Signature	Date
-----------	------

For Official Use Only

Staff Recommendation	Board Approved <input type="checkbox"/> Yes <input type="checkbox"/> No	Approval Amount
Board Approved	Funding Source(s)	

Water Quality Cost-Share Grant Program

Application Steps and Procedures

Applicant's Step 1:

Schedule a site visit with MSCWMO staff at 651-330-8220 x22 or email us at misensee@mnwcd.org.

MSCWMO Staff Step 1:

MSCWMO staff person will meet you at the site for a review to determine whether the site is a candidate for the cost-share grant funds. The staff person will walk your site with you with a map to determine options for potential cost-share projects.

Applicant's Step 2:

If MSCWMO staff determines your site is a candidate for the cost-share grant program, complete and submit your application to Mike Isensee by mail (455 Hayward Avenue, Oakdale, MN 55128), fax (651-275-1254), or email (misensee@mnwcd.org)

MSCWMO Staff Step 2:

MSCWMO staff person will review the application and if it seems to be a good candidate, the staff will help the applicant with a conceptual design of the site. This will be a collaboration of staff and the applicant. When the conceptual plan is complete with a cost estimate, it will go to a subcommittee of the Board of Managers for their approval. A conceptual design will determine the size of the project but will not provide specific details of materials or plant species used, but rather general descriptions like grass, flower, shrub or tree.

MSCWMO Staff Step 3:

Following the board decision you will receive written notification about whether your application was approved for funding. If funding was not approved, the staff may still provide technical assistance on the project. If funding is approved, MSCWMO staff will help develop a final design of the project with the cost estimate. The final design provides specific details of what types of plants, rock, mulch, edger etc. This final design will go before the full board for final approval.

Applicant's Step 3:

Upon Board approval, the applicant is approved to start working on the project. Receipts of materials, and labor will need to be kept and filed for reimbursement when the project is completed. The applicant will need to contact the MSCWMO staff when the project is starting and at any major new task of work during the project. Any changes to the project design or extra materials or labor added to the project at this point do not qualify for cost share unless the Board authorizes the additions or changes.

MSCWMO Staff Step 4:

Upon contact by the applicant, MSCWMO staff will visit the site to provide technical assistance and site inspections. Site inspections will continue throughout the project construction. Upon completion of the project, MSCWMO staff will conduct a final site inspection and approval of the installation. Cost-share funding agreed to by the full Board will be granted to the applicant only after the project installation has been approved, all receipts for the project have been received, and the full Board has approved payment.

MIDDLE ST. CROIX WATERSHED MANAGEMENT ORGANIZATION

455 Hayward Avenue OAKDALE, MINNESOTA 55128
 Phone 651.275.1136 x22 www.mscwmo.org



Landscaping for Habitat and Water Quality Grant Application Form

1. Contact Information

Name		
Address		
City	State	Zip Code
Project Location (if different than above)		
Lake or Stream (if applicable)	Previous Grant Recipient? What Project?	
Home Phone	Work or Cell Phone	
Email Address	Other Contact Info	

2. Project Type Raingarden Native Slope Stabilization Native Shoreline

3. Source of Runoff Roof Driveway Other (specify) _____

4. Project Measurements

Size of Runoff Area (square feet)	Size of Raingarden / Native Slope Stabilization / Native Shoreline (square feet)	
-----------------------------------	--	--

5. Attach Project Plans and Completed Cost Estimate Worksheet.

I certify to the best of my knowledge that the information included in this application is true, complete, and accurate. I acknowledge that if approved, cost share funding expires on November 30, 2018, unless an extension is granted by the MSCWMO prior to the expiration.

Signature of Applicant/Contact	Date	Signature of Property Owner	Date
--------------------------------	------	-----------------------------	------

Grants Policy

- Eligible project types are limited to native slope stabilization, raingardens and native shoreline stabilizations that demonstrate compliance with MSCWMO technical recommendations.
- Grant applicants must successfully complete an East Metro Watershed Education Program presentation and submit a grant application, project plan and cost estimate for the watershed to review and approval prior to beginning the installation. (Grant is not retroactive)
- Watershed staff will review applications, select grant recipients, verify completed projects and distribute grants in accordance to program policy.
- Applications requesting grant approval will be reviewed in two application rounds. Application must be received by a round's start date and awarded grants automatically expire if the project is not completed by the end date of the round it was awarded in.
- The Landscaping for Habitat Grant amount is limited to \$250.00 per approved application.
- The Landscaping for Water Quality amount is limited to \$500.00 per approved application. Qualifying projects must be raingardens or native shoreline restorations within the direct discharge areas of Lily Lake, Lake McKusick, Lake St. Croix or Perro Creek.
- Only one grant allowed per applicant per year. Applications not approved in a preceding round may be resubmitted for review in following rounds.
- Staff will prioritize grant awards based on watershed location, proximity to water resources and potential to provide water quality benefits.
- Grants are subject to funding availability and may be discontinued or subject to policy revisions by the Board as it determines to be appropriate.

MIDDLE ST. CROIX WATERSHED MANAGEMENT ORGANIZATION

1380 WEST FRONTAGE ROAD, HIGHWAY 36
STILLWATER, MINNESOTA 55082
Phone 651.275.1136 x22 fax 651.275.1254 www.mscwmo.org



Landscaping for Habitat and Water Quality Grant Application Steps

Step 1:

Attend a workshop and/or schedule an onsite visitation with a WCD landscape designer to develop site-specific project plans.

Step 2:

Submit application, project plans, and cost estimate to the Middle St. Croix Watershed Management Organization for approval prior to beginning installation.

Step 3:

Schedule an on-site meeting with MSCWMO design staff prior to beginning installation. Call Gopher State One Call (800-252-1166) to have utilities located before the on-site meeting.

Step 4:

Schedule an on-site meeting with MSCWMO design staff prior to beginning installation. Call Gopher State One Call (800-252-1166) to have utilities located before the on-site meeting.

Step 5:

Install your project and contact MSCWMO staff (misensee@mnwcd.org or 651-330-822 Ext. 22) to provide technical assistance during the installation and verify completion of the project.

Step 6:

Receive grant from the MSCWMO once the project is complete.

Note:

Grant will automatically expire if the project is not completed by the completion date.

MIDDLE ST. CROIX WATERSHED MANAGEMENT ORGANIZATION

455 Hayward Avenue, Oakdale MINNESTOA 55128
Phone 651.330.8220 x22 fax 651.330.7747 www.mscwmo.org



MEMORANDUM

TO: Middle St. Croix WMO Board of Managers
FROM: Mikael Isensee, Administrator
DATE: February 8, 2018

RE: 6b) 2018 Administrative Summary

2018 has an unusually large number of new, one-time administrative tasks.. In addition to typical years tasks (attached), 2018 includes the following new tasks:

- Evaluation of MSCWMO goals, policies and implementation plan (required by BWSR)
- Solicit for bids for legal and engineering services.
- Review, comment, and approve by resolution 8 Local Surface Water Management Plans
- Attend One Watershed One Plan Meetings (12-14 meetings)
- Attend Fund the Plan Funding Meeting (3-4 meetings)

2018 MSCWMO Administrative Task Tracker

MIDDLE ST. CROIX WATERSHED MANAGEMENT ORGANIZATION

455 Hayward Avenue, Oakdale MINNESTOA 55128
 Phone 651.330.8220 x22 fax 651.330.7747 www.mscwmo.org



Deadline	Task	Complete
Monthly	Board (meeting and packs)	
Monthly	Website Updates	
Monthly	Budget Updates	
Monthly	Minutes	
Monthly	Water Consortium Meetings	
January	Audit	
January	Cost Share Program Funding Approval	
January	Cost Share Website Update	
January	Grants Website Update	
January	Update Project Review Guidance and Forms	X
January	Update Project Review Web Page	X
January	Appointments (Chair, Vice Chair, Secretary, Treasurer)	X
January	MSCWMO Implementation Meeting	
January	Clean Water Funds Year End Reporting	X
January	Year End Budget Summary	X
February	Campaign Finance Updates	
February	BWSR Board Manager Updates	
March 2018	Biennial Implementation Evaluation	
March	WMO Water Quality Monitoring Report	
March	Newsletter to all residents in the watershed	
March	Next Year Budget Indication To Townships	
March	Deposit Budgeted Funds Into Savings	
April	Watershed Year End Report Due to BWSR	
April	Financial Report Distribution (BWSR and State Auditors Office)	
June	Introduce Draft Budget	
July	State Auditor Financial Reporting Deadline	www.auditor.state.mn
July	Notify Communities of Draft Budget	
August	CWF Grant Application	
August	Notify Communities of Final Budget	
September	Presentation to Washington County	
October	Liability Insurance Policy Renewal	
October	Inspections and Maintenance Summary	
October	Approve Next Year Meeting Dates	
November	Update Project Tracker Database with cost share projects	
November	WCD Services Agreement	
November 2018	Biennial Legal and Consulting Services Proposal and Contracts	
November	Approve Review Fees	
December	Grant Reporting	
December	Update Project Tracker Database with New and Redevelopment projects	

MIDDLE ST. CROIX WATERSHED MANAGEMENT ORGANIZATION

455 Hayward Avenue N. Oakdale, MN 55128
Phone 651.330.8220 x22 fax 651.330.7747 www.mscwmo.org



MEMORANDUM

TO: Middle St. Croix WMO Board of Managers
FROM: Mike Isensee, Administrator
DATE: February 8, 2018
RE: 6e) Lower St. Croix One Watershed One Plan

Past MSCWMO Action

In November, 2016 the MSCWMO passed a resolution to support the development of a One Watershed One Plan for the Lower St. Croix Basin.

