

Minnehaha Creek Watershed District

REQUEST FOR BOARD ACTION

MEETING DATE: May 23, 2019

TITLE: Authorization to Execute a Contract with Wenck for Laketown 9th Wetland Equipment Installation, Monitoring, and Reporting

RESOLUTION NUMBER: 19-061

PREPARED BY: Janna Jonely

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TELEPHONE: 952-641-4523

REVIEWED BY: Administrator Counsel Program Mgr.: Tiffany Schaufler & Michael Hayman
 Board Committee Engineer

WORKSHOP ACTION:

| | |
|--|---|
| <input type="checkbox"/> Advance to Board mtg. Consent Agenda. | <input type="checkbox"/> Advance to Board meeting for discussion prior to action. |
| <input type="checkbox"/> Refer to a future workshop (date):_____ | <input type="checkbox"/> Refer to taskforce or committee (date):_____ |
| <input type="checkbox"/> Return to staff for additional work. | <input type="checkbox"/> No further action requested. |
| <input checked="" type="checkbox"/> Other (specify): Final action requested on May 23, 2019. | |

PURPOSE or ACTION REQUESTED:

Authorization to enter into a contract with Wenck for equipment installation, monitoring, and reporting services related to wetland replacement requirements of the approved Laketown 9th Wetland Restoration and Enhancement Plan, subject to MCWD permit 15-266.

PROJECT/PROGRAM LOCATION:

Victoria, MN (see attached map)

PROJECT TIMELINE:

Contract execution: May 23, 2019
Equipment installation and site monitoring: May–October 2019
Annual reporting: December 31, 2019

PROJECT/PROGRAM COST:

Fund name and number: Project Maintenance and Land Management, 2003
Current budget: \$811,845
Expenditures to date: \$121,824
Requested amount of funding: \$9,700

PAST BOARD ACTIONS:

- RES 15-072 , Approval of Permit 15-226 and Authorization to enter into Cooperative Agreement with Lennar and City of Victoria
- RES 16-054, May 26, 2016, Approval of Agreement with US Homes, DBA Lennar, for Wetland Restoration in Victoria, MN.
- RES 16-060, July 14, 2016, Authorization to Execute a Purchase Agreement and Easement for the Laketown 9th Wetland Restoration
- RES 17-054, August 24, 2017, Authorization to Execute Contract for Laketown 9th Wetland Restoration Management
- RES 18-034, March 22, 2018, Authorization to Enter into Contract for Vegetation Maintenance at 4 Sites
- RES 19-034, March 28, 2019, Authorization to Enter into Four Contracts for Vegetation Maintenance at 25 Sites

SUMMARY:

On May 26, 2016 the Board approved the agreement to partner with Lennar on the restoration of the Laketown 9th Wetland. Per this agreement, Lennar contracted Wenck to develop the Laketown 9th Wetland Restoration and Enhancement Plan (Plan). The Plan was approved by the Army Corp of Engineers on August 29, 2016, and the Board of Water and Soil Resources on September 1, 2016.

Lennar contracted Stantec to perform the wetland establishment outlined in the Plan, including invasive species management, seeding, and buffer establishment. The restoration work began in 2017 and was fully completed in the spring of 2018.

The District's responsibility under the 2016 agreement includes vegetation maintenance beyond project completion. Therefore, starting in 2018 this site was included in the District's Project Maintenance & Land Management Program's annual vegetation maintenance program.

The 2016 agreement also specifies the District as responsible for monitoring and reporting requirements under Wetland Conservation Act (WCA) rules and Army Corp of Engineer (ACOE) guidelines throughout the five year establishment period (2019-2023). If performance standards are met before the five year period ends, the technical evaluation panel (TEP) may conclude regulatory requirements are satisfied.

To fulfill regulatory obligations as outlined in the Plan, staff sought the attached proposal from Wenck for equipment installation, monitoring, and reporting for 2019, to track the site to determine if it is meeting performance standards for vegetation and hydrology. If approved, District staff intends to work in conjunction with Wenck staff during each monitoring visit of the 2019 season in order to be trained on the specific monitoring process. District staff then intends to utilize the knowledge gained through these visits to perform the majority of monitoring requirements in future years (2020-2023).

