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**Title:** Authorization to Execute a Contract with Wenck for Laketown 9th Wetland ACOE Monitoring and Reporting

**Resolution number:** 20-022

**Prepared by:** Name: Janna Jonely  
Phone: 952.641.4523  
jjonely@minnehahacreek.org

**Reviewed by:** Name/Title: Michael Hayman, Project Planning Manager

**Recommended action:** Authorization to award a two-year contract to Wenck for monitoring and reporting services related to wetland replacement requirements of the approved Laketown 9<sup>th</sup> Wetland Restoration and Enhancement Plan, subject to MCWD permit 15-266.

**Schedule:** Summer 2020 & 2021: Monitoring via vegetation assessments  
Winter 2020 & 2021: Army Corps of Engineering (ACOE) Reporting

**Budget considerations:** Fund name and code: 200-2003 – Project Maintenance and Land Management  
Fund budget: \$854,762  
Expenditures to date: \$7294  
Requested amount of funding: \$13,200 (\$12,000 + 10% contingency)

**Past Board action:**

Res #: 19-061	Authorization to Execute a Contract with Wenck for Laketown 9th Wetland Equipment Installation, Monitoring, and Reporting
Res #: 19-034	Authorization to Enter into Four Contracts for Vegetation Maintenance at 25 Sites
Res #: 18-034	Authorization to Enter into Contract for Vegetation Maintenance at Four sites
Res #: 17-054	Authorization to Execute Contract for Laketown 9th Wetland Restoration Management
Res #: 16-060	Authorization to Execute a Purchase Agreement and Easement for the Laketown 9th Wetland Restoration

**Summary:**

On May 26, 2016 the Board approved the agreement to partner with Lennar Corporation (Lennar) on the restoration of the Laketown 9<sup>th</sup> Wetland. Per this agreement, Lennar contracted Wenck to develop the Laketown 9<sup>th</sup> Wetland Restoration and Enhancement Plan (Plan). The Plan was approved by the United States Army Corp of Engineers (ACOE) on August 29, 2016, and the Board of Water and Soil Resources (BWSR) 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 (PMLM) 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 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.

On May 23, 2019 the Board of Managers approved resolution 19-061 contracting with Wenck for equipment installation, monitoring, and reporting for one year in order to assess the site and determine if it is meeting performance standards for vegetation and hydrology. The contract included District staff working in conjunction with Wenck staff throughout the 2019 monitoring season in order to be trained on the specific monitoring process. Due to this collaboration, the Wenck contract for 2020-2021 involves less visits by Wenck staff as some of the monitoring will now be completed by District staff. This results in the District saving approximately \$1,000 per monitoring year. Monitoring visits which require Wenck personnel will continue to be supplemented by District staff as a continued training opportunity.

**Supporting documents (list attachments):**

- Laketown 9<sup>th</sup> Wetland Restoration Project Annual Monitoring Proposal 2020-2021
- Laketown 9<sup>th</sup> Wetland Location Map



**RESOLUTION**

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**Resolution number: 20-022**

**Title: Authorization to Execute a Contract with Wenck for Laketown 9th Wetland ACOE Monitoring and Reporting**

- WHEREAS on May 26, 2016, the Board of Managers executed an agreement with Lennar Corporation to complete the Laketown 9<sup>th</sup> wetland restoration as a specific mitigation element of the development, which assigned the following responsibilities:
- 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;
- WHEREAS the District’s Project Maintenance and Land Management (PMLM) Program annually budgets for, inspects, and maintains District lands, easements, and projects post completion, and has done so for the Laketown 9<sup>th</sup> Wetland since the District accepted its project obligation in 2018, including vegetation maintenance contracts with Applied Ecological Services in 2018 and Minnesota Native Landscapes in 2019;
- WHEREAS regarding project monitoring and reporting, Wenck developed the approved Laketown 9<sup>th</sup> Wetland Restoration and Enhancement Plan and has specific knowledge of the site prior to restoration and maintenance;
- WHEREAS on May 23, 2019 the Board awarded a contract to Wenck for Laketown 9<sup>th</sup> Wetland equipment installation, monitoring, and reporting;
- WHEREAS Wenck has provided the District with a two year scope of services (2020-2021) for continued Laketown 9<sup>th</sup> Wetland monitoring and reporting to assess the sites performance standards for vegetation and hydrology, in accordance with permit requirements.

