



MEMORANDUM

Comfort Lake-Forest Lake Watershed District

Date: August 13, 2026
To: CLFLWD Board of Managers
From: Mike Kinney, District Administrator
Subject: Permit 25-019 Maintenance Amendment



**Forest Lake
Management District**

Background/Discussion:

During the [May 14, 2026, regular board meeting](#), the Board reviewed and approved permit 25-019 for Amberly Woods ([location linked](#)), with conditions stated in EOR's April 7, 2026, memorandum recommendations. Recommendation #4 requires "execution of a maintenance instrument satisfactory to the CLFLWD addressing the ongoing operation and maintenance of the proposed stormwater management features," as is standard for features maintained by private entities. However, the City of Forest Lake is taking responsibility for maintenance of the basins and retaining ownership of Outlots A and B of the plat, where the basins are located.

The CLFLWD and City of Forest Lake hold an ongoing programmatic maintenance agreement that has been in effect since 2012. The City will perform perpetual maintenance of the basins and all associated infrastructure in accordance with the terms of that agreement, as stated in the August 13, 2026 letter signed by City Administrator Jolleen Chaika.

Recommended Motion:

Manager _____ moves to amend Permit 25-019 so that Recommendation #4 of the engineer's April 16, 2026 memorandum is replaced with the following: "Receipt of a letter from the City Administrator stating that the City will maintain the stormwater basin pursuant to the terms of the November 9, 2012 'Cooperative Agreement for Maintenance of Stormwater Management Facilities and Watercourse and Basin Crossings'." Seconded by Manager _____.

Attached:

EOR April 7, 2026 Memorandum
2012 Programmatic Maintenance Agreement
August 13, 2026 Letter Countersigned by the City Administrator



MEMORANDUM

Comfort Lake-Forest Lake Watershed District

Date: April 10, 2026
To: CLFLWD Board of Managers
From: Mike Kinney, District Administrator
Subject: CLFLWD Permit 25-019 – Amberly Woods



Forest Lake
Management District

Background/Discussion:

CLFLWD Permit 25-019 – Amberly Woods is a proposed subdivision of 56 lots for single family homes and two out lots located West of the intersection of Goodview Avenue N & Georgia Avenue N, Forest Lake. The location can be found here: [linked](#).

The total size of the site is 15.6 acres, and the project would result in approximately 6.49 acres impervious cover. The project triggered CLFLWD rules 2.0, 3.0, 4.0, 9.0, & 10.0 which require stormwater management, erosion control, and wetland buffers. Stormwater management requirements are met through one large stormwater pond. Erosion control requirements will be met through a detailed erosion control plan which includes rock construction entrances, silt fence, erosion control blankets, inlet protection, and revegetation specifications along with a detailed stormwater pollution prevention plan (SWPPP).

Any individual lots sold to builders will require permit transfers and lot specific erosion control plans. Numerous wetlands are onsite including five Manage 3 wetlands which require 25-foot buffers, four Manage 2 wetlands requiring 50-foot buffers, and two Manage 1 wetlands requiring a 75-foot buffer. These buffer widths have been met with variable width buffers following district requirements. Invasive species are present in the planned buffers requiring a revegetation plan.

Recommended Motion:

Proposed Motion: Manager _____ moves to approve permit application #25-019 with conditions stated in EOR's April 7, 2026, Permit Application #25-019, Forest Lake memorandum. Seconded by Manager _____.

Attached

Emmons & Olivier Resources' Memorandum
Emmons & Olivier Resources' Exhibit

Project	Amberly Woods	Date	4-16-2026
To	Board of Managers	Contact Info	CLFLWD
Cc	Mike Sandager, Program Coordinator Mike Kinney, District Administrator	Contact Info	CLFLWD
From	Ali Stone Anne Wilkinson, PhD, P.E.	Contact Info	EOR
@Regarding	Permit Application #25-019		

Applicant

TCLD Amberly LLC
 4800 Olson Memorial HWY, Suite 200
 Golden Valley, MN 55422
 Phone: 651-587-7983
 ashley@tclanddey.com

Authorized Agent

Carlson Engineering
 Attn: Kyle Ogren
 3890 Pheasant Ridge Drive, Suite 100
 Blaine, MN 55449
 Phone: 651-246-9435
 kogren@carlson-engineering.com

Project Purpose: The proposed project will build 56 single family home lots on a 15.8 acre site. The existing impervious on site is 0.32 acres and the resulting impervious on site will be 6.49 acres.

