

# 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 HELD REMOTELY DUE TO COVID -19 PANDEMIC

Attend ONLINE VIA ZOOM by clicking this link: <https://us02web.zoom.us/j/85075366792>

OR

Attend by CONFERENCE CALL by dialing +1 312 626 6799 – Meeting ID 850 7536 6792  
Thursday, January 14<sup>th</sup>, 2020  
6:00PM

1. Call to Order – 6:00PM
  - a. Approval of Agenda
2. Approval of Minutes
  - a. Draft minutes – December 10<sup>th</sup>, 2020 **pg. 1-6**
3. Treasurer's Report
  - a. Report of savings account, assets for January 14<sup>th</sup>, 2021
  - b. Approve payment of bills for January 14<sup>th</sup>, 2021
4. Public Comment
5. Old Business
6. New Business
  - a. 3M PFAS Reimbursement Request **pg. 7-10**
  - b. Officer Appointments
  - c. Liability Insurance Renewal
  - d. 2020 Savings Deposit **pg. 25**
  - e. 2021 Community First Half Contribution Request
  - f. 2020 Year End Budget Summary **pg. 26**
7. Grant and Cost Share Applications
  - a. Lake St. Croix Direct South Phase II CWF Award
  - b. Curell Native Planting Cost Share Reimbursement **pg. 27-28**
8. Plan Reviews/Submittals
  - a. Plan Review and Submittal Summary **pg. 29**
    - i. Fox-**ACTION**
    - ii. 200 Chestnut St -**ACTION**
    - iii. Hills of Spring Creek-**INFORM**
    - iv. 1175 Quinlan-**INFORM**
  - b. Erosion and Sediment Control Inspection Reports-**NONE**
9. Staff Report **pg. 30-32**
10. 1W1P Updates

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11. Other
  - a. Minnesota Campaign Finance Board Request
12. Adjourn

Regular Meeting of the Middle St. Croix Watershed Management Organization  
HELD REMOTELY DUE TO COVID -19 PANDEMIC

Thursday, December 10th, 2020

6:00PM

Present: Joe Paiement, City of Lakeland; John Fellego, Baytown Township; Mike Runk, Oak Park Heights; Tom McCarthy, Lake St. Croix Beach; Beth Olfelt-Nelson, St. Mary's Point; Ryan Collins, Stillwater; Brian Zeller, Lakeland Shores; Administrator Matt Downing; Cameron Blake, WCD; Stu Grubb, EOR; Dawn Bulera, Lake St. Croix Beach alt., Christopher Smith, Public.

### **Call to Order**

Manager Zeller called the meeting to order at 6:02 PM.

### **Approval of Agenda**

Administrator Downing added one item to the agenda under supplemental materials. Manager Fellego motioned to approve the agenda and Manager McCarthy seconded the motion. The motion passed on a roll call vote with all in favor.

### **Approval of Minutes**

Manager Fellego motioned to approve the November 12th minutes and Manager Olfelt-Nelson seconded the motion. The motion passed on a roll call vote.

### **Treasurer's Report**

The treasurer's report was presented by Administrator Downing. The remaining checking account balance on December 10<sup>th</sup> 2020 for the month of November was \$543,105.01. First State Bank CDs were valued at \$38,549.15. The ending balance in the RBC savings account for October 2020 was \$71,107.08.

Bills to be approved this month are: Emmons & Oliver: \$338.00; Emmons & Oliver \$1,134.50; Emmons & Oliver \$3,580.75; Washington Conservation District (Administration): \$2,454.00; Washington Conservation District (Technical Services): \$3,580.75; Washington Conservation District (Hours Audit): \$7,902.25; Total: \$18,915.01.

Manager Zeller asked if Administrator Downing had the year-to-date balance and budget information. Administrator Downing said he was bringing the budget synopsis to the January Board meeting but that he knew some of those numbers now. The admin budget was at 89% and the TA budget was at 84%. He said the checking account value was still high but grant expenditures were going to start happening soon. Manager Fellego asked what the usual checking account value was and Administrator Downing said it was usually around \$100,000. Manager Zeller clarified that much of these funds were committed funds that were yet to be dispersed and asked when these grant funds would be used. Administrator Downing said he expected this to occur by next June as that's when many of the large projects will have had expenditures. The Lily Lake project plan sets will be out by end of the year and the St. Croix Beach Bluff project should be finished in the spring for partial payment.

Manager Zeller motioned to approve the December treasurer's report and Manager Fellego seconded the motion. The motion passed on a roll call vote. Manager Runk motioned to

pay the December bills and Manager McCarthy seconded the motion. The motion passed on a roll call vote.

### **Public Comment**

Christopher Smith did not have any public comment.

### **3M PFAS**

Administrator Downing introduced Stu Grubb and explained that he has been attending the state agency/3M meetings on behalf of the MSCWMO for the last year and a half. This time is paid for by a MPCA grant. Mr. Grubb was going to present the groundwater model for south Washington County that was created by 3M consultants.

Manager Olfelt-Nelson asked if Stu could speak to any of the non-groundwater information. Mr. Grubb explained that he planned on focusing on contaminant transport and pumping scenarios and their effect on the MSCWMO and water resources in the MSCWMO. He said the meetings have also included information such as the different treatment system options, the associated costs, and conversations about if 3M should sponsor a municipal water system for West Lakeland Township. Manager Zeller asked what financial contribution will be made to West Lakeland from this fund and Mr. Grubb said he didn't know as there was still much debate around the long term costs estimate. He said 3M had pledged to give West Lakeland a new well and water system and there was debate around this option or remaining on individual systems with point-of-entry treatment. He said the cost estimates had issues such as including road repairs into the estimate for the cost of water mains. The estimates are being revised and there was still a lot of debate on how to calculate the net present value of the expenditures versus the future. Manager Zeller asked how that negotiation would take place and said Lake Elmo was seemingly penalized for having some of these systems in place already. He said it wouldn't be fair for a community to receive a system of roads as well.

Mr. Grubb said he didn't know the solution for each community as these solutions were individualized based on what systems are in place. He said some solutions would have a lower cost than others. Smaller communities would receive small individual treatment plants that could service 100 homes versus Woodbury which requires large treatment plants. The objective is to provide safe drinking water for residents. The question included controlling the pumping of different wells to prevent the spread of the contamination. The complex groundwater model would be used to answer some of these questions. Mr. Grubb said there would be one on one meetings with water suppliers to determine how their situations would be handled.

Mr. Grubb started his presentation about the groundwater model and pumping scenarios. There were well advisory areas identified along with different pumping scenarios. The WMO will not be involved in the supply or pumping rates. Essentially there will be a drawdown around major pumping wells in Woodbury and Oakdale with some locations proposed in Lake Elmo and Lakeland. But there will not be a major effect on water resources in the MSCWMO. The proposed West Lakeland well should be looked at and some residents expressed interest in keeping their private supply wells for irrigation.

Manager Zeller said Woodbury was already overdrawing from their aquifer and asked if they had considered using surface water from the Mississippi. Mr. Grubb said re: Woodbury that there was over 50ft of drawdown for the Prairie Duchene aquifer. He said that the pumping influences away from the well field and explained how a cone of depression functioned in the

groundwater presence in an aquifer. Mr. Grubb explained that there would be little difference between the pumping scenarios to the MSCWMO other than the question for West Lakeland.

Manager Zeller asked if the MSCWMO should consider groundwater re-charge opportunities. Mr. Grubb explained that large scale recharge has been looked at by the DNR and other public agencies and non-profits. There would be a report on that in a few months. He personally felt that groundwater recharge was a good idea including the scale the WMO usually approaches with infiltration and volume control projects. Manager Zeller noted that West Lakeland didn't have a storm sewer and wondered if the WMO could look into recharge projects there to coincide with future pipe installation. Administrator Downing said the WMO uses Subwatershed Analyses (SWAs) to identify those kind of opportunities in the watershed and noted that recent infiltration restrictions in DWSMA's complicated that question.