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 2020-21 Laketown 9<sup>th</sup> Wetland monitoring and reporting for \$12,000, and authorizes the District Administrator, in his judgement, to authorize change orders as necessary up to a not-to-exceed amount of \$13,200.

Resolution Number 20- 022 was moved by Manager \_\_\_\_\_, seconded by Manager \_\_\_\_\_. Motion to adopt the resolution \_\_\_ ayes, \_\_\_ nays, \_\_\_ abstentions. Date: 4/9/2020

\_\_\_\_\_  
 Secretary Date: April 9, 2020



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March 19, 2020

**Janna Jonely**

Project & Land Management Technician  
Minnehaha Creek Watershed District  
15320 Minnetonka Blvd., Minnetonka, MN 55345

RE: Laketown 9<sup>th</sup> Wetland Restoration Project Annual Monitoring Proposal 2020-2021

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 9<sup>th</sup> 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 2020 and 2021 (monitoring Year 2 and 3). Note that costs are provided in Table 1 for each year.

## **Background and Project Understanding**

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MCWD partnered with Lennar Corporation to restore and enhance wetlands and adjacent upland buffers on the Laketown 9<sup>th</sup> residential subdivision in 2016. The wetland restoration and enhancement work was completed in 2017 and 2018 according to the approved Laketown 9<sup>th</sup> 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. Wenck submitted the Year 1 Monitoring Report (2019) in February of 2020.

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**

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### **Task 1 – Site Visits**

Wenck proposes to conduct two annual monitoring site investigations during each growing season of 2020 and 2021 in conjunction with MCWD staff. Monitoring site visits are conducted to document vegetation cover, prescribe vegetation maintenance (if necessary),



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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.

#### Early Summer (June-July)

The first site visit will be conducted in June or July to conduct vegetation assessments in wetland areas 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. Areas with invasive or problem vegetation in wetland and upland buffer areas will be mapped in order to prescribe vegetation maintenance as needed. Wenck recommends performing the RFQA during this time period earlier in the growing season to observe wetland species during the bloom period. Observations of primary and secondary indicators of wetland hydrology will be documented during this site visit as well.

#### Late Summer (August)

The second annual site visit will be conducted in late summer (typically in August) in order to perform vegetation assessments of the upland buffers. Wenck recommends performing the transect evaluation of the upland buffers later in the growing season to better observe graminoids in the assessment. General observations of wetland vegetation will also be made at this time and 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.

### **Task 2 – 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 collected by MCWD 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 the monitoring year and recommendations for future management.

## **Assumptions**

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- This proposal assumes that for each monitoring year, MCWD staff will install and remove hydrology monitoring equipment in the two well locations established in 2019. Wenck assumes that MCWD will also download well data periodically throughout the growing season and will process the data and provide it at the end of the year to Wenck for incorporation into the Annual Monitoring Report.
- This proposal assumes that MCWD staff will accompany one Wenck staff member for both vegetation assessment site visits (early summer RFQA and late summer transect assessment).
- This proposal assumes that documentation of any maintenance work performed during each year will be provided to Wenck to incorporate into the Annual Monitoring Report.

## Fee Summary

Wenck proposes to complete the Scope of Work for Task 1 and Task 2, 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
<b>2020</b>	1	Site Visits (Early Summer, Late Summer/Early Fall)	\$2,600
	2	Annual Monitoring Report	\$3,600
	<i>2020 Total</i>		<i>\$6,200</i>
<b>2021</b>	1	Site Visits (Early Summer, Late Summer/Early Fall)	\$2,600
	2	Annual Monitoring Report	\$3,200
	<i>2021 Total</i>		<i>\$5,800</i>
<b>ESTIMATED 2-YEAR TOTAL</b>			<b>\$12,000</b>

Please note that this estimate represents a not-to-exceed estimate for the proposed work described above in 2020 and 2021. 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](mailto:wboll@wenck.com).

