



**SOUTH WASHINGTON  
WATERSHED DISTRICT**

**South Washington Watershed District-Regular Meeting  
Tuesday, June 9, 2026 6:00 p.m.  
City of Woodbury Public Works building  
2301 Tower Drive**

## **AGENDA**

- 1) Call to Order and Setting of Agenda
- 2) Public Open Forum
- 3) Consent Agenda
- 4) Manager Reports
  - a) Oath of Office-Andrea Date
  - b) Kevin ChapdeLaine Resignation and Board Officers and Committee Appointments
- 5) Administrator's Report
  - a) Project Update
  - b) Minnesota Watersheds Resolutions
  - c) Agreements Approved by Administrator
- 6) Watershed Management Plan Public Hearing
  - a) Public Hearing: Receive comments from the public about SWWD's draft 2026-2036 Watershed Management Plan
- 7) Watershed Management Plan 90 Day Review
  - a) Discussion: Watershed Management Plan Resolution #2026-003, 90 Day Review Submittal
  - b) Decision: Watershed Management Plan Resolution #2026-003, 90 Day Review Submittal
- 8) 2027 Budget
  - a) Discussion: Budget process, 2027-2036 Long Range Workplan, 2027 priorities
  - b) Decision: 2027 Draft Budget and Schedule
- 9) Wetland Conservation Act—Bailey West Replacement Plan and No-Loss
  - a) Discussion: Bailey West RP and No-Loss determination
  - b) Decision: Bailey West RP and No-Loss determination

Post Until 6/10/2026

- 10) Bailey School Forest Vegetation Management, The Land Stewards
  - a) Discussion: Bailey School Forest Vegetation Management, The Land Stewards
  - b) Decision: Bailey School Forest Vegetation Management, The Land Stewards
  
- 11) Future Business and Meetings
  - a) Regular Board Meeting, Tuesday, June 9, 2026 6:00pm
  - b) CAC Meeting, Tuesday, June 23, 2026 6:00pm
  - c) Regular Board Meeting, Tuesday, July 14, 2026 6:00pm
  - d) Lower St. Croix Policy Committee Meeting, Monday, July 27, 2026 4:00pm
  - e) St. Croix Workshop on the Water, Thursday, July 30, 2026 5:00pm
  - f) Board Workshop and Regular Board Meeting, **Wednesday, August 12, 2026 5:00pm**
  - g) Minnesota Watersheds Summer Tour, Detroit Lakes, August 25-26, 2026
  
- 12) Adjourn

### **Consent Agenda-June 9, 2026**

- a) Approval of Minutes
  - i) 5/12/2026 Regular Meeting
- b) Treasurers Report
  - i) Accounts payable May 26
  - ii) Financials year to date and Fund Balances
- c) Calendar/Meetings
  - i) Regular Board Meeting, Tuesday, June 9, 2026 6:00pm
  - ii) CAC Meeting, Tuesday, June 23, 2026 6:00pm
  - iii) Regular Board Meeting, Tuesday, July 14, 2026 6:00pm
  - iv) Lower St. Croix Policy Committee Meeting, Monday, July 27, 2026 4:00pm
  - v) St. Croix Workshop on the Water, Thursday, July 30, 2026 5:00pm
  - vi) Board Workshop and Regular Board Meeting, **Wednesday, August 12, 2026 5:00pm**
  - vii) Minnesota Watersheds Summer Tour, Detroit Lakes, August 25-26, 2026
- d) Development Reviews
  - i) Final
    - (1) None
  - ii) On Going
    - (1) Lake Elmo WTP, Lake Elmo
    - (2) Bailey West, Woodbury, Newport, Maplewood
  - iii) New
    - (1) None
- e) Wetland Conservation Act
  - i) Notice of Application-CSAH 19 Revised/2026-SWW-05
- f) Stewardship Grant Program-Final Payment and Applications
  - i) Jean Nierenhausen-Final Payment \$443.56
  - ii) Beth Eskra-Final Payment \$500.00
  - iii) Caitlin Schmocker-Final Payment \$500.00
  - iv) Marin Morrell-Application \$500.00

Post Until 6/10/2026

- v) Angela Scaletta-Application \$500.00
- vi) Carolyn Wanamaker-Application \$500.00
- g) Miscellaneous Correspondence

Post Until 6/10/2026

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**2302 Tower Drive • Woodbury, MN 55125 • 651-728-6038**  
**[www.swwdmn.gov](http://www.swwdmn.gov)**



<b>Date: June 5, 2026</b>	<b>South Washington Watershed District Request for Board Action</b>	<b>Consent Agenda Item a</b>
<b>Title:</b> SWWD Board Minutes	<b>Board Action Requested:</b> Approval of Minutes: 5/12/2026 Regular Meeting	<b>Required Signatures</b> SWWD Secretary
<b>Reviewed by:</b> JHL		
<b>Background/Justification:</b>		
<b>Previous Action:</b> None		<b>Contact:</b> JHL
<b>Date Received:</b> June 5, 2026	<b>SWWD Administrator/Date:</b> June 5, 2026	<b>SWWD Attorney/Date</b>
<b>Financial Implications:</b> N/A		<b>Comments:</b>
<b>Fund</b> N/A	<b>Explanation</b>	<b>Fund Balance:</b> N/A
<b>Decision Needed/Date</b>	<b>Administrative Recommendation</b> <u>Approval</u> Informational Denial                No Recommendation	<b>Comments</b>

**Regular Meeting**  
**South Washington Watershed District**  
**Tuesday, May 12, 2026 6:00 p.m.**  
**City of Woodbury Public Works Building**

**1. Call to Order and Setting of Agenda**

Manager Doucette called the meeting to order at 6:00 pm. A motion was made by Manager ChapdeLaine to move Item #6-City of Woodbury Goldfish Management Agreement to the Consent Agenda. Manager Stephens seconded. Motion carried unanimously.

**Roll Call:**

- Sharon Doucette, President
- Emily Stephens, Vice President
- Kevin ChapdeLaine, Treasurer
- David Filipiak, Secretary

**Staff:**

- John Loomis, Administrator
- Melissa Imse, Operations Manager
- Kyle Axtell, Watershed Project Manager
- Tony Randazzo, Watershed Restoration Specialist

**Others:**

- Mary Ellen Reihsen, SWWD Attorney

**2. Public Open Forum.** None

**3. Consent Agenda**

Items on the Consent Agenda include: April 14, 2026, Regular Board Meeting minutes, April Claims Roster and Treasurer's Report: accounts payable \$322,151.04, accounts receivable \$29,099.38, 4M fund balance \$9,592,046.15, Calendar of Events, Development Reviews, Wetland Conservation Act, Stewardship Grant Applications and Payments, Miscellaneous Correspondence and Item #6-City of Woodbury Goldfish Management Agreement. A motion was made by Manager ChapdeLaine to approve the Consent Agenda. Manager Stephens seconded. Motion carried unanimously.

**4. Oath of Office.** Manager Doucette took the Oath of Office to serve on the SWWD Board. Her term expires April 30, 2029.

**Manager's Report**

**Manager Doucette**—Manager Doucette reported that she attended the City of Woodbury and City of Cottage Grove joint council meeting.

**Manager Stephens**—Manager Stephens reported that she attended a tour with the City of Cottage Grove at various stormwater sites.

**Manager ChapdeLaine**-None.

**Manager Filipiak**—Manager Filipiak reported that he attended the Lower St. Croix Policy Committee meeting, the City of Woodbury and City of Cottage Grove joint council meeting, and the City of Woodbury quarterly meeting.

**5. Administrator Report**

**SWWD Project Updates.** Included in the board packet are project updates on: Trout

Brook, Glacial Valley Park and Open space, Campus Greening, Wilmes Lake Alum Treatment Facility, Hasenbank Woods and Stormwater Park, Markgrafs Lake Retrofit Analysis, Cottage Grove Ravine Regional Park, St. Croix Bluffs Regional Park, CR74-65<sup>th</sup> and Geneva, Newport Elementary Underground BMP, Lower Grey Cloud Slough Habitat Improvement, Watershed Management Plan Update, In-Lake AIS Management, Newport Open Space Planning, Cottage Grove Open Space Planning, Armstrong Lake Wetland Cattail Harvesting, SWWD Website Update, La and Ria Lake Outlets, Groundwater and Ecosystems Services Studies, and Administrative items.

**August Board Meeting Date.** Due to the primary election, the August Board meeting date will have to be rescheduled. After discussion, the managers set the August Board meeting to Wednesday August 12.

6. **City of Woodbury Goldfish Management Agreement.** This item was approved under the Consent Agenda.
7. **Wilmes Lake Iron Enhanced Sand Filter Project, Barr Task Order#2026-001.** Barr Engineering completed work under Task Order 2025-001 over the winter, providing two concepts for a CC17 filter to replace the failed IESF along Schooner Way in Woodbury. Staff have reviewed these options with Woodbury staff, and the preferred option is ready to proceed. Barr has provided a scope of work to carry the project through design phases, public outreach, bidding and construction oversight. The concept carries an estimated construction cost of \$384,000 +/- . Design would proceed through 2026 with bidding this winter and construction late winter through spring 2027. After discussion, a motion was made by Manager Stephens to approve Barr Task Order#2026-001 for the Wilmes IESF not to exceed \$150,000. Manager Filipiak seconded. Motion carried unanimously.
8. **2025 SWWD Financial Audit.** The 2025 SWWD Financial Audit is complete and was conducted by our auditing firm Abdo. SWWD received a clean audit opinion and had the same finding of Limited Segregation of Duties. The audit has been reviewed by the SWWD Treasurer. After discussion, a motion was made by Manager ChapdeLaine to accept the 2025 SWWD Financial audit and to direct staff to submit the report to the required State Agencies. Manager Filipiak seconded. Motion carried 3-0, with Manager Doucette abstaining from the vote.
9. **Marin Nelson Stewardship Grant Application.** Restoring woodlands dominated by invasive shrubby species is an important step in building soils and native plant communities to support watershed health. This project will work to improve the woodland health of 4.7 acres located immediately adjacent to Trout Brook in Denmark Township. Funding will provide 75% funding support for the first year activities of forestry mowing, canopy thinning, seeding site prep and seeding as well as tree, shrub and plug planting on private property in this high priority region of the SWWD. The homeowner will fund additional years of maintenance on their property. A motion was made by Manager ChapdeLaine to approve the cost-share agreement for this project at 75% of the total cost, not to exceed \$11,963.25. Manager Stephens seconded. Motion carried unanimously.
10. **Future Business and Meetings.**
  - Workshop and Regular Board Meeting, Tuesday, May 12, 2026 5:00pm
  - Regular Board Meeting, Tuesday, June 9, 2026 6:00 pm.
  - CAC Meeting, Tuesday, June 23, 2026 6:00 pm.
  - Regular Board Meeting, Tuesday, July 14, 2026 6:00pm
  - Lower St. Croix Policy Committee Meeting, Monday, July 27, 2026 4:00pm
  - St. Croix Workshop on the Water, Thursday, July 30, 2026 5:00pm

**11. Adjourn**

The next regular Board Meeting will be held on Tuesday, June 9<sup>th</sup> at 6:00 pm. A motion was made by Manager Filipiak to adjourn at 6:59 p.m. Manager Doucette seconded. Motion carried unanimously.

Respectfully submitted,

*Melissa Imse*

Melissa Imse, Operations Manager

Approved By:

\_\_\_\_\_

Mr. David Filipiak, Secretary

\_\_\_\_\_

Date



<b>Date: June 5, 2026</b>	<b>South Washington Watershed District Request for Board Action</b>	<b>Consent Agenda Item b</b>
<b>Title:</b> SWWD Monthly Accounting	<b>Board Action Requested: Approval of:</b> Treasurers Report Accounts payable for May 2026	<b>Required Signatures</b> SWWD Treasurer
<b>Reviewed by:</b> JHL		
<b>Background/Justification</b> Accounts Payable May 26: \$349,905.79 Accounts Receivable May 26: \$28,716.26 4M fund Balance May 26: \$9,219,001.32		
<b>Previous Action:</b> None		<b>Contact:</b> JHL
<b>Date Received:</b> June 5, 2026	<b>SWWD Administrator/Date:</b> June 5, 2026	<b>SWWD Attorney/Date</b>
<b>Financial Implications:</b> N/A		<b>Comments:</b>
<b>Fund</b> N/A	<b>Explanation</b>	<b>Fund Balance:</b> N/A
<b>Decision Needed/Date</b>	<b>Administrative Recommendation</b> <u>Approval</u> Informational Denial                No Recommendation	<b>Comments</b>



Vendor	Description	Invoice #	Amount
Carpenter Nature Center	Spring Education Programming	O-1861	\$ 13,172.01
City of Newport	CCIP Reimbursement Brush Mower	See Attached	\$ 2,875.00
City of Oakdale	CCIP Reimbursement Brine	INV01722	\$ 73,100.00
City of Woodbury	CCIP Regional Stormwater Study	1767	\$ 4,976.21
City of Woodbury	Q1 2026 Wilmes Alum Facility Maintenance	1727	\$ 17,699.43
City of Woodbury	Q1 2026 Hasenbank Maintenance	1728	\$ 7,033.18
City of Woodbury	CCIP Reimbursement Brush Cutter	1764	\$ 10,117.32
City of Woodbury	July Rent	1768	\$ 3,429.27
Beth Eskra	Stewardship Plant Grant Reimbursement	See Attached	\$ 500.00
Insight	BI Software	1101392723	\$ 26.69
Taylor Mills	Artist in Residence April Payment	13	\$ 750.00
Jean Nierenhausen	Stewardship Plant Grant Reimbursement	See Attached	\$ 443.56
Prairie Restorations	Grey Cloud School Maintenance	INV-018616	\$ 1,376.32
Caitlin Schmocker	Stewardship Plant Grant Reimbursement	See Attached	\$ 500.00
<b>Payroll, Benefits, and EFT Payments</b>	<b>18 EFT, 10 Direct Dep, 2 Checks</b>		<b>\$ 213,906.80</b>
Minnesota Life Ins. Co.	June 2026 Life Prem	Check	\$ 207.95
Madison National Life	June 2026 LTD and STD	Check	\$ 255.69
Deferred Compensation		EFT	\$ 3,770.00
PERA		EFT	\$ 6,345.37
US Bank	Federal W/H & FICA	EFT	\$ 10,967.91
MN Dept of Revenue	State W/H and Paid Leave	EFT	\$ 2,248.12
Health Partners	Insurance Premium	EFT	\$ 6,917.36
US Bank Credit Card	Credit Card Payment	EFT	\$ 4,113.18
US Bank Equipment	Copier Rental	EFT	\$ 245.32
Optum	H.S.A. Fee	EFT	\$ 4.25
Abdo	April 2026 Payroll	523625	\$ 792.50
Abdo	Accounting Assistance	523523	\$ 1,576.25
Abdo	2025 Audit Payment	524302	\$ 3,935.00
ACM LLC	Ravine Outlet Channel	Pay Request 1	\$ 93,277.17
Barr Engineering	Monitoring Plan Update	23821358.00-9	\$ 2,493.50
Hellmuth & Johnson Legal	April Legal Services	EFT	\$ 900.00
Houston Engineering	Development Reviews Inv 81764	EFT	\$ 3,161.50
HR Green	Newport Elementary Inv 201974	EFT	\$ 2,595.00
SRF Consulting	Ravine Lake Outlet INV 17696.00-21	EFT	\$ 16,546.79
Washington Conservation District	April Tech Inv 7483	EFT	\$ 7,560.75
Washington Conservation District	April Monitoring Inv 7473	EFT	\$ 16,349.00
			<b>\$ 349,905.79</b>
<b>Accounts Receivable</b>	<b>Description</b>	<b>Check #</b>	<b>Amount</b>
4M	May Interest		\$ 28,716.26
	<b>Total</b>		<b>\$ 28,716.26</b>

Kevin ChapdeLaine, SWWD Treasurer	Date June 9, 2026



<b>Date: June 5, 2026</b>	<b>South Washington Watershed District Request for Board Action</b>	<b>Consent Agenda Item c</b>
<b>Title:</b> SWWD Calendar	<b>Board Action Requested:</b> None Requested	<b>Required Signatures</b>
<b>Reviewed by:</b> JHL		
<p><b>Background/Justification:</b></p> <p>Calendar/Meetings</p> <ul style="list-style-type: none"> <li>i) Regular Board Meeting, Tuesday, June 9, 2026 6:00pm</li> <li>ii) CAC Meeting, Tuesday, June 23, 2026 6:00pm</li> <li>iii) Regular Board Meeting, Tuesday, July 14, 2026 6:00pm</li> <li>iv) Lower St. Croix Policy Committee Meeting, Monday, July 27, 2026 4:00pm</li> <li>v) St. Croix Workshop on the Water, Thursday, July 30, 2026 5:00pm</li> <li>vi) Board Workshop and Regular Board Meeting, <i>Wednesday, August 12, 2026 5:00pm</i></li> <li>vii) Minnesota Watersheds Summer Tour, Detroit Lakes, August 25-26, 2026</li> </ul>		
<b>Previous Action:</b> None		<b>Contact:</b> JHL
<b>Date Received:</b> June 5, 2026	<b>SWWD Administrator/Date:</b> June 5, 2026	<b>SWWD Attorney/Date</b>
<b>Financial Implications:</b> N/A		<b>Comments:</b>
<b>Fund</b> N/A	<b>Explanation</b>	<b>Fund Balance:</b> N/A
<b>Decision Needed/Date</b>	<b>Administrative Recommendation</b> Approval <u>Informational</u> Denial                No Recommendation	<b>Comments</b>



<b>Date: June 5, 2026</b>	<b>South Washington Watershed District Request for Board Action</b>	<b>Consent Agenda Item d</b>
<b>Title:</b> Development Reviews	<b>Board Action Requested:</b> None Requested	<b>Required Signatures</b>
<b>Reviewed by:</b> JHL		
<p><b>Background/Justification:</b></p> <p>Development Reviews</p> <ul style="list-style-type: none"> <li>i) <u>Final</u> (1) None</li> <li>ii) <u>On Going</u> (1) Lake Elmo WTP, Lake Elmo (2) Bailey West, Woodbury, Newport, Maplewood</li> <li>iii) <u>New</u> (1) None</li> </ul>		
<b>Previous Action:</b> None		<b>Contact:</b> JHL
<b>Date Received:</b> June 5, 2026	<b>SWWD Administrator/Date:</b> June 5, 2026	<b>SWWD Attorney/Date</b>
<b>Financial Implications:</b> N/A		<b>Comments:</b>
<b>Fund</b> N/A	<b>Explanation</b>	<b>Fund Balance:</b> N/A
<b>Decision Needed/Date</b>	<b>Administrative Recommendation</b> Approval                      Informational Denial <b><u>No Recommendation</u></b>	<b>Comments</b>

# May 2026 Development Reviews

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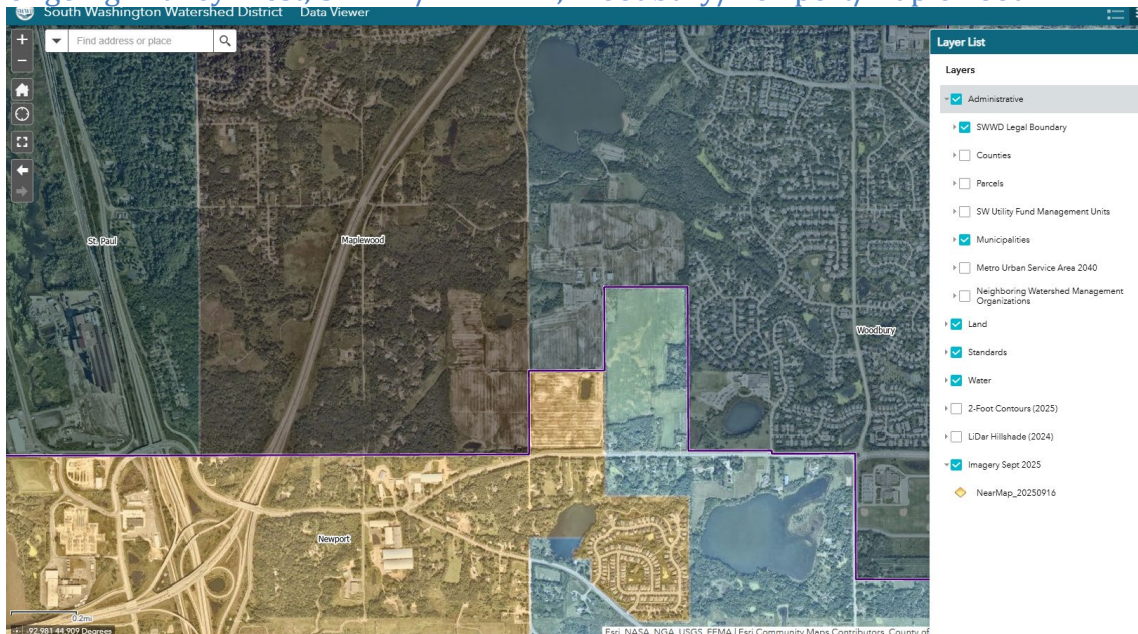
## Ongoing: Lake Elmo WTP; Lake Elmo

May 2026: No change.

October 2025: Lake Elmo is proceeding with wetland delineation and WCA permitting related to ongoing well suitability testing. Most of the wetlands within the property are in Valley Branch WD. SWWD has delegated WCA administration for this property to VBWD.

December 2024: Lake Elmo is looking for sites for a future well and water treatment plant to remove PFAS from the City's drinking water supply. The site they are currently looking at sits upstream of Armstrong Lake. As part of the feasibility assessment, the city is required to do a 72 hour pump test at the site which would require continuous pumping of ~3cfs. That water would ultimately discharge into Armstrong Lake. SWWD modeled the inflow in the District's NWS XP model to evaluate potential downstream impacts. Even under a concurrent flood scenario there is no impact.

## Ongoing: Bailey West; SWWD/RWMWD, Woodbury/Newport/Maplewood



May 2026: WCA replacement plan and No-Loss decision as recommended by the TEP is included in the June Board packet for Board consideration.

April 2026: Woodbury and Newport have both completed the EAW process related to this project with both Cities make a negative declaration on the need for further study.

March 2026: SWWD has received a WCA application for the project. A TEP meeting will be scheduled.

February 2026: SWWD staff are engaged with its partners to review and coordinate regulatory responsibilities for the proposed Bailey West project that straddles the boundaries of SWWD and

RWMWD and Cities of Woodbury, Newport, and Maplewood. Currently, staff expects that review and enforcement of SWWD stormwater rules will be led by the Cities and that SWWD will retain WCA LGU responsibility for wetland impacts within SWWD. We will assist RWMWD as needed to ensure that their rules are met as most of the proposed development would ultimately drain to RWMWD.

### **Final: Municipal Reviews, Cottage Grove**

The City of Cottage Grove enforces compliance with District rules through City permits. The following projects have been permitted in 2026.

- Mississippi Landing 3<sup>rd</sup> Addition, final plat, development agreement
- Yellow Tree MFR, PUD, preliminary and final plats
- Ravara Trails PUD, Preliminary Plat
- Talcott Glen Preliminary Plat
- McHattie Landing PUD, Preliminary Plat
- Kwik Trip TH61 Preliminary Plat, Final Plat

### **Final: Municipal Reviews, Newport**

The City of Newport enforces compliance with District rules through City permits. The following projects have been permitted in 2026.

- Eastridge Heights Preliminary Plat, PUD, Final Plat

### **Final: Municipal Reviews, Woodbury**

The City of Woodbury enforces compliance with District rules through City permits. The following projects have been permitted in 2026.

- Woodbury Leadership Academy addition site and building plans
- Country Estates 2<sup>nd</sup> Addition preliminary and final plats
- Forty-seven Pines PUD, preliminary and final plats
- Westwind 4<sup>th</sup> Addition final plat



<b>Date: June 5, 2026</b>	<b>South Washington Watershed District Request for Board Action</b>	<b>Consent Agenda Item e</b>
<b>Title:</b> Wetland Conservation Act	<b>Board Action Requested:</b>	<b>Required Signatures</b> SWWD Administrator
<b>Reviewed by:</b> JHL		
<b>Background/Justification:</b> i) Notice of Application-CSAH 19 Revised/2026-SWW-05		
<b>Previous Action:</b> None		<b>Contact:</b> JHL
<b>Date Received:</b> June 5, 2026	<b>SWWD Administrator/Date:</b> June 5, 2026	<b>SWWD Attorney/Date</b>
<b>Financial Implications:</b> N/A		<b>Comments:</b>
<b>Fund</b> N/A	<b>Explanation</b>	<b>Fund Balance:</b> N/A
<b>Decision Needed/Date</b>	<b>Administrative Recommendation</b> <u>Approval</u> Informational Denial                No Recommendation	<b>Comments</b>


**Minnesota Wetland Conservation Act  
NOTICE OF APPLICATION**

<b>Date this Notice was sent:</b>	<b>05/12/2026</b>
<b>Date Complete Application received:</b>	<b>05/11/2026</b>
<b>Local Government Unit:</b>	<b>SWWD</b>
<b>County:</b>	<b>Washington</b>
<b>Applicant and (if applicable) Applicant's Representative:</b>	<b>Washington County</b>
<b>Project Name/Number:</b>	<b>CSAH 19 Revised/2026-SWW-05</b>
<b>Type of Application (check all that apply):</b> <b>Note:</b> If a <u>complete</u> boundary/type application (i.e. delineation report) is submitted with another type of application, then check both application types.	<input checked="" type="checkbox"/> Boundary/Type <input type="checkbox"/> Sequencing (submitted separately from a replacement plan) <input type="checkbox"/> Replacement Plan <input type="checkbox"/> Bank Plan <input type="checkbox"/> Exemption Identify which exemption by Rule or Statute Citation: <input type="checkbox"/> No-Loss Identify which provision by Rule or Statute Citation:
<b>Application Materials (check one):</b>	<input checked="" type="checkbox"/> Attached <input type="checkbox"/> Other (ftp or other accessible file sharing site):
<b>Comments on this Application must be received by (date):</b> <b>Note:</b> For replacement plan, sequencing, bank plan, and boundary/type applications, the comment period must be at least 15 business days from the date the notice of application is sent.	<b>06/02/2026</b>
<b>Where to send comments:</b>	Name: <b>Jay Riggs</b> Address: <b>455 Hayward Ave N, Oakdale, MN</b> Email: <b>jriggs@mnwcd.org</b>
<b>Decision-Maker on this Application (check one):</b>	<input checked="" type="checkbox"/> Staff <input type="checkbox"/> Board/Council <input type="checkbox"/> Other. Specify: Specify anticipated decision date if known:

**Notice Distribution**

<b>Notice Recipients (check all that apply):</b>	<input checked="" type="checkbox"/> SWCD TEP Member (if different from LGU): <b>Jay Riggs</b>
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	<input checked="" type="checkbox"/> BWSR TEP Member: <b>Ben Meyer</b> <input checked="" type="checkbox"/> DNR Representative: <b>Dan Scollan</b> <input checked="" type="checkbox"/> Watershed District or WMO (if applicable): <b>John Loomis</b> <input type="checkbox"/> <a href="mailto:bank.administrator.bwsr@state.mn.us">bank.administrator.bwsr@state.mn.us</a> (Bank Plan Applications Only) <input checked="" type="checkbox"/> Applicant: <b>Washington County</b> <input checked="" type="checkbox"/> Applicant's Representative (if applicable): <input type="checkbox"/> Members of the Public Requesting Notices (if applicable): <input type="checkbox"/> Others:
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<b>LGU Representative Name &amp; Signature:</b>	<b>Jay Riggs</b> 
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<b>Date: June 5, 2026</b>	<b>South Washington Watershed District Request for Board Action</b>	<b>Consent Agenda Item f</b>
<b>Title:</b> Stewardship Grant Program	<b>Board Action Requested:</b> Approve Applications and Payments	<b>Required Signatures</b> SWWD Administrator
<b>Reviewed by:</b> JHL		
<p><b>Background/Justification:</b> Staff approved 2 \$500 mini grants over the past month which are listed below for information. We have received three reimbursement request which is included below for Board approval of payment.</p> <ul style="list-style-type: none"> <li>i) Jean Nierenhausen-Final Payment \$443.56</li> <li>ii) Beth Eskra-Final Payment \$500.00</li> <li>iii) Caitlin Schmocker-Final Payment \$500.00</li> <li>iv) Marin Morrell-Application \$500.00</li> <li>v) Angela Scaletta-Application \$500.00</li> <li>vi) Carolyn Wanamaker-Application \$500.00</li> </ul>		
<b>Previous Action:</b> None		<b>Contact:</b> JHL
<b>Date Received:</b>  June 5, 2026	<b>SWWD Administrator/Date:</b>  June 5, 2026	<b>SWWD Attorney/Date</b>
<b>Financial Implications:</b>  N/A		<b>Comments:</b>
<b>Fund</b>	<b>Explanation</b>	<b>Fund Balance:</b>  N/A
<b>Decision Needed/Date</b>	<b>Administrative Recommendation</b> <u>Approval</u> Informational Denial                              No Recommendation	<b>Comments</b>

## Explanation of Funding

### South Washington Watershed District - Cost-Share Program

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**Landowner:** Jean Nierenhausen  
**Address:** 7320 Timber Crest Drive, Cottage Grove, MN 55016

#### Cost Schedule A - Materials & Contracted Labor

Work or Material	RECEIPT - LOCATION/DATE	QTY	UNIT	UNIT COST	AMOUNT
Plant Grant	Outback Nursery 5/6/2026				\$ 256.07
	Outback Nursery 5/24/2025				\$ 187.49
				<b>TOTAL MATERIALS COST</b>	<b>\$ 443.56</b>
				<b>TOTAL PROJECT COST (CONSTRUCTION +LABOR)</b>	<b>\$ 443.56</b>
				<b>SWWD Cost-Share Amount</b>	<b>\$ 443.56</b>







Contact: Abby Tekiela | [Abby.Tekiela@swwdmn.gov](mailto:Abby.Tekiela@swwdmn.gov) | 651.728.6827

**GENERAL INFORMATION (SWWD USE ONLY)**

Contract #: 26-022	Other State or Federal Funds? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Amendment? <input type="checkbox"/> Yes <input type="checkbox"/> No Date:	Canceled? <input type="checkbox"/> Yes <input type="checkbox"/> No Date:
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**APPLICANT INFORMATION**

Applicant Name: Marin Morrell	Address: 8340 Foothill Rd S, Cottage Grove, MN, 55016, USA
Phone: (651) 200-7537	Email: marin.ryan360@gmail.com

**PROJECT LOCATION**

Address: 8340 Foothill Rd S, Cottage Grove, MN, 55016, USA	Parcel ID: 1602721130050
Nearest Downstream Lake/Stream/Wetland: Unnamed Pond or Wetland	Est. Distance to Waterbody:

**CONTRACT INFORMATION**

I (we), the undersigned, do hereby request cost-share assistance from the South Washington Watershed District (SWWD) to help defray the cost of installing the following practice(s) listed in this contract. This Grant Contract is for support of land and water resources protection and education efforts between SWWD, a public body with powers set forth in Minnesota Statutes 103B and 103D, and Marin Morrell (Applicant). It is understood that:

1. SWWD’s Stewardship Grant Program is a reimbursement program. The Applicant will be reimbursed according to contract terms upon successful completion of the project and submission of all required documentation.
2. The Applicant is responsible for full establishment, operation, and maintenance of all practices applied under this program, and to ensure that the conservation objective of the practice is met and the effective life, a minimum of 10 years, is achieved.
3. The specific operation and maintenance requirements for the conservation practice listed are described in the operation and maintenance plan prepared for this contract and provided to the Applicant by SWWD and/or its technical representative. The Applicant is responsible for carrying out the operation and maintenance plan throughout the effective life of the practice.
4. Should the Applicant fail to maintain the practice during its effective life, the land occupier is liable to the SWWD for up to 100% of the amount of financial assistance received to install and establish the practice. The Applicant is not liable for grant assistance received if the was caused by reasons beyond the Applicant’s control, or if conservation practices are applied at the Applicant’s expense that provide equivalent protection of the resources.
5. Practice(s) must be planned and installed in accordance with technical standards and specifications of the SWWD and/or its technical representative.
6. Increases in the practice units or cost must first be approved by the SWWD through amendment of this contract as a condition to increase the grant payments.

7. This contract, when approved by the SWWD, will remain in effect unless canceled by mutual agreement, except where installations of practices covered by this contract have not been started within one (1) year following SWWD approval of this contract, this contract will be automatically terminated on that date. Practices shall be installed by two (2) years following SWWD approval of this contract unless this contract is amended by mutual consent to reschedule the work and funding.
8. Items of cost for which reimbursement are claimed shall be supported by invoices/receipts for payments and will be verified by the SWWD as practical and reasonable. The SWWD has the authority to adjust the costs submitted for reimbursement.
9. The Applicant will grant the SWWD, and its representatives, access to the parcel where the conservation practice will be located to inspect the practice.
10. The Applicant is responsible for obtaining all necessary approvals and complying with all permits and/or other legal requirements applicable to the practice.
11. The Applicant shall not accept cost-share funding from local, state, federal or other sources combined, that exceed 100% of the total cost to establish the conservation practice. Copies of all forms and contracts pertinent to other local, state, or federal programs that contribute funds toward this project shall be provided to the SWWD.

**CONSERVATION PRACTICE**

Description: Pollinator Planting	Total Cost Estimate: \$405.90
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**APPLICANT SIGNATURES**

Date:  <i>05/12/26</i>	Applicant:  <i>Marin Morrell</i>
Date:	Landowner (if different than applicant):

**TECHNICAL ASSESSMENT & COST ESTIMATE**

I have the appropriate technical expertise, have reviewed the site where the above listed practice is to be installed, find it is needed, and find that the estimated benefits and costs are practical and reasonable.

Date:  <i>05/13/26</i>	Technical Representative:  <i>Elissa Thompson</i>
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**SWWD AUTHORIZATION & GRANT AMOUNT**

The SWWD has authorized a grant award to the Applicant in the amount not to exceed \$500.00 or % of the total eligible cost, whichever is less.

Date:  <i>05/14/26</i>	Authorized SWWD Representative:  <i>John Loomis</i>
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Contact: Abby Tekiela | [Abby.Tekiela@swwdmn.gov](mailto:Abby.Tekiela@swwdmn.gov) | 651.728.6827

**GENERAL INFORMATION (SWWD USE ONLY)**

Contract #: 26-023	Other State or Federal Funds? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Amendment? <input type="checkbox"/> Yes <input type="checkbox"/> No Date:	Canceled? <input type="checkbox"/> Yes <input type="checkbox"/> No Date:
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**APPLICANT INFORMATION**

Applicant Name: Angela Scaletta	Address: 1100 Summit Ave, St Paul Park, MN, 55071, USA
Phone: (763) 412-8844	Email: angelajane@gmail.com

**PROJECT LOCATION**

Address: 1100 Summit Ave, St Paul Park, MN, 55071, USA	Parcel ID: 1202722420033
Nearest Downstream Lake/Stream/Wetland: Mississippi River	Est. Distance to Waterbody: 5,300 feet

**CONTRACT INFORMATION**

I (we), the undersigned, do hereby request cost-share assistance from the South Washington Watershed District (SWWD) to help defray the cost of installing the following practice(s) listed in this contract. This Grant Contract is for support of land and water resources protection and education efforts between SWWD, a public body with powers set forth in Minnesota Statutes 103B and 103D, and Angela Scaletta (Applicant). It is understood that:

1. SWWD’s Stewardship Grant Program is a reimbursement program. The Applicant will be reimbursed according to contract terms upon successful completion of the project and submission of all required documentation.
2. The Applicant is responsible for full establishment, operation, and maintenance of all practices applied under this program, and to ensure that the conservation objective of the practice is met and the effective life, a minimum of 15 years, is achieved.
3. The specific operation and maintenance requirements for the conservation practice listed are described in the operation and maintenance plan prepared for this contract and provided to the Applicant by SWWD and/or its technical representative. The Applicant is responsible for carrying out the operation and maintenance plan throughout the effective life of the practice.
4. Should the Applicant fail to maintain the practice during its effective life, the land occupier is liable to the SWWD for up to 100% of the amount of financial assistance received to install and establish the practice. The Applicant is not liable for grant assistance received if the was caused by reasons beyond the Applicant’s control, or if conservation practices are applied at the Applicant’s expense that provide equivalent protection of the resources.
5. Practice(s) must be planned and installed in accordance with technical standards and specifications of the SWWD and/or its technical representative.
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9. The Applicant will grant the SWWD, and its representatives, access to the parcel where the conservation practice will be located to inspect the practice.
10. The Applicant is responsible for obtaining all necessary approvals and complying with all permits and/or other legal requirements applicable to the practice.
11. The Applicant shall not accept cost-share funding from local, state, federal or other sources combined, that exceed 100% of the total cost to establish the conservation practice. Copies of all forms and contracts pertinent to other local, state, or federal programs that contribute funds toward this project shall be provided to the SWWD.

**CONSERVATION PRACTICE**

Description: 6'x8' pollinator garden, removing turf and creeping charlie and replacing with native wildflowers and sedge	Total Cost Estimate: \$475.00
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**APPLICANT SIGNATURES**

Date:  <i>05/13/26</i>	Applicant:  <i>Angela Scaletta</i>
Date:	Landowner (if different than applicant):

**TECHNICAL ASSESSMENT & COST ESTIMATE**

I have the appropriate technical expertise, have reviewed the site where the above listed practice is to be installed, find it is needed, and find that the estimated benefits and costs are practical and reasonable.

Date:  <i>05/13/26</i>	Technical Representative:  <i>Elissa Thomsson</i>
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**SWWD AUTHORIZATION & GRANT AMOUNT**

The SWWD has authorized a grant award to the Applicant in the amount not to exceed \$500.00 or % of the total eligible cost, whichever is less.

Date:  <i>05/14/26</i>	Authorized SWWD Representative:  <i>John Loomis</i>
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Contact: Abby Tekiela | [Abby.Tekiela@swwdmn.gov](mailto:Abby.Tekiela@swwdmn.gov) | 651.728.6827

**GENERAL INFORMATION (SWWD USE ONLY)**

Contract #: 26-025	Other State or Federal Funds? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Amendment? <input type="checkbox"/> Yes <input type="checkbox"/> No Date:	Canceled? <input type="checkbox"/> Yes <input type="checkbox"/> No Date:
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**APPLICANT INFORMATION**

Applicant Name: Carolyn Wanamaker	Address: 2441 Leyland Trl, Saint Paul, MN, 55125, USA
Phone: (651) 497-1794	Email: carolyn.wanamaker@gmail.com

**PROJECT LOCATION**

Address: 2441 Leyland Trl, Saint Paul, MN, 55125, USA	Parcel ID: 1502821240107
Nearest Downstream Lake/Stream/Wetland: Colby Lake	Est. Distance to Waterbody: 3,000 feet

**CONTRACT INFORMATION**

I (we), the undersigned, do hereby request cost-share assistance from the South Washington Watershed District (SWWD) to help defray the cost of installing the following practice(s) listed in this contract. This Grant Contract is for support of land and water resources protection and education efforts between SWWD, a public body with powers set forth in Minnesota Statutes 103B and 103D, and Carolyn Wanamaker (Applicant). It is understood that:

1. SWWD's Stewardship Grant Program is a reimbursement program. The Applicant will be reimbursed according to contract terms upon successful completion of the project and submission of all required documentation.
2. The Applicant is responsible for full establishment, operation, and maintenance of all practices applied under this program, and to ensure that the conservation objective of the practice is met and the effective life, a minimum of 10 years, is achieved.
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**CONSERVATION PRACTICE**

Description: Pollinator Planting and native tree planting, 1850 square feet available for pollinator planting and tree planting on front lawn to replace ash tree	Total Cost Estimate: \$2775.00
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**APPLICANT SIGNATURES**

Date:  <i>05/26/26</i>	Applicant:  <i>Carolyn Wanamaker</i>
Date:	Landowner (if different than applicant):

**TECHNICAL ASSESSMENT & COST ESTIMATE**

I have the appropriate technical expertise, have reviewed the site where the above listed practice is to be installed, find it is needed, and find that the estimated benefits and costs are practical and reasonable.

Date:  <i>05/27/26</i>	Technical Representative:  <i>Elissa Thompson (Cameron Blake)</i>
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**SWWD AUTHORIZATION & GRANT AMOUNT**

The SWWD has authorized a grant award to the Applicant in the amount not to exceed \$500.00 or % of the total eligible cost, whichever is less.

Date:  <i>06/02/26</i>	Authorized SWWD Representative:  <i>John Loomis</i>
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<b>Date: June 5, 2026</b>	<b>South Washington Watershed District Request for Board Action</b>	<b>Consent Agenda Item g</b>
<b>Title:</b> Miscellaneous Correspondence	<b>Board Action Requested:</b> None	<b>Required Signatures</b> None
<b>Reviewed by:</b> JHL		
<b>Background/Justification:</b>		
<b>Previous Action:</b>		<b>Contact:</b> JHL
<b>Date Received:</b> June 5, 2026	<b>SWWD Administrator/Date:</b> June 5, 2026	<b>SWWD Attorney/Date</b>
<b>Financial Implications:</b> None		<b>Comments:</b>
<b>Fund</b>	<b>Explanation</b>	<b>Fund Balance:</b> N/A
<b>Decision Needed/Date</b>	<b>Administrative Recommendation</b> Approval <u>Informational</u> Denial         No Recommendation	<b>Comments</b>



<b>Date: June 5, 2026</b>	<b>South Washington Watershed District Request for Board Action</b>	<b>Agenda Item #4</b>
<b>Title:</b> Manager Reports	<b>Board Action Requested:</b> Oath of Office Andrea Date Kevine ChapdeLaine Resignation Board Officers and Committee Appointments	<b>Required Signatures</b> None
<b>Reviewed by:</b> JHL		
<p><b>Background/Justification:</b> Manager Andrea Date has been appointed to the Board by Washington County and will take her oath of office.</p> <p>Manager ChapdeLaine has submitted a letter of resignation to the Washington County Board of Supervisors, effective August 31. A copy of that letter is enclosed. The County has initiated the process of appointing a new manager to finish out Manager ChapdeLaine’s term and is currently accepting applications.</p> <p>With Manager Date’s appointment and Manager ChapdeLaine’s resignation the Board should reconsider Officer and committee appointments.</p>		
<b>Previous Action:</b> None		<b>Contact:</b> JHL
<b>Date Received:</b> June 5, 2026	<b>SWWD Administrator/Date:</b> June 5, 2026	<b>SWWD Attorney/Date</b>
<b>Financial Implications:</b> N/A		<b>Comments:</b>
<b>Fund</b> N/A	<b>Explanation</b>	<b>Fund Balance:</b> N/A
<b>Decision Needed/Date</b>	<b>Administrative Recommendation</b> <u>Approval</u> Informational Denial                              No Recommendation	<b>Comments</b>

Kevin Chapdelaine  
601 2<sup>nd</sup> Ave  
Newport Mn 55055  
May 18, 2026

Karla Bigham  
Chairperson - Washington County Board  
14949 62<sup>nd</sup> St North  
Stillwater Mn 55082

Dear Karla Bigham,

Please accept this as my official letter of resignation from the South Washington Watershed Board. My final day as a Board Member of SWWD will be August 31<sup>st</sup>, 2026.

I want to thank the Washington County Board for allowing me to serve the community in this manner. Also, the staff and board members of SWWD, both past and present, have been wonderful to work with over these 11 years. SWWD is an amazing organization and each of them can take credit for that.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kevin Chapdelaine', written over a horizontal line.

Kevin Chapdelaine

Cc: John Loomis, Sharon Doucette, Melissa Imse, Laurie Elliott, Joe Hatch



<b>Date: June 5, 2026</b>	<b>South Washington Watershed District Request for Board Action</b>	<b>Agenda Item # 5a</b>
<b>Title:</b> SWWD Projects Update	<b>Board Action Requested:</b> None requested at this time	<b>Required Signatures</b> None
<b>Reviewed by:</b> JHL		<b>Presented by:</b> Staff
<p><b>Background/Justification:</b></p> <p>Please review the attached memorandum for a monthly status update on SWWD’s ongoing projects.</p>		
<b>Previous Action:</b> None		<b>Contact:</b> JHL
<b>Date Received:</b> June 5, 2026	<b>SWWD Administrator/Date:</b> June 5, 2026	<b>SWWD Attorney/Date</b>
<b>Financial Implications:</b>		<b>Comments:</b>
<b>Fund</b>	<b>Explanation:</b>	<b>Fund Balance:</b>
<b>Decision Needed/Date</b>	<b>Administrative Recommendation</b> Approval <b><u>Informational</u></b> Denial                No Recommendation	<b>Comments</b>



# Memo

To: SWWD Board of Managers  
From: Kyle Axtell, SWWD Watershed Project Manager  
Date: June 5, 2026  
Re: SWWD Projects Update

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## Capital Projects & Project Development

### Trout Brook Restoration

The construction of Phase III was completed in 2024, and all grants have been closed. Staff continues to work on vegetation along stream buffers within Phase II and Phase III areas to ensure project success while addressing concerns with invasive vegetation throughout the corridor. MNL remains under contract to provide establishment maintenance through 2027. Bare areas are being reseeded and monitored. Staff continue to work with the DNR to refine project components to ensure long-term project success, including monitoring of state listed plant species, stabilization of small gullies, and potential small structural additions identified by DNR staff.



### Glacial Valley Park Interpretive Center

SWWD has a final concept design for the future Glacial Valley Park Interpretive Center and is ready to proceed with design of the structures. The plan has been to have the park features ready to be installed as development progresses with the extension of Glacial Valley Road as it would provide access and utilities for the learning center. Facility parking is expected to be provided jointly with

the City of Woodbury as it plans a new adjacent park area. An application is pending with the Minnesota DNR requesting \$1,500,000 in 3M Priority 2 funding to complete this facility between now and 2029.

### **Wilmes Lake Alum Treatment Facility**

Morcon has installed the new MH-01 vault lid which allows proper access for maintenance by Woodbury. The facility began operating for the 2026 season on April 1. Early results show an 80% reduction in phosphorus from runoff treated by the system. MNL remains under contract for native vegetation site maintenance through 2027. Staff are still working to finalize an Operations & Maintenance Manual to guide full operations by Woodbury in 2026.