Project Location: Parcel ID: 2103221230002. Site drains to both Forest Lake (located within CLFLWD) and Rice Creek Watershed District (RCWD).

Applicable District Rules: 1.0, 2.0, 3.0, 4.0, 9.0, 10.0

Recommendation: Approval, in accordance with submittals listed below:

1. Provide documentation of WCA approval of wetland impacts.
2. Provide documentation of NPDES permit approval.
3. Submittal of proof of recording of buffer maintenance instrument with the County. The proposed instrument shall be provided to the District for review prior to execution, and documentation of recording with the County must be provided before permit issuance.
4. Execution of a maintenance instrument satisfactory to the CLFLWD addressing the ongoing operation and maintenance of the proposed stormwater management features. The proposed instrument shall be provided to the District for review prior to execution, and documentation of recording with the County must be provided before permit issuance.
5. Financial Assurance in the amount of \$38,000 for grading and alteration.
6. Financial Assurance in the amount of \$569,200 for stormwater management or demonstration that the applicant has provided the municipality with a financial assurance, specific to the stormwater facilities, of equal or greater value.

Stipulations of Permit:

1. All buffer markers shall be installed prior to any lot grading or home construction.
2. All proposed stormwater facilities shall be constructed concurrently with the work authorized by the permit. Facilities must be graded before impervious surfaces may be installed.

3. Submittal of as-built survey for all stormwater features and pipe.
4. Provide documentation from City of Forest Lake and RCWD (as applicable) that they are aware of the proposed stormwater design in relation to system capacity for the downstream flow and facilities.
5. Provide documentation of Wetland replacement credits purchased.

Rule 2.0: Stormwater Management

The proposed project will build a residential subdivision called Amberly Woods, including 56 single family home lots and a total of 6.49 acres of new impervious. Due to the clay soils infiltration is not feasible. The sequencing of potential BMPs results in the use of stormwater ponds. The stormwater report and plans include one large stormwater pond sized to treat stormwater from the entire development area. The entire property is within CLFLWD jurisdiction, but as a note, the western side of the property ultimately drains west to RCWD. CLFLWD made Rice Creek Watershed District (RCWD) aware of the new development and its drainage patterns and RCWD surfaced no concerns. This new development area is located on the western side of the property and the new stormwater pond flows to Rice Creek Watershed District. There is sufficient remaining upland area that additional future development may occur on this property. Additional CLFLWD permitting will be required if future development is proposed.

For new development the volumes at the point of discharge must not increase from pre-development conditions for the 24-hour precipitation event with a return frequency of two years. Based on the submitted calculations the required infiltration volume for the site is 0.9 acre-feet (Predevelopment volume vs. Post-development volume for the 2-year event). Utilizing a 0.50 conversion factor for the stormwater ponds results in a required treatment volume of 1.8 acre-feet. The stormwater ponds must also provide 2.5 inches of dead storage and capture runoff from the 2-year event per rule 2.3.3. The proposed stormwater pond provides 3.35 acre-feet of dead storage which satisfies all of these stormwater pond sizing requirements.

A small fraction of site hard surface, consisting of rooftops, drains to backyards and will sheet flow through turf areas and protected wetland buffers, so most or all of the regulated volume will be captured for the 24-hour precipitation event with a return frequency of two years, and suspended solids will be removed from this runoff to the maximum extent practicable.

Discharge from the site reduces peak rates compared to existing conditions at all discharge locations, thereby satisfying District Rate Control requirements. A summary table of rates leaving the site is below.

Rate Control Summary

Conditions	2-year	10-year	100-year
Existing (cfs)	8.06	19.80	44.55
Proposed (cfs)	4.60	11.11	39.55

Calculations have been provided showing a negligible change to bounce and inundation of the downstream wetlands. This meets the requirements of Rule 2.3.4. A detailed SWPPP has been provided indicating the proposed stormwater facilities will be constructed concurrently with the work authorized by the permit. Additionally, it calls out the use of temporary sedimentation basins as erosion control to

be in place before construction starts. The proposed low floors and low openings satisfy District freeboard requirements.

Rule 3.0: Erosion Control

Erosion control plans have been provided including perimeter control, stockpiles, double silt fence between impervious areas and wetlands, rock construction entrances at all four site entrances, street sweeping, inlet protection for all catch basins, along with revegetation specifications. A SWPPP has been submitted.

