



Capitol Region Watershed District

1410 Energy Park Dr., Suite 4 St. Paul, MN 55108
Phone: (651) 644-8888 Fax: (651) 644-8894 www.capitolregionwd.org

Regular Meeting Minutes of the Capitol Region Watershed District (CRWD) Board of Managers, for **Wednesday, May 5 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 6:04 p.m. (President, Bob Piram)

A) Attendance

Robert Piram
Joe Collins
Seitu Jones
Mike Thienes
Marylyn Deneen

Others Present

Mark Doneux, CRWD
Bob Fossum, CRWD
Forrest Kelley, CRWD
Dawn Nelson, CRWD
Elizabeth Beckman, CRWD
Anna Eleria, CRWD

Jerome Wagner, CAC
Pamela Massaro,
Wenck & Associates
Drew McGovern, HR Green
Nate Fleischhacker
Mandy Kinnick
Nate Robitschek
Abby Tomasek

B) Review, Amendments and Approval of the Agenda

Manager Piram asked for additions or changes to the Agenda. Administrator Doneux added unfinished business E Central Corridor Light Rail Transit Update.

The Board adopted the Agenda as amended by consensus.

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

Jerome Wagner said the Freshwater Society had a meeting at the University of Minnesota’s St. Paul Student Center and Hedrick Smith, who produced the highly acclaimed PBS Frontline documentary “Poisoned Waters” gave a lecture. Mr. Wagner suggested the District add the word Holistic to the Mission. Mr. Wagner added that frogs would be the cheapest water monitoring system for the District.

III. Permit Applications

A) Permit # 09-030 Highway 94 Reconstruction (Kelley)

Forrest Kelley reviewed Permit #09-030 Highway 94 Reconstruction. Mr. Kelley said the applicant is MNDOT and the project purpose is resurfacing and drainage improvements on Highway 94 from 280 to Western Avenue. The applicable rules are Stormwater Management (Rule C), Erosion Control (Rule F) and Floodplain Management (Rule D). Mr. Kelley said the project has approximately 2 acres of disturbed area and 1 acre of proposed impervious surface. Mr. Kelley said the Board of Managers approved permit 09-030 with 3 Conditions on January 6, 2010. Mn/DOT has submitted the required documents to satisfy the conditions and the permit has been issued. However, Mn/DOT has requested a variance from the gross pollutant removal requirement of Rule C. Mr. Kelley said the TH 94 project includes mill and overlay of approximately 5 miles of freeway and replacement or reconstruction of select catch basins and curbline. CRWD Rules do not classify mill and overlay as land disturbance. The intent of this exception was to allow for routine maintenance of streets without triggering the stormwater requirements of the Rules. Due to the scale of this project, the small incremental areas of disturbance from catch basins and new curb, add up to 1.3 acres, which require 4,247 cubic feet of volume reduction. The Board has approved deferral due to concerns regarding maintenance and safety on the high volume freeway and Mn/DOT will provide this volume in either the 36 and Rice Street infiltration basins or a future project at Highway 280 and 94. Mr. Kelley Mn/DOT asserts that including sumped structures on I-94 will also pose a safety and maintenance

concern since they will have to be vacuumed out as part of their MS4 permit, and that the two foot sumps proposed are not an effective stormwater treatment BMP. Mr. Kelley said staff feel the issues identified by the variance request letter are valid concerns, and that requiring structures that require regular maintenance within the travel lanes of I-94 is inconsistent with the Board of Managers' original approval to defer the treatment to another location within the District. The Staff recommend approval of the requested variance and amending the permit to allow deletion of the sumps in the 14 identified catch basins. Manager Jones asked if the request meant the applicant would not clean out the catch basins. Mr. Kelley said the request means the applicant will not provide sumps in the catch basins instead the pipes will be at the bottom of the catch basins.

