

**LOWER MINNESOTA RIVER WATERSHED DISTRICT
MINUTES
WEDNESDAY, MARCH 18, 2009, 7:00 PM**

1. CALL TO ORDER

President Kremer called the regular meeting of the Board of Managers of the Lower Minnesota River Watershed District to order at 7:00 PM on Wednesday, March 18, 2009 in the Council Chambers at the City of Chaska, Chaska, Minnesota.

2. ROLL CALL

Managers Present: Len Kremer, Ed Schlampp, Larry Samstad, Kent Francis
Also Present: Districts' Attorney Bruce Malkerson, staff members Terry Schwalbe and Joan Ellis

3. APPROVAL OF MEETING AGENDA

It was moved and seconded to approve the agenda as amended. VOTE: Ayes 4; Nays 0.

4. CONSENT AGENDA

President Kremer removed the January 21, 2009 minutes from the Consent Agenda. **It was moved and seconded to approve the amended consent agenda consisting of the minutes of February 18, 2009, Treasurer's Report and Payment of Bills. VOTE: Ayes 4; Nays 0.**

5. OPEN FORUM

No one spoke.

6. APPROVAL OF MINUTES

The February 2009 minutes were approved under the Consent Agenda. President Kremer indicated that on page three, 11.c. Coleman Lake, seven lines in, the words "several months" should be replaced with "several years" in the conversation with Bob Obermeyer. **It was moved and seconded to approve the amended January 21, 2009. VOTE: Ayes 4; Nays 0.**

7. PRESENTATIONS

There were no presentations.

8. PRESENTATIONS FOR BOARD ACTION

a. City of Eden Prairie project report, Leslie Stovring, City of Eden Prairie
Ms. Stovring handed out before, during and after construction and explained the project area involved. Ten percent of the contractor's final invoice is being held back until it can be determined that the plant materials planted held up through winter. Additional plant seeding may be done in the spring. The landscape contractor was easy and wonderful to work with on this project. SRF has been hired to monitor the site for two years. The District's funding payment approved last month can now be released to the city.

10. NEW BUSINESS

a. Riverview Road, Eden Prairie Bank Erosion, Leslie Stovring and SRF

A picture was handed out showing where there is severe and significant sluffing at two separate places into the Minnesota River near Riverview Road. About one-third of a stormwater pond located on the very left of the picture is gone and sluffed into the river. In the middle of the picture on the river bank is a brand new sluff happening over the winter. *(Note: it is at this point the tape went blank so the balance of the draft minutes are a combination of Mrs. Ellis' and Mr. Schwalbe's notes)*. The City of Eden Prairie would like the District to take the lead on this issue. The board directed Mr. Schwalbe to talk to the USACOE as there may be eminent danger to the homes at the top of the bluff. A package by the city should be put together and sent to Mr. Schwalbe. This is a high priority problem.

b. BWSR Performance Review and Assistance Program, President Kremer

This program being put in place was at the insistence of the legislature to provide assistance. Mr. Wozney said that because we are in the midst of renewing our ten-year plan we won't be audited at this time. President Kremer recommended that the District conduct their own self-audit to determine shortcomings before BWSR comes to the District to conduct an audit. Mr. Wozney said he would send the checklist of the 2009 PRAP to Mr. Schwalbe and he can send it out to the managers for the April meeting.

c. USGS Joint Funding Agreement 2009-2011 for Stream Gage on MN River at Ft. Snelling

President Kremer said we need to look at the tributaries to the Minnesota River in other watershed districts, determine the loads and what are the loads coming into the Minnesota River. **It was moved and seconded to approve the 2009-2011 USGS agreement for stream gage on the Minnesota River at Ft. Snelling. VOTE: Ayes 4; Nays 0.**

11. OLD BUSINESS

a. Flood update

Mr. Schwalbe said there is no flood threat in the Minnesota River, however, the Red River which flows north toward Fargo ND, is in danger of severe flooding. Mr. Schwalbe said he would email the National Weather Service link to the managers.

b. Coleman Lake

Mr. Schwalbe said he checked with the DNR and there is a rare frog species in Coleman Lake. He said his peers don't believe it is an insignificant lake and there would be further damage from equipment going into the lake to restore. President Kremer indicated that it is in our plan to restore all the floodplain lakes eventually. Manager Samstad challenged the rare frog species fact and requested Mr. Schwalbe to get photos and any reports on this rare frog to be given to the board.

c. 2008 MAWD Draft Resolution for Proposed Amendment to WCA and/or Rules

President Kremer handed out the resolution.

d. Scott County 2009 SWCD Agreement

Mr. Schwalbe said there were no changes in the work plan or the costs from the 2008 agreement. It was moved and seconded to approve the Scott County SWCD Agreement for 2009.

VOTE: Ayes 4; Nays 0.

12. ADMINISTRATOR REPORT

a. Seminary Fen/Assumption Creek negotiations and mapping

Mr. Schwalbe handed out a detailed mapping package explaining the eight parcels and the DNR options available to acquire property.

President Kremer said we could look at purchasing all parcels except number three and apply for a 2010 grant from the Heritage Fund to purchase easements for preservation. The cities and the DNR could give us written support in the grant application. The DNR is working on Parcel #1. The board requested Mr. Schwalbe to continue working on Parcel #2 to acquire an easement for preservation. The board directed Mr. Schwalbe to talk to Carver County and the cities of Chaska and Chanhassen to see if they are interested in pursuing the grant application with us.

b. Update on legislative resolution implementing a MN River Valley Basin Commission and for federal and state funding

Mr. Schwalbe said appointments are made with legislators to try and find a Senate sponsor for this bill. The appointments are at MAWD's Legislative Day at the Capitol on March 19, 2009. President Kremer said he will arrive about 9:30 AM.

c. Dredge Sites

The Mississippi River Forum is coming up and the District is on the agenda to find out what to do if dredge materials are contaminated and how funded. The board directed Mr. Schwalbe and Mr. Malkerson to look at the original agreement with the USACOE and get the facts together. Mr. Malkerson said we could go to Senator Klobachar for assistance because nowhere else are there barges, rails and highway trucking all within our District.

Mr. Schwalbe handed out a memorandum from Best & Flanagan in regards to the Stimulus Package and that funds may be available for the District for dredging issues and the City of Eden Prairie's bank erosion problem on the Minnesota River.

It was moved and seconded for Mr. Schwalbe and Mr. Malkerson to draft a letter for review by the board managers at the April meeting. VOTE: Ayes 4; Nays 0.

President Kremer said we should talk with the USACOE and county administrators.

It was moved and seconded for Mr. Schwalbe to work with Best & Flanagan on the dredging issues and the Eden Prairie MN River bank erosion issues. VOTE: Ayes 4; Nays 0.

DISTRICT ATTORNEY REPORT

There was nothing to report.

ADJOURN

It was moved and seconded to adjourn the meeting at 8:40 PM. VOTE: Ayes 4; Nays 0.