The proposed plans meet district erosion control requirements. The District may require the installation of additional sediment control best management practices at a later time, if deemed necessary based on site conditions during construction.

Rule 4.0: Lake, Stream, and Wetland Buffer Requirements

A MnRAM summary has been submitted indicating that there are 11 wetlands on site. Five of the wetlands are indicated to be Manage 3 (requiring a 25-foot buffer), four are indicated to be Manage 2 (requiring a 50-foot buffer) and two are indicated to be Manage 1 (requiring a 75-foot buffer). A buffer plan has been submitted that utilizes buffer averaging and satisfies District buffer requirements around all wetlands.

The buffer areas around the basins will be revegetated with a native seed mix. Invasive species will be removed from the buffers. No work or disturbance is proposed on the wetlands. The buffers of wetlands 1, 5 and 6 have invasive that the Landscape Plan calls out treating.

Rule 5.0: Shoreline and Streambank Alterations

The proposed project does not trigger this rule; a DNR general permit applicable to owners who hold a District permit is not in effect.

Rule 6.0: Watercourse and Basin Crossings

The proposed project does not trigger this rule; no roadways, utilities, or water control structures are proposed in the bed of District waterbodies.

Rule 7.0: Floodplain and Drainage Alterations

The proposed project does not trigger this rule because there has been no change to the drainage or floodplain by this development; the City of Forest Lake has a state-approved floodplain ordinance.

Rule 8.0: Wetland Management

The proposed project does not trigger this rule; the District is not the LGU for wetland impacts.

Rule 9.0: Fees

The fees for the proposed project are the \$10 application fee and the \$10,300 review and field inspection deposit. The fees have been submitted.

Rule 10.0: Financial Assurances

The financial assurances required for the proposed project are \$38,000 for grading and alteration and \$569,200 for stormwater management facilities. A financial assurance to CLFLWD for stormwater management facilities is not needed if the applicant demonstrates that they have provided the municipality with a financial assurance for the facility of equal or greater value.