The group discussed the question of landowners possibly using private supply wells for irrigation and whether that could cause contamination of surface waters. There could be low levels of PFA's in the water used for irrigation which would spread across the lawns. Mr. Grubb explained that this was an interesting question in terms of the transfer of groundwater from deeper aquifers to shallow aquifers. This was explored in the particle tracking summary which follows the sources of PFAs to predict where they will end up. He explained the slides in his presentation and how the symbology indicated whether each well would see an increase or decrease in the particles.

Manager Zeller asked about how surface water connections contributed to the spread and if these could be stopped. Mr. Grubb explained that this question has been studied with the 1007 project in Valley Branch WD. This connected many landlocked basins and lakes and eventually outlets into the St. Croix River. This provided an opportunity for the contaminated water from the landfill locations to travel and infiltrate. A potential solution that has been used is lining the waterways to prevent infiltration and this question was under careful study.

Manager Olfelt-Nelson asked how the MSCWMO should consider these events when considering recharge systems. Mr. Grubb said he would consider it a cautionary tale to remember when planning future projects but that it has been shown that properly designed and maintained infiltration systems will not cause these issues.

Manager Zeller asked if there was anything that could be done to stop the flow of contamination from coming into the WMO, and Mr. Grubb said no. In extreme cases there have been pumping efforts to control the groundwater gradient but it is not practical from a watershed district perspective. Also in extreme cases there have been efforts involving grout curtains and walls but he does not advise this as is it expensive.

Manager Zeller asked when they would start implementing the activities discussed. Mr. Grubb said in the next 6 months they will start system construction which will be scheduled out and completed within 3-5 years. Manager Olfelt- Nelson said this was great information but she had a lot of questions still. She asked how communities could be sure that they were included in these conversations so they don't miss important information. There is an email distribution list with all of these updates. Administrator Downing will forward the distribution list to Manager Olfelt-Nelson. Mr. Grubb explained that each city has a representative present at the meetings, for West Lakeland it is the city engineer. Manager Olfelt-Nelson asked if Mr. Grubb could send memos to the managers to update them. Mr Grubb explained that he was focusing on the groundwater results but that he could do this also if the managers would like to get the other information from him rather than from their city representative. The board requested this.

### **Lake St. Croix Beach Bluff Partial Payment**

In August 2020, the MSCWMO Board of Managers approved encumbrance of up to \$198,089.75 for the installation of the Lake St. Croix Beach Bluff Toe Stabilization project. The project is a public partnership between the MSCWMO and the City of Lake St. Croix Beach. The project utilizes several funding sources and provides a pollutant load reduction to the St Croix River of 30 lbs/TP year. As of November 13th, the original contract work was 93% complete. The City Engineer and WCD staff verified that all work completed was done according to plans. Max Todo Marine Services has requested and received partial payment from the City in accordance with the work contract. The City is requesting reimbursement of \$132,289.40 in accordance with the cost-share contract. Staff recommends payment of the work as completed. Expenditures will be reported to BWSR and allow for the next 40% of the grant funds to be requested.

Administrator Downing explained that they didn't get as far as they wanted but the project is wrapped for the year. Manager Zeller confirmed there was supporting documentation.

Manager Runk motioned to approve the partial payment of \$132,289.40 for the Lake St. Croix Beach Bluff Stabilization Project. Manager Zeller seconded this motion and the motion passed on a roll call vote.

### **Fox-INFORM**

The construction of a new trail down the bluff on a residential property is proposed at 1485 Rivercrest Road N. in Lakeland. A project application for review was received on October 22nd, 2020. A variance for construction within the bluff line will be needed from the City of Lakeland. Additional information regarding the surfacing of the trail was requested as well as materials for the erosion and sediment control plan. MSCWMO staff are currently awaiting for the variance process for construction on a bluff with the City of Lakeland to be complete prior to providing a recommendation to approve or deny based upon MSCWMO standards.

Manager Zeller asked if Administrator Downing had connected with Joe, and he said he has been working with staff. Manager Paiement said he hasn't seen details come before the city board yet. Administrator Downing explained that the main issue was the presented plan included grading which is not allowed on slopes of over 12%. He has directed them to go through city channels first and if it passes the WMO can look at it. The MSCWMO engineer at the WCD has looked at the project. Manager Olfelt-Nelson commented saying that the plans look like a mini-road. Manager Paiement thanked the board for the information and said he would be surprised if the city passes it.

Manager Zeller said that he completed a path without needing a variance 3 years ago by using a design similar to a neighbors. He appreciates the need to be careful with these projects but noted that sometimes these trails pop up without going through proper channels so he doesn't want to scare people away from going through the correct process. He said that before Administrator Downing's time these projects would appear and then the approach was asking for forgiveness rather than permission. He noted that they can't deny property owners access to the waterway. Administrator Downing agreed but clarified that according to the rules stairways are permitted but not grading on a slope like that. Manager Zeller pointed out that stair and tramway projects still involve grading in order to drop footings and said he just wants to make sure the WMO is involved in the process rather than just saying no and having the trail appear later anyway.

### **Villas-INFORM**

Revised plans were received for the Villas of Inspiration residential development in Bayport on December 1, 2020. The development was previously reviewed and recommended for approval in May 2019. MWCWO staff is reviewing the revised low opening structure elevations relative to high water levels for conformance with MSCWMO flood control standards.

### **St. Michael's Cemetery-ACTION**

This was not included with the initial board packet. A project review application and materials for the expansion of St. Michael's Cemetery in Bayport was received on December 1, 2020. The review fee was received December 4, 2020. MSCWMO staff will begin the review process December 7, 2020. Administrator Downing wanted to bring this project to the boards attention as staff recommends approval but there are a high number of conditions and a quick turnaround time. The board discussed the location of this project and where on the site the work was proposed. Administrator Downing said its part of a multiple step process and that he was working with the applicant to submit the total plans rather than just the part they want to do next year so that the stormwater features can be planned appropriately. Manager Zeller motioned to approve the project with the identified conditions and Manager Olfelt-Nelsons seconded that motion. The motion passed on a roll call vote. Administrator Downing will send the plan set to Manager Runk.

### **200 Chestnut St.-INFORM**

Incomplete materials were received for a proposed development of a 73-unit apartment structure at 200 Chestnut Street East in Stillwater on December 1, 2020. MSCWMO staff are awaiting receipt of a complete application package to review the project for conformance with MSCMWO standards.

### **Erosion and Sediment Control Inspection Reports**

There was just one completed for the MSCWMO bluff project. There was a C grade, and concerns were brought to the contractor and city. They addressed many of them but were unable to completely blanket it due to flood complications in which the blanket would have actually made things worse. It is a unique project based on its location so there wasn't much else that could have been done. They are hoping there won't be as high water flooding in the spring. Christopher Smith asked if they could have tried hydromulching. Administrator Downing explained that this was considered but access and timing made the cost not worth incurring for the small amount of benefit it could have provided. Many options were considered but ultimately the normal solutions would have caused more issues.

### **Staff Report**

Adminstrator Downing presented the staff report. The Lily Lake project is at 90% and close to bid for early next year. The bluff project should be completed next year. They were hoping to complete 340ft before the end of the season but only completed 285ft. This should be completed in the spring and then Administrator Downing can ask for the next 40% of funding from BWSR.

### **1W1P Updates**

No updates until the January 4<sup>th</sup> Policy Committee Meeting.

## **Other**

Manager Zeller asked Manager Runk about his involvement in the Excel energy meetings as the council can't be involved in the discussions. Manager Runk said the discussions were off to a slow start and that there would be an advisory council in the future. There were supposed to be 10 meetings about once a month but they may put them on hold until march as they think they will be better in-person. Manager Zeller said he was on the list and hadn't missed anything and agreed it was mostly a lot of background information so far.

