



Capitol Region Watershed District

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Regular Meeting Minutes of the Capitol Region Watershed District (CRWD) Board of Managers, for **Wednesday, March 17, 2010, 6:00 p.m.** at the office of the CRWD, 1410 Energy Park Drive, Suite 4, St. Paul, MN 55108.

I. Called to Order at 6:02 p.m. (President, Bob Piram)

A) Attendance

Robert Piram

Joe Collins

Seitu Jones

Mike Thienes

Marylyn Deneen (absent w/notice)

Others Present

Bob Fossum, CRWD

Forrest Kelley, CRWD

Dawn Nelson, CRWD

Elizabeth Beckman, CRWD

Anna Eleria, CRWD

Jerry Wagner, CAC

Todd Shoemaker

Wenck & Associates

David MacMillan,

Ramsey County Attorney

B) Review, Amendments and Approval of the Agenda

Manager Piram asked for additions or changes to the Agenda. There were no additions or changes to the Agenda.

The Board adopted the Agenda as provided by consensus.

II. Public Comment – For items not on the Agenda.

There were no public comments.

III. Permit Applications

A) Permit #08-010 Midway Center Permit Extension (Kelley)

Forrest Kelley reviewed CRWD Permit # 08-010 Midway Center Permit Extension. Mr. Kelley said the applicant is RK Midway, LLC and the Engineer is Metro Land Surveying and Engineering. The project is demolition of the existing building and construction of two new buildings, a parking lot and stormwater management facilities. The project is located at 1574 University Avenue, East of Snelling Avenue near the Rainbow Foods in St. Paul. The applicable rules are Stormwater Management (Rule C), Erosion Control (Rule F) and Floodplain Management (Rule D). Mr. Kelley said this project has 2.1 acres of disturbed area, 1.75 acres of proposed impervious surface and the proposed stormwater management is underground storage and an EcoStorm Plus filtration structure. Mr. Kelley noted the permit application was approved on April 2, 2008 with 3 conditions. At the April 1, 2009 Board Meeting, a permit extension request was approved for a period of one year to expire April 2, 2010. The permit has not been issued and work has not commenced. Mr. Kelley said the applicant submitted an email indicating the project was not constructed in 2009 due to economic conditions and the lack of finalization of tenant agreements. Mr. Kelley noted that the email also requested an additional one year permit extension. Mr. Kelley said the applicant has submitted the \$8,750 surety, maintenance agreement, and updated plans to comply with the conditions of the original approval from 2008. Mr. Kelley said the applicant indicated that construction is planned to begin in late spring of 2010. Mr. Kelley said staff recommendation is to approve the one year extension with three conditions.

Motion 10-03-06: *To approve the requested one-year permit extension for 08-010 Midway Center with the following three conditions:*

- 1. Existing permit conditions shall be satisfied by RK Midway, LLC before the permit is issued.*
- 2. All changes to the approved plans shall be submitted to the District.*

3. *Revised plans may require submittal of a new permit application and associated fees at the Board's discretion.*

Collins/Jones

Unanimously Approved

B) Permit #10-004 Anderson Student Center (Kelley)

Forrest Kelley reviewed CRWD Permit # 10-004 Anderson Student Center. The applicant is the University of St. Thomas and the project is removal of an existing parking lot and construction of a new student center building. Mr. Kelley noted that the proposed project is the second of two phases. Phase 1 included a new athletic and recreational building, while phase 2 includes a new student center and stormwater management for both phases. The Board approved plans for Phase 1 at the April 16, 2009 Board meeting. Mr. Kelley said the applicable rules are Stormwater Management (Rule C), Erosion Control (Rule F) and Floodplain Management (Rule D). Mr. Kelley said this project has 6.9 acres of disturbed area, 2.76 acres of proposed impervious surface and the proposed stormwater management will include underground infiltration and swirl separators for pre-treatment. The staff recommendation is to table the permit with seven conditions.

Motion 10-03-07: *To table permit #10-004 Anderson Student Center subject to the following seven conditions:*

1. *Receipt of \$13,800 surety.*
2. *Submit a copy of the NPDES permit application.*
3. *Increase volume retention storage to at least 21,595 cubic feet below the underground storage outlet elevations. CRWD staff calculates the current volume provided is 15,785 cubic feet (528 cf from the SW storage and 15,257 cf from the NE storage). After enlarging each storage area as necessary, ensure there is sufficient runoff volume to each storage area to utilize the storage provided.*
4. *Reduce the SW underground storage design infiltration rate to 3.0 in/hr to be consistent with the NE underground storage design infiltration rate. The open pit field test performed at the NE location more accurately represents how the completed system will function.*
5. *Revise the bottom of both storage areas such that they are at least 3 feet above the "seasonally high groundwater table" (per the Minnesota Stormwater Manual). The proposed bottom of the SW and NE storage areas are 859.2 and 859.6, respectively. The highest recorded groundwater elevation was 857.0 on December 21, 2009 (Boring P-16). The seasonally high groundwater table is likely higher than 857.0 since this measurement was taken in winter.*
6. *Provide legible construction details for the two Triton systems. The 11"x17" submittals are not legible, and the details were not included with the full size plan set submittal. Ensure that the bottom of rock and bottom of the Triton system elevations correspond with the HydroCAD model.*
7. *Justify a time of concentration of 32 minutes for Subwatershed 1S in the HydroCAD model.*

