

# Black Dog Watershed Management Commission

## AGENDA Wednesday, July 20, 2022 5:00 P.M.

### COMMISSIONERS:

Curt Enestvedt, Chairperson  
Mike Hughes, Vice-Chairperson  
Scott Thureen, Secretary/Treasurer  
Rollie Greeno  
Frank Boyce, Alternate  
Greg Helms, Alternate  
Natalie Walker, Alternate

- I. Approval of Agenda
- II. Approval of Minutes – May 18, 2022
- III. Approval of Accounts Payable
- IV. Review Budget Performance Reports
- V. Review, Edit, and Approve Draft Responses to the 60 day Comments on the Plan Update
- VI. Miscellaneous
- VII. Adjournment

The City of Burnsville and Black Dog Watershed Management Organization do not discriminate on the basis of race, color, national origin, sex, religion, age, or disability in the admission or access to, or treatment or employment in, its programs, activities, or services.

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# Black Dog Watershed Management Commission

## Agenda Background July 20, 2022

I. Approval of Agenda

Agenda enclosed.

**Action Requested:** A motion be considered to approve the Agenda.

II. Approval of Minutes from the June 15, 2022 Meeting

Minutes enclosed.

**Action Requested:** A motion be considered to approve the Minutes from the June 15, 2022 meeting.

III. Approval of Accounts Payable

Accounts payable list enclosed.

**Action Requested:** A motion be considered to approve the accounts payable list as submitted by staff.

IV. Review of Budget Performance Reports

Current Budget Performance Reports enclosed.

**Action Requested:** No formal action required.

V. Review, Edit, and Approve Draft Responses to the 60 Day Comments on the Plan Update

Enclosed in the packet is a memo from Barr Engineering outlining the formal comments received and from what agency the comments came from. Barr will go over the memo and comments received along with the proposed response to those comments at the meeting. Staff would also like to schedule a public hearing on the draft plan for the August 17<sup>th</sup> Commission meeting.

**Action Requested:** A motion be considered to distribute the response to comments and prepare the 90 day draft of the plan, including any revisions discussed at the meeting.

VI. Miscellaneous

VII. Adjournment

**DRAFT**  
**Meeting Minutes**  
**June 15, 2022**

**MEMBERS PRESENT**

Mike Hughes, Vice Chair  
Scott Thureen, Secretary/Treasurer  
Frank Boyce, Alternate

**MEMBERS ABSENT**

Curt Enestvedt, Chair  
Rollie Greeno  
Greg Helms, Alternate  
Natalie Walker, Alternate

**OTHERS PRESENT**

Karen Chandler – Barr Engineering  
Greg Williams – Barr Engineering  
Curt Coudron – Dakota County Soil and Water Conservation District  
Ann Messerschmidt – City of Lakeville  
Jessica Schaum – City of Apple Valley  
Daryl Jacobson – BDWMO Administrator  
Tammi Carte – BDWMO Secretary

Mike Hughes, Vice Chair, called the June 15, 2022 meeting to order at 5:00 pm.

I. Approval of Agenda

**Motion by** Thureen, second by Boyce, to approve the June 15, 2022 Agenda as presented.

Ayes – Hughes, Thureen, Boyce  
Nays – None

**Motion Carried Unanimously**

II. Approval of Minutes from the May 18, 2022 Meeting

**Motion by** Thureen, second by Boyce, to approve the May 15, 2022 Minutes with the update to VII. Miscellaneous, Item 2, specifying the formal 60-day review period for the draft Plan will run through July 12, 2022.

Ayes – Hughes, Thureen, Boyce  
Nays – None

**Motion Carried Unanimously**

III. Approval of Accounts Payable

**Motion by** Thureen, second by Boyce, to approve accounts payable to Barr Engineering in the amount of \$10,804.87 for services from April 30, 2022 through May 27, 2022; and, to League of MN Cities Insurance Trust in the amount of \$2,801.00 for insurance coverage effective July 15, 2022 to July 15, 2023.

Ayes – Hughes, Thureen, Boyce

Nays – None

**Motion Carried Unanimously**

IV. Review Budget Performance Reports

Daryl Jacobson, BDWMO Administrator, shared Commission finances look good.

**No Formal Action Required**

V. Approval of Budget Amendment Request for the Plan Update

A memo from Barr Engineering requesting a change in the 2022 budget was provided to the Commission for review prior to tonight's meeting. Barr is requesting the plan update item be changed from \$40,000 to \$57,000. This is not an increase to the overall plan update budget. The change will accurately reflect the year in which the dollars were spent and provide more accurate budget tracking information.

Karen, Barr Engineering, confirmed this is an accounting measure only.

**Motion by** Thureen, second by Boyce, to approve amending the 2022 budget for the plan update from \$40,000 to \$57,000.

Ayes – Hughes, Thureen, Boyce

Nays – None

**Motion Carried Unanimously**

VI. Review Summary of Informal Comments, Responses, and Remaining Plan Update Schedule

A memo from Barr Engineering outlining comments and responses to the informal comments that were received was provided to the Commission for review prior to tonight's meeting. The memo also outlines next steps in the process.

Greg, Barr Engineering, shared that comments and edits were minor. He reviewed the content of the memo with Commissioners.

Draft responses to comments will be reviewed at the next meeting. The formal comment period ends July 12, 2022. The Commission could hold a public hearing at the August 17, 2022 Black Dog WMO meeting.

**No Formal Action Required**

## VII. Review and Recommend Revisions to the Black Dog WMO Vision Statement

A memo from Barr Engineering discussing the current Black Dog vision statement and recommending some minor changes to the statement was provided to the Commission for review prior to tonight's meeting. The recommended changes better reflect the current position of the WMO.