Manager Zeller told the board that Administrator Downing was up for review soon and this is usually something he does with Jar Riggs from the WCD. He asked the board to send any feedback they have to bring to the meeting with Jay.

Manager Olfelt-Nelson asked if anyone knew any information about a question at a fire chief meeting about potential contaminant floating into the St. Croix River. Administrator Downing advised her to check with the County Public Health and Environment. They used to send out information but don't anymore. Manager Olfelt-Nelson said it was described as orange junk. Administrator Downing said he used to get calls in the fall about Valley Creek which ended up being iron flocculent which can naturally drop out of the water. But if it was a film or continuous color it wouldn't be iron flocculent.

## **Adjourn**

Manager Zeller motioned to adjourn and Manager Fellegy seconded this motion. The motion passed and the meeting adjourned at 7:31 PM.



# 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:** Matt Downing, Administrator  
**DATE:** December 29<sup>th</sup>, 2020

### **RE: 6a.) 3M PFAS Contamination Groundwater Model Technical Services Reimbursement Request**

Our consultant at EOR has been reviewing documents and providing technical input on the development of the water supply groundwater model as part of the 3M PFAS settlement. Staff is requesting reimbursement from MPCA totaling \$2,241.00 (EOR October, November, and December).

**Recommended Board Action- Approve Submittal of 3M PFAS Reimbursement Request Totaling \$2,241.00**

**Invoice**

**Emmons & Olivier Resources, Inc.**  
1919 University Ave. W, Ste 300  
St. Paul, MN 55104-3455  
Phone 651.770.8448  
Fax 651.770.2552  
www.eorinc.com



**Invoice Total \$338.00**

Matt Downing  
Middle St. Croix WMO  
C/O WCD  
455 Hayward Avenue North  
Oakdale, MN 55128

November 19, 2020  
Invoice No: 00405-0011 - 11

Job 00405-0011 3M Groundwater Model Review

Summary of Work Performed:  
Attended subgroup 1 meeting 10/21/2020.

**Professional Services from October 1, 2020 to October 31, 2020**

**Professional Personnel**

	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>	
Professional 4 Grubb, Stuart	2.00	169.00	338.00	
Totals	2.00		338.00	
<b>Total Labor</b>				<b>338.00</b>
		<b>Total this Invoice</b>		<b>\$338.00</b>

**Invoice**

**Emmons & Olivier Resources, Inc.**  
1919 University Ave. W, Ste 300  
St. Paul, MN 55104-3455  
Phone 651.770.8448  
Fax 651.770.2552  
www.eorinc.com



**Invoice Total \$591.50**

Matt Downing  
Middle St. Croix WMO  
C/O WCD  
455 Hayward Avenue North  
Oakdale, MN 55128

December 17, 2020  
Invoice No: 00405-0011 - 12

Job 00405-0011 3M Groundwater Model Review

Summary of Work Performed:  
•Attended subgroup 1 meeting 11/16/2020.  
•Prepare for upcoming Board meetings.

**Professional Services from November 1, 2020 to November 30, 2020**

**Professional Personnel**

	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
Professional 4			
Grubb, Stuart	3.50	169.00	591.50
Totals	3.50		591.50
<b>Total Labor</b>			<b>591.50</b>
		<b>Total this Invoice</b>	<b>\$591.50</b>

**Invoice**

**Emmons & Olivier Resources, Inc.**  
1919 University Ave. W, Ste 300  
St. Paul, MN 55104-3455  
Phone 651.770.8448  
Fax 651.770.2552  
www.eorinc.com



**Invoice Total \$1,311.50**

Matt Downing  
Middle St. Croix WMO  
C/O WCD  
455 Hayward Avenue North  
Oakdale, MN 55128

January 6, 2021  
Invoice No: 00405-0011 - 13

Job 00405-0011 3M Groundwater Model Review

Summary of Work Performed:

- Attended subgroup one meeting on December 16 , 2020.
- Presentation to the Board of Managers on recent developments with the 3M settlement.

**Professional Services from December 1, 2020 to December 31, 2020**

**Professional Personnel**

	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>	
Professional 4				
Grubb, Stuart	7.00	169.00	1,183.00	
Professional 3				
Pallardy, Joe	.75	149.00	111.75	
Support Staff				
Nelson, Susan	.25	67.00	16.75	
Totals	8.00		1,311.50	
<b>Total Labor</b>				<b>1,311.50</b>
				<b>Total this Invoice \$1,311.50</b>

December 20, 2020

Middle St Croix River WMO  
Attn: Matt Downing  
455 Hayward Ave  
Oakdale, MN 55128

Re: League of Minnesota Cities Insurance Trust (LMCIT)  
Package and Defense Cost Reimbursement  
Renewal Date: February 1,2021

Dear Matt:

The policies shown above will be renewing shortly. The LMCIT application is completed online and can be accessed through the LMCIT Member Center at [www.lmc.org](http://www.lmc.org). On 11/25/2020, you receive an email from the LMCIT that includes instructions on how to complete your online application. If you need help accessing the Member Center, please let us know.

**Package, Defense Cost Reimbursement, Liquor, and Excess policies:**

Coverage is not automatically renewed by the LMCIT. The online application is a request to bind coverage and when submitted, coverage will be bound by the LMCIT based on the application. The LMCIT may not provide the premium prior to your renewal date. Once you have completed your application, notify me. The application must be submitted to the LMCIT by the agent. I will provide a copy of the final application as submitted to the LMCIT.

**Coverage and Rate Changes:**

All policies renewing between 11/15/2020 and 11/15/2021 will be issued using the 2020-21 LMCIT Coverage documents. The attached documents, "2020-21 Coverage Changes" and "2020-21 Premium Rates" outline the changes in coverage and rates for your renewal policy. The premium indicated by the "2020-21 Premium Rates" document is the estimate provided by the market. The actual premium and acceptance of the coverage requested will be determined by the market after a thorough review of the completed application. We will provide a complete proposal outlining your coverage when the quotes are received. An experience modification, which is based on your loss history, may also be applied when developing your premium.

**Other Items:**

**Property: Adding** Property coverage to your policy, opens the door to other coverage options, such as Data Security Breach, Loss or Damage to Valuable Papers and Records, and, possibly, Flood . Keep in mind as you are completing your application that the location must be scheduled if you want protection for your property.

**Signatures and Forms Needed:**

Review the information in the attached documents for important disclosures, insurance company rating information, and documentation to you of our compensation structure and other important information.

When you notify me that your application is complete, please return the items listed below. These items must be provided in order to bind coverage.

- Return the Signed Client Authorization to Bind Coverage to bind coverage and represent you as your agent.
- Return the Signed Solvency letter to authorize Gallagher to place your coverage with the LMCIT.
- The LMCIT requires that the Waiver Form is signed and returned, indicating whether or not the City elects to Waive or Not Waive the tort liability limit of \$500,000 each claimant/\$1,500,000 per occurrence. Resolution is required if you make a change from last year. This form is needed prior to the renewal date.

Let me know if you need any assistance.

Sincerely,



Jennifer Lorang, CISR  
Client Service Associate Senior

**Attachments:**

- Carrier Rating and Admitted Status
- Disclosures
- Claims Reporting by Policy
- Bindable Quotation and Compensation Disclosure Schedule
- 2020-21 Coverage Changes
- 2020-21 Premium Rates
- Client Signature Pages: Client Authorization to Bind and Solvency Letter
- Liability Coverage Waiver Form

## Carrier Ratings and Admitted Status

<b>PROPOSED INSURANCE COMPANIES</b>	<b>A.M. BEST'S RATINGS &amp; FINANCIAL SIZE CATEGORY*</b>	<b>ADMITTED/ NON-ADMITTED**</b>
League of Minnesota Cities Insurance Trust	Not Rated	Admitted

\*Gallagher companies use A.M. Best rated insurers and the rating listed above was verified on the date the proposal document was created.

