

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, March 14, 2019 6:00PM

1. Call to Order – 6:00PM
2. Approval of Minutes
 - a) Draft minutes- January 10, 2019 **pg. 1-4**
3. Treasurer's Report
 - a. Report of savings account, assets for March 14, 2019
 - b. Approve payment of bills for March 14, 2019
4. Public Comments
5. Old Business
 - a. Greeley Gully Grant Closeout **pg. 5**
 - b. 2020 MSCWMO Budget Indication for Townships **pg. 6**
6. New Business
 - a. Perro Creek Phase I Project Award **pg. 7**
 - b. Lily Lake Stormwater Quality Retrofits Release for Quotes **pg. 8-9**
 - c. 2018 Year End Budget Summary **pg. 10-11**
 - d. FY19 Lake St. Croix Direct South Clean Water Fund Grant Work Plan **pg. 12-17**
 - e. Consultant Services **pg. 18**
 - f. St. Mary's Point Local Surface Water Management Plan Review **pg. 19-23**
 - g. Afton Local Surface Water Management Plan Review
 - h.
 - i. 2019 BMP Maintenance and Match Allocation **pg. 24**
 - j. 2019 Conservation Corps of Minnesota Crew Grant Approval **pg. 25**
7. Grant and Cost Share Applications
8. Plan Reviews/Submittals
 - a. Mulberry Yacht Club, Stillwater **pg. 26**
 - b. 2019 Lakeland Street Improvements, Lakeland **pg. 27-28**
9. Administrator's Report **pg. 29-30**
10. Adjourn

Regular Meeting of the Middle St. Croix Watershed Management Organization
Bayport Public Library, Bayport, MN
Thursday, January 10, 2019
6:00PM

Present: Brian Zeller, Lakeland Shores; Mike Runk, Oak Park Heights; Tom McCarthy, Lake St. Croix Beach; John Fellegly, Baytown Township; Lakeland; Ryan Collins, Stillwater; Dan Kylo, West Lakeland Township; Annie Perkins, Afton; Joe Paiement, City of Lakeland; Cameron Blake, WCD; Administrator Mike Isensee

Call to Order

The meeting was called to order at 6:00PM by Manager Zeller.

Approval of Minutes

A motion to approve the December 13th, 2018 minutes was made by Manager Runk and seconded by Manager McCarthy. Motion carried.

Treasurer's Report

Report of savings account, assets for January 10, 2019
Approve payment of bills for January 10, 2019

The treasurer's report was presented by Manager Kylo. The remaining checking account balance is \$56,339.37. First State Bank CDs are valued at \$32,094.13. The ending balance in the RBC savings account is \$63,066.79

Bills to be approved this month are: People's Congressional Church: \$390.75; Washington Conservation District (Administration): \$5,709.50; Washington Conservation District (Technical Services): \$6,469.00; Washington Conservation District (Water Monitoring): \$5,406.54; Washington Conservation District (EMWREP): \$1,500.00 Total: \$19,475.79

Manager Fellegly inquired about a CD withdrawal and replacement. Administrator Isensee explained there was a new CD account at the bank with \$14,000. Administrator Isensee said he would investigate the \$56.71 which is labeled as taxable income.

Manager Fellegly moved to accept the Treasurer's report and bills, Manager Runk seconded, and the motion carried.

Public Comments

There was no public comment.

Clean Water Fund Annual Reports and Closeouts

Administrator Isensee reported that he was in the process of closing out three grants: Lily Phase III, Lake St. Croix Direct Phase I, and Lily Final 45. There is no required board action. Manager Zeller

asked when the reimbursement would arrive. Administrator Isensee said the MSCWMO would receive the reimbursement of more than \$100,000 by March.

Campaign Finance Board Annual Economic Interest Statement

Administrator Isensee reminded the board that MSCWMO appointed members need to file their economic interest statements. Manager Collins asked if this form was available online. Administrator Isensee said it was, as well as for the City.

2019 Review Fees

Administrator Isensee presented the review summary of 2018. Overall most of the fees and reviews were on target. Administrator Isensee explained that county projects had no fees, were a big cost, but resulted in large water quality improvements through the many BMP's associated with these projects. Manager Zeller asked about how much potential money is missed through county projects, but also stated that he believed they were a good investment. Administrator Isensee explained that the MSCWMO does get funding for city/country projects but that there is no way to know how many will come in each year. Manager Zeller asked about the Orchards of Cahanes development, and Administrator Isensee said the MSCWMO will get paid for that. Manager Fellegly said the development was going to pay everyone in March.

Administrator Isensee recommended the following fee increases:

- Less than one acre of new or reconstructed impervious: from \$350 to \$400
- 1-5 acres of new or reconstructed impervious: from \$500 to \$600
- 5-20 acres of new or reconstructed impervious: from \$1,000 to \$1,500
- 20 acres or more of new or reconstructed impervious: from \$2,000 to \$3,000
- 20 acres or more of land disturbance: from \$1,000 to \$1,500

Manager Perkins agreed with raising the lowest fees. Manager Zeller asked for clarification on the fee process. Administrator Isensee explained that there is no refund and that he only bills back if it is over \$300 or more. Administrator Isensee explained that the board selected this method to keep administrative costs low because the accounting to track payments and refunds is more time consuming and expensive. Manager Fellegly discussed his perspective on how the communities essentially pay for this review service with their membership fees, and although the applicant should pay these fees, that any difference to the MSCWMO can be considered covered through the membership fees.

Manager Runk moved to adopt the new fee structure, and Manager Perkins seconded this motion. Motion carried.

Peterson Companies Audit Engagement Letter

Manager Zeller asked if the audit was an annual requirement. Administrator Isensee said it was.

Manager Fellegly motioned to use the Peterson Companies for the MSCWMO annual audit for a service fee of \$2,300. Manager Zeller seconded this motion and the motion carried.

Election of Officers

Manager Zeller said his role as Chair was not up for this election cycle.

Manager Fellegy recommended Manager Kyлло for the role of Treasurer.