Barr Engineering reviewed the edits suggested in their memo. Commissioners agree the recommended changes are more fitting to the WMO's vision and more inclusive of the variety of community types within the watershed.

**Motion by** Boyce, second by Thureen, to approve revisions to the vision statement.

Ayes – Hughes, Thureen, Boyce

Nays – None

**Motion Carried Unanimously**

## VIII. Miscellaneous

1. Melissa King, Board of Water and Soil Resources, will be moving to a different position. She will continue working on the Black Dog draft plan through the 60-day review period. After that time, Steve Christopher will take over the formal plan review.
2. The watershed implementation projects committee will meet next week.
3. Effective immediately, Tom Harmening has resigned after 20 years of service to the Commission. His commitment to the WMO is greatly appreciated. Thank you, Tom, you will be missed.

## IX. Adjournment

**Motion by** Thureen, second by Boyce, to adjourn at 5:26 pm.

Ayes – Hughes, Thureen, Boyce

Nays – None

**Motion Carried Unanimously**



Accounts Payable - July 20, 2022 Meeting

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**Barr Engineering** - Services from May 28, 2022 through July 1, 2022

Engineering	\$	2,296.08
Special Projects: General Fund - 2022 Management Level Monitoring - Lac Lavon	\$	2,015.43
Special Projects: General Fund Reserve - Watershed Management Update	\$	1,248.50
		<hr/>
	\$	5,560.01

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**Campbell Knutson**

General Services - May 2022	\$	262.50
General Services - June 2022	\$	87.50
		<hr/>
	\$	350.00

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Accounts Payable Total \$ **5,910.01**

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July 12, 2022

Black Dog Watershed Management Commission  
City of Burnsville  
13713 Frontier Court  
Burnsville, MN 55337-4720

Attn: Mr. Daryl Jacobson

**RE: Engineering & Environmental Consulting Services**

**Invoice of Account with  
BARR ENGINEERING COMPANY**

For professional services during the period of May 28, 2022 through July 1, 2022

<b>TOTAL PAYABLE THIS INVOICE:</b>	<b>\$ 5,560.01</b>
<b>Allocation:</b>	
<b>Engineering</b>	<b>\$ 2,296.08</b>
<b>Special Projects: General Fund</b>	
• Lac Lavon 2022 Management Level Monitoring	<b>\$ 2,015.43</b>
<b>Special Projects: General Fund Reserve</b>	
• Watershed Management Update	<b>\$ 1,248.50</b>

Barr declares under the penalties of law that this account, claim, or demand is just and that no part of it has been paid.

A handwritten signature in black ink that reads "Karen L. Chandler".

Karen L. Chandler  
Vice President

A handwritten signature in black ink that reads "Daryl Jacobson".

7-12-22

BUDGET SUMMARY - 2022 FY  
Black Dog Watershed Management Commission  
through July 1, 2022

Work Description	Pre-2022 Costs	2022 Barr Budget	Current Invoice	Spent This Year	Balance
Engineering	-----	31,000.00	2,296.08	17,361.93	13,638.07
Special Projects: General Fund					
<i>Reporting on Crystal Lk 2021 Water Quality Monitoring</i>	-----	4,600.00		4,558.00	42.00
<i>Lac Lavon 2022 Management Level Monitoring</i>		22,500.00	2,015.43	5,769.02	16,730.98
Subtotal -- Special Projects: General Fund	-----	27,100.00	2,015.43	10,327.02	16,772.98
Special Projects: General Fund Reserve					
<i>Watershed Management Plan Update</i> <sup>1</sup>	41,159.50	57,000.00 <sup>2</sup>	1,248.50	30,297.03	26,702.97
Subtotal -- Special Projects: General Fund Reserve	-----	57,000.00	1,248.50	30,297.03	26,702.97
Water Quality Monitoring					
<i>Reporting on 2021 Kingsley Lake Habitat Monitoring</i>	-----	9,200.00		9,181.00	19.00
<i>2022 Orchard Lake Habitat Monitoring</i>		2,200.00		72.50	2,127.50
<i>Update Trend Analyses</i>	-----	2,000.00		1,885.00	115.00
Subtotal -- W.Q. Monitoring	-----	13,400.00	0.00	11,138.50	2,261.50
Public Education					
<i>Watershed Annual Report</i>	-----	4,300.00		4,841.50	(541.50)
<i>Annual Activity Report (BWSR)</i>	-----	2,000.00	0.00	1,889.50	110.50
Subtotal -- Public Education	-----	6,300.00	0.00	6,731.00	(431.00)
Total Services	-----	134,800.00	5,560.01	75,855.48	58,944.52

Notes:

<sup>1</sup> Plan Update budget=\$98,200 (\$97,000 authorized at 11/18/2020 meeting, additional \$1,200 authorized at 1/20/2021 meeting), including \$10,000 budgeted in 2020

<sup>2</sup> 2022 budget increase from \$40,000 to \$57,000 authorized at 6/15/2022 meeting, but no change in total Plan Update budget





# INVOICE

Barr Engineering Co.  
 4300 MarketPointe Drive, Suite 200  
 Minneapolis, MN 55435  
 Phone: 952-832-2600; Fax: 952-832-2601  
 FEIN #: 41-0905995 Inc: 1966

Mr. Daryl Jacobson  
 Black Dog WMO  
 City of Burnsville  
 13713 Frontier Court  
 Burnsville, MN 55337-4720