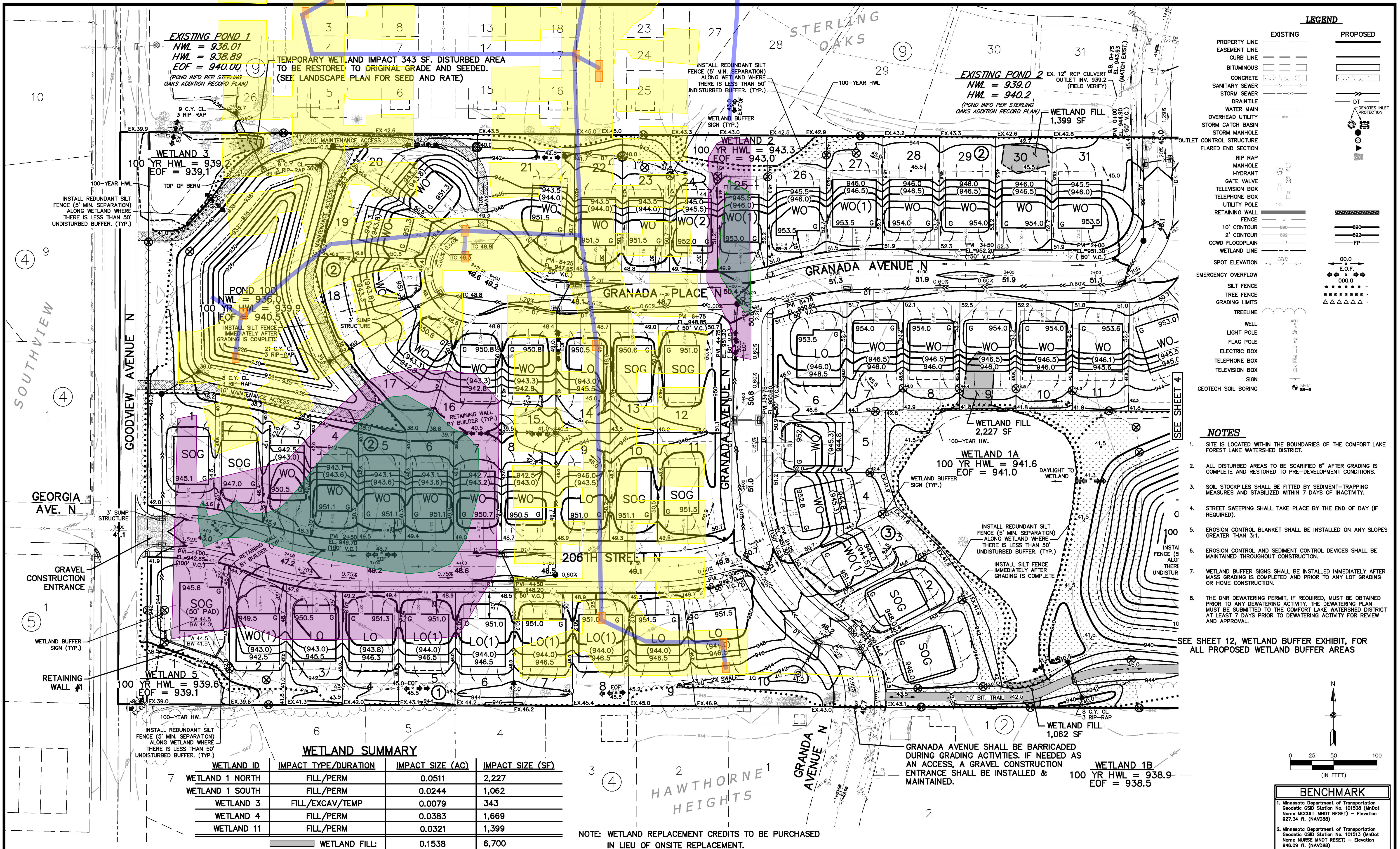
Rule 11.0: Variances

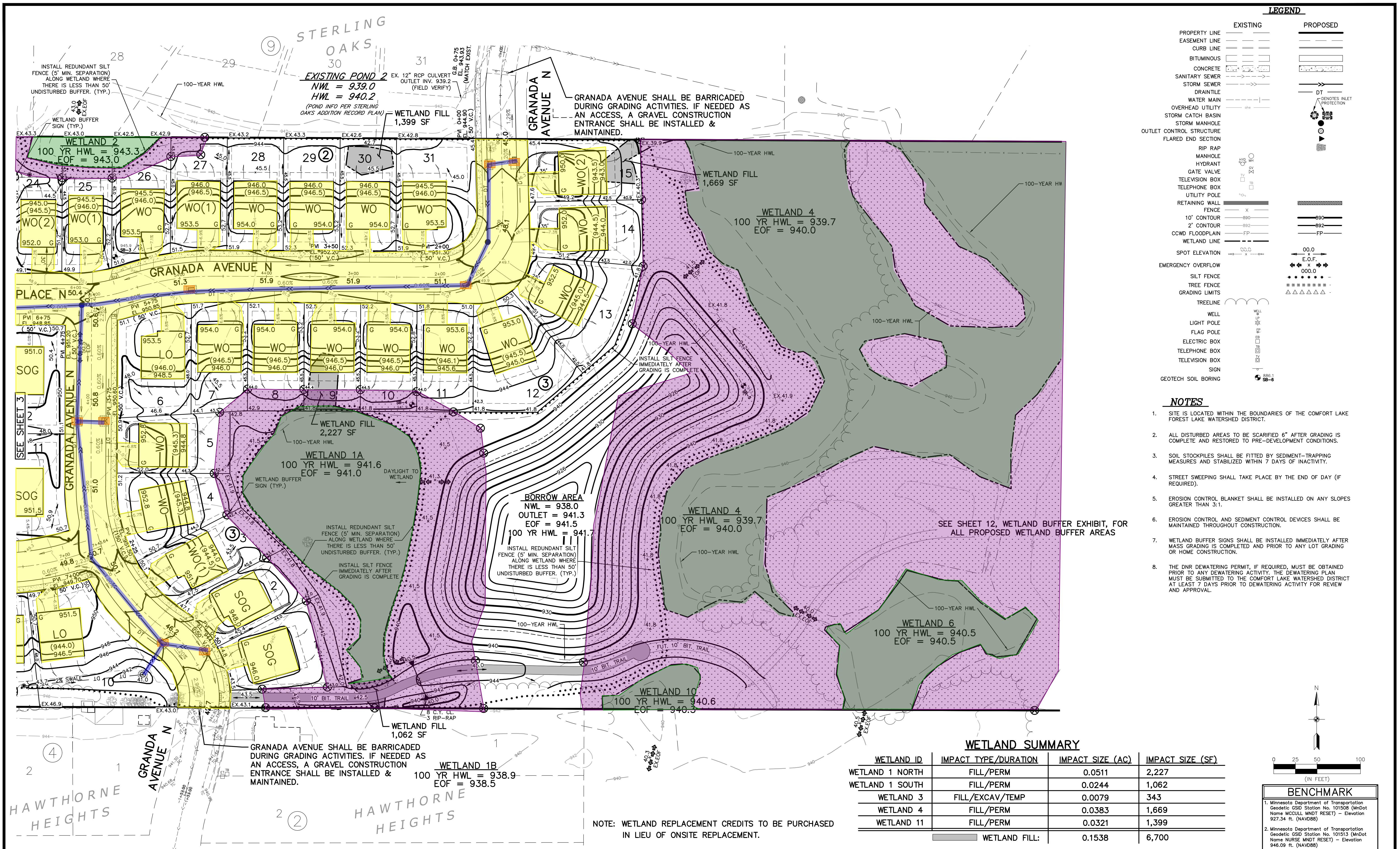
A variance has not been requested.