Manager Perkins recommended Manager McCarthy for the role of Secretary.

Administrator Isensee reminded the board that the Secretary is one of the three required signatories for the MSCWMO.

Manager Fellegy recommended Manager Perkins for the role of Vice Chair.

Manager Fellegy motioned to elect these managers as these roles as recommended. Joe Paiement seconded this motion. Motion carried.

FY19 Lake St. Croix Direct South Clean Water Fund Grant Work Plan

Administrator Isensee reported that the MSCWMO received a \$200,000 grant from BWSR for a Direct Discharge to the St. Croix project and that there would be a work plan in March. The board informed Manager Collins about the background of BWSR and the CWF grants. Administrator Isensee said there was consideration of using the funding to address a bluff stabilization in the city of Lake St. Croix Beach. Manager Zeller discussed a large erosion issue related to a pipe discharge to the St. Croix. Administrator Isensee said it was likely MNDOT owned. No board action is needed.

RBC Account Options

The RBC Savings account is the accumulation of funds set aside each year for the 10 year plan update and the repair or replacement of water monitoring equipment. The current fund balance is \$63,010.00. The funds are currently held in a money market mutual fund, which has a 7 day yield of 1.33%. No withdraws of the current funds are anticipated until 2022, when the MSCWMO begins the process of the 2025 Watershed Management Plan update. Staff request the board consider moving all, or a portion of the funds to a longer term CD with higher yields.

Current rates are the following:

12 month CDs are at 2.55%

24 month CD's are at 3.00%

60 month CD's are at 3.70%

John Fellegy asked if there was a different rate for an 18 month CD. Administrator Isensee will check and if that is not an option he will use the 12 month CD.

Motion by Manager Kyлло, seconded by Manager Zeller, to approve moving all RBC savings funds from the current money market account to a 12 month CD with a minimum interest rate of 2.55%. Motion carried.

Peoples Congregation Reimbursement Adjustment

On December 13, 2018 the MSCWMO Board of Managers approved cost share reimbursement of \$1,000 for the Peoples Church native prairie restoration project. The Peoples Church of Bayport has completed the restoration of 2 acres of native prairie located at on the South side of 5th Avenue,

across from the Bayport Fire Station. The total cost for the installation materials (the majority of the project was installed and maintained with volunteer labor) was \$5,200.00. To date the installation has cost \$4,290.75. The Washington Conservation District has reimbursed costs of \$3,900.00. The Peoples Church is requesting reimbursement of the remaining \$390.75 from the approved cost share from the MSCWMO. Technical staff request rescinding the approval of \$1,000.00 cost share reimbursement made on December 13, 2018 and reimbursing costs not to exceed \$390.75 based on total expenditures of \$4,290.75.

Motion by Manager Zeller, seconded by Manager Fellegy, to rescind the December 13, 2018 motion to reimburse \$1,000, for the 2 acre prairie restoration located South of 5th Avenue N and East of Barkers Alps Park in Bayport, MN, and motion to approve reimbursement of \$390.75 based on total expenditures of \$4,290.75 and reimbursement from the Washington Conservation District of \$3,900.00. Motion carried.

Plan Reviews/Submittals

There were none.

Administrator's Report

Administrator Isensee presented the monthly update of activities regarding administration and grants. Manager Fellegy inquired about the Perro Creek project. Administrator Isensee said it was 90% complete and going out for bid next month. There was discussion about a previous grant for Perro Creek.

Administrator Isensee asked for a board member to replace Manager Menikheim at the 1W1P Policy Committee meetings, the next meeting being on January 28th from 4-6pm.

Brian Zeller motioned that Manager Fellegy should be the new liaison. Manager Perkins seconded this. The motion carried.

Adjourn

Manager Fellegy moved to adjourn the meeting and Manager McCarthy seconded this motion. Motion carried. Meeting was adjourned at 6:40pm.



MEMORANDUM

TO: Middle St. Croix WMO Board of Managers
FROM: Mikael Isensee, Administrator
DATE: March 14, 2019

6b) 2014 Clean Water Fund Grant Project- Greeley Gully Stabilization Project

Background

In 2014 the MSCWMO was awarded a \$109,000 Clean Water Fund Grant to continue to install water quality improvement projects in the Lily Lake Watershed. In 2015 the City of Stillwater, Stillwater School District and MSCWMO agreed the stabilization of the Greeley Gully was the highest priority project in the Lily Lake Watershed. Project concepts, survey, design, and legal agreements were completed and approved by the MSCWMO February 7, 2017. Construction Administration was managed by the Stillwater Schools District Engineer with MSCWMO technical staff providing construction observation.

The project was constructed in 2017 and 2018 and the MSCWMO Board of Managers approved final payment of \$73,463.00 based on a total contractor invoice of \$103,463.00. The \$30,000 matching funds were paid by the City of Stillwater in accordance with the with the Cooperative Agreement between the City of Stillwater, Stillwater School District, and Middle St. Croix Watershed Management Organization executed February 22, 2017.

During the grant close out process staff noted that the final reimbursement to Stillwater Schools was greater than the amount approved in the executed contract. This is due to the engineers estimate being \$158.00 less than the apparent low bidder and the contractor requesting and being granted a change order to address unforeseen circumstances in the construction documents. Specifically the change order removed 17 additional trees that at \$105 each and added 28 cubic yards of riprap at \$90 per cubic yard needed to adequately stabilize stormwater outfalls. MSCWMO technical staff and Stillwater School District Engineering approved the change order for \$4,305.00. This change order was fully covered by the Clean Water Fund grant, but requires MSCWMO Board of Managers approval.

Greeley Gully Stabilization Change Order Request

Motion by Board Member 1, seconded by Board Member 2, to approve the Greeley Gully change order to increase the not to exceed reimbursement total to Stillwater schools for 69,000.00 to \$73,463.00 for the Greeley Gully stabilization project.