Remittance address:  
 Lockbox 446104  
 PO Box 64825  
 St Paul, MN 55164-0825

July 12, 2022

Invoice No: 23190374.22 - 6

<b>Total this Invoice</b>	<b>\$2,296.08</b>
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**Regarding: BDWMO 2022 Engineering Services**

**Professional Services from May 28, 2022 to July 1, 2022**

Job: 2022 Engineering Services  
 Task: 001 Attend BDWMO Meetings

**Labor Charges**

	Hours	Rate	Amount	
Vice President				
Chandler, Karen	1.60	190.00	304.00	
Engineer / Scientist / Specialist III				
Williams, Sterling	1.70	155.00	263.50	
	3.30		567.50	
<b>Subtotal Labor</b>				<b>567.50</b>

**Expense Charges**

Travel				
6/15/2022 Chandler, Karen Mileage			14.04	
<b>Subtotal Expenses</b>				<b>14.04</b>

**Task Subtotal \$581.54**

Task: 002 Miscellaneous Consulting

**Labor Charges**

	Hours	Rate	Amount	
Vice President				
Chandler, Karen	7.90	190.00	1,501.00	
Support Personnel II				
Nypan, Nyssa	1.10	105.00	115.50	
Shea, Jayne-Anne	.60	140.00	84.00	
	9.60		1,700.50	
<b>Subtotal Labor</b>				<b>1,700.50</b>

**Expense Charges**

Travel					
6/22/2022	Chandler, Karen	Mileage		14.04	
	<b>Subtotal Expenses</b>				<b>14.04</b>
			<b>Task Subtotal</b>		<b>\$1,714.54</b>
			<b>Job Subtotal</b>		<b>\$2,296.08</b>
			<b>Total this Invoice</b>		<b>\$2,296.08</b>

	Current	Prior	Total	Received	A/R Balance
<b>Invoiced to Date</b>	<b>2,296.08</b>	<b>21,796.85</b>	<b>24,092.93</b>	<b>21,796.85</b>	<b>2,296.08</b>

Thank you in advance for the prompt processing of this invoice. If you have any questions, please contact Karen Chandler, your Barr project manager, at (952) 832-2813 or email at [kchandler@barr.com](mailto:kchandler@barr.com).



# INVOICE

Barr Engineering Co.  
 4300 MarketPointe Drive, Suite 200  
 Minneapolis, MN 55435  
 Phone: 952-832-2600; Fax: 952-832-2601  
 FEIN #: 41-0905995 Inc: 1966

Mr. Daryl Jacobson  
 Black Dog WMO  
 City of Burnsville  
 13713 Frontier Court  
 Burnsville, MN 55337-4720

**Remittance address:**  
**Lockbox 446104**  
**PO Box 64825**  
**St Paul, MN 55164-0825**

July 12, 2022

Invoice No: 23190375.22 - 6

<b>Total this Invoice</b>	<b>\$2,015.43</b>
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**Regarding: 2022 BDWMO Management Level Water Quality Monitoring**

**Professional Services from May 28, 2022 to July 1, 2022**

Job:	LAC	Lac Lavon 2022 Water Quality Monitoring
Task:	100	Monitoring Data Mgmt & Proj Mgmt

**Labor Charges**

	Hours	Rate	Amount	
Engineer / Scientist / Specialist III Olson, Terri	.80	155.00	124.00	
Engineer / Scientist / Specialist II Menken, Kevin	.50	130.00	65.00	
Technician II Melmer, David	5.70	95.00	541.50	
Novack, John	3.80	105.00	399.00	
Technician I Schneider, Anna	3.00	80.00	240.00	
Support Personnel II Treanor, Margaret	1.90	120.00	228.00	
	15.70		1,597.50	
<b>Subtotal Labor</b>				<b>1,597.50</b>

**Subconsultant Charges**

Subconsultants				
6/6/2022	RMB Environmental Laboratories Inc		145.20	
<b>Subtotal Subconsultant</b>				<b>145.20</b>

**Unit Charges**

Barr Owned Vehicle Use	1.0 day @ 95.00	95.00
Canoe	1.0 day @ 32.00	32.00
Kemmerer Vertical Bottle Sampler	1.0 day @ 33.50	33.50
Vehicle (Mileage)	38.0 miles @ 0.585	22.23
Water Quality Meter (YSI 556 MPS)	1.0 day @ 85.00	85.00

Terms: Due upon receipt. 1 1/2% per month after 30 days. Please refer to the contract if other terms apply.

Ice (per bag)		2.0 ea @ 2.50	5.00	
	<b>Subtotal Units</b>			<b>272.73</b>
		<b>Task Subtotal</b>		<b>\$2,015.43</b>
		<b>Job Subtotal</b>		<b>\$2,015.43</b>
		<b>Total this Invoice</b>		<b>\$2,015.43</b>

	<b>Current</b>	<b>Prior</b>	<b>Total</b>	<b>Received</b>	<b>A/R Balance</b>
<b>Invoiced to Date</b>	<b>2,015.43</b>	<b>8,311.59</b>	<b>10,327.02</b>	<b>8,311.59</b>	<b>2,015.43</b>

Thank you in advance for the prompt processing of this invoice. If you have any questions, please contact Kevin Menken, your Barr project manager, at (952) 832-2794 or email at [kmenken@barr.com](mailto:kmenken@barr.com).