Nipinet Landsem has completed installation of their mural near the lift station. SWWD staff has some edge framing to install this spring in addition to the didactic panel. Public response has been very positive. The mural appears to have weathered through the winter and remains in great condition. Staff is planning to install a didactic panel and edge protection for the mural as time allows this spring.



MPCA has decided that the issuance of a permit for the facility through its wastewater permitting program was in error. The facility should be regulated through the City's existing MS4 permit.

The issue will be rectified once the new MS4 general permit is issued, likely in 2027.

### **Hasenbank Stormwater Park**

Woodbury has installed the pumps and the system is operational for the 2026 season. Traverse Des Sioux remains under contract for site restoration and establishment. Traverse Des Sioux conducted seeding of grasslands during the week of 3/2/2026.

### **Ravine Lake Outlet Channel Stabilization**

SWWD is working on a channel stabilization project between the Ravine Lake outlet and the frontage road along TH61. This short stream reach has been degrading and eroding since completion of the CDO phase 3 work on the lake outlet. Construction and restoration is nearly complete. We will work with the project engineer to verify all completed work meets specifications.



### **CR74 (65<sup>th</sup> Street) Ravine Stabilization**

SWWD is working with Washington County to stabilize an actively eroding ravine west of the intersection of Geneva and 65<sup>th</sup> Street (CR74) in Newport as part of a road reconstruction project in 2026. Road work has begun at the east end of the project site; ravine work is expected to commence in late July. SWWD's

total expected share of cost to complete this project will be \$116,858 (\$45,528 in BWSR FY25 WBIF grant funding, and \$71,330 in SWWD funds). Construction should be complete by late summer.



### **Newport Elementary Underground BMP**

SWWD has received a \$250,000 Clean Water Legacy Partners grant from BWSR for this project. HR Green has begun designing the project. Construction is not expected until 2027.



### **Lower Grey Cloud Slough Habitat Management**

SWWD and DNR staff have been working to develop a proposed project aimed at restoring historic island complexes and improving aquatic and terrestrial habitat in the lower slough area. Significant USACE project funding may be available for this type of effort (\$11-12 million), with a 35% local match requirement. If it proceeds, this project could take 5-10 years to realize. A Section 204 Letter of Intent has been submitted to the USACE, and an application has been submitted to the Minnesota DNR requesting \$3,500,000 in 3M Priority 2 funding to be used as a local match against the proposed USACE funding. Two subsequent meetings with grant review staff have taken place to assess the feasibility of DNR funding this effort. The outlook is promising.



## **Ecosystem Services & Landscape Restoration**

### **Glacial Valley Park**

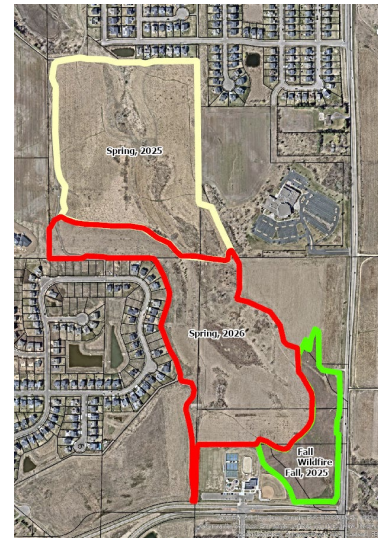
Great River Greening (GRG) continues maintenance activities along the edges of the site in the Cedarhurst neighborhood and throughout prairies, targeting woody species, especially aspen/cottonwood clumps. Staff have identified research plots and collected data on 8 units

covering approximately 11 acres to assess ways to improve floral diversity and tall grass reduction through burn timing, sheep grazing, high mowing and targeted herbicide treatments. Broadcast “snow seeding” took place in February, 2026.



The entire northern units were successfully managed with prescribed fire in spring, 2025 (44.4 ac.), fall, 2025 (11.34 ac.) and spring, 2026 (42 ac.). These burns help to set back woody species and cool season grasses and help foster the growth of diverse flowering species throughout the prairies and savanna.

Staff is conducting efforts to increase diversity in tall grass dominated areas using a variety of techniques on 11 acres of newly seeded areas. These efforts will compile data that assesses a variety of treatments. Treatments in 8 units will assess differences in timing of prescribed fire along with sheep/goat grazing, high mid summer mowing and high wick herbicide treatments.



### **Campus Greening**

Staff are working with new School District facilities staff to assist with long-term maintenance of all Campus Greening natural areas, helping to identify equipment needs, scheduling and training so that District staff can be more active in future site management.

### **Lake and Middleton**

Teachers and staff have seeded into pots a diverse array of flowers to be grown in the classroom. These plants were planted by students on June 2, 2026. Middle school students conducted

seeding of materials collected in fall on a number of sites around the middle and elementary school campuses and will continue to collect seed when the school year begins in fall.

### **Crestview Elementary**

Staff are working with the School District to review and ensure alterations to campus will be restored to native plant communities where planned. Staff will work with the district to monitor establishment activities, making sure that important activities are not skipped as prairie buffers establish. Staff is working with the WCD and School District to control persistent weeds that are still present (Buckthorn and Garlic Mustard) in northern woodlands. A small contract with a local contractor will address some of the heavy regrowth of Siberian elm and buckthorn along Hinton Boulevard prior to another seed rain.

### **Nuevas Fronteras**

Areas near the underground BMP will continue to be reseeded and staff will continue to monitor and assess ways to retain native species in a regularly disturbed site. Some overseeding may be needed along the woodland adjacent to railroad.

### **Valley Crossing**

Staff will continue to monitor and work with School District to take on future maintenance.

### **Grey Cloud and Cottage Grove**

A second, spring burn was not completed due to lack of fuel. Staff worked with Prairie Restorations to complete their contract by conducting a flail mow followed by drill seeding of grasses into the prairies around Cottage Grove Middle School. Staff will work with the school district over the summer to address specific needs throughout these campuses.

### **Cottage Grove Elementary and Oltman Middle Schools**

The WCD has funding available through the BWSR Pollinator Pathways program to restore habitat on school campuses. Neither Olman nor Cottage Grove Elementary School met Campus Greening program requirements, but BWSR funding will allow the schools to restore up to an acre of prairie each. Restoration site prep Cottage Grove has been ongoing through summer. Oltman will begin in Spring, 2026. Staff are assisting with planning and will provide cost-share dollars as match for state grant.

### **Carpenter Nature Center**

CNC completed in-classroom and in-field Water Quality programming with 6<sup>th</sup> graders at Cottage Grove and Lake Middle Schools in Spring, 2026. CNC programming continues in fall of 2026 and spring of 2027 at Oltman and Woodbury Middle Schools. Ramsey Washington Metro Watershed District is funding the CNC programs at Woodbury Middle School. As of the spring, 2026



season, all 6<sup>th</sup> Graders in the School District participate in the experiential education program.

### **Hasenbank Woods Restoration**

Hasenbank Woods restoration continues. After foliar treatment of buckthorn in fall and continued clearing of woody debris in winter, the site received a prescribed burn on April 9, 2026. Good fuel from grass dominated seedings provided ideal fuel to carry the fire successfully across the woodland groundlayer. In order to ensure safety of nearby residences, the contractor agreed to having overnight crews and thermal imaging drones monitor the site until all hotspots were extinguished. WCD crews will conduct foliar spraying of buckthorn again in fall 2025.



Flowering woodland species are beginning to bloom in great number one month after the burn. Garlic mustard and burdock appear to be the most pressing need in terms of weed control. Common Buckthorn appears to have been severely degraded following the combination of fall herbicide treatments and prescribed burn. A



successful weed pull with volunteers from HRGreen and the community tackled a variety of weed species throughout the site on May 28. Volunteers pulled garlic mustard and small buckthorn, and removed burdock tubers and plants before they could go to seed.

Staff provided support to the city to obtain grant funding for vegetation restoration around Fish Lake. Ongoing activities related to this action are being conducted throughout the site and include removal of heavily treed areas dominated by dead and dying green ash, prescribed burns, herbicide treatments and fine mowing to replace reed canary grass dominated wetlands with native sedge meadow communities.

### **Cottage Grove Ravine Regional Park**

Staff are coordinating efforts to provide restoration and native plant community management within Cottage Grove Ravine Park with a focus on areas within SWWD's drainage easement. Discussions are focused on management of invasive species, with a focus on common buckthorn, garlic mustard and common burdock as well as the consideration of fencing to prevent

undesired uses and support future grazing activities. Staff will continue to monitor and provide adaptive management in coordination with County Staff.

### **Cottage Grove Open Space Planning**

Staff are working with the Cottage Grove Parks Department, assisting with ecological planning efforts at Mississippi Dunes Preserve, Still Ponds Preserve, and Vandenberg Lake. Friends of the Mississippi River completed a full site assessment and Natural Resources Management Plan for Mississippi Dunes in 2025. Staff worked with the WCD to produce a full site assessment and Natural Resources Management Plan for Still Ponds Park in 2025. Vandenberg Lake planning continues with staff seeking to secure funding to preserve 80 acres of open space containing quality, albeit degraded oak communities containing state-listed rare species. Staff is now working with City of Cottage Grove to identify funding sources to begin implementation of these natural resources projects.

### **Newport Open Space Planning**

Staff are working with City of Newport and BWSR staff using state funding to conduct full ecological restoration and enhancement of the grasslands located along the Xcel transmission line corridors within the Bailey School Forest Park. BWSR and SWWD staff are conducting test plots to assess best approaches to invasive species control to include assessments of herbicides, fire, timing and seeding approaches. Project is a pilot to explore ways to conduct long term management of utility corridors that meet operation and safety needs of utilities while at the same time, supporting high quality native plant communities.



Staff have been working with the City of Newport to develop relationships with State Agencies, Companies, non-profits and residents to provide support for natural resource improvements and management along the river and bluffs. Great River Greening is using Outdoor Heritage Grant funds to improve habitat and slope stability in the Bailey School Forest Park. The project was partially funded in 2025, and the legislature provided the additional funding in the 2026 session which will allow Great River Greening to expand restoration activities on an additional 20 acres in the forested areas in ravines and lower on the bluffs within the park.

SWWD received a DNR expedited CPL grant for \$50,000 to assist with the restoration of 9 acres at the entry to Bailey School Forest Park. Over the next three years, staff will be working with the local residents, city staff, volunteers, school students, contractors and county agencies to transition the entry to the park from non-native forest to a more open oak dominated savanna and woodland with diverse ground layer vegetation. Forestry mowing, deceased oak removal and canopy thinning all occurred in January, 2026 showing dramatic changes to the entry area. STS crews will be working to clear buckthorn and hazard trees on another six acres through fall and winter. Staff is also working with Great River Greening, managing activities within the larger oak woodland. Forestry mowing and hand removals of buckthorn has been completed in a nine acre area. Frozen and ice crusted snow created ideal conditions to aggressively removal all buckthorn in this area with minimal ground contact by heavy tracked equipment.

Staff planned and led an Earth Week planting event at Bailey School Forest Park on April 25 in collaboration with volunteers, DNR staff and students from East Ridge High School. Volunteers participated in the planting, watering, mulching and fencing of 149 trees and shrubs into food thickets between grasslands and woodlands being restored on the site. The food thicket is designed to provide a range of habitat benefits through the planting of flowering and fruiting native species supporting birds and pollinators by providing food and shelter. These plantings will provide educational opportunities as well, offering neighbors and students first hand connections to the range of shall trees and shrubs of the region.

### **Stewardship Grants**

In April and May, four Native Planting for Water Stewardship workshops have taken place. Attendance was high, with approximately 45 participants attending across the four workshops. Additionally, the new dashboard created with the help of WCD, has made processing applications more efficient. Feedback from the workshops is overwhelmingly positive and has created several leads to larger projects that will increase education in two Woodbury HOA neighborhoods.

## **Aquatic Vegetation & Invasive Species**

### **Armstrong Lake Wetland Cattail Harvesting**

The test plot at Armstrong Lake wetland was harvested by WCD and Conservation Corps crews during the last week of August 2025. Staff have completed a final report sharing results of the project. A poster presentation was displayed at the recent MSRC Stormwater Pond Symposium. There has been significant interest in our findings shown by other researchers.

### **Goldfish at Hasenbank Park**

Goldfish continue to be a persistent threat to Powers Lake. Previous efforts to electroshock them for removal from the stormwater ponds north of Hasenbank Woods were not effective (see photo – April 2026). Woodbury is working with SWWD staff, WSB and PLM to apply a rotenone treatment to these ponds in late May.



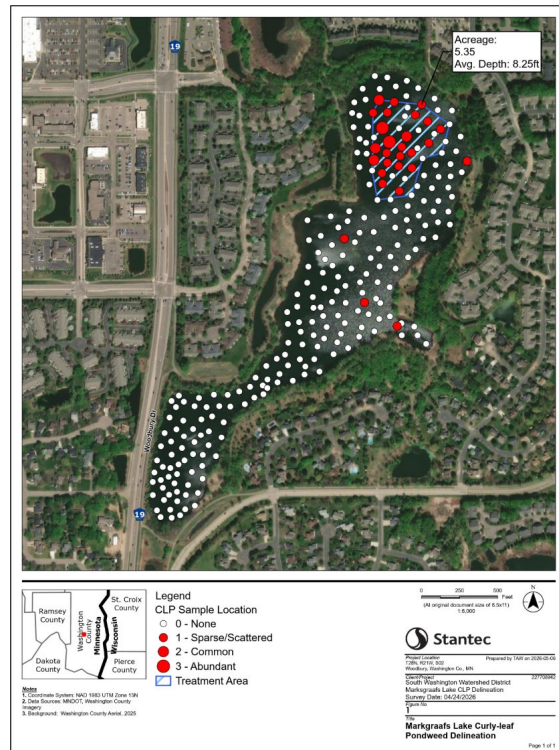
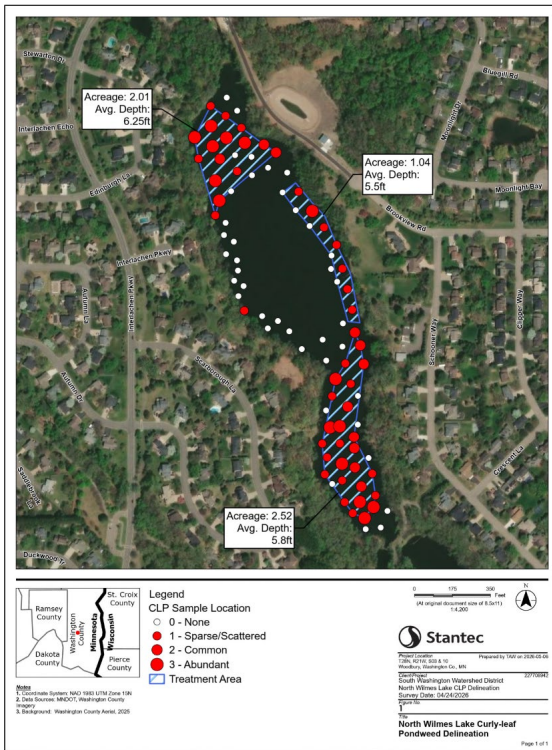
Rotenone is a natural botanical chemical that will effectively kill all fish (and potentially other gill-breathing immature amphibians and macroinvertebrates) in the ponds. To be effective, it must enter the bloodstream directly. Ingestion is not harmful as it is broken down quickly by digestive enzymes. This limits impacts to mammals, birds, mature amphibians, and other land animals. It has a relatively short degradation period as it readily binds to sediments and organic material. (Adapted from National Park Service article, "Effects of Rotenone on Amphibians and Macroinvertebrates in Yellowstone".)

These ponds are directly connected to Powers Lake. Eliminating the goldfish is a resource priority. Woodbury has been conducting outreach to neighbors in the area and will do so again in conjunction with the treatment. A cooperative agreement between SWWD and Woodbury to share the cost of goldfish management 50/50 is ready for Board approval.



### Lake Management & AIS

Spring delineations at Markgrafs and Wilmes NB show a high presence of Curly Leaf Pondweed that requires treatment. Wilmes Nb has CLP throughout the lake except for the west bay. Markgrafs lake had a large patch in the north bay. Quotes for treatment will be submitted for approval to the board at the June meeting.



## Modeling & Planning

### La & Ria Lakes Outlets

In response to past flooding concerns, SWWD and its consultants continue to study the La and Ria Lakes outlets and the downstream drainage to the Mississippi River. Updated modeling has identified downstream concerns that have been shared with Woodbury and Newport. Once the Cities have had a chance to review, we will work with both Cities to identify next steps.



### Groundwater & Ecosystem Services Studies

Two related studies are underway to assess the benefits of large-scale restoration and protection, identifying and ranking sites that provide high potential for watershed protection. The Groundwater Study, funded by the Minnesota Department of Health, has been developing mapping and ranking criteria that support protection of groundwater recharge and discharge areas. Project outcome will provide actionable steps that communities can take to protect important areas on the landscape as well as offer models for land use practices. Cities and county partners have been fully engaged in the data collection process and discussions of needs.

The Ecosystem Services Study has identified a significant number of potential sites throughout the SWWD that may offer substantial benefit to watershed health. The consultant, in coordination with staff, are developing criteria for ranking site benefits. The ranking criteria will be applied to known sites to assist with long term program planning, but is also designed to be applicable to new sites not yet identified. Consultant is currently testing the ranking methods on known sites.

## Administrative

### Watershed Management Plan Update

SWWD's current WMP extends through October 2026. There is a substantial process to follow in updating the WMP, which SWWD began in 2024. SWWD has completed its 60 day agency review of its draft WMP and has sent response to all comments received. Substantial edits were made to the WMP based on comments and a revised draft is now available on the SWWD website. We will hold a public hearing at the 6/9 board meeting to receive any additional comments from the public about the plan update. After the public hearing the Board can consider submitting the final draft WMP for 90 day state review.

- February 2 to April 3, 2026: 60 Day Agency Review (COMPLETE)

- May 12, 2026 Board Workshop: Discuss review comments and prepared responses (COMPLETE)
- May 22, 2026: Send Response to Comments (COMPLETE)
- June 9, 2026 Board Meeting: Public Hearing
- July 1 to September 29, 2026: 90 Day BWSR Review
- October 13, 2026 Board Meeting: Adopt Plan

### **SWWD 2027 Draft Budget.**

Staff has begun working on the 2027 budget. The long range workplan from SWWD's draft WMP update is included in the board packet. The long range workplan serves as a starting point for the 2027 budget. Staff will facilitate discussion at the June and July Board meetings to establish priorities for 2027 and develop and refine the budget. A Manager workshop will be held in August to finalize the preliminary budget for submittal to Washington County in September. The Public Hearing will be at the August board meeting.

### **SWWD Website Update**

Staff received content migration and management training in October and gained access to the website to ensure correctness and to continue to add content. The website will publicly launch alongside the new Watershed Management Plan.

### **Artist-in-Residence**

Taylor Mills attended the spring prescribed burn at Glacial Valley Park, photo and video are pending.



<b>Date: June 5, 2026</b>	<b>South Washington Watershed District Request for Board Action</b>	<b>Agenda Item # 5b</b>
<b>Title:</b> Minnesota Watersheds Resolutions	<b>Board Action Requested:</b>	<b>Required Signatures</b> None
<b>Reviewed by:</b> JHL		<b>Presented by:</b> Loomis
<p><b>Background/Justification:</b> MN Watersheds has provided the enclosed resolutions. Manager should review the proposed resolutions and consider any feedback we should provide. Following the meeting, staff will prepare review comments to submit to MN Watersheds.</p> <p>The resolutions will then be considered by MN Watersheds’ resolutions committee for potential recommendation to the full organization membership.</p>		
<b>Previous Action:</b> None		<b>Contact:</b> JHL
<b>Date Received:</b> June 5, 2026	<b>SWWD Administrator/Date:</b> June 5, 2026	<b>SWWD Attorney/Date</b>
<b>Financial Implications:</b> \$		<b>Comments:</b>
<b>Fund:</b>	<b>Explanation:</b>	<b>Fund Balance:</b>
<b>Decision Needed/Date</b>	<b>Administrative Recommendation</b> Approval <u>Informational</u> Denial                No Recommendation	<b>Comments</b>

# Background Information

## 2026 Minnesota Watersheds Resolution #1

**Proposing Watershed:** Wild Rice Watershed District

**Name:** Tara Jensen, Administrator

**Phone Number:** 218-784-5501

**Email Address:** tara@wildricewatershed.org

**Resolution Title:** Encouraging DNR and USFWS to Construct Retention Sites on DNR and USFWS Lands for Storing Water

**Background that led to the submission of this resolution**

Our Board of Managers feels that land owned by DNR and USFWS would provide opportunities for retention sites to store excess waters on wetlands owned and controlled by DNR and USFWS.

**Efforts to solve the problem**

Our staff has worked with DNR to construct a control structure on the Goose Prairie WMA to allow excessive flood waters to be held during an identified date range in the spring. We would like there to be more effort and communication to encourage DNR and USFWS to review other parcels in which water could be stored to alleviate downstream flooding impacts.

**Is legislative action the best means of addressing the matter? If yes, what is the purpose or intent of your proposal? If not, what advocacy steps could be taken with state or local government officials?**

Communicate the possibility to utilize public lands to store water with legislators in an effort to have them support the resolution and develop a committee to review public lands and potential storage opportunities which can occur on them.

**Anticipated support or opposition:**

This resolution would be of interest to other watershed districts, counties, cities and wildlife organizations.

**This issue (check all that apply)**

Applies only to our district		Requires legislative action	
Applies only to 1 or 2 regions		Requires state agency advocacy	x
Applies to the entire state	x	Impacts MW bylaws or MOPP	

**RESOLUTION #1: ENCOURAGING DNR AND USFWS TO CONSTRUCT RETENTION SITES ON DNR AND USFWS LANDS FOR STORING WATER**

**WHEREAS**, the WRWD discussed the frequent, severe floods within the State of Minnesota and further discussed ways to reduce flood impacts; and

**WHEREAS**, it is the WRWD's desire for watershed districts and other drainage authorities within the State of Minnesota to discuss with the DNR and the USFWS about the construction of retention sites on certain existing wetlands owned by the Minnesota DNR and U.S. Fish and Wildlife Service for the temporary diversion and storage of excess water in times of major flood events within said retention sites as doing so would reduce flood impacts to both private and public property.

**NOW THEREFORE BE IT RESOLVED** that Minnesota Watersheds appoint a committee to meet with the DNR and USFWS, identify existing wetlands owned by DNR and USFWS that could serve as retention sites, and discuss the potential for construction of retention sites and storage of excess waters on said existing wetlands owned and controlled by DNR and USFWS in times of major flood events.

## Summary Background and Rationale for Shoreline Management Resolutions

### Background that led to the submission of these resolutions

Minnesota's natural shorelines are continuing to disappear, contributing to degraded lake water quality, reduced habitat, and declining aquatic biological health. The 2023 Natural Shoreline Partnership report, *Minnesota's Vanishing Natural Shorelines: A Loss that Contributes to Degraded Lake Quality*, found that approximately 40 to 50 percent of Minnesota's natural shorelines have already been lost, and that natural shoreline loss is continuing at an estimated rate of 1 to 2 percent per decade. The report also found that mowed "lawn down to lake" shorelines allow 7 to 9 times more phosphorus to enter lakes than naturally vegetated shorelines and recommends a reasonable protection and restoration goal that 75 percent of a shoreline exist in natural vegetation at least 25 feet landward from the lake.

To explore this issue in greater depth, the statewide Natural Shoreline Partnership formed a Shoreline Protection Subcommittee to identify ways to improve how state agencies, local governments, SWCDs, watershed districts, and other partners regulate and provide technical services for shoreline property owners. The Subcommittee met several times between September 2024 and April 2025 to review challenges with existing state and local rules, DNR Public Water Restoration Rules, shoreline assessments, sand blankets, ice heaves, general permits, and DNR enforcement procedures.

A central conclusion of the Subcommittee was that Minnesota's public waters rules are not necessarily the primary barrier to natural shoreline protection. Rather, many of the most significant challenges arise from how shoreline alteration rules are explained to the public, how those rules are administered, how consistently they are applied, and how state and local governments coordinate on projects that often affect areas both above and below the ordinary high water level.

Several recurring issues were identified. Public-facing DNR guidance for riprap, sand blankets, and ice-heave repair may be outdated, misunderstood, or applied inconsistently. "No permit required" shoreline activities can be difficult to track and verify. Criteria for determining demonstrated erosion need are not always clear. Coordination among DNR, SWCDs, watershed districts, counties, cities, and townships varies across the state. Public agencies have also lost technical capacity for natural shoreline restoration, bioengineered stabilization, and field-based landowner assistance.

These issues create practical problems for landowners, contractors, local governments, and state agencies. Landowners may receive inconsistent information. Contractors may rely on long-standing practices that do not fully protect natural shoreline functions. Local governments may be asked to respond to shoreline impacts without adequate funding, training, or technical support. DNR staff may face increasing expectations without updated guidance, consistent procedures, or sufficient interagency coordination.

The following four resolutions are intended to address these related but distinct needs:

1. **Dedicated State Funding for Local Shoreline Management Assistance** — to build local capacity for landowner assistance, site evaluations, project review, restoration support, and permit coordination.
2. **Statewide Shoreline Management Training and Certification Program** — to improve consistency and technical understanding among state and local staff involved in shoreline evaluation, restoration, permitting, compliance, and landowner assistance.
3. **Updated Public Shoreline Guidance and Education** — to replace outdated public-facing shoreline alteration guidance and improve statewide communication about natural shoreline protection, bioengineering, riprap, sand blankets, ice-heave repair, permits, and alternatives to hard armoring.
4. **Public Waters Rule and Process Improvements for Shoreline Alterations** — to improve consistency in DNR implementation, develop clearer shoreline evaluation procedures, strengthen coordination among agencies and local governments, address recurring contractor violations, and improve rule and process clarity.

Together, these resolutions request that Minnesota Watersheds support state agency advocacy and, where necessary, legislative action to improve natural shoreline protection and restoration. The intent is not to create unnecessary regulation, but to make shoreline management more consistent, practical, understandable, and effective for landowners, contractors, local governments, and state agencies while better protecting Minnesota's public waters and natural shoreline functions.

This issue applies statewide and affects watershed districts, watershed management organizations, SWCDs, counties, cities, townships, lake associations, landowners, contractors, DNR, BWSR, MPCA, and other partners involved in shoreline management and public waters protection.

# **Background Information**

## **2026 Minnesota Watersheds Resolution #2**

**Proposing Watershed:** Carnelian Marine St. Croix Watershed District

**Contact Name:** Mike Isensee

**Phone Number:** 612-839-6492

**Email Address:** mike.isensee@cmsc wd.org

**Resolution Title:** Supporting Dedicated State Funding for SWCD and Watershed District Shoreline Management Assistance

### **Background that led to the submission of this resolution**

Minnesota's natural shorelines continue to be lost or degraded through cumulative shoreline alterations, vegetation removal, hard armoring, grading, sand blankets, and other activities that reduce water quality, habitat, and lake resilience. Local governments, including Soil and Water Conservation Districts, watershed districts, watershed management organizations, counties, cities, and townships, are often the first point of contact for landowners seeking help with shoreline stabilization, restoration, permitting, and natural shoreline alternatives.

As the Minnesota Department of Natural Resources and other partners improve shoreline evaluation, guidance, and implementation of public waters restoration and shoreline management requirements, additional workload will likely fall on local partners. Many SWCDs and watershed districts do not currently have dedicated funding or staff capacity to provide consistent technical assistance, site visits, project review, landowner support, monitoring, and follow-through for shoreline management.

Successful shoreline protection depends on timely, locally available assistance that helps landowners understand and implement natural shoreline practices before hard armoring or other damaging alterations occur.

### **Efforts to solve the problem**

The statewide Natural Shoreline Partnership has documented the continuing loss of natural shoreline and the need for stronger coordination, education, technical assistance, incentives, and restoration support. A Shoreline Protection Subcommittee later examined shoreline alteration management in more detail and identified a need to rebuild local and state technical capacity for natural shoreline restoration, bioengineering, landowner assistance, and coordinated review.

Local governments, SWCDs, watershed districts, and lake associations already provide outreach and technical support where capacity exists. However, this assistance is inconsistent statewide because it often depends on local funding, grants, or limited staff availability.

### **Is legislative action the best means of addressing the matter? If yes, what is the purpose or intent of your proposal? If not, what advocacy steps could be taken with state or local government officials?**

Yes. Legislative action is likely needed to establish dedicated and ongoing state funding for local shoreline management assistance.

The purpose of legislative action would be to create a stable state funding source that supports SWCDs, watershed districts, watershed management organizations, and other local partners in providing shoreline technical assistance, landowner site visits, project design support, permit coordination, monitoring, and implementation assistance.

If legislative action is not immediately pursued, Minnesota Watersheds should advocate with DNR, BWSR, MPCA, and legislative committees to recognize shoreline management as a shared state-local responsibility and to include shoreline technical assistance in future state funding programs.

**Anticipated support or opposition**

Support is anticipated from watershed districts, watershed management organizations, SWCDs, lake associations, local governments, fisheries and habitat advocates, and organizations working to protect water quality and aquatic life.

Opposition or concern may come from parties concerned about new state spending or increased local government involvement in shoreline projects. These concerns can be addressed by emphasizing that the funding is intended to provide practical landowner assistance, improve consistency, reduce confusion, and support voluntary natural shoreline restoration before enforcement or regulatory conflicts occur.

**This issue: (check all that apply)**

Applies only to our district		Requires legislative action	x
Applies only to 1 or 2 regions		Requires state agency advocacy	x
Applies to the entire state	x	Impacts MW bylaws or MOPP	

## **RESOLUTION #2: SUPPORTING STATE FUNDING FOR SWCD AND WATERSHED DISTRICT SHORELINE MANAGEMENT ASSISTANCE**

**WHEREAS**, Minnesota's lakes, rivers, and public waters provide substantial public benefits, including water quality, fish and wildlife habitat, flood resilience, recreation, and property value protection; and

**WHEREAS**, Minnesota's natural shorelines continue to be lost or degraded through cumulative shoreline alterations, vegetation removal, hard armoring, grading, and other activities that reduce habitat and water quality benefits; and

**WHEREAS**, the Minnesota Department of Natural Resources is working to improve shoreline evaluation, guidance, and implementation of public waters restoration and shoreline management requirements; and

**WHEREAS**, improved shoreline evaluation and implementation will likely create additional workload for local governments, including Soil and Water Conservation Districts, watershed districts, watershed management organizations, counties, and other local partners; and

**WHEREAS**, local governments are often the first point of contact for landowners seeking assistance with shoreline stabilization, restoration, permitting, and natural shoreline alternatives; and

**WHEREAS**, many SWCDs and watershed districts do not currently have adequate dedicated funding or staff capacity to provide consistent technical assistance, site evaluations, landowner support, and project follow-through for shoreline management; and

**WHEREAS**, successful shoreline protection and restoration depends on timely, practical, and locally available technical assistance that helps landowners understand and implement natural shoreline practices before hard-armoring or other damaging alterations occur;

**NOW, THEREFORE, BE IT RESOLVED** that Minnesota Watersheds supports the creation of dedicated state funding to assist Soil and Water Conservation Districts, watershed districts, watershed management organizations, and other local government partners with shoreline management technical assistance, project review, landowner support, and implementation.

**BE IT FURTHER RESOLVED** that this funding should support local staff time, technical evaluations, landowner site visits, project design assistance, permit coordination, monitoring, and follow-up needed to advance natural shoreline protection and restoration.

**BE IT FURTHER RESOLVED** that Minnesota Watersheds supports state funding that recognizes shoreline management as a shared state-local responsibility requiring adequate and ongoing local capacity.

# **Background Information**

## **2026 Minnesota Watersheds Resolution #3**

**Proposing Watershed:** Carnelian Marine St. Croix Watershed District

**Contact Name:** Mike Isensee

**Phone Number:** 612-839-6492

**Email Address:** mike.isensee@cmsc wd.org

**Resolution Title:** Supporting Statewide Training and Certification for Shoreline Management Staff

### **Background that led to the submission of this resolution**

Shoreline management decisions often require technical evaluation of erosion causes, shoreline condition, vegetation, soils, slopes, wave energy, ice action, habitat impacts, water quality impacts, and the suitability of proposed stabilization or restoration methods. Inconsistent understanding and application of shoreline standards can result in inconsistent permitting decisions, landowner confusion, unnecessary hard armoring, and continued loss of natural shoreline functions.

The Wetland Conservation Act provides a useful model for structured training, certification, and interagency review that helps support consistent implementation across jurisdictions. Shoreline management would benefit from a similar statewide training and certification program for state and local staff involved in shoreline evaluation, permitting, restoration, compliance, and technical assistance.

### **Efforts to solve the problem**

The Natural Shoreline Partnership's Shoreline Protection Subcommittee reviewed DNR Public Waters Rules, riprap, sand blankets, ice heaves, general permits, enforcement procedures, and local shoreline assessment work. The Subcommittee identified the need for shared training standards, consistent terminology, common evaluation methods, and improved understanding of natural shoreline restoration and bioengineering alternatives.

Local staff, SWCDs, watershed districts, counties, cities, townships, and DNR staff currently work on shoreline issues, but training and technical capacity vary significantly across the state. This creates inconsistent outcomes for landowners and natural resource protection.

### **Is legislative action the best means of addressing the matter? If yes, what is the purpose or intent of your proposal? If not, what advocacy steps could be taken with state or local government officials?**

Legislative action may be needed if a formal statewide certification program requires statutory authority, dedicated funding, or direction to state agencies.

The purpose of legislative action would be to direct or fund the development of a statewide shoreline management training and certification program, modeled in part on the structured training and certification approach used for Wetland Conservation Act implementation. The program should include shoreline condition evaluation, erosion drivers, natural shoreline design, bioengineering methods, public waters permitting requirements, restoration standards, vegetation protection, habitat impacts, enforcement considerations, and long-term maintenance.

If legislation is not required, Minnesota Watersheds should advocate for DNR, BWSR, MPCA, SWCDs, watershed districts, and other partners to develop and implement the training program administratively.

### **Anticipated support or opposition**

Support is anticipated from watershed districts, SWCDs, local governments, state agency staff, lake

associations, and professional organizations seeking more consistent shoreline evaluation and permitting.

Opposition or concern may come from those concerned about additional certification requirements, cost, or administrative burden. These concerns can be addressed by designing the program to improve consistency, provide practical field-based training, and support better landowner service rather than simply adding new requirements.

**This issue: (check all that apply)**

Applies only to our district		Requires legislative action	x
Applies only to 1 or 2 regions		Requires state agency advocacy	x
Applies to the entire state	x	Impacts MW bylaws or MOPP	

### **RESOLUTION #3: SUPPORTING STATEWIDE TRAINING AND CERTIFICATION FOR SHORELINE MANAGEMENT STAFF**

**WHEREAS**, shoreline management decisions often require technical evaluation of erosion causes, shoreline condition, vegetation, soils, slopes, wave energy, ice action, habitat impacts, water quality impacts, and the suitability of proposed stabilization or restoration methods; and

**WHEREAS**, inconsistent understanding and application of shoreline standards can result in inconsistent permitting decisions, landowner confusion, unnecessary hard armoring, and continued loss of natural shoreline functions; and

**WHEREAS**, the Wetland Conservation Act provides a useful model for technical training, certification, and interagency review that helps support more consistent implementation across jurisdictions; and

**WHEREAS**, shoreline management would benefit from a similar structured training and certification program for state and local staff involved in shoreline evaluation, permitting, restoration, compliance, and technical assistance; and

**WHEREAS**, watershed districts, watershed management organizations, SWCDs, counties, cities, townships, and DNR staff would benefit from shared training standards, consistent terminology, and common evaluation methods; and

**WHEREAS**, certification-based training would help ensure that shoreline evaluations consider the cause and degree of shoreline change, the impacts of proposed alterations, and the availability of natural or bioengineering alternatives before structural hard armoring is authorized;

**NOW, THEREFORE, BE IT RESOLVED** that Minnesota Watersheds supports development of a statewide shoreline management training and certification program for state and local staff, modeled in part on the structured training and certification approach used for Wetland Conservation Act implementation.

**BE IT FURTHER RESOLVED** that the training program should include evaluation of shoreline condition, erosion drivers, natural shoreline design, bioengineering methods, public waters permitting requirements, restoration standards, vegetation protection, habitat impacts, enforcement considerations, and long-term maintenance.

**BE IT FURTHER RESOLVED** that Minnesota Watersheds supports development of a consistent shoreline evaluation framework that can be used by DNR staff, SWCDs, watershed districts, counties, cities, townships, and other local partners.

**BE IT FURTHER RESOLVED** that Minnesota Watersheds supports the use of technical evaluation panels or similar interagency review processes for complex shoreline alteration proposals, similar in concept to technical review processes used under the Wetland Conservation Act.

# **Background Information**

## **2026 Minnesota Watersheds Resolution #4**

**Proposing Watershed:** Carnelian Marine St. Croix Watershed District

**Contact Name:** Mike Isensee

**Phone Number:** 612-839-6492

**Email Address:** mike.isensee@cmsc wd.org

**Resolution Title:** Supporting Improved Public Education and Updated Shoreline Management Guidance

### **Background that led to the submission of this resolution**

Landowners, contractors, consultants, local officials, and local government staff rely on public-facing information from the Minnesota Department of Natural Resources when evaluating shoreline stabilization, restoration, and alteration options.

The Natural Shoreline Subcommittee identified several recurring issues with DNR guidance for riprap, sand blanket, and ice-heave “no permit required” documents. Requirements are often unmet, misunderstood or ignored; “no permit required” shoreline alterations are difficult to track and verify; criteria for determining a demonstrated need for riprap are ambiguous or inconsistently applied;

The outdated or incomplete shoreline alteration guidance documents can create confusion and may encourage practices that are not aligned with current natural shoreline science, restoration standards, state statute, or the protection of public waters.

Older riprap guidance and similar materials contribute to misunderstanding about when riprap is appropriate, what alternatives should be considered, and how natural shoreline functions should be protected. Public education materials should clearly identify the limited circumstances in which riprap, sand blankets, and ice-ridge repair are appropriate, explain the benefits of natural shorelines, including water quality protection, fish and wildlife habitat, slope stability, wave energy dissipation, climate resilience, and long-term property protection.

### **Efforts to solve the problem**

The Natural Shoreline Partnership developed Minnesota’s Vanishing Natural Shorelines, which documented the scale of natural shoreline loss and the connection between shoreline alteration and degraded lake quality. The Shoreline Protection Subcommittee then identified the need to update public-facing shoreline materials, improve consistency in messaging, and better explain the difference between natural shoreline restoration, bioengineered stabilization, riprap, retaining walls, beach creation, vegetation removal, grading, and other shoreline alterations.

Local governments, SWCDs, watershed districts, lake associations, and state agencies already provide public education, but messaging is not always consistent and may be undermined by older or outdated state guidance still available to the public.

### **Is legislative action the best means of addressing the matter? If yes, what is the purpose or intent of your proposal? If not, what advocacy steps could be taken with state or local government officials?**

Legislative action is not necessarily required if DNR can update all public-facing guidance, webpages, fact sheets, and permit materials administratively.

However, legislative action may be appropriate if agency direction or funding is needed to ensure outdated materials are replaced and updated guidance is developed in coordination with local governments, SWCDs, watershed districts, BWSR, MPCA, lake associations, and other partners.

The purpose or intent would be to ensure that Minnesota’s public shoreline guidance reflects current natural shoreline science, state statute, best available restoration practices, and clear permitting expectations.

If legislation is not pursued, Minnesota Watersheds should advocate directly with DNR and partner agencies to replace outdated shoreline alteration guidance, including older “Shoreline Alterations: Riprap” materials, and to coordinate statewide public education on natural shoreline protection and restoration.

**Anticipated support or opposition**

Support is anticipated from watershed districts, SWCDs, lake associations, local governments, habitat advocates, and organizations working to improve water quality and shoreline stewardship.

Opposition or concern may come from various divisions or regional offices within the Minnesota Department of Natural Resources that have relied on existing shoreline alteration guidance, fact sheets, and implementation practices for decades. Concerns may include staff capacity to update guidance, uncertainty about changing long-standing interpretations, the need for internal consistency across DNR programs and regions, concern that revised materials could increase review workload, and reluctance to create expectations that existing past practices were inadequate or inconsistent.

**This issue: (check all that apply)**

Applies only to our district		Requires legislative action	
Applies only to 1 or 2 regions		Requires state agency advocacy	x
Applies to the entire state	x	Impacts MW bylaws or MOPP	

#### **RESOLUTION #4: SUPPORTING IMPROVED PUBLIC EDUCATION AND UPDATED SHORELINE MANAGEMENT GUIDANCE**

**WHEREAS**, landowners, contractors, consultants, local officials, and local government staff rely on public-facing information from the Minnesota Department of Natural Resources when evaluating shoreline stabilization, restoration, and alteration options; and

**WHEREAS**, outdated shoreline alteration guidance can create confusion and may encourage practices that are not fully aligned with current natural shoreline science, restoration standards, state statute, or the protection of public waters; and

**WHEREAS**, the continued public availability of older shoreline riprap guidance may contribute to misunderstanding about when riprap is appropriate, what alternatives should be considered, and how natural shoreline functions should be protected; and

**WHEREAS**, Minnesota’s public education materials should clearly explain the benefits of natural shorelines, including water quality protection, fish and wildlife habitat, slope stability, wave energy dissipation, climate resilience, and long-term property protection; and

**WHEREAS**, effective public education should help landowners understand the difference between natural shoreline restoration, bioengineered stabilization, riprap, retaining walls, beach creation, vegetation removal, grading, and other shoreline alterations; and

**WHEREAS**, updated public education materials should support consistent messaging by DNR, SWCDs, watershed districts, counties, cities, townships, lake associations, contractors, consultants, and other partners;

**NOW, THEREFORE, BE IT RESOLVED** that Minnesota Watersheds supports the Minnesota Department of Natural Resources updating its public-facing shoreline management webpages, guidance documents, permit materials, and educational resources to reflect current natural shoreline science, state statute, and best available restoration practices.

**BE IT FURTHER RESOLVED** that Minnesota Watersheds supports replacing outdated “Shoreline Alterations: Riprap” guidance and similar materials with updated guidance that more clearly prioritizes avoidance, minimization, natural shoreline restoration, bioengineering, vegetation protection, and long-term shoreline function.

**BE IT FURTHER RESOLVED** that updated public education materials should clearly identify when permits or notifications are required, what activities may violate public waters rules, and what alternatives are available to landowners before hard armoring is pursued.

**BE IT FURTHER RESOLVED** that Minnesota Watersheds supports coordinated public education among DNR, BWSR, SWCDs, watershed districts, counties, cities, townships, lake associations, and other partners to promote consistent shoreline management information statewide.

# **Background Information**

## **2026 Minnesota Watersheds Resolution #5**

**Proposing Watershed:** Carnelian Marine St. Croix Watershed District

**Contact Name:** Mike Isensee

**Phone Number:** 612-839-6492

**Email Address:** mike.isensee@cmsc wd.org

**Resolution Title:** Supporting Rule and Process Improvements for Public Waters Shoreline Alteration Management

### **Background that led to the submission of this resolution**

Minnesota Rules part 6115.0215 establishes requirements for restoration and alteration of public waters, including activities that affect shorelines, beds, banks, and public water resources. Consistent implementation of Minnesota's public waters rules is necessary to protect natural shorelines, water quality, aquatic habitat, and the public interest in lakes, rivers, and streams.

Watershed districts and other local government partners have identified discrepancies and inconsistencies in the implementation of shoreline alteration rules, guidance, permitting, notification, and enforcement. These inconsistencies can result in landowner confusion, uneven regulatory outcomes, continued shoreline degradation, and reduced confidence in state and local shoreline management programs.

Shoreline alteration decisions should include a clear evaluation of existing shoreline condition, the cause and degree of shoreline change, the proposed alteration, less-impactful alternatives, and cumulative impacts to public waters. Contractors who repeatedly conduct shoreline alterations without required notice, permits, or approvals can create significant damage to public waters and place landowners and local governments in difficult compliance situations.

### **Efforts to solve the problem**

The Natural Shoreline Partnership's Shoreline Protection Subcommittee reviewed challenges with existing state and local shoreline rules, DNR Public Waters Restoration Rules, shoreline assessments, sand blankets, ice heaves, general permits, and DNR enforcement procedures. The Subcommittee concluded that DNR Public Waters Rules are not necessarily the primary barrier to natural shoreline protection. Rather, the more significant problems are how shoreline alteration rules are expressed to the public, how those rules are administered, and how governments coordinate with each other on projects that span jurisdictional boundaries.

The Subcommittee developed recommendations to update DNR guidance, improve coordination among DNR and local governments, develop administrative procedures for "no permit required" shoreline work, create tools to determine demonstrated erosion need, strengthen training, clarify grading and filling requirements, encourage contractor training or certification, review General Permit barriers, and rebuild technical capacity for natural shoreline restoration and bioengineered shoreline design.

### **Is legislative action the best means of addressing the matter? If yes, what is the purpose or intent of your proposal? If not, what advocacy steps could be taken with state or local government officials?**

Legislative action may be needed if rule changes, agency direction, funding, or statutory clarification are necessary to ensure consistent statewide implementation of public waters shoreline alteration requirements.

The purpose or intent of legislative action would be to support clearer, more consistent, and more

coordinated implementation of Minnesota Rules part 6115.0215 and related public waters shoreline alteration requirements. This may include direction or support for DNR to:

1. Develop a consistent shoreline evaluation process;
2. Clarify how demonstrated erosion need is evaluated before riprap or other hard armoring is authorized;
3. Establish administrative procedures for “no permit required” shoreline work;
4. Improve coordination between DNR, local governments, SWCDs, and watershed districts;
5. Create a technical evaluation panel or similar interagency review process for complex or sensitive shoreline alteration proposals;
6. Ensure consistent DNR processes and determinations across regions and area offices;
7. Strengthen procedures for recurring contractor violations involving shoreline modifications completed without required notification, permits, or approvals; and
8. Review General Permit processes that may discourage natural or bioengineered shoreline alternatives.

If legislative action is not immediately pursued, Minnesota Watersheds should advocate directly with DNR, MPCA, BWSR, counties, SWCDs, watershed districts, and other partners to implement these process improvements administratively.