Motion 10-05-01: *To approve the requested variance from the gross pollutant removal requirement of Rule C for Permit #09-030 Highway 94 Reconstruction*

Thienes/Jones

Unanimously Approved

Motion 10-05-02: *To approve permit amendment for 09-030 TH 94 to allow removal of the sumped catch basins.*

Thienes/Jones

Unanimously Approved

B) Permit #10-005 City of Saint Paul – Seventh and Douglas RSVP (Kelley)

Forrest Kelley reviewed CRWD Permit # 10-005 City of Saint Paul – Seventh and Douglas. The applicant is the City of Saint Paul Public Works and the project is reconstruction of select streets and utilities near West Seventh and Douglas Streets. Mr. Kelley noted that the location is between I-35E and Shepard Road from Webster to Chestnut. 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 5.34 acres of disturbed area, 5.34 acres of proposed impervious surface and the proposed stormwater management will include sump catch basins with hoods and the applicant requested volume bank deferral. The staff recommendation is to approve the permit with no conditions. Mr. Kelley explained that the City currently has a negative 35,431 bank and this project would be an additional 17,462. Manager Piram asked if the College Park project is funded. Mr. Kelley said he did not know. Administrator Doneux said each RSVP project does budget for Stormwater BMP's and with the deferral there are some funds accruing for College Park.

Motion 10-05-03: *To approve permit #10-005 City of Saint Paul – Seventh and Douglas RSVP subject to no conditions.*

Thienes/Deneen

Unanimously Approved

C) Permit #10-009 2010 Pavement Replacement: Como Park High School (Kelley)

Forrest Kelley reviewed CRWD Permit # 10-009 2010 Pavement Replacement for Como Park High School. The applicant is the Independent School District 625 and the project is reconstruction of a parking lot. 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 2.16 acres of disturbed area, 1.64 acres of proposed impervious surface and the proposed stormwater management will include one underground infiltration practice. The staff recommendation is to table the permit with two conditions.

Motion 10-05-04: *To table permit #10-009 Como Park High School Pavement Replacement subject to the following two conditions:*

1. Submit a copy of the NPDES permit application.

2. Provide water quality treatment for the loading dock and/or access drive areas such that the overall project area achieves 90% TSS removal. Assuming 97% TSS removal for the northwest parking lot, the project area currently receives approximately 78% TSS removal.

Thienes/Collins

Unanimously Approved

D) Permit #10-010 Maryland and Rice Street Reconstruction (Kelley)

Forrest Kelley reviewed CRWD Permit # 10-010 Maryland and Rice Street Reconstruction. The applicant is Ramsey County Public Works and the project is to make traffic improvements at the Rice Street and Maryland Avenue Intersection. 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 1.88 acres of disturbed area and 1.61 acres of proposed impervious surface. The applicant requested volume bank deferral. The staff recommendation is to table the permit with nine conditions. Manager Collins asked if condition #2, asking the applicant to provide plans signed by a professional engineer is a new condition. Mr. Kelley said it is in the Rules but it is new as far as it being a requirement.

Motion 10-05-05: *To table permit #10-010 Maryland and Rice Street Reconstruction subject to the following nine conditions:*

1. Receipt of maintenance agreement.
2. Provide plans signed by a professional engineer per the Minnesota Board of AELSLAGID and CRWD Rule C.
3. Specify invert elevations for CB215, CB216, and CB217.
4. Delete the silt fence box from sheet 30. Clearly state when and where the other types of inlet protection are to be used.
5. Submit calculations to demonstrate the proposed runoff rates are equal to or less than existing rates.
6. Consider boulevard planters (similar to those proposed for the CCLRT project) for the north side of Maryland Avenue at the east end of the project.
7. Consider proprietary filtration devices for MH205 and/or CB217 as part of alternative compliance sequencing requirements.
8. If volume reduction deferral is approved, identify a specific project(s) and timeline to create a positive balance.
9. If no water quality treatment is provided (infiltration or filtration), include hoods/tees at the down-gradient structures to provide gross-pollutant removal.