# INVOICE

Barr Engineering Co.  
 4300 MarketPointe Drive, Suite 200  
 Minneapolis, MN 55435  
 Phone: 952-832-2600; Fax: 952-832-2601  
 FEIN #: 41-0905995 Inc: 1966

Mr. Daryl Jacobson  
 Black Dog WMO  
 City of Burnsville  
 13713 Frontier Court  
 Burnsville, MN 55337-4720

**Remittance address:**  
**Lockbox 446104**  
**PO Box 64825**  
**St Paul, MN 55164-0825**

July 12, 2022

Invoice No: 23191455.00 - 19

<b>Total this Invoice</b>	<b>\$1,248.50</b>
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**Regarding: BDWMO 2022 Watershed Management Plan**

**Professional Services from May 28, 2022 to July 1, 2022**

Job: 200 Draft Plan Development

Task: 002 Issues and Goals

**Labor Charges**

	Hours	Rate	Amount	
Engineer / Scientist / Specialist III Williams, Sterling	.80	155.00	124.00	
	.80		124.00	
<b>Subtotal Labor</b>				<b>124.00</b>
		<b>Task Subtotal</b>		<b>\$124.00</b>
		<b>Job Subtotal</b>		<b>\$124.00</b>

Job: 300 Review and Adoption

Task: 001 60 day review and response

**Labor Charges**

	Hours	Rate	Amount	
Vice President Chandler, Karen	2.90	190.00	551.00	
Engineer / Scientist / Specialist III Williams, Sterling	3.70	155.00	573.50	
	6.60		1,124.50	
<b>Subtotal Labor</b>				<b>1,124.50</b>
		<b>Task Subtotal</b>		<b>\$1,124.50</b>
		<b>Job Subtotal</b>		<b>\$1,124.50</b>
		<b>Total this Invoice</b>		<b>\$1,248.50</b>

Invoiced to Date	Current	Prior	Total	Received	A/R Balance
	1,248.50	60,237.03	61,485.53	60,237.03	1,248.50

Thank you in advance for the prompt processing of this invoice. If you have any questions, please contact Greg Williams, your Barr project manager, at (952) 832-2945 or email at [gwilliams@barr.com](mailto:gwilliams@barr.com)

**CAMPBELL KNUTSON  
Professional Association  
Attorneys at Law  
Federal Tax I.D. #41-1562130  
Grand Oak Office Center I  
860 Blue Gentian Road, Suite 290  
Eagan, Minnesota 55121  
(651) 452-5000**

Black Dog Watershed Management Organization  
Attention: Daryl Jacobson  
City of Burnsville  
100 Civic Center Parkway  
Burnsville MN 55337-3817

Page: 1  
May 31, 2022  
Account # 602-0000G  
375

RE: GENERAL SERVICES  
RENDERED TO DATE:

			HOURS	
05/17/2022	JJJ	Review Board packet.	0.30	52.50
05/18/2022	JJJ	Board meeting.	1.00	175.00
05/19/2022	JJJ	Review Board meeting actions.	0.20	35.00
		AMOUNT DUE	1.50	262.50
		TOTAL CURRENT WORK		262.50
		PREVIOUS BALANCE		\$262.50
06/10/2022		Payment - thank you		-262.50
		TOTAL AMOUNT DUE		<u>\$262.50</u>

  
6-13-22

Amounts due over 30 days will be subject to a finance charge of  
5% per month (or an annual rate of 6%). Minimum charge - 50 cents.

**CAMPBELL KNUTSON**  
**Professional Association**  
**Attorneys at Law**  
**Federal Tax I.D. #41-1562130**  
**Grand Oak Office Center I**  
**860 Blue Gentian Road, Suite 290**  
**Eagan, Minnesota 55121**  
**(651) 452-5000**

Black Dog Watershed Management Organization  
 Attention: Daryl Jacobson  
 City of Burnsville  
 100 Civic Center Parkway  
 Burnsville MN 55337-3817

Page: 1  
 June 30, 2022  
 Account # 602-0000G  
 376

RE: GENERAL SERVICES  
 RENDERED TO DATE:

			HOURS		
06/01/2022	JJJ	Review agenda, emails Daryl.	0.30		52.50
06/09/2022	JJJ	Emails Tammi and Daryl re: Board meeting attendance, review agenda, review contact list, emails Tammi.	0.20		<u>35.00</u>
		AMOUNT DUE	0.50		87.50
		TOTAL CURRENT WORK			<u>87.50</u> *
		PREVIOUS BALANCE			\$262.50
		TOTAL AMOUNT DUE			<u>\$350.00</u>

OK  
  
 7-11-22

Amounts due over 30 days will be subject to a finance charge of  
 .5% per month (or an annual rate of 6%). Minimum charge - 50 cents.