Submittals Received

The following submittals were received and reviewed as the basis for this permit application review:

1. Permit Application, undated, received August 26, 2025.
2. Permit Application fee of \$10, received August 28, 2025.
3. Permit Review and Inspection Deposit in the amount of \$10,300, received August 28, 2025.
4. Wetland Delineation Report, dated October 18, 2021, prepared by Kjolhaug Environmental Services Company, Inc.
5. MNRAM Binder, dated March 8, 2022, prepared by prepared by Kjolhaug Environmental Services Company, Inc.
6. Wetland Buffer Assessment, dated December 1, 2025, prepared by prepared by Kjolhaug Environmental Services Company, Inc.
7. WCA Notice of Determination, dated November 23 2021, prepared by Board of Water and Soil Resources.
8. Existing and Proposed HydroCAD modeling files, dated March 23rd, 2026, prepared by Carlson Engineering.
9. Storm Sewer Catchment Map, dated October 21, 2025, prepared by Carlson Engineering.
10. Stormwater Management Plan, dated December 11, 2025, prepared by Carlson Engineering.
11. Stormwater Pollution Prevention Plan, dated March 3rd, 2026, prepared by Carlson Engineering.
12. Construction Plan Set (16 sheets), dated March 16, 2026, by Carlson Engineering.
13. Stormwater Facilities Estimate, dated December 11, 2025, by Carlson Engineering.
14. Vegetation Plan, dated April 17, 2026, by Carlson Engineering.





**COOPERATIVE AGREEMENT
FOR MAINTENANCE OF
STORMWATER MANAGEMENT FACILITIES AND WATERCOURSE AND BASIN CROSSINGS**

**Between the Comfort Lake–Forest Lake Watershed District
and the City of Forest Lake**

This Agreement is made by and between the Comfort Lake – Forest Lake Watershed District (CLFLWD), a watershed district with purposes and powers set forth at Minnesota Statutes Chapters 103B and 103D, and the City of Forest Lake (City), an political subdivision of the State of Minnesota.

Recitals and Statement of Purpose

WHEREAS pursuant to authority of Minnesota Statute §103D.345, the CLFLWD implements a permitting program under which stormwater management and watercourse and basin crossings requirements, presently referenced as Rules 2.0 and 6.0, apply to land development and redevelopment activities; and

WHEREAS City is subject to those requirements; and

WHEREAS under the Stormwater Management rule and Watercourse and Basin Crossing rule, certain land development activities require a landowner to file for recordation a declaration or similar instrument establishing the landowner's obligation in perpetuity to inspect and maintain stormwater management facilities and crossing structures; and

WHEREAS in each case a public landowner, as an alternative to a recorded instrument, may document its obligation in an unrecorded written agreement with the CLFLWD; and

WHEREAS Rule 2.5.8, Stormwater Management Facility Maintenance Instrument, further states that if a municipal facility maintenance plan has been approved by the CLFLWD and the municipality will maintain the facility, a separate maintenance instrument is not required; and