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MEMORANDUM

TO: Middle St. Croix WMO Board of Managers
FROM: Mike Isensee, Administrator
DATE: March 14, 2019

RE: 5b.) MSCWMO Township Budget Indication

The MSCWMO provides an early indication of the potential 2020 budget early in 2019 to inform the Townships budgeting process. The MSCWMO has not increased its budget since 2015. In 2020, staff is requesting the MSCWMO Board of Managers to consider an increase of 9.0% to cover program and service fee increases since 2015.

Since 2015, the MSCWMO has utilized \$665,350.00 in community contributions as match to leverage \$726,710.00 in State Clean Water Fund grants and \$170,000.00 of grants from the St. Croix River Association. All MSCWMO funding is utilized to provide technical assistance and project funding to meet the obligations and goals of the 2015-2025 MSCWMO Watershed Management Plan.

The cost implication of this increase by community is as follows:

Community	2015-2019 Contribution	2020 Proposed Increase
City of Afton	\$596.15	\$53.65
City of Bayport	\$16,132.61	\$1,451.93
City of Lake St. Croix Beach	\$5,194.25	\$467.48
City of Lakeland	\$13,233.81	\$1,191.04
City of St. Mary's Point	\$1,068.95	\$96.21
City of Lakeland Shores	\$1,564.90	\$140.84
City of Oak Park Heights	\$21,255.40	\$1,912.99
West Lakeland Township	\$19,392.42	\$1,745.32
Baytown Township	\$13,556.64	\$1,220.10
City of Stillwater	\$41,074.85	\$3,696.74

The official MSCWMO 2020 annual budget is required to be completed by August, 2019.

2020 MSCWMO Township Budget Indication

Motion by Board Member 1, second by Board Member two, to indicate to the MSCWMO Townships that the MSCWMO 2020 budget may increase by 9.0% in 2020.

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MEMORANDUM

TO: Middle St. Croix WMO Board of Managers
FROM: Mike Isensee, Administrator
DATE: March 14, 2019

RE: 6a.) 2nd Street Drainage Improvement Project: Perro Creek Water Quality Retrofits Phase I

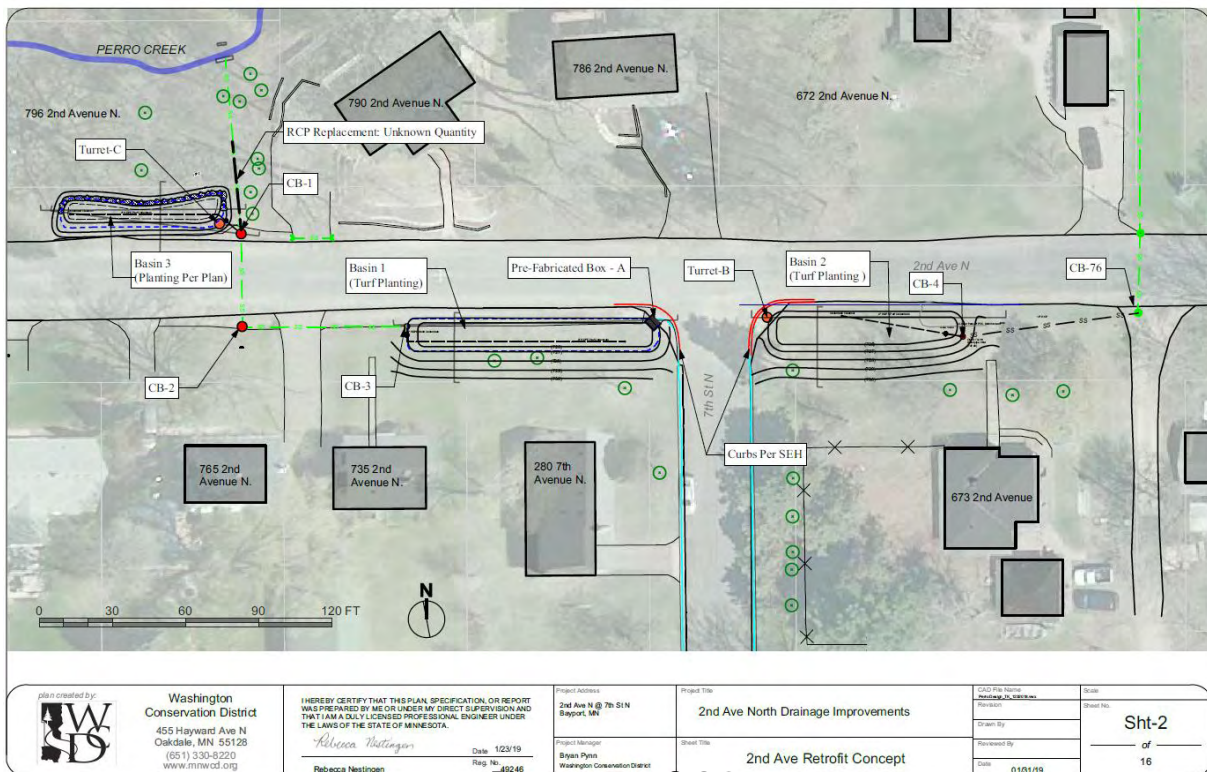
The proposed 2nd Street Drainage Improvement project will install three bioretention swales that will intercept and infiltrate stormwater runoff from 6.7 acres of drainage along 2nd Avenue N. and 7th Street North that is directly discharging into Perro Creek. WinSLAMM water quality monitoring indicates the water quality swales will reduce phosphorous by 10.1 lbs. per year from entering Perro Creek and Lake St. Croix.

Seven bids were received through the public bidding process administered by the City of Bayport. The apparent low bid is \$129,891.75 by Miller Contracting. The City of Bayport is requesting grant funding from the 2017 MSCWMO Clean Water Fund and the 2018 Watershed Based Funding of \$61,000.00.

MSCWMO staff collaboratively designed the project with Bayport City Engineering, SEH, Inc., and certify the plans meet all MSCWMO design standards. Staff is recommending approval of cost share not to exceed \$61,000.00.