**BLACK DOG WMO  
CASH ACTIVITY REPORT 2022**

Date	Description	Deposits	Check #	Check Amount	Monthly Cash Balance	Expenditures:					Insurance	Legal & Audit	Admin Support	Public Education	Water Quality Monitoring	Conf Public	Contingency
						General Engineering Support	Special Projects (General)	Special Projects (Capital)	Special Projects (Gen. Reserve)								
<b>Balance as of 12/31/21</b>					<b>456,991.62</b>												
19-Jan	Barr Engineering Co (2021)		1774	9,154.44		4,758.94	1,406.00	-	2,989.50								
19-Jan	Met Council - Environ Services (2021)		1775	3,800.00										3,800.00			
20-Jan	State of MN Grant (2021) - Cap	65,926.24															
31-Jan	Interest Income	4.16															
<b>01/31/22 Balance</b>		<b>65,930.40</b>		<b>12,954.44</b>	<b>509,967.58</b>	<b>4,758.94</b>	<b>1,406.00</b>	<b>-</b>	<b>2,989.50</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>3,800.00</b>	<b>-</b>	<b>-</b>	<b>-</b>
16-Feb	Barr Engineering Co		1776	11,132.63		2,156.63	163.00	-	7,965.00				655.50	192.50			
16-Feb	Campbell Knutson (2021)		1777	221.00						221.00							
16-Feb	City of Burnsville (2021)		1778	24,302.86							24,302.86						
16-Feb	Dakota County Soil & Water (2021)		1779	1,280.00									1,280.00				
28-Feb	Interest Income	3.95															
<b>02/28/22 Balance</b>		<b>3.95</b>		<b>36,936.49</b>	<b>473,035.04</b>	<b>2,156.63</b>	<b>163.00</b>	<b>-</b>	<b>7,965.00</b>	<b>-</b>	<b>221.00</b>	<b>24,302.86</b>	<b>1,935.50</b>	<b>192.50</b>	<b>-</b>	<b>-</b>	<b>-</b>
16-Mar	Barr Engineering		1780	18,263.21		2,923.71	1,300.00	-	7,394.50				1,696.50	4,948.50			
16-Mar	Campbell Knutson		1781	666.68						666.68							
31-Mar	Interest Income	22.10															
<b>03/31/22 Balance</b>		<b>22.10</b>		<b>18,929.89</b>	<b>454,127.25</b>	<b>2,923.71</b>	<b>1,300.00</b>	<b>-</b>	<b>7,394.50</b>	<b>-</b>	<b>666.68</b>	<b>-</b>	<b>1,696.50</b>	<b>4,948.50</b>	<b>-</b>	<b>-</b>	<b>-</b>
20-Apr	Barr Engineering		1782	18,745.13		2,572.13	1,958.00	-	7,263.50				2,394.50	4,557.00			
20-Apr	Campbell Knutson		1783	157.50						157.50							
30-Apr	Interest Income	74.49															
<b>04/30/20 Balance</b>		<b>74.49</b>		<b>18,902.63</b>	<b>435,299.11</b>	<b>2,572.13</b>	<b>1,958.00</b>	<b>-</b>	<b>7,263.50</b>	<b>-</b>	<b>157.50</b>	<b>-</b>	<b>2,394.50</b>	<b>4,557.00</b>	<b>-</b>	<b>-</b>	<b>-</b>
18-May	Barr Engineering		1784	11,349.63		3,454.25	2,269.88	-	2,447.50				1,737.50	1,440.50			
18-May	Campbell Knutson		1785	262.50						262.50							
18-May	Dakota County Soil & Water Conservation		1786	1,135.00									1,135.00				
31-May	Interest Income	187.60															
<b>05/31/20 Balance</b>		<b>187.60</b>		<b>12,747.13</b>	<b>422,739.58</b>	<b>3,454.25</b>	<b>2,269.88</b>	<b>-</b>	<b>2,447.50</b>	<b>-</b>	<b>262.50</b>	<b>-</b>	<b>2,872.50</b>	<b>1,440.50</b>	<b>-</b>	<b>-</b>	<b>-</b>
15-Jun	Barr Engineering		1787	10,804.87		3,959.13	2,620.71	-	3,978.03				247.00				
30-Jun	League of MN Cities Insurance Trust		1788	2,801.00						2,801.00							
30-Jun	Interest Income	312.83															
<b>06/30/20 Balance</b>		<b>312.83</b>		<b>13,605.87</b>	<b>409,446.54</b>	<b>3,959.13</b>	<b>2,620.71</b>	<b>-</b>	<b>3,978.03</b>	<b>2,801.00</b>	<b>-</b>	<b>-</b>	<b>247.00</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Total Revenue</b>		<b>66,531.37</b>	<b>Total Expense</b>		<b>114,076.45</b>	<b>19,824.79</b>	<b>9,717.59</b>	<b>-</b>	<b>32,038.03</b>	<b>2,801.00</b>	<b>1,307.68</b>	<b>24,302.86</b>	<b>9,146.00</b>	<b>14,938.50</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Less: 2021 A/R</b>		<b>(65,926.24)</b>	<b>Less: 2021 A/P</b>		<b>(38,758.30)</b>	<b>(4,758.94)</b>	<b>(1,406.00)</b>	<b>-</b>	<b>(2,989.50)</b>	<b>-</b>	<b>(221.00)</b>	<b>(24,302.86)</b>	<b>(1,280.00)</b>	<b>(3,800.00)</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>December LMC insurance reclass</b>		<b>-</b>			<b>-</b>												
<b>Total YTD 2022 Revenue</b>		<b>605.13</b>	<b>Total YTD 2022 Exp</b>		<b>75,318.15</b>	<b>15,065.85</b>	<b>8,311.59</b>	<b>-</b>	<b>29,048.53</b>	<b>2,801.00</b>	<b>1,086.68</b>	<b>-</b>	<b>7,866.00</b>	<b>11,138.50</b>	<b>-</b>	<b>-</b>	<b>-</b>
			<b>2022 Budget</b>		<b>186,750.00</b>	<b>31,000.00</b>	<b>40,600.00</b>	<b>5,000.00</b>	<b>40,000.00</b>	<b>3,000.00</b>	<b>5,500.00</b>	<b>19,000.00</b>	<b>20,050.00</b>	<b>17,100.00</b>	<b>500.00</b>	<b>5,000.00</b>	<b>-</b>
			<b>Budget Remaining</b>		<b>111,432.00</b>	<b>15,934.00</b>	<b>32,288.41</b>	<b>5,000.00</b>	<b>10,951.47</b>	<b>199.00</b>	<b>4,413.32</b>	<b>19,000.00</b>	<b>12,184.00</b>	<b>5,961.50</b>	<b>500.00</b>	<b>5,000.00</b>	<b>-</b>