**Anticipated support or opposition**

Support is anticipated from watershed districts, watershed management organizations, SWCDs, local governments, lake associations, fisheries and habitat advocates, and organizations working to protect water quality, aquatic life, and public waters.

Opposition or concern may come from shoreline contractors, some riparian landowners, and parties concerned about additional process requirements, delays, or limits on shoreline hardening. These concerns can be addressed through clear guidance, timely review procedures, contractor training, practical landowner assistance, and recognition that the resolution seeks consistency, coordination, and protection of public waters rather than unnecessary regulation.

**This issue: (check all that apply)**

Applies only to our district		Requires legislative action	x
Applies only to 1 or 2 regions		Requires state agency advocacy	x
Applies to the entire state	x	Impacts MW bylaws or MOPP	

## **RESOLUTION #5: SUPPORTING RULE AND PROCESS IMPROVEMENTS FOR PUBLIC WATERS SHORELINE MANAGEMENT**

**WHEREAS**, Minnesota Rules part 6115.0215 establishes requirements for restoration and alteration of public waters, including activities that affect shorelines, beds, banks, and public water resources; and

**WHEREAS**, consistent implementation of Minnesota's public waters rules is necessary to protect natural shorelines, water quality, aquatic habitat, and the public interest in lakes, rivers, and streams; and

**WHEREAS**, watershed districts and other local government partners have identified discrepancies and inconsistencies in the implementation of shoreline alteration rules, guidance, permitting, notification, and enforcement; and

**WHEREAS**, inconsistent application of public waters rules can result in landowner confusion, uneven regulatory outcomes, continued shoreline degradation, and reduced confidence in state and local shoreline management programs; and

**WHEREAS**, shoreline alteration decisions should include a clear evaluation of the cause, severity, and extent of shoreline change, the proposed alteration, the availability of less-impactful alternatives, and the cumulative impact to public waters; and

**WHEREAS**, contractors who repeatedly conduct shoreline alterations without required notice, permits, or approvals can create significant damage to public waters and place landowners and local governments in difficult compliance situations; and

**WHEREAS**, clearer rules, procedures, and enforcement expectations would improve consistency, fairness, and environmental outcomes for landowners, contractors, local governments, and state agencies;

**NOW, THEREFORE, BE IT RESOLVED** that Minnesota Watersheds supports rule, guidance, and process improvements by the Minnesota Department of Natural Resources to ensure consistent implementation of Minnesota Rules part 6115.0215 and related public waters shoreline alteration requirements.

**BE IT FURTHER RESOLVED** that Minnesota Watersheds supports development and implementation of a consistent shoreline evaluation process that considers the existing shoreline condition, the cause and degree of shoreline change, the proposed alteration, natural shoreline alternatives, and the public water impacts of the proposed work.

**BE IT FURTHER RESOLVED** that Minnesota Watersheds supports creation of a technical evaluation panel or similar interagency process for complex or potentially impactful shoreline alteration proposals, similar in concept to review processes used under the Wetland Conservation Act.

**BE IT FURTHER RESOLVED** that Minnesota Watersheds supports improved procedures to ensure consistent DNR processes and determinations across regions and area offices.

**BE IT FURTHER RESOLVED** that Minnesota Watersheds supports stronger and more consistent enforcement for recurring contractor violations involving shoreline modifications completed without required notification, permits, or approvals.

**BE IT FURTHER RESOLVED** that Minnesota Watersheds supports rule and process changes that make shoreline management more understandable, consistent, timely, and effective for landowners, contractors, local governments, and state agencies while better protecting Minnesota's public waters and natural shorelines.

# **Background Information**

## **2026 Minnesota Watersheds Resolution #6**

**Proposing Watershed:** Prior Lake-Spring Lake Watershed District

**Contact Name:** Joni Giese

**Phone Number:** 952-440-0067

**Email Address:** jgiese@plslwd.org

**Resolution Title:** Seeking Revision of Minnesota State 477A.19 to Preserve \$10 million of Aquatic Invasive Species Prevention Aid

### **Background that led to the submission of this resolution**

For over a decade \$10 million has been annually appropriated from the state general fund for Aquatic Invasive Species (AIS) Prevention Aid pursuant Minnesota Statute 477A.19. The commissioner of revenue computes an amount of AIS prevention aid payable to each county in the state for the following year. Counties must use the proceeds solely to prevent the introduction or limit the spread of AIS at all access sites within the county. In recent years, Scott County has allocated AIS Prevention Aid to Prior Lake-Spring Lake Watershed District (PLSLWD) to perform Curly-leaf pondweed treatments in District Lakes and to offset the cost of boat inspections at District lakes.

At part of the 2025 legislative session, Minnesota Statute 477A.19 was revised to reduce the annual appropriation by 50 percent (\$5 million) for aid payable in 2027 and thereafter. At current funding levels, the AIS Prevention Aid comprises 37 percent of PLSLWD's Aquatic vegetation management funding and comprises 50 percent of the PLSLWD's boat inspection funding.

Prior Lake is an extremely popular lake in the Minneapolis-Saint Paul metropolitan area, with large numbers of boaters bringing their watercraft to the lake and thus increasing the risk of AIS spread. A 50 percent reduction in state AIS Prevention Aid will have a significant and negative impact the PLSLWD's efforts to prevent the introduction and limit the spread of AIS. This issue is not limited to PLSLWD, the reduced funding negatively impacts counties, watershed organizations, soil and water conservation districts, lake associations, and other public agencies that work to prevent the spread of AIS.

### **Efforts to solve the problem**

In 2025, when the proposed funding reduction was first brought forward, numerous organizations lobbied to retain historic funding levels. These efforts were successful in preserving the \$10 million funding levels for 2025 and 2026 and delaying the reduced \$5 million funding level to 2027. A coalition of lake associations are currently organizing to lobby for the preservation of the \$10 million funding levels during the 2027 legislative session. Watershed organizations should join with partners to lobby for the preservation of the \$10 million funding level.

**Is legislative action the best means of addressing the matter? If yes, what is the purpose or intent of your proposal? If not, what advocacy steps could be taken with state or local government officials?**

Legislative action is the only means of addressing the matter as Minnesota

Statute 477A.19 calls for the funding level to be reduced to \$5 million in 2027. The intent of this proposal is to request that Minnesota Statute 477A.19 be revised to change 2027 funding to \$10 million and to remain at the \$10 million level thereafter.

**Anticipated support or opposition**

The DNR could also be a partner as they administer and support the program. Lake associations, soil and water conservation districts, lake resorts, and communities that rely on lake activities for economic development are likely partners in supporting this legislative revision. Likely detractors from this legislation may be organizations that advocate for smaller government spending.

**This issue: (check all that apply)**

Applies only to our district		Requires legislative action	x
Applies only to 1 or 2 regions		Requires state agency advocacy	
Applies to the entire state	x	Impacts MW bylaws or MOPP	

**RESOLUTION #6: SEEKING REVISION OF MINNESOTA STATE 477A.19 TO PRESERVE \$10 MILLION OF AQUATIC INVASIVE SPECIES PREVENTION AID**

**WHEREAS**, Minnesota Statute 477A.19 Aquatic Invasive Species Prevention Aid, allocates funds to counties within Minnesota for the purpose of preventing the introduction of or limiting the spread of aquatic invasive species at all access sites within counties that receive the funding; and

**WHEREAS**, counties may appropriate a portion of the proceeds received from the state to provide funding for a joint powers board or cooperative agreement with another political subdivision, a soil and water conservation district in the county, a watershed district in the county, or a lake association located in the county; and

**WHEREAS**, for over a decade, the state has annually appropriated \$10 million from the general fund for Aquatic Invasive Species Prevention Aid to Minnesota counties; and

**WHEREAS**, Minnesota Statute 477A.19 was revised in 2025 to reduce the annual appropriation from \$10 million to \$5 million starting in 2027; AND **WHEREAS**, watershed districts, soil and water conservation districts, and lake associations in the state depend on Aquatic Invasive Species Prevention Aid to prevent the introduction of and limit the spread of aquatic invasive species; and

**WHEREAS**, the reduction of Aquatic Invasive Species Prevention Aid will result in reduced prevention efforts that will harm water resources in the state and negatively impact habitat, recreation, and economic development within the state.

**NOW, THEREFORE, BE IT RESOLVED** that Minnesota Watersheds seeks to revise Minnesota State 477A.19 to preserve annual Aquatic Invasive Species Prevention Aid at \$10 million payable in 2027 and annually thereafter.

# **Background Information**

## **2026 Minnesota Watersheds Resolution #7**

**Proposing Watershed:** Two Rivers Watershed District

**Contact Name:** Dan Money

**Phone Number:** 218-843-3333

**Email Address:** dan.money@tworiverswd.com

**Resolution Title:** Seeking Establishment of Hazard Mitigation Fund

### **Background that led to the submission of this resolution**

Watershed Districts have a long history of fighting floods and reducing flood damages. Severe and repeated flooding is documented throughout MN. Current state funding to recover from disasters is available through MN Statute 12A, and funding to prevent/mitigate flooding is available through DNR's Flood Hazard Mitigation Grant Program under MN Statute 103F. According to DNR, the current known funding needs total \$2.13 million, however in the 2026 session the legislature only approved \$9 million in the bonding bill to address the problem. In fact, since 2010 there has been a steady decline in the funding of this program, and no funding was approved in 2016, 2019, 2021, 2022, and 2024. Therefore, it is apparent that other sources of funding are needed to meet the significant need.

### **Efforts to solve the problem**

Over the past 5 years, meetings have been held with MN DNR to streamline their grant program and bring attention to the needs. This resulted in DNR overhauling the application process and this past session DNR asked for \$45 million to fund the program.

In addition, several meetings were held with various Senators and Representatives. While this was mildly effective, the result was still a significant under-funding of the program. However, HF 4581 and SF 5002 were introduced in 2026 to establish an additional program through the MN Department of Homeland Security Emergency Management that would provide an additional resource to provide funding for prevention / mitigation of natural disasters, including flooding. Although introduced, these bills were not heard in committee.

This resolution seeks to build upon Minnesota Watersheds 22-05 resolution that seeks stable funding for this issue. It is suggested that this issue should be considered one of the highest legislative priorities for the upcoming legislative session.

### **Is legislative action the best means of addressing the matter? If yes, what is the purpose or intent of your proposal? If not, what advocacy steps could be taken with state or local government officials?**

YES. In order to provide a more stable, reliable source of funding that will help to mitigate the effects of severe and repeated flooding HF 4581/SF 5002 are proposed. These bills will create a new program and a new funding source to supplement existing sources which are dreadfully underfunded. It is proposed that the fund be used for hazard mitigation planning and projects that diminish the potential effects of emergencies through long term risk reduction. The new proposal is modelled after MN Statute 12A and therefore follows a tried and true example of success.

### **Anticipated support or opposition**

Potential Support: MN Homeland Security Emergency Management; MN Association of Emergency Managers; Association of MN Counties; Association of Townships; League of MN Cities

Potential Opposition: unknown

**This issue: (check all that apply)**

Applies only to our district		Requires legislative action	x
Applies only to 1 or 2 regions		Requires state agency advocacy	x
Applies to the entire state	x	Impacts MW bylaws or MOPP	

## **RESOLUTION #7: SEEKING ESTABLISHMENT OF HAZARD MITIGATION FUND**

**WHEREAS**, Severe flooding is known to occur repeatedly within the State of Minnesota, costing both public and private entities millions of dollars for repair and replacement of infrastructure, damage to homes, erosion and sediment control, and damage to cropland, and

**WHEREAS**, flooding also has severe and repeated impacts to water quality and habitat from erosion, sedimentation, nutrient loading, raw sewage discharges, and chemical spillage, and

**WHEREAS**, economic studies have estimated that for every dollar spent on flood damage reduction there is a six dollar return on investment, and

**WHEREAS**, The DNR's Flood Damage Reduction grant program (FHMG) under MN Statute 103F has historically been a successful tool for local governments to utilize to design and build projects to reduce and prevent flooding, protect the environment, and prevent social and economic losses, and

**WHEREAS**, The DNR's FHMG has not recently been funded adequately by the Legislature, in fact annual bonding appropriations have been significantly declining over the past 10 years with no funding appropriated in 5 out of the past 11 years. Current 2026 legislative appropriations for hazard mitigation funding only amount to 4% of the documented need, and

**WHEREAS**, The cost of construction continues to increase as proposed shovel ready projects continue to go unfunded, and

**WHEREAS**, additional funding sources and programs will be necessary to keep up with the need for hazard mitigation projects. In the 2026 legislative session HF 4581 and SF 5002 were introduced to address the problem but were not passed out of committees.

**NOW, THEREFORE, BE IT RESOLVED** that the Minnesota Association of Watershed Districts pass a resolution to make hazard mitigation funding a top 2027 legislative priority and direct its lobbyist to work on passage of HF 4581 and SF 5002 as introduced in the 2026 legislative session.

# **Background Information**

## **2026 Minnesota Watersheds Resolution #8**

**Proposing Watershed:** Capitol Region Watershed District

**Contact Name:** Anna Eleria

**Phone Number:** 651-644-8888

**Email Address:** aeleria@capitolregionwd.org

**Resolution Title:** Seeking Legislation that Allows Stormwater as an Alternative Water Source for Outdoor Uses

### **Background that led to the submission of this resolution**

The MN Plumbing Board, a board of the MN Department of Labor and Industry (DLI), is proposing revisions to Chapter 15 of the Uniform Plumbing Code and the 2020 MN Plumbing Code that would effectively prohibit stormwater as an alternative source of water for non-potable uses. Key proposed changes include prohibiting stormwater as an allowable source of water for irrigation and other outdoor uses, expanding plumbing code jurisdiction from buildings to entire sites, and requiring installation of irrigation systems by licensed plumbers which would displace existing landscape and irrigation professionals, and requiring usage of plumbing code-certified materials.

Stormwater reuse is a proven, cost-effective practice that protects lakes and rivers, conserves groundwater, improves water quality, reduces flooding, and supports climate resilience. Eliminating or restricting reuse would remove a critical tool used by municipalities who depend on groundwater for drinking water and seek to conserve it for that use, and watershed districts and municipalities that rely on reuse projects to meet MS4 permit requirements, particularly in areas where infiltration is not feasible.

The proposed changes create significant environmental, financial, and regulatory concerns. They could render existing reuse systems non-compliant, require costly retrofits, and jeopardize millions of dollars in public investments funded through Clean Water Fund grants administered by MN Board of Water and Soil Resources (BWSR), MN Pollution Control Agency (MPCA), and Metropolitan Council (Met Council), and local capital budgets.

Additionally, the proposal conflicts with longstanding state policies and guidance encouraging stormwater reuse, including MPCA stormwater guidance, the Metropolitan Council's 2050 Water Plan, and legislative directives to advance a framework for water reuse practices. It also conflicts with local ordinances, such as one in Lake Elmo, that require stormwater reuse to conserve groundwater. It also contradicts the purpose of the State Interagency Workgroup for Stormwater Capture and Use (SCU), of which the MN Department of Labor and Industry is a member of, for advancing the development and implementation of safe and sustainable stormwater capture and use practices. This group committed to continue active participation in the work group and support for a broad stakeholder engagement process to ensure a coordinated, collaborative and transparent approach to SCU guidance and policy in Minnesota.

### **Efforts to solve the problem**

Minnesota Watersheds and Capitol Region Watershed District are working closely with a

large and broad coalition group who share similar concerns. Key members of the coalition so far include the League of MN Cities, MN Cities Stormwater Coalition, MN Nursery and Landscape Association, MN Farmers Union and many others. For a full list, see the information below. Efforts to address these concerns include:

- Communicating with watershed districts and watershed management organizations to raise awareness of the issue, keep them informed of how they can help, and the activities of the coalition group
- Reaching out to various state agencies and boards including the Minnesota Plumbing Board, MN Department of Labor and Industry, MN Department of Public Health, MN Pollution Control Agency, MN Board of Water and Soil Resources, and others. The outreach has included notifying them of the proposed changes and our concerns
- Initiating outreach to legislators, counties, and conservation organizations
- Developing shared messaging, talking points and response strategies with the broad coalition group
- Raising concerns about the lack of coordination with agencies responsible for water quality and stormwater management

To date, stakeholders are responding quickly and helping to get the word out to the groups and individuals listed above and in turn, they are also reaching out to State agency leaders and legislators and expressing their concerns. In addition, a request has been made for a special Plumbing Board meeting to show opposition to their proposed changes.

**Is legislative action the best means of addressing the matter? If yes, what is the purpose or intent of your proposal? If not, what advocacy steps could be taken with state or local government officials?**

Legislative actions are needed to address this issue. The intent of this resolution is to:

- Prevent adoption of plumbing code revisions that prohibit stormwater reuse
- Explicitly allow for stormwater capture and use for irrigation and other outdoor non-potable uses in State law
- Ensure coordination between the Plumbing Board, MPCA, MDH, BWSR, cities, watershed organizations, and other local governments
- Align plumbing regulations with existing state policies and guidelines supporting stormwater reuse, water conservation, groundwater protection, and climate resilience
- Protect prior public investments in stormwater reuse systems
- Maintain stormwater reuse as a viable strategy for MS4 compliance
- Ensure decisions on regulation and design for stormwater infrastructure are made by the appropriate agencies and practitioners

Recommended actions include:

- Legislation that allows stormwater reuse for irrigation and other outdoor uses. In 2025, Senate bill (S.F. No. 2442) was introduced and brought to the Senate Environment, Climate, and Legacy Committee. This committee passed an amended bill and referred it to the Health and Human Services Committee in 2026. It is our understanding that it remains in the hands of the Health and Human Services Committee who has not and will not conduct a hearing in the 2026 legislative session.
- Direction to the Minnesota Plumbing Board to pause all revisions to plumbing code (including Chapter 15) until interagency coordination and alignment is achieved
- Continued coordination and advocacy with state agencies and policymakers

**Anticipated support or opposition**

There is a growing broad coalition of groups who are partnering in efforts to prevent changes to the Minnesota Plumbing Code that would explicitly eliminate stormwater as an alternative source of water for outdoor uses. As of May 14, 2026, the list of partners include:

- League of Minnesota Cities
- Minnesota Cities Stormwater Coalition
- Minnesota Nursery & Landscape Association
- Minnesota Farmers Union
- Minnesota Watersheds
- LiUNA
- Associated General Contractors
- Housing First
- Minnesota Association of Cemeteries
- Minnesota Turf and Grounds Foundation
- Minnesota Council on Latino Affairs
- Irrigators Association of Minnesota
- Hospitality Minnesota
- Minnesota Golf Course Superintendents Association
- Freshwater Society
- American Society of Landscape Architects MN Chapter
- Anoka County
- Minnesota Chapter of the American Public Works Association

Groups who are or may be opposed to our efforts include:

- Minnesota Plumbing Board
- Minnesota Pipe Trades Association
- Minnesota Plumbing, Heating, and Cooling Contractors
- Plumbing unions

**This issue: (check all that apply)**

Applies only to our district		Requires legislative action	x
Applies only to 1 or 2 regions		Requires state agency advocacy	x
Applies to the entire state	x	Impacts MW bylaws or MOPP	

**RESOLUTION #8: SEEKING LEGISLATION THAT ALLOWS STORMWATER AS AN ALTERNATIVE WATER SOURCE FOR OUTDOOR USES**

**WHEREAS**, the Minnesota Plumbing Board, under the Minnesota Department of Labor and Industry (DLI), is proposing revisions to Chapter 15 of the Uniform Plumbing Code and related provisions of the Minnesota Plumbing Code that would prohibit stormwater as an alternate source of water for irrigation and other outdoor non-potable uses; and

**WHEREAS**, stormwater reuse is a proven and cost-effective practice that protects lakes and rivers, conserves groundwater, improves water quality, reduces flooding, and supports climate resilience; and

**WHEREAS**, restricting stormwater reuse would remove a critical compliance and water-management tool for municipalities, watershed districts, watershed management organizations, and other local governments, particularly where groundwater resources are limited, where infiltration is not feasible and where reuse projects help meet MS4 permit requirements; and

**WHEREAS**, the proposed code changes could render existing reuse systems non-compliant, require costly retrofits, and jeopardize significant public investments funded through local budgets and grants administered by Minnesota Board of Water and Soil Resources, Minnesota Pollution Control Agency (MPCA), and the Metropolitan Council (Met Council); and

**WHEREAS**, the proposed changes conflict with the directives of the MN Legislature in 2015, 2017, and 2021 to advance safe and sustainable water reuse in Minnesota, including stormwater capture and use; and

**WHEREAS**, the proposed changes conflict with longstanding state and local policies and guidance encouraging stormwater reuse including MPCA's Stormwater Manual and Met Council's 2025 Water Policy Plan;

**WHEREAS**, a broad coalition of local governments, watershed organizations, professional associations, businesses, and nonprofit partners has formed in support of preserving stormwater reuse as a lawful and practical water-management strategy; and

**WHEREAS**, Minnesota Senate Bill SF2442, a 2025 bill relating to the outdoor use of rainwater and stormwater, would authorize state agencies and local governments to allow untreated rainwater or stormwater for outdoor purposes when the probability of human or animal consumption or immersion is low or nonexistent, and was reported out of the Senate Environment, Climate, and Legacy Committee to the Health and Human Services Committee in March 2026.

**NOW, THEREFORE, BE IT RESOLVED** that Minnesota Watersheds supports legislation to explicitly allow stormwater as an alternate water source for outdoor non-potable purposes, including irrigation; and

**BE IT FURTHER RESOLVED** that Minnesota Watersheds supports legislation to assign MPCA as the State agency responsible for oversight of stormwater capture and use systems; and

**BE IT FURTHER RESOLVED** that Minnesota Watersheds requests that the Minnesota Department of Labor and Industry and the Minnesota Plumbing Board pause proposed

plumbing code revisions affecting stormwater reuse until interagency coordination and meaningful stakeholder engagement are completed; and

**BE IT FURTHER RESOLVED** that any future regulation of stormwater capture and use should align with existing State policy and guidelines, protect prior public investments, and preserve stormwater reuse as a viable strategy for water conservation, groundwater protection, and stormwater management.



<b>Date: June 5, 2026</b>	<b>South Washington Watershed District Request for Board Action</b>	<b>Agenda Item # 5c</b>
<b>Title:</b> Agreements approved by the Administrator	<b>Board Action Requested:</b> None	<b>Required Signatures</b> None
<b>Reviewed by:</b> JHL		<b>Presented by:</b> Loomis
<p><b>Background/Justification:</b> SWWD’s accounting polices authorizes the Administrator to approve purchases up to \$5,000 on behalf of the District. Under that policy, the Administrator approved the enclosed agreements in May.</p> <ol style="list-style-type: none"> <li>1. Burdock treatment at Cottage Grove Ravine Park, The Land Stewards - \$4,631.25</li> <li>2. 2026 Spring CLP Treatments on Markgrafs and Wilmes (North Basin), PLM -\$2,528.80</li> <li>3. CDO Phase 5 Development Coordination, Task Order SRF2026-001, \$5,000</li> <li>4. Ravine Lake Outlet Construction-Change Order 1, ACM, LLC -\$4,000</li> </ol>		
<b>Previous Action:</b>		<b>Contact:</b> JHL
<b>Date Received:</b> June 5, 2026	<b>SWWD Administrator/Date:</b> June 5, 2026	<b>SWWD Attorney/Date</b>
<b>Financial Implications:</b> \$		<b>Comments:</b>
<b>Fund</b>	<b>Explanation:</b>	<b>Fund Balance:</b>
<b>Decision Needed/Date</b>	<b>Administrative Recommendation</b> <u>Approval</u> Informational Denial                No Recommendation	<b>Comments</b>

# The Land Stewards LLC

660 Coulee Trl  
Hudson, WI 54016 US  
+16124576205  
thelandstewardsllc@gmail.com  
www.thelandstewardsllc.com

## Estimate

ADDRESS  
South Washington Watershed District  
2302 Tower Drive  
Woodbury, MN 55125

ESTIMATE 1023  
DATE 05/27/2026

SERVICE	DESCRIPTION	QTY	RATE	AMOUNT
Foliar herbicide treatment	Burdock treatment at Cottage Grove Ravine Park (9.75 acres)	9.75	475.00	4,631.25

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TOTAL **\$4,631.25**

Accepted By 

Accepted Date  
5/28/2026

To: Abby Tekiela  
SWWD  
Project/File: 227708942

From: Katie Hembre  
Stantec  
Date: May 12, 2026

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**Reference: Contractor Recommendation for 2026 Spring CLP Treatments on Markgrafs and Wilmes (north basin)**

In 2021, Stantec conducted aquatic vegetation surveys in multiple lakes within the South Washington Watershed District (SWWD). Several lakes had nuisance growth of Eurasian watermilfoil (EWM) in the south basin and curly leaf pondweed (CLP) in the north basin. Both of these species are aquatic invasive species (AIS) that are commonly found in the Twin Cities Metro Area. Aquatic invasive species are difficult to control in shallow lakes and often require significant management intervention to achieve a diverse, balanced aquatic plant community that supports a healthy lake ecosystem.

Over the last four years, Stantec has worked with SWWD and MnDNR to develop herbicide treatment strategies for the lakes infested with EWM and CLP. As part of this effort, Stantec drafted lake vegetation management plans (LVMPs) which are required as part of the permitting process for herbicide treatment to these lakes. The LVMPs specify the treatment and monitoring strategy and goals, as well as a multi-year commitment to treatment to ensure progress towards reducing AIS abundance is made. As specified in their LVMPs and permits Markgrafs and Wilmes (north basin) will receive spring diquat treatments for CLP on the partial lake scale.

Both Markgrafs and Wilmes (north basin) have received spring diquat treatments before. Markgrafs was last treated in Spring 2025. Treatment was not done in 2024 due to the absence of CLP in 2023; however, CLP bounced back in 2024 with an early summer frequency of occurrence of 14. CLP was observed in the North Bay of the lake in the 2026 delineation. Wilmes (north basin) was last treated in Spring 2025. CLP was observed throughout the lake in the 2026 delineation and thus additional treatment will be required for long-term success.

As directed by SWWD, Stantec reached out to PLM Lake and Land Management (PLM) directly for quotes for the treatments on the lakes. The quotes received from PLM are provided as an attachment to this memo and are summarized in the table below.

Table 1. Quoted cost from PLM to treat Markgrafs and Wilmes (north basin) in Spring 2026 with diquat herbicide.

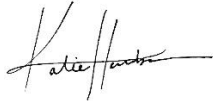
Lake	Quoted Cost
Markgrafs	\$1,236.56
Wilmes (north basin)	\$1,292.24
Total	\$2,528.80

Reference: Contractor Recommendation for 2025 Spring CLP Treatments on Markgrafs and Wilmes (north basin)

The quotes above include material costs and labor fees for PLM to apply the recommended herbicides to each lake. Stantec recommends that SWWD accept the quotes from PLM for Markgrafs and Wilmes (north basin) Spring 2026 diquat treatments.

Thank you,

**STANTEC CONSULTING SERVICES INC.**



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**Katie Hembre**  
Environmental Scientist  
Phone: (763)252-6918  
katie.hembre@stantec.com

Attachment: Markgrafs 2026 Diquat Quote; Wilmes (north basin) 2026 Diquat Quote

**PLM Lake and Land Management Corp.**

Midwest Division  
Tel. 1-866-687-5253  
Office. 1-218-270-3338



**CLP Treatment Estimate**

Lake Name:	MarkGrafs, Wilmes
Target Species:	Curly Leaf Pondweed
Product:	Diquat

Site	Area (Acres)	Depth (ft)	Rate (Gal/Acre)	Price/Gal	Units (Gal)	Site Estimate
Wilmes	5.57	4	2	\$116.00	11.14	\$1,292.24
Markgrafs	5.33	4	2	\$116.00	10.66	\$1,236.56
<b>TOTAL:</b>					<b>21.8</b>	<b>\$2,528.80</b>

<b>Signature:</b>	<b>Date:</b>
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Sincerely,

Patrick Selter  
Vice President  
PLM Lake and Land Management Corp.  
Midwest Division – Shakopee, MN



## TASK ORDER

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This Task Order pertains to an Agreement by and between the South Washington Watershed District, (“OWNER”), and SRF Consulting Group, Incorporated (“ENGINEER”), dated February 13, 2018, (“the Agreement”). Engineer shall perform services on the project described below as provided herein and in the Agreement. This Task Order shall not be binding until it has been properly signed by both parties or a representative of the Owner provides written authorization to proceed. Upon execution, this Task Order shall supplement the Agreement as it pertains to the project described below.

**TASK ORDER NUMBER: SRF2026-001**

**PROJECT NAME: CDO Phase 5 Development Coordination**

**PART 1.0 PROJECT DESCRIPTION:** OWNER is seeking ENGINEER’s services to review potential impacts of the proposed Ravara Trails development on SWWD’s CDO Phase 5 pipe and to provide coordination with the developer as they work to raise CDO manhole structures to the finished surface and make various connections.

**PART 2.0 SCOPE OF SERVICES TO BE PERFORMED BY ENGINEER ON THE PROJECT:** ENGINEER will provide the following services Specific tasks are included in the attached scope provided by SRF and include the following:

1. Provide opinion on potential impacts of the proposed development on SWWD’s CDO Phase 5 pipe.
2. Coordinate with developer on raising CDO Phase 5 manhole structures and proposed connections.

**PART 3.0 OWNER’S RESPONSIBILITIES:** OWNER will promptly respond to requests for information, attend meetings, and review and provide feedback on draft materials. OWNER and its partners will provide any necessary landowner coordination.

**PART 4.0 PERIODS OF SERVICE:** Work under this task order is authorized to begin upon execution and be completed by December 31, 2027.

**PART 5.0 PAYMENTS TO ENGINEER:** OWNER will pay ENGINEER up to \$5,000 for work under this task order.

**PART 6.0 OTHER:** OWNER’s designated representative for this project is John Loomis. ENGINEER’s designated representative for this project is Erin Hunker. The designated representative is responsible for the technical work executed under this Task Order.

**PART 7.0 SIGNATURES:**

This Task Order is executed this 21st day of May, 2026.

**SOUTH WASHINGTON  
WATERSHED DISTRICT**

**SRF CONSULTING GROUP, INC.**

**“OWNER”**

**“ENGINEER”**

BY:

  
\_\_\_\_\_

BY:

\_\_\_\_\_

NAME:

John Loomis

NAME:

Erin Hunker

TITLE:

Administrator

TITLE:

Director

ADDRESS:

2302 Tower Dr  
Woodbury, MN 55105

ADDRESS:

3701 Wayzata Boulevard, Suite 100  
Minneapolis, MN 55416

Ravine Lake Outlet Channel Restoration	Change Order No.	01
--	------------------	----

Project Location	Cottage Grove, MN		
Local Agency	South Washington Watershed District	Local Project No.	
Contractor	ACM LLC.	Contract No.	2025-1007
Address/City/State/Zip	5751 357 <sup>th</sup> Ave NW, Princeton MN 55371		
<b>Total Change Order Amount \$</b>	4,000.00		

**Issue:** The Engineer has determined the Contract needs to be revised in accordance with specification 1402.5 - Extra Work. The Engineer determined that a stilling basin repair was required at the downstream channel (approx. Sta 100+20).

**Resolution:**

The Engineer revised Plan Sheet 14 and directed the Contractor to perform the extra work.


**Entitlement:** Payment for this work will be at Negotiated Unit Price as shown in the estimate of cost, which includes all materials, labor and equipment costs herein.

This document does not change Contract Time.

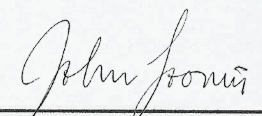
<b>Estimate Of Cost:</b> <i>(Include any increases or decreases in contract items, any negotiated or force account items.)</i>						
**Group/finding Category	Item No.	Description	Unit	Unit Price	+ or - Quantity	+ or - Amount \$
SWWD	2411.507	Random Riprap Class IV	CY	\$125.00	32.0	\$4,000.00
<b>Net Change this Change Order</b>						<b>\$4,000.00</b>

Project Engineer: Dan Herzog Digitally signed by Dan Herzog  
DN: C=US, E=dherzog@srfconsulting.com,  
O=SRF Consulting, CN=Dan Herzog  
Date: 2026.05.29 10:26:54-0500' Date: 5/29/26

Print Name: Dan Herzog Phone: 651-888-0131

Contractor:  ACM LLC Date: 5/29/2026

Print Name: Nick Alderink Phone: 651-775-6665

SWWD Rep.:  Date: 5/29/2026

Print Name: John Loomis Phone: 651-728-6038



<b>Date: June 5, 2026</b>	<b>South Washington Watershed District Request for Board Action</b>	<b>Agenda Item # 6</b>
<b>Title:</b> Watershed Management Plan Update: Public Hearing	<b>Board Action Requested:</b> Conduct a Public Hearing to receive comments on the draft 2026-2036 Watershed Management Plan	<b>Required Signatures</b> None
<b>Reviewed by:</b> JHL		<b>Presented by:</b> Loomis
<p><b>Background/Justification:</b> SWWD has prepared an updated 10-year Watershed Management Plan. That WMP has been submitted to State review agencies for 60 Day review and SWWD has responded to all comments received as a result of that review. Substantial edits have been made, and a new draft is now available on the SWWD website.</p> <p>SWWD will now hold a public hearing to review the WMP update process and completed draft WMP as well as receive any additional public comments.</p>		
<b>Previous Action:</b> None		<b>Contact:</b> JHL
<b>Date Received:</b> June 5, 2026	<b>SWWD Administrator/Date:</b> June 5, 2026	<b>SWWD Attorney/Date</b>
<b>Financial Implications:</b> \$		<b>Comments:</b>
<b>Fund</b> \$	<b>Explanation:</b>	<b>Fund Balance:</b>
<b>Decision Needed/Date</b>	<b>Administrative Recommendation</b> <u>Approval</u> Informational Denial                              No Recommendation	<b>Comments</b>



<b>Date: June 5, 2026</b>	<b>South Washington Watershed District Request for Board Action</b>	<b>Agenda Item # 7</b>
<b>Title:</b> Watershed Management Plan 90 Day Review	<b>Board Action Requested:</b> Approve Resolution #2026-003	<b>Required Signatures</b> SWWD Vice President SWWD Secretary
<b>Reviewed by:</b> JHL		<b>Presented by:</b> Loomis
<p><b>Background/Justification:</b> Staff has completed edits and reorganization identified as a result of the 60-day plan review process. Pending any substantive comment received during the public hearing, the Board should consider the enclosed resolution authorizing submittal of the WMP for 90-day review and approval by BWSR.</p>		
<b>Previous Action:</b> None		<b>Contact:</b> JHL
<b>Date Received:</b> June 5, 2026	<b>SWWD Administrator/Date:</b> June 5, 2026	<b>SWWD Attorney/Date:</b>
<b>Financial Implications:</b> \$		<b>Comments:</b>
<b>Fund:</b>	<b>Explanation:</b>	<b>Fund Balance:</b>
Decision Needed/Date	<b>Administrative Recommendation</b> <u>Approval</u> Informational Denial                              No Recommendation	<b>Comments</b>



# SOUTH WASHINGTON WATERSHED DISTRICT

## **SWWD RESOLUTION #2026-003**

### **AUTHORIZING SUBMITTAL OF WATERSHED MANAGEMENT PLAN FOR 90-DAY REVIEW AND APPROVAL**

WHEREAS, the South Washington Watershed District (“The District”) has approved and adopted a comprehensive Watershed Management Plan (“Plan”) as defined by Minnesota Statutes Chapter 103B, 103D and 103E and Minnesota Rule Chapter 8410; and

WHEREAS, The District’s Plan requires updating every 10 years; and

WHEREAS, The South Washington Watershed District has identified the need to update the its Plan dated 2016, amended 2022; and

WHEREAS, The District must prepare a Plan and/or update in accordance to Minnesota Statutes Chapters 103B, 103D, 103E and Minnesota Rules 8410; and

WHEREAS, The District prepared a draft Plan update draft and submitted the draft for 60-day review and comment according to Minnesota Statutes 103B.231 Subd. 7; and

WHEREAS, The District has responded to all received comments, and;

WHEREAS, The District has held a public hearing on the Plan to discuss the Plan and receive additional comment, pursuant to Minnesota Statutes 103B.231 Subd. 7 (c); and

WHEREAS, The District has completed the Plan update and prepared a 90-day review and approval copy according to Minnesota Statutes 103B.231 Subd. 9;

NOW, THEREFORE, BE IT RESOLVED, that The District Board authorizes the submittal of the 90-day Review Draft Watershed Management Plan to State review agencies.

Manager \_\_\_\_\_ moved the adoption of the foregoing Resolution #2026-003, and Manager \_\_\_\_\_ seconded the adoption of the Resolution, and it was duly adopted by the Board on the 9<sup>th</sup> day of June, 2026.

\_\_\_\_\_  
Emily Stephens, Vice President

\_\_\_\_\_  
David Filipiak, Secretary



<b>Date: June 5, 2026</b>	<b>South Washington Watershed District Request for Board Action</b>	<b>Agenda Item # 8</b>
<b>Title:</b> 2027 Draft Budget: Budget Process 2027-2036 Long Range Workplan 2027 Priorities 2027 Draft Budget and Schedule	<b>Board Action Requested:</b> Adopt the 2027 Budget Schedule and authorize Staff to Publish Notice of Public Hearing August 12, 2026	<b>Required Signatures</b> None
<b>Reviewed by:</b> JHL		<b>Presented by:</b> Loomis
<p><b>Background/Justification</b> Included in the packet is a draft of the 2027-2038 Long Range Workplan.</p> <p>The following is the budget schedule:          June 9th – Draft 2027-2038 Long Range Work Plan. Board adoption of budget schedule.          July 14th – 1st Draft 2027 budget SWWD Board meeting. Board direction and budget guidance.          July 15th – Publish notice of budget hearing for Wednesday August 12th.          August 12<sup>th</sup>-2027 Budget hearing          August/September – Receive 2026 parcel update from Washington County          September 8th - SWWD Board meeting authorize certification of preliminary budget to Washington County, and draft stormwater utility fees.          September/October-Meet with the Washington County Commissioners to review the 2027 Budget          October 13th - SWWD Board meeting certify 2027 stormwater utility fees to Washington County (October 15th)          November (TBD)-Washington County Commissioners Annual Watershed Budget Meeting.</p>		
<b>Previous Action:</b> None		<b>Contact:</b> JHL
<b>Date Received:</b> June 5, 2026	<b>SWWD Administrator/Date:</b> June 5, 2026	<b>SWWD Attorney/Date</b>
<b>Financial Implications:</b> \$		<b>Comments:</b>
<b>Fund</b>	<b>Explanation:</b>	<b>Fund Balance:</b>
<b>Decision Needed/Date</b>	<b>Administrative Recommendation</b> <u>Approval</u> Informational Denial                              No Recommendation	<b>Comments</b>



	3.9.2 Experiential Ed & Campus Greening	N		\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 500,000
	3.9.3 Online Community Engagement	N		\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 250,000
	3.9.4 AiR	N		\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 150,000
	3.9.5 Incentives Program Engagement	N												\$ -
	3.9.6 Partnerships	N		\$ 35,000	\$ 40,000	\$ 40,000	\$ 40,000	\$ 45,000	\$ 45,000	\$ 45,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 440,000
	3.9.7 Glacial Valley Park Interpretive Center	Y		\$ 100,000	\$ 750,000	\$ 750,000								\$ 1,600,000
	3.9.8 Research & Innovation	N		\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 250,000
3.10 Admin & District Operations	Admin & Operations	N		\$ 1,250,000	\$ 1,300,000	\$ 1,352,000	\$ 1,406,080	\$ 1,462,323	\$ 1,520,816	\$ 1,581,649	\$ 1,644,915	\$ 1,710,711	\$ 1,779,140	\$ 15,007,634
	Debt Service	N		\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 275,000						\$ 1,475,000



<b>Date: June 5, 2026</b>	<b>South Washington Watershed District Request for Board Action</b>	<b>Agenda Item # 9</b>
<b>Title:</b> Wetland Conservation Act-Bailey West Replacement Plan-No Loss	<b>Board Action Requested:</b> Approve the Bailey West Replacement Plan and No Loss Determination	<b>Required Signatures</b> SWWD Administrator
<b>Reviewed by:</b> JHL		<b>Presented by:</b> Loomis
<p><b>Background/Justification:</b> SWWD and WCD staff have convened the technical evaluation panel (TEP) to review the WCA replacement plan and no-loss application submitted for the Bailey West development at the Woodbury/Newport border.</p> <p>The enclosed Notice of Decision reflects the TEP recommendation and is ready for Board consideration.</p>		
<b>Previous Action:</b>		<b>Contact:</b> JHL
<b>Date Received:</b> June 5, 2026	<b>SWWD Administrator/Date:</b> June 5, 2026	SWWD Attorney/Date
<b>Financial Implications:</b> \$		<b>Comments:</b>
<b>Fund</b>	<b>Explanation:</b>	<b>Fund Balance:</b>
<b>Decision Needed/Date</b>	<b>Administrative Recommendation</b> Approval <b><u>Informational</u></b> Denial                No Recommendation	<b>Comments</b>

**Minnesota Wetland Conservation Act  
NOTICE OF DECISION**

<b>Date this Notice was sent:</b>	<b>03/20/2026</b>
<b>Local Government Unit:</b>	<b>SWWD</b>
<b>County:</b>	<b>Washington</b>
<b>Applicant and (if applicable) Applicant's Representative:</b>	<b>BAILEY NURSERIES INC</b>
<b>Project Name/Number:</b>	<b>Bailey West/2026-SWW-04</b>
<b>Type of Decision (check all that apply):</b> <b>Note:</b> Boundary/type, sequencing, replacement plan, and bank plan decisions require an associated notice of application prior to the decision being made.	<input type="checkbox"/> Boundary/Type <input type="checkbox"/> Sequencing (submitted separately from a replacement plan) <input checked="" type="checkbox"/> Replacement Plan <input type="checkbox"/> Bank Plan <input type="checkbox"/> Exemption Identify which exemption by Rule or Statute Citation: <input checked="" type="checkbox"/> No-Loss Identify which provision by Rule or Statute Citation: <b>D</b>
<b>Decision:</b> <b>Note:</b> All replacement plan approvals are conditional upon confirmation from BWSR of withdrawal of specified credits and/or financial assurance received for project-specific replacement.	<input type="checkbox"/> Denied <input type="checkbox"/> Approved. <input checked="" type="checkbox"/> Approved with Conditions List Conditions: <b>Wetland 1A be considered jurisdictional as it appears to be historically and should be calculated in the impact tables. Approval with the proposed WCA impact amended to 17,319 SF (mitigation requirement = 34,639 SF).</b>
<b>LGU Representative Name &amp; Signature:</b>	<b>Jay Riggs</b>

**Decision Timeline**

An LGU must approve or deny a request within 60 days of receiving a complete application per MINN. STAT. § 15.99.

<b>Date Complete Application Received:</b>	<b>03/18/2026</b>
<b>Date of Decision:</b>	<b>6/9/2026</b>
<b>If applicable, date of <i>written extension</i> to 60-day decision timeline &amp; number of days extended:</b> <b>Reason for Extension (check one):</b>	<input type="checkbox"/> Other process or decision required to occur before WCA decision. Describe: <input type="checkbox"/> Additional information and/or revision to application submitted. <input type="checkbox"/> Applicant request. <input type="checkbox"/> Other. Describe:

## Decision Summary

<b>Technical Evaluation Panel Recommendation (check one):</b>	<input type="checkbox"/> No Recommendation <input checked="" type="checkbox"/> Approval or approval with conditions (attach recommendation): The TEP recommends Wetland 1A be considered jurisdictional as it appears to be historically and should be calculated in the impact tables. The TEP recommends approval with the proposed WCA impact amended to 17,319 SF (mitigation requirement = 34,639 SF). <input type="checkbox"/> Denial (attach recommendation)
<b>LGU Findings (check all that apply):</b>	<input type="checkbox"/> Findings attached <input type="checkbox"/> Findings:
<b>For Replacement Plan Decisions Only:</b>	Proposed wetland impacts requiring replacement (acres): <b>0.4</b> Type of wetland replacement proposed (check all that apply): <input type="checkbox"/> Project-Specific. Number of Credits: <input checked="" type="checkbox"/> Banking. Number of Credits by Bank Account #: <b>34,639 1756</b>

## Notice Distribution

<b>Notice Recipients (check all that apply):</b>	<input checked="" type="checkbox"/> SWCD TEP Member (if different from LGU): <b>Jay Riggs</b> <input checked="" type="checkbox"/> BWSR TEP Member: <b>Ben Meyer</b> <input checked="" type="checkbox"/> DNR Representative: <b>Dan Scollan</b> <input checked="" type="checkbox"/> Watershed District or WMO (if applicable): <b>John Loomis</b> <input type="checkbox"/> <a href="mailto:bank.administrator.bwsr@state.mn.us">bank.administrator.bwsr@state.mn.us</a> (Bank Plan Applications Only) <input checked="" type="checkbox"/> Applicant: <b>BAILEY NURSERIES INC</b> <input checked="" type="checkbox"/> Applicant's Representative (if applicable): <input type="checkbox"/> Members of the Public Requesting Notices (if applicable): <input type="checkbox"/> Others:
--	---

## Appeal Process

<b>Appeal Process (check one):</b>	<input type="checkbox"/> Local Appeal Process (if established). <input checked="" type="checkbox"/> Board of Water & Soil Resources (see instructions below)
<b>If there is no established Local Appeal Process indicated above, an appeal of this decision may be made to BWSR per the instructions to the right.</b>  <b>Note:</b> Decisions are not final until the 30-day appeal window ends.	Mail or email written request to appeal sent to BWSR within 30 days of date this notice was sent. Include copy of this notice, name and contact information of appellant(s) and their representative(s) (if applicable), a statement clarifying intent to appeal, and supporting information as to why the decision is in error.  Mail check payable to MN Board of Water & Soil Resources for \$500. Send to:  Appeals & Regulatory Compliance Coordinator Minnesota Board of Water & Soil Resources 520 Lafayette Road North St. Paul, MN 55155 <a href="mailto:travis.germundson@state.mn.us">travis.germundson@state.mn.us</a> .