ATTACHMENT:

- Wenck Scope of Work for Laketown 9th Wetland Restoration Project Annual Monitoring
- Laketown 9th Wetland Location Map

RESOLUTION

RESOLUTION NUMBER: 19-061

TITLE: Authorization to Execute a Contract with Wenck for Laketown 9th Wetland Equipment Installation, Monitoring, and Reporting

WHEREAS, the Minnehaha Creek Watershed District (District) engages in regional capital improvement projects as described in its Water Resources Management Plan; and

WHEREAS, the District has identified the Six Mile Creek-Halsted Bay subwatershed as a priority area for focusing District planning activities and coordination efforts with subwatershed partners; and

WHEREAS, On May 26, 2016, the Board authorized District staff to execute an agreement with Lennar Corporation to complete the wetland restoration as a project specific mitigation and the agreement has been duly executed by the parties; and

WHEREAS, the agreement assigned the follow responsibilities to each party;

- Lennar designs and constructs the restoration project;
- MCWD acquires the land-use rights necessary to complete the restoration project and performs the necessary maintenance, monitoring and reporting for the restoration project;

and

WHEREAS, the District’s Project Maintenance and Land Management Program annually budgets for, inspects, and maintains District lands, easements, and projects post completion; and

WHEREAS, on March 22, 2018, the Board authorized the District Administrator to execute an agreement with Applied Ecological Services for Laketown Wetland vegetation maintenance; and

WHEREAS, on March 28, 2019, the Board authorized the District Administrator to execute an agreement with Minnesota Native Landscapes for Laketown Wetland vegetation maintenance; and

WHEREAS, Wenck developed the Laketown 9th Wetland Restoration and Enhancement Plan and has specific knowledge of the site prior to restoration and maintenance; and

WHEREAS, Wenck has provided the District with a scope of services for Laketown 9th Wetland Restoration equipment installation, monitoring and reporting for 2019, to track the site to determine if it is meeting performance standards for vegetation and hydrology.

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers authorizes the District Administrator to execute a contract with Wenck for the 2019 Laketown 9th Wetland equipment installation, monitoring, and reporting, for \$9,700, and authorizes the District Administrator, in his judgement, to authorize change orders as necessary up to a not-to-exceed amount of \$10,670.

Resolution Number 19-061 was moved by Manager _____, seconded by Manager _____.
Motion to adopt the resolution __ ayes, __ nays, __ abstentions. Date: May 23, 2019.

_____ Date: May 23, 2019
Secretary



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Exceptional outcomes.

5/15/2019

Janna Jonely

Minnehaha Creek Watershed District

RE: Proposal to Minnehaha Creek Watershed District for Laketown 9th Wetland Restoration Project Annual Monitoring

Ms. Jonely:

On behalf of Wenck Associates, Inc. (Wenck), thank you for the opportunity to provide the following Scope of Work and Fee Estimate for services associated with the Annual Monitoring for the Laketown 9th Wetland Restoration and Enhancement Project. This proposal includes a scope of work and estimated costs for Wenck staff to conduct the annual monitoring and reporting in 2019. Note that costs are provided in Table 1 for 2019.

Background and Project Understanding

MCWD partnered with Lennar Corporation to restore and enhance wetlands and adjacent upland buffers on the Laketown 9th residential subdivision in 2016. The restoration and enhancement work was completed in 2017 and 2018 according to the approved Laketown 9th Wetland Restoration and Enhancement Plan ("Plan"). Because the project was used by Lennar as mitigation for wetland impacts that occurred as part of construction of the residential subdivision, annual monitoring is required to demonstrate that the site is meeting performance standards for vegetation and hydrology defined in the Plan. Monitoring methodologies were outlined in Section 6.0 of the Plan.

The goal of this work is to ensure that the site continues to establish as projected and is progressing towards meeting performance standards for vegetation and hydrology outlined in the Plan. The scope of work associated with the specific proposed tasks is described below.

Scope of Work

Task 1 – Hydrology Monitoring and Equipment Installation

In 2019, Wenck staff will install two shallow monitoring wells according to Army Corps of Engineers standards for hydrology observations. An In-Situ pressure transducer will also be installed in one of the wells in 2019 to continuously record water levels on the site. Wenck will survey a benchmark on site in 2019 in order to tie the water level elevation to a true, mean sea level, datum.