WHEREAS City has a District-approved Local Surface Water Management Plan (Plan) and a state approved Municipal Separate Storm Sewer System Permit (MS4) from the Minnesota Pollution Control Agency (MPCA) that includes a Storm Water Pollution Prevention Plan (SWPPP); and

WHEREAS the City SWPPP conforms to maintenance requirements set by the MPCA after rulemaking and a stakeholder-intensive process, and includes a number of specific best management practices addressing inspection, follow up maintenance/repair, reporting, evaluation, and vegetation management; and

WHEREAS City represents that it has the rights of property ownership and control sufficient to perform the responsibilities it assumes under this Agreement; and

WHEREAS the parties concur that it is clearer and procedurally more efficient for the CLFLWD and City to agree at this time on the acceptance of facility inspection and maintenance practices as presently set forth in the City MS4 Permit and SWPPP to serve as a municipal facility maintenance plan and standard requirements, so that this agreement may be incorporated into future permits as applicable;

THEREFORE IT IS AGREED as follows:

1. City will maintain stormwater management facilities and watercourse and basin crossings in conformance with its MPCA-approved MS4 Permit and SWPPP, specifically including but not limited to:
 - a. All stormwater retention, detention and treatment basins must be inspected at least once a year to determine that basin retention and treatment characteristics are adequate. A storage treatment basin will be considered inadequate if sediment has decreased the wet storage volume by 50 percent or dry storage volume by 25 percent of its original design volume. Based on this inspection, if a stormwater basin requires sediment cleanout, the basin will be restored to its original design contours and vegetated state within one year of the inspection date.
 - b. All grit chambers, sump catch basins, sump manholes, outlet structures, culverts, outfall structures and other stormwater facilities for which maintenance requirements are not otherwise specified herein must be inspected in the spring and fall of each year. Within 30 days of the inspection date, all accumulated sediment and debris must be removed such that each stormwater facility operates as designed and permitted. Contributing drainage areas must be kept clear of litter and vegetative debris, inflow pipes and overflow spillways kept clear, inlet areas kept clean, and undesirable vegetation removed. Erosion impairing the function or integrity of the facilities, if any, will be corrected, and any structural damage impairing or threatening to impair the function of the facilities must be repaired.
 - c. Volume control facilities and contributing drainage areas must be inspected at least twice annually during the operational period (between spring snowmelt and first substantial snowfall) and monitored after rainfall events of 1 inch or more to ensure that the contributing drainage area is clear of litter and debris, inflow pipes and overflow spillways are clear, inlet areas are clean, undesirable vegetation is removed and there is no erosion impairing or threatening to impair the function of a facility. If sediment has accumulated in an infiltration feature, within 30 days of inspection deposited sediments must be removed, the infiltration capacity of the underlying soils must be restored, and any surface disturbance must be stabilized. Inspection must ensure that sediment traps and forebays are trapping sediment and that more than 50 percent of the storage volume remains, the contributing drainage area is stable (i.e., no erosion is observed), and inlets and outlet/overflow spillways are in good condition with no erosion. Maintenance techniques used must protect the infiltration

capacity of the practice by limiting soil compaction to the greatest extent possible (e.g., by using low-impact earth-moving equipment).

- d. In addition to the applicable requirements above, rain gardens must be kept clean of excess sediment and debris. Healthy plant growth must be maintained in rain gardens by removing dead vegetation in the spring of each year, and the top two to five inches of media must be removed and replaced every three to five years so as not to impede filtration of sediment and oils.
- e. Pervious pavers and pervious concrete must be inspected at least once each year, after a storm events exceeding inch inch of rainfall in a 24 hour period, and otherwise annually; surface openings must be vacuumed in dry weather to remove dry, encrusted sediment as necessary; and broken units that impair the structural integrity of the surface must be replaced. If water stands for an more than 48 hours, base materials must be replaced within 9 months from the date of the inspection and report of the standing water occurred.
- f. Underground storage chambers must be inspected at least once a year to ensure that adequate storage capacity remains. Capacity will be considered inadequate if sediment has decreased the storage volume by 50 percent of its original design volume. Accumulated debris and sediment will be removed, and inlet and outlet structures will be cleared of any flow impediments, within 3 months from the date of the inspection and report that identified the loss of capacity or flow impediments.
- g. Any BMPs for which maintenance requirements are not otherwise provided in this Agreement or the SWPPP will be inspected and maintained to provide the function for which they were designed.
- h. Submission of the City Metro MS4 Permit annual report to the CLFLWD will be made at the same time that it is required to be submitted to the MPCA. The annual report format is available on-line and can be downloaded by CLFLWD.
- i. Watercourse and basin crossings and other conveyances shall be maintained in good repair at all times to preserve channel/bed stability, hydraulic capacity, and navigational capacity if designed for navigational capacity.