# Standard Credit Withdrawal Form

## Minnesota Wetland Bank Program

(Incomplete forms may be returned unprocessed)

<b>1. Credit User</b>		<i>This space for BWSR use only.</i>
<b>Name:</b> John Bailey	<b>Organization/Company (if any):</b> Bailey Nursery	
<b>Address:</b> 1325 Bailey Road, Newport, Mn 55055	<b>Phone:</b> 651-768-3315	
	<b>E-mail:</b> John.bailey@baileynursery.com	
<b>If others should receive withdrawal verification email, please include their email below (e.g., Consultants, partners, etc.):</b> Melissa Barrett (melissa@kjolhaugenv.com)		

<b>2. Wetland Impact Information</b>			
<b>Project Name:</b> Bailey West WL1a		<b>Project Type:</b> Commercial	<b>ACRES of Impact:</b> 0.2501
<b>City (if applicable):</b> Newport	<b>County:</b> Washington	<b>Sec/Twp/Range: (Project Center)</b> Sec. 19 T. 28 R. 21	<b>Major Watershed No./Bank Service Area (BSA):</b> 20 / 7
<b>WCA LGU Name:</b> South Washington WD		<b>Majority Impact Wetland Type:</b> 5 - Shallow Open Water	<b>Majority HGM Class:</b> Depression
<b>Corps of Engineers Letter/Email Received?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		<b>If Yes, Corps File No.: (e.g. 2021-00101-ABC)</b> MVP-2021-02136-ZAD	<b>If Yes, is Corps Replacement Required?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown
<b>Comments:</b>			

<b>3. Credits to be Withdrawn</b>				
<b>Bank Account No./Name:</b> 1756		<b>Bank County:</b> Hennepin	<b>Bank BSA:</b> 7	
Credit Subgroup	Wetland Type/Plant Community Type	Federally Approved?	Cost per Credit	Credit Amounts
B	3 - Shallow Marsh	Yes	\$--	0.5002
---Select---	---Select---	---Select---	\$	
---Select---	---Select---	---Select---	\$	
---Select---	---Select---	---Select---	\$	
---Select---	---Select---	---Select---	\$	
<b>Per Credit Withdrawal Fee by BSA</b>			<b>Total Credits:</b>	0.5002
BSA 1	\$520	BSA 6	\$1,083	<b>Enter Bank Account's BSA Withdrawal Fee and hit Tab key:</b> <i>(Withdrawal Fee X total credits)</i> <div style="border: 1px solid black; padding: 2px; display: inline-block;">\$1,992.00</div>
BSA 2	\$371	BSA 7	\$1,992	
BSA 3	\$725	BSA 8	\$2,577	<b>Easement Stewardship Fee:</b> <i>(Easement Stewardship fee x total credits)</i> <div style="border: 1px solid black; padding: 2px; display: inline-block;">\$302</div>
BSA 4	\$1,412	BSA 9	\$2,628	
BSA 5	\$685	BSA 10	\$3,099	<b>Withdrawal Fee:</b> \$996.40 <b>Stewardship Fee:</b> \$151.06 <b>Total Fees:</b> \$1,147.46

**Please make checks payable to the Minnesota Board of Water and Soil Resources. BWSR does not accept cash.**

**Project Name:** Bailey West

After completing all necessary fields, select "Request Signatures" option in the Home tab of your toolbar to convert your agreement to a PDF version and add your digital signature. See these [instructions](#) if you do not know how to create a digital signature.

#### **4. WCA Authorization** *(Must include representative's name and email address)*

By signing below, the identified Wetland Conservation Act Local Government Unit (LGU) representative attests that the LGU has approved the use of the credits in Box 3 for wetland replacement/mitigation.

<b>WCA LGU:</b> South Washington WD	<b>Representative's Name:</b>	<b>Email Address:</b>
Signature:		Date:

#### **5. Other Agency/Program Authorization** *(Must include representative's name and email address)*

By signing below, the identified agency representative attests that the agency has approved the use of the credits in Box 3 for wetland replacement/mitigation.

<b>Agency:</b>	<b>Representative's Name:</b>	<b>Email Address:</b>
Signature:		Date:

#### **6. Credit User Signature**

By signing below the credit user attests that they have secured use of the credits in Box 3 from the account holder for wetland replacement/mitigation.

Signature:	Date:
------------	-------

#### **7. Account Holder Signature** *(Must include seller/manager name and email address)*

By signing below the account holder authorizes BWSR to withdraw the credits identified in Box 3 from their account to satisfy wetland replacement/mitigation requirements for the credit user indicated in Box 1. The account holder attests that the identified credits have not been sold or used by a different credit user.

<b>Seller/Manager:</b>	<b>Email Address:</b>	
Signature:		Date:

**SEND COMPLETED FORM AND FEE PAYMENT TO:**

Wetland Bank Administration  
Minnesota Board of Water and Soil Resources  
520 Lafayette Road North  
Saint Paul, MN 55155



# Standard Credit Withdrawal Form

## Minnesota Wetland Bank Program

(Incomplete forms may be returned unprocessed)

<b>1. Credit User</b>		<i>This space for BWSR use only.</i>
<b>Name:</b> John Bailey	<b>Organization/Company (if any):</b> Bailey Nursery	
<b>Address:</b> 1325 Bailey Road, Newport, Mn 55055	<b>Phone:</b> 651-768-3315	
	<b>E-mail:</b> John.bailey@baileynursery.com	
<b>If others should receive withdrawal verification email, please include their email below (e.g., Consultants, partners, etc.):</b> Melissa Barrett (melissa@kjolhaugenv.com)		

<b>2. Wetland Impact Information</b>			
<b>Project Name:</b> Bailey West WL7		<b>Project Type:</b> Commercial	<b>ACRES of Impact:</b> 0.1475
<b>City (if applicable):</b> Woodbury	<b>County:</b> Washington	<b>Sec/Twp/Range: (Project Center)</b> Sec. 19 T. 28 R. 21	<b>Major Watershed No./Bank Service Area (BSA):</b> 20 / 7
<b>WCA LGU Name:</b> South Washington WD		<b>Majority Impact Wetland Type:</b> 2 - Wet Meadow	<b>Majority HGM Class:</b> Depression
<b>Corps of Engineers Letter/Email Received?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		<b>If Yes, Corps File No.: (e.g. 2021-00101-ABC)</b> MVP-2021-02136-ZAD	<b>If Yes, is Corps Replacement Required?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown
<b>Comments:</b>			

<b>3. Credits to be Withdrawn</b>				
<b>Bank Account No./Name:</b> 1756		<b>Bank County:</b> Hennepin	<b>Bank BSA:</b> 7	
Credit Subgroup	Wetland Type/Plant Community Type	Federally Approved?	Cost per Credit	Credit Amounts
B	3 - Shallow Marsh	Yes	\$--	0.2950
---Select---	---Select---	---Select---	\$	
---Select---	---Select---	---Select---	\$	
---Select---	---Select---	---Select---	\$	
---Select---	---Select---	---Select---	\$	
<b>Per Credit Withdrawal Fee by BSA</b>			<b>Total Credits:</b>	0.2950
BSA 1	\$520	BSA 6	\$1,083	<b>Enter Bank Account's BSA Withdrawal Fee and hit Tab key:</b> <i>(Withdrawal Fee X total credits)</i> <div style="border: 1px solid black; padding: 2px; display: inline-block;">\$1,992.00</div>
BSA 2	\$371	BSA 7	\$1,992	
BSA 3	\$725	BSA 8	\$2,577	<b>Easement Stewardship Fee:</b> <i>(Easement Stewardship fee x total credits)</i> <div style="border: 1px solid black; padding: 2px; display: inline-block;">\$302</div>
BSA 4	\$1,412	BSA 9	\$2,628	
BSA 5	\$685	BSA 10	\$3,099	<b>Withdrawal Fee:</b> \$587.64
				<b>Stewardship Fee:</b> \$89.09
				<b>Total Fees:</b> \$676.73

**Please make checks payable to the Minnesota Board of Water and Soil Resources. BWSR does not accept cash.**

**Project Name:** Bailey West

After completing all necessary fields, select "Request Signatures" option in the Home tab of your toolbar to convert your agreement to a PDF version and add your digital signature. See these [instructions](#) if you do not know how to create a digital signature.

#### **4. WCA Authorization** *(Must include representative's name and email address)*

By signing below, the identified Wetland Conservation Act Local Government Unit (LGU) representative attests that the LGU has approved the use of the credits in Box 3 for wetland replacement/mitigation.

<b>WCA LGU:</b> South Washington WD	<b>Representative's Name:</b>	<b>Email Address:</b>
Signature:		Date:

#### **5. Other Agency/Program Authorization** *(Must include representative's name and email address)*

By signing below, the identified agency representative attests that the agency has approved the use of the credits in Box 3 for wetland replacement/mitigation.

<b>Agency:</b>	<b>Representative's Name:</b>	<b>Email Address:</b>
Signature:		Date:

#### **6. Credit User Signature**

By signing below the credit user attests that they have secured use of the credits in Box 3 from the account holder for wetland replacement/mitigation.

Signature:	Date:
------------	-------

#### **7. Account Holder Signature** *(Must include seller/manager name and email address)*

By signing below the account holder authorizes BWSR to withdraw the credits identified in Box 3 from their account to satisfy wetland replacement/mitigation requirements for the credit user indicated in Box 1. The account holder attests that the identified credits have not been sold or used by a different credit user.

<b>Seller/Manager:</b>	<b>Email Address:</b>	
Signature:		Date:

**SEND COMPLETED FORM AND FEE PAYMENT TO:**

Wetland Bank Administration  
Minnesota Board of Water and Soil Resources  
520 Lafayette Road North  
Saint Paul, MN 55155

# Joint Application Form for Activities Affecting Water Resources in Minnesota

This joint application form is the accepted means for initiating review of proposals that may affect a water resource (wetland, tributary, lake, etc.) in the State of Minnesota under state and federal regulatory programs. Applicants for Minnesota Department of Natural Resources (DNR) Public Waters permits **MUST** use the MPARS online permitting system for submitting applications to the DNR. Applicants can use the information entered into MPARS to substitute for completing parts of this joint application form (see the paragraph on MPARS at the end of the joint application form instructions for additional information). This form is only applicable to the water resource aspects of proposed projects under state and federal regulatory programs; other local applications and approvals may be required. Depending on the nature of the project and the location and type of water resources impacted, multiple authorizations may be required as different regulatory programs have different types of jurisdiction over different types of resources.

## Regulatory Review Structure

### Federal

The St. Paul District of the U.S. Army Corps of Engineers (Corps) is the federal agency that regulates discharges of dredged or fill material into waters of the United States (wetlands, tributaries, lakes, etc.) under Section 404 of the Clean Water Act (CWA) and regulates work in navigable waters under Section 10 of the Rivers and Harbors Act. Applications are assigned to Corps project managers who are responsible for implementing the Corps regulatory program within a particular geographic area.

### State

There are three state regulatory programs that regulate activities affecting water resources. The Wetland Conservation Act (WCA) regulates most activities affecting wetlands. It is administered by local government units (LGUs) which can be counties, townships, cities, watershed districts, watershed management organizations or state agencies (on state-owned land). The Minnesota DNR Division of Ecological and Water Resources issues permits for work in specially-designated public waters via the Public Waters Work Permit Program (DNR Public Waters Permits). The Minnesota Pollution Control Agency (MPCA) under Section 401 of the Clean Water Act certifies that discharges of dredged or fill material authorized by a federal permit or license comply with state water quality standards. One or more of these regulatory programs may be applicable to any one project.

## Required Information

Prior to submitting an application, applicants are **strongly encouraged** to seek input from the Corps Project Manager and LGU staff to identify regulatory issues and required application materials for their proposed project. Project proponents can request a pre-application consultation with the Corps and LGU to discuss their proposed project by providing the information required in Sections 1 through 5 of this joint application form to facilitate a meaningful discussion about their project. Many LGUs provide a venue (such as regularly scheduled technical evaluation panel meetings) for potential applicants to discuss their projects with multiple agencies prior to submitting an application. Contact information is provided below.

The following bullets outline the information generally required for several common types of determinations/authorizations.

- For delineation approvals and/or jurisdictional determinations, submit Parts 1, 2 and 5, and Attachment A.
- For activities involving CWA/WCA exemptions, WCA no-loss determinations, and activities not requiring mitigation, submit Parts 1 through 5, and Attachment B.
- For activities requiring compensatory mitigation/replacement plan, submit Parts 1 thru 5, and Attachments C and D.
- For local road authority activities that qualify for the state's local road wetland replacement program, submit Parts 1 through 5, and Attachments C, D (if applicable), and E to both the Corps and the LGU.

## Submission Instructions

Send the completed joint application form and all required attachments to:

**U.S Army Corps of Engineers.** Applications may be sent directly to the appropriate Corps Office. For a current listing of areas of responsibilities and contact information, visit the St. Paul District's website at:

<http://www.mvp.usace.army.mil/Missions/Regulatory.aspx> and select "Minnesota" from the contact Information box.

Alternatively, applications may be sent directly to the St. Paul District Headquarters and the Corps will forward them to the appropriate field office.

**Section 401 Water Quality Certification:** Applicants do not need to submit the joint application form to the MPCA unless specifically requested. The MPCA will request a copy of the completed joint application form directly from an applicant when they determine an individual 401 water quality certification is required for a proposed project.

**Wetland Conservation Act Local Government Unit:** Send to the appropriate Local Government Unit. If necessary, contact your county Soil and Water Conservation District (SWCD) office or visit the Board of Water and Soil Resources (BWSR) web site ([www.bwsr.state.mn.us](http://www.bwsr.state.mn.us)) to determine the appropriate LGU.

**DNR Public Waters Permitting:** In 2014 the DNR will begin using the Minnesota DNR Permitting and Reporting System (MPARS) for submission of Public Waters permit applications (<https://webapps11.dnr.state.mn.us/mpars/public/authentication/login>).

Applicants for Public Waters permits **MUST** use the MPARS online permitting system for submitting applications to the DNR. To avoid duplication and to streamline the application process among the various resource agencies, applicants can use the information entered into MPARS to substitute for completing parts of this joint application form. The MPARS print/save function will provide the applicant with a copy of the Public Waters permit application which, at a minimum, will satisfy Parts one and two of this joint application. For certain types of activities, the MPARS application may also provide all of the necessary information required under Parts three and four of the joint application. However, it is the responsibility of the Applicant to make sure that the joint application contains all of the required information, including identification of all aquatic resources impacted by the project (see Part four of the joint application). After confirming that the MPARS application contains all of the required information in Parts one and two the Applicant may attach a copy to the joint application and fill in any missing information in the remainder of the joint application.

## **PART ONE: Applicant Information**

If applicant is an entity (company, government entity, partnership, etc.), an authorized contact person must be identified. If the applicant is using an agent (consultant, lawyer, or other third party) and has authorized them to act on their behalf, the agent's contact information must also be provided.

**Applicant/Landowner Name:** Bailey Nurseries, Inc., John Bailey

**Mailing Address:** 1325 Bailey Road, Newport, Mn 55055

**Phone:** 651-768-3315

**E-mail Address:** John.bailey@baileynursery.com

**Authorized Contact (do not complete if same as above):** Mark Anderson – Sambatek & Mark Kronbeck Alliant Eng.

**Mailing Address:**

**Phone:**

**E-mail Address:** Mark Anderson MAnderson@sambatek.com, Mark Kronbeck <mkronbeck@alliant-inc.com>

**Agent Name:** Melissa Barrett, Kjolhaug Environmental Services

**Mailing Address:** 2500 Shadywood Road, Suite 130, Orono, MN 55331

**Phone:** 952-388-3752

**E-mail Address:** Melissa@kjolhaugenv.com

## **PART TWO: Site Location Information**

**County:** Washington

**City/Township:** Newport, Woodbury

**Parcel ID and/or Address:** Woodbury: 1902821230004, 1902821240001, 1902821320001, 1902821340001, 1902821340003  
Newport: 1902821330001, 1902821330002

**Legal Description (Section, Township, Range):** S: 19, T: 28N, R:21W

**Lat/Long (decimal degrees):** 44.894961, -92.980388

**Attach a map showing the location of the site in relation to local streets, roads, highways. See Figure 1.**

**Approximate size of site (acres) or if a linear project, length (feet):** ~153 acres (Project Area)

If you know that your proposal will require an individual Permit from the U.S. Army Corps of Engineers, you must provide the names and addresses of all property owners adjacent to the project site. This information may be provided by attaching a list to your application or by using block 25 of the Application for Department of the Army permit which can be obtained at:

[http://www.mvp.usace.army.mil/Portals/57/docs/regulatory/RegulatoryDocs/engform\\_4345\\_2012oct.pdf](http://www.mvp.usace.army.mil/Portals/57/docs/regulatory/RegulatoryDocs/engform_4345_2012oct.pdf)

## **PART THREE: General Project/Site Information**

If this application is related to a delineation approval, exemption determination, jurisdictional determination, or other correspondence submitted *prior to* this application then describe that here and provide the Corps of Engineers project number.

**The site location and project area map is provided as Figure 1. Ten (10) wetlands were delineated within a larger ~305 ac site encompassing all Bailey Nursery parcels in October of 2021 by Kjolhaug Environmental Services as illustrated on Figure 2 and as summarized Table 1 on the following page.**

**Table 1. Wetlands delineated within the Bailey Nursery property.**

Wetland ID	Wetland Type				Onsite Size (ac)
	Circular 39	Cowardin	HGM Class	Eggers and Reed	
WL1	Type 5	PUBGX	Depression	Shallow open water	1.66
WL3	Type 1	PEM1A	Depression	Seasonally flooded basin	0.14
WL4	Type 1	PEM1A	Depression	Wet meadow	0.03
WL5	Type 2	PEM1B	Depression	Wet meadow	0.40
WL6	Type 1	PEM1A	Depression	Seasonally flooded basin	0.10
WL7	Type 2	PEM1B	Depression	Wet meadow	0.15
WL8	Type 2/3	PEM1C/B	Depression	Shallow marsh, wet meadow	0.40
WL8A	Type 1	PEM1A	Depression	Seasonally flooded basin	0.05
Wetland 9	Type 2/6	PEM1B/PSS1B	Slope	Wet meadow, scrub shrub	0.87
Wetland 11	Type 1	PEM1A	Depression	Seasonally flooded basin	0.02

The previously submitted wetland delineation report (*Bailey Nursery Site - Wetland Delineation Report*) discussed the delineation in more detail and included National Wetland Inventory (NWI) and soil survey mapping. Copies of the report are available upon request.

The Ramsey Washington Metro Watershed District (RWMWD) issued a Notice of Decision (LGU Project No. 21-16 WCA) approving the wetland boundaries within their jurisdiction on November 18, 2021 (Appendix A). The South Washington Watershed District (SWWD) issued a Notice of Decision (LGU Project No. 202110006) approving the wetland boundaries within their jurisdiction on December 8, 2021. The U.S. Army Corps of Engineers (USACE) assigned project number is MVP-2021-02136-SSC, and the USACE issued a delineation concurrence letter for all wetlands on January 27<sup>th</sup>, 2022 (Appendix A).

Describe the project that is being proposed, the project purpose and need, and schedule for implementation and completion. The project description must fully describe the nature and scope of the proposed activity including a description of all project elements that effect aquatic resources (wetland, lake, tributary, etc.) and must also include plans and cross section or profile drawings showing the location, character, and dimensions of all proposed activities and aquatic resource impacts.

**Bailey Nurseries proposes to develop the project area to mixed residential, retail, and business park land uses (Appendix B) within the cities of Woodbury and Newport. Minimal grading will occur along the west project boundary (Maplewood/Newport city boundary) to tie into existing offsite grades.**

Per the EAW, the proposed project will construct up to 360 attached residential units, 89,600 square feet of retail, and up to 660,400 square feet of business park (e.g., light industrial, warehousing). Approximately 29 acres of Public/Semi-Public recreational area will also be included in the project area. The project includes a phased extension of Century Avenue (CSAH 25) from Bailey Road (CSAH 18) north to its existing termini at Carver Avenue (CSAH 43). One full-access intersection will be added to Bailey Road (CSAH 18) at the proposed Century Avenue (CSAH 25) intersection. Internal roadway networks, stormwater ponding, and associated utilities would also be constructed throughout the development area.

The approximately 60 acres to the north of the project area does not have any development plans at this time, but the existing use (tree and plant production area) will be discontinued, and the area may be graded and planted with low-maintenance vegetation. Future development in this area would involve up to 399,400 sf of business park uses.

Site grading is expected to begin in Summer 2026.

The project area currently consists of a landscape nursery tree and plant production areas and production buildings, an agriculture field, wooded areas, retention/irrigation ponds, wetlands, and one single-family home (Figure 2).

Existing trails onsite include the Washington County trail corridor running along the northern side of Bailey Road/County Road 18 which runs through the southern portion of the project site. This trail corridor is shown in the Washington County Comprehensive Plan Chapter 7 – Parks, Trails, and Open Spaces.

The project footprint spans both the RWMWD (Newport project) and SWWD (Woodbury) watershed district boundaries. Wetlands proposed for impact are located only in the SWWD.

The project area site is also located within the Mississippi River – Twin Cities (#20) and Bank Service Area 7 (BSA7). No floodplain, wild and scenic rivers, critical area, or agricultural preserves exist in the project area. Two shoreland overlay zones are located on the north and south ends of the project area and are associated with Carver Lake to the north and Ria and La Lake to the south. The project will abide by the shoreland structure setback requirements. The project will likely seek a variance request for the 25% maximum impervious coverage within the shoreland district.

Areas to the east of the project area are comprised of single-family homes with urban services; to the southeast is an existing church; to the south are single-family homes with individual wells and septic systems; to the west are additional tree nursery areas owned by Bailey Nurseries; to the northwest are single-family homes with individual wells and septic systems; and to the north and northeast is the Carver Lake Park.

Proposed wetland impacts and anticipated required replacement are summarized in Table 2 below and are shown on Figure 3.

**Table 2. Proposed Impacts and Required Replacement - Bailey West**

Wetland ID & WD Location	Wetland Type	Impact Type	Impact Amount (sf)	Impact Amount (ac)	Replacement @ 2:1	Anticipated Required Replacement
WL 1a Previously Impacted (SWWD)	Type 5	Fill/ Permanent	10,894	0.2501	0.5002	None/Previously Impacted Pre-WCA *
WL1 Incidental (SWWD)	Type 5	Fill/ Permanent	61,419	1.41	2.82	None/Incidental *
WL 7 (SWWD)	Type 2	Fill/ Permanent	6,424	0.1475	0.2950	0.2950
<b>Totals</b>			78,737	1.8076	3.6152	0.2950

For all impacted wetlands HGM Class = Depression; AJDs Requested for Wetlands 1/1a and 7; if approved, no mitigation will be required for Section 404/USACE purposes.

\*See Attachment B and Appendix C.

## PART FOUR: Aquatic Resource Impact<sup>1</sup> Summary

If your proposed project involves a direct or indirect impact to an aquatic resource (wetland, lake, tributary, etc.) identify each impact in the table below. Include all anticipated impacts, including those expected to be temporary. Attach an overhead view map, aerial photo, and/or drawing showing all of the aquatic resources in the project area and the location(s) of the proposed impacts. Label each aquatic resource on the map with a reference number or letter and identify the impacts in the following table.

Aquatic Resource ID (as noted on overhead view)	Aquatic Resource Type (wetland, lake, tributary etc.)	Type of Impact (fill, excavate, drain, or remove vegetation)	Duration of Impact Permanent (P) or Temporary (T) <sup>1</sup>	Size of Impact <sup>2</sup>	Overall Size of Aquatic Resource <sup>3</sup>	Existing Plant Community Type(s) in Impact Area <sup>4</sup>	County, Major Watershed #, and Bank Service Area # of Impact Area <sup>5</sup>
Wetland 1a Previously Impacted	Wetland	Fill	P	0.2501	1.66	Open water	Wash, 20, 7
Wetland 1 Incidental	Wetland	Fill	P	1.41	1.66	Open water	Wash, 20, 7
Wetland 7	Wetland	Fill	P	0.1475	0.1475	Wet meadow	Wash, 20, 7

<sup>1</sup>If impacts are temporary; enter the duration of the impacts in days next to the "T". For example, a project with a temporary access fill that would be removed after 220 days would be entered "T (220)".

<sup>2</sup>Impacts less than 0.01 acre should be reported in square feet. Impacts 0.01 acre or greater should be reported as acres and rounded to the nearest 0.01 acre. Tributary impacts must be reported in linear feet of impact and an area of impact by indicating first the linear feet of impact along the flowline of the stream followed by the area impact in parentheses). For example, a project that impacts 50 feet of a stream that is 6 feet wide would be reported as 50 ft (300 square feet).

<sup>3</sup>This is generally only applicable if you are applying for a de minimis exemption under MN Rules 8420.0420 Subp. 8, otherwise enter "N/A".

<sup>4</sup>Use *Wetland Plants and Plant Community Types of Minnesota and Wisconsin* 3<sup>rd</sup> Ed. as modified in MN Rules 8420.0405 Subp. 2.

<sup>5</sup>Refer to Major Watershed and Bank Service Area maps in MN Rules 8420.0522 Subp. 7.

If any of the above identified impacts have already occurred, identify which impacts they are and the circumstances associated with each:

## PART FIVE: Applicant Signature

Check here if you are requesting a pre-application consultation with the Corps and LGU based on the information you have provided. Regulatory entities will not initiate a formal application review if this box is checked.

By signature below, I attest that the information in this application is complete and accurate. I further attest that I possess the authority to undertake the work described herein.

Signature:  Date: 

I hereby authorize \_\_\_\_\_ to act on my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this application.

<sup>1</sup> The term "impact" as used in this joint application form is a generic term used for disclosure purposes to identify activities that may require approval from one or more regulatory agencies. For purposes of this form it is not meant to indicate whether or not those activities may require mitigation/replacement.

## Attachment A

# Request for Delineation Review, Wetland Type Determination, or Jurisdictional Determination

By submission of the enclosed wetland delineation report, I am requesting that the U.S. Army Corps of Engineers, St. Paul District (Corps) and/or the Wetland Conservation Act Local Government Unit (LGU) provide me with the following (check all that apply):

**Wetland Type Confirmation**

**Delineation Concurrence.** Concurrence with a delineation is a written notification from the Corps and a decision from the LGU concurring, not concurring, or commenting on the boundaries of the aquatic resources delineated on the property. Delineation concurrences are generally valid for five years unless site conditions change. Under this request alone, the Corps will not address the jurisdictional status of the aquatic resources on the property, only the boundaries of the resources within the review area (including wetlands, tributaries, lakes, etc.).

**Preliminary Jurisdictional Determination.** A preliminary jurisdictional determination (PJD) is a non-binding written indication from the Corps that waters, including wetlands, identified on a parcel may be waters of the United States. For purposes of computation of impacts and compensatory mitigation requirements, a permit decision made on the basis of a PJD will treat all waters and wetlands in the review area as if they are jurisdictional waters of the U.S. PJDs are advisory in nature and may not be appealed.

**Approved Jurisdictional Determination.** An approved jurisdictional determination (AJD) is an official Corps determination that jurisdictional waters of the United States are either present or absent on the property. AJDs can generally be relied upon by the affected party for five years. An AJD may be appealed through the Corps administrative appeal process.

**Approved Jurisdictional Determinations are requested for:**

- **Wetlands 1/1a, 6, 7, 9, and 11**
- **Detention/Irrigation Ponds 1, 2, 3, 4, 5, 6, 7, 8, and 9; and**
- **Ditch 1 and Ephemeral Gully 1**

In order for the Corps and LGU to process your request, the wetland delineation must be prepared in accordance with the 1987 Corps of Engineers Wetland Delineation Manual, any approved Regional Supplements to the 1987 Manual, and the *Guidelines for Submitting Wetland Delineations in Minnesota* (2013).

<http://www.mvp.usace.army.mil/Missions/Regulatory/DelineationJDGuidance.aspx>

## Attachment B

# Supporting Information for Applications Involving Exemptions, No Loss Determinations, and Activities Not Requiring Mitigation

Complete this part *if* you maintain that the identified aquatic resource impacts in Part Four do not require wetland replacement/compensatory mitigation OR *if* you are seeking verification that the proposed water resource impacts are either exempt from replacement or are not under CWA/WCA jurisdiction.

Identify the specific exemption or no-loss provision for which you believe your project or site qualifies:

**MN WCA Rule 8420.0105 SCOPE. Subp. 2. Applicability.**

**D. This chapter does not regulate impacts to incidental wetlands. "Incidental wetlands" are wetland areas that the landowner can demonstrate, to the satisfaction of the local government unit, were created in nonwetland areas solely by actions, the purpose of which was not to create the wetland. Incidental wetlands include drainage ditches, impoundments, or excavations constructed in nonwetlands solely for the purpose of effluent treatment, containment of waste material, storm water retention or detention, drainage, soil and water conservation practices, and water quality improvements and not as part of a wetland replacement process that may, over time, take on wetland characteristics.**

Provide a detailed explanation of how your project or site qualifies for the above. Be specific and provide and refer to attachments and exhibits that support your contention. Applicants should refer to rules (e.g. WCA rules), guidance documents (e.g. BWSR guidance, Corps guidance letters/public notices), and permit conditions (e.g. Corps General Permit conditions) to determine the necessary information to support the application. Applicants are strongly encouraged to contact the WCA LGU and Corps Project Manager prior to submitting an application if they are unsure of what type of information to provide:

**This application requests incidental and No Loss concurrence for all of existing Wetland 1/1a as shown on Figure 2 from the South Washington Watershed District (WCA LGU) under the Minnesota Wetland Conservation Act (WCA).**

**See Appendix C of this application for supporting information.**

## Attachment C

### Avoidance and Minimization

**Project Purpose, Need, and Requirements.** Clearly state the purpose of your project and need for your project. Also include a description of any specific requirements of the project as they relate to project location, project footprint, water management, and any other applicable requirements. Attach an overhead plan sheet showing all relevant features of the project (buildings, roads, etc.), aquatic resource features (impact areas noted) and construction details (grading plans, storm water management plans, etc.), referencing these as necessary:

#### Woodbury Project

Per the EAW, the purpose of the project is to develop attached housing, retail development, and business park (e.g., light industrial, warehousing) development and connect Century Avenue (CSAH 25) south to Bailey Road (CSAH 18) through a phased approach. The housing, retail, and business park development projects will not be carried out by a governmental unit. The roadway extension will be completed in partnership with the developer, City of Woodbury, City of Newport and Washington County, as development progresses. Funding agreements will be established during the development process.

The majority of the project area is designated as Places to Work, with approximately 35 acres in the southern corner of the project area designated as Mixed Use. As outlined in the Comprehensive Plan, the "Places to Work" designation is assigned to areas where the development goals are to include a variety of businesses (office, industrial, warehousing/distribution, business campus development). The "Mixed Use" designation is given to areas intended for two or more uses on a single property, such as higher density residential, commercial services (Places to Shop), employment opportunities (Places to Work), and transit and public/semi-public spaces.

The entire project area is zoned Business Campus District (BCD). The BCD zoning designation allows for industrial, research and development, office, and warehousing development. Various conditional uses are also allowed, including Planned Unit Developments that could include retail and residential.

Washington County and Woodbury established a Memorandum of Understanding (MOU) regarding corridor access along various roadways, including Bailey Road (CSAH 18). This MOU outlined potential full access locations along Bailey Road (CSAH 18), including those outlined in the proposed project area.

The project will benefit the local economy by bringing additional housing and employment opportunities to the area. The traveling public will also benefit through the connection of Century Avenue (CSAH 25) to Bailey Road (CSAH 18) when complete. The existing roadway terminates at Carver Avenue (CSAH 43) northwest of the project area.

The project is planned to consist of four land uses:

***Places to Shop/Mixed Use*** - Approximately 14.97 acres of commercial/retail development containing up to 89,600 square feet of commercial retail space is proposed along the north side of Bailey Road (CSAH 18).

***Medium and High Density Residential*** - Approximately 27.85 acres of multiple-family residential with up to 360 dwelling units are proposed in the southeast corner of the project area, directly north of the commercial/retail area.

***Places to Work*** - Approximately 96.12 acres business park use, with up to 660,400 square feet of buildings located in the northern two-thirds of the project area.

***Public/Semi-Public*** - Approximately 29.03 acres of land are designated as Public/Semi-Public for New Life Academy recreational space on the east side of the project area. This area is proposed to include parks and sports complexes that could include baseball fields, softball fields, soccer fields, football fields, and tennis/pickleball courts.

The project will be served by an extension of Century Avenue (CSAH 25) to be constructed from Bailey Road (CSAH 18) north into the site with a future phased connection to the existing point outside the project area. The project area will also be served by a network of local roads that will connect to the Century Avenue (CSAH 25) extension. This road network will accommodate traffic generated from the project area and provide access to 1494 and US Highway 61 via Bailey Road (CSAH 18) without impacting the single-family neighborhood to the east.

The land uses planned as part of the proposed project are compatible with those land uses outlined in the City's Comprehensive Plan and the County's transportation planning documents.

The existing zoning for the project areas allows for a variety of uses, including Planned Unit Developments. The proposed development is allowed as either permitted use, conditional use, or through a Planned Unit Development.

#### Newport Project

Per the EAW, the purpose of the project is to provide necessary industrial facilities, multifamily housing, and a commercial gas and convenience store to accommodate an increasing population in and around the City of Newport. The site is directly north of Bailey Road/County Road 18, and site proximity to Interstate 494 and U.S. Highway 10 provides good access to a larger region. There are no projects of a similar size in the immediate area, and being first to market will allow the City of Newport to capture the employment and tax revenue associated with this development.

The proposed Bailey Farm Business Park Development includes the development of one approximately 36-acre site within the City of Newport, MN. The project proposes the construction of two industrial buildings, one multifamily apartment complex, and one commercial building. Industrial, commercial, and residential uses on the proposed site will be compliant with City regulations and zoning guidelines.

Construction on this site is anticipated to begin in spring of 2026 with the first buildings being ready for occupancy in 2027. Phase I of the project will include mass grading of the site and construction of stormwater facilities and the public street and utility improvements. No future phases of development, other than those described as part of the project and which were included in the applicable EAW, are proposed on the project site within the City of Newport.

According to the 2040 City of Newport Comprehensive Plan, the future land use of this site is "Commercial/Residential, 7-50 units/acre" as identified in the Future Land Use map dated September 2022. The Comprehensive Plan states, "Mixed Commercial/Residential areas will allow for development of new housing units and a variety of commercial, office, business, service, restaurant, and entertainment uses. The integration could be vertical (within the same buildings) or horizontal (with residential and commercial uses in separate buildings)."

The City's Comprehensive Plan also identifies this site as part of a "New Urban Development Area" in the map titled City of Newport Development and Redevelopment Priorities Through 2040. Notably, this site is zoned as B-1 Business Park, whereas the majority of the City's parcels with a "Commercial/Residential" future land use designation are zoned as Downtown, Transit Oriented Design, General Mixed Use, or Mixed-Use Buffer.

The project area is under one ownership and is currently zoned as B-1 Business Park on the City of Newport Zoning Map. This district is intended for office, warehouse, and related business uses within a business park setting. The proposed project property is shown as Commercial/Residential on the 2040 Future Land Use Map. According to the City of Newport sec 36-237, the purpose of the commercial/Residential District is to provide for a mix of residential, commercial, and office uses that provide a transition area and buffer between industrial uses and nearby residential and mixed-use districts.

Copies of the EAW documents can be provided upon request.

**Avoidance.** Both the CWA and the WCA require that impacts to aquatic resources be avoided if practicable alternatives exist. Clearly describe all on-site measures considered to avoid impacts to aquatic resources and discuss at least two project alternatives that avoid all impacts to aquatic resources on the site. These alternatives may include alternative site plans, alternate sites, and/or not doing the project. Alternatives should be feasible and prudent (see MN Rules 8420.0520 Subp. 2 C). Applicants are encouraged to attach drawings and plans to support their analysis:

**Avoidance Alternative #1 - WCA Complete Avoidance – WCA No-Build Alternative**

The No-Build Alternative was considered as a way to eliminate wetland impacts associated with the project. Although the No-Build Alternative would completely avoid wetland impacts, it would not fulfill the project purpose, need, or requirements nor would it be consistent with local land use planning as described previously.

Even if the No-Build Alternative were implemented, development pressure would continue to affect the proposed site. Based on local land use planning as described previously, this would likely cause similar development proposals to arise for the property. For these reasons, the No-Build Alternative was rejected as an approach to avoiding wetland impacts.

**Avoidance Alternative #2 - WCA Complete Avoidance – Reduced Project Scope**

An alternative site layout that would completely avoid impacts to all wetlands is illustrated on Figure 4.

The complete avoidance alternative reduces industrial and retail space/uses, which is not an efficient use of available land guided for the proposed uses and in an area that is currently lacking in such uses. Furthermore, Wetlands 1/1a and Wetland 7 are located approximately 10 and 9 feet lower than the proposed project grades, respectively. If avoided, these isolated and low wetlands would be surrounded by impervious uses, which would significantly (negatively) affect their post-development function/value. For these reasons, the complete avoidance alternative was rejected.

**Minimization.** Both the CWA and the WCA require that all unavoidable impacts to aquatic resources be minimized to the greatest extent practicable. Discuss all features of the proposed project that have been modified to minimize the impacts to water resources (see MN Rules 8420.0520 Subp. 4):

**Alternative #3 - Proposed Alternative (Minimization Alternative)**

An overview of the proposed plan showing impacts to wetlands for the Baily West project is illustrated on Figure 3, and plan sheets are included in Appendix B.

- The project will comply with all City, South Washington Watershed District, Ramsey-Washington Metro Watershed District, Washington and Ramsey County, and State rules for stormwater management.
- All of Wetlands 3, 4, 5, 6, and located within or adjacent to the project area/disturbance footprint will be completely avoided and will be permanently protected by adjacent upland buffers.
- Impact to Wetlands 1/1a results from construction of a warehouse building and associated parking/loading areas. Complete avoidance of Wetlands 1/1a could be accomplished by constructing a smaller building, which is not an efficient use of land guided for industrial development in an area that is currently lacking in such uses.

Additionally, Wetland 1 is an incidental wetland constructed in upland, and Wetland 1a has been previously impacted by excavation/impoundment/sediment. Water is pumped into and drawn down from Wetland 1/1a for irrigation purposes, and has been since the 1980's. It is unknown what the size or condition of Wetland 1/1a would be if avoided and once irrigation use has ceased. This would be true as well with a plan that minimizes impact to Wetland 1/1a.

- **Impact to Wetland 7 results from construction of retail uses (buildings, paved parking areas, and internal drives). Avoidance of Wetland 7 would require the wetland and its adjacent buffer and sloping topography to be avoided which would significantly reduce the amount of provided retail space, which is not an efficient use of land guided for retail development in an area that is currently lacking in such uses. And, as described in the complete avoidance alternative, Wetland 7 is located approximately 9 feet lower than the proposed project grades. If avoided, this isolated and low wetland would be surrounded by impervious uses, which would significantly (negatively) affect its post-development function/value.**

**Additionally, because Wetland 7 is relatively small, and due to the landscape position of the wetland (980-981 ft) in relation to the proposed elevation of the retail development (988-990 ft), an alternative that minimizes impact to Wetland 7 would likely result in indirect impact to the remaining portion of the basin.**

**Off-Site Alternatives.** An off-site alternatives analysis is not required for all permit applications. If you know that your proposal will require an individual permit (standard permit or letter of permission) from the U.S. Army Corps of Engineers, you may be required to provide an off-site alternatives analysis. The alternatives analysis is not required for a complete application but must be provided during the review process in order for the Corps to complete the evaluation of your application and reach a final decision. Applicants with questions about when an off-site alternatives analysis is required should contact their Corps Project Manager.

**NA**

### **Wetland Impact Rectification**

Temporary impacts to wetlands are not proposed; impact rectification does not apply.

### **Wetland Impact Reduction or Elimination Over Time**

Implementation of the stormwater management plan will help to reduce or eliminate potential effects of impervious stormwater runoff from the proposed development to onsite and offsite water resources including wetlands.

Prior to and during construction, erosion and sediment controls (BMPs such as silt fence, etc.) will be installed and maintained per the Stormwater Pollution Prevention Plan (SWPPP) and NPDES Construction Stormwater permit requirements. Additionally, buffers adjacent to avoided wetlands will also help to mitigate the effects of runoff to wetlands.

### **Known Local, State, Federal Permits**

Multiple permits will be needed from the Cities of Newport and Woodbury, MPCA (NPDES permit), and Ramsey Washington Metro and South Washington Watershed Districts. WCA No Loss and/or Replacement Plan approval is needed from the WCA LGUs (South Washington Watershed Districts). A permit from the USACE is likely not needed.

### **MN Rare Species Considerations**

Minnesota Rules Part 8420.0515 specifies that endangered and threatened species must be considered when submitting a wetland replacement plan.

#### **Woodbury/Bailey Development EAW**

As part of the Bailey Development EAW, a request for formal NHIS review was submitted to the DNR on December 15, 2025. No response had been received by the time of EAW publication (February 24, 2026). In lieu of review by DNR, a review of the NHIS data was completed by WSB using License Agreement 2025-002. Based on that review, one state-threatened species and one state species of concern were noted to have been documented within one mile of the project area.

- Clinton's bulrush (*Trichophorum clintonii*) – State Threatened - This species is typically found in upland prairie savannas, often in communities that are fire dependent.
- Lark sparrow (*Chondestes grammacus*) – State Species of Concern - This species utilized dry grasslands with short sparse grasses and patch trees resembling a dry savanna habitat.

The Bailey West project footprint lacks habitat for the species listed above.

#### **Newport/Bailey Farm Business Park EAW**

The NHIS letter (MCE-2024-00692) issued for the Newport Industrial Development EAW (Appendix D) noted that - *Blanding's turtles (Emydoidea blandingii)*, a state-listed threatened species, have been reported from the vicinity of the proposed project. Given the land use in the immediate vicinity of the project area, impacts to this rare turtle are not anticipated. In the unlikely event that a Blanding's turtle is found on site, please remember that the destruction of threatened or endangered species is prohibited by state law and rules, except under certain prescribed conditions. If turtles are in imminent danger, they must be moved by hand out of harm's way, otherwise they are to be left undisturbed. Directions on how to move turtles safely can be found here: *Helping Turtles Across the Road*. Please report any sightings using the *Quick Species Observation Form*.

## Attachment D

### Replacement/Compensatory Mitigation

Complete this part *if* your application involves wetland replacement/compensatory mitigation not associated with the local road wetland replacement program. Applicants should consult Corps mitigation guidelines and WCA rules for requirements.

**Replacement/Compensatory Mitigation via Wetland Banking.** Complete this section if you are proposing to use credits from an existing wetland bank (with an account number in the State wetland banking system) for all or part of your replacement/compensatory mitigation requirements.

Wetland Bank Account #	County	Major Watershed #	Bank Service Area #	Credit Type (if applicable)	Number of Credits
1756	Hennepin	20	7	Type 3 – Shallow Marsh (Subgroup B)	0.5002 (for Wetland 1a)
1756	Hennepin	20	7	Type 3 – Shallow Marsh (Subgroup B)	0.2950 (for Wetland 7)
					Total = 0.7952 – see notes below

Applicants should attach documentation indicating that they have contacted the wetland bank account owner and reached at least a tentative agreement to utilize the identified credits for the project. This documentation could be a signed purchase agreement, signed application for withdrawal of credits or some other correspondence indicating an agreement between the applicant and the bank owner. *However, applicants are advised not to enter into a binding agreement to purchase credits until the mitigation plan is approved by the Corps and LGU.*

**Only the amount of credit needed to fulfill regulated and required replacement will be purchased. With Incidental/No Loss approval for Wetland 1/1a, the total amount of credit required to be purchased will be 0.2950 acres, which will be satisfied via the purchase of wetland bank credits from the Refuge at Rush Creek Wetland Bank (#1756) located within in Major Watershed 20 (Mississippi River - Metro) and Bank Service Area 7, which is the same major watershed and Bank service Area as the project location. Banking correspondence and a draft Standard Credit Withdrawal Form are included in Appendix E.**

**Project-Specific Replacement/Permittee Responsible Mitigation.** Complete this section if you are proposing to pursue actions (restoration, creation, preservation, etc.) to generate wetland replacement/compensatory mitigation credits for this proposed project.

WCA Action Eligible for Credit <sup>1</sup>	Corps Mitigation Compensation Technique <sup>2</sup>	Acres	Credit % Requested	Credits Anticipated <sup>3</sup>	County	Major Watershed #	Bank Service Area #

<sup>1</sup>Refer to the name and subpart number in MN Rule 8420.0526.

<sup>2</sup>Refer to the technique listed in *St. Paul District Policy for Wetland Compensatory Mitigation in Minnesota*.

<sup>3</sup>If WCA and Corps crediting differs, then enter both numbers and distinguish which is Corps and which is WCA.

Project Name and/or Number: **RPA & No Loss - Bailey West (KES#2026-025 & 2026-026)**

Explain how each proposed action or technique will be completed (e.g. wetland hydrology will be restored by breaking the tile.....) and how the proposal meets the crediting criteria associated with it. Applicants should refer to the Corps mitigation policy language, WCA rule language, and all associated Corps and WCA guidance related to the action or technique:

Attach a site location map, soils map, recent aerial photograph, and any other maps to show the location and other relevant features of each wetland replacement/mitigation site. Discuss in detail existing vegetation, existing landscape features, land use (on and surrounding the site), existing soils, drainage systems (if present), and water sources and movement. Include a topographic map showing key features related to hydrology and water flow (inlets, outlets, ditches, pumps, etc.):

Attach a map of the existing aquatic resources, associated delineation report, and any documentation of regulatory review or approval. Discuss as necessary:

For actions involving construction activities, attach construction plans and specifications with all relevant details. Discuss and provide documentation of a hydrologic and hydraulic analysis of the site to define existing conditions, predict project outcomes, identify specific project performance standards and avoid adverse offsite impacts. Plans and specifications should be prepared by a licensed engineer following standard engineering practices. Discuss anticipated construction sequence and timing:

For projects involving vegetation restoration, provide a vegetation establishment plan that includes information on site preparation, seed mixes and plant materials, seeding/planting plan (attach seeding/planting zone map), planting/seeding methods, vegetation maintenance, and an anticipated schedule of activities:

For projects involving construction or vegetation restoration, identify and discuss goals and specific outcomes that can be determined for credit allocation. Provide a proposed credit allocation table tied to outcomes:

Provide a five-year monitoring plan to address project outcomes and credit allocation:

Discuss and provide evidence of ownership or rights to conduct wetland replacement/mitigation on each site:

Quantify all proposed wetland credits and compare to wetland impacts to identify a proposed wetland replacement ratio. Discuss how this replacement ratio is consistent with Corps and WCA requirements:

By signature below, the applicant attests to the following (only required if application involves project-specific/permittee responsible replacement):

- All proposed replacement wetlands were not:
  - Previously restored or created under a prior approved replacement plan or permit
  - Drained or filled under an exemption during the previous 10 years
  - Restored with financial assistance from public conservation programs
  - Restored using private funds, other than landowner funds, unless the funds are paid back with interest to the individual or organization that funded the restoration and the individual or organization notifies the local government unit in writing that the restored wetland may be considered for replacement.
- The wetland will be replaced before or concurrent with the actual draining or filling of a wetland.