Background

One Watershed One Plan is an approach adopted by the Board of Water and Soil Resource as a result of policy work conducted by the Minnesota Association of Soil and Water Conservation Districts (MASWCD), the Minnesota Association of Watershed Districts (MAWD) and the Association of Minnesota Counties (AMC) during a multi-year Local Government Water Roundtable.

The Board of Water and Soil Resources has divided Minnesota into 63 suggested “planning boundaries,” which are based on major watersheds. The state Legislature has set a participation goal of all planning boundaries by the year 2025.

The Lower St. Croix One Watershed One Plan boundary includes 5 Counties, 5 Soil and Water Conservation District, 5 Watershed Districts and two Joint Powers WMOs. The 17 entities have worked collaboratively with the Board of Soil and Water Resources to develop a work plan for the planning grant to develop the One Watershed One Plan for the Lower St. Croix.

The development of this plan is important because the Board of Water and Soil Resources plans to decrease annual grants and increase funding distributed to One Water One Plans throughout Minnesota.

Staff is requesting the Board of Managers to approve the Memorandum of Understanding

Lower St. Croix One Watershed One Plan

Motion by Board Member 1, second by Board Member 2, to enter into a Memorandum of Agreement for the development of the Lower St. Croix One Watershed One Plan.



One Watershed One Plan

Lower St. Croix Watershed Plan Development **Work Plan**

This Work Plan outlines tasks and a budget for the development of a watershed-based plan consistent with the One Watershed, One Plan vision and program grant requirements adopted by the Board of Water and Soil Resources (BWSR). This work plan includes separate excel files containing the budget and timeline.

Grant Title: FY 2017 Lower St. Croix One Watershed, One Plan Development Grant

Grant ID: [will be provided by BWSR]

Fiscal Agent Organization: Chisago Soil and Water Conservation District

Grant Agreement Day-to-day contact: Chisago SWCD, Craig Mell

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Task No. 1.3: Finalize work plan, MOA and committees	<i>Error! Bookmark not defined.</i>
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Planning Tasks	<i>Error! Bookmark not defined.</i>
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Task No. 3.5: Counties develop additional 1W1P content to replace current water plans	<i>Error! Bookmark not defined.</i>
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Task No. 4.5: Local adoption	<i>Error! Bookmark not defined.</i>
Admin	<i>Error! Bookmark not defined.</i>

Task No. 5.1: Annual grant reporting and other recordkeeping/reporting __ Error! Bookmark not defined.

Task No. 5.2: Final grant reporting_____ Error! Bookmark not defined.

Overarching Approach

The Lower St. Croix One Watershed One Plan (1W1P) will:

- Focus on work that is most effectively implemented across the boundaries of local water planning entities, most effectively accomplished through cooperation, or local issues of regional significance.
- Provide the most detail for non-metro areas most likely to replace their local plan with 1W1P, and where current plans are less detailed.
- Set in place a plan for funding the basin-wide priorities and goals with future “Fund the Plan” State dollars. This includes determining how funding is distributed. The funding plan shall be detailed for the first 5 years to (a) local water planning agencies to know what funding they can expect for local implementation and (b) set amounts and recipients for basin level work. The Advisory and Policy Committees will periodically re-convene to update the implementation funding plan.
- Recognize that quality local plans, Total Maximum Daily Load (TMDL) studies, groundwater plans and Watershed Restoration and Protection Strategies (WRAPS) already exist throughout the region. 1W1P will build from these, and incorporate them by reference where appropriate.
- Begin with all 17 local water planning entities (WMOs, WDs, SWCDs, counties) updating or reaffirming the priorities and goals in their plans, so that those goals can be considered in development of 1W1P.
- Reset the planning clock for all local water planning entities’ plan updates, such that in the future all water plans in the basin will be updated synchronously.
- Use an adaptive management approach. Goals and objectives will be clear, but not so specific as to prevent evolution of approaches or specific projects.

This 1W1P may:

- Be adopted by water planning entities to *complement* their existing plans.
- Be adopted by water planning entities to *replace* their existing plans for all or part of that entity’s geographic jurisdiction. In this case, all of the water resources, issues, goals and implementation strategies required in BWSR’s *1W1P Plan Content Requirements* for the area where entities will adopt 1W1P to replace their existing plan(s) will be produced as part of the 1W1P process..
- Discuss natural resources issues other than which are regionally significant but require local action.

This 1W1P will not:

- Establish a new layer of government or new entity. The plan will be implemented by existing local water planning entities that meet periodically to review progress and guide implementation.
- Seek to provide the level of detail for local projects that is typically provided in local plans, except where 1W1P is replacing local plans. It shall focus on implementation activities of relevance throughout the basin. Some implementation activities may be additional study or analysis, the results of which will be considered part of the implementation plan.
- Prescribe implementation activities for local water plan entities to do. However, plan contents should be given considerable weight when selecting local work.
- Require participants to fund basin-level 1W1P implementation outside of their jurisdictional area. It is anticipated that implementation funding for basin-level work will be from State funds allocated under the “fund the plan” approach.
- Create a detailed inventory of natural resources in the basin. Instead, it will refer to existing plans and studies for this information or identify inventories and studies that will be completed as part of 1W1P implementation.
- Mandate a particular set of regulations for local entities to implement. It may recommend.

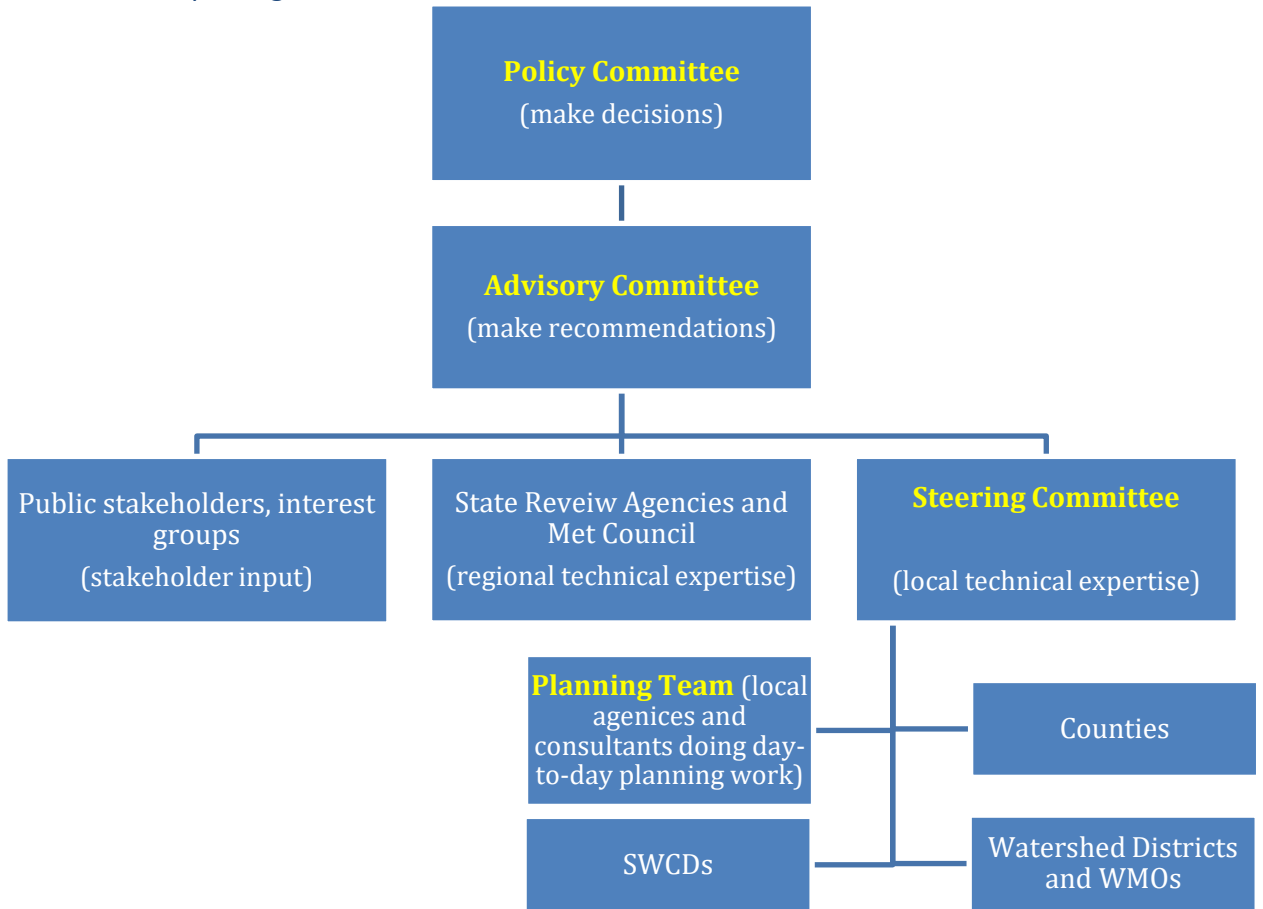
Committee Structure

The planning process will utilize the committees listed in the table below.