2. In addition, City will respond promptly to notice from the CLFLWD that a facility or crossing structure may require inspection or maintenance and will take action following inspection in the same manner as provided above.

3. The CLFLWD accepts City's MPCA-approved MS4 Permit and SWPPP as a municipal facility maintenance plan under Rule 2.5.8, subject to the terms of this Agreement.

4. If City conveys into private ownership a fee interest in all or any portion of the public property that is subject to this Agreement, it must require as a condition of sale, and enforce: (a) that the purchaser record a declaration on the property incorporating the stormwater management facility

maintenance requirements of this Agreement; and (b) that recordation occur either before any encumbrance is recorded on the property or, if after, only as accompanied by a subordination and consent executed by the encumbrance holder ensuring that the declaration will run with the land in perpetuity. If City conveys into public ownership a fee interest in all or any portion of the property that is subject to this Agreement, it must require as a condition of the purchase and sale agreement that the purchaser accept an assignment of all obligations vested under this Agreement.

5. The CLFLWD may include in any specific permit other or different conditions as it may determine warranted for the circumstances of that permit.

6. This Agreement is in force for five years from the date on which it is fully executed and will renew automatically for five-year terms unless terminated by the parties. This Agreement may be amended only in a writing signed by the parties. Either party may terminate this Agreement on 30 days' written notice to the other party. Maintenance obligations that have become binding by incorporation into an approved permit before termination of the Agreement will survive termination.

7. Violation of an inspection, maintenance or reporting provision is a violation of the CLFLWD permit for a project and of this Agreement for which the CLFLWD may take civil action against the City, after completion of its notice of rule violation procedures.

8. The recitals are incorporated as a part of this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement.

COMFORT LAKE-FOREST LAKE WATERSHED DISTRICT

By *Paul P. Damblak 11-9-12* Date:
President, Board of Managers

CITY OF FOREST LAKE

By: *[Signature]* Date:
[Signature]



CLFLWD
WATERSHED DISTRICT

651-395-5850 

info@clflwd.org 

www.clflwd.org 

44 Lake St. South, Suite A
Forest Lake, MN 55025 

August 13, 2026

Jolleen Chaika
1408 Lake Street South
Forest Lake, MN 55025

CC: TCLD Amberly LLC
4800 Olson Memorial HWY, Suite 200
Golden Valley, MN 55422

RE: Permit 25-019 Amberly Woods Stormwater Treatment

Administrator Chaika,

Please sign below to affirm that the following statement is accurate: "The stormwater management basins being constructed pursuant to CLFLWD Permit No. 25-019 are located on Outlots A and B, owned by the City. The City commits to maintain the basins in accordance with the terms of the November 9, 2012 'Cooperative Agreement for Maintenance of Stormwater Management Facilities and Watercourse and Basin Crossings' between CLFLWD and the City."

Jolleen Chaika, City Administrator

Date

Sincerely,



Mike Kinney
District Administrator
Comfort Lake-Forest Lake Watershed District

Board of Managers

Jackie Anderson, President - Steve Schmaltz, Treasurer
Dave Bakke, Secretary - Douglas Toavs, Assistant Treasurer - Jim Schottmuller, Manager

Stormwater Agreement Permit 25-019

Final Audit Report

2026-08-17

Created:	2026-08-14
By:	Victoria D'Amico (victoria.damico@clflwd.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAiX0PFACbKw63C6biGJn4pJfvnDoOQuLg

"Stormwater Agreement Permit 25-019" History

-  Document created by Victoria D'Amico (victoria.damico@clflwd.org)
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-  Document emailed to Mike Kinney (michael.kinney@clflwd.org) for signature
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-  Email viewed by Mike Kinney (michael.kinney@clflwd.org)
2026-08-14 - 8:54:50 PM GMT
-  Document e-signed by Mike Kinney (michael.kinney@clflwd.org)
Signature Date: 2026-08-17 - 11:32:05 AM GMT - Time Source: server - Signature Appearance Selected: IMAGE
-  Agreement completed.
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