- An irrevocable bank letter of credit, performance bond, or other acceptable security will be provided to guarantee successful completion of the wetland replacement.
- Within 30 days of either receiving approval of this application or beginning work on the project, I will record the Declaration of Restrictions and Covenants on the deed for the property on which the replacement wetland(s) will be located and submit proof of such recording to the LGU and the Corps.

Applicant or Representative:

Title:

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

Date:

Project Name and/or Number:

## Attachment E

# Local Government Road Wetland Replacement Program (LGRWRP) Eligibility Application Form for WCA-Regulated Impacts Only

This attachment must be completed by local government road authorities (county, city, township) who wish to use the LGRWRP for satisfying state and federal wetland replacement requirements for qualifying road reconstruction, rehabilitation, or replacement projects. Instructions on how to prepare an application for the LGRWRP, the process, and the benefits of the program can be found [here](#).

The local road authority must complete this attachment, obtain signatures from the local WCA Technical Evaluation Panel (TEP), and provide the complete application form and attachments to the Board of Water and Soil Resources (BWSR) Wetland Bank Administration. Your entire application must also be submitted to the U.S. Army Corps of Engineers if you want the LGRWRP to satisfy any federal wetland replacement requirements.

**U.S. Army Corps of Engineers Permit Number** (if already assigned and known):

- 1) Explain how your project is a repair, rehabilitation, reconstruction, or replacement of a currently serviceable road to meet state/federal design or safety standards/requirements. You should describe current road conditions and deficiencies and how the project will rectify them. Also identify and describe project design features that minimize impacts to wetlands. Attach supporting documents and information as applicable.
  
- 2) Provide a map, plan, and/or aerial photograph accurately depicting wetland boundaries within the project area. Attach a delineation/determination report or otherwise explain the method(s) used to identify and delineate wetlands. Also attach and discuss any type of review or approval of wetland boundaries or other aspects of the project by a member or members of the local Technical Evaluation Panel (TEP) or Corps of Engineers.
  
- 3) Discuss the feasibility of providing onsite compensatory mitigation/replacement for important site-specific wetland functions:

In the table below, identify **only wetland impacts from Part 4 that are regulated by WCA** and qualify for the LGRWRP. Wetland impacts regulated by WCA are any wetland areas that are drained or filled, any permanently or semi-permanently flooded wetland areas that are excavated, and any wetland areas that are excavated and converted to a nonwetland, deepwater habitat. Consult the TEP if you are unsure what wetland impacts are regulated by WCA.

Each impact type should be identified separately (i.e. **Fill, Drain, Excavation are three separate impact types**).

Wetland Impact ID (same as noted in Part 4 and on overhead view)	Type of Impact (fill, excavate, or drain) – <i>Choose only one per line</i>	Size of Impact (square feet or acres to 0.01)	Existing Plant Community Type(s) in Impact Area <sup>1</sup> – <i>Choose only one per line</i>	County, Major Watershed #, and Bank Service Area # of Impact <sup>2</sup>
<i>EXAMPLE</i>	<i>Fill</i>	<i>0.14 ac</i>	<i>Shallow marsh</i>	<i>21, 7</i>
<i>EXAMPLE</i>	<i>Excavate</i>	<i>0.27 ac</i>	<i>Shallow marsh</i>	<i>21, 7</i>
<b>TOTAL</b>				

<sup>1</sup>Use *Wetland Plants and Plant Community Types of Minnesota and Wisconsin* as modified in MN Rules 8420.0405 Subp. 2.

<sup>2</sup> Maps of Major Watersheds and Bank Service Areas can be found [here](#) or refer to maps in MN Rules 8420.0522 Subp. 7.

Project Name and/or Number:

**Road Authority Signature:** By signature below, the road authority attests that they have followed the process in MN Rules 8420.0544 and have determined that the wetland impacts identified in Attachment E are regulated by the MN WCA and eligible for the MN Local Government Road Wetland Replacement Program.

Local Road Authority Representative Name:

Employer:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Technical Evaluation Panel Concurrence:**

By signing below, TEP members attest that each wetland impact listed in Attachment E is regulated by WCA and meets eligibility requirements for replacement by the LGRWRP.

**LGU TEP Member Name:**

LGU Name:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Check here  if LGU and SWCD TEP member are one in the same and leave SWCD TEP member blank.

**SWCD TEP Member Name:**

SWCD Name:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**BWSR TEP Member Name:**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**DNR TEP Member Name:**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

A majority of the TEP must sign for BWSR to process the application and satisfy state and federal wetland replacement/mitigation requirements. The road authority must send the TEP-signed Attachment E and all other application materials to:

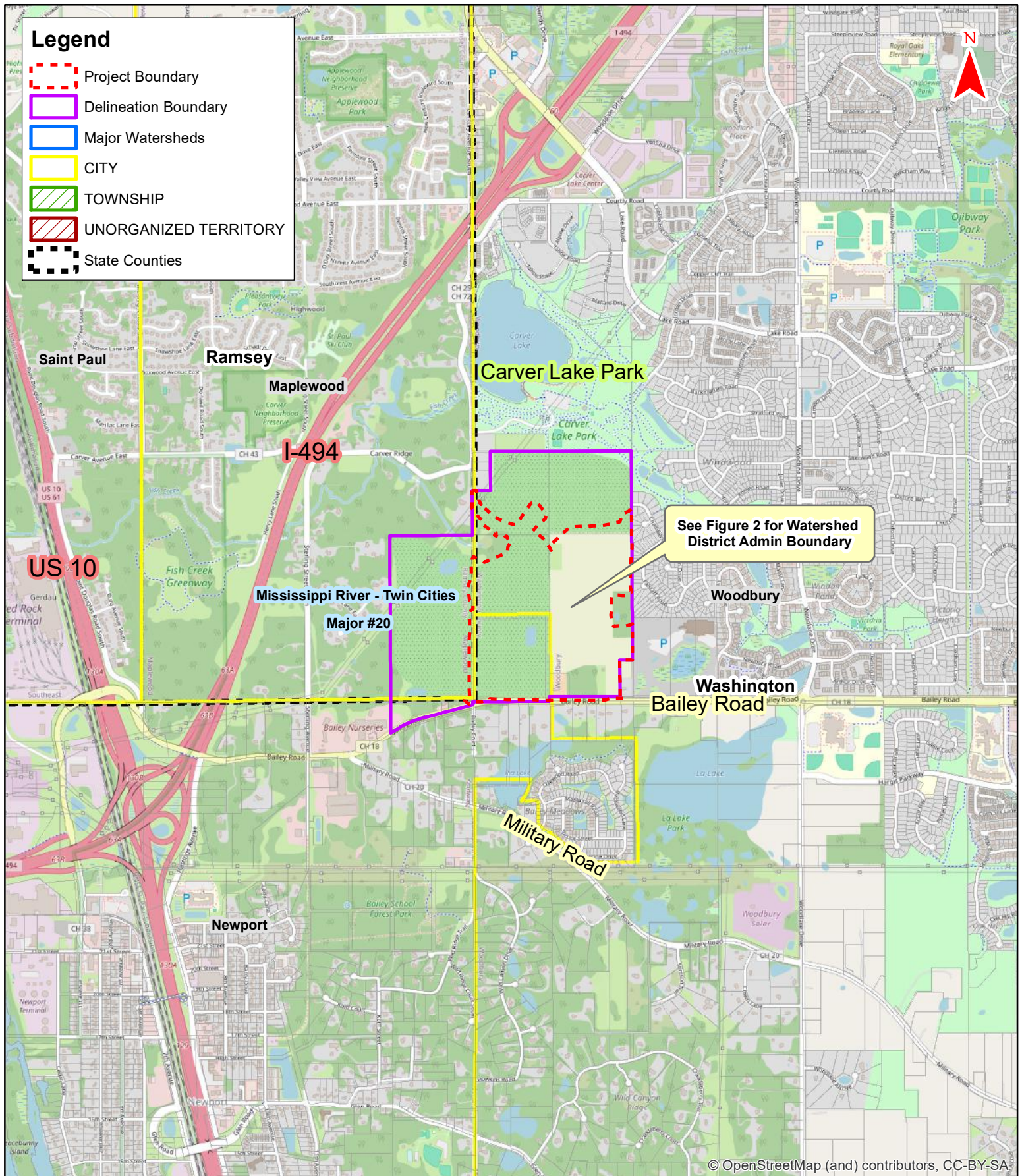
**Wetland Bank Administration  
Minnesota Board of Water & Soil Resources  
520 Lafayette Road North  
Saint Paul, MN 55155**

Materials can be submitted electronically to: [LGRWRP.BWSR@state.mn.us](mailto:LGRWRP.BWSR@state.mn.us)

**Bailey West, Newport & Woodbury, MN**  
**Wetland Replacement Plan and No Loss Application**

**Figures**

- 1. Site Location & Major Watershed**
- 2. Existing Conditions**
- 3. Proposed Plan and Wetland Impacts**
- 4. Complete Avoidance Alternative**



**Figure 1 - Site Location & Major Watershed**

**Bailey West (KES 2025-025/026)  
Newport and Woodbury, Minnesota**

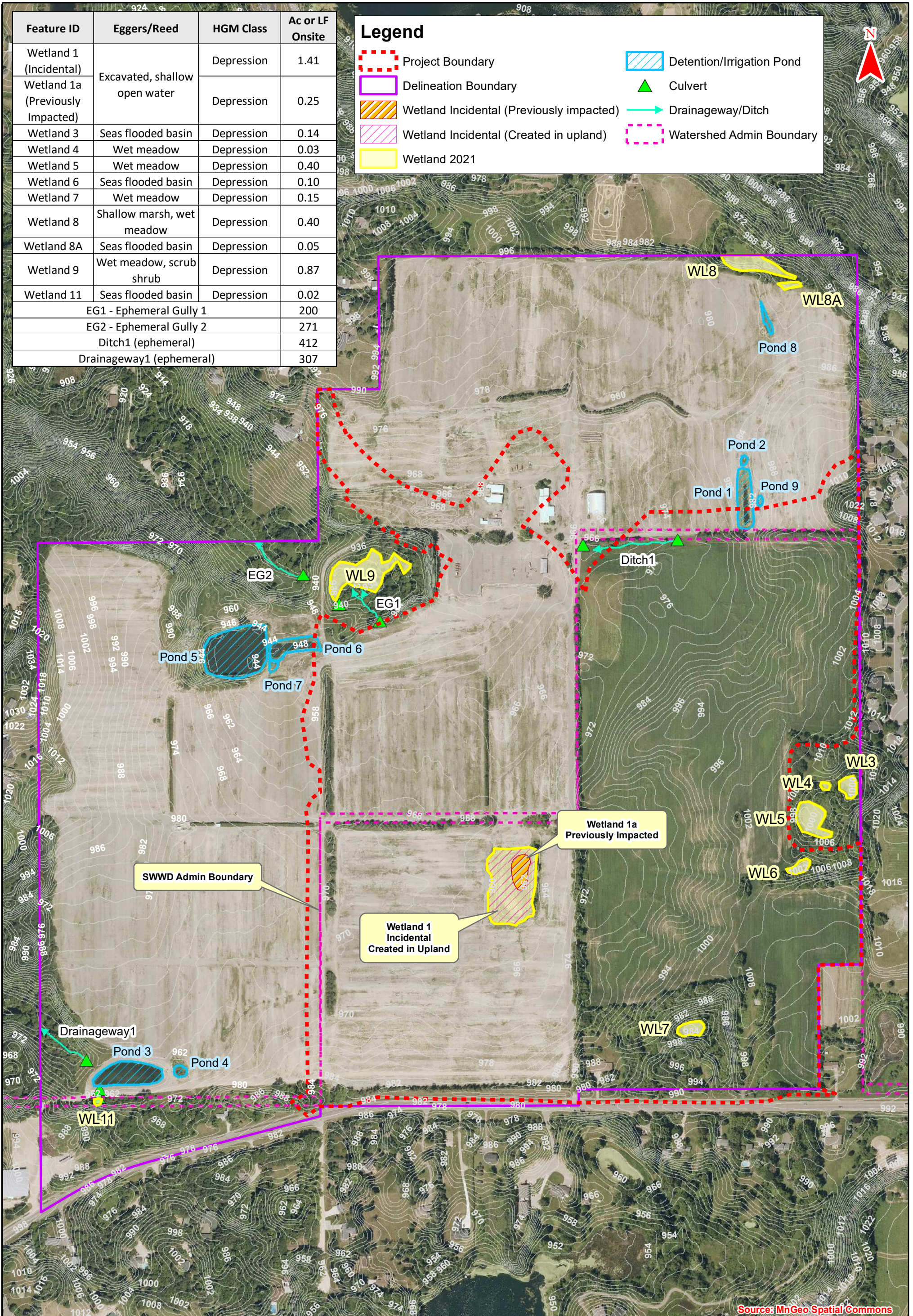
Note: Boundaries indicated on this figure are approximate and do not constitute an official survey product.



Feature ID	Eggers/Reed	HGM Class	Ac or LF Onsite
Wetland 1 (Incidental)	Excavated, shallow open water	Depression	1.41
Wetland 1a (Previously Impacted)		Depression	0.25
Wetland 3	Seas flooded basin	Depression	0.14
Wetland 4	Wet meadow	Depression	0.03
Wetland 5	Wet meadow	Depression	0.40
Wetland 6	Seas flooded basin	Depression	0.10
Wetland 7	Wet meadow	Depression	0.15
Wetland 8	Shallow marsh, wet meadow	Depression	0.40
Wetland 8A	Seas flooded basin	Depression	0.05
Wetland 9	Wet meadow, scrub shrub	Depression	0.87
Wetland 11	Seas flooded basin	Depression	0.02
EG1 - Ephemeral Gully 1			200
EG2 - Ephemeral Gully 2			271
Ditch1 (ephemeral)			412
Drainageway1 (ephemeral)			307

### Legend

- Project Boundary
- Delineation Boundary
- Wetland Incidental (Previously impacted)
- Wetland Incidental (Created in upland)
- Wetland 2021
- Detention/Irrigation Pond
- ▲ Culvert
- Drainageway/Ditch
- Watershed Admin Boundary



Source: MnGeo Spatial Commons

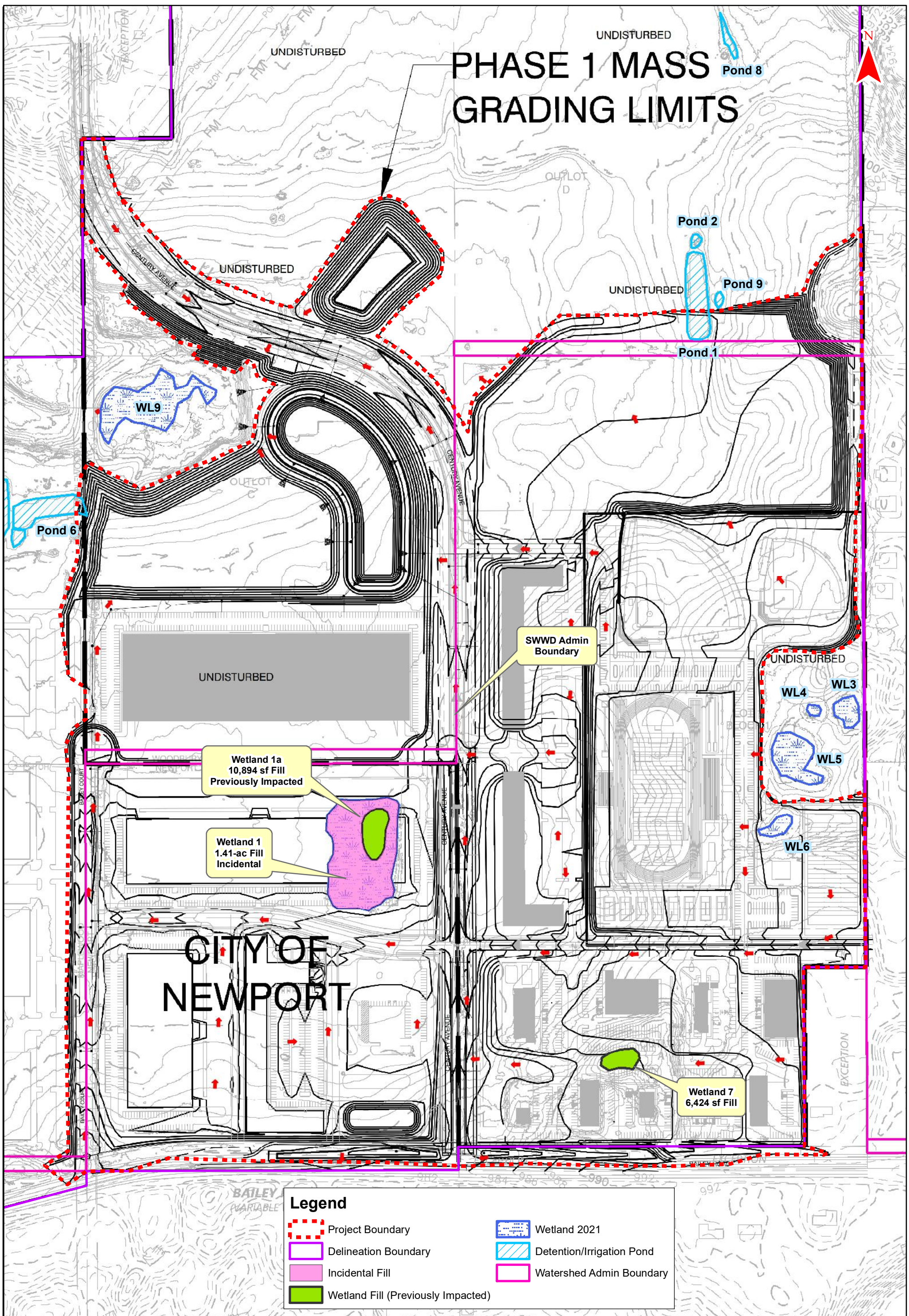


**Figure 2 - Existing Conditions (2023 FSA)**

**Bailey West (KES 2025-025/026)  
Newport and Woodbury, Minnesota**

Note: Boundaries indicated on this figure are approximate and do not constitute an official survey product.

# PHASE 1 MASS GRADING LIMITS

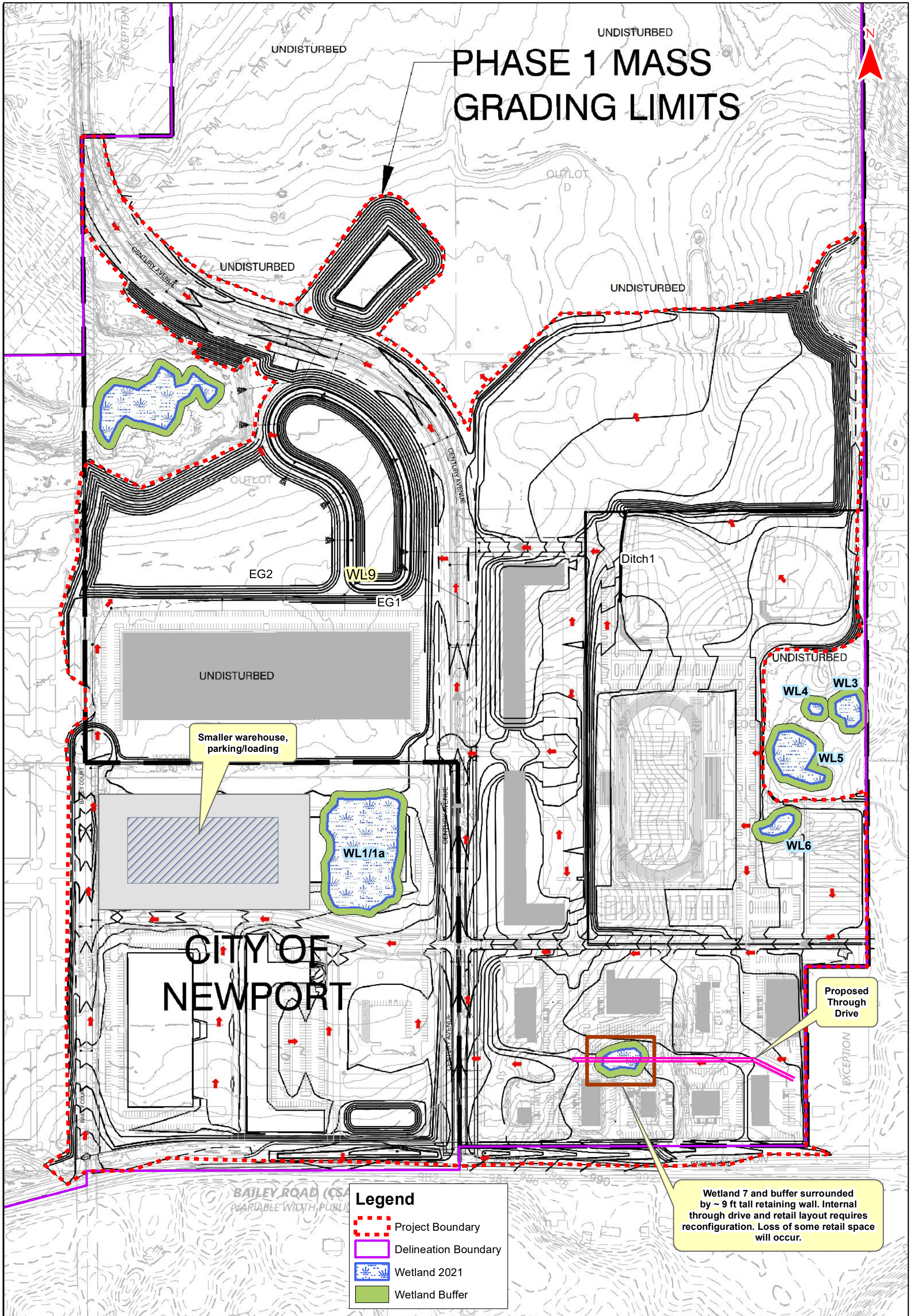


**Figure 3 - Proposed Plan and Wetland Impacts**

Bailey West (KES 2025-025/026)  
Newport and Woodbury, Minnesota

Note: Boundaries indicated on this figure are approximate and do not constitute an official survey product.

# PHASE 1 MASS GRADING LIMITS



Smaller warehouse, parking/loading

Proposed Through Drive

Wetland 7 and buffer surrounded by ~ 9 ft tall retaining wall. Internal through drive and retail layout requires reconfiguration. Loss of some retail space will occur.

**Legend**

- Project Boundary
- Delineation Boundary
- Wetland 2021
- Wetland Buffer

CITY OF NEWPORT



**Figure 4 - Complete Avoidance Alternative**

Bailey West (KES 2025-025/026)  
Newport and Woodbury, Minnesota

Note: Boundaries indicated on this figure are approximate and do not constitute an official survey product.

**Bailey West, Newport & Woodbury, MN**  
**Wetland Replacement Plan and No Loss Application**  
**Appendix A – Delineation Approvals**







**Appeals of LGU Decisions**

If you wish to appeal this decision, you must provide a written request within 30 calendar days of the date you received the notice. All appeals must be submitted to the Board of Water and Soil Resources Executive Director along with a check payable to BWSR for \$500 *unless* the LGU has adopted a local appeal process as identified below. The check must be sent by mail and the written request to appeal can be submitted by mail or e-mail. The appeal should include a copy of this notice, name and contact information of appellant(s) and their representatives (if applicable), a statement clarifying the intent to appeal and supporting information as to why the decision is in error. Send to:

Appeals & Regulatory Compliance Coordinator  
Minnesota Board of Water & Soils Resources  
520 Lafayette Road North  
St. Paul, MN 55155  
[travis.germundson@state.mn.us](mailto:travis.germundson@state.mn.us)

Does the LGU have a local appeal process applicable to this decision?

- Yes<sup>1</sup>       No

<sup>1</sup>If yes, all appeals must first be considered via the local appeals process.

**Local Appeals Submittal Requirements** (LGU must describe how to appeal, submittal requirements, fees, etc. as applicable)


**Notice Distribution (include name)**

*Required on all notices:*

<input checked="" type="checkbox"/> SWCD TEP Member: Mr. Jay Riggs - WCD	<input checked="" type="checkbox"/> BWSR TEP Member: Mr. Ben Meyer - BWSR
<input type="checkbox"/> LGU TEP Member (if different than LGU contact):	
<input checked="" type="checkbox"/> DNR Representative: Ms. Leslie Parris - DNR	
<input type="checkbox"/> Watershed District or Watershed Mgmt. Org.:	
<input checked="" type="checkbox"/> Applicant: Kirstin Seaman – Woodbury	<input checked="" type="checkbox"/> Agent/Consultant: Kyle Uhler – Kjolhaug Environmental

*Optional or As Applicable:*

<input checked="" type="checkbox"/> Corps of Engineers:	
<input type="checkbox"/> BWSR Wetland Mitigation Coordinator (required for bank plan applications only):	
<input type="checkbox"/> Members of the Public (notice only):	<input type="checkbox"/> Other:

<b>Signature:</b> 	<b>Date:</b> 12/08/2021
--	----------------------------

**This notice and accompanying application materials may be sent electronically or by mail. The LGU may opt to send a summary of the application to members of the public upon request per 8420.0255, Subp. 3.**



**DEPARTMENT OF THE ARMY**  
**U.S. ARMY CORPS OF ENGINEERS, ST. PAUL DISTRICT**  
**180 FIFTH STREET EAST, SUITE 700**  
**ST. PAUL, MN 55101-1678**

January 27, 2022

Regulatory File No. MVP-2021-02136-SSC

Bailey Nurseries, Inc.  
c/o John Bailey  
1325 Bailey Road  
Newport, Minnesota 55055

Dear Mr. Bailey:

We are responding to your request, submitted by Kjolhaug Environmental Services on your behalf, for Corps of Engineers (Corps) concurrence with the delineation of aquatic resources completed on the 309.6-acre, Bailey Nursery site. The project site is in Section 19, Township 28 North, Range 21 West, Washington County, Minnesota; Section 25, Township 28 North, Range 22 West, Washington County, Minnesota; and Section 24, Township 28 North, Range 22 West, Ramsey County, Minnesota.

We have conducted a preliminary review of the Bailey Nursery site Wetland Delineation Report, dated October 13, 2021 and generally concur that Figures 2A and 2B (Existing Conditions) in the report depicts a reasonable approximation of the location and boundaries of aquatic resources on the property. This delineation can be used for planning, and will generally be sufficient for Corps permitting purposes. However, this "reasonable approximation" concurrence may not fulfill state or local delineation requirements. It may be necessary to review this determination in response to changing site conditions or new information.

**Additional Information regarding Jurisdiction and Permitting:**

No jurisdictional determination was prepared for this project, nor is one required to support a permit application. If you submit a permit application, we will assist you in identifying aquatic resources that are not subject to Corps regulation to exclude those resources from the permit evaluation. A permit application should include this delineation, any subsequent revisions, and any state or local delineation approvals. You are advised that receipt of a permit or exemption from a state or local agency does not satisfy the requirement to obtain a Corps permit where one is needed.

Please note that the Corps has issued Nationwide General Permits and Regional General Permits that provide authorization for many minor activities. Many of those general permits require a pre-construction notification and Corps verification prior to starting work. However, several general permits also have "self-certifying" provisions that eliminate the need to provide notice to the Corps, provided the permittee complies with the terms and conditions of the general permit. Current general permit terms and conditions can be found at:  
<https://www.mvp.usace.army.mil/Missions/Regulatory/Permitting-Process-Procedures/>.

Regulatory Branch (File No. MVP-2021-02136-SSC)

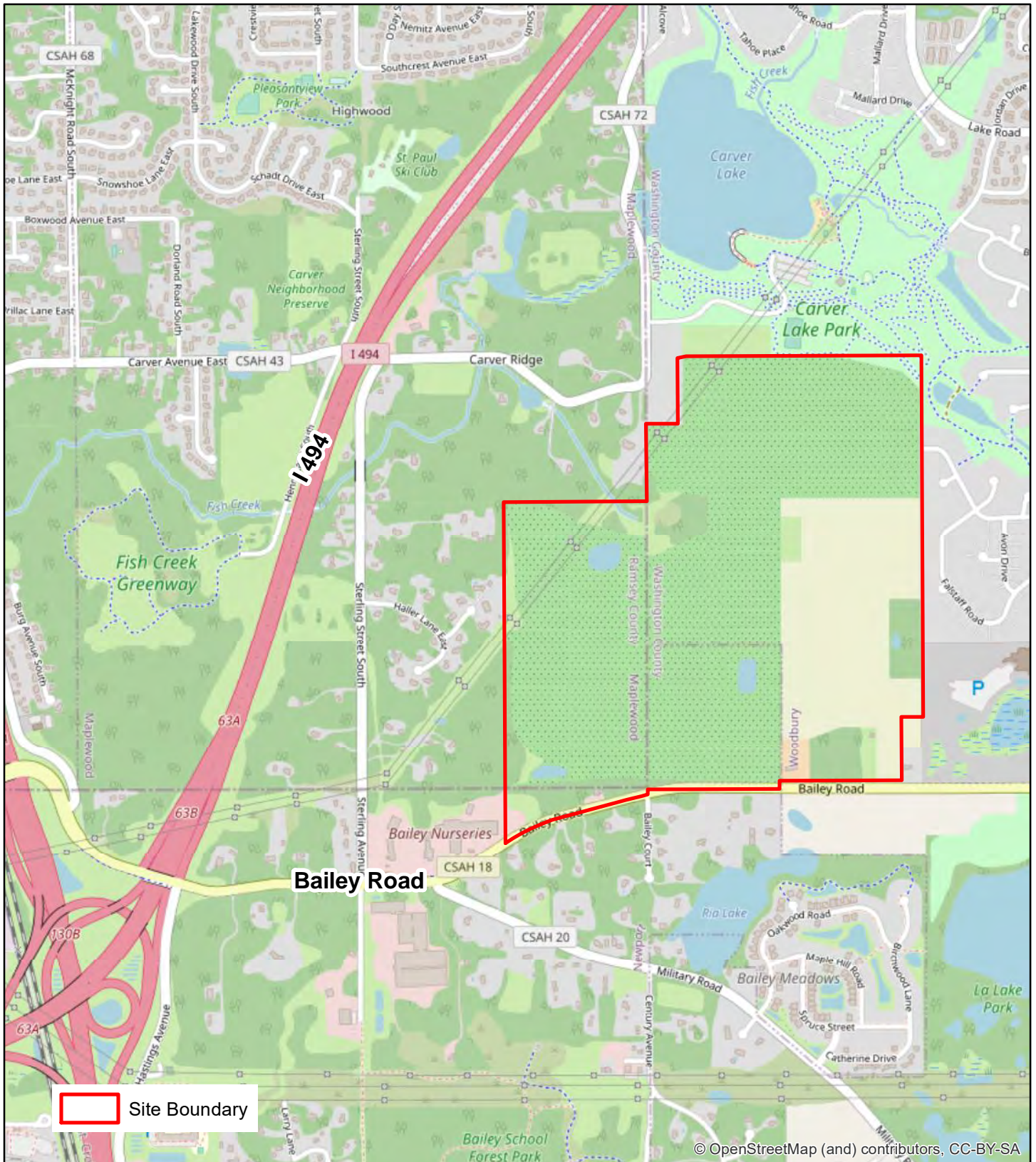
If you have any questions, please contact me in our St. Paul office at (651) 290-5268 or [Samantha.S.Coungeris@usace.army.mil](mailto:Samantha.S.Coungeris@usace.army.mil). In any correspondence or inquiries, please refer to the Regulatory file number shown above.

Sincerely,


A handwritten signature in black ink that reads "Samantha Coungeris". The signature is written in a cursive, flowing style.

Samantha Coungeris  
Project Manager

cc:  
Kyle Uhler, KES  
Nicole Soderholm, RWMWD  
Ben Meyer, BWSR



**Figure 1 - Site Location Map**

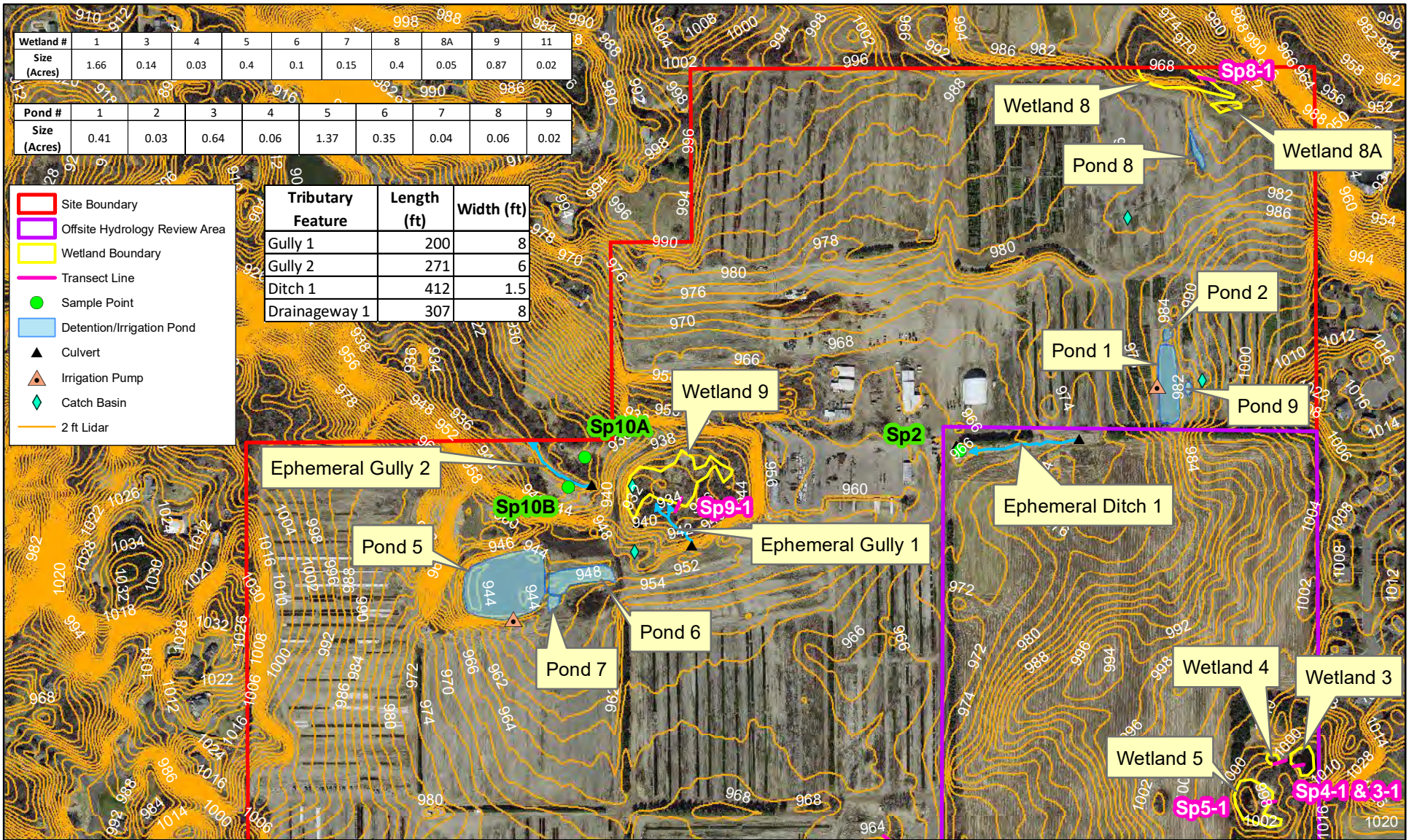


**KJOLHAUG** ENVIRONMENTAL SERVICES COMPANY  
Source: ESRI Streets Basemap

0 1,250  
Feet

**Bailey Nursery (KES 2021-158)**  
**Woodbury, Maplewood, and Newport, Minnesota**

Note: Boundaries indicated on this figure are approximate and do not constitute an official survey product.



**Figure 2A - Existing Conditions (2020 MNGEO Photo)**

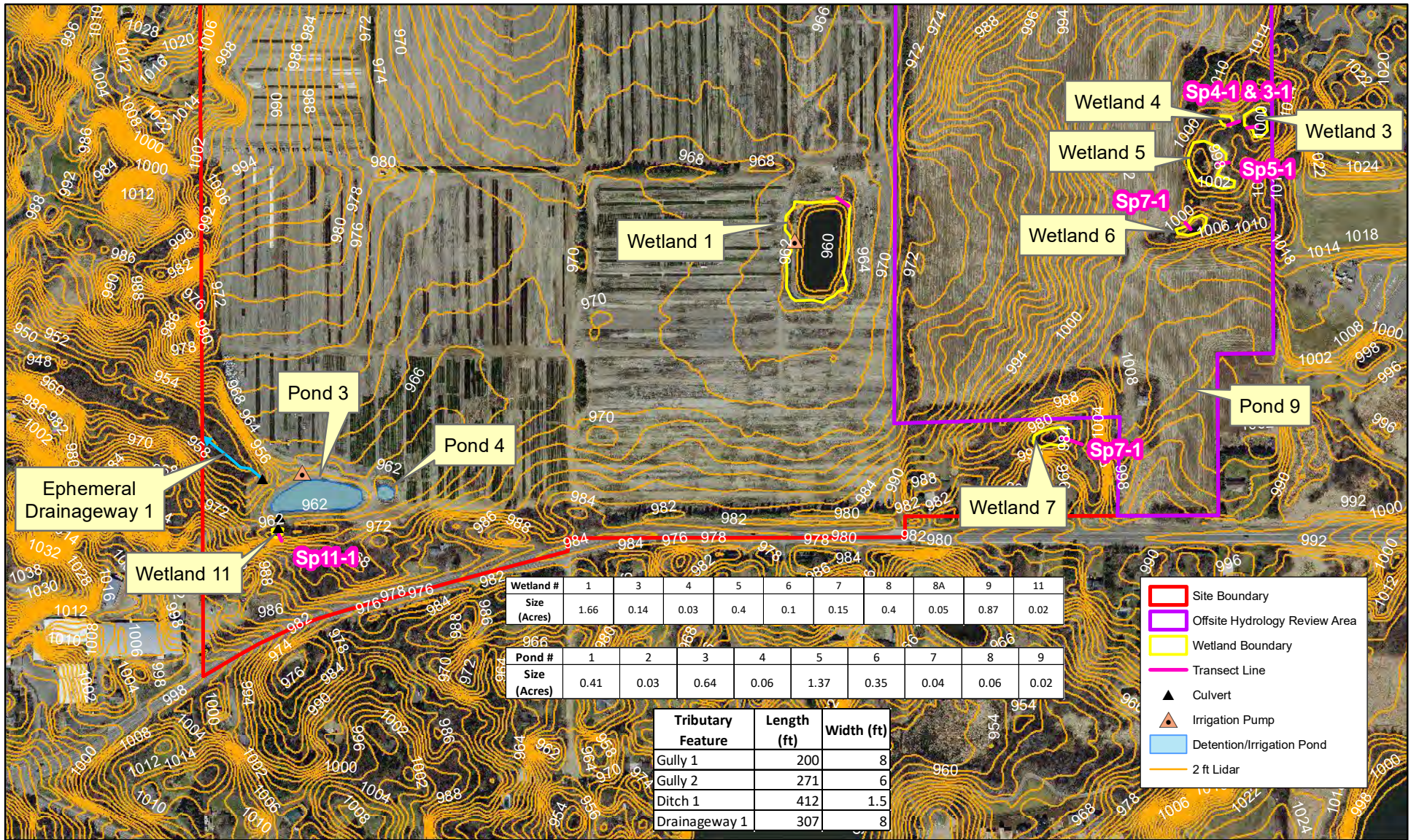


**KJOLHAUG** ENVIRONMENTAL SERVICES COMPANY  
Source: MNGEO Spatial Commons

0 500  
Feet

**Bailey Nursery (KES 2021-158)**  
Woodbury, Maplewood, and Newport, Minnesota

Note: Boundaries indicated on this figure are approximate and do not constitute an official survey product.



**Figure 2B - Existing Conditions (2020 MNGEO Photo)**

0 500  
Feet

**Bailey Nursery (KES 2021-158)**  
**Woodbury, Maplewood, and Newport, Minnesota**

Note: Boundaries indicated on this figure are approximate and do not constitute an official survey product.