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A Best's Financial Strength Rating is an independent opinion of an insurer's financial strength and ability to meet its ongoing insurance policy and contract obligations. It is not a warranty of a company's financial strength and ability to meet its obligations to policyholders. Best's Credit Ratings™ are under continuous review and subject to change and/or affirmation. For the latest Best's Credit Ratings™ and Guide to Best's Credit Ratings, visit the A.M. Best website at <http://www.ambest.com/ratings>

\*\*If coverage placed with a non-admitted carrier, it is doing business in the state as a surplus lines or non-admitted carrier, and is neither subject to the same regulations as an admitted carrier nor do they participate in any state insurance guarantee fund.

Gallagher companies make no representations and warranties concerning the solvency of any carrier, nor does it make any representation or warranty concerning the rating of the carrier which may change.

# Disclosures

The following disclosures are hereby made a part of this pre-renewal letter. Please review these disclosures prior to signing the Client Authorization to Bind or e-mail confirmation.

## Proposal Disclaimer

IMPORTANT: The proposal and/or any executive summaries outline certain terms and conditions of the insurance proposed by the insurers, based on the information provided by your company. The insurance policies themselves must be read to fully understand the terms, coverages, exclusions, limitations and/or conditions of the actual policy contract of insurance. Policy forms will be made available upon request. We make no warranties with respect to policy limits or coverage considerations of the carrier.

## Compensation Disclosure

1. Gallagher Companies are primarily compensated from the usual and customary commissions, fees or, where permitted, a combination of both, for brokerage and servicing of insurance policies, annuity contracts, guarantee contracts and surety bonds (collectively "insurance coverages") handled for a client's account, which may vary based on market conditions and the insurance product placed for the client.
2. In placing, renewing, consulting on or servicing your insurance coverages, Gallagher companies may participate in contingent and supplemental commission arrangements with intermediaries and insurance companies that provide for additional compensation if certain underwriting, profitability, volume or retention goals are achieved. Such goals are typically based on the total amount of certain insurance coverages placed by Gallagher with the insurance company, not on an individual policy basis. As a result, Gallagher may be considered to have an incentive to place your insurance coverages with a particular insurance company. If you do not wish to have your commercial insurance placement included in consideration for additional compensation, contact your producer or service team for an Opt-out form.
3. Gallagher Companies may receive investment income on fiduciary funds temporarily held by them, or from obtaining or generating premium finance quotes, unless prohibited by law.
4. Gallagher Companies may also access or have an ownership interest in other facilities, including wholesalers, reinsurance intermediaries, captive managers, underwriting managers and others that act as intermediaries for both Gallagher and other brokers in the insurance marketplace some of which may earn and retain customary brokerage commission and fees for their work.

If you have specific questions about any compensation received by Gallagher and its affiliates in relation to your insurance placements, please contact your Gallagher representative for more details.

In the event you wish to register a formal complaint regarding compensation Gallagher receives from insurers or third-parties, please contact Gallagher via e-mail at [Compensation\\_Complaints@ajg.com](mailto:Compensation_Complaints@ajg.com) or by regular mail at:

Chief Compliance Officer  
Gallagher Global Brokerage  
Arthur J. Gallagher & Co.  
2850 Golf Rd.  
Rolling Meadows, IL 60008

## TRIA/TRIPRA Disclaimer

If this proposal contains options to purchase TRIA/TRIPRA coverage, the proposed TRIA/TRIPRA program may not cover all terrorism losses. While the amendments to TRIA eliminated the distinction between foreign and domestic acts of terrorism, a number of lines of coverage excluded under the amendments passed in 2005 remain excluded including commercial automobile, burglary and theft insurance; surety insurance, farm owners multiple perils and professional liability (although directors and officers liability is specifically included). If such excluded coverages are required, we recommend that you consider purchasing a separate terrorism policy. Please note that a separate terrorism policy for these excluded coverages may be necessary to satisfy loan covenants or other contractual obligations. TRIPRA includes a \$100 billion cap on insurers' aggregate liability.

The TRIPRA program increases the amount needed in total losses by \$20 million each calendar year before the TRIPRA program responds from the 2015 trigger of \$100 million to \$200 million by the year 2020.

TRIPRA is set to expire on December 31, 2020. There is no certainty of extension, thus the coverage provided by your insurers may or may not extend beyond December 31, 2020. In the event you have loan covenants or other contractual obligations requiring that TRIA/TRIPRA be maintained throughout the duration of your policy period, we recommend that a separate "Stand Alone" terrorism policy be purchased to satisfy those obligations.



## Claims Reporting By Policy

Immediately report all claims for all lines of coverage referenced in this letter to League of Minnesota Cities Insurance Trust.

**Insurance Carrier:** League of Minnesota Cities Insurance Trust

**Email:** [claims@lmc.org](mailto:claims@lmc.org)

**Phone:** 651-215-4165 or 800-925-1122

**Fax:** 651-281-1297

**Mail:** LMCIT Claims, 145 University Avenue, West St. Paul, MN 55103

## Bindable Quotations & Compensation Disclosure Schedule

COVERAGE(S)	CARRIER NAME(S)	WHOLESALER, MGA, OR INTERMEDIARY NAME <sup>1</sup>	EST. ANNUAL PREMIUM <sup>2</sup>	COMM.% OR FEE <sup>3</sup>	GALLAGHER U.S. OWNED WHOLESALER, MGA, OR INTERMEDIARY %
Crime	League of Minnesota Cities Insurance Trust	N/A	To Be Determined	10%	N/A
Petrofund	League of Minnesota Cities Insurance Trust	N/A	To Be Determined	10%	N/A
Municipal Liability	League of Minnesota Cities Insurance Trust	N/A	To Be Determined	10%	N/A
Automobile	League of Minnesota Cities Insurance Trust	N/A	To Be Determined	10%	N/A
Defense Cost Reimbursement	League of Minnesota Cities Insurance Trust	N/A	To Be Determined	10%	N/A

<sup>1</sup> We were able to obtain more advantageous terms and conditions for you through an intermediary/ wholesaler.

<sup>2</sup> If the premium is shown as an indication or To Be Determined: Refer to the 2020-21 Premium Rates document for Property/Casualty Rate information effective 11/15/2020 and Workers Compensation and Volunteer Accident Rate information effective 1/1/2021. The premium indicated is an estimate provided by the market. The actual premium and acceptance of the coverage requested will be determined by the market after a thorough review of the completed application.

<sup>3</sup> The commission rate is a percentage of annual premium excluding taxes & fees.

\* Gallagher is receiving \_\_\_% commission on this policy. The fee due Gallagher will be reduced by the amount of the commission received.

The [Board of Trustees](#) reviews the Trust's coverage every year to ensure it responds to the unique exposures faced by Minnesota's cities. Many suggestions come from members and their insurance agents. Here is information about coverage changes going into effect for property/casualty coverages renewing on or after Nov. 15, 2020, and for workers' compensation coverages renewing on or after Jan. 1, 2021.

## Property coverage

### Removal of organic pathogen cleanup coverage

The coverage for expenses to clean up or remove organic pathogens will be removed. Currently, each member is provided \$250,000 for these kinds of expenses during each coverage term for organic pathogens that are on the list of communicable diseases for which federal isolation and quarantine are authorized by the president's executive order or [Communicable Diseases of Public Health Significance](#) as defined by the U.S. Department of Health and Human Services. Things like tuberculosis, infectious syphilis, and COVID-19 are on the list or are authorized by a presidential executive order. The coverage is being removed because members have never previously encountered or reported cleanup costs for diseases on the federal lists, and since these diseases can become widespread, the aggregation of many relatively small claims for members could become a cumulative burden for the Trust.