2nd Street Drainage Improvement Project: Perro Creek Water Quality Retrofits Phase I

Motion by Board Member 1, seconded by Board Member 2, to approve cost share not to exceed \$61,000.00 for the 2nd Street Drainage Improvement Project: Perro Creek Water Quality Retrofit Phase I



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MEMORANDUM

TO: Middle St. Croix WMO Board of Managers
FROM: Mike Isensee, Administrator
DATE: March 14, 2019

RE: 6b.) Lily Lake Stormwater Quality Retrofits Release for Quotes

Design and construction documents are complete for the Lily Lake Stormwater Quality Retrofits Project. The project will install two raingardens (one at 905 Pine Tree Trail and one at 611 Lake Drive) in the direct drainage area to Lily Lake. The raingardens, identified in the Lily Lake Impaired Waters Delisting Document will reduce phosphorus discharging to Lily Lake by 1.8 lbs. per year. 90% funding for the construction of these raingardens is provided by the Board of Water and Soil Resources Watershed Based Funding. The MSCWMO is providing 10% match.



905 Pine Tree Trail



611 Lake Drive

MSCWMO staff designed the project and certify the plans meet all MSCWMO design standards. Staff is recommending approval to send the project out for quotes.

2nd Street Drainage Improvement Project: Perro Creek Water Quality Retrofits Phase I

Motion by Board Member 1, seconded by Board Member 2, to approve sending the Lily Lake Stormwater Quality Retrofits out for quotes.

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MEMORANDUM

TO: Middle St. Croix WMO Board of Managers
FROM: Mike Isensee, Administrator
DATE: March 14, 2019

RE: 6c.) 2018 MSCWMO Year End Budget

The 2018 year end budget tracker identifies total expenditures of \$149,648.92 based on total receivables of \$153,570.00. The remaining 2018 budget is \$3,921.08. Due to a large number of grant funded water quality improvement project installations in 2018 and 2019, staff recommends encumbering these funds to cover the majority of match requirements for 2019.

2018 MSCWMO Year End Budget

Motion by Board Member 1, seconded by Board Member 2, to encumber \$3,921.08 for MSCWMO grant funded costs share project match costs for 2019.

MSCWMO 2018 Budget Tracker

ADMINISTRATION	2017 Approved MSCWMO Budget	2018 Approved MSCWMO Budget	January	February	March	April	May	June	July	Aug	Sept	October	November	December	Encumbered	Total to date	% to date
Administration - General	\$29,200	\$29,200	2,145.00	4,082.00	3,217.00	4,209.25	2,500.00	2,380.50	1,562.50	2,926.50	3,182.00	3,743.50	4,487.00	5,709.50		40,144.75	137%
Accounting	\$1,500	\$1,500				136.00										136.00	9%
Legal Fees - General	\$1,000	\$1,000								252.00			648.00			900.00	90%
Audit	\$1,900	\$1,900				2,100.00										2,100.00	111%
Insurance & Bonds	\$3,000	\$3,000			2,285.00											2,285.00	76%
Office supplies/equipment/postage	\$750	\$750				55.20										55.20	7%
Minutes/Clerical	\$1,100	\$1,100														0.00	0%
Copying/printing/reproduction/minutes	\$750	\$750				394.80										394.80	53%
Subtotal Expenditures	\$39,200	\$39,200	2,145.00	4,082.00	5,502.00	6,895.25	2,500.00	2,380.50	1,562.50	3,178.50	3,182.00	3,743.50	5,135.00	5,709.50		46,015.75	117%
PROJECT FUNDS																	
Project Contingency	\$2,000	\$2,000								316.03	484.50	8.49		4,739.24		5,548.26	277%
Engineering - Project	\$5,400	\$5,400	248.00					1,174.00				526.50	1,498.50	1,964.00		5,411.00	100%
Development Plan Reviews	\$4,800	\$4,800	1,976.00	1,306.00	5,436.50	2,632.75		1,767.50	2,618.00	781.00	1,906.50	1,084.00	319.00	850.00		20,677.25	120%
Erosion Monitoring Program	\$2,250	\$2,250			284.00								886.00	1,170.00		2,340.00	104%
BMP Cost-Share (general)	\$19,500	\$15,911					250.00		7,259.87	159.45	261.73		1,000.00		1,000.00	9,931.05	62%
BMP TA & Admin	\$25,859	\$25,859	809.00	2,963.25	2,286.00	3,093.95	7,420.50	5,752.06	2,562.00	1,843.75			765.50	2,755.91		30,251.92	117%
Community TA	\$3,000	\$3,000										1,391.00		1,552.00		2,943.00	98%
Water Resource Educator	\$6,000	\$6,000			1,500.00				1,500.00		1,500.00			1,500.00		6,000.00	100%
Website	\$750	\$750		107.40			85.00					127.50				319.90	43%
Inspection and Track Database	\$900	\$900					814.29									814.29	90%
Total Water Monitoring	\$16,411	\$20,000			4,514.78				4,398.59		5,076.59			5,406.54		19,396.50	97%
<i>Future projects</i>																	
Savings-Water Monitoring - Set aside for equipment replacement & Monitoring Costs	\$1,000	\$1,000														0.00	0%
Savings-WMP Update	\$6,000	\$6,000														0.00	0%
Subtotal Expenditures	\$93,870	\$93,870	3,033.00	4,376.65	14,021.28	5,726.70	8,569.79	8,693.56	18,338.46	3,100.23	9,229.32	3,137.49	4,469.00	19,937.69		103,633.17	110%
TOTAL ANNUAL BUDGET	\$133,070	\$133,070															

RECIEVABLES	Encumbered Rollover	18 Allocated	January	February	March	April	May	June	July	August	September	October	November	December	Undeposited	Total
Development Review Fees				1,600.00	4,550.00	700.00				3,350.00	700.00	350.00	1,250.00			\$12,500
Technical Services																\$0
Lily Phase III Match(2016)	2,000.00	8,000.00														\$8,000
Lake St. Croix Direct Phase I Match(2016)	10,000.00															\$0
Subtotal Recievables			\$0	\$1,600	\$4,550	\$700	\$0	\$0	\$0	\$3,350	\$700	\$350	\$1,250	\$0	\$0	\$20,500