# BLACK DOG WATER MANAGEMENT COMMISSION

## Budget Performance Report June 30, 2022

	CURRENT MONTH	YEAR TO DATE			VARIANCE FAVORABLE (UNFAVORABLE)
	ACTUAL	GENERAL FUND BUDGET	CAPITAL IMPROVEMENT FUND BUDGET	ACTUAL	
<b>Opening Fund Balance</b>		\$ 402,670	\$ 81,489	\$ 484,160	
<b>REVENUES :</b>					
<b>Member Contributions:</b>					
City of Apple Valley	\$ -	\$ 10,399	\$ 1,742	\$ -	\$ (12,141)
City of Burnsville	-	94,104	16,193	-	(110,297)
City of Eagan	-	575	-	-	(575)
City of Lakeville	-	25,922	4,065	-	(29,987)
<b>Total Member Contributions</b>	<b>-</b>	<b>131,000</b>	<b>22,000</b>	<b>-</b>	<b>(153,000)</b>
<b>Other Revenues:</b>					
Interest	\$ 313	\$ 40	\$ -	\$ 605	\$ 565
Grant (State of MN BWSR)	-	-	-	-	-
<b>Total Other Revenue</b>	<b>313</b>	<b>40</b>	<b>-</b>	<b>605</b>	<b>565</b>
<b>Total Revenues</b>	<b>\$ 313</b>	<b>\$ 131,040</b>	<b>\$ 22,000</b>	<b>\$ 605</b>	<b>\$ (152,435)</b>
<b>EXPENDITURES :</b>					
General Engineering Support	\$ 3,959	\$ 31,000	\$ -	\$ 15,066	\$ 15,934
Special Projects - General Fund	2,621	40,600	-	8,312	32,288
Special Projects - Capital Improvement Fund	-	-	5,000	-	5,000
Special Projects - General Fund Reserve	3,978	40,000	-	29,049	10,951
Insurance	2,801	3,000	-	2,801	199
Legal and Audit	-	5,500	-	1,087	4,413
Administrative Support	-	19,000	-	-	19,000
Public Education	247	20,050	-	7,866	12,184
Water Quality Monitoring	-	17,100	-	11,139	5,962
Conference/Publications	-	500	-	-	500
Contingency	-	5,000	-	-	5,000
<b>Total Expenditures</b>	<b>13,606</b>	<b>181,750</b>	<b>5,000</b>	<b>75,318</b>	<b>111,432</b>
<b>EXCESS OF REVENUES OVER (UNDER) EXPENDITURES</b>	<b>(13,293)</b>	<b>(50,710)</b>	<b>17,000</b>	<b>(74,713)</b>	
<b>EXCESS OF REVENUES OVER (UNDER) EXPENDITURES PLUS OPENING FUND BALANCE</b>				<b>409,447</b>	
<b>TOTAL CASH AVAILABLE 6/30/2022</b>	<b>409,447</b>				
<b>Fund Balance 6/30/2022</b>	<b>\$ 409,447</b>				

## Memorandum

**To:** Black Dog Watershed Management Organization (BDWMO) Commissioners  
**From:** Greg Williams, PE, Barr Engineering Co.  
**Subject:** Summary of Comments and Proposed Responses from 60-day Review of the 2022 BDWMO Watershed Management Plan  
**Date:** July 13, 2022  
**Project:** 23191455  
**c:** Daryl Jacobson, BDWMO Administrator

### Requested BDWMO Commission actions:

1. Review and discuss the formal comments and proposed responses. If appropriate, authorize Barr Engineering Co. (Barr) staff to distribute the response to comments (as revised) and prepare the 90-day draft of the Plan.
2. Schedule a public hearing on the draft Plan concurrent with the August 17, 2022, BDWMO meeting consistent with Minnesota Statutes 103B.231 Subd. 7.

## 1.0 Background

The BDWMO commissioners are in the process of updating the BDWMO Watershed Management Plan (Plan). The draft Plan was submitted for formal 60-day consistent with Minnesota Statutes 103B.231 Subd. 7 on May 12, 2022. The formal review period closed on July 12, 2022. Comments were received from the following entities:

- Dakota County
- Metropolitan Council
- Minnesota Board of Water and Soil Resources (BWSR)
- Minnesota Department of Transportation (MnDOT)

Letters of no comment were also received from:

- Dakota Soil and Water Conservation District (Dakota SWCD)
- Minnesota Department of Natural Resources (MDNR)
- Minnesota Pollution Control Agency (MPCA)

Formal comments are numbered and organized by commenting entity in the attached table. Responses to comments developed by Barr staff are included in the table with an indication of whether an edit to the Plan is recommended in response to the comment. The formal comments received are few and are generally minor. Comments #7 (from BWSR) and #20 (from Metropolitan Council) are the most significant comments and address a lack of detail regarding capital improvements planning in strategic waterbody watersheds. Barr staff reached out to BWSR staff for input on the draft response but had not received a

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**Date:** July 13, 2022  
**Page:** 2

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response at the time of this writing. Additional detail regarding these comments and proposed responses will be brought to the July 20, 2022, BDWMO meeting.

## **2.0 Next Steps**

Following formal 60-day review, Minnesota Statutes 103B.231 Subd. 7 requires that the BDWMO distribute the proposed response to comments and host a public hearing on the Plan at least 10 days after distributing comments. We recommend that the BDWMO host the public hearing as part of its regularly scheduled meeting on August 19, 2022. In the meantime, Barr staff will update the draft Plan to reflect the responses to comments. Following the public hearing, Barr staff will perform additional edits as requested by the commissioners and submit the Plan for final 90-day review, if so directed.