### Addition of police dog definition

The Trust provides coverage for police dogs that are injured and unable to perform normal functions. A definition is being added as follows to clarify what constitutes a police dog: *Police dog means a dog that is specifically trained to assist police and other law enforcement personnel in duties like apprehending suspects and searching for and locating drugs, explosives, crime scene evidence, and missing people. Police dog does not include comfort or therapy dogs.*

### Reinforcement of loss of revenue exclusions

The Trust provides loss of revenue coverage if there is direct physical damage to covered buildings that causes loss of revenue due to a necessary suspension of operations while the building is replaced or repaired. Existing exclusions related to organic pathogens or infectious disease are being confirmed, including that a government-ordered shut down does not trigger coverage.

## Liability coverage

### Creation of a \$250,000 annual aggregate sublimit for organic pathogen claims

The Trust currently provides \$2 million per occurrence in liability coverage for organic pathogen claims, subject to a \$3 million annual aggregate limit. Coverage for organic pathogen claims will be restricted to a \$250,000 annual aggregate limit, with defense costs encompassed within the limit. This will reduce the potential for a severe aggregation of claims that could become an undue burden for the Trust. The change will also clarify the aggregate limit applies for both municipal liability and auto liability claims.

## Auto liability coverage

### Clarification of organic pathogen liability coverage involving autos

A clarification will be added that an organic pathogen claim is not excluded under the auto liability coverage. A \$250,000 aggregate limit will apply for organic pathogen claims regardless of whether claims are made under municipal liability, auto liability, or both.

## Workers' compensation coverage

### Creation of a covered entities endorsement

An endorsement will be created that lists all entities covered by a workers' compensation coverage agreement. This will make it easier and less cumbersome to find covered entities.

## Extraordinary expense coverage

### Increase in total funding available

Total funding available for claims submitted under the Trust's extraordinary expense coverage will be increased from \$3 million to \$5 million. This coverage provides up to \$250,000 per member per coverage term for extraordinary and unanticipated expenses a member incurs, which must be paid back to the Trust within five years. This change reflects both the inflation that has taken place since the coverage was first created and the possibility that additional members may request it in light of unexpected expenses arising from the current pandemic.

The League of Minnesota Cities Insurance Trust's [Board of Trustees](#) evaluates loss projections every year to ensure premium rates are adequately set to respond to future claims experienced by Minnesota cities. Here is information about premium rates going into effect for property/casualty coverages renewing on or after Nov. 15, 2020, and for workers' compensation coverages renewing on or after Jan. 1, 2021.

## Property/casualty program

Property/casualty premium rates will remain flat this year. Recognizing the pressure members are facing from COVID-related costs and the effect of post-traumatic stress disorder (PTSD) claims on workers' compensation rates, the Board of Trustees decided against rate increases for this program. Fortunately, the Trust's strong property/casualty fund balance, and the opportunity that provides to increase reinsurance retentions, made it possible to avoid a rate increase.

There will be a minor shift between certain auto rates that will not change the program's overall revenue. Based on our evaluation of projected losses and expenses, auto physical damage rates will decrease 5% and auto liability rates will increase 5%.

Members should note their premium might be affected by other factors that are specific to their individual organization, such as changes in expenditures, property values, payrolls, experience rating, and other exposure measures.

## Workers' compensation program

The workers' compensation program's fund balance remains strong and costs have remained stable or improved in many job classifications, but public safety PTSD claims have had significant cost implications, resulting in an average rate increase of 13% for the coming year. That will be implemented by way of a 35% rate increase for police job classes and a 4.5% increase in all other job classes.

Because of the effect this could have on stand-alone police departments, the rate increase for those members will be capped at 20% for the year. It's important to note individual member premiums will also be affected by other factors like changes in member expenditures, payrolls, experience rating, and other exposure measures.

These increases will move us toward a workers' compensation funding level for police job classes that will be sustainable over time, but there is still a projected gap, meaning we're likely to see additional pressure on rates in the coming year. As public officials themselves, the Trustees understand the impact this has on member budgets.

## The Trust's work to address PTSD

Unfortunately, PTSD has become a very significant factor for the program. Since PTSD claims first became compensable in 2013, they have risen to a point where they're currently projected to make up more than 30% of our annual claim costs, with most of that arising from police departments.

The Trust is working diligently with our members, public safety professional organizations, local government self-insurance pools across the country, and other stakeholders to address PTSD. We are addressing it not only from a financial perspective, but also in recognition of the effects it has on staffing, departmental morale, and the well-being of individuals and their friends, families, and communities.

As part of this effort, the Trust hired a former public safety officer as a dedicated full-time resource on PTSD and general public safety mental health. Over the last year, she has:

- Created our online [PTSD and Mental Health Toolkit](#) in consultation with a psychologist and a number of state public safety leaders.
- Collaborated with the University of Minnesota on research projects designed to measure the scope and effectiveness of different approaches to preventing, identifying, and mitigating PTSD.
- Initiated a broad analysis with other state league pools of national trends regarding these types of claims.
- Worked with members and the League's Intergovernmental Relations staff to develop legislative strategies to reduce the burdens PTSD is creating for our members, both in the workers' compensation system and with regard to Public Employee Retirement Association health benefit costs.

## Results will take time

While these efforts are expected to ultimately result in more manageable claim trends, that is not likely to happen overnight, and it could take several years to reach that goal. Although there are treatments that are widely effective for PTSD, there are still social and cultural obstacles to acknowledging mental health issues, seeking appropriate care, and encouraging return to work. Obstacles like those can take time to overcome.

In addition, while we are encouraging the state to take a more active role in addressing the problem, the state's own economic challenges suggest the Trust and our members will have to play an outsized role in finding solutions.

Nevertheless, we believe this is ultimately a broader problem that local governments and the workers' compensation system cannot fix without help from state and federal governments, public health professionals, health care organizations and insurers, and others with an interest in ensuring cost-effective public safety and healthy public safety officers. The Trust is committed to playing an active and significant role in confronting the challenge of PTSD. We are equally committed to engaging other participants in this effort.

## Client Authorization to Bind Coverage

Please bind our insurance coverage, as of 2/1/2021 for Package and Defense Cost Reimbursement coverage. We accept the League of Minnesota Cities Insurance Trust Program, subject to the following exceptions and/or changes:

Exceptions and/or Changes:

1. See Online Anniversary Risk Exposure Information Application
2. See Online Property Schedule
3. See Online Equipment Schedule
4. See Online Vehicle Schedule

It is understood this provides only a summary of the details; the policies will contain the actual coverages.

We confirm the values, schedules and other data contained in the anniversary information are from our records and acknowledge it is our responsibility to see that they are maintained accurately.

Please provide us with binder(s) and invoices(s) for the coverages agreed upon at your earliest convenience.

### Limitation of Liability

Gallagher's liability to Client arising from any acts or omissions of Gallagher shall not exceed \$20 million in the aggregate. Gallagher shall only be liable for actual damages incurred by Client, and shall not be liable for any indirect, consequential or punitive damages or attorneys' fees. No claim or cause of action, regardless of form (tort, contract, statutory, or otherwise), arising out of, relating to or in any way connected with this Agreement or any Services provided hereunder may be brought by either party any later than two (2) years after the accrual of such claim or cause of action.