	Steering Committee	Advisory Committee	Policy Committee	Planning Team
Description	Day-to-day plan development work.	Includes stakeholder representation into policy recommendations.	Decision-making authority.	Subset of the Steering Committee that are the “heavy lifters” who are doing planning work. A list of Planning Team roles is listed under task 1.1.
Participants	Staff from local agencies formally participating in 1W1P by signing the MOA. BWSR staff in an advisory role. Any consultants hired. Policy committee may include others.	Policy committee invites participants to include community members and other stakeholder groups, drainage authorities, county highway or planning staff, tribal organizations, federal agencies, state review agencies, Met Council, plus Steering Committee members.	1 representative from each entity that signs the 1W1P Memorandum of Agreement. Representative must be an elected or appointed board member.	Local agency staff and consultants whose roles and compensation are specified in a contract.
Duties	Planning in group meetings. May form subcommittees. Makes recommendations to Advisory Committee.	Make policy recommendations to the Policy Committee.	Final policy and plan content decisions.	Roles are specified under task 1.1. Includes plan writing, outreach, data consolidation and others.
Approx # meetings	14	8	13	0
Work outside of mtgs	Review materials in advance of meetings. Comment on drafts. Serve on subcommittees as needed.		Review materials in advance of meetings.	A lot. See next section for scope of work of each role.

Note: For efficiency, the Meeting Facilitator is encouraged to schedule multiple committee meetings on the same day and same location when appropriate. Conference calls, online meetings or other digital correspondence may be used to minimize the number of in-person meetings.

Committee Relationships Diagram



LOWER ST. CROIX WATERSHED
MEMORANDUM OF AGREEMENT

This agreement (Agreement) is made and entered into by and among:

The Counties of Anoka, Chisago, Isanti, Pine and Washington by and through their respective County Board of Commissioners;

The Anoka, Chisago, Isanti, Pine and Washington Soil and Water Conservation Districts, by and through their respective Soil and Water Conservation District Board of Supervisors;

The Brown's Creek, Carnelian Marine St. Croix, Comfort Lake Forest Lake, South Washington and Valley Branch Watershed Districts, by and through their respective Board of Managers; and

The Middle St. Croix, and Sunrise River Joint Powers Watershed Management Organizations, by and through their respective Board of Managers,

Collectively referred to as the "Parties."

WHEREAS, the Counties of this Agreement are political subdivisions of the State of Minnesota, with authority to carry out environmental programs and land use controls, pursuant to Minnesota Statutes Chapter 375 and as otherwise provided by law;

WHEREAS, the Soil and Water Conservation Districts (SWCDs) of this Agreement are political subdivisions of the State of Minnesota, with statutory authority to carry out erosion control and other soil and water conservation programs, pursuant to Minnesota Statutes Chapter 103C and as otherwise provided by law;

WHEREAS, the Watershed Districts of this Agreement are political subdivisions of the State of Minnesota, with statutory authority to carry out conservation of the natural resources of the state by land use controls, flood control, and other conservation projects for the protection of the public health and welfare and the provident use of the natural resources, pursuant to Minnesota Statutes Chapters 103B, 103D and as otherwise provided by law;

WHEREAS, the Joint Powers Water Management Organizations of this Agreement are Joint Exercise of Powers agreements according to Minnesota Statutes Section 471.59, with statutory authority to carry out conservation of the natural resources of the state by land use controls, flood control, and other conservation projects for the protection of the public health and welfare and the provident use of the natural resources, pursuant to Minnesota Statutes Chapter 103B and as otherwise provided by law; and

WHEREAS, the parties to this Agreement have a common interest and statutory authority to prepare, adopt, and assure implementation of a comprehensive planning and implementation program for the LOWER ST. CROIX Watershed to conserve soil and water resources through the implementation of practices, programs, and regulatory controls that effectively control or prevent erosion, sedimentation, siltation and related pollution in order to preserve natural resources, ensure continued soil productivity, protect water quality, reduce damages caused by floods, protect groundwater resources, control or prevent aquatic invasive species, preserve wildlife, protect the tax base, and protect public lands and waters; and

WHEREAS, each Local Government Unit maintains their respective water management authorities pursuant to Minnesota Statutes Chapters 103B, 103C, and 103D; and

WHEREAS, with matters that relate to coordination of water management authorities pursuant to Minnesota Statutes Chapters 103B, 103C, and 103D with public drainage systems pursuant to Minnesota Statutes Chapter 103E, this Agreement does not change the rights or obligations of the public drainage system authorities.

WHEREAS, the Parties have formed this Agreement for the specific goal of developing a plan pursuant to Minnesota Statutes Section 103B.801, Comprehensive Watershed Management Planning, also known as *One Watershed, One Plan*.

NOW, THEREFORE, the Parties hereto agree as follows:

1. **Purpose:** The Parties to this Agreement recognize the importance of partnerships to plan and implement protection and restoration efforts for the *LOWER ST. CROIX Watershed (see Attachment A)*. The purpose of this Agreement is to collectively develop and adopt, as local government units, a coordinated watershed management plan for implementation per the provisions of the Plan. Parties signing this agreement will be collectively referred to as the LOWER ST. CROIX WATERSHED IMPLEMENTATION PARTNERSHIP (the WIP).
2. **Term:** This Agreement is effective upon signature of all Parties in consideration of the Board of Water and Soil Resources (BWSR) Operating Procedures for One Watershed, One Plan; and will remain in effect until 1-year after the term of the BWSR One Watershed, One Plan Planning Grant Agreement, unless canceled according to the provisions of this Agreement or earlier terminated by law.
3. **Adding Additional Parties:** A qualifying party desiring to become a member of this Agreement shall indicate its intent by adoption of a board resolution within 6-months of the date of the BWSR One Watershed, One Plan Planning Grant Agreement. The party agrees to abide by the terms and conditions of the Agreement; including but not limited to the bylaws, policies and procedures adopted by the Policy Committee.

4. **Withdrawal of Parties:** A party desiring to leave the membership of this Agreement shall indicate its intent in writing to the Policy Committee in the form of an official board resolution. Notice must be made at least 30 days in advance of leaving the Agreement.

5. **General Provisions:**

a. **Compliance with Laws/Standards:** The Parties agree to abide by all federal, state, and local laws; statutes, ordinances, rules and regulations now in effect or hereafter adopted pertaining to this Agreement or to the facilities, programs, and staff for which the Agreement is responsible.

b. **Indemnification:** Each party to this Agreement shall be liable for the acts of its officers, employees or agents and the results thereof to the extent authorized or limited by law and shall not be responsible for the acts of any other party, its officers, employees or agents. The provisions of the Municipal Tort Claims Act, Minnesota Statute Chapter 466 and other applicable laws govern liability of the Parties. To the full extent permitted by law, actions by the Parties, their respective officers, employees, and agents pursuant to this Agreement are intended to be and shall be construed as a “cooperative activity.” It is the intent of the Parties that they shall be deemed a “single governmental unit” for the purpose of liability, as set forth in Minnesota Statutes Section 471.59, subd. 1a(a). For purposes of Minnesota Statutes Section 471.59, subd. 1a(a) it is the intent of each party that this Agreement does not create any liability or exposure of one party for the acts or omissions of any other party.

c. **Records Retention and Data Practices:** The Parties agree that records created pursuant to the terms of this Agreement will be retained in a manner that meets their respective entity’s records retention schedules that have been reviewed and approved by the State in accordance with Minnesota Statutes Section 138.17. The Parties further agree that records prepared or maintained in furtherance of the agreement shall be subject to the Minnesota Government Data Practices Act. At the time this Agreement expires, all records will be retained by the respective entity or turned over to the *CHISAGO SWCD* for continued retention.

d. **Timeliness:** The Parties agree to perform obligations under this Agreement in a timely manner and keep each other informed about any delays that may occur.

e. **Extension:** The Parties may extend the termination date of this Agreement upon written agreement by all Parties.

6. **Administration:**

- a. **Establishment of Committees for Development of the Plan.** The Parties agree to designate one representative, who must be an elected or appointed member of the governing board, to a Policy Committee for development of the watershed-based plan and may appoint one or more technical representatives to an Advisory Committee for development of the plan in consideration of the BWSR Operating Procedures for One Watershed, One Plan.
- i. The Policy Committee will meet as needed to decide on the content of the plan, serve as a liaison to their respective boards, and act on behalf of their Board. Each representative shall have one vote.
 - ii. Each governing board may choose one alternate to serve on the Policy Committee as needed in the absence of the designated member, as defined in the by-laws.
 - iii. The Policy Committee will establish bylaws by within 6-months of the date of the BWSR One Watershed, One Plan Planning Grant Agreement to describe the functions and operations of the committee(s).
 - iv. The Advisory Committee will meet monthly or as needed to assist and provide technical support and make recommendations to the Policy Committee on the development and content of the plan. Members of the Advisory Committee may not be a current board member of any of the Parties.
- b. **Submittal of the Plan.** The Policy Committee will recommend the plan to the Parties of this Agreement. The Policy Committee will be responsible for initiating a formal review process for the watershed-based plan conforming to Minnesota Statutes Chapters 103B and 103D, including public hearings. Upon completion of local review and comment, and approval of the plan for submittal by each party, the Policy Committee will submit the watershed-based plan jointly to BWSR for review and approval.
- c. **Principles of Plan Implementation.** Clean Water Fund allocations for plan implementation will be performance-based in accordance with Minnesota Statutes Section 114D.50, subdivision 3a(b) and “BWSR Guiding Principles, Watershed-based Funding Pilot Program” (December 20, 2017) (Addendum A). Project evaluation for funding will use BWSR 2018 CWF competitive funding criteria and weighting (Addendum B). Addendums are attached and incorporated into this Agreement.