Collins/Jones

Unanimously Approved

E) Permit #10-011 Davern Jefferson RSVP (Kelley)

Forrest Kelley reviewed CRWD Permit # 10-011 Davern Jefferson RSVP. The applicant is the City of Saint Paul and the project is reconstruction of select streets and utilities near Davern and Jefferson Avenue. Mr. Kelley noted that the location is between Fairview, Snelling, St. Clair and Jefferson. 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 12.03 acres of disturbed area and 12.03 acres of proposed impervious surface. The applicant requested volume bank deferral. The staff recommendation is to table the permit with five conditions.

Motion 10-05-06: *To table permit #10-011 Davern Jefferson RSVP subject to the following five conditions:*

1. Provide plans signed by a professional engineer per the Minnesota Board of AELSLAGID and CRWD Rule C.
2. Submit a plan and timeline to address the City's negative volume reduction balance.
3. Consider an infiltration practice on Macalester between Stanford and Berkeley and also between Jefferson and Wellesley. Soil borings indicate reasonable infiltration potential at these locations.

4. If infiltration is not feasible, consider filtration of runoff using a drain tile and filter media.
5. If no infiltration or filtration practices are constructed, include hoods/tees on down-gradient catchbasins to provide gross pollutant removal.

Jones/Collins

Unanimously Approved

F) Permit #10-012 Dale Street Reservoir (Kelley)

Forrest Kelley reviewed CRWD Permit # 10-012 Dale Street Reservoir. The applicant is Saint Paul Regional Water Services and the project is demolition of the Dale Street Reservoir. Mr. Kelley said the applicable rule is Erosion Control (Rule F). Mr. Kelley said this project has 6.6 acres of disturbed area and no impervious surface. There is no proposed stormwater management because the permit is only for erosion control. The applicant will return at a later Board meeting to request stormwater management permit because the will be installing a smaller reservoir that will be exposed. The staff recommendation is to approve the permit with three conditions.

Motion 10-05-07: *To approve permit #10-012 Dale Street Reservoir subject to the following three conditions:*

1. Provide a detail and location for a stabilized construction entrance
2. Provide a restoration and vegetation plan for temporary and final stabilization of bare soils
3. Submit a copy of the NPDES permit.

Thienes/Jones

Unanimously Approved

G) Permit Program/Rules Update (Kelley)

No Permit Program/Rules Update

IV. Special Reports

University of Minnesota Civil Engineering Capstone Design Project – Villa Park Subwatershed Analysis

Drew McGovern from HR Green introduced four senior students from the University of Minnesota Civil Engineering Capstone Design Project who conducted the Villa Park Subwatershed Analysis; Nate Fleischhacker, Mandy Kinnick, Nate Robitschek and Abby Tomasek. The students provided a presentation outlining the background, potential BMP sites, possible BMP solutions, a final recommendation and the next steps for the project.

V. Action Items

Consent Agenda

Manager Piram asked for a motion to approve the May 5, 2010 Consent Agenda as presented.

Motion 10-05-08:

A) Approve Minutes of the April 21, 2010 Regular Meeting as presented.

B) Approve Collier-Piaget Grant with reimbursement funding not to exceed \$405 subject to the following conditions:

1. CRWD and Jamie Collier and Thomas Piaget must approve and enter into a Cooperative Agreement;
2. Any changes to project plans must be approved by CRWD; and
3. All conditions must be met and the project completed within one year after project approval.

C) Approve Dilts-Philippon Stewardship Grant with reimbursement funding not to exceed \$320 subject to the following conditions:

1. CRWD and Nancy Dilts and Dan Philippon must approve and enter into a Cooperative Agreement;
2. Any changes to project plans must be approved by CRWD; and
3. All conditions must be met and the project completed within one year after project approval.

D) Appoint Mary Jo Murray to the Citizen's Advisory Committee.