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Client Signature  
Middle St Croix River WMO

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Dated

December 20, 2020

Middle St Croix River WMO  
Attn: Matt Downing  
455 Hayward Ave  
Oakdale, MN 55128

RE: Insurance Provided through the League of MN Cities Insurance Trust  
Policies: Package and Defense Cost Reimbursement  
Renewals effective February 1, 2021

Dear Matt,

Your insurance policies referenced above and written through the League of Minnesota Cities (LMCIT) expire on Enter Effective Date

Financial responsibility is an area you must scrutinize closely when selecting an insurance carrier. Arthur J. Gallagher Risk Management Services (Gallagher) does not guarantee the financial viability of any insurance carrier or market, but we certainly recommend that you make every attempt to try to place your coverage with an "A" rated carrier. However, the marketplace can be limited, which means fewer alternatives are available.

LMCIT does not meet our corporate minimum rating requirements, normally recommended by Gallagher. They are not rated or followed by A.M. Best. As a result, we have no access to Best's independent evaluations of this carrier's financial strength and future claims paying ability. A copy of the A.M. Best Rating is attached. Please review this and other available information with your accountant and/or attorney to assist you in judging the acceptability of this insurance carrier.

We understand that the insurance marketplace can be very limited at times with feasible alternatives being scarce. However, we thought this option should be explained to you in writing. Again, LMCIT does not presently meet our normal corporate financial guidelines recommended by Gallagher. However, if you direct that we bind coverage with LMCIT, please sign and return a copy of this letter indicating that you understand the information furnished and still wish to place coverage with LMCIT.

Sincerely,



Jennifer Lorang, CISR  
Client Service Associate Senior

The undersigned, a duly authorized officer or representative acting in said capacity, acknowledges receipt of the information contained herein. Notwithstanding this information, the undersigned hereby authorizes and directs Arthur J. Gallagher & Co. and any of its subsidiary companies to bind coverage outlined above.

BY: \_\_\_\_\_  
Specify: owner, partner or corporate officer



## LIABILITY COVERAGE – WAIVER FORM

**Members who obtain liability coverage through the League of Minnesota Cities Insurance Trust (LMCIT) must complete and return this form to LMCIT before the member's effective date of coverage. Return completed form to your underwriter or email to [pstech@lmc.org](mailto:pstech@lmc.org).**

*The decision to waive or not waive the statutory tort limits must be made annually by the member's governing body, in consultation with its attorney if necessary.*

Members who obtain liability coverage from LMCIT must decide whether to waive the statutory tort liability limits to the extent of the coverage purchased. The decision has the following effects:

- *If the member does not waive the statutory tort limits, an individual claimant could recover no more than \$500,000 on any claim to which the statutory tort limits apply. The total all claimants could recover for a single occurrence to which the statutory tort limits apply would be limited to \$1,500,000. These statutory tort limits would apply regardless of whether the member purchases the optional LMCIT excess liability coverage.*
- *If the member waives the statutory tort limits and does not purchase excess liability coverage, a single claimant could recover up to \$2,000,000 for a single occurrence (under the waive option, the tort cap liability limits are only waived to the extent of the member's liability coverage limits, and the LMCIT per occurrence limit is \$2,000,000). The total all claimants could recover for a single occurrence to which the statutory tort limits apply would also be limited to \$2,000,000, regardless of the number of claimants.*
- *If the member waives the statutory tort limits and purchases excess liability coverage, a single claimant could potentially recover an amount up to the limit of the coverage purchased. The total all claimants could recover for a single occurrence to which the statutory tort limits apply would also be limited to the amount of coverage purchased, regardless of the number of claimants.*

Claims to which the statutory municipal tort limits do not apply are not affected by this decision.

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LMCIT Member Name:

\_\_\_\_\_

*Check one:*

- The member **DOES NOT WAIVE** the monetary limits on municipal tort liability established by [Minn. Stat. § 466.04](#).
- The member **WAIVES** the monetary limits on municipal tort liability established by [Minn. Stat. § 466.04](#), to the extent of the limits of the liability coverage obtained from LMCIT.

Date of member's governing body meeting: \_\_\_\_\_

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

# 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:** Matt Downing, Administrator  
**DATE:** December 29<sup>th</sup>, 2020

### RE: 6d.) 2020 Budgeted Savings Deposit

The 2020 MSCWMO Budget included \$5,750 for deposit into savings for future costs including water monitoring equipment replacement and repair, and watershed management plan update costs. None of these funds were expended in 2020 and the entire balance can be deposited.

I am requesting board approval to deposit the funds into the RBC savings account.

**Recommended Board Action- Approve Staff to Deposit \$5,750 from the 2020 Budget to Savings**

MSCWMO 2020 Budget Tracker

ADMINISTRATION	2019 MSCWMO Budget	2020 MSCWMO Budget	January	February	March	April	May	June	July	Aug	Sept	October	November	December	Encumbered	Total to date	% to date
Administration - General	\$29,000	\$31,160	1,463.00	2,337.00	2,629.00	2,022.00	1,444.00	2,584.00	3,266.00	3,370.00	2,796.00	3,522.00	2,186.00	2,756.00		30,375.00	97%
Accounting	\$1,500	\$1,550	210.00			140.00	280.00	140.00		217.00	140.00	140.00	140.00	210.00		1,617.00	104%
Legal Fees - General	\$1,000	\$1,000														0.00	0%
Audit	\$2,100	\$2,100							2,900.00							2,900.00	138%
Insurance & Bonds	\$3,000	\$2,600			2,275.00									-338.00		1,937.00	75%
Office supplies/equipment/postage	\$750	\$625														0.00	0%
Minutes/Clerical	\$1,100	\$1,180	160.00		192.00	192.00	192.00	192.00	128.00	192.00		288.00	128.00	192.00		1,856.00	157%
Copying/printing/reproduction/minutes	\$750	\$625														0.00	0%
<b>Subtotal Expenditures</b>	<b>\$39,200</b>	<b>\$40,840</b>	<b>1,833.00</b>	<b>2,337.00</b>	<b>5,096.00</b>	<b>2,354.00</b>	<b>1,916.00</b>	<b>2,916.00</b>	<b>6,294.00</b>	<b>3,779.00</b>	<b>2,936.00</b>	<b>3,950.00</b>	<b>2,454.00</b>	<b>2,820.00</b>		<b>38,685.00</b>	<b>95%</b>
<b>PROJECT FUNDS</b>																	
Project Contingency	\$2,000	\$2,000														0.00	0%
Engineering - Project	\$5,400	\$5,700														0.00	0%
Development Plan Reviews	\$4,800	\$5,040	546.00	1,606.00	1,942.00	1,722.00	652.00	798.00	572.00	2,733.00	1,260.00	290.00	1,140.00	5,716.00		18,977.00	136%
Erosion Monitoring Program	\$2,250	\$2,250			176.00		448.00	382.00	610.00	657.00	224.00	384.00				2,881.00	128%
BMP Cost-Share (general)	\$14,656	\$20,000									935.50		2,132.34	41.67	15,500.00	18,609.51	93%
BMP TA & Admin	\$25,521	\$27,768	105.00	2,168.00	4,008.00	3,708.00	2,586.00	4,896.00	4,545.86	2,853.50	1,164.75	1,480.00	1,071.50	358.00		28,944.61	104%
Community TA	\$3,000	\$3,000	500.00	76.00		114.00			775.00				500.00	422.00		2,387.00	80%
Water Resource Educator	\$6,300	\$6,300				1,575.00		1,575.00			1,575.00			1,575.00		6,300.00	100%
Website	\$750	\$800	468.00			114.00				95.00				114.00		791.00	99%
Inspection and Track Database	\$900	\$900							895.71							895.71	100%
Total Water Monitoring	\$21,293	\$22,000				3,720.00		3,830.29			5,410.26			5,868.56		18,829.11	86%
<i>Future projects</i>																	
Savings-Water Monitoring - Set aside for equipment replacement & Monitoring Costs	\$1,000	\$750												750.00		750.00	100%
Savings-WMP Update	\$6,000	\$5,000												5,000.00		5,000.00	100%
<b>Subtotal Expenditures</b>	<b>\$93,870</b>	<b>\$101,508</b>	<b>1,619.00</b>	<b>3,850.00</b>	<b>6,126.00</b>	<b>10,953.00</b>	<b>3,686.00</b>	<b>11,481.29</b>	<b>7,398.57</b>	<b>6,338.50</b>	<b>10,569.51</b>	<b>2,154.00</b>	<b>4,843.84</b>	<b>19,845.23</b>		<b>104,364.94</b>	<b>103%</b>
<b>TOTAL ANNUAL BUDGET</b>	<b>\$133,070</b>	<b>\$142,348</b>															