- d. **Adoption of the Plan.** The Parties agree to consider adoption and implementation of the plan within 120 days of receiving notice of state approval, and if necessary provide notice of plan adoption pursuant to Minnesota Statutes Chapters 103B and 103D.
7. **Fiscal Agent:** Chisago SWCD will act as the fiscal agent for the purposes of this Agreement and agrees to:
- a. Accept all responsibilities associated with the implementation of the BWSR grant agreement for developing a watershed-based plan.
 - b. Perform financial transactions as part of grant agreement and contract implementation.
 - c. Annually conduct a full and complete audit report.
 - d. Provide the Policy Committee with the records necessary to describe the financial condition of the BWSR grant agreement.
 - e. Retain fiscal records consistent with the agent's records retention schedule until termination of the agreement at that time, records will remain with Chisago SWCD.
 - f. Provide any documentation in possession of agent related to the BSWR grant agreement to any party of this Agreement upon request.
8. **Grant Administration:** Chisago SWCD will act as the grant administrator for the purposes of this Agreement and agrees to provide the following services:
- a. Accept all day-to-day responsibilities associated with the implementation of the BWSR grant agreement for developing a watershed-based plan, including being the primary BWSR contact for the *One Watershed, One Plan* Grant Agreement and being responsible for BWSR reporting requirements associated with the grant agreement.
 - b. Provide the Policy Committee with the records necessary to describe the planning condition of the BWSR grant agreement.
9. The Chisago SWCD agrees to provide the following services to the Parties:
Enter in to additional service contracts with Policy Committee approval to provide services eligible for reimbursement by the BWSR Plan Grant for One Watershed One Plan.

10. **Authorized Representatives:** The following persons will be the primary contacts for all matters concerning this Agreement:

_____ County
(enter name) or successor
County Administrator
(enter address)
Telephone: _____

_____ SWCD
(enter name) or successor
District Administrator
(enter address)
Telephone: _____

_____ Watershed
District
(enter name) or successor
District Administrator
(enter address)
Telephone: _____

IN TESTIMONY WHEREOF the Parties have duly executed this agreement by their duly authorized officers. *(Repeat this page for each participant)*

PARTNER: _____

APPROVED:

BY: _____ Date:
Board Chair

BY: _____ Date:
District Manager/Administrator

APPROVED AS TO FORM *(use if necessary)*

BY: _____
County Attorney

Attachment A



Attachment B

(insert copy of Lower St. Croix Watershed Work Plan)

Addendum A

Guiding Principles

Watershed-based Funding Pilot Program

Vision

BWSR's vision is to move towards more systematic Clean Water Funding for local water management (LWM) authorities on a watershed basis. This funding approach will result in greater efficiency and effectiveness for both LWM authorities and the state and is critical for Minnesota to reach its clean water goals. This funding model could also serve as a future framework for broadening funding to include other state funding sources associated with supporting LWM activities.



Purpose

The purpose of this document is to further outline this vision by providing the guiding principles that will direct and influence future policies and procedures for Clean Water Funds appropriated to the Board of Water and Soil Resources for the purposes of implementing comprehensive watershed management plans. Eligible watersheds are defined as those areas that have watershed management plans developed under the One Watershed, One Plan Program or the Metropolitan Surface Water Management Act.

- **Watershed-based funding will be used to implement activities identified in comprehensive watershed management plans developed under the One Watershed, One Plan program, the Metropolitan Surface Water Management Act, or the Metropolitan Groundwater Management Act.** These plans focus on results and an evidence-based decision-making process. Plans contain implementation timelines, milestones, and cost estimates that address the largest pollution threats and provide the greatest environmental benefits to each watershed.
- **Watershed-based funding must be based upon accountability and performance in achieving measurable progress towards elements of the comprehensive watershed management plan.** Requests for funding must include transparent standards of accountability and performance criteria to objectively evaluate and prioritize funding based on outcomes.
- **Watershed-based funding will be consistent with the Nonpoint Priority Funding Plan (NPPF).** Leadership from State agencies tasked with protection and restoration of Minnesota's water resources came together and agreed on a set of high-level State priorities and criteria to ensure Clean Water Funds are used effectively and efficiently. BWSR must allocate funding according to the priorities and criteria identified in the NPPF when Clean Water Funds are the source of funding.
- **Watershed-based funding envisions a holistic and flexible approach that includes both protection and restoration.** Recognizing that the level of government closest to the ground can best understand resource management needs and implement effective strategies, funding should not be strictly prescribed to a limited number of conservation practices but should allow the flexibility needed by local

water management authorities to address watershed-specific priorities identified in comprehensive watershed management plans consistent with the requirements of the available funding source(s).

- **Watershed-based funding envisions funding requests through a single watershed based work plan.** LWM authorities, as provided in their formal implementation agreement, submit a commitment to collaboratively pursue priority projects and, as identified within the implementation schedule of their approved comprehensive watershed management plans.
- **Watershed-based funding will require a non-state contribution.** A non-state match will be required from LWM authorities in order to have access to this state funding.

MIDDLE ST. CROIX WATERSHED MANAGEMENT ORGANIZATION

455 Hayward Avenue, Oakdale MINNESOTA 55128
 Phone 651.330.8220 x22 fax 651.330.7747 www.mscwmo.org



MEMORANDUM

TO: Middle St. Croix WMO Board of Managers
FROM: Mikael Isensee, Administrator
DATE: February 8, 2018

RE: 6f) BWSR Watershed-Based Funding Pilot Program

At their meeting on December 20, 2017, the Board of Water and Soil Resources (BWSR) approved a new policy related to the distribution of Clean Water Funds (CWFs). BWSR’s vision for this new policy is to move toward more systematic distribution of CWFs to local water management authorities on a county/watershed basis. I attended a BWSR-sponsored meeting to hear BWSR staff explain its Watershed-Based Funding Pilot Program on January 4, 2018. A copy of the PowerPoint slides from that meeting is attached.

For the fiscal years 2018 and 2019, BWSR expects to distribute \$8.7 million in CWFs. In the metro area, BWSR established planning units based on county boundaries to distribute the funds. In each county, eligible entities (those entities previously eligible to receive CWFs) must decide collectively between two options for distributing the 2018 and 2019 CWFs.

For Washington County, eligible entities include Washington County (because it has a groundwater plan), Washington Conservation District, seven watershed districts, the Middle St. Croix Watershed Management Organization, and an unknown number of cities and townships with approved water management plans.

Outside of the metro area, BWSR will distribute funds to watersheds with approved One Watershed One Plans (1W1Ps). The pilot program includes \$3.11 million for 1W1Ps in non-metro Minnesota and \$5.59 million for the metro area (total for the two years, 2018 and 2019). Table 1 lists the funding allocations to each county.

Table 1. BWSR Allocation of CWFs to Counties for Fiscal Years 2018 and 2019

County	Percent of Area (based on square miles of the metro area)	Allocation (up to \$250,000 each, plus distribution based on percent of area)
Anoka	15%	\$826,000
Carver	13%	\$749,200
Dakota	20%	\$1,018,000
Hennepin	20%	\$1,018,000
Ramsey	5%	\$442,000
Scott	13%	\$749,200
Washington	14%	\$787,600
Total	100%	\$5,590,000

Requirements

By June 30, 2018, the entities in each metro county must:

1. Create a Collaborative “Prioritized-Targeted-Measurable” (PTM) Implementation Plan and submit a budget request work plan to BWSR, or
2. Opt into the Metro Competitive Grant Process. BWSR did not indicate how many entities within a county must agree. A Collaborative PTM Implementation Plan is a written, BWSR-approved document that includes 1) a description of the partnership of entities and the decision-making process used to develop the plan, 2) the time frame of the plan, 3) implementation actions, 4) responsible party, and 5) budget.

The steps included in developing a collaborative plan include the following:

- a. Convene initial meeting
- b. Identify a voting representative (and alternate) for each local government within the county area to attend meetings.
- c. Inform BWSR who is serving as the convening organization and the decision-making process that will be used.
- d. Describe the process used to select projects and programs for the Collaborative PTM Implementation Plan and how success will be evaluated.
- e. Identify projects and programs in an eLINK budget request and work plan.

If the Washington County entities decide not to prepare a collaborative plan and instead opt into a Metro Competitive Grant Process, at least \$787,600 will be available for competitive grant applications. The competitive process would include funds and applicants from metro area that decide to enter into the competitive process.

Washington County staff convened a meeting of administrators of the eight watershed organizations, WCD, and Washington County to gauge interest in the collaborative approach and talk through how a collaborative approach might work, and discuss how to proceed with communications with eligible cities.

At the first meeting on February 1, 2018, at 9 a.m. at the Washington County Government Center the partners determined that they all supported a collaborative approach and would further explore two potential processes for distributing the funding on a Washington County watershed basis. Option one, create a formula based on pre-agreed metrics or Option two, create and rank a list of projects to be prioritized. Additionally the group is drafting a letter to all Local Units of Government providing an outline of how the funding will be distributed and what activities apply for funding through these Clean Water Funds.

The March 7th Water Consortium meeting will be dedicated to presenting and discussing this funding.