TOTAL RECIEVABLES		\$20,500
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TOTAL BUDGET (Annual+ Recievables)	\$ 153,570.00
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Total 2019 Encumbrance:	\$ 3,921.08
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TOTAL EXPENDITURES (Annual+Recievables)	\$ 149,648.92
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MEMORANDUM

TO: Middle St. Croix WMO Board of Managers
FROM: Mike Isensee, Administrator
DATE: March 14, 2019

RE: 6d.) 2019 Clean Water Fund Grant Agreement– Lake St. Croix Small Communities Urban Phosphorus Reduction Grant

The Middle St. Croix Watershed Management Organization was awarded a \$200,000 Clean Water Fund Grant to install projects identified in the Lake St. Croix Direct Discharge South Subwatershed Analysis. The subwatershed analysis was completed in 2018 by the MSCWMO to target and prioritize water quality improvement projects between the south side of Bayport and St. Mary's Point. Staff is currently working with the City of Lake St. Croix Beach to consider evaluating the feasibility of stabilizing an eroding bluff on Lake St. Croix. The grant funding must be spent by December 31, 2022.

Staff is requesting the Board of Managers approve entering into a grant agreement with the Board of Water and Soil Resources.

2019 Clean Water Fund Grant Agreement

Motion by Board Member 1, seconded by Board Member 2, to enter into agreement with the Board of Water and Soil Resources for the FY 2019 Clean Water Fund Grant – Lake St. Croix Small Communities Urban Phosphorus Reduction Grant.

**FY 2019 STATE OF MINNESOTA
 BOARD OF WATER and SOIL RESOURCES
 CLEAN WATER FUND COMPETITIVE GRANTS PROGRAM
 GRANT AGREEMENT**

Vendor:	0000795682	VN#:	
PO#:	3000010201	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>		
C19-2910	Lake St. Croix Small Communities Urban Phosphorus Reductions	\$200,000

Total Grant Awarded: \$200,000

Recitals

1. The Minnesota Laws of 2017, Chapter 91, Article 2, Section 7, appropriated Clean Water Funds (CWF) to the Board for the FY 2019 Clean Water Fund Competitive Grants Program.
2. The Board adopted the FY19 Clean Water Fund Implementation Program Policy and authorized the policy through Board Order #18-33.
3. The Board adopted Board Order #18-72 to allocate funds for the FY 2019 Clean Water Fund Competitive Grants Program.
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 his/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: **MSCWMO Administrator
 455 Hayward Avenue
 Oakdale, MN 555406
 651-330-8220**

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

Grant Agreement

1. **Terms of the Grant Agreement.**
 - 1.1. **Effective date:** The date the Board obtains all required signatures under Minn. Stat. § 16B.98, Subd. 5. **The State 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, 2021, or until all obligations have been satisfactorily fulfilled, whichever comes first.

1.3. **Survival of Terms:** The following clauses survive the expiration date 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 19. 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 expenditure 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 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, 2022 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 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 listed 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.

5. **Conditions of Payment.**

5.1. 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 will all applicable federal, State, and local laws, policies, ordinances, rules, *FY19 Clean Water Fund Implementation Program Policy*, and regulations. The Grantee will not receive payment for work found by the State to be unsatisfactory or performed in violation of federal, state or local law.

5.2. Minnesota Statutes §103C.401 (2018) 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 withhold payment on grants from other programs.

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 amendments to this Grant Agreement must be in writing and will not be effective until it has been approved and executed by the same parties who approved and executed 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.

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 of 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.

13.3. The State may immediately terminate this grant contract in the State finds that there has been a failure to comply with the provisions of this grant contract, that reasonable progress has not been made or that the purposes for which the funds were granted have not been or will not be fulfilled. The State may take action to protect the interests of the State of

Minnesota, including the refusal to disburse additional funds and requiring the return of all or part of the funds already disbursed.

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 wage for projects that include construction work of \$25,000 or more, prevailing wage rules apply per Minn. Stat. §§177.41 through 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 a rate not less than those prevailing on projects of a character similar in the locality. Bid requests must state the project is subject to prevailing wage.

16. Municipal Contracting Law.

Per Minn. Stat. §471.345, grantees that are municipalities as defined in Subd. 1 of this statute must follow the Uniform Municipal Contracting Law. Supporting 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.

17. Constitutional Compliance.

It is the responsibility of the Grantee to comply with requirements of the Minnesota Constitution regarding the use of Clean Water Funds to supplement traditional sources of funding.

18. Signage.

It is the responsibility of the Grantee to comply with requirements for project signage as provided in Minnesota Laws 2010, Chapter 361, Article 3, Section 5(b) for Clean Water Fund projects.

19. Intellectual Property Rights.

The State owns all rights, title, and interest in all of the intellectual property rights, including copyrights, patents, trade secrets, trademarks, and service marks in the Works and Documents *created and paid for under this grant*. Works means all inventions, improvements, discoveries, (whether or not patentable), databases, computer programs, reports, notes, studies, photographs, negatives, designs, drawings, specifications, materials, tapes, and disks conceived, reduced to practice, created or originated by the Grantee, its employees, agents, and subcontractors, either individually or jointly with others in the performance of this grant. Work includes "Documents." Documents are the originals of any databases, computer programs, reports, notes, studies, photographs, negatives, designs, drawings, specifications, materials, tapes, disks, or other materials, whether in tangible or electronic forms, prepared by the Grantee, its employees, agents or subcontractors, in the performance of this grant. The Documents will be the exclusive property of the State and all such Documents must be immediately returned to the State by the Grantee upon completion or cancellation of this grant at the State's request. To the extent possible, those Works eligible for copyright protection under the United State Copyright Act will be deemed to be "works made for hire." The Grantee assigns all right, title, and interest it may have in the Works and the Documents to the State. The Grantee must, at the request of the State, execute all papers and perform all other acts necessary to transfer or record the State's ownership interest in the Works and Documents.