Thienes/Jones

Unanimously approved

Discussion

E) Comment Letter on City of Saint Paul's draft MS4 Permit (Eleria)

Ms. Eleria said Minnesota Pollution Control Agency (MPCA) plans to reissue the City of Saint Paul's Municipal Separate Storm Sewer System (MS4) permit, which was first issued in December 2000. The MS4 permit requires the City of Saint Paul to develop, implement and enforce a Stormwater Management Program to reduce the discharge of pollutants to the maximum extent practicable, protect water quality, and satisfy the appropriate water quality requirements of the Clean Water Act. Ms. Eleria said the public comment period for the City of Saint Paul's draft reissued permit extends from April 9, 2010 to May 8, 2010. Ms. Eleria said MPCA has made several modifications to the existing City of Saint Paul MS4 permit including new requirements for addressing non-degradation of water quality and impaired waters and revised requirements for monitoring and illicit discharge detection and elimination. Ms. Eleria said CRWD staff has comprehensively reviewed the draft permit and utilized as guides in the review EPA's Compliance Inspection Report of the City's Stormwater Management Program, which was completed in January 2010, and the MS4 Permit Improvement Guide published by EPA in April 2010. CRWD staff has prepared a comment letter and memo to submit to MPCA. The letter from CRWD Board of Managers outlines the significant, overarching issues and comments on the permit while the memo from CRWD staff describe in detail the issues and recommendations for improving the permit. Ms. Eleria reviewed the comments with the Board. Discussion occurred.

Motion 10-05-09: *Approve comment letter on the City of Saint Paul's Draft, reissued MS4 Permit subject to the changes of the Board's discussion and authorize the Board President to sign the letter.*

Thienes/Deneen

Unanimously approved

F) Agreement with Met Council for CCLRT BMP's (Eleria)

Ms. Eleria explained that for the four green infrastructure practices in the CCLRT project area, CRWD must enter into a construction agreement with Metropolitan Council. 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 agreement prepared by Metropolitan Council outlines the terms and conditions of the construction for the four green infrastructure practices including its costs, payment to Met Council, insurance, inspections and other general provisions. Manager Collins asked if the cost seems reasonable to the staff. Ms. Eleria said the fee is based on the Engineers numbers.

Motion 10-05-10: *Approve the agreement with Metropolitan Council for CRWD's four green infrastructure practices in CCLRT, subject to the review and approval of the Ramsey County Attorney.*

Thienes/Collins/Piram/Deneen

Jones abstained

VI. Unfinished Business

A) Gottfried's Pit Lift Station Improvement Project Update (Fossum)

Mr. Fossum said the District has a fully executed contract for Gottfried's Pit Lift Station with Penn Contracting. Manager Deneen asked staff if they are familiar with Penn Contracting. Mr. Fossum said the staff is not but the engineering firm is. The preconstruction meeting is Thursday May 13th.

B) Education and Outreach Program Update (Beckman)

Ms. Beckman said at the March 3, 2010 meeting, CRWD Board Managers approved an agreement with LaBreche to complete a CRWD communications plan and campaign promotions for a downspout program.

Ms. Beckman said since March, CRWD staff has worked with LaBreche communications team member Sara Cziok and St. Paul district planning council staff to define the size and scope of the downspout campaign, develop a campaign name and messaging, and to identify focus areas for the campaign. Based on our relationships with residents and planning district staff, relative homogenous topography, and the geographic separation of the two areas, staff has chosen areas within St. Paul Planning Districts 7 and 14 to carry out a focused downspout campaign. Participation in the campaign at some level will also be offered to all District residents. Ms. Beckman said CRWD and LaBreche staff held a preliminary Discovery Meeting on Thursday, April 22 with District 14 community organizer Lauren Anderson, Manager Jones, three residents of District 7, and two members of the CRWD Citizen's Advisory Committee. Led by LaBreche staff, group members brainstormed several topics: ways residents receive information in their neighborhoods, motivating factors for their neighbors, and potential retail and community partners. Group members also participated in the first phase of a naming session for the campaign. Ms. Beckman said District staff is in discussion with Conservation Corps of Minnesota & Iowa, formerly known as MCC, who is interested in carrying out the technical canvassing portions of the campaign. Staff is also creating campaign supply list, and creating an inventory of resources to be used in the web development phase of the campaign. Ms. Beckman noted that after collecting resident feedback at the Discovery Meeting, LaBreche staff will begin work on phase two of the campaign naming process, working with the phrase "Bringing Water Back to St. Paul." On April 26 staff met with LaBreche for an initial session to create campaign messaging. LaBreche staff is also creating a draft campaign marketing and communications plan which will include costs for many possible formats including printed materials, how-to video, yard signage, utility inserts, website and more. Ms. Beckman provided a list of campaign names for the Board's review and comments. The Board provided comments and recommendations on their preferred campaign names.