**KJOLHAUG** ENVIRONMENTAL SERVICES COMPANY

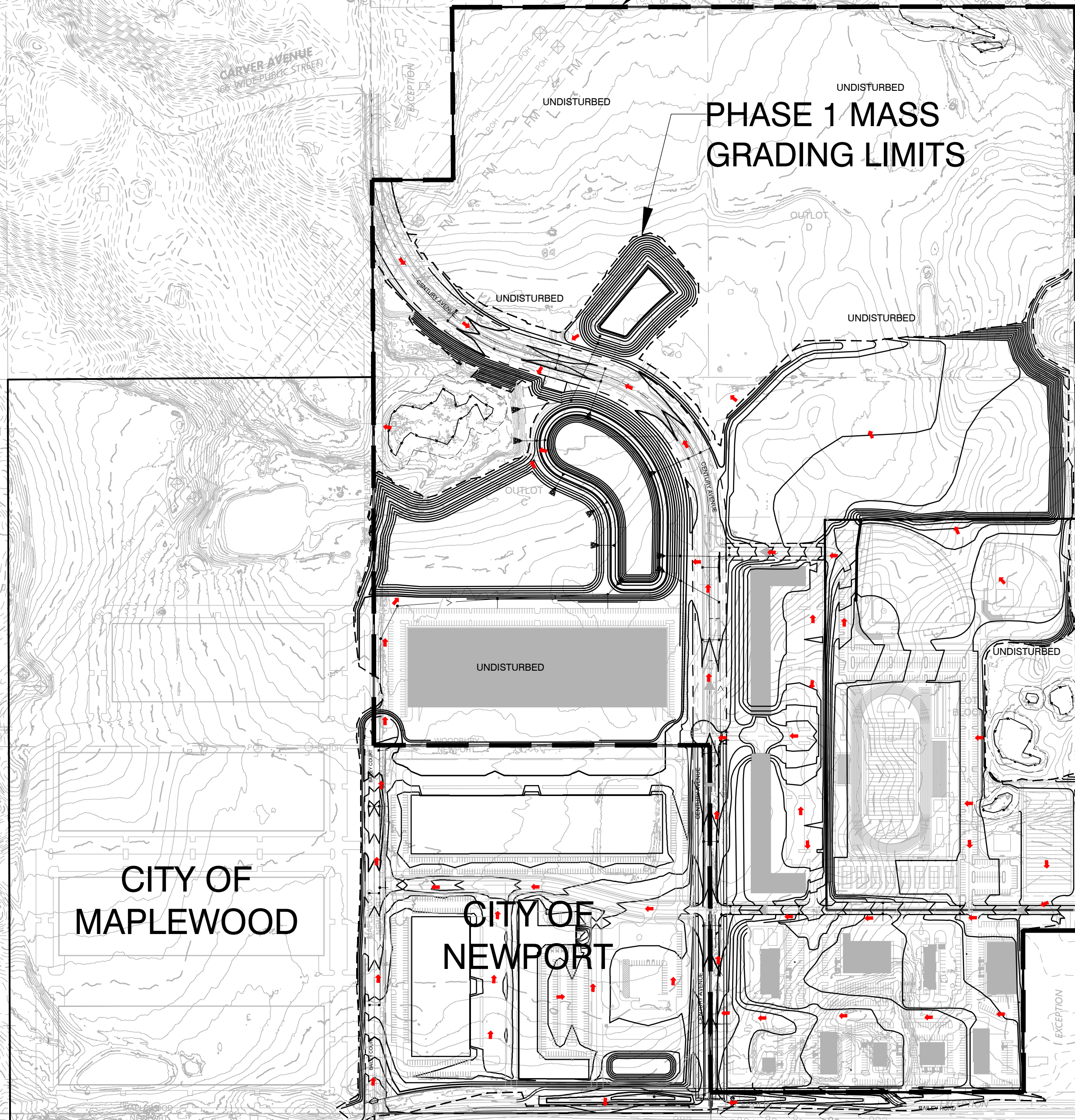
Source: MNGEO Spatial Commons

**Bailey West, Newport & Woodbury, MN**  
**Wetland Replacement Plan and No Loss Application**  
**Appendix B – Project Plan**

Drawing name: X:\2023\230113 - Bailey Nursery Property\plan sheets\Preliminary Plat\Woodbury\230113\3rad.dwg Jan 21, 2026 - 12:00pm

**CITY OF WOODBURY  
PREPLAT  
SUBMITTAL LIMITS**

**PHASE 1 MASS  
GRADING LIMITS**



**GRADING NOTES:**

1. ALL FINISHED GRADES SHALL SLOPE AWAY FROM PROPOSED BUILDINGS AT MINIMUM GRADE OF 2.0%. ALL SWALES SHALL HAVE A MINIMUM SLOPE OF 2.00%.
2. THE CONTRACTOR SHALL KEEP THE ADJACENT ROADWAYS FREE OF DEBRIS AND PREVENT THE OFF-SITE TRACKING OF SOIL IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY AND WATERSHED.
3. NOTIFY GOPHER STATE ONE CALL AT (800)252-1166, 48 HOURS PRIOR TO START OF CONSTRUCTION.
4. ALL IMPROVEMENTS TO CONFORM WITH CITY OF WOODBURY CONSTRUCTION STANDARDS SPECIFICATION, LATEST EDITION.
5. ROCK CONSTRUCTION ENTRANCES SHALL BE PROVIDED AT ALL CONSTRUCTION ACCESS POINTS.
6. REFER TO GEOTECHNICAL REPORT AND PROJECT MANUAL FOR SOIL CORRECTION REQUIREMENTS AND TESTING REQUIREMENTS.
7. STRIP TOPSOIL PRIOR TO ANY CONSTRUCTION. REUSE STOCKPILE ON SITE. STOCKPILE PERIMETERS MUST BE PROTECTED WITH SILT FENCE.
8. PRIOR TO STARTING CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE TO MAKE SURE THAT ALL REQUIRED PERMITS AND APPROVALS HAVE BEEN OBTAINED. NO CONSTRUCTION OR FABRICATION SHALL BEGIN UNTIL THE CONTRACTOR HAS RECEIVED AND THOROUGHLY REVIEWED ALL PLANS AND OTHER DOCUMENTS APPROVED BY ALL OF THE PERMITTING AUTHORITIES.
9. IMMEDIATELY FOLLOWING GRADING OF (3:1 OR GREATER) SIDE SLOPES AND DRAINAGE SWALES, WOOD FIBER BLANKET OR OTHER APPROVED SOIL STABILIZING METHOD (APPROVED BY ENGINEER) SHALL BE APPLIED OVER APPROVED SEED MIXTURE AND A MINIMUM OF 4" TOPSOIL.
10. THE GENERAL CONTRACTOR MUST DISCUSS DEWATERING PLANS WITH ALL SUBCONTRACTORS TO VERIFY NPDES REQUIREMENTS. IF DEWATERING IS REQUIRED DURING CONSTRUCTION, CONTRACTOR SHOULD CONSULT WITH EROSION CONTROL INSPECTOR AND ENGINEER TO DETERMINE APPROPRIATE METHOD.
11. REFER TO GRADING, DRAINAGE AND EROSION CONTROL PLAN FOR ALL EROSION AND SEDIMENT CONTROL DEVICE LOCATIONS.
12. BUILDING PERMITS ARE REQUIRED FOR ALL RETAINING WALLS 4 FEET IN HEIGHT OR GREATER AND THE WALLS SHALL BE DESIGNED BY A STRUCTURAL ENGINEER WITH DESIGN REVIEWED AND APPROVED BY THE CITY PRIOR TO INSTALLATION. ALL WALLS EXCEEDING 30" IN HEIGHT REQUIRE THE INSTALLATION OF A 42" SAFETY RAILING.
13. PROPOSED DRIVEWAY GRADES ARE 3% MINIMUM AND 10% MAXIMUM.
14. ANY MODIFICATION TO HOMES AT TIME OF BUILDING PERMIT APPLICATION THAT DEVIATES FROM THIS GRADING PLAN MUST BE SUBMITTED AND APPROVED BY THE CITY OF WOODBURY.
15. CONTRACTOR TO PROVIDE A MINIMUM OF 2" OF IMPERMEABLE MATERIAL UNDER WET POND. MATERIAL TO BE APPROVED BY GEOTECHNICAL ENGINEER.
16. ALL SLOPES MUST NOT BE GREATER THAN A 3:1.
17. NO BUILDING PERMIT WILL BE ISSUED WITHIN NEW CURB CONSTRUCTION AREAS UNTIL THE PLANNING DIVISION HAS APPROVED AN ALTERNATIVE ACCESS OR VERIFIED WITH THE ENGINEERING DIVISION THAT THE CURB HAS REACHED ITS DESIGN STRENGTH.
18. ANY HOUSE TYPE MODIFICATION AT TIME OF BUILDING PERMIT APPLICATION OTHER THAN WHAT WAS IDENTIFIED ON THE APPROVED GRADING PLAN SHALL REQUIRE A REVISED GRADING PLAN SUBMITTAL FOR REVIEW AND APPROVAL.
19. CONTRACTOR TO NOT USE HEAVY WHEELED EQUIPMENT USE LOW IMPACT EARTH MOVING EQUIPMENT FOR CONSTRUCTION AND SEEDING OF INFILTRATION BASINS.
20. CITY SHALL NOT BE RESPONSIBLE FOR THE MAINTENANCE OR ANY COSTS (NOW AND FUTURE) ASSOCIATED WITH PROPOSED RETAINING WALLS.
21. ALL PUBLIC PEDESTRIAN WAYS SHALL MEET DESIGN REQUIREMENTS OUTLINED ON DETAIL PLATES STR-17 AND STR-26 FOR SUB GRADE CORRECTION.
22. IF THE DEVELOPER'S BUILDERS PROPOSE SIGNIFICANT GRADE CHANGES TO HOME AT TIME OF BUILDING PERMIT APPLICATION, THE CITY MAY REQUIRE THE GRADING PLAN BE REVISED TO REFLECT THE PROPOSED CHANGES. SIGNIFICANT CHANGE EXAMPLES ARE DROPPING THE GARAGE FLOOR ELEVATION OR MODIFYING HOME TYPE FROM A LOOKOUT TO A WALKOUT.
23. 4" OF TOPSOIL TO BE SPREAD AT THE COMPLETION OF MASS GRADING ACROSS DISTURBED AREA EXCLUDING ROADWAY ROW.

**NOTES:**

1. UPON COMPLETION OF ALL MASS GRADING ACTIVITIES A GRADING AS-BUILT SURVEY MUST BE SUBMITTED TO CITY STAFF AS OUTLINED IN THE LAND DISTURBANCE REQUIREMENTS. THIS MUST BE COMPLETED PRIOR TO ANY UTILITY AND STREET IMPROVEMENT CONSTRUCTION.
2. PER CITY OF WOODBURY CODE, 4 INCHES OF TOPSOIL WILL BE ADDED TO ALL DEVELOPED AREAS TO HELP REDUCE LONG TERM WATER USE FOR IRRIGATION AND IMPROVE STORMWATER RUNOFF QUALITY.

**RETAINING WALL NOTES:**

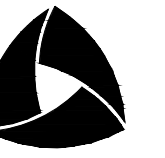
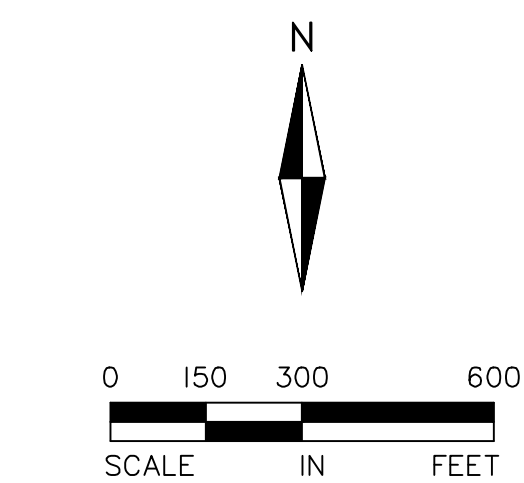
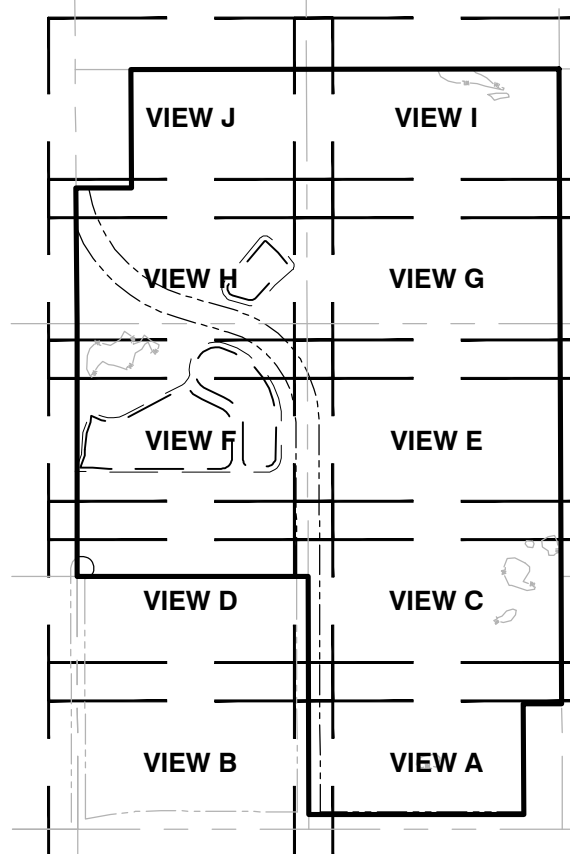
1. ALL RETAINING WALLS SHALL BE ROUGH GRADED AT A 2:1 SLOPE WITH BASE OF SLOPE AT PROPOSED WALL FACE.
2. THE RETAINING WALL SLOPE AREAS ARE TO BE MAINTAINED UNTIL RETAINING WALL CONSTRUCTION OCCURS. ANY EROSION SHALL BE REMEDIATED AND RESTORED.
3. BUILDING PERMITS ARE REQUIRED FOR ALL RETAINING WALLS 4 FEET IN HEIGHT OR GREATER AND THE WALLS SHALL BE DESIGNED BY A STRUCTURAL ENGINEER WITH DESIGN REVIEWED AND APPROVED BY THE CITY PRIOR TO INSTALLATION. ANY QUESTIONS REGARDING THE BUILDING PERMITS SHALL BE DIRECTED TO THE CITY BUILDING INSPECTOR.
4. INSTALL SAFETY RAILING ATOP ALL WALLS WHERE REQUIRED BY CODE.
5. RETAINING WALL CONTRACTOR AND/OR RETAINING WALL STRUCTURAL ENGINEER ARE RESPONSIBLE TO REVIEW CIVIL SITE ENGINEERING DRAWINGS. ANY OBSERVED CONCERNS WITH CIVIL SITE ENGINEERING DESIGN ELEMENTS RELATED TO RETAINING WALLS THAT REQUIRE MODIFICATION TO THE CIVIL SITE DESIGN IS THEIR RESPONSIBILITY TO COORDINATE WITH PROJECT OWNER AND CIVIL SITE ENGINEER. IF NO COORDINATION IS REQUESTED IT SHALL BE UNDERSTOOD THAT ALL CONDITIONS WITHIN THE CIVIL SITE DESIGN AND PLANS ARE ACCEPTABLE AND ABLE TO BE PROVIDED FOR IN THE RETAINING WALL DESIGN AND CONSTRUCTION.
6. RETAINING WALLS ARE TO BE FINAL DESIGNED AND PERMITTED BY OTHERS.

**GRADING LEGEND:**

- - - - - EXISTING CONTOUR
- — — — PROPOSED CONTOUR
- - - - - PROPOSED CR19 AND DALE CONTOUR
- x62.44 x62.44 PROPOSED SPOT ELEVATION
- 1.0% → DIRECTION OF DRAINAGE
- EMERGENCY OVERFLOW ROUTING
- PRE CONSTRUCTION SILT FENCE
- EOF ROUTE
- ▬ RETAINING WALL
- SOIL BORING

**SHEET VIEW KEY MAP:**

NOT TO SCALE



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**PRELIMINARY PLAT SUBMITTAL**  
**GRADING AND DRAINAGE PLAN - OVERVIEW**

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Date \_\_\_\_\_ License No. \_\_\_\_\_

**QUALITY ASSURANCE/CONTROL**

BY	DATE
<b>DATE</b>	<b>ISSUE</b>
12/23/25	CITY/CLIENT REVIEW
01/20/26	BID SET

**PROJECT TEAM DATA**  
DESIGNED: CJW  
DRAWN: LRJ  
PROJECT NO: 223-0113

Drawing name: X:\2023\230113 - Bailey Nursery Property\plan sheets\Preliminary Plat\Woodbury\230113\grad.dwg - Jan 21, 2026 - 12:01pm

FFE: 984'  
GFE: 972'

PRIVATE STREET "A"

CENTURY AVENUE

OUTLOT  
A

BAILEY ROAD

FFE: 992.00

FFE: 994.00

FFE: 996.00

FFE: 998.00

FFE: 987.00

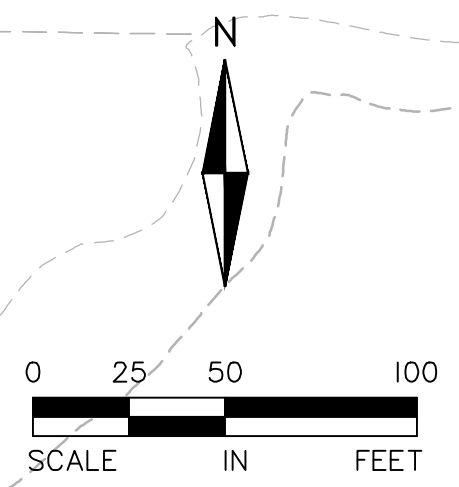
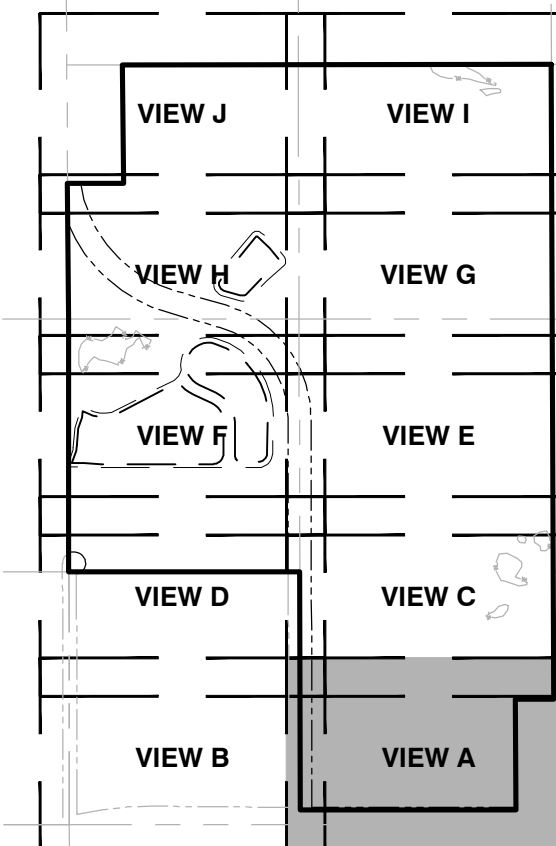
FFE: 990.00

FFE: 990.00

FFE: 992.00

FFE: 996.00

SHEET VIEW KEY MAP:  
NOT TO SCALE



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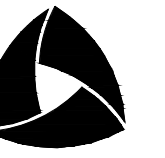
CLARK WICKLUND, PE  
Date \_\_\_\_\_ License No. \_\_\_\_\_

QUALITY ASSURANCE/CONTROL

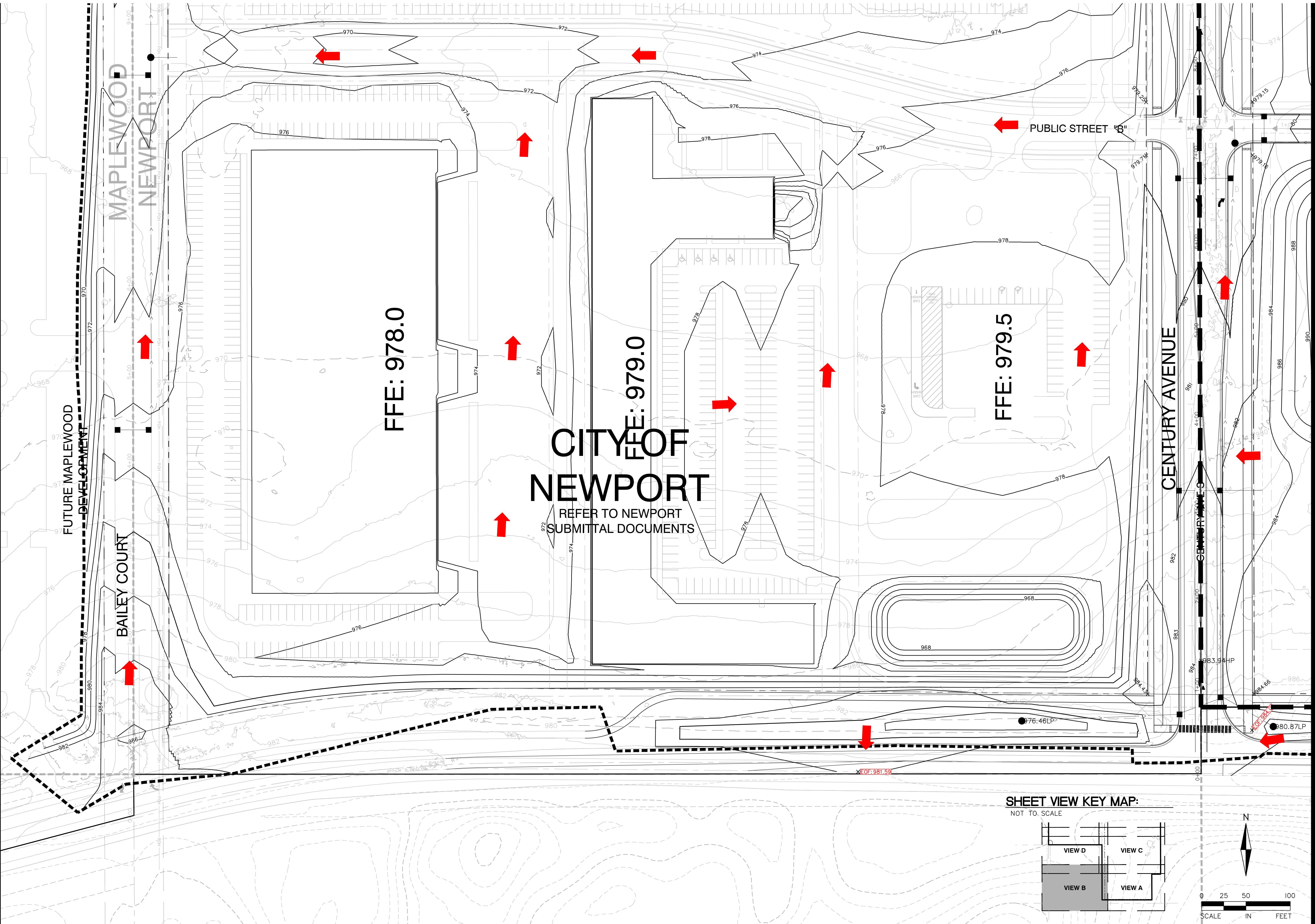
BY	DATE
DATE	ISSUE
12/23/25	CITY/CLIENT REVIEW
01/20/26	BID SET

PROJECT TEAM DATA  
DESIGNED: CJW  
DRAWN: LRJ  
PROJECT NO: 223-0113

Drawing name: X:\2023\230113 - Bailey Nursery Property\plan sheets\Preliminary Plat\Woodbury\230113\road.dwg - Jan 21, 2026 - 12:01pm



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**GRADING AND DRAINAGE PLAN - VIEW B**

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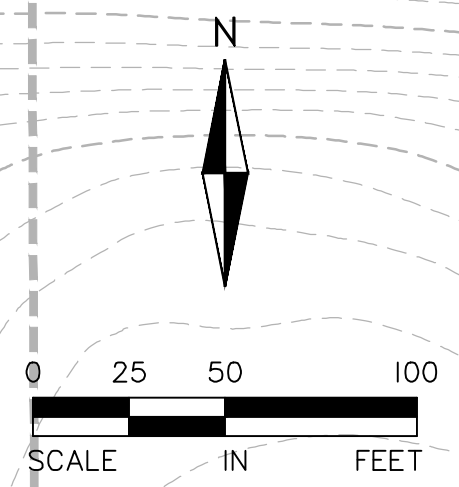
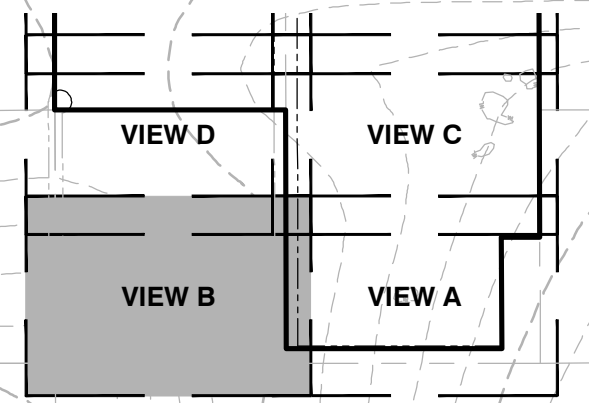
BY	DATE
DATE	ISSUE
12/23/25	CITY/CLIENT REVIEW
01/20/26	BID SET

**PROJECT TEAM DATA**  
DESIGNED: CJW  
DRAWN: LRJ  
PROJECT NO: 223-0113

**35**

SHEET 35 of 97

**SHEET VIEW KEY MAP:**  
NOT TO SCALE



Drawing name: X:\2023\230113 - Bailey Nursery Property\plan\_sheets\Preliminary Plat\Woodbury\230113\grad.dwg - Jan 21, 2026 - 12:01pm

CENTURY AVENUE

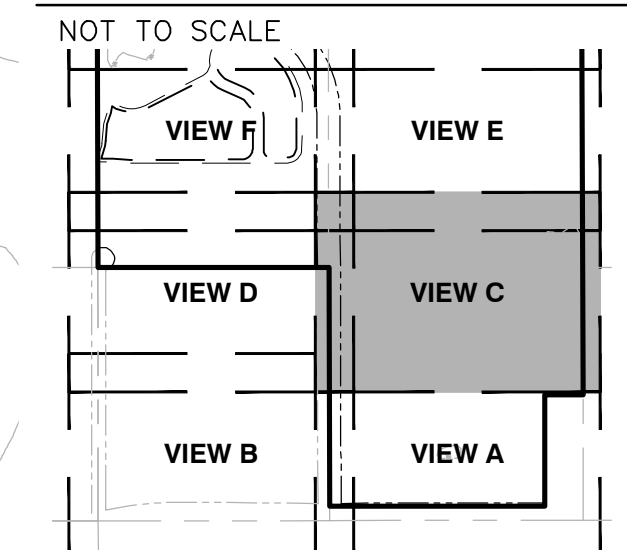
PRIVATE STREET "A"

FFE: 984'  
GFE: 972'

LOT 1  
BLOCK 1

UNDISTURBED

SHEET VIEW KEY MAP:



0 25 50 100  
SCALE IN FEET



BAILEY WEST

WOODBURY, MINNESOTA

PRELIMINARY PLAT SUBMITTAL

GRADING AND DRAINAGE PLAN - VIEW C

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Date License No.

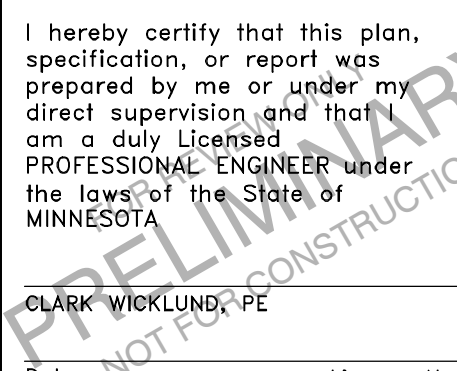
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BY	DATE
DATE	ISSUE
12/23/25	CITY/CLIENT REVIEW
01/20/26	BID SET

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DRAWN: LRJ  
PROJECT NO: 223-0113

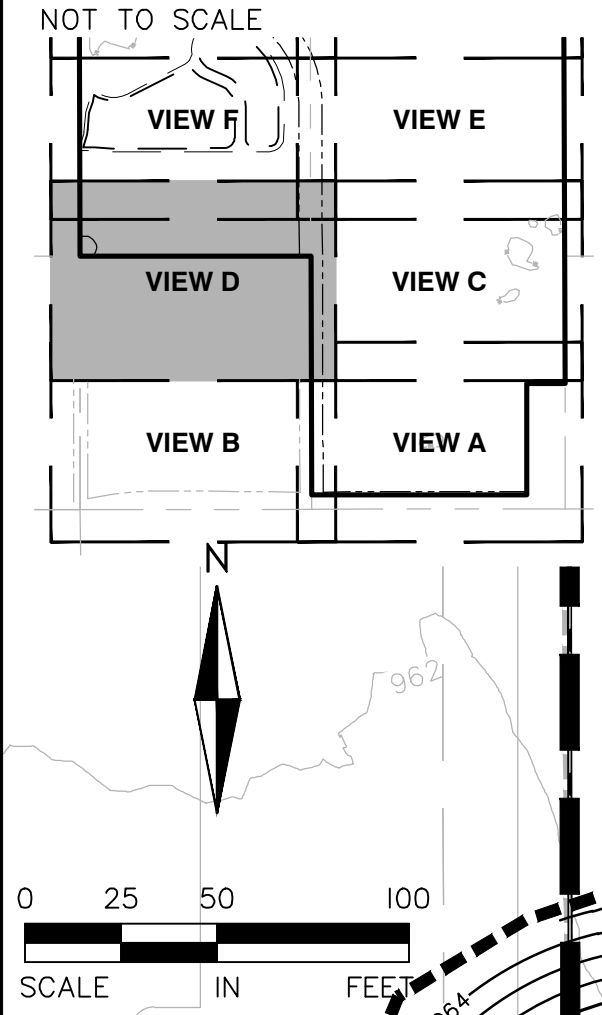
36

SHEET 36 of 97




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**SHEET VIEW KEY MAP:**



**UNDISTURBED**  
FFE: 972.9

WOODBURY  
NEWPORT

**CITY OF  
NEWPORT**  
REFER TO NEWPORT  
SUBMITTAL DOCUMENTS  
FFE: 975.0

FUTURE MAPLEWOOD  
DEVELOPMENT

BAILEY COURT

CENTURY AVENUE

PUBLIC STREET "8"

  
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**GRADING AND DRAINAGE PLAN - VIEW D**

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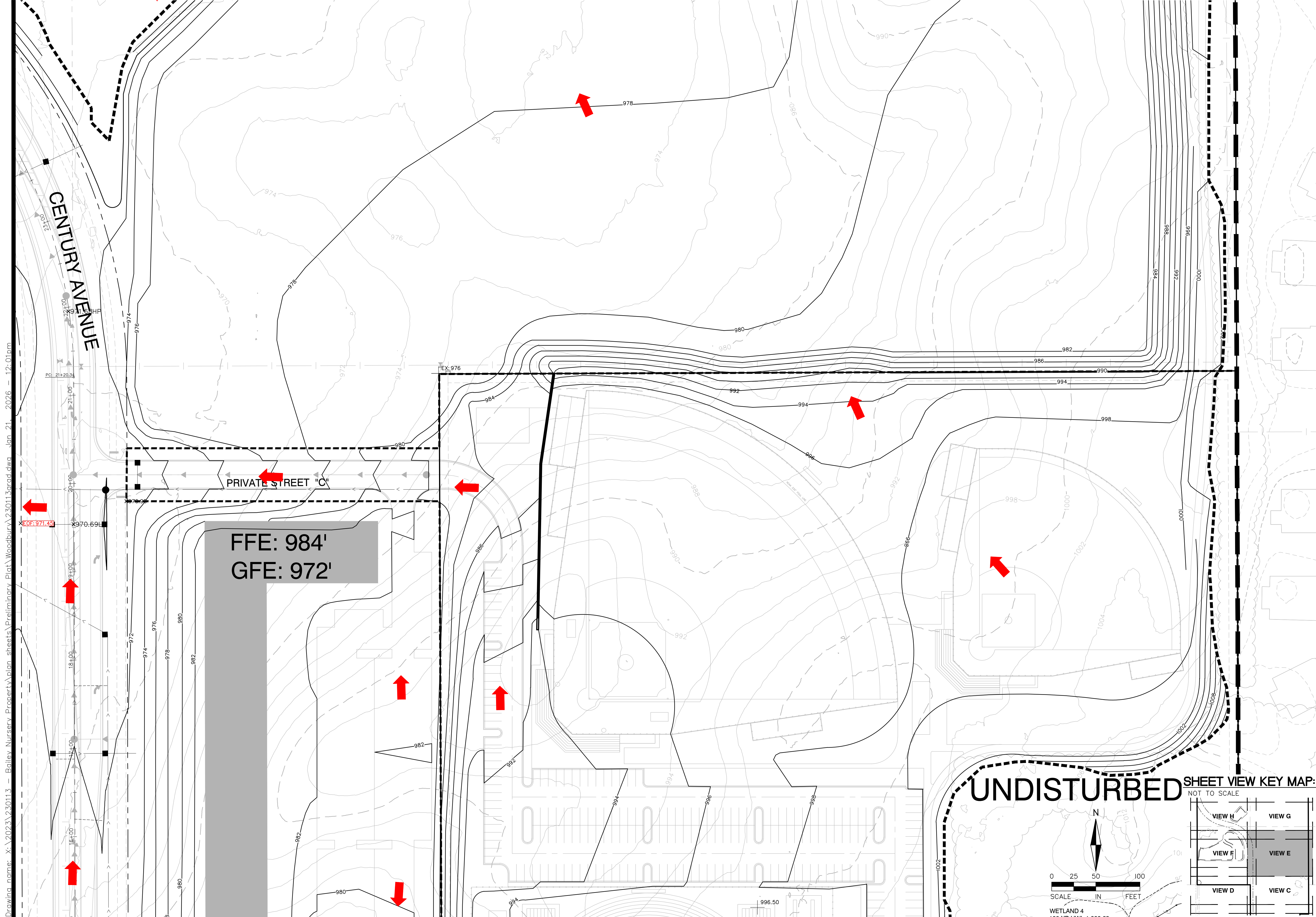
CLARK WICKLUND, PE  
Date \_\_\_\_\_ License No. \_\_\_\_\_

**QUALITY ASSURANCE/CONTROL**

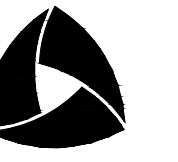
BY	DATE
<b>DATE</b>	<b>ISSUE</b>
12/23/25	CITY/CLIENT REVIEW
01/20/26	BID SET

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DRAWN: LRJ  
PROJECT NO: 223-0113

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Drawing name: X:\2023\230113 - Bailey Nursery Property\plan sheets\Preliminary Plat\Woodbury\230113\grad.dwg - Jan 21, 2026 - 12:01pm



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**GRADING AND DRAINAGE PLAN - VIEW E**

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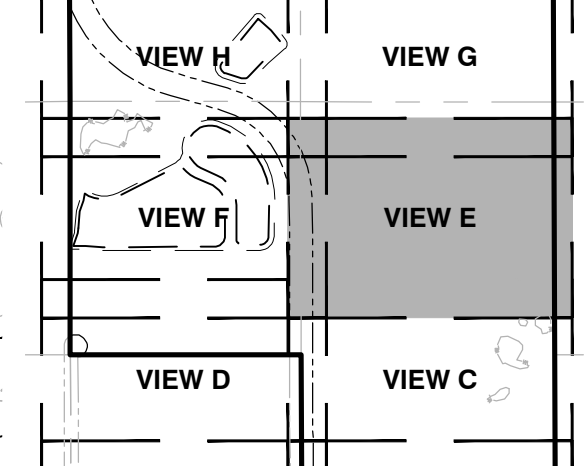
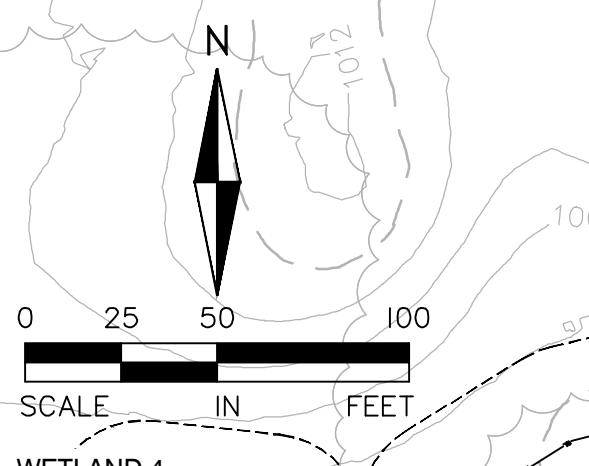
CLARK WICKLUND, PE  
 Date \_\_\_\_\_ License No. \_\_\_\_\_

**QUALITY ASSURANCE/CONTROL**

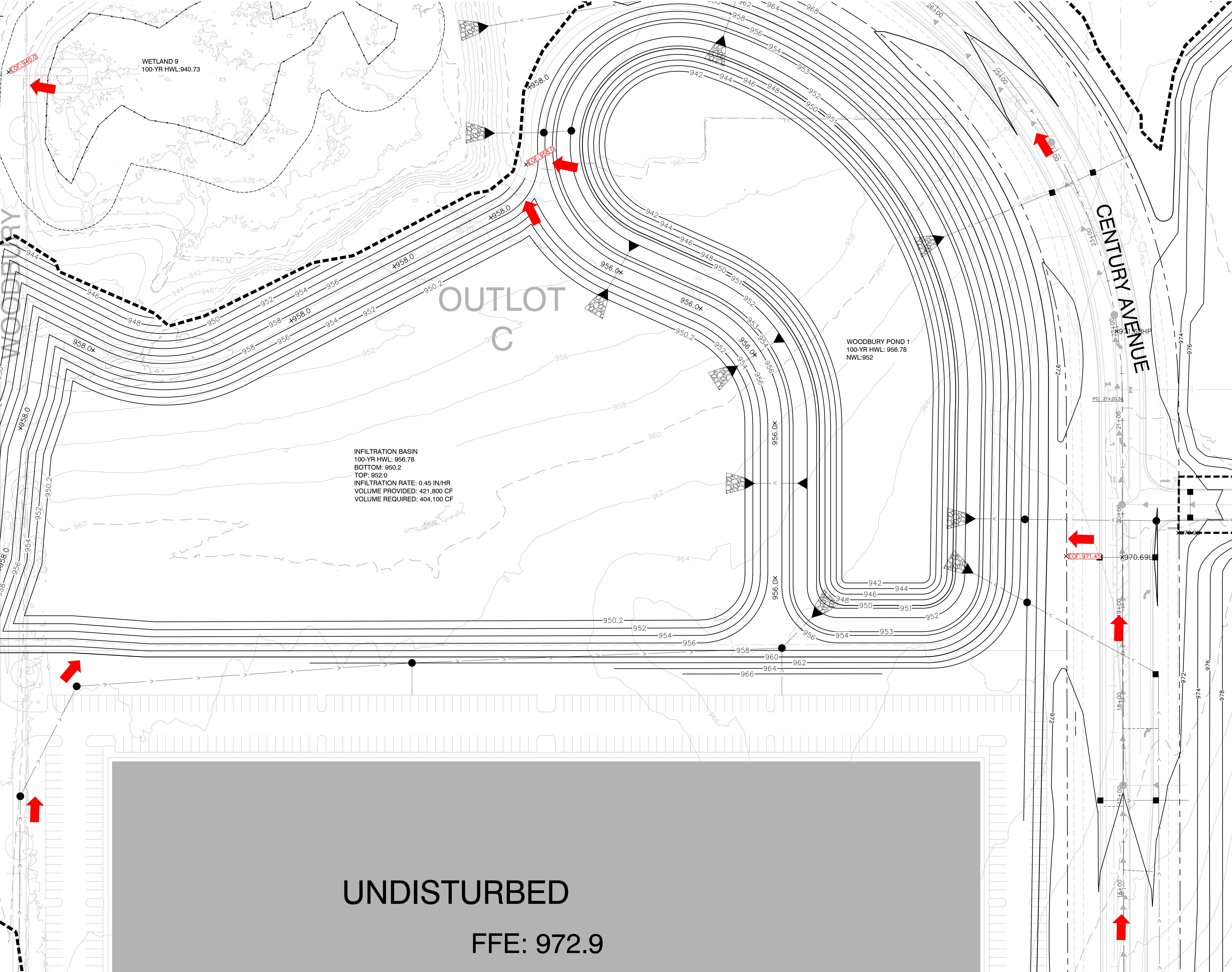
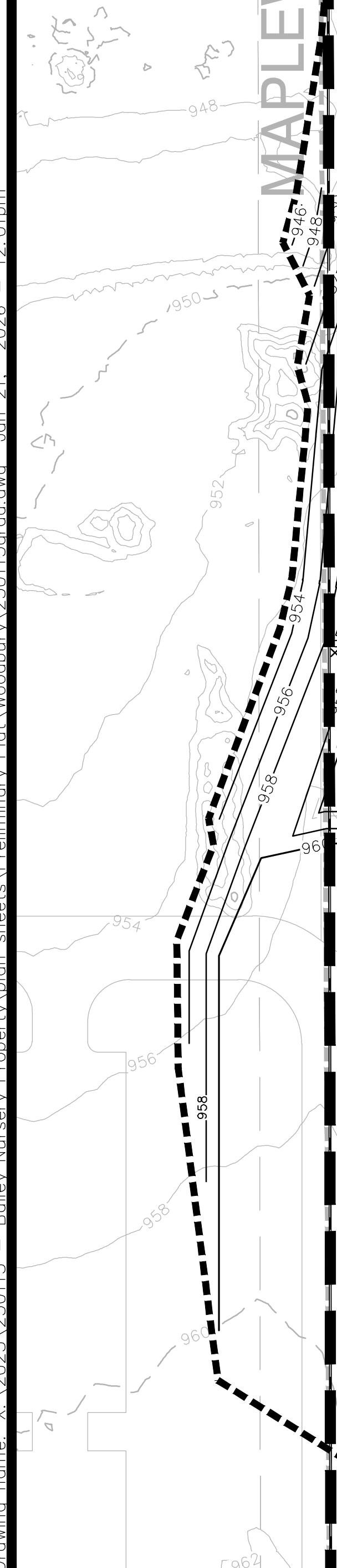
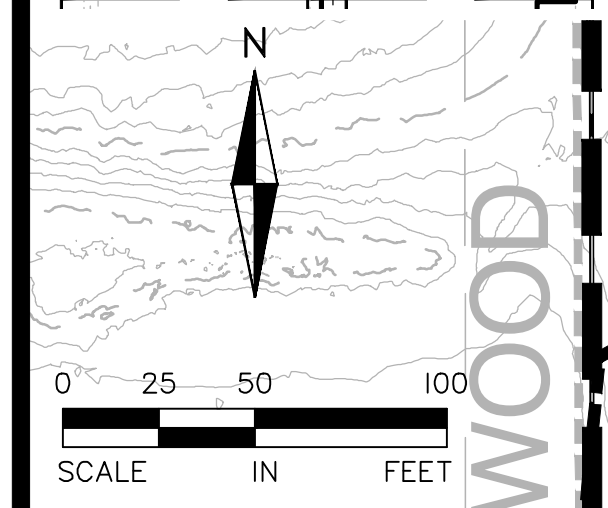
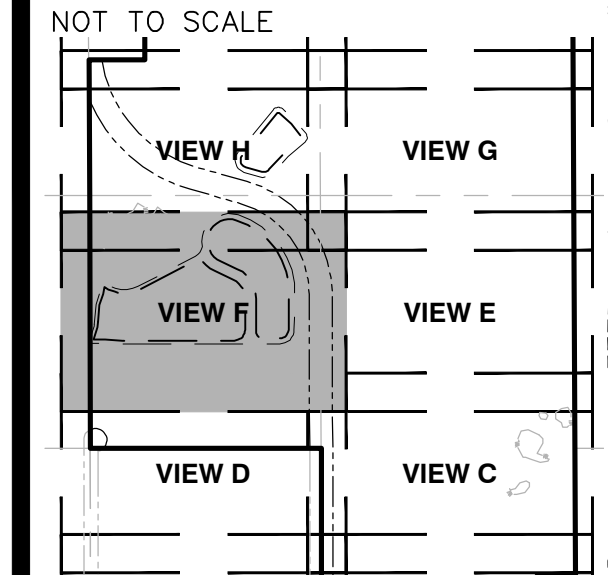
BY	DATE
DATE	ISSUE
12/23/25	CITY/CLIENT REVIEW
01/20/26	BID SET

**PROJECT TEAM DATA**  
 DESIGNED: CJW  
 DRAWN: LRJ  
 PROJECT NO: 223-0113

**UNDISTURBED** SHEET VIEW KEY MAP:  
 NOT TO SCALE



**SHEET VIEW KEY MAP:**



**UNDISTURBED**  
FFE: 972.9

INFILTRATION BASIN  
100-YR HWL: 956.78  
BOTTOM: 950.2  
TOP: 952.0  
INFILTRATION RATE: 0.45 IN/HR  
VOLUME PROVIDED: 421,800 CF  
VOLUME REQUIRED: 404,100 CF

WETLAND 9  
100-YR HWL: 940.73

WOODBURY POND 1  
100-YR HWL: 956.78  
NWL: 952

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**GRADING AND DRAINAGE PLAN - VIEW F**

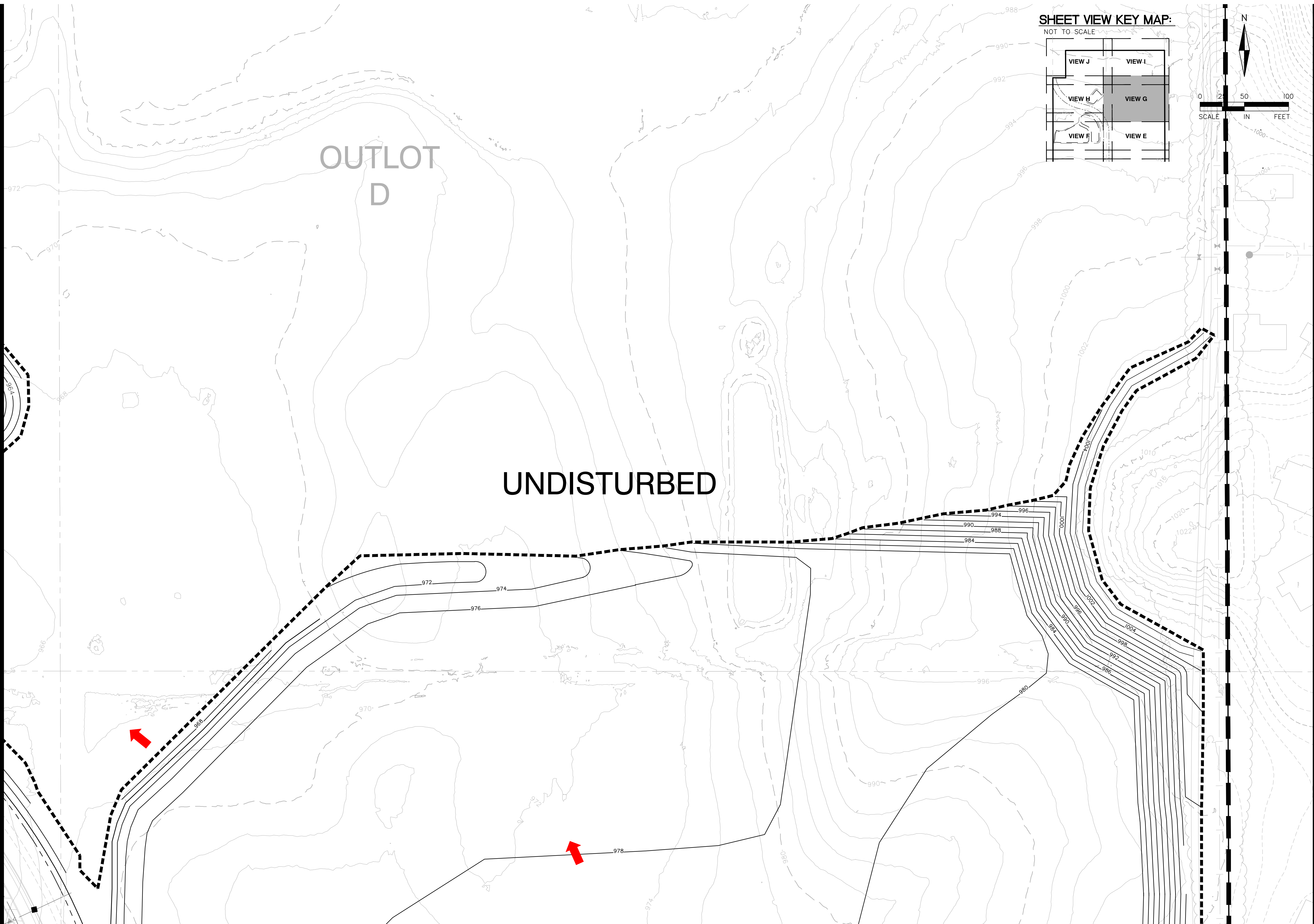
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QUALITY ASSURANCE/CONTROL	
BY	DATE
DATE	ISSUE
12/23/25	CITY/CLIENT REVIEW
01/20/26	BID SET

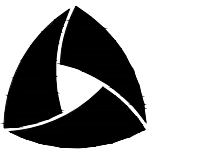
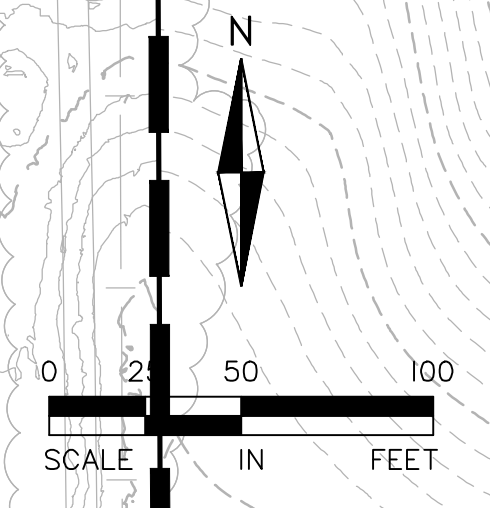
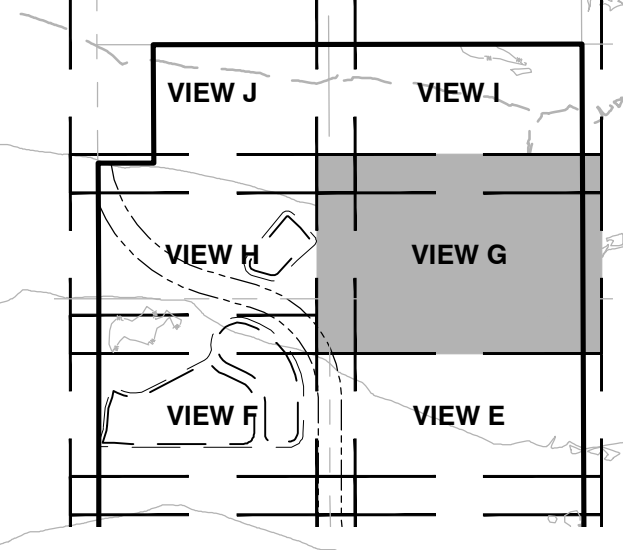
PROJECT TEAM DATA  
DESIGNED: CJW  
DRAWN: LRJ  
PROJECT NO: 223-0113