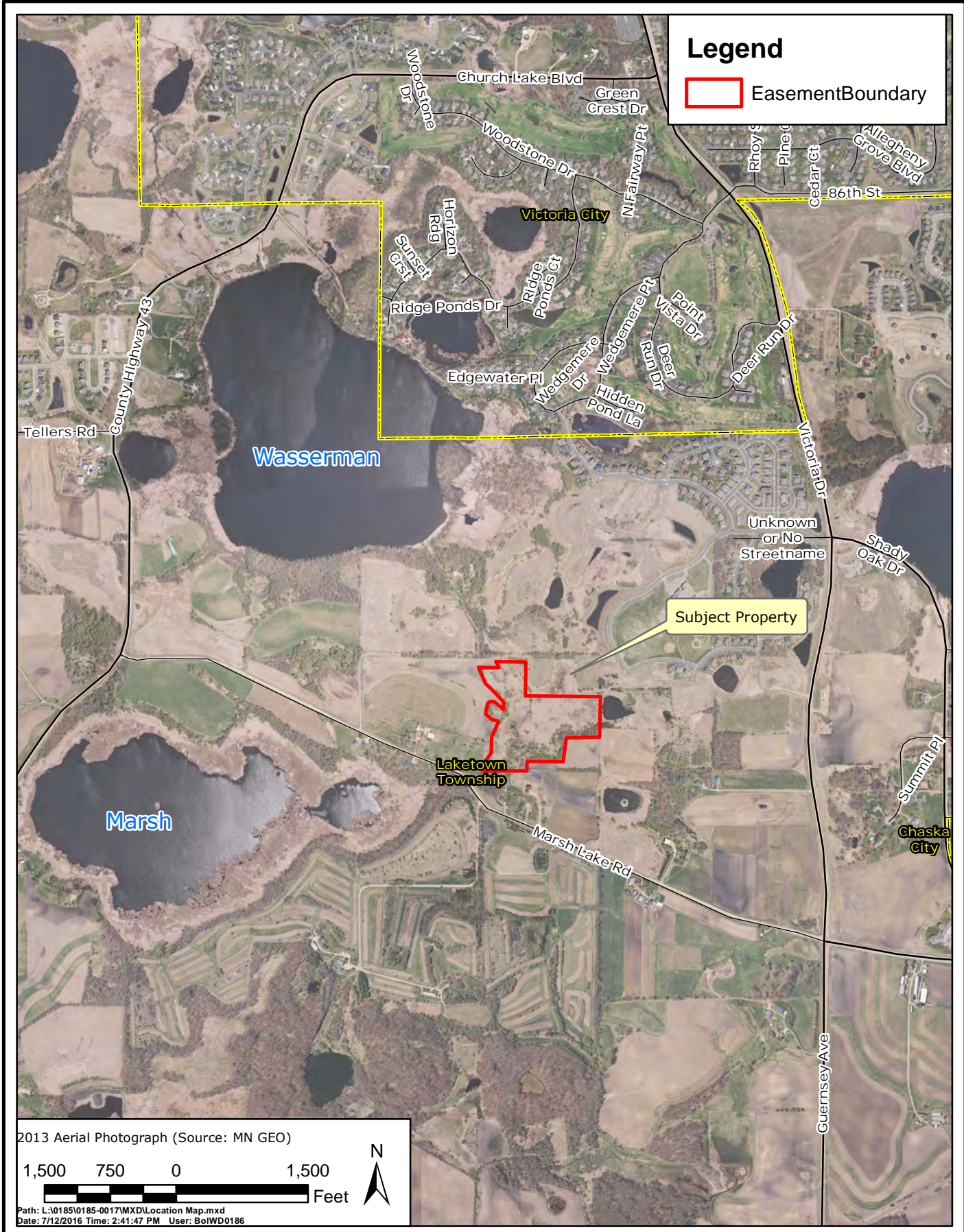
Sincerely,

**Wenck Associates, Inc.**



Wes Boll, Principal  
MN Certified Wetland Delineator #1005





**Legend**

Easement Boundary

2013 Aerial Photograph (Source: MN GEO)

1,500 750 0 1,500 Feet

Path: L:\0185\0185-0017\MXD\Location Map.mxd  
 Date: 7/12/2016 Time: 2:41:47 PM User: BolWD0186

**LENNAR**  
 Site Location Map

**WENCK**  
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JULY 2015  
 Figure 1