## BDWMO 2022 Watershed Management Plan - 60-day Review Comments and Proposed Responses

Draft July 13, 2022

ID No	Entity	Contact	Plan Section	Plan Page	Topic	Comment	Proposed Response	Plan Edit
1	BWSR	Melissa King	2.1.2, 2.12.1, 6		Linked references	Ensure hyperlinks are valid (Section 2.1.2, Section 2.12.1) and provide weblinks, when available, to referenced reports and studies (e.g. Section 2.8.4.4, Section 6).	Plan links will be checked and updated, as necessary, immediately prior to publication.	Y
2	BWSR	Melissa King	2.7.1.3 2.7.1.5	2-28 2-29	Impaired Waters	Section 2.7.1.3 for Orchard Lake and Section 2.7.1.5 for Lac Lavon. Please add clarifying language to narrative discussing listed impairments in these sections. Section 2.9.3 identifies that both resources are impaired for mercury in fish tissue.	Section 2.7.1.3 and Section 2.7.1.5 have been updated to note the impairments for mercury in fish tissue.	Y
3	BWSR	Melissa King	2.9.2 2.10	2-47 2-49	Water Quality Trends  Water Quantity and Flooding	Section 2.9.2 Lake Water Quality, Trend Analysis, and Action Levels and Section 2.10 Water Quantity and Flooding. Water quality, water quantity and discharge trends are not summarized or there is limited to no discussion in the land and water inventory (MN Rule 8410.0060 Subp. 1.F). Please add narrative that generally describes water quantity and discharge trends and provide specific referenced locations (i.e. weblinks) to all city local surface water management plans where the complete data and analysis is freely accessible. Please expand on water quality discussion for strategic resources and provide revise BDWMO weblink to the reports section on the BDWMO website.	The water quality Section 2.9.2 has been updated to more explicitly discuss the results of trend analysis and include a direct link to the 2021 annual report which presents the results in graphs.  Flow data is not available to characterize discharge trends in the watershed. A qualitative analysis of available lake level data has been added to Section 2.10 to generally characterize hydrologic trends. Note also that precipitation trends are described in Section 2.1.	Y
4	BWSR	Melissa King	4.3	4-5	Erosion and Sedimentation Goals and Policies	Plan priorities did not specifically include erosion or sedimentation as a high or a low priority issue. However, the Plan does incorporate sedimentation concerns as a greater water quality issue. Goal C and Goal H are also identical. Please clarify. We suggest the elimination of one of the redundant goal statements and incorporate Goal G and the erosion/sedimentation policies into the water quality goals and policies presented in Section 4.1.	The structure of Section 4 in the 60-day draft reflects the old (2012) Plan. The policies in current Section 4.3 have been migrated to other sections as appropriate. Goal G and H have been removed to reduce redundancy with remaining water quality goals.	Y
5	BWSR	Melissa King	2.8.8.4	2-42 5-5	Studies and Capital Projects	A list of previously completed studies are presented in Section 2.8.4.4. If the BDWMO anticipates completing additional implementation activities identified in any of these studies, we suggest that Section 5.1.5 be updated to include a list of those studies and related hyperlinks, and the implementation scheduled revised as necessary to reflect.	The study most likely to yield future projects in the near future is the City of Apple Valley's Keller Lake Subwatershed Assessment, as Keller Lake remains impaired. Section 5.1.5 has been updated to note this and include a link to that document.	Y
6	BWSR	Melissa King	Table 5-3		Implementation Schedule	Please correct footer alignment in Table 5-3, unable to read full footer text.	Footer alignment has been corrected so footnotes are fully legible	Y

**BDWMO 2022 Watershed Management Plan - 60-day Review Comments and Proposed Responses**

Draft July 13, 2022

ID No	Entity	Contact	Plan Section	Plan Page	Topic	Comment	Proposed Response	Plan Edit
7	BWSR	Melissa King	5.1.5 Table 5-2 Table 5-3	5-5	Implementation Schedule	Section 5.1.5 and subsequent implementation tables. It is unclear what structural capital improvements the BDWMO anticipates completing in the life of this plan (MN Rule 8410.0105, Subp. 2). For structural projects/programs Tables 5-2 and 5-3 identifies direct BDWMO funds to the general watershed-wide projects/programs (PP-1, PP-2, PP-3). All other projects/program included for specific strategic water bodies are noted to assume local funding provided by City/partners with possible administration/grant funding support by the BDWMO, however, no specific implementation schedule is identified in table 5-3. Please address.	The BDWMO and member cities have not identified specific capital improvements to be scheduled or implemented at this time. The strategic waterbody-specific line items in Table 5-2 and Table 5-3 will be fleshed out as member cities identify specific project opportunities. The BDWMO intends that these opportunities will be funded by City funds in combination with WBIF. Notes to this effect will be added in the implementation years in Table 5-3 so as not to imply that no projects are anticipated.  The BDWMO understands that Plan amendments may be necessary to add future projects to Tables 5-2 and 5-3. This process is described in Section 5.1.5.	N
8	BWSR	Melissa King	Table 5-4	5-16	Local Plans	Table 5-4 on page 5-16, please clarify if the City of Burnsville has adopted its local surface water management plan.	Table 5-4 will be updated to include the date of Burnsville local water plan adoption	Y
9	BWSR	Melissa King	5.5.2.1	5-17	Local Plans	Please clarify reference to amendment procedure for a local surface water management plan which is outlined in Section 5.5.2.1. Narrative provides reference to MN Rule 8410.0160 which does not identify a specific procedure.	The reference to MN Rules 8410.0160 has been removed. Section 5.5.2.1 has been updated to note that member cities must submit the local plan amendment to the BDWMO to approve or provide comment within 60 days.	Y
10	Dakota County	Valerie Neppl	NA	NA	General	The County encourages the BDWMO and member cities to coordinate with the County for collaboration and potential cost participation on water quality improvement projects to ensure an equitable implementation strategy for all MS4s in addressing the Keller TMDL.	The BDWMO will consider opportunities for collaboration with the County when evaluating or implementing activities related to the Keller Lake TMDL. Dakota County has been added to the "Partners" for implementation activities KL-1 and KL-2 addressing Keller Lake.	Y
11	Dakota County	Valerie Neppl	2.5	2-15	Geology	As of 2022, the Minnesota Geological Survey and Department of Natural Resources are in the process of updating the Dakota County Geologic Atlas.	The text of Section 2.5 has been revised to note an update is planned in 2022.	Y
12	Dakota County	Valerie Neppl	2.14	2-58	Pollutant Sources	Subsurface Sewage Treatment Systems (SSTS, AKA septic systems) – Should note that the member cities of the WMO regulate SSTS within their boundaries, subject to their local ordinances and County Ordinance 113, in addition to state law and rule.	Text has been added noting that member cities also regulate SSTS via local controls and Dakota County Ordinance 113.	Y