Drawing name: X:\2023\230113 - Bailey Nursery Property\plan sheets\Preliminary Plat\Woodbury\230113rad.dwg - Jan 21, 2026 - 12:01pm



**SHEET VIEW KEY MAP:**

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**GRADING AND DRAINAGE PLAN - VIEW G**

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BY	DATE
DATE	ISSUE
12/23/25	CITY/CLIENT REVIEW
01/20/26	BID SET

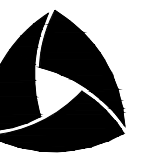
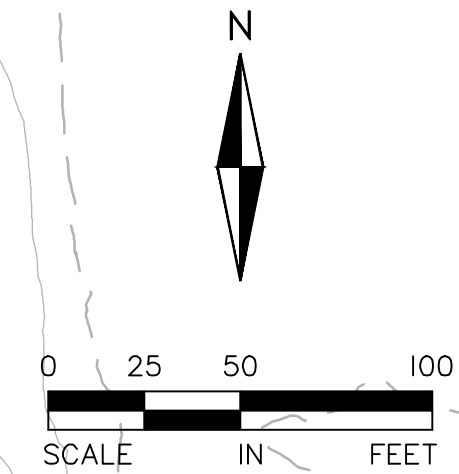
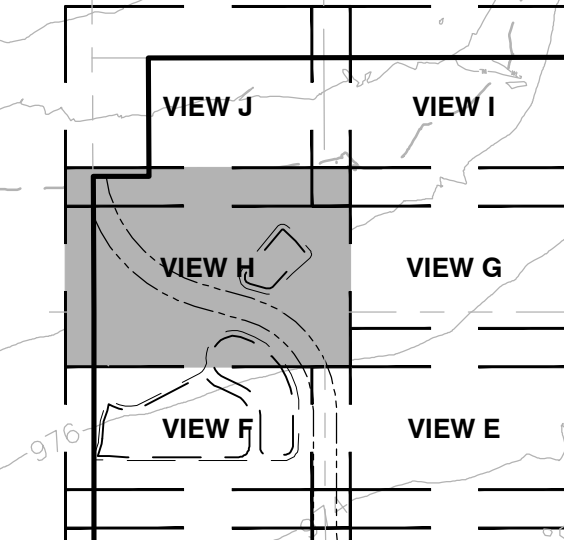
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DESIGNED: CJW  
DRAWN: LRJ  
PROJECT NO: 223-0113

**40**

Drawing name: X:\2023\230113 - Bailey Nursery Property\plan sheets\Preliminary Plat\Woodbury\230113\grad.dwg - Jan 21, 2026 - 12:01pm

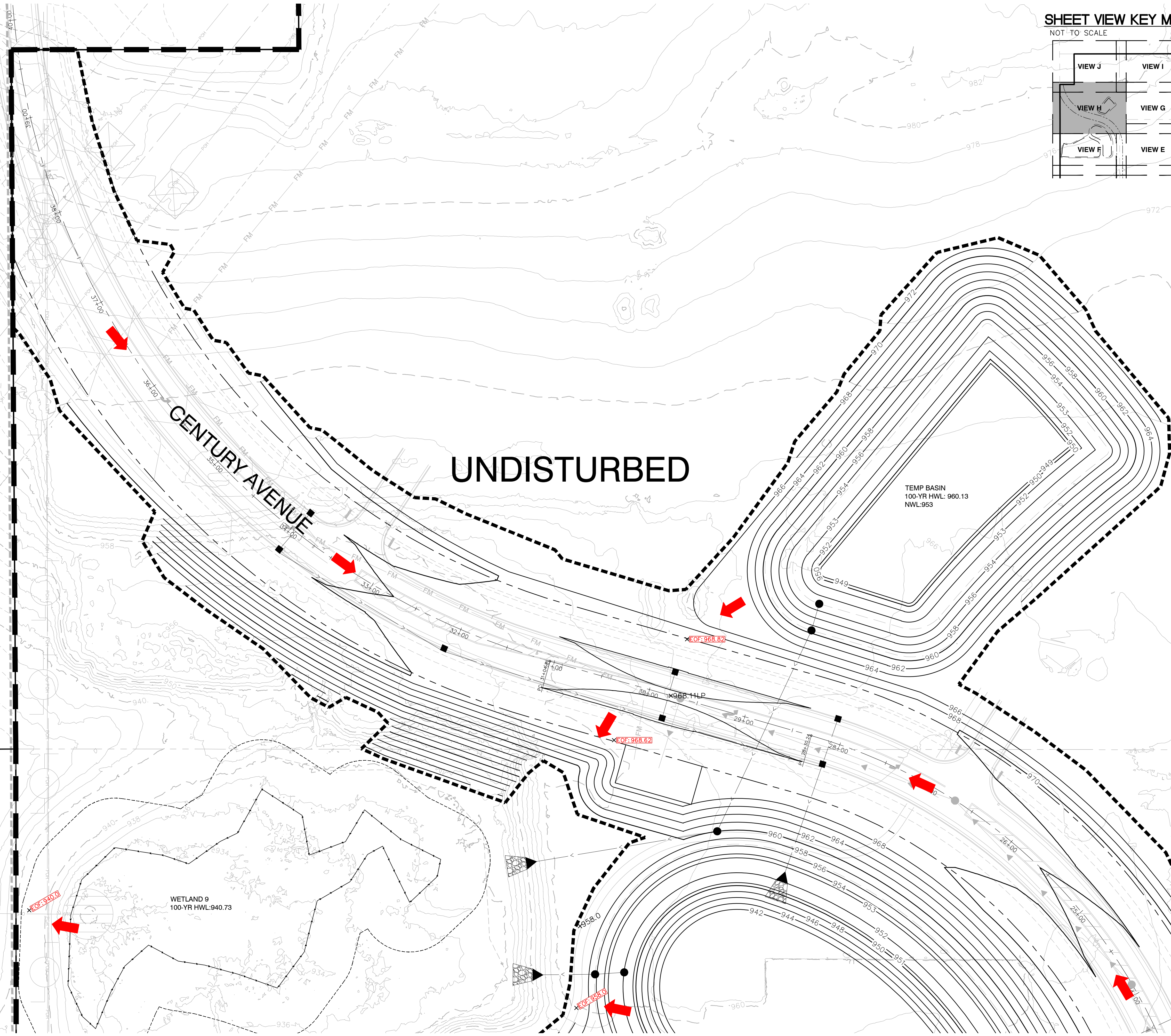
SHEET VIEW KEY MAP:

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GRADING AND DRAINAGE PLAN - VIEW H

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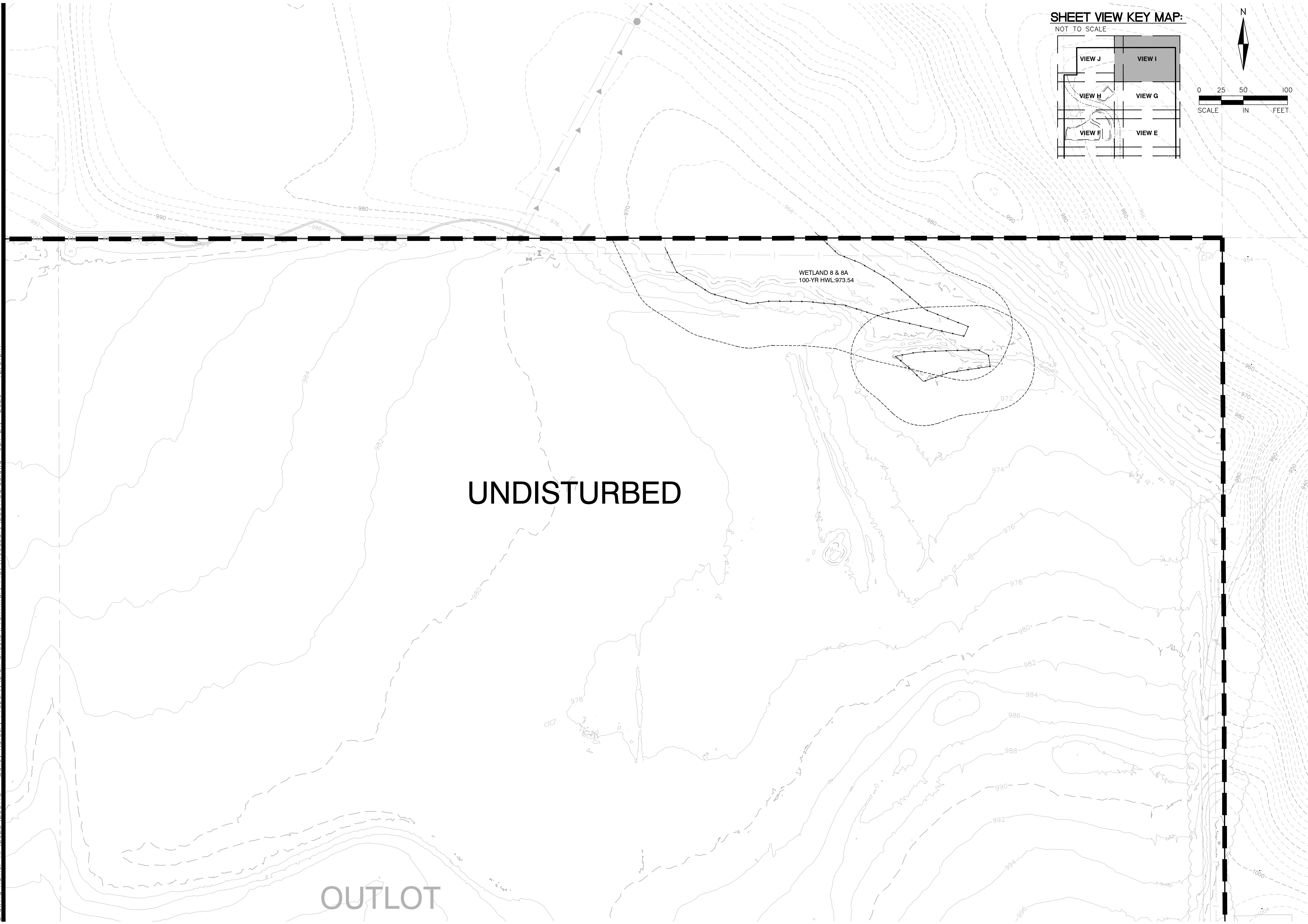
QUALITY ASSURANCE/CONTROL

BY	DATE
DATE	ISSUE
12/23/25	CITY/CLIENT REVIEW
01/20/26	BID SET

PROJECT TEAM DATA  
DESIGNED: CJW  
DRAWN: LRJ  
PROJECT NO: 223-0113

41

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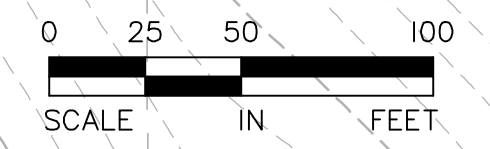
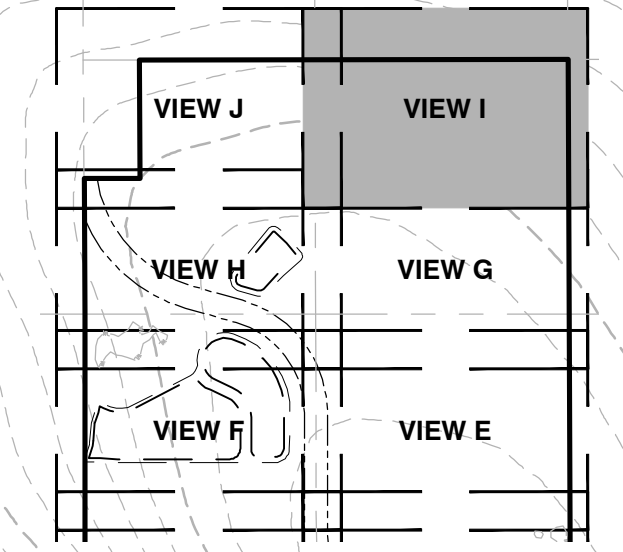


UNDISTURBED

OUTLOT

**SHEET VIEW KEY MAP:**

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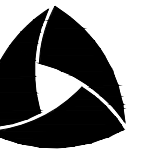
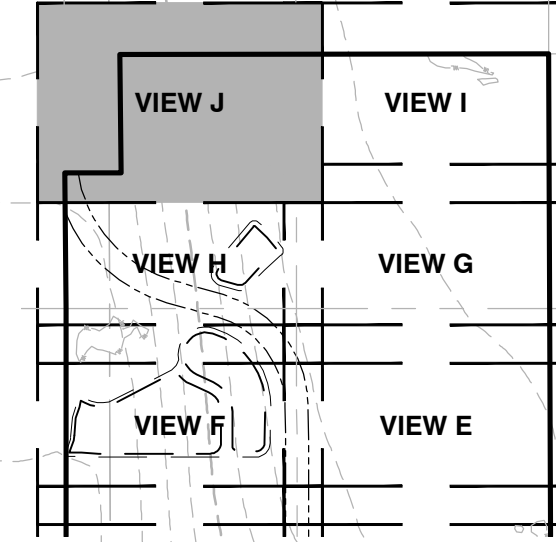
**QUALITY ASSURANCE/CONTROL**

BY	DATE
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12/23/25	CITY/CLIENT REVIEW
01/20/26	BID SET

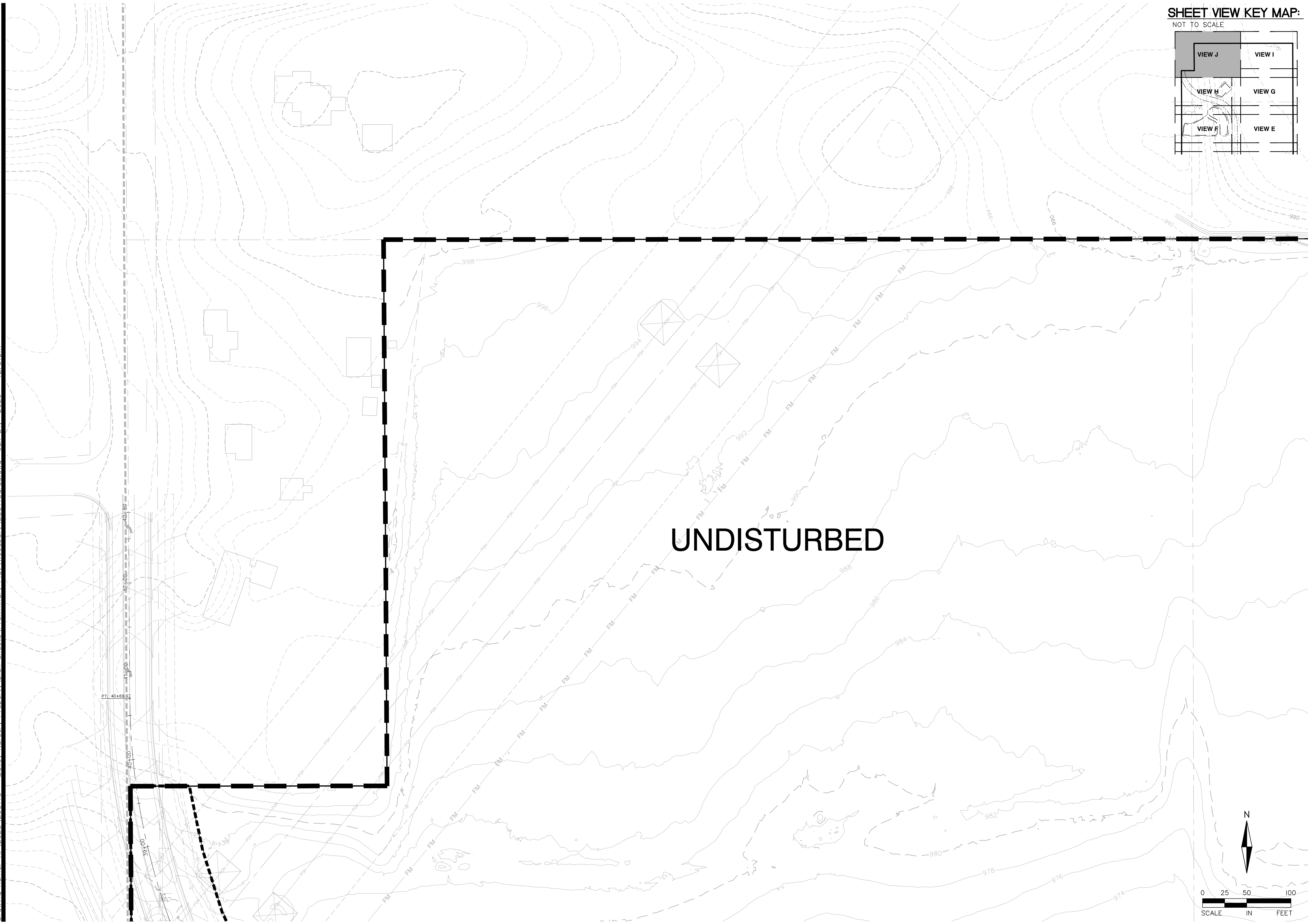
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**PRELIMINARY PLAT SUBMITTAL**  
**GRADING AND DRAINAGE PLAN - VIEW J**

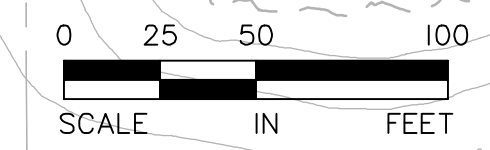
I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly licensed PROFESSIONAL ENGINEER under the laws of the State of MINNESOTA

CLARK WICKLUND, PE  
Date \_\_\_\_\_ License No. \_\_\_\_\_

**QUALITY ASSURANCE/CONTROL**

BY	DATE
DATE	ISSUE
12/23/25	CITY/CLIENT REVIEW
01/20/26	BID SET

**PROJECT TEAM DATA**  
DESIGNED: CJW  
DRAWN: LRJ  
PROJECT NO: 223-0113



**Bailey West, Newport & Woodbury, MN**  
**Wetland Replacement Plan and No Loss Application**  
**Appendix C – Wetland 1/1a Historic Information**



# KJOLHAUG ENVIRONMENTAL SERVICES

*Providing Sound, Balanced, Comprehensive Natural Resource Solutions*

## Memorandum

**Date:** March 18, 2026

**To:** Jay Riggs, for South Washington Watershed District (WCA LGU)

**From:** Melissa Barrett, Kjolhaug Environmental Services (KES)

**Re:** Wetland 1/1a Incidental/No Loss Application  
Bailey Nursery, Newport (KES# 2026-026)

---

Historic conditions within and immediately surrounding Wetland 1/1a within the Bailey Nursery site were investigated by Kjolhaug Environmental Services (KES). The review area is located in PID 1902821330001, Section 19, Township 28N, Range 21W, City of Newport, Washington County, Minnesota.

The review area currently consists of a large, open water basin delineated as wetland in 2021. The 2021 delineation report noted that Wetland 1/1a was excavated, and that an irrigation well/pump was present along the west wetland boundary.

### **Review of NWI, Soils, DNR, and NHD Information**

The MN DNR National Wetlands Inventory (NWI) Update (Minnesota Geospatial Commons ~2019 and U.S. Fish and Wildlife Service) showed one PUBGx wetland within the review area (see Figure 3 of previously submitted delineation report).

The Soil Survey (USDA NRCS 2015) showed Auburndale silt loam, 0 to 2 percent slopes as the hydric soil type (predominantly hydric) mapped within the review area (see Figure 4 of previously submitted delineation report).

The Minnesota DNR Public Waters Inventory (Minnesota Department of Natural Resources 2015) did not show any DNR Public Waters, Wetlands, or Watercourses within the review area (see Figure 5 of previously submitted delineation report).

The National Hydrography Dataset (U.S. Geological Survey 2015) did not show any surface water features within the review area (see Figure 6 of previously submitted delineation report).

### **Historic Photos**

Available historic photos from the MHAPO website, and available MnGeo FSA photos from the 1980s and beyond (**attached**) were reviewed to determine the extent of existing wetland within the area of Wetland 1/1a right before/at the time when the area was excavated and converted to an irrigation pond for landscape nursery production purposes.

Photos indicate that the area within and around current/existing Wetland 1/1a may have contained some wetland area/s. However, no repeated or consistent observations of inundation or wetland plant communities are visible. The area of potential historic wetland appears to have been confined to two separate, isolated depressional areas as shown on the 1980 FSA photo. Existing wetland currently present outside of the 1980 wetland area was therefore created within upland at the time it was excavated and is therefore incidental.

Additionally, prior to excavation and inundation with irrigation water, the remaining area of historic wetland (Wetland 1a) was likely a wet meadow wetland (with possibly a very small central area of shallow marsh) surrounded by ~75 to ~150 foot natural area (natural buffer) which would have significantly contributed to its function/value. Because the biological diversity of the historic wetland has been significantly negatively altered from historic conditions through excavation and removal of naturalized buffer (plus impoundment and drawdown of water annually since the early 1980's, along with sediment input and periodic removal), the historic wetland's quality and biological diversity was previously impacted in the 1980's (pre-WCA).



Based on this assessment, it is our determination that: (1) a portion of existing Wetland 1a (0.2501-ac) was impacted prior to WCA, and (2) the remaining portion of existing Wetland 1 (1.41-ac) was created in upland for landscape nursery purposes and is incidental. Therefore, no part of existing Wetland 1/1a is currently regulated under WCA.

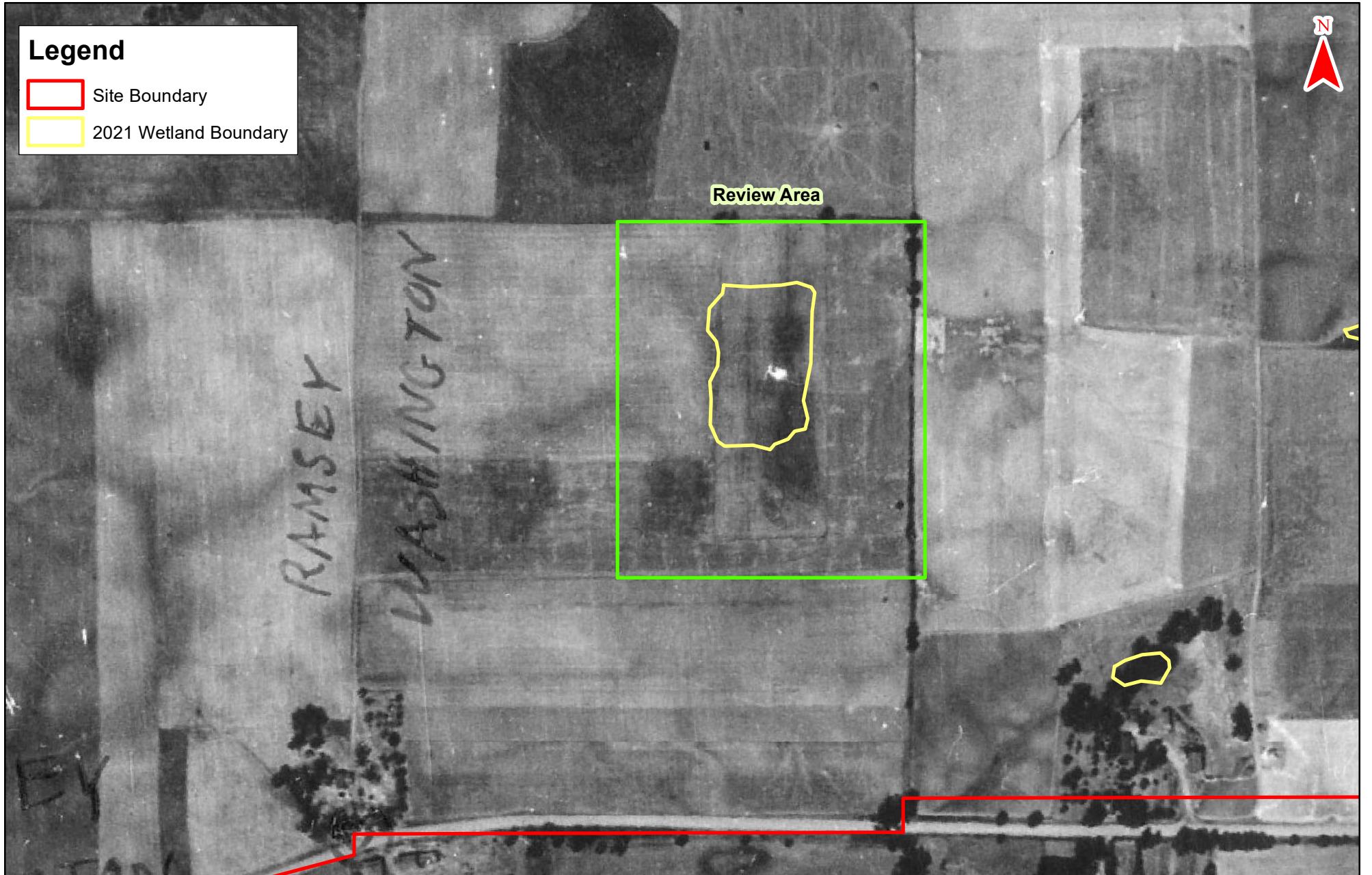
**Requested Approval**

**Attachment B of the RPA/No Loss joint application form** formally requests incidental/No Loss concurrence for **all of existing Wetland 1/1a** from the South Washington Watershed District (WCA LGU) under the Minnesota Wetland Conservation Act (WCA).

Thank you.

**Legend**

-  Site Boundary
-  2021 Wetland Boundary





**7-15-1936 MHAPO Photo**

**Bailey Nursery (KES#2026-025/026)  
Newport, Minnesota**

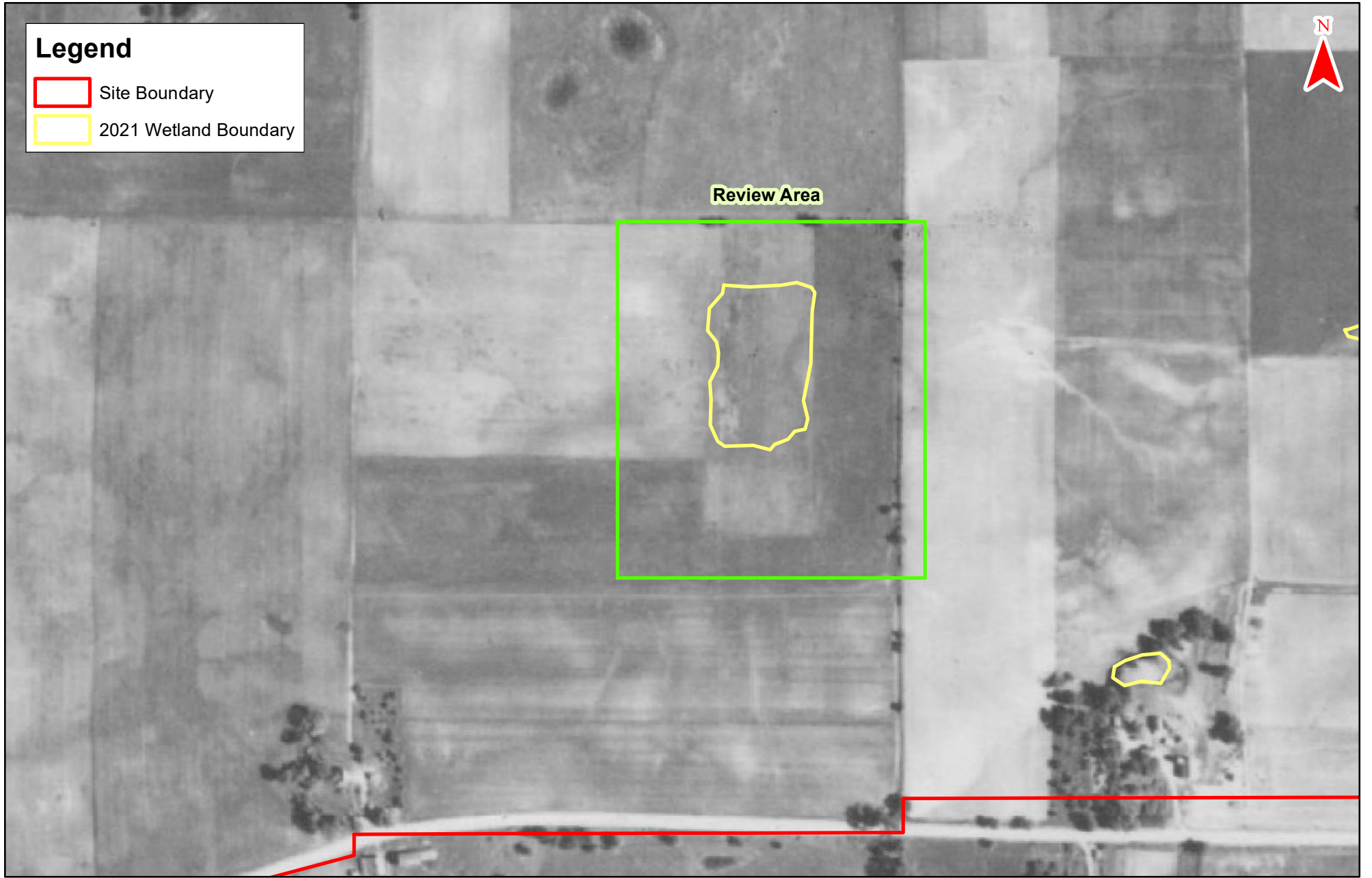
Note: Boundaries indicated on this figure are approximate and do not constitute an official survey product.

**Legend**

-  Site Boundary
-  2021 Wetland Boundary



**Review Area**





**6-25-1940 MHAPO Photo**

**Bailey Nursery (KES#2026-025/026)  
Newport, Minnesota**

Note: Boundaries indicated on this figure are approximate and do not constitute an official survey product.

**Legend**

-  Site Boundary
-  2021 Wetland Boundary



**Review Area**





**1945 (day/mo unknown) MHAPO Photo**

**Bailey Nursery (KES#2026-025/026)  
Newport, Minnesota**

Note: Boundaries indicated on this figure are approximate and do not constitute an official survey product.

**Legend**

-  Site Boundary
-  2021 Wetland Boundary



**Review Area**





**10-14-1953 MHAPO Photo**

**Bailey Nursery (KES#2026-025/026)  
Newport, Minnesota**

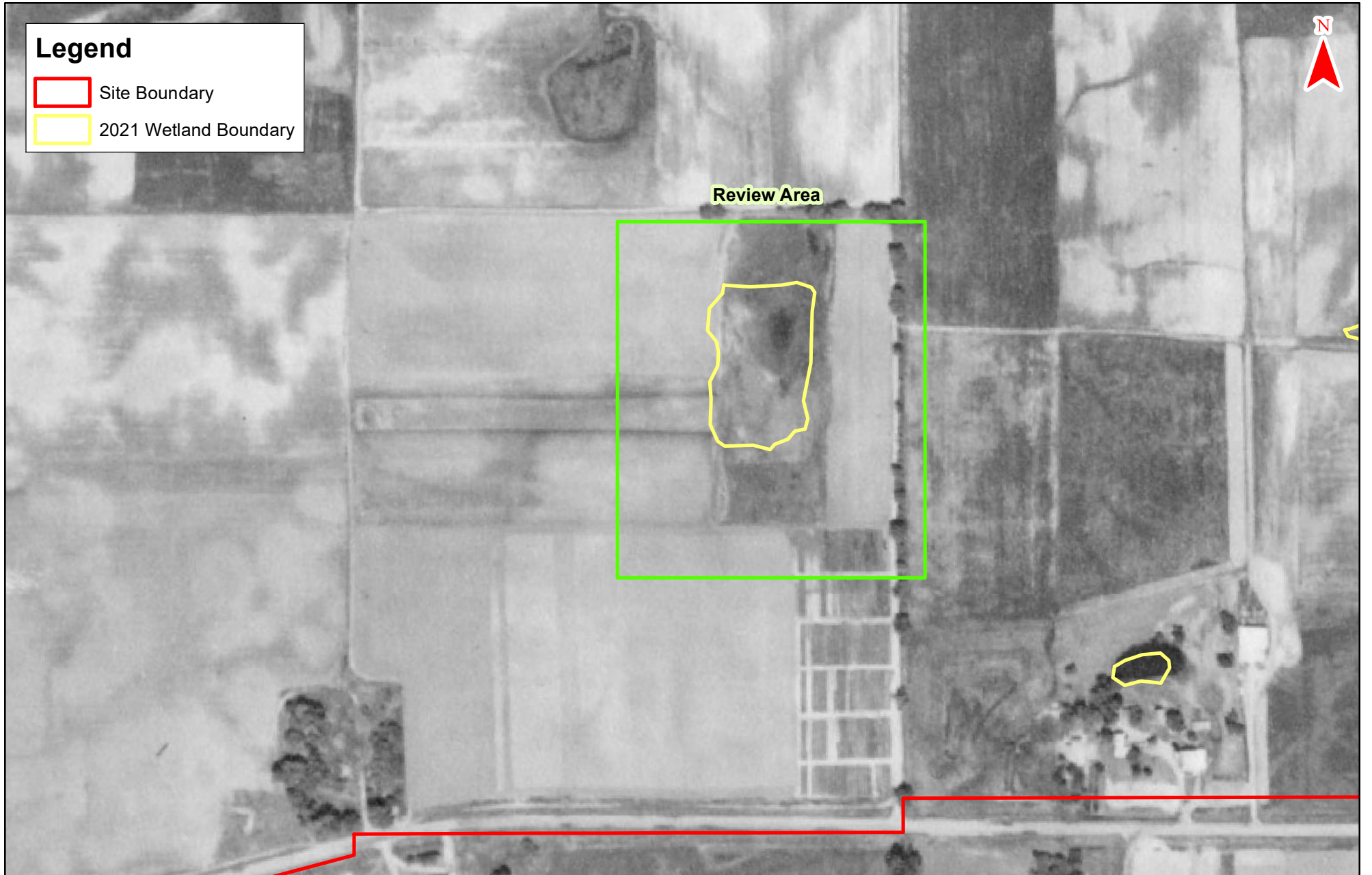
Note: Boundaries indicated on this figure are approximate and do not constitute an official survey product.

**Legend**

-  Site Boundary
-  2021 Wetland Boundary



**Review Area**





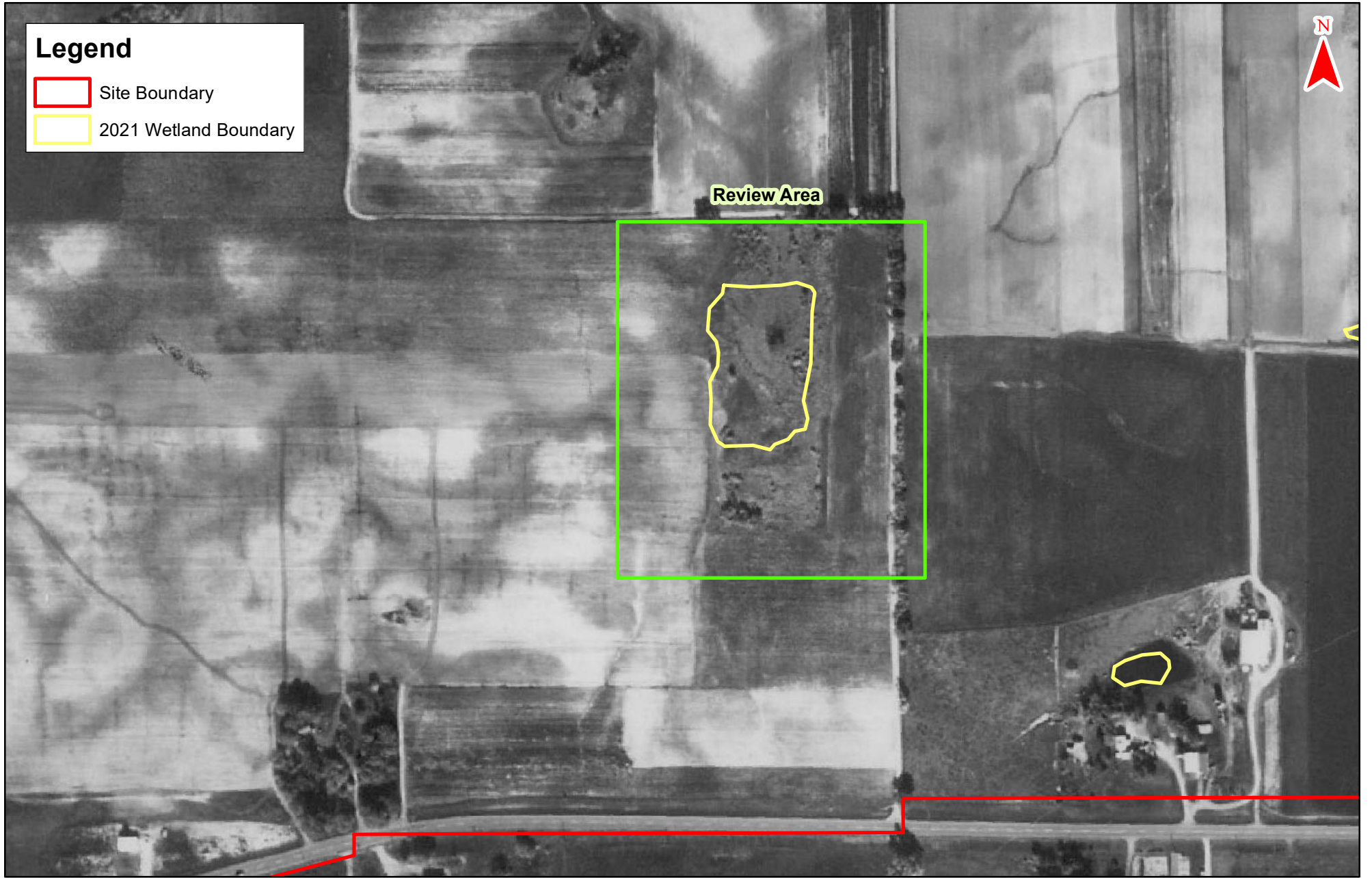
**6-1-1957 MHAPO Photo**

**Bailey Nursery (KES#2026-025/026)  
Newport, Minnesota**

Note: Boundaries indicated on this figure are approximate and do not constitute an official survey product.

**Legend**

-  Site Boundary
-  2021 Wetland Boundary



**10-9-1964 MHAPO Photo**

**Bailey Nursery (KES#2026-025/026)  
Newport, Minnesota**

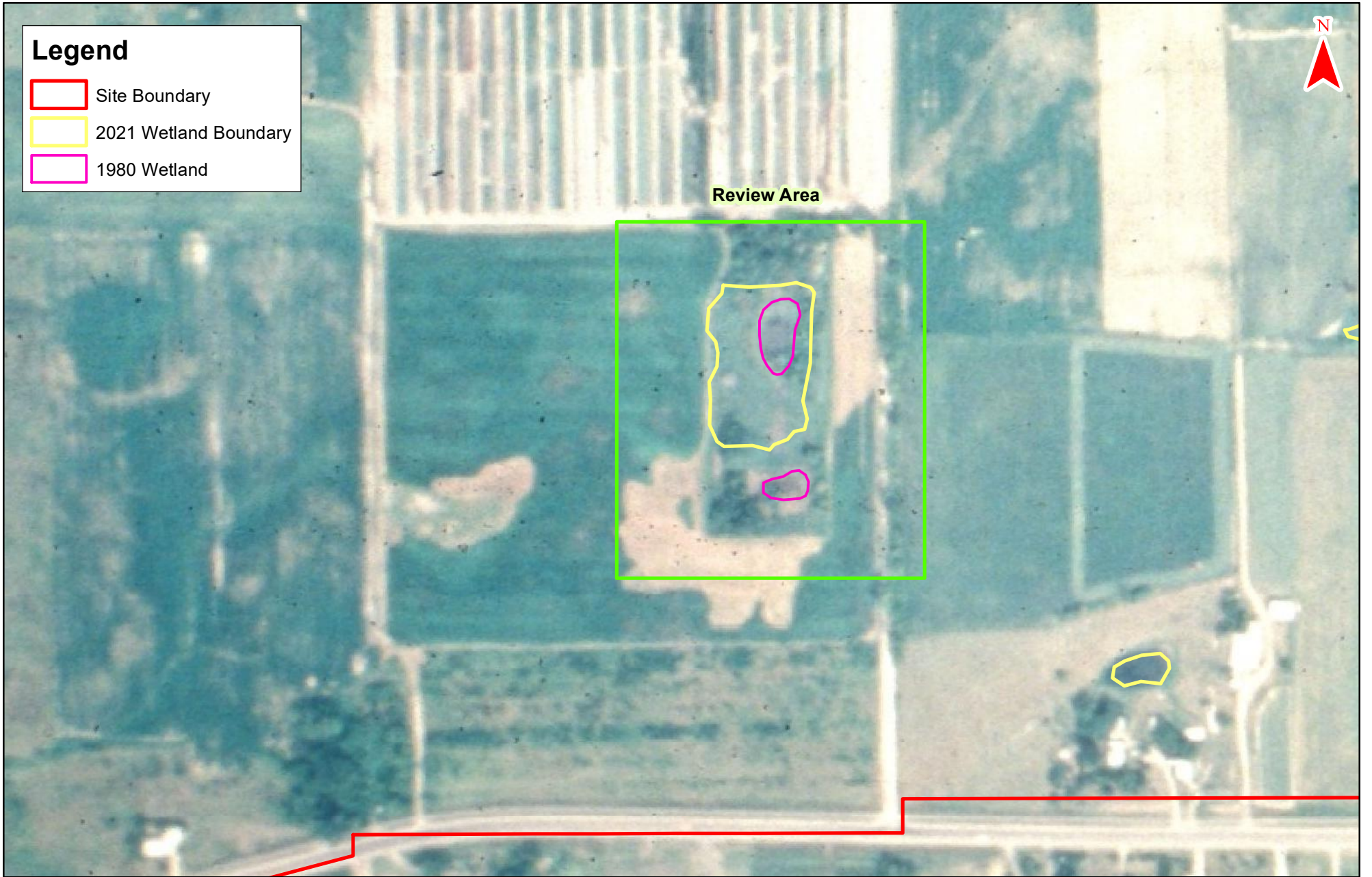
Note: Boundaries indicated on this figure are approximate and do not constitute an official survey product.

**Legend**

- Site Boundary
- 2021 Wetland Boundary
- 1980 Wetland



**Review Area**



**1980 (Assmed date 7-1-1980) FSA Photo**

**Bailey Nursery (KES#2026-025/026)  
Newport, Minnesota**



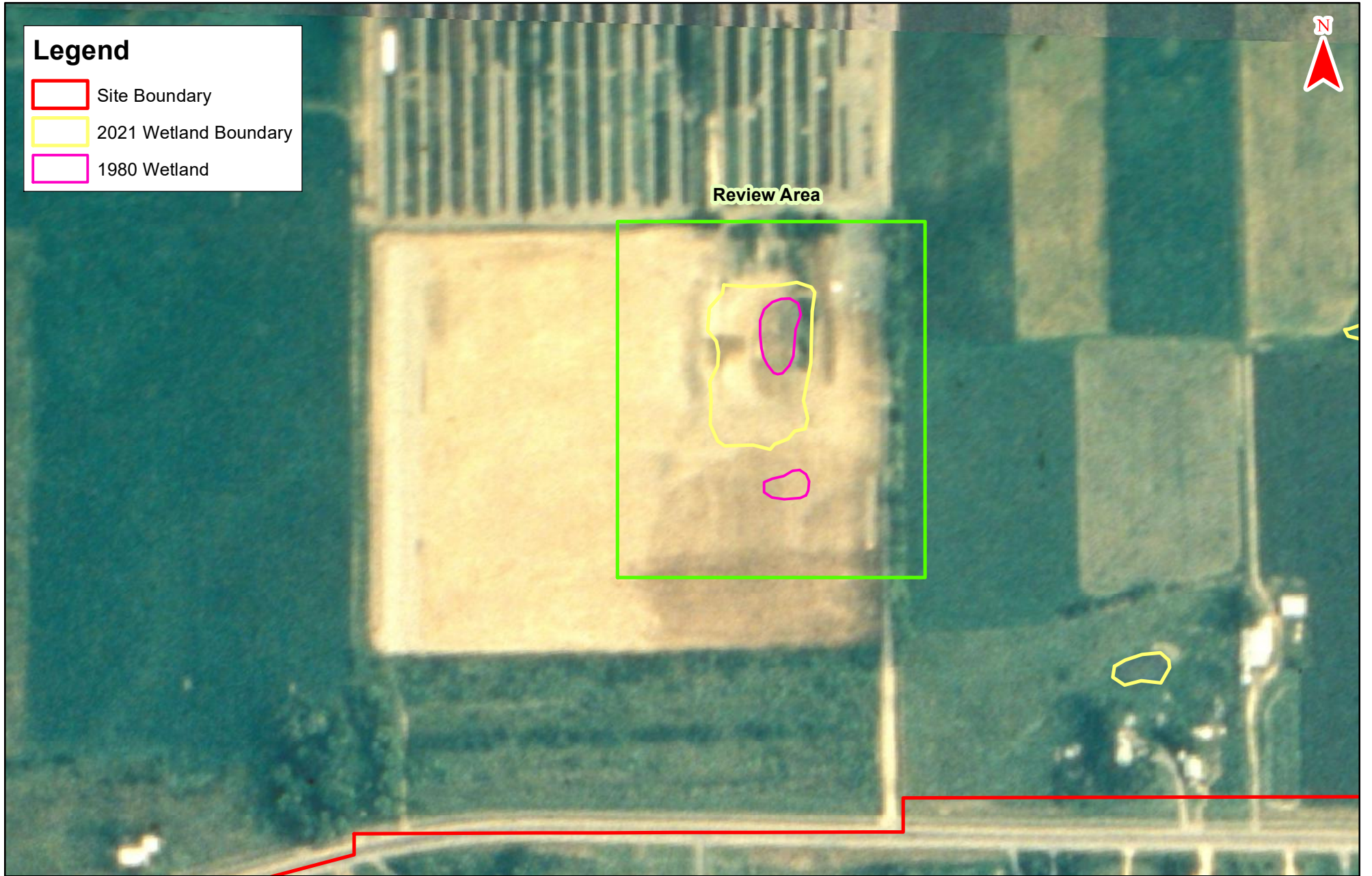
Note: Boundaries indicated on this figure are approximate and do not constitute an official survey product.