Jones/Thienes

Unanimously Approved

C) Permit Program/Rules Update (Kelley)

Mr. Kelley said there will be a permit request at the next meeting for a street project on Seventh and Douglas that is all bedrock. Mr. Kelley said the City is requesting to use banked credits. Mr. Kelley said the reconstruction of the Hwy 36 and Rice Street interchange may return for next Board agenda. Mr. Kelley said the survey for the Cleveland – Randolph groundwater study is complete and Wenck is putting together a draft report for the Boards review.

IV. Special Reports

A) Community Clean-Ups for Water Quality (Beckman)

Elizabeth Beckman explained that the Freshwater Society is a Minnesota nonprofit created in 1968 with the mission to promote the conservation, protection, and restoration of all freshwater resources. As part of their 2010 Year of Water, The Freshwater Society has created The Community Toolkit for Water Quality Clean-

ups. Ms. Beckman said the Freshwater Society used an event model from The Friends of the Minnesota Valley to create the Community Toolkit, which includes an instructional DVD and printed materials that may be customized for the organization hosting a clean-up. The focus of the Clean-ups is spring and fall street leaf removal to reduce nutrient loading in local surface waters. Using data from the Minnesota Pollution Control Agency, the Freshwater Society has calculated that approximately five bags of leaves and organic debris collected from streets and sidewalks can prevent one pound of phosphorus from entering lakes and rivers which over time can lead to the growth of up to 1,000 pounds of algae. In the Midwest, phosphorus is the most serious source of pollution for rivers and lakes causing excessive growth of aquatic plants and eventual eutrophication. Ms. Beckman said District 10's Como Lake Neighbor Network has requested grant funds to hold a pilot event in the Como neighborhood on April 17, 2010. CRWD hopes to collaborate with other organizations and St. Paul Parks and Recreation to promote these events in sub-watersheds of the District. The Board reviewed the 7 minute instructional DVD.

V. Action Items
Consent Agenda

Manager Piram asked for a motion to approve the March 17, 2010 Consent Agenda as presented.

Motion 10-03-08:

- A) *Approve Minutes of the March 3, 2010 Regular Meeting as presented.*
- B) *Approve Accounts Payables for \$95,278.43 and the Accounts Receivable for \$331.75 for the month of February 2010 and direct Board Vice President and Treasurer to endorse and disperse checks for payment.*
- C) *Approve Como Lake Neighborhood Network stewardship grant with reimbursement funding not to exceed \$610.00 subject to the following conditions:*
 - 1) *The CRWD and CLNN must both approve and enter into a Cooperative Agreement;*
 - 2) *Any significant program changes must be reviewed by CRWD; and*
 - 3) *All conditions must be met and the project completed by December 31, 2010.*
- D) *Approve Letter of Understanding for 2009 Audit Services with the Office of the State Auditor.*
Thienes/Collins
Unanimously approved

Discussion

E) Approve Como Lake TMDL (Fossum)

Mr. Fossum explained that the approved 2010 Watershed Management Plan Workplan includes a task to convert the Como Lake Strategic Management Plan into a Total Maximum Daily Load Plan (TMDL). Mr. Fossum noted that at the July 1, 2009 Board meeting the Managers reviewed a draft Como Lake TMDL and authorized distribution to the appropriate partners. Mr. Fossum said staff distributed the first draft of the Como Lake TMDL to the regulated MS4s for their review in late January of 2010. On February 17th, a meeting of all the MS4s was held to review the draft TMDL. Mr. Fossum explained that minor revisions were made and a second draft of the Como Lake TMDL was distributed for review by the MS4s. Mr. Fossum reviewed the draft TMDL and the next steps in TMDL process with the Managers.

Motion 10-03-09: *Authorize submittal of the Como Lake TMDL Plan to MPCA to begin the formal review process, subject to the comments from the MS4s.*

Collins/Jones
Unanimously approved

F) Stormwater Impact Fund Implementation Plan (Kelley)