IN WITNESS WHEREOF, the parties have caused this Grant Agreement to be duly executed intending to be bound thereby.

Approved:

Middle St. Croix River WMO

Board of Water and Soil Resources

By: _____
(print)

By: _____

(signature)

Title: _____

Title: _____

Date: _____

Date: _____

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: March 14, 2019

RE: 6e.) 2019-2021 MSCWMO Consulting Services

In accordance with state statute the MSCWMO is required to post every two years for our engineering and legal consulting services. The attached Request for Proposals was posted in the Minnesota Register in January 2019. From 2017 to 2018 the MSCWMO paid a total of \$XX,XXX for engineering services of low impact development and green infrastructure best management practices. Letters of intent were received by the following consulting firms:

- Legal- Kennedy & Graven, Chartered (current firm)
- Engineering- Emmons and Olivier Resources (current firm)
- Engineering- RESPEC
- Engineering- KLJ
- Engineering- Graef

The letters of intent are presented for board consideration in a follow up email to the board pack.

Staff evaluation of the proposal focused in three key areas highlighted in the Watershed Management Plan and Subwatershed Analysis: 1. Experience and expertise in the design, installation, and operations and maintenance of Low Impact Development (LID) and Green Infrastructure (GI) Best Management Practices; 2. Experience and expertise in bioengineering slope, shoreline and streambank stabilization and restoration, 3. Engineering rates.

Firm	1. LID and GI	2. Bioengineering	3. Rates
EOR (current firm)	9	9	\$99-\$169
RESPEC	3	2	\$135-\$205
Graef	5	2	\$111-\$178
KLJ	3	2	\$100-\$185

Scoring 1= little or no expertise or experience 10= high degree of expertise or experience.

Staff recommends retaining current legal and engineering consultants

2019-2021 MSCWMO Consulting Services

Motion by Board Member 1, second by Board Member two, to select Emmons and Olivier Resources and Kennedy & Graven, Chartered to provide engineering and legal services for the MSCWMO from 2019-2021

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March 14, 2019

City Clerk
City of St. Mary's Point
16491 St. Mary's Drive
St. Mary's Point, MN 55043

Dear Ms. Reiter,

In accordance with Minnesota Statutes Section 103B.235, subdivision 3, MSCWMO staff have reviewed the St. Mary's Point Local Surface Water Management Plan received January 25, 2019.

At its March 14, 2019 meeting, the Middle St. Croix Watershed Management Organization Board of Managers approved the St. Mary's Point Local Surface Water Management Plan.

If you have any questions regarding MSCWMO's approval, please feel free to contact me at (651) 330-8220 ext. 22.

Sincerely,

Mikael Isensee, CPESC
Administrator

March 7, 2019

Mikael Isensee, Administrator
Middle St. Croix Watershed Management Organization
455 Hayward Avenue
Oakdale, MN 55128

RE: City of St. Mary's Point Local Surface Water Management Plan
Metropolitan Council Review File No. 22198-1

Dear Mr. Isensee:

The Council has completed its review of the City of St. Mary's Point (City) Local Surface Water Management Plan (Plan) dated January 2019. The Plan increases the City's water management efforts from the 2008 Plan. It clearly highlights the desire of the City to collaborate with the two watershed organizations within its boundaries (Middle St. Croix Watershed Management Organization (MSCWMO) and Valley Branch Watershed District (VBWD) to protect and restore the wetlands, creeks and rivers, and groundwater systems within the City.

The Plan is generally consistent with Council policies and the Council's *Water Resources Policy Plan*. We recommend expanding a few sections and implementation strategies to strengthen the plan, including

- Expand the Executive Summary to include a few sentences on water resource challenges faced by the City and recommended implementation items. The Executive Summary is often the only part of a plan read by the public, so additional details would help educate the City's residents.
- Expand Goal No. 10 – Drainage Pattern Mapping to include development of a hydrologic model that will estimate rates and volumes of water flow through the City's drainage system. This information will inform siting and design of both drainage improvements and water quality best management practices.
- Work with MSCWMO and VBWD to estimate costs for implementation items in Table 16. Estimating projected costs per year will assist the City with implementing Goal 9 – Finance (“establish funding sources to finance water resources management activities”).

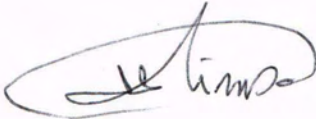
The Metropolitan Council's website and staff provide resources that may assist the City in implementing the Plan. For example

- A stormwater reuse guide and a water conservation toolbox (<https://metrocouncil.org/Wastewater-Water/Planning/Water-Supply-Planning.aspx>)

- A groundwater digest useful for educating the public (<https://metro council.org/Wastewater-Water/Publications-And-Resources/WATER-SUPPLY-PLANNING/Groundwater-Digest,-Twin-Cities-Metropolitan-Area,.aspx>)

Thank you for the opportunity to comment on the Plan. If you have any questions regarding this review, please contact Karen Jensen at 651-602-1401 or karen.jensen@metc.state.mn.us.

Sincerely,



for Sam Paske

Sam Paske
Assistant General Manager, Environmental Quality Assurance Department

cc: John Parotti, SEH
Francisco J. Gonzalez, Metropolitan Council District 12
Corrin Wendell, Metropolitan Council Sector Representative
Raya Esmacili, Metropolitan Council Referrals Coordinator
Ana Vang, Metropolitan Council Community Relations
Karen Jensen, MCES Special Projects Section

RESOLUTION 19-01

**MIDDLE ST. CROIX WATERSHED MANAGEMENT ORGANIZATION
BOARD OF MANAGERS**

**Approving the St. Mary's Point
Local Water Management Plan**

Chair Zeller offered the following resolution and moved its adoption, seconded by Manager Runk:

WHEREAS on September 8, 2015, in accordance with Minnesota Statutes section 103B.231, the Middle St. Croix Watershed Management Organization adopted its fourth-generation Watershed Management Plan (WMP), which details the existing physical environment, land use and development in the watershed and establishes a plan to manage water resources and improve water quality, prevent flooding and otherwise achieve the goals of Minnesota Statutes chapters 103B and 103D;