Metro Area Meeting for Watershed-Based Funding Pilot Program



January 2018

m BOARD OF WATER
AND SOIL RESOURCES

Minnesota Board of Water and Soil Resources | www.bwsr.state.mn.us

Local Government Water Roundtable History

- 2011 Water Summit
 - Response to legislative pressures
- 2013 Planning Policy Paper
 - Initial framework for One Watershed, One Plan
- 2016 Funding Policy Paper
 - Recommendation for watershed-based funding
- LGWRT Board and staff workgroup



Local Government Water Roundtable Workgroup Members

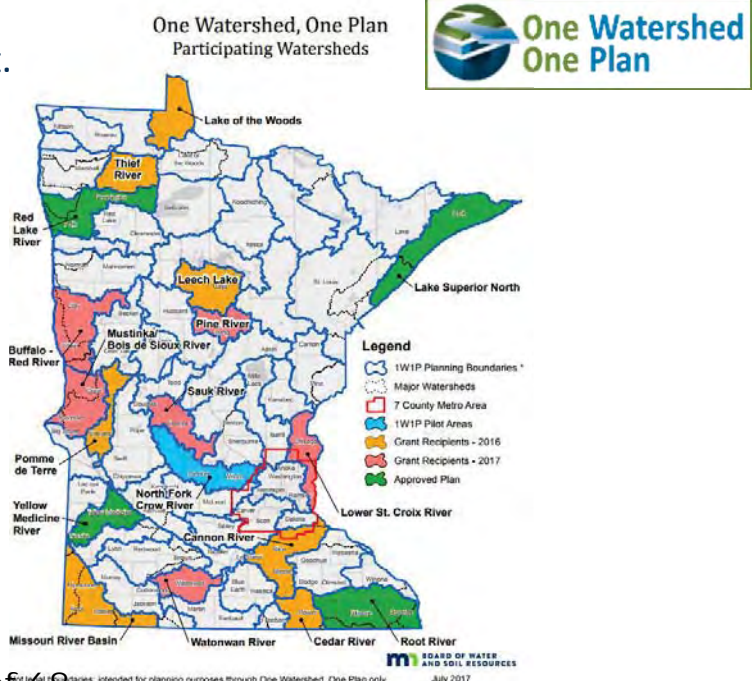
Local Government Water Roundtable Workgroup members	
John Biren Lyon County	Dan Shutte Lake County Soil and Water Conservation District
Mark Gamm Dodge County	Brian Watson Dakota Soil and Water Conservation District
Josh Stromlund Lake of the Woods County	Myron Jesme Red Lake Watershed District
Teresa Wickeham Kanabec County	Diane Lynch Prior Lake Spring Lake Watershed District
Kay Gross Cottonwood Soil and Water Conservation District	Matt Moore South Washington Watershed District
Susan Shaw Mille Lacs Soil and Water Conservation District	Diane Radermacher Upper Minnesota Watershed District
Laura Jester Basset Creek Watershed Management Commission	Paul Moline Carver County Watershed Management Organization

1/4/2018

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One Watershed, One Plan Program

- 2012 M.S. 103B.101 Local water mgmt. coordination
- 2014 Pilot Watersheds
- 2015 M.S. 103B.801 Comprehensive watershed mgmt. plans
- 2016 1W1P Program adoption
- 2016 Transition Plan



One Watershed, One Plan Transition Plan

- Legislative goal to transition statewide by 2025
- Identifies incentives for transition
- Metro –
 - Recognizes existing 8410 plans
 - Does not address future funding



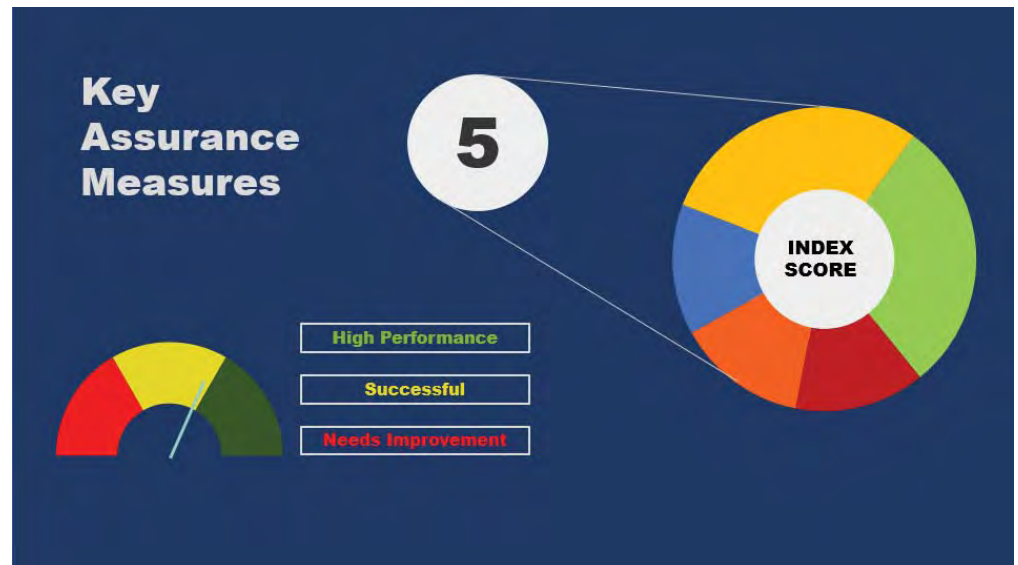
FY18-19 Appropriation Language

- **\$4,875,000** the first year and **\$4,875,000** the second year are for a **pilot program** to **provide performance-based grants** to local government units. The grants may be used to implement projects that protect, enhance, and restore surface water quality in lakes, rivers, and streams; protect groundwater from degradation; and protect drinking water sources. Projects must be identified in a comprehensive watershed plan developed under the **One Watershed, One Plan** or **metropolitan surface water management frameworks or groundwater plans**. Grant recipients must identify a **non-state match** and **may use other legacy funds to supplement projects** funded under this paragraph.

Draft Assurance Measures

Pilot will be used to test and refine

1. Funding leveraged beyond match requirement
2. Percentage of state funding used in high priority areas or on high priority projects and programs.
3. Percentage of action items identified in grant work plan that are completed.
4. Progress towards measurable goals identified in grant work plan
5. Effective engagement and collaboration



1/4/2018

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Guiding Principles

Watershed-Based Pilot Program funding...

- will be used to implement management plans developed under the One Watershed, One Plan program or the Metropolitan Surface Water and Groundwater Management Acts.
- must be based upon accountability and measureable progress being made on elements of the management plan.
- associated with Clean Water Funds will be consistent with the Nonpoint Priority Funding Plan (NPPF).
- envisions a holistic and flexible approach that includes both protection and restoration.
- envisions funding requests through a single work plan
- will require a non-state contribution

1/4/2018

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Watershed Based Funding Pilot Program Allocations

Seven County
Metro Area
(\$5.59M)

Non-Metro
Area (\$3.11M)

1/4/2018

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Watershed Based Funding Pilot Program Allocations

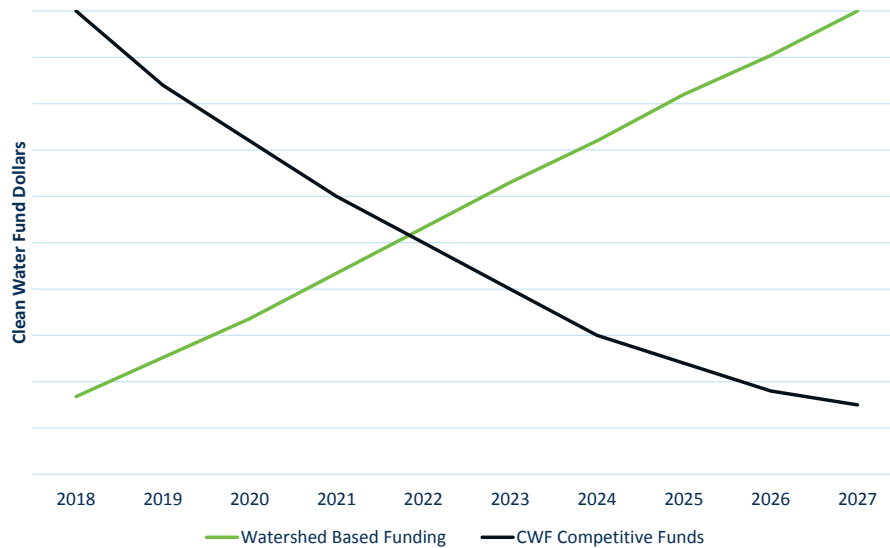
Seven-County Metro Area	% of area (based on of sq. miles of Metro)	Allocation (up to \$250K each plus distribution based on % area)
Anoka	15%	\$826,000
Carver	13%	\$749,200
Dakota	20%	\$1,018,000
Hennepin	20%	\$1,018,000
Ramsey	5%	\$442,000
Scott	13%	\$749,200
Washington	14%	\$787,600
Total Metro	100%	\$5,590,000

One Watershed, One Plan Pilots	% (based on sq. miles of private land)
Root	32%
Yellow Medicine	16%
Lake Superior	7%
Red Lake	23%
North Fork Crow	21%
Total 1W1P	100%

1/4/2018

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Vision of funding transition - BWSR Clean Water Funds Only