**Legend**

- Site Boundary
- 2021 Wetland Boundary
- 1980 Wetland



**Review Area**



**1981 (Assmed date 7-1-1981) FSA Photo**

**Bailey Nursery (KES#2026-025/026)  
Newport, Minnesota**

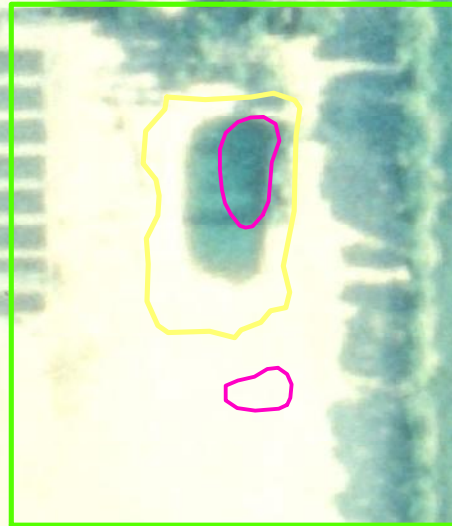
Note: Boundaries indicated on this figure are approximate and do not constitute an official survey product.

# Legend

- Site Boundary
- 2021 Wetland Boundary
- 1980 Wetland



Review Area



**1982 (Assmed date 7-1-1982) FSA Photo**

**Bailey Nursery (KES#2026-025/026)  
Newport, Minnesota**

Note: Boundaries indicated on this figure are approximate and do not constitute an official survey product.

**Legend**

- Site Boundary
- 2021 Wetland Boundary
- 1980 Wetland



Review Area



**1991 (Assmed prior to growing season) USGS Photo**

**Bailey Nursery (KES#2026-025/026)  
Newport, Minnesota**

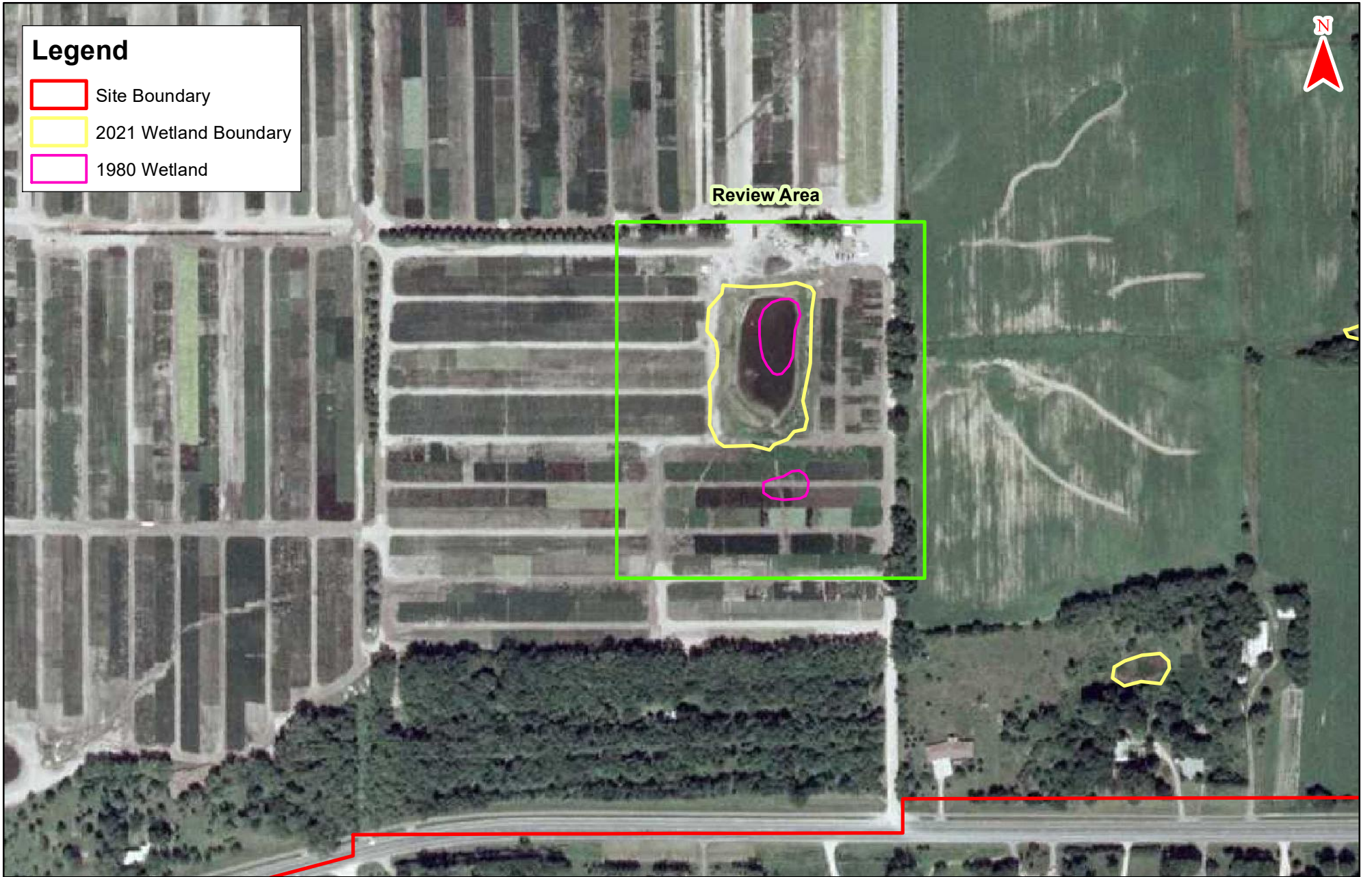
Note: Boundaries indicated on this figure are approximate and do not constitute an official survey product.

**Legend**

- Site Boundary
- 2021 Wetland Boundary
- 1980 Wetland



Review Area



**2003 (7-18-2003) FSA Photo**

**Bailey Nursery (KES#2026-025/026)  
Newport, Minnesota**

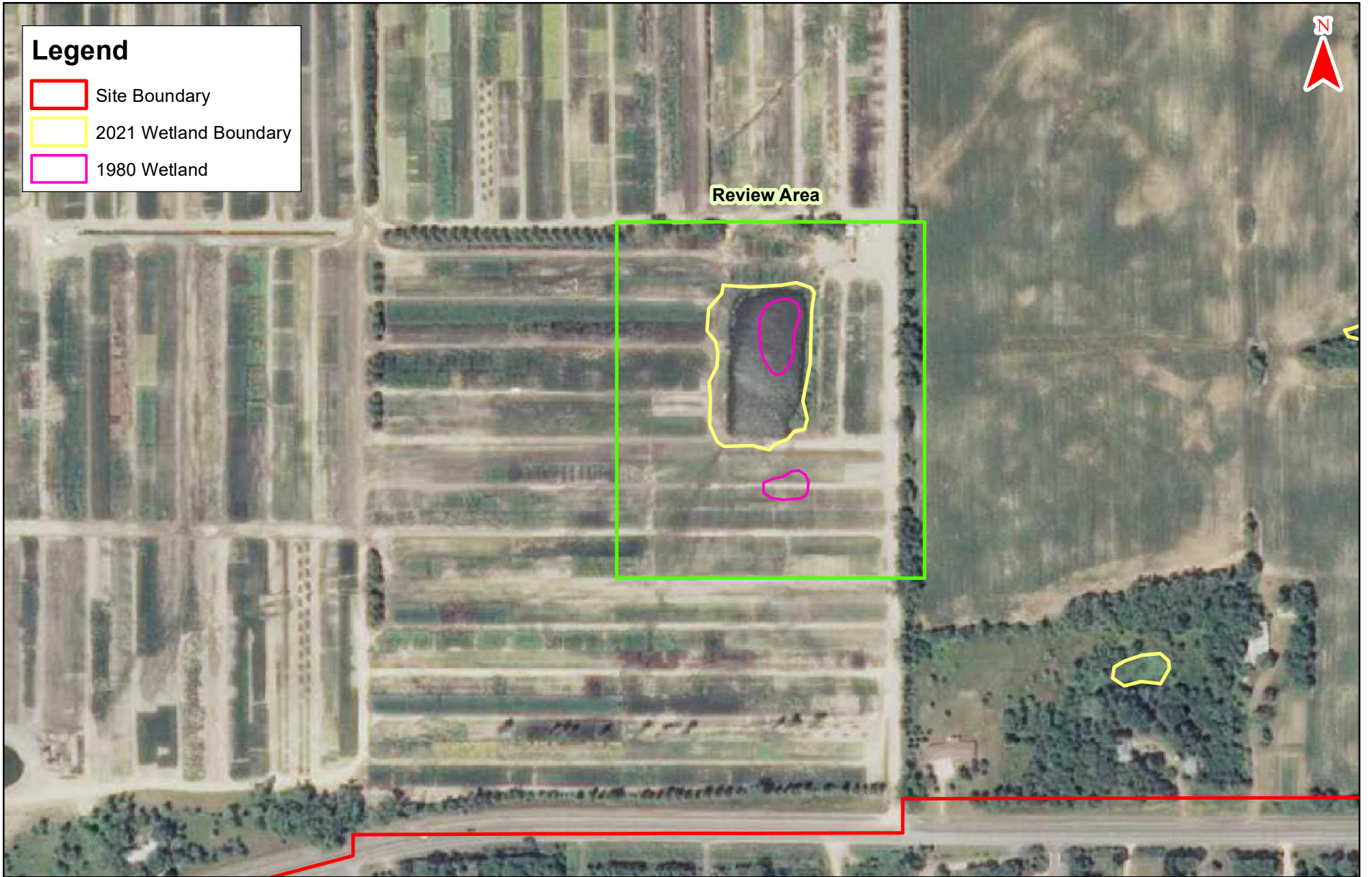
Note: Boundaries indicated on this figure are approximate and do not constitute an official survey product.

# Legend

- Site Boundary
- 2021 Wetland Boundary
- 1980 Wetland



Review Area



**2008 (7-8-2008) FSA Photo**

**Bailey Nursery (KES#2026-025/026)  
Newport, Minnesota**

Note: Boundaries indicated on this figure are approximate and do not constitute an official survey product.

# Legend

- Site Boundary
- 2021 Wetland Boundary
- 1980 Wetland



Review Area



**2021 (6-18-2021) FSA Photo**

**Bailey Nursery (KES#2026-025/026)  
Newport, Minnesota**

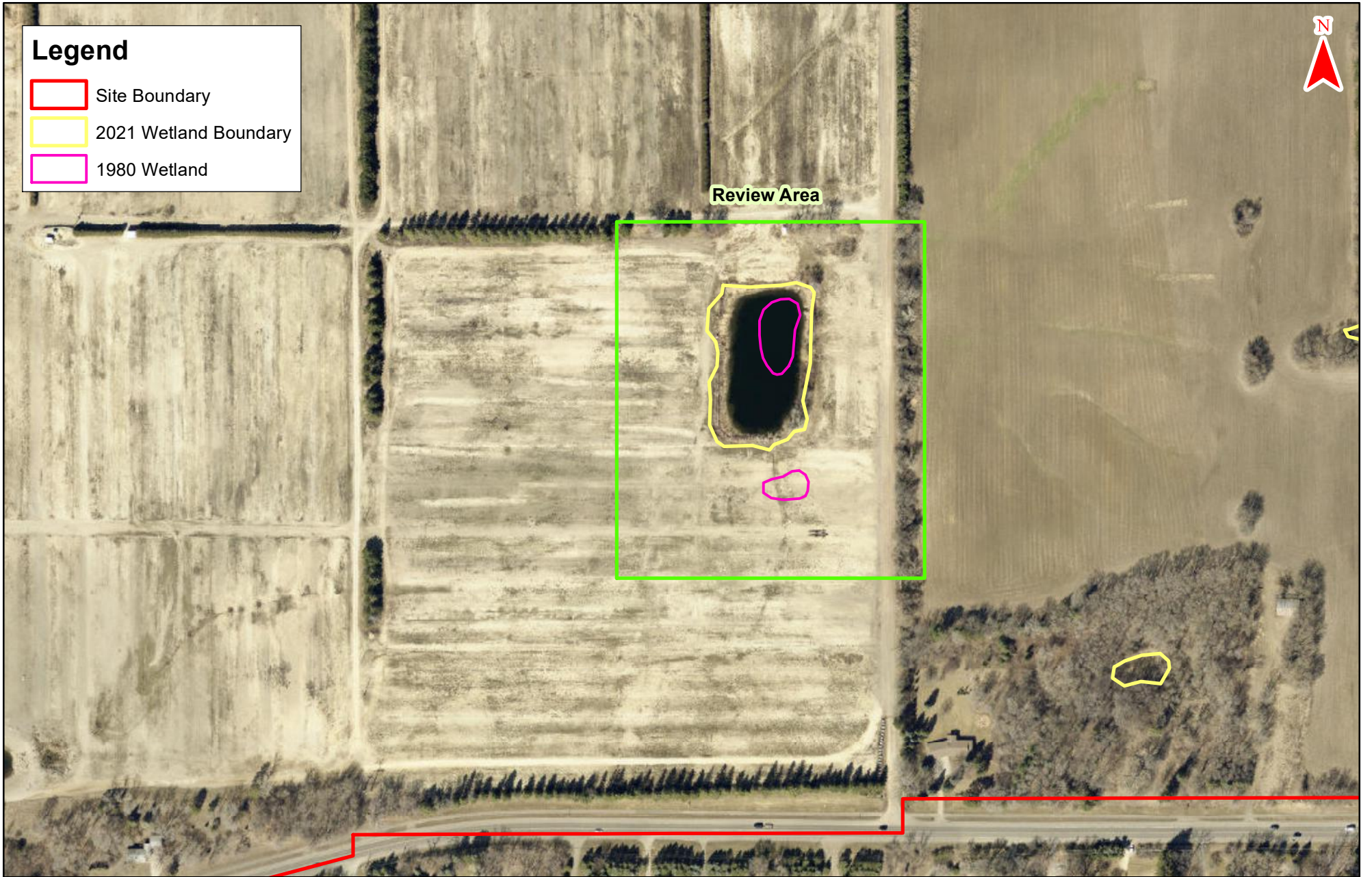
Note: Boundaries indicated on this figure are approximate and do not constitute an official survey product.

**Legend**

- Site Boundary
- 2021 Wetland Boundary
- 1980 Wetland



Review Area



**2024 (no date) Washington County Photo**

**Bailey Nursery (KES#2026-025/026)  
Newport, Minnesota**

Note: Boundaries indicated on this figure are approximate and do not constitute an official survey product.

**Bailey West, Newport & Woodbury, MN**

**Wetland Replacement Plan and No Loss Application**

**Appendix D – Bailey Farm Business Park EAW NHIS Letter**



Minnesota Department of Natural Resources  
Division of Ecological & Water Resources  
500 Lafayette Road, Box 25  
St. Paul, MN 55155-4025

September 20, 2024

Alessandra Stutz  
Sambatek, Inc.

RE: Natural Heritage Review of the proposed **Newport Industrial Development**,  
T28N R21W Sections 19 and 30; Washington County

Dear Alessandra Stutz,

For all correspondence regarding the Natural Heritage Review of this project please include the project ID **MCE-2024-00692** in the email subject line.

As requested, the [Minnesota Natural Heritage Information System](#) has been reviewed to determine if the proposed project has the potential to impact any rare species or other significant natural features. Based on the project details provided with the request, the following rare features may be impacted by the proposed project:

*State-listed Species*

- [Blanding's turtles](#) (*Emydoidea blandingii*), a state-listed threatened species, have been reported from the vicinity of the proposed project. Given the land use in the immediate vicinity of the project area, impacts to this rare turtle are not anticipated. In the unlikely event that a Blanding's turtle is found on site, please remember that the destruction of threatened or endangered species is prohibited by state law and rules, except under certain prescribed conditions. **If turtles are in imminent danger, they must be moved by hand out of harm's way, otherwise they are to be left undisturbed.** Directions on how to move turtles safely can be found here: [Helping Turtles Across the Road](#). **Please report any sightings using the [Quick Species Observation Form](#).**
- [Lark sparrow](#) (*Chondestes grammacus*), a state-listed bird species of special concern, has been documented in the vicinity of the project. This bird species is found in open, dry grassland areas with scattered trees and shrubs. They build their nest on the ground, in a shrub or a small tree. **If feasible, avoid initial disturbance to grassland areas and tree/shrub removal from May 15<sup>th</sup> through August 15<sup>th</sup> to avoid disturbance of nesting birds.**

- The Natural Heritage Information System (NHIS) tracks bat roost trees and hibernacula plus some acoustic data, but this information is not exhaustive. Even if there are no bat records listed nearby, all of Minnesota's bats, including the federally endangered northern long-eared bat ([Myotis septentrionalis](#)), can be found throughout Minnesota. During the active season (approximately April-November) bats roost underneath bark, in cavities, or in crevices of both live and dead trees. Tree removal can negatively impact bats by destroying roosting habitat, especially during the pup rearing season when females are forming maternity roosting colonies and the pups cannot yet fly. To minimize these impacts, **the DNR recommends that tree removal be avoided from June 1 through August 15.**
- Please visit the [DNR Rare Species Guide](#) for more information on the habitat use of these species and recommended measures to avoid or minimize impacts.

#### *Federally Protected Species*

- The area of interest overlaps with a U.S Fish and Wildlife Service (USFWS) Rusty Patched Bumble Bee [High Potential Zone](#). The [rusty patched bumble bee](#) (*Bombus affinis*) is federally listed as endangered and is likely to be present in suitable habitat within High Potential Zones. From April through October this species uses underground nests in upland grasslands, shrublands, and forest edges, and forages where nectar and pollen are available. From October through April the species overwinters under tree litter in upland forests and woodlands. The rusty patched bumble bee may be impacted by a variety of land management activities including, but not limited to, prescribed fire, tree-removal, haying, grazing, herbicide use, pesticide use, land-clearing, soil disturbance or compaction, or use of non-native bees. If applicable, **the DNR recommends reseeding disturbed soils with native species of grasses and forbs using [BWSR Seed Mixes](#) or [MnDOT Seed Mixes](#).**

**To ensure compliance with federal law, please conduct a federal regulatory review using the U.S. Fish and Wildlife Service's online [Information for Planning and Consultation \(IPaC\) tool](#).** Please note that all projects, regardless of whether there is a federal nexus, are subject to federal take prohibitions. The IPaC review will determine if prohibited take is likely to occur and, if not, will generate an automated letter. The [USFWS RPBB guidance](#) provides guidance on avoiding impacts to rusty patched bumble bee and a key for determining if actions are likely to affect the species; the determination key can be found in the appendix.

#### *Environmental Review and Permitting*

- Please include a copy of this letter and the MCE-generated Final Project Report in any state or local license or permit application. Please note that additional measures to avoid or minimize disturbance to the above rare features may be included as restrictions or conditions in any required permits or licenses.

- The Environmental Assessment Worksheet should address whether the proposed project has the potential to adversely affect the above rare features and, if so, it should identify specific measures that will be taken to avoid or minimize disturbance. Sufficient information should be provided so the DNR can determine whether a permit to take will be needed for any of the above protected species.

The Natural Heritage Information System (NHIS), a collection of databases that contains information about Minnesota's rare natural features, is maintained by the Division of Ecological and Water Resources, Department of Natural Resources. The NHIS is continually updated as new information becomes available, and is the most complete source of data on Minnesota's rare or otherwise significant species, native plant communities, and other natural features. However, the NHIS is not an exhaustive inventory and thus does not represent all of the occurrences of rare features within the state. Therefore, ecologically significant features for which we have no records may exist within the project area. If additional information becomes available regarding rare features in the vicinity of the project, further review may be necessary.

For environmental review purposes, the results of this Natural Heritage Review are valid for one year; the results are only valid for the project location and project description provided with the request. **If project details change or the project has not occurred within one year, please resubmit the project for review within one year of initiating project activities.**

The Natural Heritage Review does not constitute project approval by the Department of Natural Resources. Instead, it identifies issues regarding known occurrences of rare features and potential impacts to these rare features. Visit the [Natural Heritage Review website](#) for additional information regarding this process, survey guidance, and other related information. For information on the environmental review process or other natural resource concerns, you may contact your [DNR Regional Environmental Assessment Ecologist](#).

Thank you for consulting us on this matter and for your interest in preserving Minnesota's rare natural resources.

Sincerely,

*Molly Barrett*

Natural Heritage Review Specialist

[Molly.Barrett@state.mn.us](mailto:Molly.Barrett@state.mn.us)

Cc: [Melissa Collins](#), Regional Environmental Assessment Ecologist, Central (Region 3)

**Bailey West, Newport & Woodbury, MN**  
**Wetland Replacement Plan and No Loss Application**  
**Appendix E – Wetland Banking Documents**



WETLAND CREDIT  
RESERVATION AGREEMENT

This Minnesota Wetland Credit Reservation Agreement (“Agreement”) is made this 11<sup>th</sup> day of March, 2026 between the Wetland Credit Agency, LLC, authorized representative of Rains Properties, LLC (“Seller”) and Bailey Nurseries, Inc. (“Buyer”). (Seller and Buyer are collectively referred to as “Parties”).

1. Seller agrees to reserve the wetland banking credits (“Credits”) listed below:

WETLAND CREDIT ACCOUNT(S)				
Acct. #	County	Major Watershed	BSA	Account Owner
1756	Hennepin	20 – Mississippi (metro)	7	Rains Properties, LLC

CREDITS TO BE SOLD				
Acct #	Credit Sub-group	Acres	Type	Plant Community Type
1756	B	0.7952	3	shallow marsh
--	--	--	--	--
--	--	--	--	--
--	--	--	--	--
--	--	--	--	--
<b>Total</b>		<b>0.7952</b>		

2. Representations and Warranties: Seller represents and warrants as follows:
- a) The Credits are deposited in an account in the Minnesota Wetland Bank administered by the Minnesota Board of Water and Soil Resources (“BWSR”) pursuant to Minn. Rules Chapter 8420.0700-.0760.
  - b) Seller owns the Credits and has the right to sell the Credits to Buyer.

Other than the foregoing representations and warranties, Seller makes no representations and warranties of any kind regarding Credits being purchased.

3. Purchase Price: Buyer will pay Seller the sale price as reflected on attached Seller Quote # (“Purchase Price”) as follows:

- a) \$0 as earnest money (“Earnest Money”), to be paid when this Agreement is signed; and
- b) the balance to be paid on or before the Closing Date listed below.

4. Fees: In addition to the Credit fees in paragraph 3, Buyer agrees to pay to Seller the Withdrawal Fee and Easement Stewardship Fee totaling \$1,824.19 for BWSR based upon the 2017 BWSR Fee Schedule to be paid at closing. Seller will then execute and forward a check made out for this amount, payable to BWSR.

5. Closing: The closing of the purchase and sale shall occur on or before July 31<sup>st</sup>, 2026 (“Closing Date”). The Closing Date may be changed only by written consent of both parties. Upon payment of the balance of the purchase price, Seller will sign a fully executed Transaction Form to Withdraw Credits in the form specified by BWSR, and forward the same to BWSR along with a check for the withdrawal fee.

6. Remedies. If Buyer defaults in the performance of any of its obligations under this Agreement, including, without limitation, Buyer’s obligation to close on the Closing Date, with time being of the essence, this Agreement shall terminate without notice to Buyer, and shall be null and void and of no further force or effect. Upon such termination, Seller shall have no further obligations whatsoever to Buyer, shall retain the Earnest Money, and may sell the Credits to another party.

7. Regulatory Provisions: Buyer shall apply to the appropriate Local Government Unit (LGU) and the US Army Corps of Engineers for approval of a replacement plan utilizing the Credits as the means of replacing impacted wetlands. If the Local Government Unit (LGU) and/or the US Army Corps of Engineers has not approved the Buyer’s application for a replacement plan utilizing the Credits by the Closing Date, and no postponement of the Closing Date has been agreed to by Buyer and Seller in writing, then either Buyer or Seller may cancel this Agreement by giving written notice to the other. In this case, Seller shall return Buyer’s Earnest Money (if any), and neither Buyer nor Seller shall have any further obligations under this Agreement. If the LGU and/or the US Army Corps of Engineers has approved the replacement plan and the Seller is ready to proceed with the sale on the Closing Date, but Buyer fails to proceed, then the Seller may retain the earnest money as liquidated damages.





# Standard Credit Withdrawal Form

## Minnesota Wetland Bank Program

(Incomplete forms may be returned unprocessed)

1. Credit User		<i>This space for BWSR use only.</i>
Name:	Organization/Company (if any):	
Address:	Phone:	
	E-mail:	
If others should receive withdrawal verification email, please include their email below (e.g., Consultants, partners, etc.): Melissa Barrett (melissa@kjolhaugenv.com)		

2. Wetland Impact Information			
Project Name: Bailey West		Project Type: Commercial	ACRES of Impact: 0.2501
City (if applicable): Newport	County: Washington	Sec/Twp/Range: (Project Center) Sec. 19 T. 28 R. 21	Major Watershed No./Bank Service Area (BSA): 20 / 7
WCA LGU Name: South Washington WD		Majority Impact Wetland Type: 5 - Shallow Open Water	Majority HGM Class: Depression
Corps of Engineers Letter/Email Received? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		If Yes, Corps File No.: (e.g. 2021-00101-ABC) MVP-2021-02136-SSC	If Yes, is Corps Replacement Required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown
Comments:			

3. Credits to be Withdrawn				
Bank Account No./Name: 1756		Bank County: Hennepin	Bank BSA: 7	
Credit Subgroup	Wetland Type/Plant Community Type	Federally Approved?	Cost per Credit	Credit Amounts
B	3 - Shallow Marsh	Yes	\$--	0.5002
---Select---	---Select---	---Select---	\$	
---Select---	---Select---	---Select---	\$	
---Select---	---Select---	---Select---	\$	
---Select---	---Select---	---Select---	\$	
Per Credit Withdrawal Fee by BSA			<b>Total Credits:</b>	0.5002
BSA 1	\$520	BSA 6	\$1,083	
BSA 2	\$371	BSA 7	\$1,992	
BSA 3	\$725	BSA 8	\$2,577	
BSA 4	\$1,412	BSA 9	\$2,628	
BSA 5	\$685	BSA 10	\$3,099	
Enter Bank Account's BSA			<b>Withdrawal Fee:</b>	
Withdrawal Fee and hit Tab key:			<i>(Withdrawal Fee X total credits)</i>	
<b>\$1,992.00</b>			<b>\$996.40</b>	
Easement Stewardship Fee:			<i>(Easement Stewardship fee x total credits)</i>	
<b>\$302</b>			<b>Stewardship Fee:</b>	
			<b>\$151.06</b>	
			<b>Total Fees:</b>	
			<b>\$1,147.46</b>	

Please make checks payable to the Minnesota Board of Water and Soil Resources. BWSR does not accept cash.

**Project Name:** Bailey West

After completing all necessary fields, select "Request Signatures" option in the Home tab of your toolbar to convert your agreement to a PDF version and add your digital signature. See these [instructions](#) if you do not know how to create a digital signature.

#### **4. WCA Authorization** *(Must include representative's name and email address)*

By signing below, the identified Wetland Conservation Act Local Government Unit (LGU) representative attests that the LGU has approved the use of the credits in Box 3 for wetland replacement/mitigation.

<b>WCA LGU:</b> South Washington WD	<b>Representative's Name:</b>	<b>Email Address:</b>
Signature:		Date:

#### **5. Other Agency/Program Authorization** *(Must include representative's name and email address)*

By signing below, the identified agency representative attests that the agency has approved the use of the credits in Box 3 for wetland replacement/mitigation.

<b>Agency:</b>	<b>Representative's Name:</b>	<b>Email Address:</b>
Signature:		Date:

#### **6. Credit User Signature**

By signing below the credit user attests that they have secured use of the credits in Box 3 from the account holder for wetland replacement/mitigation.

Signature:	Date:
------------	-------

#### **7. Account Holder Signature** *(Must include seller/manager name and email address)*

By signing below the account holder authorizes BWSR to withdraw the credits identified in Box 3 from their account to satisfy wetland replacement/mitigation requirements for the credit user indicated in Box 1. The account holder attests that the identified credits have not been sold or used by a different credit user.

<b>Seller/Manager:</b>	<b>Email Address:</b>	
Signature:		Date:

**SEND COMPLETED FORM AND FEE PAYMENT TO:**

Wetland Bank Administration  
Minnesota Board of Water and Soil Resources  
520 Lafayette Road North  
Saint Paul, MN 55155



# Standard Credit Withdrawal Form

## Minnesota Wetland Bank Program

(Incomplete forms may be returned unprocessed)

1. Credit User		<i>This space for BWSR use only.</i>
Name:	Organization/Company (if any):	
Address:	Phone:	
	E-mail:	
If others should receive withdrawal verification email, please include their email below (e.g., Consultants, partners, etc.): Melissa Barrett (melissa@kjolhaugenv.com)		

2. Wetland Impact Information			
Project Name: Bailey West		Project Type: Commercial	ACRES of Impact: 0.1475
City (if applicable): Woodbury	County: Washington	Sec/Twp/Range: (Project Center) Sec. 19 T. 28 R. 21	Major Watershed No./Bank Service Area (BSA): 20 / 7
WCA LGU Name: South Washington WD		Majority Impact Wetland Type: 2 - Wet Meadow	Majority HGM Class: Depression
Corps of Engineers Letter/Email Received? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		If Yes, Corps File No.: (e.g. 2021-00101-ABC) MVP-2021-02136-SSC	If Yes, is Corps Replacement Required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown
Comments:			

3. Credits to be Withdrawn				
Bank Account No./Name: 1756		Bank County: Hennepin	Bank BSA: 7	
Credit Subgroup	Wetland Type/Plant Community Type	Federally Approved?	Cost per Credit	Credit Amounts
B	3 - Shallow Marsh	Yes	\$--	0.2950
---Select---	---Select---	---Select---	\$	
---Select---	---Select---	---Select---	\$	
---Select---	---Select---	---Select---	\$	
---Select---	---Select---	---Select---	\$	
Per Credit Withdrawal Fee by BSA			<b>Total Credits:</b>	0.2950
BSA 1    \$520	BSA 6    \$1,083	Enter Bank Account's BSA		
BSA 2    \$371	BSA 7    \$1,992	<b>Withdrawal Fee and hit Tab key:</b> (Withdrawal Fee X total credits)		
BSA 3    \$725	BSA 8    \$2,577	<b>\$1,992.00</b>		
BSA 4    \$1,412	BSA 9    \$2,628	<b>Easement Stewardship Fee:</b> (Easement Stewardship fee x total credits)		
BSA 5    \$685	BSA 10    \$3,099	<b>\$302</b>		
			<b>Withdrawal Fee:</b>	<b>\$587.64</b>
			<b>Stewardship Fee:</b>	<b>\$89.09</b>
			<b>Total Fees:</b>	<b>\$676.73</b>

Please make checks payable to the Minnesota Board of Water and Soil Resources. BWSR does not accept cash.

**Project Name:** Bailey West

After completing all necessary fields, select "Request Signatures" option in the Home tab of your toolbar to convert your agreement to a PDF version and add your digital signature. See these [instructions](#) if you do not know how to create a digital signature.

#### **4. WCA Authorization** *(Must include representative's name and email address)*

By signing below, the identified Wetland Conservation Act Local Government Unit (LGU) representative attests that the LGU has approved the use of the credits in Box 3 for wetland replacement/mitigation.

<b>WCA LGU:</b> South Washington WD	<b>Representative's Name:</b>	<b>Email Address:</b>
Signature:		Date:

#### **5. Other Agency/Program Authorization** *(Must include representative's name and email address)*

By signing below, the identified agency representative attests that the agency has approved the use of the credits in Box 3 for wetland replacement/mitigation.

<b>Agency:</b>	<b>Representative's Name:</b>	<b>Email Address:</b>
Signature:		Date:

#### **6. Credit User Signature**

By signing below the credit user attests that they have secured use of the credits in Box 3 from the account holder for wetland replacement/mitigation.

Signature:	Date:
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#### **7. Account Holder Signature** *(Must include seller/manager name and email address)*

By signing below the account holder authorizes BWSR to withdraw the credits identified in Box 3 from their account to satisfy wetland replacement/mitigation requirements for the credit user indicated in Box 1. The account holder attests that the identified credits have not been sold or used by a different credit user.

<b>Seller/Manager:</b>	<b>Email Address:</b>	
Signature:		Date:

**SEND COMPLETED FORM AND FEE PAYMENT TO:**

Wetland Bank Administration  
Minnesota Board of Water and Soil Resources  
520 Lafayette Road North  
Saint Paul, MN 55155



<b>Date: June 5, 2026</b>	<b>South Washington Watershed District Request for Board Action</b>	<b>Agenda Item # 10</b>
<b>Title:</b> Bailey School Forest Vegetation Management, The Land Stewards	<b>Board Action Requested:</b>	<b>Required Signatures</b> SWWD President
<b>Reviewed by:</b> JHL		<b>Presented by:</b> Randazzo
<p><b>Background/Justification:</b> Bailey School Forest Park in Newport is undergoing a transformation away from woodlands and grasslands dominated by non-native invasive species and novel forests remnant of past Bailey Nursery activities. The Entry Forest is undergoing a season of removals of invasives before reseeding and planting species typical of the Oak Woodland/Savanna that certainly existed on the site prior to European settlement.</p> <p>In 2026, forestry mowing will continue and a contract is needed to do the finer scale work of spot mowing and spot herbicide treatments on the full 9 acre area covered under an Expedited CPL grant. General forestry mowing will be conducted by City of Newport using new mower funded in part by SWWD CCIP program.</p> <p>Contractor was chosen based on best quality proposal for work and their ability to provide the full range of services and equipment needed (large mowers, grapples, spot mowing and spot treatment) to complete the range of tasks required this season. Staff recommends contract approval.</p>		
<b>Previous Action:</b>		<b>Contact:</b> JHL
<b>Date Received:</b> June 5, 2026	<b>SWWD Administrator/Date:</b> June 5, 2026	SWWD Attorney/Date
<b>Financial Implications:</b> \$10,335		<b>Comments:</b>
<b>Fund</b>	<b>Explanation:</b>	<b>Fund Balance:</b>
<b>Decision Needed/Date</b>	<b>Administrative Recommendation</b> <u>Approval</u> Informational Denial                              No Recommendation	<b>Comments</b>

**CONTRACT BETWEEN SOUTH WASHINGTON  
WATERSHED DISTRICT AND THE LAND  
STEWARDS (TLS)**

**FOR ECOLOGICAL RESTORATION  
SERVICES**

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SOUTH WASHINGTON	
WATERSHED DISTRICT	
CONTRACT	2026 Bailey School Forest Park Entry Woodland Restoration
TERM	6.10.2026 – 12.31.2026

**I. PARTIES**

Neand between South Washington Watershed District, hereinafter referred to as "SWWD", and The Land Stewards (TLS), herein referred to as "Contractor", said project to be known as 2026 Bailey School Forest Park Entry Woodlands Establishment Maintenance.

**II. PURPOSE**

WHEREAS, The South Washington Watershed District (SWWD) in partnership with the City of Newport has begun the process of converting a 9 acre woodland dominated by non-native trees and shrubs toward a future Oak Woodland;

WHEREAS, The City of Newport has an interest in natural areas restoration and maintenance to improve park experience;

WHEREAS, Vegetative restoration at Bailey School Forest Park is focused on restoring native plant community health in disturbed native grasslands and woodlands, and converting novel forests to native healthy forests;

WHEREAS, restoration practices will focus on the reduction/elimination of non-native plant species that reduce the ability of diverse native plant communities to persist and thrive;

WHEREAS, practices that reintroduce the wide range of native plant community structure will provide a long-term trajectory for success;

WHEREAS, the Contractor is an experienced, qualified Contractor capable of performing these duties;

NOW, THEREFORE, the parties agree as follows below:

**III. TERM OF CONTRACT**

The term of this contract shall be from 6/10/2026 to 12/31/2026 the date of signature and Board approvals from SWWD notwithstanding, unless earlier terminated as provided herein. A Notice to Proceed must be issued by the City of Newport prior to commencement of project activities.

**IV. SCOPE OF SERVICES**

Contractor will provide services for **Woodland Restoration Activities** as specified here according to quantities, activities and not to exceed costs provided by contractor in agreement with SWWD staff:

Task 1:

Oak Woodland Invasives Control (1.8 acres): \$2,500

- Forestry or rotary mow areas accessible to tracked equipment in early summer, 2026 targeting invasive woody and burdock regrowth.
- Spot Mow areas inaccessible to tracked equipment in early summer targeting invasive woody and burdock regrowth.

Task 2:

Previously Forestry Mowed Areas Woody Removal (5.8 acres): \$1,000

- Cut and drag to mow areas invasive woody species inaccessible to forestry mowers.
- Cut and drag to mow areas all conifers less than 4" dia. Excluding White Cedar and White Pine.
- Activity to occur in early summer, 2026 prior to forestry mowing by city staff.

Task 3:

Fall Foliar Treatment of Buckthorn and Honeysuckle (9.67 acres): \$4,835

- Fall foliar (Triclopyr) treatment will target broadleaf species within the entire 9.67 acres of the site.
- Treatment will occur between September 15 and October 31, 2026
- Contractor must carefully target invasive species and limit, to the degree possible, overspray onto other species.
- Contractor will include other invasive species as encountered. These may include amur corktree, common burdock, garlic mustard rosettes.

Task 4:

Additional Activities (9.67 acres): \$2,000

- Contractor will provide on an hourly basis (\$100/hour for hand work, \$225 for skid steer work) if needed, services identified by SWWD staff in furtherance of project site needs in 2026 not identified in Tasks 1-3.

**V. CONTRACTOR'S QUOTE**

The professional services and schedule of activities listed above are based on Contractor quote and will adhere on the map provided by the SWWD (attached).

**VI. PAYMENT**

The total amount of this contract shall not exceed **\$10,335**. The Contractor will provide a detailed monthly invoice, which will list specifically the work performed. Invoices are payable by the SWWD net 30 days.

Final payment will be withheld until substantial completion is observed. The work shall be considered substantially completed when all work has been completed, except minor corrections and adjustments.

**VI. DOCUMENT FORMAT**

All word processing documents shall be done and provided to the SWWD in Microsoft Word format, and not converted from other formats. Data files shall be provided in Microsoft Excel format.

**VII. STANDARDS**

The Contractor shall comply with all applicable Federal law, State statutes, Federal and State regulations, and local ordinances now in effect or hereafter adopted.

Failure to meet the requirements of the above shall be a substantial breach of the agreement and will be cause for cancellation of this contract.

**VIII. INDEMNIFICATION**

The Contractor agrees to indemnify, defend and hold harmless the SWWD and the City of Newport, and all of their respective employees, officers and insured' s from and against all liability, damages, and loses whatsoever, including reasonable attorneys' fees, resulting from any negligence, malfeasance or other conduct on the part of the Contractor.

**IX. SUBCONTRACTING AND ASSIGNMENT.**

The Contractor shall not enter into any subcontract for performance of any services contemplated under this agreement, nor notate or assign any interest in the agreement, without the prior written approval of the SWWD and City of Newport. Any assignment or novation may be made subject to such conditions and provisions as the SWWD may impose.

If the contractor subcontracts the obligations under this agreement, the Contractor shall remain responsible for all terms of this Agreement and to ensure the performance of all obligations by the subcontractors.

**X. DATA PRACTICES.**

All data collected, created, received, maintained, or disseminated for any purposes by the activities of the Contractor, because of this Agreement, is governed by the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13, as amended, the Minnesota Rules implementing such Act now in force or as adopted, as well as federal regulations on data privacy.

**XIII. AUDITS, REPORTS, RECORDS AND MONITORING PROCEDURES/RECORDS AVAILABILITY & RETENTION.**

Pursuant to Minn. Stat. section 16C.05 subd. 5, the Contractor/Contractor will:

- A. Maintain records which reflect all revenues, costs incurred and services provided in the performance of this Agreement.
- B. Agree that the SWWD, the City of Newport, the State Auditor, or legislative authority, or any of their duly authorized representatives at any time during

normal business hours, and as often as they may deem reasonably necessary, shall have access to and the right to examine, audit, excerpt, and transcribe any books, documents, papers, records, etc., and accounting procedures and practices and involve transactions relating to this agreement. The Contractor agrees to maintain these records for a period of six (6) years from the date of the termination of this agreement.

**XIV. NONDISCRIMINATION.**

The Contractor agrees to comply with the nondiscrimination provision set forth in Minnesota Statute 181.59. The Contractor's failure to comply with section 181.59 may result in cancellation or termination of the agreement, and all money due or to become due under the contract may be forfeited for a second or any subsequent violation of the terms or conditions of this contract.

**XV. JURISDICTION & VENUE.**

This contract, amendments and supplements thereto, shall be governed by the laws of the State of Minnesota. All actions brought under this agreement shall be brought exclusively in Minnesota State Courts of competent jurisdiction with venue in Washington County.

**XVI. INSURANCE REQUIREMENTS**

The Contractor agrees that in order to protect itself, as well as the SWWD and City of Newport, under the indemnity provisions set forth above, it will at all times during the term of this Agreement, keep in force the following insurance protection in the limits specified:

- A. Commercial Liability Limits: \$1,500,000
- B. Automobile Liability Limits: \$1,500,000
- C. Umbrella-Excess Liability: \$2,000,000
- D. Workers Compensation: Statutory

Prior to the effective date of this Agreement, the Contractor will furnish the SWWD with certificates of insurance as proof of insurance. The City of Newport, Minnesota will be included as additional insured. This provision shall be set as a condition subsequent; failure to abide by this provision shall be deemed a substantial breach of contract.

Any policy obtained and maintained under this clause shall provide that it shall not be cancelled, materially changed, or not renewed without thirty days notice thereof to the SWWD.

**XVII. INDEPENDENT CONTRACTOR**

It will be agreed that nothing within the contract is intended or should be construed in any manner as creating or establishing the relationship of co-partners between the parties or as constituting the Contractor as the agent, representative, or employee of the SWWD or City of Newport, for any purpose or in any manner

whatsoever. The Contractor is to be and shall remain an independent contractor with respect to all services performed under this agreement.

The Contractor will secure, at its own expense, all personnel required in performing services under the agreement. Any and all personnel of the Contractor or other persons, while engaged in the performance of any work or services required by the Contractor under this agreement shall have no contractual relationship with the SWWD or City of Newport, and shall not be considered employees of the SWWD or City of Newport.

**XVIII. MODIFICATIONS**

Any material alteration, modification, or variation shall be reduced to writing as an amendment and signed by the parties. Any alterations, modifications, or variations deemed not to be material by agreement of the SWWD and the Contractor shall not require written approval.

**XIX. MERGER**

It is understood and agreed that the entire agreement of the parties is contained here and that this contract supersedes all oral agreements and negotiations between the parties relating to this subject matter. All items referred to in this contract are incorporated or attached and deemed to be part of the contract.

**XX. NOTICES**

Whenever it shall be required or permitted by this Agreement that notice or demand be given or served by either party to or on the other party, such notice or demand shall be delivered personally or mailed by United States mail to the addresses hereinafter set forth by certified mail. Such notice or demand shall be deemed timely given when delivered personally or when deposited in the mail in accordance with the above. The addresses of the parties hereto for such mail purposes are as follows, until written notice of such address has been given:

Administrator	Contractor
South Washington Watershed District	The Land Steward, LLC.
President: Sharon Doucette	Owner: Dane Huinker
2302 Tower Drive	660 Coulee Trail
Woodbury, MN 55125	Hudson, WI 54016

**XXI. CANCELLATION**

The SWWD may cancel this Agreement at any time upon giving fifteen (15) days written notice sent to the Contractor at the address above, or as set forth in Section IV.

**XXII. SERVICES BEYOND THE SCOPE OF THIS CONTRACT**

Any additional tasks added to this project must be by written amendment to this Contract signed by both parties.

**SOUTH WASHINGTON**

**The Land Stewards, LLC.**

**WATERSHED DISTRICT**

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Sharon Doucette

Date

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Dane Huinker

Date



<b>Date: June 5, 2026</b>	<b>South Washington Watershed District Request for Board Action</b>	<b>Agenda Item # 11</b>
<b>Title:</b> Future Business and Meetings	<b>Board Action Requested:</b> None	<b>Required Signatures</b> None
<b>Reviewed by:</b> JHL		<b>Presented by:</b> Loomis
<b>Background/Justification:</b> <ul style="list-style-type: none"> <li>I. Regular Board Meeting, Tuesday, June 9, 2026 6:00pm</li> <li>II. CAC Meeting, Tuesday, June 23, 2026 6:00pm</li> <li>III. Regular Board Meeting, Tuesday, July 14, 2026 6:00pm</li> <li>IV. Lower St. Croix Policy Committee Meeting, Monday, July 27, 2026 4:00pm</li> <li>V. St. Croix Workshop on the Water, Thursday, July 30, 2026 5:00pm</li> <li>VI. Board Workshop and Regular Board Meeting, <i>Wednesday, August 12, 2026 5:00pm</i></li> <li>VII. Minnesota Watersheds Summer Tour, Detroit Lakes, August 25-26, 2026</li> </ul>		
<b>Previous Action:</b>		<b>Contact:</b> JHL
<b>Date Received:</b> June 5, 2026	<b>SWWD Administrator/Date:</b> June 5, 2026	<b>SWWD Attorney/Date</b>
<b>Financial Implications:</b> \$		<b>Comments:</b>
<b>Fund</b>	<b>Explanation:</b>	<b>Fund Balance:</b>
<b>Decision Needed/Date</b>	<b>Administrative Recommendation</b> Approval <u>Informational</u> Denial                No Recommendation	<b>Comments</b>