WHEREAS City of St. Mary's Point provided MSCWMO with a draft local water management plan in November 2016 for informal review, and MSCWMO responded with comments on necessary and recommended changes to the St. Mary's Point Local Surface Water Management Plan to ensure consistency with the WMP;

WHEREAS on January, 25, 2019 in accordance with Minnesota Statutes section 103B.235, subdivision 3, St. Mary's Point submitted a final draft local water management plan – the St. Mary's Point Local Water Management Plan (LWMP) – for MSCWMO review and approval;

WHEREAS MSCWMO finds and appreciates that the LWMP includes productive and responsive revisions following from MSCWMO's informal comments;

WHEREAS the MSCWMO has determined the LSWMP meets the requirements for approval set forth in Minnesota Rule 8410 and the WMP

NOW THEREFORE BE IT RESOLVED that the MSCWMO Board of Managers hereby approves City of St. Mary's Point Local Water Management Plan;

On the question was on the adoption of the resolution and there were ___ yeas and ___ nays as follows:

	Yea	Nay	Absent
FELLEGGY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DAHL	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
OLFELT-NELSON	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
KYLLO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MCCARTHY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COLLINS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PAIEMENT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PERKINS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
RUNK	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ZELLER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Upon vote, the chair declared the resolution adopted.

Tom McCarthy, Secretary

Dated: March 14, 2019

* * * * *

I, Tom McCarthy, secretary of the Middle St. Croix Watershed Management Organization, do hereby certify that I have compared the above resolution with the original thereof as the same appears of record and on file with the MSCWMO and find the same to be a true and correct transcript thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 14th day of March, 2019.

Tom McCarthy, Secretary

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: March 14, 2019

RE: 6i.) 2019 MSCWMO BMP Maintenance and Plant Installation Match Expenditures

Due to a high level of activity of grant funded water quality project installations in 2018 and planned installations in 2019, staff is requesting board action to allocate funding to complete grant match and maintenance obligations.

Funds for this request will be allocated from two locations. The first allocation of \$12,000 will come from funds encumbered in 2016 to meet water quality maintenance and grant match obligations. The second allocation of \$4,500 will come from the m the 2019 BMP cost share budget.

These allocations are in accordance with the MSCWMO policy to provide maintenance for the first two years of establishment for voluntary water quality practices and the MSCWMO management plan which identifies the MSCWMO technical services funding and BMP Cost Share budget as matching funds for state grants.

2018/2019 Water Quality Projects	2019 Activity	Total Project Cost Actual (Estimated)	2019 Maintenance and Installation Staff / Materials	Project Total Phosphorus Load Reductions
Stillwater Junior High School Iron Enhanced Sand Filter	Year 1 Maintenance	\$125,874	\$944 / \$0	15.1 lbs./yr.
Greeley Gully Stabilization and Infiltration Basin	Year 1 Maintenance	\$140,676	\$2,832 / \$1,500	40.1 lbs./yr.
Lily Lake Raingardens	Plant Installation and Establishment	(\$42,000)	\$944 / \$2,000	2.6 lbs./yr.
Stillwater County Club 2 Raingardens and Infiltration Basin	Plant Installation and Establishment	(\$180,000)	\$1180 / \$0	25.0 lbs./yr.
Bayport Raingarden and Bioswales	Plant Installation and Establishment	\$129,985	\$2,360 / \$1,000	10.1 lbs./yr.
Stillwater Lake St. Croix Direct 3 Raingardens	Plant Installation and Establishment	(\$61,000)	\$3,068 / \$0	4.4 lbs./yr.
	Totals	\$679,535	\$11,661/ \$4,500	97.3 lbs./yr.

Motion Board Manager 1, second Board Manager 2, to allocated \$12,000 from the 2016 encumbrance and \$4,500 from the 2019 cost share to meet grant maintenance and match obligations.

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MEMORANDUM

TO: Middle St. Croix WMO Board of Managers
FROM: Mike Isensee, Administrator
DATE: March 14, 2019

RE: 6j.) 2019 MSCWMO Conservation Corps of Minnesota (CCM)

The MSCWMO applied for 18 days of Conservation Corps of Minnesota time for 2019 and was awarded a total of 11 days for a crew of 3-5 youth. Conservation Corps provides hands-on environmental stewardship and service-learning opportunities to youth and young adults while accomplishing conservation, natural resource management and emergency response work.

In 2019 MSCWMO staff will work with the crews to install plants on newly installed projects and assist in the control the invasive vine *Manchu Tubergourd* discovered in the Mulberry Ravine in Stillwater in 2018.



Two acre *Manchu Tubergourd* infestation in Mulberry Ravine, Stillwater smothering all native vegetation and climbing over 20 feet into trees.

2018/2019 Water Quality Projects	2019 CCM Activity	Total Number of Days
Bayport Raingarden and Bioswales Stillwater Junior High School Iron Enhanced	Planting	1
Lily Lake Raingardens	Planting	2
Stillwater County Club 2 Raingardens and Infiltration Basin	Planting	4
Stillwater <i>Manchu Tubergourd</i> infestation control.	Invasive Species Control and Native Seeding and Planting	4

Motion Board Manager 1, second Board Manager 2, to accept the grant award and enter into to a grant agreement with the Conservation Corps of Minnesota fro 11 days of crew time in 2019.

MIDDLE ST. CROIX WATERSHED MANAGEMENT ORGANIZATION

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Phone 651.330.8220 x22 fax 651.330.7747 www.mscwmo.org



February 22, 2019

Mr. Shawn Sanders
City of Stillwater
406 Fourth Street North
Stillwater, MN 55082

RE: Mulberry Point Yacht Harbor Improvements

Dear Mr. Sanders:

The Middle St. Croix Watershed Management Organization (MSCWMO) received required submittal items on February 9, 2019 for the proposed Mulberry Point Yacht Harbor Improvements, located within MSCWMO boundaries and in the City of Stillwater. The proposed project qualifies for full review under the MSCWMO 2015 Watershed Management Plan (WMP).