1/4/2018

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Process

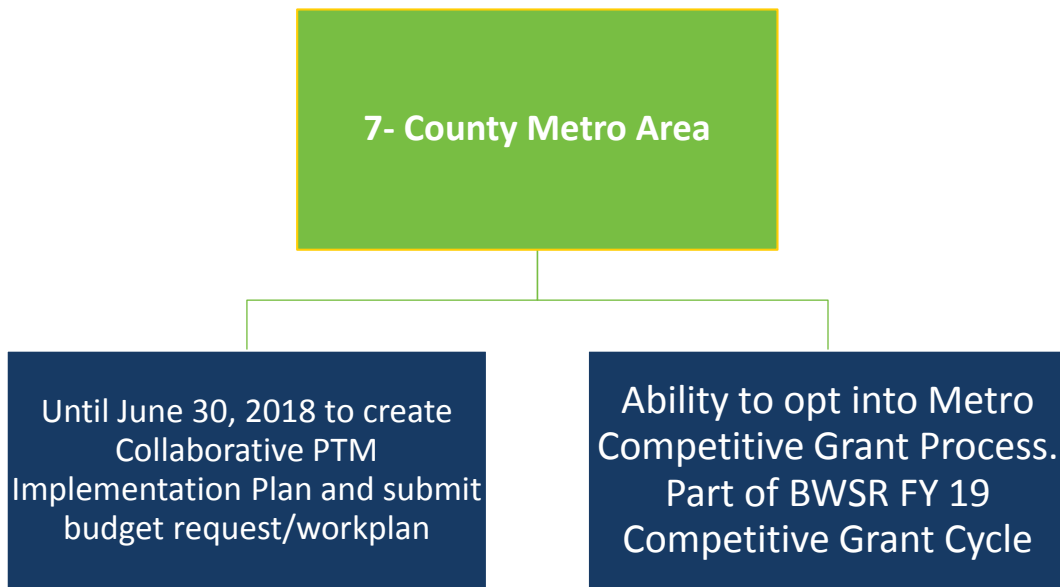


Watershed-Based Funding Pilot Program
(Guiding Principles, Policy and Allocations)

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7-County Metro Area



1/4/2018

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Each county geographic area has until June 30, 2018 to:

Conduct Collaborative PTM Implementation Planning

- Convene initial meeting
- Have local governments within county area identify a voting representative (and alternate) to attend meetings
- Let BWSR know who is serving as the convening organization and the decision making process that will be used
- Describe the process used to select projects and programs for the “Collaborative PTM Implementation Plan” and how success will be evaluated
- Identify projects and programs in a eLINK **budget request and work plan.**

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Convene Initial Meeting

- BWSR field staff will attend this meeting and be available to help facilitate if needed. Field staff will contact Soil and Water Conservation Districts to set up first meeting unless they hear otherwise.
- Identify partners and what individual entity will serve the role of convener
- Set future meeting dates
- Each organization will need to decide
 - 1) Will they participate in a collaborative process?
 - 2) Who is their voting representative and alternate?

1/4/2018

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“Collaborative PTM Implementation Plan”

A written document that needs BWSR Field Staff Approval and must contain the following:

1. Description of partnership and decision making process
2. Time frame of the Collaborative PTM Implementation Plan
3. Implementation Actions, responsible party, budget that also includes watershed or groundwater plan reference.

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Watershed-Based Funding Policy

Similar to Clean Water Fund Competitive Grants policy

Changes to note:

1. 10% non-state match for grant funds received. Requested that all funds above match also be reported
2. In-lake or in-channel treatment. Feasibility study needs to be conducted. BWSR staff need to review feasibility study and approve project prior to expenditure of grant funds.
3. Easements must be reviewed and approved by BWSR staff prior to expenditure of grants funds.
4. Incentives are for 3 years. Incentives over 3 years need Executive Director approval.
5. Ineligible activities added: Trails and Roads, Bridges, Ditching, Tiling, contribution to a contingency or reserve fund that extends beyond the grant agreement period, equipment replacement fund.

1/4/2018

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Questions!

1/4/2018

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Thank you!

MIDDLE ST. CROIX WATERSHED MANAGEMENT ORGANIZATION

455 HAYWARD AVENUE OAKDALE, MINNESOTA 55128
Phone 651.330.8220 x22 fax 651.330.7747 www.mscwmo.org



February 5, 2018

Nancy Healey
Baytown Township
4020 McDonald Dr.
Stillwater, MN 55082

RE: Miller Farms 6th Addition

Dear Ms. Healey,

The Middle St. Croix Watershed Management Organization (MSCWMO) received submittals on December 20, 2017 and revised submittals on January 19, 2018 for the proposed Miller Farms 6th Addition, located within MSCWMO boundaries in the Township of Baytown. The proposed project qualifies for full review under the MSCWMO 2015 Watershed Management Plan (WMP).

The project, as revised, provides sufficient information to determine compliance with applicable Performance Standards contained within Section 7.0 of the 2015 MSCWMO WMP.

The MSCWMO recommends approval with seven conditions:

1. Revise stormwater invert configuration to route the 1.1" stormwater flows the infiltration basin.
2. Resubmit stormwater calculations to reflect modifications.
3. Add infiltration basin construction notes identified on page 9 of the MSCWMO Project Review Check List.
4. The design engineer indicated the excavation of the native basin soils and installation of an underdrain will be completed if the basin does not infiltrate design volume within 48 hours. Revise plans to add a cross section of the basin without soil replacement and clarify the infiltration/filtration cross section as an alternate in the event that the infiltration basin does not perform as designed after all contributing drainage areas are stabilized.
5. Describe construction phasing, temporary sediment traps, rapid stabilization or other methods to avoid impacts to Wetland A and Wetland B during construction.
6. Describe construction phasing, identify flocculants and dewatering process that may be required to avoid impacts to delineated wetland S.
7. Submit a soil boring location map.

Please contact me at 651-330-8220 x22 or misensee@mnwcd.org if you have any questions regarding these comments.

Sincerely,

Mikael Isensee
Administrator
Middle St. Croix Watershed Management Organization

MIDDLE ST. CROIX WATERSHED MANAGEMENT ORGANIZATION

455 HAYWARD AVE. N.
OAKDALE, MINNESOTA 55128
Phone 651.330.8220 x22 fax 651.330.7747 www.mscwmo.org



PROJECT REVIEW

MSCWMO Project Review ID: 18-1

Project Name: Miller Phase VI

Applicant: DCCI Investments LLC

Purpose: New residential subdivision.

Location: Baytown Township

Review date: 2/5/2018

Recommendation: Approve with 7 Conditions

1. Revise stormwater invert configuration to route the 1.1" stormwater flows the infiltration basin.
2. Resubmit stormwater calculations to reflect modifications.
3. Add infiltration basin construction notes identified on page 9 of the MSCWMO Project Review Check List.
4. The design engineer indicated the excavation of the native basin soils and installation of an underdrain will be completed if the basin does not infiltrate design volume within 48 hours. Revise plans to add a cross section of the basin without soil replacement and clarify the infiltration/filtration cross section as an alternate in the event that the infiltration basin does not perform as designed after all contributing drainage areas are stabilized.
5. Describe construction phasing, temporary sediment traps, rapid stabilization or other methods to avoid impacts to Wetland A and Wetland B during construction.
6. Describe construction phasing, identify flocculants and dewatering process that may be required to avoid impacts to delineated wetland S.
7. Submit a soil boring location map.

Applicability:

- Any project undertaking grading, filling, or other land alteration activities that involve movement of 100 cubic yards of earth or removal of vegetation on greater than 10,000 square feet of land
- Any project that creates or fully reconstructs 6,000 square feet or more of impervious surface
- All major subdivisions or minor subdivisions that are part of a common plan of development. Major subdivisions are defined as subdivisions with 4 or more lots.
- Any project with wetland impacts
- Any project with grading within public waters

- Any project with grading within buffers
- Any project with grading within 40-feet of the bluff line
- Development projects that impact 2 or more of the member communities
- New or redevelopment projects within the St. Croix Riverway that require a building permit that adds five hundred (500) square feet or more of additional impervious surface
- Any project requiring a variance from the current local impervious surface zoning requirements for the property
- Any land development activity, regardless of size, that the City determines is likely to cause an adverse impact to an environmentally sensitive area or other property, or may violate any other erosion and sediment control standard set by the member community.

SUBMITTAL ITEMS:

Electronic submittals are highly encouraged

- A completed and signed project review application form and review fee
- Grading Plan/Mapping Exhibits
 - a. Property lines and delineation of lands under ownership of the applicant.
 - b. Delineation of existing on-site wetlands, shoreland and/or floodplain areas (including any buffers).
 - c. Ordinary High Water (OHW) elevations and datum, as determined by the MDNR (if applicable).
 - d. Existing and proposed site contour elevations related to NAVD 1988 datum (preferred) or NGVD, 1929. Datum must be noted on exhibits.
 - e. Drainage easements covering land adjacent to ponding areas, wetlands, and waterways up to their 100-year flood levels and covering all ditches and storm sewers. Access easements to these drainage easements and to other stormwater management facilities shall also be shown.
 - f. Minimum building elevation for each lot.
 - g. Identification of downstream water body.
- Permanent Stormwater Management System in compliance with the requirements of the NPDES SDS Construction Stormwater Permit and MSCWMO Performance Standards.
 - a. Impervious areas (Pre- and Post-Construction).
 - b. Construction plans and specifications for all proposed stormwater management facilities.
 - c. Location(s) of past, current or future onsite well and septic systems (if applicable).
- Other exhibits required to show conformance to these Performance Standards

Middle St. Croix Watershed Management Organization

MEMBER COMMUNITIES:

Afton, Bayport, Baytown Township, Lakeland, Lakeland Shores, Lake St. Croix Beach, Oak Park Heights, St. Mary's Point, Stillwater and West Lakeland Township

- A Stormwater Pollution Prevention Plan in compliance with the requirements of the NPDES SDS Construction Stormwater Permit
- Grading Plan/Mapping Exhibits:
 - a. Delineation of the subwatersheds contributing runoff from off-site, proposed and existing on-site subwatersheds, and flow directions/patterns.
 - b. Location, alignment, and elevation of proposed and existing stormwater facilities.
 - c. Existing and proposed normal water elevations and the critical (the highest) water level produced from the 100-year 24-hour storms.
 - d. Location of the 100-year flood elevation, natural overflow elevation, and lowest floor elevations.
- Hydrologic/Hydraulic Design Exhibits:
 - a. All hydrologic and hydraulic computations completed to design the proposed stormwater management facilities shall be submitted. Model summaries must be submitted. The summaries shall include a map that corresponds to the drainage areas in the model and all other information used to develop the model.
 - b. A table (or tables) must be submitted showing the following:
 - i. A listing of all points where runoff leaves the site and the existing and proposed stormwater runoff rates and volumes.
 - ii. A listing of the normal water levels under existing and proposed conditions and the water levels produced from the storm and runoff events listed above for all on-site wetlands, ponds, depressions, lakes, streams, and creeks.
- Dedications or easements for the portions of the property which are adjacent to the facility and which lie below the 100 year flood level. For sites within public right-of-way, no easement is required.
- A proposed maintenance agreement, which may be in the format of Appendix K, or other form approved by the city.