RECIEVABLES	19 Roll Over	20 Allocated	January	February	March	April	May	June	July	August	September	October	November	December	Undeposited	Total	
Development Review Fees					1,100.00	750.00	350.00				350.00	350.00		750.00	5,250.00	\$8,900	
3M PFAS					1,352.00						507.00	1,098.50		1,352.00		\$4,310	
Lake St. Croix Direct Phase II																\$0	
Lake St. Croix Direct Phase III																\$0	
Lily Lake Delisting							256,750.00									\$256,750	
																\$0	
																\$0	
																\$0	
<b>Subtotal Recievables</b>			<b>\$0</b>	<b>\$0</b>	<b>\$2,452</b>	<b>\$750</b>	<b>\$257,100</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$857</b>	<b>\$1,449</b>	<b>\$0</b>	<b>\$2,102</b>	<b>\$0</b>	<b>\$5,250</b>	<b>\$269,960</b>

<b>TOTAL RECIEVABLES</b>	<b>\$13,210</b>
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<b>TOTAL BUDGET (Annual+ Recievables)</b>	<b>\$155,558</b>
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<b>TOTAL EXPENDITURES (Annual+Recievables)</b>	<b>\$ 143,049.94</b>
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## MEMORANDUM

**TO:** MSCWMO Board  
**FROM:** Angie Hong, Water Education Senior Specialist  
**DATE:** 1-5-20  
**RE:** Gabriel Curell plant grant reimbursement request

Last January, the MSCWMO board approved a Landscaping for Habitat grant of \$250 for Gabriel Curell to install native plantings at 1771 Racine Ave S, Lake St Croix Beach.

Last year, Curell completed coursework to become certified as a Minnesota Water Steward and installed native plants and a bee-lawn at his home as part of his capstone project. Additional grant funds for the project were provided by the Washington Conservation District. Curell is currently requesting final reimbursement from MSCWMO in the amount of \$41.67 for expenses not covered by the WCD grant.

All receipts are accounted for and a copy of the WCD voucher and certification for the project is attached.

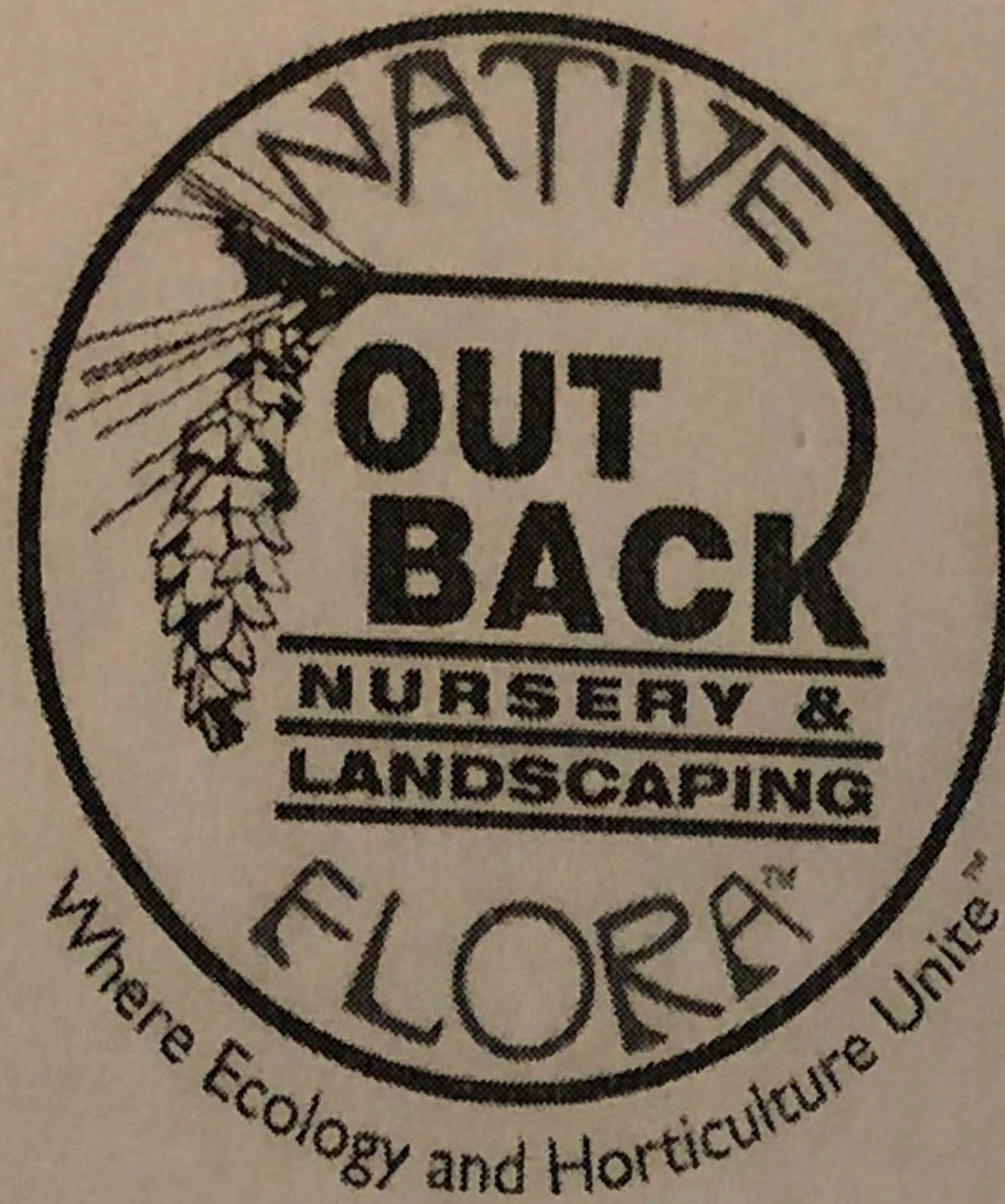
### EXAMPLE BOARD MOTION FOR MINUTES:

Landscaping for Habitat grant payment for Gabriel Curell project.

Motion by Board Member 1, seconded by Board Member 2, to reimburse Gabriel Curell \$41.67 for installation of native plants to support habitat and clean water. Applicant will be notified of Board's decision within 15 days. All members voting yes. Motion carried.

Please send check for \$41.67 to Gabriel Curell: 1771 Racine Ave. S., Lake St. Croix Beach, MN 55043

Customer Copy



**Out Back Nursery, Inc.**  
 15280 110th Street So. Hastings MN 55033  
 Ph: (651) 438-2771 Fax: (651) 438-3816  
 www.outbacknursery.com

**Bill To:**  
 Dustin G Currell

Description 1	Attribute	Size	Orig Price	Disc %Type	Qty	Price	Ext Price Tax
Spikenard		01	\$12.95		1	\$12.95	\$12.95 T
Common Lowbush Blueberry	6-12"	01	\$16.00		1	\$16.00	\$16.00 T
Boneset		01	\$9.95		1	\$9.95	\$9.95 T

Subtotal: \$38.90

Tax 7.13 % Tax: + \$2.77

**RECEIPT TOTAL: \$41.67**

Credit Card: \$41.67 XXXX3946 MasterCard  
 Reference # 2000002470

Expiry Date: XX/XX Auth=058707  
 Entry: Swiped Merchant #\*\*\*29618

**Signature** \_\_\_\_\_

I agree to pay above amount according to card issuer  
 agreement (merchant agreement if credit voucher).