The project, as resubmitted, meets the Policies and Performance Standards contained within Section 7.0 of the 2015 MSCWMO WMP and meets all conditions of the recommended approval by the MSCWMO on February 22, 2019.

This recommended approval is based on the technical review of MSCWMO performance standards and does not constitute approval by the City of Stillwater. Please contact me at 651-275-1136 x22 or misensee@mnwcd.org if you have any questions regarding these comments.

Sincerely,

A handwritten signature in blue ink that reads "Mikael Isensee".

Mikael Isensee
Administrator
Middle St. Croix Watershed Management Organization

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Phone 651.330.8220 x22 fax 651.330.7747 www.mscwmo.org



March 14, 2019

James Stanton
690 Quinnell Ave. N
Lakeland, MN 55043-0643

RE: 2019 Lakeland Street Improvement Project

Dear Mr. Stanton:

The Middle St. Croix Watershed Management Organization (MSCWMO) received required submittal items for the 2019 Lakeland Street Improvement Project on July 27, 2019, within MSCWMO boundaries and in the City of Lakeland. The proposed project qualifies for full review under the MSCWMO 2015 Watershed Management Plan (WMP).

The project, as submitted, contains sufficient information to determine conformance with the Policies and Performance Standards contained within Section 7.0 of the MSCWMO Watershed Management Plan

The MSCWMO recommends approval of the project with the following fifteen conditions:

1. Add contour elevation datum
2. Provide field verification of infiltration rates and/or soil borings.
3. Provide calculations based on soil type to demonstrate 48 hour draw down.
4. Provide documentation that the proposed infiltration structures do not classify as Class V injection wells.
5. Provide the following information in the SWPPP: a description of the construction activities, estimated quantities of ESC BMPs, stormwater design calculations, existing and new impervious surface, areas not to be disturbed, phasing and methods to minimize soil compaction, and procedures for terminating permit coverage.
6. Add 100 year HWL to BMP.
7. Provide a summary table where runoff leaves the site and the existing and proposed stormwater runoff rates and volumes.
8. Provide an extension of the drainage and utility easement area to cover the 100 year flood elevation for the basin located at Outlot A.
9. Provide low floor elevations for structures adjacent to Humpres Park.
10. Provide tabulated quantities of all erosion prevention and sediment control BMPs.
11. Provide existing conditions calculations.
12. Provide soil borings at the location of the BMP in accordance with MSCWMO and Minnesota Stormwater Manual standards.
13. Add as-build survey and a post construction performance testing to demonstrate infiltration basin is performing as designed.
14. Add the following infiltration construction notes:
 - o 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.

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- 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.
- Prior to the release of any remaining fee or security, the permit holder must provide documentation that constructed volume control facilities perform as designed.

15. Provide inlet protection for new and existing culverts.

The enclosed checklist contains detailed information on project review qualifications and the policies and performance standards of the WMP. MSCWMO review process information can be downloaded from www.mscwmo.org. Please contact me at 651-330-8220 x22 or misensee@mnwcd.org if you have any questions.

Sincerely,

Mikael Isensee
MSCWMO Administrator
misensee@mnwcd.org

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Administrator's Report- March 2019

Administration

- Clean Water Fund Year End Grant Reporting
- Website updates
- 2018 Year End Project Inspection and Tracking Database Updates
- 2018 Year End Budget Reconciliation
- 2019 BMP Maintenance Planning
- MN Campaign Finance Board 2019 Updates
- One Watershed One Plan information requests
- 2019-2021 Request for Consulting Services
- 2018 MSCWMO Annual Report
- 2019 Budget Tracking and Deadline Tracker Set Up

Project Reviews

- Mulberry Yacht Club, Stillwater
- Pre-Application Review Retaining Wall 2199 River Road, St. Mary's Point
- 2019 Lakeland Street Improvements, Lakeland
- CSAH 24 TH 26 Pre-Application meeting, Stillwater

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: Close out paperwork.

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: Close out paperwork.

Lake St. Croix Direct Discharge Phase II and Phase III

Description: \$151,000 (phase II) and a \$34,000 (phase III) grant for stormwater quality improvements in Oak Park Heights, Stillwater and Bayport (2015-2018). Currently working with the Stillwater Country Club to design a basin to reduce 25.0 lbs. of phosphorus per year discharging into Lake St. Croix.

Activities This Month: Design and Drainage and Utility Easement document development.

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: No action.

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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: Plans let to Miller Contracting. Construction will occur in 2019 pending MSCWMO Board approval.

Beske Gully Stabilization Project

Description: \$40,000 Washington Conservation District 319 grant to design and install stormwater quality practices to reduce erosion and nutrients discharging to Lake St. Croix from an actively eroding gully. \$30,000 St. Croix River Association Grant to reduce erosion and nutrients discharging to Lake St. Croix.

Activities This Month: Cancelled. Working with grantors to figure out next steps.

Lake St. Croix Small Communities Phosphorus Reduction Grant

Description: \$200,000 grant for stormwater quality improvement south of Bayport (2019-2021)

Activities This Month: Submitted the work plan to the Board of Water and Soil Resources.

Meetings

- Lake St. Croix Beach Bluff Stabilization, January 22
- Stillwater County Club Stormwater Reuse, January 23
- Stillwater Lake St. Croix Shoreline Stabilization, January 28
- One Watershed One Plan Policy Meeting, January 28
- Bioretention Media Research Technical Advisory Committee, February 1
- ASCE Operations and Maintenance Conference planning meeting, December 7
- One Watershed One Plan Advisory Committee, February 14
- One Watershed One Plan Policy Committee, February 25
- Browns Creek Special Regulatory Meeting, February 27
- Washington County Water Consortium, March 6
- National Parks Service Spill Response Tabletop Exercise, March 8

Up Coming:

- Mero Watershed Regulatory Staff Meeting, March 27