Mr. Kelley said District Rules require permits and installation of permanent stormwater management practices for projects over one acre. The alternative compliance section of Rule C, section 3(c)(2), part(iii) allows for payment to the Stormwater Impact Fund when on-site practices, off-site treatment, or banked

volume reduction credits can not be used to achieve compliance. The Rules require contributions to the Fund be allocated to volume reduction projects according to a Board approved Stormwater Impact Fund Implementation Plan. Mr. Kelley said the District has not received any contributions to the Fund, as most sites are able to comply with Stormwater Rule C on-site, through off-site practices, or with banked volume credits. However, volume bank deferrals have been approved within the past year, and may result in contributions from municipalities if projects to compensate for the deficit are not completed within 2 years of approval of the deferral. Mr. Kelley said the Stormwater Impact Fund Implementation Plan is included as part of the 2010 Watershed Management Plan. Mr. Kelley said the Board of Water and Soil Resources (BWSR) commented during the 60-day review period for the WMP that the Stormwater Impact Fund Implementation on page 99 either provides additional information outlining the program processes or the Stormwater Impact Fund Implementation Plan adopted by the managers must be included in the plan. Mr. Kelley said staff have drafted a Stormwater Impact Fund Implementation Plan in order to provide a formal process and approach to allocating money from contributions to the Fund, to address BWSR's comment, and include in the 2010 WMP. Mr. Kelley reviewed the eligibility requirements for project contributions and criteria for selecting volume reduction projects to be implemented from the Fund.

Motion 10-03-10: *Adopt the Stormwater Impact Implementation Plan.*

Thienes/Jones

Unanimously approved

G) Approve License Agreement for CRWD Green Infrastructure Practices in the Central Corridor Light Rail Transit (Eleria)

Ms. Eleria explained that the District must enter into a license agreement with the City of Saint Paul for its design, construction and maintenance for the four green infrastructure practices in the CCLRT project area located on City of Saint Paul Right-of-Way. Ms. Eleria said the four green infrastructure practices are: Aldine Avenue stormwater planter, two stormwater planters at Albert Avenue North and a raingarden at Syndicate Street. Ms. Eleria said the license agreement prepared by the City of Saint Paul outlines the terms and conditions of CRWD owning, constructing, operating and maintaining these green infrastructure practices on City right-of-way. Ms. Eleria reviewed the License Agreement between the City of Saint Paul and CRWD.

Motion 10-03-11: *Approve the license agreement for CRWD green infrastructure practices in CCLRT.*

Collins/Jones

Unanimously approved

VI. Unfinished Business

A) Lake McCarrons Lake Vegetation Management Plan (Fossum)

Mr. Fossum explained that a rule revision of the Minnesota aquatic plant management (APM) rules in 2009 mandated that the Minnesota DNR develop a lake vegetation management plan (LVMP) for 9 water bodies, one of which is Lake McCarron's. Mr. Fossum said these water bodies have been commonly referred to as the "Grandfather Lakes". The timeline indicates that the LVMP's for the "Grandfather Lakes" have to be finished by April 15, 2014. Mr. Fossum said the Department of Natural Resources will be developing a lake vegetation management plan (LVMP) for McCarrons Lake in 2010. Mr. Fossum said they are asking the District to partner with DNR in the drafting of the LVMP. The District received a letter from the DNR which includes a timeline resulting in an approved LVMP by April 2011. Mr. Fossum noted that this type of plan is one that the District has been contemplating for some time Mr. Fossum noted that the DNR contacted the Lake McCarrons Neighborhood Association to be involved also.

B) Crosby Lake Management Plan Update (Eleria)

Ms. Eleria said staff reviewed the draft work plan for the Crosby Lake Management Plan with the Board at the last Board meeting and noted that the draft plan was also being reviewed by Saint Paul and other local

contributing sponsors for the project. Ms. Eleria said they had until Friday, March 5th to provide comments. Ms. Eleria said comments were received from the National Parks Service, Ramsey County Public Works and a letter from the City of St. Paul. Ms. Eleria said staff had anticipated submitting a revised, final work plan to the Board for its approval tonight so staff could submit it to the PCA. Ms. Eleria said however, based on some of the comments in the City of Saint Paul's letter staff thought the Board and staff should have a discussion. Ms. Eleria reviewed the City of Saint Paul's comment letter with the Board. Manager Piram said CRWD and the City of Saint Paul need to have a meeting and discuss the comment letter.

C) Central Corridor Light Rail Update (Kelley & Eleria)

Ms. Eleria said she received notification in a newsletter announcing that projects have gone out to bid. Mr. Kelley added that he received an email from Gary Erickson requesting a meeting to discuss submitting a permit, the cost and all the details involved. Mr. Kelley said District staff have reviewed and commented on the plans that have gone out to bid.

VII. General Information

A) March CAC Update

Manager Thienes said Elizabeth Beckman provided the Committee with an update on the Stewardship Grant Program and an Education and Outreach update. Two Stewardship Grant recipients for green roofs provided presentations on their projects. Bill Barton provided a presentation on the research he had gathered on the damage that invasive carp are causing in the Twin Cities.

B) MAWD Legislative Update

No one was available to provide an update.

VIII. Meeting Agenda Review

A) Thursday, March 25, 2010 Special Meeting at 5:00 pm

B) Wednesday, April 7, 2010 Regular Meeting

IX. Adjournment – 8:05 p.m. adjourned by consensus.

Respectfully submitted,

Dawn Nelson