**PLEASE RETAIN FOR YOUR RECORDS**

It is an honor and a privilege to serve you.



11388

# 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:** Matt Downing, Administrator  
**FROM:** Rebecca Nestingen, PE  
**DATE:** January 4, 2021

### RE: 8a) Plan Reviews/Submittals

The following is a summary of recent activity on projects submittals which qualify for plan review under the MSCWMO 2015 Watershed Management Plan (WMP):

- **Fox Trail.** The construction of a new trail down the bluff on a residential property is proposed at 1485 Rivercrest Road N. in Lakeland. A project application for review was received on October 22<sup>nd</sup>, 2020. A variance for construction within the bluff line was granted from the City of Lakeland. Apart from grading on the bluff, the project meets all performance standards for erosion and sediment control plans. The project does not add any impervious surface and therefore does not trigger any permanent stormwater management standards. *MSCWMO staff recommends project approval with the condition that the applicant use prudence in respect to timing of the construction activity with relate to the weather forecast and makes every practicable effort to stabilize disturbed bluff areas as soon as possible.*
- **200 Chestnut Street.** Incomplete materials were received for a proposed development of a 73-unit apartment structure at 200 Chestnut Street East in Stillwater on December 1, 2020. Complete review materials were received on December 22, 2020. Stormwater is proposed to be managed utilizing green roofs meeting MSCWMO performance criteria. *MSCWMO staff recommend approval with two conditions.*
- **Hills of Spring Creek.** Materials were received for a proposed 195 acre single family residential development in Baytown Township on December 17, 2020. MSCWMO staff reviewed the H/H modeling and upon finding numerous technical errors and methodologies inconsistent with MSCWMO performance standards requested the applicant revise and resubmit materials. MSCWMO staff are currently awaiting resubmittal.
- **1175 Quinlan Ave.** Incomplete materials were received for a proposed shoreline stabilization project at 1175 Quinlan Ave South in Lakeland on December 21, 2020. A variance from the City of Lakeland for construction within the bluff line will likely be required for the project. MSCWMO staff are awaiting receipt of a complete application package to review the project for conformance with MSCMWO standards.

# MIDDLE ST. CROIX WATERSHED MANAGEMENT ORGANIZATION

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



## Staff Report- December 2020

### Administration

- Prepared January meeting materials
- Coordination of Grant and Permit Programs

### Project Reviews

- Fox Trail-ACTION
- 200 Chestnut St.-ACTION
- Hills of Spring Creek-INFORM
- 1175 Quinlan-INFORM

### Lily Lake Phosphorus Reductions for Delisting – CWF Grant C20-6055

**Description:** Awarded \$513,500 for in-lake alum treatment and filtration basin to remove 120lbs of phosphorus from Lily Lake.

**Activities This Month:** Met with Emmons, Olivier Resources (EOR) for design meeting for the Lily Lake Park basin. Draft 90% plans were completed and reviewed by MSCWMO staff. City of Stillwater staff have been engaged and will review the final plans once more. Awaiting reply from Apartment landowner behind the site to integrate their runoff issues with our site improvements. That solution will be part of the final design.

**Staff:** Bryan Pynn-WCD; Matt Downing-MSCWMO

### Watershed Based Funding- Lily Lake Raingardens

**Description:** \$39,636 CWF Watershed Based Funding allocation to improve water quality. The funding is approved to provide the design and installation of two raingardens on Lily Lake in Stillwater.

**Activities This Month:** Funding approved for re-allocation to the LSCB Bluff project. LSCB Bluff project under construction. 285 lf were installed before freeze-up, and remaining will be completed in spring 2021. Partial payment for completed work went out in December. Reported activities entered into Elink for BWSR reporting requirements.

**Staff:** Bryan Pynn - WCD

### Lake St. Croix Small Communities Phosphorus Reduction Grant

**Description:** \$200,000 grant for stormwater quality improvement south of Bayport (2019-2021). Planning to work in partnership with City of Lake St. Croix Beach to stabilize the bluff on the north side of town.

**Activities This Month:** Project under construction. 285 feet have been completed, the remaining project will be completed in spring of 2021. Will be working with the City to prepare a partial payment and request more grant funds from BWSR.



# MIDDLE ST. CROIX WATERSHED MANAGEMENT ORGANIZATION

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



**Staff:** Bryan Pynn - WCD; Matt Downing - MSCWMO

## **3M PFAS Settlement MPCA Staff Reimbursement Grant**

**Description:** Up to \$40,000 reimbursement of staff time for both the Administrator and consultant (Stu Grub with EOR) to participate in the development of the groundwater model for the PFAS contamination in the southern portion of the watershed.

**Activities This Month:** Engaged with Stu to identify next steps as requested by the Board.

**Staff:** Matt Downing, MSCWMO; Stu Grub, EOR

## **Microbial Source Tracking of *E. coli* in Perro Creek**

**Description:** The MSCWMO and the City of Bayport agreed to partner on an effort to identify the source of *E. coli* contamination of Perro Creek. 4 locations on the creek were sampled for the presence or absence of human DNA in the bacteria. This effort is above and beyond the concentration monitoring already being conducted by the MSCWMO.

**Activities This Month:** Sampling has concluded and results will be reported in the 2020 Annual Monitoring Summary.

**Staff:** Rebecca Oldenburg Giebel, WCD

## **Water Monitoring Program**

**Description:** The MSCWMO water monitoring program includes the monitoring of flow at three sites. These sites have that equipment serves to collect data on the total volume of water flowing into Lily Lake at the Greeley Street Inlet, through Perro Creek at the Diversion Structure, as well as, the Perro Creek Diversion Structure Overflow. Water quality is also collected at the Greeley Street Inlet and the Perro Creek Diversion Structure on a monthly basis, as well as during storm events.

Additionally, the MSCWMO monitors two lakes, Lily and McKusick for several parameters from April-October. Data is collected on both lakes on a biweekly basis and includes: water level, clarity, pH, temperature and dissolved oxygen profiles, an aesthetics and user profile, and field conditions. Additionally, water quality samples are collected from the surface of the lakes and analyzed for total phosphorus, total Kjeldahl nitrogen, and chlorophyll.

**Activities This Month:** Quality assurance and control of data collected during the monitoring season is ongoing. Post season testing and maintenance of equipment has identified one stage-velocity sensor to be evaluated by the manufacturer.

**Staff:** Rebecca Oldenburg Giebel, WCD, Aaron DeRusha, WCD

## **Erosion and Sediment Control Inspections**

**Description:** The MSCWMO has contracted with the WCD to conduct erosion and sediment control inspections for construction projects that have been reviewed and recommended for permit approval by partner communities.

**Activities This Month:** None

# MIDDLE ST. CROIX WATERSHED MANAGEMENT ORGANIZATION

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**Staff:** Aaron DeRusha WCD

## **BMP Maintenance**

**Description:** The MSCWMO has a maintenance obligation for its Capital Improvement Projects and projects funded by Clean Water Fund grants. The MSCWMO partners with the Washington Conservation District to fulfill this maintenance requirement.

**December Activities:** No update.

**Staff:** Cameron Blake, WCD

## **Meetings**

- MSCWMO-EMWREP Coordination-December 9<sup>th</sup>
- Lily Lake Basin Edits-December 10<sup>th</sup>
- 2159 Pre-Application Meeting – December 9<sup>th</sup>
- 200 Chestnut Pre-Application –December 11<sup>th</sup>
- LSC1W1P Steering Team - December 14<sup>th</sup>
- 2<sup>nd</sup> Nature Demo – December 17<sup>th</sup>
- Stillwater CC Coordination – December 22<sup>nd</sup>