HISTORY & CONSIDERATIONS:

SPECIAL OR IMPAIRED WATER

NA This site drains to, and is within one mile of special or impaired water and complies with enhanced protections.

- a. Scenic or Recreational river C.1., C.2., C.3.
- b. Scientific and Natural area C.1., C.2., C.3.
- c. Waterbody with a TMDL C.1., C.2.
 - C.1. Stabilization initiated immediately and all soils protected in seven days/provide temp basin for five acres draining to common location.

Middle St. Croix Watershed Management Organization

MEMBER COMMUNITIES:

Afton, Bayport, Baytown Township, Lakeland, Lakeland Shores, Lake St. Croix Beach, Oak Park Heights, St. Mary's Point, Stillwater and West Lakeland Township

- C.2. Treat water quality volume of one inch of runoff by retaining on site unless not feasible due to site conditions (See Part III.D.1. design requirements).
- C.3. Maintain buffer zone of 100 linear feet from Special Water.

EROSION AND SEDIMENT CONTROL [*A checked box indicates compliance*]

- A Stormwater Pollution Prevention Plan (SWPPP) that meets the National Pollutant Discharge Elimination System (NPDES) requirements.

Narrative

- Identify the person knowledgeable and experienced who will oversee the implementation of the SWPPP; the installation, inspection, and maintenance of the BMPs.
 - a. Identifies the person who will oversee the BMP inspection and maintenance.
 - b. Identify the training requirements are satisfied.
 - c. Inspections performed once every 7 days.
 - d. Inspections performed within 24 hours of a rain event greater than 0.5 in/24 hours.
 - e. Inspection and Maintenance records include:
 - i. Date and time of inspection.
 - ii. Name of person(s) conducting inspections.
 - iii. Finding of inspections, including the specific location where corrective actions are needed.
 - iv. Corrective actions taken (including dates, times, and party completing maintenance activities).
 - v. Date and amount of rainfall events greater than 0.5 in/24 hours.
 - vi. Rainfall amounts must be obtained by a properly maintained rain gauge installed onsite, or by a weather station that is within one mile or by a weather reporting system.
 - vii. Requirements to observe, describe, and photograph any discharge that may be occurring during the inspection.
 - viii. All discovered nonfunctional BMPs must be repaired, replaced, or supplemented with functional BMPs within 24 hours after discovery, or as soon as field conditions allow.
- Describes procedures to amend the SWPPP and establish additional temporary ESC BMPs as necessary for site conditions.
- Describes the installation timing for all Erosion Sediment Control (ESC) Best Management Practices (BMPs).
- Describes final stabilization methods for all exposed areas.
- NA Methods used to minimize soil compaction and preserve topsoil must be described.
- Describes dewatering technique to prevent nuisance conditions, erosion, or inundation of wetlands. Describe construction phasing, temporary sediment traps, rapid stabilization or other methods to avoid impacts to Wetland A and Wetland B during construction.

Middle St. Croix Watershed Management Organization

MEMBER COMMUNITIES:

Afton, Bayport, Baytown Township, Lakeland, Lakeland Shores, Lake St. Croix Beach, Oak Park Heights, St. Mary's Point, Stillwater and West Lakeland Township

- Identifies any specific chemicals and the chemical treatment systems that may be used for enhancing the sedimentation process on the site, and how compliance will be achieved with the permit requirements.
- Describes pollution prevention management measures
 - a. Storage, handling, and disposal of construction products, materials, and wastes.
 - b. Fueling and maintenance of equipment or vehicles; spill prevention and response.
 - c. Vehicle and equipment washing.
 - d. No engine degreasing allowed on site.
 - e. Containment of Concrete and other washout waste.
 - f. Portable toilets are positioned so that they are secure.

Plan sheets

*NA Temporary Sediment Basins required (10 acres draining to common location or 5 acres App. A)
Basin design meets the following criteria:*

- a. Adequately sized – 2-year, 24-hour storm, minimum 1,800 feet/acre; or no calculative minimum 3,600ft³/acre.
- b. Designed to prevent short circuiting.
- c. Outlets designed to remove floating debris.
- d. Outlets designed to allow complete drawdown.
- e. Outlets designed to withdraw water from the surface
- f. Outlets have energy dissipation.
- g. Have a stabilized emergency spillway.
- h. Situated outside of surface waters and any natural buffers.
- Locations and types of all temporary and permanent Erosion Control BMPs.
 - a. Exposed soils have erosion protection/cover initiated immediately and finished within 7 days.
 - b. Wetted perimeters of ditches stabilized within 200 feet of surface water within 24 hours.
 - c. Pipe outlets have energy dissipation within 24 hours of connecting.
- Locations and types of all temporary and permanent Sediment Control BMPs.
 - a. Sediment control practices established on down gradient perimeters and upgradient of any buffer zones.
 - b. All inlets are protected.
 - c. Stockpiles have sediment control and placed in areas away from surface waters or natural buffers.

Middle St. Croix Watershed Management Organization

MEMBER COMMUNITIES:

Afton, Bayport, Baytown Township, Lakeland, Lakeland Shores, Lake St. Croix Beach, Oak Park Heights, St. Mary's Point, Stillwater and West Lakeland Township

- d. Construction site entrances minimize street tracking.
- e. Plans minimize soil compaction and, unless infeasible to preserve topsoil.
- f. 50 foot natural buffers preserved or (if not feasible) provide redundant sediment controls when a surface water is located within 50 feet of the project's earth disturbances and drains to the surface water.

- Tabulated quantities of all erosion prevention and sediment control BMPs.
- Stormwater flow directions and surface water divides for all pre- and post-construction drainage areas.
- Locations of areas not to be disturbed (buffer zones).
- Location of areas where construction will be phased to minimize duration of exposed soil areas.

NA *Blufflines are protected from construction activities in urban (40 foot buffer) areas and rural areas (100-foot buffer).*

LAKE, STREAM AND WETLAND BUFFERS

- A buffer zone of unmowed natural vegetation is maintained or created upslope of all water bodies (wetlands, streams, lakes).
 - A 50 foot natural buffer or (if a buffer is infeasible) provide redundant sediment controls when a surface water is located within 50 feet of the project's earth disturbances and stormwater flows to the surface water.
- NA If adjacent to a Special or Impaired Water an undisturbed buffer zone of not less than 100 linear feet from the special water is maintained both during construction and as a permanent feature post construction.

STORMWATER MANAGEMENT

- Water quality treatment is provided prior to direct discharge of stormwater to wetlands and all other water bodies.

Rate and Flood Control Standards

- The peak rate of stormwater runoff from a newly developed or redeveloped site shall not exceed the 2-, 10-, and 100-year 24-hour storms with respective 2.8, 4.2, and 7.3-inch rainfall depths with MSCWMO approved time distribution based on Atlas 14 for existing and proposed conditions. The runoff curve number for existing agriculture areas shall be less than or equal to the developed condition curve number. The newly developed or redeveloped peak rate shall not exceed the existing peak rate of runoff for all critical duration events, up to and including the 100-year return frequency storm event for all points where discharges leave a site during all phases of development.
- Predevelopment conditions assume "good hydrologic conditions" for appropriate land covers as identified in TR-55 or an equivalent methodology. Runoff curve numbers have been increased where predevelopment land cover is cropland:
 - Hydrologic Soil Group A: Runoff Curve Number 56
 - Hydrologic Soil Group B: Runoff Curve Number 70

Middle St. Croix Watershed Management Organization

MEMBER COMMUNITIES:

Afton, Bayport, Baytown Township, Lakeland, Lakeland Shores, Lake St. Croix Beach, Oak Park Heights, St. Mary's Point, Stillwater and West Lakeland Township

Hydrologic Soil Group C: Runoff Curve Number 79
 Hydrologic Soil Group D: Runoff Curve Number 83

- Computer modeling analyses includes secondary overflows for events exceeding the storm sewer systems level-of-service up through the critical 100-year event.
- NA In sub-areas of a landlocked watershed, the proposed project does not increase the predevelopment volume or rate of discharge from the sub-area for the 10-year return period event.
- Flowage easements up to the 100-yr flood level have been secured for stormwater management facilities (such as ditches and storm sewers).
- Lowest floor elevations of structures built adjacent to stormwater management features and other water bodies are a minimum of two feet above the 100-year flood elevation and a minimum of two feet above the natural overflow of landlocked basins.

Volume Control Standards

Calculations/computer model results indicate stormwater volume is controlled for new development and redevelopment requirements per the MSCWMO Design Standards.

1. **New Nonlinear Development 1.1" * new impervious surfaces** Current proposed stormwater invert configuration routes 1.1" stormwater flows out of the wet pond directly to the wetland instead of the infiltration basin. Change configuration to route 1.1" volume infiltration practice before discharging to the wetland.
2. Reconstruction/Redevelopment Projects 1.1" * reconstructed impervious surfaces
3. Linear Projects 0.55" * new and/or fully reconstructed impervious surface and 1.1" from net increase in impervious area
4. Sites with Restrictions- flexible treatment options documentation has been provided.