C) 2010 Watershed Management Plan Update (Fossum)

Mr. Fossum said comment period ends May 21st. Mr. Fossum said staff received one comment letter from Met Council that said everything is satisfactory.

D) City of Saint Paul Water Resource Work Group Update (Doneux)

Bob Fossum said the May 4th meeting was a productive meeting about the Watershed Management Plan.

E) Central Corridor Light Rail (Kelley)

Mr. Kelley distributed a spreadsheet showing Met Council's October, 2009 estimates for Volume reduction and the CRWD estimates for what is currently being proposed in the preliminary permit submittal. In reviewing the data for the project Mr. Kelley noted the percent compliance with the 1" standard. Project wide, the estimates from Met Council have dropped from 84% in October 2009 to 43% in the current plans. This reduction since October, 2009 is primarily due to the reduction in linear feet of tree trench and a reduction in the cross section. The other major change was counting 40% of the treatment volume from off-site drainage. This issue is of concern because the off-site drainage is made up of a number of fragmented parcels scattered throughout the project corridor that will likely redevelop in the next 10 years. The Board directed staff to contact the Met Council staff and note the loss of treatment should be made up for within the tree trench and that off-site drainage can not be considered unless the District would be reasonably assured that the drainage to the paver system would occur for the life of the project.

VII. General Information

A) Administrator's Report

Administrator Doneux gave the Administrators Report and noted the following events and announcements:

- 1) The 2009 Annual District Audit is complete and should have been received by all managers. The District has again received an "unqualified opinion" for the seventh straight year. Staff are working to complete the annual report and will submit a draft to the Board for approval at a future Board meeting.

- 2) The CRWD has been notified that the Arlington Pascal Stormwater Improvement Project is one of the finalists for the Minnesota Environmental Initiative awards. The Awards Ceremony is Thursday, May 27th from 5:00 – 9:00 PM. Registration deadline is May 14th.
- 3) The annual Mississippi River Forum will be held on May 7th from 8:30 AM – 1:00 PM at the Science Museum of Minnesota. Attendance is free however you must contact the National Park Service to get registered.
- 4) Mark Doneux will give a presentation on Monday, May 3rd at the University of Minnesota's Annual Public Meeting on stormwater management planning.
- 5) Staff presented the District's Stream Corridor and Wetland Restoration Plan to the St. Paul Port Authority on April 15th. A meeting will be set up in the near future to discuss a possible project on the Beacon Bluff development. Wetland reestablishment was also discussed in connection to the recent Rice Street bridge project and the need for wetland credits due to the St. Paul Downtown Airport floodwall project.
- 6) District staff gave presentations in Denver the week of April 26th at the National Water Monitoring Conference. Matt Loyas gave a presentation on the District's Water Monitoring Program and Melissa Baker presented the BMP Effectiveness report. Staff will give a report on the conference at a future Board meeting.
- 7) CRWD will have a display and staff will attend the City of Saint Paul's Public Works Open House on Tuesday, May 18th from 4:00 – 7:00 PM.
- 8) Mark Doneux will be out of the office from June 16th – June 29th including the June 16th Board meeting. Anna Eleria will be Acting Administrator while I am gone.
- 9) Mark Doneux noted that the Education and Outreach Program Activity Report for May was included in the packet for the Board's information.

VIII. Meeting Agenda Review

Wednesday, May 19, 2010 Regular Meeting Agenda Review

IX. Adjournment – 8:38 p.m. adjourned by consensus.

Respectfully submitted,

Dawn Nelson