## BDWMO 2022 Watershed Management Plan - 60-day Review Comments and Proposed Responses

Draft July 13, 2022

ID No	Entity	Contact	Plan Section	Plan Page	Topic	Comment	Proposed Response	Plan Edit
13	Dakota County	Valerie Neppl	3.6	3-11	Groundwater Issues	<p>For private drinking water wells, Dakota County is implementing a Community Focused Sampling Program, in accordance with the 2020-2030 Groundwater Plan. On a five-year rotation, the County is offering every household that uses a private drinking water well the opportunity to have their well tested, at no cost to the household, for contaminants such as nitrate, arsenic, manganese, lead, and chloride.</p> <ul style="list-style-type: none"> <li>o Burnsville – projected for sampling in 2023</li> <li>o <i>Links provided for other City studies</i></li> </ul> <p>In 2021-2022, also in accordance with the Groundwater Plan, Dakota County has initiated a Groundwater/Source Water Collaborative, in which the WMO's member cities are participating.</p>	Text has been added to Section 2.6.3 to summarize the program and 2019-2020 results. Text has been added to Section 3.6 noting the availability of the program and referring the reader to Section 2.6.3 for more information.	Y
14	Dakota County	Valerie Neppl	4.6	4-8	Groundwater Policies	<p>Recommend adding a policy that member cities will help promote or encourage the sealing of unused wells since it was mentioned as a potential contamination source in previous chapters. Note that the County does have a well seal grant program to help landowners with cost-share of sealing wells.</p>	A policy has been added to Section 4.5 (new numbering of groundwater section) noting that the BDWMO and member cities shall promote well sealing leveraging County resources, as available.	Y
15	Dakota SWCD	Brian Watson	NA	NA	NA	Letter of no comment received June 15, 2022.	The BDWMO appreciates the Dakota SWCD's review and participation throughout the planning process.	N
16	MDNR	Megan Moore	NA	NA	NA	Letter of no comment received July 8, 2022.	The BDWMO appreciates the MDNR's review and participation throughout the planning process.	N
17	MPCA	Brittany Faust	NA	NA	NA	Letter of no comment received July 8, 2022.	The BDWMO appreciates the MPCA's review and participation throughout the planning process.	N
18	MnDOT	Beth Neuendorf	4.9.1	4-13	Performance Standards	<p>The trigger for rate and volume control and permanent water quality treatment (1 acre of disturbance per Section 4.9.1) should be based on added/reconstructed impervious consistent with the NPDES permits rather than based on soil disturbance. As a State agency, MnDOT does not follow the local city stormwater requirements, but follows the NPDES requirements.</p>	The BDWMO prefers to keep the trigger based on disturbance rather than impervious area to require treatment for smaller projects that would otherwise not meet the trigger. The BDWMO recognizes that MnDOT is exempted from this performance standard and operates under the NPDES permit.	N
19	Met Council	Joe Mulcahy	4.9.1 Table 4-1 Table 4-2	4-13	Performance Standards	<p>The BDWMO is not a permitting authority, and its general philosophy is that the member communities are responsible for managing water resources in the watershed. BDWMO should consider promoting uniform performance standards (Table 4-1) and wetland management performance standards (Table 4-2) among the member cities in the watershed.</p>	During the Plan update process, the BDWMO reviewed current city performance standards and determined that updates to establish uniform performance standards would require significant effort from member cities to update local controls with limited benefit (i.e., no significant change in overall performance standards)	N

**BDWMO 2022 Watershed Management Plan - 60-day Review Comments and Proposed Responses**

Draft July 13, 2022

ID No	Entity	Contact	Plan Section	Plan Page	Topic	Comment	Proposed Response	Plan Edit
20	Met Council	Joe Mulcahy	5.1.5 Table 5-2 Table 5-3	5-5	Implementation Schedule	The costs for many of the projects/ programs management actions in Tables 5-2, (Implementation Schedule - with activity descriptions) and 5-3 (Implementation Schedule - estimated cost by year) are listed as "TBD". While we realize it is difficult to plan future projects over a ten-year span, and the reality of annual budgets, this really is central to the implementation section of the plan and any further detail or specifics that could be provided would improve the plan. If this isn't possible at this time, any changes to these tables should be made via minor amendments to the plan as they are available.	See response to comment #7 above	N