The installation of monitoring wells and a pressure transducer will be at locations specified in the approved Plan. It is our assumption that Wenck will facilitate the purchase of the pressure transducer, but it will be the property of MCWD, and the cost will be included in this task in 2019. This task will also include the cost for other installation materials (PVC wells, well casings, locakable well caps, etc.). Wenck will provide a detailed list of installation materials to MCWD staff in the event MCWD needs to repair monitoring well casings.

MCWD staff will purchase telemetry equipment for the In-situ transducer. MCWD staff will affix the device to the transducer, set-up continuous monitoring, provide Wenck with access to the data, and remove both the transducer and telemetry device in the fall of 2019.

Task 2 – Site Visits

Wenck proposes to conduct three annual monitoring site investigations during the growing season of 2019 in conjunction with MCWD staff. Monitoring site visits are conducted to document vegetation cover, prescribe vegetation maintenance (if necessary), document site hydrology, and prescribe any necessary corrective actions based on comparison to the approved performance standards in the Plan. A site visit summary document prescribing necessary maintenance or issues with the site will be sent to MCWD soon after each site visit.

Spring (May)

The first annual site visit will be conducted in late Spring (typically early May) in conjunction with the installation of the monitoring wells. The early spring site investigation will include an inspection of the outlet control structure to ensure that it is functioning as desired and there are no maintenance needs. Areas of erosion or other maintenance issues will also be documented if observed. Observations of hydrology will also be documented. Due to the site visit being conducted early in the growing season, detailed vegetation surveys will not be completed. General observations on vegetation establishment and potential problem areas will be documented during the early spring visit.

Late Summer (July-August)

A late summer site visit will be conducted in July/August to conduct vegetation assessments as outlined in the Plan. Wenck and MCWD staff will conduct meandering vegetation transects in order to calculate a modified Floristic Quality Index (FQI) following protocols of the MPCA Rapid Floristic Quality Assessment (RFQA) methodology. The RFQA results will be compared to the proposed RFQA performance standards in the Plan for each community type. Vegetation will also be assessed in upland buffer areas. Areas with invasive or problem vegetation in wetland and upland buffer areas will also be mapped in order to prescribe vegetation maintenance as needed.

Observations of primary and secondary indicators of wetland hydrology will be documented as well.

Fall (September-October)

During the fall site investigation, Wenck staff, in conjunction with MCWD staff, will document vegetation establishment and potential problem areas of vegetation. Areas where maintenance is needed will be mapped to inform maintenance for the 2020 growing season. Observations of hydrology will also be documented, and constructed components will be observed for any potential maintenance that is needed. The pressure transducer would be removed from the site near the end of the growing season by MCWD staff.

Task 3 – Monitoring Report

The information from the site monitoring visits will be compiled into an Annual Monitoring Report and submitted to regulatory agencies (MCWD, BWSR, Army Corps, MN DNR) for review. Hydrology monitoring data from the transducer would be processed and compared to precipitation data to demonstrate that the site meets wetland hydrology criteria. The Report will include a comparison of how the site is tracking with performance standards from the plan in order to demonstrate that the site is meeting the projected requirements.

The Report will also include a summary of vegetation management activities that took place during each monitoring year and recommendations for future management.

Fee Summary

Wenck proposes to complete the Scope of Work for Task 1, Task 2, and Task 3 described above as shown broken out separately for each monitoring year in Table 1.

Table 1 – Fee Summary (per year)

| Year | Task | DESCRIPTION | ESTIMATED FEE |
|------------------------|------|---|----------------|
| 2019 | 1 | Hydrology Monitoring Equipment Installation & Spring Site Visit | \$3,100 |
| | 2 | Site Visits (Summer, Fall) | \$3,600 |
| | 3 | Annual Monitoring Report | \$3,000 |
| ESTIMATED TOTAL | | | \$9,700 |

Please note that this estimate represents a not-to-exceed estimate for the proposed work described above in 2019. This scope of work does not include time for regulatory meetings or additional site visits. If additional site visits or regulatory meetings are required, we will request authorization prior to conducting that work.

If you have any questions on the information in this proposal or if you would like additional information, please contact me at (763)479-4283 or wboll@wenck.com.

Sincerely,

Wenck Associates, Inc.



Wes Boll, Principal
MN Certified Wetland Delineator #1005