Volume Retention Required (cu. ft.)	Volume Retention Provided (cu. ft.)	
103,960 sf * 1.1" = 9,529 cu. ft.	BMP	Volume
	BMP #1	10,455 cu. ft.
Total Required	Total Proposed	10,455 cu.ft.
9,529 cu. ft.		

Flexible Treatment Options (when applicable)

- NA Applicant demonstrated qualifying restrictions as defined in Section 7.2.2 (4) of the 2015 MSCWMO Watershed Management Plan that prohibits the infiltration of the entire required volume.
- NA MIDS calculator submission removes 60% of the annual total phosphorous.

Infiltration/Filtration Design Standards

Middle St. Croix Watershed Management Organization

- Proposed stormwater management features meet or exceed NPDES General Construction Permit requirements are designed in conformance with the most recent edition of the State of Minnesota Stormwater Manual.
- None of the following conditions exist that prohibit infiltration of stormwater on the site
 - a. Areas where vehicle fueling and maintenance occur.
 - b. Areas with less than three (3) feet of separation distance from the bottom of the infiltration system to the elevation of the seasonally saturated soils or the top of bedrock.
 - c. Areas where industrial facilities are not authorized to infiltrate industrial stormwater under an National Pollutant Discharge Elimination System (NPDES)/State Disposal System (SDS) Industrial Stormwater Permit issued by the MPCA.
 - d. Areas where contaminants in soil or groundwater will be mobilized by infiltrating stormwater.
 - e. Areas of Hydrologic Soil Group D (clay) soils
 - f. Areas within 1,000 feet up-gradient, or 100 feet down-gradient of active karst features unless allowed by a local unit of government with a current MS4 permit.
- Minimum setbacks from the Minnesota Department of Health for infiltration practices are met

Setback	Minimum Distance (ft)
Property line	10
Building foundation*	10
Private well	35
Public water supply well	50
Septic system tank/leach field	35
*Minimum with slopes directed away from the building	

- Pretreatment devices(s) remove at least 50% of sediment loads. If downstream from a potential hot spot, a skimmer is in place to facilitate cleanup.
- Water quality volume will be discharged through infiltration or filtration media in 48 hours or less.
 - a. For bioretention (biofiltration and bioinfiltration) volume control management facilities above ground with vegetation the period of inundation shall be calculated using the maximum water depth below the surface discharge elevation and the soil infiltration rate.
 - b. For infiltration basin volume control management facilities the period of inundation shall be calculated using the maximum water depth below the surface discharge elevation and the soil infiltration rate.

Appropriate soil borings have been conducted that meet the minimum standards. **Provide a map that indicates soil boring locations.**

Middle St. Croix Watershed Management Organization

- a. A minimum of one boring was conducted at the location of the infiltration facility for facilities up to 1,000 ft²; between 1,000 and 5,000 ft², two borings, between 5,000 and 10,000 ft², three borings and greater than 10,000 ft² 4 borings plus an additional boring for every 2,500 ft² beyond 12,500 ft²
- b. Soil borings extend a minimum of five feet below the bottom of the infiltration practice. If fractured bedrock is suspected, the soil boring goes to a depth of at least ten feet below the proposed bottom of the volume control facility.
- c. A minimum of three feet of separation to the seasonal water table and/or bedrock.
- d. Identify unified soil classification.

The least permeable soils horizon identified in the soil boring dictated the infiltration rate. **Unable to determine without soil boring maps.**

Additional flows are bypassed and are routed through stabilized discharge points.

NA Filtration basin demonstrates a basin draw down between 24 hours and 48 hours.

NA Filtration system designed to remove at least 80% of total suspended solids

NA Filtration system Iron Enhanced Sand Filter is sized to bind soluble phosphorous removal for 30 year functional life of the system using the published value of 17lbs.phosphorous removal per 20 yards of 5% by weight iron filings to 95% sand.

Construction plans provide adequate construction guidance to prevent clogging or compaction and demonstrate performance.

- a. Excavation within 2.0 feet of final grade for infiltration/filtration systems is prohibited until contributing drainage areas are constructed and fully stabilized.
- b. Rigorous sediment and erosion controls planned to divert runoff away from the system.
- c. Installation of volume control facilities must occur in dry soil conditions. Excavation, soil placement and rapid stabilization of perimeter slopes must be accomplished prior to the next precipitation event.
- d. Excavation shall be performed by an excavator with a toothed bucket. Use excavator bucket to place materials. Construction equipment shall not be allowed into the basin.
- e. Prior to the release of any remaining fee or security, the permit holder must provide documentation that constructed volume control facilities perform as designed.

There is a way to visually verify the system is operating as designed.

A minimum 8.0' maintenance access is provided to all stormwater facilities.

WETLAND PERFORMANCE STANDARDS

Direct discharge of stormwater to wetlands and all other water bodies without water quality treatment is prohibited.

Middle St. Croix Watershed Management Organization

MEMBER COMMUNITIES:

Afton, Bayport, Baytown Township, Lakeland, Lakeland Shores, Lake St. Croix Beach, Oak Park Heights, St. Mary's Point, Stillwater and West Lakeland Township

- Any potential changes to the hydrology of the wetland (i.e. changes to the outlet elevation or contributing drainage area) must be reviewed to evaluate the impact of both the existing and proposed wetland conditions and approved by the MSCWMO.
- Land-altering activities shall not increase the bounce in water level or duration of inundation from a 2.0-inch 24-hour storm for any downstream wetland beyond the limit specified in Table 7.2 for the individual wetland susceptibility class. **To be reviewed after stormwater pond and infiltration basin pipe configuration modifications.**

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MEMBER COMMUNITIES:

Afton, Bayport, Baytown Township, Lakeland, Lakeland Shores, Lake St. Croix Beach, Oak Park Heights, St. Mary's Point, Stillwater and West Lakeland Township

MIDDLE ST. CROIX WATERSHED MANAGEMENT ORGANIZATION

455 HAYWARD AVENUE OAKDALE, MINNESOTA 55128
Phone 651.330.8220 x22 fax 651.330.7747 www.mscwmo.org



January 17, 2018

Nancy Healey
Baytown Township
4020 McDonald Dr.
Stillwater, MN 55082

RE: Fedorowski Single Family Home

Dear Ms. Healey,

The Middle St. Croix Watershed Management Organization (MSCWMO) received submittals on January 15, 2018 and revised submittals on January 17, 2018 for the proposed Fedorowski Single Family Home, located within MSCWMO boundaries in the Township of Baytown. The proposed project qualifies for full review under the MSCWMO 2015 Watershed Management Plan (WMP).

The proposed project includes 19,846 square feet of new impervious surfaces. The revised submittals are in compliance with applicable Performance Standards contained within Section 7.0 of the 2015 MSCWMO WMP. The MSCWMO recommends approval of the proposed project.

Feel free to contact me at 651-330-8220 x22 or misensee@mnwcd.org if you have any questions regarding these comments.

Sincerely,

Mikael Isensee
Administrator
Middle St. Croix Watershed Management Organization

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Administrator's Report- February 2018

Administration

- Annual Federal Consensus for Local Units of Government
- City of Stillwater Local Surface Water Management Plan Review and Comments
- Year End Budget and Website Updates
- First Half Community Dues Letters
- Washington County Fund the Plan Funding Formulas

Project Reviews

- Miller Farms Phase VI, Baytown Township
- CSAH 5, Stillwater
- Inspiration Phase IV, Bayport
- Fedorwski Residential Review, Baytown Township
- Orchards at Cahanes Farm Concept Submittal Comment, Baytown Township

Conservation Project Technical Assistance and Cost Share

- Lake St. Croix Direct Discharge South Modeling

Managing Existing Projects

Lily Lake Phase III Grant

Description: \$109,000 for stormwater quality improvements for areas discharging to Lily Lake (2014-2018). This grant is fully allocated to the Greeley Gully Stabilization Project.
Activities This Month: Finalized 2017 financials, submitted grant report.

South Lake St. Croix Direct Discharge Subwatershed Analysis Grant

Description: \$10,000 grant to investigate and prioritize water quality improvement projects in the South MSCWMO (2016).
Activities This Month: Developing models and BMP cost estimates.

Lake St. Croix Direct Discharge Phase I

Description: \$142,000 grant for stormwater quality improvements in Oak Park Heights, Stillwater and Bayport (2014-2018).
Activities This Month: Finalized 2017 financials, submitted grant report.

Lake St. Croix Direct Discharge Phase II

Description: \$151,000 grant for stormwater quality improvements in Oak Park Heights, Stillwater and Bayport (2015-2018).
Activities This Month: Finalized 2017 financials, submitted grant report.

Lily Lake Final – 45

Description: \$58,000 grant to identify and partially design stormwater practices to reduce phosphorous discharges to Lily Lake by at least 45 lbs. per year.

Activities This Month: Presented draft feasibility to Stillwater City Council and Lily Lake Association. Coordinated soil borings access. Collected lake bottom sediment cores. Finalized 2017 financials, submitted grant report.

Perro Creek Water Quality Improvements Phase I

Description: \$63,000 grant to design and install stormwater quality practices to reduce nutrients and bacteria discharging directly into Perro Creek and then to Lake St. Croix.

Activities This Month: Finalized 2017 financials, submitted grant report.

Meetings

- Washington County Fund the Plan meeting
- One Watershed One Plan
- Adopt A Raingarden Coordination Meetings (2)